

AC/
Windsor, Ontario, September 14, 2015

A meeting of the **Planning, Heritage and Economic Development Standing Committee** is held this day commencing at 4:30 o'clock p.m. in Council Chambers there being present the following members:

Councillor Holt
Councillor Kusmierczyk
Councillor Payne
Councillor Sleiman
Councillor Marra (Chair)

Planning Act Citizen

Anthony Gyemi
Dorian Moore
Barbara Bjarneson

Heritage Act Citizens

Lynn Baker
Andrew Foot
Michael DiMaio

Regrets

Simon Chamely
John Miller

Delegations

Jim Marsh (Item 1)
Jordan Masse (Item 1)
Diana Renaud (Item 1)
Peter Valente (Item 2)
Frederica Nazzani (Item 3)
Jackie Lassaline (Item 3)
Lynn Andrews (Item 5)
Kevin Flood (Item 5)

Also present are the following from Administration:

Helga Reidel, Chief Administrative Officer
Wira Vendrasco, Deputy City Solicitor
Thom Hunt, Executive Director Planning, Building Services/City Planner
Don Wilson, Manager of Development Applications
Robert Vani, Manager of Inspections
Thomas Cadman, Planner III, Subdivisions
John Calhoun, Heritage Planner
June Liu-Vajko, Technologist
Sahar Jamshidi, Planner II, Development Review
Anna Ciacelli, Supervisor of Council Services

1. **CALL TO ORDER**

The Chairperson calls the meeting of the Planning, Heritage and Economic Development Standing Committee to order at 4:30 o'clock p.m.

2. **DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

None Disclosed.

3. **REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS**

None Requested.

4. **COMMUNICATIONS**

None Presented.

5. **ADOPTION OF MINUTES**

Moved by Mr. Gyemi, seconded by Councillor Holt,
THAT the minutes of the meeting of the Planning, Heritage and Economic Development Standing Committee (Planning Act Matters) held August 10, 2015 **BE ADOPTED** as presented.

Carried.

Clerks Note:

Ms. Bjarneson abstains from voting, as she did not attend the August 10, 2015 Planning, Heritage and Economic development Standing Committee Meeting.

6. **PRESENTATIONS AND DELEGATIONS FOR PLANNING ACT MATTERS**

Item 1 WFT Investments Ltd., Official Plan and Zoning By-law Amendments for the lands known as 526 Vanier Street, to allow a "public parking area" as an additional permitted use

Jim Marsh, President of WFT Investments Ltd

Jim Marsh, President of WFT Investments Ltd, appears before the Planning, Heritage and Economic Development Standing Committee, regarding the administrative report entitled "WFT Investments Ltd., Official Plan and Zoning By-law Amendments for the lands known as 526 Vanier Street, to allow a "public parking area" as an additional permitted use" and is available for questions.

Jordan Masse, resident

Jordan Masse, resident, appears before the Planning, Heritage and Economic Development Standing Committee, regarding the administrative report entitled “WFT Investments Ltd., Official Plan and Zoning By-law Amendments for the lands known as 526 Vanier Street, to allow a “public parking area” as an additional permitted use” and agrees that the additional parking may be warranted but has concerns with the increased traffic that may result if the proposed request is granted.

Diane Renaud, resident

Diane Renaud, resident, appears before the Planning, Heritage and Economic Development Standing Committee, regarding the administrative report entitled “WFT Investments Ltd., Official Plan and Zoning By-law Amendments for the lands known as 526 Vanier Street, to allow a “public parking area” as an additional permitted use” and has concerns with the traffic and safety of the area as a result of the proposed new public parking. She also suggests that the parking lot access be blocked so that the parking lot can’t be accessed from Vanier Street to mitigate traffic concerns. Ms. Renaud indicates this would be ideal and this may be accomplished by moving the existing steel barricade located at Howard and Vanier to the other side of the alley, allowing parking lot access from the alley only.

Moved by Councillor Kusmierczyk, seconded by Councillor Sleiman,

I That OPA #105 **BE ADOPTED** to amend the City of Windsor Official Plan by adding the following site specific policies:

- (1) The property described as Lot 95 on Registered Plan 1354, on the north side of Vanier Street, east of Howard Avenue, is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.
- (2) Notwithstanding the “Residential” designation of the subject land on Schedule D: Land Use in Volume I – The Primary Plan, a “Public Parking Area” shall be an additional permitted use.
- (3) The following guidelines shall be considered when evaluating the proposed design of a “Public Parking Area” on the above described lands:
 - a) The provision of appropriate landscaping or/and other buffers to enhance and screen
 - (i) the parking lot, and
 - (ii) the separation between the parking lot and adjacent residential uses, where appropriate;
 - b) Motorized vehicle access/ingress is oriented in such a manner that direct traffic shall not be permitted from Vanier Street frontage of the subject land; and
 - c) The provision of a lighting plan for approval and as part of a development agreement.

II That an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the land located on the north side of Vanier Street, east of Howard

Avenue, and described as Lot 95 on Registered Plan 1354, by adding a site specific provision to allow a "Public Parking Area" as an additional permitted use, subject to the following regulations:

- a) Direct vehicular access/ingress to the subject Parking Area is prohibited from Vanier street frontage of the subject land;
- b) The requirements of Section 24.26.5 and 24.28 of zoning by-law 8600 shall not apply; and
- c) Parking area separation from an interior lot line abutting a residential use shall be 3m.

Carried.

LIVELINK 17895 ZB/12305 ZO/12306

Item 2 Valente Development Corporation, 8475 Wyandotte Street East, Application for Approval of a Plan of Condominium with exemption under Section 9(3) of the Condominium Act, 4-storey residential building containing 50 residential dwelling units, 6 townhome dwelling units and 23 stand-alone garage units

Peter Valente, President, Valente Development Corporation

Peter Valente, President, Valente Development Corporation appears before the Planning, Heritage and Economic Development Corporation Standing Committee regarding the administrative report entitled "Valente Development Corporation, 8475 Wyandotte Street East, Application for Approval of a Plan of Condominium with exemption under Section 9(3) of the Condominium Act, 4-storey residential building containing 50 residential dwelling units, 6 townhome dwelling units and 23 stand-alone garage units" and is available for questions.

Moved by B. Bjarneson, seconded by Councillor Kusmierczyk,

I That the application of Valente Development Corporation for an exemption under Section 9(3) of *The Condominium Act* for approval of a plan of condominium (Standard Condominium), comprised of a 4-storey building containing 50 residential dwelling units, 6 townhome dwelling units and 23 garage units, on a property legally described as Lots 69 to 72, 75 to 80, Part Lane, Plan 1627, being Parts 2,3 & 4, Plan 12R-21179, Part Lot 130, con. 1, being Parts 1 & 2, Plan 12R-26115, together with ROW over Part 1, 12R-21179, as shown on the attached Map No. CDM-003/15-2 and known municipally as 8475 Wyandotte Street East, **BE APPROVED** for a period of three (3) years.

Carried.

LIVELINK 17907 ZP/12303

7. PLANNING ACT MATTERS

Minutes for the Planning Act Matters are attached as Appendix "A".

Item 1 WFT Investments Ltd., Official Plan and Zoning By-law Amendments for the lands known as 526 Vanier Street, to allow a “public parking area” as an additional permitted use

(For final disposition of this matter please see Section 6--PRESENTATIONS AND DELEGATIONS FOR *PLANNING ACT* MATTERS above.)

Item 2 Valente Development Corporation, 8475 Wyandotte Street East, Application for Approval of a Plan of Condominium with exemption under Section 9(3) of the Condominium Act, 4-storey residential building containing 50 residential dwelling units, 6 townhome dwelling units and 23 stand-alone garage units

(For final disposition of this matter please see Section 6--PRESENTATIONS AND DELEGATIONS FOR *PLANNING ACT* MATTERS above.)

The Planning Act portion of the meeting concludes at 5:14 o'clock p.m.

The Heritage Act portion of the meeting convenes at 5:16 o'clock p.m.

8. ADOPTION OF MINUTES

Moved by Councillor Sleiman, seconded by Councillor Kusmierczyk,

THAT the minutes of the meeting of the Planning, Heritage and Economic Development Standing Committee meeting held July 13, 2015 **BE ADOPTED** as amended to reflect the motion from Item 3—Tru Land Developments, of the Planning, Heritage and Economic Development Standing Committee--Planning Act Minutes dated August 10, 2015 attached as Appendix A, to be the correct motion for Item 3, and correcting Page 12 to correct the existing statement to read: Mr. Foot had the house designated and subsequently sold the house with the designation in place.

Carried.

9. PRESENTATIONS AND DELEGATIONS FOR COMMITTEE AND ADMINISTRATIVE MATTERS

John Calhoun, Heritage Planner, appears before the Planning, Heritage and Economic Development Standing Committee, and provides clarification on a by-law that will be forwarded directly to Council in the near future that will officially establish this Heritage committee as the official Heritage Act Matter committee.

Item 3 Wisser's Reception Centre, 2072 Riverside Drive East, Heritage Designation, Request for Funding

John Calhoun, Heritage Planner, provides a brief overview regarding the administrative report entitled "Wisser's Reception Centre, 2072 Riverside Drive East, Heritage Designation, Request for Funding".

Jackie Lassaline, Principal Planner

Jackie Lassaline, Principal Planner, Crozier Baird, appears before the Planning, Heritage and Economic Development Standing Committee, regarding the administrative report entitled "Wisser's Reception Centre, 2072 Riverside Drive East, Heritage Designation, Request for Funding" and provides a brief history regarding the property as well as requesting support for the rejuvenation and preservation of the building. Details of how the funding will be utilized are provided as specified in the administrative report.

Frederica Nazzani, Windsor Club

Frederica Nazzani, Windsor Club, appears before the Planning, Heritage and Economic Development Standing Committee, regarding the administrative report entitled "Wisser's Reception Centre, 2072 Riverside Drive East, Heritage Designation, Request for Funding" and she stresses the importance of the cultural significance of the location as well as the significance of the contribution that is being made by the Windsor Club as well as the importance of the collaboration and partnership with Hiram Walker's and the City of Windsor. Ms. Nazzani also provides financial specifics in terms of the commitment that is being invested into the site. Accessibility details are also provided. She concludes by suggesting that the investment being made for this location may encourage investment by other community partners, including consideration of heritage restoration for other locations throughout the City.

Lynn Baker comments that the amount requested is higher than normally is provided and has concerns with the perception of providing these funds for a public building. She continues by indicating that this amount of funding will go to a private club and asks for clarification on the public's ability to access the building. Ms. Nazzani indicates that the Windsor Club is a non-profit organization designed in order to provide a social gathering for groups/people. She indicates that the Windsor Club has been open to the public for 10 years, a small rental fee is required, but the facility is open to the public. Different organizations have rented the facility for meetings, gatherings and banquets, doors are always open to the public.

Mr. Foot inquires about the current exterior brick work replacement and the material that will be used to replace the existing brick. Ms. Lassaline indicates it will probably be something that is more durable such as a stamped concrete, but will have the same pattern and colour which will complement the existing style and the entire exterior will be replaced. Mr. Foot inquires as to whether the entrance way will be updated. Ms. Nazzani indicates that the illuminated signage will be available to guide people and the existing iron work will remain. Mr. Foot inquires as to the future of Building 26. Ms.

Nazzani indicates that there may be some public/private partnerships involved and future usages have been discussed.

Councillor Payne inquires as to the washrooms, and their location. Ms. Nazzani indicates the washrooms are in building 26 in the basement. The washrooms in this building will be revamped for accessibility purposes. Councillor Payne inquires as to the total financial commitment that the Windsor Club has expended. Ms. Nazzani indicates they have utilized the formal bid process for all the works and explains that a number of projects were brought forward to be eligible for the City funding and administration made the final recommendations to the committee. Mr. Calhoun explains the breakdown of the percentage of the funding that was recommended by administration indicating the funding is a percentage of the total requested and the funds will be released at the time that the work detailed is completed. The guidelines of the Community Heritage Fund are explained and Mr. Calhoun indicates that it is City Council's option to make contributions from the Community Heritage Fund and the Built Heritage Fund as they deem appropriate.

Thom Hunt, City Planner provides examples of funding requests that have been received in the past. Requests that are received by administration are usually in line with the guidelines as set out. Some examples of projects that have received funding in the past are provided.

Councillor Sleiman inquires as to the age of the building and to designation guidelines. Mr. Calhoun indicates that there are clear criteria provided regarding designation of properties and these are highlighted in the administrative report.

Mr. DiMaio, inquires as to the accessibility of the building structure and whether it will be incorporated into the renovation. Ms. Nazzani, indicates there is a ramp from the parking area, but will be making accessibility renovations to building 26 that will be accessible by the breezeway. The parking lot is accessible to the waterfront area of the building. Mr. DiMaio inquires as to the name of the building. Ms. Nazzani indicates there are no immediate plans to change the name.

Moved by Councillor Sleiman, seconded by Councillor Kusmierczyk,

1. THAT further to Windsor Heritage Committee Report No. 347 (July 9, 2014), the City Clerk **BE AUTHORIZED** to publish a Notice of Intention to Designate the Wisser's Reception Centre (Building # 25), part of the property at 2072 Riverside Drive East, in accordance with Part IV of the *Ontario Heritage Act* for the reasons attached as Appendix 'A'; and
2. THAT a grant of an upset amount of \$100,000 (\$25,000 from the Community Heritage Fund and \$75,000 from the Built Heritage Fund) **BE APPROVED**, for the projects requested in Appendix 'B', except for the washrooms, provided they are completed to a good heritage standard and according to the Building Code to the satisfaction of the City Planner and the Chief Building Official, that the heritage designation by-law is passed by Council and registered in the Land Registry Office, that construction receipts identifying the funded projects are

produced, and that the property owner grants a Heritage Conservation Easement to the City for the lands identified in the heritage designation by-law; and

3. THAT the City Planner **BE DELEGATED** the authority to approve Heritage Alteration Permits for this property as needed after the Notice of Intention to Designate is published, as provided by the *Ontario Heritage Act* Section 30; and
4. THAT Building # 26 at 2072 Riverside Drive East **BE LISTED** on the Windsor Municipal Heritage Register.

Carried.

LIVELINK 17918 MBA/3334

The Heritage Act portion of the meeting is adjourned at 6:09 o'clock p.m.

The Administrative portion of the meeting convenes at 6:10 o'clock p.m.

Item 5 Request to close the west half of the north/south alley on the south side of Fanchette Street, between Randolph Avenue and Askin Avenue

Sahar Jamshidi, Planner II, Development Review appears before the Planning, Heritage and Economic Development Standing Committee regarding the administrative report entitled "Request to close the west half of the north/south alley on the south side of Fanchette Street, between Randolph Avenue and Askin Avenue" and provides details of the proposed request.

Kevin Flood, property owner

Kevin Flood, property owner, appears before the Planning, Heritage and Economic Development Standing Committee regarding the administrative report entitled "Request to close the west half of the north/south alley on the south side of Fanchette Street, between Randolph Avenue and Askin Avenue" expressing concern regarding the notification that was provided. Mr. Flood indicates he is opposed to the recommendations regarding the alley closure as he uses this portion of the alley and there are also several trees in that area that may require future maintenance and there wouldn't be any access to them.

Lynn Andrews, area resident

Lynn Andrews, property owner, appears before the Planning, Heritage and Economic Development Standing Committee regarding the administrative report entitled "Request to close the west half of the north/south alley on the south side of Fanchette Street, between Randolph Avenue and Askin Avenue" expressing three concerns, specifically including:

1. The application is being made by one person and the outcome affects many properties along the westerly portion of the alley.
2. Since the westerly portion of the alley in question abuts her property, the maintenance of her property will be affected.
3. Illegal parking issues in the area are cited.

Councillor Sleiman requests specific information regarding the history of this alley and the section that was previously closed. Don Wilson, Manager of Development Applications provides the detailed historical information as requested.

- Moved by Councillor Kusmierczyk, seconded by Councillor Holt,
- I. That the entire length of the westerly 3.048m (10ft) wide portion of the north/south alley between Randolph Avenue and Askin Avenue, south of Fanchette Street up to the north limit of the intersecting east-west alley north of Wyandotte Street West, shown on Drawing No. CC-1677 ***attached*** hereto as **Appendix "A", BE ASSUMED** for subsequent closure;
 - II. That the entire length of the westerly 3.048m (10ft) wide portion of the north/south alley between Randolph Avenue and Askin Avenue, south of Fanchette Street up to the north limit of the intersecting east-west alley north of Wyandotte Street West, shown on Drawing No. CC-1677 ***attached*** hereto as **Appendix "A", BE CLOSED AND CONVEYED** first to the abutting property owners fronting on Askin Avenue, and after the conveyance deadline date, the conveyance offer shall be broadened to include the abutting property owners on Randolph Avenue; subject to the following:
 - a. Easements, subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - i. Bell Canada & Enwin Utilities Ltd.
 - III. Conveyance Cost **BE SET** as follows:
Abutting properties zoned RD1.3 & RD2.1: \$1.00 plus deed preparation plus proportionate share of survey cost
 - IV. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1677, ***attached*** hereto as **Appendix "A"**;
 - V. That The City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice;
 - VI. That The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s);
 - VII. That The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and
 - VIII. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
Carried.

10. **HERITAGE ACT MATTERS**

Item 3 Wiser's Reception Centre, 2072 Riverside Drive East, Heritage Designation, Request for Funding

(For final disposition of this matter please see Section 9--PRESENTATIONS AND DELEGATIONS FOR COMMITTEE AND ADMINISTRATIVE MATTERS above.)

The Heritage Act portion of the meeting is adjourned at 6:09 o'clock p.m.

The Administrative portion of the meeting convenes at 6:10 o'clock p.m.

11. **ADMINISTRATIVE ITEMS**

Item 4 Request to close the entire length of the east/west alley from Parent Avenue to Elsmere Avenue, and close the westerly 10ft portion of Parent Avenue ROW abutting the property known as 886 South Pacific Avenue

Sahar Jamshidi, Planner II, Development Review appears before the Planning, Heritage and Economic Development Standing Committee regarding the administrative report entitled "Request to close the entire length of the east/west alley from Parent Avenue to Elsmere Avenue, and close the westerly 10ft portion of Parent Avenue ROW abutting the property known as 886 South Pacific Avenue" and provides a brief overview of the proposed request.

- Moved by Councillor Kusmierczyk, seconded by Councillor Sleiman,
- I. That the 4.27metres (14feet) wide east/west alley located between Parent Avenue and Elsmere Avenue, abutting the north lot lines of the properties known as 886, 848, 840, 808, and 804 South Pacific Avenue, and shown as Parts 2 and 3 on Drawing No. CC-1676 **attached** hereto as **Appendix "A", BE ASSUMED** for subsequent closure;
 - II. That the 4.27metres (14feet) wide east/west alley located between Parent Avenue and Elsmere Avenue, abutting the north lot lines of the properties known as 886, 848, 840, 808, and 804 South Pacific Avenue, and shown as Parts 2 and 3 on Drawing No. CC-1676 **attached** hereto as **Appendix "A", BE CLOSED AND CONVEYED** to the abutting property owners;
 - III. That the entire length of the westerly 3.048m (10ft) wide portion of the 30.48 metres (100 feet) wide Parent Avenue right-of-way abutting the property known as 886 South Pacific Avenue, and shown as Part 1 on Drawing No. CC-1676 **attached** hereto as **Appendix "A", BE ASSUMED** for subsequent closure;
 - IV. That the entire length of the westerly 10-foot wide portion of the 30.48 metres (100 feet) wide Parent Avenue right-of-way abutting the property known

as 886 South Pacific Avenue, and shown as Part 1 on Drawing No. CC-1676 **attached** hereto as **Appendix "A"**, **BE CLOSED AND CONVEYED** to the abutting property owners;

- V. Conveyance Cost **BE SET** as follows:
Alley: Abutting properties zoned RD1.3: \$1.00 plus deed preparation plus proportionate share of survey cost;
Parent Avenue: Abutting properties zoned RD1.3: \$600.00 per front foot no easements and \$300.00 per front foot with easements (includes deed preparation and survey cost)
- VI. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1676, **attached** hereto as **Appendix "A"**;
- VII. That The City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice;
- VIII. That The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s);
- IX. That The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and
- X. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
Carried.

LIVELINK 17917 SAS2015

Item 6 Request under Alley Closing Subsidy Program (ACSP) to close one north/south alley located between Chandler road and Alexis Road, south of Mayfair Park and north of St. Julien Avenue

Sahar Jamshidi, Planner II, Development Review appears before the Planning, Heritage and Economic Development Standing Committee regarding the administrative report entitled "Request under Alley Closing Subsidy Program (ACSP) to close one north/south alley located between Chandler road and Alexis Road, south of Mayfair Park and north of St. Julien Avenue" and provides a brief overview of the proposed request.

- I. Moved by Councillor Sleiman, seconded by Councillor Holt,
That the north-south alley having a width of 4.27m (14ft), located between Chandler Rd. and Alexis Rd., south of Mayfair Park and north of St. Julien Ave., as shown on Drawing CC-1679 **attached** hereto as Appendix "A", **BE ASSUMED** for subsequent closure;

- II. That the north-south alley having a width of 4.27m (14ft), located between Chandler Rd. and Alexis Rd., south of Mayfair Park and north of St. Julien Ave., as shown on Drawing CC-1679 ***attached*** hereto as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owners subject to the following:
 - i. Easements, subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - a. Bell Canada, Cogeco Cable Canada LP, and Enwin Utilities Ltd (Hydro).
 - ii. Conveyance Cost **BE SET** as follows:
 - Abutting properties zoned RD1.2:
 1. \$1.00 plus alley subsidy cost of \$99.00 **during** the alley subsidy program;
 2. \$1.00 plus alley subsidy cost of \$99.00 **after** the expiration of the alley subsidy program.
- III. That the southerly 1.22m (4') of Block A, Plan 1140, being part of a lane closed by By-law 1901, and immediately north of the alley being recommended for closure, as shown on Drawing CC-1679 ***attached*** hereto as Appendix "A", **BE CONVEYED** to the abutting property owners subject to (i) and (ii) in recommendation II above.
- IV. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1679, ***attached*** hereto as Appendix "A".
- V. That The City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice.
- VI. That The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VII. That The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VIII. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003
- IX. If the existing alley approaches become obsolete after the alley closure, the City shall remove existing alley approaches in the future when budget

funds exist. Alternatively, should property owners that abut the approaches to the closed alley wish to retain the alley approaches as driveways, permits from Public Works shall **BE REQUIRED**.
Carried.

LIVELINK 17915 SAA2015

12. **COMMITTEE MATTERS**

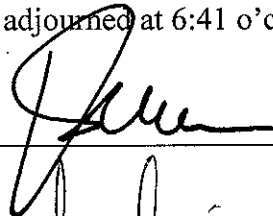
None

13. **QUESTION PERIOD**

None.

14. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 6:41 o'clock p.m.



CHAIR



SUPERVISOR OF COUNCIL SERVICES

Item 3 **TRU LAND DEVELOPMENTS INC. – Woodland & Kamloops**—Planning, Heritage and Economic Development Planning Act Minutes—August 10, 2015

Moved by Councillor Payne, except for the connection to the two streets. Seconded by Councillor Holt as AMENDED.

- D) That an amendment to Zoning By-law 8600 BE APPROVED amending the zoning Part of Blocks J and K, Registered Plan 148, Part of Block M, Registered Plan 423, Part of Lot 92, Concession 3 (McNiff's), Geographic Township of Sandwich South, Now in the City of Windsor, as shown on Appendix "A" of this report from Residential District 1.1 (RD1.1) with a site specific provision (S.20(1)190, permitting a front yard depth of 4.5m), Residential District 1.2 (RD1.2), GD1.1 and Holding Manufacturing District 1.1 (HMD1.1) to Holding Residential District 2.3 (HRD2.3), GD1.1, and GD1.5 and adding a site specific provisions as follows:

Regulation		
Front yard depth	Blocks 1 and 2	3 m
	Block 4	3 m
Rear yard depth	Blocks 1,2,4,5,6,7,8,9	6 m
Maximum lot coverage (includes main and accessory buildings)	Blocks 1, 2, 4 and 8	45%
	Blocks 5, 6, 7 and 9	55%

- II) That a Hold provision be removed from the site when the following provisions are met:

a) Registration of Final Plan of Subdivision;

- III) That the application of **Tru Land Developments** for Draft Plan of Subdivision approval for Part of Blocks J and K, Registered Plan 148, Part of Block M, Registered Plan 423, Part of Lot 92, Concession 3 (McNiff's), Geographic Township of Sandwich South, Now in the City of Windsor; BE APPROVED on the following basis:

That this approval applies to the draft plan of subdivision, as shown on the map attached as Appendix A to this report, which will facilitate the construction of 116 townhome dwelling units.

A. That the Draft Plan Approval shall lapse on _____ (3 years from the date of approval).

B. That this approval applies to the draft plan of subdivision presented on attached the map shown on Appendix "A" of this report showing 9 blocks for townhome dwellings, two blocks for future light industrial development, one block for parkland dedication, one block for a storm water detention facility, one road allowance for the extension of Kamloops Street, One road allowance to connect

Appendix A

Parkwood Avenue to Kamloops Street (with no thru-traffic), and 1 "P" loop south of the proposed Kamloops extension (Keystone Crescent).

- C. That prior to the execution and registration of a Subdivision Agreement between the Owner(s) and the Corporation of the City of Windsor, the Owner(s) shall submit for approval of the City Planner, final draft M-Plans which shall include the names of all road allowances within the plan, as approved by the Corporation.
- D. That the owner enter into a subdivision agreement with the Corporation of the City of Windsor, such agreement to provide for the following matters:
 - a. The Owner(s) shall agree to include all items as set out in these recommendations and other relevant matters set out in CR 233/98 (Standard Subdivision Agreement);
 - b. The Owner(s) agree to retain a Consulting Engineer to provide Transportation Impact Study and implement the recommendations, all to the satisfaction of the City Engineer ;
 - c. The Owner(s) agrees to gratuitously convey, prior to the issuance of a building permit, the following rights-of-way, in accordance with the approved Plan of Subdivision:
 - i. 22.0m right-of-way for Kamloops Street extension;
 - ii. 20.0 m right of way for Keystone Crescent;
 - iii. 20.0 m right-of-way conveyance (no thru-traffic) for the extension of Parkwood Avenue to Kamloops Street;
 - d. The Owner(s) agree to gratuitously convey four 15' x 15' (4.6m x 4.6m) corner cut offs at the intersection Kamloops/Keystone and Kamloops/Parkwood;
 - e. The Owner(s) shall construct a 8.5m (28') pavement on 20.0m (66') right-of-way and a 10.4m (34') pavement on 22m (72') right-of-way include bike lane as per bicycle use Master Plan (Bump);
 - f. The Owner(s) is required to extend Kamloops Street from cul-de-sac (west of Calderwood Avenue) to Marentette with 10.4m (34') pavement include bike lane and sidewalk on both side and the City will share the cost with the developer for this required work. This will be done through a cost-sharing and public tender process satisfactory to the City Engineer. Any cost-sharing agreed to will be subject to the approval by the Corporation's City Council;
 - g. The Owner(s) shall comply with all the following requirements relating to sidewalks:
 - i. Sidewalks shall be constructed at the Owner(s) expense, to City of Windsor Standard Specifications;
 - ii. Sidewalk shall be constructed on both sides of Kamloops Street;
 - iii. Sidewalk shall be constructed on the north, south, east and west legs of Keystone Crescent, in a manner that connects directly to the sidewalks to be constructed on the south side of Kamloops Street;
 - iv. The Owner(s) shall comply with Council Resolution 436/2004, which outlines the notification to new homeowners, and the schedule in which sidewalks will need to be constructed;

Appendix A

- v. The Owner(s) shall adhere to a specific sidewalk construction timetable and schedule showing the specific location of the sidewalk(s) with the provision that sidewalks will be constructed no later than when 80% of the construction permits are issued for the development, OR a maximum of three years of the installation of roads/curbs; whichever comes first;
- vi. Insert a warning clause in all offers of purchase and sale or lease, making persons aware that a sidewalk(s) will be located on city-owned land adjacent to their property and that no structures or excavations are to take place beyond their property line without permit or permission of the City of Windsor;
- h. The Owners(s) agree to remove, at their expense, the temporary Kamloops Street cul-de-sac and barricade, and replace with concrete curbs and gutter, including boulevard, existing driveways, and road restoration, to the satisfaction of the Corporation's City Engineer;
- i. The Owners(s) agree to enclose the 3rd Concession Drain, as well as O'Neil Drain abutting the subject property in a manner satisfactory to the City Engineer;
- j. The Owner(s) agree to retain a Consulting Engineer to provide an Engineering Report for any enclosure/alteration of 3rd Concession Drain and O'Neil Drain to the satisfaction of the City's Drainage Engineer and Essex Region Conservation Authority approval;
- k. The Owners(s) shall agree to gratuitously grant a 6 metre (6m) easement along the north and east boundary of the subject lands, for the maintenance and improvement of 3rd Concession Drain and O'Neil Drain, prior to the issuance of a building permit;
- l. The Owners(s) shall agree to undertake an engineering analysis to identify stormwater quality and quantity measures as necessary to control any increases in flows in downstream watercourses, up to and including the 1:100 year design storm, to the satisfaction of the Municipality and the Essex Region Conservation Authority;
- m. The Owners(s) shall agree to install stormwater management measures identified, as part of the development of the site, to the satisfaction of the Municipality and the Essex Region Conservation Authority;
- n. The Owners(s) shall agree to obtain the necessary permit or clearance from the Essex Region Conservation Authority prior to undertaking site alterations and/or construction activities;
- o. The applicant(s) shall agree to provide internal drainage for each building lot in the locations and according to the specifications approved by the Chief Building Official;
- p. The Owner(s) agree to complete a Stage 1 archaeological study (prepared by an Ontario-licensed archaeologist) prior to development. No construction of roads or other infrastructure may begin until that study is completed, and the Ministry of Tourism, Culture & Sport (Ontario) concurs with the report. If the study recommendation is for a Stage 2 study (test pits), then that study will be required prior to the issuance of a building permit;

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- q. The Owners(s) shall agree to construct a haul route (construction access) their expense, from Marentette Avenue to the subject lands to provide access for construction traffic away from existing residential development;
- r. The Owners(s) shall agree to grant to Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the owner/developer shall be responsible for the relocation of such facilities or easements;
- s. The Owner(s) agree to consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The locations shall be identified on the appropriate servicing plans;
- t. The Owner(s) agree to display a map in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post;
- u. The Owner(s) agree to include in all offers of purchase and sale a statement which advises the purchaser:
 - i. that mail will be delivered via Community Mail Box;
 - ii. the locations of all Community Mail Boxes within the development;
 - iii. of any established easements granted to Canada Post to permit access to the Community Mail Box;
- v. The Owner(s) agree to provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations;
- w. The Owner(s) agree to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
 - i.) Any required walkway across the boulevard, per municipal standards;
 - ii.) Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications);
 - iii.) A Community Mailbox concrete base pad per Canada Post specifications;
- x. The Owner(s) agree to
 - i) convey to the Corporation 5% of the lands to be developed for residential uses and 2% of the land to be developed for industrial uses for park purposes to the satisfaction of the Executive Director of Parks and the City Planner prior to the issuance of a construction permit. The parkland conveyed shall be located at the south east corner of the site, (part of Block 8, units 57 and 58), now shown as Block 12, in Appendix A of this report, adjacent to Devonshire Heights Park, and
 - ii) since the parkland conveyance identified in i) above does not fully satisfy the required parkland conveyance provisions, the balance

shall be provided as cash in lieu of parkland as permitted in Section 51.1 of the Planning Act to the satisfaction of the Executive Director of Parks and the City Planner ;

- y. The Owner shall complete the Ministry of Natural Resources and Forestry (MNRF) Species at Risk screening process and shall provide the resulting MNRF clearance to the Municipality, prior to registration of the Plan;
- z. The Owner shall agree to complete a Noise Study prior to registration of the plan and agrees implement any mitigation measures recommended, to the satisfaction of the City Planner ,City Engineer and Chief Building Official;
- aa. The Owner agrees to provide, easements for each unit over adjacent lands for access to the rear of each unit, prior to the issuance of a building permit, to the satisfaction of the City Solicitor;
- bb. The Owner shall agree to provide security satisfactory to the Chief Building Official to ensure the construction privacy fence along:
 - i) the west side of Blocks 2 and 9;
 - ii) the north limit of Blocks 2;
 - iii) the north and east limits of Block 1;

Security to be returned upon completion of construction of the fences, satisfactory to the Chief Building Official

NOTES TO DRAFT APPROVAL (File: SDN-001/15)

1. The applicant is directed to Section 51(39) of The Planning Act 1990 regarding appeal of any imposed conditions to the Ontario Municipal Board. Appeals are to be directed to the City Clerk and Licence Commissioner of the City of Windsor.
2. It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the City of Windsor, to the attention of the Executive Director/City Planner, quoting the above-noted file number.
3. Required agreements with the Municipality will be prepared by the City Solicitor.
4. The applicant should consult with an Ontario Land Surveyor for this proposed plan concerning registration requirements relative to the Certification of Titles Act.
5. The final plan approved by the Corporation of the City of Windsor must be registered within thirty (30) days or the Corporation may withdraw its approval under Section 51(59) of The Planning Act 1990.
6. All plans of subdivision/condominium are to be prepared and presented in metric units and certified by the Ontario Land Surveyor that the final plan is in conformity to the approved zoning requirements.
7. Where agency conditions are required to be included in the City's Subdivision Agreement, the applicant is required to forward a copy of the agreement to the agencies in order to facilitate their clearance of conditions for final approval of this plan.

- II. That the City Clerk and Licence Commissioner **BE AUTHORIZED** to issue the required notice respecting approval of the draft plan of subdivision under Section 51(37) of The Planning Act.
- III. That the subdivision agreement shall **BE REGISTERED** against lands to which it applies prior to the final registration of the Plan of Subdivision.
- IV. That prior to the final approval by the Corporation of the City of Windsor, the Executive Director/City Planner shall **BE ADVISED**, in writing, by the appropriate agencies that conditions have been satisfied.
- V. That all residents residing on Parkwood and Woodlawn **BE NOTIFIED** regarding any upcoming meeting(s) regarding this development.

Motion **CARRIED, UNANIMOUSLY AS AMENDED.**

A meeting of the Planning Heritage & Economic Development Standing Committee is held this day commencing at 4:48 pm in Council Chambers, there being present the following members:

Councillor Marra
Councillor Sleiman
Councillor Payne (4:35 pm)
Councillor Kusmierczyk (4:33 pm)
Councillor Holt

Citizens

Anthony Gyemi
Barb Bjarneson
Dorian Moore

Regrets

Delegations

Also present are the following from Administration:

Helga Reidel, CAO
Wira Vendrasco, Deputy City Solicitor
Thom Hunt, City Planner
Don Wilson, Manager of Development Applications
Tom Cadman, Planner III
Sahar Jamshidi, Planner II (4:39 pm)
John Calhoun, Heritage Planner
June Liu-Vajko, Public Works - Engineering
Rob Vani, Manager of Inspections (West)
Anna Ciacelli, Supervisor of Council Services

1. **CALL TO ORDER**

The Chair calls the meeting to order at 4:30 pm.

The Chair goes over the process of the Committee.

2. **DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

None

3. **REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS**

None

4. **ADOPTION OF MINUTES**

Moved by Anthony Gyemi, seconded by Councillor Holt.

Ms. Bjarneson abstains, having been absent for the August 10th meeting.

THAT the minutes of the meeting of the Planning & Economic Development Standing Committee held Monday, August 10, 2015 BE ADOPTED.

Motion **CARRIED, UNANIMOUSLY.**

5. **COMMUNICATIONS**

None

6. **PRESENTATIONS AND DELEGATIONS**

None

7. **PLANNING ACT MATTERS**

The Chair asks if there are any delegates present for any of the items.

Item 1 **WFT INVESTMENTS LTD. – 526 Vanier St.**

Mr. Don Wilson presents the item on behalf of Ms. Justina Nwaesei.

James Marsh (Applicant) is available for questions.

Ms. Bjarneson inquires about the fire hydrant on the property and what happens to it? Mr. Wilson advises it will remain. Currently located in the right-of-way, but should be shown in the site plan as part of the Site Plan Approval process, which is also currently in process.

Ms. Bjarneson asks the applicant the reasoning behind the request for additional parking spaces? Mr. Marsh advises of times during the week in which there becomes insufficient parking for customers visiting the various establishments in the plaza. Ms. Bjarneson requests additional information as to when this is deemed necessary, which Mr. Marsh informs of days/times when congestion is higher and who the patrons are visiting.

Councillor Sleiman inquires whether the residence on site is being demolished? Mr. Wilson informs the house was damaged by a fire earlier in the year and will be demolished.

Councillor Sleiman requests clarification to the term 'Public Parking' in the recommendation. Mr. Wilson explains the definition under the zoning by-law. Mr. Wilson adds that Mr. Marsh has indicated the additional parking is basically for the employees.

Councillor Holt brings up the Residence Intensification Analysis in 2008 where the goal was to increase residential dwelling units within the city by 10%. How does this application work with

that goal? Mr. Hunt explains there was a tentative target with the built up areas of the city. That policy has not yet been approved by the Province as part of the city's Official Plan, therefore, it is not an actual policy that must be adhered to, at this time. That being said, the policy was to increase the density of residents within the city, such as apartments and condominiums, not just single family dwelling. Also increasing residential areas where services are easily available.

Councillor Holt inquires as to the difference in property taxes between the residential unit and the parking lot? Mr. Hunt advises there is no one present from Finance, however, he believes it's substantially less for a surface parking lot than a residence.

Mr. Moore seeks clarification on the Official Plan. Mr. Wilson notes there is an Official Plan amendment that coincides with the rezoning application. Mr. Moore notes concern over the approval of a parking lot into a residential area. Fears it can be a negative for the neighbourhood and how an as yet an unapproved Official Plan can allow that. Mr. Wilson explains transitional parking within certain residential areas that are in close proximity to commercial areas. At one time, there was no notification given to residents. A Planning Rationale was provided by the applicant in support of this application.

Mr. Moore inquires how many lots can someone petition to go into a residential area? Mr. Wilson advises they are done parcel by parcel which allows for input from the neighbours. Mr. Hunt adds additional insight as to how the process has evolved to include feedback from the area residents, as well as what the process was in order to support the application.

Mr. Gyemi to Administration reconfirms the goal is to support the application insofar as providing additional parking for patrons from the street while providing parking in the rear for the employees. Mr. Wilson confirms, adding it is a limited area but will be under Site Plan Control and have setbacks from the residential lot line, screening fences and landscaping.

Mr. Gyemi confirms a 3m setback from the abutting property. Mr. Wilson confirms. Mr. Gyemi inquires if that is more than is required? Mr. Wilson confirms, as well as no direct access from Vanier. It will be very controlled. Mr. Gyemi asks if access from the alley is permitted. Mr. Wilson informs that the by-law was altered recently allowing for direct access. Mr. Hunt mentions a recently instituted interim by-law that wouldn't negatively impact on businesses or intrude on residences.

Mr. Gyemi to the Applicant, asks if there was any thought to purchasing the alley behind the property? Mr. Marsh was unaware that was possible. Mr. Wilson adds that would be part of the Street & Alley process, but could certainly be addressed at a later time.

Ms. Bjarneson notes concern and caution of the intrusion into the neighbourhood. Ms. Bjarneson asks how many parking spots are currently in the plaza and how many does he hope to add? Mr. Marsh advises there are about 31 in front and 8 along the side. He hopes to add another 13 parking spots in back and notes he's looking at improvements aesthetically via landscaping.

Ms. Bjarneson asks where do the employees park? Mr. Marsh advises they park on the plaza.

Ms. Bjarneson asks how many businesses are in the plaza. Mr. Marsh advises eight (8).

Ms. Bjarneson asks Mr. Hunt or Mr. Wilson what the parking requirement is for the plaza? Mr. Wilson advises it's dependent on the use. Restaurants require more. There is more than is minimally required.

Ms. Bjarneson inquires regarding space between the commercial and residences. Mr. Wilson advises that is an existing alleyway.

Ms. Bjarneson inquires about the distinction between the alley and parking area. Mr. Wilson advises part of the alley will be utilized as a manoeuvring aisle. Ms. Bjarneson asks if there's any concern with that? Mr. Wilson says no, as it is now permitted.

Councillor Kusmierczyk inquires how many jobs the plaza generates? Mr. Marsh advises approximately 40-50 jobs.

The Chair calls for Wendy Angioni to come forward. (She's not present)

The Chair asks if there is anyone else in the audience wishing to speak on the item.

Jordan Masse (resident) – 542 Vanier – Concerned about thru traffic coming down Vanier or will the street be closed off? Also confirms high traffic times where patrons end up parking in front of his home. The Chair asks if Mr. Masse agrees there are parking challenges at the plaza? Mr. Masse confirms. Mr. Masse also asks if their taxes will be affected by this? The Chair advises it will not increase their taxes.

Diane Renaud (resident) – 566 Vanier - Notes concern over increased traffic on the street and parking in front of the house. Would like to see the parking lot blocked so that access to Vanier is not possible. Ms. Renaud advises there is a metal barrier blocking residents from accessing Howard Ave. Suggests moving the barrier further east, behind the access to the parking lot, thereby eliminating the possibility of patrons accessing Vanier. Mr. Wilson advises it is something that definitely that could be looked at through the Site Plan process. Mr. Hunt advises he believes the additional parking, which will be used more so by the employees, will help alleviate the additional traffic on Vanier. Mr. Hunt also views the suggestion of possibly closing access to Vanier as a possibility for further improvement and invites both Ms. Renaud and Mr. Masse to attend the Council meeting and provide comments and feedback.

Moved by Councillor Kusmierczyk, seconded by Councillor Sleiman.

I That OPA #105 **BE ADOPTED** to amend the City of Windsor Official Plan by adding the following site specific policies:

- (1) The property described as Lot 95 on Registered Plan 1354, on the north side of Vanier Street, east of Howard Avenue, is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.
- (2) Notwithstanding the “Residential” designation of the subject land on Schedule D: Land Use in Volume I – The Primary Plan, a “Public Parking Area” shall be an additional permitted use.
- (3) The following guidelines shall be considered when evaluating the proposed design of a “Public Parking Area” on the above described lands:
 - a) The provision of appropriate landscaping or/and other buffers to enhance and screen
 - (i) the parking lot, and