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Windsor, Ontario, September 10, 2012

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

Councillor Marra (Chair)  
Councillor Hatfield  
Councillor Gignac  
Councillor Halberstadt  
Councillor Sleiman

Citizens

Merrill Baker  
Cheryl Cross-Leal  
Barb Bjarneson

**Regrets:**

None.

Delegations

None.

***Also present are the following from Administration:***

Thom Hunt, City Planner and Executive Director  
Don Wilson, Manager of Development Applications  
Wira Vendrasco, Senior Legal Counsel  
Chris Aspila, Planner II—Official Plan Review, Policy & Special Studies and Land Information  
Jim Abbs, Planner III—Subdivisions  
Greg Atkinson, Senior Planner—Local Economic Development  
Kevin Alexander, Planner III—Community Development  
Marianne Sladic, Steno Clerk Senior (A)  
Anna Ciacelli, Council Secretariat

1. **CALL TO ORDER**

The meeting is called to order at 4:30 o'clock p.m.

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

None.

3. **ADOPTION OF MINUTES**

Moved by Ms. Bjarneson, seconded by Ms. Cross-Leal,  
That the minutes of the meeting of the Planning Standing Committee (Planning Act Matters) held August 13, 2012 **BE ADOPTED** as amended correcting page 3 removing the title "Councillor" preceding Ms. Bjarneson's name.

Carried.

Moved by Councillor Gignac, seconded by Councillor Hatfield,  
That the minutes of the meeting of the Planning Standing Committee held August 13, 2012 **BE ADOPTED** as presented.

Carried.

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

None requested.

5. **COMMUNICATIONS**

None.

6. **PRESENTATIONS AND DELEGATIONS**

None

7. **PLANNING ACT MATTERS**

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

**Item 1 Official Plan Review Report #28 – Official Plan Amendment No. 85: Introduction and Glossary**

C. Aspila, Planner II—Official Plan Review, Policy & Special Studies and Land Information provides a brief overview of the report "Official Plan Review Report #28—Official Plan Amendment No. 85: Introduction and Glossary".

Moved by Councillor Sleiman, seconded by Councillor Hatfield,

I That Official Plan Review Report #28 – Official Plan Amendment No. 85: Introduction and Glossary **BE RECEIVED**; and

II That Official Plan Amendment No. 85: "Introduction and Glossary" **BE ADOPTED** by Council and **BE FORWARDED** to the Minister of Municipal Affairs and Housing for approval, pursuant to Section 17(34) of the Planning Act; and,

III That Council **DECLARE** to the Minister of Municipal Affairs and Housing that Official Plan Amendment No. 85: "Introduction and Glossary" meets the requirements of Section 26 (1) (a) (i), (ii) and (iii) of the Planning Act.

Carried.

8. **COMMITTEE MATTERS**

None.

9. **ADMINISTRATIVE ITEMS**

**Item 2 Planning response to Council's recommendation regarding Delegation of Approval Authority as noted in CR107/2012**

Jim Abbs, Planner III—Subdivisions, provides a brief overview regarding the report "Delegation of Approval Authority". J. Abbs indicates some uncontested or routine approvals can be carried out this way including some matters requesting approval of exemption to part lot control. This would reduce the time of the application process, resulting in better service to customers.

Moved by Councillor Halberstadt, seconded by Councillor Sleiman  
I That the City Solicitor **PREPARE** a by-law to delegate approval for Part Lot Control to the City Planner or Designate;

II That the Planning Department **REPORT** to Planning Standing Committee regarding additional opportunities for the delegation of other planning approval authority to Administration.

Carried.

**Item 3 Conveyance of whole width portion of closed alley at the rear of 1803 Olive Road**

Don Wilson, Manager of Development Applications, provides a brief overview of the report "Conveyance of whole width portion of closed alley at the rear of 1803 Olive Road". D. Wilson indicates that the alley was closed some time ago. Most of the north/south portion of the alley was purchased by the adjoining property owners. A waiver from the owners of 1802 has been received, indicating they have no interest in this portion of the alley.

Councillor Gignac inquires as to the by-law which was passed in 1990, and ownership changes which may occur, in terms of closed alleys, and the notification which should occur.

D. Wilson indicates that there is a process that must be followed including a waiver and notification letters being sent. The delegation of authority process would also address these types of requests, although this may prove to be a lengthier process.

Moved by Councillor Gignac, seconded by Councillor Halberstadt  
**THAT** the request by the owners of the property indicated below, to acquire the whole width portion of an unclaimed north/south alley between Olive Road and Pillette Road, identified by Teranet as PIN 01115-0445, closed by Bylaw 10233, as shown on the ***attached*** drawing (Appendix "A"), **BE APPROVED**, subject to easements in favour of Enwin Utilities Ltd., Bell Canada and Cogeco Cable, and further, the unclaimed alley **BE CONVEYED** at \$1.00 plus deed preparation costs (approximately \$450.00):

UNCLAIMED ALLEY  
1802 Pillette Road

CONVEY TO  
1803 Olive Road

Plan 1063, Lot 82

Plan 1063, Part Lot 176

Carried.

**Item 4 Recent Planning Act Amendments Requiring Second Unit Policies**

Greg Atkinson, Senior Planner—Local Economic Development, provides a brief overview of the report “Recent Planning Act Amendments Requiring Second Unit Policies”. This report sets out the foundation for the Ontario Government’s long term commitment to affordable housing and the process required by Municipalities in creating policies regarding second units, garden suites or granny flats.

Councillor Hatfield inquires as to the new legislation and whether it would allow Municipalities to provide input on the approval process in creating these types of units.

G. Atkinson states that the approval would not be automatic. A process needs to be developed which would include specific criteria and would be approved by Council. Any applications that would meet the criteria would be approved under the new authority.

Several concerns by the members of the committee were raised with respect to the criteria including:

- whether location of these units can be specified
- parking concerns
- amenity areas
- location of the unit within the dwelling
- maximum/minimum unit size
- educational components as part of the application process
- notification to neighbours
- would trailers be included as a type of unit
- are accessory buildings considered
- time limits for the units to remain on the property
- heritage value of certain areas within the City
- would units be grandfathered
- mandated by the Legislation
- whether appeal process is available
- what legislation would prevent 3-4 residents in one unit
- public consultation process
- cost implications to administration/enforcement duties

G. Atkinson indicates that all of these concerns should be addressed in the criteria that will be researched and the subsequent development of a report. Best practices and recommendations will be determined with polices/regulations being developed and a report coming back to the Planning Standing Committee and then to Council for final approval.

Moved by Councillor Gignac, seconded by Councillor Hatfield  
**THAT** the administrative report entitled "Recent Planning Act Amendments Requiring Second Unit Policies" regarding recent amendments to the *Planning Act* made through Bill 140 *Strong Communities through Affordable Housing Act, 2011* **BE RECEIVED** for information.

Carried.

10. **QUESTION PERIOD**

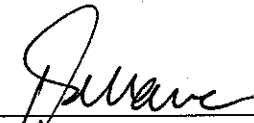
None.

11. **DATE OF NEXT MEETING**

The next meeting of the Planning Standing Committee will be held on October 9, 2012 at 4:30 o'clock p.m. in Council Chambers.

12. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 5:18 o'clock p.m.

  
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CHAIR

  
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COUNCIL SECRETARIAT

**MINUTES OF THE CITY OF WINDSOR PLANNING STANDING COMMITTEE  
(Planning Act Matters)**

**September 10, 2012**

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A meeting of the Windsor Planning Standing Committee was held this day at 4:30 p.m. in the Council Chambers, Third Floor, City Hall, there being present:

Chair Councillor B. Marra, Councillor J. Gignac, Councillor E. Sleiman, Councillor A. Halberstadt, Councillor P. Hatfield, Ms. C. Cross-Leal, Ms. B. Bjarneson and Mr. M. Baker.

Regrets:

Also present are:

Mr. Don Wilson – Manager of Development Applications, Mr. Thom Hunt – City Planner, Mr. Jim Abbs – Planner III, Mr. Greg Atkinson – Planner III and Ms. Marianne Sladic – Senior Clerk, Planning Department; Ms. Anna Ciacelli and Ms. Karen Kadour – Council Services; Ms. Stacy Shyshak – Engineering & Corporate Projects Department; and Ms. Wira Vendrasco – Deputy City Solicitor/Manager of Legal Services & Real Estate, Legal Department.

**GENERAL BUSINESS:**

The Chair explains the rules of procedure of the Planning Standing Committee and that this is the required public meeting in accordance with the Planning Act. He asks if there are any disclosures of pecuniary interest. Hearing none, he asks members and the public present if there are any requests for deferral, referral or withdrawal. Hearing none, he proceeds with the meeting. The Chair indicates those interested in making submissions to Council must list to speak as a delegation with Council Services.

**ADOPTION OF THE MINUTES**

Ms. Bjarneson notes correction from Councillor to Ms. B. Bjarneson on page 3 of the August Minutes.

Moved as Amended by Ms. B. Bjarneson, seconded by Ms. C. Cross-Leal.

That the minutes of the Planning Standing Committee (Planning Act Matters) meeting of August 13, 2012 **BE ADOPTED.**

Motion **CARRIED UNANIMOUSLY.**

The Chair introduces the first item on the agenda.

**Item 1 – OFFICIAL PLAN REVIEW REPORT #28 – OFFICIAL PLAN AMENDMENT #85 – INTRODUCTION & GLOSSARY**

This amendment is the fourth part of the implementation of the Official Plan 5-Year Review. Subsequent amendments include updates to the Land Use and Environment chapters and updates to the Official Plan Schedules. The purpose of this amendment is to formally add Volume 1, Chapters 1 and 2 to the Official Plan. This amendment involves no change in land use policy direction from what is contained in the current approved Official Plan. [Chris Aspila – Official Plan Project Manager]

Recommendation is for approval.

The Chair asks if there's anyone in the audience to speak on the item.

Councillor Halberstadt poses several questions concerning references to the 2006 Census when the 2011 Census has been completed. Mr. Aspila clarifies the release of the 2011 Census information is to be sent out in four (4) segments, with the last release late this fall. In addition, part of the census is replaced by the National Household Survey which will release in three (3) separate releases over summer of 2013. The only information in the amendment from the 2011 Census is the Population & Dwelling counts and Age Characteristics. The remaining information comes from the 2006 Census as it is the only current information available to date. All information prepared for the 5-year review were based on the 2006 Canada Census data.

Councillor Halberstadt points out the requirement for a 5-year review, when is the next review? Mr. Aspila advises that as the 2011 Canada Census information is released, the Planning Department will be preparing updated population projections and an Official Plan Amendment can be prepared at that time. The next 5-year Review is required to start no later than 5 years after the approval of the current Official Plan Amendment Review which can be estimated at approximately late 2017/early 2018, barring any OMB hearings. Councillor Halberstadt inquires that this information will be amended as new information is received? Mr. Aspila concurs.

Councillor Halberstadt asks if this information will be brought back to Council for approval when updated/received? Mr. Aspila advises all amendments go through the Planning Standing Committee for recommendations to Council.

Ms. Bjarneson quotes "52.6% of the population growth...will be within the City" on bottom of page 5 of C.M.A. Share. Ms. Bjarneson asks whether this seems rather ambitious given the amount of people that have moved to surrounding areas recently? Mr. Aspila notes the basis for the numbers is the number of jobs in Windsor/Essex are actually located within the city limits. This is expected to continue.

Ms. Bjarneson broaches the subject of more than adequate supply of commercial zoning. Mr. Aspila advises that the figures for the Review are based on the Canada Census, which shows of approximately 70% of people who work in Windsor, live in Windsor. Secondly, we are dealing with Official Plan commercial designations as opposed to commercial zonings. The amendment

can be used as background information for any Planning Act matter that's brought forward. Insofar as the actual commercial designation, that subject will be addressed in the next Official Plan Amendment being brought forward, OPA #86 – Land Use chapter. Ms. Bjarneson asks if Developers will be consulted on that issue? Mr. Aspila advises that they receive a lot of interest and comments from developers on all Land Use issues. Ms. Bjarneson notes concern that their (developer's) concerns may be mute since this amendment may already be adopted, noting the OMB would need to take this into consideration that it is just background information. Mr. Aspila advises that this information, if adopted and approved by the province, would become formally part of the Official Plan which would have to be considered in the event of an OMB hearing.

Moved by Councillor Sleiman, seconded by Councillor Hatfield.

- I That Official Plan Review Report #28 – Official Plan Amendment No. 85: Introduction and Glossary **BE RECEIVED**; and
- II That Official Plan Amendment No. 85: "Introduction and Glossary" **BE ADOPTED** by Council and **BE FORWARDED** to the Minister of Municipal Affairs and Housing for approval, pursuant to Section 17(34) of the *Planning Act*; and,
- III That Council **DECLARE** to the Minister of Municipal Affairs and Housing that Official Plan Amendment No. 85: "Introduction and Glossary" meets the requirements of Section 26 (1) (a) (i), (ii) and (iii) of the *Planning Act*.

Motion **CARRIED, UNANIMOUSLY.**

Meeting adjourned: 4:50 pm

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Councillor Bill Mara, Chair

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Mr. Don Wilson, Secretary

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