

CITY OF WINDSOR AGENDA 05/06/2024

Development & Heritage Standing Committee Meeting Agenda

Date: Monday, May 6, 2024 **Time:** 4:30 o'clock p.m.

Location: Council Chambers, 1st Floor, Windsor City Hall

All members will have the option of participating in person in Council Chambers or electronically and will be counted towards quorum in accordance with Procedure Bylaw 98-2011 as amended, which allows for electronic meetings. The minutes will reflect this accordingly. Any delegations have the option to participate in person or electronically.

MEMBERS:

Ward 1 - Councillor Fred Francis

Ward 4 - Councillor Mark McKenzie

Ward 7 - Councillor Angelo Marignani

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison (Chairperson)

Member Anthony Arbour

Member Joseph Fratangeli

Member Daniel Grenier

Member John Miller

Member Charles Pidgeon

Member Robert Polewski

Member Khassan Saka

Member William Tape

ORDER OF BUSINESS

Item # Item Description 1. CALL TO ORDER

READING OF LAND ACKNOWLEDGMENT

We [I] would like to begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations, which includes the Ojibwa, the Odawa, and the Potawatomi. The City of Windsor honours all First Nations, Inuit and Métis peoples and their valuable past and present contributions to this land.

- 2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF
- 3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS
- 4. COMMUNICATIONS
- 5. ADOPTION OF THE PLANNING ACT MINUTES
- 5.1. Adoption of the Development & Heritage Standing Committee minutes (Planning Act) of its meeting held April 2, 2024 (SCM 105/2024)
- 6. PRESENTATION DELEGATIONS (PLANNING ACT MATTERS)
- 7. PLANNING ACT MATTERS
- 7.1. OPA & Rezoning Bouzide Enterprise Ltd 2144 Huron Church Rd OPA 180 OPA/7168 Z-003/24 ZNG/7169 Ward 10 (**S 41/2024**)
- 7.2. Official Plan Amendment and Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling Z 004-24 [ZNG-7171] & OPA 182 [OPA-7173] 1027458 Ontario Inc. 0 Clairview Ave. Ward 7 (\$ 56/2024)
- 7.3. Official Plan Amendment and Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling Z 005-24 [ZNG-7174] & OPA 183 [OPA-7175] 1027458 Ontario Inc. 0 Wyandotte St E. Ward 7 (\$ 57/2024)

- 7.4. Approval of a Plan of Condominium with Exemption under Section 9(3) of the Condominium Act, 705 and 755 Grand Marais Rd E.; Applicant: Seiko Homes Inc.; File No.: CDM 003-24 [CDM-7192]; Ward 10 (S 50/2024)
- 7.5. Official Plan Amendment and Zoning By-law Amendment Applications for 835 Tecumseh Road East, 2148 Marentette Avenue, and 2175 Parent Avenue, Z-006/24 [ZNG-7179] & OPA 184 [OPA-7180], Ward 4 (S 49/2024)
- 7.6. Zoning By-Law Amendment Z007-24(ZNG/7181) Cindy Prince 3589 Victoria Boulevard, Ward 9 (\$ 51/2024)

8. ADOPTION OF THE MINUTES

- 8.1. Adoption of the Development & Heritage Standing Committee minutes of its meeting held March 4, 2024 (SCM 66/2024)
- 8.2. Adoption of the Development & Heritage Standing Committee minutes of its meeting held April 2, 2024 (SCM 90/2024)
- 9. PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)

10. HERITAGE ACT MATTERS

10.1. 1958-1998 Wyandotte Street East, Strathcona Building – Request for Heritage Designation & Heritage Funding (Ward 4) **(\$ 48/2024)**

11. ADMINISTRATIVE ITEMS

- 11.1. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by St. Rhodes Development & Leasing Corporation for 1247 Riverside Drive East (Ward 4) (\$ 52/2024)
- 11.2. Main Streets CIP Application, 1958-1998 Wyandotte Street East (Strathcona Building); Owner: 2798315 Ontario Inc. (c/o David Mady) (\$ 55/2024)
- 11.3. Additional Information Memo to Closure of north/south alley located between Vimy Avenue and Ypres Avenue, Ward 5 (Al 7/2024) & (S 4/2024)
- 11.4. Sandwich Town CIP Application, 3218 Baby Street; Owner: Buschante Development Group Corporation (Ward 2) (\$ 54/2024)

- 12. COMMITTEE MATTERS
- 13. QUESTION PERIOD
- 14. ADJOURNMENT



Committee Matters: SCM 105/2024

Subject: Adoption of the Development & Heritage Standing Committee minutes (*Planning Act*) of its meeting held April 2, 2024



CITY OF WINDSOR MINUTES 04/02/2024

Development & Heritage Standing Committee Meeting

Date: Tuesday, April 2, 2024 Time: 4:30 o'clock p.m.

Members Present:

Councillors

Ward 1 - Councillor Fred Francis

Ward 4 - Councillor Mark McKenzie

Ward 7 - Councillor Angelo Marignani

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison (Chairperson)

Members

Member Anthony Arbour Member Daniel Grenier Member Robert Polewski

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Jelena Payne, Commissioner, Economic Development Sandra Gebauer, Council Assistant

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Thom Hunt, City Planner
Wira Vendrasco, Acting City Solicitor
Greg Atkinson, Deputy City Planner – Development
Jason Campigotto, Deputy City Planner – Growth
John Revell, Chief Building Official
Shawna Boakes, Executive Director Operations / Deputy City Engineer
Patrick Winters, Manager, Development
Stefan Fediuk, Landscape Architect / Acting Sr. Urban Designer
Kevin Alexander, Planner III – Special Projects
Brian Nagata, Planner II - Development Review
Anna Ciacelli, Deputy City Clerk

Delegations—participating via video conference

Item 7.1 - Tracey Pillon-Abbs, RPP, Principal Planner

Delegations—participating in person

Item 7.1 – Maria and Joe Inglesi, area residents

Item 11.1 – David Meikle, Business Owner, Signal Out of Home

Item 11.1 – Nicholas Campney, Director, Leasing and Legislation, Scott Stover, Leasing Representative, and Nathan Jankowski, Pattison Outdoor Advertising

1. CALL TO ORDER

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

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Member Daniel Grenier discloses an interest and abstains from voting on Item 7.1 being "Zoning By-law Amendment Application for 3842 Woodward Boulevard, Z-030/23 [ZNG7151], Ward 9," as his company has hired the planner on this application regarding a minor variance on one of his properties.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

4. COMMUNICATIONS

None presented.

5. ADOPTION OF THE PLANNING ACT MINUTES

5.1. Adoption of the Development & Heritage Standing Committee minutes (*Planning Act*) of its meeting held March 4, 2024

Moved by: Councillor Angelo Marignani Seconded by: Councillor Mark McKenzie

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held March 4, 2024 **BE ADOPTED** as presented. Carried.

Report Number: SCM 81/2024

6. PRESENTATION DELEGATIONS (*PLANNING ACT* MATTERS)

See Item 7.1

7. PLANNING ACT MATTERS

7.1. Zoning By-law Amendment Application for 3842 Woodward Boulevard, Z-030/23 [ZNG-7151], Ward 9

Brian Nagata (author), Planner II – Development Review – presents application.

Tracey Pillon-Abbs (agent) is available for questions.

Councillor Kieran McKenzie asks about the extent to which this development will exacerbate existing drainage problems, and residents would like to know the status of the drainage study for the Dawson Drain and when the report will be completed. Mr. Winters states that a draft report has been received by Administration from the consultant and administration has provided comments back on the initial draft. Mr. Winters adds that provided Administration's comments are addressed with the following resubmission, Administration would like to present that report to Council to recommend adoption. Administration expects a finalized report before the end of the Spring.

Councillor Kieran McKenzie asks Mr. Winters to comment on any concerns with this development regarding storm water management, and drainage issues. Mr. Winters states that the development, through the building permit process, will have to show that storm water will be contained to the site and discharged through a rear yard drain and natural drainage to the road side ditch, as a standard requirement of the City.

Councillor Kieran McKenzie asks Mrs. Pillon-Abbs what the assessment value of the current home is on the property. Mrs. Pillon-Abbs states that she doesn't know that information. Councillor Kieran McKenzie asks whether the new buildings constructed would be assessed at a higher value than the existing building on the property. Mrs. Pillon-Abbs states that she would not have any experience on how MPAC assesses the buildings, but the City's Tax department would be able to provide this information later.

Councillor Marignani asks for clarification of the City's recommendation of six units in total for this development. Mr. Nagata states that the total of six units includes both semi-detached dwellings, with each having one accessory Additional Dwelling Unit (ADU). Councillor Marignani asks if the proposal would remove the possibility of an ADU being placed in a rear accessory building. Mr. Nagata states that the ADU provisions of Zoning By-law 8600 indicate that each semi-detached dwelling unit is considered to be on its own parcel of urban residential land if it can be severed without a Minor Variance. Mr. Nagata emphasizes that the provisions do not require the semi-detached dwelling units to be severed. Mr. Nagata adds that the recommendation limits

each semi-detached dwelling to one ADU, but does not preclude it from being located in an accessory building. Mr. Nagata also indicates that the proponent has not identified ADUs within their application.

Councillor Marignani asks if future owners can make the decision to add an ADU, which we are trying to prevent at this time. Mr. Nagata states that future owners can have one ADU per lot if the recommendation to remove the ADU provision that does not require the semi-detached dwelling unit to be severed for it to be considered on its own parcel of urban residential land is approved., Mr. Nagata adds that if the recommendation is not approved, each semi-detached dwelling can have up to four ADUs, for a total of 12 dwelling units if the semi-detached dwelling units are deemed to be severable. Councillor Marignani asks if the owner would then have to reapply for a severance. Mr. Nagata states that should the current or future owner(s) wish to establish further ADUs a Consent granted by the Committee of Adjustment or a by-law passed by Council granting an Exemption from Part Lot Control must be approved, which would establish each semi-detached dwelling unit its own parcel of urban residential land. Councillor Marignani asks about concerns brought up by residents via email regarding no sidewalks on the street and whether that was a concern. Mr. Nagata states that he has responded to the resident stating that sidewalks can be addressed through a local improvement petition, and in respect to the development for this proposal there is no concern.

Councillor Marignani asks whether four parking spaces per unit will present a challenge for the community or residents nearby, as chances are some units may have two cars, and inquires whether there is on-street parking. Mr. Nagata states that he has been informed by a resident that there is no on-street parking and defers the question to the Transportation Department. Ms. Boakes states that the street does not have curb and gutters, and therefore as per the parking by-law there is no on-street parking permitted within that block. The only option for on-street parking is the next block north on Ledyard Avenue.

Joe and Maria Inglesi (area residents) at 3822 Woodward Boulevard has concerns with the size of the development, the number of dwellings proposed and parking concerns for dwellings with four units. Councillor Morrison states that provincially legislated changes have occurred that have allowed semi-detached dwellings to have three units on each lot. Mr. Nagata states that the current zoning only allows single unit dwellings, and the proponent has applied for rezoning to allow for two semi-detached dwellings. Mrs. Inglesi asks for clarification for the number of units. Mr. Nagata states that the proponent has proposed four units. Councillor Morrison states that the residents can call 311 for more information.

Moved by: Councillor Kieran McKenzie Seconded by: Councillor Angelo Marignani

Decision Number: DHSC 600

I. THAT Zoning By-law 8600 **BE AMENDED** for the lands located on the east side of Woodward Boulevard, between Ledyard Avenue and Moxlay Avenue, described as Part of Lot 19 as in R1119645 and Closed Alley, Plan 1045 as in R1162410, by adding a site specific provision to permit a *Semi-Detached Dwelling* as an additional permitted *main use*, subject to additional regulations:

495. EAST SIDE OF WOODWARD BOULEVARD BETWEEN LEDYARD AVENUE AND MOXLAY AVENUE

For the lands comprising of Part of Lot 19 & Closed Alley, Plan 1045, PlN No. 01349-0395 LT, a *Semi-Detached Dwelling* shall be an additional permitted *main use* subject to the following additional provisions:

- 1. The Semi-Detached Dwelling provisions of Section 10.1.5 shall apply; and
- 2. Section 5.99.80.1.1.b) shall not apply.

[ZDM 12; ZNG/7151]

Carried.

Member Daniel Grenier discloses an interest and abstains from voting on this matter.

Report Number: S 18/2024 Clerk's File: Z/14699

8. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Items Matters) is adjourned at 5:05 o'clock p.m. Carried.

Ward 10 - Councillor Jim Morrison	Deputy City Clerk / Supervisor of
(Chairperson)	Council Services



Council Report: S 41/2024

Subject: OPA & Rezoning – Bouzide Enterprise Ltd - 2144 Huron Church Rd - OPA 180 OPA/7168 Z-003/24 ZNG/7169 – Ward 10

Reference:

Date to Council: May 6, 2024

Author: Adam Szymczak, MCIP, RPP

Senior Planner - Development

519-255-6543 x 6250

aszymczak@citywindsor.ca Planning & Building Services Report Date: March 25, 2024

Clerk's File #: ZO/10790 & ZB/10789

To: Mayor and Members of City Council

Recommendation:

1. THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating Lots 50 to 66, Part Lots 29 to 41, 67 & Part Block A, Part Ojibway Street (Closed), Part Alley (Closed), Plan 997, designated as Parts 1 to 3, 6 to 9, 11 to 17, 19 & 22, and Part of Parts 4, 5, 10, and 18, RP 12R24779 (PIN 01583-2726; 2144 Huron Church Road; Roll No. 080-510-00420), situated on the east side of Huron Church Road, west side of Daytona Avenue, north of Northwood Street, as a Special Policy Area.

2. THAT Chapter 1 in Volume II: Secondary Plans and Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a new Special Policy Area as follows:

1.X 2144 Huron Church Road

LOCATION 1.X.1

The property described as Lots 50 to 66, Part Lots 29 to 41, 67 & Part Block A, Part Ojibway Street (Closed), Part Alley (Closed), Plan 997, designated as Parts 1 to 3, 6 to 9, 11 to 17, 19 & 22, and Part of Parts 4, 5, 10, and 18, RP 12R24779 (PIN 01583-2726), situated on the east side of Huron Church Road, north of Northwood Street, is designated on Schedule A: Planning Districts and Policy Areas in Volume I - The Primary Plan.

LAND USE 1.X.2
DESIGNATION

Notwithstanding the designation of these lands as "Commercial Corridor" on Schedule SC-1: Development Concept in the South Cameron Planning Area in Volume II – Secondary Plans and Special Policy Area, the subject lands shall be designated as a "Mixed Use Corridor" and be

subject to the appropriate policies in Chapter 6 – Land Use in Volume I – The Primary Plan.

LANDSCAPED 1.X.3 SETBACK FROM HURON CHURCH ROAD Notwithstanding Special Policy Area 1.2 Huron Church Road Corridor in Chapter 1 of Volume II of the City of Windsor Official Plan, the minimum landscaped setback from the Huron Church Road right-of-way shall be 10.0 m.

3. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 50 to 66, Part Lots 29 to 41, 67 & Part Block A, Part Ojibway Street (Closed), Part Alley (Closed), Plan 997, designated as Parts 1 to 3, 6 to 9, 11 to 17, 19 & 22, & Part of Parts 4, 5, 10, & 18, RP 12R24779 (PIN 01583-2726; 2144 Huron Church Road; Roll No. 080-510-00420), situated on the east side of Huron Church Road, north of Northwood Street by adding a site specific exception to Section 20(1) as follows:

500. EAST SIDE OF HURON CHURCH ROAD, WEST SIDE OF DAYTONA AVENUE, NORTH OF NORTHWOOD STREET

For the lands consisting of Lots 50 to 66, Part Lots 29 to 41, 67 & Part Block A, Part Ojibway Street (Closed), Part Alley (Closed), Plan 997, designated as Parts 1 to 3, 6 to 9, 11 to 17, 19 & 22, and Part of Parts 4, 5, 10, and 18, RP 12R24779 (PIN 01583-2726), the following additional provisions shall apply:

- a) Additional Permitted Main Use: Dwelling Units in a Combined Use Building with any one or more permitted uses in Section 15.1.1, save and except the following uses: Gas Bar; Outdoor Market; Parking Garage; Public Parking Area; Tourist Home.
- b) For the lands identified as the "Retained Parcel" on Appendix B Conceptual Site Plans to Report S 41/2024, the following additional provisions shall apply:
 - 1. Notwithstanding Section 24.20, the minimum total required *parking spaces* shall be 67.
 - 2. Notwithstanding Section 25.5.20.1.3, the minimum parking area separation from an *interior lot line* shall be 0.30 m.
- c) For the lands identified as the "Severed Parcel" on Appendix B Conceptual Site Plans to Report S 41/2024, for a Combined Use Building, the following additional provisions shall apply:
 - 1. Building Height maximum 20.2 m
 - 2. Amenity Area Per *Dwelling Unit* minimum 12.0 m² per unit
 - 3. Notwithstanding Section 24.20, the minimum total required *parking spaces* shall be 83.
 - 4. Notwithstanding Section 25.5.20.1.2, the minimum parking area separation from Daytona Avenue shall be 2.90 m.
 - 5. Notwithstanding Section 25.5.20.1.5, the minimum parking area separation from a *building* wall in which is located a main pedestrian entrance facing the *parking area* shall be 1.80 m.

6. Notwithstanding Section 25.5.20.1.6, where a *building* is located on the same *lot* as the *parking area*, for that portion of a *building* wall not containing a *habitable room window* within 4.0 m of the *ground*, the minimum parking area separation from that portion of the *building* wall shall be 0.0 m.

(ZDM 4; ZNG/7169)

- 4. THAT, when Site Plan Control is applicable,:
 - A. Prior to the submission of an application for site plan approval, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer:
 - 1) those documents submitted in support of the applications for amendments to the Official Plan and Zoning By-law 8600 **BE UPDATED** to reflect the site plan for which approval is being sought, and any comments from municipal departments and external agencies.
 - B. The Site Plan Approval Officer **BE DIRECTED** to incorporate the following, subject to any updated information, into an approved site plan and an executed and registered site plan agreement:
 - Noise and vibration control measures identified in Sections 4, 5 and 6 in the Acoustical and Vibration Report, prepared by Baird AE, dated May 8, 2023, subject to the approval of the City Planner, Deputy City Planner, or Site Plan Approval Officer.
 - Requirements of the City of Windsor Engineering and City of Windsor Transportation Planning contained in Appendix D of Report S 41/2024, subject to the approval of the City Engineer.
 - 3) Mitigation measures identified in Section 5.0 of the Species at Risk Impact Assessment prepared by Insight Environmental Solutions Inc. and dated December 12, 2022. subject to the approval of the City Planner, Deputy City Planner, or Site Plan Approval Officer.
 - 4) Written confirmation from the Ministry of the Environment, Conservation and Parks (MECP) that a Record of Site Condition (RSC) has been filed in the Environmental Site Registry.
 - C. The Site Plan Approval Officer **CONSIDER** all other comments contained in Appendix D of Report S 41/2024 and all recommendations in the documents submitted in support of the applications for amendments to the Official Plan and Zoning By-law 8600.

Executive Summary:

N/A

Background:

Location: 2144 Huron Church Road; Lots 50 to 66, Part Lots 29 to 41, 67 & Part

Block A, Part Ojibway Street (Closed), Part Alley (Closed), Plan 997, designated as Parts 1 to 3, 6 to 9, 11 to 17, 19 & 22, and Part of Parts 4, 5, 10, and 18, RP 12R24779; PlN 01583-2726; Roll No. 080-510-00420;

East side of Huron Church Road, north of Northwood Street

Ward: 10 Planning District: South Cameron Zoning District Map: 4

Applicant/Owner: Bouzide Enterprises Ltd. (Vish Sood)

Agent: Pillon Abbs Inc. (Tracey Pillon-Abbs, MCIP, RPP)

Proposal: Combined use building with a height of 20.2 m (6 storeys) with 58 residential units, 273.6 m² of commercial space, and 83 parking spaces total on the vacant land. Vehicular access is right-in/right-out via northbound Huron Church and full access to Daytona. The applicant is requesting an Official Plan Amendment to allow a reduced landscaped setback from Huron Church for the combined use building and to rezone the property from CD2.1 to CD2.1 and CD2.2 with site specific exceptions to permit the combined use building and to retain the existing commercial building.

The applicant intends to sever the lands into two parcels. The severed parcel (combined use building) will have an area of 0.55 ha with 99.4 m of frontage along Huron Church and an average depth of 69.1 m. The retained parcel will have an area of 0.71 ha with 99.4 m of frontage on Huron Church and an average depth of 72.2 m.

Submitted Materials:

Attached to Report S 41/2024 as an Appendix:

Appendix A – Planning Rationale Report (PRR)

Appendix B - Conceptual Site Plans

Appendix C – Conceptual Floor Plans and Elevations

Not attached to this report: Acoustical and Vibration Report; Application Form Official Plan Amendment; Application Form Zoning By-law Amendment; Civil Engineering Sheet Set; Energy Strategy; Environmental Site Assessment Phase One; Functional Servicing Report; Grading Plan; Parking Justification Report; Species at Risk Impact Assessment; Traffic Impact Study

All documents are available online or by email.

Site Information:

OFFICIAL PLAN	ZONING B/L 8600	CURRENT USE	PREVIOUS USE	
Commercial Corridor (Sch. SC-1) Special Policy 1.2	Commercial District 2.1 (CD2.1) & S.20(1)278	Retail Store, Garden Centre, Vacant Land	Vacant Land	
WHOLE LOT FRONTAGE HURON CHURCH ROAD	Whole Lot Depth Average	WHOLE LOT AREA	LOT SHAPE	
198.7 m	71 m	1.26 ha	Doctorquier	
652 ft	233 ft	3.1 ac	Rectangular	
All measurements are provided by the applicant and are approximate.				

Neighbourhood:

Sections 2.2 and 2.3 in the PRR provide additional details including site photos.

The Ambassador Industrial Park is to the west and consists of a mix of industrial, office and commercial uses. To the north, between Huron Church and Dayton are several hotels and motels, and residential uses and vacant land on the east side of Daytona. To the east are vacant residential lands, the South Cameron Natural Heritage Area and low-density low-profile dwellings. To the south is a car wash and small commercial plaza, commercial buildings, motels, and hotels. The EC Row Expressway and Highway 401 are located about 700 m to the south.

Per Schedule F: Roads and Bikeways in the City of Windsor Official Plan, Huron Church Road is classified as a Class I Arterial Road, having a minimum of three travel lanes in each direction with a raised median and sidewalks on both sides, and provides access to the Ambassador Bridge and future Gordie Howe Bridge to the USA, EC Row Expressway and Highway 401. Daytona Avenue is classified as a Local Road and has two travel lanes with curbs and a sidewalk on the west side adjacent to the subject lands and an open ditch and no curb or sidewalk on the east side. The subject lands have two full access areas to Daytona. Northwood Street is classified as a Class II Collector Road on Schedule SC-2: Road Network in the South Cameron Secondary Plan having a two-lane cross section with curbs and sidewalk on the north side between Huron Church and Daytona.

Public transit is available via the Central 3 bus route with several stops within 400 m of the subject parcel. The Transit Master Plan will maintain similar or better transit service.

The site is serviced by an existing 250mm PVC sanitary sewer on Daytona Avenue and the existing 675mm RCP storm sewer on Huron Church Road.

Figure 1: Key Map



KEY MAP - Z-003/24, ZNG-7169, OPA 180, OPA-7168



SUBJECT LANDS

Figure 2: Subject Parcel - Official Plan Amendment

SCHEDULE A

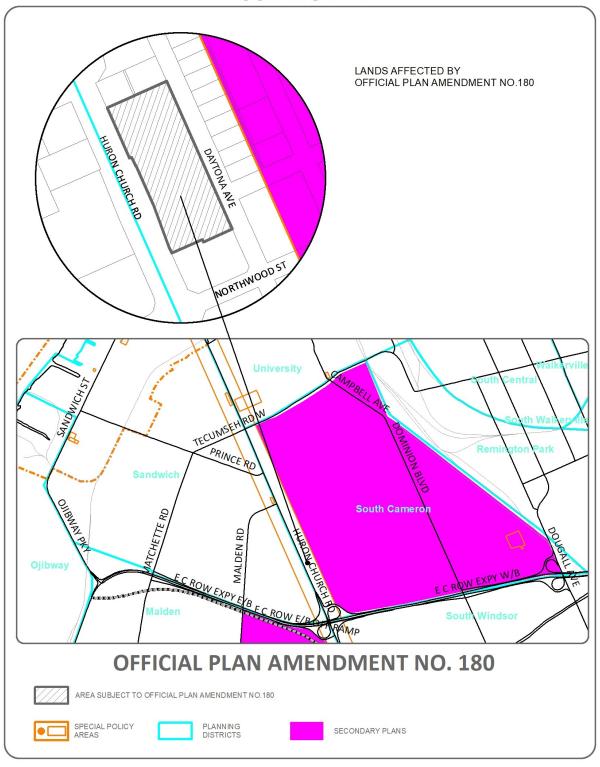


Figure 3: Subject Parcel - Rezoning

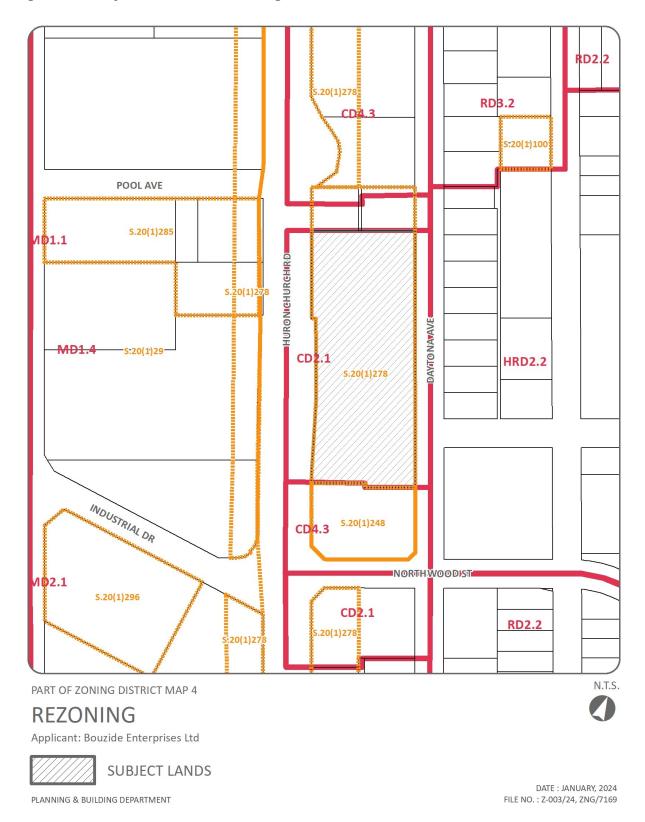


Figure 4: Neighborhood Map



NEIGHBOURHOOD MAP - Z-003/24, ZNG-7169, OPA 180, OPA-7168





Discussion:

Acoustical and Vibration Report (AVR) (Baird AE, 2023 May 8) – The AVR concludes that the "development can, with the implementation of ... described mitigation measures, be designed to address impacts from the surrounding noise sources." Mitigation measures include equipping all units with air conditioning and forced air heating, warning clauses in site plan agreements, tenancy agreements, and offer of purchase and sale for the dwelling units, and the use of special building components to achieve a minimum sound transmission class rating. The mitigation measures will be implemented during site plan control and building permit stages.

Functional Servicing Report (FSR) (Baird AE, 2023 December 21) – The City of Windsor Engineering Development has reviewed the FST, deems it acceptable, and supports the proposed servicing strategy. Servicing matters will be further reviewed during Site Plan Control and Building Permit stages. The Essex Region Conservation Authority (ERCA) notes that the property owner will be required to obtain a permit from ERCA prior to any construction or site alteration.

Parking Justification Report (PJR) (Baird AE, 2023 May 8) – The study states that "a significant number of residential parking stalls will be unoccupied between 8am and 5pm on weekdays as residents are away at work. Coincidentally, this is the time of the highest weekday parking demand for the adjacent commercial establishment."

Phase One Environmental Site Assessment (ESA) (Pinchin, 2022 August 22) – The ESA concludes that "nothing was identified that is likely to have resulted in impacts to the soil and groundwater at the Phase One Property that would require the completion of a Phase Two ESA. As such, it is Pinchin's opinion that the Phase One Property is suitable for the intended future residential land use and an RSC can be filed based only on the completion of this Phase One ESA report."

Planning Rationale Report (PRR) (Pillon Abbs Inc., 2024 March 25) – The PRR notes that the subject parcel is "ideally suited for a combined use building with commercial and residential development" and is "capable of accommodating the proposed development in terms of scale, massing, height and siting". It states that the proposed development is "a compatible density for the Site and with the surrounding area" and "has taken into consideration a transition between land uses and an appropriate amount of setbacks".

The PRR concludes that the proposal represents "good planning as it addresses the need for the development of a vacant parcel of land, which contributes to affordability and intensification requirements set out in the PPS and the OP" and "an efficient development pattern that optimizes the use of land."

Species at Risk Impact Assessment (Insight Environmental Solutions Inc., 2022 December 12) – The assessment concludes that the proposed development "is not likely to contravene the ESA 2007. The proposed development will have no impact on any Endangered or Threatened species or their habitat if the mitigation measures stated in this report are implemented during construction activities." Section 5 lists the specific mitigation measures to reduce impacts to species at risk and their habitat.

Traffic Impact Study (TIS) (Baird AE, Revised 2022 December 19) – The TIS states that the "proposed development is expected to have a minimal impact on the conditions at the intersections of Northwood Street with Huron Church Road and Daytona Avenue. It should be noted that the existing intersection of Huron Church Road and Northwood Street is not performing well under background traffic volumes. This condition is not the result of, nor will it be made any worse by the proposed development." It also states that sight line distance for safe access is adequate and that the access roads (Huron Church Road and Daytona Avenue) will "accommodate the proposed development's traffic".

The TIS is satisfactory to support the proposed use and recommendations contained within this report. Revisions to the TIS requested by Transportation Planning will focus on required off-site improvements, which would be required as part of Site Plan Control.

Provincial Policy Statement (PPS) 2020:

The proposed amendments are consistent with Policy 1.1.1 of the PPS. They allow the proposed uses to make use of existing services and infrastructure. The development represents an efficient development and land use pattern that will have no adverse impact on the financial well-being of the City, promotes intensification, achieves a cost-effective development pattern, and minimizes land consumption and servicing costs.

The amendments are consistent with PPS Policies 1.1.3.1, 1.1.3.2, and 1.1.3.3. The subject parcel is located within the settlement area. The amendments promote a land use that makes efficient use of land and existing infrastructure. Active transportation options and transit services are located or planned near the parcel. The parcel represents an appropriate location for intensification.

The amendments are consistent with PPS Policy 1.4. The proposed development is a form of intensification that expands the range and mix of housing options in the area. It will facilitate the municipality's ability to accommodate residential growth through intensification, provide a form of housing that is appropriate in terms of range and mix, and meet the social, health and well being of current and future residents. Appropriate levels of infrastructure, active transportation, and transit are or will be available.

The amendments are consistent with PPS Policy 1.2.6 regarding Land Use Compatibility. The amendments to allow the proposed development are consistent with the overall policy direction of the PPS.

City of Windsor Official Plan:

The subject parcel is designated "Commercial Corridor" on Schedule SC-1: Development Concept in the South Cameron Planning Area and is located within the Huron Church Road Corridor identified in Section 1.2 of Volume II: Secondary Plans and Special Areas.

The applicant is requesting an amendment by changing the land use designation from "Commercial Corridor" to "Mixed Use Corridor" and reducing the required landscaped open space yard setback from Huron Church Road for a residential building.

Chapter 6 – Land Use supports a complementary range of housing forms and tenures in all neighbourhood, seeks to promote compact neighbourhoods and balanced transportation systems and seeks to promote selective residential redevelopment, infill, and intensification initiatives.

Section 6.1 in the Land Use chapter provides a list of land uses goals. Goal 6.1.1 is to achieve safe, caring, and diverse neighbourhoods. Goal 6.1.2 seeks environmentally sustainable urban development. Goal 6.1.3 promotes housing suited to the needs of Windsor's residents. Goal 6.1.14 directs residential intensification to areas of the City where transportation, municipal services and community facilities are readily available.

The proposed development will diversify the surrounding neighbourhood, represents an environmentally sustainable development, and will provide housing that is in demand. The addition of residential uses will create a pedestrian orientated cluster of residential, commercial and employment uses. The proposed development represents a complementary and compact form of housing and intensification that is near different types of transportation.

The locational criteria for a residential development require access to an arterial road, be provided with public transit, and that adequate community services and open spaces are available or planned. The parcel has access to Huron Church Road and transit, parks and schools are located nearby.

The Acoustical and Vibration Report concludes that the "development can, with the implementation of ... described mitigation measures, be designed to address impacts from the surrounding noise sources." Mitigation measures will be implemented through Site Plan Control and building permits.

While the lands are designated "Commercial Corridor" on Schedule SC-1: Development Concept South Cameron Secondary Plan, they are designated as "Mixed Use Corridor" on Schedule D: Land Use, in Volume I of the Official Plan. Unless otherwise stated, a secondary plan takes precedence. To avoid any conflicts, staff recommend that the lands be subject to a Special Policy Area that clarifies that the whole parcel is designated as "Mixed Use Corridor" and that the applicable policies in Chapter 6 – Land Use in Volume I of the Official Plan shall apply. This is consistent with OPA 159 (as further amended) which implemented the Multi-Residential Interim Control By-law Study

The applicant is requesting that the 30 m landscaped open space setback required by Special Policy 1.2 for residential uses not apply and that instead a 10 m landscaped open space setback apply. The proposed combined use building is located almost 30 m from the westerly property line along Huron Church Road. This is consistent with the existing commercial development on the north portion of the subject lands.

Should Official Plan Amendment 180 be approved, the requested zoning amendment will conform to the Zoning Amendment Policies, Section 11.6.3.1 and 11.6.3.3, of the Official Plan and conform to the general direction of the Official Plan.

Zoning By-Law 8600:

The parcel is zoned Commercial District 2.1 (CD2.1) which permits a range of commercial uses and S.20(1)278 which requires a landscaped open space yard along Huron Church Road. The applicant is requesting an amendment to Zoning By-law 8600 changing the zoning from CD2.1 to CD2.1 and CD2.2 and by adding a site specific exception to allow the proposed combined use dwelling as a permitted use while retaining the existing commercial uses on the north (retained) portion of the lands.

Planning & Development Services recommends that the CD2.1 zoning be maintained and that a site specific exception be added that will allow the development and severance as proposed. Site specific exception S.20(1)278 will also remain.

Clause a) in the site specific exception permits dwelling units in a combined use building with certain exceptions (which is consistent with the CD2.2 zoning requested).

Clause b) applies additional provisions to the retained parcel (Fred's Farm Fresh) and requires a minimum of 67 parking spaces and allows for a reduced parking area separation from an interior lot line when the parcels are severed.

Clause c) applies additional provisions for a combined use building. It allows for a maximum of building height of 20.2 m (as requested by the applicant), an amenity area of 12.0 m² per unit (as required by CD2.2 zoning), the provision of a minimum of 83 parking spaces, and slight reductions in minimum parking separations. Clause c) 6 recognizes that part of the combined use building is cantilevered over the parking area, which requires an exemption from Section 25.5.20.1.6.

The Parking Justification Report concludes that there is sufficient parking for existing and proposed uses and recognizes that there are opportunities for shared parking between the retained and severed parcels and existing and proposed uses. Reciprocal access and parking will be a condition of any consent to sever application.

The proposed development complies with all other applicable zoning provisions. The proposed site specific exception is appropriate in terms of permitted use and provisions.

Site Plan Control:

All plans, drawings and elevations are conceptual and subject to change. The development as proposed is subject to site plan control. Site Plan Control will be the primary planning tool to implement the direction of the PPS and the Official Plan, the provisions of Zoning By-law 8600, and the requirements and recommendations of municipal departments and external agencies. Recommendation 4 provides direction and guidance for the site plan control process.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

In general, intensification and a broader mix of uses will minimize the impacts on community greenhouse gas emissions as these developments create complete communities and neighbourhoods while using currently available infrastructure and facilities such as schools, sewers, sidewalks, and public transit.

Climate Change Adaptation:

The proposed development will provide opportunities to increase resiliency for the development and surrounding area, including stormwater management.

Financial Matters:

N/A

Consultations:

An Open House was held virtually on September 21, 2023, from 6 pm to 7 pm. No persons from the public attended the Open House. Submitted documents were posted on the City of Windsor website. Comments received from departments and agencies are attached as Appendix D. Recommendation 4 directs the Site Plan Approval Officer to incorporate specific mitigation measures and municipal requirements, and to consider remaining comments, during the Site Plan review process. Statutory notice was advertised in the Windsor Star, a local newspaper. A courtesy notice was mailed to property owners and tenants within a minimum of 120 m of the subject parcel.

Conclusion:

The applications have been evaluated for consistency with the Provincial Policy Statement 2020 and conformity with the general policy direction of the Official Plan.

Based on the information presented in this report, and the Planning Rationale Report submitted by the Applicant, it is my opinion that the requested amendment to the City of Windsor Official Plan adding a new Special Policy Area to provide specific policy direction regarding the land use designation and landscaped open space yard depth is consistent with the PPS 2020 and is in general conformity with the Official Plan. The requested amendment to Zoning By-law is consistent with the PPS 2020 and will be in conformity with the Official Plan when OPA 180 is approved.

The proposed amendments will provide modern housing and a range of commercial uses. Site plan control is an appropriate tool to incorporate the requirements and comments of departments and agencies. The recommendations to amend the Official Plan and Zoning By-law 8600 constitute good planning.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Greg Atkinson, MCIP, RPP

Thom Hunt, MCIP, RPP

City Planner

City Planner

Deputy City Planner - Development City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP JM

Approvals:

Name	Title
Greg Atkinson	Deputy City Planner - Development
Thom Hunt	City Planner
Aaron Farough	Senior Legal Counsel
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
Vish Sood		
Bouzide Enterprises Ltd.		
Pillon Abbs Inc.		
Attn: Tracey Pillon-Abbs		
Councillor Morrison (Ward 10)		
Councillor Costante (Ward 2)		
Property owners and tenants within 120 m of the subject lands		

Appendices:

- 1 Appendix A Planning Rationale Report (Revised 2024 03 25)
- 2 Appendix B Conceptual Site Plans
- 3 Appendix C Conceptual Floor Plans and Elevations
- 4 Appendix D Liaison Comments

PLANNING RATIONALE REPORT

OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT PROPOSED MIXED USE DEVELOPMENT

2144 Huron Church Road City of Windsor, Ontario

March 25, 2024

Prepared by:



Tracey Pillon-Abbs, RPP Principal Planner 23669 Prince Albert Road Chatham, ON N7M 5J7 226-340-1232 tracey@pillonabbs.ca www.pillonabbs.ca

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1.0 INTRODUCTION

I have been retained by Bouzide Enterprises Ltd. (herein the "Applicant") to provide a land use Planning Rationale Report (PRR) in support of a proposed combined use building with commercial and residential uses located at 2144 Huron Church Road (herein the "Site") in the City of Windsor, Ontario.

The Site, in Ward 10 and within the South Cameron Planning Area and the Huron Church Road Corridor, is currently vacant and will be the remnant parcel of a severance from the existing commercial building to the north of the Site, which is the location of Fred's Farm Fresh.

It is proposed to keep the existing commercial building in the current land use designation and zone. Relief is requested in order to accommodate the retained parcel.

It is proposed to construct one 6 storey combined use building with 58 residential units on the main floor and above and 273.57 m2 of commercial space located on the ground floor.

Parking for a total of 83 spaces to serve both the residents and workers/visitors to the commercial space will be located on-site and include barrier free and visitor spaces. Loading and bicycle spaces are also provided.

Tenure will be ownership (condominium) with a focus on affordability. The building will include 1 and 2 bedroom units in addition to amenity spaces.

A site-specific Official Plan Amendment (OPA) and site-specific Zoning By-law Amendment (ZBA) are required in support of the proposed development. Relief is requested in order to accommodate the proposed development.

Once the OPA and ZBA applications have been approved, the Applicant will proceed with a Consent application and a Site Plan Control (SPC) application prior to the issuance of a building permit.

The development will then proceed to a Draft Plan of Condominium (CONDO) application in order to sell the residential and commercial units as freehold.

Pre-consultation (City Files #PS 080/21 and #PC-003/23) and pre-submission (City File #PC-034/23) were completed by the Applicant. Comments were received and have been incorporated into this PRR.

The purpose of this report is to review the relevant land use documents, including the Provincial Policy Statement (PPS) 2020, the City of Windsor Official Plan (OP) and the City of Windsor Zoning By-law (ZBL).

This PRR will show that the proposed development is suitable development of a vacant site for a combined use building, is consistent with the PPS, conforms to the intent and purpose of the City of Windsor OP and ZBL and represents good planning.

2.0 SITE AND SURROUNDING LAND USES

2.1 Legal Description and Ownership

The Site has been owned by Bouzide Enterprises Ltd., the Applicant, Since 2012.

The Site is in Ward 10 and within the South Cameron Planning Area and the Huron Church Road Corridor.

The Site is located on the east side of Huron Church Road, between Northwood Street and Kenora Street, with Daytona Avenue located to the east of the Site (see Figure 1 – Site Location).



Figure 1 – Site Location (Source: City of Windsor GIS)

The Site is currently vacant and will be the remnant parcel of a severance from the existing commercial building to the north of the Site, which is the location of Fred's Farm Fresh.

The Site is locally known as 2144 Huron Church Road and is currently legally described as LOTS 50 TO 66 (INCL.), PT LOTS 29 TO 41 (INCL.), PT LOT 67, PT BLK A (CREATED BY R1038232), PT OJIBWAY STREET (CLOSED BY R1069017), PT ALLEY (CLOSED BY R10475680), ALL ON PLAN 997, DESIGNATED AS PTS 1 TO 9 12R24779; S/T EASE OVER PTS 2, 4, 7, ON 12R24779 AS IN R1455555; S/T EASE OVER PT 3 ON 12R24779 AS IN R1455559; S/T EASE OVER PT 5 ON 12R24779 AS IN R1455562E; S/T EASE OVER PT 6 ON 12R24779 AS IN R1128865E; S/T EASE OVER PT 9 ON 12R24779 AS IN CE464476 SAVE & EXCEPT PARTS

1 TO 12 PL 12R24756; SUBJECT TO AN EASEMENT IN GROSS OVER PART 13 PL 12R24756 AS IN CE515741; CITY OF WINDSOR, PIN 01583-2726 (LT) (ARN 080-210-004200-0000).

There are no previous uses on the parcel of land subject to development, as it was confirmed that the Site has never been developed.

2.2 Physical Features of the Site

2.2.1 Size and Site Dimension

The entire Site has a total area of 1.26 ha with 198.73 m along Huron Church Road.

The Site, subject to the proposed development (severed parcel), consists of a total area of approximately 0.55 ha, with 99.38 m of frontage along Huron Church Road and a depth of 69.14 m.

The proposed retained parcel (Fred's Farm Fresh) consists of a total area of 0.71 ha, with 99.35 m of frontage along Huron Church Road and a depth of 72.22 m.

2.2.2 Existing Structures and Previous Use

The Site subject to the proposed development is currently vacant.

The retained lands have an existing building area of 1,706.17 m2 with on-site parking and access from Huron Church Road and Daytona Avenue.

The previous use of the Site has been vacant since at least 1947.

2.2.3 Vegetation

The property currently has a mown lawn and scattered trees.

There are no natural heritage features however, there is an area with vegetation near the Basin Drain.

2.2.4 Topography and Drainage

The Site is flat.

A portion of the south boundary is within the regulated area of the Essex Region Conservation Authority (ERCA).

The soil is made up of Berrien Sand (Bes).

The Basin Drain is located along the south boundary of the Site. The Site is within the Turkey Creek subwatershed area.

2144 Huron Church Road, Windsor, Ontario

There is an open ditch along Daytona Ave.

A portion of the Site is within a Source Water Protection Area, Event Based Area (EBA).

2.2.5 Other Physical Features

There are no other physical features on the Site.

2.2.6 Municipal Services

The property has access to municipal water, storm, and sanitary services.

Fire hydrants are provided along Huron Church Road, less than 45 m from the principal entrance of the proposed development.

Huron Church Road is classified as a Class 1 arterial road. The roadway is a 6 lane, 2-way roadway.

Streetlights and sidewalks are located along Huron Church Road.

The Site has access to transit with the closest bus stop located at the corner of Ambassador Drive and Industrial Drive (Stop ID 1391, Bus 3).

The Site is located close to major transportation corridors, including Hwy 401, Hwy 3 and the EC Row Expressway.

2.2.7 Nearby Amenities

There are several schools nearby, including St James Catholic Elementary School, Holy Names Catholic High School and Bellewood Public School.

There are many parks and recreation opportunities in close proximity to the Site, including Malden Park, Ojibway Street/South Cameron Park and Treehouse Park.

There is nearby shopping in the form of plazas and malls, as well as employment, places of worship and local/regional amenities.

2.3 Surrounding Land Uses

Overall, the Site is located in a mixed use area with commercial and residential uses. Photos were taken on December 19, 2021, by Pillon Abbs Inc.

North – The lands north of the Site, are used for commercial use (see Photo 1 – North).



Photo 1 – North

South – The lands south of the Site are used for commercial (see Photo 2 - South).



Photo 2 - South

East – The lands east of the Site are vacant but will be used for residential with frontage along Daytona Ave (see Photo 3 - East).



Photo 3 – East

West – The lands west of the Site are used for commercial and industrial (see Photo 4 - West).



Photo 4 - West

3.0 PROPOSAL AND CONSULTATION

3.1 Development Proposal

The Site, in Ward 10 and within the South Cameron Planning Area and the Huron Church Road Corridor, is currently vacant and will be the remnant parcel of a severance from the existing commercial building to the north of the Site, which is the location of Fred's Farm Fresh.

A concept plan was prepared by BairdAE Architecture and Engineering, dated February 9, 2023 (see Figure 2a – Concept Plan).

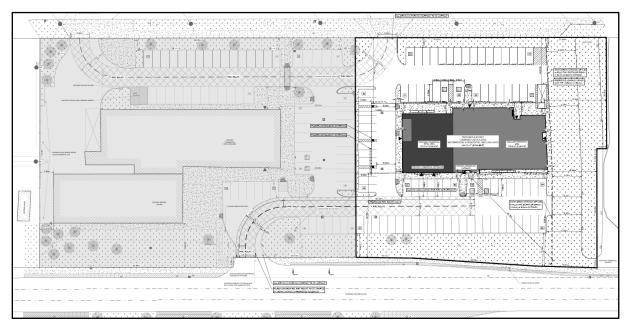


Figure 2a - Concept Plan

It is proposed to keep the existing commercial building in the current land use designation and zone.

It is proposed to construct one 6 storey combined use building with 58 residential units on the main floor and above and 273.57 m2 of commercial space located on the ground floor.

The building will face Huron Church Road. The primary access into the building will be on the west side (see Figure 2b – Elevation, West View).

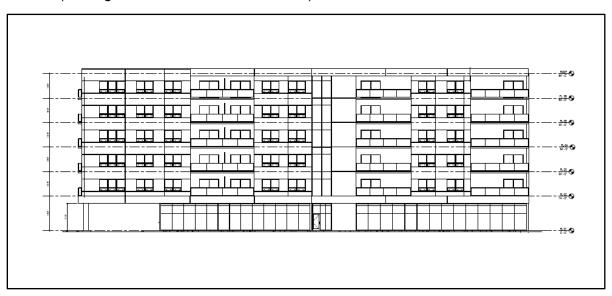


Figure 2b - Elevation, West View

The refuse from the commercial and residential uses will be located inside the building.

Parking for a total of 83 spaces to serve both the residents and workers/visitors to the commercial space will be located on-site and includes barrier free and visitor spaces. Loading and bicycle spaces are also provided.

The existing two access roads from Huron Church Road (Class 1 Arterial Road) and Daytona Ave (local two-way roadway) will be used.

A fire route will be provided.

An easement will be required for the internal access between the severed and retained parcels of land.

Tenure will be ownership (condominium) with a focus on affordability. The building will include 1 and 2 bedroom units.

Amenity spaces include outdoor seating, landscaped open space, an indoor common area, a lounge and a fitness room.

The proposed development will result in a density of 105.45 units per ha.

The Site will be professionally landscaped with pedestrian connections from the building to the parking area and to the municipal rights-of-way (row).

It is proposed to keep the Basin Drain open.

10

Prior to the issuance of a construction permit, the owner shall grant a 6 m easement along the south property line of 2144 Huron Church Rd for the maintenance and improvement of the Janisse Drain.

Development is anticipated to be completed in 2027.

3.2 Public Consultation Strategy

In addition to the statutory public meeting, the *Planning Act* requires that the Applicant submit a proposed strategy for public consultation with respect to an application as part of the complete application requirements.

As part of a public consultation strategy, in addition to the statutory public meeting, an informal electronic public open house was held for area residents (120 m radius) and property owners on Thursday, September 21, 2023, from 6:00 pm to 7:00 pm.

The purpose of the open house was to provide members of the public with opportunities to review, obtain information and comment on the proposed development.

Other than one City of Windsor Planning Department Staff member and Pillon Abbs Inc. there were no persons from the public who attended.

One email was received with an overall interest in the proposed development was received.

4.0 APPLICATIONS AND STUDIES

Pre-consultation (City Files #PS 080/21 and #PC-003/23) and pre-submission (City File #PC-034/23) were completed by the Applicant. Comments were received and have been incorporated into this PRR.

The proposed development requires an application for an Official Plan Amendment (OPA) and an application for a Zoning By-law Amendment (ZBA).

The following explains the purpose of the applications and summarizes the support studies required as part of the submission.

4.1 Official Plan Amendment

A site-specific Official Plan Amendment (OPA) is required in support of the proposed development.

The Site is currently designated "Mixed Use Corridor" (previously called "Commercial Corridor") according to Schedule D: Land Use attached to the OP for the City of Windsor.

The Site is part of the South Cameron Planning Area and the Huron Church Road Corridor. The Site is also impacted by OPA #80 and OPA #159.

The OPA for the Site proposes to change the land use designation from "Mixed Use Corridor" to a site specific "Mixed Use Corridor" on Schedule D: Land Use.

It is requested that a 10 m landscape setback from Huron Church Road be permitted.

The OPA justification is set out in Section 5.1.2 of this PRR.

4.2 Zoning By-Law Amendment

A site-specific Zoning By-law Amendment (ZBA) is required in support of the proposed development.

According to Map 4 attached to the ZBL the Site is currently zoned Commercial District 2.1 (CD2.1) category. This includes both the severed and retained parcels of land.

The Site is also impacted by special provision S.20(1)278.

The zoning for the Site (severed lands) proposes to be changed from Commercial District 2.1 (CD2.1) category to a site-specific Commercial District 2.2 (CD 2.2 - S.20(1)XXX) category in order to permit a combined use building. Relief from specific regulations is also being requested.

The zoning for the Site (retained lands) proposes to be changed from Commercial District 2.1 (CD2.1) category to a site-specific Commercial District 2.1 (CD 2.1 - S.20(1)XXX) category in order to address various requested reliefs.

2144 Huron Church Road, Windsor, Ontario

The ZBA is detailed, and the justification is set out in Section 5.1.3 of this PRR.

4.3 Other Applications

Once the OPA and ZBA applications have been approved, the Applicant will proceed with a Consent application with any required easements.

Site Plan Control (SPC) application will be required, prior to the issuance of a building permit.

The proposed development will be subject to a SPC agreement, which will include any required fees or securities, lighting, buffering, landscaping, signage, etc.

The development will then proceed to a Draft Plan of Condominium (CONDO) application in order to sell the residential and commercial units as freehold.

4.4 Supporting Studies

The following supporting studies have been prepared as part of the OPA and ZBA applications.

4.4.1 Noise and Vibration

An Acoustical and Vibration Report was prepared by BairdAE Architecture and Engineering, dated May 8, 2023.

The purpose of the study was to determine if there is a potential environmental noise impact from the traffic and stationary sources.

It was concluded that the proposed development could be designed to address impacts with the recommendation that mitigation measures such as units being equipped with air conditioning and forced air heating, wall, window and door requirements and a warning clause be implemented.

4.4.2 Engineering

A Functional Servicing Report (FSR) was prepared by BairdAE Architecture and Engineering, dated May 8, 2023 and further revised on December 21, 2023.

The report provided a review of the required municipal services, including drainage, sanitary sewer servicing, stormwater servicing and watermains.

The report concluded that the proposed development could be adequately serviced with the following recommendations:

- storm pipes will need to be relocated as a result of the severance,
- new sanitary service will need to be connected, and
- no new fire hydrants are required for the proposed development.

4.4.3 Traffic

A Traffic Impact Study (TIS) was prepared by BairdAE Architecture and Engineering, dated May 8, 2023 and further revised on December 19, 2023.

The report has been requested to examine the nearby intersection's existing and future operating conditions, individual turning movements and the impacts on traffic.

The development will generate 2555 daily vehicles, 103 morning vehicles and 94 evening peak vehicles.

The report concluded the following:

- the existing access road will accommodate the proposed traffic,
- all turning movements are acceptable,
- there are adequate sight lines, and
- the intersections of Huron Church Road and Northwood Street may require improvements in the future.

4.4.4 Parking

A Parking Justification Report was prepared by BairdAE Architecture and Engineering, dated May 8, 2023.

The purpose of the report has been to ensure parking requirements at the existing Fred's Farm Fresh are met and to determine the adequacy of parking provisions in meeting the requirements of the proposed development.

The report concluded that there would be sufficient parking for the following reasons:

- there is shared parking between residential and commercial uses, and
- the ZBL has overly conservative parking demands.

4.4.5 Energy

An Energy Strategy was prepared by BairdAE Architecture and Engineering, dated April 27, 2023.

The purpose of the report has been to review building and site design as it relates to achieving sustainability goals for the new development.

It was concluded that the building would be designed to address responsible material choices, indoor amenity space, and efficient building envelopes and systems.

Further, the Site will be designed to incorporate responsible infrastructure as well as access to active transportation, pedestrian connectivity and transit.

The City further confirmed that any revisions to the Energy Strategy can be completed as part of SPC approval.

2144 Huron Church Road, Windsor, Ontario

4.4.6 Biology

A Species at Risk (SAR) Impact Assessment was prepared by Insight Environmental Solutions Inc., dated December 13, 2022.

The purpose of the report was to assess species at risk and the potential impacts on their habitat.

It was confirmed that the Site is not within 120 m of a natural heritage feature. However, the Site does contain vegetation.

Mitigation measures are recommended, including the following;

- Training
- Fencing
- Machinery and equipment cleaning
- Reporting

The report concluded that the proposed development would not likely impact any species or habitat if the mitigation measures were implemented.

The report has been filed with the Ministry.

4.4.7 Soils

A Phase One Environmental Site Assessment (ESA) was prepared by Pinchin Ltd., dated August 22, 2022.

The purpose of the report was to review records, site assessment and evaluation of the Site.

It was confirmed that the Site has never been developed.

The report concluded that the Site did not identify any results of potential environmental concerns. Further, there was nothing that would impact soil and groundwater.

A Phase Two assessment is not required.

A Record of Site Condition (RSC) will be submitted to the Ministry based on the Phase One ESA report.

5.0 PLANNING ANALYSIS

5.1 Policy and Regulatory Overview

5.1.1 Provincial Policy Statement

The Provincial Policy Statement, 2020 (PPS) provides policy direction on matters of provincial interest related to land use planning and development providing for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environments.

The PPS is issued under Section 3 of the Planning Act and came into effect on May 1, 2020. It applies to all land use planning matters considered after this date.

The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The Site is within a "Settlement Area" as set out in the PPS.

The following provides a summary of the key policy considerations of the PPS as it relates to the proposed development.

PPS Policy #	Policy	Response
1.0	Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns	mix of uses. There is infrastructure in place to support this type of
1.1.1	Healthy, liveable and safe communities are sustained by: a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;	The proposed development is consistent with the policy to build strong, healthy and livable communities as it provides for a development with a combined use building for commercial and residential units. There are no environmental or public health and safety

PPS Policy #	Policy	Response
	b) accommodating an appropriate affordable and market-based range and mix	concerns as the area is established. The development pattern
	of residential types, employment, institutional, recreation, park and open	does not require expansion of the settlement area.
	space, and other uses to meet long-term needs;	The Site has access to full municipal services and is close to local amenities.
	c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;	Accessibility of units will be addressed at the time of the building permit.
	d) avoiding development and land use patterns that would prevent the efficient expansion	Public service facilities are available, such as local schools and transit.
	of settlement areas in those areas which are adjacent or close to settlement areas;	The development pattern is proposed to be an efficient development of vacant land.
	e) promotingcost- effective development patterns and standards to minimize land consumption and servicing costs;	This development would not disturb any natural lands.
	f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;	
	h) promoting development and land use patterns that conserve biodiversity.	
1.1.2	Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected	The proposed development will help the City meet the full range of current and future

PPS Policy #	Policy	Response
	needs for a time horizon of up to 25 years.	residential needs through intensification.
	Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.	The Site will provide for residential infilling and intensification within an existing settlement area in the form of residential, while supporting commercial activity.
1.1.3.1	Settlement areas shall be the focus of growth and development.	The proposed development enhances the vitality of the Municipality, as the Site is within an existing settlement area.
1.1.3.2	Land use patterns within settlement areas shall be based on densities and a mix of land uses which: a) efficiently use land and	The total density of the proposed development is considered appropriate as most of the existing area is a mix of uses.
	b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are	The Site offers an opportunity for intensification by developing a vacant parcel of land with a combined use building.
	planned or available, and avoid the need for their unjustified and/or uneconomical expansion;	proposed building will blend well with the scale and massing of the existing
	c) minimize negative impacts to air quality and climate change, and promote energy efficiency;	surrounding area. Residents will have immediate access to local amenities.
	d) prepare for the impacts of a changing climate;	Transit is available for the area.

PPS Policy #	Policy	Response
	e) support active transportation; f) are transit-supportive, where transit is planned, exists or may be developed; and g) are freight-supportive.	The Site is located close to major roadways.
1.1.3.3	Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.	The proposed development is located on a Site that is physically suitable. The Site is generally level, which is conducive to easy vehicular movements. The intensification can be accommodated for the proposed development as it is an appropriate development of a vacant parcel of land. Parking will be provided onsite, including space for tenants and visitors. Bicycle parking is also provided.
1.1.3.4	Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.	The proposed combined use building will be built with a high standard of construction, allowing a seamless integration with the existing area. There will be no risks to the public, as identified in the support studies. The Applicant will obtain any required ERCA permits as a

PPS Policy #	Policy	Response
		portion of the Site is within a regulated area.
		Support studies have been completed and recommended mitigation will be built into the design of the proposed development.
1.1.3.5	Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.	The City has established targets for intensification and development. The proposed development will assist in meeting those targets as the Site is located in an existing built-up area.
1.1.3.6	New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.	The proposed development does have a compact built form. The proposed building size will allow for the efficient use of land, pedestrian and vehicle access, infrastructure and public services.
1.3.1 - Employment	Planning authorities shall promote economic development and competitiveness by:	The proposed combined use building will provide for a place for people to live, work and play.
	a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs; b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which	A total of 273.57 m2 of commercial space is proposed to be located on the ground floor as part of a compact, mixed use development. The closest residential uses will be located east of Daytona Ave.

PPS Policy #	Policy	Response
	support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses; d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and	The proposed development does not cause any impacts on the enjoyment or privacy of abutting lands.
1.4.1- Housing	To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall: a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and	The proposed density and range of land uses encourage active transportation and promote the utilization of existing transit connections proximate to the Site to meet the health and well-being of future residents. The proposed development will provide for an infill and intensification opportunity in the existing built-up area. The Site offers an opportunity for intensification with a mix of commercial and residential uses.
	b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in	Municipal services are available, as set out in the support studies.

PPS Policy #	Policy	Response
	draft approved and registered plans.	
1.4.3	Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area.	The proposed development provides for a new housing choice in the area and utilizes the Site in an efficient manner. The Site is currently underutilized, and the development will allow a new mixed use for residential and commercial. The proposed density will have a positive impact on the area as it will blend well with the existing built form. The Site is close to nearby amenities. There is suitable infrastructure, including transit.
1.6.1	Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.	The development can proceed on full municipal services as identified in the required support studies. Access to public transit is available.
1.6.6.2	Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal	The proposed development will be serviced by municipal sewer, water and storm, which is the preferred form of servicing for settlement areas.

PPS Policy #	Policy	Response
	sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.	A FSR has been completed and confirmed that services can provided.
1.6.6.7	Planning for stormwater management shall: a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term; b) minimize, or, where possible, prevent increases in contaminant loads;	The required support studies have been completed to support the proposed development. There will be no negative impacts on the municipal system, and it will not add to the capacity in a significant way. There will be no risk to health and safety.
	c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure; d) mitigate risks to human health, safety, property and the environment;	There are no natural heritage features located on the Site, however mitigation measures are recommended to protect the vegetation area. Support studies have identified mitigation measures for construction.
	e) maximize the extent and function of vegetative and pervious surfaces; and f) promote stormwater management best practices, including stormwater attenuation and re-use, water	

PPS Policy #	Policy	Response
	conservation and efficiency, and low impact development.	
1.6.7.1	Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.	The Site is in close proximity to major roadways.
1.6.7.2	Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.	The proposed development contributes to the City's requirements for development within a built-up area. The area is serviced by transit.
1.6.7.4	A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.	The proposed development is near many local amenities, and residents would not have to travel far to access necessities.
2.1.1	Natural features and areas shall be protected for the long term.	There are no natural features that apply to this Site, except the vegetation area.
2.2.1	Planning authorities shall protect, improve or restore the quality and quantity of water.	The required support studies have been prepared in support of the proposed development.
2.6.1	Significant built heritage resources and significant cultural heritage landscapes shall be conserved.	There are no heritage resources that apply to this Site.
3.0	Development shall be directed away from areas of natural or human-made hazards where	There are no natural or human-made hazards.

PPS Policy #	Policy	Response
	there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.	

Therefore, the proposed development is consistent with the PPS and the Province's vision for long-term prosperity and social well-being.

5.1.2 Official Plan

The City of Windsor Official Plan (OP) was adopted by Council on October 25, 1999, approved in part by the Ministry of Municipal Affairs and Housing (MMAH) on March 28, 2000 and the remainder approved by the Ontario Municipal Board (OMB) on November 1, 2002. Office consolidation version is dated September 7, 2012.

The OP implements the PPS and establishes a policy framework to guide land use planning decisions related to development and the provision of infrastructure and community services throughout the City.

The lands are currently designated "Mixed Use Corridor" (previously called "Commercial Corridor") according to Volume I - Schedule D: Land Use attached to the OP for the City of Windsor (see Figure 3 – City of Windsor OP, Schedule D).

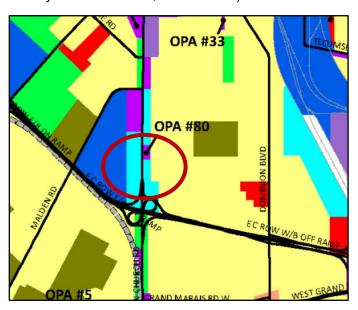


Figure 3 - City of Windsor OP, Schedule D

The Site is part of the South Cameron Planning Area.

The Site is also impacted by the following:

- Volume I Schedule F: Roads & Bikeways Huron Church is a Class I Arterial
- Volume I Schedule G: Civic Image Huron Church is designated as a "Civic Way"
- Volume II Special Policy Areas 1.2 Huron Church Road Corridor
- Volume II South Cameron Secondary Plan Schedule SC-1: Development Concept -Commercial Corridor

It is proposed to change the designation of the Site to a site specific "Mixed Use Corridor".

It is requested that a 10 m landscape setback from Huron Church Road be permitted.

The following provides a summary of the key policy considerations of the OP as it relates to the proposed development.

OP Policy #	Policy	Response
3.1	The planning of Windsor's future is guided by the following vision taken from Dream Dare Do – The City of Windsor Community Strategic Plan: "Windsor is a quality city full of	The proposed development will support the City's economy by providing a combined use building with commercial and residential development in an existing built-up area.
	history and potential, with a diverse culture, a durable economy, and a healthy environment where citizens share a strong sense of belonging and a collective pride of place."	The surrounding area has a mix of uses.
3.2 – Growth Concept	Mixed use developments will be encouraged with strong pedestrian orientations and to support public transit. This concept will enable Windsor to continue its growth and foster a vibrant economy, while ensuring a safe, caring and diverse community and a sustainable, healthy environment.	The proposed development provides a use that supports pedestrian orientations and public transit due to its location in an existing built-up area.

OP Policy #	Policy	Response
3.2.3.1	Windsor will work toward achieving a sustainable transportation system where all modes of transportation can play a more balanced role. The creation of mixed use and employment centres will allow businesses and services to be closer to homes and allow greater opportunities for walking, cycling and transit.	The intent is to construct a combined use building in an area that has a mix of uses. This allows residents to easily access amenities, employment and public transit.
4.0 – Healthy Community	The implementing healthy community policies are interwoven throughout the remainder of the Plan, particularly within the Environment, Land Use, Infrastructure and Urban Design chapters, to ensure their consideration and application as a part of the planning process.	The proposed development will support the City's goal of promoting a healthy community in order to live, work and play. The proposed development is close to nearby transit, employment, shopping, local/regional amenities and parks/trails.
6.0 - Preamble	A healthy and livable city is one in which people can enjoy a vibrant economy and a sustainable healthy environment in safe, caring and diverse neighbourhoods. In order to ensure that Windsor is such a city, Council will manage development through an approach which balances environmental, social and economic considerations.	The proposed development supports the policy set out in the OP as it is suited for the residential and commercial needs of the City.
6.1 - Goals	In keeping with the Strategic Directions, Council's land use goals are to achieve: 6.1.1 Safe, caring and diverse neighbourhoods. 6.1.3 Housing suited to the needs of Windsor's residents.	The proposed development supports the goals set out in the OP as it provides for the development of a vacant parcel of land. The proposed residential use will provide a new housing

OP Policy #	Policy	Response
C. 1 01103 11		choice in an existing built-up
	6.1.4 The retention and expansion of Windsor's employment base.	area. The proposed commercial use
	6.1.10 Pedestrian oriented clusters of residential, commercial, employment and institutional uses.	is compatible with other land uses. The space will offer an opportunity for retail that will cater to the residents of the combined use building and the
6.2.1.2 – General Policies, Types of Development Profile	For the purpose of this Plan, Development Profile refers to the height of a building or structure. Accordingly, the following Development Profiles apply to all land use designations on Schedule D: Land Use unless specifically provided elsewhere in this Plan:	Iocal neighbourhood. The proposed development is considered a medium profile mixed use development as it is proposed to have 6 storeys constructed on the Site with both residential and commercial uses.
	(a) Low Profile developments are buildings or structures generally no greater than three (3) storeys in height;	
	(b) Medium Profile developments are buildings or structures generally no greater than six (6) storeys in height; and	
	(c) High Profile developments are buildings or structures generally no greater than fourteen (14) storeys in height.	
6.5.1.8 - Residential Intensification	To promote residential intensification with Medium and High Profile buildings to meet the housing needs of the City in appropriate areas in proximity to municipal services, transit and employment areas.	Medium profile residential is now permitted in the designation.

OP Policy #	Policy	Response
6.5.3.1 – Mixed Use Corridor (Previously Commercial Corridor) Policies	Uses permitted in the Mixed Use Corridor land use designation are primarily retail, wholesale store and service oriented uses and, to a lesser extent, office uses.	Combined use buildings are now permitted in this designation.
	Medium and High Profile residential uses either as stand-alone buildings or part of a commercial-residential mixed use buildings shall be throughout the Corridors.	
6.5.3.3 – Street Presence	Council will encourage Mixed- Use Corridor development to provide a continuous street frontage and presence. Accordingly, development along a Mixed-Use Corridor	Huron Church Road is considered a Class 1 arterial road according to Schedule F of the OP. The Site is not at an
	shall be: a) no more than four storeys in height, except on lands at an intersection of any combination of the following roads: Class I Arterial Road, Class II Arterial	It is requested that Council consider the proposed 6 storeys as it addresses transition.
	Road, Class I Collector, or Class II Collector Road. The height of buildings shall	The ZBL will have specific provisions.
	generally not exceed the width of the road right-or-way abutting the development site; and	Most of the parking is located at the rear.
	b) Notwithstanding the identified maximum building height, the Council may consider additional height,	
	where the Council is satisfied that the proposed height achieves compatible development, and where	
	appropriate transitions to abutting lower scale development are	
	established. Appropriate	

OP Policy #	Policy	Response
C. Tonoy "	transitions may be achieved	1.00001100
	through the implementation of	
	regulatory techniques	
	including, but not limited to	
	new height limitations,	
	enhanced building setbacks	
	and step backs, enhanced	
	landscape buffers and	
	planting requirements and/or	
	the implementation of an	
	angular plane. Permissions	
	for taller buildings may be	
	•	
	established through a site specific Zoning By-law	
	specific Zoning By-law Amendment.	
	c) encouraged to locate the buildings at the street	
	frontage lot line with parking	
	accommodated at the rear of	
	the site.	
6.5.3.7 – Evaluation Criteria	At the time of submission, the	This PRR has addressed PPS
0.5.5.7 — Evaluation Criteria	proponent shall demonstrate	policies.
	to the satisfaction of the	policies.
	Municipality that a proposed	There are no constraint areas
	commercial development is:	that impact the Site.
	(a) feasible having regard to	that impact the Oile.
	the other provisions of this	Full municipal services are
	Plan, provincial legislation,	available.
	policies and appropriate	available.
	guidelines and support studies	On-site parking is provided.
	for uses:	2.1 2.12 panting to provided.
	(i) within or adjacent to any	There are no sensitive land
	area identified on Schedule	uses adjacent to the Site.
	C: Development Constraint	,
	Areas and described in	Support studies have been
	the Environment chapter of	provided.
	this Plan;	'
	(ii) within a site of potential or	The proposed development
	known contamination;	will be compatible with the
	(iii) where traffic generation	uses in the area.
	and distribution is a	
	provincial or municipal	
	concern; and	
	(iv) adjacent to sensitive land	
	uses and/or heritage	

OP Policy #	у	Response
6.5.3.8 – Design Guidelines	keeping with the goals, tives and policies of any dary plan or guideline affecting the surrounding apable of being provided ull municipal physical ces and emergency ces; ovided with adequate officiparking; compatible with the unding area in terms of massing, height, siting, ration, setbacks, parking andscaped areas; and ceptable in terms of the sal's market impacts on commercial areas (see edures chapter). Tollowing guidelines shall insidered when atting the proposed in of a Commercial dor development: e ability to achieve the ciated policies as ed in the Urban Design for of this Plan; e provision of opriate landscaping or buffers to enhance: parking lots, and for loading and service is; and e separation between see and adjacent tive uses, where opriate; a general rule, the tof buildings are stent with eight of buildings which acterize the Commercial	

OP Policy #	Policy	Response
Or Fulley #	Corridor. Where Council deems it desirable that higher profile development be permitted in an existing Commercial Corridor, the development should be built at a human scale by utilizing one or both of the following measures: (i) treatment of the lower floors of building(s) to provide continuity; and/or (ii) setting back the upper floors of building(s) from the street to avoid overpowering effects at-grade; (d) where possible, parking is located in the rear of the property to encourage continuous building facades adjacent to the street; (e) measures are taken in site design which provide for ease of access for pedestrians between the public sidewalk and building main entrances in a manner which is distinguishable from access provided for vehicles; and (f)Council will adopt Design Guidelines that will assist in the design and review of development applications in a manner that will ensure implementation of these policies.	Nesponse .
8.11.2.12 – Streetscape (Civic Way)	Council will promote the development of Civic Ways at the locations identified on Schedule G: Civic Image. Such Civic Ways will be designed to: (a) promote and present an attractive and unifying image of Windsor; (b) maintain a sense of	Volume I - Schedule G: Civic Image — Huron Church is designated as a "Civic Way". The proposed development will blend with the type of development currently along the roadway.

OP Policy #	Policy	Response
	welcome and arrival for travelers; (c) create a memorable impression of Windsor; and (d) complement and enhance the Municipality's capital investment in major infrastructure.	
8.11.2.13	Council will recognize the significance of roads designated as Civic Ways on Schedule G: Civic Image by: (a) enhancing the public rights-of-way along major entry points into Windsor consistent with a highly attractive and distinctive image using unifying elements such as landscaping, fixtures and boulevard and median treatments; and (b) protecting and enhancing significant views and vistas, public space and heritage resources along the Civic Way.	
1.2.2 – Huron Church Road Corridor	· ,	A 10 m landscape setback is provided. Relief is required as part of the OPA. Relief will allow the setback to be consistent with the existing abutting commercial building.

OP Policy #	Policy	Response
	(i) where a non-residential	
	development fronts Huron	
	Church Road there shall be a	
	minimum landscaped	
	setback of ten (10) metres	
	parallel to the road;	
	(ii) where residential	
	development is proposed	
	adjacent to Huron Church	
	Road a Public Open Space	
	corridor having a minimum	
	width of 30 metres shall be	
	provided as shown on	
	Schedule D: Land Use; save	
	and except lot 62, Plan 967*,	
	on Huron Church Road, shall	
	have a 9 metre landscaped	
	setback.	
	(* - Added by OMB Decision	
	#1635 – 11/29/2002)	
	(b) where lands are proposed	
	for redesignation to	
	Commercial	
	Centre or Commercial	
	Corridor, such lands shall be	
	located at a signalized	
	intersection or be contiguous	
	to	
	lands designated Commercial	
	Centre or Commercial	
	Corridor with access to a	
	signalized intersection by	
	means of a service road.	
4.2 - South Cameron	The extension of sanitary	The proposed development
Planning Area	sewers has acted as a	will support the purpose of the
	stimulus to development	planning area.
	activity and interest.	
	Environmental issues, noise	The Site is an opportunity for
	problems, fragmented	infill and intensification.
	ownership and accessibility	and interiorious
	issues require more detailed	The combined use building will
	development policies than are	be designed to support the
	set out in Volume I: The	orderly progression of
	Primary Plan. This secondary	development in the area.
	plan results from the intent of	developinent in the area.
	pian results holli the intelit of	

OP Policy #	Policy	Response
	the City of Windsor to set out objectives and policies regarding orderly progression of development within the planning district.	
4.5.1 - Goal	Promote land use patterns, residential densities and building forms that make efficient use of existing resources, services and infrastructure.	The proposed development is an efficient use of the Site as it is located in a built up area with an existing mix of uses.
4.5.5 Noise	Facilitate noise reduction in development and protect residents from unacceptable levels of noise.	The required support studies have been prepared.
4.5.8 - Compatibility	Provide for a pattern of development in keeping with the scale and use of existing development in this district.	The proposed development is compatible with the surrounding area. There are no sensitive land uses abutting the Site. The closest residential uses
		will be located east of Daytona Ave. The proposed development does not cause any impacts on the enjoyment or privacy of abutting lands.
4.6.2	Locate medium /high profile residential uses adjacent to commercial areas.	The proposed medium profile use will be located adjacent to the commercial areas.
4.6.4	Provide for commercial uses along the arterial and collector road frontages with consideration of local nodes near medium/high profile residential areas.	Commercial uses are proposed.
4.7.7.2 – Commercial Corridors	The Commercial Corridors designated on Schedule SC-1 shall be subject to the policies contained within Volume I: The Primary Plan and the	The Mixed Use Corridor (previously Commercial Corridors) designation has been applied.

OP Policy #	Policy	Response
	special policy area provisions of Volume II, where appropriate.	
7.0	The provision of proper infrastructure provides a safe, healthy and efficient living environment. In order to accommodate transportation and physical service needs in Windsor, Council is committed to ensuring that infrastructure is provided in a sustainable, orderly and coordinated fashion.	close to nearby transit, off a major roadway, and has access to full municipal services.
8.1 – Urban Design	A memorable, attractive and liveable city is one where people feel comfortable and are inspired by their surroundings. The physical systems and built form of the city are also designed to protect, maintain and improve the quality of life for present and future generations by integrating the principles of sustainability and place making. In order for Windsor to be such a city, Council is committed to urban design principles that enhance the enjoyment and image of Windsor and its people.	The proposed development has taken into account the urban design policies set out in this section. The design will be further evaluated as part of SPC approval.
8.7.2.3 – Built Form, infill development	Council will ensure that proposed development within an established neighbourhood is designed to function as an integral and complementary part of that area's existing development pattern by having regard for: (a) massing; (b) building height; (c) architectural proportion; (d) volumes of defined space;	will be a natural integration of the established mixed use area. The proposed combined use

OP Policy #	Policy	Response
	(e) lot size;	with the scale and massing of
	(f) position relative to the road;	the existing surrounding area.
	(g) building area to site area	
	ratios;	Building height – there are no
	(h) the pattern, scale and	impacts on shadowing on
	character of existing	abutting properties based on
	development;	the proposed building height.
	(i) exterior building appearance;	There is future residential to be located on the east side of
	(j) Council adopt Guidelines	Daytona Ave.
	that will assist in the design	Baytona 7 We.
	and review of applications for	Relief is being requested for
	development in accordance	an increase in height. All other
	with the policies noted above.	CD2.2 provisions can be
		complied with.
		Architectural proportion – the
	!	proposed visual effect of the relationship of the proposed
	!	development will blend well
	!	with the buildings in the
	!	immediate area.
	!	
	!	Volume of defined space – the
	!	proposed design and layout of
		the development includes
	!	appropriate setbacks and lot
	!	coverage.
	!	The parking area will be
	!	constructed in according to
		City standards, providing
		appropriate space. Minor
		relief is requested and
	!	supported by a parking study.
		Lot size – the existing parcel is
		appropriate for the
		development. It allows for on-
		site parking, fire route,
		sidewalks and landscaping.
		Duilding and a second of the
		Building area – appropriate lot
		coverage is proposed. The proposed building will not
		proposed building will not

OP Policy #	Policy	Response
		negatively impact the private use and enjoyment of area residents and business owners.
		Pattern, scale and character – the style of development will blend well with the scale and massing of the existing surrounding area.
		Exterior building appearance – the proposed building will be designed professionally and aesthetically pleasing.
Section 3.1 - City of Windsor Intensification Guidelines, June 2022	Mixed Use Corridors are located along Arterial or Collector Roads and are expected to accommodate Low and Medium Profile built	City of Windsor intensification guidelines have been reviewed as part of the proposed development.
	forms that include mixed use , retail, office, and residential development.	The proposed development is considered a medium profile mixed use development.
		Transition, height, scale and massing have been considered as part of the concept plan.
		The final design of the building will be addressed as part of SPC approval.
3.2.2 – Mixed Use Corridors	Mixed Use Corridors can accommodate a full range of residential, office, recreational, entertainment	Huron Church Road and in keeping with its status as an international gateway route.
	cultural, and community uses and facilities over time. Mixed Use Corridors are the connective spines of the City and intensification is	The building will face the street, has access to nearby transit, and provides access and frontage.
	envisioned to develop as mixed use and transit supportive.	The parking area is designed to be located on the Site with appropriate landscaping and buffering.

OP Policy #	Policy	Response
	Locate Low and Medium	There are no sensitive land
	Profile forms of development	uses abutting the Site.
	and mixed uses along the	
	Mixed Use Corridors and at	
	gateways to create areas of	
	community focus.	
	2. Ensure buildings relate to	
	adjacent streets, particularly at	
	transit stops. Block patterns	
	should be permeable,	
	providing access and frontage	
	among buildings along the	
	Mixed Use Corridors.	
	3. Design parking lots with	
	planting strips and landscaped	
	traffic islands, medians, or	
	bump-outs to break up the	
	expanse of hard surface	
	areas.	
	4. Design buildings to be	
	compatible with, and	
	sensitively integrated with the	
	surrounding land uses and	
	built forms. Ensure	
	appropriate transition to	
	adjacent uses and built forms.	

Therefore, the proposed development will conform to the City of Windsor OP with the proposed amendment to request a 10 m landscape setback from Huron Church Road.

5.1.3 Zoning By-law

The City of Windsor Zoning By-Law (ZBL) #8600 was passed by Council on July 8, 2002, and then a further Ontario Municipal Board (OMB) decision was issued on January 14, 2003.

A ZBL implements the PPS and the City OP by regulating the specific use of property and provide for its day-to-day administration.

According to Map 4 attached to the ZBL the Site is currently zoned Commercial District 2.1 (CD2.1) category (see Figures 4 – City of Windsor Zoning Map 4).

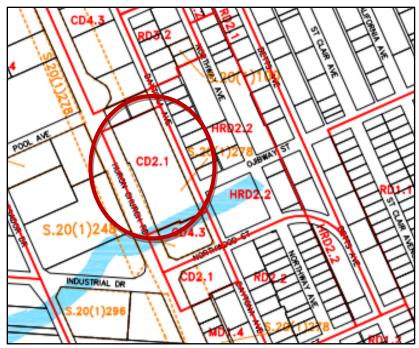


Figure 4 - City of Windsor Zoning Map 4

The Site is also impacted by special provision S.20(1)278, which states the following:

For the lands situated on the east and west sides of Huron Church between the south limit of College Avenue and the north limit of Continental Avenue on the west side of Huron Church Road and the north limit of E C Row Expressway on the east side of Huron Church Road, a landscaped open space yard with a minimum depth of 10 metres along Huron Church Road shall be provided, save and except for Parts 4 and 5, Plan 12R-12366 and Part Lots 1346 to 1360, Part Lot 1829 and Part Block A, Registered Plan 1059 (situated on the west side of Huron Church Road, north of Tecumseh Road West) a minimum landscaped open space yard with a minimum depth of 3 metres along Huron Church Road shall be provided. Buildings and the parking and display of motor vehicles are prohibited within this landscaped open space yard.

The zoning for the Site (severed lands) proposes to be changed from Commercial District 2.1 (CD2.1) category to a site-specific Commercial District 2.2 (CD 2.2 - S.20(1)XXX) category in order to permit a combined use building. Relief from certain regulations is also being requested.

The zoning for the Site (retained lands) proposes to be changed from Commercial District 2.1 (CD2.1) category to a site-specific Commercial District 2.1 (CD 2.1 - S.20(1)XXX) category in order to address various requested reliefs.

COMBINED USE BUILDING means a building having, as main uses, at least one dwelling unit and at least one non-residential use.

A review of the CD2.2 zone provisions, as set out in Section 15.2 of the ZBL is as follows for the **severed** (new development) lands:

Zone	Required	Proposed	Compliance and/or Relief Requested with Justification
Regulations	CD2.2 Zone	(severed lands)	
Permitted Uses	Bakery Business Office Child Care Centre Commercial School Confectionery Food Outlet - Take- Out Funeral Establishment Medical Office Micro-Brewery Personal Service Shop Place of Entertainment and Recreation Place of Worship Professional Studio Public Hall Repair Shop – Light Restaurant Retail Store Veterinary Office Wholesale Store Dwelling Units in a Combined Use Building with any one or more of the above uses Gas Bar Outdoor Market Parking Garage Public Parking Area Tourist Home Existing Automobile Repair Garage	Commercial uses are permitted in the CD2.2 zone. Residential dwelling units in a combined use building.	Subject to the ZBA. There are residential units proposed above the commercial units as part of the proposed development. The commercial use will include retail space of 273.57 m2 to be located on the main floor.

Zone Regulations	Required CD2.2 Zone	Proposed (severed lands)	Compliance and/or Relief Requested with Justification
Main Building	Existing Service Station Any use accessory to any of the preceding uses. An Outdoor Storage Yard is prohibited, save and except, in combination with the following main uses: Outdoor Market, Existing Automobile Repair Garage. 14.0 m	20.12 m	Relief is requested.
Height - maximum	14.0 [[]	ZU. 1Z III	6 storeys are proposed. The height of the commercial space generally has a greater ceiling height than the residential space. The proposed development is considered a medium profile mixed use development as it is proposed to have 6 storeys constructed on the Site with both residential and commercial uses. The scale and massing of the proposed building are suitable for the Site. The scale and massing do not cause any negative impact on the enjoyment of abutting properties.

Zone Regulations	Required CD2.2 Zone	Proposed (severed lands)	Compliance and/or Relief Requested with Justification
			Privacy and enjoyment will not be impacted.
Amenity Area – Per Dwelling Unit – minimum	12.0 m2 per unit 12.0 x 58 = 696 m2	1,735.11 m2	Complies AMENITY AREA means a landscaped open space yard or a recreational facility as an accessory use to a dwelling or a dwelling unit
Other	For a Combined Use Building, all dwelling units, not including entrances thereto, shall be located above the non-residential uses	Dwelling Units in a combined use building with commercial on the main floor and residential above the commercial space.	Iocated on the same lot. Subject to the ZBA. A total of 58 residential units are proposed. There are residential amenity areas proposed on the main floor.
Parking Requirements 24.20.5.1	Retail - 1 space/22.5 m2 = 12 Combined Use Building – 1.25 per dwelling unit = 72	12 commercial spaces provide 71 residential spaces provided Total = 83	Relief for 1 parking space required for residential parking. A Parking Justification Report has been prepared to confirm that the provided parking spaces are appropriate for the proposed development.
Visitor Parking – minimum 24.22.1	15 percent of parking spaces shall be marked as visitor parking = 12	12	Complies
Accessible Parking Spaces 24.24.1	Type A – 2 spaces Type B – 2 spaces = 4	4	Complies
Bicycle Parking Spaces 24.30.1.1	6	6	Complies

Zone Regulations	Required CD2.2 Zone	Proposed (severed lands)	Compliance and/or Relief Requested with Justification
Parking Area Separation 25.5.20	.2 any other street - 3.00 m .3 an interior lot line or alley – 0.90 m .5 A building wall in which is located a main pedestrian entrance facing the parking area – 2.0 m .6 A building wall containing a habitable room window or containing both a main pedestrian entrance and a habitable room window facing the parking area where the building is located on the same lot as the parking area - 4.50 m	2.9 m from a street 0.90 m from a lot line 1.90 m building wall (provided at retail entrances) 1.80 m building wall (provided at east dwelling entrance) 0 m building wall containing a habitable room window	Relief is required for the minimum setback from a street (Daytona Ave). There is an open ditch which provides additional setback on the municipality right-of-way. Relief is required for the minimum setback from the wall of the main entrance and retail entrance, as the building will be designed with a recessed entranceway. Sidewalk access is provided for pedestrian connectivity. Relief is required for the minimum setback from the building wall containing a habitable room window. Parking area separations are measured to any building wall containing a habitable room window, including windows on the
Loading Spaces Required - minimum	1	1	2nd floor and higher. Complies
S.20(1)278	a landscaped open space yard with a minimum depth of 10 metres along Huron Church Road shall be provided	10.48 m	Complies

Therefore, in addition to the request to permit a combined use building, the proposed development (severed lands) will comply with all zone provisions set out in the CD2.2 Zone except for the following, which requires site-specific relief:

- 1. increase the required maximum height from 14.0 m to 20.12 m,
- 2. decrease the required minimum parking requirement for the residential use from 72 to 71 spaces,
- 3. to decrease the required parking area separation from 3 m to 2.90 m from a street,
- 4. to decrease the required parking area separation from 2.0 m to 1.90 m for the building wall provided at retail store entrances,
- 5. to decrease the required parking area separation from 2.0 m to 1.80 m for the building wall provided at east dwelling entrance, and
- 6. to decrease the required parking area separation from 4.50 m to 0 m for the building wall containing a habitable room window.

A review of the CD2.1 zone provisions, as set out in Section 15.1 of the ZBL is as follows for the **retained** (Fred's Farm Fresh) lands:

Zone	Required	Proposed	Compliance and/or Relief Requested with Justification
Regulations	CD2.1 Zone	(retained lands)	
Permitted Uses	Bakery Business Office Child Care Centre Commercial School Confectionery Food Outlet - Drive- Through Food Outlet - Take- Out Funeral Establishment Garden Centre Gas Bar Medical Office Micro-Brewery Parking Garage Personal Service Shop	Existing commercial use	Complies

Zone Regulations	Required CD2.1 Zone	Proposed (retained lands)	Compliance and/or Relief Requested with Justification
	Place of Entertainment and Recreation Place of Worship Professional Studio Public Hall Public Parking Area Repair Shop – Light Restaurant Restaurant with Drive-Through Retail Store Temporary Outdoor Vendor's Site Tourist Home Veterinary Office Wholesale Store Existing Automobile Repair Garage Existing Service Station Any use accessory to any of the preceding uses. An Outdoor Storage Yard is prohibited, save and except, in combination with the following main uses: Garden Centre, Temporary Outdoor Vendor's Site, Existing Automobile Repair Garage		
Building Height – maximum	14.0 m	Existing	Compiles
Gross Floor Area – maximum	550.0 m2	Existing	Complies

Zone Regulations	Required CD2.1 Zone	Proposed (retained lands)	Compliance and/or Relief Requested with Justification
Bakery or Confectionary			
Parking Requirements 24.20.5.1	Garden Centre – 1 space/22.5 m2 = 27	27 provided for the garden centre	Relief for 7 parking spaces is requested.
220.0	Retail - 1 space/22.5 m2 = 47	40 provided for the retail	This is considered a minor reduction.
	Total = 74	Total = 67	A Parking Justification Report has been prepared to confirm that the provided parking spaces are appropriate for the retained lands.
Accessible Parking Spaces	Type A – 1 space Type B – 1 space	2	Complies
24.24.1	= 2		
Bicycle Parking Spaces 24.30.1.1	5	0	Relief is requested for 5 bicycle parking spaces. There were 6 previous spaces provided but have since been removed.
Parking Area Separation 25.5.20	.3 an interior lot line or alley – 0.90 m	0.32 m from an interior lot line (provided at south interior lot line)	Relief is required for the minimum setback requirement from a lot line as the existing parking area is being transformed into two separate areas (retained and severed).
Loading Spaces Required - minimum	1	1	Complies
S.20(1)278	a landscaped open space yard with a minimum depth of 10 metres along	Existing	Complies

Zone	Required	Proposed	Compliance and/or Relief Requested with Justification
Regulations	CD2.1 Zone	(retained lands)	
	Huron Church Road shall be provided		

Therefore, the proposed development (retained lands) will comply with all zone provisions set out in the CD2.1 Zone except for the following, which requires site-specific relief:

- 1) permit the required vehicle parking for the commercial use to be reduced from 74 spaces to 67 spaces;
- 2) permit the required bicycle parking for the commercial use to be reduced from 6 spaces to 0 spaces, and
- 3) to decrease the required parking area separation from 0.90 m to 0.32 m from an interior lot line.

6.0 SUMMARY AND CONCLUSION

6.1 Context and Site Suitability Summary

6.1.1 Site Suitability

The Site is ideally suited for a combined use building with commercial and residential development for the following reasons:

- The land area is sufficient to accommodate the proposed development with adequate buffering from abutting land uses,
- The Site is generally level, which is conducive to easy vehicular movements,
- The Site will be able to accommodate municipal water, storm and sewer systems,
- There are no anticipated traffic or parking concerns,
- There are no noise or vibration concerns, and
- The location of the proposed development is appropriate.

6.1.2 Compatibility of Design

The proposed development will be limited to an 6 storey, medium profile combined use building, which is a compatible density for the Site and with the surrounding area.

The design has spoken to compatibility. It has taken into consideration a transition between land uses and an appropriate amount of setbacks.

The Site is capable of accommodating the proposed development in terms of scale, massing, height and siting. Parking, fire route, amenity area and landscaping will be provided.

The closest residential uses will be located east of Daytona Ave. The proposed development does not cause any impacts on the enjoyment or privacy of abutting lands.

All zone provisions set out in the CD2.1 zone and CD2.2 zone categories can be complied with, with the exception of some minor requested relief.

6.1.3 Good Planning

The proposal represents good planning as it addresses the need for the development of a vacant parcel of land, which contributes to affordability and intensification requirements set out in the PPS and the OP.

Residential and commercial uses on the Site represent an efficient development pattern that optimizes the use of land.

The Site is currently vacant and is underutilized.

49

6.1.4 Environment Impacts

The proposal does not have any negative natural environmental impacts or impacts on endangered species.

6.1.5 Municipal Services Impacts

There will be no negative impacts on the municipal system as the proposed use will not add to the capacity in a significant way.

6.1.6 Social, Cultural and/or Economic Conditions

The proposed development does not negatively affect the social environment as the Site is in close proximity to major transportation corridors and nearby amenities.

Infilling in an existing mixed use area of the City contributes toward the goal of 'live, work and play' where citizens share a strong sense of belonging and a collective pride of place.

The proposed development promotes efficient development and land use patterns, which sustains the financial well-being of the Municipality.

The proposal does not cause any public health and safety concerns. The proposal represents a cost-effective development pattern that minimizes land consumption and servicing costs.

There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal infilling opportunity.

There are no cultural heritage resources that impact the Site.

6.2 Conclusion

In summary, it would be appropriate for the City of Windsor to approve the OPA and ZBA to permit the proposed development on the Site.

The proposed development is an appropriate use of an underutilized vacant property and offers a mix of uses that offers residents and consumers a new option for housing and economic activity.

This PRR has shown that the proposed development is consistent with the PPS, conforms with the intent and purpose of the City of Windsor OP and represents good planning.

The report components for this PRR have set out the following, as required under the City of Windsor OP:

10.2.13.2 Where a Planning Rationale Report is required, such a study should:

(a) Include a description of the proposal and the approvals required;

50

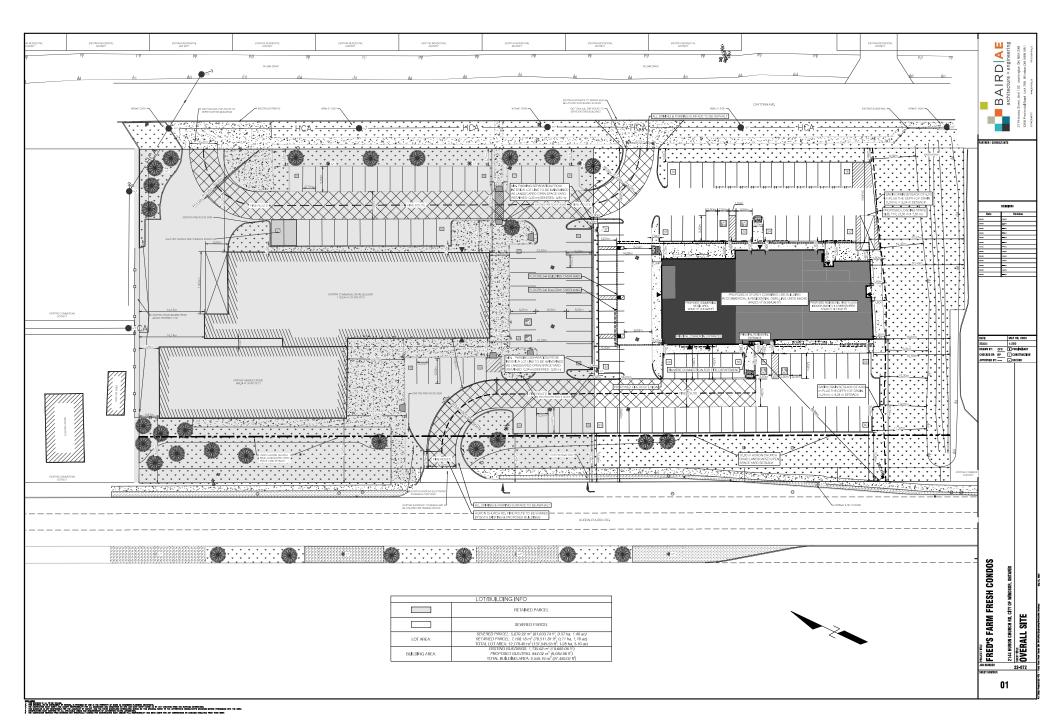
- (b) Describe the site's previous development approval history;
- (c) Describe major physical features or attributes of the site including current land uses(s) and surrounding land uses, built form and contextual considerations;
- (d) Describe whether the proposal is consistent with the provincial policy statements issued under the Planning Act;
- (e) Describe the way in which relevant Official Plan policies will be addressed, including both general policies and site-specific land use designations and policies;
- (f) Describe whether the proposal addresses the Community Strategic Plan;
- (g) Describe the suitability of the site and indicate reasons why the proposal is appropriate for this site and will function well to meet the needs of the intended future users;
- (h) Provide an analysis of the compatibility of the design and massing of the proposed developments and land use designations;
- (i) Provide an analysis and opinion as to why the proposal represents good planning, including the details of any methods that are used to mitigate potential negative impacts;
- (j) Describe the impact on the natural environment;
- (k) Describe the impact on municipal services;
- (I) Describe how the proposal will affect the social and/or economic conditions using demographic information and current trends; and,
- (m) Describe areas of compliance and non-compliance with the Zoning By-law.

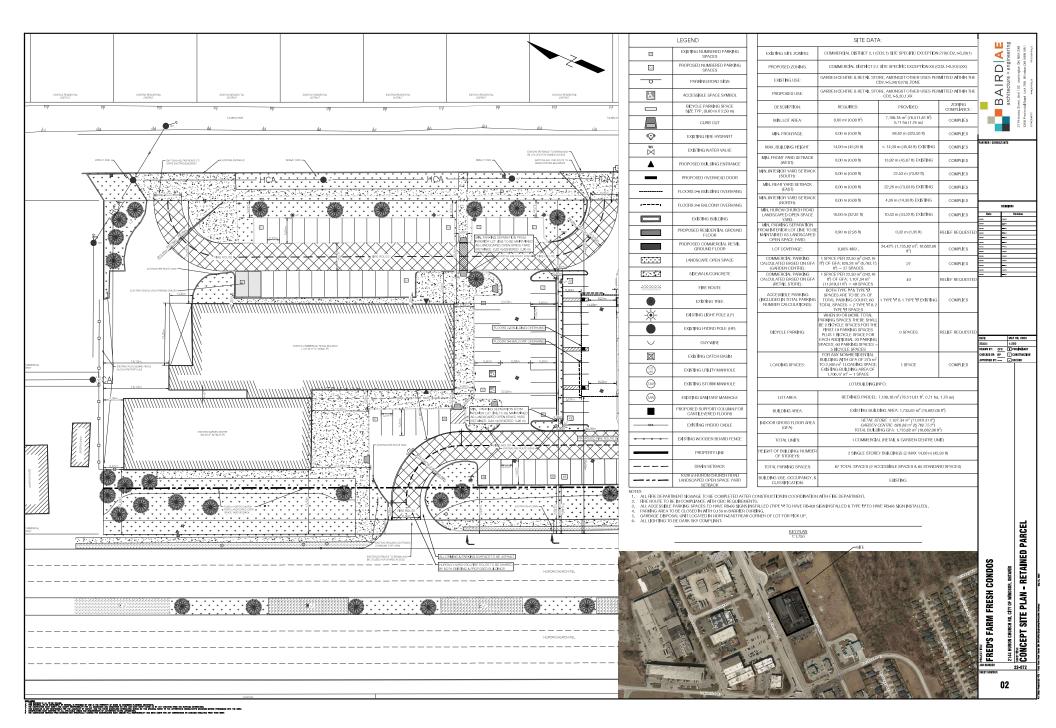
Planner's Certificate:

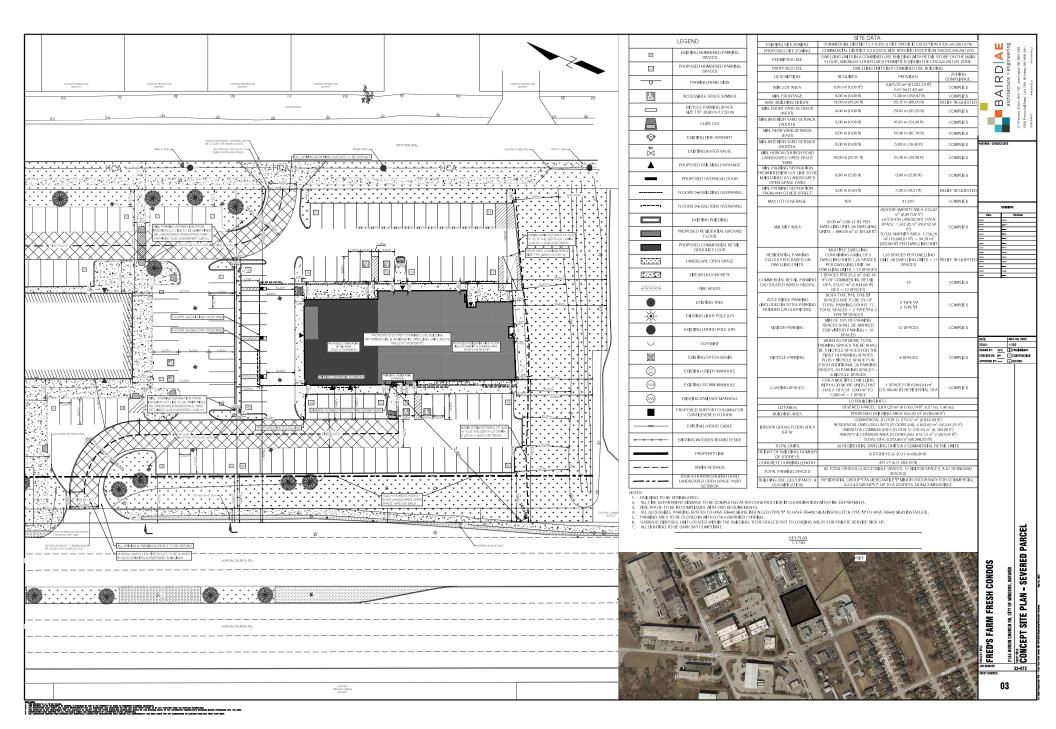
I hereby certify that this report was prepared by Tracey Pillon-Abbs, a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.

Tracey Pillon-Abbs, RPP Principal Planner

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BUILDING ABOVE

SUBMISSION RECORD

REVISIONS

Drawn by: MK PRELIMINARY

D. DESCRIPTION



2ND - 4TH FLOOR PLAN
SCALE: 1/8"=1'-0"

SUBMISSION RECORD

REVISIONS

Drawn by: MK PRELIMINARY

Approved by: PW RECORD

Checked by: PW CONSTRUCTION

- FOURTH FLOOR PLAN

SECOND

A102

FRED'S FARM FRESH CONDOS

. DESCRIPTION



5TH - 6TH FLOOR PLAN
SCALE: 1/8"=1'-0"

SUBMISSION RECORD

REVISIONS

Drawn by: MK PRELIMINARY

Checked by: PW CONSTRUCTION

PLAN

SIXTH FLOOR

FITFIH

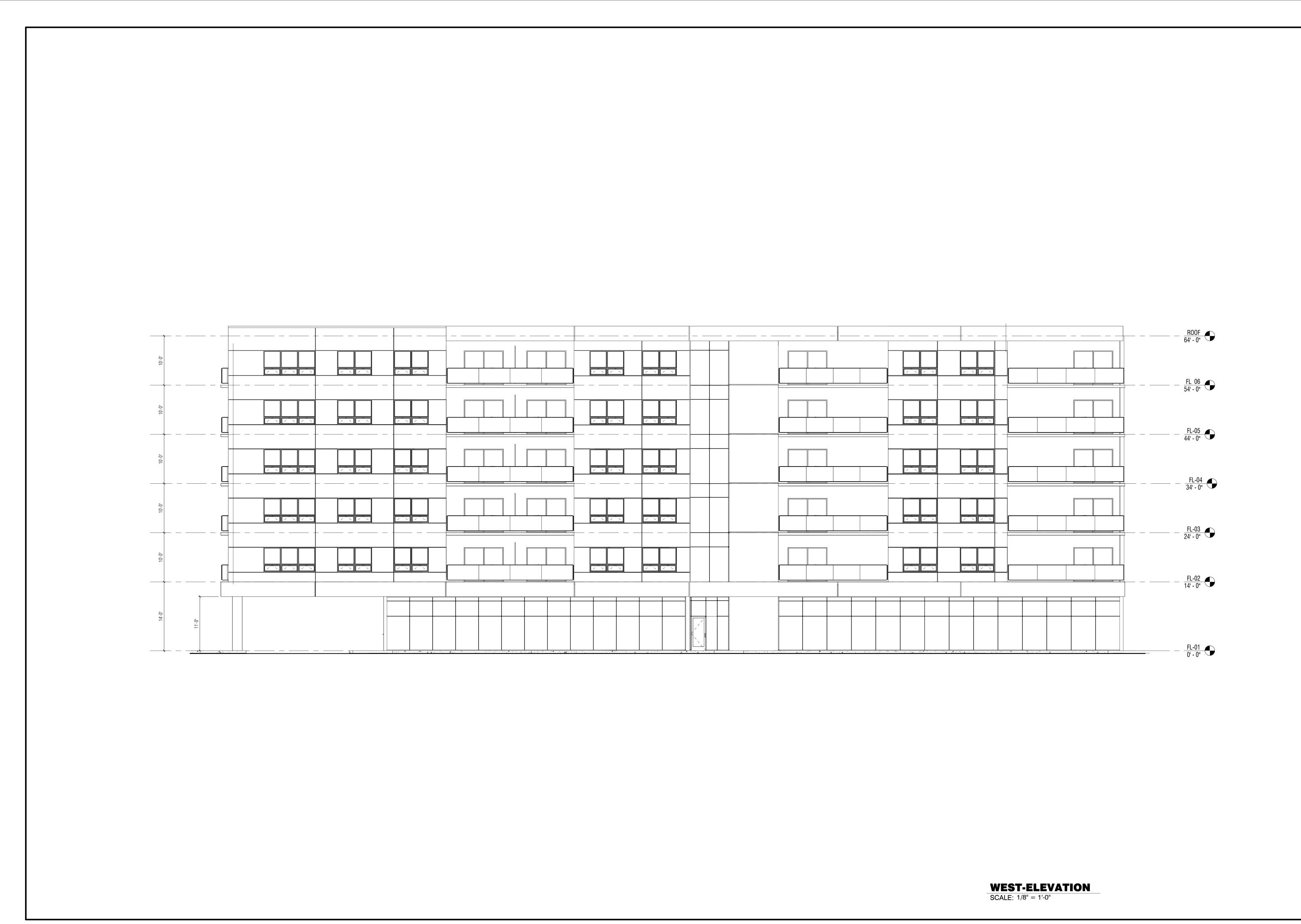
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A103

Approved by: PW RECORD

FRED'S FARM FRESH CONDOS

. DESCRIPTION



Development & Heritage Standing Committee Agenda - Monday, May 6, 2024 Page 84 of 530 2144 HURON CHUCH RD.

SHET TITLE

WEST ELEVATION

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FRED'S FARM FRESH CONDOS

SUBMISSION RECORD

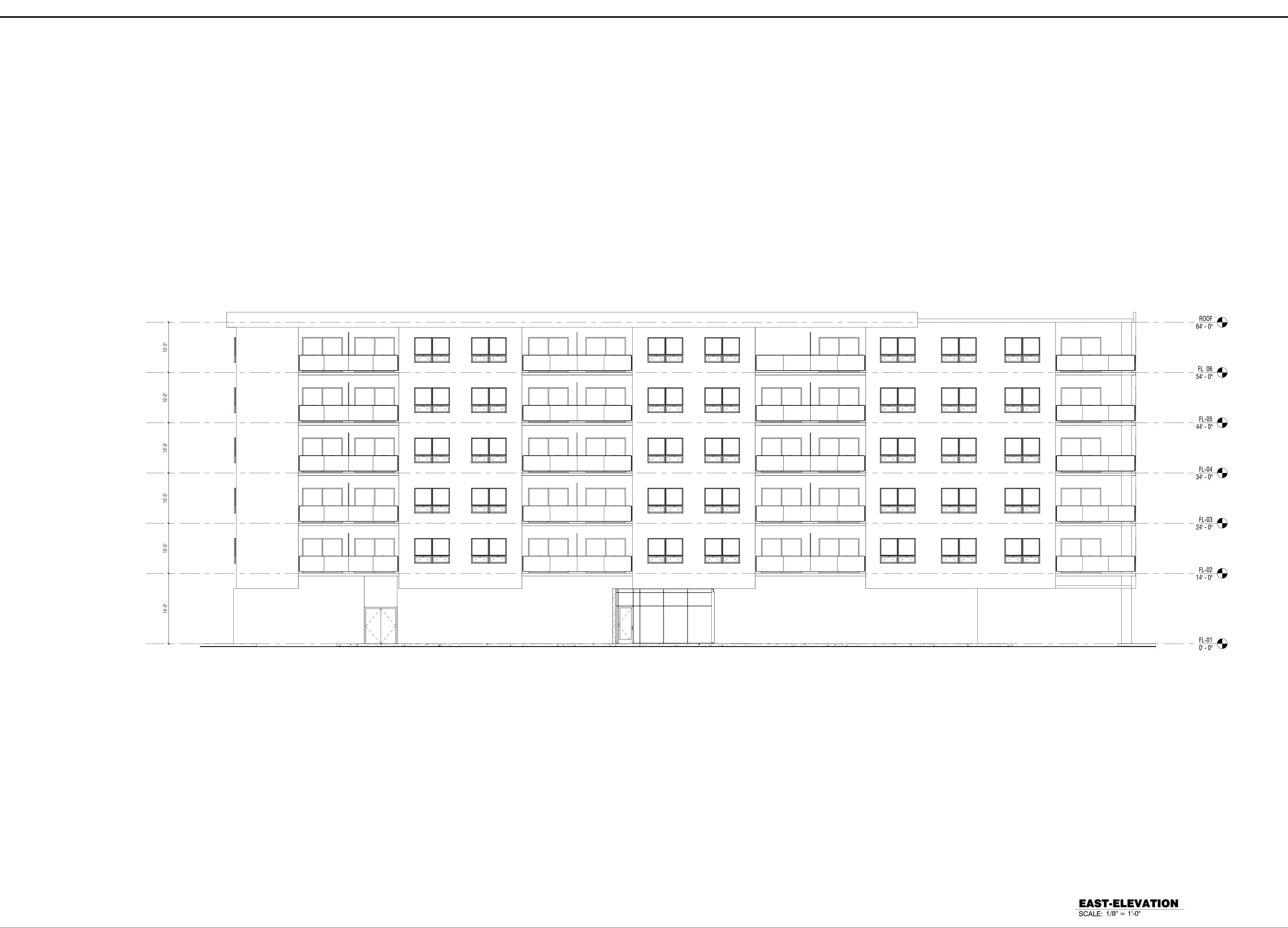
REVISIONS

Drawn by: MK PRELIMINARY

Checked by: PW CONSTRUCTION

Approved by: PW RECORD

O. DESCRIPTION



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EAST ELEVATION

Checked by: PW CONSTRUCTION Approved by: PW RECORD

REVISIONS

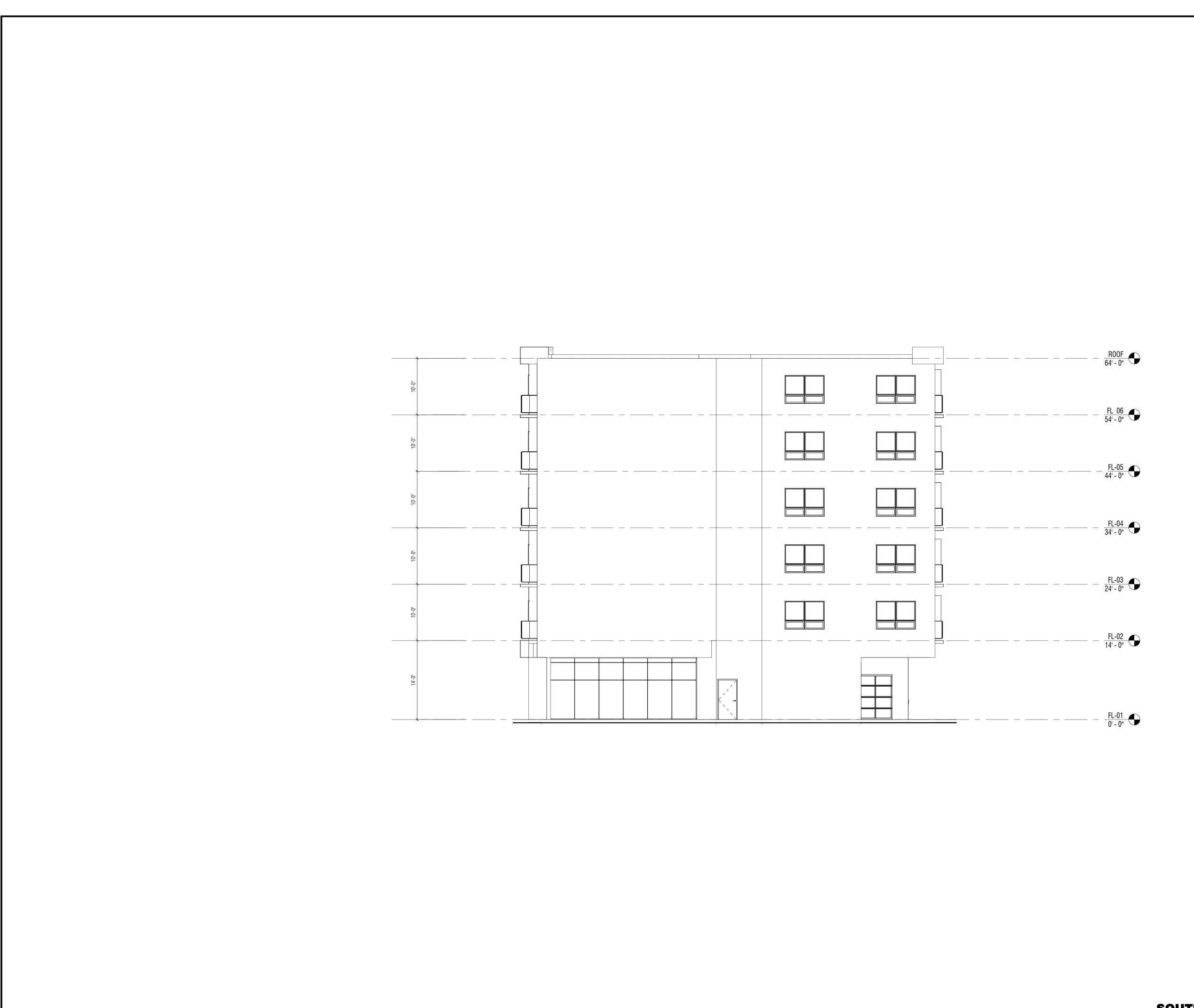
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SUBMISSION RECORD

O. DESCRIPTION

FRED'S FARM FRESH CONDOS

A105



SOUTH-ELEVATION
SCALE: 1/8" = 1'-0"

2144 HURON CHUCH RD.

SHEET TITLE

SOUTH ELEVATION

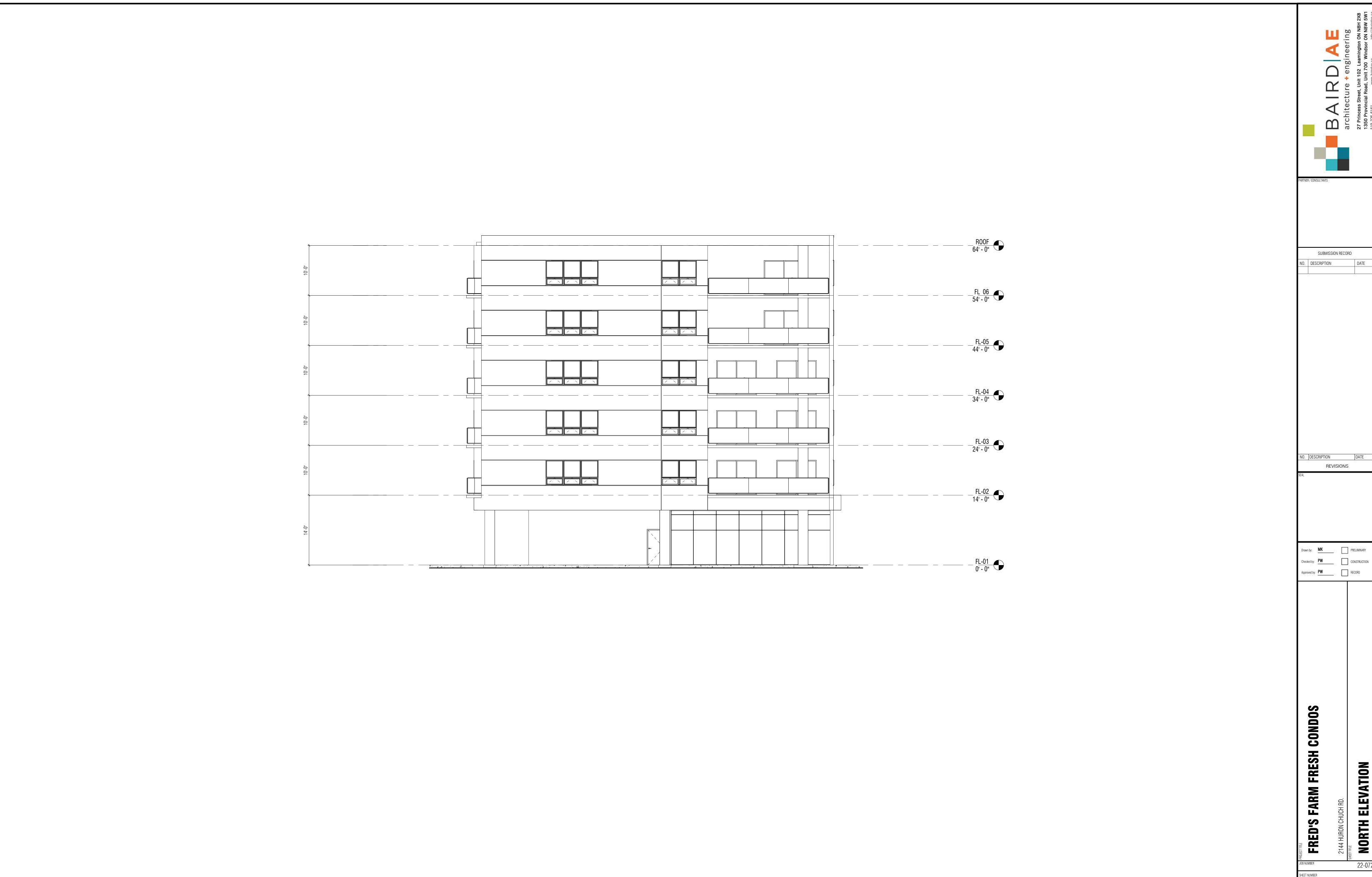
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FRED'S FARM FRESH CONDOS

SUBMISSION RECORD

Checked by: PW CONSTRUCTION

Approved by: PW RECORD



Development & Heritage Standing Committee Agenda - Monday, May 6, 2024 Page 87 of 530

NORTH-ELEVATION
SCALE: 1/8" = 1'-0"

SUBMISSION RECORD

REVISIONS

Checked by: PW CONSTRUCTION

FRED'S FARM FRESH CONDOS

NORTH ELEVATION

A107

CANADA POST - Bruno Desando - bruno.desando@canadapost.ca

This development, as described, falls within our centralized mail policy. I will specify the condition which I request to be added for Canada Post Corporation's purposes.

Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space. Should the description of the project change, I would appreciate an update to assess the impact of the change on mail service. If you have any questions or concerns regarding these conditions, please contact me. I appreciate the opportunity to comment on this project.

Lock-Box Assembly Requirements - The Canada Post Standards Manual for Builders & Developers can be downloaded at:

https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf

Compartments Size - Horizontal lock-box models used in mailrooms must have the following minimums:

- o Residential compartments must be at least 12.5 x 13.5 cm
- o Commercial compartments at least 13.5 x 30.5 cm
- o Parcel compartments at least 30.5 x 30.5 cm

Vertical lock-box models must have min comp size of 25 x 12.5 cm. (Most models are 40 x 12.7 cm)

Heights - All lock-box assemblies must be installed in a manner that will not require the delivery employee to reach higher than 170cm or lower than 45cm when delivering to the equipment. With respect to horizontal lock-boxes, the limits above will likely mean that maximum number of compartments that can be included in each column of residential compartments would be eight

Rear-loading Lock-boxes - Projects with more than 100 units are required to be serviced via a rear-loading lock-box assembly. There must be a width of at least 100cm of working space from the back of the boxes to the wall. A ledge under the bottom row of boxes is also recommended in rear-loading designs. This ledge is to be directly under the bottom row of boxes (no space between ledge and bottom of boxes) and must stick out at least 20cm from the back of the boxes. Mailroom door is required to provide a minimum 81cm opening. Lighting should be at least 100 lux (measured 75 cm from floor)

Access - All buildings where the lock-boxes are required to be serviced from inside the building are required to install a Canada Post Crown lock in the building intercom. The intercom is prefabricated with an internal housing for the lock. The lock can be obtained from the local deliver supervisor. If the building has more than 100 units, a rear-loading lock-box assembly will be installed. The door to the Canada Post delivery area must be fitted with a specific model of deadbolt. This is because Canada Post will supply a key cylinder made specifically for the Canada Post key that will fit inside the deadbolt purchased by the developer.

Numbering - Compartments should be numbered vertically and left to right on the delivery side of the boxes.

Grade-level Components - If the development includes grade level retail or residential units, please take note that door-to-door delivery will not be provided to these units. Canada Post is happy to install a Community Mailbox to provide service to these units. Please coordinate a location with the Canada Post Delivery Planner for the area. If there is no room on the property for the Community Mailbox, service can be provided via another Community Mailbox in the area. Options to service the units from the tower (lobby) lock-boxes or via a front-loading lock box erected on the outside of the building can also be discussed with the Delivery Planner.

CITY OF WINDSOR – ENGINEERING DEVELOPMENT & ROW – Juan Paramo - Revised 2024 Mar 25

The Engineering Development & ROW departments have conducted a preliminary review of the supporting documents pertaining to the subject application and have the following comments:

Sanitary and Storm Sewers - A Functional Servicing Study, dated May 2023 and revised December 2023 by Baird AE, has been received and reviewed. The applicant's consultant has confirmed that the existing 250mm PVC sanitary sewer on Daytona Avenue and the existing 675mm RCP storm sewer on Huron Church Road will effectively accommodate the site's sewer servicing needs. The study demonstrates that both the municipal storm and sanitary sewers have adequate capacity, and no adverse impacts are expected on the surrounding areas because of the proposed development.

The Functional Servicing Study has been deemed acceptable, and the proposed servicing strategy is supported by the Engineering Development department.

The proponent will be required to use existing connections to municipal sewer where feasible. Any redundant connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3. All private storm and sanitary sewers must be located within private property. If a sanitary sampling manhole is not already in place, one may be required for any sanitary connection at the property line, to the satisfaction of the City Engineer.

The applicant will be required to submit, prior to the issuance of building permits, a stormwater management plan in accordance with Windsor Essex Region Stormwater Management Standards Manual, restricting stormwater runoff to pre development levels.

The submission for a stormwater management plan will include, at a minimum:

- a. Submission of stormwater management review fee,
- b. Stormwater management report stamped by a professional engineer.
- c. Stormwater management check list (see link below)
- d. Site servicing drawings stamped by a professional engineer.

Submission of a stormwater management report alone will be deemed incomplete, unless accompanied by the additional requirements specified above. Please visit the City of

Windsor Website and the ERCA Website for additional information on stormwater management requirements.

Municipal Drains - The Janisse Drain is a municipal drain with by-laws and governed under the Drainage Act. The municipal drain currently runs through the subject property, along the southern limit. The site is within the regulated area under the jurisdiction of the Essex Region Conservation Authority (ERCA). Any impact or alterations to the Janisse Drain would be subject to the provisions of the Drainage Act administered through the City of Windsor.

Right-of-Way - The Official Plan classifies Huron Church Road as a Class 1 Arterial Road with a required right-of-way width of 46 meters. While the existing right-of-way is deficient, it has been determined that no conveyance is required at this time.

In summary we have no objection to the proposed development, subject to the following requirements:

Site Plan Control Agreement – The applicant enters into an agreement with the City of Windsor for all requirements under the General Provisions of the Site Plan Control Agreement for the Engineering Department.

Reciprocal Access & Services – The owner agrees to enter into a reciprocal agreement with the abutting property owners for access and services.

ERCA Requirements – The owner(s) further agrees to follow all drainage and flood proofing recommendations of the Essex Region Conservation Authority (ERCA) may have with respect to the subject land, based on final approval by the City Engineer. If applicable, the Owner will obtain all necessary permits from ERCA with respect to the drainage works on the subject lands.

Drain Easement – Prior to the issuance of a construction permit, the owner shall gratuitously grant a 6m easement along the south property line of 2144 Huron Church Rd for the maintenance and improvement of the Janisse Drain.

Utility Easement – Prior to the issuance of a construction permit, the owner shall gratuitously grant a 1m utility easement along the west property line from the northern boundary of the property to the existing driveway on Huron Church Rd and a 2m utility easement along the west property line from the existing driveway on Huron Church Rd to the south property line in order to have sufficient space around the existing fire hydrants for maintenance.

If you have any further questions or concerns, please contact Andrew Boroski, Technologist II, at aboroski@citywindsor.ca

CITY OF WINDSOR - FORESTRY

City Forester - Yemi Adeyeye - There are 4 city owned trees in fair health observed on the Daytona side of this development. Please request a root zone protection plan be developed by the contractor and implemented for these trees prior to construction. The developer needs to provide a private tree inventory for this site to identify species, size, and health of existing trees.

Natural Areas - Karen Alexander - This area is Regulated Eastern Foxsnake habitat and the drain feature along the south edge of the development proposal would be considered preferred habitat with potential for use. Provided the ~9 m setback from the drain stays as planned, along with no mowing in this setback, all should be fine. I recommend requesting on-site workers receive SAR Training.

Parks - Hoda Kameli - Parks D&D has no objection.

CITY OF WINDSOR – PLANNING & DEVELOPMENT SERVICES - HERITAGE PLANNER – Kristina Tang

There is no apparent built heritage concern with this property, and it is located on an area of low archaeological potential. Nevertheless, the Applicant should be notified of the following archaeological precaution.

- Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
- 2. If human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

Contacts:

Windsor Police: 911

Windsor Planning & Building Department, 519-255-6543 x6179, ktang@citywindsor.ca, planningdept@citywindsor.ca

Windsor Manager of Culture and Events, Michelle Staadegaard, (O) 519-253-2300x2726,

(C) 519-816-0711, mstaadegaard@citywindsor.ca

Ontario Ministry of Citizenship and Multiculturalism, Archaeology Programs Unit, 1-416-212-8886, <u>Archaeology@ontario.ca</u>

Ontario Ministry of Government & Consumer Services, A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, 1-416-212-7499, Crystal.Forrest@ontario.ca

CITY OF WINDSOR - PLANNING & DEVELOPMENT SERVICES - SITE PLAN CONTROL

The development proposal is subject to Site Plan Control pursuant to the Planning Act and City of Windsor By-law 1-2004. Where preceding development applications are required, inclusive of Official Plan and Zoning By-law Amendments, request for Site Plan Control Pre-Consultation Stage 1 may be made following completion of the Development and Heritage Standing Committee meeting at https://ca.cloudpermit.com/login.

CITY OF WINDSOR – PLANNING & DEVELOPMENT SERVICES - ZONING COORDINATOR – Ana Lucas

- Current Zoning Designation: CD2.1, S.20(1)278
- Proposed Zoning Designation:
 - o Retained lot (north): CD2.1, S.20(1)278, with site specific requested relief.
 - Severed lot (south): CD2.2, S.20(1)278, with site specific requested relief.

Comments:

Provide lot dimensions on site plan.

Possible expansion of greenhouse as it's larger than shown on SPC-032/10 drawing.

Revise drawings to show elevation of crown of road at Huron Church Road which is defined as Grade and is used to determine building height.

Existing Outdoor Storage Yard present in the northeast corner of retained lot, blocking access area into parking area, and blocking parking spaces. No screening fence present. The items stored are not goods displayed as an accessory to retail store, but a transport trailer, shipping containers, crates, shelving etc.

A minimum of 15 percent of parking spaces provided for dwelling units shall be marked as visitor parking. Parking spaces for commercial use in a Combined Use Building don't need to be included in calculation of required visitor parking spaces.

Bicycle parking spaces not labelled on submitted drawing.

Shared access agreement required for access areas into parking area.

Indicate on drawings which parking spaces are existing and which are new.

Existing refuse bins not shown on submitted drawings.

The proposed development doesn't meet the Zoning By-law 8600 as follows: Severed Lot:

- Maximum Building Height: (15.2.5.4)
 - 14.0 m (Required)
 - 20.12 m (Provided) Requested in PRR
- Required Number of Parking Spaces: (24.20.5.1)
 - 84 (Required)
 - 83 (Provided) Requested in PRR (12 Commercial, 71 Residential)
- Minimum Parking Rate for Multiple Dwelling containing a minimum of 5 Dwelling units: (24.20.5.1) (Severed lot)

- 1.25 for each dwelling unit (Required)
- 1.23 for each dwelling unit (Provided) See above
- Minimum Parking Area Separation from a street: (25.5.20.1.2)
 - 3.00 m (Required)
 - 2.90 m (Provided) Requested in PRR
- Minimum Parking Area Separation from a building wall in which is located a main pedestrian entrance facing the parking area: (25.5.20.1.5)
 - 2.00 m (Required)
 - 1.90 m (Provided at Retail Store entrances)
 - 1.80 m (Provided at east dwelling entrance)
- Minimum Parking Area Separation from a building wall containing a habitable room window or containing both a main pedestrian entrance and a habitable room window facing the parking area where the building is located on the same lot as the parking area: (25.5.20.1.6)
 - 4.50 m (Required)
 - 0 m (Provided)
 - Parking area separations are measured to any building wall containing a habitable room window, including windows on the 2nd floor and higher.

Retained Lot:

- Required Number of Parking Spaces: (24.20.5.1)
 - 76 (Required)
 - 67 (Provided) Requested in PRR
- Required Number of Bicycle Parking Spaces: (24.30.1.1)
 - 5 (Required)
 - 0 (Provided)
 - 6 bicycle parking spaces were initially provided as per SPC-032/10, and visible in Google Streetview in 2012, but removed from site afterwards.
- Minimum Parking Area Separation from an interior lot line: (25.5.20.1.3)
 - 0.90 m (Required)
 - 0.32 m (Provided at south interior lot line)

CITY OF WINDSOR - TRANSIT WINDSOR - Jason Scott

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Central 3. The closest existing bus stop to this property is located on Industrial at Ambassador Southwest Corner. This bus stop is approximately 330 m away from this property falling within Transit Windsor's 400 m walking distance guidelines to a bus stop.

Transit service will be improved in this area in 2024 with the implementation of a new local route as part of Transit Windsor's City Council approved 2023 Service Plan. This route will provide direct transit service in both directions along Daytona Avenue between

Northwood Street and Totten Street. This remains consistent with Transit Windsor's City Council Approved Transit Master Plan.

CITY OF WINDSOR – TRANSPORTATION PLANNING – Clare Amicarelli

Huron Church Road is a Class I Arterial Road with a required right-of-way width of 46 meters per the Official Plan. The existing right-of-way along the frontage of the subject property is not sufficient. A 1 metre utility easement from the northern boundary of the property to the northern edge of the existing driveway is required to have sufficient space around the existing fire hydrant for maintenance. Similarly, a 2-metre utility easement from the southern boundary of the property to the southern edge of the existing driveway is required to have sufficient space around the other existing fire hydrant for maintenance.

Daytona Avenue is classified as a Local Road with a required right-of-way width of 20 meters as per the Official Plan. The current right-of-way width is sufficient; therefore, a conveyance is not required.

Transportation Planning has reviewed the Parking Justification Report submitted for the above-noted application, titled, "Fred's Farm Fresh Condos Mix-Use Development 2144 Huron Church Road Windsor, Ontario" dated May 8, 2023 with project number "22-072" reviewed by Shurjeel Tunio, P.Eng. Senior Project Manager and prepared by Nii Nartei Nartey, M.Eng. E.I.T. Junior Engineer of Baird AE and has reviewed the Traffic Impact Study submitted for the above-noted application, titled, "Fred's Farm Fresh Condos Mix-Use Development 2144 Huron Church Road Windsor, Ontario" dated May 8, 2023 with project number "22-072" by Shurjeel Tunio, P.Eng. Senior Project Manager. Below are Transportation Planning's comments on the two submissions;

- The studies submitted are the same studies submitted at Pre-Consultation PC 034-23 (STAGE 2), therefore, the comments made at Pre-Consultation are still valid and still must be addressed (please refer to Transportation Planning's comments made through PC 034-23 (STAGE 2))
- In addition, the consultant must ensure the same land use codes are used in the revised TIS and revised Parking Study.
- Extension of phase timing as a mitigation approach is proposed to improve traffic operations at the intersection of Huron Church Road and Northwood Street. The consultant is to simulate and evaluate the proposed mitigation. Also, the consultant is to consider advanced green phase for EB as another mitigation and evaluate the intersection operation under this situation.
- The consultant must submit the traffic simulation files.

All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.

Reciprocal access agreement required between the owners of the retained and severed parcel to access both parking lots as proposed on the site plan.

All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

ENWIN - HYDRO ENGINEERING - Zachary Mancini

No Objection provided adequate clearances are achieved and maintained.

ENWIN has existing overhead pole lines with 27,600 volt primary, 347/600 volt secondary, and 120/240 volt secondary hydro distribution East of the development property.

Prior to working in these areas, we would suggest notifying your contractor and referring to the Occupational Health and Safety Act and Regulations for Construction Projects to confirm clearance requirements during construction.

Also, we suggest referring to the Ontario Building Code for permanent required clearances for New Building Construction.

ENWIN - WATER ENGINEERING - Bruce Ogg

Water Engineering has no objections.

ESSEX REGION CONSERVATION AUTHORITY (ERCA)

Natural Hazards and Regulatory Responsibilities Under the Conservation Authorities Act, O. Reg 686/21, PPS

The following comments reflect ERCA's role in protecting people and property from the threats of natural hazards and regulating development hazards lands under Section 28 of the *Conservation Authorities Act*.

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the Basin Drain. The property owner will be required to obtain a Permit from the Essex Region Conservation Authority prior to any construction or site alteration, or other activities affected by Section 28 of the *Conservation Authorities Act*.

ERCA has concerns with the potential impact to the quantity and quality of runoff in the downstream watercourse due to the proposed development on this site. ERCA recommends that both the quantity and quality of excess runoff be adequately controlled avoid any adverse impacts to the downstream watercourse. We therefore request inclusion of the following conditions in the Development Agreement:

- That the developer undertakes an engineering analysis and implement the necessary measures to control any increases in flows to the downstream watercourse, to the satisfaction of the Municipality and the Essex Region Conservation Authority.
- 2. That the developer obtains the necessary approval / authorization from the Essex Region Conservation Authority prior to undertaking site alteration and/or construction activities.

We note that the proposed development will be subject to setbacks from the natural hazard on the site. Additionally, the site is within the South Cameron Secondary Planning Area and should be designed accordingly.

Final Recommendation

Our office has **no objection** to OPA 180 and ZBA 002-24. As noted above, the property owner will be required to obtain a Permit from the Essex Region Conservation Authority prior to any construction or site alteration, or other activities affected by Section 28 of the *Conservation Authorities Act*.



Council Report: S 56/2024

Subject: Official Plan Amendment and Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling - Z 004-24 [ZNG-7171] & OPA 182 [OPA-7173] 1027458 Ontario Inc. 0 Clairview Ave. - Ward 7

Reference:

Date to Council: May 6, 2024 Author: Jim Abbs. Senior Planner 255-6543 x6317 jabbs@citywindsor.ca Planning & Building Services Report Date: April 15, 2024

Clerk's File #: Z/14734 & Z/14735

To: Mayor and Members of City Council

Recommendation:

- 1 THAT the City of Windsor Official Plan, Volume II, Part 2 – East Riverside Secondary Plan, **BE AMENDED** by deleting Section 2.7.7.5, and replacing as follows:
 - "2.7.7.5 The mix and distribution of dwelling types within Residential Neighbourhoods will be established in the neighbourhood subdivision plans provided for in Section 2.8 of this Secondary Plan provided, however, that single detached dwellings shall be the only permitted use on any lot which abuts the municipal boundary of the Town of Tecumseh."
- 11. **THAT** Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating Part of Block A. Registered Plan 1161, more particularly described as Part 6, 12R-15252, in the City of Windsor, known municipally as 0 Clairview St. situated on North Side of Wyandotte St. E, between Clover St. and Chateau Ave., as a Special Policy Area.
- III. **THAT** the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:
 - 1.# North Side of Wyandotte St. E, between Clover St. and Chateau Ave.
 - The property described as Part of Block A, Registered Plan 1161, more 1.#.1 particularly described as Part 6, 12R-15252, in the City of Windsor, known municipally as 0 Clairview St., is designated a special policy area

- on Schedule A: Planning Districts and Policy Areas in Volume I The Primary Plan.
- 1.#.2 Notwithstanding Section 2.7.7.3 of the Official Plan, Volume II, Part 2 East Riverside Secondary Plan High Profile Residential Building shall be permitted
- 1.#.3 Notwithstanding Section 2.7.7.3 of the Official Plan, Volume II, Part 2 East Riverside Secondary Plan the maximum permitted density of the site shall be 187 units per ha.
- V. THAT an amendment to City of Windsor Zoning By-law 8600 BE APPROVED changing the zoning of Part of Block A, Registered Plan 1161, more particularly described as Part 6, 12R-15252, in the City of Windsor, known municipally as 0 Clairview St., from Residential District RD1.1 to Residential District with a hold provision HRD 3.3;
- V. **THAT** the hold provision **BE REMOVED** when the applicant/owner submits an application to remove the holding and the following condition is satisfied:
 - a. an addendum to the Environmental Evaluation Report, dated October 2023, is prepared and submitted to the satisfaction of the City Planner;
- VI. **THAT** subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for Part of Block A, Registered Plan 1161, more particularly described as Part 6, 12R-15252, in the City of Windsor, known municipally as 0 Clairview St by adding site specific regulations as follows:

5##. North Side of Wyandotte St. E, between Clover St. and Chateau Ave.

For the lands described as Part of Block A, Registered Plan 1161, more particularly described as Part 6, 12R-15252, in the City of Windsor, known municipally as 0 Clairview St. the following regulations shall apply:

Main Building Height - within 24m of Wyandotte St. E right of way – Maximum– 10 m

Main Building Height – remainder of the site - Maximum - 44.0 m;

Landscaped Open Space Area - Minimum - 30%

Dwelling Unit Density – dwelling units per ha – Maximum - 187

Parking Rate - Minimum - 1.21/unit

Executive Summary:

N/A

Background:

The subject site is part of the East Riverside Secondary Plan area. That plan designated a large area of agricultural land within the City of Windsor for various forms of urban development. Over time, the majority of the area has developed, seeing the

creation of primarily low profile residential areas interspersed with institutional, recreation and multiple dwelling uses. The proposed development is one of seven proposed by the applicant that will complete the development of the "North Neighbourhood" within the East Riverside Secondary Plan.

Application Information:

Location: 0 Clairview Ave. Ward: 7

Planning District: East Riverside ZDM: 14

Owner: 1027458 Ontario Inc.

Agent: Dillon Consulting (Theresa O'Neill)



KEY MAP - Z-004/24, ZNG-7171, OPA 182, OPA-7173



SUBJECT LANDS

Proposal:

The proposed development includes the construction of two (2), 11-storey, 154-unit multiple dwelling buildings with a total of 308 dwelling units. The proposed development will provide 373 parking spaces split between a proposed 1-storey underground parking area and surface parking lot centrally located on the subject site. The applicant proposes a parking ratio of 1.21 parking spaces per dwelling unit.

The site is designated "Residential Neighbourhood" in the East Riverside Secondary Plan and "Residential" on Schedule "D" of the City of Windsor Official Plan. The site is currently zoned HRD1.1 permitting the development of single detached residential dwellings on 15m wide lots.

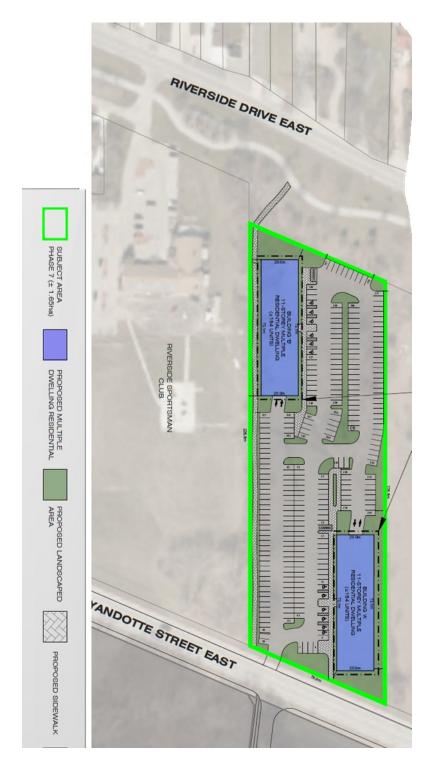


Figure 1:Concept Plan

SUBMISSIONS BY APPLICANT:

- Conceptual Development Plan
- Energy Strategy Brief (February 2023)
- Functional Servicing Report (February 2023)

- Stormwater Management Brief (February 2023)
- Planning Justification Report (February 2023)
- PIC Engagement Summary (January 2023)
- Comprehensive Transportation Impact Study (November 2022)
- Shadow Impact Study, (January 2023, Revised March 2024)
- SAR Considerations Memo (November 2022)
- Archaeological Assessment Report (February 2002)
- Natural Site Features Inventory & Preservation Study (September 2023)
- Environmental Evaluation Report (October 2023)

The applicant proposes an Official Plan Amendment that would create a special policy area for this site that would permit the construction of high profile buildings and apply a maximum permitted density of 130 units per ha.

The applicant proposes the application of a Site Specific RD3.3 zone category that would permit:

- permit a maximum building height of 44.0m;
- permit a minimum landscaped open space area of 30% of the lot area
- a minimum parking rate of 1.21/unit (total of 373 parking spaces 1.21 spaces x 308 units)

Site Information:

Official Plan	Zoning	Current Use	Previous Use
Residential Neighbourhood ER-2: Land Use Plan, Secondary Plan East Riverside Planning Area	Residential District RD1.1	Vacant	Vacant / Agriculture
Lot Depth	Lot width	Area	Shape
+/-390 m	+/- 225 m	1.645 ha	Irregular

All measurements are for the entire parcel and are approximate.

Neighbourhood Characteristics:

The proposed development is located north of Wyandotte Street East and south of Riverside Drive East within the East Riverside Planning Area, on an irregularly shaped site with frontage on Wyandotte Street East. The current site is vacant and was most recently used for agricultural purposes.

Surrounding Land Uses:

North Ganatchio Trail, Riverside Drive East, and single-detached dwellings

East Vacant / Agricultural lands. **South** Vacant / Agricultural lands

West Riverside Sportsmen Club and East End Park



NEIGHBOURHOOD MAP - Z-004/24, ZNG-7171, OPA 182, OPA-7173



Discussion:

Provincial Policy Statement (PPS) 2020:

The Provincial Policy Statement, (PPS) 2020 provides direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario.

The zoning bylaw amendment would result in a development on a former Industrial site that was previously vacant and underutilized. This is consistent with the Provincial Policy Statement in that the development promotes the efficient use of existing land, promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. Related to this direction, the PPS states:

- "1.1.1(b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs"
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;"

The requested Multiple Dwelling development promotes cost-effective development by redeveloping an under-utilized vacant site. Allowing the proposed zoning bylaw amendment in this location contributes to minimizing land consumption and servicing costs by using a site that already has available infrastructure in the immediate area.

The PPS also states:

"1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years."

The PPS requires that land be available to diversify developments to meet the future needs of the community. The zoning by-law amendment is consistent with that requirement by accommodating new residential construction on lands designated for that purpose.

The PPS also states:

- "1.4.1 To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:
- a. maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and
- b. maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available

through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans."

The requested zoning bylaw amendment is consistent with the PPS in that intensification of the use of the site will provide additional "appropriate range and mix of housing types and densities".

"1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

- a. permitting and facilitating:
 - all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and
 - 2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;
 - directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- c. promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;"

Approving the Official Plan and zoning by-law amendments would support residential development using the infrastructure that is already in place, instead of requiring more expenditure on new infrastructure in a greenfield setting. In terms of supporting active transportation and transit, the site of the proposed zoning amendment is served by Transit Windsor on Wyandotte Street E.

The proposed development is consistent with the PPS in that it promotes compact and transit supportive forms of development. As well, this development will help to support the provision of a range of housing types in this area.

The site is also very near to transit corridors. The closest existing transit route to this development is with the Lauzon 10. The closest existing bus stop to this development is on Wyandotte Street East at Clover Avenue Northwest Corner. Majority of this development falls within a 400 metre walking distance to a bus stop meeting Transit Windsor's guidelines. Transit Windsor's 2023 City Council approved Service Plan has service enhanced in this area with a development of a new local route to replace the existing Lauzon 10. This route will provide conventional transit service in both directions versus the existing one way loop. This will be a great enhancement for passengers accessing this development. A new bus stop will be located on Wyandotte Street East at Clover Avenue Southeast Corner.

Official Plan:

Urban Structure Plan

Section 3.3.2.2 of the Urban Structure Plan contained in the City of Windsor Official Plan identifies Wyandotte Street East and Riverside Drive as a City Corridors. Residential development on a City Corridor may include high profile (26 to 58 metres in height), medium profile (14 to 26 metres in height) and residential over retail at street, as well as row housing and lofts. The proposed development conforms with this policy.

Option For High Density

East Riverside Secondary Plan designates the subject site Residential Neighbourhood. While generally limiting development to lower density forms policy 2.7.7.2 provides opportunity for higher density development.

2.7.7.2 Notwithstanding policy 2.7.7.1 above, developers shall be encouraged to provide alternative, higher density forms of housing in the Residential Neighbourhoods, particularly in proximity to community services and facilities such as parks, schools and convenience retail to accommodate a range of demographic and tenure types.

Delete part of 2.7.7.5

2.7.7.5 of the East Riverside Secondary Plan currently states that

"The mix and distribution of dwelling types within Residential Neighbourhoods will be established in the neighbourhood subdivision plans provided for in Section 2.8 of this Secondary Plan provided, however, that single detached dwellings shall be the only permitted use north of Wyandotte Street and on any lot which abuts the municipal boundary of the Town of Tecumseh."

This section limits opportunities for intensification north of Wyandotte Street E. As such, the planning department proposes that 2.7.7.5 be amended by removing the limitation of dwelling types between Riverside Drive and Wyandotte Street East to read as follows:

"The mix and distribution of dwelling types within Residential Neighbourhoods will be established in the neighbourhood subdivision plans provided for in Section 2.8 of this Secondary Plan provided, however, that single detached dwellings shall be the only permitted use on any lot which abuts the municipal boundary of the Town of Tecumseh."

Volume 1 and OPA 159

Additionally, the site is subject to the Residential designation of the Official Plan. The Residential designation in the City of Windsor Official Plan permits low and medium

profile developments not greater than twenty-six (26) metres in height. The proposed development is 44m (11 storeys) in height which would not conform to Section 6.3.1.2 of the Official Plan.

6.3.2.1 Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile, and Medium Profile dwelling units.

High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors.

This policy was implemented through OPA 159 and generally directs high profile development to the City Centre, Mixed Use Centres and Mixed Use Corridors.

The applicant is requesting that a Site Specific policy area be applied to the site to permit a high profile building (44m) proposed

Other residential development proposals for buildings of similar height and form are currently under review near this site. The Planning Department is able to support the request for increased height on the site because the Urban Structure Plan designates Wyandotte Street East as a City Corridor. Residential development on a City Corridor may include high profile (26 to 58 metres in height), medium profile (14 to 26 metres in height) on roads designated as City Corridors. Large parcels fronting Wyandotte Street East are well suited for higher profile buildings.

The proposed development is consistent with the following goals and objectives of the City of Windsor Official Plan.

Goal 6.1.1 is to achieve safe, caring and diverse neighbourhoods. Goal 6.1.2 seeks environmentally sustainable urban development. Goal 6.1.3 promotes housing suited to the needs of Windsor's residents. Goal 6.1.10 is to achieve pedestrian oriented clusters of residential, commercial, employment and institutional uses.

Objective 6.3.1.1 supports a complementary range of housing forms and tenures in all neighbourhoods. Objective 6.3.1.2 seeks to promote compact neighbourhoods and balanced transportation systems. Objective 6.3.1.3 seeks to promote selective residential redevelopment, infill and intensification initiatives.

There are existing sidewalks and bike lanes available along both sides of the Wyandotte Street East right of-way, providing residents with safe and accessible opportunities for active transportation activities (OP, Vol II., 2.7.9.8). The East Riverside area has been identified as an area of moderate active transportation potential in the Active Transportation Master Plan (City of Windsor, 2019). There are improvements planned for the existing sidewalk and bicycle network, as described in both the Active Transportation Master Plan and the Transportation Master Plan, which will increase the sites accessibility and functionality for future residents. The proposed development is keeping with the City's desire to promote development patterns that support the increase in walking, cycling and public transportation (OP, 7.2.2.5)

New developments are required to have full municipal infrastructure available or planned as a condition of approval (OP, 7.3.2.3 and OP, Vol II., 2.6.32). The proposed

development promotes the efficient use and optimization of existing infrastructure and public service facilities including stormwater management systems, electricity and communications systems, and transit and other transportation corridors and facilities (OP, 7.3.1.3). Sanitary systems are planned for the area and will become available to the proposed development. Infrastructure will be provided to the proposed development in a coordinated, efficient, and cost-effective manner in compliance with all regulatory requirements (OP, 7.3.1.1).

An Environmental Evaluation Report (EER) has been prepared to demonstrate how the proposed development will impact the EPA A (OP, 5.3.4.6). Provided the mitigation measures, best management practices, and enhancement recommendations outlined in the EER are followed, the proposed development should result in no negative impacts on the natural features or their ecological function. The City Naturalist indicates that further clarification is required related to the EER. The Planning Department recommends that a hold provision be placed on the site that will ensure that an addendum to the EER is completed prior to development on the site.

The proposed development will help to support a diverse neighbourhood that represents a sustainable community and will provide housing that is in demand. The proposed development will help to encourage a pedestrian orientated cluster of residential, and recreational uses. The proposed residential development represents a complementary and compact form of housing and intensification that is near sources of transportation.

Zoning By-law

The site is zoned Residential District RD1.1 this zone category does not permit the proposed use. The applicant is proposing that the RD3.3 zone be applied, but specific regulations be applied to facilitate the proposed development.

To facilitate the proposed development, the following site-specific regulations are proposed by the applicant.

- Building Height -Maximum 44.0 m;
- Landscaped Open Space Area -Minimum 30%
- Parking Rate Minimum 1.21/unit

The RD 3.3 zone would permit the proposed Multiple Dwelling structure as a use; however, a few specific regulations will also be required.

Building Height

The Planning Department is able to support the request for increased height on the site because the Urban Structure Plan designates Wyandotte Street East as a City Corridor. Residential development on a City Corridor may include high profile (26 to 58 metres in height), medium profile (14 to 26 metres in height) on roads designated as City Corridors. Large parcels such as this fronting Wyandotte Street East are appropriate for higher profile buildings. The building height request will help to drive density to an area that of sufficient size and with nearby amenity the increase in height. The density will help to provide additional dwelling units in a growth area of the City.

Landscaped Open Space Yard

The proposed reduction in landscaped open space supports the goal of providing residential units in developments that exhibit compact urban form. The reduction is mitigated by the location of the development, which is nearby a large amount of public open space.

Dwelling unit Density

The proposed increase in dwelling unit density from 180 units/ha to 187 units/ha would result in an increase of 12 dwelling units over the standard provisions in the RD3.3 district. The Planning Department supports this increase in that it is an appropriate way to provide additional density on a serviced site.

Parking Rate - Minimum

The proposed reduced parking rate can be supported by the Planning Department because the site has excellent connectivity to opportunities for alternate forms of transportation including bike trails and bike lanes as well as existing Transit Windsor service. Additionally, Transit Windsor plans to enhance service in this area when a new local route in this area is implemented (Transit Windsor's 2023 City Council approved Service Plan).

Additional regulations required by Administration

Building Height adjacent to Wyandotte Street East

To encourage a more pedestrian oriented style of development that is compatible with the planned low and medium profile residential uses along Wyandotte St E, the Planning department is recommending that the height of a building adjacent to the Wyandotte Street East right of way be limited to 10 m within 24 m of the Wyandotte Street East road allowance. The maximum building height on the remainder of the site is recommended to be 48 metres, as requested by the applicant.

Practically, this may result in townhomes fronting Wyandotte Street East with high profile multiple dwellings located further from the street.

Hold Provision

As previously stated, The City Naturalist indicates that additional clarification is required related to the EER. Discussions with the applicant's consultant indicate that additional site assessment and an addendum to the previously submitted EER will be undertaken and submitted to the City prior to development of the site. The Planning Department recommends that a hold provision be placed on the site that will ensure that an addendum to the EER is completed prior to development on the site.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

The development on the site is close to existing bus routes and community recreational opportunities. This will encourage the use of public transit and walking as modes of transportation, thereby helping to minimize the City's carbon footprint.

Climate Change Adaptation:

The new buildings may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process. The site would also be required to incorporate storm water management best practices. The site plan control application will be reviewed for opportunities to enhance resiliency.

Financial Matters:

N/A

Consultations:

The applicant held a Public open house on December 7, 2022 Public Information Centre held by the developer at the WFCU Centre. Information related to the North Neighborhood developments was provided at this meeting, and comments from attendees were received.

Comments received from municipal departments and external agencies are attached as Appendix "A" to this report.

Public Notice:

The statutory notice required under the Planning Act was provided in the Windsor Star. In addition, all properties within 120m (400 feet) of the subject parcel received courtesy notice by mail prior to the Development & Heritage Standing Committee Meeting (DHSC) meeting.

Conclusion:

Planner's Opinion and Conclusions:

The proposed use of this site as a development containing two (2), 11-storey, 154-unit multiple dwelling buildings with a total of 308 dwelling units represents an efficient development that will have no adverse impact on the well-being of the City of Windsor. The proposed development represents an appropriate residential use, adds to the range and mix of uses and will not cause any environmental or public health and safety concerns. This development is consistent with the Provincial Policy Statement.

The proposed Multiple Dwelling development represents a housing type and density that meets the requirements of current and future residents, that meets the social, health and well-being of current and future residents, represents a form of residential intensification, is set in a location with access to infrastructure, and public service facilities.

The proposed Multiple Dwelling development is located within an area experiencing pressure for development of similar form and is compatible within its context.

The proposed Official Plan and zoning by-law amendments are consistent the PPS, conform with the policy direction of the City of Windsor Official Plan (as recommended for amendment), are compatible with existing and permitted uses in the surrounding neighbourhood, and constitutes good planning.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Greg Atkinson Manager of Development/Deputy City Planner

Thom Hunt City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP JM

Approvals:

Name	T:41a
Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Thom Hunt	City Planner
Aaron Farough	Senior Legal Counsel
Jelena Payne	Commissioner of Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
1027458 Ontario Inc.		
Dillon Consulting Limited (Theresa O'Neill)		

Name	Address	Email
Councillor Marignani		

Appendices:

APPENDIX D - CONSULTATION

TRANSIT WINDSOR – JASON SCOTT

Transit Windsor has no objections to this development. The closest existing transit route to this development is with the Lauzon 10. The closest existing bus stop to this development is on Wyandotte Street East at Clover Avenue Northwest Corner. Majority of this development falls within a 400 metre walking distance to a bus stop meeting Transit Windsor's guidelines. Transit Windsor's 2023 City Council approved Service Plan has service enhanced in this area with a development of a new local route to replace the existing Lauzon 10. This route will provide conventional transit service in both directions versus the existing one way loop. This will be a great enhancement for passengers accessing this development. A new bus stop will be located on Wyandotte Street East at Clover Avenue Southeast Corner.

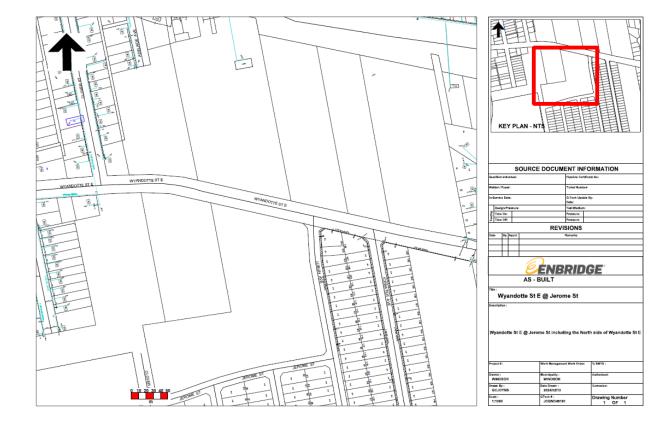
ENBRIDGE

After reviewing the provided drawing at Wyandotte St E. at Jerome St including North side of Wyandotte St E. and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.

Also, please note the following should you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live
- If during the course of any job, any pipe is found that is not on the locate sheet and is in conflict with your work, please call our emergency number (1-877-969-0999), and one of our Union Gas representatives will respond to determine if that plant is in fact live or dead
- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly

Please contact me if you have any further questions or concerns.



SITE PLAN CONTROL

The development proposal is subject to Site Plan Control pursuant to the Planning Act and City of Windsor By-law 1-2004. Where preceding development applications are required, inclusive of Official Plan and Zoning By-law Amendments, request for Site Plan Control Pre-Consultation Stage 1 may be made following completion of the requisite Development and Heritage Standing Committee meeting at https://ca.cloudpermit.com/login.

ENVIRONMENTAL SERVICES - ANNE-MARIE ALBIDONE

No concerns.

CANADA POST - BRUNO DESANDO

This development, as described, falls within our centralized mail policy.

I will specify the condition which I request to be added for Canada Post Corporation's purposes.

a) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding these conditions, please contact me. I appreciate the opportunity to comment on this project.

Lock-Box Assembly Requirements

The complete Canada Post Standards Manual for Builders & Developers can be downloaded at: https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf

Compartments Size

- Horizontal lock-box models used in mailrooms must have the following minimums:
- o Residential compartments must be at least 12.5 x 13.5 cm
- o Commercial compartments at least 13.5 x 30.5 cm
- o Parcel compartments at least 30.5 x 30.5 cm
- Vertical lock-box models must have min comp size of 25 x 12.5 cm. (Most models are 40 x 12.7 cm)

Heights

- All lock-box assemblies must be installed in a manner that will not require the delivery employee to reach higher than 170cm or lower than 45cm when delivering to the equipment. With respect to horizontal lock-boxes, the limits above will likely mean that maximum number of compartments that can be included in each column of residential compartments would be eight

Rear-loading Lock-boxes

- Projects with more than 100 units are required to be serviced via a rear-loading lock-box assembly.
- There must be a width of at least 100cm of working space from the back of the boxes to the wall.
- A ledge under the bottom row of boxes is also recommended in rear-loading designs. This ledge is to be directly under the bottom row of boxes (no space between ledge and bottom of boxes) and must stick out at least 20cm from the back of the boxes.
- Mailroom door is required to provide a minimum 81cm opening
- Lighting should be at least 100 lux (measured 75 cm from floor)

Access

- All buildings where the lock-boxes are required to be serviced from inside the building are required to install a Canada Post Crown lock in the building intercom. The intercom is pre-fabricated with an internal housing for the lock. The lock can be obtained from the local deliver supervisor.
- If the building has more than 100 units, a rear-loading lock-box assembly will be installed. The door to the Canada Post delivery area must be fitted with a specific model of deadbolt. This is because Canada Post will supply a key cylinder made specifically for the Canada Post key that will fit inside the deadbolt purchased by the developer.

Numberina

- Compartments should be numbered vertically and left to right on the delivery side of the boxes

Grade-level Components

- If the development includes grade level retail or residential units, please take note that door-to-door delivery will not be provided to these units. Canada Post is happy to install a Community Mailbox to provide service to these units. Please coordinate a location with the Canada Post Delivery Planner for the area. If there is no room on the property for the Community Mailbox, service can be provided via another Community Mailbox in the area. Options to service the units from the tower (lobby) lock-boxes or via a front-loading lock box erected on the outside of the building can also be discussed with the Delivery Planner.

ENWIN

HYDRO ENGINEERING:

No Objection

We recommend referring to the Occupational Health and Safety Act for minimum safe limits of approach during construction and also the Ontario Building Code for adequate clearance requirements.

WATER ENGINEERING:

Water Engineering has no objections.

ZONING - ZAID ZWAYYED

Below is the zoning review for the proposed development:

- Current Zoning Designation: HRD1.1
- Proposed Zoning Designation: RD3.3
- Existing Use [as per historical Building Permit(s) / Planning Act Application(s)]:
 - Vacant property
- Proposed Use:
 - o Two multiple dwelling buildings with 308 dwelling units and a parking area.
- Section 5 General Provisions
 - Flood Protection & Natural Hazards Provisions (5.40): The subject property is within the Floodprone Area. Thus, consultation with the Essex Region Conservation Authority (ERCA) is required per section 5.40.5.
- Zoning Provisions (12.3):
 - Minimum lot Frontage:
 - 45.0 m (Required)
 - 78.85 m (Provided)
 - o Minimum Lot Area:
 - 14,830.0 m² (Required)
 - 16,450.38 m² (Provided)
 - Maximum Lot Coverage:
 - 35.0% (Required)
 - 17.77% (Provided)
 - o Maximum Main Building Height:
 - 44.0 m (Requested Height) more information is required to confirm
 - Minimum Landscaped Open Space Yard:
 - 30.0% (Required) (Requested)
 - 22.60% (Provided) (excluding pedestrian walkways) (applicant to confirm)

- Maximum Dwelling Unit Density:
 - 180 Units per ha (Required) (amending to 130 units per ha???)
 - 187.8 Units per ha (Provided) (308 units / 1.64 ha)
- Section 24 Parking, Loading and Stacking Provisions
 - Required Number of Parking Spaces:
 - 372 spaces (Required) (amended rate 1.21 space per unit)
 - 373 spaces (Provided)
 - Required Number of Visitor Parking Spaces:
 - 55 spaces (Required)
 - 0 Spaces (Provided) (Designated visitor spaces must be shown)
 - Required Number of Type A Accessible Parking Spaces:
 - 5 spaces (Required)
 - 6 spaces (Required)
 - Required Number of Type B Accessible Parking Spaces:
 - 5 spaces (Required)
 - 6 spaces (Required)
 - Access Aisles and curbcuts for accessible spaces: access aisles are provided, curbcuts must be shown on the submission.
 - Required Number of Bicycle Spaces:
 - 20 spaces (Required)
 - 0 Spaces (Provided) (bicycle spaces must be shown)
 - Required Loading Spaces:
 - 6 spaces (Required) ((1,462 sqm x 11) x2)
 - 2 spaces (Provided)
 - Size of Parking Spaces:
 - Parking spaces within the building- any parking space flanked by a wall must have a minimum width of 3.50 m
- Section 25 Parking Area Provisions
 - A preliminary review shows that the proposal complies; another review will be conducted at later stages when more information is provided to ensure compliance.

ZONING - ANA LUKAS

Parking area separations are to be measured from back of perimeter curbing. Confirm if there are habitable windows above entrances to underground parking. Accessible parking space #6 is missing an access aisle.

- o Required Number of Loading Spaces: (24.40.1.5)
 - 4 (Required)
 - 1 (Provided)

 Parallel parking loading spaces are not functional in this configuration and cannot be included on the site plan. This causes a parking deficiency.

TRANSPORTATION

- Wyandotte St E is classified as a Class II Arterial with a required right-of-way width of 30
 metres per the Official Plan. The existing right-of-way along the frontage of the subject
 property is not sufficient; however, a conveyance is not required at this time.
- All parking must comply with ZBL 8600, otherwise a parking study will be required.
 - Please show dimensions of parking spaces and aisles on site plan.
 - Show bicycle parking spaces on site plan.
 - Deficient 13 parking spaces.
 - Deficient 2 loading spaces.
 - We do not recommended a parking reduction due to concerns with parking overflowing onto adjacent local streets.
- Response to the TIS to be provided at a later date.
- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings, driveway must comply with AS-203 and AS-204, straight flares only.
 - Per TAC a throat length of 40 metres is recommended. Developer should provide TIS analysis to justify shorter throat length. Please provide dimensions on site plan.
 - Driveway should be aligned with the future intersection of Lublin Ave.
- All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

NATURAL AREAS – KAREN ALEXANDER Recommendation:

Updated comments

April 24, 2024

Prepared by: Karen Alexander, Naturalist and Outreach Coordinator

Recommendation: further work is required to ensure the EER demonstrates accordance with natural heritage policies of the PPS (2020) and the City's Official Plan (10.2.5).

To include in EER Addendum:

- Revisit site to evaluate most up-to-date conditions of the abandoned drain.
 - Include a thorough search for Terrestrial Crayfish burrows and other potential hibernacula.
 - Include an updated Floristics Analysis (with co-efficient of wetness) that is applied to the drain and riparian area (3 m from top of drain at minimum) (typical distance as per the Drainage Act).
- Re-do ELC mapping to describe the vegetation communities more accurately on site.
 - Map Phragmites separately if needed.
 - Use inclusions as required.
 - Identify all old growth trees.
- Provide entire snake survey results, even if no snakes were found.

- Provide MECP correspondence and a copy of the IGF that was submitted to the MECP.

Discussions regarding mitigation:

- Will depend on the updated field work results as requested above.
- City Naturalist supports urban designers' comments; the proposal to re-design the parking is a good way to preserve our entire EPA (Official Plan 5.3.4.1 (a)).
- Provide for regeneration & restoration of East End Park & other agreed upon sites in the Little River Corridor Park (e.g. habitat restoration activities to improve ecological integrity and function to mitigate the loss of function and habitat) (Official Plan 8.5.2.2 (b, f), Official Plan 6.7.3.18) potentially the PPS 2.1.5. once updated field work is complete).
- Preserve the function of the ecological corridor by incorporating into the design a naturalized corridor space to ensure East End Park remains ecologically connected to Little River Corridor Park (Official Plan 5.3.2.11).

FORESTRY - YEMI

Forestry has following comments on this property.

After todays inspection it was determined there where no city owned trees on the south side (Wyandotte) of this project.

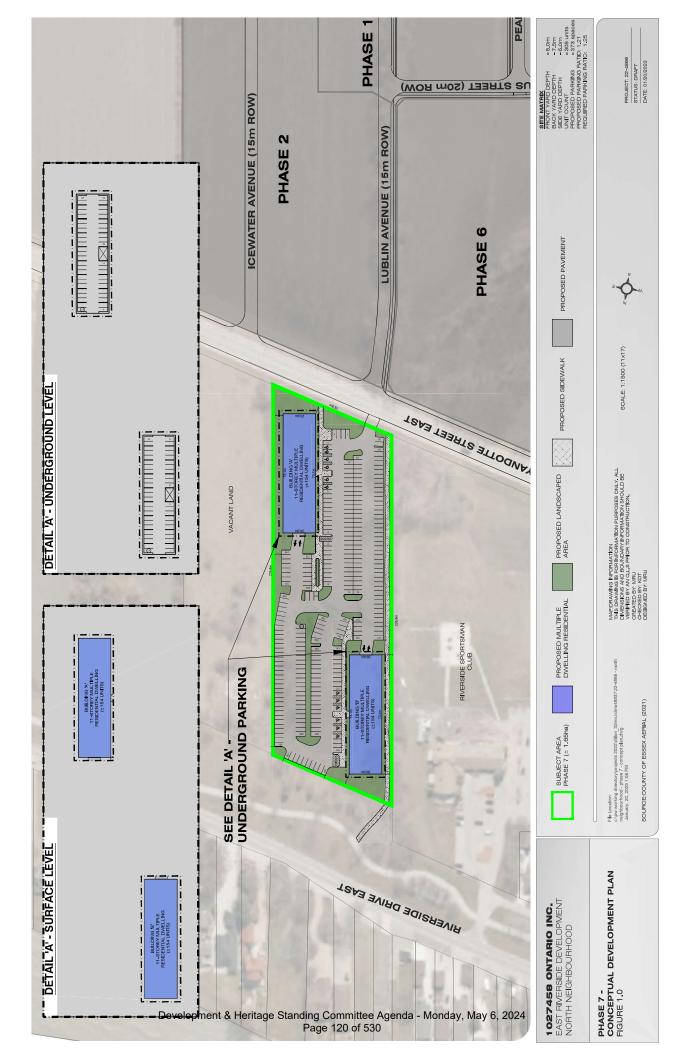
I did notice on the north side (Riverside) there were some city owned trees along the Ganatchio trial. I don't believe they will be effected during construction but will still be requesting a root protection zone be implemented for them. This is a requirement of the Windsor of Windsor Site Control Plan section 3.1 under existing trees.

Some mature privately owned trees were observed during the inspection and I would ask the developer to follow the City's Official Plan section 5.3.7 and section 10.2.1.7 and have a private tree inventory done.

PARKS D&D - HODA KAMELI

Parks D&D has following comments to this Liaison.

The suggested pedestrian link from WYANDOTTE ST E. to the Ganatchio Trail is favorable, provided it is properly maintained and secured. Please ensure there is an ample opening beside the building. Moreover, incorporate landscaped areas on both sides of the pathway, ensuring visibility from the building to these spaces, and install lighting for safety measures.





Council Report: S 57/2024

Subject: Official Plan Amendment and Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling – Z 005-24 [ZNG-7174] & OPA 183 [OPA-7175] 1027458 Ontario Inc. 0 Wyandotte St E. - Ward 7

Reference:

Date to Council: May 6, 2024 Author: Jim Abbs, Senior Planner 255-6543 x6317 jabbs@citywindsor.ca

Planning & Building Services Report Date: April 15, 2024

Clerk's File #: Z/14731 & Z/14732

To: Mayor and Members of City Council

Recommendation:

- I. **THAT** Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating Part of Block A on Plan 1161; Part Streets and Alleys (Closed By R1088686); Part Lots 14, 31, 34,and 52 and all of Lots 32, 33, and 53 on Plan 1230; Part Lots 139, 140, and 141 Concession 1, in the City of Windsor, known municipally as 0 Wyandotte St. E, situated on South Side of Wyandotte St. E, between Clover St. and Lublin Ave., as a Special Policy Area.
- II. **THAT** Chapter 1 in Volume II: Secondary Plans and Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a new Special Policy Area as follows:
 - 1.# South Side of Wyandotte St. E, between Clover St. and Lublin Ave.
 - 1.#.1 The property described as Part of Block A on Plan 1161; Part Streets and Alleys (Closed By R1088686); Part Lots 14, 31, 34, and 52 and all of Lots 32, 33, and 53 on Plan 1230; Part Lots 139, 140, and 141 Concession 1, in the City of Windsor, known municipally as 0 Wyandotte St. E, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I The Primary Plan.
 - 1.#.2 Notwithstanding Section 2.7.7.3 of the Official Plan, Volume II, Part 2 East Riverside Secondary Plan High Profile Residential Buildings shall be permitted on the subject property.

- 1.#.3 Notwithstanding Section 2.7.7.3 of the Official Plan, Volume II, Part 2 East Riverside Secondary Plan the maximum permitted density of the site shall be 130 units per ha.
- III. **THAT** an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED** changing the zoning of Part of Block A on Plan 1161; Part Streets and Alleys (Closed By R1088686); Part Lots 14, 31, 34, and 52 and all of Lots 32, 33, and 53 on Plan 1230; Part Lots 139, 140, and 141 Concession 1, in the City of Windsor, known municipally as 0 Wyandotte St. E, from Residential District with a hold provision HRD1.2 to Residential District with a hold provision HRD 3.3;
- V. **THAT** the hold provision **BE REMOVED** when the applicant/owner submits an application to remove the holding and the following condition is satisfied:
 - a. an addendum to the Environmental Evaluation Report, dated October 2023, is prepared and submitted to the satisfaction of the City Planner;
- V. THAT subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 BE AMENDED for Part of Block A on Plan 1161; Part Streets and Alleys (Closed By R1088686); Part Lots 14, 31, 34, and 52 and all of Lots 32, 33, and 53 on Plan 1230; Part Lots 139, 140, and 141 Concession 1, in the City of Windsor, known municipally as 0 Wyandotte St. E by adding site specific regulations as follows:

5##. South Side of Wyandotte St. E, between Clover St. and Lublin Ave.

For the lands described as Part of Block A on Plan 1161; Part Streets and Alleys (Closed by R1088686); Part Lots 14, 31, 34, and 52 and all of Lots 32, 33, and 53 on Plan 1230; Part Lots 139, 140, and 141 Concession 1, in the City of Windsor, known municipally as 0 Wyandotte St. E. the following regulations shall apply:

Main Building Height - within 24m of Wyandotte Street East right of way - Maximum - 10 m

Main Building Height – remainder of site - Maximum - 48.0 m;

Executive Summary:

N/A

Background:

The subject site is part of the East Riverside Secondary Plan area. That plan designated a large area of agricultural land within the City of Windsor for various forms of urban development. Over time, the majority of the area has developed, seeing the creation of primarily low profile residential areas interspersed with institutional, recreation and multiple dwelling uses. The proposed development is one of seven proposed by the applicant that will complete the development of the "North Neighbourhood" within the East Riverside Secondary Plan.

Application Information:

Location: 0 Wyandotte St. E. Ward: 7

Planning District: East Riverside ZDM: 14

Owner: 1027458 Ontario Inc.

Agent: Dillon Consulting (Theresa O'Neill)



KEY MAP - Z-005/24, ZNG-7172, OPA 183, OPA-7174



SUBJECT LANDS

Proposal:

The proposed development includes the construction of three (3), 6-storey, 63-unit multiple dwelling buildings and two (2), 12-storey, 129-unit multiple dwelling buildings for a total of 447 dwelling units.

The site is designated "Residential Neighbourhood" in the East Riverside Secondary Plan and "Residential" on Schedule "D" of the City of Windsor Official Plan. The site is currently zoned HRD1.2 permitting the development of single detached residential dwellings on 12m wide lots. The H prefix may be removed when a plan of subdivision is registered, and services are available. (Section 5.4 By-law 8600)

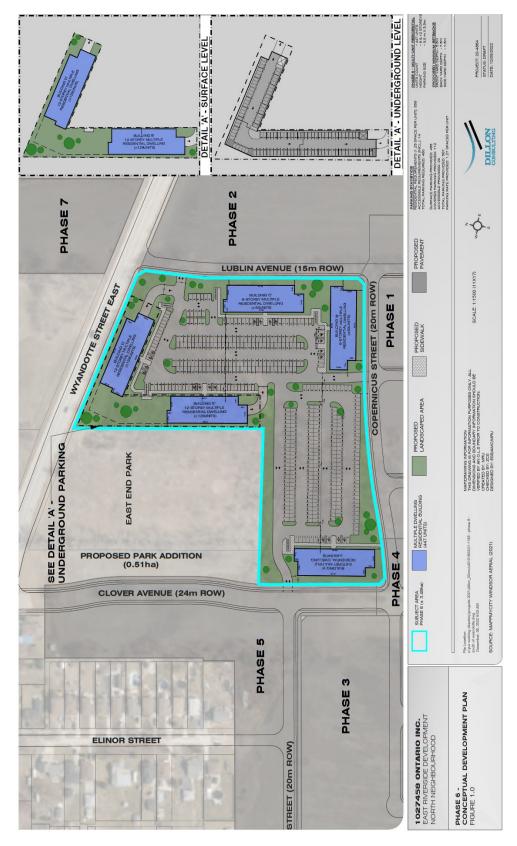


Figure 1:Concept Plan

SUBMISSIONS BY APPLICANT:

- Conceptual Development Plan
- Functional Servicing Report (October 2023)
- Stormwater Management Brief (September 2023)
- Planning Justification Report (October 2023)
- PIC Engagement Summary (January 2023)
- Comprehensive Transportation Impact Study (November 2022)
- Shadow Impact Study, (October 2023)
- Archaeological Assessment Report (February 2002)
- Natural Site Features Inventory & Preservation Study (September 2023)
- Environmental Evaluation Report (October 2023)

The applicant proposes an Official Plan Amendment that would create a special policy area for this site that would permit the construction of high profile buildings and apply a maximum permitted density of 130 units per ha.

The applicant proposes the application of a Site Specific RD3.3 zone category that would permit a maximum building height of 48.0 m.

Site Information:

Official Plan	Zoning	Current Use	Previous Use
Residential Neighbourhood ER-2: Land Use Plan, Secondary Plan East Riverside Planning Area	Residential District HRD1.2	Vacant	Vacant / Agriculture
Lot Depth	Lot width	Area	Shape
+/-226 m	+/- 78 m	3.48 ha	Irregular
All measurements are for the entire parcel and are approximate.			

Neighbourhood Characteristics:

The proposed development is located South of Wyandotte Street East and north of Beverly Glen Street within the East Riverside Planning Area, on an irregularly shaped site with frontage on Wyandotte Street East, future Clover Avenue, future Copernicus Street, and future Lublin Avenue. The current site is vacant.

Surrounding Land Uses:

North Wyandotte Street East, single-detached dwellings, East End Park, and the

Riverside Sportsmen Club

East Vacant / Agricultural lands (Future detached residential).

South Vacant / Agricultural lands (Future detached residential).

West Vacant / Agricultural lands (Future detached and townhome residential).



NEIGHBOURHOOD MAP - Z-005/24, ZNG-7172, OPA 183, OPA-7174





Discussion:

Provincial Policy Statement (PPS) 2020:

The Provincial Policy Statement, (PPS) 2020 provides direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario.

The zoning bylaw amendment would result in a development within the City of Windsor Settlement area, in area formerly used for agricultural purposes that was previously vacant and underutilized. This is consistent with the Provincial Policy Statement in that the development promotes the efficient use of existing land, promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. Related to this direction, the PPS states:

- "1.1.1(b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs"
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;"

The requested Multiple Dwelling development promotes cost-effective development by redeveloping an under-utilized vacant site. Allowing the proposed zoning bylaw amendment in this location contributes to minimizing land consumption and servicing costs by using a site that already has available infrastructure in the immediate area.

The PPS also states:

"1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years."

The PPS requires that land be available to diversify developments to meet the future needs of the community. The zoning by-law amendment is consistent with that requirement by accommodating new residential construction on lands designated for that purpose.

The PPS also states:

- "1.4.1 To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:
- a. maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and

b. maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans."

The requested zoning bylaw amendment is consistent with the PPS in that intensification of the use of the site will provide additional "appropriate range and mix of housing types and densities".

"1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

- a. permitting and facilitating:
 - all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and
 - 2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;
- directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- c. promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;"

Approving the Official Plan and zoning by-law amendments would support residential development using the infrastructure that is already in place, instead of requiring more expenditure on new infrastructure in a greenfield setting. In terms of supporting active transportation and transit, the site of the proposed zoning amendment is served by Transit Windsor on Wyandotte Street E.

The proposed development is consistent with the PPS in that it promotes compact and transit supportive forms of development. As well, this development will help to support the provision of a range of housing types in this area.

The site is also very near to transit corridors. The closest existing transit route to this development is with the Lauzon 10. The closest existing bus stop to this development is on Wyandotte Street East at Clover Avenue Northwest Corner. Majority of this development falls within a 400 metre walking distance to a bus stop meeting Transit Windsor's guidelines. Transit Windsor's 2023 City Council approved Service Plan has service enhanced in this area with a development of a new local route to replace the existing Lauzon 10. This route will provide conventional transit service in both directions versus the existing one way loop. This will be a great enhancement for passengers accessing this development. A new bus stop will be located on Wyandotte Street East at Clover Avenue Southeast Corner.

Official Plan:

Urban Structure Plan

Section 3.3.2.2 of the Urban Structure Plan contained in the City of Windsor Official Plan identifies Wyandotte Street East and Riverside Drive as a City Corridors. Residential development on a City Corridor may include high profile (26 to 58 metres in height), medium profile (14 to 26 metres in height) and residential over retail at street, as well as row housing and lofts. The proposed development conforms with this policy.

Option For High Density

East Riverside Secondary Plan designates the subject site Residential Neighbourhood. While generally limiting development to lower density forms policy 2.7.7.2 provides opportunity for higher density development.

2.7.7.2 Notwithstanding policy 2.7.7.1 above, developers shall be encouraged to provide alternative, higher density forms of housing in the Residential Neighbourhoods, particularly in proximity to community services and facilities such as parks, schools and convenience retail to accommodate a range of demographic and tenure types.

Volume 1 and OPA 159

Additionally, the site is subject to the Residential designation of the Official Plan. The Residential designation in the City of Windsor Official Plan permits low and medium profile developments not greater than twenty-six (26) metres in height. The proposed development is 48m (12 storeys) in height which would not conform to Section 6.3.1.2 of the Official Plan.

6.3.2.1 Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile, and Medium Profile dwelling units.

High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors.

This policy was implemented through OPA 159 and generally directs high profile development to the City Centre, Mixed Use Centres and Mixed Use Corridors.

The applicant is requesting that a Site Specific policy area be applied to the site to permit a high profile building (48m) proposed

Other residential development proposals for buildings of similar height and form are currently under review near this site. The Planning Department is able to support the request for increased height on the site because the Urban Structure Plan designates Wyandotte Street East as a City Corridor. Residential development on a City Corridor may include high profile (26 to 58 metres in height), medium profile (14 to 26 metres in height) on roads designated as City Corridors. Large parcels fronting Wyandotte Street East are well suited for higher profile buildings.

The proposed development is consistent with the following goals and objectives of the City of Windsor Official Plan.

Goal 6.1.1 is to achieve safe, caring and diverse neighbourhoods. Goal 6.1.2 seeks environmentally sustainable urban development. Goal 6.1.3 promotes housing suited to the needs of Windsor's residents. Goal 6.1.10 is to achieve pedestrian oriented clusters of residential, commercial, employment and institutional uses.

Objective 6.3.1.1 supports a complementary range of housing forms and tenures in all neighbourhoods. Objective 6.3.1.2 seeks to promote compact neighbourhoods and balanced transportation systems. Objective 6.3.1.3 seeks to promote selective residential redevelopment, infill and intensification initiatives.

There are existing sidewalks and bike lanes available along both sides of the Wyandotte Street East right of-way, providing residents with safe and accessible opportunities for active transportation activities (OP, Vol II., 2.7.9.8). The East Riverside area has been identified as an area of moderate active transportation potential in the Active Transportation Master Plan (City of Windsor, 2019). There are improvements planned for the existing sidewalk and bicycle network, as described in both the Active Transportation Master Plan and the Transportation Master Plan, which will increase the sites accessibility and functionality for future residents. The proposed development is keeping with the City's desire to promote development patterns that support the increase in walking, cycling and public transportation (OP, 7.2.2.5)

New developments are required to have full municipal infrastructure available or planned as a condition of approval (OP, 7.3.2.3 and OP, Vol II., 2.6.32). The proposed development promotes the efficient use and optimization of existing infrastructure and public service facilities including stormwater management systems, electricity and communications systems, and transit and other transportation corridors and facilities (OP, 7.3.1.3). Sanitary systems are planned for the area and will become available to the proposed development. Infrastructure will be provided to the proposed development in a coordinated, efficient, and cost-effective manner in compliance with all regulatory requirements (OP, 7.3.1.1).

An Environmental Evaluation Report (EER) has been prepared to demonstrate how the proposed development will impact the EPA A (OP, 5.3.4.6). Provided the mitigation measures, best management practices, and enhancement recommendations outlined in the EER are followed, the proposed development should result in no negative impacts on the natural features or their ecological function. The City Naturalist indicates that further clarification is required related to the EER. The Planning Department recommends that a hold provision be placed on the site that will ensure that an addendum to the EER is completed prior to development on the site.

The proposed development will help to support a diverse neighbourhood that represents a sustainable community and will provide housing that is in demand. The proposed development will help to encourage a pedestrian oriented cluster of residential, and recreational uses. The proposed residential development represents a complementary and compact form of housing and intensification that is near existing and planned infrastructure and amenities (e.g. roads, transit, parks, active transportation, etc.).

Zoning By-law

The site is zoned Residential District (Holding) HRD1.2 this zone category does not permit the proposed use. The hold provision applied to this site relates to the provision of services and requires that a site plan control agreement be registered for the site. applied to the site (General Hold Provisions – Section 5.4, By law 8600). The applicant is proposing that the RD3.3 zone be applied, but specific regulations be applied to facilitate the proposed development.

To facilitate the proposed development, the following site-specific regulations are proposed by the applicant.

Building Height - Maximum – 48.0 m;

The RD 3.3 zone would permit the proposed Multiple Dwelling structure as a use; however, a few specific regulations will also be required.

Building Height

The Planning Department is able to support the request for increased height on the site because the Urban Structure Plan designates Wyandotte Street East as a City Corridor. Residential development on a City Corridor may include high profile (26 to 58 metres in height), medium profile (14 to 26 metres in height) on roads designated as City Corridors. Large parcels such as this fronting Wyandotte Street East are appropriate for higher profile buildings.

Additional regulations recommended by Administration

Building Height adjacent to Wyandotte Street East

To encourage a more pedestrian oriented style of development that is compatible with the planned low and medium profile residential uses along Wyandotte St E, the Planning department is recommending that the height of a building adjacent to the Wyandotte Street East right of way be limited to 10 m within 24 m of the Wyandotte Street East road allowance. The maximum building height on the remainder of the site is recommended to be 48 metres, as requested by the applicant.

Practically, this may result in townhomes fronting Wyandotte Street East with high profile multiple dwellings located further from the street.

Hold Provision

As previously stated, The City Naturalist indicates that additional clarification is required related to the EER. Discussions with the applicant's consultant indicate that additional site assessment and an addendum to the previously submitted EER will be undertaken and submitted to the City prior to development of the site. The Planning Department recommends that a hold provision be placed on the site that will ensure that an addendum to the EER is completed prior to development on the site.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

The development on the site is close to existing bus routes and community recreational opportunities. This will encourage the use of public transit and walking as modes of transportation, thereby helping to minimize the City's carbon footprint.

Climate Change Adaptation:

The new buildings may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process. The site would also be required to incorporate storm water management best practices. The site plan control application will be reviewed for opportunities to enhance resiliency.

Financial Matters:

N/A

Consultations:

The applicant held a Public open house on December 7, 2022 Public Information Centre held by the developer at the WFCU Centre. Information related to the North Neighborhood developments was provided at this meeting, and comments from attendees were received.

Comments received from municipal departments and external agencies are attached as Appendix "A" to this report.

Public Notice:

The statutory notice required under the Planning Act was provided in the Windsor Star. In addition, all properties within 120m (400 feet) of the subject parcel received courtesy notice by mail prior to the Development & Heritage Standing Committee Meeting (DHSC) meeting

Conclusion:

Planner's Opinion and Conclusions:

The proposed use of this site as a development containing of three (3), 6-storey, 63-unit multiple dwelling buildings and two (2), 12-storey, 129-unit multiple dwelling buildings for a total of 447 dwelling units represents an efficient development that will have no

adverse impact on the well-being of the City of Windsor. The proposed development represents an appropriate residential use, adds to the range and mix of uses and will not cause any environmental or public health and safety concerns. This development is consistent with the Provincial Policy Statement.

The proposed Multiple Dwelling development represents a housing type and density that meets the requirements of current and future residents, that meets the social, health and well-being of current and future residents, represents a form of residential intensification, is set in a location with access to infrastructure, and public service facilities.

The proposed Multiple Dwelling development is located within an area experiencing pressure for development of similar form and is compatible within its context.

The proposed Official Plan and zoning by-law amendments are consistent the PPS, conform with the policy direction of the City of Windsor Official Plan (as recommended for amendment), are compatible with existing and permitted uses in the surrounding neighbourhood, and constitutes good planning.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Greg Atkinson Manager of Development/Deputy City Planner

Thom Hunt City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP JM

Approvals:

Name	Title	
Greg Atkinson	Manager of Development/Deputy City Planner	
Thom Hunt	City Planner	
Aaron Farough	Senior Legal Counsel	
Jelena Payne	Commissioner of Economic Development	
Joe Mancina	Chief Administrative Officer	

Notifications:

Name	Address	Email

Name	Address	Email
1027458 Ontario Inc.		
Dillon Consulting Limited (Theresa O'Neill)		
Councillor Marignani		

Appendices:

APPENDIX D - CONSULTATION

TRANSIT WINDSOR - JASON SCOTT

Transit Windsor has no objections to this development. The closest existing transit route to this development is with the Lauzon 10. The closest existing bus stop to this development is on Wyandotte Street East at Clover Avenue Northwest Corner. Majority of this development falls within a 400 metre walking distance to a bus stop meeting Transit Windsor's guidelines. Transit Windsor's 2023 City Council approved Service Plan has service enhanced in this area with a development of a new local route to replace the existing Lauzon 10. This route will provide conventional transit service in both directions versus the existing one way loop. This will be a great enhancement for passengers accessing this development. A new bus stop will be located on Wyandotte Street East at Clover Avenue Southeast Corner.

SITE PLAN CONTROL

The development proposal is subject to Site Plan Control pursuant to the Planning Act and City of Windsor By-law 1-2004. Where preceding development applications are required, inclusive of Official Plan and Zoning By-law Amendments, request for Site Plan Control Pre-Consultation Stage 1 may be made following completion of the requisite Development and Heritage Standing Committee meeting at https://ca.cloudpermit.com/login.

ENVIRONMENTAL SERVICES - ANNE MARIE ALBIDONE

No concerns.

CANADA POST - BRUNO DESANDO

Attached are Canada Post comments for application -Z 005/24 & OPA 183.

Please let me know if you have questions or need anything further.

This development, as described, falls within our centralized mail policy.

I will specify the condition which I request to be added for Canada Post Corporation's purposes.

a) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding these conditions, please contact me. I appreciate the opportunity to comment on this project.

Lock-Box Assembly Requirements

The complete Canada Post Standards Manual for Builders & Developers can be downloaded at: https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf

Compartments Size

- Horizontal lock-box models used in mailrooms must have the following minimums:
- o Residential compartments must be at least 12.5 x 13.5 cm
- o Commercial compartments at least 13.5 x 30.5 cm
- o Parcel compartments at least 30.5 x 30.5 cm
- Vertical lock-box models must have min comp size of 25 x 12.5 cm. (Most models are 40 x 12.7 cm)

Heights

- All lock-box assemblies must be installed in a manner that will not require the delivery employee to reach higher than 170cm or lower than 45cm when delivering to the equipment. With respect to horizontal lock-boxes, the limits above will likely mean that maximum number of compartments that can be included in each column of residential compartments would be eight

Rear-loading Lock-boxes

- Projects with more than 100 units are required to be serviced via a rear-loading lock-box assembly.
- There must be a width of at least 100cm of working space from the back of the boxes to the wall.
- A ledge under the bottom row of boxes is also recommended in rear-loading designs. This ledge is to be directly under the bottom row of boxes (no space between ledge and bottom of boxes) and must stick out at least 20cm from the back of the boxes.
- Mailroom door is required to provide a minimum 81cm opening
- Lighting should be at least 100 lux (measured 75 cm from floor)

Access

- All buildings where the lock-boxes are required to be serviced from inside the building are required to install a Canada Post Crown lock in the building intercom. The intercom is pre-fabricated with an internal housing for the lock. The lock can be obtained from the local deliver supervisor.
- If the building has more than 100 units, a rear-loading lock-box assembly will be installed. The door to the Canada Post delivery area must be fitted with a specific model of deadbolt. This is because Canada Post will supply a key cylinder made specifically for the Canada Post key that will fit inside the deadbolt purchased by the developer.

Numbering

- Compartments should be numbered vertically and left to right on the delivery side of the boxes

Grade-level Components

- If the development includes grade level retail or residential units, please take note that door-to-door delivery will not be provided to these units. Canada Post is happy to install a Community Mailbox to provide service to these units. Please coordinate a location with the Canada Post Delivery Planner for the area. If there is no room on the property for the Community Mailbox, service can be provided via another Community Mailbox in the area. Options to service the units from the tower (lobby) lock-boxes or via a front-loading lock box erected on the outside of the building can also be discussed with the Delivery Planner.

ERCA - ALICIA GOOD

The City of Windsor has received Application for Zoning By-Law Amendment Z-005-24 and Application for Official Plan Amendment OPA 183 to support the proposed development of three (3) Medium Profile residential buildings and two (2) High Profile residential buildings on the above noted subject lands. The proposal includes underground parking and surface parking. This development is known as North Neighbourhood Phase 6.

The site is designated "Residential Neighbourhood" in the East Riverside Secondary Plan and "Residential" on Schedule "D" of the City of Windsor Official Plan. The site is currently zoned HRD1.2 permitting single detached residential dwellings. The applicant proposes an OPA that would create a special policy area for this site with a Site-Specific zoning of RD3.3. The following is provided as a result of our review of Zoning By-Law Amendment Z-005-24 [ZNG-7172], and Official Plan Amendment OPA 183 [OPA-7174].

NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT, O. REG 686/21, PPS

The following comments reflect ERCA's role in protecting people and property from the threats of natural hazards and regulating development hazards lands under Section 28 of the *Conservation Authorities Act*.

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the Little River and the Detroit River. The property owner will be required to obtain a Permit from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*. We request to be circulated on future Planning Act applications for this development, as we may have further comments to provide regarding stormwater management once we have had an opportunity to review the specific details of the proposal.

We note that this development is within the East Riverside Secondary Planning Area and should be designed accordingly. Additionally, we note that the proposed development, including the underground parking facility, will be required to satisfy floodproofing requirements.

FINAL RECOMMENDATION

Our office has **no objection** to OPA 183 and Z-005-24. As noted above, the property owners will be required to obtain a Permit from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

If you have any questions or require any additional information, please contact the undersigned.

ZONING - ANA LUKAS

Attached is the full zoning review.

Comments:

Add dimensions on drawings to show compliance with sections 24 and 25 of the zoning by-law 8600.

Submit building elevation drawings to confirm building height.

Provide calculation of landscaped open space on drawings.

Property is in ERCA regulated area.

Show all stairs and elevators in underground parking.

Label visitor parking spaces on drawings.

Show curb cuts for accessible parking spaces on drawings.

Show bicycle parking spaces on drawings.

Parking area separations are to be measured from back of perimeter curbing.

Submit drawings showing locations of habitable windows to show compliance with section 25.5.20.1.6.

Confirm if there are habitable windows above entrances to underground parking.

The proposed development doesn't meet the Zoning By-law 8600 as follows:

Minimum Size of Parking Space:

- 3.5 m wide by 5.5 m long beside a wall or fence (Required)
- Parking spaces # 456 and 503: 2.6 m wide (Provided)

Minimum separation between a collector aisle and a parking space, where a collector aisle is perpendicular to a parking space: (25.5.40.5)

- 3.00 m (Required)
- 1.40 m (Provided)

FORESTRY - YEMI

Forestry has following comments on this property.

It was noted there are 10 juvenile city owned trees on the Wyandotte (north) portion of this new build.

On the south side (Jerome) there will be larger city owned trees that will be affected.

Please ask Hoda to send us over the tree inventory Dillon Consulting completed in September 2023 for this project.

As typical we will be requesting a root protection zone be implemented for any city owned trees. This is a requirement of the City of Windsor Site Control Plan section 3.1 under existing trees.

After reviewing Dillon Consulting's Official Plan Amendment and Zoning By-law Amendment it mentions the removal of 336 privately owned trees.

I would recommend that the applicant be required to replace the trees at an equal diameter loss ratio of caliper-per caliper to the satisfaction of the city forester to compensate for the loss to the urban canopy.

PARKS D&D – HODA KAMELI

Parks D&D has following comments to this Liaison.

It's essential to conduct a shadow study, particularly focusing on the impact of the new development on East End Park, especially Building E.

- · A landscape buffer proposal incorporating tree planting and fencing along the northern property line bordering the parking lot from the park is recommended.
- · We suggest establishing a pedestrian pathway within the new development property to link with the municipal sidewalk, facilitating residents' access to the park.

NATURAL AREAS – KAREN ALEXANDER

Phase 6 & 7 - Coco Paving Developments

Updated comments

April 24, 2024

Prepared by: Karen Alexander, Naturalist and Outreach Coordinator

Recommendation: further work is required to ensure the EER demonstrates accordance with natural heritage policies of the PPS (2020) and the City's Official Plan (10.2.5).

To include in EER Addendum:

- Revisit site to evaluate most up-to-date conditions of the abandoned drain.
 - o Include a thorough search for Terrestrial Crayfish burrows and other potential hibernacula.
 - Include an updated Floristics Analysis (with co-efficient of wetness) that is applied to the drain and riparian area (3 m from top of drain at minimum) (typical distance as per the Drainage Act).
- Re-do ELC mapping to describe the vegetation communities more accurately on site.
 - Map Phragmites separately if needed.
 - Use inclusions as required.
 - Identify all old growth trees.
- Provide entire snake survey results, even if no snakes were found.
- Provide MECP correspondence and a copy of the IGF that was submitted to the MECP.

Discussions regarding mitigation:

- Will depend on the updated field work results as requested above.
- City Naturalist supports urban designers' comments; the proposal to re-design the parking is a good way to preserve our entire EPA (Official Plan 5.3.4.1 (a)).
- Provide for regeneration & restoration of East End Park & other agreed upon sites in the Little River Corridor Park (e.g. habitat restoration activities to improve ecological integrity and function to mitigate the loss of function and habitat) (Official Plan 8.5.2.2 (b, f), Official Plan 6.7.3.18) potentially the PPS 2.1.5. once updated field work is complete).

Preserve the function of the ecological corridor by incorporating into the design a naturalized corridor space to ensure East End Park remains ecologically connected to Little River Corridor Park (Official Plan 5.3.2.11).

ENWIN

HYDRO ENGINEERING (Keegan Morency Kendall):

No Objection, provided adequate clearances are achieved and maintained.

Please note the following.

- There are no ENWIN conductors or equipment located on the property.

Prior to working in these areas, we would suggest notifying your contractor and referring to the Occupational Health and Safety Act and Regulations for Construction Projects to confirm clearance requirements during construction.

TRANSPORTATION PLANNING - CLARE

- Wyandotte St E is classified as a Class II Arterial Road with a required right-of-way width of 30
 meters per the Official Plan. The existing right-of-way along the frontage of the subject property
 is not sufficient; however, a conveyance is not required at this time.
- Lublin Avenue is classified as a Local Road with a required right-of-way width of 20 meters as per the Official Plan. However, a 15-meter right-of-way width as shown on the conceptual plan is acceptable due to the approved North Neighbourhood Plan of Subdivision.
- Clover Avenue is classified as a Class I Collector Road with a required right-of-way width of 24
 meters per the Official Plan. The proposed right-of-way along the frontage of the subject
 property as per the conceptual plan is sufficient.
- Copernicus (former Jerome) Street is classified as a Local Road with a required right-of-way width of 20 meters per the Official Plan. The proposed right-of-way along the frontage of the subject property as per the conceptual plan is sufficient.
- A corner cut-off of 4.6 meters is required at the intersection of Wyandotte St E and Lublin Ave. The submitted plan shows a corner cut-off.
- A corner cut-off of 4.6 meters is required at the intersection of Clover Ave and Copernicus (former Jerome) Street. The submitted plan shows a corner cut-off.
- The proposed curved alignment of Clover Avenue may potentially prohibit on-street parking on this segment of Clover Avenue. If the developer is proposing on-street parking, then a sight line review may be required.
- All parking must comply with Zoning By-Law 8600.
 - All proposed bicycle parking must comply with ZBL 8600 and be clearly indicated on revised site plan
 - Proposed GFA of the site is required in order to determine if the amount of loading spaces proposed comply with ZBL 8600
- Sidewalks are to be constructed at the owner(s) expense and according to City of Windsor Standard Specifications; concrete sidewalks along one side of each proposed local residential road and along both sides of any proposed collector roads as outlined by Engineering Right-of-Way and per the Official Plan.
- Transportation Planning has received the Transportation Impact Study (TIS) titled, "North Neighbourhood Subdivision" dated November 2022 by Mike Walkers, P.Eng. of Dillon Consulting Limited. Comments will be provided at a later date.
- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City
 of Windsor Standard Engineering Drawings.

- Driveways proposed must be 7-9 metres total at the property line (minimum 3.5m/lane, maximum 4.5m/lane)
- o The proposed driveway onto Clover Ave must align with Jerome St to the west
- The proposed driveway onto Copernicus St must align with Pearson Ave to the south
- All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

Landscape Architect (note to be updated)

Pursuant to the application for a Site Specific Zoning Amendment (**Z 005/24**) to permit an RD3.3 zone category for the construction of five (5) multiple dwelling units with a total of 447 residential units, with 567 parking spaces (both underground and surface parking), and increased maximum building height of 48.0m, and reduced landscape area to 30% on the subject, along with an Official Plan Amendment (**OPA 183**) to create a special policy area to allow for high profile buildings with a maximum density or 130 units per ha, please note the following comments:

Zoning Provisions for Parking Setback:

The proposed site plan for Phase 6 appears to demonstrate a very narrow landscape setback from the eastern property and the proposed parking area. Adequate landscape transition is especially important given that the proposed development proposed to remove a all the natural features of the site, especially as the EER (section 2.12) provided by the applicant's consultant identifies potential for several SAR in the general area (See Tree Preservation & Urban Design sections below for additional mitigation measures).

Please include a site-specific zoning provision in conjunction with the amendment for change of permitted use, specifying a minimum 6.0 m landscape setback for parking areas in the Exterior Yard.

Tree Preservation & Climate Change:

The applicant has provided a Natural Site Features Inventory and Preservation Plan (NSFPP) which identifies 450 trees representing a total diameter of 15,864.7cm DBH, contained within or on the abutting property with root zones that may be impacted by the proposed development. There are 256 trees are proposed to be removed; many are mature Cottonwood and multistemmed Maples. The Official Plan under Section 5.3.6 Urban Forestry Policies identify that preservation and compensation through replacement is required when removal is necessary.

Not only do many of these trees have potential to provide habitat for wildlife including SARs, the size of these trees also provides filtration of air pollutants and can aid in carbon sequestration, which is necessary to combat climate change through the urban tree canopy.

If unable to preserve these trees, the applicant will be required at the time of Site Plan Agreement and building permits will be required to submit payment based on the total caliper of trees removed to the satisfaction of the City Forester in accordance with the Corporation's Schedule of Fees.

Section 9.3 of the EER provided by the applicant identifies mitigation measures to be conducted before and during development. Specifically, Section 9.3.2 identifies the Mitigation Measures Required by MECP. Applicant is to provided evidence that the pre-construction mitigation measures have been conducted as prescribed at the time of Site Plan Review to ensure compliance with MECP. Any habitat relocation is to comply with the directions of MECP and through consultation and satisfaction of the City's Natural Areas Coordinator.

Urban Design:

It recommended that owner prior to applying for Site Plan Control consider other options to help reduce the loss of the largest trees and natural areas on the site. Underground parking has been proposed for the two 12-storey residential towers, however they are connected under the largest area of landscape open space. This area is unlikely suitable for replacement tree planting due to the live weights that will be present form any trees that may be proposed. The owner should consider focusing any underground parking under the surface parking areas and not the proposed green space to allow for tree planting and more usable outdoor landscape open space. Green space should be used to encourage tree planting to reduce the urban heat island effect that will be cause by the extensive amount asphalt and concrete hard surface being proposed.

The proposed development also abuts East End Park at it western boundary. Provision of pedestrian connection would afford an important amenity for healthy communities. Any proposed trail connection is to be coordinated with the Executive Director of Parks.

Parkland Dedication:

All requirements will be determined at the time a Site Plan application is received.



Council Report: S 50/2024

Subject: Approval of a Plan of Condominium with Exemption under Section 9(3) of the Condominium Act, 705 and 755 Grand Marais Rd E.; Applicant: Seiko Homes Inc.; File No.: CDM 003-24 [CDM-7192]; Ward 10

Reference:

Date to Council: May 6, 2024 Author: Justina Nwaesei, MCIP, RPP Senior Planner - Development 519-255-6543, ext. 6165 jnwaesei@citywindsor.ca

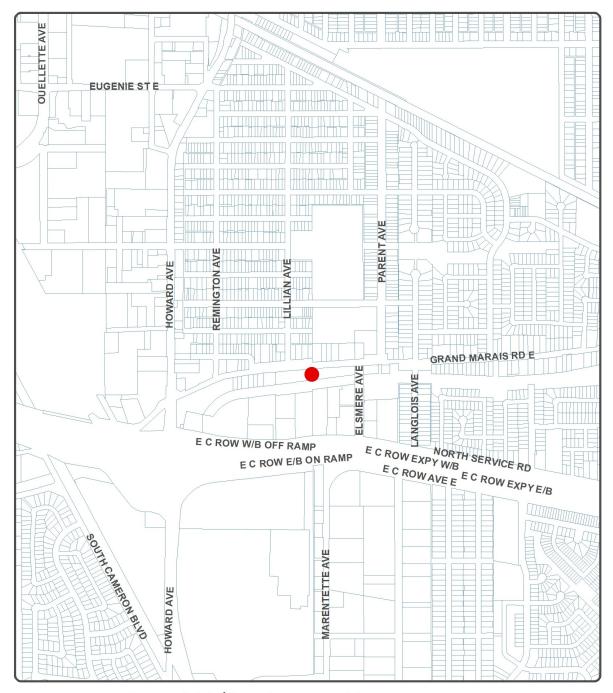
Planning & Building Services Report Date: April 10, 2024 Clerk's File #: Z/14759

To: Mayor and Members of City Council

Recommendation:

THAT the application of Seiko Homes Inc. for an exemption under Section 9(3) of The Condominium Act for approval of a plan of condominium (Standard Condominium), comprised of a total of 80 dwelling units within two new Multiple Dwelling structures under construction as shown on the attached Map Nos. CDM-003/24-1, CDM-003/24-2, CDM-003/24-3, and CDM-003/24-4, on parcels legally described as Part of Lots 88 and 89, Concession 2, designated as Parts 1 to 11 (inclusive) on Plan 12R16151, City of Windsor; located at the southwest corner of Grand Marais Road East and Elsmere Avenue intersection, **BE APPROVED** for a period of three (3) years.

Executive Summary:	
N/A	
Background:	
Location / Key map:	



KEY MAP - CDM-003/24, CDM-7192

SUBJECT LANDS



Application Information:

Location: 705 and 755 Grand Marais Road East (southwest corner of Grand Marais

Road East and Elsmere Avenue intersection)

Ward: 10 Planning District: 19 - Riverside ZDM: 8

Applicant & Owner: Seiko Homes Inc. (Hessan Habib)

Authorized Agent: n/a

Ontario Land Surveyor: Verhaegen Land Surveyors (Roy Simone)

Proposal:

The applicant is applying for an exemption under Section 9(3) of *The Condominium Act* for approval of a plan of condominium for two structures containing a total of 80 dwelling units. One structure (Building 1) contains 48 dwelling units, and the other structure (Building 2) contains 32 dwelling units.

The subject site has received Site Plan Approval (File SPC-019/19) registered as Instrument Number CE955828, on July 20, 2020, which permitted a combined total of 80 dwelling units in two structures (two multiple dwellings). The approved site plan, SPC-019/19 (A101) on Schedule A of the registered Agreement, contains a total of 115 vehicle parking spaces (includes 8 Accessible parking spaces), 2 loading spaces and 9 bicycle parking spaces.

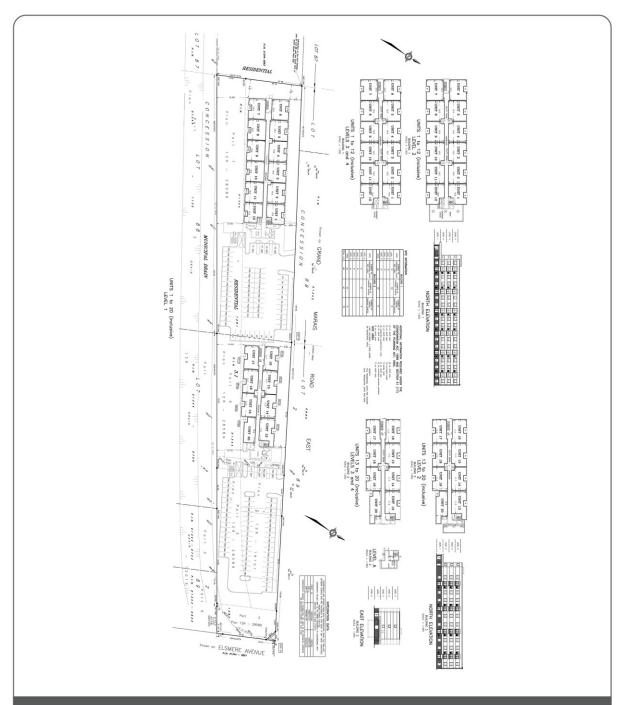
The site plan control agreement covers a range of municipal and agency requirements to be completed by the owner, including items such as the

- conveyance of land for corner cut-off at the Grand Marais Road East and Elsmere Avenue intersection,
- construction of sidewalks along the entire Grand Marais Road East frontage,
- provision of easements, curbs & gutters, storm detention scheme, landscaping, fencing, parking, parkland conveyance, levies and lighting, mostly required prior to the issuance of a construction permit.

Note: Building A and Building B on the approved Site Plan (attached as Appendix C) are labelled as Building 1 and Building 2, respectively, on the approved permit drawings and draft plan of subdivision.

Plan of Condominium:

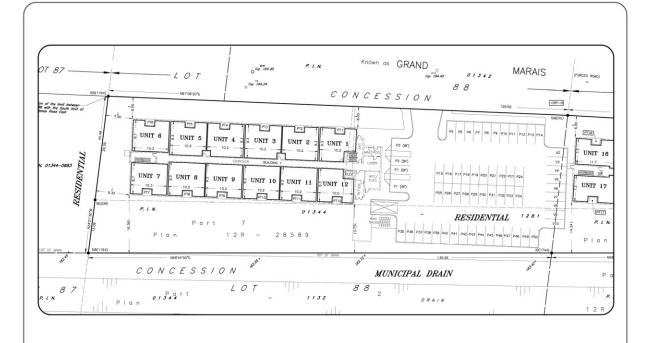
(see CDM-003/24 Maps on the next pages)

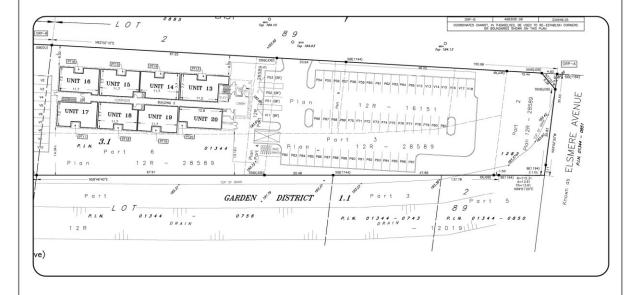


APPLICANT: SEIKO HOMES INC.

ADDRESS: 705, 755 GRAND MARAIS ROAD EAST

SCALE: N.T.S. DATE: APR. 2024 FILE NO: CDM-003/24-1 OVERALL PLAN

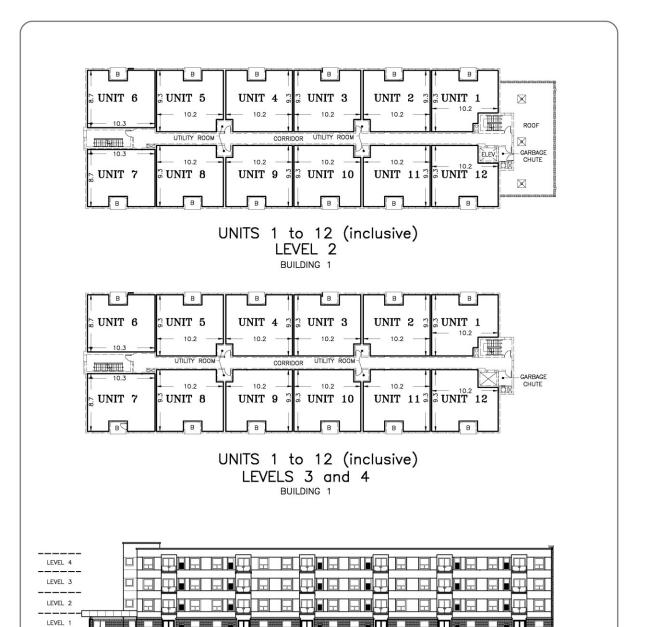




APPLICANT: SEIKO HOMES INC.

ADDRESS: 705, 755 GRAND MARAIS ROAD EAST

SCALE: N.T.S. DATE: APR. 2024 FILE NO: CDM-003/24-2 SITE PLAN

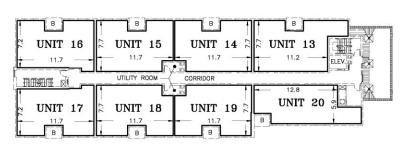


NORTH ELEVATION

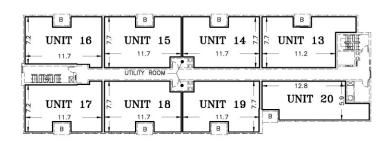
APPLICANT: SEIKO HOMES INC.

ADDRESS: 705, 755 GRAND MARAIS ROAD EAST

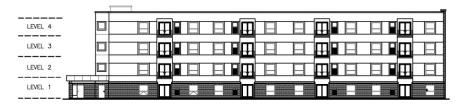
SCALE: N.T.S. DATE: APR. 2024 FILE NO: CDM-003/24-3 BUILDING 1 (A)



UNITS 13 to 20 (inclusive) LEVEL 2 BUILDING 2



UNITS 13 to 20 (inclusive) LEVELS 3 and 4

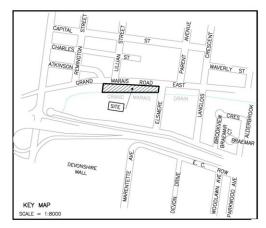


NORTH ELEVATION
BUILDING 2

APPLICANT: SEIKO HOMES INC.

ADDRESS: 705, 755 GRAND MARAIS ROAD EAST

SCALE: N.T.S.
DATE: APR. 2024
FILE NO: CDM-003/24-4
BUILDING 2 (B),



DRAFT PLAN OF CONDOMINIUM PART OF LOTS 88 & 89, CONCESSION 2 GEOGRAPHIC TOWNSHIP OF SANDWICH EAST NOW IN THE CITY OF WINDSOR COUNTY OF ESSEX, ONTARIO VERHAEGEN LAND SURVEYORS, A DIVISION OF J.D. BARNES LIMITED

"METRIC" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND AND NOTES

BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS "A" AND "B" BY REAL TIME NETWORK OBSERVATIONS AND ARE REFERRED TO UTM ZONE 17 (81' WEST LONGITUDE) NAD 83 (CSRS) (2010.0).

DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999912.

ALL DISTANCES AND BEARINGS BETWEEN FOUND MONUMENTS AGREE WITH PLAN 12R-28589.

ALL SET SSIB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF O.REG. 525/91.

DF GREG. 522/91.

SURREY MONUMENT FOLIND
SURREY MONUMENT SET
STANDARD ROON BAR
SHORT STANDARD ROON BAR
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PLAN 12R-18151 (P4) DEBOTES PLAN 12R-12012
ORIGIN LINKOND
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VERHAEGEN LAND SURVEYORS
JOHN B. SMEETON INC. OLLS.
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SITE INFORMATION

	BUIL	DING 1	
LEVEL	NUMBER OF RESIDENTIAL UNITS PER LEVEL	NUMBER OF PARKING SPACES	NUMBER OF VISITOR PARKING SPACES
LEVEL 1	12	50	10
LEVEL 2	12		
LEVEL 3	12		
LEVEL 4	12		
TOTAL	48	50	10
	BUIL	DING 2	1876 1988
LEVEL	NUMBER OF RESIDENTIAL UNITS PER LEVEL	NUMBER OF PARKING SPACES	NUMBER OF VISITOR PARKING SPACES
LEVEL A			
LEVEL 1	8	47	8
LEVEL 2	8		
LEVEL 3	8		
LEVEL 4	8		
TOTAL	32	47	8
OTAL 1+2	80	97	18

INTEGRATION DATA

	NAD83 (CSRS) (2010.0) ARE TO AN URBAN ACCURA SECTION 14(2) O.REG 216	CY IN ACCORDANCE WITH
	NORTHING	FACTINO
POINT ID	NORTHING	EASTING
POINT ID ORP-A	4683010.32	334815.95

ADDITIONAL INFORMATION REQUIRED UNDER THE CONDOMINIUM ACT, 1998 AND SECTION 51 (17) OF THE PLANNING ACT, 1990.

a) on draft plan g) on draft plan b) on draft plan c) on draft plan h) municipal water
i) sandy loam d) residential condominium units e) on draft plan j) on draft plan k) all municipal services available I) on draft plan

1.061 HECTARES / 2.622 ACRES 80 RESIDENTIAL UNITS

75.4 RESIDENTIAL UNITS PER HECTARE 30.5 RESIDENTIAL UNITS PER ACRE

PLAN OF CONDOMINIUM

APPLICANT: SEIKO HOMES INC.

ADDRESS: 705, 755 GRAND MARAIS ROAD EAST

SCALE: N.T.S. DATE: APR. 2024 FILE NO: CDM-003/24-5 SITE INFORMATION

Site Information:

Official Plan	Zoning & ZDM	Current Use(s)	Previous Use(s)
RESIDENTIAL	RESIDNETIAL DISTRICT 3.1 (RD3.1) ZDM8	Two residential buildings (4- storey Multiple Dwellings) under construction	Vacant
Frontage	Depth	Area	Shape
280.6m	irregular	1.061 ha	Irregular
Note: All measurements are taken from the draft Plan			

Neighbourhood Characteristics:

The **surrounding land uses** consist of a mix of residential, institutional, commercial, and industrial uses.

North and northeast of the subject lands: Grand Marais Road East R.O.W.; a place of worship fronting on Grand Marais Rd East and Parent Avenue; a school further north, fronting on Capitol Street; and low-profile residential dwellings (single unit dwellings, semidetached dwellings, and townhome dwellings) fronting on Grand Marais Rd East.

East and southeast of subject lands: Elsmere Avenue R.O.W.; a neighbourhood commercial building containing a corner store and laundromat at the southeast corner of Elsmere Avenue and Grand Marais Road East intersection; and further east, low profile residential developments mostly of the single unit dwelling type.

West and northwest of the subject lands: Low-profile residential developments (single unit dwellings, semi-detached dwellings, and townhome dwelling) situated along the south side of Grand Marais Road. There is a medium profile residential care facility at the northeast corner of Howard Avenue and Grand Marais Road East.

South of the subject lands: Grand Marais drain abuts the south limit of the subject lands; and further south, there is a multi-use trail on the south limit of the drain. Next south of the multi-use trail are existing industrial and office buildings.

Municipal Infrastructure:

Municipal sewers and watermains are available in the subject area. Grand Marais Road East is classified as a Class 1 Collector Road, and Elsmere Avenue is classified as Class II Collector Road. Public transit is available via the Parent 14 and 1A buses.

The Parent 14 buses run along Grand Marais Rd East and Langlois Avenue to Devonshire mall and downtown bus terminal. The 1A buses run north-south along Howard Avenue to Devonshire Mall and downtown bus terminal. The nearest transit bus stop is at the southeast corner of Grand Marais Rd East and Langlois Avenue intersection, 300m distance measured from the east limit of the subject land.



AERIAL MAP - CDM-003/24, CDM-7192





Discussion:

Planning Analysis:

Statutory Regulations:

Under Section 9 of The Condominium Act, an owner may request approval of a plan of condominium subject to Section 51 of The Planning Act (subdivisions). As such, the usual approval process for plans of subdivision is invoked, i.e. review by municipal and provincial agencies, draft plan approval, a condominium agreement and final registration.

The Condominium Act also provides that owners can be exempted from the abovementioned Planning Act provision if the approval authority (i.e. the City of Windsor) is of the opinion that "such exemption is appropriate in the circumstances". The reasons for exemptions are not specified, but usually applicants can be exempted if the following conditions are satisfied:

- (i) that all municipal requirements and conditions have been addressed (for example by an approved application for rezoning and/or site plan control); and
- (ii) that the building(s) is suitable for a condominium by virtue of design and amenities.

The proposed condominium complies with the above conditions.

Official Plan:

The subject property is designated "Residential" on Schedule "D" - Land Use, City of Windsor Official Plan. The designation is intended to accommodate Low Profile, and Medium Profile dwelling units. The designation also aims to support a complementary range of housing forms and tenures in all neighbourhoods. The multiple dwelling under construction is a medium profile housing type with a density that will contribute to the mix of housing forms, tenures, and price levels in the area.

The City of Windsor has policies in the Official Plan (s.11.5.2.8) for approval of a plan of condominium with exemption under Section 9 of the Condominium Act. Applications for exemptions may be considered by Council if:

- (a) a residential building is constructed or a building permit for its construction has been issued:
- (b) the development has received site plan control approval; and
- (c) the development does not contain any occupied residential rental units.

The proposed condominium complies with the above conditions. See, also, attached Appendices A, B, and C.

Zoning By-Law:

The property is currently zoned Residential District 3.1 by Zoning By-law 8600. The Multiple Dwelling (under construction) on the property is permitted under the RD3.1

category. Building permits have been issued and the building is under construction. See Site photos attached as Appendix B to this report.

Site Plan Control Approval:

February 10, 2020: The proposed development on the subject lands received Site Plan Control Approval. A site plan agreement was subsequently executed.

July 20, 2020: Site Plan Control Agreement was registered on title as instrument number CE955828.

Supplementary SPC approval: Minor revisions were made to the concept plan and elevations at the time of Building Permit; thereby, resulting in a 2021 supplementary approval of the Site Plans and Elevations by the Site Plan Approval Officer on March 11, 2021. The site plan from the 2021 supplementary SPC approval is herein attached as Appendix C.

Risk Analysis: N/A

Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

Financial Matters: N/A

Consultations:

1. DEPARTMENT AND AGENCIES

Municipal and agency requirements have been addressed and implemented through the site plan control approval process, and the registration of a site plan agreement. (File SPC-019/19 registered as Instrument Number CE955828, July 30, 2020).

2. PUBLIC NOTICE

No public notification is required where exemptions are requested, and the development is properly zoned for the permitted use. Nevertheless, notice was published in the Windsor Star.

Conclusion:

The application has been processed and evaluated with regards to both The Planning Act and The Condominium Act, as well as the City of Windsor Official Plan, and is in conformity with the zoning regulations and the City of Windsor Official Plan. Municipal requirements regarding this development have been addressed in the site plan control agreement; furthermore, the draft plan of condominium is consistent with the approved site plan (File SPC-019/19) updated, March 11, 2021.

It is recommended that this application for approval be exempted from Section 51 of The Planning Act (per Section 9(3) of The Condominium Act). This means that the

owner can proceed directly to registration following submission of an approved final plan of condominium.

Planning Staff recommend approval of the draft Plan for a period of 3 years.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Greg Atkinson, MCIP, RPPManager of Development/ Deputy City Planner

Thom Hunt, MCIP, RPP City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader JP JM

Approvals:

Name	Title	
Greg Atkinson	Manager of Development/Deputy City Planner	
Thom Hunt	City Planner / Executive Director, Planning & Development Services	
Aaron Farough	Senior Legal Counsel, Legal Services & Real Estate	
Jelena Payne	Commissioner of Economic Development	
Joe Mancina	Chief Administration Officer	

Notifications:

Name	Address	Email
APPLICANT /OWNER: Seiko Homes Inc., c/o Hessan Habib		
SURVEYOR: Verhaegen Land Surveyors, c/o Roy Simone		
Councillor Jim Morrison		

Appendices:

- 1 Appendix A, Condo Exemption Letter (dated April 4, 2024)
- 2 Appendix B, Site Photos (taken April 5, 2024)
- 3 Appendix C, Approved Site Plan dated March 11, 2021

SEIKO HOMES INC.

April 4, 2024

851 North Talbot Rd.

Windsor, ON N9G 1M8

MIDTOWN CONDOMINIUM

Corporation Of The City Of Windsor

Planning Department

Suite 210, 350 City Hall Square West

Windsor, Ontario N9A 7K6

Attention: Ms. Justina Nwaesei,

Senior Planner-Development

Dear Ms. Nwaesei,

We hereby request exemption from section 9(3) of the Condominium Act. We believe an exemption should be granted as:

- Site Plan Approval was applied for and granted with a Site Plan Control Agreement dully executed;
- 2. A Building Permit has been issued;
- 3. Construction has commenced;

Should you have any questions or require any further information, please feel free to contact myself at your convenience.

Yours truly,

Hessan Habib per: Seiko Homes Inc.

Appendix B, Site Photos (taken April 5, 2024)



View of Building B on the subject site (under construction) and abutting uses North & South of the subject site (Grand Marais Rd. E. R.O.W, existing low profile residential buildings, Grand Marais drain, multi-use trail, office & industrial uses); looking west from Elsmere Avenue



View of the east and north walls of Building B, looking west from Elsmere Avenue



View of the west and north walls of Building B, looking east from Grand Marais Road East



View of the east and south walls of Building B, looking west from Elsmere Avenue



View of the north wall of Building B, looking south from Grand Marais Road East

Appendix B, Site Photos (taken April 5, 2024)



View of Grand Marais Drain south of the subject site, looking west from Elsmere Avenue



View of Multi-Use Trail abutting the south side of the Grand Marais Drain, looking west from Elsmere Ave



View of office buildings south of the subject site, looking west from Elsmere Avenue



View of industrial buildings south of the subject site, looking south from Grand Marais



View of existing commercial building (retail store and Laundromat) at the southeast corner of Grand Marais & Elsmere intersection, looking east from Grand Marais Rd. E.



View of existing house(s) and Institutional uses (school and a place of worship) north side of Grand Marais Rd. E., looking north from Elsmere Ave.

Appendix B, Site Photos (taken April 5, 2024)



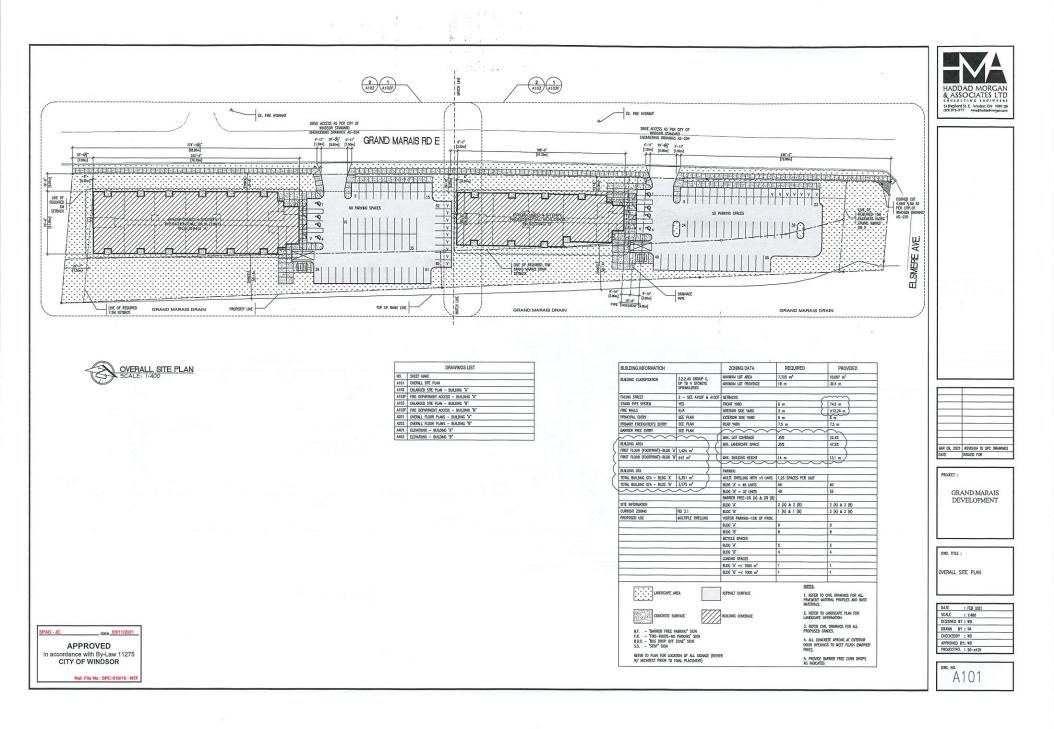
View of Building A (under construction) on the subject site, looking south from Grand Marais Road East





(Photo, looking north) (Photo, looking northwest)

View of existing residential buildings on the north side of Grand Marais Road East, directly across from the subject site; looking north and northwest from Grand Marais Road East





Council Report: S 49/2024

Subject: Official Plan Amendment and Zoning By-law Amendment Applications for 835 Tecumseh Road East, 2148 Marentette Avenue, and 2175 Parent Avenue, Z-006/24 [ZNG-7179] & OPA 184 [OPA-7180], Ward 4

Reference:

Date to Council: May 6, 2024 Author: Brian Nagata, MCIP, RPP Planner II - Development Review (519) 255-6543 ext. 6181

Diana Radulescu Planner II - Development Review (519) 255-6543 ext. 6918

Planning & Building Services Report Date: April 9, 2024

Clerk's File #: Z/14755 & Z/14754

To: Mayor and Members of City Council

Recommendation:

- I. THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating Lots 59 & 60, Part of Lot 1, & Part of Closed Alley, Plan 908; Part of Lots 23 & 24, Plan 140, known municipally as 835 Tecumseh Road East, 2148 Marentette Avenue, and 2175 Parent Avenue; shown as the *Area of Development* on Appendix A; situated on the southeast corner of Marentette Avenue and Tecumseh Road East as a Special Policy Area.
- II. THAT the City of Windsor Official Plan, Volume II, Chapter 1 Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:

1.xx. Southeast Corner of Marentette Avenue and Tecumseh Road East

1.xx.1 The property described as Lots 59 & 60, Part of Lot 1, & Part of Closed Alley, Plan 908; Part of Lots 23 & 24, Plan 140, known municipally as 835 Tecumseh Road East, 2148 Marentette Avenue, and 2175 Parent Avenue, situated on the southeast corner of Marentette Avenue and Tecumseh Road East, is designated on Schedule A: Planning Districts & Policy Areas in Volume I - The Primary Plan.

- 1.xx.2 Notwithstanding Section 6.5.3.3(a) of the City of Windsor Official Plan, Volume I, Chapter 6 Land Use:
 - A Medium Profile residential development shall have a building height of no less than 14.0 metres and no more than 26.0 metres.
- III. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning for the lands located on the southeast corner of Marentette Avenue and Tecumseh Road East, described as Lots 59 & 60, Part of Lot 1, & Part of Closed Alley, Plan 908; Part of Lots 23 & 24, Plan 140 [PIN No. 01322-0389 LT (in part)], shown as the *Area of Development* on Appendix A, from Commercial District 3.3 (CD3.3) in part and Residential District 1.3 (RD1.3), to Residential District 3.2 (RD3.2), subject to additional regulations:

501. SOUTHEAST CORNER OF MARENTETTE AVENUE AND TECUMSEH ROAD EAST

- (1) For the lands comprising of Lots 59 & 60, Part of Lot 1, & Part of Closed Alley, Plan 908; Part of Lots 23 & 24, Plan 140, PlN No. 01322-0389 LT (in part), and delineated by a heavy blue line on Schedule 2, attached to By-law xxx-2024, the following shall apply:
- 1. Main Building Height minimum

14.0 m

- 2. A minimum of 80.0% of the north and west faces of the first and second floors not occupied by windows, doors, or HVAC infrastructure shall have an exterior finish of brick, textured concrete, and/or stone.
- 3. Side Yard Width from the north limit of Lot 61 & Part of Closed Alley, Plan 908, PIN No. 01322-0359 LT minimum.
- 4. A parking area is prohibited in a front yard and an exterior side yard, save and except for an access area or collector aisle necessary for providing access to a parking area from Marentette Avenue.
- 5. Notwithstanding Section .3 of Table 25.5.20.1, a minimum separation of 3.00 metres shall be provided from a parking area to the north limit of Lot 61 & Part of Closed Alley, Plan 908, PlN No. 01322-0359 LT.

[ZDM 7; ZNG/7179]

- V. THAT, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer, the following **BE SUBMITTED** with an application for Site Plan Approval:
 - a. Environmental Noise Assessment Report, prepared by Akoustik Engineering Limited, dated August 24, 2023.

- b. Existing Tree Inventory & Preservation Plan, prepared by Bezaire Partners, sealed on June 29, 2023.
- c. Planning Rationale Report (Revised), prepared by Pillon Abbs Inc., dated February 22, 2024.
- d. Sanitary Sewer Study, prepared by Aleo Associates Inc. Consulting Engineers, dated September 1, 2023.
- e. Transportation Impact Study, prepared by a qualified transportation consultant, in accordance with the TIS Scope set forth under Appendix 1 of Appendix E of this report.
- V. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, subject to any updated information, into an approved site plan and executed and registered site plan agreement:
 - a. 1.83-metre-high screening fence shall be erected and maintained on that portion of the north limit of Lot 61 & Part of Closed Alley, Plan 908, PlN No. 01322-0359 LT, that flanks a rear yard or side yard therein.
 - b. Financial contributions towards any required traffic improvements identified within the aforesaid Transportation Impact Study.
 - c. Mitigation measures identified in the aforesaid Environmental Noise Assessment Report, subject to the approval of the City Engineer.
 - d. Servicing and right-of-way requirements of the City of Windsor -Engineering Department - Right-of-Way Division contained in Appendix E of this report and measures identified in the Sanitary Sewer Study, prepared by Aleo Associates Inc. Consulting Engineers, dated September 1, 2023, subject to the approval of the City Engineer.
- VI. THAT the Site Plan Approval Officer **CONSIDER** the following matter in an approved site plan and/or executed and registered site plan agreement:
 - a. Written confirmation from the Ministry of the Environment, Conservation and Parks that a Record of Site Condition has been filed in the Environmental Site Registry.

Executive Summary:

The applicant, Giovanni Caboto Club (Craig Moro), represented by Sfera Architectural Associates Inc. Architects (John Bortolotti), is requesting an amendment to the City of Windsor Official Plan (Official Plan) and Zoning By-law 8600 to allow for the construction of a six (6) storey, 54-unit multiple dwelling with a 68-space parking area on the property known municipally as 835 Tecumseh Road East, 2148 Marentette Avenue, and 2175 Parent Avenue (the subject property). The proposed amendment and development will be confined to the northwest corner of the subject property, shown as the *Area of Development* on Appendix A. The proposed development will require the removal of the retail store (General Paint) and a portion of the Giovanni Caboto Club's (Caboto Club) parking area.

The subject property is located within the southwest part of the Walkerville neighbourhood. The subject property borders an established low-density residential neighbourhood to the west, and is part of the Tecumseh Road East mixed-use corridor. There are parks, elementary and secondary schools, transit routes, a community centre, and a library within proximity to the subject property.

The applicant submitted Conceptual Plans (See Appendix A), an Environmental Noise Assessment Report (See Appendix H), an Existing Tree Inventory & Preservation Plan (See Appendix I), Planning Rationale Report (See Appendix J), Rendering (See Appendix K), and Sanitary Sewer Study (See Appendix L).

The applicant hosted an in-person public open house on October 18, 2023, at the Caboto Club. Notice of the open house was issued to owners of properties within 120.0 metres of the subject property. The open house was attended by fourteen (14) residents. Comments from residents were also received by phone, letters, and email. Section 3.2 of the Planning Rationale Report summarizes the comments and questions and includes corresponding responses. Comments received were taken into consideration when preparing this report. Measures to address the primary concerns around access, parking and traffic will be addressed through the Site Plan Control process.

The Planning Department recommends that an amendment to the Official Plan be approved to add a special policy area to permit a Medium Profile residential development on the corner of a Class II Arterial Road and a Local Road to have a building height of no less than four (4) storeys (14.0 metres) and no more than six (6) storeys (24.0 metres).

The Planning Department secondly recommends that an amendment to Zoning By-law 8600 to change the Commercial District 3.3 (CD3.3) (in part) and Residential District 1.3 (RD1.3) zoned portions of the subject property to a site specific Residential District 3.2 (RD3.2) zoning to allow a multiple dwelling use subject to additional provisions be approved.

The Planning Department lastly recommends that identified reports, studies, and plans be submitted with an application for Site Plan Approval, the Site Plan Approval Officer be directed to incorporate specified requirements into an approved site plan and executed and registered site plan agreement, and the Site Plan Approval Officer consider including a Record of Site Condition in an approved site plan and executed and registered site plan agreement.

The proposed amendment to Zoning By-law 8600 has been evaluated for consistency with the Provincial Policy Statement 2020 (PPS) and conformity with the policies of the Official Plan. The Planning Department supports the proposed amendment in principle, however is of the opinion that the following changes are necessary for it to be consistent with the PPS and in conformity with the Official Plan.

 The RD3.2 zoning is the most appropriate zoning for the proposed development, over the requested Residential District 3.3 (RD3.3) zoning.

- Site-specific provisions are necessary to ensure that the proposed development will comply with the Mixed-Use Corridor policies of the Official Plan.
- A site-specific provision to allow a multiple dwelling use is not necessary, as both the RD3.2 and RD3.3 zones permit the use.

The proposed development is subject to Site Plan Control under Site Plan Control bylaw 1-2004. Detailed matters pertaining to site design and layout will be addressed through the Site Plan Control process.

The *Planning Act* requires that a decision of Council in respect of the exercise of any authority that affects a planning matter, "shall be consistent with" the PPS. The recommended Zoning By-law and Official Plan amendments have been evaluated for consistency with the PPS and conformity with the policies of the Official Plan.

The recommended Zoning By-law and Official Plan amendments are consistent with the PPS, conform with the policy direction of the Official Plan (as recommended for amendment), and are compatible with existing and permitted uses in the surrounding neighbourhood and constitutes good planning.

Background:

Application Information:

Location: 835 Tecumseh Road East, 2148 Marentette Avenue, and 2175 Parent Avenue

(Lots 59 & 60, Part of Lot 1, & Part of Closed Alley, Plan 908; Part of Lots 23 & 24, Plan 140; Part of Lot 90, Concession 2; Roll No's 020-290-00100; 020-290-00400, and 020-300-05100; PlN No. 01322-0389 LT)

Ward: 4

Planning District: Walkerville

Zoning District Map: 7

Owner: Giovanni Caboto Club

Applicant: Craig Moro, Giovanni Caboto Club

Authorized Agent: John Bortolotti, Sfera Architectural Associates Inc.

Proposal:

The applicant is also requesting an amendment to the Official Plan to add a Special Policy Area that will allow for an increase in maximum building height from four (4) storeys to no more than six (6) storeys for a development within a Mixed-Use Corridor land use designation located at an intersection of a Class II Arterial Road and a Local Road.

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning for the lands located on the southeast corner of Tecumseh Road East and Marentette Avenue, known municipally as 835 Tecumseh Road East, 2148 Marentette Avenue, and 2175 Parent Avenue (the subject property). The requested amendment will change the Commercial District 3.3 (CD3.3) (in part) and Residential District 1.3 (RD1.3) zoned portions of the subject property to a site-specific Residential District 3.3 (RD3.3) zone to allow for the construction of a six (6) storey, 54-unit multiple dwelling with a 68-space parking area.

Submitted Information: Conceptual Elevations (See Appendix A), Conceptual Floor Plans (See Appendix A), Conceptual Site Plan (See Appendix A), Deed, Environmental Noise Assessment Report (See Appendix H), Existing Tree Inventory & Preservation Plan (See Appendix I), Official Plan Amendment Application, Planning Rationale Report (See Appendix J), Rendering (See Appendix K), Sanitary Sewer Study (See Appendix L), Topographic Survey, and Zoning By-law Amendment Application.

Site Information:

Official Plan	Zoning	Current Use	Previous Uses
Mixed Use Corridor (in part) Residential (in part)	Commercial District 1.5 (CD1.5) (in part) Commercial District 3.3 (CD3.3) (in part) Residential District 1.3 (RD1.3) (in part)	Commercial	Residential, Industrial and Agricultural
Lot Width	Lot Depth	Lot Area	Lot Shape
58.6 m	Irregular	28,069.4 m ² (PIN No. 01322- 0389 LT)	Irregular

All measurements are based on the Topographic Survey, prepared by Verhaegen Land Surveyors, dated April 12, 2022

The subject property contains a one (1) storey commercial building (General Paint) with accessory parking area (835 Tecumseh Road East), a one (1) to two (2) storey commercial building (Giovanni Caboto Club) with accessory parking area (2175 Parent

Avenue), and an accessory garage (2148 Marentette Avenue), with the remainder of the site being composed of landscaped open space yard. The Giovanni Caboto Club (Caboto Club) also has a parking area on the east side of Parent Avenue, located on the west half of the property known municipally as 915 Tecumseh Road East.

The proposed development will require the removal of General Paint and its parking area, the accessory garage, and five rows of parking (70 parking spaces) from the Caboto Club's parking area. The Caboto Club will remain in operation during construction.

The applicant has indicated that they will be submitting a Consent to sever application to create a new lot (the proposed lot) for the proposed development. The proposed lot is identified as the *Area of Development* on Appendix A. A reciprocal access agreement for vehicular and pedestrian traffic will be necessary and recommended as a condition of Consent.



KEY MAP - Z 006-24, ZNG-7179 & OPA 184, OPA-7180



SUBJECT LANDS





NEIGHBOURHOOD MAP - Z-006/24, ZNG-7179, OPA 184, OPA-7180







Neighbourhood Characteristics:

The subject property is located within the southwest part of the Walkerville neighbourhood. The Walkerville neighbourhood constitutes the area north of the Essex Terminal Railway rail corridor, east of Marentette Avenue and Howard Avenue (north and south of Cataraqui Street respectively), south of the Detroit River, and west of the north/south alley system running between Walker Road and St. Luke Road.

Surrounding Land Uses:

North:

- Commercial (automobile repair garage, automobile sales lot, business office, medical office, retail store)
- Gignac Park

East:

- Commercial (motor vehicle dealership, public parking area)
- Essex Terminal Railway rail corridor

South:

- Essex Terminal Railway rail corridor
- Lens Avenue Greenbelt
- Low density residential
- Optimist Memorial Park
- Parent Park

West:

- Combined Use Building (business office, commercial school, multiple dwelling, retail store)
- Commercial (automobile repair garage, bakery, retail store)
- Garwood Park
- Jackson Park
- Low density residential

Municipal Infrastructure:

- Combined sewers, storm sewers and watermains are located within the Parent Avenue and Tecumseh Road East rights-of-way.
- Marentette Avenue is classified as a Local Road, which has a two (2) lane cross section with sidewalks, and curbs and gutters on both sides, and LED streetlights on the east side.
- Parent Avenue is classified as a Local Road south of Tecumseh Road, which has a two (2) lane cross section with curbs and gutters on both sides, LED streetlights on the east side, and sidewalks on the west side and east side in part.

- Sanitary sewer, storm sewer and watermain are located within the Marentette Avenue right-of-way.
- Tecumseh Road East is classified as a Class II Arterial Road, which has a five
 (5) lane cross-section with sidewalks, curbs and gutters, and streetlights on both sides.
- Transit Windsor operates the Transway 1C and Parent 14 bus routes in both directions on Tecumseh Road East.

Discussion:

The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario.

The following policies of PPS 2020 are considered relevant in discussing provincial interests related to this amendment:

1.0 Building Strong Healthy Communities

Policy 1.1.1 states:

- Healthy, liveable and safe communities are sustained by:
 - a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
 - This amendment will allow for a multiple dwelling infill development that optimizes existing municipal services.
 - b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
 - This amendment will allow for the construction of a multiple dwelling, further diversifying the range and mix of residential types available in the Walkerville neighbourhood.
 - c) avoiding development and land use patterns which may cause environmental or public health and safety concerns.
 - The subject property has been used for commercial purposes since approximately 1949.
 - The subject property was used for industrial purposes from approximately 1922 to 1973.
 - Section 168.3.1 of the Environmental Protection Act requires a Record of Site Condition to be filed in the Environmental Site

- Registry to change the use of a property from an industrial or commercial use to a residential use.
- Subclause (2)(a) of Section 8 to the Building Code Act requires the Record of Site Condition to be filed in the Environmental Site Registry prior to the issuance of a Building Permit.
- It is herewith recommended that the Site Plan Approval Officer consider including the Record of Site Condition as a special provision in an executed and registered site plan agreement.
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs:
 - This amendment will allow for the redevelopment of the subject property through residential intensification, optimizing existing municipal infrastructure and public service facilities, and avoiding unnecessary land consumption.
 - The redevelopment of the subject property at a higher density, in conjunction with it being on two (2) bus routes and within walking distance of transit stops, also represents a transit-supportive development.
 - 400.0 metres is typically used as an acceptable walking distance to a transit stop.
 - This is reflected within Transit Windsor's 2019 Transit Master Plan and the City of Windsor's Active Transportation Master Plan.
- o f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society.
 - The interior layout for a multiple dwelling must comply with the Barrier-Free Design requirements of the Ontario Building Code.
 - The exterior site design for a multiple dwelling must comply with the accessibility requirements under Ontario Regulation 191/11 Integrated Accessibility Standards to the Accessibility for Ontarians with Disabilities Act, 2005 and the Barrier-Free Design requirements of the Ontario Building Code.
 - Zoning By-law 8600 also includes provisions that cover many of the aforesaid accessibility requirements.
 - Compliance with the aforesaid requirements will be addressed through the Site Plan Control and Building Permit processes.

- o g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.
 - The subject property is serviced by a 200-millimetre PVC watermain, 500-millimetre brick sanitary sewer and 900-millimetre reinforced concrete pipe storm sewer within the Marentette Avenue right-of-way.
 - The subject property is serviced by a 300-millimetre CI-PC watermain, 750-millimetre brick combined sewer and 1,200-millimetre reinforced concrete pipe storm sewer within the Parent Avenue right-of-way.
 - The subject property is serviced by a 300-millimetre PVCO watermain, 525-millimetre brick combined sewer and 1,200-millimetre reinforced concrete pipe storm sewer within the Tecumseh Road East right-of-way.
 - A Sanitary Sewer Study (See Appendix L) was prepared by Aleo Associates Inc. Consulting Engineers, dated September 1, 2023.
 - The applicant's consultant has confirmed that the existing sanitary sewers on Tecumseh Road East and Marentette Avenue will effectively accommodate the site's sewer servicing needs. The study demonstrates that the municipal sanitary sewer has adequate capacity, and no adverse impacts are expected on the surrounding areas because of the proposed development. The Sanitary Sewer Study has been deemed acceptable, and the proposed sanitary servicing strategy is supported by the Engineering Development department.
 - The subject property is serviced by overhead hydro lines running north/south within the Marentette Avenue right-of-way, east/west within the Tecumseh Road East right-of-way, and east/west within the Essex Terminal Railway rail corridor.
 - The subject property has direct access to a public highway in the form of Marentette Avenue, Parent Avenue, and Tecumseh Road East.
 - John Campbell Public School and Honourable W.C. Kennedy Collegiate are located 600.0 metres and 850.0 metres of the subject property, respectively.
 - St. Angela Catholic Elementary School and Catholic Central High School are located 1.0 kilometre and 1.4 kilometres of the subject property, respectively.
 - Optimist Community Centre and W.F. Chisholm Branch Public Library are located 1.2 kilometres of the subject property.

Policy 1.1.3.1 states:

Settlement areas shall be the focus of growth and development.

The subject property is located within a Settlement area.

Policy 1.1.3.4 states:

- Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.
 - Refer to the responses to the Official Plan Policies under section 6.5.3
 Mixed Use Corridor herein.

Policy 1.6.6.2 states:

- Municipal sewage services and municipal water services are the preferred form
 of servicing for settlement areas to support protection of the environment and
 minimize potential risks to human health and safety. Within settlement areas with
 existing municipal sewage services and municipal water services, intensification
 and redevelopment shall be promoted wherever feasible to optimize the use of
 the services.
 - Refer to the responses provided to PPS Policy 1.1.1 g) herein.

Policy 1.6.7.2 states:

- Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.
 - o Refer to the responses provided to PPS Policy 1.1.1 e) herein.

Policy 1.6.7.4 states:

- A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.
 - o Refer to the responses provided to PPS Policy 1.1.1 e) herein.

Policy 1.6.9.1 states:

- Planning for land uses in the vicinity of airports, rail facilities and marine facilities shall be undertaken so that:
 - o a) their long-term operation and economic role is protected; and
 - Refer to the response provided to Official Plan Policy 7.2.8.8 (c) herein.
 - b) airports, rail facilities and marine facilities and sensitive land uses are appropriately designed, buffered and/or separated from each other, in accordance with policy 1.2.6.

 Refer to the response provided to Official Plan Policy 7.2.8.8 (a) herein.

One or more of the aforesaid responses to PPS Policy 1.1.1 also speak to the following relevant PPS Policies:

- 1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
 - a) efficiently use land and resources;
 - b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
 - c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
 - o e) support active transportation;
 - o f) are transit-supportive, where transit is planned, exists or may be developed;
- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.
- 1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:
 - o b) permitting and facilitating:
 - 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and
 - 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;
 - c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
 - d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;

Official Plan

Relevant excerpts from Volume I of the Official Plan are attached as Appendix C. The following policies from these excerpts are considered relevant in discussing this amendment's conformity with the Official Plan.

The subject property is located within the Walkerville Planning District on *Schedule A - Planning Districts & Policy Areas*, within a Mixed Use Corridor land use designation on *Schedule D - Land Use Plan*, adjacent to a Class II - Arterial Road (namely Tecumseh Road East) on *Schedule F - Roads and Bikeways*, within 300.0 metres of a Rail Corridor (namely Essex Terminal Railway Co.) on *Schedule F-1 - Railways*, adjacent to a Civic Way (namely Tecumseh Road East) on *Schedule G - Civic Image*, and adjacent to a City Corridor (namely Tecumseh Road East) and within proximity to Regional Commercial Centre (namely the intersection of Howard Avenue and Tecumseh Road East) on *Schedule J - Urban Structure Plan* to the *Official Plan*.

Volume I

Chapter 3 - Development Strategy

This amendment complies with the following applicable key policy direction for managing growth consistent with the Vision of the City of Windsor Community Strategic Plan.

3.2 - Growth Concept

3.2.1 - Safe, Caring and Diverse Communities

Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands (Policy 3.2.1.2).

3.3 - Urban Structure Plan

This amendment complies with the following applicable key policy direction for managing the structural elements within the municipality.

3.3.2.1 - City Corridors

..... City Corridors serve to connect the City Centre Growth Centre and Regional Commercial Centres. City corridors radiate from these Centres following numerous high frequency transit corridors. City corridors connect to Regional Commercial Centres along selected arterial roads but do not extend as far outward or as numerous as corridors connected to the City Centre. These corridors are intended to provide services for those living in close proximity to the area but also those who may arrive by transit, bicycle and by car.

There are higher density employment and residential opportunities, with a significant amount of retail to support both every day needs, but also needs beyond the day such as furniture and appliance stores, home improvement stores, and stores that carry specialty items.

..... Residential development may include high profile (26 to 58 metres in height), medium profile (14 to 26 metres in height) and residential over retail at street, as well as row housing and lofts.

Chapter 6 - Land Use:

6.1 Goals

This amendment complies with the following applicable land use goals:

- Safe, caring, and diverse neighbourhoods. (Goal 6.1.1).
- Housing suited to the needs of Windsor residents (Goal 6.1.3).
- To direct residential intensification to those areas of the City where transportation, municipal services, community facilities and goods and services are readily available (Goal 6.1.14).

6.5 Commercial

6.5.1 Objectives

The amendment complies with the following applicable Commercial land use objectives:

- To promote the stabilization, consolidation and improvement of existing mixeduse centres and corridors. (Objective 6.5.1.3).
- To promote residential intensification with Medium and High-Profile buildings to meet the housing needs of the City in appropriate areas in proximity to municipal services, transit, and employment areas. (Objective 6.5.1.8).

6.5.3 Mixed Use Corridor

Permitted Uses

..... Medium and High-Profile residential uses either as stand-alone buildings or part of a commercial-residential mixed-use buildings shall be throughout the Corridors. (Policy 6.5.3.1)

A six (6) storey multiple dwelling is classified as a Medium Profile residential use.

Street Presence

Council will encourage Mixed-Use Corridor development to provide a continuous street frontage and presence. Accordingly, development along a Mixed-Use Corridor shall be: (Policy 6.5.3.3)

- (a) no more than four storeys in height, except on lands at an intersection of any combination of the following roads: Class I Arterial Road, Class II Arterial Road, Class I Collector Road, or Class II Collector Road. The height of buildings shall generally not exceed the width of the road right-of-way abutting the development site; and
- (b) Notwithstanding the identified maximum building height, Council may consider additional height, where Council is satisfied that the proposed height achieves compatible development, and where appropriate transitions to abutting lower scale development are established. Appropriate transitions may be achieved through the implementation of regulatory techniques including, but not limited to new height limitations, enhanced building setbacks and step backs, enhanced landscape buffers and planting requirements and/or the implementation of an angular plane. Permissions for taller buildings may be established through a site-specific Zoning By-Law Amendment.
 - The CD3.3 zoning does not have any building setback requirements.
 - o The maximum building height under the CD3.3 zoning is 20.0 metres.
 - The buildings located along Tecumseh Road East, from Howard Avenue to the Essex Terminal Railway grade crossing, range in building height from one (1) to four (4) stories.
 - The required right-of-way width of that portion of Tecumseh Road East flanking the subject property is 27.0 metres (Schedule X - Right of Way Widths to Volume III of the Official Plan).
 - The RD3.2 zoning permits a maximum main building height of 24.0 metres on a corner lot.
 - The shadows cast by a 24.0-metre-high building will have minimal impact on the surrounding residential land uses.
 - The rear yard at 2156 Marentette Avenue will experience approximately one hour of shadows before sunset around the summer solstice (May to mid-August).
 - The rear yards and rear portion of some of the dwellings on the north side of Irvine Avenue will experience approximately one hour of shadows after sunrise around the summer solstice (May to mid-August).
 - The Planning Department is recommending that a site-specific provision be added to establish a minimum building setback of 20.0 metres from the south interior lot line serving as the north limit of the property known municipally as 2156 Marentette Avenue (the south lot line).
 - This building setback will ensure that a multiple dwelling does not overcrowd or impose on the single unit dwelling at 2156 Marentette Avenue.
 - This building setback will ensure that inhabitants of the single unit dwelling at 2156 Marentette Avenue are provided with adequate privacy from a multiple dwelling.

- This building setback will also ensure that a multiple dwelling is located as close as possible to the street frontage lot lines.
- The Planning Department is recommending that a site-specific provision be added to increase the minimum parking area separation from the south lot line from 0.30 metres to 3.00 metres.
 - This provision will accommodate the planting of trees along the south lot line to ensure that inhabitants of the single unit dwelling at 2156 Marentette Avenue are provided with adequate privacy from a multiple dwelling.
- The Planning Department is recommending that a site-specific provision be added to establish a minimum main building height of 14.0 metres.
 - This provision will ensure that a Low Profile multiple dwelling is not established within a Mixed-Use Corridor.
- The provision of a landscape plan, sealed by a registered landscape architect with the Ontario Association of Landscape Architects, to the satisfaction of the Planning Department's Landscape Architect, will be a general provision of the executed and registered site plan agreement for the proposed development.
- (c) Encouraged to locate the buildings at the street frontage lot line with parking accommodated at the rear of the site.
 - The submitted Conceptual Site Plan shows a multiple dwelling setback 6.0 metres from the exterior lot lines flanking Marentette Avenue and Tecumseh Road East, with rear and interior side yard parking.
 - The overhead hydro lines within the Marentette Avenue and Tecumseh Road East rights-of-way, together with the 4.6 metre by 4.6 metre sight triangle at the intersection of Marentette Avenue and Tecumseh Road East prevent buildings from being located at the exterior lot lines.
 - The minimum horizontal clearance to buildings from overhead hydro lines is set forth under Section 3.1.19 of the *Ontario Building* Code
 - The applicant has advised that EnWin Utilities Ltd. has confirmed that they are satisfied with the proposed clearance from their overhead hydro lines.
 - The submitted Conceptual Site Plan shows a multiple dwelling setback more than 6.0 metres from the overhead hydro lines within the Marentette Avenue and Tecumseh Road East rights-of-way.
 - The minimum horizontal clearance typically ranges from three (3) to five (5) metres.

- The exact minimum horizontal clearance will be confirmed by EnWin Utilities Ltd. through the Site Plan Control process.
- The provision of clearance from EnWin Utilities Ltd. in writing is a prerequisite to the issuance of a Building Permit.
- The Planning Department is recommending that a site-specific provision be added to prohibit a parking area from being located within a front yard or an exterior side yard.
 - This provision will ensure that a parking area is not located within the front yard or closer to the north exterior lot line than a multiple dwelling.
- Refer to the responses provided to Official Plan Policy 6.5.3.3 (b) herein.

Infill & Consolidation

- Council shall promote the infilling and consolidation of existing Mixed-Use Corridors. (Policy 6.5.3.4)
 - o Refer to the responses provided to PPS Policy 1.1.1 e) herein.

Locational Criteria

Mixed-Use Corridor development shall be located where: (Policy 6.5.3.6)

- (a) there is access to Class I or Class II Arterial Roads or Class I Collector Roads:
 - The subject property will have access to Tecumseh Road East, a Class II Arterial Road, via Marentette Avenue, and Parent Avenue via the Caboto Club parking area.
- (b) full municipal physical services can be provided; and
 - o Refer to the responses provided to PPS Policy 1.1.1 g) herein.
- (c) commercial related traffic can be directed away from residential areas.
 - Refer to the responses provided to Official Plan Policy 6.5.3.7 (a)(iii) herein.

Evaluation Criteria

Policy 6.5.3.7 states:

- At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed commercial mixed use corridor development is:
 - (a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:
 - (ii) within a site of potential or known contamination;
 - Refer to the responses provided to PPS Policy 1.1.1 c) herein.
 - (iii) where traffic generation and distribution is a provincial or municipal concern; and
 - A Transportation Impact Study (TIS) is required to be submitted with the application for Site Plan Approval.
 - The TIS is necessary to identify the transportation network improvements and on-site design elements necessary to accommodate additional vehicle, cyclist, pedestrian, and transit traffic that the proposed development will generate and ensure its impact on adjacent land uses is acceptable.
 - The requirement for a TIS is prompted by the proposed vehicular connection to the Caboto Club parking area.
 - The undertaking of or financial contribution towards any transportation network improvements will be included as a condition of Site Plan Approval and subsequently as a special provision in an executed and registered site plan agreement as per the recommendation herein.
 - (iv) adjacent to sensitive land uses and/or heritage resources.
 - Refer to the responses provided to Official Plan Policies 6.5.3.3 (b) and 6.5.3.8 (b)(ii) herein.
 - (c) capable of being provided with full municipal physical services and emergency services; and
 - Refer to the response provided to PPS Policy 1.1.1 g) herein for details on the municipal physical services available to the subject property.
 - The subject property is served by Essex-Windsor EMS, Windsor Fire & Rescue Services (Fire Hall No. 3) and Windsor Police Service.
 - Windsor Regional Hospital Metropolitan Campus is located within
 1.4 kilometres of the subject property.

- (d) provided with adequate off-street parking;
 - The proposed development will accommodate the required number of parking spaces onsite.

It should be noted that there are minor discrepancies between the existing Caboto Club parking area and that shown on the approved site plan drawings (File No. SPC-027/14).

These discrepancies do not impact the Official Plan Amendment and Zoning By-law Amendment applications but will need to be addressed through the Site Plan Control process.

- (e) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking, and landscaped areas.
 - Refer to the responses provided to Official Plan Policies 6.5.3.3 (b),
 6.5.3.3 (c) and 6.5.3.8 (b)(ii) herein.

Design Guidelines

Policy 6.5.3.8 states:

- The following guidelines shall be considered when evaluating the proposed design of a Mixed-Use Corridor development.
 - (a) the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan;
 - Refer to the responses to the Official Plan Policies under Chapter 8
 Urban Design section herein.
 - o (b) the provision of appropriate landscaping or other buffers to enhance:
 - (i) all parking lots, and outdoor loading and service areas; and
 - Detailed matters pertaining to site design and layout will be addressed through the Site Plan Control process.
 - Refer to the responses provided to Official Plan Policies 6.5.3.3 (b) and 6.5.3.3 (c) herein.
 - (ii) the separation between the use and adjacent sensitive uses, where appropriate;
 - The Planning Department is recommending that the Site Plan Approval Officer be directed to incorporate a 1.83metre-high screening fence along any portion of the south lot line that abuts a rear yard or side yard into an approved site plan and executed and registered site plan agreement.

- This provision will ensure that inhabitants of the single unit dwelling at 2156 Marentette Avenue are provided with adequate privacy from a multiple dwelling and a parking area.
- Refer to the responses provided to Official Plan Policy 6.5.3.3 (b) herein.
- (c) as a general rule, the height of buildings are consistent with the height of buildings which characterize the Mixed-Use Corridor Commercial Corridor. Where Council deems it desirable that higher profile development be permitted in an existing Mixed-Use Corridor, the development should be built at a human scale by utilizing one or both of the following measures:
 - (i) treatment of the lower floors of building(s) to provide continuity; and/or
 - The submitted Conceptual Elevations show a multiple dwelling with a brick exterior finish for most of the outside face of the first and second floors not occupied by windows, doors, or HVAC infrastructure.
 - The Planning Department is recommending that a site-specific provision be added requiring a minimum of 80.0% of the north and west outside faces of the first and second floors not occupied by windows, doors, or HVAC infrastructure to have an exterior finish of brick, textured concrete, and/or stone.
 - This provision will establish and maintain a pedestrian scale along Marentette Avenue and Tecumseh Road East.
 - (ii) setting back the upper floors of building(s) from the street to avoid overpowering effects at-grade;
 - Refer to the responses provided to Official Plan Policy 6.5.3.3 (c) herein.
- (d) where possible, parking is located in the rear of the property to encourage continuous building facades adjacent to the street; and
 - Refer to the responses provided to Official Plan Policy 6.5.3.3 (c) herein.
- (e) measures are taken in site design which provide for ease of access for pedestrians between the public sidewalk and building main entrances in a manner which is distinguishable from access provided for vehicles.

- Detailed matters pertaining to site design and layout will be addressed through the Site Plan Control process.
- Refer to the responses provided to PPS Policy 1.1.1 g) herein.
- (f) Council will adopt Design Guidelines that will assist in the design and review of development applications in a manner that will ensure implementation of these policies.
 - Council adopted the *City of Windsor Intensification Guidelines*, dated June 2022, on July 11, 2022.

Site Plan Control

Council shall require all development within areas designated as Mixed-Use Corridor to be subject to Site Plan Control, with the exception of Public Open Space uses. (Policy 6.5.3.9)

- All lands within the City are designated as a Site Plan Control Area under By-law 1-2004.
- The proposed development is subject to Site Plan Control under By-law 1-2004.

Neighbourhood Involvement

Council will encourage the improvement of areas designated as Mixed-Use Corridor to be undertaken in consultation with the surrounding neighbourhood. (Policy 6.5.3.11)

Refer to the Consultations section herein.

Chapter 7 - Infrastructure:

7.2 Transportation System

7.2.6 Road Network Policies

Class II Arterial Roads

Council will provide for Class II Arterial Roads as follows: (Policy 7.2.6.5)

- (b) Operational and design characteristics:
 - (vii) Direct property access will be discouraged where other alternatives exist. Where direct property access is required, the use of shared driveways and interconnected on-site circulation systems with adjacent properties may be required to limit the number and spacing of driveways, and where appropriate the City may require support studies and additional information to demonstrate the need for additional access.

 The proposed development will eliminate the existing driveway approach off Tecumseh Road East, currently serving as an access point to General Paint's Parking area.

7.2.8 Rail Transportation Policies

Development Adjacent to a Corridor

Council shall evaluate a proposed development adjacent to a Rail Corridor, in accordance with the following: (Policy 7.2.8.8)

- (a) All proponents of a new development within 300 metres of a rail corridor, may be required to complete a noise study to support the proposal, and if the need for mitigation measures is determined by such study, shall identify and recommend appropriate mitigation measures, in accordance with the Procedures chapter of this Plan: characteristics:
 - An Environmental Noise Assessment Report (Noise Report), prepared by Akoustik Engineering Limited, dated August 24, 2023, was completed to assess the noise impacts on the proposed development from the Essex Terminal Railway rail corridor and Tecumseh Road East.
 - The Noise Report found that the resulting noise impacts on the proposed development exceed the limits set by the Ministry of the Environment, Conservation and Parks and recommended appropriate mitigation measures.
 - The undertaking of the necessary mitigation measures will be included as a condition of Site Plan Approval and subsequently as a special provision in an executed and registered site plan agreement as per the recommendation herein.
- (c) All proponents of new development adjacent to a rail corridor will consult with the appropriate railway company prior to the finalization of any noise or vibration study required by this Plan;
 - Akoustik Engineering Limited completed the Noise Study in consultation with the Essex Terminal Railway.

Consult Railways

All proponents of development within 500 metres of a railway right-of-way are encouraged to consult with the appropriate railway company prior to the finalization of any noise and vibration abatement study or development proposal. (Policy 7.2.8.11)

 Akoustik Engineering Limited completed the Noise Study in consultation with the Essex Terminal Railway.

Chapter 8 - Urban Design:

8.3 Design For People

8.3.2 Policies

Pedestrian Scale

Council will encourage buildings and spaces that establish a pedestrian scale by promoting (Policy 8.3.2.2)

- (a) the placement of continuous horizontal features on the first two storeys adjacent to the road;
 - o Refer to the responses provided to Official Plan Policy 6.5.3.8 (c)(i) herein.

8.7 Built Form

8.7.2 Policies

Infill Development

Council will ensure that proposed development within an established neighbourhood is designed to function as an integral and complementary part of that area's existing development pattern by having regard for: (Policy 8.7.2.3)

- (a) massing;
 - o Refer to the responses provided to Official Plan Policy 6.5.3.3 (b) herein.
- (b) building height;
 - o Refer to the responses provided to Official Plan Policy 6.5.3.3 (b) herein.
- (c) architectural proportion;
 - Refer to the responses provided to Official Plan Policies 6.5.3.8 (c)(i) herein.
 - Subsection (4.1) 1.1 of Section 41 Site Plan Control area of the *Planning Act* excludes exterior design from Site Plan Control.
- (d) volumes of defined space;
 - o Refer to the responses provided to Official Plan Policy 6.5.3.3 (b) herein.
- (e) lot size;
 - The proposed lot will be evaluated through the Consent to sever process.
 - The purpose of the Consent to sever is to limit the study area for the required Record of Site Condition referenced herein.
 - The Consent will not impact the Official Plan Amendment and Zoning Bylaw Amendment Applications as the proposed RD3.2 zoning district mirrors the proposed lot.

- Section 1.20.25 of Zoning By-law 8600 states that "where a lot is divided into two or more zoning districts, each such portion of the said lot shall be considered a separate lot as defined in herein and the permitted uses, prohibited uses, and provisions for each zoning district apply only to the portion of the lot within that zoning district."
- (f) position relative to the road; and
 - o Refer to the responses provided to Official Plan Policy 6.5.3.3 (b) herein.
- (g) building area to site area ratios.
 - o Refer to the responses provided to Official Plan Policy 6.5.3.3 (b) herein.
- (h) the pattern, scale and character of existing development; and,
 - Refer to the responses provided to Official Plan Policy 6.5.3.3 (b) herein.
- (i) exterior building appearance
 - Refer to the responses provided to Official Plan Policies 6.5.3.8 (c)(i) herein
 - Subsection (4.1) 1.1 of Section 41 Site Plan Control area of the *Planning Act* excludes exterior design from Site Plan Control.
- (j) Council adopted Design Guidelines that will assist in the design and review of applications for development in accordance with the policies noted above.
 - The City of Windsor Intensification Guidelines were considered as part of the evaluation of the applicable Official Plan policies referenced herein.

Transition in Building Heights

Council will ensure a transition among Very High, High, Medium and Low-Profile developments through the application of such urban design measures as incremental changes in building height, massing, space separation or landscape buffer. (Policy 8.7.2.4)

• Refer to the responses provided to Official Plan Policy 6.5.3.3 (b) herein.

Appealing Street Facades

Council will encourage the buildings facades to be visually interesting through extensive use of street level entrances and windows. Functions which do not directly serve the public, such as loading bays and blank walls, should not be located directly facing the street. (Policy 8.7.2.6)

- Refer to the responses provided to Official Plan Policies 6.5.3.8 (c)(i) herein.
- Subsection (4.1) 1.1 of Section 41 Site Plan Control area of the *Planning Act* excludes exterior design from Site Plan Control.

8.11 Streetscape

8.11.2 Policies

Partial Screening of Parking Lots

Council will encourage the partial screening of surface parking lots through the use of low fences, walls, berms and other landscape elements, and through the location of lots away from street view, while still permitting views for orientation and safety (Policy 8.11.2.19)

• Refer to the responses provided to Official Plan Policies 6.5.3.3 (b) and 6.5.3.3 (c) herein.

Location of Surface Parking Lots

Council will encourage parking lots that avoid large expanses fronting the road. (Policy 8.11.2.21)

Refer to the responses provided to Official Plan Policies 6.5.3.3 (b) and 6.5.3.3
 (c) herein.

Chapter 11 - Tools:

Land use compatibility throughout Windsor is an implementation goal to be achieved when administering a planning tool under this Chapter. Compatibility between land uses is also an objective of the Zoning By-law Amendment planning tool (Policy 11.6.1.2).

Land use compatibility was considered as part of the evaluation of the applicable
 Official Plan and PPS policies referenced herein.

Policy 11.6.3.3 states:

- When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:
 - (a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;
 - (b) Relevant support studies;
 - (c) The comments and recommendations from municipal staff and circularized agencies;
 - o (d) Relevant provincial legislation, policies and appropriate guidelines; and
 - (e) The ramifications of the decision on the use of adjacent or similar lands.
 - This amendment is not anticipated to have any ramifications on the use of adjacent or similar lands.

The aforesaid matters were considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

Zoning By-Law

Relevant excerpts from Zoning By-law 8600 are attached as Appendix D.

The subject property is within a CD1.5 zone (in part), CD3.3 zone (in part), and RD1.3 zone (in part) of Zoning By-law 8600, all of which do not permit a multiple dwelling use.

The applicant is requesting an amendment to Zoning By-law 8600 to change the CD3.3 (in part) and RD1.3 zoned portions of the subject property to a site-specific RD3.3 zone to allow for the construction of a six (6) storey, 54-unit multiple dwelling with a 68-space parking area.

The applicant's request for a change in zoning with a site-specific provision in the Planning Rationale Report has been considered and is supported in principle. The Planning Department supports the amendment to allow a multiple dwelling use, however, does not support changing the zoning district to a site-specific RD3.3 zone for the following reasons:

- The Planning Department is of the opinion that the RD3.2 zone is the most appropriate zoning for the proposed development. This is based on an analysis undertaken by the Planning Department, attached as Appendix M, comparing the proposed development to the provisions of the RD3.2 and RD3.3 zones.
- The Planning Department is of the opinion that the site-specific provisions recommended herein are necessary to ensure that the proposed development will comply to the Mixed-Use Corridor policies of the Official Plan.
- A site-specific provision to allow a multiple dwelling use is not necessary, as both the RD3.2 and RD3.3 zones permit the use.

It should be noted that the submitted Conceptual Site Plan shows that the Landscaped Open Space Yard will be 36.9% of the proposed lot area.

The Planning Department has calculated a Landscaped Open Space Yard of 34.0% of the proposed lot area where the required land conveyances are included, and 33.7% (1,683.1 m²) of the proposed lot area where the required land conveyances are excluded. The applicant will need to address this deficiency on the site plan being submitted with the Site Plan Approval Application. The Planning Department will not support a reduction to the minimum Landscaped Open Space Yard provision.

No other zoning deficiencies have been identified or supported.

A draft amending by-law is attached as Appendix G. Subsection 24 (1) of the *Planning Act*, R.S.O. 1990, c. P.13., prohibits a by-law from being passed that does not conform with the Official Plan. As discussed through the Official Plan section herein, the proposed amendment conforms to the applicable policies of the Official Plan.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

Residential intensification minimizes the impact on the community greenhouse gas emissions. Development within existing communities and neighbourhoods while using currently available infrastructure such as sewers, sidewalks, and public transit helps to mitigate development impact. Situating development in areas with access to active transportation and transit increases the likelihood of residents utilizing various non-vehicular means of utilitarian transportation which collectively reduced the amount of greenhouse gas emissions within the City of Windsor.

Climate Change Adaptation:

N/A

Financial Matters:

N/A

Consultations:

Comments received from City Departments and external agencies on this application were taken into consideration when preparing this report. A record of the comments is included as Appendix E herein.

There are no objections to the proposed amendment.

The applicant hosted an in-person public open house on October 18, 2023, at the Caboto Club. Notice of the open house was issued to owners of properties within 120.0 metres of the subject property. The open house was attended by fourteen (14) residents. Comments from residents were also received by phone, letters, and email.

Section 3.2 of the PRR summarizes the comments and questions and includes corresponding responses.

Comments received were taken into consideration when preparing this report. The Planning Department has the following comments to the corresponding responses to comments and questions pertaining specifically to traffic, parking, and access.

- Traffic
 - The Planning Rationale Report notes that 795 Tecumseh Road East appears to be at the root of many of the existing traffic issues on the stretch of Marentette Avenue between Tecumseh Road East and Irvine Avenue.
 - The Planning Department concurs with this observation.

 Motor vehicles parked in the sight triangle at the intersection of Marentette Avenue and Tecumseh Road East, and illegal parking/stopping/loading on Marentette Avenue have been observed.

Parking

- The Planning Rationale Report notes that overflow parking from a multiple dwelling can use the Caboto Club's parking area.
 - The Caboto Club does have excess parking spaces; however, it has been observed that several of the spaces are currently occupied by automobiles belonging to the motor vehicle dealership at 915 Tecumseh Road East.
 - The Planning Department has advised the applicant that the outdoor storage of automobiles is prohibited under the CD1.5, CD3.3 and RD1.3 zones.
 - The applicant has advised the Planning Department that the automobiles will be removed from the subject property.

Access

- The Planning Rationale Report notes that vehicles can exit the proposed parking area through the Caboto Club's parking area so that they don't have to exit onto Marentette Avenue.
 - The Planning Department supports the proposed development having a secondary means of access.
 - It has been observed that making right and left turns from Marentette Avenue onto Tecumseh Road East can be difficult at times due to the aforesaid issues associated with 795 Tecumseh Road East and heavy volume of traffic on Tecumseh Road East.
 - It has been observed that making right and left turns from Irvine Avenue onto Howard Avenue can be difficult at times due to the heavy volume of traffic on Howard Avenue.
 - It has also been observed that wait times for making left and right turns from Logan Avenue onto Howard Avenue can be lengthy due to the timing of the traffic signals and the building located within the sight triangle on the southeast corner of the intersection, respectively.
 - The secondary access would also provide the proposed development with access to the signalized intersection of Parent Avenue and Tecumseh Road East.

Public Notice: Statutory notice was advertised in the Windsor Star, a local daily newspaper. A courtesy notice was mailed to property owners and residents within 120 metres of the subject property.

On April 16, 2024, the owner of 2180 Parent Avenue called the Planning Department to express their concerns about the subject property being contaminated by former industrial uses. The Planner, in a phone conversation with the owner on April 17, 2024, confirmed that written confirmation from the MOECP that a Record of Site Condition has been filed in the Environmental Site Registry is a legislated prerequisite to the issuance of a Building Permit.

Conclusion:

The *Planning Act* requires that a decision of Council in respect of the exercise of any authority that affects a planning matter, "shall be consistent with" *Provincial Policy Statement 2020*. The recommended zoning amendment has been evaluated for consistency with the Provincial Policy Statement 2020 and conformity with the policies of the City of Windsor Official Plan.

The recommended Zoning By-law and Official Plan amendments are consistent the PPS, conform with the policy direction of the City of Windsor Official Plan (as recommended for amendment), are compatible with existing and permitted uses in the surrounding neighbourhood and constitutes good planning.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Greg Atkinson, MCIP, RPP
Manager of Development
Thom Hunt, MCIP, RPP
City Planner

I am not a Registered Professional Planner and have reviewed as a Corporate Team Leader

JP JM

Approvals:

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Aaron Farough	Senior Legal Counsel, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

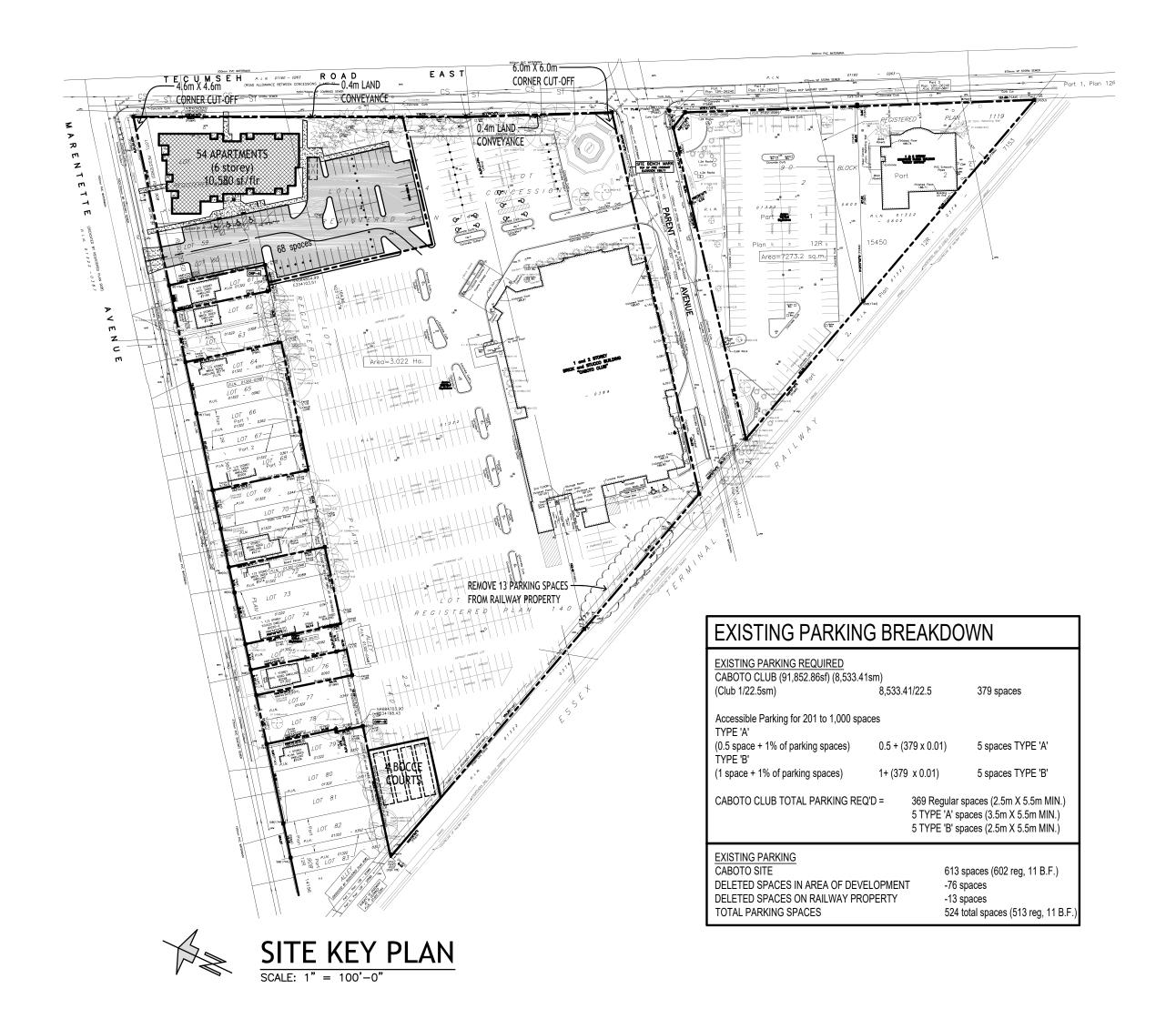
Notifications:

Name	Addres	SS	Email	
Abutting property	owners, tenants/occ	cupants within 120-m	eter (400 feet) radius of	the

Appendices:

subject property

- 1 Appendix A Conceptual Plans
- 2 Appendix B Site Images
- 3 Appendix C Excerpts from Official Plan Volume I
- 4 Appendix D Excerpts from Zoning By-law 8600
- 5 Appendix E Consultations
- 6 Appendix F Draft OPA 184
- 7 Appendix G Draft Amending By-law
- 8 Appendix H Environmental Noise Assessment
- 9 Appendix I Existing Tree Inventory & Preservation Plan
- 10 Appendix J Planning Rationale Report
- 11Appendix K Rendering
- 12Appendix L Sanitary Sewer Study
- 13 Appendix M Zoning Comparison



N78°44'10"E(M)

— 4.6m X 4.6m

3

 \nearrow

 \prod

300mm PVC WATERMAIN

54 APARTMENTS

(6 storey) 10,580 sf/flr

P. I. N. 01160 - 0263

[93.88m]

(ROAD ALLOWANCE BETWEEN CONCESSIONS 1 AND 2)

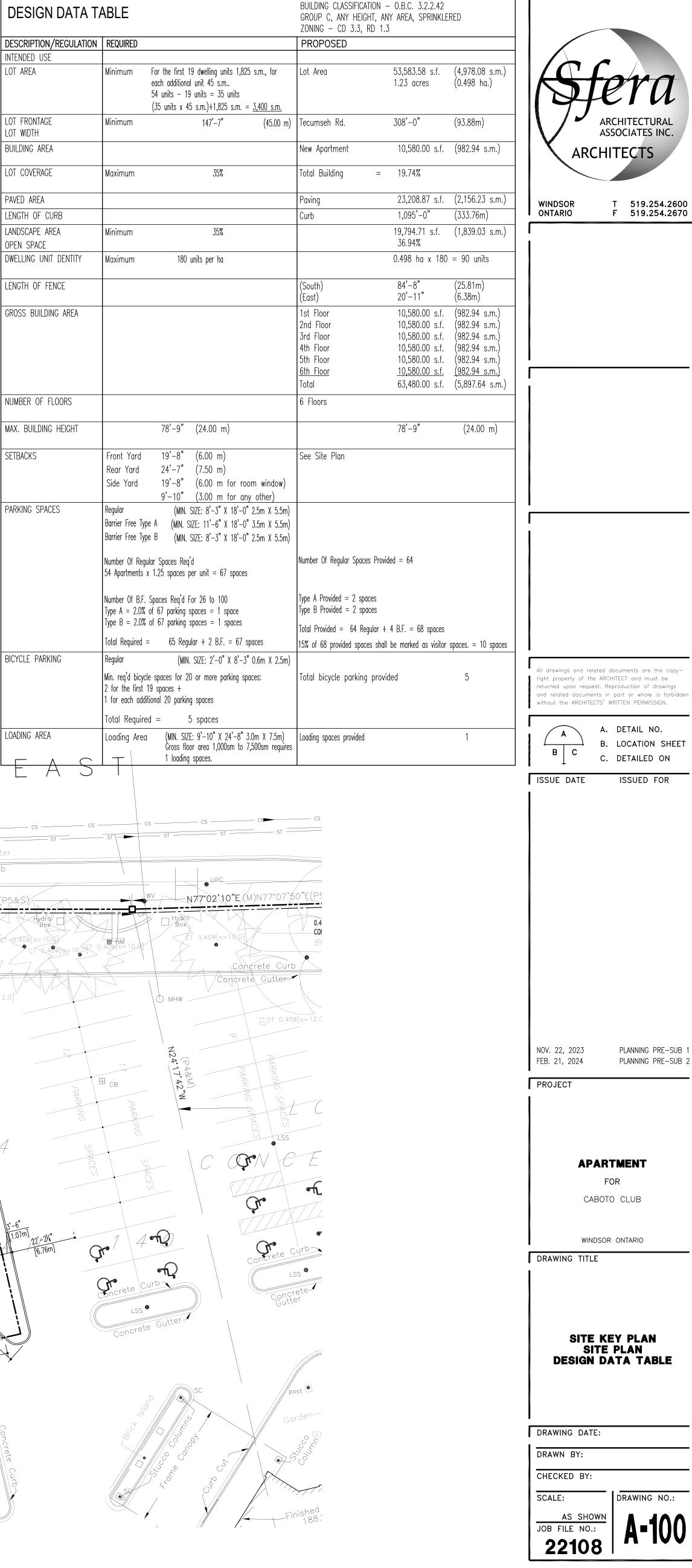
R O A D

525X750mm BP COMBINED SEWER

---- 0.4m LAND CONVEYANCE

SITE PLAN (AREA OF DEVELOPMENT

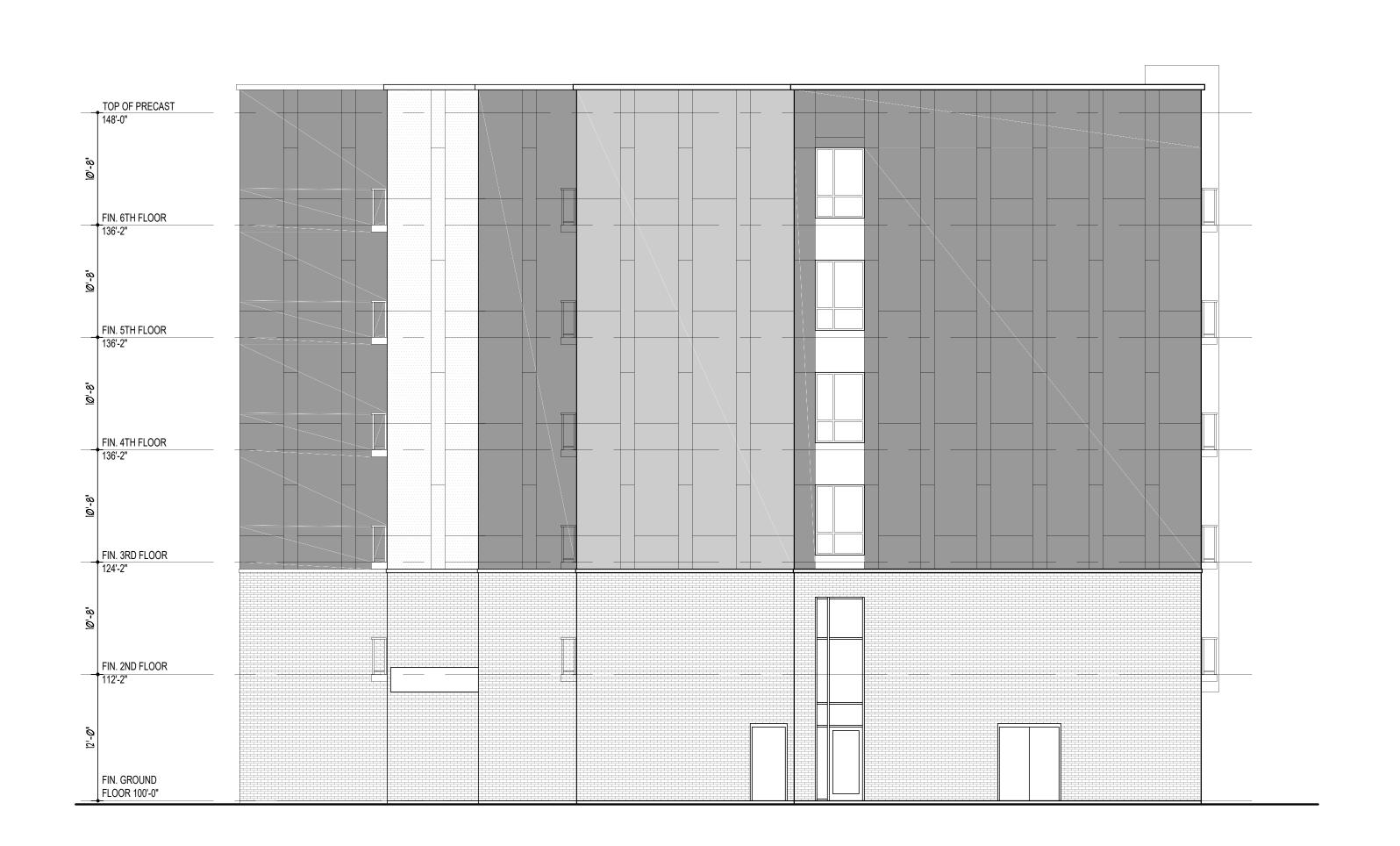
Development & Heritage Standing Committee Agenda - Monday, May 6, 2024 Page 196 of 530







PRELIMINARY NORTH ELEVATION SCALE: 1/8" = 1'-0"



PRELIMINARY EAST ELEVATION

SCALE: 1/8" = 1'-0"

ARCHITECTURAL ASSOCIATES INC. ARCHITECTS

WINDSOR ONTARIO T 519.254.2600 F 519.254.2670

right property of the ARCHITECT and must be and related documents in part or whole is forbidden without the ARCHITECTS' WRITTEN PERMISSION.

All drawings and related documents are the copy—

A. DETAIL NO. B. LOCATION SHEET $B \downarrow C$ C. DETAILED ON

ISSUE DATE ISSUED FOR

PLANNING PRE-SUB 1 NOV. 22, 2023 FEB. 21, 2024 PLANNING PRE-SUB 2

PROJECT

APARTMENT

CABOTO CLUB

WINDSOR ONTARIO

DRAWING TITLE

PRELIMINARY ELEVATIONS

DRAWING DATE:

DRAWN BY: CHECKED BY:

SCALE:

DRAWING NO.:



PRELIMINARY SOUTH ELEVATION SCALE: 1/8" = 1'-0"



PRELIMINARY WEST ELEVATION

SCALE: 1/8" = 1'-0"

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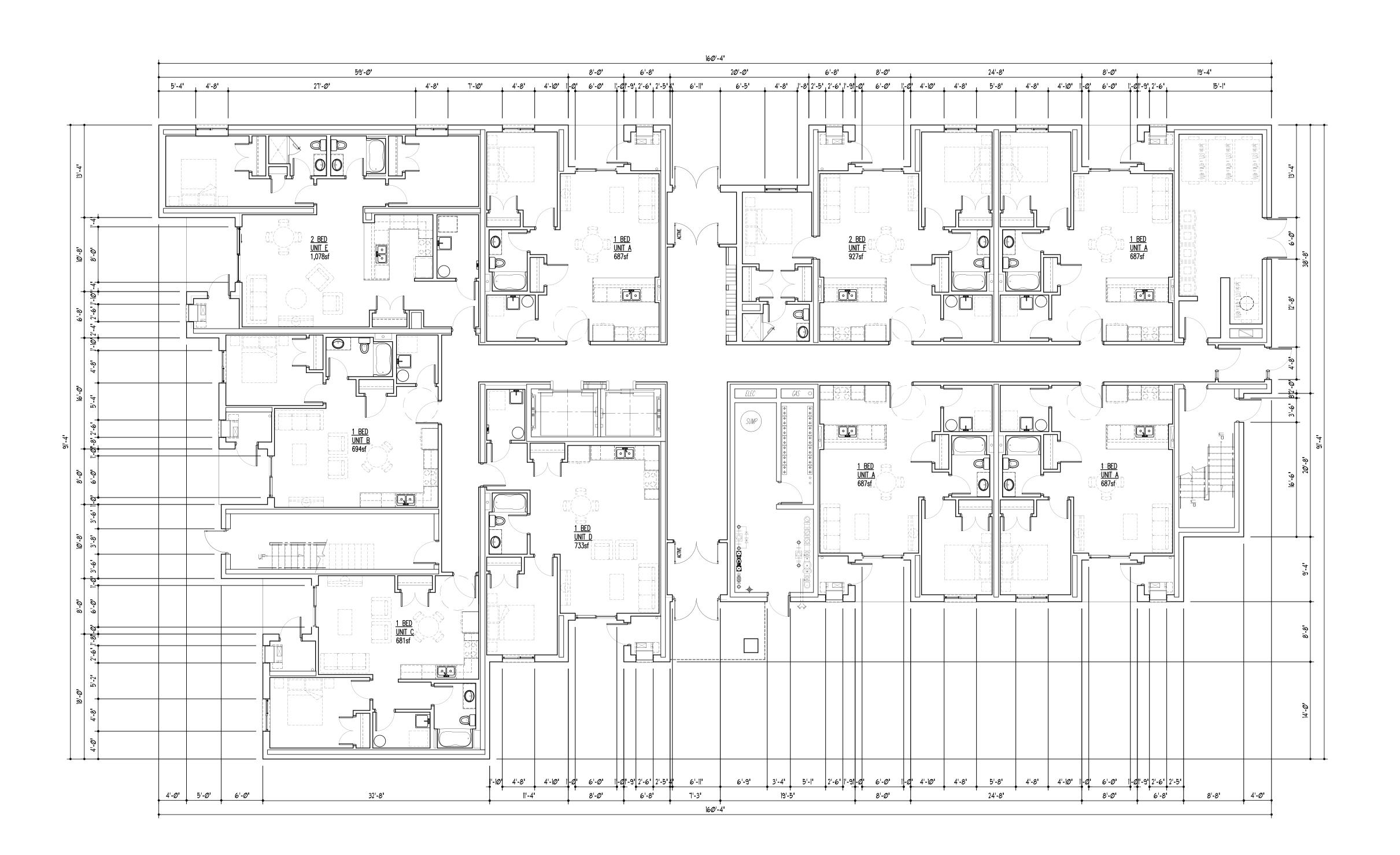
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SCALE:

DRAWING NO.:

Development & Heritage Standing Committee Agenda - Monday, May 6, 2024 Page 198 of 530



PRELIMINARY GROUND FLOOR PLAN

SCALE: 1/8" = 1'-0"



WINDSOR T 519.254.2600 ONTARIO F 519.254.2670

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ISSUE DATE ISSUED FOR

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APARTMENT FOR

CABOTO CLUB

PLANNING PRE-SUB 1

WINDSOR ONTARIO

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PRELIMINARY GROUND FLOOR PLAN

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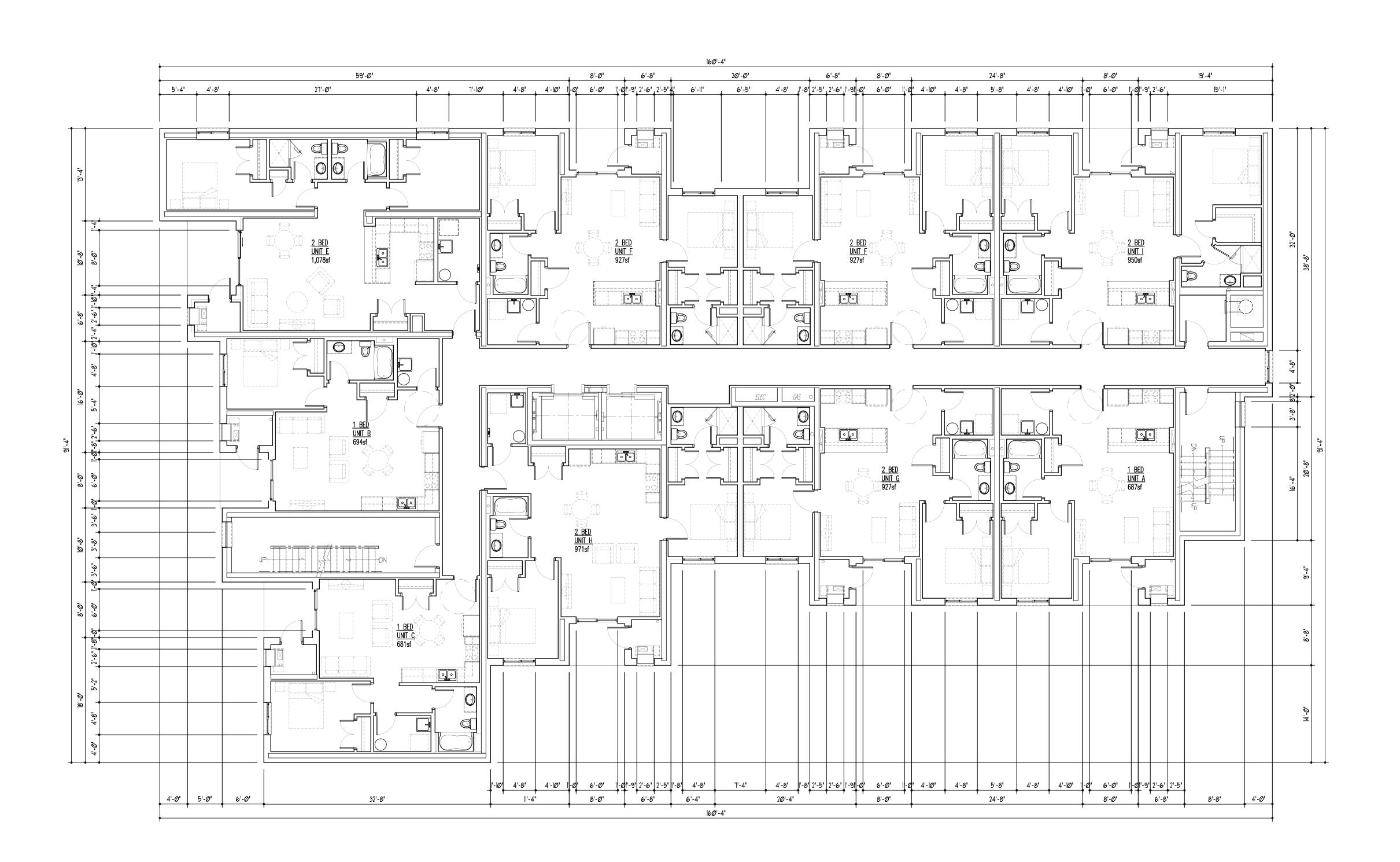
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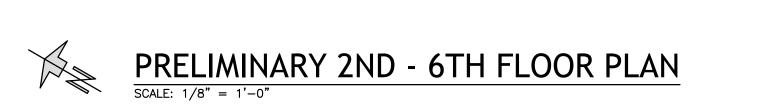
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PLANNING PRE-SUB

APARTMENT FOR

CABOTO CLUB

WINDSOR ONTARIO

DRAWING TITLE

PRELIMINARY 2ND - 6TH FLOOR PLAN

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B FILE NO.:

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CONTROL OF THE PROPERTY OF THE

APPENDIX "B" Site Photos (April 18, 2024)



Figure 1 - Tecumseh Rd. E. looking west towards General Paint



Figure 2 - Looking west towards General Paint from Caboto Club's north parking area



Figure 3 - Part of Caboto Club's north parking area to be removed (General Paint on left)



Figure 4 - Looking north towards General Paint from Caboto Club's west parking area



Figure 5 - Tecumseh Rd. E. looking east towards Parent Ave. (Caboto Club on right)



Figure 6 - Looking south towards Caboto Club from Tecumseh Rd. E.



Figure 7 - Looking east towards Caboto Club from part of north parking area to be removed



Figure 8 Tecumseh Rd. E. looking west towards General Paint



Figure 9 - Tecumseh Rd. E. looking east towards General Paint from Marentette Ave.



Figure 10 - Marentette Ave. looking south from Tecumseh Rd. E. (General Paint on left)



Figure 11 - Looking east towards General Paint from Marentette Ave.



Figure 12 - Marentette Ave. looking north towards Tecumseh Rd. E. (General Paint on right)



Figure 13-Looking northeast towards General Paint from Marentette Ave.



Figure 14 - Looking east towards accessory building at 2148 Marentette Ave.



Figure 15-Looking northeast towards General Paint from Marentette Ave.



Figure 16 - Looking northwest towards 795 Tecumseh Rd. E. from Marentette Ave.



Figure 17 - Looking east towards General Paint from 795 Tecumseh Rd. E.



Figure 18 - Marentette Ave. looking north towards Tecumseh Rd. E. (795 Tecumseh Rd. E. on left)



Figure 19 - Looking east towards General Paint from 795 Tecumseh Rd. E.



Figure 20 - Tecumseh Rd. E. looking east from Marentette Ave.



Figure 21 - Looking north from General Paint



Figure 22 - Looking northwest from General Paint (Marentette Ave. on left)



Figure 23 - Looking west towards 795 Tecumseh Rd. E. from General Paint



Figure 24 - Looking east towards General Paint from Marentette Ave.

APPENDIX "C" Excerpts from Official Plan Volume I

	3.	Development Strategy
	3.2	Growth Concept
	3.2.1	Safe, Caring and Diverse Community
NEIGHBOURHOOD HOUSING VARIETY	3.2.1.2	Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands.

3.3 Urban Structure Plan

3.3.2 Corridors

CITY CORRIDORS

3.3.2.1

City Corridors serve to connect the City Centre Growth Centre and Regional Commercial Centres. City corridors radiate from these Centres following numerous high frequency transit corridors. City corridors connect to Regional Commercial Centres along selected arterial roads but do not extend as far outward or as numerous as corridors connected to the City Centre. These corridors are intended to provide services for those living in close proximity to the area but also those who may arrive by transit, bicycle and by car.

There are higher density employment and residential opportunities, with a significant amount of retail to support both every day needs, but also needs beyond the day such as furniture and appliance stores, home improvement stores, and stores that carry specialty items......

Residential development may include high profile (26 to 58 metres in height), medium profile (14 to 26 metres in height) and residential over retail at street, as well as row housing and lofts.

	6.	Land Use
	6.1	Goals
	In keeping with the	e Strategic Directions, Council's land use goals are to achieve:
NEIGHBOURHOODS	6.1.1	Safe, caring and diverse neighbourhoods.
RESIDENTIAL	6.1.3	Housing suited to the needs of Windsor's residents.
RESIDENTIAL INTENSIFICATION	6.1.14	To direct residential intensification to those areas of the City where transportation, municipal services, community and goods and services are readily available. (added by OPA #159 –AP PROVED July 11, 2022, B/L# 100-2022)
	6.3	Commercial
	6.5.1	Objectives
IMPROVE CENTRES & CORRIDORS	6.5.1.3	To promote the stabilization, consolidation and improvement of existing mixed use centres and corridors.
RESIDENTIAL INTENSIFICATION	6.5.1.8	To promote residential intensification with Medium and High Profile buildings to meet the housing needs of the City in appropriate areas in proximity to municipal services, transit and employment areas. (Added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022)

Z 006-24 [ZNG-7179] OPA 184 [OPA-7180]

	6.5.3	Mixed Use Corridor
PERMITTED USES	6.5.3.1	Uses permitted in the Mixed Use Corridor land use designation are primarily retail, wholesale store (added by OPA 58, 24 07 2006) and service oriented uses and, to a lesser extent, office uses.
		Medium and High Profile residential uses either as stand-alone buildings or part of a commercial-residential mixed use buildings shall be throughout the Corridors. (Added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022)
STREET PRESENCE	6.5.3.3	Council will encourage Mixed-Use Corridor development to provide a continuous street frontage and presence. Accordingly, development along a Mixed-Use Corridor shall be:

(a) no more than four storeys in height, except on lands at an intersection of any combination of the following roads: Class I Arterial Road, Class II Arterial Road, Class I Collector Road, or Class II Collector Road. The height of buildings shall generally not exceed the width of the road right-of-way abutting the development site; and

Z 006-24 [ZNG-7179] OPA 184 [OPA-7180]

(b)	Notwithstanding the identified maximum building
	height, Council may consider additional height,
	where Council is satisfied that the proposed height
	achieves compatible development, and where
	appropriate transitions to abutting lower scale
	development are established. Appropriate transitions
	may be achieved through the implementation of
	regulatory techniques including, but not limited to
	new height limitations, enhanced building setbacks
	and step backs, enhanced landscape buffers and
	planting requirements and/or the implementation of
	an angular plane. Permissions for taller buildings
	may be established through a site specific Zoning By-
	Law Amendment.

- (c) Encouraged to locate the buildings at the street frontage lot line with parking accommodated at the rear of the site. (Added by OPA #159 APPROVED July 11, 2022, B/L# 100-2022)
- (d) Public transportation service can be provided. (Added by OPA #159 APPROVED July 11, 2022, B/L# 100-2022)

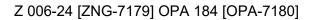
INFILL & CONSOLIDATION	6.5.3.4	Council shall promote the infilling and consolidation of existing Mixed Use Corridors.
LOCATIONAL CRITERIA	6.5.3.6	Mixed Use Corridor development shall be located where:

(a) there is access to Class I or Class II Arterial Roads or Class I Collector Roads;

Z 006-24 [ZNG-7179] OPA 184 [OPA-7180]

		(b)) 1	full municipal physical services can be provided; and
		(c)		commercial related traffic can be directed away from residential areas.
EVALUATION CRITERIA	6.5.3.7	satisfa		submission, the proponent shall demonstrate to the the Municipality that a proposed mixed use corridor s:
		(a)	provin	le having regard to the other provisions of this Plan, icial legislation, policies and appropriate guidelines apport studies for uses:
			(ii)	within a site of potential or known contamination;
			(iii)	where traffic generation and distribution is a provincial or municipal concern; and
			(iv)	adjacent to sensitive land uses and/or heritage resources.
		(c)	_	es and emergency services;
		(d)	provid	led with adequate off-street parking;
		(e)	massir	ntible with the surrounding area in terms of scale, ng, height, siting, orientation, setbacks, parking and aped areas; and
DESIGN GUIDELINES	6.5.3.8		_	guidelines shall be considered when evaluating lesign of a Mixed Use Corridor development:
		(a)		ility to achieve the associated policies as outlined in ban Design chapter of this Plan;

- (b) the provision of appropriate landscaping or other buffers to enhance:
 - (i) all parking lots, and outdoor loading and service areas; and
 - (ii) the separation between the use and adjacent sensitive uses, where appropriate;
- (c) as a general rule, the height of buildings are consistent with the height of buildings which characterize the Mixed Use Corridor. Where Council deems it desirable that higher profile development be permitted in an existing Mixed Use Corridor Commercial Corridor, the development should be built at a human scale by utilizing one or both of the following measures:
 - (i) treatment of the lower floors of building(s) to provide continuity; and/or
 - (ii) setting back the upper floors of building(s) from the street to avoid overpowering effects at-grade;
- (d) where possible, parking is located in the rear of the property to encourage continuous building facades adjacent to the street; and
- (e) measures are taken in site design which provide for ease of access for pedestrians between the public sidewalk and building main entrances in a manner which is distinguishable from access provided for vehicles.



(c) capable of being provided with full municipal physical services and emergency services;

Z 006-24 [ZNG-7179] OPA 184 [OPA-7180]

		(f) Council will adopt Design Guidelines that will assist in the design and review of development applications in a manner that will ensure implementation of these policies. (Added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022)	
SITE PLAN CONTROL	6.5.3.9	Council shall require all development within areas designated as Mixed Use Corridor to be subject to site plan control, with the exception of Public Open Space uses.	
NEIGHBOURHOOD INVOLVEMENT	6.5.3.11	Council will encourage the improvement of areas designated as Mixed Use Corridor to be undertaken in consultation with the surrounding neighbourhood.	
	7.	Infrastructure	
	7.2	Transportation System	
	7.2.6	Road Network Policies	
CLASS II ARTERIAL ROADS	7.2.6.5	The following guidelines shall be considered when evaluating the proposed design of a Mixed Use Corridor development:	
		(b) Operational and design characteristics:	

(vii) Direct property access will be discouraged where other alternatives exist. Where direct property access is required, the use of shared driveways and interconnected on-site circulation systems with adjacent properties may be required to limit the number and spacing of driveways, and where appropriate the City may require support studies and additional information to demonstrate the need for additional access.

7.2.8 Rail Transportation Policies

DEVELOPMENT ADJACENT TO A CORRIDOR

7.2.8.8

Council shall evaluate a proposed development adjacent to a Rail Corridor, in accordance with the following:

- (a) All proponents of a new development within 300 metres of a rail corridor, may be required to complete a noise study to support the proposal, and if the need for mitigation measures is determined by such study, shall identify and recommend appropriate mitigation measures, in accordance with the Procedures chapter of this Plan;
- (c) All proponents of new development adjacent to a rail corridor will consult with the appropriate railway company prior to the finalization of any noise or vibration study required by this Plan;

	8.	Urban Design
	8.3	Design For People
	8.3.2	Pedestrian Scale
PEDESTRIAN SCALE	8.3.2.2	Council will encourage buildings and spaces that establish a pedestrian scale by promoting:
		(a) the placement of continuous horizontal features on the first two storeys adjacent to the road;
	8.7	Built Form
	8.7.2	Policies
INFILL DEVELOPMENT	8.7.2.3	Council will ensure that proposed development within an established neighbourhood is designed to function as an integral and complementary part of that area's existing development pattern by having regard for:
		(a) massing;
		(b) building height;
		(c) architectural proportion;
		(d) volumes of defined space;
		(e) lot size;
		(f) position relative to the road; and
		(g) building area to site area ratios.

Z 006-24 [ZNG-7179] OPA 184 [OPA-7180]

		(h) the pattern, scale and character of existing development; and, (Added by OPA #66-11/05/07-B/L209-2007)
		(i) exterior building appearance (Added by OPA #66–11/05/07-B/L209-2007)
		(j) Council adopted Design Guidelines that will assist in the design and review of applications for development in accordance with the policies noted above. (added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022)
TRANSITION IN BUILDING HEIGHTS	8.7.2.4	Council will ensure a transition among Very High, High, Medium and Low Profile developments through the application of such urban design measures as incremental changes in building height, massing, space separation or landscape buffer.
APPEALING STREET FACADES	8.7.2.6	Council will encourage the buildings facades to be visually interesting through extensive use of street level entrances and windows. Functions which do not directly serve the public, such as loading bays and blank walls, should not be located directly facing the street.
	8.11	Streetscape
	8.11.2	Policies
PARTIAL SCREENING OF PARKING LOTS	8.11.2.19	Council will encourage the partial screening of surface parking lots through the use of low fences, walls, berms and other landscape elements, and through the location of lots away from street view, while still permitting views for orientation and safety.

Z 006-24 [ZNG-7179] OPA 184 [OPA-7180]

LOCATION OF SURFACE PARKING LOTS	8.11.2.21	Council will encourage parking lots that avoid large expanses fronting the road.	
	11.	Tools	
	11.6	Zoning	
	11.6.1	Objectives	
COMPATIBLE USES	11.6.1.2	To ensure compatibility between land uses.	
	11.6.3	Zoning By	r-law Amendment Policies
EVALUATION CRITERIA	11.6.3.3	When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:	
		(a)	The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;
		(b)	Relevant support studies;
		(c)	The comments and recommendations from municipal staff and circularized agencies;
		(d)	Relevant provincial legislation, policies and appropriate guidelines; and
		(e)	The ramifications of the decision on the use of adjacent or similar lands.

APPENDIX "D" Excerpts from Zoning By-law 8600

SECTION 10 - RESIDENTIAL DISTRICTS 1. (RD1.)

(B/L 10358 Jul 16/1990; B/L 11093 Jul 20/1992; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233; B/L 370-2001 Nov 15/2001; B/L 363-2002 Dec 31/2002; B/L 220-2002, Feb 24/2003; B/L 10-2004 OMB Order PL040143, File No. R040023, Decision/Order No. 0055, Issued Jan 12/2005 B/L 114-2016 Sep 19/2016); B/L 164-2017, Dec. 7/2017 [ZNG/5270]; B/L 95-2019, Sept. 27/2019

10.3 RESIDENTIAL DISTRICT 1.3 (RD1.3)

10.3.1 PERMITTED USES

Existing Duplex Dwelling
Existing Semi-Detached Dwelling
One Single Unit Dwelling
Any use accessory to the preceding uses

10.3.5 Provisions

		Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.1	Lot Width - minimum	9.0 m	15.0 m	9.0 m
.2	Lot Area - minimum	360.0 m^2	450.0 m^2	270.0 m^2
.3	Lot Coverage - maximum	45.0%	45.0%	45.0%
.4	Main Building Height - maximum	9.0 m	9.0 m	9.0 m
.5	Front Yard Depth - minimum	6.0 m	6.0 m	6.0 m
.6	Rear Yard Depth - minimum	7.50 m	7.50 m	7.50 m
.7	Side Yard Width - minimum	1.20 m	1.20 m	1.20 m
.8	Gross Floor Area - main building - maximum	400 m^2	400 m^2	400 m^2

(AMENDED by B/L 101-2022, July 11, 2022)

SECTION 12 - RESIDENTIAL DISTRICTS 3. (RD3.)

(B/L 9057, Jul 7/1987; B/L 9100, Aug 17/1987; B/L 9545, OMB. Order R880673, Apr 20/1990 Amended Jan 8/1991; B/L 11093, Jul 20/1992; OMB Order R940355 Oct 3/1995; B/L 11876, OMB Order R940356 Sep 11/1995; B/L 13079, Oct 3/1997; B/L 162-1998, Jun 24/1998; B/L 211-1999, Aug 31/1999; B/L 33-2001, Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233; B/L 443-2001, Jan 2/2002; B/L 363-2002, Dec 31/2002; B/L 23-2004, Feb 19/2004; B/L 401-2004, Jan 7/2005; B/L 90-2009, Jul 27/2009; B/L 113-2009, Aug 11/2009; B/L 129-2012, Oct 2/2012; B/L 31-2013, Mar 28/2013) [ZNG/2930; ZNG/5270] B/L 164-2017, Dec. 7/2017; B/L 95-2019, Sept. 27/2019

12.2 RESIDENTIAL DISTRICT 3.2 (RD3.2)

12.2.1 PERMITTED USES

Lodging House

Multiple Dwelling

Religious Residence

Residential Care Facility

Any of the following existing dwellings:

Double Duplex Dwelling

Duplex Dwelling

Semi-Detached Dwelling

Single Unit Dwelling

Any use accessory to any of the preceding uses

12.2.5 Provisions

.1	Lot Frontage - minimum	30.0 m
.2	Lot Area - minimum	
	For a <i>corner lot</i> having a minimum frontage of 30.0 m on each of the <i>exterior lot lines</i> :	
	a) For the first 5 dwelling units	540.0 m^2
	b) For the next 19 dwelling units	67.0 m ² per unit
	c) For each additional dwelling unit	44.0 m ² per unit
	For any other <i>lot</i> :	
	d) For the first 4 dwelling units	540.0 m^2
	e) For the next 15 dwelling units	85.0 m ² per unit
	f) For each additional dwelling unit	55.0 m ² per unit
.3	Lot Coverage - maximum	35.0%
.4	Main Building Height - maximum	
	Corner Lot	24.0 m
	Interior Lot	18.0 m

20.0

.8 Landscaped Open Space Yard - minimum

35.0% of lot area

.13 Dwelling Unit Density - dwelling units per hectare - maximum

For a *corner lot* having a minimum *lot*

frontage of 30.0 m on each of the exterior lot 188 units per ha

lines

For any other *lot*

150 units per ha

A *Lodging House* for the accommodation of 10 persons or less, and any use accessory thereto, shall comply with the *Single Unit Dwelling* provisions of Section 10.1.5 and further, the whole of the *building* shall be used for a *Lodging House*, including any accessory use. [ZNG/5630]

(AMENDED by B/L 95-2019, Sept. 27/2019)

.55 A addition to an existing Double Duplex Dwelling, existing Duplex Dwelling, existing Semi-Detached Dwelling or an existing Single Unit Dwelling and any use accessory to the preceding uses, shall comply with the provisions of Section 11.2.5.

12.3 RESIDENTIAL DISTRICT 3.3 (RD3.3)

12.3.1 PERMITTED USES

Lodging House Multiple Dwelling Religious Residence Residential Care Facility

Any of the following existing dwellings:

Double Duplex Dwelling
Duplex Dwelling

Semi-Detached Dwelling

Single Unit Dwelling

Any use accessory to any of the preceding uses

12.3.5 Provisions

.1 Lot Frontage - minimum 45.0 m

.2 Lot Area - minimum

For a *corner lot* having a minimum *lot* frontage of 45.0 m on each of the *exterior lot lines*:

a) For the first 23 dwelling units 1,825.0 m²

b) For each additional *dwelling unit* 37.0 m² per unit

For any other *lot*:

c) For the first 19 dwelling units 1.825.0 m²

d) For each additional *dwelling unit* 45.0 m² per unit

.3 Lot Coverage - maximum 35.0%

.4 Main Building Height - maximum

Corner Lot 30.0 m

Interior Lot 24.0 m

.8 Landscaped Open Space Yard - minimum 35.0% of lot area

.13 Dwelling Unit Density - dwelling units per hectare - maximum

For a corner lot having a minimum *lot frontage* of 45.0 m on each of the *exterior lot lines* 225 units per ha

For any other lot 180 units per ha

.50 A *Lodging House* for the accommodation of 10 persons or less, and any use accessory thereto, shall comply with the *Single Unit Dwelling* provisions of Section 10.1.5 and further, the whole of the *building* shall be used for a *Lodging House*, including any accessory use. [ZNG/5630]

(AMENDED by B/L 95-2019, Sept. 27/2019)

.55 An addition to an existing *Double Duplex Dwelling*, existing *Duplex Dwelling*, existing *Semi-Detached Dwelling* or an existing *Single Unit Dwelling* and any use accessory to the foregoing uses, shall comply with the provisions of Section 11.2.5.

SECTION 14 - COMMERCIAL DISTRICTS 1. (CD1.)

(B/L 11922 Sep 23/1994; B/L 33-2001 Oct 23/2001 OMB Decision/Order No. 1716 Case No. PL010233; B/L 363-2002 Dec 31/2002; B/L 375-2004 Dec 21/2004; B/L 180-2008 OMB ORDER PL050845 Jul 10/2008; B/L 358-1998 Dec 22/1998; B/L 31-2013 Mar 28/2013; B/L 7-2018, Feb. 23, 2018) [ZNG/3590; ZNG/5271]

14.5 COMMERCIAL DISTRICT 1.5 (CD1.5)

14.5.1 PERMITTED USES

Club

Any use accessory to a Club. An Outdoor Storage Yard is prohibited.

14.5.5 Provisions

.1	Lot Frontage - minimum	20.0 m
.2	Lot Area - minimum	650.0 m^2
.4	Main Building Height - maximum	7.50 m
.8	Landscaped Open Space Yard - minimum	15.0% of lot area

SECTION 16 - COMMERCIAL DISTRICTS 3. (CD3.)

(B/L 8614 Jun 23/1986; B/L 9057 Jul 7/1987; B/L11780 Mar 28/1994; B/L 11828 May 30/1994; B/L 162-1998 Jun 24/1998 B/L 177-2001 Jun 12/2001; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233 B/L 370-2001 Nov 15/2001; B/L 168-2002 Jul 18/2002; B/L 363-2002 Dec 31/2002; B/L 375-2004 Dec 21/2004 B/L 232-2006 Jan 18/2007; B/L 154-2008 Sep 30/2008; B/L 64-2009 Aug 10/2009; B/L 164-2010 Nov 17/2010 B/L 31-2013 Mar 28/2013; B/L 48-2014 Apr 15/2014; B/L 7-2018, Feb. 23/2018; B/L 93-2022 June 13, 2022) [ZNG/3590; ZNG/5271]

16.3 COMMERCIAL DISTRICT 3.3 (CD3.3)

16.3.1 PERMITTED USES

Ambulance Service Personal Service Shop

Automobile Repair Garage Place of Entertainment and Recreation

Bakery Place Of Worship

Business Office Print Shop

Child Care Centre Professional Studio

Commercial School Public Hall

Confectionery Public Parking Area Food Outlet - Drive-Through Repair Shop - Light

Food Outlet - Take-Out Restaurant

Funeral Home Restaurant with Drive-Through

Garden Centre Retail Store
Gas Bar Service Station

Hotel Temporary Outdoor Vendor's Site

Medical Appliance Facility Veterinary Office

Medical OfficeWarehouseMicro-BreweryWholesale Store

Parking Garage Workshop

Existing Automobile Collision Shop

Existing Industrial Use

Existing Motor Vehicle Dealership

Any use accessory to any of the above uses. An *Outdoor Storage Yard* is prohibited, save and except with the following main uses: *Ambulance Service, Garden Centre, Temporary Outdoor Vendor's Site, Existing Automobile Collision Shop, Existing Industrial Use, Existing Motor Vehicle Dealership.*

16.3.5 Provisions

.4 Building Height - Maximum 20.0 m

.10 Gross Floor Area - maximum

a) Bakery or Confectionary 500.0 m²

b) *Workshop* - Percent of the gross floor area of the *Retail Store* or *Wholesale Store*

200.0%

A Temporary Outdoor Vendor's Site is prohibited in a Business Improvement .26 Area.

APPENDIX "E" Consultations

ENGINEERING GAS

After reviewing the provided drawing at 2175 Tecumseh Rd E. and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the proposed area. A PDF drawing has been attached for reference.

Please Note:

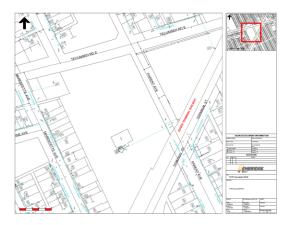
- 1. The shown piping locations are approximate and for information purposes only
- 2. The drawings are not to scale
- 3. This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc.

Enbridge Gas requires a minimum separation of 0.6 m horizontal and 0.3 m vertical from all of our plant less than NPS 16 and a minimum separation 1.0 m horizontal and 0.6 m vertical between any CER-regulated and vital pipelines. For all pipelines (including vital pipelines), when drilling parallel to the pipeline, a minimum horizontal clearance measured from the edge of the pipeline to the edge of the final bore hole of 1 m (3.3 ft) is required. Please ensure that this minimum separation requirement is maintained, and that the contractor obtains locates prior to performing any work and utilizes safe excavation practices while performing any work in the vicinity.

Also, please note the following should you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live
- If during the course of any job, any pipe is found that is not on the locate sheet and is in conflict with your work, please call our emergency number (1-877-969-0999), and one of our Union Gas representatives will respond to determine if that plant is in fact live or dead
- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly

[Gord Joynson, Drafter Estimator]



ENWIN UTILITIES - HYDRO ENGINEERING

No objection provided adequate clearances are achieved and maintained. Take note of ENWIN owned hydro poles carrying overhead primary conductors at the north edge of the proposed construction area, overhead secondary conductors at the western edge of the proposed construction area, and overhead secondary conductors within the 835 Tecumseh Rd E property to service the existing building.

<u>Be advised:</u> The hydro poles carrying overhead secondary conductors mentioned above may require relocation/removal or accommodations in design in order to maintain adequate clearance or to clear land for construction. Removal or relocations would be at the customer's cost.

[Jeremy Allossery, Hydro Engineering Technologist]

ENWIN UTILITIES - WATER ENGINEERING

Water Engineering has no objections to the rezoning.

[Bruce Ogg, Water Project Review Officer]

ESSEX TERMINAL RAILWAY

No comments received

PARKS DEPARTMENT

Parks Development & Design has no objection to this Liaison.

[Hoda Kameli, Landscape Architect]

Natural Areas has no comments on this liaison.

[Karen Alexander, Naturalist & Outreach Coordinator]

Forestry has following comments on this property.

An onsite inspection was completed, and no city owned trees will be affected from the construction of the new apartments and parking lot.

There will be some mature privately owned trees that will be affected and likely removed.

Under the City of Windsor's Official Plan section 5.3.6.7, section 10.2.1.7 and section 10.2.14 we will be requesting a private tree inventory be done by the builder.

[Yemi Adeyeye, City Forester / Manager of Forestry & Natural Areas]

PLANNING DEPARTMENT - HERITAGE

There is no apparent built heritage concern with this property, and it is located on an area of low archaeological potential.

Nevertheless, the Applicant should be notified of the following archaeological precaution.

- Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
- 2. In the event that human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

Contacts:

Windsor Planning & Building Department:

519-255-6543 x6179, ktang@citywindsor.ca, planningdept@citywindsor.ca

Windsor Manager of Culture and Events (A):

Michelle Staadegaard, (O) 519-253-2300x2726, (C) 519-816-0711, mstaadegaard@citywindsor.ca

Ontario Ministry of Citizenship and Multiculturalism

Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca

Windsor Police: 911

Ontario Ministry of Government & Consumer Services

A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, 1-416-212-7499, Crystal.Forrest@ontario.ca

[Tracy Tang, Planner III – Economic Development]

PLANNING DEPARTMENT - LANDSCAPE

The applicant has provided the required support studies as requested. Of note is the Tree inventory encompassing the proposed development. The existing landscape associated with Caboto Club appears to not be impacted by this development. The inventory identifies five trees to be removed in fair to good condition, totaling 251cm DBH. These will be required to be included in the tree requirements for Site Plan Control at an equivalent caliper rate, as required by the Landscape Manual for Development which states: One 75 mm tree for every 10 m of street frontage, or one 75 mm tree for every 250 sm of hard or soft landscaped area (whichever is greater), plus equal size diameter for any trees greater than 100 mm (4 inch) caliper removed from site.

All other requirements will be made at the time of Site Plan Control.

[Stefan Fediuk, Landscape Architect]

PLANNING DEPARTMENT - SITE PLAN CONTROL

The development proposal is subject to Site Plan Control pursuant to the Planning Act and City of Windsor By-law 1-2004. Where preceding development applications are required, inclusive of Official Plan and Zoning By-law Amendments, request for Site Plan Control Pre-Consultation Stage 1 may be made following completion of the requisite Development and Heritage Standing Committee meeting at https://ca.cloudpermit.com/login.

[Jacqueline Cabral, Clerk Steno]

PUBLIC WORKS DEPARTMENT

We have reviewed the subject Re-zoning and OPA application and offer the following comments:

Sewers

The site may be serviced by a 500 mm x 750 mm brick sanitary sewer and a 900 mm RCP storm sewer located within the Marentette Ave right-of-way and a 500 mm x 750 mm combined sewer and a 1200 mm RCP storm sewer located within the Tecumseh Rd E right-of-way. Any redundant sewer connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3.

A Sanitary Sewer Study dated September 1, 2023, by Aleo Associates INC, has been received. The applicant's consultant has confirmed that the existing sanitary sewers on Tecumseh Road and Marentette Avenue will effectively accommodate the site's sewer servicing needs. The study demonstrates that the municipal sanitary sewer has adequate capacity, and no adverse impacts are expected on the surrounding areas as a result of the proposed development. The Sanitary Sewer Study has been deemed acceptable, and the proposed sanitary servicing strategy is supported by the Engineering Development department.

The applicant will be required to submit, prior to the application for a building permit, a stormwater management plan in accordance with Windsor Essex Region Stormwater

Management Standards Manual, restricting stormwater runoff to predevelopment levels. This will include, at a minimum:

- Submission of stormwater management review fee
- Stormwater management report stamped by a professional engineer.
- Site servicing drawings stamped by a professional engineer.
- Stormwater management checklist (see link to website below)

For more information of SWM requirements, visit: link

- https://essexregionconservation.ca/wp-content/uploads/2018/12/WE-Region-SWM-Standards-Manual.pdf
- https://www.citywindsor.ca/business/buildersanddevelopers/Pages/Stormwater-Management-Requirements.aspx

Roads and Right-of-Way

Tecumseh Rd E is classified as a Class II Arterial Road by the Official Plan with a required right-of-way width of 27 meters according to Schedule X. The current right-of-way width is insufficient, a conveyance of approximately 0.4 m is required along Tecumseh Rd E frontage of 835 Tecumseh Rd E and 2175 Parent Ave. The new north property line of 835 Tecumseh Rd E is to be squared off to be parallel with Tecumseh Rd E.

The northwest corner of Tecumseh Rd E and Marentette Ave requires a corner cut-off in the amount of $4.6 \text{ m} \times 4.6 \text{ m}$, and the northeast corner of Tecumseh Rd E and Parent Ave requires a corner cut-off in the amount of $6.0 \text{ m} \times 6.0 \text{ m}$. It is requested that the applicant update the drawings to reflect the conveyances along the entire frontage of the property.

The latest concept site plan provided includes a new connection between the Caboto Club parking lot and the subject development, which was not included in previous submissions. The review and approval of this new parking lot connection will be addressed through Site Plan Control, subject to the submission of a Transportation Impact Study (TIS), satisfactory to Transportation Planning.

In summary we have no objection to the proposed development, subject to the following requirements:

<u>Site Plan Control Agreement</u> - The applicant enter into an agreement with the City of Windsor for all requirements under the General Provisions of the Site Plan Control Agreement for the Engineering Department.

<u>Corner Cut-Off</u> - The owner(s) agrees, prior to the issuance of a construction permit, to gratuitously convey a 4.6 m x 4.6 m (15' x 15') corner cut-off at the intersection of Marentette Ave and Tecumseh Rd E in accordance with City of Windsor Standard Drawing AS-230, and a 6 m x 6 m (20' x 20') corner cut-off at the intersection of Tecumseh Rd E and Parent Ave in accordance with City of Windsor Standard Drawing AS-230.

<u>Land Conveyance</u> - Prior to the issuance of a construction permit, the owner(s) shall agree to gratuitously convey to the Corporation, land sufficient to create a 27-metre-wide right-of-way on Tecumseh Rd E. This conveyance shall be approximately 0.4 metres along the entire Tecumseh Rd E frontage of both 835 Tecumseh Rd E and 2175 Parent Ave.

If you have any further questions or concerns, please contact Andrew Boroski, of this department at aboroski@citywindsor.ca

[Andrew Boroski, Technologist II]

TRANSIT WINDSOR

Transit Windsor has no objections to this development. The closest existing transit routes to this property are with the Transway 1C, Parent 14, and Route 418X. The closest existing bus stop to this property is directly adjacent to this property on Tecumseh at Marentette Southeast Corner providing direct transit access to this development. This will remain consistent with Transit Windsor's City Council Approved Transit Master Plan. There are no plans to relocate this bus stop. If the bus stop needs to temporarily be shutdown for construction, Transit Windsor requires a minimum of 2 weeks' notice.

[Jason Scott, Manager, Transportation Planning]

TRANSPORTATION PLANNING

Tecumseh Rd E is classified as a Class II Arterial Road with a required right-of-way width of 27 meters per the Schedule X. Between Marentette Ave and Parent Ave, the existing right-of-way width of Tecumseh varies between 25.5 m and 26.2 m. A varying conveyance is required to achieve the 27 m right-of-way along the (835 Tecumseh Rd E/2175 Parent Ave) property.

Parent Avenue is classified as a Local Road with a required right-of-way width of 20 meters as per the Official Plan. The existing right-of-way along the frontage of the subject property is sufficient; therefore, a conveyance is not required at this time.

Marentette Avenue is classified as a Local Road with a required right-of-way width of 20 meters per the Official Plan. The existing right-of-way along the frontage of the subject property is sufficient; therefore, a conveyance is not required at this time.

A corner cut-off of 4.6 meters is required at the intersection of Tecumseh Rd E and Marentette Ave for a non-signalized intersection.

A corner cut-off of 6.1 meters is required at the intersection of Tecumseh Rd E and Parent Ave for a signalized intersection.

All parking must comply with Zoning By-Law 8600.

All proposed bicycle parking must comply with ZBL 8600 and be clearly indicated on revised site plan

Each parking space shall have a minimum length of 5.5 metres and a minimum width of 2.5 metres, except where one side of the parking space is flanked by a wall or fence, each parking space shall have a minimum length of 5.5 metres and a minimum width of 3.5 metres.

All access aisles must be at least 6.0 metres in width for turning maneuvers and emergency vehicle access.

Parking provided for the entire site (proposed apartment and existing Caboto Club) must comply with Zoning By-Law 8600 as the proposal for the apartment removes existing parking that is normally used for the Caboto Club. A statement is required from the developer that states that the parking provided for both the apartment and Caboto Club will be compliant with the Zoning By-Law 8600.

A Transportation Impact Study is required. Please see scope attached as Appendix 1.

All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.

• Driveways proposed must be 7-9 metres total at the property line (minimum 3.5m/lane, maximum 4.5m/lane)

All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

[Clare Amicarelli, Transportation Planning Coordinator]

APPENDIX "1" TIS Scope

The following link contains overall information on the scope of a TIS (City of Windsor TIS Guidelines): http://www.citywindsor.ca/residents/Traffic-And-Parking/Transportation-Planning/Documents/TIS-Guidelines.pdf

- Traffic data collection / review at the following intersections:
 - Development Accesses
 - The TIS must analyze the new access onto Marentette Ave as this proposal creates a new connection from the Caboto Club parking lot to Marentette Ave.
 - Tecumseh Rd E and Parent Ave
 - Tecumseh Rd E and Marentette Ave
- Trip generation for the proposed site using ITE trip generation data.
- Traffic distribution and assignment of site generated traffic onto the road network.
 - Analysis periods: Weekday PM peak hour, Weekday AM peak hour, and Saturday peak hour if >100 trips are expected in either peak hour.
- Baseline traffic network modelling and development of total traffic projections for existing and future weekday/weekend conditions, accounting for possible growth of background traffic on existing and future road network.
 - Horizon years: Opening day + 5 years
- Capacity and level of service analysis
- Mode shares targets should be incorporated as assumed for this area per the Active Transportation Master Plan (pg. 35 of report); <u>ATMP Windsor</u>
- Identification of applicable improvements for future consideration
- Preparation of a final report (to include engineers' comments and supporting figures)

Required: Please coordinate with the involved planner to determine if there are any other known development proposals in the area. If there are proposed developments in the nearby area, the traffic generated by these developments must be accounted for in the TIS analysis.

Available City of Windsor traffic and intersection data can be acquired/purchased from traffic operations, contact: Mike Spagnuolo mspagnuolo@citywindsor.ca

APPENDIX "F" Draft Amending By-law

DRAFT

AMENDMENT NO. 184

TO THE

OFFICIAL PLAN

CITY OF WINDSOR

Part D (Details of the Amendment) of the following text, and attached map of the City of Windsor Official Plan constitute Amendment No. 184.

Also included, but not constituting part of the Amendment, are explanations of Purpose, Location, Background and Implementation of the Amendment

A. <u>PURPOSE:</u>

The purpose of this amendment is to apply a special policy area to the subject lands that would permit a Medium Profile residential building on lands at an intersection of a Class II Arterial Road and a Local Road to have a building height ranging from no less than four storeys (14.0 metres) to no more than six stories (26.0 metres).

B. LOCATION:

The amendment applies to the land generally described as Lots 59 & 60, Part of Lot 1, & Part of Closed Alley, Plan 908; and Part of Lots 23 & 24, Plan 140; located on the northwest part of the property known municipally as 835 Tecumseh Road East, 2148 Marentette Avenue, and 2175 Parent Avenue, at the southeast corner of Marentette Avenue and Tecumseh Road East (the subject property); and more particularly described as the *Area of Development* on Appendix A of this report and Schedules A and D herein.

Ward: 4 Planning District: Walkerville ZDM: 7

C. <u>BACKGROUND:</u>

The area of development is designated "Mixed-Use Corridor" (in part) and "Residential (in part) on Schedule D: Land Use, of the City of Windsor Official Plan, Volume I.

The Mixed-Use Corridor Street Presence policies found in Section 6.5.3.3 of the Official Plan, Volume I, limit development to a height of no more than four storeys in height, except on lands at an intersection of any combination of the following roads: Class I Arterial Road, Class II Arterial Road, Class I Collector Road, or Class II Collector Road. The policies also allow Council to consider additional height, where Council is satisfied that the proposed height achieves compatible development, and where appropriate transitions to abutting lower scale development are established. Consequently, a Special Policy Area must be added to allow for a development within a Mixed-Use Corridor land use designation located at an intersection of a Class II Arterial Road and a Local Road to have a height of six (6) storeys.

The applicant proposes to construct a six (6) storey, 54-unit multiple dwelling with a 68 space parking area on the area of development. The parking area will have an access on Marentette Avenue and an access on Parent Avenue via the Giovani Caboto Club's parking area, located outside of the area of development on the subject property.

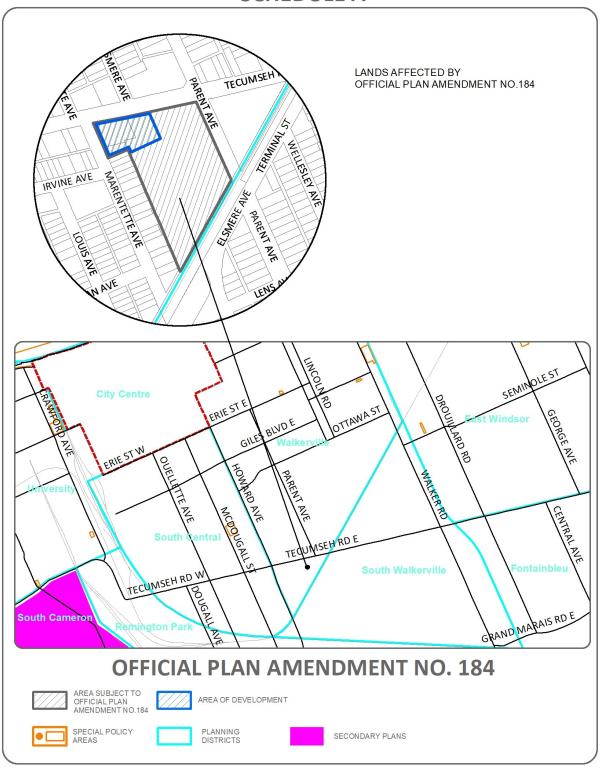
D. DETAILS OF THE AMENDMENT:

That the City of Windsor Official Plan, Volume I, Schedule A: Planning Districts & Policy Areas **BE AMENDED** by adding a Special Policy Area to the area of development that will allow for an increase in maximum building height from four (4) storeys to no more than six (6) storeys for a development within a Mixed-Use Corridor land use designation located at an intersection of a Class II Arterial Road and a Local Road.

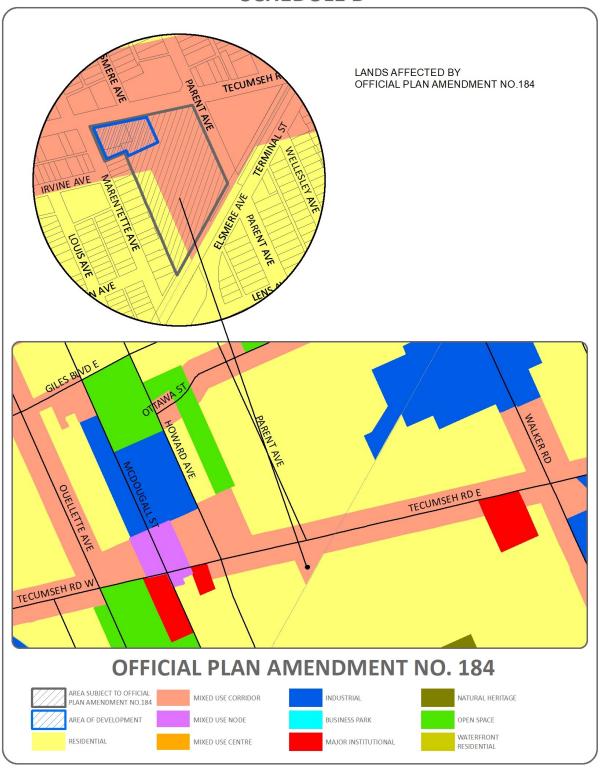
E. IMPLEMENTATION:

- i. Amend Schedule A: Planning Districts & Policy Areas, in Official Plan Volume I, by adding a Special Policy Area that will allow for an increase in maximum building height from four (4) storeys to no more than six (6) storeys for a development within a Mixed-Use Corridor land use designation located at an intersection of a Class II Arterial Road and a Local Road.
- ii. This amendment shall be implemented through the amendment to Zoning By-law 8600 as recommended in Report Number S 049/2024 (Z-006/24; ZNG-7179).
- iii. The proposed development on the subject lands is deemed a development per Section 41(1) of the Planning Act; therefore, Site Plan Control shall be an additional tool for the implementation of this amendment.

SCHEDULE A



SCHEDULE D



APPENDIX "G" Draft Amending By-law

BY-LAW NUMBER -2024

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the day of , 2024.

WHEREAS it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

THEREFORE the Council of The Corporation of the City of Windsor enacts as follows:

1. That subsection 1 of Section 20, of said by-law, is amended by adding the following clause:

501. SOUTHEAST CORNER OF MARENTETTE AVENUE AND TECUMSEH ROAD EAST

For the lands comprising of Lots 59 & 60, Part of Lot 1, & Part of Closed Alley, Plan 908; Part of Lots 23 & 24, Plan 140, PIN No. 01322-0389 LT (in part), and delineated by a heavy blue line on Schedule 2, attached to By-law xxx-2024, the following shall apply::

1. Main Building Height - minimum

14.0 m

 $20.0 \, \text{m}$

- 2. A minimum of 80.0% of the north and west faces of the first and second floors not occupied by windows, doors, or HVAC infrastructure shall have an exterior finish of brick, textured concrete, and/or stone.
- 3. Side Yard Width from the north limit of Lot 61 & Part of Closed Alley, Plan 908, PIN No. 01322-0359 LT minimum.
- 4. A parking area is prohibited in a front yard and an exterior side yard, save and except for an access area or collector aisle necessary for providing access to a parking area from Marentette Avenue.
- 5. Notwithstanding Section .3 of Table 25.5.20.1, a minimum separation of 3.00 metres shall be provided from a parking area to the north limit of Lot 61 & Part of Closed Alley, Plan 908, PIN No. 01322-0359 LT.

[ZDM 7; ZNG/7179]

2. The said by-law is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of said by-law and made part thereof, so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 6:

Z 006-24 [ZNG-7179] & OPA 184 [OPA-7180]

Page G2 of G4

1.	2.	3.	4.	5.	6.
Item Number	Zoning District Map Part	Lands Affected	Official Plan Amendment Number	Zoning Symbol	New Zoning Symbol
1	7	Lots 59 & 60, Part of Lot 1, & Part of Closed Alley, Plan 908; Part of Lots 23 & 24, Plan 140, PIN No. 01322- 0389 LT (in part) (located on the southeast corner of Marentette Avenue and Tecumseh Road East)	184	CD3.3 RD1.3	RD3.2 S.20(1)501

DREW DILKENS, MAYOR

CLERK

First Reading - , 2024

Second Reading - , 2024

Third Reading - , 2024

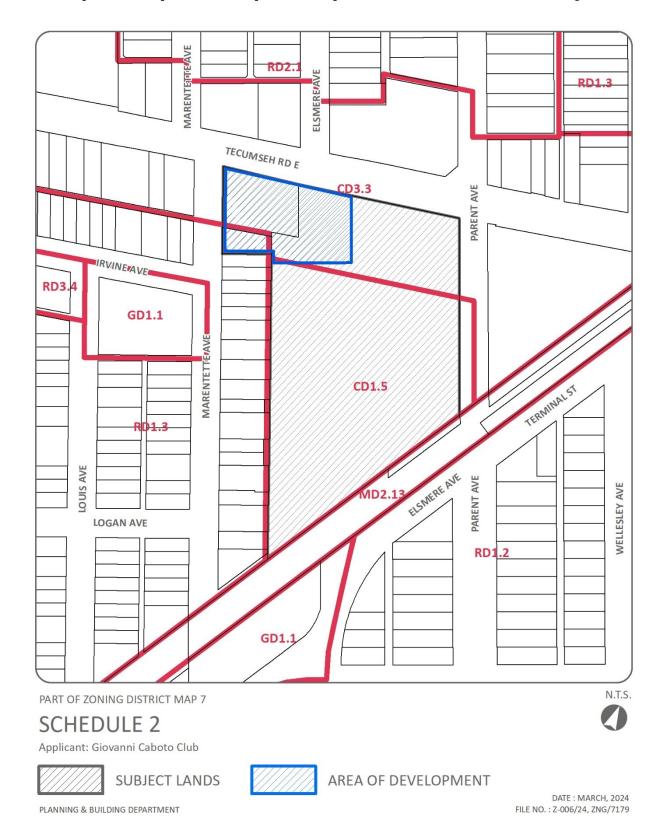
SCHEDULE 2

1.	By-law	has the following purpose and	effect:

To amend the zoning of the lands located on the southeast corner of Marentette Avenue and Tecumseh Road East, legally described as Lots 59 & 60, Part of Lot 1, & Part of Closed Alley, Plan 908; Part of Lots 23 & 24, Plan 140, PIN No. 01322-0389 LT (in part), to permit the development of a multiple dwelling on the subject land.

The amending by-law changes the Commercial District 3.3 (CD3.3) (in part) and Residential District 1.3 (RD1.3) zoned portions of the subject land to Residential District 3.2 (RD3.2) with a special zoning provision with regulations to ensure that the Mixed-Use Corridor and other applicable policies of the Official Plan are achieved.

2. Key map showing the location of the lands to which By-law ____applies.





138 Angstrom Cres. Amherstburg, ON N9V 3S3 Phone: (519)903-7193

Fax: (800) 241-9149

August 24, 2023

John Bortolotti Sfera Architectural Associates Inc. 4510 Rhodes Dr., Unit 220 Windsor, ON N8W 5K5 jbortolotti@sferaarch.com

O: 519 254 2600

Re: Environmental Noise Assessment Report for the Proposed Residential Development – Caboto Club Apartments, City of Windsor, Ontario

Dear Mr. Bortolotti:

Please find attached a noise assessment report for the proposed residential development located on Tecumseh Road East in the City of Windsor, Ontario. This assessment considers the potential impacts from transportation noise, including road and rail.

I trust that the enclosed information meets your requirements. Please do not hesitate to contact me if you have any questions.

Sincerely,

Colin Novak PhD, PEng.

Environmental Noise Assessment Report for the Proposed Caboto Club Apartment Residential Development, City of Windsor



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Statement of Liability

Akoustik Engineering Limited prepared this acoustical assessment report for Sfera Architectural Associates Inc. The material in it reflects Dr. Helen Ule's and Dr. Colin Novak's judgement in light of the information available to them and Akoustik Engineering Limited at the time of the study, including all acoustical measurements, under the stated test conditions. Any use that a Third Party makes of this report (other than Sfera Architectural Associates Inc.), or any reliance on decisions made based on it, is the responsibility of such Third Parties. Akoustik Engineering Limited accepts no responsibility for damages, if any, suffered by any Third Party resulting from decisions made or actions based on this report.

Introduction

This report is a noise assessment prepared for Sfera Architectural Associates Inc. in accordance with the procedures for noise assessment outlined by the applicable Ministry of the Environment, Conservation and Parks (MECP) Noise Pollution Control Guidelines (NPC). This assessment is in support of an application for a proposed six storey residential apartment development to be located on Tecumseh Road East, Windsor, Ontario, which is adjacent to the existing Caboto Club facility. The assessment pertains to the environmental noise impacts on the development from nearby sources of transportation noise. An illustration of the geographical area showing the proposed development areas used for this assessment is given in Appendix A: Site Location.

The expected transportation noise impacts have been predicted using the MECP prediction software STAMSON and are based on available road and rail traffic volumes, which have been projected 10 years forward. Given that the road traffic occurs during all periods of a 24-hour day, as defined by the applicable MECP's Noise Pollution Control documents (NPC-300), the assessment has been carried out for the entire 24-hour period. A description for any recommended abatement (if required) to control the noise is included in this report.

Identification of Noise Sources

A zoning map for the area is provided in Appendix B: Land-use Zoning Map of Area. The proposed development is surrounded by commercial land in all directions. It should be noted that immediately outside of the surrounding band of commercial land are residential lands. The Ministry of the Environment, Conservation and Parks specifications for the identification of existing or future major sources of noise impact on a development is whether they are within 500 metres of the site. The noise sources which have been identified to possibly produce an impact on the proposed development are Tecumseh Road East (eastbound and westbound) immediately north of the development, Parent Avenue to the east and Howard Avenue which is west of the development. The posted speeds for all the identified roadways is 50 km/h.

The identification of rail noise impacts on a development is whether the nearest track of railway line is within 300 metres of the site. Given that this proposed development is located within 300 metres of the nearby Essex Terminal Railway (ETR) rail line, the impacts from rail noise are included in this assessment report. Given that the rail is more than 75 meters from the proposed building, the measurement and assessment of ground vibrations is not required.

There are no other significant sources (transportation or stationary) of noise which are expected to have an impact on the proposed development.

Ministry of the Environment, Conservation and Parks Noise Criteria

In accordance with the MECP Noise Pollution Control (NPC) Guideline, NPC-300, the following sound level limits from transportation noise for Class 1 residential development have been set and are shown in

Table 1 below. The NPC-300 reference pages are given in Appendix C: NPC-300 Reference Pages. The proposed development is classified as a Class 2 area, given that the region has an acoustical environment typical of a major population centre, where the background sound level is dominated by the activities of people, usually road traffic, often referred to as "urban hum". It is worth noting that where the sound level limits presented in Table 1 are exceeded, noise control abatement is required.

Table 1: Ministry of the Environment and Climate Change Noise Criteria for a Class 1 Area – Transportation Noise

Point of Reception Location	Daytime LA _{eq} [dBA]	Nighttime LA _{eq} [dBA]
Outdoor Living Area (OLA)	55	
Plane of Window (Indoor)	55 (45)	50 (40)

From Table 1, daytime refers to the period from 07:00 to 23:00 and nighttime refers to the period from 23:00 to 07:00 hours. An outdoor living area (OLA) generally refers to a location such as a patio, yard, or barbeque area. There are no designated outdoor amenity areas for this development.

The limits presented in Table 1 are the limits before noise control measures are required. The noise level limit in an OLA may be exceeded by up to 5 dBA if proper warning clauses are inserted in the titles, deeds, and any tenancy agreements relating to the property and only after barriers or other noise control measures have been found to be impractical or unfeasible. A noise attenuation barrier is required to protect and bring the sound level down to 55 dBA in the OLA if the noise level exceeds 60 dBA. Only in cases where the required noise control measures are not feasible for technical, economic or administrative reasons would an excess above the limit (55 dBA) be acceptable with the appropriate warning clause; in this situation, any excess above the noise limit will not be deemed acceptable if it exceeds 5 dB.

The guideline also recommends the provision for the installation of central air conditioning when the noise level outside the plane of a window exceeds 55 dBA for the daytime or 50 dBA for the nighttime. If the noise level exceeds 65 dBA for the daytime or 60 dBA for the nighttime, the installation of central air conditioning should be implemented. Further, building components including exterior walls, windows and doors should be designed to have sufficient Sound Transmission Class (STC) ratings to meet the indoor noise guidelines given in Table 1.

Identification of the Representative Receptor Locations

The proposed six storey apartment building is to consist of 54 apartments. There are no designated outdoor amenity areas as defined by the MECP within the development area. Figure 1 below identifies the development area within the red region. It should be noted that while the surrounding property is also owned by the developer of the proposed development, only the region within the red outline and identified as the development area is considered and evaluated in this report.

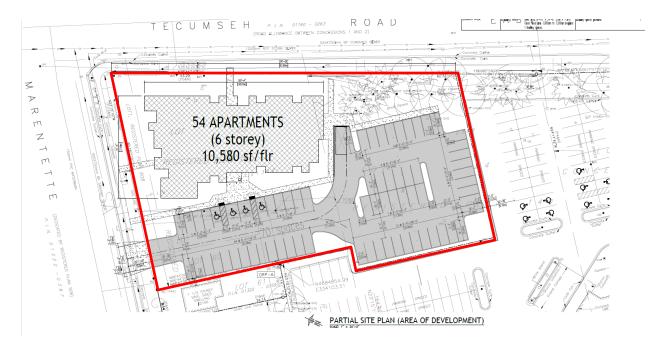


Figure 1: Partial Site Plan Illustrating the Area of Development

The MECP defines a sensitive point of reception (POR) as an existing, or zoned for future use, residence, hotel, nursing or retirement home, hospital, campground or other sensitive building/area within 500 metres of the facility. An aerial view of the facility and surrounding location is included in Appendix A: Facility Location and Noise Sources, which illustrates the land surrounding the property and the identified PORs. For this study, seven representative sensitive receptors are identified for evaluation of potential noise impact from the nearby sources of transportation noise.

POR1 is taken to be at the northwest corner of the building, POR2 is located at the northeast corner of the building, POR3 is at the southwest corner of the building and POR4 is taken to be at the southeast corner of the building. For these PORs, the units on the first (L) and sixth storeys (U) are considered (i.e. POR1L, POR1U, POR2L, POR2U etc.).

Assessment Approach for Transportation Noise

The predicted sound levels from the nearby road traffic were determined using the MECP prediction noise modelling software STAMSON 5.0. All input data pertaining to the development was based on the site plan provided at the time of the study and as shown in Appendix A: Site Location. The input data used to calculate the predicted sound level exposures for the selected receptors impacted by the road traffic noise, and the resulting outputs, are given in Appendix D: Noise Model Printout. The model for the predicted noise levels at the representative units was developed to determine compliance to the MECP limits and extent of the noise control measures required (if any). The MECP requires the calculation of the noise impacts to be determined at the plane of window for the dwelling(s) and OLA locations.

Transportation Noise Source Data

Road traffic volume data was obtained from the City of Windsor Average Daily Traffic Volume document dated January 2020. It is assumed in this case that the annual average daily traffic (AADT) is equivalent to the average daily traffic (ADT). The projected road traffic volumes, along with the breakdown of vehicle types are given in Appendix E: Road Traffic Volume Data. Also, given in Appendix E are the distances between the representative receptor locations and the roadway that were used in the prediction model.

Given that the traffic report document gives only one year of traffic volume data for roadways considered in this assessment, a conservative 2% growth rate is assumed for the roadways. Day and night traffic volumes were calculated having an assumed 90%-day and 10%-night split as per the MECP STAMSON protocol. The percentage of commercial truck traffic on Tecumseh Road East was taken as 5% with 20% of that being heavy trucks and 80% being medium trucks. The percent of commercial truck traffic on Parent Avenue was taken as 2% with 0% of the commercial traffic as heavy trucks and 100% medium trucks. The percentage of commercial truck traffic on Howard Avenue was taken as 5% with 20% of this being heavy trucks and the remaining 80% being medium trucks.

The ETR train volume data, along with other pertinent information was provided by the local ETR office. The rail traffic data was projected 10 years into the future using a 2.5% increase per annum. As such, the predicted noise levels given in this report are for future traffic volumes. The ETR traffic information is given in Appendix F: Rail Traffic Volume Data.

Transportation Noise Source Summary

The predicted noise level impacts for the daytime and nighttime periods at the plane of window for the representative receptors with no control measures are given in Table 2. From this table, it is seen that the MECP noise limits for transportation noise identified in Table 1 are exceeded at all the units during the daytime and most during the nighttime periods. As such, noise abatement controls are required.

Table 2: Predicted Road and Rail Noise Levels - Plane of Window - with No Abatement

POR ID	Daytime Period LAeq (dBA)	Nighttime Period LAeq (dBA)
POR1L (1.5 m height)	66	59
POR1U (16.5 m height)	67	61
POR2L (1.5 m height)	66	59
POR2U (16.5 m height)	67	61
POR3L (1.5 m height)	57	50

POR3U (16.5 m height)	60	53
POR4L (1.5 m height)	58	52
POR4U (16.5 m height)	61	54

^{*}red text denotes exceedance

Given that the receptor sound levels exceed the MECP noise limits at most representative residential units, warning clauses are required to meet the noise guideline limits given in Table 1. Also required is the specification of building component design for noise control for the exterior walls, doors and windows. These must be designed to have sufficient Sound Transmission Class (STC) ratings to meet the indoor noise guidelines given in Table 1.

Results and Noise Control Requirements

The following section is a summary and assessment of the modeled results for the representative units with respect to transportation sources of noise.

Rail and Road Noise

As specified by the MECP Environmental Noise Guideline NPC-300, the outdoor and indoor sound level limits (based on one-hour LA_{eq} values) at a residence for road traffic noise are categorized into three (3) limits, based on the type of space assessed. The document also specifies the recommended noise control measures, if required, that should be followed for the plane of a window (ventilation requirements) and the indoor living area (building components) noise assessments. The select pages from the NPC-300 guideline given in Appendix C includes the stated warning clauses and other requirements based on the predicted noise levels.

The predicted noise level impacts for the daytime and nighttime periods at the plane of window for the representative receptors with no control measures are given in Table 2. From this table, it was shown that the MECP noise limits for transportation noise identified in Table 1 are exceeded. Given this, warning clauses are required.

Notes taken from NPC-300 (where applicable):

Note A: Noise control measures may be applied to reduce the sound level to 55 dBA. If measures are not provided, prospective purchasers or tenants should be informed of potential noise problems by a warning clause Type A.

Note B: Noise control measures should be implemented to reduce the level to 55 dBA. Only in cases where the required noise control measures are not feasible for technical, economic or administrative reasons would an excess above the limit (55 dBA) be acceptable with a warning clause Type B.

Note C: The dwelling should be designed with a provision for the installation of central air conditioning in the future, at the occupant's discretion. Warning clause Type C is also recommended.

Note D: Installation of central air conditioning should be implemented with a warning clause Type D. In addition, building components including windows, walls and doors, where applicable, should be designed so that the indoor sound levels comply with the sound level limits in Table C-2.

Note E: Building components including windows, walls and doors, where applicable, need to be designed so that the indoor sound levels comply with the sound level limits in Table C-2. The acoustical performance of the building components (windows, doors and walls) needs to be specified. In addition, the exterior walls of the first row of dwellings next to railway tracks are to be built to a minimum of brick veneer or masonry equivalent construction, from the foundation to the rafters when the rail traffic Leq (24-hour), estimated at a location of a nighttime receptor, is greater than 60 dBA, and when the first row of dwellings is within 100 metres of the tracks.

If required, the following warning clauses are to be implemented in all development agreements, offers to Purchase, and agreements of Purchase or Sale or Lease of each dwelling unit:

Warning Clause(s) (where applicable):

Type A: "Purchasers/tenants are advised that sound levels due to increasing road traffic and rail traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."

Type B: "Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic and rail traffic may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."

Type C: "This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."

Type D: "This dwelling unit has been equipped with central air conditioning in order to allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks. Air conditioning units are to be installed in a noise insensitive area."

Type E: "Purchasers/tenants are advised that due to the proximity of the adjacent facility, noise from the facility may at times be audible."

Given the proximity of the proposed lots, it is required that the following warning clause be implemented in all development agreements, offers to Purchase, and agreements of Purchase or Sale or Lease of each

affected dwelling unit (all units). Further information can be found in Appendix H: CN Rail Land Use Guidelines.

Warning Clause:

Essex Terminal Railway, or its assigns or successors in interest has or have a right-of-way within 300 meters from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). ETR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.

STC Requirements

Given the predicted excessive noise levels, the calculation for the minimum sound transmission class (STC) for the window, door and building wall components is required. The STC building requirements were determined for an assumed living room. The sound level at the plane of the window was taken to be 67 dBA (worst case) during the daytime. Given there is railway activity during the daytime period only, both the noise impacts from roadway and rail noise is considered to determine the STC requirements to achieve a 40 dBA daytime indoor sound level limit for the living room area. The window requirements were calculated for both an operable thick double/triple paned window and a sealed thick double-glazed window. The typical living room was assumed to have a floor area of 11 m² with a window area of 3.75 m², an exterior door area of 1.86 m² and a wall area of 8.5 m². Given that the representative space is a living room, it was also assumed that the room is intermediately absorbative as a typical living room is furnished by both soft and hard surfaces (e.g., couch, non-carpeted floors, window treatments etc.). The program inputs and results for the STC calculations are given in Appendix G: STC Output Results. The building component STC requirements are provided in Table 3.

Table 3: Building Components STC Requirements.

Location Evaluated	Required STC for Building Exterior Walls	Required STC for Double Exterior (Balcony) Door	Required STC for Building Windows
Living Room	39	27	32 for operable thick double/triple paned 35 for sealed thick double glazed

Combined Results Summary

Table 4 summarizes the required warning clauses and building requirements for all residential units within the proposed development. It is required that any necessary warning clauses be implemented in all development agreements, offers to Purchase, and agreements of Purchase or Sale or Lease as identified in Table 4.

Table 4: Summary of Warning Clauses and Building Component Requirements

POR	Noise Barrier Requirement (Y/N)	Warning Clause(s)	Building Component Requirement(s)	Ventilation Requirement(s)
Units with facades facing Tecumseh Road East	N/A	Type D, Rail	Minimum STC Rating for the following Building Components: Exterior Wall – 39 Window – 32 (operable thick double paned) Window – 35 (sealed thick double paned) Double exterior (balcony) door - 27	Installation of Central Air Conditioning
Units with no facades facing Tecumseh Road East	N/A	Type C, Rail	Minimum Ontario building code	Provision for adding Central Air Conditioning

Conclusion

The noise impacts on the proposed development are found to exceed the limits set by the Ontario Ministry of the Environment, Conservation and Parks. However, given that the noise impacts can be mitigated through the installation or provision for the future installation of central air conditioning, warning clauses and appropriate building material design (STC), it is recommended that the development be given approval with the understanding that the stated noise control measures are implemented. It should also be noted that there shall be no designated outdoor living area within the defined development area.

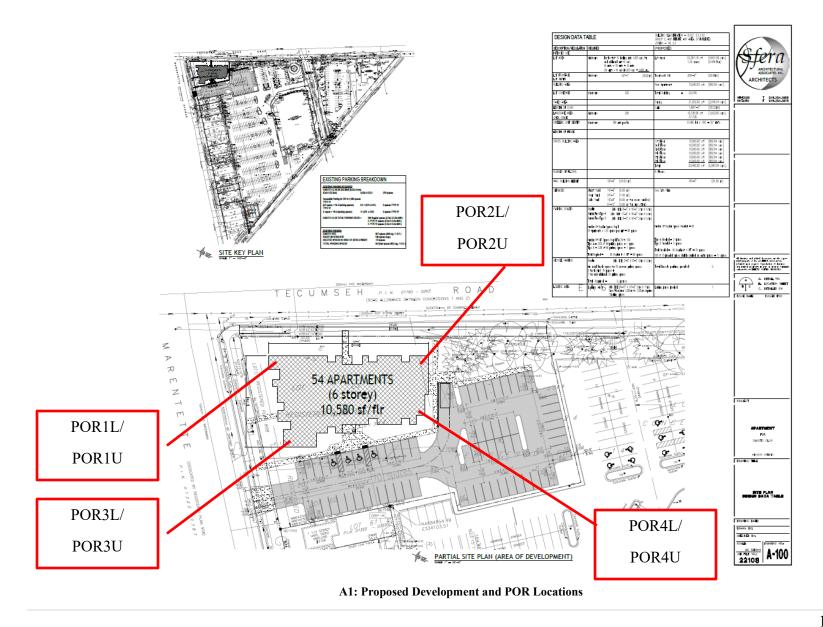
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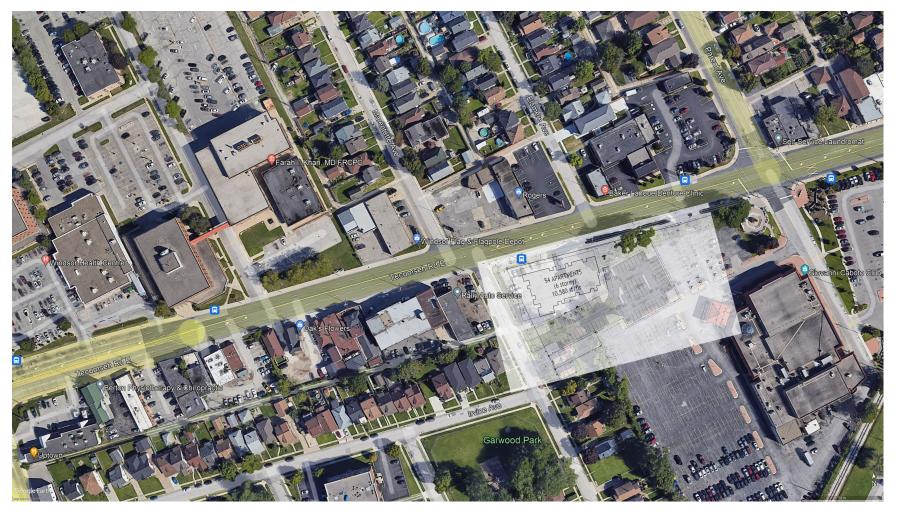
Akoustik engineering limited

Prepared by:
Helen Ule, Ph.D., PEng

Reviewed by:
Colin Novak, Ph.D., PEng

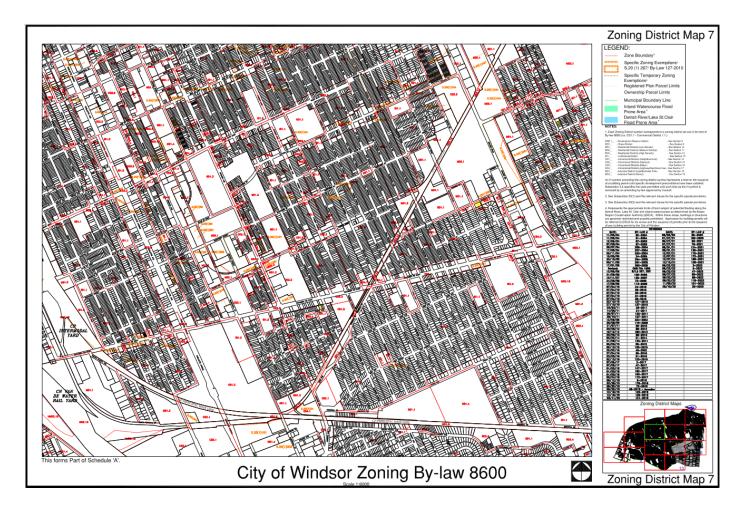
Appendix A: Facility Location and Noise Sources



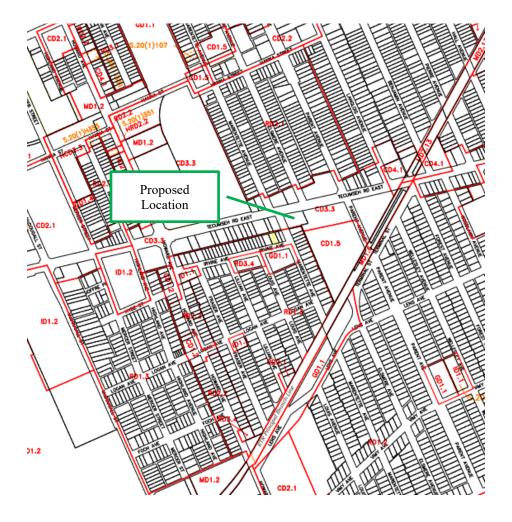


A2: Aerial View of Proposed Development Location

Appendix B: Zoning By-law Map



B1: Zoning District Map – City of Windsor; Zoning Map 7





B2: Zoning District Map - City of Windsor; Map No. 7, Site Location

Appendix C: NPC-300 Reference Pages

ENVIRONMENTAL NOISE GUIDELINE Stationary and Transportation Sources - Approval and Planning NPC-300

for that point of reception. The outdoor sound level limits for stationary sources apply only to daytime and evening (07:00-23:00 hours). Sound level limits apply during the nighttime period (23:00-07:00) for the plane of the window of a noise sensitive space. In general, the outdoor points of reception will be protected during the nighttime as a consequence of meeting the sound level limits at the adjacent plane of window of noise sensitive spaces.

Note that for Class 1, 2 and 3 areas, the plane of window limits apply to a window that is assumed to be open. For Class 4 areas, the plane of window limits apply to a window which is assumed to be closed. This distinction does not affect the prediction of plane of window sound levels.

 $Table\ B-1$ Exclusion Limit Values of One-Hour Equivalent Sound Level (Leq. dBA) Outdoor Points of Reception

Time of Day	Class 1 Area	Class 2 Area	Class 3 Area	Class 4 Area
07:00 - 19:00	50	50	45	55
19:00 - 23:00	50	45	40	55

 $Table\ B-2$ Exclusion Limit Values of One-Hour Equivalent Sound Level (Leq. dBA) Plane of Window of Noise Sensitive Spaces

Time of Day	Class 1 Area	Class 2 Area	Class 3 Area	Class 4 Area
07:00 - 19:00	50	50	45	60
19:00 - 23:00	50	50	40	60
23:00 - 07:00	45	45	40	55

B7.2 Impulsive Sound - Outdoors and Plane of Window

For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source, the sound level limit at a point of reception expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}) is the higher of the applicable exclusion limit value given in Table B-3 or Table B-4, or the background sound level for that point of reception. The outdoor sound level limits for stationary sources apply only to daytime and evening (07:00 – 23:00 hours). Sound level limits apply during the nighttime period (23:00 – 07:00) for the plane of the window of a noise sensitive space. In general, the outdoor points of reception will be protected during the nighttime as a consequence of meeting the sound level limits at the adjacent plane of window of noise sensitive spaces.

Notwithstanding Publication NPC-103, Reference [29], the following sound level limits in Table B-3 and Table B-4 below apply to impulsive sound:

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C 1: Exclusion Limit Values for Stationary Sources

In addition, sound level limits do not apply to emergency equipment operating in emergency situations.

B7.4 Sound Level Limits for Layover Sites

The sound level limit for noise from a layover site in any hour, expressed in terms of the One-Hour Equivalent Sound Level (L_{eq}) is the higher of either 55 dBA or the background sound level.

B8 Noise Impact Assessment – Multiple Sources

Impulse sources, non-impulse sources and emergency equipment are to be analyzed separately. Where there are multiple, non-impulse sources at a stationary source, the noise assessment needs to be based on the combined effect of all sources comprising the stationary source, added together on an energy basis.

B9 Determination of Area Class

Area classification refers to the receptor location.

B9.1 Class 1, 2 and 3 Areas

Determination of whether an area is Class 1, 2 or 3 can usually be done by determining the proximity of the point of reception to roads, the volumes of road traffic (and associated sound levels), and the nature of land uses and activities (or lack thereof) in the area, as a function of time.

B9.2 Class 4 Area

Class 4 area classification is based on the principle of formal confirmation of the classification by the land use planning authority. Such confirmation would be issued at the discretion of the land use planning authority and under the procedures developed by the land use planning authority, in the exercise of its responsibility and authority under the Planning Act.

The following considerations apply to new noise sensitive land uses proposed in a Class 4 area:

- an appropriate noise impact assessment should be conducted for the land use
 planning authority as early as possible in the land use planning process that verifies
 that the applicable sound level limits will be met;
- noise control measures may be required to ensure the stationary source complies with the applicable sound level limits at the new noise sensitive land use;

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C 2: Determination of Area Class

 L_{eq} (8). For complete description on assessing road traffic impacts, refer to ORNAMENT. Other traffic noise prediction models have been and are being developed by various authorities and may be adopted from time to time for use in Ontario by the MOE.

In order to be consistent with MOE guidelines, the sound level should be assessed in an OLA, such as a rear yard or a patio, and in indoor living areas, such as bedrooms and living rooms. Where the noise impact exceeds the applicable sound level limits, mitigation measures such as site planning, architectural design, noise barriers, building envelope elements (windows, exterior walls, doors) with upgraded sound isolation performance and/or central air conditioning may be required. Noise control measures are not required if the sound level estimated in the OLA is 55 dBA or less during the daytime and 50 dBA or less in the plane of bedroom windows during either daytime or nighttime.

C3.2.2 Daytime Outdoor Sound Level Limit

Table C-1 gives the equivalent sound level (L_{eq}) limit for designated OLAs. The limit applies to the entire daytime period from 07:00 to 23:00.

Table C-1 Sound Level Limit for Outdoor Living Areas Road and Rail

Time Period	L _{eq} (16) (dBA)
16-hour, 07:00 - 23:00	55

C3.2.3 Indoor Sound Level Limits

Table C-2 gives the equivalent sound level (L_{eq}) limits and the applicable time periods for the indicated types of indoor spaces. The specified indoor sound level limits are maxima and apply to the indicated indoor spaces with windows and doors closed.

Table C-2 Indoor Sound Level Limits Road and Rail

Type of Space	Time Period	L_{eq} (dBA)	
Type of Space	Time Feriod	Road	Rail
Living/dining, den areas of residences, hospitals, nursing homes, schools, daycare centres, etc.	07:00 - 23:00	45	40
Living/dining, den areas of residences, hospitals, nursing homes, etc. (except schools or daycare centres)	23:00 - 07:00	45	40
Sleeping quarters	07:00 - 23:00	45	40

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C 3: Daytime Outdoor and Daytime/Nighttime Indoor Sound Level Limits

Table C-10 Supplementary Indoor Aircraft Noise Limits (Applicable over 24-hour period)

Type of Space	Indoor NEF/NEP*
General offices, reception areas, retail stores, etc.	15
Individual or semi-private offices, conference rooms, etc.	10
Living/dining areas of residences, sleeping quarters of hotels/motels, theatres, libraries, schools, daycare centres, places of worship, etc.	5
Sleeping quarters of residences, hospitals, nursing/retirement homes, etc.	0

^{*} The indoor NEF/NEP values listed in Table C-10 are not obtained from NEF/NEP contour maps. The values are representative of the indoor sound levels and are used as assessment criteria for the evaluation of acoustical insulation requirements.

C7 Noise Control Measures

The following sections provide MOE guidance for appropriate noise control measures. These sections constitute requirements that are applied to MOE approvals for stationary sources. This information is also provided as guidance which land use planning authorities may consider adopting.

The definition in Part A describes the various types and application of noise control measures. All the noise control measures described in the definition are appropriate to address the impact of noise of transportation sources (road, rail and aircraft) on planned sensitive land uses. Only some of the noise control measures described in the definition are appropriate to address the noise impact of stationary sources on planned sensitive land uses.

C7.1 Road Noise Control Measures

C7.1.1 Outdoor Living Areas

If the 16-Hour Equivalent Sound Level, L_{eq} (16) in the OLA is greater than 55 dBA and less than or equal to 60 dBA, noise control measures may be applied to reduce the sound level to 55 dBA. If measures are not provided, prospective purchasers or tenants should be informed of potential noise problems by a warning clause Type A.

If the 16-Hour Equivalent Sound Level, L_{eq} (16) in the OLA is greater than 60 dBA, noise control measures should be implemented to reduce the level to 55 dBA. Only in cases where the required noise control measures are not feasible for technical, economic or administrative reasons would an excess above the limit (55 dBA) be acceptable with a warning clause Type B. In the above situations, any excess above the limit will not be acceptable if it exceeds 5 dBA.

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C 4: Noise Control Measures – Road Noise Control Measures

C7.1.2 Plane of a Window - Ventilation Requirements

C7.1.2.1 Daytime Period, 07:00 - 23:00 Hours

Noise control measures may not be required if the L_{eq} (16) daytime sound level in the plane of a bedroom or living/dining room window is less than or equal to 55 dBA. If the sound level in the plane of a bedroom or living/dining room window is greater than 55 dBA and less than or equal to 65 dBA, the dwelling should be designed with a provision for the installation of central air conditioning in the future, at the occupant's discretion. Warning clause Type C is also recommended.

If the daytime sound level in the plane of a bedroom or living/dining room window is greater than 65 dBA, installation of central air conditioning should be implemented with a warning clause Type D. In addition, building components including windows, walls and doors, where applicable, should be designed so that the indoor sound levels comply with the sound level limits in Table C-2. The location and installation of the outdoor air conditioning device should comply with sound level limits of Publication NPC-216, Reference [32], and guidelines contained in Environmental Noise Guidelines for Installation of Residential Air Conditioning Devices, Reference [6], or should comply with other criteria specified by the municipality.

C7.1.2.2 Nighttime Period, 23:00 - 07:00 Hours

Noise control measures may not be required if the L_{eq} (8) nighttime sound level in the plane of a bedroom or living/dining room window is less than or equal to 50 dBA. If the sound level in the plane of a bedroom or living/dining room window is greater than 50 dBA and less than or equal to 60 dBA, the dwelling should be designed with a provision for the installation of central air conditioning in the future, at the occupant's discretion. Warning clause Type C is also recommended.

If the nighttime sound level in the plane of a bedroom or living/dining room window is greater than 60 dBA, installation of central air conditioning should be implemented, with a warning clause Type D. In addition, building components including windows, walls and doors, where applicable, should be designed so that the indoor sound levels comply with the sound level limits in Table C-2. The location and installation of the outdoor air conditioning device should comply with sound level limits of Publication NPC-216, Reference [32], and guidelines contained in Environmental Noise Guidelines for Installation of Residential Air Conditioning Devices, Reference [6], or should comply with other criteria specified by the municipality.

C7.1.3 Indoor Living Areas - Building Components

If the nighttime sound level outside the bedroom or living/dining room windows exceeds 60 dBA or the daytime sound level outside the bedroom or living/dining area windows exceeds 65 dBA, building components including windows, walls and doors, where applicable, should be designed so that the indoor sound levels comply with the

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C 5: Noise Control Measures – Road Noise Control Measures (Continued)

sound level limits in Table C-2. The acoustical performance of the building components (windows, doors and walls) should be specified.

C7.2 Rail Noise Control Measures

C7.2.1 Outdoor Living Areas

Whistle noise is not included in the determination of the outdoor daytime sound level due to railway trains. All the provisions of Section C7.1.1 apply also to noise control requirements for rail noise.

C7.2.2 Plane of a Window - Ventilation Requirements

Whistle noise is not included in the determination of the sound level in the plane of a window. All the provisions of Section C7.1.2 apply also to noise control requirements for rail noise.

C7.2.3 Indoor Living Areas - Building Components

The sound level, L_{eq} , during the daytime (16-hour) and nighttime (8-hour) periods is determined using the prediction method STEAM, Reference [34], immediately outside the dwelling envelope. Whistle noise is included in the determination of the sound level.

If the nighttime sound level outside the bedroom or living/dining room windows exceeds 55 dBA or the daytime sound level outside the bedroom or living/dining area windows exceeds 60 dBA, building components including windows, walls and doors, where applicable, need to be designed so that the indoor sound levels comply with the sound level limits in Table C-2. The acoustical performance of the building components (windows, doors and walls) needs to be specified.

In addition, the exterior walls of the first row of dwellings next to railway tracks are to be built to a minimum of brick veneer or masonry equivalent construction, from the foundation to the rafters when the rail traffic L_{eq} (24-hour), estimated at a location of a nighttime receptor, is greater than 60 dBA, and when the first row of dwellings is within 100 metres of the tracks.

C7.3 Combination of Road and Rail Noise

The noise impact in the OLA and in the plane of a window, and the requirements for outdoor measures, ventilation measures and warning clauses, should be determined by combining road and rail traffic sound levels.

The assessment of the indoor sound levels and the resultant requirement for the acoustical descriptors of the building components should be done separately for road

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In Class 4 areas, where windows for noise sensitive spaces are assumed to be closed, the use of central air conditioning may be acceptable if it forms an essential part of the overall building designs.

C7.9 Verification of Noise Control Measures

It is recommended that the implementation of noise control measures be verified by qualified individuals with experience in environmental acoustics.

C8 Warning Clauses

The use of warning clauses or easements in respect of noise are recommended when circumstances warrant. Noise warning clauses may be used to warn of potential annoyance due to an existing source of noise and/or to warn of excesses above the sound level limits. Direction on the use of warning clauses should be included in agreements that are registered on title to the lands in question. The warning clauses would be included in agreements of Offers of Purchase and Sale, lease/rental agreements and condominium declarations. Alternatively, the use of easements in respect of noise may be appropriate in some circumstances. Additional guidance on the use of noise warning clauses is provided in Section C7.1.1, Section C7.1.2.1, Section C7.1.2.2, Section C7.3 and Section C7.4.

C8.1 Transportation Sources

The following warning clauses may be used individually or in combination:

TYPE A: (see Section C7.1.1)

"Purchasers/tenants are advised that sound levels due to increasing road traffic (rail traffic) (air traffic) may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment."

TYPE B: (see Section C7.1.1 and Section C7.4)

"Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic (rail traffic) (air traffic) may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment."

TYPE C: (see Section C7.1.2.1, Section C7.1.2.2 and Section C7.4)

"This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of

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C 7: Noise Control Measures – Warning Clauses

central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment."

TYPE D: (see Section C7.1.2.1, Section C7.1.2.2 and Section C7.4)

"This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment."

C8.2 Stationary Sources

It is not acceptable to use warning clauses in place of physical noise control measures to identify an excess over the MOE sound level limits. Warning clause (Type E) for stationary sources may identify a potential concern due to the proximity of the facility but it is not acceptable to justify exceeding the sound level limits.

TYPE E: (see Section C7.6)

"Purchasers/tenants are advised that due to the proximity of the adjacent industry (facility) (utility), noise from the industry (facility) (utility) may at times be audible."

C8.3 Class 4 Area Notification

TYPE F: (see Section B9.2 and Section C4.4.2)

"Purchasers/tenants are advised that sound levels due to the adjacent industry (facility) (utility) are required to comply with sound level limits that are protective of indoor areas and are based on the assumption that windows and exterior doors are closed. This dwelling unit has been supplied with a ventilation/air conditioning system which will allow windows and exterior doors to remain closed."

Ministry of the Environment, August 2013

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C 8: Noise Control Measures – Warning Clauses (Continued)

Appendix D: Noise Model Printout

POR 2U: Sixth Storey at 16.5 m (Including road and rail noise)

STAMSON 5.0 NORMAL REPORT Date: 15-08-2023 14:59:11 MINISTRY OF ENVIRONMENT AND ENERGY / NOISE ASSESSMENT Filename: POR2U.te Time Period: Day/Night 16/8 hours Description: POR 2 Sixth Storey Rail data, segment # 1: ETR (day/night) _____ ! Trains ! Speed !# loc !# Cars! Eng !Cont ! (km/h) !/Train!/Train! type !weld ! 12.8/0.0 ! 16.0 ! 2.0 ! 20.0 !Diesel! Yes Data for Segment # 1: ETR (day/night) _____ Angle1 Angle2 : -90.00 deg 90.00 deg Wood depth : 0 (No woods.) 0 / 0 : No of house rows Surface 1 (Absorptive ground surface) : Receiver source distance : 198.00 / 198.00 m Receiver height : 16.50 / 16.50 mTopography 1 (Flat/gentle slope; no barrier) No Whistle : 0.00 Reference angle Results segment # 1: ETR (day) _____ LOCOMOTIVE (0.00 + 51.11 + 0.00) = 51.11 dBAAngle1 Angle2 Alpha RefLeq D.Adj F.Adj W.Adj H.Adj B.Adj SubLeq -90 90 0.14 64.20 -12.72 -0.37 0.00 0.00 0.00 51.11 WHEEL (0.00 + 33.73 + 0.00) = 33.73 dBAAngle1 Angle2 Alpha RefLeq D.Adj F.Adj W.Adj H.Adj B.Adj SubLeq -90 90 0.24 48.26 -13.90 -0.63 0.00 0.00 0.00 33.73 Segment Leq: 51.19 dBA Total Leq All Segments: 51.19 dBA

Page 2

Results segment # 1: ETR (night)

LOCOMOTIVE (0.00 + -13.09 + 0.00) = 0.00 dBA

Angle1 Angle2 Alpha RefLeq D.Adj F.Adj W.Adj H.Adj B.Adj SubLeq ______ -90 90 0.14 0.00 -12.72 -0.37 0.00 0.00 0.00 -13.09

WHEEL (0.00 + -14.53 + 0.00) = 0.00 dBA

Angle1 Angle2 Alpha RefLeq D.Adj F.Adj W.Adj H.Adj B.Adj SubLeq

______ -90 90 0.24 0.00 -13.90 -0.63 0.00 0.00 0.00 -14.53 ______

Segment Leq: 0.00 dBA

Total Leg All Segments: 0.00 dBA

Road data, segment # 1: Tec Rd E EB (day/night) ______

Car traffic volume : 16324/1814 veh/TimePeriod Medium truck volume : 688/76 veh/TimePeriod Heavy truck volume : 172/19 veh/TimePeriod

Posted speed limit : 50 km/h Road gradient : 0 %

Road pavement : 1 (Typical asphalt or concrete)

Data for Segment # 1: Tec Rd E EB (day/night)

Angle1 Angle2 : -90.00 deg 90.00 deg Wood depth : 0 (No woods. No of house rows : 0 / 0
Surface : 1 (Absorptive (No woods.)

Surface 1 (Absorptive ground surface)

Receiver source distance : 15.00 / 15.00 m Receiver height : 16.50 / 16.50 m

Topography : 1
Reference angle : 0.00 1 (Flat/gentle slope; no barrier)

Page 3

```
Road data, segment # 2: Tec Rd E WB (day/night)
_____
Car traffic volume : 16324/1814 veh/TimePeriod
Medium truck volume : 688/76 veh/TimePeriod Heavy truck volume : 172/19 veh/TimePeriod
Posted speed limit : 50 km/h
Road gradient : 0 %
Road pavement : 1 (Typical asphalt or concrete)
Data for Segment # 2: Tec Rd E WB (day/night)
_____
Angle1 Angle2 : -90.00 deg 90.00 deg Wood depth : 0 (No woods No of house rows : 0 / 0
                                        (No woods.)
                             0 / 0
1
                                        (Absorptive ground surface)
Surface
                         :
Receiver source distance : 24.00 / 24.00 m
Receiver height : 16.50 / 16.50 m
                         : 1 (Flat/gentle slope; no barrier)
Topography
Reference angle : 0.00
Road data, segment # 3: Parent (day/night)
_____
Car traffic volume : 8689/965 veh/TimePeriod
Medium truck volume: 177/20 veh/TimePeriod Heavy truck volume: 0/0 veh/TimePeriod Posted speed limit: 50 km/h
Road gradient: 0 %
Road gradient : 0 %
Road pavement : 1 (Typical asphalt or concrete)
Data for Segment # 3: Parent (day/night)
______
Angle1 Angle2
Wood depth :
No of house rows :
:
Angle1 Angle2 : -90.00 deg 0.00 deg
                        : 0
                                        (No woods.)
                                0 / 0
                             1 (Absorptive ground surface)
Receiver source distance : 122.00 / 122.00 m
Receiver height : 16.50 / 16.50 m

Topography : 1 (Flat/gentle slope; no barrier)

Reference angle : 0.00
```

```
Page 4
Road data, segment # 4: Howard (day/night)
Car traffic volume : 28713/3190 veh/TimePeriod
Medium truck volume : 1209/135 veh/TimePeriod
Heavy truck volume : 302/33 veh/TimePeriod
Posted speed limit : 50 km/h
Road gradient : 0 %
Road pavement : 1 (Typical asphalt or concrete)
Data for Segment # 4: Howard (day/night)
_____
Angle1 Angle2 : -90.00 deg 90.00 deg
Wood depth
                   : 0
                              (No woods.)
No of house rows :
                        0 / 0
                               (Absorptive ground surface)
                        1
Surface
                   :
Receiver source distance : 380.00 / 380.00 m
Receiver height : 16.50 / 16.50 m
Topography
                   : 1 (Flat/gentle slope; no barrier)
Reference angle : 0.00
Results segment # 1: Tec Rd E EB (day)
Source height = 1.00 \text{ m}
ROAD (0.00 + 65.17 + 0.00) = 65.17 dBA
Angle1 Angle2 Alpha RefLeq P.Adj D.Adj F.Adj W.Adj H.Adj B.Adj
SubLeq
  -90 90 0.22 65.76 0.00 0.00 -0.60 0.00 0.00 0.00
65.17
_____
Segment Leq: 65.17 dBA
Results segment # 2: Tec Rd E WB (day)
______
Source height = 1.00 \text{ m}
ROAD (0.00 + 62.67 + 0.00) = 62.67 dBA
Angle1 Angle2 Alpha RefLeq P.Adj D.Adj F.Adj W.Adj H.Adj B.Adj
______
```

Segment Leq: 62.67 dBA

-90

90 0.22 65.76 0.00 -2.50 -0.60 0.00 0.00 0.00

```
Page 5
Results segment # 3: Parent (day)
Source height = 0.50 \text{ m}
ROAD (0.00 + 45.65 + 0.00) = 45.65 dBA
Angle1 Angle2 Alpha RefLeq P.Adj D.Adj F.Adj W.Adj H.Adj B.Adj
SubLeq
       0 0.24 60.59 0.00 -11.29 -3.64 0.00 0.00 0.00
 -90
45.65
______
Segment Leq: 45.65 dBA
Results segment # 4: Howard (day)
_____
Source height = 1.00 m
ROAD (0.00 + 50.42 + 0.00) = 50.42 dBA
Angle1 Angle2 Alpha RefLeq P.Adj D.Adj F.Adj W.Adj H.Adj B.Adj
SubLeq
  -90 90 0.23 68.21 0.00 -17.20 -0.60 0.00 0.00 0.00
50.42
Segment Leq: 50.42 dBA
Total Leq All Segments: 67.23 dBA
Results segment # 1: Tec Rd E EB (night)
Source height = 1.00 \text{ m}
ROAD (0.00 + 58.62 + 0.00) = 58.62 dBA
Angle1 Angle2 Alpha RefLeq P.Adj D.Adj F.Adj W.Adj H.Adj B.Adj
SubLeq
______
       90 0.23 59.22 0.00 0.00 -0.60 0.00 0.00 0.00
 -90
58.62
______
Segment Leq: 58.62 dBA
```

Results segment # 2: Tec Rd E WB (night)

Source height = 1.00 m

ROAD (0.00 + 56.12 + 0.00) = 56.12 dBA Angle1 Angle2 Alpha RefLeq P.Adj D.Adj F.Adj W.Adj H.Adj B.Adj SubLeq

--

-90 90 0.23 59.22 0.00 -2.50 -0.60 0.00 0.00 0.00 56.12

--

Segment Leq : 56.12 dBA

```
Page 6
```

Results segment # 3: Parent (night)

Source height = 0.50 m

ROAD (0.00 + 39.14 + 0.00) = 39.14 dBA

Angle1 Angle2 Alpha RefLeq P.Adj D.Adj F.Adj W.Adj H.Adj B.Adj SubLeq

--

-90 0 0.24 54.07 0.00 -11.29 -3.64 0.00 0.00 0.00 39.14

Segment Leq: 39.14 dBA

Results segment # 4: Howard (night)

Source height = 1.00 m

ROAD (0.00 + 43.87 + 0.00) = 43.87 dBA

Angle1 Angle2 Alpha RefLeq P.Adj D.Adj F.Adj W.Adj H.Adj B.Adj SubLeq

Барыс

-90 90 0.23 61.67 0.00 -17.20 -0.60 0.00 0.00 0.00 43.87

Segment Leq: 43.87 dBA

Total Leq All Segments: 60.68 dBA

TOTAL Leq FROM ALL SOURCES (DAY): 67.34

(NIGHT): 60.68

Appendix E: Road Traffic Volume Data

E 1: Predicted Tecumseh Road East Traffic Volumes (2% growth rate per annum) [Eastbound and Westbound total]

Year	Road	Location	ADT
2011	Tecumseh Rd East	East of McDougall	24700
2033	Tecumseh Rd East	East of McDougall	38186

E 2: Predicted Parent Ave. Traffic Volumes (2% growth rate per annum)

Year	Road	Location	ADT
2012	Parent Ave.	North of Tecumseh	6500
2033	Parent Ave.	North of Tecumseh	9852

E 3: Predicted Howard Avenue Traffic Volumes (2% growth rate per annum)

Year	Road	Location	ADT
2011	Howard Ave.	South of Tecumseh	22600
2033	Howard Ave.	South of Tecumseh	33582

E 4: Predicted Traffic Volumes (Tecumseh Rd East) per Period and Breakdown of Cars, Medium Trucks and Heavy Trucks – each direction of travel

Period	Auto Traffic Volume (Vehicles/hr)	Medium Truck Traffic Volume (Vehicles/hr)	Heavy Truck Traffic Volume (Vehicles/hr)
Day (16 hours)	1020	43	11
Night (8 hours)	227	10	2

E 5: Predicted Traffic Volumes (Parent Ave.) per Period and Breakdown of Cars, Medium Trucks and Heavy Trucks

Period	Auto Traffic Volume (Vehicles/hr)	Medium Truck Traffic Volume (Vehicles/hr)	Heavy Truck Traffic Volume (Vehicles/hr)
Day (16 hours)	543	11	0
Night (8 hours)	121	3	0

E 6: Predicted Traffic Volumes (Howard Ave.) per Period and Breakdown of Cars, Medium Trucks and Heavy Trucks

Period	Auto Traffic Volume (Vehicles/hr)	Medium Truck Traffic Volume (Vehicles/hr)	Heavy Truck Traffic Volume (Vehicles/hr)
Day (16 hours)	1795	76	19
Night (8 hours)	399	17	4

E 7: Distance from Roadway to Selected Representative PORs

POR	Distance to Tecumseh Rd. East EB (m)	Distance to Tecumseh Rd. East WB (m)	Distance to Parent Ave (m)	Distance to Howard Ave (m)
POR1L/ POR1U	15	24	170	337
POR2L/ POR2U	15	24	122	380
POR3L/ POR3U	40	49	N/A	N/A
POR4L/ POR4U	32	41	127	N/A

Appendix F: Rail Traffic Volume Data

F 1: ETR Rail Train Volume Data Modelled for 2033

	Number of Trains	Max Speed (km/h)	Number of Locomotive per Train	Number of Cars per Train	Engine Type
Day	12.8	16	2	20	Diesel
Night	0	N/A	-	-	-

F 2: Distance from ETR Rail Line to Selected Representative PORs

POR	Distance to ETR Line (m)
POR1U/1L	N/A
POR2U/2L	198
POR3U/3L	213
POR4U/4L	188

Appendix G: STC Output Results

```
Indoor sound level in dB(A) is 40
Room absorption category is: intermediate
Outdoor sound level is 67 dB(A) (plus 0 dB from Table 2)
                         After
                                  From Table 3
                                                 From Table 4
                                                                From Table 5 STC
                         Step 2
                                                (% floor area)
Components:
                                   (% energy)
                                                                 (spectrum)
1. Exterior wall
                           27
                                  +5 dB ( 33 %)
                                                  -0 dB ( 77 %)
                                                                    +7 dB
                                                                               39
2. Wndow, openable thick d 27
                                  +5 dB ( 33 %)
                                                  -4 dB (
                                                          34 %)
                                                                    +4 dB
                                                                               32
                                  +5 dB ( 33 %)
                                                                    +2 dB
                                                                               27
                           27
                                                  -7 dB ( 17 %)
3. Double exterior door
Calculation is for: PORZU Living Room
```

G 1: STC Results for Nighttime Bedroom (Openable window)

```
Room absorption category is: intermediate
Outdoor sound level is 67 dB(A) (plus 0 dB from Table 2)
                            After
                                     From Table 3
                                                      From Table 4
                                                                       From Table 5 STC
Components:
                            Step 2
                                       (% energy)
                                                      (% floor area)
                                                                         (spectrum)
                                                        -0 dB ( 77 %)
1. Exterior wall
                               27
                                      +5 dB ( 33 %)
                                                                           +7 dB
                                                                                       39
2. Wndow, sealed thick dou 27
                                      +5 dB ( 33 %)
                                                        -4 dB ( 34 %)
                                                                           +7 dB
                                                                                       35
                                      +5 dB ( 33 %)
                                                                           +2 dB
Double exterior door
                                                       -7 dB ( 17 %)
                                                                                       27
                               27
Calculation is for: POR2U Sealed Living Room
```

G 2: STC Results for Nighttime Bedroom (Non-openable window)

Appendix H: CN Rail Land Use Guidelines	



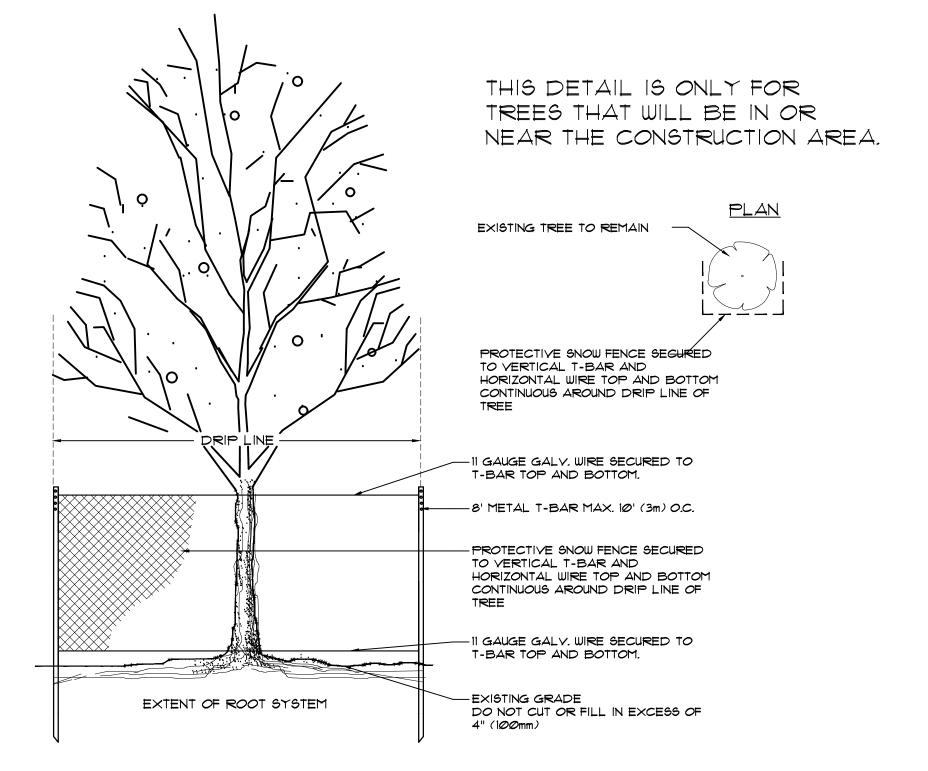
1 Administration Rd Concord, ON L4K 189 Telephone: 514-399-7627 Fax: 514-399-4296

PRINCIPAL MAIN LINE REQUIREMENTS

- A. Safety setback of habitable buildings from the railway rights-of-way to be a minimum of 30 metres in conjunction with a safety berm. The safety berm shall be adjoining and parallel to the railway rights-of-way with returns at the ends, 2.5 metres above grade at the property line, with side slopes not steeper than 2.5 to 1.
- B. The Owner shall engage a consultant to undertake an analysis of noise. At a minimum, a noise attenuation barrier shall be adjoining and parallel to the railway rights-of-way, having returns at the ends, and a minimum total height of 5.5 metres above top-of-rail. Acoustic fence to be constructed without openings and of a durable material weighing not less than 20 kg. per square metre of surface area. Subject to the review of the noise report, the Railway may consider other measures recommended by an approved Noise Consultant.
- C. Ground-borne vibration transmission to be evaluated in a report through site testing to determine if dwellings within 75 metres of the railway rights-of-way will be impacted by vibration conditions in excess of 0.14 mm/sec RMS between 4 Hz and 200 Hz. The monitoring system should be capable of measuring frequencies between 4 Hz and 200 Hz, ±3 dB with an RMS averaging time constant of 1 second. If in excess, isolation measures will be required to ensure living areas do not exceed 0.14 mm/sec RMS on and above the first floor of the dwelling.
- D. The Owner shall install and maintain a chain link fence of minimum 1.83 metre height along the mutual property line.
- E. The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way: "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."
- F. Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
- G. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.
- H. The Owner shall enter into an Agreement with CN stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement.
- The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.

K 1: CN Rail Canada – Principal Main Line Requirements (note item E)

	Existing Tree List and Condition					
TREE NO.	BOTANICAL NAME	COMMON NAME	SIZE (cm- dbh)	CONDITION	REMARKS	
1	Acer saccharinum	Silver Maple	77	Fair	3 trunks with included bark remove for proposed building	
2	Ailanthus altissima	Tree of Heaven	49	Good	remove for proposed building	
3	Pinus nigra	Austrian Pine	42	Good	remove for proposed building	
4	Pinus nigra	Austrian Pine	42	Good	remove for proposed building	
5	Pinus nigra	Austrian Pine	41	Good	remove for proposed building	
6	Pinus nigra	Austrian Pine	47	Good	remain	
7	Pinus nigra	Austrian Pine	48	Good	remain	
8	Pinus nigra	Austrian Pine	43	Good	remain	
9	Pinus nigra	Austrian Pine	48	Good	remain	
10	Pinus nigra	Austrian Pine	34	Good	remain	
11	Pinus nigra	Austrian Pine	51	Good	remain	
12	Picea pungens glauca	Colorado Blue Spruce	32	Poor	remove due to condition	
13	Gleditsia triacanthos inermis	Honeylocust	59	Good	remain	
14	Gleditsia triacanthos inermis	Honeylocust	49	Good	remain	
15	Gleditsia triacanthos inermis	Honeylocust	50	Good	remain	
16	Gleditsia triacanthos inermis	Honeylocust	48	Good	remain	
17	Gleditsia triacanthos inermis	Honeylocust	47	Good	remain	
18	Pinus nigra	Austrian Pine	39	Good	remain	
19	Pinus nigra	Austrian Pine	36	Good	remain	
20	Pinus nigra	Austrian Pine	50	Good	remain	
21	Pinus nigra	Austrian Pine	42	Good	remain	
22	Gleditsia triacanthos inermis	Honeylocust	55	Poor	remove due to condition	
23	Gleditsia triacanthos inermis	Honeylocust	43	Good	remain	
24	Gleditsia triacanthos inermis	Honeylocust	40	Good	remain	
25	Gleditsia triacanthos inermis	Honeylocust	55	Good	remain	
26	Fagus Sylvatica	European Beech	35	Good	remain	
27	Acer planatiodes "Crimson King"	Crimson King Norway Maple	29	Good	remain	
28	Acer planatiodes "Crimson King"	Crimson King Norway Maple	36	Good	remain	



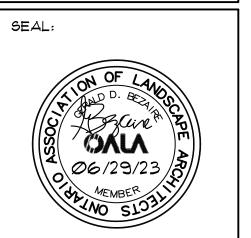
Existing Tree Protection NTS

BP Bezaire Partners

> Planners, Landscape Architects, Mediation, Public Consultation Project Management

302-180 Eugenie St. West Windsor, ON N8X 2X6 p: 519 966 6844

gbezaire@bezaire.ca



ISSUED:

REVISIONS:

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PROJECT: APARTMENT

FOR CABOTO CLUB TECUMSEH ROAD WINDSOR, ONTARIO

DRAWING TITLE: EXISTING TREE INVENTORY \$ PRESERVATION PLAN

SCALE: AS NOTED

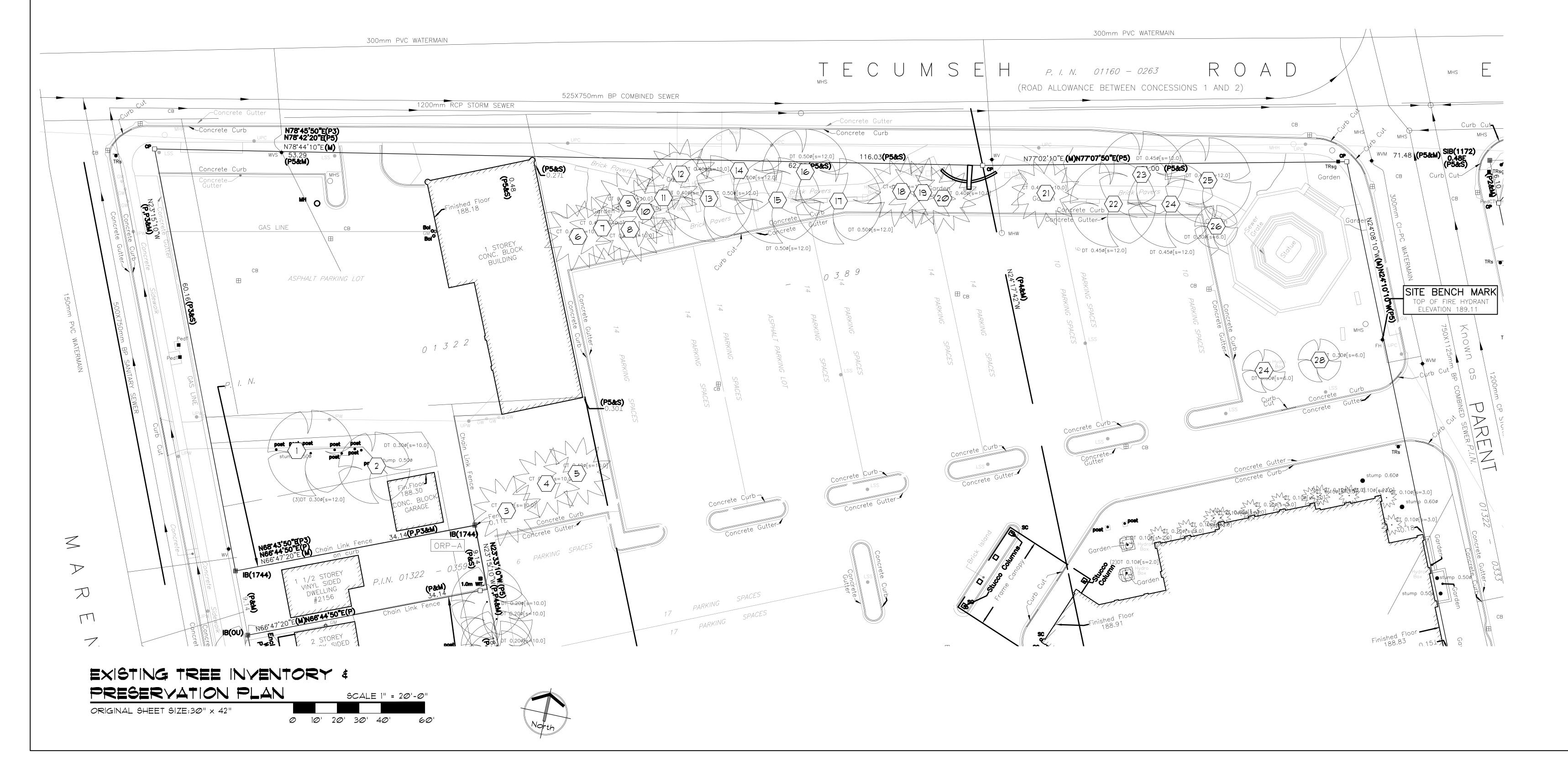
DRAWN BY: CHECKED BY:

APPROVED BY:

DATE: JUNE 2023

DRAWING NO:

CAD file: 1620 TIPP



1. The location of the existing trees was taken from the survey provided by

responsible for the accuracy of information provided by others.

2. The species, size and condition of the existing trees was provided by Mr. Bill

3. Care has been taken to obtain all information from reliable sources. All data has

been verified insofar as possible. The consultant can neither guarantee nor be

Verhaegen Land Surveyors.

PLANNING RATIONALE REPORT

OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT PROPOSED RESIDENTIAL DEVELOPMENT

835 Tecumseh Road East, 2148 Marentette Ave and 2175 Parent Avenue

City of Windsor, Ontario

February 22, 2023
As Revised

Prepared by:



Tracey Pillon-Abbs, RPP Principal Planner 23669 Prince Albert Road Chatham, ON N7M 5J7 226-340-1232 tracey@pillonabbs.ca www.pillonabbs.ca

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1.0 INTRODUCTION

I have been retained by Sfera Architectural Associates Inc., on behalf of Giovanni Caboto Club (herein the "Applicant"), to provide a land use Planning Rationale Report (PRR) in support of a proposed development to be located at 835 Tecumseh Road East, 2148 Marentette Avenue and 2175 Parent Avenue (herein the "Site") in the City of Windsor, Province of Ontario.

The Site, in Ward 4 (Walkerville Planning District), is made up of one (1) legal parcel of land with three (3) roll numbers and three (2) municipal addresses, of which two (2) are currently being used for commercial and the other is vacant.

The Site subject to the development will be severed.

Some existing buildings and structures will be demolished. The existing Caboto Club building and parking area will remain.

It is proposed to construct one 6 storey (24 m) multiple dwelling consisting of a total of 54 residential dwelling units.

The building will include 1 and 2 bedroom units. Tenure will be rental.

A total of 70 parking spaces are to be located on-site with access to the new development from Marentette Avenue.

A site-specific Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) are required in support of the proposed development.

Once the OPA and ZBA applications have been approved, the Applicant will proceed with a Site Plan Control (SPC) application prior to the issuance of a building permit.

Pre-consultation (Stage 1) was completed by the Applicant (City File #PS 016/23). Comments dated May 23, 2023, were received and have been incorporated into this PRR.

The purpose of this report is to review the relevant land use documents, including the Provincial Policy Statement 2020 (PPS), the City of Windsor Official Plan (OP) and the City of Windsor Zoning By-law (ZBL).

This PRR will show that the proposed development is a suitable development, is consistent with the PPS, conforms to the intent and purpose of the OP and ZBL and represents good planning.

2.0 SITE AND SURROUNDING LAND USES

2.1 Legal Description and Ownership

The Site, in Ward 4 (Walkerville Planning District), is made up of one (1) legal parcel of land with three (3) roll numbers and three (3) municipal addresses, located on the south side of Tecumseh Road East and the east side of Marentette Ave (see area subject to development in red on Figure 1 – Site Location).

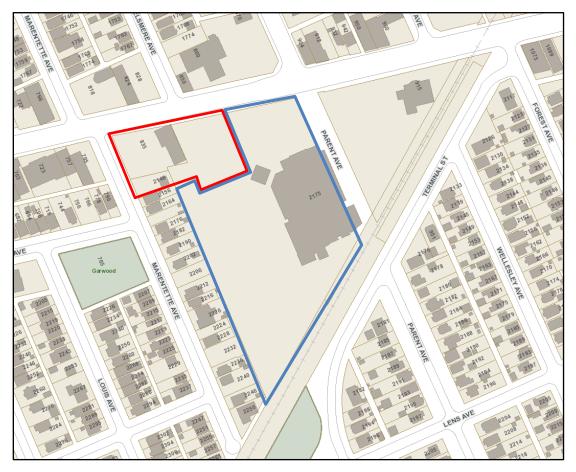


Figure 1 – Site Location (Source: Windsor GIS)

The Site subject to the development will be severed.

The Site has been owned by Giovanni Caboto Club since 1986 and is legally described as LT 59 PL 908 WINDSOR; LT 60 PL 908 WINDSOR; LT 1 PL 908 WINDSOR EXCEPT WE38878; PT ALLEY PL 908 WINDSOR CLOSED BY R875835, R1294508 AS IN R1332673; PT LT 23 PL 140 WINDSOR; PT LT 24 PL 140 WINDSOR; PT LT 90 CON 2 SANDWICH EAST AS IN R970660, R1332673; S/T R1061997, R1300489E; WINDSOR (01322-0389 (LT)).

The 3 roll numbers and 3 municipal addresses are as follows:

Address	ARN
835 Tecumseh Road East	3739020290001000000
2148 Marentette Avenue	3739020290004000000
2175 Parent Ave	3739020300051000000

2.2 Physical Features of the Site

2.2.1 Size and Site Dimension

The Site, subject to the proposed development, consists of a total area of 4,857.08 m2 (0.486 ha), with 93.88 m of depth along Tecumseh Road East and 60.16 m of width (frontage) along Marentette Avenue.

2.2.2 Existing Structures and Previous Use

The Site is currently being used for commercial on two portions of the Site with an existing 1 storey building to be removed and 1 to 2 storey building to remain (Caboto Club) and vacant on the other portion of the Site with an existing accessory structure (garage) to be removed.

The commercial portion has always been used for commercial uses.

The vacant portion was used for residential. A single detached dwelling was demolished in 2014.

2.2.3 Vegetation and Soils

The property currently has a mown lawn and trees.

There is an existing garden area along Tecumseh Road East.

The soil of the Site is made up of Brookston Clay Loam (Bcl).

2.2.4 Topography and Drainage

The Site is flat and is outside the regulated area of the Essex Region Conservation Authority (ERCA).

The Site is part of the Windsor Area Drainage.

The Site is not part of any Source Water Protection area.

2.2.5 Other Physical Features

There are existing access driveways onto the Site from Tecumseh Road East, Parent Avenue and Marentette Avenue.

There is a pedestrian trail that runs along Tecumseh Road East.

There is some outdoor seating and a water fountain outside the area being developed.

There are no other physical features on the Site.

2.2.6 Municipal Services

The property has access to municipal water, storm, and sanitary services.

Tecumseh Road East is classified as a class 2 arterial road, and Marentette Ave is classified as a local road.

Streetlights and sidewalks are located on both Tecumseh Road East and Marentette Ave.

The Site has access to transit with the closest bus stop located on the north side of the Site along Tecumseh Road East (Stop ID #1109, Bus 1C).

2.2.7 Nearby Amenities

There are many parks and recreation opportunities in close proximity to the Site, including John Campbell Public School, Catholic Central High School and Kennedy Collegiate North Campus.

The closest library is W. F. Chisholm Public Library, which is located on Ypres Ave.

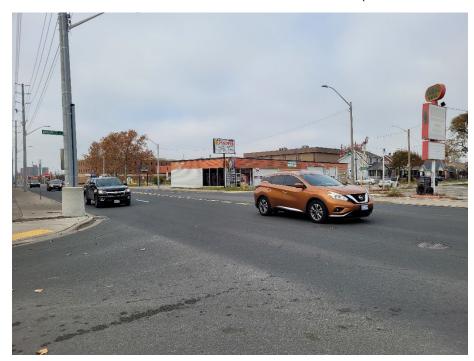
There is nearby shopping in the form of plazas and malls, as well as employment, health care, places of worship, libraries and local/regional amenities.

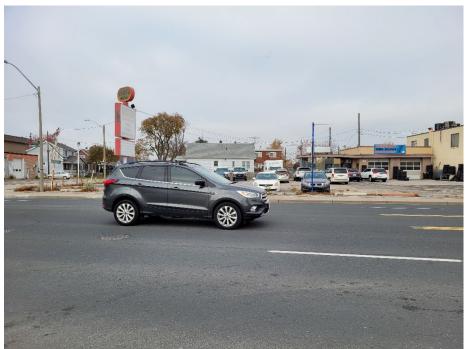
2.3 Surrounding Land Uses

Overall, the Site is in a mixed use area with commercial, institutional, and residential uses.

A site visit was conducted, and photos were taken on November 5, 2023. Photos taken by Pillon Abbs Inc.

North – The lands north of the Site, are used for commercial uses (see Photos 1 – North).







Photos 1 – North

South – The lands south of the Site are used for rail and beyond that residential uses (see Photo 2 - South).



Photo 2 – South

East – The lands east of the Site are used for commercial uses (Caboto Club) (see Photo 3 - East).



Photo 3 – East

West – The lands west of the Site are used for commercial and residential uses (see Photos 4 - West).





Photos 4 – West

3.0 DEVELOPMENT PROPOSAL

3.1 Proposal

The Site, in Ward 4 (Walkerville Planning District), is made up of three (3) parcels of land with three (3) municipal addresses, of which two (2) are currently being used for commercial and the other is vacant.

The Site of the proposed development consists of properties at 835 Tecumseh Road East, 2148 Marentette Avenue, and a portion of the northwest corner parking lot of 2175 Parent Avenue.

The Site subject to the development will be severed.

Some existing buildings and structures will be demolished. The existing Caboto Club building and parking area will remain.

It is proposed to construct one standalone 6 storey multiple dwelling consisting of a total of 54 residential dwelling units.

A concept plan was prepared by Sfera Architectural Associates Inc., dated December 30, 2022, illustrating how the Site can be developed (see Figure 2a –Concept Plan).

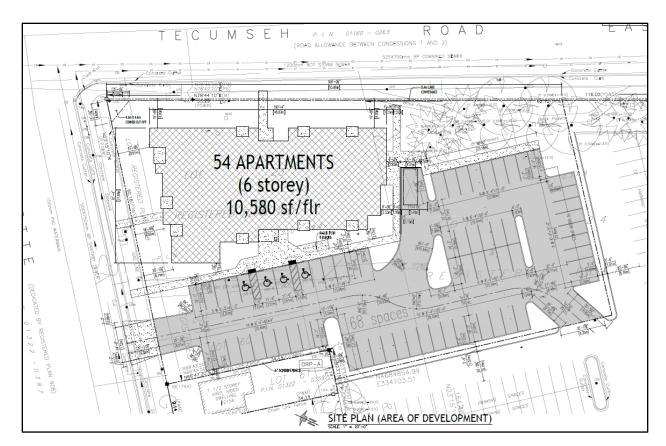


Figure 2a -Concept Plan

The proposed building will be located at the northwest corner of the Site. The main entrance into the proposed buildings will be from the south side.

Elevations have been prepared (see Figure 2b – Elevation).



NORTH ELEVATION - FACING TECUMSEH ROAD



Figure 2b - Elevation

Based on the lot area of 0.485 ha and the number of proposed units (54), the total residential density of 111.34 units per hectare (uph).

The proposed building will be 982.94 m2 in size and will be 24.0 m in height.

There will be private balconies.

The building will include 1 and 2 bedroom units. Tenure will be rental.

The building will include a foyer, mail room, laundry, storage and maintenance room. There will be elevators.

Parking is proposed to be located on-site on the south and east sides of the building.

A total of 68 parking spaces are proposed. Parking spaces will be provided for tenants and visitors, including barrier free spaces.

Bicycle spaces are proposed, as well as loading spaces.

Landscaping will be provided on the Site. The existing garden will be kept along Tecumseh Road East.

Sidewalks and fire routes are also provided.

Refuse (garbage and recycling) will be located inside the proposed building.

The chain link fencing along the south side of the Site, abutting a residential use, will be kept. New fencing can be addressed at the time of SPC.

A 4.6 metre by 4.6 metre corner cut-off at the intersection of Marentette Avenue and Tecumseh Road East and a 6.0 metre by 6.0 metre corner cut-off at the intersection of Parent Avenue and Tecumseh Road East have been included.

EnWin Utilities Ltd. has been contacted regarding the minimum building setback from their overhead hydro lines within the Tecumseh Road East right-of-way.

3.2 Public Consultation Strategy

In addition to the statutory public meeting, the *Planning Act* requires that the Applicant submit a proposed strategy for public consultation with respect to an application as part of the complete application requirements.

As part of a public consultation strategy, in addition to the statutory public meeting, an informal in-person public open house was held with area residents and property owners on Wednesday, October 18, 2023, from 6:00 pm to 8:00 pm at the Giovanni Caboto Club (Caboto Hall) located at 2174 Parent Ave, Windsor.

The open house provided members of the public with opportunities to review and comment on the proposed development.

In addition to City of Windsor Staff, Ward Councillor and the Applicant Team, a total of 14 people attended the open house.

Emails, letters and phone calls were also received.

The following is a summary of the comments and responses from the public open houses:

Topic Item	Comment and Questions	Response
Traffic	There is too much traffic in the area already.	Tecumseh Road East is classified as a class 2 arterial road, and Marentette Ave is classified as a local road, both of which are designed for traffic.
		795 Tecumseh Road East appears to be at the root of many of the existing traffic issues on the stretch of Marentette Avenue between Tecumseh Road East and Irvine Avenue.
Flooding	How can we be assured that basements of existing dwellings will not get flooded?	A FSR will be completed.

Topic Item	Comment and Questions	Response
Parking	Concerns about parking on Marentette Ave.	Overflow parking can use the Caboto Club parking spaces.
		The automobiles for lease or sale occupying parking spaces within the Caboto Club's parking area will not continue.
Train Noise	The whistle from the ETR will make a noise.	A Noise Study will be completed.
Access	Need more than one exit from the parking lot so they don't have to exit to Marentette Ave.	They can go through the Caboto Club parking lot to the lights at Parent Ave, if required.
Construction Traffic	Traffic through the neighborhood during construction is a concern.	Construction traffic would have to use Tecumseh Road.
Construction Parking	Concerns with parking in the neighborhood during construction.	Overflow parking can use the Caboto Club parking spaces.

4.0 PURPOSE OF APPLICATIONS

Pre-consultation (Stage 1) was completed by the Applicant (City File #PS 016/23). Comments dated May 23, 2023, were received and have been incorporated into this PRR.

The proposed development requires an application for an Official Plan Amendment (OPA) and a Zoning By-law Amendment (ZBA).

Support studies are also required.

The following explains the purpose of the applications and required support studies.

4.1 Official Plan Amendment

A site-specific Official Plan Amendment (OPA) is required in support of the proposed development.

The lands are currently designated "Mixed Use Corridor" according to Schedule D: Land Use attached to the OP for the City of Windsor.

The OPA proposes to amend the Mixed Use Corridor land use designation to permit an increase in height for the proposed multiple dwelling to six (6) storeys.

The OPA is detailed, and the justification is set out in Section 5.1.2 of this PRR.

4.2 Zoning By-Law Amendment

A site-specific Zoning By-law Amendment (ZBA) is required in support of the proposed development.

The ZBA proposes to change the zoning from Commercial District 3.3 (CD3.3) and Residential District 1.3 (RD1.3) category to a site-specific Residential District 3.3 (RD3.3 - S.20(1)(XXX)) category, as shown on Map 7 of the City of Windsor Zoning By-law (ZBL) 8600 in order to permit the proposed multiple dwelling.

No relief of the RD3..3 zone regulations are being requested.

The ZBA is detailed, and the justification is set out in Section 5.1.3 of this PRR.

4.3 Other Application

Once the OPA and ZBA applications have been approved, the Applicant will proceed with a Consent application and a Site Plan Control (SPC) application prior to the issuance of a building permit.

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The proposed development will be subject to a development agreement, which will include any required fees or securities, lighting, buffering, landscaping, signage, etc.

4.4 Supporting Studies

The following supporting studies have been prepared as part of the application submission.

4.4.1 Servicing

A Sanitary Sewer Study was prepared by Aleo Associates Inc., Consulting Engineers, dated September 1, 2023.

The report provided an assessment of the impact of the proposed residential development on the existing sewer system.

The report concluded that the proposed development results in a very small increase in the peak sewage flow.

Further, the proposed re-development will relieve the municipal sanitary sewer system as the overall flow to this sewer will be less than in the existing condition.

It was recommended that a new 200 mm diameter sanitary connection be required for the multistorey residential development.

4.4.2 Noise

An Environmental Noise Assessment Report was prepared by Akoustik Engineering Limited, dated August 24, 2023.

The report provided an assessment of the proposed development from transportation noise, including road and rail.

It was concluded that the noise impacts on the proposed development are found to exceed the limits set by the Ministry; however, noise impacts can be mitigated.

The following recommendations were provided:

- the installation or provision for the future installation of central air conditioning
- warning clauses
- appropriate building material design

The development could be given approval with the understanding that the stated noise control measures are implemented. It should also be noted that there shall be no designated outdoor living area within the defined development area.

4.4.3 Trees

A Tree Inventory and Preservation Plan (TIPP) was prepared by Bezaire Partners, dated June 2023.

The report provided an assessment of existing trees and a preservation plan.

5.0 PLANNING ANALYSIS

5.1 Policy and Regulatory Overview

5.1.1 Provincial Policy Statement

The Provincial Policy Statement, 2020 (PPS) provides policy direction on matters of provincial interest related to land use planning and development, providing for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environments.

The PPS is issued under Section 3 of the Planning Act and came into effect on May 1, 2020. It applies to all land use planning matters considered after this date.

The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The Site is within and existing "Settlement Area", as defined by the PPS.

The following provides a summary of the key policy considerations of the PPS as it relates to the proposed development.

PPS Policy #	Policy	Response
1.0	Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns	This is an urban area with a mix of uses and densities. There is infrastructure in place to support this type of development, and it would not put a burden on existing infrastructure.
1.1.1	Healthy, liveable and safe communities are sustained by: a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;	The proposed development is consistent with the policy to build strong, healthy and livable communities as it provides for more housing in an existing settlement area. There are no environmental or public health and safety concerns as the area is established.

PPS Policy #	Policy	Response
	b) accommodating an appropriate affordable and market-based range and mix	The development pattern does not require the expansion of the existing
	of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs;	settlement area. The Site has access to full municipal services and is close to local amenities. Accessibility of units will be
	c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;	addressed at the time of the building permit. Public service facilities are available, such as local
	d) avoiding development and land use patterns that would prevent the efficient expansion	schools, places of worship and libraries. The development pattern is
	of settlement areas in those areas which are adjacent or close to settlement areas;	proposed to be an efficient development of land.
	e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;	This development would not disturb any natural lands. A tree inventory has been completed.
	f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;	

PPS Policy #	Policy	Response
	h) promoting development and land use patterns that conserve biodiversity.	
1.1.2	Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years. Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.	The proposed development will help the City meet the full range of current and future residential needs through intensification. The Site will provide for residential infilling and intensification within an existing settlement area in the form of residential.
1.1.3.1	Settlement areas shall be the focus of growth and development.	The proposed development enhances the vitality of the Municipality, as the Site is within an existing settlement area.
1.1.3.2	Land use patterns within settlement areas shall be based on densities and a mix of land uses which: a) efficiently use land and resources; b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;	The total density of the proposed development is considered appropriate as most of the existing area is a mix of uses. The Site offers an opportunity for infill and intensification by developing a parcel of land with more housing. The design and style of the proposed building will blend well with the scale and massing of the existing surrounding area.
	c) minimize negative impacts to air quality and climate	

PPS Policy #	Policy	Response
	change, and promote energy efficiency; d) prepare for the impacts of a changing climate; e) support active transportation; f) are transit-supportive, where transit is planned, exists or may be developed; and g) are freight-supportive.	Residents will have immediate access to local amenities. Transit is available for the area. The Site is located close to major roadways.
1.1.3.3	Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.	The proposed development is located on a Site that is physically suitable. The Site is generally level, which is conducive to easy vehicular movements. The intensification can be accommodated for the proposed development as it is an appropriate development of land. Parking will be provided onsite, including space for tenants and visitors. Bicycle parking is also provided.
1.1.3.4	Appropriate development standards should be promoted which facilitate intensification, re-development and compact form, while avoiding or mitigating risks to public health and safety.	The proposed building will be built with a high standard of construction, allowing a seamless integration with the existing area. There will be no risks to the public.

PPS Policy #	Policy	Response
		The Site is outside of the ERCA regulated area.
		Noise assessment has been completed, and mitigation is recommended to be built into the design of the proposed development.
1.1.3.5	Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.	The City has established targets for intensification and development. The proposed development will assist in meeting those targets as the Site is located in an existing built-up area.
1.1.3.6	New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.	The proposed development does have a compact built form. The proposed building size will allow for the efficient use of land, pedestrian and vehicle access, infrastructure and public services.
1.4.1- Housing	To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:	The proposed land use encourages active transportation and promotes the utilization of existing transit connections proximate to the Site to meet the health and well-being of future residents.
	a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and re-development and, if necessary, lands which are	The proposed development will provide for an infill and intensification opportunity in the existing built-up area. The Site offers an opportunity for more housing.

PPS Policy #	Policy	Response
	designated and available for residential development; and b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.	Municipal services are available, as set out in the support studies.
1.4.3	Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area.	The proposed development provides for a new housing choice in the area and utilizes the Site in an efficient manner. The Site is currently underutilized, and the development will allow for new residential use. The proposed density will have a positive impact on the area as it will blend well with the existing built form. The Site is close to nearby amenities. There is suitable infrastructure, including transit.
1.6.1 - Infrastructure	Infrastructure and public service facilities shall be provided in an efficient manner	The development can proceed on full municipal services as identified in the required support studies.

PPS Policy #	Policy	Response
	that prepares for the impacts of a changing climate while accommodating projected needs.	Access to public transit is available.
1.6.6.2- Sewage, Water and Stormwater	Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.	The proposed development will be serviced by municipal sewer, water, and storm, which are the preferred forms of servicing for settlement areas. The required support studies have been provided.
1.6.6.7 - Stormwater	Planning for stormwater management shall: a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term; b) minimize, or, where possible, prevent increases in contaminant loads; c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of	The required support studies have been completed to support the proposed development. There will be no negative impacts on the municipal system and it will not add to the capacity in a significant way. There will be no risk to health and safety. There are no natural heritage features located on the Site. A tree inventory has been completed. The noise assessment has been completed, and

PPS Policy #	Policy	Response
	stormwater, including the use of green infrastructure;	mitigation measures for construction have been
	d) mitigate risks to human health, safety, property and the environment;	identified.
	e) maximize the extent and function of vegetative and pervious surfaces; and	
	f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.	
1.6.7.1- Transportation	Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.	The Site is in close proximity to major transportation corridors and has access to nearby transit.
1.6.7.2	Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.	The proposed development contributes to the City's requirements for development within a built-up area. The area is serviced by transit.
1.6.7.4	A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.	The proposed development is near many local amenities; residents would not have to travel far to access necessities.

PPS Policy #	Policy	Response
2.1.1- Natural Heritage	Natural features and areas shall be protected for the long term.	There are no natural features that apply to this Site. A tree inventory has been completed.
2.2.1 - Water	Planning authorities shall protect, improve or restore the quality and quantity of water.	There is no risk to water quality and quantity.
2.6.1	Significant built heritage resources and significant cultural heritage landscapes shall be conserved.	There are no heritage resources that apply to this Site.
3.0 - Health and Safety	Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.	There are no natural or human-made hazards.

Therefore, the proposed development is consistent with the PPS and the Province's vision for long-term prosperity and social well-being.

5.1.2 Official Plan

The City of Windsor Official Plan (OP) was adopted by Council on October 25, 1999, approved in part by the Ministry of Municipal Affairs and Housing (MMAH) on March 28, 2000 and the remainder approved by the Ontario Municipal Board (OMB) on November 1, 2002. Office consolidation version is dated September 7, 2012.

The OP implements the PPS and establishes a policy framework to guide land use planning decisions related to development and the provision of infrastructure and community services throughout the City.

The Site is part of the Walkerville Planning District located on Schedule A - Planning Districts & Policy Areas.

The lands are currently designated "Mixed Use Corridor" (formerly Commercial Corridor - OPA 159) according to Schedule D: Land Use attached to the OP for the City of Windsor (see Figure 3 – City of Windsor OP, Schedule D).



Figure 3 - City of Windsor OP, Schedule D

The Site is also subject to the following:

- adjacent to a class II Arterial Road (namely Tecumseh Road East) on Schedule F -Roads and Bikeways,
- within 300.0 metres of a Rail Corridor (namely Essex Terminal Railway Co.) on Schedule F-1 Railways,
- adjacent to a Civic Way (namely Tecumseh Road East) on Schedule G Civic Image, and
- within proximity to a Regional Commercial Centre (namely Howard Avenue and Tecumseh Road East) on Schedule J -Urban Structure Plan.

The OPA proposes to amend the" Mixed Use Corridor" land use designation to permit an increase in height for the proposed multiple dwelling to six (6) storeys.

The following provides a summary of the key policy considerations of the OP as it relates to the proposed development.

OP Policy #	Policy	Response
3.1	The planning of Windsor's future is guided by the following vision taken from Dream Dare Do – The City of Windsor Community Strategic Plan:	The proposed development will support the City's economy by providing more housing in an existing built-up area.
	"Windsor is a quality city full of history and potential, with a diverse culture, a durable economy, and a healthy environment where citizens share a strong sense of belonging and a collective pride of place."	The surrounding area has a mix of uses and densities.
3.2 – Growth Concept	Mixed use developments will be encouraged with strong pedestrian orientations and to support public transit. This concept will enable Windsor to continue its growth and foster a vibrant economy, while ensuring a safe, caring and diverse community and a sustainable, healthy environment.	The proposed development provides a use that supports pedestrian orientations and public transit due to its location in an existing built-up area.
3.2.3.1	Windsor will work toward achieving a sustainable transportation system where all modes of transportation can play a more balanced role. The creation of mixed use and employment centres will allow businesses and services to be closer to homes and allow greater opportunities for walking, cycling and transit.	The intent is to construct a standalone multiple building in an area that has a mix of uses and densities. This allows residents to easily access nearby amenities, employment and public transit.

OP Policy #	Policy	Response
4.0 – Healthy Community	The implementing healthy community policies are interwoven throughout the remainder of the Plan, particularly within the Environment, Land Use, Infrastructure and Urban Design chapters, to ensure their consideration	The proposed development will support the City's goal of promoting a healthy community in order to live, work and play. The proposed development is close to nearby transit, employment, shopping,
	and application as a part of the planning process.	local/regional amenities and parks/trails.
6.0 - Preamble	A healthy and livable city is one in which people can enjoy a vibrant economy and a sustainable healthy environment in safe, caring and diverse neighbourhoods. In order to ensure that Windsor is such a city, Council will manage development through an approach which balances environmental, social and economic considerations.	The proposed development supports the policy set out in the OP as it is suited for the City's residential needs.
6.1 - Goals	In keeping with the Strategic Directions, Council's land use goals are to achieve:	The proposed development supports the goals set out in the OP as it provides for the development of land.
	6.1.1 Safe, caring and diverse neighbourhoods.6.1.3 Housing suited to the needs of Windsor's residents.	The proposed residential use will provide a new housing and new housing choice in an existing built-up area.
	6.1.10 Pedestrian oriented clusters of residential, commercial, employment and institutional uses.	The Site has access to transportation, full municipal services and local amenities.
	6.1.14 To direct residential intensification to those areas of the City where transportation, municipal services, community facilities	

OP Policy #	Policy	Response
	and goods and services are readily available.	
6.2.1.2 – General Policies, Types of Development Profile	For the purpose of this Plan, Development Profile refers to the height of a building or structure. Accordingly, the following Development Profiles apply to all land use designations on Schedule D: Land Use unless specifically provided elsewhere in this Plan:	The proposed development is considered a medium profile development as it is proposed to have 6 storeys constructed.
	(a) Low Profile developments are buildings or structures generally no greater than three (3) storeys in height;	
	(b) Medium Profile developments are buildings or structures generally no greater than six (6) storeys in height; and	
	(c) High Profile developments are buildings or structures generally no greater than fourteen (14) storeys in height.	
6.3.1.1 – Range of Forms & Tenures	To support a complementary range of housing forms and tenures in all neighbourhoods.	The proposed development will offer a new housing choice which will complement the existing area. Tenure will be rental.
6.5.1.8 – Commercial, Objectives, Residential Intensification	To promote residential intensification with Medium and High Profile buildings to meet the housing needs of the City in appropriate areas in proximity to municipal services, transit and employment areas.	The proposed development supports this objective as a medium profile building in an existing settlement area with full municipal services, near transit, amenities and employment.
6.5.3.1 – Mixed Use Corridor Policies, Permitted Uses	Uses permitted in the Mixed Use Corridor land use designation are primarily	A standalone multiple dwelling with a medium profile is

OP Policy #	Policy	Response
	retail, wholesale store (added by OPA 58, 24 07 2006) and service oriented uses and, to a lesser extent, office uses.	permitted for use in this designation.
	Medium and High Profile residential uses either as standalone buildings or part of a commercial-residential mixed use buildings shall be throughout the Corridors.	
6.5.3.3 – Street Presence	Council will encourage Mixed- Use Corridor development to provide a continuous street frontage and presence. Accordingly, development	Tecumseh Road East is considered a class 2 road, and Marentette Ave is considered a local road.
	along a Mixed-Use Corridor shall be: a) no more than four storeys in height, except on lands at an intersection of any	The proposed building is 6 storeys in height and will require an amendment to this policy.
	combination of the following roads: Class I Arterial Road, Class I Collector, or Class II Collector Road. The	The policy does allow Council to consider additional height where the development is compatible.
	height of buildings shall generally not exceed the width of the road right-orway abutting the development site; and b) Notwithstanding the identified	The proposed development will be located on a corner lot and will not impact any of the existing uses along Marentette Ave.
	maximum building height, the Council may consider additional height, where the	Marentette Ave provides for a transition between uses.
	Council is satisfied that the proposed height achieves compatible development, and where appropriate transitions to abutting lower scale	The proposed building will provide a buffer between the residential uses and Tecumseh Road East.
	development are established. Appropriate transitions may be achieved through the implementation of regulatory techniques including, but not	The proposed building will be located as close to Tecumseh Road East as possible, ensuring there is appropriate setback from low profile uses.

OP Policy #	Policy	Response
	limited to new height limitations, enhanced building setbacks and step backs, enhanced landscape buffers and planting requirements and/or the implementation of an angular plane. Permissions for taller buildings may be established through a site specific Zoning Bylaw Amendment. c) encouraged to locate the buildings at the street frontage lot line with parking accommodated at the rear of the site.	
6.5.3.4 - Infill	Council shall promote the infilling and consolidation of existing Mixed Use Corridors.	The Site will provide for residential infilling and intensification within an existing settlement area in the form of residential.
6.5.3.6 – Location Criteria	Mixed Use Corridor development shall be located where: (a) there is access to Class I or Class II Arterial Roads or Class I Collector Roads; (b) full municipal physical services can be provided; and (c) commercial related traffic can be directed away from residential areas.	The Site is a corner lot. Tecumseh Road East is classified as a class 2 Arterial Road. The proposed access to the parking area is from Marentette Ave, which leads to Tecumseh Road East.
6.5.3.7 – Evaluation Criteria	At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed commercial development is: (a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses: (i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and	This PRR has evaluated the PPS. There are no development constraints that impact the Site. There are no known contaminations. There are no anticipated traffic concerns.

OP Policy #	Policy	Response
OP Policy #	described in the Environment chapter of this Plan; (ii) within a site of potential or known contamination; (iii) where traffic generation and distribution is a provincial or municipal concern; and (iv) adjacent to sensitive land uses and/or heritage resources. (b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area; (c) capable of being provided with full municipal physical services and emergency services; (d) provided with adequate offstreet parking; (e) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas; and (f) acceptable in terms of the proposal's market impacts on other commercial areas (see Procedures chapter).	There are no adjacent sensitive land uses or heritage resources. A Noise study has been completed to address the nearby rail, and mitigation measures have been recommended. There are no secondary plans that impact the Site. Full municipal services are available. Off street parking is provided. The proposed building has an appropriate scale, massing and height for the area. The building will be located as close to the corner of the Site as possible. The parking access is away from the intersections. There are no sight visibility restrictions created.
		Landscaping is provided. There is a market for rental housing.
6.5.3.8 – Design Guidelines	The following guidelines shall be considered when evaluating the proposed design of a Mixed Use Corridor development: (a) the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan; (b) the provision of	The design of the proposed building will be addressed at the time of SPC approval. Landscaping and fencing will be provided. Parking and loading will be provided.

OP Policy #	Policy	Response
	appropriate landscaping or	
	other buffers to enhance: (i)	There is an appropriate
	all parking lots, and outdoor	separation between the
	loading and service areas;	abutting low profile housing.
	and (ii) the separation	
	between the use and adjacent	The height of the building will
	sensitive uses, where	blend well with the adjacent
	appropriate; (c) as a general	land uses along Tecumseh
	rule, the height of buildings are	Road East.
	consistent with the height of	
	buildings which characterize	Council has the ability to
	the Mixed Use Corridor.	consider an increase in the
	Where Council deems it	height of proposed buildings.
	desirable that higher profile	
	development be permitted in	The Site is pedestrian friendly.
	an existing Mixed Use	
	Corridor, the development	Parking is located at the rear
	should be built at a human	of the proposed building.
	scale by utilizing one or both of	
	the following measures: (i)	The proposed building will
	treatment of the lower floors of	face Tecumseh Rd E.
	building(s) to provide	
	continuity; and/or (ii) setting	Sidewalks and pedestrian
	back the upper floors of	connections will be provided,
	building(s) from the street to	including the garden area to
	avoid overpowering effects at-	the east of the proposed
	grade; (d) where possible,	building.
	parking is located in the rear of	
	the property to encourage	The City guidelines will be
	continuous building facades	followed as they relate to the
	adjacent to the street; and (e)	design of the proposed
	measures are taken in site	building.
	design which provide for ease	
	of access for pedestrians	
	between the public sidewalk	
	and building main entrances in	
	a manner which is	
	distinguishable from access	
	provided for vehicles, (f)	
	Council will adopt Design	
	Guidelines that will assist in	
	the design and review of	
	development applications in a	
	manner that will ensure	

OP Policy #	Policy	Response
	implementation of these policies.	
7.0 - Infrastructure	The provision of proper infrastructure provides a safe, healthy and efficient living environment. In order to accommodate transportation and physical service needs in Windsor, Council is committed to ensuring that infrastructure is provided in a sustainable, orderly and coordinated fashion.	The proposed development is close to nearby transit, off a major roadway, and has access to full municipal services.
7.2.8.8 – Development adjacent to a Rail Corridor	Council shall evaluate a proposed development adjacent to a Rail Corridor.	Noise assessment has been completed, and mitigation will be built into the design of the proposed development, as recommended.
8.1 – Urban Design	A memorable, attractive and liveable city is one where people feel comfortable and are inspired by their surroundings. The physical systems and built form of the city are also designed to protect, maintain and improve the quality of life for present and future generations by integrating the principles of sustainability and place making. In order for Windsor to be such a city, Council is committed to urban design principles that enhance the enjoyment and image of Windsor and its people.	Design details will be considered as part of the SPC process.
8.7.2.3 – infill development	Council will ensure that proposed development within an established neighbourhood is designed to function as an integral and complementary part of that area's existing development pattern by having regard for: (a) massing; (b) building	The City design guidelines will be followed.

OP Policy #	Policy	Response
	height; (c) architectural proportion; (d) volumes of defined space; (e) lot size; (f) position relative to the road; and (g) building area to site area ratios. (h) the pattern, scale and character of existing development; and, (Added by OPA #66–11/05/07-B/L209-2007) (i) exterior building appearance (Added by OPA #66–11/05/07-B/L209-2007), j) Council adopted Design Guidelines that will assist in the design and review of applications for development in accordance with the policies noted above	

Therefore, the proposed development will conform with the intent of the City of Windsor OP and will require a site-specific amendment to permit an increase in the proposed building height to six (6) storeys.

5.1.3 Zoning By-law

The City of Windsor Zoning By-law (ZBL) #8600 was passed by Council on July 8, 2002, and then a further Ontario Municipal Board (OMB) decision was issued on January 14, 2003.

A ZBL implements the PPS and the City OP by regulating the specific use of property and provide for its day-to-day administration.

According to Map 7 attached to the ZBL, the Site subject to the proposed development, is currently zoned Commercial District 3.3 (CD3.3) and Residential District 1.3 (RD1.3) category (see Figures 6 – City of Windsor Zoning Map 7).



Figure 4 - City of Windsor Zoning Map 7

A site-specific ZBA is required for the proposed development to permit a multiple dwelling.

MULTIPLE DWELLING means one dwelling containing a minimum of three dwelling units. A double duplex dwelling, semi-detached dwelling, stacked dwelling, or townhome dwelling is not a multiple dwelling

The zoning for the Site is proposed to be changed to a site-specific Residential District 3.3 (RD 3.3 - S.20(1)(XXX)), which permits multiple dwellings.

A review of the RD3.3 zone provisions, as set out in Section 12.3 of the ZBL is as follows:

Zone Regulations	Required RD3.3 Zone	Proposed	Compliance and/or Relief Requested with Justification
Permitted Uses	Lodging House Multiple Dwelling Religious Residence	Multiple Dwelling	Complies

Tecumseh and Marentette, Windsor, Ontario

Zone Regulations	Required RD3.3 Zone	Proposed	Compliance and/or Relief Requested with Justification
	Residential Care Facility Any of the following existing dwellings: Double Duplex Dwelling Duplex Dwelling Semi-Detached Dwelling Single Unit Dwelling Any use accessory to any of the preceding uses		Multiple dwellings are permitted under the RD3.3 zoning.
Lot Frontage - Min	45.0 m	60.16 m (along Marentette Ave)	Complies
Lot Area - Min	For a corner lot having a minimum lot frontage of 45.0 m on each of the exterior lot lines: a) For the first 23 dwelling units 1,825.0 m2 b) For each additional dwelling unit 37.0 m2 per unit 35 units x 45 m2 + 1,825 m2 = 1,825 m2	4,857.08 m2	Complies
Lot Coverage - Max	35.0 %	20.24 %	Complies
Main Building Height - Max	Corner Lot – 30.0 m	24.0 m	Complies
Landscaped Open Space Yard - Min	35.0 % of the lot area	37.75 %	Complies
Dwelling Unit Density - Max	Dwelling Unit Density – dwelling	0.486 ha x 180 – 87 units	Complies

Zone Regulations	Required RD3.3 Zone	Proposed	Compliance and/or Relief Requested with Justification
	units per hectare – maximum		
	For a corner lot having a minimum lot frontage of 45.0 m on each of the exterior lot lines 225 units per ha - 180 uph		
Parking Requirements 24.20.5.1 - Min	Multiple Dwelling containing a minimum of 5 dwelling units:	68	Complies
	1.25 parking spaces required for each dwelling unit 54 x 1.25 = 67.5 space (67		
	rounded down)		
Visitor Parking – minimum 24.22.1 - Min	15 percent of parking spaces shall be marked as visitor parking	TBD	Complies
	15% (of 67) = 10.05 (10 rounded down)		
Accessible Parking Spaces	Type A – 1 space Type B – 1 space	4	Complies
24.24.1 - Min			
Bicycle	Total = 2 space 2 for the first 19	5	Complies
Parking	spaces plus 1 for		-
Spaces	each additional 20		
24.30.1.1 - Min	parking spaces		
	Total = 5		
Loading Area - Min	1	1	Complies

Zone Regulations	Required RD3.3 Zone	Proposed	Compliance and/or Relief Requested with Justification
Parking Area Separation 25.5.20 - Min	.2 any other street – 3.00 m	>3.00 m	Complies
	.5 A building wall in which is located a main pedestrian entrance facing the parking area – 2.0 m	>2.0m	
	.6 A building wall containing a habitable room window or containing both a main pedestrian entrance and a habitable room window facing the parking area where the building is located on the same lot as the parking area - 4.50 m	6.0 m	

Therefore, the proposed development will comply with all zone provisions set out in the RD3.3 Zone, which will permit a multiple dwelling and no relief from regulations is required.

A review of the parking provisions for the balance of the lands (Caboto Club) not subject to the proposed development was also undertaken. A total of 379 parking spaces are required, and 524 spaces are provided.

The automobiles for lease or sale occupying parking spaces within the Caboto Club's parking area will not continue.

6.0 SUMMARY AND CONCLUSION

6.1 Context and Site Suitability Summary

6.1.1 Site Suitability

The Site is ideally suited for residential development for the following reasons:

- The land area is sufficient to accommodate the proposed development with adequate transition and buffering from abutting land uses,
- The Site is generally level, which is conducive to easy vehicular movements,
- The Site will be able to accommodate municipal water, storm and sewer systems,
- There are no anticipated traffic concerns,
- There are no noise concerns, and
- The location of the proposed development is appropriate.

6.1.2 Compatibility of Design

The proposed development will be limited to a 6 storey, medium profile building, which is a compatible size and density for the Site and with the surrounding area.

The design has spoken to compatibility. It has taken into consideration a transition between land uses and an appropriate amount of setbacks.

The Site is capable of accommodating the proposed development in terms of scale, massing, height and siting.

Parking, fire route, amenity area and landscaping will be provided.

All zone provisions set out in the RD3.3 zone category can be complied with.

6.1.3 Good Planning

The proposal represents good planning as it addresses the need for the development of land, which contributes to affordability and intensification requirements.

Residential uses on the Site represent an efficient development pattern that optimizes the use of land.

The proposed building will provide an appropriate transition between the surrounding land uses.

6.1.4 Environment Impacts

The proposal does not have any negative natural environmental impacts.

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6.1.5 Municipal Services Impacts

There will be no negative impacts on the municipal system as the proposed use will not add to the capacity in a significant way.

6.1.6 Social and/or Economic Conditions

The proposed development does not negatively affect the social environment as the Site is in close proximity to major transportation corridors and nearby amenities.

Infilling in an existing built up area of the City contributes toward the goal of 'live, work and play' where citizens share a strong sense of belonging and a collective pride of place.

The proposed development promotes efficient development and land use pattern, which sustains the financial well-being of the Municipality.

The proposal does not cause any public health and safety concerns. The proposal represents a cost-effective development pattern that minimizes land consumption and servicing costs.

There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal infilling opportunity.

6.2 Conclusion

In summary, it would be appropriate for the City of Windsor to approve the OPA and ZBA applications to permit the proposed residential development on the Site.

The proposed development is an appropriate use of the Site and offers a new housing choice in an existing built-up area.

This PRR has shown that the proposed development is consistent with the PPS, conforms with the intent and purpose of the City of Windsor OP and ZBL, and represents good planning.

The report components for this PRR have set out the following, as required under the City of Windsor OP:

10.2.13.2 Where a Planning Rationale Report is required, such a study should:

- (a) Include a description of the proposal and the approvals required;
- (b) Describe the site's previous development approval history;
- (c) Describe major physical features or attributes of the site including current land uses(s) and surrounding land uses, built form and contextual considerations;
- (d) Describe whether the proposal is consistent with the provincial policy statements issued under the Planning Act;

Tecumseh and Marentette, Windsor, Ontario

- (e) Describe the way in which relevant Official Plan policies will be addressed, including both general policies and site-specific land use designations and policies;
- (f) Describe whether the proposal addresses the Community Strategic Plan;
- (g) Describe the suitability of the site and indicate reasons why the proposal is appropriate for this site and will function well to meet the needs of the intended future users;
- (h) Provide an analysis of the compatibility of the design and massing of the proposed developments and land use designations;
- (i) Provide an analysis and opinion as to why the proposal represents good planning, including the details of any methods that are used to mitigate potential negative impacts;
- (j) Describe the impact on the natural environment;
- (k) Describe the impact on municipal services;
- (I) Describe how the proposal will affect the social and/or economic conditions using demographic information and current trends; and,
- (m) Describe areas of compliance and non-compliance with the Zoning By-law.

Planner's Certificate:

I hereby certify that this report was prepared by Tracey Pillon-Abbs, a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.

Tracey Pillon-Abbs, RPP Principal Planner

PILLON PROFESSIONAL PLANNER R.P.P.





8522_SanitarySewerStudy.docx

September 1, 2023

Corporation of the City of Windsor Engineering – Development & Geomatics Division 350 City Hall Square West, Suite 210 Windsor, Ontario, N9A 6S1

ATT: MR. ROBERT PERISSINOTTI, DEVELOPMENT ENGINEER

RE: SANITARY SEWER STUDY FOR THE PROPOSED CABOTO APARTMENTS AT 835 TECUMSEH ROAD EAST, WINDSOR, ONTARIO

Dear Mr. Perissinotti.

We have completed a sanitary servicing analysis to assess the impact of this proposed multi-unit residential development on the existing sewer system.

The site of the proposed residential development consists of properties at 835 Tecumseh Road East, 2148 Marentette Avenue, and a portion of the northwest corner parking lot of 2175 Parent Avenue. The properties will be merged for the proposed development and will have a new total property area of 0.49 ha.

The site currently consists of an existing commercial building, paved parking lot area, and a garage structure. A single-family dwelling once stood at 2148 Marentette Avenue but was demolished circa 2014. The peak sewage rate from the existing development on this site was determined to be 0.8 L/s.

The proposed development consists of a six-storey apartment building. The building will have 54 units for a total population of 95 persons based on a 1.75 person per unit population density. This corresponds to a peak domestic sewage flow rate of 1.8 L/s.

The proposed development results in a very small increase in the peak sewage flow by approximately 1 L/s.

A sewer separation project in the area occurred in 2001 and dedicated storm sewers were installed along both Tecumseh Road East and Marentette Avenue. The existing combined sewers were then converted into dedicated sanitary sewers. The 500x750 brick sanitary sewers along Tecumseh Rd. E. and Marentette Ave. are now very large for a sanitary sewer as they were originally designed for both sewage and stormwater conveyance. The sewer separation project allowed stormwater from roadways and properties to drain to the dedicated storm sewers.

This in turn freed up significant capacity in the original combined sewer which can now be utilized. The increased sewage flow of approximately 1 L/s is very small and will not have any effect on the receiving sanitary sewer due to the capacity that was made available through implementation of dedicated storm sewers.

In addition, the existing commercial building on this site has a combined sewer connection as the building predates the dedicated municipal storm sewer. This would mean that stormwater runoff from the building roof is currently draining to the combined sewer unrestricted. Through re-development of this site, stormwater will no longer drain to the former combined sewer and instead will drain to the dedicated storm sewer. The stormwater runoff generated from the existing building roof area is much more than the additional sewage flows expected from this residential development. The proposed re-development will relieve the municipal sanitary sewer system as the overall flows to this sewer will be less than in the existing condition.

A new 200 mm diameter sanitary connection will be required for the multi-storey residential development. The connection can be made to the sanitary sewer on Tecumseh Road East or Marentette Avenue but will be determined during the design phase.

If you have any questions or concerns, please contact me.

Yours Very Truly,

John-Paul Aleo, P.Eng.

ALEO ASSOCIATES INC.

ALEO ASSOCIATES INC.

Prepared By: J.P.A.

Consulting Engineers

Project Name: New Apartment Building at 835 Tecumseh Rd. E.

Project No.: 8522

Date: Sept. 1, 2023

SANITARY ANALYSIS PROPOSED APARTMENT BUILDING DEVELOPMENT, 835 TECUMSEH RD. EAST EXISTING PEAK SEWAGE FLOW

LOCATION		POPULATION			SEWAGE FLOW		
DEVELOPMENT TYPE	TOTAL AREA HEC.	PER HEC.	TOTAL POP.	PEAKING FACT.	INFIL. I/sec	SEW. I/sec	TOTAL l/sec
COMMERCIAL	0.44	74	33	4.35	0.07	0.6	0.7
SINGLE FAMILY DWELLING	0.05	-	4	4.45	0.01	0.1	0.1

Design Criteria:

4) Manning's Coefficient = 0.013

5) Minimum Velocity = 0.76 m/s (2.49 fps) Maximum Velocity = 3.0 m/s (9.84 fps)

6) 74 person/hectare for commercial land use as per City of Windsor development manual.

ALEO ASSOCIATES INC.

Prepared By: J.P.A.

Consulting Engineers

Project Name: New Apartment Building at 835 Tecumseh Rd. E.

Project No.: 8522 Date: 01-Sep-23

SANITARY ANALYSIS PROPOSED APARTMENT BUILDING DEVELOPMENT, 835 TECUMSEH RD. EAST PROPOSED PEAK SEWAGE FLOW

LOCATION		POPULATION			SEWAGE FLOW		
DEVELOPMENT TYPE	TOTAL AREA HEC.	PER HEC.	POP.	PEAKING FACT.	INFIL. I/sec	SEW. I/sec	TOTAL I/sec
Multi-Storey Residential	0.49	-	95	4.25	0.08	1.7	1.8

Design Criteria:

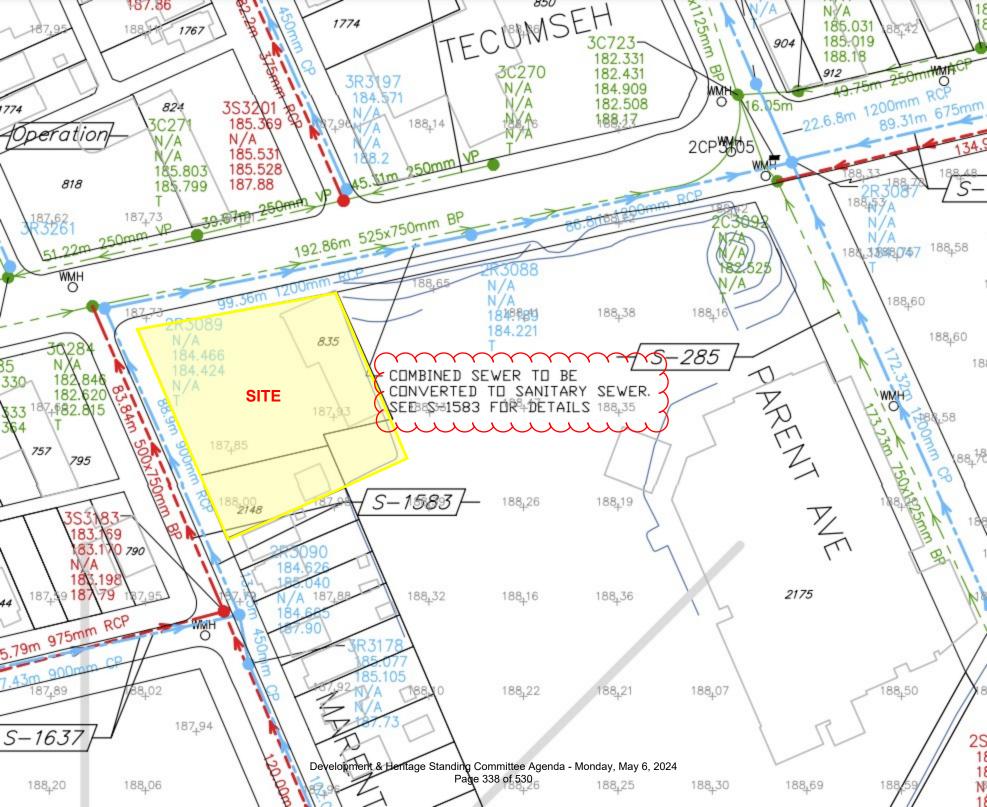
1) Residential Sewage Flow = 0.0043 l/sec/cap *372 L/cap/day

2) Infiltration = 0.1560 l/s/ha 3) Peaking Factor = 1+14/(4+P^0.5)

4) Manning's Coefficient = 0.013

5) Minimum Velocity = 0.76 m/s (2.49 fps) Maximum Velocity = 3.0 m/s (9.84 fps)

6) Proposed Multi-Storey Residential Development is 54 units consisting of 27 one bedroom units (1.4 per/unit) and 27 two bedroom units (2.1 per/unit). Using an avg. pop. density of 1.75 person/unit yields a total pop. of 95. Pop. densities taken from City of Toronto sewer design criteria "Population equivalents based on type of housing".



APPENDIX "M" Zoning Comparison Table

	Zoning Comparison Table						
	Provision	Provided#	RD3.2	RD3.3			
.1	Lot Frontage - minimum	57.9 m* (excludes land conveyances) 58.6 m* (includes land conveyances)	30.0 m	45.0 m			
	Lot Area - minimum For a corner <i>lot</i> having a minimum frontage of 30.0 m on each of the <i>exterior lot lines</i> : a) For the first 5 <i>dwelling units</i> b) For the next 19 <i>dwelling units</i> c) For each additional <i>dwelling unit</i>	4,945.3 m2* (excludes land conveyances) 4,993.0 m2* (includes land conveyances)	540.0 m2 67.0 m2 per unit 44.0 m2 per unit (3,133.0 m2)				
	Lot Area - minimum For a corner lot having a minimum frontage of 30.0 m on each of the exterior lot lines: a) For the first 23 dwelling units b) For each additional dwelling unit	4,945.3 m2* (excludes land conveyances) 4,993.0 m2 m* (includes land conveyances)		1,825.0 m2 37.0 m2 per unit (2,972.0 m2)			
.3	Lot Coverage - maximum	21.4% (1,059.0 m2 / 4,945.3 m2*) (excludes land conveyances) 21.2% (1,059.0 m2 / 4,993.0 m2*) (includes land conveyances) (1,059.0 m2 includes balconies and roof over entrance)	35.0%	35.0%			

APPENDIX "M" Zoning Comparison Table

<u> </u>		
24.0 m	24.0 m	30.0 m
34.0% (1,683.1 m2 / 4,945.3 m2*) (excludes land conveyances) 33.7% (1,683.1 m2 / 4,993.0 m2*) (includes land conveyances) (1,683.1 m2 includes balconies and roof over entrance, parking area, and poured in place concrete curb)	35.0% of lot area	35.0% of lot area
110 units per hectare (54 units / 0.49 ha*) (excludes land conveyances) 108 units per hectare (54 units / 0.50 ha*) (includes land conveyances)	188 units per ha	
110 units per hectare (54 units / 0.49 ha*) (excludes land conveyances) 108 units per hectare (54 units / 0.50 ha*) (includes land conveyances)		225 units per ha
Inc. Architects, dated February 21, 2024	I, identified as Job File I	
	34.0% (1,683.1 m2 / 4,945.3 m2*) (excludes land conveyances) 33.7% (1,683.1 m2 / 4,993.0 m2*) (includes land conveyances) (1,683.1 m2 includes balconies and roof over entrance, parking area, and poured in place concrete curb) 110 units per hectare (54 units / 0.49 ha*) (excludes land conveyances) 108 units per hectare (54 units / 0.50 ha*) (includes land conveyances) 110 units per hectare (54 units / 0.49 ha*) (excludes land conveyances) 108 units per hectare (54 units / 0.49 ha*) (includes land conveyances) 108 units per hectare (54 units / 0.50 ha*) (includes land conveyances)	34.0% (1,683.1 m2 / 4,945.3 m2*) (excludes land conveyances) 33.7% (1,683.1 m2 / 4,993.0 m2*) (includes land conveyances) (1,683.1 m2 includes balconies and roof over entrance, parking area, and poured in place concrete curb) 110 units per hectare (54 units / 0.49 ha*) (excludes land conveyances) 108 units per hectare (54 units / 0.50 ha*) (includes land conveyances) 110 units per hectare (54 units / 0.49 ha*) (excludes land conveyances) 108 units per hectare (54 units / 0.49 ha*) (excludes land conveyances)



Council Report: S 51/2024

Subject: Zoning By-Law Amendment Z007-24(ZNG/7181) - Cindy Prince - 3589 Victoria Boulevard, Ward 9

Reference:

Date to Council: May 6, 2024 Author: Laura Strahl, MCIP, RPP

Senior Planner

T. (519) 255-6543 x 6396
E. lstrahl@citywindsor.ca
Planning & Building Services
Report Date: April 11, 2024
Clerk's File #: Z/14758

To: Mayor and Members of City Council

Recommendation:

I. THAT Zoning By-law 8600 BE AMENDED by changing the zoning on the lands of Plan 1124, S Part Lot 223 N Part Lot 225 situated on the west side of Victoria Boulevard between Medina St West and Beals St West, and known municipally as 3589 Victoria Boulevard by adding a site-specific exception to Section 20(1) as follows:

X. WEST SIDE OF VICTORIA BOULEVARD BETWEEN BEALS ST WEST AND MEDINA ST WEST

For the 1393 m² lands comprising of Plan 1124, S Part Lot 223 N Part Lot 225; despite Section 10.4.5.4 and 10.4.5.8, the following additional regulations shall apply to a *Single Unit Dwelling*:

a) Main Building Height – maximum
 b) Gross Floor Area – main building – maximum
 675 m²

Executive Summary:

N/A

Background:

Application Information

Municipal Address: 3589 Victoria Boulevard

Ward: 9

Planning District: South Windsor Zoning District Map: 8

Applicant/Agent: Cindy Prince **Owner:** Kushal and Krupa Dighe

Submitted Documents

Application Form

Conceptual Site Plan (attached as Appendix A)

Renderings (attached as Appendix B)

Floor Plans (attached as Appendix C)

Proposal:

The applicant proposes to replace the recently demolished single unit dwelling (demolished in 2023) with a new single unit dwelling. The subject property is located within the Residential District 1.4 (RD1.4) zone on Map 8 of Zoning By-law 8600 and is located within the Residential land use designation on Schedule D – Land Use Plan of Volume I of the City of Windsor Official Plan. The proposed dwelling exceeds the maximum building height of 9.0 metres and the maximum gross floor area of 400 square metres stipulated in the RD 1.4 zone, therefore the applicant has applied for a Zoning By-law Amendment.

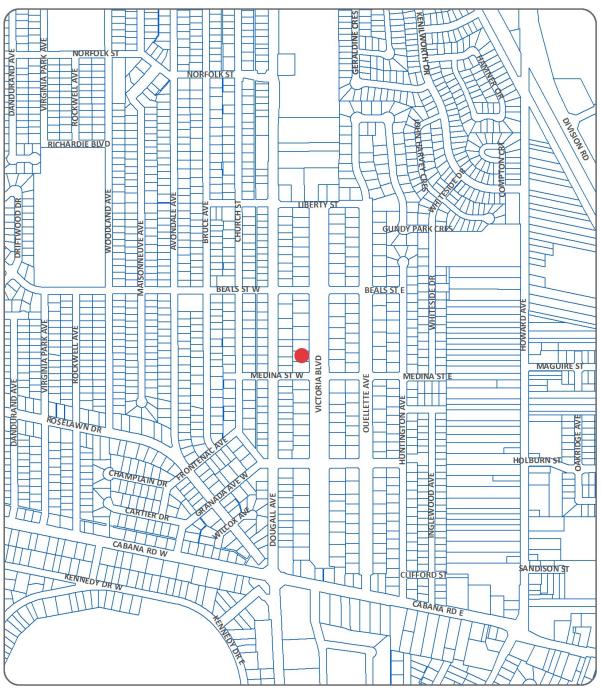
The applicant is requesting maximum building height of 10.4 metres and maximum gross floor area – main building of 647 square metres.

The proposed development is not subject to site plan control.

Site Information

OFFICIAL PLAN	ZONING	CURRENT USE	Previous Use	
Residential	Residential District 1.4 (RD1.4)	Vacant lands (previous single unit dwelling)	Unknown	
LOT FRONTAGE	LOT DEPTH	LOT AREA	LOT SHAPE	
30.48 m	45.72m	1393 m²	Rectangle	
All measurements are provided by the applicant and are approximate.				

Figure 1: Key Map



KEY MAP - Z-007/24, ZNG/7181

SUBJECT LANDS

Neighbourhood Description:

The subject parcel is located on the west side of Victoria Boulevard; between Medina Street West and South of Beals Street West. The subject lands are located in the South Windsor Planning Area and the closest major intersection is Dougall Avenue and Cabana Road West.

Site images are provided in Appendix D.

SURROUNDING LAND USE:

The subject property is surrounded by low density residential uses. The properties to the north, south, east and west all contain single unit dwellings.

Public transit is currently available via the Dougall 6 bus route located on Dougall Avenue which connects downtown Windsor to St. Clair College. The closest bus stop is located at Dougall Avenue and Beals Avenue.

MUNICIPAL INFRASTRUCTURE:

- The subject property is located within an established residential area that is serviced by municipal storm and sanitary sewers;
- Victoria Boulevard is separated by a long parklike median;
- The nearest bicycle network facilities are located on Dougall Avenue;
- ENWIN has overhead power distribution wires run along the rear of the property;
- The Dougall 6 bus route runs along Dougall Avenue, one block west of the subject property.
- Victoria Boulevard is designated as a local road,

Figure 2: Subject Parcel - Rezoning



PART OF ZONING DISTRICT MAPS 8

N.T.S.

REQUESTED ZONING AMENDMENT

Applicant: Cindy Prince



DATE : APRIL, 2024 FILE NO. : Z-007/24, ZNG/7181

PLANNING & BUILDING DEPARTMENT

Figure 3: Neighbourhood Map



NEIGHBOURHOOD MAP - Z-007/24, ZNG/7181





Discussion:

The proposed single unit dwelling does not require changes to the official plan or the permitted uses in the zoning by-law, however the proposed single unit dwelling exceeds the permitted maximum building height and maximum gross floor area — main building of the zoning by-law category. The maximum building height and maximum gross floor area — main building provisions have recently been amended in Zoning By-law 8600 in most low density residential zones.

On July 11, 2022 Council passed By-law Number 101-2022 to amend Zoning By-law 8600 to reduce the maximum building height from 10m to 9m and add a maximum gross floor area for the main building of 400 square metres. The amendments were a result of the Multi-Residential Interim Control By-law Study (MRICBL) and the MRICBL Study — Background Report (April 20, 2022) prepared by Municipal Planning Consultants outlines the reasoning behind the amendments:

"Most of Windsor's low density residential areas are in the R1 and R2 zones. The Zone standards are very common for urban areas; 9 m frontage for singles, 12 m frontage for duplex, lot coverage of 45% and maximum height of 10 m. While these zone standards are typical, they do not reflect the existing built form of many areas. In those neighbourhoods with primarily 1 or 1 1/2 story houses, the By-law permits 3 stories with a flat roof and a building of 486 sq m (5.225 sq ft), excluding the basement. On a 12 m lot the By-law permits up 607 sq m (6530 sq ft). After the Province enacted Bill 108 in 2019, the More Homes, More Choice Act, the City was required to amend its Zoning By-law to permit up to three dwelling units on a single lot. Where a duplex is a permitted use up to six units are now permitted. With the zone regulations described above, it is possible to build a duplex with six units, each unit being over 100 sq m - the typical size for a three bedroom unit. ...There is concern that this size of the buildings and the density are not in character with the neighbourhood. In order to address this issue it is necessary to amend the zoning By-law to limit the size of the buildings, perhaps through greater limits on height and gross floor area"

Staff recognize that each neighbourhood is unique and that some neighbourhoods contain existing homes that are full two storeys, exceed 9m in height and exceed 400m² in gross floor area. Where proposals are submitted in such neighbourhoods, staff have the ability to review the proposal to determine if the proposal is in keeping with the neighbourhood. Proposals can proceed through a Minor Variance or a Zoning By-law Amendment if they are compatible with the existing neighbourhood.

The subject proposal for maximum building height of 10.4m and maximum gross floor area – main building of 675 m² does not meet the test for a Minor Variance due to the

magnitude of the request from the gross floor area – main building (400m² permitted in Zoning By-law 8600), however, the request results in a single unit dwelling that is compatible with the existing character of the neighbourhood. In this case, a Zoning By-law Amendment is the appropriate process to request permission from the proposed single unit dwelling. More discussion on the compatibility within the existing neighbourhood can be found in the City of Windsor Intensification Guidelines section of this report.

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) 2020 provides policy direction on matters of provincial interest related to land use planning and development. The *Planning Act* stipulates that land use decisions shall be consistent with the PPS. The following section highlights relevant policies within the PPS and evaluates the proposal to ensure consistency with the PPS:

Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns of the PPS stipulates:

- 1.1.1 Healthy, liveable and safe communities are sustained by:
- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

The subject proposal is replacing a single unit dwelling that was demolished in 2023. Rebuilding a new dwelling on the subject property makes efficient use of land by making use of existing municipal services.

b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs:

The proposed dwelling will contribute to the mix of residential types by creating a market-based single unit dwelling.

c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

The proposed dwelling is not anticipated to cause environmental or public health and safety concerns.

d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;

The proposed dwelling will make efficient use of existing vacant that its within a settlement area and will not result in settlement area expansion.

e) promoting the integration of land use planning, growth management, transitsupportive development, intensification and infrastructure planning to achieve costeffective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

The proposed dwelling is located on a vacant parcel within an established residential neighbourhood on existing municipal services and infrastructure.

f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;

The proposed dwelling does not propose to add any accessibility barriers as part of the development.

g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;

The proposed dwelling is located within an existing neighbourhood that is serviced by municipal infrastructure and public service facilities, and because the proposed dwelling is replacing a previously demolished dwelling, it will not impact current or projected needs.

h) promoting development and land use patterns that conserve biodiversity; and

The proposed dwelling is replacing a previously demolished dwelling; therefore it will not consume undeveloped land or impact biodiversity. Additionally, the applicant does not propose to remove the mature trees in the front lawn and boulevard as part of the proposed development.

i) preparing for the regional and local impacts of a changing climate

The proposed dwelling is replacing a previously demolished dwelling, therefore the proposal is not anticipated to increase the impacts of a changing climate.

The proposed amendment is consistent with the policies in Section 1.1.1 of the PPS.

Section 1.1.3 Settlement Areas stipulates the following:

1.1.3.1 Settlement areas shall be the focus of growth and development.

- 1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
 - a) efficiently use land and resources;
 - b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
 - c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
 - d) prepare for the impacts of a changing climate;
 - e) support active transportation;
 - f) are transit-supportive, where transit is planned, exists or may be developed; and
 - g) are freight supportive.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The proposed amendment makes efficient use of existing vacant land within a settlement area. It proposes a single unit dwelling on land that is serviced by municipal infrastructure and does not require settlement area expansion. The subject amendment is consistent with policies 1.1.3.1 and 1.1.3.2 of the PPS.

Section 1.4 Housing stipulates:

- 1.4 Housing
- 1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:
 - b) permitting and facilitating:
 - 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, ...; and

- 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;
- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

The subject proposal will provide a form of housing that is appropriate in terms of range and mix of the existing neighbourhood context and is located where municipal infrastructure and public service facilities are available. The subject amendment is consistent with policies 1.4.3 of the PPS.

Section 1.6 Infrastructure and Public Service Facilities stipulates:

1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

The subject proposal is on lands within an area that is serviced by municipal sewage services and municipal water services. The recommended zoning by-law amendment is consistent with policy 1.6.6.2 of the PPS.

City of Windsor Official Plan

The subject property is located in the Residential land use designation on Schedule D - Land Use Plan of Volume I of the City of Windsor Official Plan. Section 6.3.2.1 stipulates that the low profile and medium profile dwelling units are permitted within the Residential land use designation. A single unit dwelling is considered low profile housing, therefore the proposed use is permitted within the subject land use designation. The official plan provides evaluation criteria for proposed residential within an area having a neighbourhood development pattern:

6.3.2.5 Evaluation Criteria for a Neighbourhood Development Pattern

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is:

- (a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:
 - (i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;

The subject land is not within or adjacent to any land identified as a development constraint on Schedule C.

(ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust;

The subject land is not adjacent to sources of nuisance.

(iii) within a site of potential or known contamination;

The subject site is not of potential or known contamination.

(iv) where traffic generation and distribution is a provincial or municipal concern; and

Traffic generation and distribution as a result of the development is not a concern.

(v) adjacent to heritage resources.

Properties listed on the Windsor Municipal Heritage Register are located within the same block of the subject property, however they are not directly abutting the subject property. The City of Windsor Heritage Planner has been circulated on the subject proposal and has no objections to the proposal.

- (b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;
- (c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas. In Mature Neighbourhoods as shown on Schedule A-1, compatible with the surrounding area, as noted above, and consistent with the streetscape, architectural style and materials, landscape character and setback between the buildings and streets;

See City of Windsor Intensification Guidelines section below.

(d) provided with adequate off street parking;

The subject proposal provides the required parking spaces on site as set out in Zoning By-law 8600 (one parking pace is required).

(e) capable of being provided with full municipal physical services and emergency services; and

The subject property has full municipal physical services and emergency services.

(f) facilitation a gradual transition from Low Profile residential development to Medium and/or High Profile development and vice versa, where appropriate, in accordance with Design Guidelines approved by Council.

The proposed single unit dwelling is located within other single unit dwellings, therefore this section is not applicable.

The official plan contains policies that provide direction on evaluating zoning by-law amendments in Section 11.6.3:

SECTION 11.6.3 OF OP VOL. 1 - ZONING BY-LAW AMENDMENT POLICIES

AMENDMENTS MUST CONFORM

11.6.3.1

All amendments to the Zoning By-law(s) shall conform with this Plan. The Municipality will, on each occasion of approval of a change to the zoning by-law(s), specify that conformity with the Official Plan is maintained or that the change will be in conformity upon the coming into effect of an amendment to the Official Plan.

EVALUATION CRITERIA

11.6.3.3 When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:

- (a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;
- (b) Relevant support studies;
- (c) The comments and recommendations from municipal staff and circularized agencies;
- (d) Relevant provincial legislation, policies and appropriate guidelines; and
- (e) The ramifications of the decision on the use of adjacent or similar lands.

The applicant has submitted elevations, renderings, and conceptual floor plans in support of the subject application. No objections were received from relevant departments or agencies. This report outlines the consistency with the PPS. The subject Zoning By-law Amendment application is in conformity with the City of Windsor Official Plan.

City of Windsor Intensification Guidelines (June 2022)

The City of Windsor Intensification Guidelines assist in determining compatible development and defines it as follows: "Compatible development means development that may not necessarily be the same or similar to the existing buildings in the vicinity,

but, nonetheless, enhances an established community and coexists with existing development without causing any undue adverse impact on surrounding properties."

The Intensification Guidelines provide general guidelines for modest infill development (single lot infill) in section 2.3. This section stipulates that "the intent....is to encourage compatible design that does not deviate substantially from an established pattern without requiring an identical design, architectural style, or material palette for every dwelling or building in a neighbourhood." The existing neighbourhood context provides a mix of custom built homes ranging from homes on the Windsor Municipal Heritage Register that were built in the 1920s to contemporary homes built in the 1960s, 1970s, 1980s and 1990s. The varying architectural styles, design, materials and shapes contributes to the character of the neighbourhood. In addition, setbacks and building orientation are similar, but not uniform. Below are examples of dwellings within the same block of the subject lands and Appendix E contains a graphic showing the proposed building at a similar height to the single unit dwellings directly to the north and directly to the south of the subject lands.













Zoning By-Law 8600

The subject property is located within a Residential District (RD1.4) on Map 8 of Zoning By-law 8600. The current zoning permits single unit dwellings with a maximum building height of 9m and maximum gross floor area – main building of $400m^2$, whereas the applicant proposes a single unit dwelling with a building height of 10.4m and a gross floor area of $675m^2$. The subject proposal meets all other provisions (i.e. - lot frontage, lot area, parking, lot coverage and setback provisions) of Zoning By-law 8600.

Site Plan Control

The proposed single unit dwelling is not subject to site plan control.

Consultations:

Comments received from municipal departments and external agencies are attached as Appendix F. Municipal departments have noted no objection to the proposed amendment.

Statutory notice was advertised in the Windsor Star. A courtesy notice was mailed to property owners within 120m of the subject lands.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

The subject proposal makes use of vacant land, located within an existing neighbourhood on existing municipal services, therefore reducing the impacts of climate change by locating within the existing built up area.

Climate	Change	Ada	ptation:
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N/A

Financial Matters:

N/A

Conclusion:

It's the Planner's opinion that the recommended zoning by-law amendment is consistent with the Provincial Policy Statement 2020 and is in conformity with the City of Windsor Official Plan.

Staff recommend approval of the zoning by-law amendment submitted by Cindy Prince at 3589 Victoria Boulevard to permit the construction of a single unit dwelling with special provisions permitting a maximum building height of 10.4m and a maximum gross floor area – main building of 675m².

Planning Act Matters:

Laura Strahl, MCIP, RPP

Senior Planner

I concur with the above comments and opinion of the Registered Professional Planner.

Greg Atkinson, MCIP, RPP

Thom Hunt, MCIP, RPP

Deputy City Planner

City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP JM

Approvals:

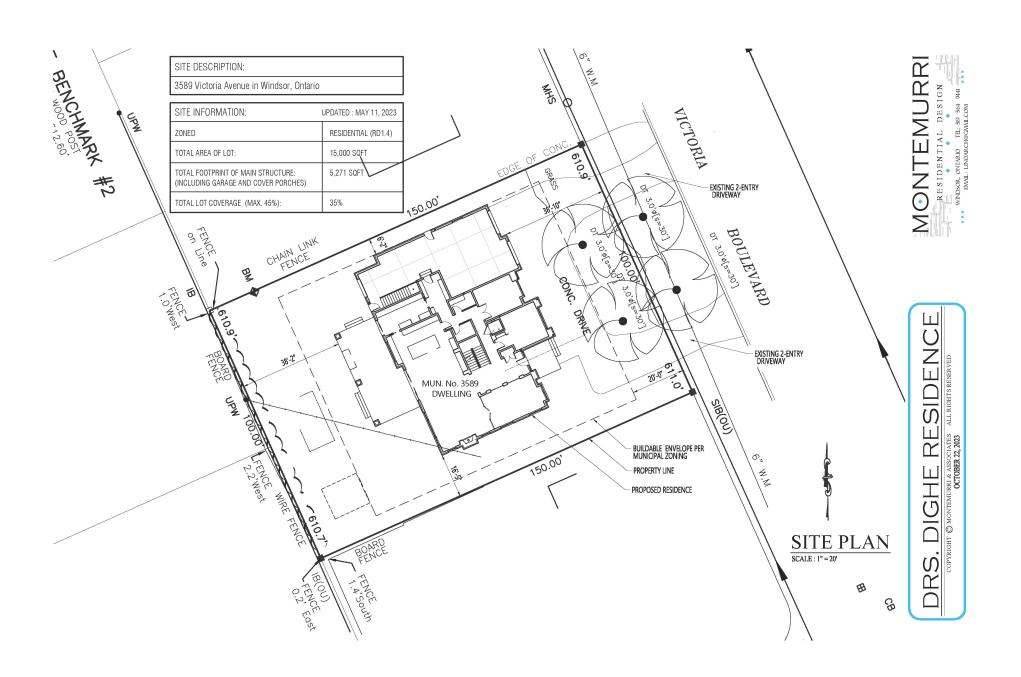
Name	Title
Jason Campigotto	Deputy City Planner – Growth (A)
Greg Atkinson	Deputy City Planner - Development
Aaron Farough	Senior Legal Counsel
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

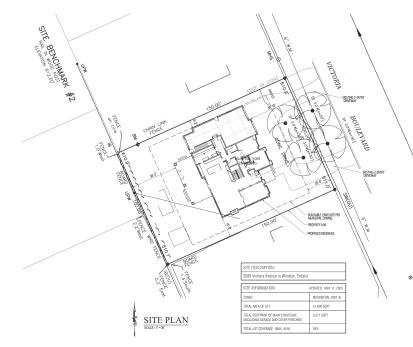
Appendices:

- 1 Appendix A Conceptual Site Plan
- 2 Appendix B Rendering
- 3 Appendix C Floor Plans
- 4 Appendix D Site Images
- 5 Appendix E Proposed Height
- 5 Appendix F Comments





ROOF VENTILATION PER O.B.C. 9.19.1.2 OFFSET ALL THRU-ROOF VENTS TO BEAR PORTION OF BOOF 3. FINAL ROOF TRUSS DESIGN BY CERTIFIED TRUSS MANUFACTURER. BUILDING CONTRACTOR TO BE NOTHERD OF ANY CHANGES MADE FROM PROPOSED LAYOUT. TRUSS SHOP DRAWINGS TO BE SUBMITTED TO DESIGNER FOR "CONFORMANCE REVIEW". PROVIDE ICE AND WATER SHIELD AT ALL VALLEYS AND UP ROOF A MIN, OF 24' INTO HEATED SPACE PROVIDE GUTTERS AND DOWNSPOUTS FOR CONTROLLE DRAINAGE OF ROOF WATER. WATER RUN-OFF IS TO BE CONTROLLED ON SITE AND NOT TO SHED ONTO ADJACENT PROPERTIES. 2:12 ROOF PLAN



DRS. DIGHE RESIDENCE

Site plan excepted is based upon muricipal zering information as obtained from the local building department where the project is to be constructed. Montenum & Associates will not be responsible for determining other restrictions that are applied to the projectly (is. Montenum & Associates is not responsible for obtaining any permits, approvals, or authorizations by any governing bodies for the construction of this review!

Upon receipt of the building permit, Montemum & Associates is to be notified immediately, by the permit holder, of any issues or obscerns the building department has noted on the permit set. If not notified, Montemum & Associates is not respeciable for any associated visit or dramates.

Engineered shop drawings, for any "manufactured component" forming part of the building (is, engineered not trouses, engineered force part, timbers (ct.), must be gatembed to literiense in Associates for eview and within approved. If engineered shop drawings are not shortfully and parameter, Movement & Association is not reconsiste for an associated cost or distributes. Materials or construction procedures with any prohibited by law or shall cause a humful effect to the natural environment or to the health of any person on the site during conclusions and/or during company; shall not be used in this project. All trades shall conform with all the applicable federal, provincial & local codes, rules and regulations. In case of conflict, the most stringer requirement shall apply.

All construction methods and melerials shall comply with the current building codes, ordinances and requirements as adepted by the local governing body where the building is to be located. These notes are for general reference only, where coefficis exist between these notes and current codes the more stringent requirements shall provail.

Do not scale drawings; use printed dimensions only. If any discrepancy occurs, notify the designer and/or owner for direction

A sails investigation by a qualified and licensed soils engineer must be provided at ear addition to other pertinent information, each report shall include the following: a) Allowable sail bearing capacity and recommendations for improvement if required.

b) Water drainage and hydrostatic pressure analysis including recommendations for relief of any adverse conditions. If there is a conflict between the soils investigation and information on the construction documents, the most stringent and conservative conflicts shall govern.

Sump Pit and Pump: **Denotes summer city with cump in basement if recommended by soil engineer. Sump oil to be designed to resist symbol by children, and pit covers shall be assired to maintain continuity of air bornie Refer to 0.8.0. 9.145.2.2.9.9.2.3.3.1(16).

Compressive strength of concrete after 26 days shall be at least 32 MPs for a garage and cargost floors and all enterior flatwork All concrete used for garage and carport floors and odestor stages shall leave a entitivities of 65 % to 6%. Concrete work and placement staff contents to the stated specification of CRIS.1 and CRIS. Compressive strength of concrete after 28 days shall be at least 20 MPa for foundation walls.

Compressive correspond contractor when yet days state or a residence for incursation water. Minimum boding depth shall be 41-0° ballow finished grade. Remove all fill and organic materials from areas to receive floor slabs. Prepare areas per soils engineers

All reinforcing bars, dowels, and lies shall conform to A.S.T.M.A615 Grade 60. Reinforcing steel shall be continuous and shall have minimum 36 bar diameter lap, unless shown or noted. All reinforcing bars shall be deformed.

Provide temporary backing as required to insure the stability of the structure until the permanent having is in place. All block shall be type N-1; moster is to be type 'N'; horizontal wire mintering shall be at 16' o.c. in all massonly walls

Provide still plate ancher holds at 4-0" o.g. (mox.) and 12" from end of still plates. Ancher holds shall be 10" diameter (min.) and shall opdered 15" (min.) into ground objected concrete block or 6" (min.) into poured in place concrete looding or 3" into ground or object.

"I into governd in place concrete booking.

Previde 24" regid insulation at all postness slab on goads conditions. See classings for thickness.
Vilabspool all brick, block and pound concrete walls at any below goads conditions unless classed otherwise by the soils originor.
Previde 6 mil vapor benior under all concrete slab on goads conditions and at all attacked gasage area concrete slabs. All poured concrete walls to be backfilled with sandy type out and be yell braced until concrete is thoroughly cured and additional weight of the building is in place. Do not use forcer material for backfill.

Crack control joints shall be provided in foundation walls more than 70 feet long at intervals of not more than 35 feet and should be designed to resist modulus desembation as per section 9 15.4 fb.

Loading Conditions: Floor behitable

Wind load

Olote). All Doors were designed to a total load of 50 p.s.f. If a hard finish material in a great bad is to be installed or other special feeting conditions are articipated consult designer for a shustural analysis of the condition.

Truss manufacturer shall be responsible for all truss designs including girders, hangers, bearing seats and anchors for trusses. Trigs framing shown on plans is for general elerence and to indicate bearing locations. Manufacturer shall notify designer if admisred bearing points and/or walls are needed prior to latinization and erection.

Studs (bearing walls): Spruce-pine-fir, kiln dried, No. 2 or better.

Studs (non-bearing walls): Spruce-pine-fir, kiln dried, stud grade or better. Joists, ratters, and headers: Fiber bending stress 1290 PSI elasticity Modulus 1,400,000 PSI or bottler.

Wall plates, non-structural blocking: Spryce-pine-fir, kiln dried, utility grade or befored on

Perimeter sill plates: Spruce-pine-fir, kiln dried, No. 2 or better. Set perimeter sill plates on sill sealer.

Furring: Spruce-pine-fir, kiln dried, No.3 or better.

Live metal inist honners only where inists have from beams, walls or other supports. No inist angles allowed Floor Truss farming and TJI floor joint on drawings is designed for carpet, wood or ceramic file floor finishes. If the floor material changes, notify the designer immediately for a shockural redesign of the floor system to accommodate the dead load of the new floor material.

All micro lam beams are by Trus Joist MacMillan and are to be joined together per manufacturer printed specifications Provide 2 x 6 blocking at 16° o.c. between rim joint and header joint under all garitions parallel to floor farming direction. Provide sold bearing under all point load conditions to top of buildadien wall on steel bearing

Provide 2×4 solid blocking at 16° o.c. on 2×4 ledger boards between header joists (see drawings for size in-line bearing partitiess from floor above. Provide solid blocking at all point load conditions continuous to solid bearing at headers or foundation.

Exterior wood trained walls over 9-0° in height shall be of minimum 2 x 6 construction. All studs shall be continuous from floor to underside of floor or not framing above. All structural multions to have minimum double stud construction continuous from floor to underside of floor or noof framing above, wholev transport headers shall soon between confinence shall with flash transport basisets as required.

Provide continuous studs to underside of roof farming at all sloped ceiling conditions. (Balloon construction Lower level (basement) exterior frame walls shall be minimum 2 x 6 framing at 16° o.c. with pressure treated base plate. Interior lower level (basement) exited base plate. Interior

Structural grade for lateral loading. When non-structural sheathing is used provide let-in diagonal wind bracing or other type of bracking at all colorior corners of shusture.

Provide vertiliption per 0.8.C, 9.19-1.2. Ubabeloushed vertilance not less than 1/800 of insubtind ceiling. Where root slope is slope less than 1/100 of insubted ceiling. Where root slope is slope less than 1/100 of insubted ceiling. Min. 25% required openings located at the loop of bustiner of passor. Vertiling to be uniformly detainsteded and as issues of busilisms.

All plumbing, mechanical vent stacks and furnace flues shall be offset to near mol lines. Flushing at all proportions as manifold.

reactive-accessible opening not less than 22" x 28" shall be provided to any aftic area having a clear height of over 30"

All stairs shall conform to code for allowable riser height and tread depth. (Minimum 9 1/4" treads and maximum 7.7/8" risers in single tarmity dendlings.) Handralls shall be provided on at least one side of stainways of two (2) risers or more having a width of less than 44°. Provide artifitional handralls are sequined by code on wider stainways.

All handrails shall be located at a height of 34" min, and 38" max, above nose of tread. The size and shape of handrails shall confor to current code recurrenterss.

Top of salings shall be a minimum of 42' high above finished floor or nose of stair tread. The space below a guard rail shall be constructed such that a sphere with a diameter of 6 inches shall not be able to pass through any opening.

Doors between house and garage to be solid core fire rated steel door with automatic closer and weathershipping. All exterior swing type doors to have a dead-bolt locking mechanism.

A minimum of one (1) window in each sleeping area shall meet emergency egress requirements. Window contractor shall provide egress hardware necessary to allow windows to meet applicable egress requirements. Provide Sashing at all window head, jamb, and all conditions.

Operating sash are shown for basic sizing only. Final size for rough opening and glazing shall be per selected window manufacturer depretarils.

Provide the appropriate safety glass (in accordance with all applicable building codes) for all hazardous locations listed below

Characterisms away glass in accordance with all agriciable bullding codes) for all heards.

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<u>Insulation:</u> Insulation requirements are to meet or exceed those for a Zone 1 Compilar Thormal batt and bilanket insulation shall have a kast faced vapor barrier.

Insulation shall be installed in such a manner as to allow free air flow from the soffit to the roof space Verification of composited med spaces shall be maintained

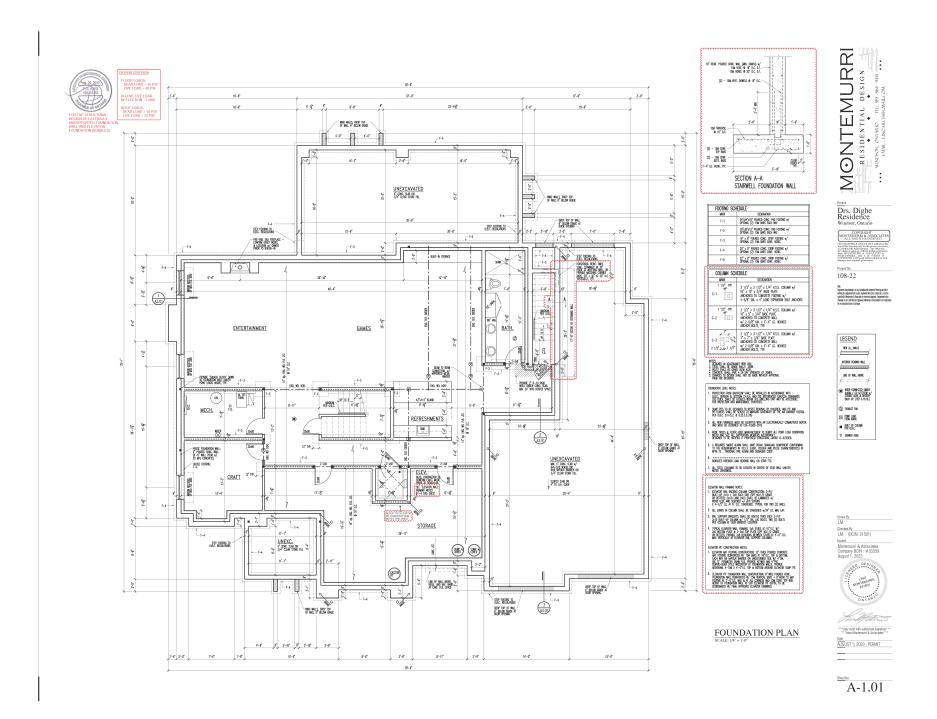
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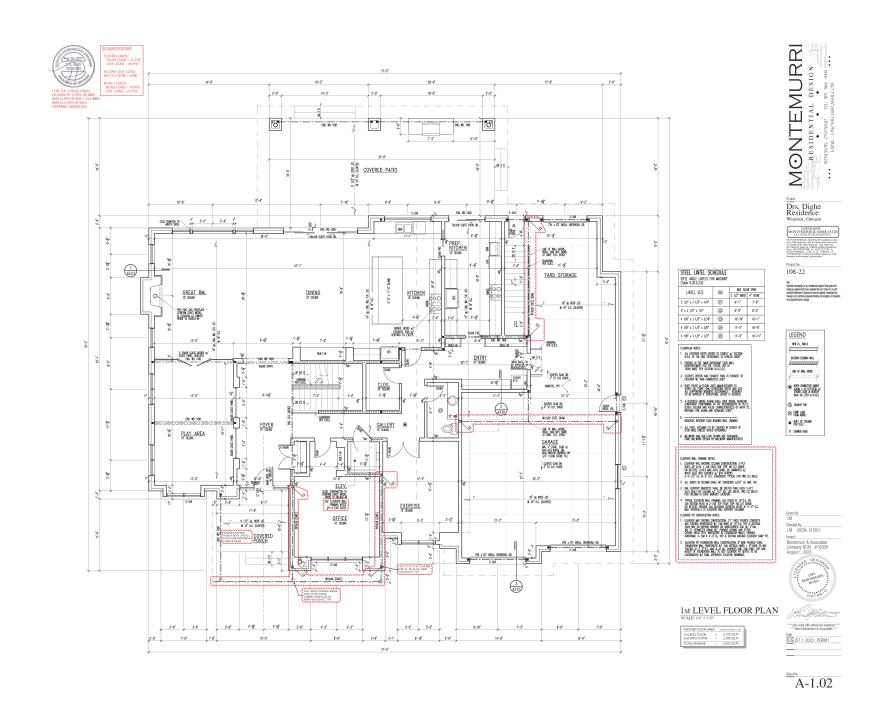
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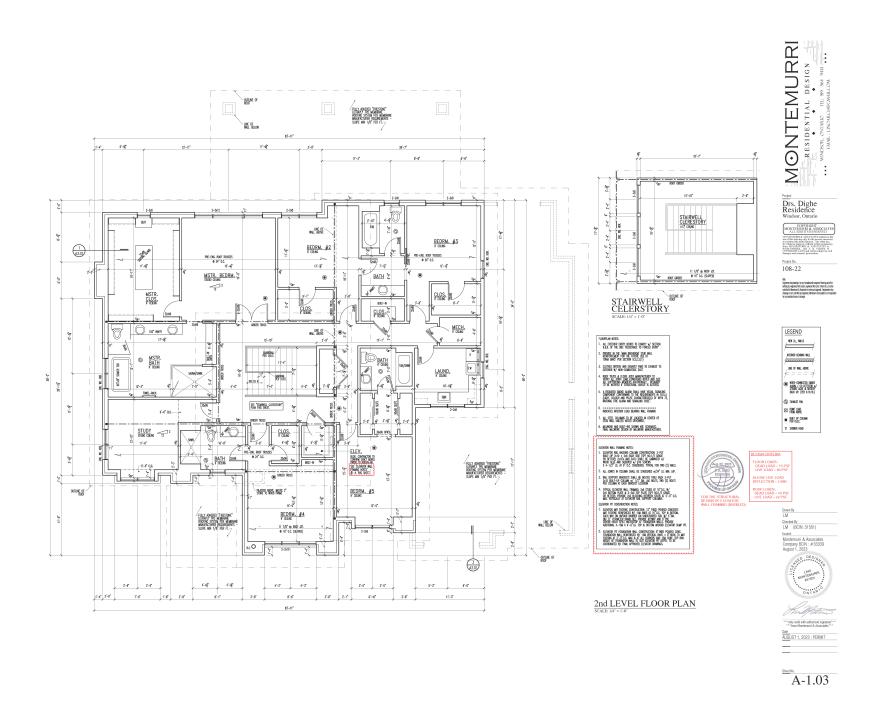
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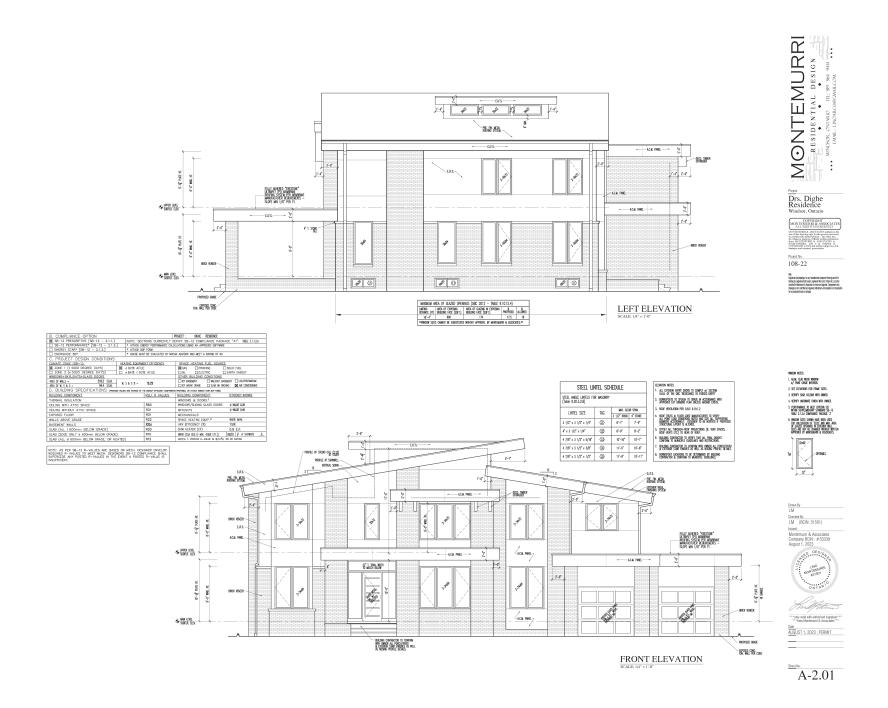
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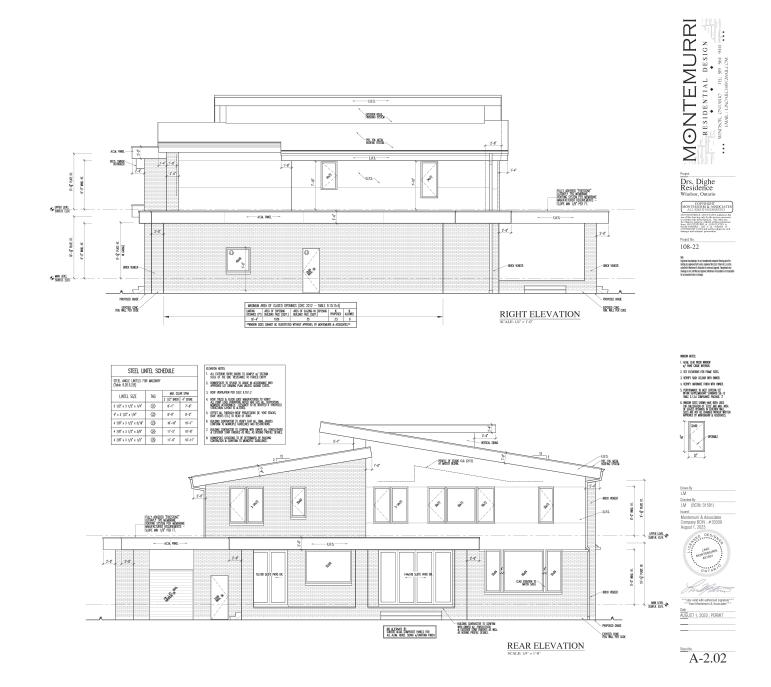
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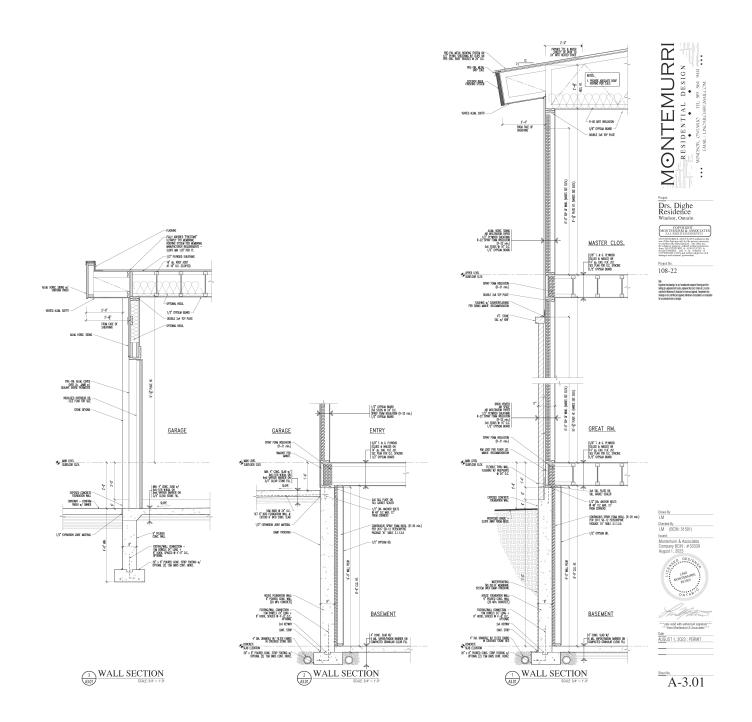












Appendix D - Current Site Image

3589 Victoria Boulevard









ESTIMATED BUILDING HT. COMPARISON

APPENDIX F - CONSULTATION

BUILDING - MIRELLA ALLISON

The proposed plan for a single unit dwelling meets 9.10.15. Spatial Separation Between Houses requirements of Part 9 of the Ontario Building Code. A complete plan review will be done when an application is submitted for a building permit.

FIRE - MICHAEL COSTE

No issue from fire.

ZONING - ANA LUKAS

- **Current Zoning Designation:** Residential District 1.4 (RD1.4)
- Proposed Zoning Designation: Residential District 1.4 (RD1.4) with special provisions

The proposed development doesn't meet the Zoning By-law 8600 as follows:

- o Maximum Main Building Height: (10.4.5.4)
 - 9.0 m (Required)
 - Building height not provided on submitted drawing (Provided)
- Maximum Gross Floor Area Main Building: (10.4.5.8)
 - 400 m2 (Required)
 - 647 m2 (Provided)

HERITAGE - KRISTINA TANG

There is no apparent built heritage concern with this property and it is located on an area of low archaeological potential.

Nevertheless, the Applicant should be notified of the following archaeological precaution.

- Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
- 2. In the event that human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

Contacts:

Windsor Planning & Building Department:

519-255-6543 x6179, ktang@citywindsor.ca, planningdept@citywindsor.ca

Windsor Manager of Culture and Events:

Michelle Staadegaard, (O) 519-253-2300x2726, (C) 519-816-0711, mstaadegaard@citywindsor.ca

Ontario Ministry of Citizenship and Multiculturalism

Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca

Windsor Police: 911

Ontario Ministry of Government & Consumer Services

A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, 1-416-212-7499, Crystal.Forrest@ontario.ca

ENWIN

HYDRO ENGINEERING: **Zachary Mancini** No Objection to Re-Zoning.

WATER ENGINEERING: **Bruce Ogg** Water Engineering has no objections.



Committee Matters: SCM 66/2024

Subject: Adoption of the Development & Heritage Standing Committee minutes of its meeting held March 4, 2024



CITY OF WINDSOR MINUTES 03/04/2024

Development & Heritage Standing Committee Meeting

Date: Monday, March 4, 2024 Time: 4:30 o'clock p.m.

Members Present:

Councillors

Ward 4 - Councillor Mark McKenzie

Ward 7 - Councillor Angelo Marignani

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison (Chairperson)

Councillor Regrets

Ward 1 - Councillor Fred Francis

Members

Member Anthony Arbour Member Joseph Fratangeli Member Daniel Grenier Member John Miller Member Charles Pidgeon Member Robert Polewski Member Khassan Saka Member William Tape

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Sandra Gebauer, Council Assistant

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Jelena Payne, Commissioner, Economic Development Shawna Boakes, Executive Director, Operations / Deputy City Engineer Greg Atkinson, Deputy City Planner Emilie Dunnigan, Deputy Treasurer Financial Planning Rob Vani, Deputy Chief Building Official – Inspections

Development & Heritage Standing Committee Monday, March 4, 2024

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Patrick Winters, Manager, Development Michael Cooke, Manager, Planning Policy / Deputy City Planner Aaron Farough, Senior Legal Counsel Clare Amicarelli, Transportation Planning Coordinator

Brian Nagata, Planner II - Development Review

Adam Szymczak, Planner III – Development

Kevin Alexander, Planner III - Special Projects

Kristina Tang, Planner III - Heritage

Tracy Tang, Planner III – Economic Development

Laura Strahl, Planner III - Special Projects

Ashley Porter, Administrative Assistant

Natasha McMullin, Clerk Steno Senior

Anna Ciacelli, Deputy City Clerk

Delegations—participating via video conference

Item 7.1 & 7.2 – Tracey Pillon-Abbs, RPP, Principal Planner

Delegations—participating in person

Item 7.2 – Robert Smith, ward 2 resident

Item 10.1 – Cameron Adamson, Windsor Masonic Temple

Item 11.1 – Jay Shanmugam, M.Eng., P.Eng., Chief Development and Regeneration Officer, Windsor Essex Community Housing Corporation (CHC)

1. CALL TO ORDER

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

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

None disclosed.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None presented.

4. COMMUNICATIONS

None requested.

5. ADOPTION OF THE *PLANNING ACT* MINUTES

Development & Heritage Standing Committee Monday, March 4, 2024

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5.1. Adoption of the Development & Heritage Standing Committee (*Planning Act*) minutes of its meeting held February 5, 2024

Moved by: Councillor Angelo Marignani Seconded by: Councillor Mark McKenzie

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held February 5, 2024 **BE ADOPTED** as presented. Carried.

Report Number: SCM 51/2024

6. PRESENTATION DELEGATIONS (PLANNING ACT MATTERS)

See items 7.1 and 7.2

7. PLANNING ACT MATTERS

7.1. Zoning By-law Amendment Application for 3445 Church Street, Z-002/24 [ZNG-7165], Ward 1

Moved by: Councillor Kieran McKenzie Seconded by: Councillor Mark McKenzie

Decision Number: DHSC 591

I. THAT Zoning By-law 8600 BE AMENDED by changing the zoning for the lands located on the west side of Church Street between Liberty Street and Beals Street West, described as Lots 153 & 154 and Part of Closed Alley, Plan 1305 [PIN No. 01304-0854 LT], from Residential District 1.4 (RD1.4) to Residential District 1.2 (RD1.2), subject to additional regulations:

498. WEST SIDE OF CHURCH STREET BETWEEN LIBERTY STREET AND BEALS STREET WEST

For the lands comprising of Lots 153 & 154 and Part of Closed Alley, Plan 1305, PIN No. 01304-0854 LT, the following shall apply:

1. Notwithstanding Section 5.11.5, for a *single unit dwelling*, the maximum width of a *carport* or *garage* forming part of the *main building* shall not exceed 68.0% of the maximum permitted width of the *main building* on the *lot*.

[ZDM 8; ZNG/7165]

Carried.

Development & Heritage Standing Committee Monday, March 4, 2024

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Report Number: S 17/2024 Clerk's File: Z/14730

7.2. Rezoning – Sital Garha – 1350 Pelletier Street - Z-031/23 ZNG/7158 - Ward 2

Moved by: Councillor Angelo Marignani Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 592**

THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of the westerly half of Part Lot 72, Concession 1 Sandwich West (PIN: 01206-0266; Roll No: 040-430-04150), situated on the north side of Pelletier Street, east of McKay Avenue, and known municipally as 1350 Pelletier Street, further identified as Parts 2 and 4 on the draft reference plan attached as Appendix A to Report S 14/2024, from Manufacturing District 2.13 (MD2.13) to Residential District 2.2 (RD2.2). Carried.

Report Number: S 14/2024

Clerk's File: Z/14721

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 5:06 o'clock p.m.

The Chairperson calls the *Heritage Act* Matters portion of the Development & Heritage Standing Committee meeting to order at 5:09 o'clock p.m.

8. ADOPTION OF THE MINUTES

8.1. Adoption of the Development & Heritage Standing Committee minutes of its meeting held December 4, 2023

Moved by: Councillor Angelo Marignani Seconded by: Councillor Kieran McKenzie

THAT the minutes of the Development & Heritage Standing Committee meeting held December 4, 2023 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 341/2023

8.2. Adoption of the Development & Heritage Standing Committee minutes of its meeting held January 8, 2024

Moved by: Member William Tape

Development & Heritage Standing Committee Monday, March 4, 2024

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Seconded by: Member Joseph Fratangeli

THAT the minutes of the Development & Heritage Standing Committee meeting held January 8, 2024 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 7/2024

8.3. Adoption of the Development & Heritage Standing Committee minutes of its meeting held February 5, 2024

Moved by: Councillor Angelo Marignani Seconded by: Councillor Mark McKenzie

THAT the minutes of the Development & Heritage Standing Committee meeting held February 5, 2024 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 49/2024

10. HERITAGE ACT MATTERS

10.1. 986 Ouellette Avenue, Masonic Temple, Community Heritage Fund & Downtown Windsor Enhancement Strategy and Community Improvement Plan Grant Extension (Ward 3)

Cameron Adamson, Windsor Masonic Temple

Cameron Adamson, Windsor Masonic Temple appears before the Development & Heritage Standing Committee regarding the administrative report entitled "986 Ouellette Avenue, Masonic Temple, Community Heritage Fund & Downtown Windsor Enhancement Strategy and Community Improvement Plan Grant Extension (Ward 3)" and thanks administration for their assistance related to their application and is available for questions.

Councillor Kieran McKenzie inquires whether the project completion is within the timeline extension requested. Mr. Adamson indicates that there was a delay due to availability of materials and weather conditions and that the completion of the project is in sight.

Councillor Angelo Marignani asks Administration if there are any concerns with the extension from a City point of view. Kristina Tang, Heritage Planner, appears before the Development & Heritage Standing Committee Meeting regarding the administrative report "986 Ouellette Avenue, Masonic Temple, Community Heritage Fund & Downtown Windsor Enhancement Strategy and Community Improvement Plan Grant Extension (Ward 3)" and indicates that there has been constant

Development & Heritage Standing Committee Monday, March 4, 2024

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communication with the applicant, they are confident with the progress of the restoration, that completion of the work this construction season is likely and there is little risk with the extension.

Moved by: Councillor Kieran McKenzie Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 593**

THAT Council Resolution CR120/2022, previously approved for grants under the Community Heritage Fund (Reserve Fund 157) and Downtown Windsor Enhancement Strategy and Community Improvement Plan (Downtown CIP), **BE AMENDED** to extend the deadline to one (1) year from the date of the Council approval of Report S19/2024; and,

THAT extensions **SHALL BE** given at the discretion of the City Planner to complete the approved work.

Carried.

Report Number: S 19/2024 Clerk's File: MBA/3304

10.2. Verbal Update to Municipal Heritage Register: Strategies in response to Provincial Bill 23 - City Wide

Kristina Tang, Heritage Planner III

Kristina Tang, Heritage Planner III appears before the Development & Heritage Standing Committee regarding a Verbal Update to Municipal Heritage Register: Strategies in response to Provincial Bill 23 - City Wide, and provides an overview of the heritage resources, public consultation, policy analysis and inventory listing within the Walkerville area. Ms. Tang indicates there have been challenges with sourcing qualified researchers. She adds that once the Walkerville area is completed, other areas with the strongest historical and cultural value will be evaluated. Ms. Tang indicates that designation through development review and incentive program is ongoing as development applications come through and protection of properties through the demolition control by-law as well as protection of city-owned heritage resources. There will be a communication piece coming forward in Q4 to highlight the council decision and expectation.

Councillor Kieran McKenzie inquires about the number of heritage properties that are listed. Ms. Tang indicates that there are over 800 properties listed.

Councillor Kieran McKenzie inquires that if the City doesn't complete assessments on all of the listed properties, what is the risk and what resources are available to help to get through that list. Ms. Tang indicates that going through each property on the register and designating all of them is not a feasible approach. Ms. Tang adds that not every property listed meets the provincial criteria for designation. In terms of quantifying those worthy of designation, Walkerville is being prioritized, then, concentration will be on properties that provide the most value to the community and areas of

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the city, where there are many heritage properties, are being protected by the demolition control by-law. Jelena Payne, Commissioner, Economic Development appears before the Development & Heritage Standing Committee Meeting regarding the Verbal Update to Municipal Heritage Register: Strategies in response to Provincial Bill 23 - City Wide, and indicates that although we are expected to identify properties that we would like designated by the end of 2024, that process would not stop. Administration is in the process of identifying the most critical properties that we do not want to fall off that list, and administration was also directed to write to the provincial government to request an extension of the deadline date, which they did and continue to lobby and advocate for the same.

Councillor Kieran McKenzie asks Administration to identify the risks for municipal assets and whether a by-law can be enacted related to any municipal assets currently listed, be treated as a heritage asset, despite no longer being listed. Aaron Farough, Senior Legal Counsel appears before the Development & Heritage Standing Committee Meeting regarding the Verbal Update to Municipal Heritage Register: Strategies in response to Provincial Bill 23 - City Wide and indicates that planning could be consulted to develop a by-law as a mitigation strategy to protect municipally owned listed properties, and are at liberty to treat assets however, that would be done at the direction of council.

Councillor Kieran McKenzie asks Administration in terms of private heritage listed assets, if it would make more sense to focus on those that are listed that could be affected by the timeline. Mr. Farough indicates that they have much less control over privately held lands once they fall off the list and enter the restriction period for which they cannot be relisted for a period of time.

Michael Cooke, Manager Planning Policy, Deputy City Planner, appears before the Development & Heritage Standing Committee Meeting regarding the Verbal Update to Municipal Heritage Register: Strategies in response to Provincial Bill 23 - City Wide, and indicates that there is a risk of knowing that not every property on the list can be evaluated and determined worthy of designation within the time frame. The higher risk properties have been identified as part of the strategy that has been adopted. If properties do come off the list, they can still go through the designation process if the owner is willing.

Councillor Angelo Marignani inquires whether there are other tools that may be used to save some of these heritage properties. Ms. Tang indicates that 7 strategies within the original report were comprehensively reviewed and brought forward to determine what would be most suitable and feasible.

Councillor Angelo Marignani inquires whether there may be a possibility for an extension of the deadline. Ms. Tang indicates that there has been a request for extension made, but there has not been any positive response from the province in that regard. Heritage conservation districts are another tool we have used, such as in Walkerville.

Member William Tape inquires as to how the City can prevent people from completing poor heritage restoration or mutilating important heritage aspects and elements of the building. Ms. Tang indicates that types of alterations are allowed through the heritage permit process, but only if

Development & Heritage Standing Committee Monday, March 4, 2024

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the property is designated. There is no legislation for alterations of listed properties. Alterations are out of the City's control and the only way to prevent them is through designation.

Member William Tape inquires whether there is any mechanism to stave off this type of work while the City works through the process. Ms. Tang indicates that they have no way of regulating modifications unless the property is designated. At that time, a permit process must be adhered to.

Moved by: Councillor Kieran McKenzie Seconded by: Member William Tape

Decision Number: DHSC 594

THAT the verbal update to Municipal Heritage Register: Strategies in response to Provincial Bill 23 provided by the Heritage Planner **BE RECEIVED**; and,

THAT the Heritage Planner **BE DIRECTED** to report back to a future Development & Heritage Standing Committee meeting on the viability of a bylaw for Council consideration aimed at protecting existing Municipal Heritage assets beyond the Province's 2024 deadline; and that should a bylaw be determined viable, **TO PROPOSE** within the response appropriate language and to report back prior to the Provincial deadline elapsing. Carried.

Clerk's File: ACO2024

There being no further business the meeting of the Development & Heritage Standing Committee (*Heritage Act* Matters) portion is adjourned at 5:51 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 5:52 o'clock p.m.

11. ADMINISTRATIVE ITEMS

11.1. Sandwich Town CIP Application, 3431, 3433, 3435 Bloomfield Road; Agent Vaibhav Desai (Windsor Essex Community Housing Corporation) (Ward 2)

Jay Shanmugam, M.Eng., P.Eng., Chief Development and Regeneration Officer, Windsor Essex Community Housing Corporation (CHC)

Jay Shanmugam, M.Eng., P.Eng., Chief Development and Regeneration Officer, Windsor Essex Community Housing Corporation (CHC), appears via video conference before the Development & Heritage Standing Committee and is available for questions.

Moved by: Councillor Mark McKenzie Seconded by: Councillor Kieran McKenzie

Development & Heritage Standing Committee Monday, March 4, 2024

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Decision Number: **DHSC 595**

- I. THAT the request for incentives under the Sandwich Incentive Program made by Windsor Essex Community Housing Corporation, owners of the properties located at 3431, 3433, 3435 Bloomfield Road, BE APPROVED for the following programs when all work is complete:
 - Development and Building Fees Grant for 100% of the Development and Building Fees identified in the Sandwich CIP to an estimated amount of (\$74,985.91);
 - ii. Revitalization Grant Program for 70% of the municipal portion of the tax increment for up to 10 years (estimated at **\$27,014.40** per year); and,
- II. THAT the CFO/City Treasurer **BE DELEGATED** the authority to adjust the amounts granted to the upset costs of this Council Decision, on the basis that the total amount of all grants and funding received by Windsor Essex Community Housing Corporation by all levels of government, cannot exceed the approved eligible costs for the project; and,
- III. THAT Administration **BE AUTHORIZED** to prepare the Sandwich Incentive Program Agreement for the *Revitalization Grant* in accordance with all applicable policies, requirements, and provisions contained within the Olde Sandwich Towne Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implication; and,
- IV. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the agreement between the City and Windsor Essex Community Housing Corporation to implement the *Revitalization Grant Program* in accordance with all applicable policies, requirements to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and,
- V. THAT funds in the estimated amount of \$74,985.91 under the *Development and Building Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the *Sandwich Community Development Plan Fund* (Account 7076176) when the work is complete; and,
- VI. THAT subject to Recommendation II, grants **BE PAID** to Windsor Essex Community Housing Corporation upon completion of three (3) buildings with a total of eighteen (18) units, each building consisting of a two (2) storey, six (6) unit multiple dwelling from the Sandwich Community Development Plan Fund (Account 7076176) to the satisfaction of the City Planner and Chief Building Official; and,
- VII. THAT grants approved **SHALL LAPSE** if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date. Extensions **SHALL BE** given at the discretion of the City Planner.

Carried.

Development & Heritage Standing Committee Monday, March 4, 2024

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Report Number: S 171/2023

Clerk's File: Z/14644

11.2. Downtown Community Improvement Plan Applications made by 1000287003 Ontario Inc. for 28, 34, and 36 Chatham Street East, Ward 3

Moved by: Councillor Mark McKenzie Seconded by: Councillor Angelo Marignani

Decision Number: DHSC 596

- I. THAT the request made by 1000287003 Ontario Inc. (c/o Robert Peters) for the proposed development at 28, 34 and 36 Chatham Street East to participate in the Commercial/Mixed Use Building Facade Improvement Program **BE APPROVED**, subject to the applicant submitting brick samples to the satisfaction of the City Planner, for a grant up to 50% of the eligible costs of the facade improvements, to a maximum of \$20,000; and,
- II. THAT the City Treasurer BE AUTHORIZED to issue payment of \$20,000 for grants under the Commercial/Mixed Use Building Facade Improvement Grant Program for 28, 34 and 36 Chatham Street East to 1000287003 Ontario Inc. upon completion of facade improvements subject to the satisfaction of the City Planner and Chief Building Official; and,
- III. THAT Grant funds in the amount of \$20,000 under the Commercial/Mixed Use Building Facade Improvement Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to the City Centre Community Development Planning Fund (Project #7011022) when work is complete; and,
- IV. THAT should the facade improvements not be completed within two (2) years of Council approval of Report 23/2024, City Council **AUTHORIZE** that the funds under the Commercial/Mixed Use Building Facade Improvement Program be uncommitted and made available for other applications.

Carried.

Report Number: S 23/2024 Clerk's File: SPL2024

11.3. Downtown Community Improvement Plan Application made by 58 Chatham Street West Corp. for 46, 52, 58 Chatham Street West, Ward 3

Moved by: Councillor Kieran McKenzie Seconded by: Councillor Mark McKenzie

Decision Number: DHSC 597

I. THAT the request made by 58 Chatham Street West Corp. for the proposed development at 46, 52 and 58 Chatham Street West, to participate in the Building/Property Improvement Tax

Development & Heritage Standing Committee Monday, March 4, 2024

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Increment Grant Program BE APPROVED for 100% of the municipal portion of the tax increment resulting from the proposed development for up to five (5) years plus an additional five (5) years as a catalyst project or until 100% of the eligible costs are repaid pursuant to the Downtown Windsor Enhancement Strategy and Community Improvement Plan; and,

- THAT Administration **BE DIRECTED** to prepare the agreements between the City and 58 Chatham Street West Corp. to implement the Building/Property Improvement Tax Increment Grant Programs at 46, 52 and 58 Chatham Street West in accordance with all applicable requirements, and provisions contained within the Downtown Windsor Enhancement Strategy and Community Improvement Plan; and,
- THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Building/Property Improvement Tax Increment Grant Program agreements at 46, 52 and 58 Chatham Street West to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implications; and,
- IV. THAT the approval to participate in the Building/Property Improvement Tax Increment Grant Program **EXPIRE** if the grant agreement is not signed by applicant within one year following Council approval. The City Planner may extend the deadline for up to one year upon request from the applicant.

Carried.

Report Number: S 25/2024

Clerk's File: SPL2024

12. COMMITTEE MATTERS

Report No. 51 of the International Relations Committee - Draft Twin **City/Friendship City Policy**

Moved by: Councillor Angelo Marignani Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 598**

THAT Report No. 51 of the International Relations Committee indicating:

THAT the Draft Twin City/Friendship City Policy for the City of Windsor, attached as

Appendix "A" BE ADOPTED AS AMENDED.

BE APPROVED.

Carried.

Report Number: SCM 25/2024

Clerk's File: MB2024

Minutes of the International Relations Committee of its meeting held January 17, 2024

Development & Heritage Standing Committee Monday, March 4, 2024

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Moved by: Councillor Mark McKenzie Seconded by: Councillor Angelo Marignani

Decision Number: DHSC 599

THAT the minutes of the International Relations Committee meeting held January 17, 2024 BE

RECEIVED. Carried.

Report Number: SCM 26/2024

13. QUESTION PERIOD

None registered.

14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Items Matters) is adjourned at 5:54 o'clock p.m. The next meeting of the Development & Heritage Standing Committee will be held on Tuesday, April 2, 2024. Carried.

Ward 10 – Councillor Jim Morrison
(Chairperson)

Deputy City Clerk / Supervisor of
Council Services



Committee Matters: SCM 90/2024

Subject: Adoption of the Development & Heritage Standing Committee minutes of its meeting held April 2, 2024



CITY OF WINDSOR MINUTES 04/02/2024

Development & Heritage Standing Committee Meeting

Date: Tuesday, April 2, 2024 Time: 4:30 o'clock p.m.

Members Present:

Councillors

Ward 1 - Councillor Fred Francis

Ward 4 - Councillor Mark McKenzie

Ward 7 - Councillor Angelo Marignani

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison (Chairperson)

Members

Member Anthony Arbour Member Daniel Grenier Member Robert Polewski

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Jelena Payne, Commissioner, Economic Development Sandra Gebauer, Council Assistant

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Thom Hunt, City Planner
Wira Vendrasco, Acting City Solicitor
Greg Atkinson, Deputy City Planner – Development
Jason Campigotto, Deputy City Planner – Growth
John Revell, Chief Building Official
Shawna Boakes, Executive Director Operations / Deputy City Engineer
Patrick Winters, Manager, Development
Stefan Fediuk, Landscape Architect / Acting Sr. Urban Designer
Kevin Alexander, Planner III – Special Projects
Brian Nagata, Planner II - Development Review
Anna Ciacelli, Deputy City Clerk

Development & Heritage Standing Committee Tuesday, April 2, 2024

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Delegations—participating via video conference

Item 7.1 – Tracey Pillon-Abbs, RPP, Principal Planner

Delegations—participating in person

Item 7.1 – Maria and Joe Inglesi, area residents
Item 11.1 – David Meikle, Business Owner, Signal Out of Home
Item 11.1 – Nicholas Campney, Director, Leasing and Legislation, Scott Stover, Leasing Representative, and Nathan Jankowski, Pattison Outdoor Advertising

1. CALL TO ORDER

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

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Member Daniel Grenier discloses an interest and abstains from voting on Item 7.1 being "Zoning By-law Amendment Application for 3842 Woodward Boulevard, Z-030/23 [ZNG7151], Ward 9," as his company has hired the planner on this application regarding a minor variance on one of his properties.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

4. COMMUNICATIONS

None presented.

5. ADOPTION OF THE *PLANNING ACT* MINUTES

5.1. Adoption of the Development & Heritage Standing Committee minutes (*Planning Act*) of its meeting held March 4, 2024

Moved by: Councillor Angelo Marignani Seconded by: Councillor Mark McKenzie

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held March 4, 2024 **BE ADOPTED** as presented. Carried.

Development & Heritage Standing Committee Tuesday, April 2, 2024

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Report Number: SCM 81/2024

6. PRESENTATION DELEGATIONS (PLANNING ACT MATTERS)

See Item 7.1

7. PLANNING ACT MATTERS

7.1. Zoning By-law Amendment Application for 3842 Woodward Boulevard, Z-030/23 [ZNG-7151], Ward 9

Moved by: Councillor Kieran McKenzie Seconded by: Councillor Angelo Marignani

Decision Number: DHSC 600

I. THAT Zoning By-law 8600 BE AMENDED for the lands located on the east side of Woodward Boulevard, between Ledyard Avenue and Moxlay Avenue, described as Part of Lot 19 as in R1119645 and Closed Alley, Plan 1045 as in R1162410, by adding a site specific provision to permit a Semi-Detached Dwelling as an additional permitted main use, subject to additional regulations:

495. EAST SIDE OF WOODWARD BOULEVARD BETWEEN LEDYARD AVENUE AND MOXLAY AVENUE

For the lands comprising of Part of Lot 19 & Closed Alley, Plan 1045, PlN No. 01349-0395 LT, a *Semi-Detached Dwelling* shall be an additional permitted *main use* subject to the following additional provisions:

- 1. The Semi-Detached Dwelling provisions of Section 10.1.5 shall apply; and
- 2. Section 5.99.80.1.1.b) shall not apply.

[ZDM 12; ZNG/7151]

Carried.

Member Daniel Grenier discloses an interest and abstains from voting on this matter.

Report Number: S 18/2024 Clerk's File: Z/14699

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 5:01 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 5:01 o'clock p.m.

Development & Heritage Standing Committee Tuesday, April 2, 2024

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11. ADMINISTRATIVE ITEMS

11.1. Windsor Sign By-law Billboard Review and Amendments.

Stefan Fediuk appears before the Development & Heritage Standing Committee regarding the Administrative report entitled "Windsor Sign By-law Billboard Review and Amendments" and provides a brief overview of the report including: Background; Consultation Areas of Concern; Oversaturation and Sign Clutter; New Electronic Change Copy/Digital Sign; Locations and Setbacks from Sensitive Land Uses; Traffic and Aviation Safety Issues; Clarity within the By-law and Permitting – New definitions and General Regulations; By-law and Permitting Clarifications – Sign permits and inspections; Regulation for Billboards – Restrictions, Prohibitions, Restrictions and Permitted Locations; Special Districts; Total of 42 recommended amendments; Future Considerations with upcoming reports; Schedule of Fees and Delegation of Authority.

Councillor Angelo Marignani inquires with respect to the electronic signs and the potential of light pollution becoming a concern, if the signs will only be directed toward the road or if the V-type signs will be applied where the light pollution can spill into neighbourhoods. Mr. Fediuk indicates that the V-shape sign is being implemented by a few of the industry stakeholders in order to direct light away from the residences. By creating the V-shape, the light is emitted away. It would be an appropriate application where there is commercial on one side and residential on the other. In areas where there are residences on both sides, the applicant would need to prove that the light being emitted does not reach or impede the residences. There can be a request made to the applicant that the billboard be turned off between 11:00pm and 7:00am.

Councillor Angelo Marignani inquires whether the recommendations put forward today will address the light pollution concerns on a case by case basis or will they cover all billboards. Mr. Fediuk indicates that the recommendations are intended to cover as much as possible, but each application is evaluated on a case by case basis.

Councillor Angelo Marignani inquires whether there is any concern for the need for variances with the development of these signs. Mr. Fediuk indicates that administration is trying to mitigate as many variances as possible and are recommending the potential of a Delegation of Authority (DOA) in the future.

Councillor Angelo Marignani requests that Administration expand further on the DOA and the purpose of that tool for the City. Mr. Fediuk indicates that the Delegation to the Chief Building Officer is intended to reduce costs associated with procedure as it relates to minor changes requested. John Revell, Chief Building Official appears before the Development & Heritage Standing Committee regarding the Administrative report entitled "Windsor Sign By-law Billboard Review and Amendments" and indicates that the Delegation component is not part of this report, but is just to take away very minor issues from having to come to a committee. Bigger picture items would still need to come to a committee process.

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Councillor Angelo Marignani inquires about the process should there be resident concerns. Mr. Fediuk indicates that there have been no resident delegations in response to billboard applications that have come to committee in the past two years. There has been one instance of a residential complaint, and the sign manufacturer was contacted and the situation was resolved within an hour.

Councillor Angelo Marignani inquires about the new digital billboard technology and whether adjustments can be made immediately. Mr. Fediuk responds that the electronic billboards are able to be adjusted almost immediately.

Councillor Kieran McKenzie inquires to what extent the City will be able to address any structural issues or safety concerns related to grandfathered applications. Mr. Fediuk indicates that building inspections will be able to identify if any existing structures do not meet building code. The situation with older signs is that they have permanence. Some municipalities have implemented the removal of the legacy clause from the by-law. With a number of the older billboards in the City, two major billboard companies in the area would bear the brunt of such a change. It would be a very costly imposition to complete engineering reports on each one of them. If an inspection identified any concerns, an independent engineering report would be requested.

Councillor Kieran McKenzie inquires about a report coming forward regarding the cost of Administration of these applications as the current fee schedule exists. Mr. Fediuk provides details related to the current permit fee at \$75 per billboard sign to a maximum of \$80. The average across the region is about \$650 and the highest is \$3000.

Councillor Angelo Marignani inquires whether the by-law speaks to the installation of wall billboards on buildings. Mr. Fediuk indicates that this by-law and the previous by-law covers wall billboards. There is a bit more stringency with those as zoning by-law is also involved.

Councillor Jim Morrison inquires about the regulations around proximity to the EC Row Expressway. Mr. Fediuk indicates that there is a desire for industry stakeholders to put billboards along EC Row Expressway. Mr. Fediuk provides some statistics related to accidents on the EC Row Expressway. Mr. Fediuk indicates that electronic billboard signs can be distracting, especially when changing.

Moved by: Councillor Angelo Marignani Seconded by: Councillor Mark McKenzie

Decision Number: DHSC 601

- I. THAT this report detailing the Windsor Sign By-law 250-2004, related to Paper Copy Billboard and Electronic Change Copy Billboard Ground and Wall Signs on private property, in response to council decision CR103/2023 DHSC 477, **BE RECEIVED**; and,
- II. THAT By-Law 250-2004, being a by-law respecting signs and other advertising devices in the City of Windsor (the "Sign By-law"), **BE AMENDED** as summarized in the chart attached as Appendix 'A'; and,

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III. THAT the City Solicitor **BE DIRECTED** to prepare the by-law to amend the Sign By-law. Carried.

Report Number: S 116/2023 & AI 4/2024

Clerk's File: SB2024

11.2. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by 1000506202 Ontario Inc. for 1567 Ouellette Avenue (Ward 3)

Moved by: Councillor Mark McKenzie Seconded by: Councillor Fred Francis

Decision Number: DHSC 602

- I. THAT the request made by 1000506202 Ontario Inc. to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study and Delineation for the property located at 1567 Ouellette Avenue pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan.
- II. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$25,000 based upon the completion and submission of a Phase II Environmental Site Assessment Study and Delineation completed in a form acceptable to the City Planner and City Solicitor.
- III. THAT the grant funds in the amount of \$25,000 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003) when the eligible work is completed to the satisfaction of the City Planner.
- IV. THAT should the proposed Phase II Environmental Site Assessment Study and Delineation not be completed within two (2) years of Council approval, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.

Carried.

Report Number: S 36/2024 Clerk's File: SPL2024

11.3. Sandwich Town CIP Application, 3573 Peter Street; Owner: Sarin Ty and Soknao Tieng (Ward 2)

Moved by: Councillor Angelo Marignani Seconded by: Councillor Mark McKenzie

Decision Number: DHSC 603

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- I. THAT the Chief Building Official **BE AUTHORIZED** to issue a Demolition Permit to Sarin Ty and Soknao Tieng (the "Owners"), the registered owners of 3573 Peter Street (the "Property"), to demolish a Semi-Detached Dwelling located at the Property (see Appendix 'A'), to construct a Multiple Dwelling with (4) units (See Appendix 'B').
- II. THAT any minor changes **BE SUBJECT** to the approval of the City Planner and Chief Building Official at the time of issuance of the Building Permit.
- III. THAT the Chief Building Official **BE DIRECTED** to require, as a condition of the demolition permit:
 - The redevelopment of the Property identified in Appendix 'B' and Site Plan be substantially complete within two (2) years following the issuance of the demolition permit;
 - ii. If the redevelopment of the Property, including construction of a new building, is not substantially complete within two (2) years of the commencement of the demolition, the Clerk will enter the sum of Forty Thousand Dollars (\$40,000) on the collectors roll of the Property and prepare a certificate for registration.
- IV. THAT the City Solicitor **BE DIRECTED** to register the certificate in the land registry office against the Property.
- V. THAT the request for incentives under the Sandwich Incentive Program made by the Owners **BE APPROVED** for the following programs:
 - i. Development and Building Fees Grant for 100% of the Development and Building Fees identified in the Sandwich CIP to a Maximum amount of \$20,000;
 - ii. Revitalization Grant Program for 70% of the municipal portion of the tax increment for up to 10 years (estimated at \$3,527 per year).
- VI. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Sandwich Incentive Program Agreement for the *Revitalization Grant* in accordance with all applicable policies, requirements, and provisions contained within the Olde Sandwich Towne Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to form, and the City Treasurer as to financial matters.
- VII. THAT funds to a maximum amount of \$20,000 under the *Development Building Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the *Sandwich Community Development Plan Fund* (Project 7076176) once the work is completed.
- VIII. THAT grants **BE PAID** to the Owners upon completion of the Multiple Dwelling with (4) units at the Property from the *Sandwich Community Development Plan Fund* to the satisfaction of the City Planner and Chief Building Official.

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IX. THAT grants approved **SHALL LAPSE** if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date. Extensions may be granted at the discretion of the City Planner.

Carried.

Report Number: S 34/2024

Clerk's File: SPL2024

12. COMMITTEE MATTERS

12.1. Minutes of the Property Standards Committee of its meeting held February 12, 2024

Moved by: Councillor Mark McKenzie Seconded by: Councillor Kieran McKenzie

Decision Number: DHSC 604

THAT the minutes of the Property Standards Committee meeting held February 12, 2024 BE

RECEIVED as presented.

Carried.

Report Number: SCM 57/2024

Clerk's File: MB2024

13. QUESTION PERIOD

None registered.

14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Items Matters) is adjourned at 5:35 o'clock p.m. The next meeting of the Development & Heritage Standing Committee will be held on Monday, May 6, 2024. Carried.

Ward 10 - Councillor Jim Morrison (Chairperson)

Deputy City Clerk / Supervisor of Council Services



Council Report: S 48/2024

Subject: 1958-1998 Wyandotte Street East, Strathcona Building – Request for Heritage Designation & Heritage Funding (Ward 4)

Reference:

Date to Council: May 6, 2024

Author: Kristina Tang Heritage Planner

Email: ktang@citywindsor.ca Phone: 519-255-6543 X 6179

Tracy Tang

Planner III- Economic Development (A)

Email: ttang@citywindsor.ca Phone: 519-255-6543 X 6449 Planning & Building Services

Report Date: 4/9/2024 Clerk's File #: MBA/14768

To: Mayor and Members of City Council

Recommendation:

With regards to the designation request of the Strathcona Building,1958-1998 Wyandotte Street East:

- I. THAT City Council **APPROVE** the designation, in accordance with Part IV of the Ontario Heritage Act;
- II. THAT the City Clerk BE AUTHORIZED to publish a Notice of Intention to Designate the Strathcona Building, at 1958-1998 Wyandotte Street East, in accordance with Part IV of the Ontario Heritage Act with the draft Statement of Cultural Heritage Value or Interest attached in Appendix 'A";
- III. THAT the City Solicitor **PREPARE** the By-law for Council to designate the property;

Subject to the completion of the designation request process, be it further resolved:

IV. THAT the following heritage incentives to a total upset value of \$92,829.00 (total cost of the recreation of the four bay windows) BE GRANTED to the owner of the Strathcona Building, 2798315 ONTARIO INC., at 1958-1998 Wyandotte Street East, which is comprised of the following:

- a. Property tax reductions of 30% for up to 3 years, in accordance with the Heritage Property Tax Reduction By-law 164-2015 and its requirements to an upset value of \$55,533.67;
- b. Community Heritage Fund (Reserve Fund 157) award to an upset of \$37,295.33;
- V. THAT the heritage incentives funding identified under recommendations IV **BE SUBJECT** to the following:
 - a. Any additional financial requirements of the heritage incentive programs such as proof of payment
 - Determination by the City Planner that the work is completed to heritage conservation standards and the City Building Official for Building code compliance;
 - c. Owner's submission of paid receipts for work completed.

Executive Summary: N/A

Background:

The Strathcona Building, located at 1958-1998 Wyandotte Street East, was listed on the Windsor Municipal Heritage Register on August 27, 2007. The property has long been considered for heritage designation due to its association with Hiram Walker & Sons' developments and its design attributed to Detroit Architect Albert Kahn.

In Fall 2021, Owner of the property (Rosati Construction Inc.) began discussions with the City about the redevelopment of Strathcona. Site Plan Control process also provided for review of the property and discussion of heritage conservation considerations. One of the items discussed was the four bay windows on the building, which were recommended by Administration to be conserved as a distinctive heritage attribute of the building. The Owner agreed to recreate the bay windows while requesting for additional funding support, which the property would only be eligible to apply for as a heritage designated property. The Owner submitted a request for heritage designation of the property, and for heritage funding to support the additional cost of conservation of the bay windows. The restoration of the building has been completed and was awarded a Built Heritage Award in 2023 by Council as nominated by Heritage Committee.

The Applicant/Owner's contribution to the restoration project greatly exceeds the requested cost recovery of the reconstruction of the bay windows as a heritage element. The requested heritage incentive is approximate 8% of the total restoration project (reported costs for Building Façade totals \$1,199,372 including the costs for: installation of heritage appropriate exterior signage; addition of new exterior lighting; painting façade elements; cleaning and repointing of masonry; murals and public art at appropriate location; repairs and replacement to cornices, parapets, eaves and soffits; installation of heritage compatible storefront; roof replacements; other works etc.).

The Owner has also separately applied for the Building Facade Improvement Program for Main Streets Community Improvement Plan (CIP). That application will be reviewed

as per other CIP applications as an Administrative Item through the Development & Heritage Standing Committee.

Discussion:

The request is to designate this property individually, under provisions of Part IV of the *Ontario Heritage Act* regarding municipal designation and to provide financial incentives to the Owners related to the designation process and expenditures related to the recreation of the second floor bay windows.

Legal Provisions:

Part IV, Section 29(1)(a) of the *Ontario Heritage Act* (OHA) provides the authority to the Council of a municipality to designate a property that is of cultural heritage value or interest, where the property meets the prescribed criteria. Ontario Regulation 9/06 provides criteria for designation under the *OHA*. A property may be designated under Section 29 of the Act if it meets two or more of the following criteria for determining whether it is of cultural heritage value or interest:

- The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.
- 2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.
- 3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.
- 4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.
- 5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.
- The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
- 7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.
- 8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.
- 9. The property has contextual value because it is a landmark

Designation requires "a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property". Also, there are provisions for a municipal heritage committee to be consulted about a designation before council makes a decision on it. The Strathcona Building at 1958-1998 Wyandotte Street East meets the criteria for designation.

Should Council decide to designate this property, the first step is to initiate a Notice of Intention to Designate, which provides direction for the City Clerk to give notice to the owner, the Ontario Heritage Trust, and through the newspaper. After thirty days, if there is no objection, the Council may pass a by-law to designate the property in accordance with the *OHA*.

Additionally, Part IV, 39 (1) of the *Ontario Heritage Act* (OHA) provides that "The council of a municipality may pass by-laws providing for the making of a grant or loan to the owner of a property designated under this Part for the purpose of paying for the whole or any part of the cost of alteration of such designated property on such terms and conditions as the council may prescribe."

Section 365.2 of the *Municipal Act* authorizes municipalities to offer tax reductions (for municipal and school purposes) for property designated under Part IV of the *OHA*, or is part of a heritage conservation district under Part V of the *OHA*, in compliance with the provisions of this section. Pursuant to this authority, Council passed By-law 164-2015. This by-law allows a maximum tax reduction of 30% for up to three years to the upset limit of the cost of the eligible heritage conservation works. To activate the tax reduction, property owner needs to apply to the City by not later than the last day of February in the year following the first year for which the owner is seeking to obtain the tax reduction. The first year that the tax reduction would be available, would be when the eligible heritage conservation works are completed.

The City's Community Heritage Fund (Reserve Fund 157) and Heritage Property Tax Reduction program exists to support and encourage owners of heritage property to invest in the conservation on designated heritage properties.

Heritage Evaluation according to Ontario Regulation 9/06

The heritage evaluation of the property can be considered in the three broad categories of design/physical value, historical/associative value, and contextual value.

Design/Physical value:



For the architectural considerations, the Owner shared information such as the original 1906 drawing scans obtained from Detroit architecture firm Albert Kahn Associates, Inc. The Heritage Planner conducted site visits of the property in November and December 2022, with photos of the property from the site visit and from the Owner available in Appendix B and C.

The Strathcona Building is a two storey commercial building designed during the Edwardian Period. The building features a balanced design, with an articulated stone parapet raised at corners. The pediment at Wyandotte Street includes a stone plate etched with the word "Strathcona", while the arched parapet portions features shield-shaped stone accents. A single row of rowlock brick beneath the stone capping reinforces the parapet design. The second floor ornate cornice stretches across the street-facing elevations. Four bay windows with brackets, interspaced with double and triple sets of sash windows with pronounced projections, provide texture and variety to the facade. The cornice pattern repeats above the storefront system, and together with soldier brick course on the sides, delineates between floors.

Two entrances with arched cut stone voussoirs, keystone, and surrounds were constructed and retained on the Wyandotte elevation. The original 1906 drawings show the storefront system wrapping around the corner to Devonshire Road, truncating below the first bay window of the corner, some recessed ground floor entrances with ornate doors, and decorative brick pattern on the east facade. These features were either not constructed per drawing or later modified.

2021-2022 Exterior Changes

One of the greatest impacts from the redevelopment is the removal of paint from the brick facade, which revealed the stretcher red brick facade with purple undertones. The parapet were flashed over. Bay windows are reintroduced as aluminum glazing systems without the vertical muntins. As with main-street appropriate storefront systems, transoms were returned. The new black insulated aluminum panel storefront system is compatible to the original wood glass storefront (long-gone). The openings on the ground floor west elevations still feature stone sills. Awnings and new compatible signage have been proposed on the property. The rear north elevation had a variety of openings of irregular rhythm, and are replaced with some new glazing or painted black metal pan. Due to the porous nature of the brick on the rear elevation on the west side, the Owner commissioned a wall mural limited to that location. The mural was commissioned by local artist Daniel Bombardier (known as Denial) to capture the history of Walkerville, the Strathcona Building, and the land developers. For example, the portraits of Albert Kahn and Hiram Walker, the Walkerville Collegiate crest, and the Jackie's Convenience logo are found within the mural. A QR code located near the mural offers an educational experience for those interested in learning the stories and history weaved into the art piece.

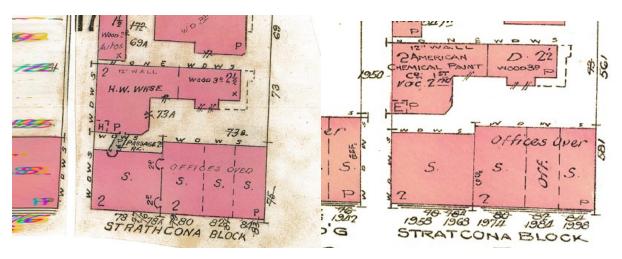
Historical or Associative Considerations:

The subject property is located in the former Town of Walkerville, founded by Hiram Walker (1816-1899), the industrial entrepreneur from the United States. What is now

Southwestern Ontario was inhabited by First Nations peoples, including the Ottawas. Following unsuccessful attempts to resist the French newcomers (who had settled earlier than the British), the Ottawa leader Pontiac granted lands to settlers in the vicinity of what became Walkerville¹. By the mid-1850s, Hiram Walker had bought several farm parcels. Walkerville was a planned community, almost entirely owned by the Walker family until the early 20th century.

As Hiram Walker's distillery business prospered, he developed the first five north-south streets of Walkerville starting from First Street (now Kildare Road) and east-west streets starting from Sandwich Street (now Riverside Drive). Development generally occurred systematically on north-south streets from Walker Road on the east to streets further west, and southward. Ferry services, rail lines and street railways introduced by Walker spurred the growth of the distillery village further into a town with diversified businesses.

By 1890, Walkerville had obtained town status and was a self-sufficient model town. The Walker family separated the distillery and other industrial uses from commercial and residential uses, and engaged distinguished architects to design the early development in the community.



1924 Fire Insurance Map (left) and 1937 Map (right)

The subject property is located within Registered Plan 211, one of the earliest subdivision plans registered in 1879, creating lots from First (Kildare Road) to Fifth Streets (Walker Road) and from the Great Western Railway to Cataraqui Street. The subject building is located on Lot 10 of Block F, and like many of the vacant lots during the early 1900s, the property was originally owned by Hiram Walker and was transferred to the Walkerville Land & Building Co. (W. L. & B. Co.) with Edward Chandler Walker, Hiram Walker's oldest son, as president. After Hiram Walker's death in 1899, E. C. Walker and his wife Mary Griffin Walker led the second phase of development of the former Town of Walkerville¹. While Devonshire Road was the main north-south street in Walkerville, by 1910 Wyandotte Street was the commercial

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¹ Weeks, Elaine, and Edwards, Chris. *Walkerville: Whisky Town Extraordinaire*. Walkerville Publishing, 2015.

shopping centre lined with a mixture of residential dwellings, commercial block buildings, and prominent banks².

Early Tenants and Uses

The Strathcona Block was designed in 1906 and constructed in 1907 as "Stores for Walker Sons" (Strathcona Original Drawings). In a newspaper clipping from the Windsor Evening Record dated March 20, 1907, the building is referred to as the "new Walker block" and is anticipated to be "one of the handsomest business blocks in the town" when finished³. The original architectural drawings show four commercial storefront units on the main floor and offices and a library on the second floor. The building finished construction c. April 1907. Upon completion, two established businesses moved in - F.J. Miller (druggist) and R.A. Holland (dry goods). Both businesses had moved from the Crown Inn on Devonshire Road⁴. In July 1907, it was publicly announced in the Windsor Evening Record that the new building will be called "Strathcona Block"⁵.



1908 photo showing corner of Devonshire and Wyandotte looking west (Source: Page 30, The Walkerville Times Magazine, 60th Edition, Christmas 2015, https://issuu.com/chrisedwards/docs/walkerville-times-2015-screen)

² Hoskins, Ronald G. A Historical survey of the town of Walkerville Ontario, 1858-1922, including an evaluation of the influence of Hiram Walker and his sons on the growth and development of the town until 1922. University of Windsor Faculty of Graduate Studies, 1964.

³ Correspondence of Strathcona Building (PDF, p. 1). The Evening Record newspaper clipping: March 20, 1907.

⁴ Walkerville Times website. About the Historic Strathcona. http://www.walkervilletimes.com/strathcona.htm

⁵ Correspondence of Strathcona Building (PDF, p. 5). The Walkerville Heritage District Newsletter: Vol. 1 No. 4, February 1996.

Early tenants of the Strathcona Block include Walkerville Hardware Co., Nairn & Co Grocers, and F.J. White (jeweler and dry goods) on the main floor and the Walkerville Public Library on the second floor. The Walkerville Public Library occupied the second floor of the Strathcona Block from its completion in 1907 until 1922, when the library moved to the main floor of Willistead Manor which had then become the property of the Town. After the library vacated the second floor space of the Strathcona Block, it was commonly used as a community gathering and event space for various local organizations' chapters, such as the Sons of England, the Women of Mooseheart, and the Walkerville Football Club.

Another notable tenant during the building's early years was longtime tenant Lanspeary's Ltd. (druggist), and the offices of architects Stahl and Kinsey (construction supervisors of the Bank of Montreal building, 1799 Wyandotte).

Later Tenants and Uses

Through the decades after, the primary uses of the building largely remained a mix of commercial and offices. Some of the uses included communications/telegraph offices, real estate offices, and printing and stationary services. Post mid-century, the uses changed to become more manufacturing in nature. For example, between 1960 and 1970, occupants of the Strathcona Block included Duncan D M Machinery Co Ltd., cutting tools machine specialists, and an industrial safety supply store. At the rear of the Strathcona Block building on the same property parcel, a single family dwelling was demolished in 1969 followed by a two-storey commercial-industrial building (American Chemical Paint) in 1989 to make way for a new parking area.



Wyandotte Street East, looking west from just east of Kildare Road, June 1950 (Source: SWODA, http://swoda.uwindsor.ca/node/2132)

In 2001, the Strathcona Block was home to the lcon Laser Eye Centres administrative centre and call office. lcon, after merging with Lasik Vision Corp., was at the time the "world's largest laser vision correction company". 125 people were employed at lcon's Walkerville headquarters.

⁶ Background of Strathcona Building (PDF). The Windsor Star, "Icon, Lasik Merge", January 31, 2001.

⁷ Background of Strathcona Building (PDF). The Walkerville Times, "Man with a Vision: Ghassan Barazi, ICON Laser Eye Centres, Inc.", February 16, 2001.

The Strathcona building remains a valued commercial office building within Walkerville. Prior to the ongoing redevelopment, long-time tenant Jackie's Corner maintained the corner unit on the ground floor. Other tenants included the Walkerville Artist Co-Op and Stitch Happens Fabric Store & Sewing Studio.

Architect Albert Kahn

The design of the Strathcona Building is attributed to the internationally recognized architect Albert Kahn. Although he was most famous for being a leading industrial architect, Kahn's portfolio of works includes a variety of office, commercial, public, and residential buildings. His elaborate designs and details are based in the use of historical period architectural styles, and he was best remembered for bringing natural light into industrial buildings during the auto manufacturing boom.

Kahn was a significant architect in the design of the former Town of Walkerville. While employed with Detroit firm Mason & Rice Architects, Kahn designed the beautiful interior of the Hiram Walker & Sons Office Building, which was instrumental in showcasing his talent and elevating his career. He started up his own firm "Kahn and Associates" in 1895 and was based in Detroit. The Walker family and company were major patrons of his services, and he was their choice architect commissioned to design notable properties for them⁸. Properties designed by Kahn and Associates for the Walkers include the Willistead Manor (1899 Niagara Street), the Harrington Walker Manor (1948 St Mary's Gate), Walkerville Town Hall, and the Canadian Bank of Commerce. Kahn was responsible for the design of several listed or designated properties on Windsor's Municipal Heritage Register.

Throughout his career, he was credited with over 1000 buildings. Some of his most celebrated works in the United States are the Fisher Building, the Conservatory on Belle Isle, the Edsel and Eleanor Ford House, and the Detroit Athletic Club.

Contextual Considerations:

The Strathcona Block building is a long-standing landmark and is highly visible from its location on the corner of Devonshire Road and Wyandotte Street East. It is evocative of the early "main street" streetscape of the former Town of Walkerville, and supports the heritage main street character of Wyandotte Street East. Devonshire Road was the main north-south street in Walkerville, anchored to the north by the Riverside Park near the Detroit-Walkerville Ferry Terminal docks and to the south by St. Mary's Anglican Church. A little south of the ferry docks was also the Pere Marquette train station. The Strathcona Block was strategically located a short distance away from both these historic transportation hubs.

It also reflects the supremacy of Wyandotte Street East as the commercial area for the Town since the early 20th century, where the Strathcona Block was located along with several other banks and heritage buildings. The subject property is a notable example

⁸ Biographical Dictionary of Architects in Canada. Albert Kahn. http://www.dictionaryofarchitectsincanada.org/node/1722

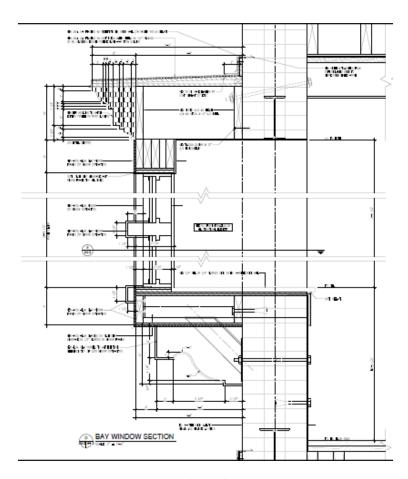
of early commercial buildings constructed within the core areas of Walkerville. Along with the adjacent Imperial Building at 1900-42 Wyandotte, and further west down the street with the Chilver Block at 1801-33 Wyandotte, commercial block between Windermere and Chilver, and commercial block at 1660-98 Wyandotte, the Strathcona Building reflects the early economic prosperity of the former Town of Walkerville and the growing commercial needs of residents. The varieties of commercial and office uses of the building throughout the years highlight the evolution of the Walkerville area and mixed-use nature of the current Walkerville Business Improvement Area, where one could meet all retail and service needs within the span of a few blocks.

Additional Research material is available in Appendix D, including some information submitted by the Owner.

Conservation Work

The wood windows had been covered up in previous decades, resulting in large amounts of rot with deterioration continuing beneath the aluminum casing. The Owner reported the condition through photos and planned to update all of the windows, including the conversion of the bay windows to regular windows. Discussions took place starting in the fall of 2021 with Administration and the Owner, to strongly encourage the Owner to keep the bay windows as a distinctive heritage attribute of Strathcona. While wood windows were encouraged to be the replacement windows, the Owner were willing to change their plan from regular windows to install bay windows using modern materials and construction methods. This change came at an increased cost (particularly for the structural supports that were necessary for the bay windows), which Administration discussed could be covered through the designation of the property and application through Heritage incentives, subject to Council's approval.

The main form of the bay windows and its most distinctive appearance has been retained and the appearance is compatible with the historic Strathcona Building.



Bay window section drawing from Owner

Besides the window consideration, the Owner had initiated much conservation work including the removal of years of inappropriate paint that had covered up the original colour of the building, masonry repairs, and incorporation of main street-appropriate storefronts. Further, the Owner initiated other major interior improvements to accommodate office spaces and a restaurant. In the main stairwell entrance, the Owner restored the terrazzo flooring with peach-toned borders and decorative tile edges in the vestibule and foyer, as well as restored the large wooden staircase with handrails, decorative baseboards, and chair rail moulding. In the second storey office area, the drop ceilings were removed to expose the original wood beam ceiling, which revived the experience of original floor-to-ceiling heights. Additionally, cast iron pipes were retained and used for venting purposes, with one displayed in a highly visible fashion in a second storey office.



Photo of a retained and reused cast iron pipe in the second storey office area

Additional Standards Relating to Rehabilitation

- 10. Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.
- 11. Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.
- 12. Create any new additions or related new construction so that the essential form and integrity of an historic place will not be impaired if the new work is removed in the future.

Extract of Standards & Guidelines for Conservation of Historic Places (Standards 10-12)

Official Plan Policy:

The Windsor Official Plan Volume 1 includes (9.0) "A community's identity and civic pride is rooted in physical and cultural links to its past. In order to celebrate Windsor's rich history, Council is committed to recognizing, conserving and enhancing heritage resources." Goals include (9.1.1) "The identification, recognition, protection, conservation, enhancement and proper management of heritage resources." Objectives include (9.2.4) "To increase awareness and appreciation of Windsor's heritage resources and encourage participation by individuals, organizations and other levels of government in heritage conservation."

Also, (9.3.2.1) "Council will identify Windsor's heritage resources by: ... (c) Researching and documenting the history and architectural and contextual merit of potential heritage resources on an individual property basis". (9.3.3.1) "Council will recognize Windsor's heritage resources by: ... (a) Designating individual buildings, structures, sites and

landscapes as heritage properties under the Ontario Heritage Act;" (9.3.6.1) "Council will manage heritage resources by: ... (e) providing support and encouragement to organizations and individuals who undertake the conservation of heritage resources by private means"

The Windsor Official Plan includes (9.3.6.1.), "Council will manage heritage resources by: (e) providing support and encouragement to organizations and individuals who undertake the conservation of heritage resources by private means".

Risk Analysis:

If designated, exterior modifications or additions will be reviewed through the Heritage Permit application process. If not designated, inappropriate changes could be made to the building and demolition may be more readily allowed. The recreation of the bay window was the result of discussion with the City's Administration and a willing Owner to partner in the conservation of the city's built heritage. The risk of not designating and supporting financially would give a concerning impression to private property owners that the City is not interested or supportive of heritage conservation efforts.

No city funds will be expended until the property is designated and the financial requirements or other standard requirements of the incentive programs are fulfilled.

Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

Financial Matters:

The Owner desires to designate the property and had discussions with City staff during the restoration process about applying for heritage incentives to cover the additional cost of the recreation of the second floor bay windows. If Council chooses to designate the property, financial support will be available to assist with certain expenditures related to the redevelopment of the Strathcona building.

The designation costs related to the legal notices, by-law amendment registration with the Land Registry Office and the designation plaque is estimated to be around \$3,700. The designation costs are funded by the Heritage Committee operating budget which has an uncommitted amount of around \$5000, and would be sufficient to cover the costs of this designation.

The costs reported for the four bay windows of \$92,829 include additional structural costs such as engineering and steel support for the window projections, additional cornice, corbels and sheet metal flashing, and therefore understandably exceeds the costs of installing a regular window. The applicant has also applied separately for the Building Façade Improvement Community Improvement Plan program which is subject to separate Council decision and a separate report (not under Heritage Incentive Programs and is not under the jurisdiction of review through Heritage Committee). No heritage incentives will be issued until the property is individually designated under Part

V of the Ontario Heritage Act. The heritage incentive application is attached in Appendix E & F.

Heritage Property Tax Reduction Program

Per Bylaw 164-2015, the Heritage Property Tax Reduction Program allows reduction up to a maximum of thirty percent (30%) per year up to 3 years of the taxes for municipal and school purposes levied on a designated heritage property, to the upset cost of the heritage conservation works. Total amounts of \$20,000 and below is delegated to staff administration while amounts more than \$20,000 require Heritage Committee review and Council approval. The 2024 tax amount for the subject property without BIA Levy is approximately \$61,704.08. Based on 2024 tax amounts, it is estimated there would be tax reductions of approximately \$18,511.22 per year starting from 2025 to 2027 (tax reduction year start to be 2025 after designation process is completed). Total tax reductions from three years might be upwards of \$55,533.67 which depending on reassessments from MPAC, may increase the assessment values and property tax reductions per year. The total city heritage tax reductions will not exceed \$55,533.67.

Community Heritage Fund

The Community Heritage Fund (CHF) has a number of applicable guidelines that inform the Heritage Planner:

"As a general principle, awards will be limited to a maximum of \$50,000 unless the DHSC (Development & Heritage Standing Committee) so recommends and Council approves." The grant from Community Heritage Fund will be approximately \$37,295.33, which is the balance remaining to cover the estimated cost of the bay windows of \$92,829.00 after the city heritage tax reduction of \$55,533.67 is considered.

As well, the Community Heritage Fund asks for "A minimum of two cost estimates, based on specifications approved by the DHSC and the Commissioner of Building & Development Services, shall be obtained by the owner for all restoration work to be done." The estimates will then be reviewed to ensure that all work specified is covered. The lower bid will usually be recommended for funding." However, in this case the applicant provided their own work and labour and therefore did not provide multiple estimates.

Explanation has been provided for the Applicant's sole quote.

As of March 31, 2024, the Community Heritage Fund (Reserve Fund 157) has an uncommitted balance of \$86,261.44 available (including the safeguard of having the minimum balance of \$50,000 in the Committed funds). Therefore, there is sufficient funds in Fund 157 to cover the recommended CHF grant of \$37, 295.33. This report will bring the uncommitted balance in the fund to approximately \$48,966.11.

The heritage financial incentive through the Community Heritage Fund (CHF) would provide support to the continued conservation of the heritage features of this proposed designated building.

Given the catalytic impact of the restoration work at the property for Walkerville's commercial area, and the additional expense of recreating the bay windows on top of the large investments into the project, Administration is comfortable with the Owner's request.

Administration recommends the request by the Owner for CHF of \$37, 295.33, and a separate 30% property tax reductions of up to 3 years per Heritage Property Tax Reduction By-law 164-2015, not exceeding the \$92,829.00 total cost of the bay windows.

Consultations:

The City and Owner shared historical resources and findings about the Strathcona Building during the restoration process and after. The Heritage Planner and Planning staff visited the site and discussed identified heritage features with the Owner through the development review process. Consultations have also been made with the Windsor Public Library, Archives, and Local History Centre.

Josie Gualtieri, Financial Planning Administrator, assisted with confirmation of operating budget and fund balance. Emilie Dunnigan, Manager Development Revenue & Financial Administration also provided financial review.

Carolyn Nelson, Manager of Property Valuations & Administration was consulted for property taxes.

Conclusion:

The Strathcona Building is an important commercial building from the times of the former Town of Walkerville. The two storey building located at the intersection of two historic mainstreets of Devonshire Road and Wyandotte Street East, remains as a landmark in Walkerville. Strathcona was constructed in 1907 for Hiram Walker & Sons, and was designed by Detroit Architect Albert Kahn during the Edwardian Period. The Strathcona Building features red brick facade with purple tones, an articulated parapet, ornate cornices, pronounced window projections, decorative stone surrounds, and storefronts. Administration recommends the designation of the Strathcona Building under Part IV of the *Ontario Heritage Act* to recognize and conserve its historical, architectural, and contextual features for years to come.

If the property is successfully designated, a grant amount of \$37,295.33 from the Community Heritage Fund (Reserve Fund 157) should be approved, along with the 30% property tax reduction of up to 3 years at 1958-1998 Wyandotte Street E., subject to conditions.

Planning Act Matters: N/A

Approvals:

Name	Title
Kristina Tang	Heritage Planner

Name	Title	
Josie Gualtieri	Financial Planning Administrator	
Carolyn Nelson	Manager, Property Valuations & Administration	
Kate Tracey	Senior Legal Counsel	
Jason Campigotto	Deputy City Planner - Growth	
Thom Hunt	City Planner / Executive Director Planning & Building	
Lorie Gregg	On behalf of Chief Financial Officer/City Treasurer	
Jelena Payne	Commissioner of Economic Development & Innovation	
Joe Mancina	Chief Administrative Officer	

Notifications:

Name	Address	Email
Tony Rosati		
David Mady		

Appendices:

- 1 Appendix A- Proposed Statement of Cultural Heritage Value or Interest
- 2 Appendix B- Photographs of the Property
- 3 Appendix C- Images from the Owner
- 4 Appendix D- Additional Research Materials
- 5 Appendix E- Heritage Incentive Application Part 1
- 6 Appendix F- Heritage Incentive Application Part 2

Appendix 'A': Proposed Statement of Cultural Heritage Value or Interest

Strathcona Building 1958-1998 Wyandotte Street East

Description of Historic Place

The Strathcona Building is a two storey commercial building located at 1958-1998 Wyandotte Street East, on the prominent corner of Devonshire Road and Wyandotte Street East. It was constructed in 1907 for Hiram Walker & Sons, and was designed by Detroit architect Albert Kahn during the Edwardian Period. The Strathcona Building features red brick facades with purple undertones, an articulated parapet, ornate cornices, pronounced window projections, decorative stone surrounds, and storefronts.

Cultural Heritage Value or Interest

Design or Physical Value:

The Strathcona Building is a two storey commercial building designed during the Edwardian Period. The building features a balanced design, with an articulated stone parapet raised at corners. The pediment at Wyandotte Street includes a stone plate etched with the word "Strathcona", while the arched parapet portions features shield-shaped stone accents. A single row of rowlock brick beneath the stone capping reinforces the parapet design. The second floor ornate cornice stretches across the street-facing elevations. Four bay windows with brackets, interspaced with double and triple sets of sash windows with pronounced projections, provide texture and variety to the facade. The cornice pattern repeats above the storefront system, and together with soldier brick course on the sides, delineates between floors.

Two entrances with arched cut stone voussoirs, keystone, and surrounds were constructed and retained on the Wyandotte elevation. The original 1906 drawings shows the storefront system wrapping around the corner to Devonshire Road, truncating below the first bay window of the corner, some recessed ground floor entrances with ornate doors, and decorative brick pattern on the east facade. These features were either not constructed per drawing or later modified.

One of the greatest impacts from the redevelopment is the removal of paint from the brick facade, which revealed the stretcher red brick facade with purple undertones. The parapet were flashed over. Bay windows are reintroduced as aluminum glazing systems without the vertical muntins. As with main-street appropriate storefront systems, transoms were returned. The new black insulated aluminum panel storefront system is compatible to the original wood glass storefront (long-gone). The openings on the ground floor west elevations still feature stone sills. Awnings and new compatible signage have been proposed on the property. The rear north elevation had a variety of openings of irregular rhythm, and are replaced with some new glazing or painted black metal pan. Due to the porous nature of the brick on the rear elevation on the west side, the Owners commissioned a wall mural limited to that location.

Historical or Associative Value:

The subject property is located in the former Town of Walkerville, founded by Hiram Walker (1816-1899), the industrial entrepreneur from the United States. What is now Southwestern Ontario was inhabited by First Nations peoples, including the Ottawas. Following unsuccessful attempts to resist the French newcomers (who had settled earlier than the British), the Ottawa leader Pontiac granted lands to settlers in the vicinity of what became Walkerville. By the mid-1850s, Hiram Walker had bought several farm parcels. Walkerville was a planned community, almost entirely owned by the Walker family until the early 20th century.

As Hiram Walker's distillery business prospered, he developed the first five north-south streets of Walkerville starting from First Street (now Kildare Road) and east-west streets starting from Sandwich Street (now Riverside Drive). Development generally occurred systematically on north-south streets from Walker Road on the east to streets further west, and southward. Ferry services, rail lines, and street railways introduced by Walker spurred the growth of the distillery village further into a town with diversified businesses.

By 1890, Walkerville had obtained town status and was a self-sufficient model town. The Walker family separated the distillery and other industrial uses from commercial and residential uses, and engaged distinguished architects to design the early development in the community.

The subject property is located within Registered Plan 211, one of the earliest subdivision plans registered in 1879, creating lots from First (Kildare Road) to Fifth Streets (Walker Road) and from the Great Western Railway to Cataraqui Street. The subject building is located on Lot 10 of Block F, and like many of the vacant lots during the early 1900s, the property was originally owned by Hiram Walker and was transferred to the Walkerville Land & Building Co. (W. L. & B. Co.) with Edward Chandler Walker, Hiram Walker's oldest son, as president. After Hiram Walker's death in 1899, the remaining Walkers & associated companies led the second phase of development of the former Town of Walkerville. Devonshire Road was the main north-south street in Walkerville, while Wyandotte Street was the commercial "main street" lined with a mixture of residential dwellings, commercial block buildings, and prominent banks.

Early Tenants and Uses

The Strathcona Building was designed in 1906 and constructed in 1907 as "Stores for Walker Sons" (Strathcona Original Drawings). In a newspaper clipping from the Windsor Evening Record dated March 20, 1907, the building was referred to as the "new Walker block" and was anticipated to be "one of the handsomest business blocks in the town" when finished. The original architectural drawings show four commercial storefront units on the main floor and offices and a library on the second floor. The building finished construction c. April 1907. Upon completion, two established businesses moved in - F.J. Miller (druggist) and R.A. Holland (dry goods). Both businesses had moved from the Crown Inn on Devonshire Road. In July 1907, it was publicly announced in the Windsor Evening Record that the new building will be called "Strathcona Block".

Early tenants of the Strathcona Building include Walkerville Hardware Co., Nairn & Co. Grocers, and F.J. White (jeweler and dry goods) on the main floor and the Walkerville Public Library on the second floor. The Walkerville Public Library occupied the second floor of the Strathcona Building from its completion in 1907 until 1922, when the library moved to the main floor of

Willistead Manor which had then become the property of the Town. After the library vacated the second floor space of the Strathcona Building, it was commonly used as a community gathering and event space for various local organizations' chapters, such as the Sons of England, the Women of Mooseheart, and the Walkerville Football Club.

Another notable tenant during the building's early years was longtime tenant Lanspeary's Ltd. (druggist), and the offices of architects Stahl and Kinsey (construction supervisors of the Bank of Montreal building, 1799 Wyandotte).

Later Tenants and Uses

Through the decades after, the primary uses of the building largely remained a mix of commercial and offices. Some of the uses included: communications/telegraph offices, real estate offices, and printing and stationary services. Post mid-century, the uses changed to become more manufacturing in nature, including a cutting tools machine specialist and an industrial safety supply store. The Strathcona Building remains a valued commercial office building within Walkerville.

Architect Albert Kahn

The design of the Strathcona Building is attributed to the internationally recognized architect Albert Kahn. Although he was most famous for being a leading industrial architect, Kahn's portfolio of works includes a variety of office, commercial, public, and residential buildings. His elaborate designs and details are based in the use of historical period architectural styles, and he was best remembered for bringing natural light into industrial buildings during the auto manufacturing boom.

Kahn was a significant architect in the design of the former Town of Walkerville. While employed with Detroit firm Mason & Rice Architects, Kahn designed the beautiful interior of the Hiram Walker & Sons Office Building, which was instrumental in showcasing his talent and elevating his career. He started up his own firm "Kahn and Associates" in 1895 and was based in Detroit. The Walker family and company were major patrons of his services, and he was their choice architect commissioned to design notable properties for them. Properties designed by Kahn and Associates for the Walkers include the Willistead Manor (1899 Niagara Street), the Harrington Walker Manor (1948 St Mary's Gate), Walkerville Town Hall, and the Canadian Bank of Commerce. Kahn was responsible for the design of several listed or designated properties on Windsor's Municipal Heritage Register.

Throughout his career, he was credited with over 1000 buildings. Some of his most celebrated works in the United States are the Fisher Building, the Conservatory on Belle Isle, the Edsel and Eleanor Ford House, and the Detroit Athletic Club.

Contextual Value:

The Strathcona Building is a long-standing landmark and is highly visible from its location on the corner of Devonshire Road and Wyandotte Street East. It is evocative of the early "main street" streetscape of the former Town of Walkerville, and supports the heritage main street character of Wyandotte Street East. The Strathcona Building was strategically located a short distance away from the historic Detroit-Walkerville Ferry Terminal docks and the Pere Marquette train station.

It also reflects the supremacy of Wyandotte Street East as the commercial area for the Town since the early twentieth century, where the Strathcona Building was located along with several other banks and heritage buildings. The subject property is a notable example of early commercial buildings constructed within the core areas of Walkerville, and reflects the early economic prosperity of the former Town of Walkerville and the growing commercial needs of residents.

Heritage Attributes:

Attributes that contribute to the design or physical value of the Strathcona Building:

- Built in 1907
- Two storey building of stretcher red brick with purple undertones
- Edwardian period commercial building, featuring:
 - Articulated stone parapet raised at corners, with single course rowlock brick beneath reinforcing parapet design
 - o Pediment at Wyandotte Street includes stone plate with "Strathcona" etching
 - o Arched parapet features shield-shaped stone accents; two on Wyandotte St. E. elevation and one on Devonshire Rd. elevation
 - Second floor ornate cornice which stretches across the street facing elevations above openings
 - Four bay windows with brackets, interspaced with double and triple sets of sash windows with pronounced projections
 - Originally wood sash windows with vertical muntins
 - Ornate cornice above the storefront system
 - Soldier brick course delineating between floors
 - o Two of the entrances with arched cut stone voussoirs, keystone and surround
 - Storefront glazing with transom glass
 - o Stone sills at west elevation ground floor openings and north elevation

Attributes that contribute to the historical or associative value of the Strathcona Building:

- Developed during a time of early economic prosperity and rapid growth for the former Town of Walkerville to accommodate the growing commercial and community needs of residents
- Owned by the Walkerville Land & Building Company, the real estate arm of the Walker Enterprise and main developer and landholder of the former Town of Walkerville
- Designed by internationally renowned and locally significant architect Albert Kahn

Attributes that contribute to the contextual value of the Strathcona Building:

- Landmark building located at the highly visible corner on the northwest of Devonshire Road and Wyandotte Street East, two historic "main streets"
- Supports the continuous commercial street frontage, physically, visually and historically linked to many heritage buildings along the Wyandotte Street East Main Street, forming a major part of the former Town of Walkerville streetscape

Appendix 'B': Photographs of the Property

Strathcona Block Building 1958-1998 Wyandotte Street East

Exterior facades before work commencement – March 2021

(Source: https://youriguide.com/1968 wyandotte st e windsor on/)



South (front) facade facing Wyandotte Street East



Intersection of Wyandotte Street East and Devonshire Road showing the south and east facades of the Strathcona Building



East (side) facade facing Devonshire Road



North (rear) facade



North (rear) and west (side) facades

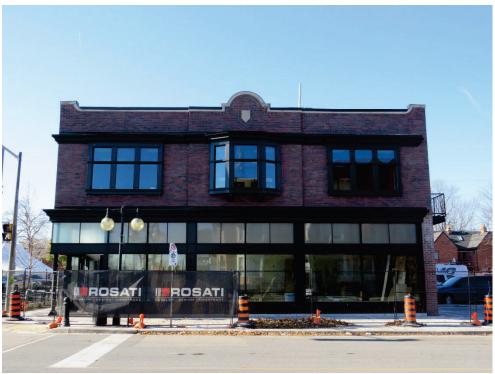
Exterior facades after works – November 2022



South (front) facade facing Wyandotte Street East



Intersection of Wyandotte Street East and Devonshire Road showing the south and east facades of the Strathcona Building



East (side) facade facing Devonshire Road



East (side) and north (rear) facades



Mural on the north (rear) facade



Details of the storefront transom glass, cornice, and projecting windows



Details of the cornice and projecting bay windows

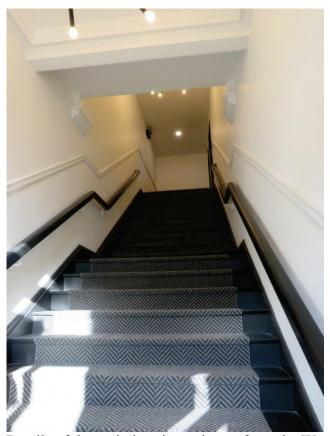


Details of the storefront glazing with transom glass, cut stone voussoir, keystone, and surround, cornice, and pediment with stone plate "Strathcona" etching



Details of the arched parapet with shield-shaped stone accent and brickwork

Interior details – November 2022



Details of the main interior staircase from the Wyandotte Street East entrance, repaired and refurbished with original wood railings and wainscoting



Details of the terrazo floor of the vestibule from the Wyandotte Street East entrance



Details of the projecting bay window from the interior second floor office space

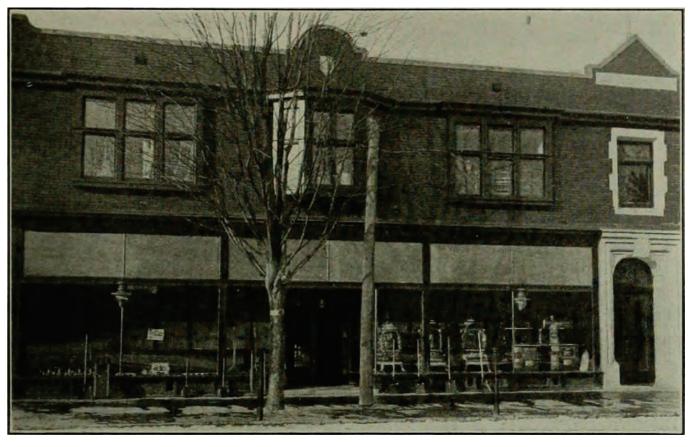


Details of the original exposed wood ceiling of the second floor office space

Appendix C- Images from the Owner

Strathcona Building 1968 Wyandotte Street East

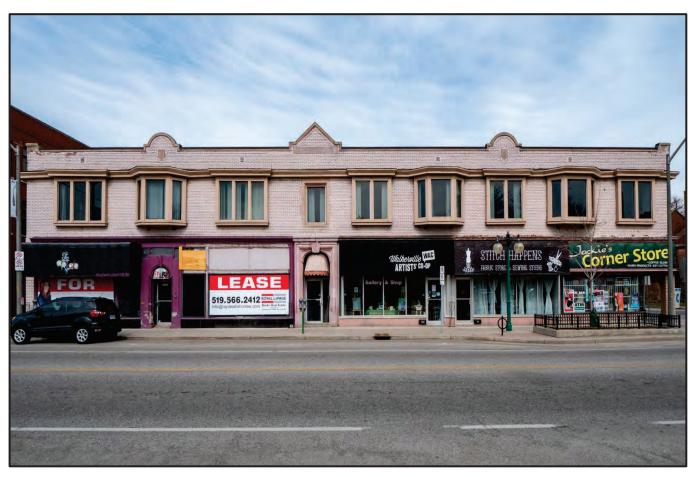




















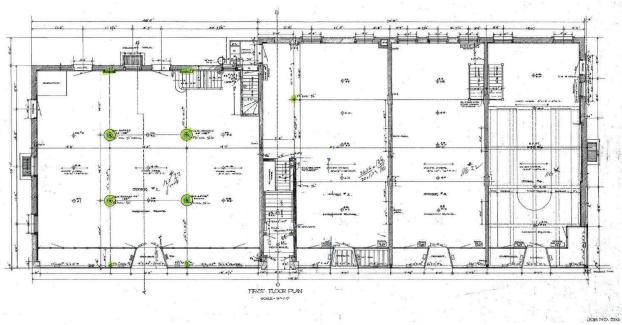


Appendix 'D': Additional Research Materials

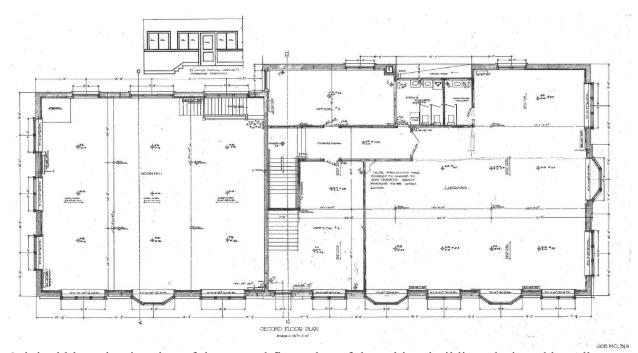
Strathcona Block Building 1958-1998 Wyandotte Street East



Original blueprint drawing of the front elevation of the subject building, designed by Albert Kahn



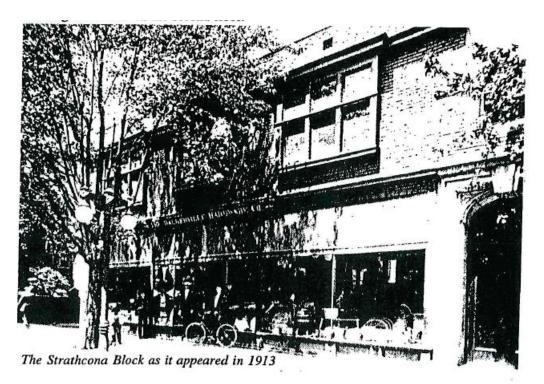
Original blueprint drawing of the first (ground) floor plan of the subject building, designed by Albert Kahn



Original blueprint drawing of the second floor plan of the subject building, designed by Albert Kahn



1913 photograph of Wyandotte Street East looking west, with the Strathcona Block building on the right of the photograph



1913 photograph of the Strathcona Block, showing the Walkerville Hardware Co. (Walkerville Heritage District Newsletter, Vol. 1, No. 4)



Aerial photographs of the Strathcona Block Building and neighbouring properties dated 1969 (left) and 1990 (right)

The Strathcona Block 1958-1998 Wyandotte Street East Windsor, Ontario

Information provided by the Owners

Historical and Associative Value

Under the OHA, a property has historical value if it has direct associations with a theme, event, belief, organization or institution significant in the community, yields or potentially yields information contributing to understanding the community, or demonstrates the work or ideas of an architect, artist, designer, or theorist.

The Strathcona block, which is located at 1958-1998 Wyandotte Street East, is associated with a number of community organizations in the 1900s, maintains ties to the Garden City Plan of the Walkerville family and is associated with the architect Albert Kahn.

As such, the building retains ample historic value for heritage designation.

Upon its completion in 1907, the second floor of the building housed the Walkerville Public Library which was organized in 1904. In 1918, a diphtheria epidemic necessitated the burning of all books in the library. Once replenished, the library moved to Willistead, a sister building to Strathcona as it was also built by Albert Kahn.

Not only did Strathcona house public venues, but businesses as well. F. J. White, a dry goods merchant and jeweler present in Walkerville as of 1899, moved to the Strathcona block upon its completion (2).

T. W. Nairn and Co. grocers moved in, as well as Walkerville Hardware Co., and C. A. Lanspeary druggist, both of which are mentioned in the Windsor Evening Record. Readers were told to ensure the number to Lanspeary was in their phone directory, suggesting it was important in the community (3). Both Lanspeary and Walkerville Hardware also took out ads in the Windsor Evening Record to advertise tobacco and brassware, respectively (4).

Furthermore, the Strathcona block housed the architectural firm of Stahl and Kinsey, responsible for the Merchants Bank of Canada built in 1912-1913; one ad placed by the company suggests potential tenders for the new bank contact them at their offices in Strathcona (5).

The Strathcona block would have been a well-known building in Walkerville, such that C. M. Bennett, a painter and decorators, cites the building as one of its' contracts (6).

Beyond businesses and public venues, the Strathcona block played a central role in the functioning of various community organizations. Groups such as the Sons of England, the Women of Mooseheart, the Walkerville Football Club, Woodmen of the World, and the Daughters and Maids of England met at Strathcona blocks for card parties and regular meeting, held in the upper floors (7).

To begin, the Sons of England Benefit Society was a Canadian, Protestant benevolent society, designed to bring English and Welsh descendants together for mutual wellbeing and support. (8). Formed in 1874 in Toronto and lasting until 1971, by 1890 one-hundred and three lodges existed; their purpose was to unite healthy men between 18 and 60 for mutual benefits, including financial and moral assistance for those in need, fostering loyalty towards England, and education them on the "true" principles of manhood. (9).

The Daughters and Maids of England Benevolent Society was established in Hamilton in 1892, designed to educate English and Welsh women in charitable practices, and the principles of womanhood. Both of these societies aided in maintaining aesthetic cultural forms, as their gatherings encouraged an atmosphere similar to that of an English music hall, performed nationalistic songs, provided English-style ale, and brought together various regional dialects (10). Similarly, the Mooseheart Women or the Mooseheart Legion is the female subset of the Order of the Moose, an international fraternal organization based in the U.S. which welcomed white men, of all religions, in good standing in the community and with the law, and able to read and write in English (11).

The Woodmen of the World is another American beneficial society with roots in Canada (12). Little was found concerning the Walkerville Football Club, but it is likely that it was a community organization that brought people from the area together.

Finally, the "Garden City Plan" of Britain was well established when the main architects of Walkerville, Mason & Rice and Albert Kahn were active. The Walker's, likely James Harrington Walker specifically, desired to emulate the Plan which separated housing from industry through design. This movement towards streetscape design meant that the East side of Walker was dedicated to industry, while the West focused on habitation.

With the sale of the Lake Erie and Detroit River Railway, Edward Walker and wife Mary Griffen set out to develop the land between Wyandotte and Richmond using interrupted street patterns to provide a quiet, park-like setting (13).

Albert Kahn had a considerable impact on Walkerville, leaving a "mark that would lead to a shining career as one of the greatest architects of the 20th century" (14). Under the direction of Edward Walker, Kahn erected some of the finest buildings in Walkerville, including the Strathcona block, speculated to be one of the handsomest business blocks in town (15).

The block retained historical importance through its use by various fraternal organizations, the importance and utility of the stores which moved in, including a grocer, a druggist, and a hardware store, and its association to notable figures including Albert Kahn and the Walker family.

History of the Land

Walkerville today is known as the beautiful historic town in Windsor located on the river's edge. Before Hiram Walker founded the town, the land was inhabited by the indigenous people of the Ottawa tribe. Around 1763, Pontiac, the Chief of the Ottawa tribe, gave the French and English land of the Ottawa Village after failing to remove them from Fort Detroit. This land grant is thought to be what would be the future town of Walkerville (16).

Land transfers from Pontiac first went to Lieutenant Edward Abbott of the Royal Artillery Regiment and to Alexis Maisonville. Abbott then transferred his land to Antoine Louis Labadie in 1769, who then left it to his wife and nine children. One of the children, Phyllis, married John Hall and it would be their son Eugene who received the share from his mother who would sell it to Hiram Walker on December 22, 1856.

Hiram Walker was an American entrepreneur born in 1899, in East Douglass Massachusetts, and moving to Detroit in 1838. He established his distillery in 1858 on the land he bought from Eugene Hall (17). During this year as well, Walker began building homes for his workers under the Walkerville Land and Building Co. in 1869, Walkerville was officially sanctioned by Ottawa and was recognized as a post office Village.

By 1882 The population of Walkerville reached 600. All inhabitants of Walkerville never owned their own property, they rented out Walker-owned cottages in the village, this way the Walkers could control their inhabitants (18).

In 1882 Walkerville consisted of approximately 600 people and who were all employed by Walker Family Enterprises, including the distillery, Kerr Brothers Engine and Foundry Company, and the Dominion Syrup and Sugar Refining Company (19).

It was not until 1890 that Walkerville petitioned Ontario to incorporate Walkerville as a town due to the Walker family's contributions to development, the growing population, and the need for more territory to expand. It was in this time period, from 1890 to 1910 that Walkerville expanded as an industrial center (20).

The business buildings were uncommonly fine, architecturally and materially. As the now incorporated town expanded, many more businesses sprung up and moved to the town, transforming Walkerville from an unincorporated post-office to a quaint town (21).

The Strathcona building was originally built for the Walkerville Land and Building Co. in 1907, and was originally referred to as "the new Walker Block". On March 20th, 1907, there was correspondence about the new Walker Block having been rushed rapidly to be completed. It is described as being one of the most handsomest business blocks in the town.

Later that year, two businesses were to open in the building...F. J. Miller, the druggist, and R.A. Holland, a dry-goods merchant. Both of these businesses from the Crown Inn on Devonshire Road.

On July 25th, 1907 the block of Wyandotte and Devonshire was officially named as the Strathcona Block (22). The Strathcona building was built for the Walkerville Land and Building Co. in 1907. This company is responsible for much of the development in Walkerville which is one of the reasons why the Strathcona building should be preserved.

Walkerville Land and Building Co. was a company owned by Hiram Walker and his sons to which he would use to develop the town. This would be the same company that Hiram Walker used to build homes for his workers around Walkerville such as the Original Hiram Walker and Sons Cottages located at 646, 656, and 662 Argyle Road, and the Walkerville Post Office at 420 Devonshire Road.

Contextual Value

The value of the Strathcona Building should not be overlooked within the context of the development of Walkerville's economic core. The intersection of Devonshire and Wyandotte was the hub of the old town of Walkerville, maintaining key features of the town within a small radius.

In the surrounding area lies the Imperial Building, the Bank, the Walkerville Post Office, Walkerville Town Hall, and the Crown Inn – all making Devonshire Road a true main street within Walkerville (26).

The key features on the corner of Devonshire and Wyandotte that are attributed to the economic development of the area, were built after the Strathcona Building, thus the argument can be made that the Strathcona is one of the first structures erected to promote the economic prosperity, and diversification of the Town of Walkerville.

The Strathcona's early purposes were to house a pharmacy, a dry-goods market, a hardware store, and the Walkerville Public Library on the second floor (27). The building was located three blocks away from the Detroit-Walkerville Ferry Terminal, along the main route into Walkerville (28). Two of the original inhabitants, F.J. Miller and R.A. Holland, had their businesses originally located within the Crown Inn (located at Devonshire and Assumption) (29). No indication is given as to why the patrons of the companies moved, however, it safe to assume that this is due to a greater opportunity for expansion.

The construction of the Strathcona and Walkerville's growing economic prosperity, lead to the construction of other iconic buildings at the Strathcona block, or adjacent to it. Within the Devonshire Road Bank's building description, built in 1922, the bank's construction speaks to the "prosperity of Walkerville in the 1920's...serving the town's financial needs (30).

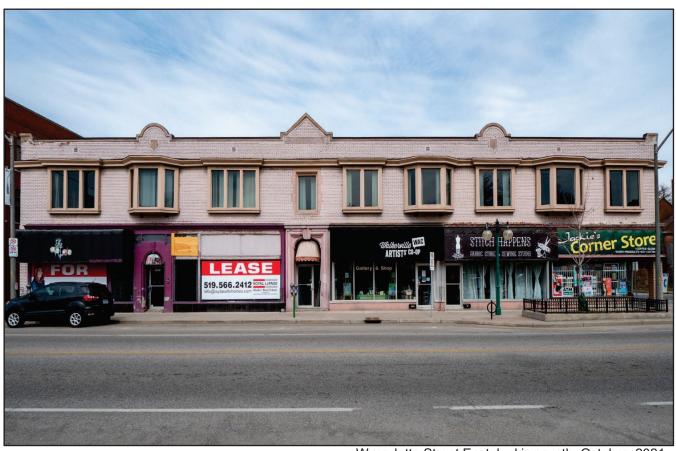
As well, the Imperial Building's description, states that the commercial nature of the property, in relation to the surrounding area and the streetscape, gives the Imperial Building its contextual value.

The Strathcona building can be given the same contextual value, given that the buildings hold the same purpose in relation to Walkerville, as a place for the economy to further grow. They reside within the same block, yet the Strathcona building is 15 years older than the Imperial Building.

The creation of the Strathcona block in Walkerville instigated the expansion of an economic hub, giving the building important historical context.



Wyandotte Street East, looking west, June, 1950



Wyandotte Street East, looking north, October, 2021



- ¹ Carol A. Sloan, "Records of the Amalgamated and Branch Libraries," Windsor Public Library, p. 19.
- ² "1899 Essex County Business Directory," *Ancestry.com*.
- ³ "Paste this in your Telephone Directory," *The Windsor Evening Record*, 12 June 1914, 3.
- ⁴ Walkerville Hardware Co., Ltd. advertisement, *The Windsor Evening Record*, 21 December, 1917, 19.; Lanspeary's Ltd. advertisement, *The Windsor Evening Record*, 21 December 1917, 19.
- ⁵ "Tenders Wanted," *The Windsor Evening Record*, 10 October 1912, 4; "Bank of Montreal, 1799 Wyandotte Street East, Exterior 2, June 1929," *SWODA*, accessed 1 November 2017, http://swoda.uwindsor.ca/node/1980
- ⁶ C. M. Bennett advertisement, *The Border Cities Star*, 31 December 1923, 18.
- 7 "S.O.E Lodge meets tonight," *The Border Cities Star*, 1 August 1928, 27; "Football Club to Give Card Party," *The Border Cities Star*, 12 October 1928, 36; "Mooseheart Women to Meet Monday," *The Border Cities Star*, 30 November 1929, 8; "Woodmen of the World Plan Party Friday," *The Border Cities Star*, 4 December 1929, 28; "Lodge English Rose Card Party Tonight," *The Border Cities Star*, 15 November 1926, 8.
- ⁸ "Fonds F 1155 Sons of England Benefit Society fonds," *Archives of Ontario*, accessed 1 November 2017, https://www.archeion.ca/sons-of-england-benevolent-society-fonds; "Constitution of the Sons of England Benevolent Society [microfilm]: under the jurisdiction of the Supreme Grand Lodge of Canda," *Internet Archive*, accessed 1 November 2017, https://archive.org/details/cihm_25919.
- ⁹Fonds F 1155 Sons of England Benefit Society fonds," *Archives of Ontario*, accessed 1 November 2017, https://www.archeion.ca/sons-of-england-benevolent-society-fonds; Paula Hastings, ""Our Glorious Anglo-Saxon Race Shall Ever Fill Earth's Highest Place": The Anglo-Saxon and the Construction of Identity in
- Late-Nineteenth-Century Canada," in Canada and the British World: Culture, Migration, and Identity, eds. Phillip Buckner and R.
- Paula Hastings, ""Our Glorious Anglo-Saxon Race Shall Ever Fill Earth's Highest Place": The Anglo-Saxon and the Construction of Identity in Late-Nineteenth-Century Canada," in *Canada and the British World: Culture, Migration, and Identity*, eds. Phillip Buckner and R. Douglas Francis (Vancouver: UBC Press, 2006), 104.
- ¹¹ Arthur Preuss, A Dictionary of Secret and Other Societies (St. Louis: B. Herder Book Co, 1924), 257-8.
- ¹² Preuss, A Dictionary of Secret and Other Societies, 435-490.
- 13 "Walkerville Walking Tour," the City of Windsor, accessed 7 November 2017,
- ¹⁴ "The Architects: Mason-Rice & the legend of Albert Kahn," the Walkerville Times, 1 July 1999, 4.
- ¹⁵ "The Architects: Mason-Rice & the legend of Albert Kahn," the Walkerville Times, 1 July 1999, 4; ".
- ¹⁶ "History of Walkerville: 1700-1882," Walkerville Publishing, accessed 4 November 2017
- ¹⁸ Business in Walkerville: From An 1898 Report," *Walkerville Publishing*, accessed 4 November 2017, http://www.walkervilletimes.com/1898.htm#
- ¹⁹ "History of Walkerville: 1700-1882," Walkerville Publishing, accessed 4 November 2017, http://www.walkervilletimes.com/history1.htm#
- ²⁰ "The Boom Years," Walkerville Publishing, accessed 4 November 2017, http://www.walkervilletimes.com/boomyears.htm#
- ²¹ "Business in Walkerville: From An 1898 Report," *Walkerville Publishing*, accessed 4 November 2017, http://www.walkervilletimes.com/1898.htm#
- ²² Walking Walkerville Tour, PDF, Windsor: City of Windsor.
- 23 CITY OF WINDSOR INTENTION TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS 753 WALKER ROAD, WINDSOR, ONTARIO, PDF, Windsor: City of Windsor. Laser Eye
- ²⁴ Karen Paton-Evans, "Laser Eye Revolution," *The Windsor Star* (Windsor), December 29, 2000. ²⁵ Chris Edwards, Icon Laser Eye Centres Inc., , accessed November 21, 2017, http://www.walkervilletimes.com/icon-laser.htm.
- 26 "Walkerville" Canada's Historic Places, accessed 19 November 2017, http://www.historicplaces.ca/en/results-resultats.aspx?m=2&Location=Windsor&JurisdictionId=9
- ²⁷ "About The Historic Strathcona" *The Walkerville Times*, accessed 19 November 2017, http://www.walkervilletimes.com/strathcona.htm
- ²⁹ "About the Historic Strathcona" *The Walkerville Times*
- ³⁰ "Devonshire Road Bank" Canada's Historic Places, accessed 19 November 2017



Revised 07/2023

CORPORATION OF THE CITY OF WINDSOR

Planning Dept., Suite 320-350 City Hall Sq W, Windsor ON N9A 6S1 519-255-6543 | 519-255-6544 (fax) | planningdept@citywindsor.ca

PROJECT PROPOSAL APPLICATION (STEP ONE)

1. APPLICANT - PROPERTY OWNER	R(S)
Contact Name(s) 2798315 Ontario Inc	. / Rosati Group
Mailing Address 6555 Malden Road	
City, Province Lasalle, Ontario	Postal Code N9H 1T5
Email david.mady@rosatigroup.com	Phone(s) (226) 350-1110
Contact Name(s) David Mady	
Mailing Address 6555 Malden Road	
City, Province Lasalle, Ontario	Postal Code N9H 1T5
Email david.mady@rosatigroup.com	Phone(s) (226) 350-1110
2. SUBJECT PROPERTY Heritage Name of Property: Strathcons Municipal Address: 1968 Wyandotte S	Street East
Legal Description (Lot and Plan): PLAN	211 BLK F LOTS 8 AND 10 PT ALLEY RP 12R29098 PARTS 1 TO 3
Assessment Roll Number(s): 3739020	01003700
Existing Use: Retail / office	
Heritage Designation:	
□ Part IV (Individual)	☐ Part V (Heritage Conservation District)
By-law #:	District:
Date of Approval:	



Revised 07/2023

3. WORK(S) PROPOSED

Pleas	se select one or more of the following categories of work below:
□С	himneys
✓ E	xterior stairs
V E	xterior walls and facades
V E	xterior windows and doors
□F	oundations
□Р	orches/verandas
 ✓ R	ecreation of lost historic features (based on ample documented evidence)
√ R	oofs
□ 0	ther features included in the designation by-law
	tudies*
	ering, architectural or planning studies focused on conservation are only eligible if they are required to complete eligible d the related eligible work is completed.
4. HE	RITAGE INCENTIVE REQUEST RATIONALE
4 40 12 11	r to attached Detailed Scope of Work.
-	
-	



Revised 07/2023

5. CHECKLIST OF MATERIALS SUBMITTED

aff):
and/or qualified design d contain sufficient detail ed work. Attach estimates
ext of existing buildings, application)
nd location of proposed
opment, interior or exterior area of the property (e.g. , etc., as determined by
rials specification details)
recreating a lost historic
vided in this application is sof the City-Wide Heritage /indsor under By-law 164-lance with this application,
Date
Date



Revised 07/2023

SCHEDULE A

A. Authorization of Registered On If the applicant is not the registered of the written authorization of the registered the application must be included with be completed.	owner of the land to stered owner that	that is the subject of this application, the applicant is authorized to make
name of registered owner	am the regist	tered owner of the land that is
subject of this application for a Heri	tago Proporty Tay	Paduation and Lauthorize
subject of this application for a Heri		
name of agent	to make this	application on my behalf.
Signature of Registere	ed Owner	Date
If Corporation – I have authority to be B. Consent to Enter Upon the Sul		
Heritage Committee and City Counto enter upon the subject lands and form for the purpose of evaluating conduct any inspections on the sapproval. This is their authority for	d premises descr the merits of th ubject lands that	ibed in Section 3 of the application is application and subsequently to
Signature of Registere	ed Owner	Date
C. Acknowledgement of Applicant I understand that receipt of this applicant does not guarantee it to be a complete occur and I may be contacted to discrepancies or issues with the applicant further understand that pursuant to	oind the corporation It Dication by the Cillete application. If provide addition plication as submitted the provisions of	ty of Windsor Planning Department Further review of the application will nal information and/or resolve any itted. of the Ontario Heritage Act and the Privacy Act, this application and all
Signature of Ap	oplicant	Date



Revised 07/2023

CORPORATION OF THE CITY OF WINDSOR

Planning Dept., Suite 320-350 City Hall Sq W, Windsor ON N9A 6S1 519-255-6543 | 519-255-6544 (fax) | planningdept@citywindsor.ca

TAX REDUCTION APPLICATION (STEP TWO)

Note: Applications should be submitted no later than the last day of February in the year following the Step One application 1. APPLICANT - PROPERTY OWNER(S) Contact Name(s) 2798315 Ontario Inc. / Rosati Group Mailing Address 6555 Malden Road Postal Code N9H 1T5 City, Province Lasalle, Ontario _ Phone(s) (226) 350-1110 Email david.mady@rosatigroup.com Contact Name(s) David Mady Mailing Address 6555 Malden Road City, Province Lasalle, Ontario Postal Code N9H 1T5 Phone(s) (226) 350-1110 Email david.mady@rosatigroup.com 2. SUBJECT PROPERTY Heritage Name of Property: Strathcona Building Municipal Address: 1968 Wyandotte Street East Legal Description (Lot and Plan): PLAN 211 BLK F LOTS 8 AND 10 PT ALLEY RP 12R29098 PARTS 1 TO 3 Assessment Roll Number(s): 373902001003700 Existing Use: Retail / office Heritage Designation: ☐ Part V (Heritage Conservation District) ☐ Part IV (Individual) By-law #: District: Date of Approval: Is the property subject of any property standards violations, work orders or outstanding municipal requirements? J No Details: N/A Yes



Is the property in good and habitable condition?

✓ Yes		
□ No	Details: Interior and exterior renovation	on recently completed
Does the p	property an assessment appeal registered on it?	
☐ Yes	✓ No	
3. CHECK	LIST OF MATERIALS SUBMITTED	
Required:		
✓ Photog	raphs of the completed eligible work(s)	
✓ Proof o	of full insurance	
	es from contractors marked as paid, with a breakd trade and/or type of work	down of the costs by each
4. SIGNAT	URES	
accurate an Property T	at to the best of my knowledge the information produced the information produced the terms and condition for the complete, and I agree to the terms and condition for the condition accordance with the works have been done in accordance with the condition of the condition accordance with the condition accordance with the condition of the condition accordance with th	ns of the City-Wide Heritage Windsor under By-law 164- ith this application, including
	Signature of Applicant(s)	
	G.3(=)	20,444
	Signature of Applicant(s)	Date
Date Rec		



Revised 07/2023

SCHEDULE A

A Authorization of Registered Owner for Agent If the applicant is not the registered owner of the lar the written authorization of the registered owner that the application must be included with this application be completed.	nd that is the subject of this application, at the applicant is authorized to make
I,am the reg	gistered owner of the land that is
name of registered owner	Tay Production and Lauthoriza
subject of this application for a Heritage Property T	
to make tr	is application on my behalf.
Signature of Registered Owner	Date
If Corporation – I have authority to bind the corpora	ation.
B. Consent to Enter Upon the Subject Lands and I, Tony Rosati , hereby a Heritage Committee and City Council and staff of to enter upon the subject lands and premises desform for the purpose of evaluating the merits of conduct any inspections on the subject lands the approval. This is their authority for doing so. Signature of Registered Owner	authorize the members of the Windsor the Corporation of the City of Windsor scribed in Section 3 of the application this application and subsequently to
Signature of Registered Owner	Date
If Corporation - I have authority to bind the corporation	ation.
C. Acknowledgement of Applicant I understand that receipt of this application by the does not guarantee it to be a complete application occur and I may be contacted to provide addit discrepancies or issues with the application as substituted in the provision of the provided with this application of the provided with this application.	. Further review of the application will ional information and/or resolve any omitted. s of the Ontario Heritage Act and the of Privacy Act, this application and all tion are made available to the public.
	<u> </u>
Signature of Applicant	Date

CITY OF WINDSOR COMMUNITY HERITAGE FUND

APPLICATION FOR LOAN AND/OR GRANT

(To be completed in full)

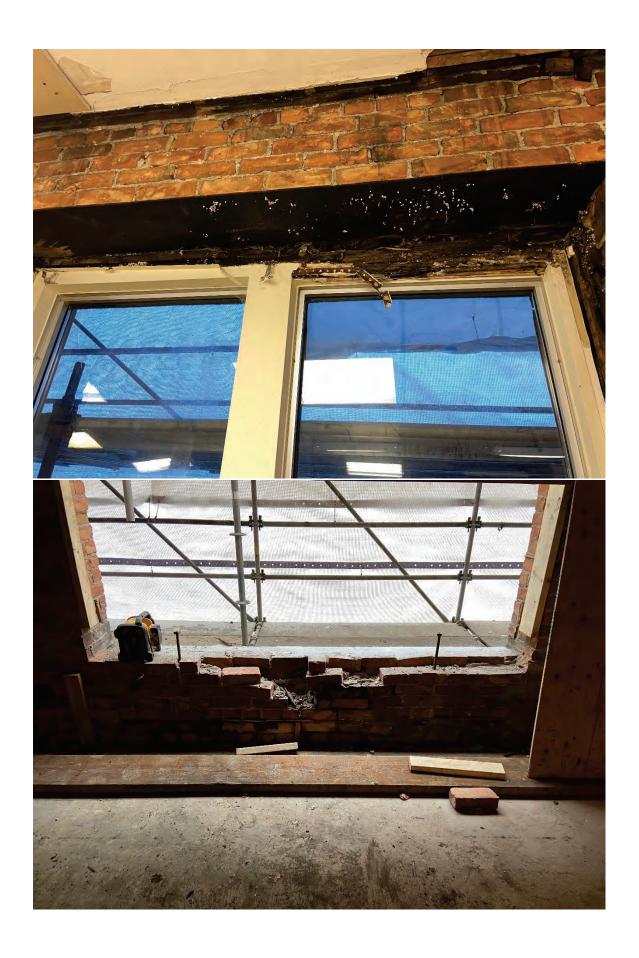
APPLICANT/AGENT/OWNER INFORMATION

1.	APPLICANT(S): Tony Rosati on behalf of 2798315 Ontario Inc.			
	Address, City: 6511 Malden Road, Lasalle, Ontario	Postal Code: N9H 1T5		
	Email: tony.rosati@rosatigroup.com	Telephone: (519) 796-6537		
2.	AGENT/ARCHITECT/ENGINEER/SOLICITOR: Agent -	David Mady		
	Address, City: 6511 Malden Road, Lasalle, Ontario	Postal Code; N9H 1T5		
	Email: _david.mady@rosatigroup.com	Telephone: (226) 350-1110		
3.	REGISTERED OWNER(S): 2798315 Ontario Inc.			
	Address, City: 6511 Malden Road, Lasalle, Ontario	Postal Code: N9H 1T5		
	Email: tony.rosati@rosatigroup.com	Telephone: (519) 796-6537		
PRO	PERTY FOR WHICH HERITAGE FUND ASSISTANCE IS	REQUESTED		
4.	HERITAGE NAME OF PROPERTY Strathcona Building			
5.	MUNICIPAL ADDRESS 1968 Wyandotte Street East			
6.	LT 8 BLK F PL 211 \$ LEGAL DESCRIPTION (Lot and Plan) SANDWICH EAST /	Sandwich East; LT 10 BLK F PL 211		
7.	ASSESSMENT ROLL NUMBER(S) 373902001003700			
8.	EXISTING USE Office and soon to be restaurant us	es		
9.	THIS PROPERTY IS DESIGNATED UNDER THE ONTAR			
	YES □ By-law No. N/A	Date N/A		
REO	DUESTED HERITAGE FUND ASSISTANCE			
10.	AMOUNT AND TYPE OF FINANCIAL ASSISTANCE REC	DUESTED:		
	Loan \$ N/A	771111111111111111111111111111111111111		
	Canada A	AL \$_TBD		
	NOTE: Details for loan/grant are set out in the attache Community Heritage Fund".			
11.	If a loan is requested, please indicate your term of repayment:	N/A years.		
12.	Are there any outstanding mortgages or liens against this prop	erty?		
	NO 🖾 YES 🗆 Amount: N/A Institution:	N/A		
13.	If your application for a loan, grant or loan/grant combination \$15,000, you may be required to obtain a property appraisal fr appraiser. If your application is in an amount in excess of \$15, an appraisal from a certified appraiser.	om a real estate agent or certified		
14.	Have you previously received assistance from the City for the	property named above?		
	NO 🖾			

	YES Amount: N/A Date: N/A			
	Source of funds: N/A			
REA	SONS FOR REQUESTING HERITAGE FUND ASSISTANCE			
A.	Rehabilitation of Owner's designated property:			
15.	Describe fully here (or on attached sheets) the proposed work to be undertaken: Please refer to attached			
16.	The applicant is responsible for providing at least <u>two</u> written estimates from qualified contractors and/or qualified design consultants for the proposed restoration work. The estimates should contain sufficient detail to permit a review of individual components of the proposed work. Attach estimates to this form when filing, (Some specifications are available from the Heritage Planner – see contact information at the bottom of this page.)			
17.	Describe any new uses of the property, if different from the existing use.			
	Entire second floor is occupied by office users, restaurant uses on street level to follow			
18.	The application shall include recent, dated photographs of the property, to clearly illustrate the areas of the property that are the subject of the proposed work. Any available architectural drawings should be included as well.			
19.	Early photographs or drawings showing the property's original appearance should be submitted, if available, to assist in the review of the application.			
В.	Purchase of designated property:			
20.	Indicate the full price of the property you wish to purchase: \$_N/A and include a copy of the "offer to purchase."			
21.	Indicate your other sources of funding, the amount you will receive, and any subsequent liens/mortgages.			
C.	Architectural/engineering study of Owner's designated property:			
22.	Indicate the full price of the architectural/engineering study by a restoration specialist: N/A and include a copy of the estimate or invoice from the study.			
SIGN	ATURES			
APPI	JCANT OR AGENT Date			
REGI	STERED OWNER(S) Date 03/21/24			
	CKED/RECEIVED BY TAGE PLANNER Date			
	This application should be completed and filed with the: Planning Department Suite 320 - 350 City Hall Square West Windsor ON, N9A 6S1			
	For assistance and/or information on filing, please contact the Planning Department: Telephone 519-255-6543 x 6179 Fax 519-255-6544			
NOTIO	CE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION:			
Develo	so acknowledge that the information requested on this form is required in order to process the application to the pment & Heritage Standing Committee. Please be advised that the information in this application form may be released that the information in this application form may be released that the information in this application form may be released to the information in this application form may be released to the information form, i.e. web site and/or paper format, i.e. agenda or minutes.			
Dated:	03/21/24 Signed:			
Dated	Signature of Applicant			





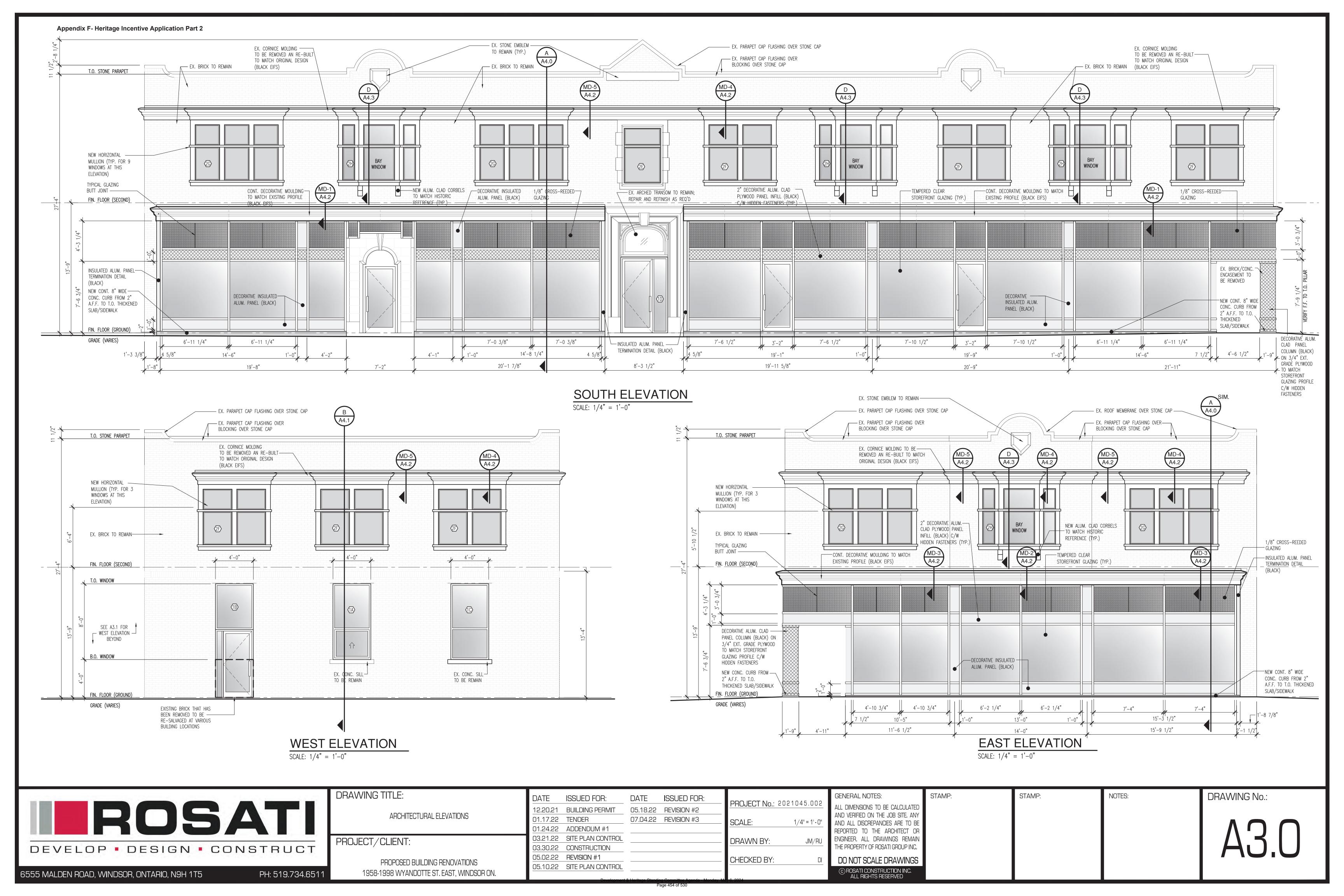


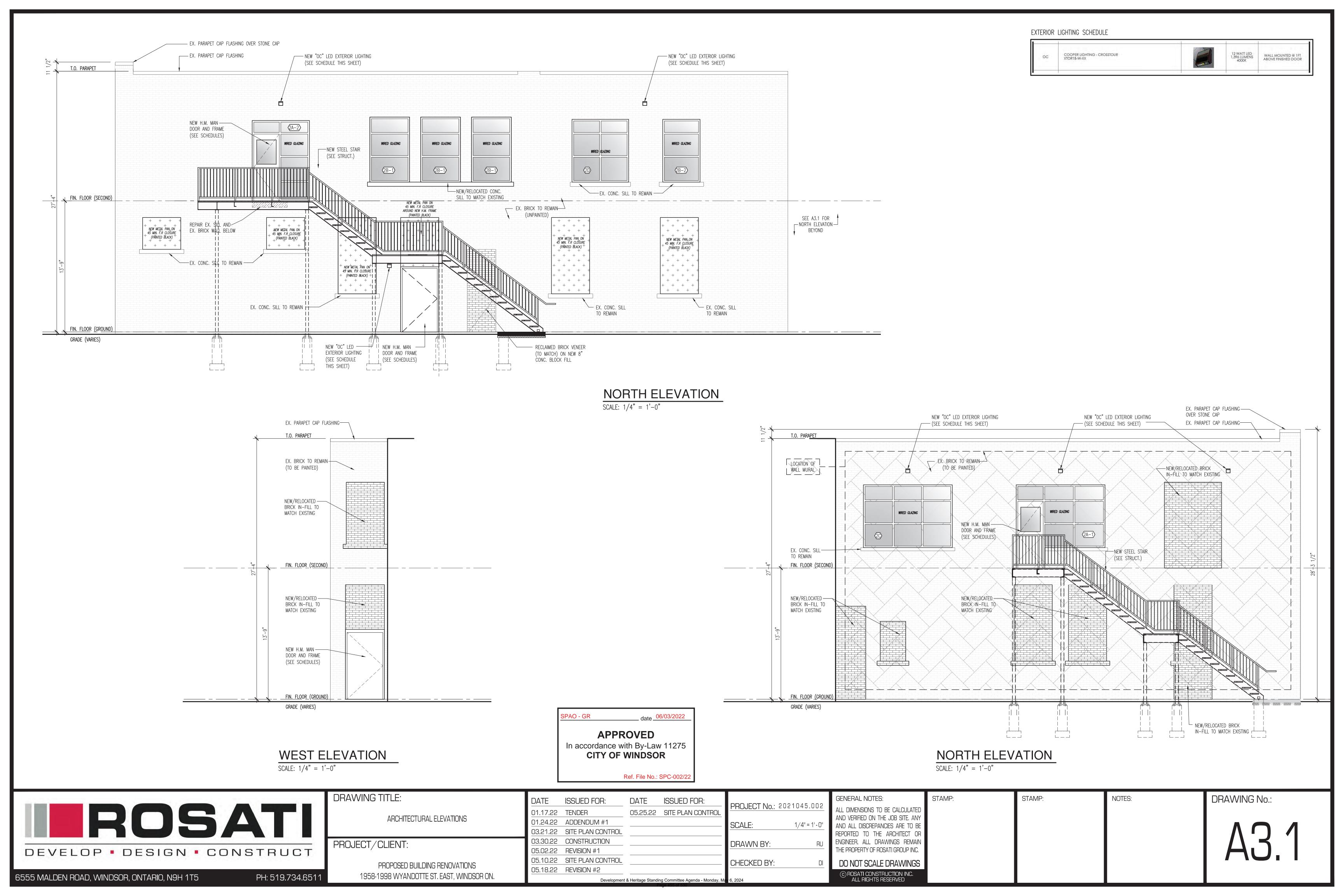


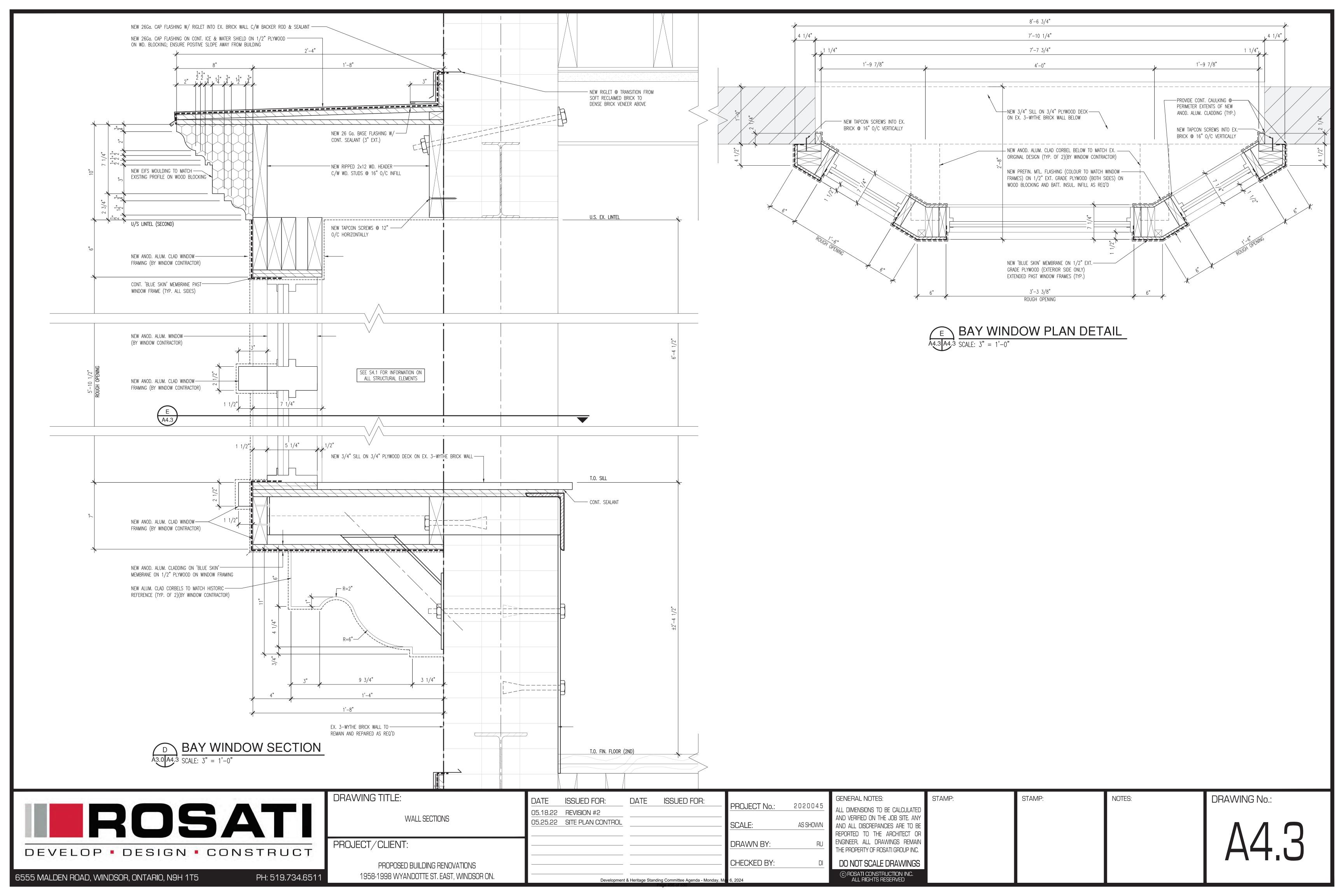


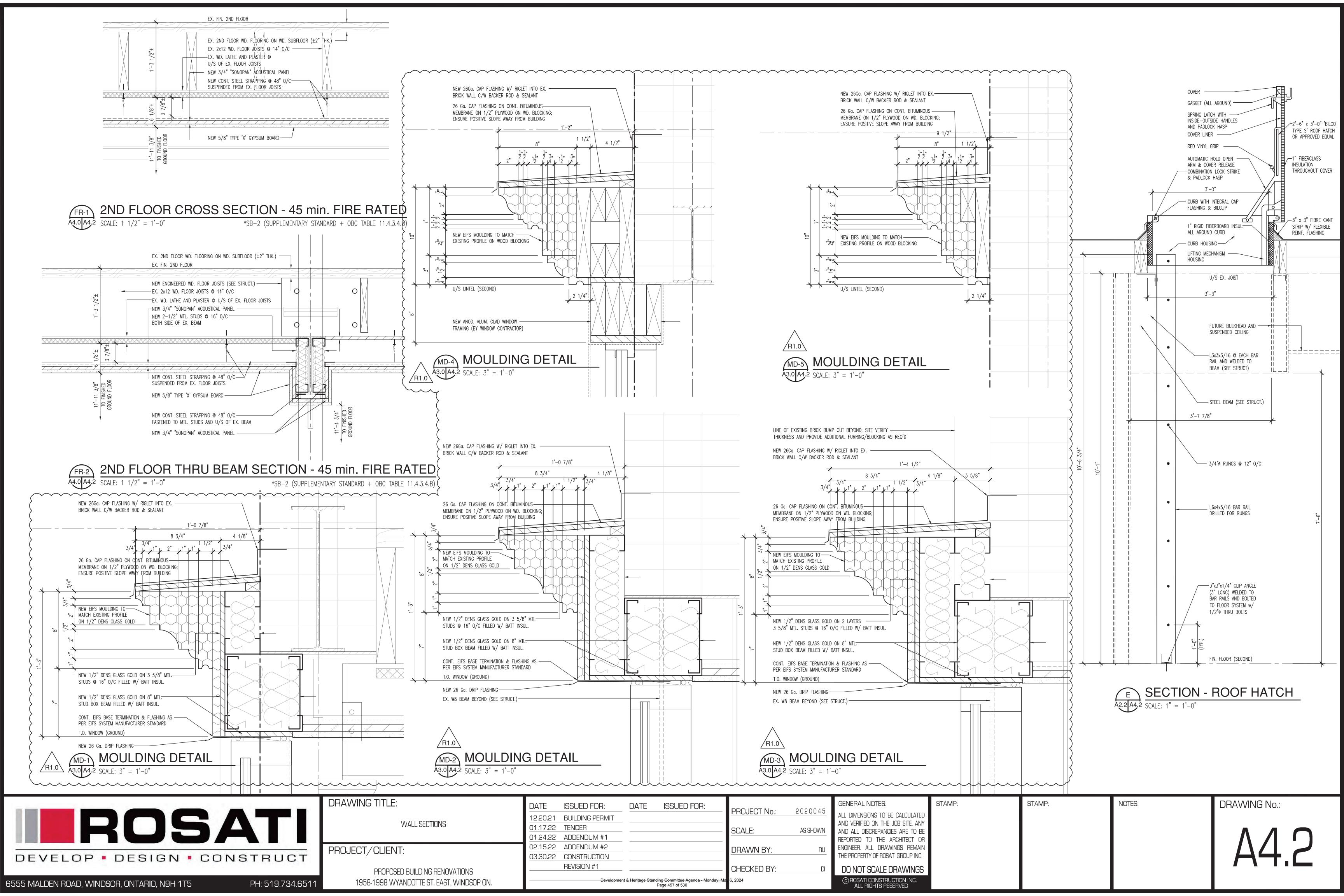

















BRICK BEYOUD SECTION VIEW WILL BOTTOM W1400W OF WARE BE FURRED OUT? PHUODO DECK 4" eva to de Aucorono 4455 482 OR C4 100 WAU EX 2ND FOOL 1958 WYAUDOTTE BAY WILLOS U

2x4 WESD FRAMICICA
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PUNCETED WILLOOW OPES SEZTION THROUGH WILLOOUS.

	SUBMITTAL R	XX FS	TIMATE	SUMMAR	V
Doscript	1968 Wyandotte St. E Four			Square Feet:	4
Code	Description	Units	Quantity	Total	\$ / sf
Code		Rosati - Ou		IOtai	Ψ/51
00100	General Conditions	rtosati on	ni i oroco	3,500	875.00
00100	Material Only			5,540	1,385.00
00101	Rosati Engineering			1,500	375.00
00150	Rosati Legal			1,300	373.00
00130	Granular - Material Only	Tons	0	-	-
00300	Concrete - Material Only	Meters	0	-	-
00900	Rosati Labour	Hours	284	22,720	5,680.00
00900	Equip Rosati & Rental	Hours	204	2,300	5,680.00
00910		innliers - M	aterial Only	2,300	575.00
	T Su	ippliers - ivi	ateriai Oriiy		
					-
					-
	Subtotal - Own Forces & I	Matarial		\$ 35.560	\$ 8,890.00
			abour & Materia	1	φ 0,090.00
01043	Outsoource Engineering	iraciors - L	Estimate	7,500	1,875.00
05000	Steel Support		Estimate	27,720	6,930.00
07240	Additional Stucco Cornice		Estimate	1,500	375.00
07240	Additional Roofing/Sheet N	lotal .	Estimate	6,000	1,500.00
07500	Four (4) Bay Windows (Ext			•	1,500.00
00500	Four (4) Bay Windows (Ext	ra Cost)	Bayview	6,110	1,527.40
					-
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					-
	Subtotal - Sub-Trades			A	e 40.007
Cubtatal		10 Cuba	ntrooters	\$ 48,830	\$ 12,207
Subtotal	- Own Forces, Materia	l & Subcc		\$ 84,390	\$ 21,097
	Overhead		5.00%	\$ 4,219	\$ 1,055
	Profit		5.00%	\$ 4,219	\$ 1,055
	Total - Without H.S.T.			\$ 92,829	\$ 23,207
Date:	April 15, 2022				
Estimator:	Jamie Grant		Approved By:		

JOB #: 279-21-68



Re: 1968 Wyandotte St. E. - Façade and Building Shell Improvements

We are pleased to submit the following separate quotations to provide all necessary labour, material, equipment and supervision required to construct the above noted project in accordance with Drawings D2.0 through D3.1, A1.0 through A6.0, (all inclusive) S3.1through S7.1 (all inclusive), all drawings dated 12.20.21 issued for Building Permit and prepared by Rosati Construction Inc. [Reference Project Number 2020045].

Our price includes the following:

Category A - Beautification

Installation of Exterior Signage

 Provide three (3) exterior tenant signs on the south and east facades, complete with electrical connection and ESA inspection.

Addition of New Exterior Lighting

- Provide one (1) type B LED exterior light fixture above main entrance, south elevation, wired to house panel PP-House – controlled by 7-Day timer.
- Provide five (5) type F LED exterior light fixtures above 1st floor & 2nd floor egress doors at the West and North elevations, wired to house panel PP-House.

Repair or Replace Canopies or Awnings

Not applicable.

Painting Of Façade Elements

- Paint the following façade elements:
 - New stucco cornice molding above first floor storefront assemblies on the South and East facades.
 - New stucco cornice moldings above 2nd floor windows on the West, South and East facades.
 - Paint hollow metal doors, windows and frames on the North façade.
 - Paint exterior steel lintels above all door and window openings.



SCOPE OF WORK Façade and Building Shell Improvements - 1968 Wyandotte St. E. Windsor, Ontario

March 6, 2024 Page 2 of 6

■ Paint two (2) exterior emergency stairs on the North façade.

Cleaning of Masonry

- Provide structural engineering services for the safe design of a scaffold structure.
- Erect and dismantle scaffold on the South and East elevations complete with guardrails and tarping.
- Provide plywood protected for pedestrian aisle way below sacffolding.
- Provide temporary heating and ventilation within the tarped scaffold enclosure.
- Complete CO2 vapor blasting to remove existing paint covering, to expose the original brick veneer on all elevations of the building.
- Repointing of face brick over the entire exterior building elevations. And complete all repairs to the existing brick veneer as required.
- Power wash brick and apply clear sealer to brick after blasting is complete.

Removal Of Security Bars

Removal of security bars on three (3) windows on the North facade.

Murals and Public Art

 Provide painted mural, complete with interactive historical descriptions, on the north facade of the building.

Other: General Site Clean-Up

- General Site cleanup and removal of Grub, weeds, and debris including:
 - Remove one old private light pole.
 - Remove two sets of wood emergency.
 - Remove bushes and shrubs, one tree, in North parking.
 - Remove old chain link fence.
 - Provide refuse bins and disposal.





SCOPE OF WORK Façade and Building Shell Improvements - 1968 Wyandotte St. E. Windsor, Ontario

March 6, 2024 Page 3 of 6

Category B - Restoration

Repointing of Masonry

- Repointing of face brick over the entire exterior building elevations.
- Complete all repairs to the existing brick veneer as required.
- Provide type 'O' mortar.

Repair or Replacement of Cornices, Parapets, Eaves, Soffits

- Remove wood framed cornices/window framing at first floor storefront and second floor windows.
- Provide new wood framing at oriel and bay windows on second floor, complete with air barrier and Blueskin membrane.
- Provide metal stud box beam framing and Densglass sheathing above first floor storefront assemblies.
- Supply and install new stucco cornice molding, to match the exact shape and contour of the original wood cornices, above first floor storefront and second floor windows.
- Provide new sheet metal cap flashings along the top of all new cornices, complete with caulking and reglet into brick veneer mortar joint.
- Paint all new stucco cornice moldings.

Brick and Mortar Testing

Not applicable.

Removal of Material and Replace With Documented Original Material

Not applicable.

Removal or Replacement Of Storefront, Including Doors and Windows

- Supply and install new black anodized 5500 series 4" curtainwall framing complete with:
 - Clear tempered / solarban 70 thermopanes.



SCOPE OF WORK Façade and Building Shell Improvements – 1968 Wyandotte St. E. Windsor, Ontario

March 6, 2024 Page 4 of 6

- Upper transom thermopanes to have exterior pane standard half inch fluted glass.
- Insulated aluminum panel between clear pane and upper transom.
- Provide five (5) back anodized aluminum door assemblies.
- Provide interior and exterior caulking and sealing around all new aluminum frames.

Building Code Improvements To Facade

Not applicable.

Entrance Modifications to Provide Barrier Free Access

 Supply and install three (3) push-button automatic door operators at south and east elevations.

Other: Roof Replacement

- Remove existing roof system down to roof deck.
- Supply and install new 60mil TPO roof system complete with 6" thick (R-40) insulation.
- Provide 3/8" plywood at perimeter parapet complete with new 24ga metal cap flashing.

Category C - Replacement

Functional Improvements To Storefront

Included in Category B above.

Replacement of Doors and Windows That Have Deteriorated Beyond Repair

- Complete removal and disposal of all first and second floor windows.
- Provide new fire rated hollow metal window frames, door frame and doors at the north facade.
- Provide fire rated wired glass inserts or fire rated plywood inserts with aluminum cover at hollow metal window frames.
- Provide wood framing and Blueskin at second floor oriel and bay windows, complete with aluminum flashings and coverings.



SCOPE OF WORK Façade and Building Shell Improvements - 1968 Wyandotte St. E. Windsor, Ontario

March 6, 2024 Page 5 of 6

- Engineer, supply and install structural steel support at four (4) bay windows.
- Provide new black anodized frame windows at the second floor, West, South and East facades complete with clear tempered / solarban 70 thermopanes.
- Supply and install custom corbels to match the original design and profile below four (4) bay windows.
- Provide spray foam insulation below four (4) bay windows.

Other: Site Work

- Complete removal of all existing asphalt paving, concrete paving, concrete curbs and structures in the North parking lot.
- Excavate and remove existing stone base and replace with minimum 24" of new 0-3/4" compacted granular material.
- Supply, place and finished new concrete curbs and sidewalks.
- Provide new 4" thick asphalt paving, complete with line painting.
- Supply and install three (3) new storm water catch basins, complete with connection to existing municipal service on the property.
- Provide new reinforced concrete pad at garbage enclosure, complete with 6'-0" high pressure treated fencing and gates.
- Provide new 1-1/2" PVC water service to building (replace existing lead service)
 from curb stop on east façade.
- Provide a new 600V 400Amp overhead electrical service, complete with upgrade transformers (75KVa x 3), complete with all associated fees and coordination with local power authority (Enwin).





SCOPE OF WORK
Façade and Building Shell Improvements - 1968 Wyandotte St. E.
Windsor, Ontario

March 6, 2024 Page 6 of 6

ESTIMATE OF ELIGIBLE COSTS

Eligible Cost Item (see program guide for details of eligible costs)	Actual	/ Estimated Cos
Building Facade Improvement Program: Category A - Beautification		
Installation/improvement of signage (as permitted by the Sign By-law)	\$	49,540
Addition of new lighting/upgrading of existing fixtures on exterior facade and in entrance and storefront display areas	\$	2,250
Repair or replacement of awnings or canopies	\$	N/A
Painting of facade elements (i.e. wood trim, window frames, cornice)	\$	7,000
Cleaning of masonry buildings if it is necessary for the building's preservation	\$	71,998
Removal of security bars*	\$	1,530
Murals and public art (as long as important elements of the building are not impacted) * *	\$	21,118
Other: General Clean-Up Of Site	\$	26,200
Building Facade Improvement Program: Category B – Restoration		111211
Repair or repointing of facade masonry and brickwork	\$	151,834
Repair or replacement of cornices, parapets, eaves, soffits and other architectural details	\$	120,070
Brick and mortar testing*	\$	N/A
Removal materials and replace with documented original materials	\$	N/A
Repair or replacement of storefront, including repair or replacement of storefront doors and windows	\$	221,109
Building Code and structural improvements to the building facade	\$	N/A
Exterior and entrance modifications to provide barrier free access*	\$	11,250
Other: Replace Roof and Add Insulation R-Value	\$	82,880
Building Facade Improvement Program: Category C - Replacement		7
Functional improvements to the Storefront/Building Facade (i.e. reinstating boarded up or bricked in window and door openings)	\$	N/A
Replacement of doors and windows that have deteriorated beyond repair or are inconsistent with the design of the building	\$	282,245
Repair or replacement of cornices, parapets, eaves, soffits and other architectural details	\$Included in Cat. B	
Reconstruction or construction of former and significant architectural features	\$	N/A
Other: Site Work	\$	150,349
Total Eligible Costs Eligible for a Building Facade Improvement Grant (Sum Costs above)	\$	1,199,372

(Harmonized Sales Tax (HST) is extra.)



Council Report: S 52/2024

Subject: Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by St. Rhodes Development & Leasing Corporation for 1247 Riverside Drive East (Ward 4)

Reference:

Date to Council: May 6, 2024
Author: Tracy Tang, MCIP, RPP
Acting Planner III – Economic Development
ttang@citywindsor.ca
519-255-6543 x 6449
Planning & Building Services
Report Date: April 11, 2024
Clerk's File #: SPL2024

To: Mayor and Members of City Council

Recommendation:

- I. THAT the request made by St. Rhodes Development & Leasing Corporation to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study for the property located at 1247 Riverside Drive East pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan;
- II. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$15,000 based upon the completion and submission of a Phase II Environmental Site Assessment Study completed in a form acceptable to the City Planner and City Solicitor:
- III. THAT the grant funds in the amount of \$15,000 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003) when the eligible work is completed to the satisfaction of the City Planner;
- IV. THAT should the proposed Phase II Environmental Site Assessment Study not be completed within two (2) years of Council approval, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.

Executive Summary: N/A

Background:

Brownfield Redevelopment Community Improvement Plan (CIP)

Brownfield sites are properties that may be contaminated due to previous industrial or commercial uses such as a manufacturing facility or gas station. City Council approved a Brownfield Redevelopment CIP at its April 19, 2010 meeting for the purpose of encouraging the study, clean-up, and redevelopment of contaminated properties. The approval of the CIP was the result of nearly five years of study and consultation, which began in October 2005.

Importance of Brownfield Redevelopment

Historically, there has been little interest in redeveloping brownfield sites due to the uncertainty surrounding the extent of contamination and the potential cost of clean-up. The Brownfield Redevelopment CIP was adopted in 2010 and provides financial incentives to undertake the necessary studies and remedial work necessary to redevelop brownfield sites and reduce the potential negative impacts to the City's environment and neighbourhoods.

The benefits associated with brownfield redevelopment go far beyond the boundaries of the property. For example, they are often strategically located within existing built up areas of the City where services and other infrastructure, such as roads, schools, community facilities and public transit are already available, therefore additional infrastructure costs are not incurred to service these areas. The redevelopment of these sites also remove the negative stigma often associated with brownfield properties, which increases the value of the subject property and adjacent properties.

Site Background

The subject site consists of one property parcel located on the south-west intersection of Riverside Drive East and Hall Avenue. The property is 0.39 hectares (or 0.97 acres) in size and irregularly shaped. It is currently vacant with remnants of a driveway access off of Riverside Drive East and rear yard parking area. The site is designated "Residential" on Official Plan Schedule D: Land Use, and is zoned Residential District RD2.2 with special provision 20 (1) 310, which permits a multiple dwelling with five or more dwelling units. See Appendix 'A' for the location map.

Originally, the property was the site of two separate parcels addressed as 1247 Riverside Drive East and 1271 Riverside Drive East. Former 1247 Riverside Drive East was a small rectangular parcel located on the west side of the current property, and had a single detached dwelling used for residential purposes over the years until its demolition in 2014. Former 1271 Riverside Drive East was a larger parcel located on

the east side of the current property. It was known as the John Davis House, which was listed on the Windsor Municipal Heritage Register and originally the residence of John Davis who was Mayor of Windsor from 1897-1901. In 1923, the John Davis House became the Scottish Rite (Masons) Home. Since then, it had been used over the years as the Scrivens Hotel, the Bellevue Hotel, the Bellevue Tavern, and finally Danny's Tavern before being demolished in 2013. The property has remained vacant since. The Potentially Contaminating Activities (PCAs) identified on the subject site include fill material of unknown quality following demolition.

The principal owner of St. Rhodes Development & Leasing Corporation is Dino Maggio. St. Rhodes Development & Leasing Corporation intends to redevelop the property for residential use, thus a Record of Site Condition (RSC) is required under Ontario Regulation 153/04. In recent years, St. Rhodes Development & Leasing Corporation has submitted Planning Act applications to facilitate the redevelopment proposal, including a Zoning By-law Amendment application (Z-044/21, ZNG/6633 and associated By-law 19-2023 passed by City Council on March 20, 2023) and most recently a minor variance application (A-090/23 approved by Committee of Adjustment on January 25, 2024). Through the Zoning By-law Amendment application, the requirement for an RSC was noted. The owner has now submitted the grant application and will be incurring the eligible Phase II ESA costs and, should the application be approved, would receive the grant payment.

Discussion:

Environmental Site Assessment Grant Program

The ESA Grant Program offers a matching grant to property owners of brownfield sites to conduct environmental studies that provide information on the type and extent of contamination and potential remediation costs. The program offers 50% of the cost of an eligible study up to a maximum of \$15,000. If two studies are required, an additional \$10,000 is available for a maximum total grant value of \$25,000.

The applicant proposes to redevelop 1247 Riverside Drive East for residential use, consisting of a 5-storey, 41-unit residential building with 58 parking spaces. They require a Phase II ESA study as part of their application for an RSC. The applicant has completed a Phase I ESA, which identifies areas of potential environmental concern, and recommends that a Phase II ESA study be completed to assess the existing soil and groundwater conditions at the site. Upon completion, the City would retain a copy of the final Phase II ESA study report.

CIP Goals

City staff is supportive of the application as it meets all of the eligibility requirements specified within the Brownfield Redevelopment CIP. The proposed study of the subject

site also supports the following CIP goals:

- To promote the remediation, rehabilitation, adaptive re-use and redevelopment of brownfield sites throughout the City of Windsor in a fiscally responsible and sustainable manner over the long term;
- Improve the physical and visual quality of brownfield sites;
- Improve environmental health and public safety;
- Provide opportunities for new housing, employment uses, and commercial uses;
- Increase tax assessment and property tax revenues;
- Promote Smart Growth, including the reduction of urban sprawl and its related costs;
- Increase community awareness of the economic, environmental and social benefits of brownfield redevelopment; and
- Utilize public sector investment to leverage significant private sector investment in brownfield remediation, rehabilitation, adaptive re-use, and redevelopment.

Policy Support

The study of brownfield sites to support clean up and redevelopment is supported by policies within the 2020 Provincial Policy Statement, the City's Official Plan, and the City's Environmental Master Plan.

Risk Analysis:

As with all brownfield sites, there is a degree of risk associated with the potential presence of contamination. In this case there is also a risk of the property remaining in a vacant state, which negatively affects the surrounding properties. The proposed Phase II ESA study will assist in mitigating the above noted risk by confirming the presence and extent of any contamination. It may also provide an estimated cost for remediation and establish next steps in the remediation process, if required.

Climate Change Risks

Climate Change Mitigation:

The proposed residential redevelopment implements Environmental Master Plan Objective C1: Encourage in-fill and higher density in existing built areas. In particular, the redevelopment would implement the action that supports the existing Brownfields Redevelopment Strategy and achieve its work plan.

Climate Change Adaptation:

The redevelopment of the existing vacant property may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process.

Financial Matters:

The cost estimate (excluding HST) for completing the proposed Phase II ESA study is \$72,700. 50% of the cost of the ESA study exceeds the \$15,000 maximum for the first study, and only one study is identified to be required on the application. If approved, the maximum grant would total \$15,000. Should the actual costs of the study be less than what has been estimated, the grant payments would be based on the lower amount.

If approved, the grant would be paid from the Brownfield Strategy Remediation Fund (Project #7069003). The funds would be transferred from CIP reserve fund 226 for payment when the eligible study is complete. The current uncommitted balance of the CIP reserve fund is \$365,406.74 however this balance does not account for other CIP grant requests that are currently being considered by the standing committee or have been endorsed by the standing committee and are not yet approved by City Council.

Consultations:

The development and approval of the Brownfield Redevelopment CIP was subject to extensive stakeholder and public consultation, which sought input from a wide range of stakeholders and internal City departments.

Planning staff have consulted with the applicant's agent from Dillon Consulting prior to accepting the application for the Environmental Study Grant program. Greg Atkinson, Deputy City Planner – Development, Planning and Building Services Department; Josie Gualtieri, Financial Planning Administrator, Finance Department; and Kate Tracey, Senior Legal Counsel, Legal Department were consulted in the preparation of this report.

Conclusion:

City Staff recommend Council approve the request from St. Rhodes Development & Leasing Corporation to participate in the Environmental Site Assessment Grant Program. In the opinion of planning staff, the proposed study conforms to the Brownfield Redevelopment CIP and assists the City in the achievement of a number of the CIP goals.

Planning Act Matters: N/A

Approvals:

Name	Title	
Josie Gualtieri	Financial Planning Administrator	
Jason Campigotto	Acting Deputy City Planner - Growth	
Neil Robertson	Acting City Planner / Executive Director, Planning & Development Services	
Kate Tracey	Senior Legal Counsel, Legal Services & Real Estate	
Janice Guthrie	Commissioner, Finance and City Treasurer	
Jelena Payne	Commissioner, Economic Development	
Joe Mancina	Chief Administration Officer	

Notifications:

Name	Address	Email
St. Rhodes Development & Leasing Corporation		
Matthew Antaya		

Appendices:

1 Appendix A - Location Map



LOCATION MAP: 1247 RIVERSIDE DRIVE EAST







Council Report: S 55/2024

Subject: Main Streets CIP Application, 1958-1998 Wyandotte Street East (Strathcona Building); Owner: 2798315 Ontario Inc. (c/o David Mady).

Reference:

Date to Council: May 6, 2024 Author: Kevin Alexander, MCIP RPP Senior Planner-Special Projects 519-255-6543 ext. 6732 kalexander@citywindsor.ca

Report Date: April 12, 2024 Clerk's File #: SPL2024

To: Mayor and Members of City Council

Recommendation:

- I. **THAT** the request made by 2798315 Ontario Inc. (c/o David Mady), the owner of the property located at 1958-1998 Wyandotte Street East, for *Building Facade Improvement grants* totalling a maximum of \$60,000 **BE APPROVED IN PRINCIPLE** under the *Main Streets* Community Improvement Plan; and.
- II. **THAT** funds in the maximum amount of \$60,000 (*Building Facade Improvement grants*) under the *Main Streets CIP* **BE TRANSFERRED** from the CIP Reserve Fund 226 to *the Main Streets CIP* Project Fund (Project #7219018) when the grant funds are ready to be paid out;
- III. **THAT** grants **BE PAID** to 2798315 Ontario Inc., upon completion of improvements to the exterior of the property located at 1958-1998 Wyandotte Street East, from the *Building Facade Improvement Program Main Streets* CIP Project Fund (Project #7219018) to the satisfaction of the City Planner and Chief Building Official; and
- IV. THAT grants approved SHALL LAPSE and the funds BE UNCOMMITTED if the applicant has not completed the work and fulfilled the conditions within 2 years of the council approval date. Extensions SHALL BE given at the discretion of the City Planner.

Executive Summary:

N/A

Background:

On January 8th, 2018, City Council approved the Building Facade Improvement Program and Urban Design Guidelines for Main Streets Community Improvement Plan (CIP) (CR9/2018 PHED 533) adopted through By-law 26-2018.

On January 25th, 2022, 2798315 Ontario Inc. (c/o David Mady), the owner of the property located at 1958-1998 Wyandotte Street East submitted an application for grants under the *Building Facade Improvement Program* through the *Main Streets CIP*. The property is located in the Walkerville Business Improvement Area (BIA) and Main Street CIP Area.

The property is the subject of another report (S48/2024) regarding the Heritage Designation and Heritage Funding for the 1907 building identified as the Strathcona Building on the Municipal Heritage Register. If approved by City Council, the applicant will receive approximately \$92,829.00 for the total cost of the recreation of the four bay windows, from the Property Tax Reduction Program and Community Heritage Fund.

Discussion:

Building Facade Improvement Grant Program

The City of Windsor Building Facade Improvement Program and Urban Design Guidelines for Main Streets CIP offers financial incentives to encourage property owners and businesses to make investments to improve the exterior appearance of their buildings and storefronts along Main Streets. Such improvements provide a benefit to the community as a whole, by preserving heritage features, protecting Main Streets, and reconnecting storefronts with the public realm. The CIP is applicable to all the BIAs in the City of Windsor, except for the Sandwich Town and Downtown Windsor BIAs, which are under separate CIPs. Funding for the Building Facade Improvement Grant Program is broken down into three categories:



Category A (Beautification) —aesthetic and minor functional improvements aimed at making the building facade and storefront more attractive and welcoming to tenants and customers.



Category B (Restoration)—aesthetic, functional, and restoration improvements made to restore key features of the building facade.



Category C (Replacement)— encourage work that will replace or reinstate key features that have been lost or deteriorated beyond repair or are of a style that is no longer consistent with the building design.

Applicants can receive a grant for 50% of the costs for eligible building facade and storefront improvements up to a maximum of \$30,000 per project. The amount can be increased up to \$60,000 per project for larger buildings with multiple storefronts. The grant also applies to the side(s) and rear of buildings provided the building facade is visible from an adjacent street or public right-of-way or park, and as long as the storefront/facade facing the main street is improved at the same time.

Façade Improvement

The applicant is proposing replacement, restoration, and beautification changes to the exterior of the building and the following improvements to all Facades (North, East, West, and South):

Beautification:

- Removal of Security bars on windows and old signage and awnings
- A wall mural was commissioned for the north facing façade.
- Removed paint from the brick facades which reveals the stretcher red brick facade with purple undertones.

Restoration:

- and repointed exterior brick on all facades brick.
- Stone cornice, sills, stone door entrance and window and shield-shaped stone accents have been cleaned/restored.

Replacement:

- flashing installed over the parapet of the building.
- Bay windows are reintroduced as aluminum glazing systems without the vertical muntins (the owner applied to the Heritage Property Tax Reduction program for this portion of the work only) aluminum panel storefront system is compatible to the original wood glass storefront (long-gone) introduced.
- Transom widows have been introduced along the Wyandotte Street East and Devonshire Road facades.
- Black aluminum windows and doors have been installed replacing long gone originals throughout the exterior façades.
- Installation of new compatible signage.

Façade Cost Breakdown

The south façade will incorporate two (2) south storefronts (restaurants and office space). Each storefront is eligible for the maximum grant of \$15,000 per two-storey storefront (\$30,000 total). Additionally, this development is eligible for a grant of \$30,000 for the north, east and west facing façades. The second story includes offices.

In total, this project is eligible for a grant of \$60,000 under the Building Façade Improvement Grant Program for the building facade improvements.

Based on information provided by the owner/applicant the reported costs for Building Façade improvements totals \$1,199,372. This includes the costs for installation of heritage

appropriate exterior signage; addition of new exterior lighting; painting façade elements; cleaning and repointing of masonry; murals and public art at appropriate location; repairs and replacement to cornices, parapets, eaves, and soffits; installation of heritage compatible storefront; roof replacements; other works etc.). The total Main Street CIP, Façade Improvement Program Incentive totals approximately 5% of the total façade improvement costs.

Risk Analysis:

The approval of this grant does not carry significant risk, as there are sufficient funds within the CIP reserve fund. The applicant will not receive any grants until all work is completed and inspected to the satisfaction of the Planning and Building Departments. As a requirement of Section 28 (7.3) of the Planning Act, Administration has confirmed that the grant amount does not exceed the total cost of the project.

Climate Change Risks

Climate Change Mitigation:

The rehabilitation of the existing building will have a low impact on how the project affects climate change, because improvements are being made to the existing building which reduces the amount of CO2 emitted during the construction process and requires fewer building materials.

The rehabilitation of the existing building also contributes to the revitalization of the existing Main Street. The completion of this project promotes a more walkable environment, thereby encouraging alternate forms of transportation-

Utilizing an existing building and infrastructure in a built-up area of the city also promotes efficiency on the existing infrastructure network by not promoting development on Greenfield land.

Climate Change Adaptation:

As temperatures increase and when considering the Urban Heat Island effect for the City of Windsor, the property may be located within a Heat Vulnerability area. However, the rehabilitation of the building will utilize modern building methods, which will conform to the Ontario Building Code concerning energy efficiency. New doors and windows are also proposed that will be more energy efficient then what is existing.

Financial Matters:

On February 22, 2021, Council approved the 2021 budget, which included a reserve fund for all active CIPs in the City. As CIP grant applications are approved, the approved grant amount will be transferred to the capital project account to be kept as committed funds, until the grant is ready to be paid out. The current uncommitted balance of the CIP reserve fund is \$365,406.74. However, this balance does not account for other CIP grant requests that are currently being considered by the Development & Heritage Standing Committee/City Council Standing Committee or have been endorsed by the standing committee and are not yet approved by City Council.

If approved, funds will be transferred from the CIP Reserve Fund 226 to the Main Streets CIP Project Fund in the maximum amount of \$60,000 for the facade improvements.

Consultations:

The owner of the property located at 1958-1998 Wyandotte Street East has been consulted regarding grants related to the improvements outlined in this report.

The City and Owners shared historical resources and findings about the Strathcona Building during the restoration process and after. The Heritage Planner and Planning staff visited the site and discussed and identified heritage features with the Owners through the development review process. Consultations have also been made with the Windsor Public Library, Archives, and Local History Centre.

Josie Gualtieri, Financial Planning Administrator was also consulted regarding the Building Facade Improvement CIP grants, and related capital project/reserve fund balances.

Conclusion:

The improvements to 1958-1998 Wyandotte Street East meet all eligibility criteria identified in this this report, for the *Main Streets CIP*. Restoration and Improvements to this Landmark building (Strathcona) will have a positive impact on the Wyandotte Street East Main Street and the Walkerville Neighbourhood.

There are sufficient funds in the CIP reserve fund to provide grants for the proposed improvements. Administration recommends approval of the grants identified in this report.

Planning Act Matters:

N/A

Approvals:

Name	Title
Kevin Alexander	Senior Planner – Special Projects
Josie Gualtieri	Financial Planning Administrator
Jason Campigotto	Deputy City Planner – Growth (A)
John Revell	Chief Building Official
Thom Hunt	City Planner
Kate Tracey	Senior Legal Council
Lorie Gregg	Deputy Treasurer, Taxation, Treasury & Financial Projects

Janice Guthrie	Commissioner, Finance and City Treasurer
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
David Mady (2798315 Ontario Inc.)		
Tony Rosati (2798315 Ontario Inc.)		

Appendices:

- Appendix A Location Map and Condition prior to Improvements Appendix B Plans and Facade Improvement
- 2

LOCATION MAP



LOCATION MAP





SUBJECT PROPERTY: 1958-1998 WYANDOTTE STREET EAST

CONDITION PRIOR TO IMPROVEMENTS





(Source: https://youriguide.com/1968 wyandotte st e windsor on/)

CONDITION PRIOR TO IMPROVEMENTS



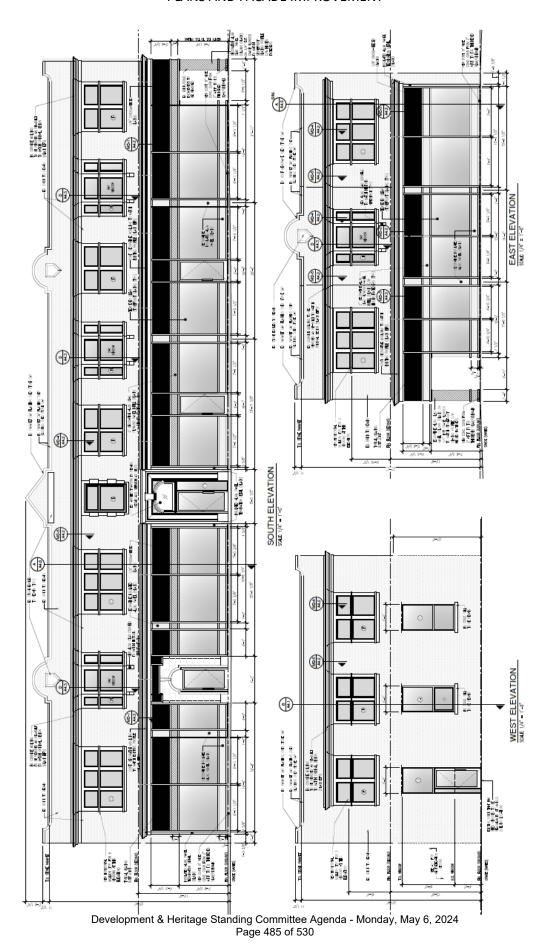


(Source: https://youriguide.com/1968 wyandotte st e windsor on/

CONDITION PRIOR TO IMPROVEMENTS



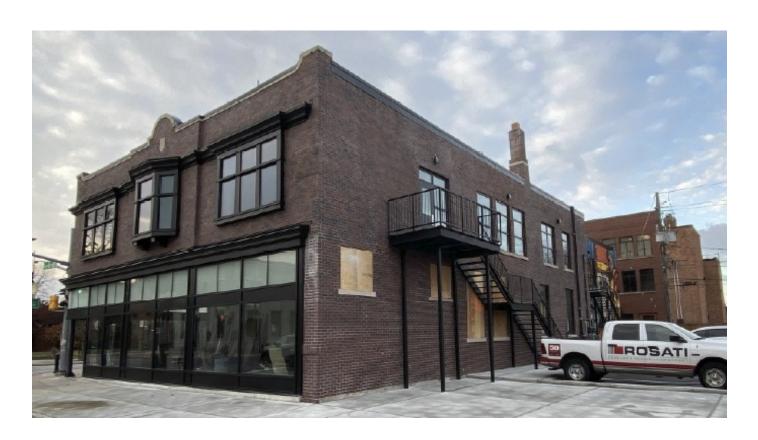
(Source: https://youriguide.com/1968 wyandotte st e windsor on/















Additional Information: Al 7/2024

Subject: Additional Information Memo to S 4/2024, Ward 5

Reference:

Date to Council: May 6, 2024 Author: Brian Nagata, MCIP, RPP Planner II - Development Review

(519) 255-6543 ext. 6181

Planning & Building Services Report Date: April 12, 2024 Clerk's File #: SAA2024

To: Mayor and Members of City Council

Additional Information:

On February 5, 2024, the Development & Heritage Standing Committee (DHSC) moved the following motion deferring the recommended alley closure to a future meeting to allow Administration to consult with those abutting property owners who raised concerns.

"THAT the report of the Planner II - Development Review dated January 11, 2024 entitled "Closure of north/south alley located between Vimy Avenue and Ypres Avenue, Ward 5, SAA-7093" **BE DEFERRED** to a future Development & Heritage Standing Committee meeting to allow administration to communicate with the residents regarding their concerns."

The owner of 2307 Cadillac Street, via a February 5, 2024, email to the Clerks Department, requested that the closure application be deferred due to an inability to attend the DHSC meeting because of receiving a late Notice of Public Meeting. The owner in this email also stated that they are opposed to the recommended closure as it will eliminate access to their rear yard parking spaces. (emails included as Appendix A)

The owners of 2311 Cadillac Street, via a February 5, 2024, email to the Clerks Department, also requested that the closure application be deferred due to receiving a late Notice of Public Meeting. The owners, via a second email to the Clerks Department that day, stated that they are opposed to the recommended closure for several reasons noted therein. The Planner, via a February 23, 2024, email, addressed the owner's reasons for opposition. (emails included as Appendix B)

The Planner and Manager of Right-of-Way (staff) met with the owners of 2311 Cadillac Street on March 1, 2024, via Microsoft Teams. Staff discussed the owner's reasons for opposition, explained why the entire alley is being recommended for closure, detailed the feasibility issues with keeping the section of the alley between Vimy Avenue and the

north limit of 2319 Cadillac Street open (refer to Table 1 below), and confirmed that alternatively a driveway may be established off Cadillac Street through obtaining the necessary permit(s) from the Public Works - Right-of-Way Department. The owners indicated that they intend to proceed with applying for a permit to establish a driveway off Cadillac Street.

Staff met with the owner of 2307 Cadillac Street on March 4, 2024, via Microsoft Teams. Staff explained why the entire alley is being recommended for closure, detailed the feasibility issues with keeping the aforesaid portion of the alley open, and confirmed that the existing driveway off Cadillac Street can be maintained on the condition that it complies with the City of Windsor Standard Engineering Drawings for a Residential Drive. The owner indicated that they intend to proceed with utilizing the existing driveway approach off Cadillac Street.

The Planning Department, via an April 17, 2024 email, advised the owner of 2307 Cadillac Street, the owners of 2311 Cadillac Street, and the applicant of the forthcoming DHSC meeting.

The Planning Department, via an April 17, 2024 phone call, advised the owner of 2303 Cadillac Street of the forthcoming DHSC meeting.

Table 1 - Feasibility Issues

Feasibility Issues with keeping the portion of the Alley between Vimy Avenue and the north limit of 2319 Cadillac Street Open

Alley must be paved and drained in accordance with Standard Engineering Drawing AS-201

Alley must be drained to the 300-millimetre concrete storm sewer running in the Cadillac Street right-of-way (approximately 70 metres of storm sewer will need to be installed)

Driveway approach to City standards must be constructed for the alley within the Vimy Avenue right-of-way

Driveway approach to 2307 Cadillac Street off Cadillac Street must be removed and the boulevard restored to City standards

Permit(s) from the Public Works - Right-of-Way Department must be obtained to undertake any of the aforesaid works

Approvals:

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Kate Tracey	Senior Legal Council, Legal Services & Real Estate Services

Name	Title
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

Appendices:

- Appendix A Email Correspondence with 2307 Cadillac Street
 Appendix B Email Correspondence with 2311 Cadillac Street

SAA-7093 Page A1 of A2

APPENDIX "A" Email Correspondence with 2307 Cadillac Street

From: Nagata, Brian

Sent: Friday, February 23, 2024 3:11 PM

To: |

Cc: Beckford, Shantal <sbeckford@citywindsor.ca>

Subject: RE: Closure of north/south alley located between Vimy Avenue and Ypres Avenue, Ward 5, SAA-

7093

Good afternoon Brody,

This email is in response to your February 5, 2024, email to the Clerks Department regarding your opposition to the subject alley closure application.

The Development & Heritage Standing Committee (DHSC) moved the following motion deferring the subject alley closure application to a future meeting.

THAT the report of the Planner II - Development Review dated January 11, 2024 entitled "Closure of north/south alley located between Vimy Avenue and Ypres Avenue, Ward 5, SAA-7093" BE DEFERRED to a future Development & Heritage Standing Committee meeting to allow for further discussion with affected residents regarding their concerns.

In response to the aforesaid motion, I would like to arrange a virtual meeting to discuss the reasons that you have noted for opposing the subject alley closure. I intend to invite a member of the Public Works Department as well to answer any questions pertaining to the operation and maintenance of the alley.

Please provide me with some dates and times when you are available if you are open to meeting.

Regards,

BRIAN NAGATA, MCIP, RPP, B.A.A., Dipl.URPI|PLANNER II – DEVELOPMENT REVIEW



Planning & Building Services 350 City Hall Square West | Reception - 2nd Floor | Windsor, ON | N9A 6S1 (519) 255-6543 ext. 6181 SAA-7093 Page A2 of A2

From: < >

Sent: February 5, 2024 9:40 AM **To:** clerks < <u>clerks@citywindsor.ca</u>>

Subject: RE: Closure of north/south alley located between Vimy Avenue and Ypres Avenue, Ward 5, SAA-

7093

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Requesting a deferral of the subject closure due to the fact that we are unable to attend, working afternoons and received the notice last Friday Feb 2. We are opposed to he closure as it would eliminate, the parking that is needed for 2307 Cadillac

If you have any questions, please contact myself

Thank you for your consideration and time and looking forward to hearing from you

SAA-7093 Page B1 of B3

APPENDIX "B" Email Correspondence with 2311 Cadillac Street

From: Nagata, Brian

Sent: Friday, February 23, 2024 2:35 PM

To: _____ < ___ >; ____ >; ____ >

Cc: Beckford, Shantal <sbeckford@citywindsor.ca>

Subject: Deferral of Alley Closure Application SAA-7093 (North/South Alley between Vimy Avenue & Ypres Avenue)

Good afternoon Ishpal & Parmit,

This email is in response to your February 5, 2024, email to the Clerks Department regarding your opposition to the subject alley closure application.

The Development & Heritage Standing Committee (DHSC) moved the following motion deferring the subject alley closure application to a future meeting.

THAT the report of the Planner II - Development Review dated January 11, 2024 entitled "Closure of north/south alley located between Vimy Avenue and Ypres Avenue, Ward 5, SAA-7093" BE DEFERRED to a future Development & Heritage Standing Committee meeting to allow for further discussion with affected residents regarding their concerns.

In response to the aforesaid motion, I would like to arrange a virtual meeting to discuss the reasons that you have noted for opposing the subject alley closure. I intend to invite a member of the Public Works Department as well to answer any questions pertaining to the operation and maintenance of the alley.

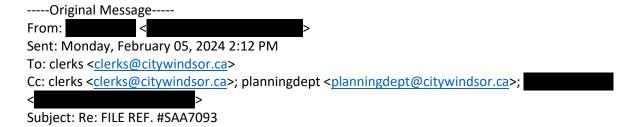
Please provide me with some dates and times when you are available if you are open to meeting. In preparation for the meeting, I have provided responses to your reasons for opposition in red below.

Regards,

BRIAN NAGATA, MCIP, RPP, B.A.A., Dipl.URPI|PLANNER II – DEVELOPMENT REVIEW



Planning & Building Services 350 City Hall Square West | Reception - 2nd Floor | Windsor, ON | N9A 6S1 (519) 255-6543 ext. 6181 SAA-7093 Page B2 of B3



CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

We are the property owner of 2311 Cadillac street Windsor, ON. I oppose the closure of the north and south alley Chrysler centre and Cadillac, North of Ypres, south of Vimmy. Our reasons are as follows:

1. The entrance of this alley is the only way my tenants have access to the property from behind to park there vehicles, there is no other way for them to park.

The rear parking area (driveway) off of the alley was established **without** the required approvals from the City.

- Public Works Permit was **not** obtained to remove 2303 Cadillac Street's encroachments from the alley (asphalt driveway, concrete bumper curb, clothes line pole and grass)
 - Prior to these works being undertaken, 2311 Cadillac Street did not have access to Vimy Avenue from the alley
- Public Works Permit is required to pave and drain the alley to City standards from the south limit of 2311 Cadillac Street to Vimy Avenue. This includes the construction of a driveway approach to City standards from the alley to Vimy Avenue.
 - The Public Works Department is not in support of keeping any portion of this alley open.
 As such, an application for a permit to pave and drain the alley will **not** be accepted.
- 2. It would be unjust to expect my tenants to park on the road should this closure take place as it would cause potential obstruction for emergency vehicles on the road.
 - The Public Works Department has confirmed that a Driveway Permit application can be submitted to establish a driveway off of Cadillac Street
 - There is existing on-street parking on the 2300 block of Cadillac Street
 - o The City would not approve on-street parking that could obstruct emergency vehicles
- 3. It would be unsafe for my tenants to park on the road as it would cause a concern for snow plows and vice versa.

SAA-7093 Page B3 of B3

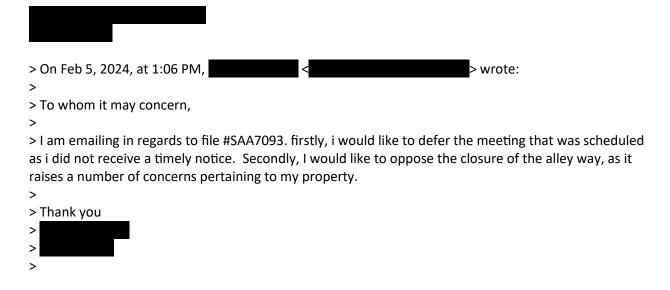
- There is existing on-street parking on the 2300 block of Cadillac Street
- 4. We are brining up the issue of easement, as my tenants use this alleyway as an entrance to enter the property from behind and park their vehicles. This is the sole purpose in using this alley. Hence, it is for a specific purpose.
 - There is no easement in place
 - Prior to the illegal removal 2303 Cadillac Street's encroachments around 2020, 2311 Cadillac
 Street did not have access to Vimy Avenue from the alley since at least 1969 (1969 Aerial Photo)

My concerns are heavily for my tenants as this closure would cause disturbance to not only my tenants but also the neighbours. Based on my issues above, I am requesting this closure to be looked at again and focus primarily on the issues it would not only cause my my tenants but also to other civilians such as emergency response teams and city snow plows. I understand that there are rules and procedures in place however I should be given options of how my tenants can park there cars or enter the property from behind, should this closure take place.

- The Public Works Department has confirmed that a Driveway Permit application can be submitted to establish a driveway off of Cadillac Street
- Administration will not be amending its recommendation to leave any portion of the alley open
 - The alley meets the City's criteria for closure
- Council will ultimately decide whether the alley is closed, closed in part or remains open

Lastly, please advise if I can attend the meeting virtually via zoom or other platforms.

Thank you,





Council Report: S 4/2024

Subject: Closure of north/south alley located between Vimy Avenue and Ypres Avenue, Ward 5, SAA-7093

Reference:

Date to Council: February 5, 2024 Author: Brian Nagata, MCIP, RPP Planner II - Development Review

(519) 255-6543 ext. 6181

Planning & Building Services Report Date: January 11, 2024

Clerk's File #: SAA2024

To: Mayor and Members of City Council

Recommendation:

- I. THAT the 4.27-metre-wide north/south alley located between Vimy Avenue and Ypres Avenue, and shown on Drawing No. CC-1838 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure.
- II. THAT the subject alley **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. 3.0-metre-wide easement, measured 1.50 metres from either side of the following utility infrastructure, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - i. Bell Canada to accommodate existing aerial facilities;
 - ii. ENWIN Utilities Ltd. to accommodate existing overhead 16kV and 120/240-volt distribution, poles and down guy wires; and
 - iii. MNSi to accommodate existing plant on the pole line.
 - b. Ontario Land Surveyor be directed to use existing encroachments, when present, for determining the boundaries of the lands to be conveyed to each abutting property owner.
- III. THAT Conveyance Cost **BE SET** as follows:
 - a. For alley conveyed to abutting lands zoned CD1.7, \$15.00 per square foot without easements plus HST (if applicable) and proportionate share of the

- survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor, and \$7.50 per square foot with easements plus HST (if applicable) and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- b. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable), deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1838, *attached* hereto as Appendix "A".
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. 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.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003

Executive Summary:

N/A



Figure 1 - Location Map

Background:

The applicant, Stipic Weisman LLP, representative of Gansil Inc., owner of the property known municipally as 2391 Cadillac Street (the subject property), applied to close the portion of the 4.27-metre-wide north/south alley located between Vimy Avenue and Ypres Avenue, abutting the subject property.

The applicant wishes to close the alley for the purpose of accommodating a proposed residential development on the subject property.

The Planning Department initially planned to recommend an extension of the closure to the north limit of 2319 Cadillac Street. The remaining section of the north/south alley abutting 2303 Cadillac Street, 2307 Cadillac Street and 2311 Cadillac Street was to be excluded, as it was believed at the time that the rear parking areas serving the latter two properties were established through previously issued building permits.

The Planning Department through the undertaking of a more detailed evaluation noted herein, found that the rear parking areas were in fact established **WITHOUT** the necessary approvals. This factor consequently resulted in the Planning Department changing their recommendation to include the entire 4.27-metre-wide north/south alley

located between Vimy Avenue and Ypres Avenue (the alley), and shown on Drawing No. CC-1838 *attached* hereto as Appendix "A", and also shown on the aerial photo *attached* hereto as Appendix "B".

The alley was established by Plan of Subdivision No. 1356, registered on April 8, 1929.

The alley is unmaintained and composed primarily of asphalt, concrete, grass and vegetation. The alley contains hydro poles with overhead wires supported by guy wires and anchors, and includes a curb cut off of Vimy Avenue. The alley has been encroached on over the years by abutting properties with an above-ground swimming pool, accessory buildings, asphalt parking area, fences and landscaped open space yard. There are no Encroachment Agreements on record for the use of the alley.

Discussion:

The decision to recommend closure of an alley is derived from the City's *Classification* of *Alleys and Suitability for Closure* guideline document (the document), *attached* hereto as Appendix "E". The document details four classifications of alleys based on their usefulness, and provides corresponding criteria for determining suitability for closure.

Classification of Public Right-of-Ways

The initial step is to determine if the alley is indispensable. This is achieved through the evaluation of the following criteria set forth in Section 1 of the document.

- 1. Does the subject alley serve commercial properties?
 - a. The alley does not serve any commercial properties.
- 2. Does the subject alley serve properties fronting on heavily traveled streets i.e. major arterial routes?
 - a. The alley does not serve any properties fronting on heavily travelled streets.
- 3. Does the subject alley contain sewers, and must the alley remain accessible for servicing?
 - a. The alley does not contain any sewers.
- 4. Does the subject alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?
 - a. The alley serves as the only vehicular means of access to a rear parking area at 2307 Cadillac Street and 2311 Cadillac Street.
 - The rear parking areas serve a Single Unit Dwelling located on each of the aforesaid properties.

- The Single Unit Dwellings were established through the issuance of the following Building Permits on August 5, 2020:
 - RW 2020-256932 2307 Cadillac Street
 - RW 2020-256930 2311 Cadillac Street
- The rear parking areas where established WITHOUT the following required approvals from the City:
 - Driveway Permit IS REQUIRED to restore the Cadillac Street boulevard adjacent to the aforesaid properties (removal of concrete driveway approach, reinstatement of the curb cut with a barrier curb and planting of sod)
 - Public Works Permit was NOT obtained to remove 2303
 Cadillac Street's encroachments from the alley (asphalt driveway, concrete bumper curb, clothes line pole and grass)
 - Public Works Permit IS REQUIRED to pave and drain the alley to City standards from the south limit of 2311 Cadillac Street to Vimy Avenue. This includes the construction of a driveway approach to City standards from the alley to Vimy Avenue.
- The drawings approved with the Building Permits do NOT show any parking spaces. This is not unusual, however it does mean that the OWNER IS RESPONSIBLE for providing the required parking spaces and obtaining any necessary approvals from the City.
- In conclusion, the Planning Department is not recognizing the rear parking areas for the reasons noted above.
 - The owner of 2307 Cadillac Street will need to obtain a Driveway Permit to bring the existing driveway approach off of Cadillac Street into compliance with City standards.
 - The owner of 2311 Cadillac Street will need to obtain a Driveway Permit to establish a new driveway approach off of Cadillac Street.
- 5. Does the subject alley contain Fire Department connections that are deemed to be necessary for firefighting access?
 - a. The alley does not contain any Fire Department connections.
- 6. Does the subject alley lie within a Holding zone or other similar undeveloped areas where the right-of-way system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent?
 - a. The alley does not lie within a Holding zone or other similar undeveloped areas.

Based on the above, the Planning Department deems the alley "dispensable", and supports the requested closure.

It is our recommendation that, upon closure, the abutting property owners be given the chance to acquire the alley in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the alley to the abutting property owners, which is the standard manner of conveyance.

Risk Analysis:

The recommended closure will divest the City of associated liability risks and maintenance costs. The recommended closure poses no known risk to City.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The rate for an alley conveyed to abutting lands zoned CD1.7 is assessed at \$15.00 per square foot without easements plus HST (if applicable) and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor, and \$7.50 per square foot with easements plus HST (if applicable) and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

The rate for an alley conveyed to abutting lands zoned RD1.2 is assessed at \$1.00 plus HST (if applicable), deed preparation fee and proportionate share of the survey costs as invoiced to the City by an Ontario Land Surveyor.

Consultations:

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in *attached* hereto as Appendix "C".

Notice of this application was issued to property owners abutting the alley by regular mail on July 28, 2023. The mapping included with this Notice captured the Planning Department's initial recommendation, which excluded the portion of the alley abutting 2303 Cadillac Street, 2307 Cadillac Street and 2311 Cadillac Street from the proposed closure.

The owner of 2303 Cadillac Street, via August 11, 2023 phone conversation, advised that they would like the Planning Department to consider recommending closing the entire alley for the following reasons:

- Safety concerns (potential conflict between users of their rear yard and vehicular traffic coming and going from 2307 Cadillac Street and 2311 Cadillac Street).
- Prior to construction the real estate agent acting for 2307 Cadillac Street and 2311 Cadillac Street requested that 2303 Cadillac Street remove their encroachments from the alley.
 - The real estate agent noted that his clients require access to their property from the alley in order to construct their Single Unit Dwellings.
 - The real estate agent noted that his client would remove the encroachments and pass the costs onto them if they do not remove the encroachments.

An updated Notice of this application was issued to 2303 Cadillac Street, 2307 Cadillac Street and 2311 Cadillac Street by regular mail on December 1, 2023, advising that the portion of the alley abutting their property is now being recommended for closure.

Notice of Development & Heritage Standing Committee meeting and Council meeting are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

Conclusion:

The Planning Department recommends closure of the alley shown on attached Appendix "A", subject to easements in favour of Bell Canada, ENWIN Utilities Ltd., and MNSi as in Recommendation II.

The closed alley is to be conveyed to the abutting property owners as in Recommendation II of this report.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Greg Atkinson, MCIP, RPP
Deputy City Planner - Development

Neil Robertson, MCIP, RPP
Acting City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP JM

Approvals:

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	Acting City Planner / Executive Director, Planning & Development Services
Kate Tracey	Senior Legal Council, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

Notifications:

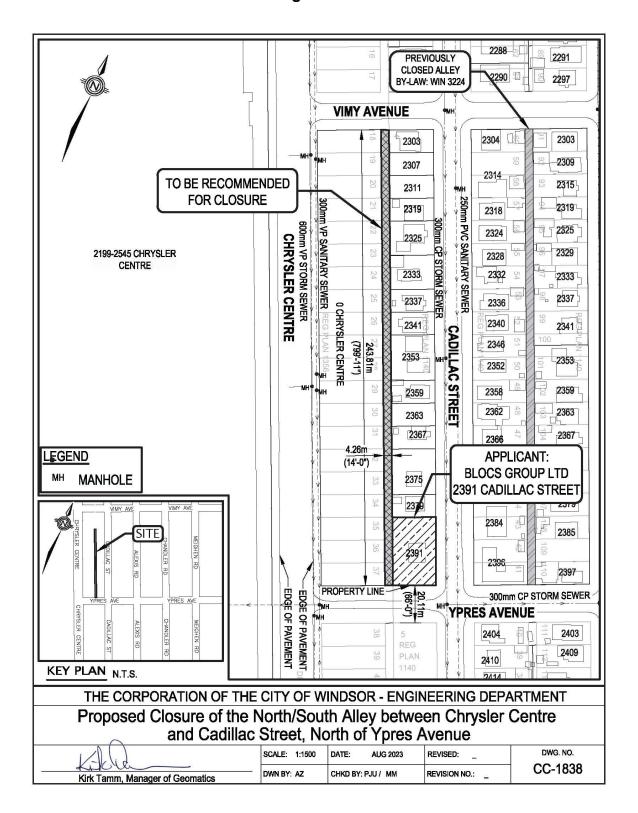
Name	Address	Email
Ward 5 Councillor Ed Sleiman	350 City Hall Square West, Suite 220 Windsor, Ontario N9A 6S1	esleiman@citywindsor.ca
List of mailing labels for property owners abutting alley issued to Clerks office		

Appendices:

- 1 Appendix A Drawing No. CC-1838
- 2 Appendix B EIS Drawing Aerial Photo
- 3 Appendix C Consultations with Municipal Departments and Utility Companies
- 4 Appendix D Site Photos
- 5 Appendix E Classification of Alleys and Suitability for Closure

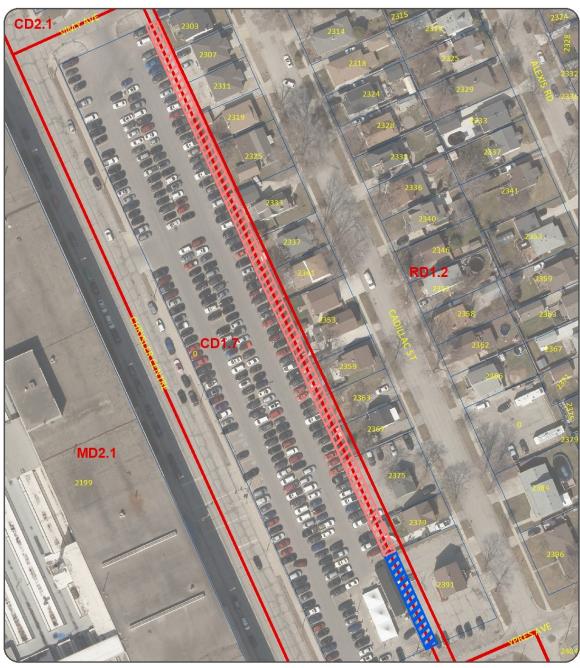
SAA-7093 Page A1 of A1

APPENDIX "A" Drawing No. CC-1838



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APPENDIX "B" EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/7093)

1:1,000

TO BE RECOMMENDED FOR CLOSURE



REQUESTED & TO BE RECOMMENDED FOR CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY DATE: NOVEMBER, 2023

APPLICANT: BLOCS GROUP LTD.

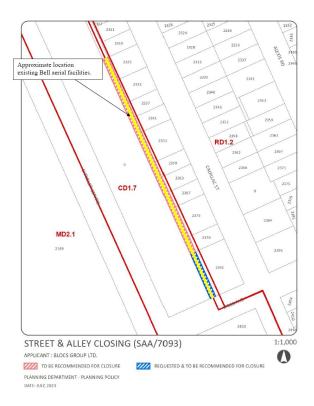
SAA-7093 Page C1 of C4

APPENDIX "C" Consultations with Municipal Departments and Utility Companies

BELL CANADA

Bell Canada requests a 3.0 m wide easement, 1.5 m on either side of the existing aerial facilities for the length of the requested and recommended closure areas. Alternatively, we request an easement over the entire alley (both requested and recommended portions).

[Charleyne Hall - Right of Way & Indigenous Relations Associate]



COGECO CABLE SYSTEMS INC.

No comments provided

ENBRIDGE GAS

After reviewing the provided drawing of the Alley between Chrysler Centre & Cadillac St (from Vimy Ave to Ypres Ave) and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.

Also, please note the following should you find any abandoned infrastructure in the area:

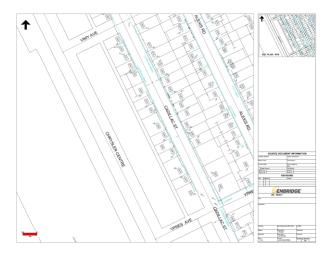
Any pipe that is excavated, please assume that it is live

SAA-7093 Page C2 of C4

If during the course of any job, any pipe is found that is not on the locate sheet and
is in conflict with your work, please call our emergency number (1-877-969-0999),
and one of our Union Gas representatives will respond to determine if that plant is
in fact live or dead

 Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly

[Samuel Nguyen - Student Engineer]



ENVIRONMENTAL SERVICES

No concerns from Environmental Services.

[Anne-Marie Albidone - Manager, Environmental Services]

ENWIN UTILITIES - HYDRO

No objection, however, an easement named to ENWIN Utilities Ltd is required upon closing along the entire west limit of the site to accommodate existing overhead 16kV and 120/240-volt distribution, poles and down guy wires.

[Steve Zambito - Senior Hydro Engineering Technologist]

ENWIN UTILITIES - WATER

Water Engineering has no objections.

[Bruce Ogg - Water Project Review Officer]

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LEGAL DEPARTMENT

Conveyance Price RD1.2: \$1.00 plus survey and deed costs.

Conveyance Price CD1.7: \$15/square foot without easements or \$7.50/square foot with easements.

[Stephanie Santos - Coordinator of Real Estate Services]

MNSi

MNSi will require an Aerial Easement through the entire length of this closure as we currently have plant on the Pole Line.

[Dave Hartleib - Outside Plant Manager]

PARKS & FACILITIES

No comments from Parks Design & Development, Forestry and Natural Areas.

[Sherif Barsom - Landscape Architect]

PLANNING DEPARTMENT

No comments provided

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

There are no objections from an urban design or landscape architectural perspective to this closure.

[Stefan Fediuk - Senior Urban Designer]

PUBLIC WORKS - ENGINEERING

The subject alley closure is approximately 4.29 m (14 ft.) wide, appears to be travelled and is composed of sidewalk, fences. There are no municipal sewers or manholes located in the alley. There are hydro poles and overhead wires throughout the subject alley. There appears to be fence encroachments throughout the subject alley. There appears to be multiple driveway approaches at the north side of the alley that do not have the proper approvals. A permit may be required by the property owners to keep and maintain the driveway approach to City Standard AS-204. This subject alley to have no usefulness by CR146/2005; therefore, we have no objections to the closure.

[Amethyst Branch - Engineering Student]

SAA-7093 Page C4 of C4

PUBLIC WORKS - TRAFFIC

No concerns with closing the alley west of 2391 Cadillac as requested. No concerns with closing the remaining recommended alley. Suggest extending the closure to include 2319 Cadillac.

[Mike Spagnuolo - Signal Systems Analyst]

ROGERS COMMUNICATIONS

No comments provided

TELUS COMMUNICATIONS

TELUS has no underground infrastructure in the area of your proposed work. Permit expires six (6) months from approval date.

[Meghna Patel - Permit Coordinator]

TRANSPORTATION PLANNING

Transportation Planning has no concerns with the requested and recommended alley closures. Transportation Planning would suggest that the recommended alley closure be extended to the northern property limit of 2319 Cadillac St.

[Clare Amicarelli - Transportation Planning Coordinator]

TRANSIT WINDSOR

No issues from Transit Windsor.

[Jason Scott - Supervisor, Planning]

WINDSOR FIRE

No comments provided

WINDSOR POLICE

The Windsor Police Service has no concerns or objections with the closure of this alley to add land square footage and create additional parking capacity. The proposed closure will not create problems for police to otherwise gain access for emergency incident response or vehicle patrol purposes within the immediate area. The closure will still leave other options available to the police for such purposes.

[Barry Horrobin - Director of Planning & Physical Resources]

SAA-7093 Page D1 of D3

APPENDIX "D" Site Photos

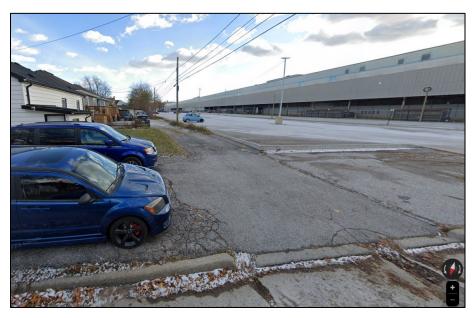


Figure 1 - Looking south towards alley from Vimy Ave. (2303 Cadillac St. on left) (Nov 2023 - Google Street View)



Figure 2 - Looking south towards alley from Vimy Ave. (2303 Cadillac St. on left) (May 2014 - Google Street View)

SAA-7093 Page D2 of D3



Figure 3 - Looking west towards 2307 & 2311 Cadillac St. (Nov 2023 - Google Street View)

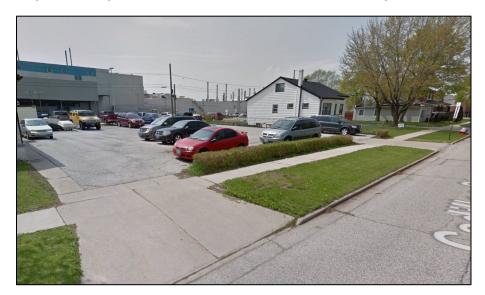


Figure 4 - Looking west towards 2307 & 2311 Cadillac St. (2303 Cadillac St. on right) (May 2014 - Google Street View)

SAA-7093 Page D3 of D3



Figure 5 - Looking north towards alley from Ypres Ave. (2391 Cadillac St. centre) (Nov 2023 - Google Street View)



Figure 6 - Looking north towards alley from Ypres Ave. (2391 Cadillac St. on right) (May 2014 - Google Street View)

SAA-7093 Page E1 of E1

APPENDIX "E" Classification of Alleys and Suitability for Closure

Classification of Public Rights-of-Ways:

Currently streets and alleys fall into four classifications on the basis of their usefulness:

- 1. Alleys that are indispensable. These would be alleys serving commercial properties and properties fronting on heavily traveled streets i.e. major arterial routes and alleys which contain sewers and must remain accessible for servicing; alleys or streets which serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive; and, alleys which contain Fire Department connections that are deemed to be necessary for firefighting access.
- 2. Alleys that, **have some usefulness**, are nevertheless dispensable and may or may not be a complete liability.
- 3. Alleys that appear to serve **no useful purpose**, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
- 4. Alleys lying in Holding zones and other similar undeveloped areas where the alley system is **clearly obsolete** and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

Suitability for Closing:

Following are the criteria and suitability for closing alleys in each of the above classifications:

- 1. Indispensable alleys should **not be closed**, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof. They are essential from the viewpoint of fire protection, police protection, emergency services (i.e. ambulance) and loading or unloading of goods, refuse collection, servicing of blocked sewers and utility services. Without such alleys, the above noted services would at least be more costly if not impossible to complete or adequately access; and would noticeably interfere with street traffic, thereby reducing the access capacity of the adjacent arterial, collector, or street for business.
- 2. Alleys having some usefulness should **be considered for closing** only upon request of abutting owners rather than by encouragement of the City.
- 3. Alleys that serve no useful purpose should **be closed** if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- 4. Alleys that are clearly obsolete should **not be closed** unless there is a municipal need or specific development proposals acceptable to the City are submitted.

Development & Heritage Standing Committee February 5, 2024 Item 11.4 – Written Submission

-----Original Message-----From: Ishpal Bains

Sent: Monday, February 05, 2024 2:12 PM

To: clerks < clerks@citywindsor.ca >

Cc: clerks <<u>clerks@citywindsor.ca</u>>; planningdept <<u>planningdept@citywindsor.ca</u>>; Parmit Multani

Subject: Re: FILE REF. #SAA7093

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

We are the property owner of Windsor, ON. I oppose the closure of the north and south alley Chrysler centre and Cadillac, North of Ypres, south of Vimmy. Our reasons are as follows:

- 1. The entrance of this alley is the only way my tenants have access to the property from behind to park there vehicles, there is no other way for them to park.
- 2. It would be unjust to expect my tenants to park on the road should this closure take place as it would cause potential obstruction for emergency vehicles on the road.
- 3. It would be unsafe for my tenants to park on the road as it would cause a concern for snow plows and vice versa.
- 4. We are brining up the issue of easement, as my tenants use this alleyway as an entrance to enter the property from behind and park their vehicles. This is the sole purpose in using this alley. Hence, it is for a specific purpose.

My concerns are heavily for my tenants as this closure would cause disturbance to not only my tenants but also the neighbours. Based on my issues above, I am requesting this closure to be looked at again and focus primarily on the issues it would not only cause my my tenants but also to other civilians such as emergency response teams and city snow plows. I understand that there are rules and procedures in place however I should be given options of how my tenants can park there cars or enter the property from behind, should this closure take place.

Lastly, please advise if I can attend the meeting virtually via zoom or other platforms.

Thank you,

Ishpal Bains & Parmit Multani



Council Report: S 54/2024

Subject: Sandwich Town CIP Application, 3218 Baby Street; Owner: Buschante Development Group Corporation (Ward 2)

Reference:

Date to Council: May 6, 2024 Author: Kevin Alexander, MCIP RPP Senior Planner - Special Projects (519) 255-6543 x. 6732 kalexander@citywindsor.ca

Ananya Patel
Planning Assistant
(519) 255-6543 x. 6438
anpatel@citywindsor.ca
Planning & Building Services
Report Date: April 12, 2024
Clerk's File #: SPL2024

To: Mayor and Members of City Council

Recommendation:

- I. **THAT** the Chief Building Official **BE AUTHORIZED** to issue a Demolition Permit to the registered owner Buschante Development Group Corporation to demolish a Single-Family Detached Dwelling located at 3218 Baby Street (see Appendix 'A'), to construct a Multiple Dwelling with (3) units (See Appendix 'B').
- II. **THAT** any minor changes **BE SUBJECT** to the approval of the City Planner and Chief Building Official at the time of issuance of the Building Permit.
- III. **THAT** the Chief Building Official **BE DIRECTED** to require, as a condition of the demolition permit:
 - The redevelopment identified in Appendix 'B' and Site Plan be substantially complete within two (2) years following the issuance of the demolition permit;
 - ii. If the redevelopment, including construction of a new building, is not substantially complete within two (2) years of the commencement of the demolition the Clerk will enter the sum of Twenty Thousand Dollars (\$20,000) on the collectors roll of the property and prepare a certificate for registration;

- V. **THAT** the City Solicitor **BE DIRECTED** to register the certificate in the land registry office against the property.
- V. **THAT** the request for incentives under the Sandwich Incentive Program made by the registered owner Buschante Development Group Corporation of the property located at 3218 Baby Street, **BE APPROVED** for the following programs:
 - Development and Building Fees Grant for 100% of the Development and Building Fees identified in the Sandwich CIP to a Maximum amount of \$30,000;
 - ii. Revitalization Grant Program for 70% of the municipal portion of the tax increment for up to 10 years (estimated at \$5,215 per year);
- VI. **THAT** the CAO and City Clerk **BE AUTHORIZED** to sign the Sandwich Incentive Program Agreement for the *Revitalization Grant* in accordance with all applicable policies, requirements, and provisions contained within the Olde Sandwich Towne Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implication.
- VII. **THAT** funds to a maximum amount of \$30,000 under the *Development Building Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the *Sandwich Community Development Plan Fund* (Project 7076176) once the work is completed.
- VIII. **THAT** grants **BE PAID** to Buschante Development Group Corporation upon completion of the Multiple Dwelling with (3) units from the *Sandwich Community Development Plan Fund* to the satisfaction of the City Planner and Chief Building Official.
- IX. **THAT** grants approved **SHALL LAPSE** if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date. Extensions may be at the discretion of the City Planner.

Executive Summary:

N/A

Background:

On January 26, 2009, City Council passed by-laws to establish the Sandwich Heritage Conservation District Plan (By-law 22-2009), Olde Sandwich Towne Community Improvement Plan (By-law 27-2009), and Supplemental Development and Urban Design Guidelines (By-law 28-2009). These By-laws came into effect on October 18, 2012. One of the key recommendations of the Olde Sandwich Towne Community Improvement Plan (Sandwich CIP) is the implementation of the Incentive Program(s).

On June 17, 2013, through M265-2013 Council activated the following Incentive Programs from the Sandwich Incentive Program:

- a) Commercial/Mixed Use Building Facade Grant Program
- b) Revitalization Grant Program
- c) Commercial Core Feasibility Grant Program
- d) Development Charge Grant Program
- e) Development and Building fees Grant Program
- f) Neighbourhood Residential Rehabilitation Grant Program.

On June 17, 2013, Council also received the Development Review Process for development applications within the Sandwich Heritage Conservation District (HCD) area, and within the Sandwich Community Improvement Plan (CIP) Area (outside of the Sandwich HCD Area) (M264-2013).

Discussion:

On January 31, 2024, the owner (Matthew Buschman) of Buschante Development Group Corporation submitted a Sandwich CIP grant application with Site Plan and Elevation Drawings for the purpose of demolishing the existing single-family dwelling and constructing a two (2) storey dwelling with 3 units located at 3218 Baby Street (See Appendix 'A' for location map).

The property is located within the Sandwich Town Demolition Control By-law (20-2007) area and the Olde Sandwich Towne Community Improvement Plan (Sandwich CIP) area (outside of the Sandwich Heritage Conservation District). For the purpose of financial incentives, located within Target Area 3.

One of the general requirements of Section 10.3 q) of the Sandwich CIP requires that approval of any application for the financial incentive program is based on the compatibility of the proposed use with the vision and goals of the CIP, the Sandwich Community Planning Study (CPS), and the Olde Sandwich Towne Supplemental Development and Urban Design Guidelines (Sandwich Urban Design Guidelines) and any other guidelines applicable to the CIP area. The following identifies how this particular development addresses section 10.3 (q) of the CIP.

Sandwich Vision and Design Guidelines

The Sandwich CIP and CPS

The construction of the proposed building located at 3218 Baby Street is consistent with the Vision and Goals for Sandwich Town.

Sandwich CIP Urban Design Guidelines

The proposed development is in keeping with the Sandwich Urban Design Guidelines, in terms of siting and scale, use of materials, proportion, height and built form, profile

and selection of materials. The application may require minor changes once the Building Permit Application is reviewed by the Building Department.

Exemption to Demolition Control By-law 20-2007

The existing one (1) dwelling located at 3218 Baby Street is currently used as a Single-Family residential dwelling. The owner intends to demolish the dwelling and redevelop the site.

Section 3 of the Demolition Control By-law states that "...no person shall demolish the whole or any part of any residential property in the area of demolition control unless the person is the holder of a demolition permit issued by the council..." The decision to issue (or not issue) a demolition permit is at City Council's sole discretion.

Section 5 of the Demolition Control By-law states that "Council shall, on an application for a demolition permit, issue a demolition permit where a building permit has been issued to erect a new building on the site of the residential property to be demolished" Section 6 states that a demolition permit may be issued on the following conditions:

- (a) That the applicant for the demolition permit construct and substantially complete the new building to be erected on the site of the residential property to be demolished by not later than such date as may be determined by Council, provided, however, that such date is not less than two years from the day demolition of the existing residential property is commenced;
- (b) that, on failure to complete the new building within the time specified in the permit issued under Section 5, the Clerk shall be entitled to enter on the collectors roll, to be collected in like manner as municipal taxes, such sum of money as may be determined by Council but not in any case to exceed the sum of twenty Thousand Dollars (\$20,000.00) for each dwelling unit contained in the residential property in respect of which the demolition permit is issued, and such sum shall, until payment thereof, be a lien or charge upon the land in respect of which the permit to demolish the residential property is issued.

The applicant has indicated in their application that they intend to demolish the existing one (1) unit dwelling and construct a new three (3) units which meets the intent of the Sandwich CIP Urban Design Guidelines. Section 6(b) of the Demolition Control By-law entitles the Clerk to enter on the collectors roll a maximum of \$20,000 per residential unit (to be collected in like manner as municipal taxes) if the applicant fails to construct the new dwelling units within two (2) years of the commencement of the demolition.

Given that the applicant proposes to demolish the existing one (1) unit dwelling, Recommendation III (ii). of this Report specifies the maximum amount of \$20,000 will be entered on the tax roll if the applicant fails to construct the new dwelling units within two (2) years of the commencement of the demolition.

The plan to demolish the existing one (1) unit dwelling and to replace it by constructing a Multiple Dwelling with (3) units is consistent with the recommendations of the Sandwich CIP regarding continuing to process Demolition Control By-law exemption requests. This plan is also in keeping with Section 1.27.12, Vol. II of the City's Official Plan regarding Demolition within the Olde Sandwich Towne Community Improvement Plan (CIP) area. The applicant will be required to submit the following prior to obtaining a Building Permit to demolish:

- (a) a plan for redevelopment in conformity with the Official Plan and Zoning By-law requirements (all plans will be reviewed to ensure compliance the Official Plan and Zoning By-law),
- (b) appropriate securities to ensure the redevelopment occurs within a specified time period and to fulfill the conditions of the Site Plan Control Agreement

Demolishing the existing one (1) unit dwelling to construct a larger three (3) unit dwelling with improved living spaces for residents is consistent with the intent of the Demolition Control By-law.

Sandwich Incentive Program

The proposal is located within Target Area 3 of the Sandwich CIP Area and eligible for the following Incentive programs. The eligible costs for each incentive program are based on the costs estimates provided by the applicant, as the project is implemented these costs could fluctuate slightly which could have a minor impact on the eligible costs for each incentive program. The application is consistent with the general program requirements identified in Section 10.3 of the CIP, and with the following program specific requirements:

Development and Building fees Grant Program

The purpose of the program is to provide an additional incentive to augment the other incentive programs and to facilitate and spur adaptive re-use, redevelopment, and new construction. The program provides a grant equal to 100% of the fees paid for the eligible types of development applications and building permits. The Building Permit drawings have not been submitted and fees will need to be determined in the future. Recommendation V. i. of the report will include a maximum amount of \$30,000 to ensure that all fees are captured. Based on the information we have at the time of this report the following fees are required:

- Building Permit Fee—to be determined
- Demolition Permit Fee—to be determined
- Public Works Permit Fees—to be determined
- Parkland Dedication Fee—to be determined.

TOTAL: To Be Determined up to a maximum of \$30,000

Revitalization Grant Program

The purpose of this program is to use the tax increase that can result when a property is rehabilitated, redeveloped, or developed to provide assistance in securing the project financing and offset some of the costs associated with the rehabilitation. The program will provide an annual grant equal to 70% of the increase in municipal property taxes for 10 years after project completion as long as the project results in an increase in assessment and therefore an increase in property taxes. Based on the project description and current value vs. estimated post-project assessment value of land, and buildings identified in the Grant Application, the property assessment is expected to increase.

The confirmed current value assessment of the subject property located at 3218 Baby Street is \$113,000. The owner currently pays annual total property taxes of \$2,191.82 (based upon 2023 tax levies). The municipal portion, to which the grant would apply, is \$2,018.93. The Applicant's Estimated Post-Project Value of Land and Buildings based on the cost of construction is \$1,200,000. However, some of the proposed costs which will be incurred, although eligible for purposes of the application, may not result in a direct increase in assessment value. In other words, the grant is calculated and paid, not on the post-project value or projections made in this report, but on the actual post-development value assessment, as determined by MPAC after project completion. Administration has estimated the Post-Redevelopment Property Value Assessment based on the drawings and information provided to be \$530,000. The grant will however be based upon the actual tax increment once the assessment has been determined by MPAC.

For illustrative purposes, the table below identifies the annual grant equal to 70% of the increase in City property taxes for 10 years after project completion, based on the Current Value Assessment and the (projected) Estimated Post Project Assessment Value. The taxes retained by the City over the duration of the grant program is equal to a 30% increase of the tax increment. After completion of the grant program (10 years), the City will collect the full value of municipal tax increase (\$9,469.30 annually).

Estimated Revitalization Tax Increment Grant for 3218 Baby Street			
Annual Pre-Development Municipal Taxes	Annual Estimate Post Development Municipal Tax <u>Increase</u>	Annual Estimate Value of Grant (70% of the municipal increase)	
\$2,018.93	\$7,450	\$5,215	

Assumptions

Current Property Value Assessment (2023 - Residential)

\$113,000

Estimate Total Post Development Assessment (2023 – Residential)

\$530,000

Risk Analysis:

The Building Department has not received or conducted a review of the building plans to confirm compliance with the Ontario Building Code and applicable law (e.g. zoning bylaw). A review of the drawings will be conducted to ensure that the City's incentives are being used appropriately and the City is receiving good value for the public investment allocated through the Sandwich Incentive Program(s) "toolkit". As a requirement of Section 28 (7.3) of the Planning Act, Administration has confirmed that the total amount of all of the grants does not exceed the total cost of the project.

The *Development* and *Building* Fees *Grant Program* will not be disbursed until all work is completed and inspected by Administration as per the Site Plan and Elevation Drawings and Building Permit. The *Revitalization Grant Program* will not be dispersed until an agreement for the Sandwich Incentive Program have been registered on title between the owner and the City of Windsor and the property taxes for the applicable year paid.

There is little risk associated with approval of a tax increment-based grant such as the *Revitalization Grant Program* as the payments commence after the eligible work has been completed and the property reassessed by MPAC and will only continue if the development remains eligible in accordance with the Sandwich CIP. Should the development fail to meet its requirements under the CIP, grant payments would cease.

Climate Change Risks

Climate Change Mitigation:

The demolition of the existing dwelling affects climate change because the existing structure will not be re-used and may likely end up in a land fill. However, the rehabilitation of the site contributes to the revitalization of the Sandwich Town Neighbourhood limiting vehicular travel and promoting walking and other alternative modes of transportation, thereby contributing to a complete community. The construction of the new building will utilize modern building methods, which will conform to the Ontario Building Code concerning safety and energy efficiency.

Utilizing an existing site in a built-up area of the City also promotes efficiency on the existing infrastructure network by not promoting development on greenfield land.

Climate Change Adaptation:

As temperatures increase and when considering the Urban Heat Island effect for the City of Windsor, the property does not appear to be located within a Heat Vulnerability area. However, the rehabilitation of the existing site and construction of the new building will utilize modern building methods, which will conform to the Ontario Building Code concerning energy efficiency.

Financial Matters:

On February 22, 2021, Council approved the 2021 budget, which included a new reserve fund for all active CIPs in the City. As CIP grant applications are approved, the approved grant amount will be transferred to the capital project account to be kept as committed funds, until the grant is ready to be paid out. The current uncommitted

balance of the CIP reserve fund is \$365,406.74 however this balance does not account for other CIP grant requests that are currently being considered by the Development & Heritage Standing Committee/City Council standing committee or have been endorsed by the standing committee and are not yet approved by City Council.

If approved, funds will be transferred from the CIP Reserve Fund 226 to the Sandwich Community Development Plan Fund (project 7076176) to disperse the maximum amount of \$30,000 for the Development and Building Fees Grant Program identified in this report.

The Revitalization Grant will be based upon the municipal tax increase and will be calculated by the Finance Department in consultation with the Municipal Property Assessment Corporation (MPAC) once the project is completed.

Eligible Incentive Programs		Grant
Development and Building Fees Grant		\$30,000
Note: Development and Building Fees are paid upfront by the appeared these fees are approximate and can change at the time of Building Fermit		
Revitalization Grant		\$52,150
* \$5,215 per year between years 1 to 10		
	Total	\$82,150

Except for the *Revitalization Grant*, the owner will be reimbursed through the project *Sandwich Community Development Plan Fund (project* 7076176). The *Revitalization Grant* is funded through the municipal portion of the annual tax levy.

Consultations:

The owner of the property located at 3218 Baby Street has been consulted regarding grants related to the improvements outlined in this report. Carolyn Nelson, Manager of Property Valuation & Administration and Jose Mejalli, Assessment Management Officer, Taxation & Financial Projects were consulted with respect to the Sandwich Town CIP Revitalization Grant Program. Josie Gualtieri, Financial Planning Administrator was also consulted regarding the Building Facade Improvement CIP grants, and related capital project/reserve fund balances.

Conclusion:

The demolition of the existing residential dwelling located at 3218 Baby Street will provide sufficient lot area to allow the owner of Buschante Development Group Corporation to construct a three (3) unit dwelling, thereby meeting the intent while also providing an opportunity to attract new residents to the neighbourhood and increasing

the housing stock of the area through the redevelopment of the property. The incentive program application meets all of the eligibility criteria as identified in the Discussion section of this report and is compatible with the Sandwich Urban Design Guidelines.

There are sufficient funds in the CIP Reserve Fund 226 to provide funds for the *Development & Building Fees* grant amount, which has been applied for by the applicant for this project with the *Revitalization Grant* portion funded through the municipal portion of the annual tax levy. Therefore, Administration recommends that the application request by the owner of 3218 Baby Street at for incentives under the Sandwich Incentive Program be approved.

Planning Act Matters:

N/A

Approvals:

Name	Title
Kevin Alexander	Senior Planner – Special Projects
Josie Gualtieri	Financial Planning Administrator
Jason Campigotto	Deputy City Planner – Growth (A)
John Revell	Chief Building Official
Thom Hunt	City Planner
Kate Tracey	Senior Legal Council
Lorie Gregg	Deputy Treasurer, Taxation, Treasury & Financial Projects
Janice Guthrie	Commissioner, Finance and City Treasurer
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
Buschante Development Group Corporation		

Appendices:

- 1 Appendix 'A' Location Map
- 2 Appendix 'B' Proposed Development

Appendix 'A' – Location Map



LOCATION MAP: 3218 BABY STREET



SUBJECT



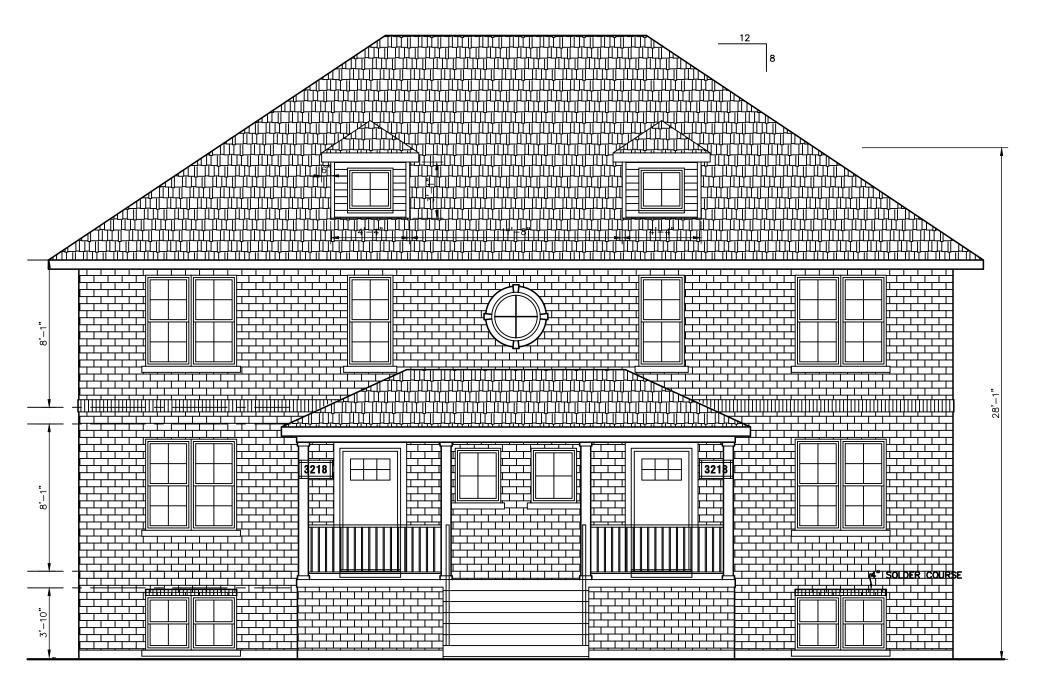


Appendix 'A' — Existing Condition (Google Earth)

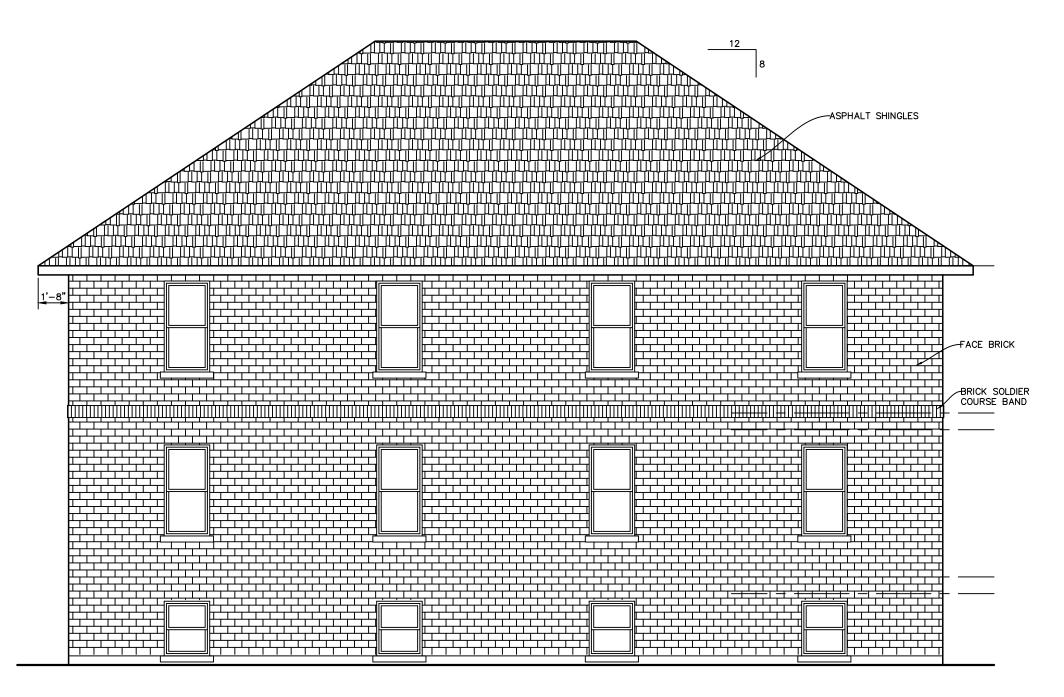




SCALE; 3/16"



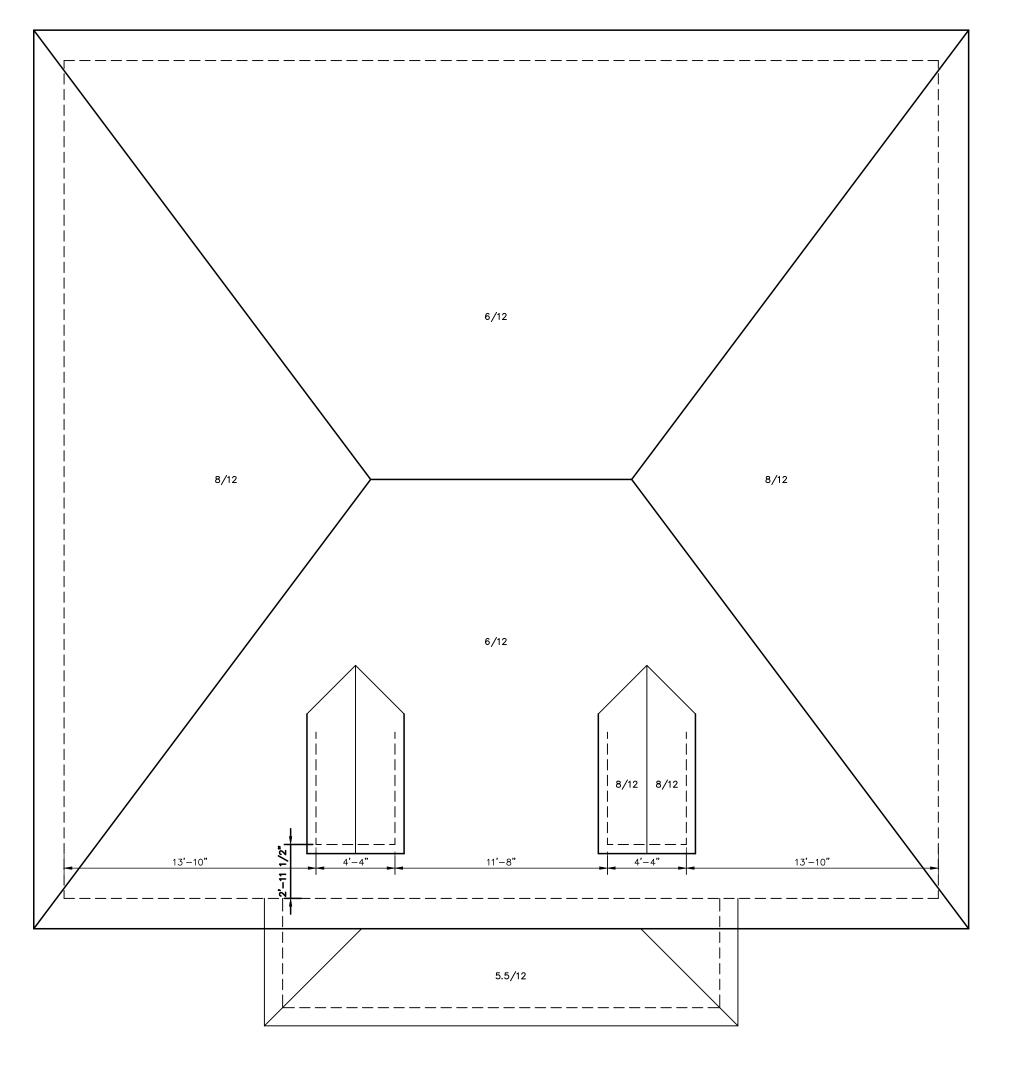
FRONT ELEVATION



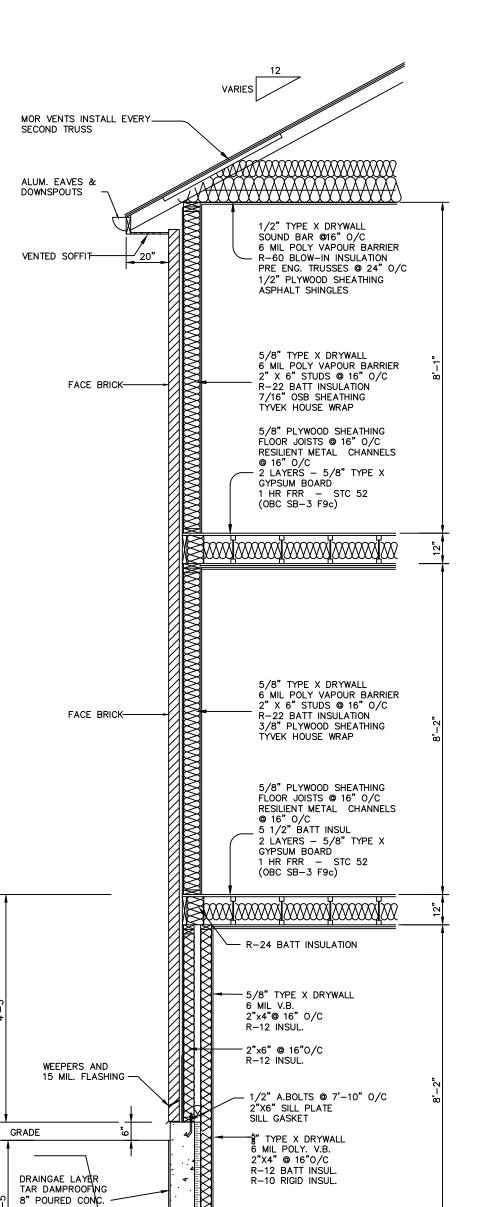
BACK ELEVATION



FEBRUARY 26, 2024







4" CONCRETE SLAB MIN. 8" GRAN. BASE

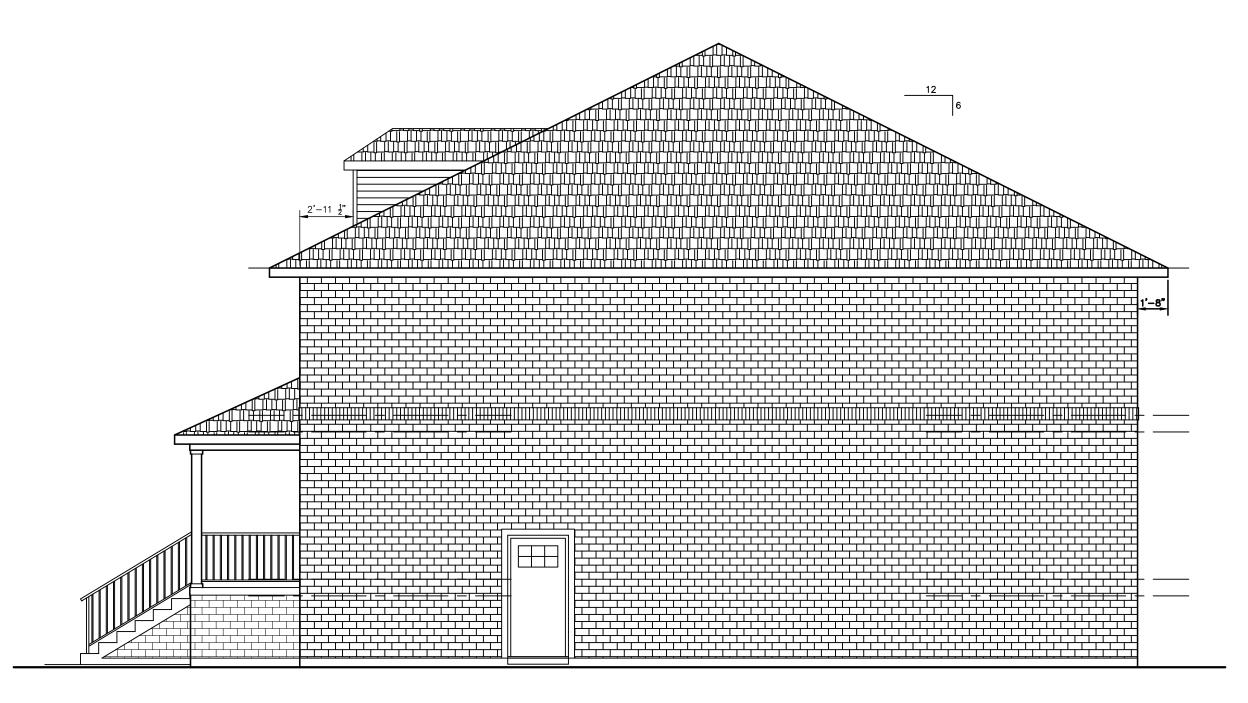
- 22" x 10" CONCRETE FOOTING

COMPLIANCE PACKAGE A-1

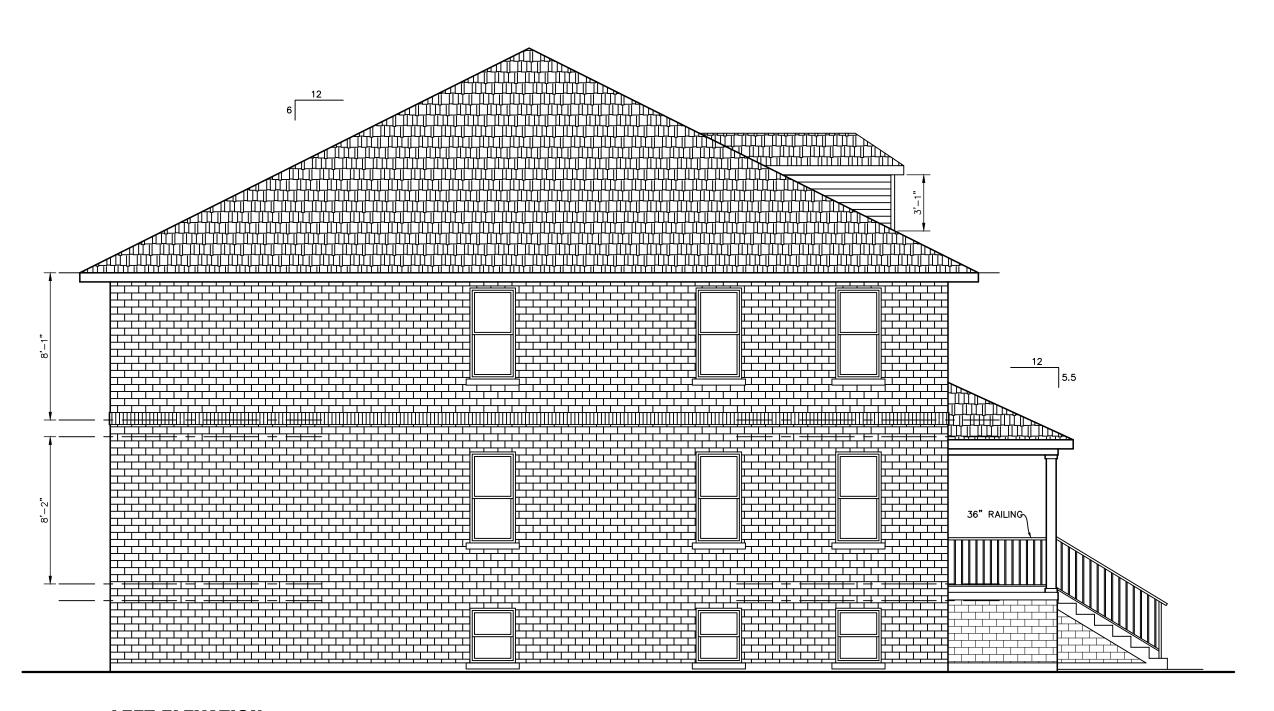
4" WEEPERS

TYPICAL EXTERIOR WALL SECTION

SCALE: 3/8" = 1'-0"



RIGHT ELEVATION



LEFT ELEVATION





SIT PLAN

THREE UNIT APARTMENT BUILDING

3218 BABY STREET

FEBRUARY 26, 2024