# CITY OF WINDSOR MINUTES 05/06/2024

Development & Heritage Standing Committee Meeting

Date: Monday, May 6, 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 Charles Pidgeon
Member Robert Polewski
Member Khassan Saka
Member William Tape

**Member Regrets**
Member Joseph Fratangeli
Member Daniel Grenier
Member John Miller

**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
Greg Atkinson, Deputy City Planner - Development
Jason Campigotto, Deputy City Planner - Growth
Stacey McGuire, Executive Director Engineering / Deputy City Engineer
Matthew Johnson, Executive Director, Economic Development

Shawna Boakes, Executive Director Operations / Deputy City Engineer
Emilie Dunnigan, Manager Development Revenue & Financial Administration
Patrick Winters, Manager, Development
Aaron Farough, Senior Legal Counsel
Robert Perissinotti, Development Engineer
Brian Nagata, Planner II – Development Review
Diana Radulescu, Planner II – Development Review
Justina Nwaesei, Planner III - Development
Jim Abbs, Planner III – Development
Adam Szymczak, Planner III – Development
Kristina Tang, Planner III – Heritage
Kevin Alexander, Planner III – Special Projects
Laura Strahl, Planner III – Special Projects
Natasha McMullin, Clerk Steno Senior
Anna Ciacelli, Deputy City Clerk

**Delegations—participating via video conference**

Item 7.1 - Tracey Pillon-Abbs, RPP Principal Planner
Item 7.5 - Tracey Pillon-Abbs, RPP Principal Planner
Item 10.1 - David Mady, Vice President Real Estate Development, Roasati Construction
Item 11.2 - David Mady, Vice President Real Estate Development, Roasati Construction
Item 11.3 - Anthony Malandruccolo, Stipic Weisman LLP, solicitor for property owner

**Delegations—participating in person**

Item 7.2 - Karl Tanner & Theresa O'Neill, Dillon Consulting Limited
Item 7.2 - David Carlini, area resident
Item 7.3 - Karl Tanner & Theresa O'Neill, Dillon Consulting Limited
Item 7.3 - Laurie and Joe Lauzon, area residents
Item 7.5 - John Bortolotti, Sfera Architectural Associates Inc. Architects
Item 7.5 - David Girard, area resident
Item 7.6 - Cindy Prince, Vice President, Amico Affiliates
Item 10.2 - Heather Grondin, Chief Relations Officer, Windsor-Detroit Bridge Authority
Item 10.2 - Jose Luis Mendes, Project Director, Bridging North America

## 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

Councillor Mark McKenzie discloses an interest and abstains from voting on Item 7.5 being "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," as he is a member of the Giovanni Caboto Club.

## 3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

## 4. COMMUNICATIONS

None presented.

## 8. ADOPTION OF THE MINUTES

### 8.1. Adoption of the Development & Heritage Standing Committee minutes of its meeting held March 4, 2024

Moved by: Member William Tape
Seconded by: Member Khassan Saka

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

Report Number: SCM 66/2024

### 8.2. Adoption of the Development & Heritage Standing Committee minutes of its meeting held April 2, 2024

Moved by: Councillor Fred Francis
Seconded by: Councillor Mark McKenzie

THAT the minutes of the Development & Heritage Standing Committee meeting held April 2, 2024 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 90/2024

Thom Hunt, City Planner appears before the Development & Heritage Standing Committee and provides some kind words of thanks and appreciation to Marina Clemens who recently passed away. She was a community planning advocate, a promoter of social welfare. As executive director of Drouillard Place, she worked tirelessly and fiercely to make the neighbourhood of Ford City safe, healthy, and welcoming. She devoted that same energy as a member of the planning advisory committee for many years and several years as chairperson. She will be truly missed.

## 10. *HERITAGE ACT* MATTERS

## 10.1. 1958-1998 Wyandotte Street East, Strathcona Building – Request for Heritage Designation & Heritage Funding (Ward 4)

**David Mady, Vice President Real Estate Development, Rosati Construction**

David Mady, Vice President Real Estate Development, Rosati Construction, appears before Council regarding the administrative report dated April 9, 2024 entitled, "1958-1998 Wyandotte Street East, Strathcona Building – Request for Heritage Designation & Heritage Funding (Ward 4)" and is available for questions.

Moved by: Councillor Mark McKenzie
Seconded by: Member William Tape

Decision Number: **DHSC 611**
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*; and,

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''; and,

III. THAT the City Solicitor **PREPARE** the By-law for Council to designate the property; and,

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; and,

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

b. 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.

Carried.

Report Number: S 48/2024
Clerk's File: MBA/14768

## 10.2. Sandwich Street Infrastructure Enhancement Heritage Permit (Ward 2)

**Heather Grondin, Chief Relations Officer, Windsor-Detroit Bridge Authority**

Heather Grondin, Chief Relations Officer, Windsor-Detroit Bridge Authority appears before the Development & Heritage Standing Committee regarding the administrative report dated February 9, 2024, entitled "Sandwich Street Infrastructure Enhancement Heritage Permit (Ward 2)" to provide an overview of the project's initiatives, goals, vision and budget allocations.

**Jose Luis Mendes, Project Director, Bridging North America**

Jose Luis Mendes, Project Director, Bridging North America appears before the Development & Heritage Standing Committee regarding the administrative report entitled "Sandwich Street Infrastructure Enhancement Heritage Permit (Ward 2)" and provides highlights of the technical aspects of the project including an overview of the design, materials, vegetation, infrastructure, and the materials as they relate to enhancing the overall look and the heritage of the area.

Councillor Kieran requests more information related to the consultation process that was undertaken regarding landscaping. Ms. Grondin indicates that a more detailed breakdown can be provided, but that the vast majority of people were focused on enhancing landscaping in the area.

Councillor Kieran McKenzie inquires in terms of hardscaping, what informed the decision-making process to go in a different direction from what was initially proposed. Ms. Grondin indicates that as a result of the consultation, as more emphasis was placed on landscaping, the bulk of the budget was focused there instead of on hardscaping.

Councillor Kieran McKenzie asks how the addition of hardscaping would affect the budget. Mr. Mendes indicates that moving forward with hardscaping in addition to landscaping would push the budget over by about 50%, increasing it to $1.5 Million.

Councillor Kieran McKenzie inquires where the discussion stands with the Sandwich Town BIA. Ms. Grondin responds that the Sandwich Town BIA meetings are regularly attended where conversations have been had regarding the design and planning of the enhancement. The latest feedback in recent briefings has been generally positive.

Member William Tape inquires as to the main function of the tree cells. Mr. Mendes indicates that the Tree cells' main function is to help the trees to grow bigger and healthier and to provide a larger canopy over the sidewalks.

Member William Tape inquires whether there have been any alternate plantings or species that have been considered for the project to help offset some of the costs, and related to the consultation process and the types of questions that were asked. Ms. Grondin responds that the consultation process included broad, general conversation, and when trends were identified, the surveys became more focused and specific. Ms. Grondin adds that there are projects that are being carried out outside of the Sandwich Street Enhancement Project.

Member William Tape inquires whether there are any features being considered regarding the transit history. Ms. Grondin responds that in the current art plans, it is not being considered however, it may be considered as part of interpretive signs.

Councillor Angelo Marignani inquires if the trolley tracks currently embedded in the intersections will be preserved or removed. Ms. Grondin indicates that the Sandwich Street Reconstruction Project intends to dig up anything that is found, and the City of Windsor representatives will evaluate their condition to determine what happens with them.

Councillor Kieran McKenzie inquires if the City should want to reincorporate additional heritage features, to what extent does the project create challenges to further highlighting the history using hardscaping or other types of investments. Kristina Tang, Heritage Planner appears before the Development & Heritage Standing Committee regarding the administrative report entitled "Sandwich Street Infrastructure Enhancement Heritage Permit (Ward 2)" and indicates that in the recommendation, administration proposes to work on heritage features at the time of construction and installation of other heritage features.

Councillor Kieran McKenzie inquires whether the City participation in heritage improvement features is going to require an additional budget source. Ms. Tang indicates that the costs associated with inclusion of the trolley tracks are outlined in the administrative recommendation.

Councillor Kieran McKenzie inquires whether there are elements of the current project that would hinder the addition of other heritage features outside of the project scope as it relates to the full implementation of the Heritage District Plan for Sandwich Town. Thom Hunt, City Planner appears before the Development & Heritage Standing Committee regarding the administrative report entitled "Sandwich Street Infrastructure Enhancement Heritage Permit (Ward 2)" and indicates that the planning department looked to see what heritage elements could be incorporated at the same timing of this project.

Councillor Kieran McKenzie inquires whether there are items that were previously considered that have been taken off the table. Stacey McGuire, Executive Director, Engineering, appears before the Development & Heritage Standing Committee regarding the administrative report entitled "Sandwich Street Infrastructure Enhancement Heritage Permit (Ward 2)" and indicates that in reviewing the budget and identifying which features could not be done later, the tree cells were one of them. Some other surface features could always be installed later. Once there are brand new sidewalks, tree cells and pavers are not items that you would want to have to do after the fact.

Councillor Kieran McKenzie inquires in terms of the streetscaping, benches and decorative items, if everything will be returned to their locations after being removed. Administration responds that all the street furniture will be removed, refurbished, and reinstalled in the same or similar location based on the new road reconstruction.

Councillor Angelo Marignani inquires about the tree cells. Ms. McGuire indicates that the tree cells are like big soil boxes underground that allow the tree roots to grow underneath the sidewalk. There is no stormwater management portion to this project.

Councillor Angelo Marignani inquires about the approximate cost related to maintenance. Administration indicates that they do not have any exact cost estimates, but they don't anticipate it will be more costly than what is currently there now.

Councillor Angelo Marignani inquires about whether there is a maintenance program for the soil cell system. Administration would need to consult with parks to provide that answer.

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

Decision Number: **DHSC 612**

I. THAT the Heritage Permit requested by Bridging North America Constructors Canada GP (BNA), on behalf of Windsor-Detroit Bridge Authority (WDBA), **BE APPROVED** for Infrastructure Enhancements along Sandwich Street within the Sandwich Heritage Conservation District, in accordance with Appendix A-D Heritage Permit Application, subject to the following condition(s):

    a. Submission of satisfactory product details and samples to the City Planner or designate;

    b. Final locational clearance with City Administration (such as Engineering & Parks Departments, etc.);

    c. May include a listing of components that are not updated in their Heritage Permit

        • Use of Unilock Brussels Block in "Coffee Creek" colour

        • Minor relocation of bench and receptacle

• Verification of Tree and Plant species by City of Windsor Parks Department;

d. Coordination with any other items if approved by Council in Recommendation II; and,

II. THAT the additional heritage appropriate streetscape element(s) identified by the City **BE APPROVED** for the Sandwich Street Road Reconstruction Project to be consistent with the Sandwich Heritage Conservation District Plan in the following priority and subject to the upset limit of $390,000:

a. Trolley Tracks embedded in the Concrete Crosswalks at intersections of Sandwich Street at Mill, Brock, and Detroit Streets

b. Traffic Signal Poles and Arms (textured coated black)

c. Heritage style transit shelter Daytech Bus Shelter AMF04X10N 'Colonial"

d. Repaint existing black coated decorative light poles; and,

III. THAT the City Planner **BE DELEGATED** the authority to approve any further changes associated with the Sandwich Street Road Reconstruction Project within the Sandwich Heritage Conservation District, including but not limited to:

a. Further changes to the application

b. A separate future Heritage Permit submitted by the Sandwich Business Improvement Association (BIA) for a replacement Pergola, in coordination with the overall Infrastructure Upgrades; and,

Whereas on February 2, 2024, the 2024 10-year capital budget was deemed approved via Mayoral Decision MD05-2024 and subsequently Administration identified unallocated funding from the Canada Community-Building Fund, be it further resolved,

IV. THAT the City Treasurer **BE DIRECTED** to transfer up to $390,000 currently available in Canada Community-Building Fund (Fund 176) funding to Project 7152001, Cabana Road Improvements, which replaces $390,000 in existing Pay-As-You-Go (Fund 169) funding; and further,

Whereas, City Council **SUPPORTS** an expenditure of up to $390,000 as it relates to the supply and implementation of Recommendation II, be it resolved:

V. THAT the City Treasurer **BE DIRECTED** to create a new capital project under Heritage Planning to be funded by way of a transfer of up to $390,000 in available Pay-As-You-Go (Fund 169) funding from Project 7152001.

Carried.

Report Number: S 20/2024
Clerk's File: MBA/9191

There being no further business the meeting of the Development & Heritage Standing Committee (*Heritage Act* Matters) portion is adjourned at 5:12 o'clock p.m.

The Chairperson calls the *Planning Act* Matters portion of the Development & Heritage Standing Committee meeting to order at 5:14 o'clock p.m.

## 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

Moved by: Councillor Angelo Marignani
Seconded by: Member Anthony Arbour

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held April 2, 2024 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 105/2024

## 6. PRESENTATION DELEGATIONS (*PLANNING ACT* MATTERS)

See items 7.1 through 7.3 and items 7.5 through 7.6.

## 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

Moved by: Councillor Fred Francis
Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 605**
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; and,

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 DESIGNATION* | 1.X.2 | 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 SETBACK FROM HURON CHURCH ROAD* | 1.X.3 | 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 $m^2$ 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:

1) 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.

2) 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.

Carried.

Report Number: S 41/2024
Clerk's File: ZO/10790 & ZB/10789

## 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

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Fred Francis

Decision Number: **DHSC 606**

I. 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."; and,

II. 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; and,

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.**

1.#.1 The property 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., 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.; and,

IV. 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; and,

V. THAT the hold provision **BE REMOVED** when the applicant/owner submits an application to remove the holding and the following condition is satisfied:

**1.** an addendum to the Environmental Evaluation Report, dated October 2023, is prepared and submitted to the satisfaction of the City Planner; and,

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

Carried.
Councillor Angelo Marignani voting nay.

Report Number: S 56/2024
Clerk's File: Z/14734 & Z/14735

## 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

Moved by: Councillor Fred Francis
Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 607**

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; and,

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.; and,

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; and,

IV. 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; and,

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;

Carried.

Report Number: S 57/2024
Clerk's File: Z/14731 & Z/14732

## 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

Moved by: Councillor Fred Francis
Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 609**

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) 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, 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
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 & 20.0 m

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 2.00 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]

IV. 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; and,

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, PIN 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; and,

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; and,

VII. THAT administration **BE REQUESTED** to provide options to mitigate traffic impacts in the area and in the neighbourhood, to address the concerns of traffic entering the neighbourhood as a result of this proposed development.

Carried.

Councillor Mark McKenzie discloses an interest and abstains from voting on this matter.

Report Number: S 49/2024
Clerk's File: Z/14755 & Z/14754

## 7.6. Zoning By-Law Amendment Z007-24(ZNG/7181) - Cindy Prince - 3589 Victoria Boulevard, Ward 9

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 610**

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 $m^2$ 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 10.4 m

b) Gross Floor Area – main building – maximum 675 $m^2$

Carried.

Report Number: S 51/2024
Clerk's File: Z/14758

## 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

Moved by: Councillor Angelo Marignani
Seconded by: Member Anthony Arbour

Decision Number: **DHSC 608**
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.
Carried.

Report Number: S 50/2024
Clerk's File: Z/14759

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 7:10 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 7:10 o'clock p.m.

## 11. ADMINISTRATIVE ITEMS

## 11.2. Main Streets CIP Application, 1958-1998 Wyandotte Street East (Strathcona Building); Owner: 2798315 Ontario Inc. (c/o David Mady)

**David Mady, Vice President Real Estate Development, Roasati Construction**

David Mady, Vice President Real Estate Development, Roasati Construction, appears before Council regarding the administrative report dated April 12, 2024 entitled, "Main Streets CIP Application, 1958-1998 Wyandotte Street East (Strathcona Building); Owner: 2798315 Ontario Inc. (c/o David Mady)" and is available for questions.

Moved by: Councillor Fred Francis
Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 614**

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; and,

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.

Carried.

Report Number: S 55/2024
Clerk's File: SPL2024

## 11.3. Additional Information Memo to Closure of north/south alley located between Vimy Avenue and Ypres Avenue, Ward 5

**Anthony Malandruccolo, Stipic Weisman LLP, solicitor for property owner**

Anthony Malandruccolo, Stipic Weisman LLP, solicitor for property owner, appears before Council regarding the administrative report dated April 12, 2024 entitled, "Additional Information Memo to Closure of north/south alley located between Vimy Avenue and Ypres Avenue, Ward 5" and is available for questions.

Councillor Kieran McKenzie inquires as to what extent were the residents satisfied with the responses that they received that they are welcome to purchase their section of the alley if they intend to use it as a driveway. Brian Nagata, Planner II Development Review, appears before the Development & Heritage Standing Committee regarding the administrative report entitled "Additional Information Memo to Closure of north/south alley located between Vimy Avenue and Ypres Avenue, Ward 5" and responds that the residents were not entirely happy with the response and building out the alley to City standards, and extending the storm sewer is not a feasible option. Driveway permit applications on Cadillac Street would be an acceptable alternative.

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

Decision Number: **DHSC 615**

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; and,

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; and,

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; and,

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"; and,

V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s); and,

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; and,

VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
Carried.

Report Number: AI 7/2024 & S 4/2024
Clerk's File: SAA2024

## 11.1. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by St. Rhodes Development & Leasing Corporation for 1247 Riverside Drive East (Ward 4)

Moved by: Councillor Angelo Marignani
Seconded by: Councillor Fred Francis

Decision Number: **DHSC 613**

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; and,

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; and,

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; and,

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.
Carried.

Report Number: S 52/2024
Clerk's File: SPL2024

## 11.4. Sandwich Town CIP Application, 3218 Baby Street; Owner: Buschante Development Group Corporation (Ward 2)

Moved by: Councillor Angelo Marignani
Seconded by: Councillor Fred Francis

Decision Number: **DHSC 616**

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'); and,

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; and,

III. THAT the Chief Building Official **BE DIRECTED** to require, as a condition of the demolition permit:

i. 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; and,

IV. THAT the City Solicitor **BE DIRECTED** to register the certificate in the land registry office against the property; and,

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:

i. *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); and,

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; and,

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; and,

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; and,

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.

Carried.

Report Number: S 54/2024
Clerk’s File: SPL2024

## 12. COMMITTEE MATTERS

None presented.

## 13. QUESTION PERIOD

None registered.

## 14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Item Matters) is adjourned at 7:13 o'clock p.m. The next meeting of the Development & Heritage Standing Committee will be held on Monday, June 3, 2024.
Carried.

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

# Development & Heritage Standing Committee
# (Planning Act Matters)

Date: Monday, May 6, 2024
Time: 5:14 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 Charles Pidgeon
Member Robert Polewski
Member Khassan Saka
Member William Tape

**Member Regrets**
Member Joseph Fratangeli
Member Daniel Grenier
Member John Miller

**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
Greg Atkinson, Deputy City Planner - Development
Jason Campigotto, Deputy City Planner - Growth
Stacey McGuire, Executive Director Engineering / Deputy City Engineer
Matthew Johnson, Executive Director, Economic Development

Shawna Boakes, Executive Director Operations / Deputy City Engineer
Emilie Dunnigan, Manager Development Revenue & Financial Administration
Patrick Winters, Manager, Development
Aaron Farough, Senior Legal Counsel
Robert Perissinotti, Development Engineer
Brian Nagata, Planner II – Development Review
Diana Radulescu, Planner II – Development Review
Justina Nwaesei, Planner III - Development
Jim Abbs, Planner III – Development
Adam Szymczak, Planner III – Development
Kristina Tang, Planner III – Heritage
Kevin Alexander, Planner III – Special Projects
Laura Strahl, Planner III – Special Projects
Natasha McMullin, Clerk Steno Senior
Anna Ciacelli, Deputy City Clerk

**Delegations—participating via video conference**

Item 7.1 - Tracey Pillon-Abbs, RPP Principal Planner
Item 7.5 - Tracey Pillon-Abbs, RPP Principal Planner
Item 10.1 - David Mady, Vice President Real Estate Development, Roasati Construction
Item 11.2 - David Mady, Vice President Real Estate Development, Roasati Construction
Item 11.3 - Anthony Malandruccolo, Stipic Weisman LLP, solicitor for property owner

**Delegations—participating in person**

Item 7.2 - Karl Tanner & Theresa O'Neill, Dillon Consulting Limited
Item 7.2 - David Carlini, area resident
Item 7.3 - Karl Tanner & Theresa O'Neill, Dillon Consulting Limited
Item 7.3 - Laurie and Joe Lauzon, area residents
Item 7.5 - John Bortolotti, Sfera Architectural Associates Inc. Architects
Item 7.5 - David Girard, area resident
Item 7.6 - Cindy Prince, Vice President, Amico Affiliates
Item 10.2 - Heather Grondin, Chief Relations Officer, Windsor-Detroit Bridge Authority
Item 10.2 - Jose Luis Mendes, Project Director, Bridging North America

## 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

Councillor Mark McKenzie discloses an interest and abstains from voting on Item 7.5 being "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," as he is a member of the Giovanni Caboto Club.

## 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 April 2, 2024

Moved by: Councillor Angelo Marignani
Seconded by: Member Anthony Arbour

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held April 2, 2024 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 105/2024

## 6. PRESENTATION & DELEGATIONS (*PLANNING ACT MATTERS*)

**Delegations—participating via video conference**
Item 7.1 - Tracey Pillon-Abbs, RPP Principal Planner
Item 7.5 - Tracey Pillon-Abbs, RPP Principal Planner

**Delegations—participating in Council Chambers**
Item 7.2 - Karl Tanner & Theresa O'Neill, Dillon Consulting Limited
Item 7.2 - David Carlini, area resident
Item 7.3 - Karl Tanner & Theresa O'Neill, Dillon Consulting Limited
Item 7.3 - Laurie and Joe Lauzon, area residents
Item 7.5 - John Bortolotti, Sfera Architectural Associates Inc. Architects
Item 7.5 - David Girard, area resident
Item 7.6 - Cindy Prince, Vice President, Amico Affiliates

## 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

Adam Szymczak (author), Planner III – Development Review is available for questions.

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

Counsellor Kieran McKenzie states that the are nearby environmentally sensitive areas and that there is language in the motion and the report around the mitigation of endangered species at risk and asks how these processes work, what happens when a species at risk is found, and what is the role of the Ministry of the Environment, Conservation and Parks (MECP). Ms. Pillon-Abbs states that the open drain abutting the property has some potential for habitat and is a remnant piece that was once a larger downstream water course. It was recommended by the biologist to keep it open and that we go through the required species-at-risk assessment, MECP clearance, and a larger buffer between any buildings and structures and the open drain and has been incorporated in the concept plan. Ms. Pillon-Abbs adds that there is no parking or structures along the drain, and any existing landscaping will be protected.

Councillor Kieran McKenzie asks if there will be an impact for the volume of traffic on Daytona Avenue and at the intersection immediately south of the development, and if it will present challenges on that front. Ms. Pillon-Abbs states that a traffic impact study was prepared and that there will be no negative impacts on traffic volumes and sight lines along Daytona.

Councillor Fred Francis states that a resident has sent forward communication that they would like to see this application move forward as residential housing units rather than a hotel and asks if there are any mitigating factors to put in place to ensure this. Mr. Szymczak answers that a hotel is not a permitted use in the CD2.1 zoning district.

Chair Jim Morrison states that the proposal is mixed use with commercial units on the first floor. Chair Morrison adds that the intersection at Daytona & Northwood does get busy at certain times of the day and will be important to pay attention to with the new developments in the surrounding area.

Moved by: Councillor Fred Francis
Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 605**
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; and,

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 DESIGNATION* | 1.X.2 | 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 SETBACK FROM HURON CHURCH ROAD* | 1.X.3 | 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 $m^2$ 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:

   1) 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.

   2) 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.

Carried.

Report Number: S 41/2024
Clerk's File: ZO/10790 & ZB/10789

## 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

Jim Abbs (author), Planner III – Development Review - presents application.

Karl Tanner (agent), Dillon Consulting Ltd. is available for questions.

David Carlini (resident) – 10896 Riverside Dr. – wants to object this proposal because the parcel is currently zoned at RD 1.1 and will be changed to RD 3.3. He has concerns with the proposed increased lot coverage and height restrictions that exceed RD 3.3 specifications. He adds that his objections are the height of the building nearest the road, overshadowing onto Ganacho Trail will be a disservice to residents and adjacent lots will want to replicate this proposal. Mr. Carlini disagrees with the high profile building proposed and recommends a medium profile as a comprise. Mr. Carlini has concerns that the developments proposed underground parking will change to above ground. He has concerns with the height of the building based on the amount of units and storey height proposed, and questions if the unit number and floors will be limited to a certain amount. He objects to the lot coverage increase and limited capacity for flooding. Mr. Carlini objects to the minimal amount of parking proposed when the parking lot may be full, and the overflow would go to Lauzon Parkway or parking in residential areas on Chateau or Clover Rd.

Mr. Karl Tanner states he is in full support of Administration's recommendation.

Councillor Angelo Marginani asks Administration about the concerns raised by the delegates such as a decrease in parking as there is no other places to park in the area and zero visitor designated spots. Mr. Jim Abbs states that visitor parking is included in the 1.21 required spaces, and that the concept plan did not identify a difference between unit and visitor parking. Councillor Marginani asks if there will be visitor parking not assigned to a particular unit. Mr. Abbs states that there was no request for a reduction in visitor parking and it will comply to the required amount by the by-law.

Councillor Marginani asks why there are zero spaces for bikes. Mr. Abbs states that bike parking will comply with the required amount in the by-law. Councillor Marginani asks if bike spaces will take up parking spaces. Mr. Abbs states that they will not. Councillor Marginani questions the required number of loading spaces. Mr. Abbs states that it will follow the required amount in the by-law. Councillor Marginani has concerns that parking will overflow into the Riverside Sportsman Club or with future developments, shared parking may be an option.

Councillor Marginani has concerns with storm water management and flooding with an area already saturated with water, and if our system will be able to take that capacity. Mr. Abbs defers the question to the Public Works Department. Mr. Rob Perissinotti states that the Developer has

provided a functional servicing study demonstrating that there is capacity in the municipal storm water system including the regional storm water pond to accommodate this development. Mr. Perissinotti also states that any storm water runoff from the site will have to meet the requirements set out for the overall North Neighbourhood storm water plan.

Councillor Marginani asks if there is any planned improvement to our system as a result of this development to prevent flooding, as it will affect surrounding single dwelling homes. Mr. Patrick Winters states that this area has always been identified to be developed in the future when the North Neighbourhood Pond was constructed and included trunk storm sewers. He adds that this area has been taken into account for the drainage area for the pond and ensures that the infrastructure is capable to support the development as it proceeds.

Councillor Marginani asks about the proposed drainage plan and where the water will go. Mr. Winters states that when Wyandotte St. was constructed trunk storm sewers were installed and convey the water to the North Neighbourhood Pond. Councillor Marignani asks how storm water runoff be managed and mitigated, and will it be brought to the mentioned pond. Mr. Winters states that with the original design for the pond there is allowable release rates from all sites to the trunk storm sewer, anything over and above will have to be contained on-site and will be up to consulting engineer to represent that it is completed adequately.

Councillor Marginani asks whether this development will not increase the risk of flooding in this area with confidence. Mr. Winters answers yes.

Councillor Marignani asks if the environmental impact assessment has been conducted regarding this storm water management with this development and further developments in mind. Mr. Winter states that a functional servicing study has been completed.

Councillor Marignani asks if that submission will not produce an additional risk to the surrounding neighbourhoods for flooding with intense rains or 100-year storms. Mr. Winters states that this development has met the design criteria based on the regional guidelines which include analysis up to and including a climate change event including a 100-year event.

Councillor Marignani asks of the current percentage capacity of the storm water mitigation system in the area. Mr. Winters states that the undeveloped land versus the developed would be the percentage and he can provide this information later.

Councillor Marignani asks who is responsible for maintaining the storm water infrastructure once the development is complete. Mr. Winters states that the infrastructure located on private property will be the responsibility of the property owner and we will continue to maintain the storm sewers in the city.

Councillor Marginani asks what system would the developer employ to mitigate the storm water management, and is there an underground cistern under the parking structure. Mr. Winters states that would be determined but the consulting engineer representing the developer and if they choose

to employ certain OGS units or other mechanisms that are required to achieve storm water quality, they will have to follow the manufacturers recommendations for maintenance.

Councillor Marignani asks if Administration is confident a high-rise is suitable in comparison to everything surrounding is a low profile and why are we allowing a high profile building. Mr. Abbs states that this development is an opportunity to provide additional housing units in an area that can support it through infrastructure, green space, and transportation corridors. The size of the site lends itself to being developed at a higher density and there are not many opportunities in the City of Windsor like this and we need to take advantage of these sites.

Councillor Marignani asks for clarification. Mr. Abbs states that this site has very good alternative transportation connections, such as bike lanes and the Ganacho Trail, where other sites in the city do not have this. Councillor Marignani states that not many people will be taking the Ganacho Trail to work. Mr. Abbs states that there is an opportunity for the trail to be used.

Councillor McKenzie asks what issues need to be addressed in the Environmental Evaluation Report. Mr. Abbs states that the City Naturalist identified some issues that needed to be further explained in the document, and as the development is not imminent there is an opportunity to have work completed prior to construction.

Councillor McKenzie asks Mr. Karl Tanner if he is aware of the concerns and if he can explain them in relation to the Environmental Evaluation Report. Mr. Tanner states that a series of background studies are prepared including the Environmental Evaluation Report and the City Ecologist has asked for further information about the work completed for the Ministry on the endangered species onsite and fill in the missing information. He adds that no habitats have been identified for endangered species, and the work can be completed at any time to provide the information to the City Ecologist.

Councillor McKenzie asks for an explanation to address the issues of storm water management on the site. Mr. Tanner states that the pond, previously mentioned, was oversized to take on future developments and accommodate this particular phase of the North Neighbourhood. He adds that the release rate for this particular property has to be maintained, and water will be held on-site when needed. This will be addressed at the Site-Plan Control process where it will be reviewed in detail to determine any negative impact. Mr. Abbs states that the release rate does not change based on the type of development, such as a more intense development does not mean that there will be a more intense water release rate. It means that water may have to be stored onsite for longer or a greater volume may have to be stored on site.

Councillor Marginani asks if there is a mechanism for the release rate that can be removed if the area floods where they can increase the flow from the held area. Mr. Abbs states that it is not something that is done typically, and water will back up on the site until it can flow out.

Councillor Marginani asks Mr. Carlini has any further concerns. Mr. Carlini states that there was no information for bike parking spots and not enough spots for a loading zone, which will create additional hardscape and parking spots creating a lower ratio for parking. A medium profile for the

building is preferred. Chair Morrison asks if there are plans for bike parking spots on the development. Mr. Tanner states that it will be determined at the Site-Plan control process and will likely be underground within the building and exterior, and that the requirements of the City will be met.

Member Arbour asks whether there will be any electric charging for cars within the building. Mr. Tanner states that yes it will be provided onsite, and the percentage will be determined at Site-Plan Control, in collaboration with Enwin. Member Arbour asks if we have enough power to the buildings to charge the vehicles. Mr. Abbs defers the question to Enwin.

Councillor Marginani asks for a definite number of storeys for the building and clarification of what 10m height from main arterial road and what that means in this report. Mr. Tanner states that the intention to create an opportunity to step the building back for street fronting townhomes. Mr. Szymczak states that the conversion factor is 4m per storey as per the by-law and storey refers to meters not building height, as different floors may have higher ceilings. Councillor Marignani states that then 44m refers to 11 storeys. Mr. Szymczak states that it can vary based on the height of the ceiling on each development.

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Fred Francis

Decision Number: **DHSC 606**

I. 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."; and,

II. 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; and,

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.**

1.#.1 The property 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., 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.; and,

IV. 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; and,

V. THAT the hold provision **BE REMOVED** when the applicant/owner submits an application to remove the holding and the following condition is satisfied:

**1.** an addendum to the Environmental Evaluation Report, dated October 2023, is prepared and submitted to the satisfaction of the City Planner; and,

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

Carried.
Councillor Angelo Marignani voting nay.

Report Number: S 56/2024
Clerk's File: Z/14734 & Z/14735

## 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

Jim Abbs (author), Planner III – Development Review - presents application.

Karl Tanner (agent), Dillon Consulting Ltd. is available for questions.

Councillor Marginani asks about flood mitigation and if Administration is confident that this development and future developments will not cause infrastructure and flood concerns to the surrounding residents. Mr. Abbs defers the questions to the Public Works Department, and states that this development is larger than the development across the street. Mr. Patrick Winters states that all areas were included in the original design area for the North Neighbourhood Pond. Following the rainfall events of 2016 & 2017, the Engineering Department in collaboration with ERCA required that a reassessment of the North Neighbourhood Pond be completed to look at considerations for intensity that had occurred in the area over and above what was in the original design for East Riverside. He adds that the results of the study determined that the Pond is of adequate capacity to support full buildout of the area.

Councillor Marignani asks if the City will do any updates to the current infrastructure as a result of these new developments to ensure residents will not be flooded. Mr. Winters states that the developments will be required to meet the original design intent of Wyandotte St. together with the North Neighbourhood Pond, and no upgrades are needed due to the adequate capacity of the system.

Councillor Marignani asks if the two ponds west of the development currently have the infrastructure to connect this development to these ponds. Mr. Winters states that a new outlet will be installed to the pond with this development through their site.

Councillor Marginani asks what the immediate mitigation is for the development of the five buildings. Mr. Perissinotti states that the mitigation will be done on site with a specific release rate and any water above and beyond will be stored onsite, through surface ponding on the parking lot or underground.

Councillor Marginani asks if underground parking will be for the two larger buildings and the remaining three will have surface parking with parking at 1.27. Mr. Abbs confirms this.

Councillor McKenzie asks if the proposed park addition is included as part of the development or will that be a City managed property and what is the vision for that space. Mr. Abbs states that it is not part of the development but part of the previous plan of subdivision that was done on Lublin and the Clover extension to Wyandotte, this is where the part remnant piece came from, and will be conveyed to the City.

Councillor McKenzie confirms that it is part of the parkland dedication component. Mr. Abbs states that it is not part of the component and is separate. Councillor McKenzie asks if in addition to the proposed park there is a parkland dedication component included in this development. Mr. Abbs states that there will be through Site-Plan Control, but no proposed park through this development, and the present park is currently part of the East End Park.

Councillor Marginani asks about the proposed park addition of 0.51 ha on the diagram and whether that will be part of the East End Park and will it remain a public park for the City of Windsor. Mr. Abbs states that the park is part of previous phases of plans of subdivision with the extension of Clover. He adds that the realignment of Clover made that portion of land available as the road can no longer be double loaded and will be single loaded, and the City will be granted that portion of land.

Councillor Marginani asks about the timeline for construction of the new roads. Mr. Abbs states that physical roads do not exist but the road allowances do. Mr. Karl Tanner states that the anticipated construction will start in this calendar year towards the end of the summer for phases 3 and 5, and likely a year of servicing construction, with homes being built next year.

Councillor Marginani asks where garbage waste will be held or whether that is determined later in development. Mr. Tanner states that yes they will contain garbage within their buildings.

Councillor Marginani asks about electric car charging stations as the diagrams do not show indicators of this and whether there it is plans for this development. Mr. Tanner answers that yes there will be.

Councillor Marginani asks if there is a certain number or percentage they are considering. Mr. Tanner states that he does not have numbers at this time, but they will be looking into it.

Councillor Marginani asks if the next phase is phase three. Mr. Tanner states that phase three and five will be done at the same time, but there is some preloading of the roads to get ready for construction.

Councillor Marginani asks if the development off Beverly Glen is just conditioning the terrain to hold the road and the construction that will be happening in the next few years. Mr. Tanner confirms this.

Moved by: Councillor Fred Francis
Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 607**

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; and,

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.; and,

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; and,

IV. 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; and,

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;

Carried.

Report Number: S 57/2024
Clerk's File: Z/14731 & Z/14732

## 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

Brian Nagata, Planner II - Development Review (author), and Diana Radulescu, Planner II - Development Review (author) - present applications.

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

David Girard (resident at 2223 Marentette Avenue) is opposed to the proposed Zoning By-law and Official Plan Amendments and believes a four-storey building better suits the area. The area contains commercial and residential uses, with a maximum of three to four storeys. Mr. Girard requests that the current zoning for the site remain at a maximum of four storeys. Mr. Girard states concerns that the surrounding vacant lots will create further opportunity for rezoning and additional entrance and exit points to the Caboto Club property. Mr. Girard states his concern for the current elevated traffic levels, that the proposed development does not address traffic calming for this area and that there are no current traffic counts. Mr. Girard states that the development will take away four to five on-street parking spots and asks if these missing spots will be reinstated elsewhere for the residents, who will assume the liability and will there be a maximum number of vehicles that can park in the Caboto Club parking area. He reiterated that there is only one entry and exit point on Tecumseh Road East and the proposed development only shows one new point at Marentette Avenue. This solution creates a large traffic increase in the surrounding neighbourhood.

Tracey Pillon-Abbs speaks to Administration and supports all recommendations except for item number five which proposes a minimum parking area separation of 3.0 metres from the north limit of 2156 Marentette Avenue. Mrs. Pillon-Abbs adds that upon reviewing the EnWin setbacks, it is recommended to move the building closer to the hydro corridor and maintain the minimum separation from EnWin's requirements. Mrs. Pillon-Abbs is requesting that the recommendation be changed to a minimum parking area separation of 2.0 metres from 2156 Marentette Avenue with appropriate landscaping and fencing as part of Site Plan Control.

Councillor Kieran McKenzie asks if administration has the flexibility to support the requested reduction in the recommended parking area separation from 3.0 metres to 2.0 metres. Mr. Nagata noted this request was discussed with the Planning Department's Landscape Architect prior to the

meeting. The Landscape Architect confirmed that 2.0 metres is still a sufficient area for accommodating an adequate landscape buffer between the parking area and 2156 Marentette Avenue.

Councillor Kieran McKenzie asks if a separate company will run the residence after a severance is granted by the Committee of Adjustment. Mrs. Pillon-Abbs states that the Caboto Club will continue to own the property legally under a different corporation with the intent of creating affordable rental units. When the application to sever comes forward to the Committee of Adjustment, a reciprocal access easement will be recommended as condition of consent to provide permission for vehicles to move between the Caboto Club parking area and the proposed development. Councillor Kieran McKenzie asks if overflow parking will also be negotiated into the arrangement, to which Mrs. Pillon-Abbs noted the affirmative. Councillor Kieran McKenzie asks how the separation of the two properties will be distinguished and will it discourage patrons of the Caboto Club from utilizing the egress onto Marentette Avenue. Mrs. Pillon-Abbs states that the architect designed the concept plan to deter this traffic behaviour and a traffic impact study (TIS) will also be required through Site Plan Control. Mrs. Pillon-Abbs adds that at this point any concerns from the City can be addressed by mitigation.

Councillor Kieran McKenzie asks if consideration has been given to a traffic management plan and how it may interact with activities at the Caboto Club. Mrs. Pillon-Abbs states that they will have to follow advice of a traffic engineer for techniques, signage, or width/angle of connections to slow traffic and flow appropriately.

Councillor Kieran McKenzie asks to what extent does this traffic plan enter discussions around the flow of traffic exiting the Caboto Club. Mr. Nagata states that traffic flows will be covered under the scope of the TIS, and that it is preferred that residents of the proposed development exit onto Tecumseh Road East via Parent Avenue due to existing traffic issues at the intersection of Marentette Avenue and Tecumseh Road East. Shawna Boakes agrees with Mr. Nagata's comments and noted that while this scale of development does not typically trigger a TIS, Transportation Planning holds similar concerns. Councillor Kieran McKenzie asks if there will be modifications to lights such as an advanced left turn to mitigate the traffic concerns. Mrs. Boakes noted this would be included in the TIS but is uncertain which intersections are currently included in the scope. Most recent counts (from 2021) for the Tecumseh and Parent intersection do not currently show a left turn required, however the City will redo the counts within the next two years to determine if this is an option. The Tecumseh Rd. corridor is an adaptive system where lights will adapt to the volume of traffic. For Caboto Club, there is a limit on adaptability for high volumes of traffic in a short amount of time. The system does run cycle-to-cycle based on the numbers it logs.

Councillor Fred Francis asks what traffic calming measures can be implemented in the short term to deal with anticipated and unintended consequences, as a resident has requested speed humps. Mrs. Boakes notes that residents can make a request for speed humps on their street by contacting 311 or the Transportation Planning Department. If the street is deemed to be eligible for speed humps, abutting residents will be surveyed on whether they wish for speed humps to be installed. There will be additional options for implementing expedited traffic calming measures with the Ward Councillor once the TIS has been completed.

Councillor Francis asks if Caboto Club has always planned to have six-storeys for the development. Mrs. Pillon-Abbs states that the proposed development has always been six-storeys because of the Mixed Use Corridor land use designation under the Official Plan which encourages increased density on Tecumseh Road East. The Devonshire Court proposed development is another example of a similar development but that was a designation of residential and not a comparable case study. Councillor Francis asks if all six-storeys will be residential. Mrs. Pillon-Abbs notes this is intended to be a stand-alone residential building.

Councillor Marignani asks Administration to provide context on the corner cut off. Rob Perissinotti states that it is a sight line corner for vehicle and pedestrian safety at a non-signalised intersection. Councillor Marignani asks if this means nothing can be built on the corner. Mr. Perissinotti states that the corner will be conveyed to the City and will become part of the right-of-way with an angle.

Member Arbour asks about traffic flow from a large event exiting onto Marentette Avenue into the residential area and whether a fob gate could be considered to restrict Caboto Club patrons from exiting onto Marentette Avenue. Mr. Nagata defers to the applicant. Mrs. Pillon-Abbs states this can be taken into consideration as part of the TIS and the applicant can work with the City on recommendations arising from the TIS.

Councillor Marignani asks if the City would be liable for accidents in the Caboto Club parking lot. Aaron Farough states that the risk to the City is quite low.

Councillor Kieran McKenzie recommends considering options to mitigate traffic impacts in the neighbourhood as per suggestions brought forward by Member Arbour.

Moved by: Councillor Fred Francis
Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 609**

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) 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, 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 |
| 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. | 20.0 m |
| 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 2.00 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] | |

IV. 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; and,

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, PIN 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; and,

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; and,

VII. THAT administration **BE REQUESTED** to provide options to mitigate traffic impacts in the area and in the neighbourhood, to address the concerns of traffic entering the neighbourhood as a result of this proposed development.

Carried.
Councillor Mark McKenzie discloses an interest and abstains from voting on this matter.

Report Number: S 49/2024
Clerk's File: Z/14755 & Z/14754

## 7.6. Zoning By-Law Amendment Z007-24(ZNG/7181) - Cindy Prince - 3589 Victoria Boulevard, Ward 9

Laura Strahl (author), Planner III – Special Projects is available for questions.

Cindy Prince (applicant), Vice-President of AMICO is available for questions.

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 610**

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 $m^2$ 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 10.4 m

b) Gross Floor Area – main building – maximum 675 $m^2$

Carried.

Report Number: S 51/2024
Clerk's File: Z/14758

## 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

Justina Nwaesei (author), Planner III – Development Review is available for questions.

Councillor Marginani asks if there are any concerns about the development that was not included in the report. Justina Nwaesei states that there is no concern as the development has gone through Site-Plan approval and there are building permits for both structures under construction. She adds that she hopes they remain compliant with the Condominium Act, where they cannot rent units until they have gone through final approval. Councillor Marginani asks for clarification when the development has gone through the final approval, at that point can units be rented. Mrs. Nwaesei states that new build applications are reviewed differently from any multiple dwelling that has been occupied. She adds that this application is being reviewed with the expectation that there will be no occupancy prior to final plan approval.

Moved by: Councillor Angelo Marignani
Seconded by: Member Anthony Arbour

Decision Number: **DHSC 608**

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.
Carried.

Report Number: S 50/2024
Clerk's File: Z/14759

## 8. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 7:10 o'clock p.m.
Carried.

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