

A meeting of the **Planning 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 Sleiman
Councillor Hatfield
Councillor Payne

Regrets

Councillor Marra
Councillor Dilkens

Delegations

Ken Stewart (Item 3)
Christine Marentette (Item 3)
Sarah Peters (Item 3)
Ben Fowler (Item 4)
Mike Clark (Item 5)
Ron Habib (Item 6)

Also present are the following from Administration:

Helga Reidel, Chief Administrative Officer
Wira Vendrasco, Deputy City Solicitor
Thom Hunt, City Planner
Don Wilson, Manager of Development Applications
Jim Abbs, Planner III-Subdivisions
Justina Nwaesei, Planner II, Development Review
Noushy Tavassoli, Planner III-Senior Urban Designer
Lee Anne Doyle, Chief Building Official
Bill Jean, Manager of Permit Services/Deputy Chief Building Official
Tony Ruffolo, Office Technologist
Sandra Gebauer, Council Assistant (A)

1. CALL TO ORDER

The Chair calls the meeting of the Planning 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. **ADOPTION OF MINUTES**

Moved by Councillor Hatfield, seconded by Councillor Payne,
THAT the minutes of the meeting of the Planning and Economic Development Standing Committee (Planning Act Matters) held June 10, 2013 **BE ADOPTED** as presented.

Carried.

Moved by Councillor Hatfield, seconded by Councillor Payne,
THAT the minutes of the meeting of the Planning and Economic Development Standing Committee held June 10, 2013 **BE ADOPTED** as presented.

Carried.

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

None requested.

5. **PRESENTATIONS AND DELEGATIONS**

Thom Hunt, City Planner makes a brief presentation about the Development Process Business Review Project that is being undertaken by the Planning Department in an effort to increase customer service. Communication is ***attached*** as Appendix "A".

6. **PLANNING ACT MATTERS**

None

7. **ADMINISTRATIVE ITEMS**

Item 1 Planning response to Council's recommendation regarding Delegation of Approval Authority as noted in CR107/2012 – Extension of Condominium Subdivision Approvals

Moved by Councillor Payne, seconded by Councillor Hatfield

I. **THAT** the City Solicitor prepare a by-law to delegate approval for the extension of approvals for Plans of Condominium and Subdivision to the City Planner or Designate;

II. **THAT** the City Solicitor prepare a by-law to consolidate By-laws 167-2010 and 28-2013 and add the delegation of approval for the extension of draft plan approval for plans of subdivision and condominium to the City Planner or Designate;

III. **THAT** the Planning Department report to Planning and Economic Development Standing Committee regarding additional opportunities for the delegation of other planning approval authority to Administration.

Carried.

Item 2 Request to close the north/south alley between Lloyd George and Clemenceau Boulevards, south of Queen Elizabeth Drive

Moved by Councillor Payne, seconded by Councillor Hatfield

I. That part of the 4.27metre (14.0 feet) wide north/south alley between Lloyd George and Clemenceau Boulevards, south of Queen Elizabeth Drive, as shown on Drawing No. CC-1642 *attached* hereto as Appendix "A", **BE ASSUMED** for subsequent closure and conveyance to the abutting property owners and further the City Solicitor **BE REQUESTED** to prepare the necessary by-law;

II. That part of the 4.27metre (14.0 feet) wide north/south alley between Lloyd George and Clemenceau Boulevards, south of Queen Elizabeth Drive, as shown on Drawing No. CC-1642 *attached* hereto as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owners subject to the following:

- i. Easements are required in favour of:
 - Bell Canada
 - EnWin Utilities Ltd.
 - Cogeco Cable Canada LP
- ii. Conveyance cost
 - Abutting properties zoned RD1.1: \$1.00 plus deed preparation plus proportionate share of survey cost;

and further:

- iii. The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1642, *attached* hereto as Appendix "A"
- iv. The City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice
- v. The City Solicitor **BE REQUESTED** to prepare the by-law to close
- vi. 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
- vii. The transaction **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Item 3 Request to close part of north-south & east-west alleys between Wallace Avenue and Scofield Avenue, east of Howard

Ken Stewart, Ward 9 resident

Ken Stewart, Ward 9 resident appears before the committee to speak on his request to close the alley adjacent to 520 Wallace. Mr. Stewart explains that the request is due to the way the property is laid out and the fact that the previous owners buried an underground parking garage. His intention is to use the north/south alley as the actual driveway for his home.

Christine Marentette, Ward 9 resident

Christine Marentette, Ward 9 resident appears before the committee to express concern that should the alley closure be approved she would no longer have access to the catch basin where she drains her pool and will no longer have access for property/tree maintenance.

Sarah Peters, Ward 9 resident

Sarah Peters, Ward 9 resident appears before the committee to express concern with the storm drain and the grading of the land if the entire alley is closed between Scofield and Wallace. Ms. Peters would prefer it not be closed further so that the residents would still have access.

Salient points of discussion regarding the alley closures are as follows:

- Use of catch basin will not be restricted however at this time it is not known if it is actually serviced or belongs to the City.
- There are easements for utilities.
- As per the recommendation the existing grade must be retained to ensure proper draining.
- Any residents abutting the alley will have the option to request to purchase their portion of the alley at the appropriate time.

Moved by Councillor Payne, seconded by Councillor Hatfield

I. **THAT** part of the 4.57 metre (15.0 feet) wide north/south and east/west alleys, between Wallace Avenue and Scofield Avenue, east of Howard Avenue, abutting the west lot line of the property known as 520 Wallace Avenue, and north lot lines of the properties known as 520, 530, 534, 540, and 548 Wallace Avenue, shown as Parts 1 & 2 on Drawing No. CC-1638 **attached** hereto as Appendix "A", **BE ASSUMED** for subsequent closure and conveyance to the abutting property owners, and further the City Solicitor **BE REQUESTED** to prepare the necessary by-law;

II. **THAT** part of the 4.57 metre (15.0 feet) wide north/south and east/west alleys, between Wallace Avenue and Scofield Avenue, east of Howard Avenue, abutting the west lot line of the property known as 520 Wallace Avenue, and north lot lines of the properties known as 520, 530, 534, 540, and 548 Wallace Avenue, shown as Parts 1 & 2 Drawing No. CC-1638 **attached** hereto as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owners subject to the following:

- i. Easements are required in favour of
 - EnWin Utilities Ltd.,
 - Windsor Utilities Commission, and

- Cogeco Cable Canada LP
 - for the portion of the north/south alley to be closed
- ii. Applicant **BE REQUIRED** to remove boulevard parking and curb cut at 520 Wallace Avenue to the satisfaction of the City Engineer
- iii. The abutting property owners **BE REQUIRED** to maintain existing grade of the closed alley to ensure proper drainage into the existing catch basin that drains the area.
- iv. Conveyance cost
 - Abutting properties zoned RD1.4: \$1.00 plus deed preparation cost and proportionate share of survey costand further:
- v. The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1638, ***attached*** hereto as Appendix "A"
- vi. The City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice
- vii. The City Solicitor **BE REQUESTED** to prepare the by-law to close
- viii. 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
- ix. The transaction **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Item 4 Request to close part of the east-west alley on the west side of Edward Street, south of St. Rose Avenue, abutting the north lot line of the property known as 915 Edward Street

Ben Fowler, Ward 6 resident

Ben Fowler, Ward 6 resident appears before the committee to express his support for the recommendation as every abutting home owner within the application would then have the opportunity to purchase their portion of the alley.

Salient points of discussion regarding the alley closure are as follows:

- It is noted that additional letters have been received requesting the closure of the alley from Virginia to Edward Street and therefore it may be appropriate to defer until more people are notified.
- It is determined that deferring this item would not affect the current recommendation.
- Report will have to be re-circulated internally in order to ensure whether or not there are easements or services in the alley.

Moved by Councillor Hatfield, seconded by Councillor Payne,

THAT the report authored by the City Planner dated June 26, 2013 entitled "Request to close part of the east-west alley on the west side of Edward Street, south of St. Rose Avenue, abutting the north lot line of the property known as 915 Edward Street" **BE DEFERRED** to a future meeting of the Planning and Economic Development Standing Committee while a wider circulation is carried out and all the affected property owners are notified.

Carried.

Item 5 Request for a refund of Building Permit Fees, Development Charges & Cash in lieu of Parkland Fees – Windsor-Essex Children's Aid Society – 1671 Riverside Drive East.

Mike Clark, Manager of Public Relations and Fund Development, Windsor-Essex Children's Aid Society

Mike Clark, Manager of Public Relations and Fund Development, Windsor-Essex Children's Aid Society appears before the committee requesting that fees associated with the construction of the of the two-storey Bill and Dot Muzzatti Child & Family Centre be refunded. Mr. Clark makes a brief presentation explaining that the centre will provide and enhance services to children, youth, and their families. Additionally he affirms that it is completely a community initiative, supported solely by donations and fundraising efforts.

Moved by Councillor Hatfield, seconded by Councillor Payne,

THAT the report authored by the Chief Building Official dated July 2, 2013 entitled "Request for a refund of Building Permit Fees, Development Charges & Cash in lieu of Parkland Fees – Windsor-Essex Children's Aid Society – 1671 Riverside Drive East" **BE REFERRED** to City Council for decision.

Carried.

Item 6 Amendment to Sign By-Law 250-2004 for the Lighting Boutique Inc., 4072 Walker Road

Ron Habib, Superior Signs

Ron Habib from Superior Signs appears before the committee and is available for questions regarding the proposed LED animated board sign for the Lighting Boutique.

Salient points of discussion include:

- Currently these requests are being reviewed on a case by case basis

- In this situation esthetics of the sign, rather than safety, is the main issue because of the location
- Sign similar to that of the Windsor Star or Applebee's
- It is noted that even though this is not the same magnitude, Planning will be reporting back to Council with the results of a study that was requested when the Windsor Star sign debate took place. At that time it was agreed that Planning would report back in about one year's time.
- It is indicated that in regards to safety, it is not the sign itself but the regulation of the programming such as the rate of change of the image, the speed of lettering and the luminosity of the image. These are things that could potentially confuse a motorist.
- Planning will likely bring back changes to the way regulations are written in the current bylaw when they know certain aspects will affect safety.
- It is noted that a number of studies are also being done in other municipalities and the City of Windsor hopes to benefit from these studies as well.
- Mr. Habib assures the committee that the Lighting Boutique is willing to work with the City of Windsor on this issue and agree to the conditions.

Moved by Councillor Hatfield, seconded by Councillor Payne,

THAT the Lighting Boutique Inc. application for an amendment to the Windsor Sign By-law 250-2004, to permit the installation of the proposed animated LED changing copy on the existing ground sign at the southwest corner of their property at 4072 Walker Road as depicted by the Appendices, **BE APPROVED** and that By-law 250-2004 **BE AMENDED** subject to the following conditions:

1. Messages and/or images on the proposed display boards, by nature of their size, shape, location, content, colouring or manner of illumination, shall not be confused with or reduce the effectiveness of any traffic control sign, signal or device;
2. Messages and/or images on the proposed display boards should comply with the City of Windsor's standards on permitted colours and changing intervals (Traffic Safety, subsection 10.3.2); and
3. All general Sign By-law's requirements for animated signs applies.

Carried.

8. **QUESTION PERIOD**

None

9. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 5:45 o'clock p.m.

Ed. Gleiman

CHAIR

Sandra Gebauer

COUNCIL ASSISTANT