

### CITY OF WINDSOR AGENDA 07/02/2024

### Development & Heritage Standing Committee Meeting Agenda

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

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

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

#### **MEMBERS:**

Ward 1 – Councillor Fred Francis

Ward 4 - Councillor Mark McKenzie

Ward 7 - Councillor Angelo Marignani

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison (Chairperson)

Member Anthony Arbour

Member Joseph Fratangeli

Member Daniel Grenier

Member John Miller

Member Charles Pidgeon

Member Robert Polewski

Member Khassan Saka

Member William Tape

#### **ORDER OF BUSINESS**

### Item # Item Description 1. CALL TO ORDER

READING OF LAND ACKNOWLEDGMENT

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

- 2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF
- 3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS
- 4. COMMUNICATIONS
- 5. ADOPTION OF THE *PLANNING ACT* MINUTES
- 5.1. Adoption of the Development & Heritage Standing Committee minutes (*Planning Act*) of its meeting held June 3, 2024 (**SCM 192/2024**)
- 6. PRESENTATION DELEGATIONS (*PLANNING ACT* MATTERS)
- 7. PLANNING ACT MATTERS
- 7.1. Official Plan Amendment to Facilitate Additional Changes to Streamline the Development Approval Process City Wide (\$ 22/2024)
- 7.2. Approval of a Draft Plan of Subdivision and Zoning By-law Amendment for properties known as 4170 and 4190 Sixth Concession Rd; Applicant: 2863167 Ontario Inc.; File Nos. SDN-001/24 [SDN/7194] and Z-012/24 [ZNG/7195] (Ward 9) (S 71/2024)
- 7.3. Zoning By-law Amendment Application for 0 Bernard Road, Z-011/24 [ZNG-7193], (Ward 5) (S 65/2024)

7.4. Zoning By-law Amendment Application for 0 Turner Road, Z-014/24 [ZNG-7202], (Ward 9) (S 79/2024)

#### 8. ADOPTION OF THE MINUTES

8.1. Adoption of the Development & Heritage Standing Committee minutes of its meeting held June 3, 2024 (**SCM 180/2024**)

### 9. PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)

#### 10. HERITAGE ACT MATTERS

- 10.1. Request for Heritage Permit 567 Church Street, Revell-D'Avignon House (Ward 3) (S 72/2024)
- 10.2. Request for Partial Demolition of Heritage Listed Property- 820 Monmouth Road, Terrace (Ward 4) (S 73/2024)
- 10.3. Request for Partial Demolition of Heritage Listed Property 886 Monmouth Road, Terrace (Ward 4) (S 78/2024)

#### 11. ADMINISTRATIVE ITEMS

- 11.1. 3251 Riverside Drive East Culvert Relocation Cost Sharing Riverside Horizons Inc. (Ward 5) (S 80/2024)
- 11.2. Application to Demolish Residential Dwelling Located at 2318 Westcott Road, which is Subject to Demolition Control By-law 131-2017 (Ward 5) (S 76/2024)
- 11.3. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Reigns 740 Inc. for 3495 Bloomfield Road (Ward 2) **(\$ 77/2024)**
- 11.4. City of Windsor Community Improvement Plans-Extensions of Grant Approvals (\$ 74/2024)
- 11.5. Sandwich Town CIP Application, 3459 Bloomfield Road; Owner: Reigns 740 Inc. (C/O: Sital Singh Garha); (Ward 2) (S 81/2024)

#### 12. COMMITTEE MATTERS

- 13. QUESTION PERIOD
- 14. ADJOURNMENT



Committee Matters: SCM 192/2024

Subject: Adoption of the Development & Heritage Standing Committee minutes (*Planning Act*) of its meeting held June 3, 2024



### CITY OF WINDSOR MINUTES 06/03/2024

### **Development & Heritage Standing Committee Meeting**

Date: Monday, June 3, 2024 Time: 4:30 o'clock p.m.

### **Members Present:**

#### **Councillors**

Ward 1 - Councillor Fred Francis

Ward 4 - Councillor Mark McKenzie

Ward 7 - Councillor Angelo Marignani

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison (Chairperson)

#### **Members**

Member Anthony Arbour

Member Daniel Grenier

Member John Miller

Member Charles Pidgeon

Member Robert Polewski

Member William Tape

### **Members Regrets**

Member Joseph Fratangeli Member Khassan Saka

### 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 Dana Paladino, Commissioner, Corporate Services

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Thom Hunt, City Planner

Greg Atkinson, Deputy City Planner

James Chacko, Executive Director, Parks & Facilities

Shawna Boakes, Executive Director Operations / Deputy City Engineer

Jen Knights, Executive Director, Recreation & Culture

Wira Vendrasco, Acting City Solicitor

Michael Cooke, Manager, Planning Policy / Deputy City Planner

Patrick Winters, Manager, Development

Michelle Staadegaard, Manager, Culture & Events

Emilie Dunnigan, Manager Development Revenue & Financial Administration

Aaron Farough, Senior Legal Counsel

Diana Radulescu, Planner II – Development Review

Adam Szymczak, Planner III – Development

Kristina Tang, Planner III – Heritage

Tracy Tang, Planner III - Economic Development

Frank Garardo, Planner III - Policy & Special Studies

Laura Strahl, Planner III - Special Projects

Kevin Alexander, Planner III - Special Projects

Natasha McMullin, Clerk Steno Senior

Anna Ciacelli, Deputy City Clerk

### Delegations—participating via video conference

- Item 7.2 Sean Eden & Omar Srour, Magnificent Homes
- Item 7.4 Tracey Pillon-Abbs, RPP, Principal Planner
- Item 7.4 Sumeet Hehr, area resident
- Item 7.5 Heather Purdy, area resident
- Item 10.1 Rob MacDonald, consultant team lead, Archaeological Services Inc.
- Item 10.1 Martin Cooper, consolutant team project manager, Archaeological Services Inc.

#### Delegations—participating in person

- Item 7.1 Natalya Garrod & Zack Hamm, Caldwell First Nation
- Item 7.2 David French, BA, CPT, Storey Samways Planning Ltd.
- Item 7.2 Bryan Pearce, Principal Planner, Baird, Architecture & Engineering
- Item 7.3 Bryan Pearce, Principal Planner, Baird, Architecture & Engineering
- Item 7.4 Zak Habib, Project Manager, available for questions
- Item 7.4 Bryan Pearce, Principal Planner, Baird, Architecture & Engineering
- Item 7.5 Michael Davis, Partner, Urban Planning, Siv-ik Planning & Design Inc.
- Item 7.5 Sukhi Dhaliwal, area resident
- Item 7.5 Suzanne De Froy, area resident
- Item 7.5 Satvir Sandhu, area resident
- Item 7.5 Andi Shallvari, Consultant & Marc Masotti, Consultant, Masotti Construction
- Item 7.5 Jagjeet Bal, area resident
- Item 7.5 Kathy Moreland, area resident

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Item 7.5 – Ian Murphy, area resident

Item 7.5 - Brian KUKHTA, area resident

Item 7.5 - Ruqaiya Siddiqui, area resident

Item 7.5 – Pavitarpal Randha, area resident

Item 11.2 – James King, Owner/Operator Central Park Athletics (3400 Grand Marais Rd. E)

#### 1. CALL TO ORDER

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

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

Member Daniel Grenier discloses an interest and abstains from voting on Item 7.4 being "Official Plan Amendment and Zoning By-Law Amendment regulations for Multiple Dwelling - Z010/24[ZNG7188] & OPA187[OPA7189] Castle Gate Towers INC. - 2230-2240 Daytona Ave," as his company has hired the planner on record for the application for one of their projects.

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

None Requested.

#### 4. COMMUNICATIONS

### 5. ADOPTION OF THE PLANNING ACT MINUTES

### 5.1. Adoption of the Development & Heritage Standing Committee minutes (*Planning Act*) of its meeting held May 6, 2024

Moved by: Member Anthony Arbour Seconded by: Member Daniel Grenier

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held May 6, 2024 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 153/2024

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

See items 7.1 through 7.5

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#### 7. PLANNING ACT MATTERS

# 7.1. Official Plan Amendment initiated by the City of Windsor for the Windsor Archaeological Management Plan Review (City-wide) – File No. OPA 181 [OPA/7170]

Robert MacDonald & Martin Cooper, ASI Consultants – provided an overview presentation on the Windsor Archaeological Management Plan earlier in the Development Heritage Standing Committee as part of a related Heritage Matter (S15/2024).

Kristina Tang, Planner III – Heritage Planner (author) and Michael Cooke – is available for questions.

Natalya Garrod (delegate) states that she is a Registered Professional Planner and a Technical Advisor to the Chief and Council of Caldwell First Nation. Zack Hamm (delegate) states that he is Environment & Consultation Department Manager at Caldwell First Nation and licensed Archeologist. Ms. Garrod asks the Committee to not advance the Windsor Archaeological Management Plan (WAMP) as it is currently written until Caldwell First Nation has been able to consult with the Heritage & Planning Department, to make further refinements to the plan as it is proposed. Ms. Garrod has concerns with the lack of discussion on comments provided to the City, the current plan does not reflect the full inventory of lands of archeological potential and cultural significance, placing archeological materials at risk. Ms. Garrod has concerns for the developments not subject to Planning Act applications that do not undergo proper archeological work or invitation to participate in field work, lack of funding for Caldwell First Nation to complete field work resulting in inadequate consultation. Ms. Garrod continues stating that there is a lack of budget to complete ground penetrating radar and additional studies. Ms. Garrod has concerns of additional historically significant sites that are excluded such as ancient burial mounds, trading posts, birthing places, indigenous slave houses, ceremonial sites, etc., and these sites are being considered in isolation of each other. Ms. Garrod concludes that Caldwell requests that the Heritage Committee direct City Staff to continue to work with Caldwell First Nation's Consultation and Environment Department until discussion and negotiation of the recommended amendments take place.

Councillor Fred Francis states that if this is approved today then it will then be presented in 30 days to Council for final approval, during which time the Committee can direct administration to consult with Caldwell First Nation and asks if that is enough time. Ms. Garron responds stating that it is not enough time to consult as there is outstanding work to be completed for recognition of historical sites, a lack of budget and staff to complete the work. Councillor Francis states that with further discussion Council can make decisions if additional resources are needed and recommends moving forward with the approval. Ms. Garron agrees with an amended recommendation.

Chair Jim Morrison states that this is a living document, and that consultation is continuous, where the plan would still be amendable with new discoveries and issues. Councillor Francis expresses

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his concern that this is the first time he is hearing about this issue and is interested in hearing more from Caldwell First Nation before it gets to Council.

Councillor Kieran McKenzie states that this document is important and brings new tools to bear that do not currently exist and agrees that 30 days is not enough time to complete a discussion to bring changes forward. Councillor McKenzie states that some issues still need to be resolved regarding policy pieces and specific sites. Mr. Hamm states their resources are limited and ongoing consultation is costly, and more investigation and funding is required as additional sites emerge over time.

Councillor McKenzie inquires with Administration regarding the feasibility to discuss the concerns brought forward by Caldwell and create an amendment prior to presentation at a Council meeting and about the process while the legislative piece is ongoing. Michael Cooke states that during discussion with Caldwell's Team, the City would like to refresh this schedule and update the living document regularly. Mr. Cooke states that it can be presented as a stand-alone Official Plan Amendment (OPA) for specific sites and an archeological update can happen more frequently than five years if required, with assistance from ASI for answering questions, and addressing items and concerns presented by Caldwell for further improvement. Mr. Cooke states that cultural landscapes have not yet been embarked on and the locations of these sites, and the City is willing to collaborate to evolve WAMP and open to learn how to improve assessments. Mr. Cooke states that we must understand how to bring the current OPA to Council as an amended document to reflect adjustments and adaptations from concerns raised by Caldwell.

Councillor McKenzie asks if it is possible to address policy concerns, site specific and financial concerns, and report back to the next Council meeting if a consensus was reached. Mr. Cooke states that a supplementary report could include additional information and changes that we would like to include from Caldwell but presented in such a way to protect the precise location of specific sites to prevent looting or vandalism.

Councillor Marginani asks if Caldwell First Nation has collaborated with the University of Windsor or St. Clair College for testing using the ground penetrating radar to determine where these archeological concerns are located and if so how. Mr. Hamm states that they have collaborated with Dr. Maria Cioppa from the University of Windsor, to complete a small portion but it's not as time effective as hiring professionals or consultants. Ms. Garrod states that the areas that require scans are raised surfaces in a woodland lot, and the proper technology or funds is not present to complete that work. Ms. Garrod requests the Committee to direct staff to have a mandate and budget to complete the work.

Councillor Francis states that he will move the recommendation with the following amendment that Administration meet with Caldwell to review their concerns and recommendation and provide that information to City Council. Councillor Francis encourages Caldwell to provide a commentary letter that will go to council as per those discussions and meetings to fully inform Council to make the appropriate decisions.

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Councillor Marginani also requests a financial report on costs. Councillor Francis states that City has plenty of resources and if deemed by Council that the resources are needed, then the resources could be made available.

Chair Morrison states he supports the motion and that this is not a site-specific plan, rather an update to an old plan. Budget decision will be determined at Council; this is just implementing a plan to move us forward.

Moved by: Councillor Fred Francis

Seconded by: Councillor Kieran McKenzie

Decision Number: DHSC 617

THAT Official Plan Amendment No. 181 as shown in Appendix A, regarding the Windsor Archaeological Management Plan (WAMP) review and as detailed in the administrative report entitled "Official Plan Amendment initiated by the City of Windsor for the Windsor Archaeological Management Plan Review (City-wide) – File No. OPA 181 [OPA/7170]" **BE ADOPTED**; and,

THAT administration **BE REQUESTED** to meet with representatives from the Caldwell First Nation Group to review their concerns and that an update **BE PROVIDED** to Council accordingly; and,

THAT the Caldwell First Nation Group **BE REQUESTED** to provide a commentary letter regarding the meetings and discussions with administration and that this information **BE PROVIDED** to City Council for their consideration.

Carried.

Report Number: S 16/2024 Clerk's File: Z/14780

# 7.2. Zoning By-Law Amendment Z009-24 [ZNG/7186] and Official Plan Amendment OPA 186 [OPA-7187] - 2743331 Ontario Inc. – 0, 0, 666, 676, 684 & 696 Chatham Street West, Ward 3

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

David French (agent) is available for questions.

Laura Strahl states that there are two additional zoning provisions that have been clarified since the publishing of the consolidated agenda and recommends that the following be added to recommendation three in report S 68/2024: the definition of "amenity area" in Section 3, amenity area may include the gross floor area of any balcony, and Section 5.15.5 related to the location of a building on a corner lot shall not apply. Ms. Strahl clarifies that the recommendations do not change the applicant's proposal, rather to facilitate the proposal.

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Councillor Kieran McKenzie asks if the new clauses will it adjust the parking spaces. Ms. Strahl states her verbal update regarding two additional provisions is in addition to the provisions outlined in the Additional Information Memo. Councillor McKenzie asks whether the proposed parking spots follows best practice regarding the distance from the corner or infrastructure. Ms. Strahl states that the site lot lines have a grass boulevard, sidewalk and then meet the road and it was determined that it was appropriate. Councillor McKenzie asks about the proximity of the parking spots to the corner. Ms. Strahl states that site plan shows that only a corner of a car is within the six-meter corner.

Councillor McKenzie asks whether the structures that will be demolished are listed as being heritage structures, due to the acknowledgement of this area being a heritage neighbourhood. Ms. Strahl states that there are no structures on the site and no buildings will be demolished for the proposal.

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

Decision Number: DHSC 618

- THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan BE AMENDED by designating Part of Lot 2, Block B, Plan 76, situated on the northeast corner of Chatham Street West and Caron Avenue 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.# NORTHEAST CORNER OF CHATHAM STREET WEST AND CARON AVENUE
  - 1.#.1 The lands described as Part of Lot 2, Block B, Plan 76 situated at the northeast corner of Chatham Street and Caron Avenue, and known municipally as 0 Chatham Street West, 666 Chatham Street West, 676 Chatham Street West, 684 Chatham Street West and 696 Chatham Street West, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I The Primary Plan.
  - 1.#.2 Notwithstanding Section 6.11 of the Official Plan, Volume I:
    - a) A building with maximum 16 storeys shall be permitted; and
    - b) A building with solely residential uses shall be permitted.
- III. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning on the lands of Part of Lot 2, Block B, Plan 76 situated at the northeast corner of Chatham Street and Caron Avenue, and known municipally as 0 Chatham Street West, 666 Chatham Street West, 676 Chatham Street West, 684 Chatham Street West and 696 Chatham Street West and Plan 450, Part Lot C situated at the southeast corner of Chatham Street West and Caron Avenue, and known municipally as 0 Chatham Street West by adding a site-specific exception to Section 20(1) as follows:

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### X. NORTHEAST CORNER OF CHATHAM STREET WEST AND CARON AVENUE AND SOUTHEAST CORNER OF CHATHAM STREET WEST AND CARON AVENUE

For the 1228 m<sup>2</sup> lands comprising of Part of Lot 2, Block B, Plan 76; the following additional regulations shall apply:

- a) Despite Section 16.6.1, a *multiple dwelling* building is permitted;
- b) Ground floor parking is not permitted;
- c) The podium of the building shall not be higher than 14 metres and must be clad with red brick;
- d) Despite section 16.6.5.4, the maximum building height shall be 55 metres;
- e) The parking located at Plan 450, Part Lot C shall count towards the required parking for the proposed development at Part of Lot 2, Block B, Plan 76;
- f) Despite Section 24.26.8, an exterior parking space is permitted to be located within 6 metres of the intersection of any two streets;
- g) Despite Section 25.5.20, a parking area separation of 0.9m from a street is permitted;
- h) Notwithstanding the definition of "amenity area" in Section 3, *amenity area* may include the *gross floor area* of any balcony;
- i) Section 5.15.5 related to the location of a building on a *corner lot* shall not apply; and,
- IV. THAT the Site Plan Approval Officer **BE DIRECTED** to request the applicant undertake the following, subject to any updated information, and to incorporate recommendations from the studies into an approved site plan and an executed and registered site plan agreement:
  - 1) Geotechnical study
  - 2) Noise and Vibration Study
  - Requirements of the City of Windsor Engineering and City of Windsor Transportation Planning contained in Appendix I of Report S68/2024, subject to approval of the City Engineer; and,
- V. THAT The Site Plan Approval Officer CONSIDER all comments contained in Appendix I of Report S68/2024 and all recommendations in the documents submitted in support of the applications for amendments to the Zoning By-law 8600.
  Carried.

Report Number: S 68/2024 Clerk's File: Z/14760 & Z/14762

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### 7.3. Zoning By-Law Amendment Z013-24(ZNG/7201) - Baird AE Inc – 285 Giles Boulevard and 0 Giles Boulevard, Ward 3

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

Bryan Pearce (agent) is available for questions.

Bryan Pearce states that he has read through the staff report and would like to acknowledge a technical amendment to the land area to be corrected in the Committee's recommendation to Council, which has been provided by Laura Strahl to the Clerk's office. Mr. Pearce states that this property is a great adaptive reuse and with a mixed-use proposal this will convert the building to a commercial ground floor with 46 residential units above.

Councillor Kieran McKenzie asks about the conversion of a portion of the ground floor to residential and is concerned with a common wall being shared between a residence unit and commercial space, and if there will be any sound mitigation. Ms. Strahl states that the relief asked for by the applicant is the setback from the parking area to the habitable wall. Councillor McKenzie notes that the unit he is referring to is shared with the storage area and asks if that is common practice or an issue from a building perspective that would raise an issue. Ms. Strahl states that the building code would stipulate that.

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

Decision Number: DHSC 619

I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning on the lands of South Part Lots 18 & 19, Lot 20 and North Part Lot 21, Plan 110 situated at the southwest corner of Giles Boulevard and McDougall Street, and known municipally as 285 Giles Boulevard and Part Park Lot 5, Plan 106 situated at the southeast corner of Giles Boulevard and McDougall Street, and known municipally as 0 Giles Boulevard by adding a site-specific exception to Section 20(1) as follows:

### x. southwest corner of Giles Boulevard and McDougall Street and southeast corner of Giles Boulevard and McDougall Street

For the 2283 m<sup>2</sup> lands comprising of South Part Lots 18 & 19, Lot 20 and North Part Lot 21, Plan 110; the following additional regulations shall apply to a *combined use building*:

- j) Despite Section 15.2.5.15, for a combined use building, dwelling units are permitted in the same storey and below non-residential uses;
- k) Despite Section 25.5.20.6, the minimum separation between a building wall containing a habitable room window or containing both a main pedestrian entrance and a

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habitable room window facing the parking area where the building is located on the same lot as the parking area shall be 2 metres.

 Despite Section 24.26.1, the required parking spaces for dwelling units are permitted to be located at Part Park Lot 5, Plan 106, situated at the southeast corner of Giles Boulevard and McDougall Street.

(ZDM 7; ZNG/7201)

- II. THAT the Site Plan Approval Officer **BE DIRECTED** to request the applicant undertake the following, subject to any updated information, and to incorporate recommendations from the studies into an approved site plan and an executed and registered site plan agreement:
  - 1) Noise Study
  - 2) Requirements of the City of Windsor Engineering and City of Windsor Transportation Planning contained in Appendix E of Report S 59/2024, subject to the approval of the City Engineer.
  - Provide 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.
  - 4) Tree Inventory and Preservation Study; and,
- III. The Site Plan Approval Officer CONSIDER all other comments contained in Appendix E of Report S 59/2024 and all recommendations in the documents submitted in support of the applications for amendments to the Zoning By-law 8600.
  Carried.

Report Number: S 59/2024 Clerk's File: Z/14778

# 7.4. Z010-24 [ZNG7188] & OPA187[7189] Castle Gate Towers -2230-2240 Daytona Ave

Frank Garardo (author), Planner III – Policy and Special Studies - presents application.

Tracey Pillon-Abbs (agent) – presents PowerPoint and is available for questions.

Bryan Pearce and Zak Habib (applicants) is available for questions.

Chair Morrison asks for clarification whether the proposed development application proposes a three or four storey building. Frank Garardo states that the applicant's proposal is for four storeys

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or 14.63 meters in height, and the recommended site-specific provisions include a maximum height of three storeys or 10.5 meters. Chair Morrison clarifies that the recommendation is three storeys or 10.5 meters.

Sumeet Hehr (area resident) states he strongly disagrees with the application and has concerns of financial risk, limitation to the use of back yard due to encroachment and a breech of privacy with several occupants seeing into their property deceasing their enjoyment and family life. Mr. Hehr continues that it will be a toll on mental health with decreased sunlight and it will create adverse effects on their routine and mood, causing a buildup of stress causing mental health issues. Mr. Hehr states that safety and privacy will be affected with the constant change of tenants in rental units, and their backyard will have tenants looking into their backyard twenty-four hours a day, and his family's safety will be compromised, and asks who is responsible for that. Mr. Hehr states that the back lights of the building and of the units will decrease his evening privacy in his backyard. Mr. Hehr states that his pool will now be useless as many tenants will be able to see into his backyard which will make his wife and daughter feel uncomfortable. Mr. Hehr states that the current zoning should be adhered to by building the same or similar developments. Mr. Hehr states that when he purchased this property the City ensured him that the surrounding lots will have the same or similar zoning, and now a four-storey building is being placed behind our house and it is not fair to my family that rules are being bent. Mr. Hehr continues that the development is depriving him of his rights, his safety, inconsiderate of our privacy, lack of empathy, playing with my family's emotions and family's investment is at risk, and asks who will take the responsibility for this. Mr. Hehr states he will escalate this issue by asking the media to publish this and asks for Mayor Dilkens to put a stop to this unfair proposal and help protect our rights and will continue to the Premier's office.

Councillor Marginani asks if the refuge container will be located and stored indoors or outdoors as it is close to the residential area. Ms. Pillon-Abbs is proposed to be located on exterior southeast corner and is subject to Site Plan Control and can be reviewed in the future at that stage. Councillor Marginani states that this will be a concern if it stays in the proposed spot because it is located in the residential area.

Councillor Marginani asks Mr. Hehr his address. Mr. Hehr states his address is 2239 Northway Avenue.

Councillor Francis asks if the development will not proceed if it is not a four-storey building, as there is a disagreement with City Administration regarding the height. Ms. Pillon-Abbs defers the question to the applicant and builder. Councillor Francis states that he will not support a four-storey building but would consider a three-storey.

Councillor Francis asks if the Committee agrees with Administration, site-specific at three-storeys, will the development still go continue or will it only proceed with four-storeys. Zak Habib states that if you look at the neighbourhood as a whole, there are other four-storey buildings within the area and is consistent and complement the surrounding neighbourhood with mixed heights. Mr. Habib states that this development provides a housing type that does not exist in the neighbourhood for residents who may require units like this. Mr. Habib continues that another less desirable proposal

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presented to the City was to build three four-plexes on the property, but this wasn't conducive for regular neighbourhood life. Mr. Habib states that the way this building is designed makes a very good use for the way the building is laid out with setbacks, where townhomes would have increased the number of units, parking, and garbage. Mr. Habib states that studies have been completed such as shadow studies and the effect it has on neighbouring properties. Mr. Habib concludes that the fourth storey is what makes the project viable due to increase costs. Councillor Francis clarifies that the project will not proceed without four storeys, and Mr. Habib agrees.

Councillor Kieran McKenzie asks if there are other ways in regard to Site Plan, to address privacy issues such as trees on the back end of the property. Mr. Habib states that along with site plan control, a landscaping plan and study have been conducted. Mr. Habib states that fencing and landscaping will be included to enhance the buffer between the building and the existing neighbours. Councillor McKenzie asks for Ms. Pillon-Abbs opinion. Ms. Pillon-Abbs states that the plan is to buffer the area from the parking area to residents with trees and a privacy fence.

Councillor Kieran McKenzie asks Administration whether the basis for recommendation for threestorey versus four-storey is solely on neighbourhood character or on the level on intensification such as inadequate services or traffic impacts. Mr. Garardo states that in evaluating the Official Plan, reasons for recommendation are types of development pattern where the current designation of the block is low profile residential with a maximum of three-storeys in height. Mr. Garardo continues that intensification guidelines, adequate separation and privacy are evaluated as well.

Councillor McKenzie asks if a four-storey building was recently approved near the development. Chair Morrison agrees that it was six-storeys with commercial on the back of the building on Huron Church. Councillor McKenzie asks that there are a number of buildings along the corridor that are above three-storeys. Mr. Garardo agrees, and that Huron Church is designated as a mixed-use corridor with permissions of higher density. The current Official Plan contains policies of low-profile developments.

Councillor McKenzie asks if the three-storey recommendation is marginal that could have easily been four-storeys. Mr. Garardo states his recommendation aligns with the Official Plan and Provincial Policy.

Councillor McKenzie asks if the recommendation is not approved for four-storeys what would his next steps be. Mr. Habib states he feels his proposal is the best use of the site and would consider three-storey townhomes with a basement additional dwelling unit (ADU). Councillor McKenzie informs Mr. Hehr that the applicant may have another proposal that would be equally concerning, and will not stay vacant, and asks what his response would be if there was future development on the land. Mr. Hehr states that the proposal does not align with the current neighbourhood and is not opposed to additional units, rather that it conforms to the current zoning.

Chair Morrison asks if the footprint be expanded to create twenty units on three-storeys. Bryan Pearce states that with collaboration with the City, the site plan is consistent with the street pattern with the existing neighbourhood. Mr. Pearce states that the remnant lands remaining allow for site circulation for a driveway and underground parking, and if expanding then the building would be

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closer to the road and lot lines. Mr. Pearce states that following the Intensification Policies and current zoning regulations of the City, a height relief of nine meters at a set back of twenty-five feet.

Chair Morrison asks if the extra twenty feet was used to expand the footprint and add more units. Mr. Garardo states that the recommended provisions do include certain enhancements on property that allow for flexibility for a multiple dwelling to be on the property. Mr. Garardo states that the current proposal does not have residential units on the first floor, some of the recommended provisions do give the flexibility for a reduced set back of 10.5 meters and 1.2 metres distance for parking from habitable rooms, and the number of parking units. Mr. Garardo concludes that the recommended provision does have flexibility.

Chair Morrison asks if the proposal does not have any residential units on the first floor. Ms. Pillon-Abbs states that only amenity space would be on the first floor and allows for parking to be brought closer to the building. Ms. Pillon-Abbs states that the focus is for affordable rental units which is not offered currently in this neighbourhood. Chair Morrison asks whether this is solely a residential building, not mixed-use. Ms. Pillon-Abbs agrees.

Councillor Marignani asks why administration is recommending three-storeys over four. Mr. Garardo states that three-storeys exhibits existing development patterns which is consistent with low development profiles.

Councillor Francis states he cannot support the motion and agrees with the resident regarding adding congestion to an already congested neighbourhood and to not support four storey building. Councillor Francis states that Mr. Habib had some great points but concludes he cannot support the motion.

Councillor McKenzie states that the impact of twenty units on infrastructure and traffic would be negligible, and the developer will address challenges for privacy to surrounding residents at the site plan control stage.

Moved by: Councillor Kieran McKenzie Seconded by: Member Anthony Arbour

Decision Number: DHSC 620

- 1. THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating lands on Plan 1015, Lots 76 to 79, Part Lot 75 and RP 12R21146 Parts 5 to 7; Windsor (Roll 080-490-04510-000), situated on the East side of Daytona Avenue, South of Northwood Street and known municipally as 2230-2240 Daytona Avenue, as a Special Policy Area; and,
- 2. THAT Chapter I in Volume II: Secondary Plans and Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding site specific policies as follows:

### 1.XX East Side of Daytona Avenue, South of Northwood Street

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LOCATION		1.xx.1	The property described as Plan 1015, Lots 76 to 79, Part Lot 75 and RP 12R21146 Parts 5 to 7, in the City of Windsor, known municipally as 2230-2240 Daytona Ave, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.
ADDITIONAL USES	PERMITTED	1.xx.2	Notwithstanding Section 4.7.1.4 of the Official Plan, Volume II, South Cameron
			Secondary Plan: a multiple dwelling shall be an additional permitted use.

3. THAT Zoning By-Law 8600 **BE AMENDED** by changing the zoning of Plan 1015, Lots 76 to 79, Part Lot 75 and RP 12R21146 Parts 5 to 7; Windsor (Roll 080-490-04510-000), situated on the East side of Daytona Avenue, South of Northwood Street and known municipally as 2230-2240 Daytona Avenue by adding a site-specific exception to Section 20(1) as follows:

#### 505. EAST SIDE OF DAYTONA AVENUE, SOUTH OF NORTHWOOD STREET

For the lands comprising Plan 1015, Lots 76 to 79, Part Lot 75 and RP 12R21146 Parts 5 to 7; Windsor (Roll 080-490-04510-000), situated on the East side of Daytona Avenue, South of Northwood Street and known municipally as 2230-2240 Daytona Avenue, a multiple dwelling with five or more dwelling units shall be an additional permitted main use subject to the following additional provisions:

- 1. Notwithstanding the definition of "front lot line" in Section 3, the exterior lot line adjacent to Daytona Avenue shall be deemed to be the front lot line.
- 2. Lot Width minimum 44.0 m
- 3. Lot Area per dwelling unit minimum 90.0 m2
- 4. Lot Coverage maximum 40.0%
- 5. Main Building Height –maximum 14.63 m
- 6. Front Yard Depth minimum 4.0 m
- 7. Side Yard Width minimum 5.0 m
- 8. Rear Yard Depth minimum 12.0 m

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- 9. Notwithstanding Sections 25.5.20.1.5 and 25.5.20.1.6, where a building is located on the same lot as the parking area, for a building wall containing a habitable room window, a main pedestrian entrance facing the parking area, or containing both a habitable room window and main pedestrian entrance facing the parking area, the minimum parking area separation from that building wall shall be 0m.
- 10. Direct vehicular access to Northwood Street is prohibited; and,
- 4. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, as required, in the site plan approval and site plan agreement:
- a) Noise abatement shall be required to be incorporated into the site plan agreement in accordance with section 4.7.1.9 of the City of Windsor Official Plan, Vol. II.
- b) The requirements and recommendations of municipal departments and agencies as noted in this report and detailed in Appendix attached.

  Carried.

Councillors Fred Francis and Angelo Marignani voting nay.

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

Report Number: S 67/2024 Clerk's File: Z/14775 & Z/14776

### 7.5. OPA and Rezoning – Generation Development Contractors Inc. – 3930 & 3950 Sixth Concession Road – OPA 185 OPA/7185 Z-008/24 ZNG/7184 - Ward 9

Diana Radulescu (co-author), Planner II – Development Review, presents application.

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

Michael Davis (agent), Andi Shallvari & Marc Masotti (applicants) are available for questions.

Sukhi Dhaliwal, Heather Purdy, Pavitarpal Randha (area residents) are available for questions.

Mr. Davis states the project will create sixteen new townhomes, eight containing additional dwelling units (ADU), which will provide housing for an identified gap and catering to small families. Mr. Davis informs the Committee that the project is low profile in nature, has a balance of lot coverage versus open space, integrate parking with garages to accommodate the parking ratio, at grade ADUs for a wider demographic.

Councillor Jim Morrison leaves the meeting at 7:11 o'clock p.m. and Councillor Mark McKenzie assumes the chair.

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Mr. Davis states that there were multiple concerns from the public regarding the volume of traffic, where a Traffic Impact Study was conducted and concluded that it supported the application with some suggested changes. Mr. Davis adds that a Site Line Analysis and Sanitary Capacity Study were completed and concluded that it was in support of the application, and that the surrounding schools have availability for additional students. Mr. Davis concludes he is in full support of the Planning Staff report.

Councillor Jim Morrison returns to the meeting at 7:17 o'clock p.m. and Councillor Mark McKenzie returns to his seat at the Council Table.

Satvir Sandhu (area resident) states she resides next to the proposed development. Ms. Sandhu has concerns of neighbourhood preservation, traffic impact and safety, multiplexes are not permitted, flooding, safety for children boarding school buses, overflowing surrounding school, and accidental fires spreading to proximity houses with short-staffed emergency services. Ms. Sandhu shares concerns of privacy, safety, and quality of life for her family.

Suzanne De Froy (area resident) inquires about the number of emails sent in opposition of the development. Chair Mark McKenzie states that the agenda is posted online and includes submissions received to date. Ms. De Froy states concerns of traffic flow and speed, public safety, the proposed application fails the Planning Act tests, virtual consultation with residents were not available for the elderly population, several housing units replacing one individual residence, parking, tree replacement. Ms. De Froy adds that this will increase the number of residents, set a precedence for future developers for three storey residence, and the intended need or hardship by the applicant has not been established. Ms. De Froy states quality of life, traffic noise, safety are also concerns and submits a petition with 170 signatures.

Jagjeet Bal (area resident) has concerns of high-volume traffic, decreased safety and increased motor vehicle accidents.

Kathy Moreland (area resident) has concerns of increasing housing density changing the neighbourhood, increased noise, traffic, litter, strain on transit and school system, ack of sidewalks, accessibility, and safety risks for persons with disabilities and elderly, lack of police enforcement for speeding, lack of public transit, and underdeveloped infrastructure. Ms. Moreland concludes asking for the Committee to deny the proposal.

lan Murphy (area resident) has concerns of flooding, lack of public notification regarding development, large volume of traffic, car accidents and lack of safety for residents and special needs children. Mr. Murphy states concerns of lack of planning, infrastructure and sidewalks, installation of a round-about will increase traffic, the design and lack of parking for the new development and safety for children boarding school buses.

Brian Kukhta (area resident) states that the homes in the neighbourhood are not starter homes and developments over the years have complied with the by-laws and blended with the existing neighbourhood but this proposal does not. Mr. Kukhta has concerns of the lack of parking for residents of the new development and the safety of their visitors parking in other areas of the

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neighbourhood. Mr. Kukhta has concerns of the precedence this sets for surrounding neighbourhoods for high density and does not complement the neighbourhood.

Ruqaiya Siddiqui (area resident) has concerns of preserving the character and community of the neighbourhood and this proposal does not match the surrounding housing

Councillor Kieran McKenzie inquires what is being proposed and the difference between the development and high-density housing. Mr. Davis states that anything more than a three-storey building is not considered low profile. Councillor McKenzie inquires whether the peak of the roof is the only difference between this development and the highest building in the area. Mr. Davis states that is correct.

Councillor Kieran McKenzie inquires about whether the proposal for parking exceeds the City's requirements. Mr. Davis agrees. Councillor McKenzie inquires about bicycle storage. Mr. Davis states the development does include indoor and temporary short-term bicycle storage.

Councillor Kieran McKenzie inquires about the market segment this development caters to. Mr. Davis states this development is for young families and multi-generational families with multiple levels.

Councillor Kieran McKenzie inquires if the characteristic of the development is consistent with a nearby townhome development. Mr. Davis states there have been approved developments within the area that are similar and following the Intesification Guidelines.

Councillor Kieran McKenzie inquires about the refuse management program for the development. Mr. Davis states that this will be addressed in Site Plan Control approval process.

Councillor Kieran McKenzie inquires about the measures to address impacts on infrastructure and storm water management. Mr. Davis states that requirements included a sanitary capacity study and storm water management with no issues identified.

Councillor Kieran McKenzie inquires about the Traffic Impact Study (TIS). Mr. Davis states the AM and PM peak hour impact is minimal, and no impact on surrounding intersections.

Councillor Kieran McKenzie inquires if Ms. De Froy has increased comfort after hearing Mr. Davis speak about the development. Ms. De Froy states she has no comfort from the previous statements and states that several problems have not been addressed over the years, and burden is placed on the neighbourhood.

Councillor Kieran McKenzie agrees that there are issues but is not convinced that twenty-four units is a major impact. Ms. De Froy states that near by developments have made the area very busy, and that there are other developments in the surrounding area to fulfill needs of smaller homes and not warranted at this site.

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Councillor Kieran McKenzie asks Ms. Sandhu to address the traffic issues and extent of the accidents. Ms. Sandhu states that there are frequent accidents at Sixth Concession and Ducharme and the last one was two weeks ago. Ms. Sandhu states concerns of flooding.

Councillor Kieran McKenzie asks Ms. Bal to address traffic issues. Ms. Bal states there are countless accidents and causes a burden on the healthcare system.

Councillor Kieran McKenzie asks Mr. Kukhta if different types of housing belong in certain places, and a neighbourhood should not vary from the surrounding housing. Mr. Kukhta states that the proposed development does not comply with the secondary plan.

Councillor Kieran McKenzie inquires about the impact the development will have on water management capacity. Ms. Radulescu defers the question to the Engineering Department. Juan Paramo states that a Sanitary Sewer Study was received and that there is capacity to support the proposed development.

Councillor Kieran McKenzie asks Administration why flooding in the area and the impact of the proposed development. Patrick Winters states that there will be no impact, as there are standards that must be met and that flooding issues within the area is specific to individual properties. Councillor Kieran McKenzie inquires if Engineering Staff will attend individual homes to assess the reason for flooding and whether it's due to City related issue. Mr. Winters states there are City programs to prevent basement flooding such as the Basement Flooding Subsidy Program.

Councillor Kieran McKenzie inquires about the TIS and Administrations view. Shawna Boakes states an analysis of the TIS was conducted and states the impacts noted by the Developer are correct.

Councillor Kieran McKenzie inquires about transit services. Ms. Radulescu states that there are services at Sixth Concession and Provincial Road, and that Transit Windsor was circulated, and an additional route has been approved by City Council that will improve access to transit in the area and to this development.

Councillor Kieran McKenzie inquires about the extent to which the proposed development will impact potential developments in the area. Ms. Radulescu states each Planning Act application is reviewed individually.

Councillor Kieran McKenzie inquires about the City's authority with respect to land use and planning in relation to the Provincial Policy Statement (PPS), and if this development is denied at Council what is the process that follows. Adam Szymczak states that the applicant would have the right to appeal if Council does not follow the recommendations provided by Planning staff. Councillor K. McKenzie inquires whether the standard that is applied is consistent with the PPS in relation to the appeal. Mr. Szymczak agrees. Councillor K. McKenzie inquires whether Administration's recommendation is consistent with the PPS and what is being proposed. Mr. Szymczak agrees. Councillor K. McKenzie asks if the appeal would be presented to the Ontario Land Tribunal (OLT), where the applicant can state that Administration's recommendation aligns

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with the PPS despite the assumption that Council denies the application, and what happens in this situation. Mr. Szymczak states that it depends on what evidence is brought forward to the OLT. Thom Hunt states that the matter would be debated before the OLT. Councillor K. McKenzie inquires what the consequence are to the City if the decision at the OLT is to approve the amendments. Mr. Hunt defers the question to the Legal Department. Aaron Farough states the decision of the OLT would supersede any decision made by the City and applications go through an independent analysis and merit to determine consistency with the PPS, and if the decision of Council was overturned, the OLT may choose to award costs which would be payable by the City.

Councillor K. McKenzie inquires about the Ten-Year Capital Plan and whether the Sixth Concession project will be implemented in the plan at this time. Mr. Winters states that there is funding for the implementation of the Environmental Assessment and there are two more phases to complete prior to the assessment of the Sixth Concession. Councillor McKenzie confirms that most of a section of the Sixth Concession has been completed. Mr. Winters states that it was completed as a part of the Provincial Road Project. Councillor McKenzie confirms that the remainder of the Sixth Concession requires funding to be completed. Mr. Winters agrees.

Councillor Francis inquires whether once an application is approved for rezoning, is it more likely that Planning Staff would recommend approval of similar developments in the area.

Mr. Szymczak disagrees and states that every application is reviewed on its own merits. Councillor Francis inquires whether the approval comes down to Council decision as Administration would recommend another proposal that is similar. Mr. Szymczak states that approval of applications is always at Council's discretion.

Councillor Marginani inquires whether the four units will be severed. Ms. Radulescu states that that is unknown currently and that the application only entails the Zoning By-Law and Official Plan Amendments.

Councillor Francis states he cannot support the recommendation as the characteristics of the neighbourhood will change and create a precedence with future developments.

Councillor Kieran McKenzie opposes the motion and acknowledges the challenges of road infrastructure in the area, and states that traffic impact is negligible based on the TIS and the low impact of twenty-four units based on the studies conducted with little impact on surrounding neighbourhoods.

Chair Morrison opposes the motion.

Moved by: Councillor Fred Francis Seconded by Member Anthony Arbour

THAT the application for OPA and Rezoning – Generation Development Contractors Inc. – 3930 & 3950 Sixth Concession Road – OPA 185 OPA/7185 Z-008/24 ZNG/7184 - Ward 9 BE DENIED.

The motion is **put** and is **lost**.

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Aye votes: Councillors Fred Francis, Mark McKenzie, Angelo Marignani and Member Anthony Arbour.

Nay votes: Councillors Kieran McKenzie and Jim Morrison and Members Daniel Grenier and Robert Polewski.

Absent: None. Abstain: None.

Moved by: Councillor Kieran McKenzie Seconded by: Member Daniel Grenier

- 1. THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan BE AMENDED by designating Part of Lot 14, Concession 6, Sandwich East and Part 3, Plan 12R-14860 (PIN 01560-0993), and Lot 104, Plan 12M-524 (PIN 01560-2471), further identified as Parts 1, 2, and 3, Plan 12R-28726 (Roll No. 070-150-00801, 070-150-23126), situated on the north side of Ducharme Street, east of Sixth Concession Road, and known municipally as 3930 and 3950 Sixth Concession Road, 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 NORTHEAST CORNER OF SIXTH CONCESSION ROAD AND DUCHARME STREET

LOCATION 1.X.1

The property described as Part of Lot 14, Concession 6, Sandwich East and Part 3, Plan 12R-14860 (PIN 01560-0993), and Lot 104, Plan 12M-524 (PIN 01560-2471), further identified as Parts 1, 2, and 3, Plan 12R-28726, situated at the northeast corner of Sixth Concession Road and Ducharme Street is designated on Schedule A: Planning Districts and Policy Areas in Volume I - The Primary Plan.

ADDITIONAL PERMITTED USES 1.X.2

Notwithstanding the "Low Profile Residential" land use designation on Schedule NR2-7: Land Use Designations and the Low Profile Residential policies in Section 3.7.2 of the North Roseland Planning Area, a townhome dwelling or multiple dwelling having a maximum building height of 11 m shall be an additional permitted use.

3. THAT Zoning By-law 8600 BE AMENDED by changing the zoning of Part of Lot 14, Concession 6, Sandwich East and Part 3, Plan 12R-14860 (PIN 01560-0993), and Lot 104, Plan 12M-524 (PIN 01560-2471), further identified as Parts 1, 2, and 3, Plan 12R-28726; Roll No: 070-150-00801 and 070-150-23126, situated on the north side of Ducharme St, east of Sixth Concession Rd, and

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known municipally as 3930 and 3950 Sixth Concession Road, further identified as Parts 1, 2 and 3 on the draft reference plan attached as Appendix A to Report S 66/2024, by adding the following site specific exception:

#### 502. NORTHEAST CORNER SIXTH CONCESSION ROAD AND DUCHARME STREET

For the lands described as Part of Lot 14, Concession 6, Sandwich East and Part 3, Plan 12R-14860 (PIN 01560-0993), and Lot 104, Plan 12M-524 (PIN 01560-2471), further identified as Parts 1, 2, and 3, Plan 12R-28726, the following additional provisions shall apply:

1) The following are an additional permitted *main use*:

Multiple Dwelling

Townhome Dwelling

- 2) The following additional provisions shall apply to an additional permitted *main use*:
  - a) Notwithstanding the definition of "front lot line" in Section 3, for the purpose of the additional provisions below, the exterior lot line adjacent to Sixth Concession Road shall be deemed to be the front lot line.

b)	Dwelling units – maximum	24
c)	Lot Width – minimum	20.0 m
d)	Lot Area – minimum	135 m² per unit
e)	Lot Coverage – maximum	45% of <i>lot area</i>
f)	Main Building Height – maximum	11.0 m
g)	Front Yard Depth – minimum	4.5 m
h)	Rear Yard Depth – minimum	7.5 m
i)	Side Yard Width – minimum	2.5 m
j)	Gross Floor Area – <i>Total Main Building</i> – maximum	3,900 m <sup>2</sup>

- k) Notwithstanding Section 25.5.10.1, tandem parking spaces are permitted.
- m) 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 0.0 m.
- n) 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.
- p) Sections 5.11.5 and 24.40 shall not apply.

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The motion is **put** and is **lost**.

Aye votes: Councillors Kieran McKenzie and Jim Morrison and Members Daniel Grenier and Robert

Polewski.

Nay votes: Councillors Fred Francis, Mark McKenzie, Angelo Marignani and Member Anthony

Arbour.

Absent: None. Abstain: None.

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

Decision Number: DHSC 621

That the report of the Planner II – Development dated May 16, 2024 entitled "OPA and Rezoning – Generation Development Contractors Inc. – 3930 & 3950 Sixth Concession Road – OPA 185

OPA/7185 Z-008/24 ZNG/7184 - Ward 9" **BE RECEIVED**.

Carried.

Report Number: S 66/2024 Clerk's File: Z/14777 & Z/14779

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 9:06 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 9:06 o'clock p.m.

### 8. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 9:06 o'clock p.m. Carried.

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



Council Report: S 22/2024

Subject: Official Plan Amendment to Facilitate Additional Changes to Streamline the Development Approval Process OPA 179[OPA/7166] - City Wide

#### Reference:

Date to Council: July 2, 2024

Author: Michael Cooke, MCIP, RPP

(519) 255-6543 x 6102 mcooke@citywindsor.ca

Planning & Building Services Report Date: June 12, 2024 Clerk's File #: Z/14733

To: Mayor and Members of City Council

#### Recommendation:

- THAT Volume 1: The Primary Plan of the City of Windsor Official Plan BE AMENDED by adopting Official Plan Amendment (OPA) 179 attached hereto as Appendix 1, and summarized as follows:
  - a) Chapter 10, Procedures; Section 10.2, Supporting Studies and Information is hereby deleted and replaced by a new Section 10.2 Development Applications;
  - b) Chapter 10, Procedures; Section 10.6, Public Participation is hereby deleted and replaced with a new Section 10.6 Public Participation;
  - c) Chapter 11, Tools; Subsection 11.4.3, Consents is hereby deleted and replaced by a new Subsection 11.4.3 Consent Policies;
  - d) Chapter 11, Tools; Section 11.4.4, Part Lot Control is hereby deleted and replaced with a new Subsection 11.4.4 Part Lot Control Policies;
  - e) Chapter 11, Tools; Subsection 11.6.3, Zoning By-law Amendment Policies is hereby amended by adding Subsection 11.6.3.4;
  - f) Chapter 11, Tools; Subsection 11.6.6 Minor Variance Policies is hereby amended by deleting and replacing with new Subsections 11.6.6.1 to 11.6.6.5 (inclusive); and,
  - g) Chapter 11, Tools; Section 11.7 Site Plan Control is hereby amended by deleting and replacing with a new Section 11.7.
- THAT the Terms of Reference Planning Application Technical Guidelines attached as Appendix 2 to this report BE ADOPTED as a reference document to assist administration and applicants when submitting development applications.

 THAT Administration continue to give consideration to matters which could further assist with streamlining the development approval process and REPORT BACK on any options or parameters regarding the delegation of authority to Administration.

**Executive Summary: N/A** 

### **Background:**

### **Changes to Provincial Legislation:**

Since 2019, the Province of Ontario has introduced a number of legislative changes that have collectively served to encourage municipalities to:

- streamline the development approval process (i.e. shorten the length of time);
- increase the supply of new housing units; and
- support development and growth.

The relevant legislation is: Bill 108, More Homes More Choices Act (2019); Bill 109, More Homes for Everyone Act (2022); Bill 3, Strong Mayors, Building Homes Act (2022); and Bill 23, More Homes Built Faster Act (2022). Administration has previously reported to City Council on the implications of the legislation in reports: S57/2022; S91/2022; C18/2023 and C19/2023. In addition, City Council adopted recommendations contained in report C21/2023 to pledge to a provincial target of creating 13,000 new housing units in the City over a 10 year period.

In order to provide municipalities with needed resources to review and implement the legislative changes at the municipal level, the Province established a "Streamline Development Approval Fund" (SDAF). On February 14, 2022, City Council approved Administration's recommendations related to the SDAF Transfer Payment Agreement with the Province of Ontario. The eligible funding allowed the City to complete a number of studies and subsequent amendments including: Zoning By-law Amendments; Official Plan Amendments; and, general changes to development application processes and procedures. The funding made it possible for SDAF work to be completed by internal staff together with external consultants led by Jim Dyment (Municipal Planning Consultants) and Ron Palmer (The Planning Partnership).

The purpose of the Official Plan amendment being brought forward in this report is to further implement the Provincial Legislative changes referenced above. The intent of this third and final phase of the SDAF project serves as an important component to both simplify and streamline the development approval process with the goal of supporting development to create housing units while supporting the economy. The SDAF has assisted municipalities in Ontario to make the development approval process clearer and quicker for all participants including: applicants/developers; agents representing applicants; members of the public; and members of Administration.

**Note:** On June 6, 2024, Provincial Bill 185 (*Cutting Red Tape to Build More Homes Act*) received Royal Assent. This report and the recommended Official Plan Amendment have been updated to ensure consistency with respective sections of Bill 185. In addition, the Province has brought forward proposed changes to the Provincial Policy Statement (2020).

Administration will continue to monitor these and any other amendments approved by the Province and will report to DHSC and City Council on changes required to either the Official Plan, Zoning By-laws or Site Plan Approval process.

#### Discussion:

The following is a brief summary of the three phases of work completed as part of the SDAF project since 2022:

**Phase 1**: The first phase of the project resulted in Official Plan and Zoning By-law amendments being adopted by City Council in 2022. Those changes now allow specific lands within the City to be designated and pre-zoned to remove the requirement for Official Plan Amendments and Zoning By-law Amendments. This facilitates great opportunities for mixed-use (including residential) development to be built "as-of-right" along many public transit corridors and nodes (defined as major intersections and/or concentrated areas of land use). The reaction from the development community was considered to be very supportive of these changes as it will facilitate streamlining by removing the requirement for Zoning and Official Plan amendments in some areas of the City.

**Phase 2**: The second phase of the project provided recommendations regarding the development process for planning applications that were adopted by City Council in early 2023. The purpose of those changes were to reduce timelines between an application being deemed complete and a decision of City Council. This "streamlining" initiative was in response to the legislated deadlines for making decisions on development applications contained in Provincial Bill 109. The changes also provided targeted timelines for the development approval processes involving Official Plan and Zoning By-law amendments and site plan review. City Council supported these changes in order to reduce the likelihood of development application fees needing to be reimbursed as prescribed by Bill 109.

**Phase 3**: The key components of this third and final of the SDAF project will allow for further streamlining while also improving guidance and information provided to applicants and enhancing public participation. These components are outlined as follows:

#### Viability:

In the past, Administration has received feedback from the development community that they would appreciate knowing early in the process if:

- a development proposal is worth pursuing;
- a change to the proposal should be considered; or
- an alternate site might be considered that would better suit the proposal.

For this reason, Administration has introduced a statement of "viability" as part of the response to a Stage 1 Planning Consultation application (see section 10.2.3) In this regard, Administration is able to offer some guidance to suggest if a development proposal is 'viable' (i.e. appears to be an appropriate development application) or if it might be considered "not viable' (i.e. will be subject to a number of significant challenges related to any combination, lack of infrastructure; conflicting land uses; significant number of studies being required; negative impact on surrounding land uses).

In addition, Administration often works with property owners and developers who may be unfamiliar with the development approval process. The newly adopted process of Stage 1 Planning Consultation and ability of staff to help determine the general viability of a proposal has been identified as a valuable to especially assist anyone new to the process. As has been the practise in the past, Administration remains committed to working with the development community to assist in creating solutions that support developers while balancing the interest of the public that can ultimately be recommended by City Council.

#### **Technical Studies:**

If a particular proposal requires a number of studies in order to be considered as part of a development application (e.g. Planning Rationale; Stormwater Management; Transportation Impact; Noise and Vibration) a significant cost can result. In the event that a proposal is ultimately denied, the developer has incurred a significant cost and the proposal does not proceed. (note: with the introduction of a 'viability' statement as referenced above, it is the hope that most if not all applications can proceed with support of Administration, the general public and City Council).

A key and positive benefit resulting from this phase of the SDAF work program, has been to provide the development community with a guideline document that clearly details the scope of work for any technical study that may be requested by Administration (see Appendix 2). This will assist both in-town and out-of-town developers and their agents to gain a better understanding of the work required to prepare a technical studies. It is important to note that while the guidelines are detailed, the scope of work can be reduced depending on the nature of the proposal. This step also provides the opportunity to allow for development proposals to proceed quicker through the approval process since study components are clearly outlined in advance.

#### **Public Engagement:**

It is a requirement of the Planning Act that the public is notified and invited to attend and/or provide written comments to the Development & Heritage Standing Committee for any development application. Included within OPA 179, are changes that enhance the opportunity for public participation and involvement early in the process before a development application is submitted. Section 10.6 of the OPA indicates that an applicant may be required to hold an 'Open House' meeting with surrounding property owners in order to obtain and record their comments and concerns. The direct value of these meetings is to allow the public to be informed and be heard before a development application is submitted to the Planning Department.

This change provides a very significant opportunity for members of the public to be engaged and participate in the development process. In the past, the public would only learn of a development proposal if they received an invitation in the mail to attend an upcoming meeting to the Development & Heritage Standing Committee (DHSC). By that stage, the developer's proposal would have already undergone an extensive Administrative review. If area property owners expressed any objection at DHSC the result would often result in a recommendation of deferral with a request to have the developer meet with residents to hear their concerns and possibly amend their proposal. This additional step would extend the timeline of the approval process with the added risk of potentially increasing the applicant's costs if the proposal required revisions.

By introducing the requirement of an Open House in the 'Consultation Stage' the Public, Applicant and Administration can all be provided with an opportunity to be more aware of any questions or concerns. In this regard, a proposal can be amended before it is submitted as part of a formal application to amend the Official Plan and/or Zoning Bylaw. This change facilitates streamlining by reducing the need for an application to be deferred at DHSC by obtaining public input sooner by way of an Open House.

#### Flexibility:

OPA 179 introduces enabling policies in sections 11.6.3 and 11.6.6 to allow Administration and Committees the opportunity to expedite development approvals by providing greater flexibility in the process. In circumstances of a minor amendment to the Zoning By-law, the prescribed process under the Planning Act will still be followed. However, in some circumstances an amendment/variance might also be able to proceed under an application for a minor variance with the Committee of Adjustment – a generally shorter process under the requirements of the Planning Act. Given that developers seek to move through the approval process as quickly as possible, Administration considers these options around flexibility to be appropriate since the opportunity for public involvement is not sacrificed.

A further underlying advantage of these amendments is to recognize that in some situations, the quality of a development proposal can be enhanced even if minor amendments are necessary. The principle at work here is to work with an applicant and

area residents to achieve a high quality proposal even if the trade-off requires additional minor amendments to a development proposal.

A powerpoint presentation summarizing the work completed in Phases 1 to 3 has been prepared by the consultants and is attached as an information item (see Appendix "4").

### Planning and Land Use Implications: Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario. The following policies outline those related to the responsible and efficient use of land while facilitating intensification, economic development and municipal servicing

- 1.1.1 Healthy, liveable and safe communities are sustained by:
- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

b)accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

c)avoiding development and land use patterns which may cause environmental or public health and safety concerns;

d)avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;

e)promoting the integration of land use planning, growth management, transitsupportive development, intensification and infrastructure planning to achieve costeffective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

f)improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;

g)ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;

h)promoting development and land use patterns that conserve biodiversity; and

The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely,

to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

- 1.1.3.1 Settlement areas shall be the focus of growth and development.
- 1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
- a)efficiently use land and resources;

b)are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

c)minimize negative impacts to air quality and climate change, and promote energy efficiency;

d)prepare for the impacts of a changing climate;

e)support active transportation;and

f)are transit-supportive, where transit is planned, exists or may be developed.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

This OPA covers all lands within the City of Windsor. The intent of this amendment (together and collectively with the work completed as part of Phase 1 and Phase 2 of the SDAF project) is to implement the above policies of the PPS 2020 by:

- facilitating infill development in existing areas of the city by reducing the requirement for applications in some circumstances;
- increasing the opportunity for public participation by standardizing the requirement for open house/information sessions with area property owners before a development application is submitted;
- allowing the development industry to have a clearer understanding of the types of studies that may be required before a development application is submitted.

In addition to the above PPS policies, this OPA supports the Provincial direction to streamline development approvals at the municipal level. In this regard, the OPA has

been identified as a component and final deliverable from the City to the Province as part of the SDAF funding.

### City of Windsor Official Plan (OP)

**Growth Concept, S 3.2, OP Vol 1**: "The policies of this Plan are directed toward accommodating the projected growth through practical and efficient land use management strategies that promote a compact pattern of development and balanced transportation system. Compatible residential, commercial and employment growth will be directed to appropriate locations within existing and planned neighbourhoods to reduce development and infrastructure costs and provide opportunities to live, work and shop in close proximity".

Infrastructure, s. 7.0 of OP Vol. 1: "The provision of proper infrastructure provides a safe, healthy and efficient living environment. In order to accommodate transportation and physical service needs in Windsor, Council is committed to ensuring that infrastructure is provided in a sustainable, orderly and coordinated fashion".

OPA 179 is in conformity with the above Official Plan policies. It will continue to ensure that the goals and objectives of the plan allow for the orderly development of land in a streamlined approach. This will be achieved by allowing the public to be engaged in the development approval process through non-statutory open house information sessions and also the public meeting of the Development & Heritage Standing Committee and City Council.

The OPA also provides an opportunity both Administration and the applicants requiring a development approval to have a clear understanding of the scope of work required for any of the technical studies that may be requested. Hereto, the intent is to provide an opportunity for timelines to be shortened so that any required studies can be prepared with a better understanding of the work required. For reference purposes, a side-by-side comparison table of the existing Official Plan policies and the ones proposed in OPA 179 are provided in the attached Appendix 3.

Risk Analysis: N/A

Climate Change Risks

Climate Change Mitigation: N/A
Climate Change Adaptation: N/A

#### **Financial Matters:**

There are no anticipated financial implications associated with the adoption of these recommendations.

#### Consultations:

Consultation comments have been received from administrative departments including: Public Works (Operations); Public Works (Engineering), Legal, Parks & Facilities and also from external agencies. All comments and suggested changes have been

reviewed, discussed and considered in the final version of OPA 179 as recommended in this report.

The required statutory public notice was posted in the Windsor Star in early June in advance of the July 2, 2024 meeting of the Development & Heritage Standing Committee. A copy of the OPA was circulated to planning consultants who represent the local development community and also relevant external agencies. A copy will also be made available to the public on the City's website a minimum of 10 days in advance of the Committee meeting.

#### Conclusion:

If approved, the expected outcomes of this OPA will include a number of further changes to facilitate streamlining by providing applicants with more information earlier in the process regarding the viability of proposals and nature of technical reports that may be required. The amendments also enhance the opportunity for greater public participation before proposals are finalized. The applications which are impacted include minor variances; consents; minor zoning amendments; and site plan control.

### **Planning Act Matters:**

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

Neil Roberson, MCIP, RPP Deputy City Planner, Growth Thom Hunt, MCIP, RPP City Planner

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

JP JM

Approvals:

Name	Title
Greg Atkinson	Deputy City Planner, Development
Neil Robertson	Deputy City Planner, Growth
Thom Hunt	City Planner
Jelena Payne	Commissioner, Economic Development
Wira Vendrasco	Acting City Solicitor

### **Notifications:**

Name	Address	Email
List provided to Clerks		

### **Appendices:**

Appendix 1: Official Plan Amendment OPA 179

Appendix 2: Terms of Reference – Planning Application Technical Studies

Appendix 3: Comparison Table of Proposed and Current Official Policies

Appendix 4: Powerpoint presentation of consultant Jim Dyment

### **APPENDIX 1**

#### **AMENDMENT NO. 179**

#### TO THE OFFICIAL PLAN

#### **CITY OF WINDSOR**

Part B (Details of the Amendment) contained in the following text of the
City of Windsor Official Plan constitute
Amendment No. 179

Also included, but not constituting part of the Amendment are: Part A (Basis); Part C (Implementation) and Appendix A (Results of Public Consultation).

June 12, 2024

### This Official Plan Amendment contains the following Parts:

Part A: Basis

Part B: Details of the Amendment

Part C: Implementation

Appendix A: Results of Public Consultation

### PART A: BASIS

#### 1.0 PURPOSE

The purpose of this amendment is to implement policies that will further enhance and expedite the development approval process. The policies in this amendment update the current Official Plan policies to clearly identify the information required when a planning application is submitted, define the process that will be completed by the applicants and the City and clarify the criteria that will be considered when making decisions on those applications.

# 2.0 LOCATION AND DESCRIPTION OF LANDS AFFECTED BY THE AMENDMENT

The amendment affects all lands in the City of Windsor.

### 3.0 BACKGROUND

This Amendment is the third and final phase of work undertaken by the City of Windsor in an effort to streamline development approvals to expedite the development approval process. The works have been undertaken to respond to legislative changes contained in Provincial Bills 108, 109 and 185.

Phase 1 of the project resulted in Official Plan and Zoning By-law amendments that designated lands and pre-zoned lands to remove the requirement for Official Plan Amendments and Zoning By-law Amendments in specified parts of the City to provide great opportunities for mixed-use development in higher intensity built forms. Phase 2 of the project provided recommendations regarding the development process for planning applications in the City in an effort to reduce timelines between an application being deemed complete and a decision of City Council.

Phase 3 of the streamlining project, and the subject of this OPA, focuses on changes that will provide greater clarity and guidance to applicants regarding the City's requirements in the development approval process. In addition, the Amendments will provide enabling policies that will provide City staff and Committees opportunities to expedite development approvals by providing greater flexibility in the approval process. Finally, the amendments are intended to reduce uncertainty for the development industry and residents and to encourage investment in the City. The proposed Amendments would revise the current Official Plan policies regarding:

- Committee of Adjustment;
- Consent;
- Part Lot Control
- Non-Conforming Uses;
- Minor Rezoning; Supporting Studies and Guidelines;
- Alternate Notice; and
- Site Plan Control.

### PART B: DETAILS OF THE AMENDMENT

Volume 1 of the Official Plan for the City of Windsor is hereby amended as follows:

1. Section 10.2, Supporting Studies and Information is hereby deleted and replaced with the following:

### 10.2 Development Applications

The following policies describe how development applications will be submitted, reviewed and processed.

CONSULTATION 10.	7	1
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Formal consultation with the City and relevant commenting agencies shall be permitted prior to the submission of any development application required under the Planning Act. The objective of consultation shall be to inform an applicant of the approval process, including the City's requirements for supporting information and material to be submitted as part of a complete application.

### PURPOSE 10.2.2

The purpose of the consultation will be to review a draft development proposal for the lands affected and identify the need for, and the scope of Supporting Technical Studies and other information and materials considered necessary by the City and other affected agencies to allow for a comprehensive assessment of the development application(s).

# CONSULTATION 10.2.3 STAGES

Consultation shall involve two stages:

a) Stage 1 - Identifying a preliminary list of required Supporting Technical Studies, plans, other information and material to be submitted with a complete application, including fees or approvals from other agencies as may be required. As part of this stage, the applicant will also be advised if a proposed development is identified as being "viable". The term "viable"

will be used to help the applicant to decide if they wish to proceed to Stage 2 of the application process or if they might also consider revising their proposal;

b) Stage 2 - The applicant will submit an application with fees together with copies of all Supporting Technical Studies identified as being required in Stage 1. All studies will be reviewed by Administrative Departments and local agencies. If a peer review is required, it will be completed at the expense of the applicant.

# REQUIRED 10.2.4 INFORMATION

The applicant shall initiate the consultation process by completing and submitting a Planning Consultation Stage 1 application that includes:

- a) Mapping that identifies the location of the Subject Site and surrounding context;
- A description of the existing Official Plan designation and Zoning affecting the Subject Site; and
- c) A preliminary description of the proposed development concept, including, where applicable, a description of the proposed Official Plan and/or Zoning amendments to be requested.

### EXEMPTIONS 10.2.5

The City may forgo consultation, where the City has identified that due to the nature of the proposal, the need for and scope of required information and materials can be determined without formal Stage 1 and/or Stage 2 consultation.

INCOMPLETE APPLICATIONS	10.2.6	Development applications submitted to the City prior to completion of the Stage 1 and Stage 2 consultation without the necessary supporting information and materials may be deemed as incomplete and returned to the applicant.		
COMPLETE APPLICATION REQUIREMENTS	10.2.7	The City shall determine if the information and materials necessary for submission with the application based on the nature of the proposal and generally in accordance with the list of Supporting Technical Studies identified in this Plan.		
TECHNICAL STUDIES REQUIRED	10.2.8	Any or all of the Supporting Technical Studies identified in this Plan may be requested from applicants to ensure that all relevant and required information pertaining to a development application is available at the time of submission, or, if subsequently deemed necessary, prior to a prescribed public meeting.		
STUDY PURPOSE	10.2.9	It is the intent of the Supporting Technical Studies to enable the City to make informed decisions within the time periods set out in the Planning Act. The City may require provision of Supporting Technical Studies at its sole discretion as part of a complete application, at any time during the processing of an application under the Planning Act: including but not limited to those Studies listed below:		

a) Planning Rationale Report - The purpose of the Planning Rationale Report is to provide a framework for an applicant seeking development approval to explain salient details of the application and provide supporting land use planning reasons and opinions why the proposal should be considered and approved. This document is also intended to assist staff with their review and processing responsibilities;

- b) Urban Design Study The purpose of an Urban Design Study is to provide direction for the protection and enhancement of the character of a planning district, neighbourhood, corridor or any other identified area, and the thoughtful implementation of good urban design principles based on an assessment of the characteristics and opportunities of the surrounding community;
- c) Built Heritage Impact Study The purpose of a Heritage Impact Study is to identify and evaluate cultural heritage resources and determine if any heritage resources, including listed or designated heritage resources, are impacted by development proposals and the potential need for mitigation measures;
- d) Archaeological Assessment The purpose of an Archaeological Assessment is to ensure archaeological resources on site are evaluated, documented and mitigated prior to land disturbance/site development;
- e) Block Plan The purpose of a Block Plan is to provide comprehensive and specific direction for areas where the existing land use designations are appropriate but more detailed guidance is required for areas experiencing transition or development pressures in order to optimize development potential and infrastructure;
- f) Environmental Impact Study The purpose of an Environmental Impact Study is to demonstrate that a proposed development or infrastructure undertaking may proceed with consideration to species at risk, lands designated or adjacent to Natural Heritage, Environmental Policy Area A or B and/or Candidate Natural Heritage Site without causing negative impact on the feature or its associated ecological functions;
- g) Watershed/Subwatershed Plan The purpose of a Watershed/Subwatershed Plan is to inventory,

assess and present information about water resources and related features and how they should be protected and enhanced to ensure the long-term health of the ecosystem as land uses changes on the basis of an entire watershed, or subwatershed;

- h) Stormwater Management Report The purpose of a Stormwater Management Report is to identify measures required to control the quantity, quality and runoff flowrate associated with the development of a specific area;
- Functional Servicing Study The purpose of a Functional Servicing Study is to determine how an area proposed for development will be serviced taking into consideration the future sanitary, water and storm sewer servicing needs.;
- j) Transportation Impact Study and/or Transportation Impact Statement The purpose of these studies is to identify the transportation network improvements and on-site design elements necessary to accommodate additional vehicle, cyclist, pedestrian and transit traffic and parking the proposed development will generate and ensure its impact on adjacent land uses is safe and acceptable;
- k) Noise and/or Vibration Study The purpose of a Noise and/or Vibration Study is to demonstrate that a proposed development may proceed in such a manner that the sensitive land uses are protected from unacceptable levels of noise and vibration associated with uses such as industrial operations, public highways, rail corridors and yards, and airports;
- Tree Inventory and Preservation Study The purpose of a Tree Inventory and Preservation Study is to investigate and inventory existing

trees and vegetation within and adjacent to development and determine how protection and enhancement can coincide with proposed development;

- m) Lighting Study The purpose of a Lighting Study is to evaluate the intensity and impact of light pollution generated by development, the potential impacts on residential property and wildlife, and to ensure visibility, safety and mitigation;
- n) Climate Change and Energy Studies - The purpose of a study regarding Climate Change or Energy is to evaluate how the proposed development could alter the climate impacting: wind; shadow and sunlight penetration; urban heat island effects (extreme heat); flooding and to determine the appropriate design measures to reduce the impacts of climate change and mitigate the contribution of greenhouse gas emission;
- o) Financial Impact Study The purpose of a Financial Impact Study is to evaluate the growth-related financial impact of proposed development, including impacts to the City's capital and operating budgets triggered by the proposed development. It is also used to estimate the cost and timing of local municipal capital infrastructure required to service the new development; and
- p) Other Studies of Relevance recognizing that many applications are unique, the City reserves the ability to ask for any other special studies, reports or plans that may be required to effectively evaluate any development proposal.

TERMS OF REFERENCE

10.2.10

The City has prepared terms of reference for a number of the Supporting Technical Studies to provide information on the scope of work required in

order to assist in the preparation and review of these studies.

### STUDY SCOPE 10.2.11

Supporting Technical Studies may vary in scope, depending on the size, nature and intent of the proposal and the level of impact on the adjacent land use. Proponents of all development applications shall be advised by the City of the required study contents during the Stage 1 consultation process.

### APPLICATION DEEMED TO BE COMPLETE

10.2.12

Where the need for one or more Supporting Technical Studies has been identified, the application shall only be deemed to be complete when the required Supporting Technical Studies are prepared and submitted subject to the following requirements:

- Shall be prepared to the satisfaction of the City and, where appropriate, in consultation with relevant public agencies and affected parties;
- Shall be prepared in accordance with the policies of this Plan and any relevant federal and provincial legislation, policies and appropriate guidelines;
- Shall be prepared by an appropriately accredited qualified professional retained by, and at the sole expense of the applicant;
- d) May be subject to a peer review where the City:
  - Lacks the appropriate expertise and/or internal resources to review such Supporting Technical Studies; and/or

- ii. Is not satisfied with the extent and quality of the work submitted by the applicant.
- e) Such peer review shall be completed by an appropriate agency or professional consultant retained by the City, at the applicant's expense;
- f) Where a peer review is requested by the City, the application may not be deemed complete until:
  - i. The peer review study has been submitted to the City, and the City is fully satisfied with the extent and quality of the work, including any requirements for additional or supplementary work identified through the peer review process; and
  - The City has been fully reimbursed by the applicant for the cost of the peer review study.

# ASSESSING MERITS

10.2.13

To augment the policies in this Plan, the City may develop performance checklists or indices to assist with evaluating the merits of development applications in the context of the policies in this Plan addressing such matters as, but not limited to; healthy development, sustainability, climate change resiliency, green development and urban design.

### CONDITIONS OF 10.2.14 APPROVAL

All relevant mitigation recommendations included in a Supporting Technical Study shall be included as conditions of approval to be implemented by the proponent of a development.

# PUBLIC INFORMATION

10.2.15

Council shall ensure that information and material provided by a person or public body that has submitted a complete application for development approval shall be available to the public for review once the application has been deemed complete.

# COMPLETE APPLICATION

10.2.16

For any planning applications to be deemed complete, the following mandatory items shall be submitted to the City:

- a) Application Form;
- b) Explanatory Letter;
- c) Proof of Ownership or Completed Offer of Purchase:
- d) Plan of Survey;
- e) Materials required by the Planning Act or any other relevant legislation/regulation;
- Supporting Technical Studies as required by the City and applicable agencies;
- g) Required Fees and deposits, including a signed contingency deposit agreement where applicable;
- h) Lands for parkland dedication, if applicable, have been identified;

- i) All confirmations, clearances, permits, peer reviews, materials and information required during the Stage 1 and Stage 2 planning consultation have been submitted and considered to be satisfactory by the City;
- j) The required Development Application sign has been posted on the subject property; and
- k) If an Open House is required as part of the Stage 1 planning consultation, a record of the Open House is provided to the City.

INCOMPLETE	10.2.17
APPLICATIONS	

Incomplete applications submitted to the City will not be accepted and shall be returned to the applicant. The City may deem an application to be incomplete and refuse all information, supporting documents and materials, submitted as part of the application(s) if it considers the quality of the submission unsatisfactory.

NOTICE OF COMPLETE APPLICATION 10.2.18 Notification of an application deemed to be complete shall be given to the applicant, the public and all other

shall be given to the applicant, the public and all other parties by the Municipality in accordance with the Planning Act.

2. Chapter 10, Tools is hereby amended by deleting section 10.6, Public Participation and replacing it with the following:

### 10.6 Public Participation

Individuals and organizations must be made aware of various development and related infrastructure proposals and be given the opportunity to express their views on such matters. The following public participation policies are intended to ensure

public access to relevant information, provide opportunities for public involvement well in advance of decision formulation.

PUBLIC ENGAGEMENT	10.6.1	The opinions and advice of the public will be sought as a part of the decision-making process. The community engagement process will be transparent, accessible and inclusive.			
PUBLIC 10.6.2 NOTIFICATION		The City will ensure the public is notified on development applications in accordance with relevant provincial legislation and municipal policies. Where persons, groups or corporations regularly communicate with the City through email, the City may use email rather than postal mail. The City will adopt standards for posting of development application signs to be placed on properties where development applications have been proposed.			
PUBLIC INFORMATION	10.6.3	The City will provide interested parties affected by a development proposal with the information necessary to understand the nature of the proposal. In addition to providing hard copies of documents in the Planning Department, the City will ensure that digital copies of documents area available on the City's website.			
TIMING OF 10.6 NOTICES	5.4	Within 15 days after an affirmative notice of acceptance of a complete application is provided for applications made under the Planning Act requiring public notice, the City will provide a Notice of Application to the persons and public bodies prescribed under the Planning Act, and make the required information and material available to the public.			
LARGE SCALE APPLICATIONS	10.6.5	Council may consider using a variety of public participation techniques for development proposals issues having a broad scope such as Secondary Plans, Official Plan Amendments and large subdivisions including, but not limited to, open houses, public displays, area meetings, newspaper notices, signage, internet-based tools, city website and social media.			

### OPEN HOUSE 10.6.6

The applicant may be required to host an open house as part of the Stage 2 planning consultation process and produce an Open House Report summarizing the results of the open house. The purpose of the open house is to provide opportunity for consultation by the applicant with the area residents/property owners who may be impacted by the proposal before the application is deemed to be complete. The required open house:

- a) Will be hosted by the applicant and will be provided at the applicant's expense. The City will provide mailing labels;
- b) Should be held at a location that is accessible to the public and may be accessed by walking, bicycling and public transit and should be located within 1km of the Subject Site, when practical. The location should be in a structure that meets or exceeds the requirements of the Accessibility for Ontarians with Disabilities Act. In addition, virtual attendance shall be enabled;
- c) Should be comprised of the following components:
  - i. Notice to the area residents/property owners and Ward Councillor which contains sufficient information as determined by the City Planner;
  - ii. Attendance of assigned municipal staff as determined by the City Planner. The assigned Planner will be responsible for notifying staff;
  - iii. Display boards which provide the primary details of the application together with sufficient information as determined by the City Planner;
  - iv. Copies of any reports or studies that have been prepared as part of the application; and
  - v. The availability of the applicant or the applicant's agent to answer any questions that the public may have about the application.

- d) The required Open House Report shall be comprised of:
  - i. A summary of the results of the open house including issues raised and responses provided;
  - ii. A copy of the Notice provided;
  - iii. A copy of any presentation(s) and graphics;
  - iv. A copy of written questions from the public and written responses to these questions by the applicant; and
  - v. A copy of the attendee sign-in sheet and list of persons who attended virtually.

### ENGAGEMENT 10.6.7 WITH FIRST NATIONS

Engagement with First Nations will take place as part of a development application or detailed planning study. Engagement will be the responsibility of the proponent in consultation with the City and at the cost of the applicant.

# NO NOTICE 10.6.8 REQUIRED

City Council may delegate authority to the City Planner to forego public notification as prescribed under the Planning Act to allow for changes of a minor nature to correct a technical error or omission contained in an Official Plan Amendment or Zoning By-law Amendment to change punctuation or format, or correct clerical, grammatical, mapping, or typographical errors; and to insert footnotes or similar annotations to indicate the origin and approval of each provision.

3. Subsection 11.4.3, Consents, is hereby deleted and replaced with the following:

#### 11.4.3 Consent Policies

COMMITTEE OF 11.4.3.1 ADJUSTMENT

Council has delegated by by-law the authority to grant consents to the Committee of Adjustment.

### APPROPRIATE REASONS FOR CONSENTS

11.4.3.2

Without limiting the relevant provisions of the Planning Act, Consents may only be granted where completing a subdivision process is deemed not to be necessary to ensure the proper and orderly development of the subject lands. The consent process will be used for matters such as granting easements and rights of way, leases or other interests in land lasting in excess of 21 years or lot line adjustments. Consents may be used for lot creation in the following circumstances;

- a) Small scale Infilling or intensification for development that is compatible with the neighbourhood;
- b) Lot line adjustments;
- An entire parcel is being developed and there are no remaining lands;
- d) There is no need to extend or improve municipal services outside of the subject lands;
- e) Where there is no phasing of the development; and
- f) Where parkland dedication may be cash-in-lieu.

CONFORM
WITH
PERMITTED
USES

11.4.3.3

Consents shall only be granted for the creation of lots which comply with the Official Plan and Zoning By-law.

ACCESS TO A 11.4.3.4 PUBLIC HIGHWAY Consents shall only be granted for lots that will have access to a public road that meets municipal standards for construction. Where the abutting road requires improvement, the City may require the land owner to contribute to the improvement costs.

MUNICIPAL 11.4.3.5 SERVICES

All new lots created by consent shall be serviced by municipal sanitary sewer and water services and provide for stormwater management.

### EVALUATION 11.4.3.6 CRITERIA

Without limiting the relevant provisions of the Planning Act, the approval authority shall evaluate applications for consent in the same manner as an application for plan of subdivision, including;

- a) Provincial legislation, provincial policies and applicable provincial guidelines;
- b) Conformity with the policies of this Plan, Volume II: Secondary Plans and Special Policy Areas and other relevant municipal standards and guidelines;
- c) Conformity with the recommendations of any support studies prepared as part of the application;
- d) The continuation of an orderly development pattern and the lot pattern in the neighbourhood;
- e) Impact of the development on adjacent properties and the lot pattern and density in the community; and
- f) The requirements or comments of Municipal departments and public agencies or authorities.

### CONDITIONS 11.4.3.8 OF APPROVAL

The approval authority may attach such conditions as it deems appropriate to the approval of a consent. Such conditions may include, but are not limited to, the following:

- a) The fulfillment of any financial requirement to the City;
- b) The conveyance of lands for public open space purposes or payments-in-lieu thereof in accordance with the Open Space policies of this Plan;
- c) The conveyance of lands for public highways or widenings as may be required;
- d) The conveyance of appropriate easements;

- e) The provision of municipal infrastructure or other services;
- f) The completion of a development or servicing agreement with the City if required; and
- g) Other such matters as the approval authority considers necessary and/or appropriate.

# 4. Subsection 11.4.4, Part Lot Control, is hereby deleted and replaced with the following:

	11.4.4	Part Lot Control Policies					
PART LOT CONTROL BY-LAWS	11.4.4.1	Council may pass by-laws to exempt all or parts of registered plans of subdivision from part lot control to permit further subdivision in accordance with the <i>Planning Act</i> , and in conformity with the Zoning By-law.					
AMENDING BY-LAW	11.4.4.2	Part lot control by-laws may be subsequently repealed, amended or limited to a period of not more than 5 years by Council.					
AREAS FOR PART LOT CONTROL	11.4.4.3	Council will generally limit the use of part lot control by-laws to the following:					
CONTINOL		a) The splitting of lots upon which semi-detached					

- a) The splitting of lots upon which semi-detached dwellings or street row housing is intended to be built;
- b) The resubdivision of older registered plans of subdivision where no new rights-of-ways are to be created, and
- c) The division of blocks within an approved plan of subdivision where the subdivision agreement anticipates that the final lot pattern will be established through the part lot control process.

# 5. Subsection 11.6.3, Zoning By-law Amendment Policies, is hereby amended by adding the following:

DELEGATION OF	Council may pass a By-law under Section 39.2 of the Planning Act to delegate the authority to make zoning
AUTHORITY	amendments to:
	a) Remove an 'H' Holding Symbol; or

- ,
- b) Extend a Temporary Use; or

- c) Allow for amendments to the Zoning By-law that are minor in nature under the following conditions:
  - making technical amendments or to correct errors in text or mapping;

# 6. Subsection 11.6.6, Minor Variance Policies, is hereby deleted and replaced with the following:

# COMMITTEE OF 11.6.6.1 ADJUSTMENT

Council has appointed a Committee of Adjustment pursuant to the Planning Act to consider applications for minor variance from the Zoning By-law(s) and/or any other By-laws that implements the Official Plan.

# EVALUATION 11.6.6.2 CRITERIA

When reviewing an application for minor variance the Committee of Adjustment shall be satisfied that:

- a) The general intent and purpose of the Official Plan, including the Strategic Directions, Goals and Objectives of the land use designation in which the property is located, is maintained;
- b) The general intent and purpose of the By-law being varied is maintained;
- c) The variance or the number of variances to the By-law are minor in nature, would not more appropriately be considered through an application to amend the Zoning By-law due to the cumulative impacts of the variances, preserves the pattern, scale and character of the blockface;
- d) The variance(s) are generally not more than 20 percent above the By-law regulation being varied where the variances would increase the building envelope of a main building or accessory building containing a dwelling unit. For clarity this includes variances related to lot width; lot area; lot coverage;

front, rear, and side yard depth; building height; and maximum gross floor area; and

e) The variance is desirable for the appropriate use of the land, building or structure and would not hinder the reasonable development and/or use of properties in the neighbourhood, would not cause a detriment, safety concerns, or would not detract from the character or amenity of nearby properties or the neighbourhood. The area of influence or the neighbourhood will vary with the scale of development and associated areas of potential impact.

# EXISTING UNDERSIZED LOTS

11.6.6.3

Notwithstanding the provisions of sub-section (d) above, the Committee may give further consideration to variances required to enable appropriate development for existing undersized lots, where existing non-complying structures are being altered or where infilling and intensification is occurring provided that the Committee is satisfied that the provisions of 11.6.6.2 subsections (c) and (e) have been fully addressed.

# TERMS & 11.6.6.4 CONDITIONS

The Committee of Adjustment may attach such terms and conditions as it deems reasonable and appropriate to the approval of the application for a minor variance. The conditions shall relate directly to the impact of the variance and may include measures required to mitigate the impact of altering the zoning regulations on the resulting built form or property development, including but not limited to:

- a) Specifying architectural elements such as window location, outdoor amenity space, fencing or other screening and door location;
- b) Requiring additional landscaping including low impact design elements;
- c) Providing additional bicycle facilities in lieu of motor vehicle parking; and
- d) Improvement to grading and stormwater management.

*AGREEMENTS* 11.6.6.5

The Committee of Adjustment may require the owner of the land to enter into one or more agreements with the Municipality and address the impacts of the variance dealing with some or all of the terms and conditions of its decision. An agreement may be registered against the land to which it applies, and the Municipality is entitled to enforce the agreement against the owner and, subject to the Registry Act and the Land Titles Act, against any and all subsequent owners of the land.

7. Section 11.7, Site Plan Control, is hereby amended by deleting the section and replacing it with the following:

### 11.7 Site Plan Control

Site Plan Control may be used to regulate the design of a development in accordance with the provisions of the *Planning Act*.

Guidelines.

OBJECTIVE

11.7.1.1 Site Plan Control will be used by the City as a means of achieving well-designed, functional, accessible, safe, sustainable built form and public space. Site Plan Control, including reference to Section 41 of the Planning Act, is one of the key tools for implementing the City's policies on urban design in accordance with this Plan, policies and guidelines within Council adopted Secondary Plans, Community Improvement Plans and the Urban Design

SITE PLAN CONTROL BY-LAW The City will establish by By-law, a Site Plan Approval Area which encompasses all of the lands within the boundaries of the City and is applicable to all forms of development, with the specific exemption of new residential development that includes 10 dwelling units or less. The By-law shall also reference any provincial regulations concerning the timeline for the lapsing of approved site plans.

Notwithstanding that specific exemption, the City may apply Site Plan Control to all forms of development,

11.7.1.2

including residential developments that contain 10 dwelling units or less, where the development site is within 120 metres of a shoreline or 300 metres of a railway line.

### EXEMPTIONS 11.7.1.3

Within the Site Plan Control By-law, the City may exempt some forms of development which would otherwise be subject to Site Plan Control where it considers such approval to be unnecessary due to the type or scale of development proposed.

### SITE PLAN REQUIREMENTS

11.7.1.4 The City may require Site Plan Control:

- a) As a condition of a subdivision/condominium approval or any other type of development approval;
- b) As a condition of a decision of the Committee of Adjustment; and
- c) Prior to the issuance of a demolition permit(s) for properties designated under the Ontario Heritage Act, and for those properties that the City has identified as having significant heritage attributes.

### PART C: IMPLEMENTATION

Official Plan Amendment 179 will be implemented by making the referenced changes to the text of the City of Windsor Official Plan and Council passing of the required delegation of authority by-laws. No amendments to the schedules of the Official Plan are necessary.

# **Appendix A (Results of Public Consultation)**

(Minutes of the statutory public meeting required under the Planning Act will be included here following the meetings of the Development & Heritage Standing Committee and Windsor City Council).

### **APPENDIX 2:**

## Terms of Reference – Planning Application Technical Studies

Where the City requires technical studies to be submitted in conjunction with a planning application, the Terms of Reference for the required studies shall be based on the following guidelines. The City may scope the scale of the study in terms of the study area, the duration of the study and the reporting requirements in a manner that reflects the scale and/or complexity of the development. These guidelines are not part of the Official Plan and may be amended from time to time to reflect changing conditions and circumstances.

### Planning Rationale Report

### Purpose:

The purpose of the Planning Rationale Report is to provide a framework for an applicant seeking development approval to explain salient details of the application and provide supporting reasons why the proposal should be considered and approved. This document is also intended to assist staff with their review and processing responsibilities.

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

- 1. Provide a clear description of the proposal together with any appendices, maps or plans that help to provide the context of the location and approvals required;
- Include a conceptual plan for the development including items such as building design and orientation, landscaping, streetscaping, access locations, pedestrian and vehicular circulation, and development statistics including height, density, proposed setbacks, parking (existing, required, and proposed), and any potential phasing plans;
- Describe the site's previous development approval history;
- 4. Describe major physical features or attributes of the site including current land uses(s) and surrounding land uses, built form and contextual considerations together with maps and appendices which assist with context;
- 5. Provide a professional opinion on:
  - i. How the proposal addresses the relevant requirements of the Planning Act, and how the proposal is consistent with the Provincial Policy Statement;
  - ii. Compliance with relevant Official Plan policies, including both general policies and site-specific land use designations and policies;
  - iii. How the proposal addresses the Community Strategic Plan and/or any applicable City adopted Design Guidelines;

- iv. The suitability of the site and indicate reasons why the proposal is appropriate for this site and will function well to meet the needs of the intended future users;
- v. Compliance and/or non-compliance with the Zoning By-law.
- 6. Provide an analysis of the compatibility of the design and massing of the proposed developments and land use designations on properties in the vicinity;
- 7. Provide a summary of the questions, concerns and/or comments raised at any Open House, together with a response that sufficiently addresses each item raised;
- 7. Provide an analysis and professional opinion as to why the proposal represents good planning, including the details of any methods that are used to mitigate potential undue, adverse impacts;
- Provide a summary on the policy and planning analysis, including a summary of recommendations from other supporting studies required as part of the complete application, and how they have informed the Planning Justification Report;
- 14. Provide a comprehensive professional planning conclusion demonstrating how a proposal conforms to applicable planning policy documents and good planning principles; and
- 15. Where modifications to the Official Plan and/or zoning by-law provisions are proposed, a draft Amendment and detailed concept plan shall be provided applying all applicable policy and zoning regulations;

### **Qualifications:**

A Planning Rationale Report must be completed by a Registered Professional Planner (RPP), registered with the Ontario Professional Planners Institute (OPPI), to the satisfaction of the City Planner.

### **Urban Design Study**

### **Purpose:**

The purpose of an Urban Design Study is to provide direction for the protection and enhancement of the character of a planning district, neighbourhood, corridor or any other identified area, and the thoughtful implementation of good urban design principles based on an assessment of the characteristics and opportunities of the surrounding community.

Where an Urban Design Study is required, such a study should:

- Define the surrounding community, or the area of impact of the proposed development (study area), based on the scale of the proposed development;
- Document the character of the surrounding community on a street and block pattern (both sides) basis showing the size, orientation and lotting of each block;
- Identify the existing urban design elements, such as built form, massing, setbacks, rooflines, street cross sections, landscape quality and architectural styles/details, which contribute to the character of the surrounding community and to its physical form and development pattern;
- Provide an analysis of the design rationale for the building, landscape, and site design elements of the proposed development and explain why the proposed development represents the optimum design solution and is compatible with the surrounding community. The analysis should consider the following:
  - i. How the design of the proposed development is consistent with the City's applicable Design Guidelines and is in conformity with any relevant design policies;
  - ii. How the design addresses existing site conditions and constraints such as lot size, grading, and/or natural heritage features;
  - iii. How the design of the proposed development integrates with the existing surrounding community and enhances its character and function without causing any undue, adverse impacts on adjacent properties;
  - iv. How the design of the proposed development will influence and integrate with future development in the surrounding community;
- The Urban Design Study should include a written description, three dimensional plans, elevations, diagrams, and/or photographs to illustrate the design choices of the proposed development. Depending on the scale and complexity of the development proposal, explain how the following design considerations have been addressed:
  - i. Street and block pattern (e.g., connectivity, pedestrian access);
  - ii. Lot sizes;
  - iii. Building orientation and site layout;
  - iv. Built form, height scale, and massing;

- v. Building articulation and detailing;
- vi. Building materials;
- vii. Setbacks from adjacent properties and the street;
- viii. Building step back (if applicable);
- ix. Building transition to adjacent communities;
- x. Heritage considerations (if applicable);
- xi. Location of parking (surface or underground), driveways, ramps, drop-off areas;
- xii. Access to transit;
- xiii. Bicycle parking/storage;
- xiv. Location of servicing, garbage, organics, and recycling storage and collection, and loading areas;
- xv. Streetscape elements (e.g, boulevard design, landscaping, street furniture, public art, signage, lighting, etc.);
- xvi. On-site landscaping and buffering; and
- xvii. The mitigation of undue, adverse impacts on adjacent properties.

### **Qualifications:**

An Urban Design Study or Brief must be completed by a Registered Professional Planner in the Province of Ontario, and/or an Architect who is a full member of the Ontario Association of Architects, and/or Landscape Architect who is a full member of the Ontario Association of Landscape Architects. All of the identified professionals shall have a demonstrated expertise in urban design, to the satisfaction of the City.

### Heritage Impact Study

### **Purpose:**

The purpose of a Heritage Impact Study is to identify and evaluate cultural heritage resources and determine if any heritage resources, including listed or designated heritage resources, are impacted by development proposals and the potential need for mitigation measures.

This Guideline details components of a Built Heritage Impact Study/Heritage Impact Assessment that is required to the satisfaction of the City of Windsor.

The Built Heritage Impact Study or Heritage Impact Assessment (HIA) is a study used to identify and evaluate the impacts of proposed development on the cultural heritage resources, and to determine the appropriate conservation strategy for it. The HIA shall be based on accepted conservation principles and guidelines, including the following:

- The Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada;
- Ontario Ministry of Tourism, Culture & Sport's <u>Eight Guiding Principles in the Conservation of</u> Historic Properties;
- Ontario Ministry of Tourism, Culture & Sport's Ontario Heritage Tool Kit, in particular,
- Ontario's Heritage Conservation Principles for Landuse Planning; and
- Well Preserved: the Ontario Heritage Foundation's Manual of Principles and Practice for Architectural Conservation
- City of Windsor Official Plan Policies
- Windsor Intensification Guidelines (June 2022) resulting from the <u>Multi-Residential Interim</u>
   Control By-law Study

#### Details of Contents to Identify the Cultural Heritage Resource:

### 1. Site Documentation and Analysis/Site Information

- i. Document the context in which the site is located (may include Aerial Photo, Location Map and context with the area), including adjacent properties and land uses. This includes identifying all nearby impacted heritage properties and land uses. Identify the Heritage Register properties through mapping and photographs, in relation to the subject property.
- ii. Describe the site and all structures on property and its heritage status under the *Ontario Heritage Act* and identification of any heritage easements or restrictions
- iii. Document the existing condition or concerns surrounding the property, including quality photo documentation

### 2. Research on Design/Physical and Historical/Associative and Contextual Values

- i. Describe all heritage resources and values within the subject property (include exterior and interior, landscaping etc.)
- ii. Include a chronological history of the property from land and development history, building history (document any additions or alterations etc. to property), with confirmation to construction dates

- iii. Include ownership and user history
- iv. Research material should include relevant historical maps, drawings, photographs, land records, assessment rolls, city directories, news articles etc.
- v. Provide summary on significance and heritage attributes for each structure existing on the property
- vi. Provide a draft statement of cultural heritage or interest of the property in accordance with Ontario Regulation 9/06 and 385/21.

#### 3. Description of proposed Site Changes/Development and Impact to the Cultural Heritage Resource

- i. Describe site changes to heritage resource
- ii. Describe positive and adverse impacts of site changes to the heritage resource and surrounding lands. Refer to adverse impacts identified in the *Ontario Heritage Toolkit* which may include but not limited to:
  - a. Removal/destruction of heritage features and loss to cultural heritage values
  - b. Changes to the historic fabric and impact on the appearance
  - c. Shadowing impact that may alter the appearance of the heritage attribute and heritage resources through a Shadow Impact Study (particularly during the autumnal equinox and winter solstice)
  - d. Isolation of heritage attribute from its surrounding environment, context or a significant relationship
  - e. Obstruction of significant views or vistas within, from, or of built and natural features
  - f. Change in use and impact on heritage resource
  - g. Land disturbance and impact on soils, drainage patterns affecting built heritage or archaeological resources
- iii. Provide full set of construction drawings. Proposal construction drawing must be in context with surrounding heritage resources.
- iv. Provide visual depiction of subject proposal and streetscapes with neighbouring properties (eg. composite photograph of the subject property streetscape with and without the proposed development, cross-section diagrams, for heritage areas/districts a visual contextual analysis with surrounding properties to demonstrate compatibility with common datum regulating lines and floor to height ratios of surrounding heritage buildings)
- v. Assess and describe the structural concern of the impact of proposed changes to the heritage resource.
- vi. Construction Vibration Assessment may be required at a later date, and is to include consideration of the surrounding heritage resources. The assessment may include:
  - (a) Analysis of all construction activities potentially causing vibration impacts on the heritage resources
  - (b) Establishment of more stringent vibration criterion for heritage resource based on the potential for architectural and structural damage
  - (c) Background vibration measurements of the site and surrounding areas
  - (d) Predict extent of vibration impacts and identify all heritage structures within the vibration zone of influence
  - (e) Conduct pre-condition survey to establish condition of existing heritage structures
  - (f) Recommend vibration mitigation and monitoring program with establishment of "do-not-exceed" threshold levels, and a construction vibration control plan.

The Construction Vibration Assessment is to be completed by a qualified vibration engineer, as a condition of development approvals, and to the satisfaction of City Administration prior to any building permit issuance.

### 4. Analysis of Development Impact

- i. Demonstrate that policies from the City of Windsor <u>Official Plan</u> and the Provincial Policy Statement have been addressed. Address Windsor Intensification Guidelines (June 2022) resulting from the <u>Multi-Residential Interim Control By-law Study</u> where relevant.
- ii. Provide description and rationalization of conservation treatment, detailing analysis of each alteration and intervention according to the *Standards & Guidelines*

### 5. Options for Mitigation and Alternatives

- i. Consider and describe alternative conservation/mitigation and development options that reduce and avoid negative impacts to the heritage resource
- ii. Assess and clarify the benefits and negatives of each options proposed and conservation principles used
- iii. Demonstrate effort to mitigate impact, maximizing integrity and compatibility with heritage resources impacted by provision of description of work and analysis of visual impact of proposal with heritage resources

### 6. Recommended Conservation Strategy

- i. Rationale and Justification for chosen option, specifying how the option ensures protection and enhancement of the heritage resource
- ii. Conservation Scope of Work
- iii. Implementation and Monitoring Plan when development is undertaken
- iv. Provide References/Samples/Precedents to Conservation work

### 7. Other Requirements

- i. Provide bibliographical sourcing of all research material
- ii. HIA is to be prepared by a qualified cultural heritage conservation professional who is a member of the <u>Canadian Association of Heritage Professionals</u>.
- iii. City Staff will determine completeness or acceptance of the HIA
- iv. For review of the HIA, City staff may require to conduct site visit(s) on the property
- v. City Staff reserves the ability to require an alternative option for mitigation for consideration

#### 8. Other Recommended Resources:

- National Park Service, U.S. Department of the Interior's <u>Preservation Briefs</u>.
- National Park Service, U.S. Department of the Interior's *Preservation Tech Notes*.
- Region of Waterloo's <u>Practical Conservation Guides for Heritage Properties</u>

## **Qualifications:**

A Heritage Impact Study must be completed by a professional who is a member of the Canadian Association of Heritage Professionals, to the satisfaction of the City.						

### **Archaeological Assessment**

### **Purpose:**

The purpose of an Archaeological Assessment is to ensure archaeological resources on site are evaluated, documented, and mitigated prior to land disturbance/site development.

Where an Archaeological Assessment is required, the Assessment shall be undertaken in accordance with criteria established by the Province. There are four stages of Archaeological Studies. The requirement to proceed to a higher stage of study shall be determined by Provincial Guidelines and in consultation with the City. The following describes the study requirements by stage;

#### Stage 1: Background Study and Property Inspection

The archaeologist determines whether there is potential for archaeological sites on the property. They review geographic, land use and historical information for the property and the relevant surrounding area, visit the property to inspect its current condition and contact the ministry to find out if there are any known archaeological sites on or near the property. A Stage 2 assessment is required when the consultant archaeologist identifies areas of archaeological potential. Stage 1 may only be used to recommend exempting a property from Stage 2 assessment where it has been confirmed through a property inspection that potential for the entire project has been removed by extensive and deep ground disturbance. (ie. In accordance with 2011 S&G s. 1.4.2, recommending no further concern must be verified in person and cannot be a desktop study only).

#### Stage 2: Property Assessment

The archaeologist surveys the land to identify any archaeological resources on the property. For a ploughed field, they will walk back and forth over it looking for artifacts on the surface. In forests, overgrown pasture areas or any other places that cannot be ploughed, they will dig parallel rows of small holes, called test pits, down to sterile subsoil at regular intervals and sift the soil to look for artifacts. They may use other strategies if properties are paved, covered in fill or have deeply buried former topsoils (such as floodplains or former sand dunes). The archaeologist will determine whether any archaeological resources found are of sufficient cultural heritage value or interest to require Stage 3 assessment.

#### Stage 3: Site-specific Assessment

The consultant archaeologist determines the dimensions of the archaeological site, evaluates its cultural heritage value or interest and, where necessary, makes recommendations for Stage 4 mitigation strategies. To this end, they conduct further background research and fieldwork that expands the information gathered in Stage 2. They map the spatial limits of a site and acquire further information about the site's characteristics by excavating one-metre by one-metre square test units across the site. Based on circumstances, some sites (for example, ones that have been paved or are deeply buried) may require specialized methods of assessment. The archaeologist will determine whether any archaeological sites have sufficient cultural heritage value or interest to require Stage 4 mitigation of development impacts.

#### Stage 4: Mitigation of Development Impacts

This stage involves implementing conservation strategies for archaeological sites. Determining the best approach for conserving the site may include reviewing possible strategies with the development proponent, the municipality or other approval authority, Indigenous communities, and other heritage stakeholders. Conserving archaeological sites does not mean stopping development. Conservation can involve putting long-term protection measures in place around an archaeological site to protect it intact. The site is then avoided while development proceeds around it. This is called protection in situ and is always the preferred option for mitigation of development impacts to a site. If protection is not viable, mitigation can involve documenting and completely excavating an archaeological site before development takes place.

Where an Archaeological assessment predates the 2011 Standards and Guidelines for Consultant Archaeologist, the applicant can choose to conduct a new assessment or submit the study to the City of Windsor Planning Department, who will then forward the assessment to the Ministry for acceptability or not. The Ministry shall hold the final decision on the acceptability of the Report.

No land disturbance shall be permitted until notification has been received from the Ministry of Citizenship and Multiculturalism that the property has been cleared of archaeological concerns.

## **Qualifications:**

An Archaeological Assessment must be completed by a professional Archaeologist, licensed in the Province of Ontario, to the satisfaction of the City.

### **Block Plan**

#### Purpose:

The purpose of a Block Plan is to provide comprehensive and specific direction for areas where the existing land use designations are appropriate but more detailed guidance is required for areas experiencing transition or development pressures in order to optimize development potential and ensure proper coordination.

A Block Plan is a Council adopted, non-statutory document which will inform and guide the content of subsequent development approvals required under the Planning Act. The Study Area, scope and level of detail included in the Block Plan will be determined through Terms of Reference approved by the City, and shall be supported by a number of detailed technical studies to be completed. The Study Area, scope and level of detail as well as the list of technical studies to be completed will be confirmed at the pre-consultation stage. All components of a required Block Plan shall be completed at the cost of the Proponent to the satisfaction of the City and/or any other agency having jurisdiction.

- 1. Where a Block Plan is required, the background information shall:
  - i. Describe the basis or rationale for the preparation of the Block Plan;
  - ii. Describe the Study Area in detail, including a reference map, and a description of the role and relationship of the area to the City as a whole.
  - iii. Identify the existing land uses, Official Plan designation(s) and zoning of the Study Area;
  - iv. Identify previous and current development applications in the Study Area;
  - v. Identify and assess the Study Area and surrounding land uses in terms of existing cultural, physical and environmental features, urban design attributes and other characteristics particular to the area;
  - vi. Identify any potential development constraints in the Study Area;
- 2. The required Block Plan shall serve as a development framework and shall outline the structural elements of the proposed development, including, at a minimum the following:
  - i. A description of the desired development concept for the Study Area including a conceptual master plan to demonstrate how the plan is designed to meet community needs and Provincial and City policies;
  - ii. The articulation of the proposed land use designations/boundaries and how proposed land uses integrate with existing and planned uses;
  - iii. Details with respect to street type and lot patterns, development yields by land use, density and placement of housing type, dwelling unit type and built form type;
  - iv. The location and means of protection of all significant natural heritage features and their associated ecological functions;
  - v. The location and means of conservation of all designated and listed cultural heritage resources;

- vi. The location, function and scale of all public service facilities;
- vii. The articulation of a robust public parks system and Active Transportation Network;
- viii. All servicing and infrastructure requirements, including the identification of public roads and stormwater management facilities; and
- 3. Block Plans shall include a Phasing Plan that identifies the potential sequencing of phases based on the logical extension of public service facilities and municipal infrastructure, including roads, sewer, water and stormwater management facilities.

A Block Plan is a comprehensive undertaking that will require the involvement of a number of professional disciplines. However, it is expected that the Block Plan will be supported, at a minimum by a Registered Professional Planner in the Province of Ontario in consultation with professional civil engineers and professional biologists/ecologists, certified to practice in Ontario, to the satisfaction of the City.

# **Environmental Impact Study**

### **Purpose:**

The purpose of an Environmental Impact Study is to demonstrate that a proposed development or infrastructure undertaking may proceed in or adjacent to lands designated as Natural Heritage, Environmental Policy Area A or B and/or Candidate Natural Heritage Site without causing negative impact on the feature or its associated ecological functions.

Environmental Impact Studies under this Terms of Reference will be considered fulfilling the requirements of an Environmental Impact Statement as described in Provincial policy and/or guidelines. When an Environmental Assessment of a proposal is carried out under the Environmental Assessment Act, or other relevant Federal or Provincial legislation, that assessment may be considered by Council as fulfilling the Environmental Impact Study required by this Plan. Where an Environmental Impact Study is required, it shall:

- Identify current land uses;
- 2. Describe the historical and present uses of the property;
- 3. Description of site context/study area and the subject property's relationship to the surrounding landscape
- 4. Include maps of the development location and extent of the area to be studied; orthographic maps with known natural heritage features/ areas overlaid;
- 5. Describe designation and zoning for the subject property and for the adjacent lands;
- 6. Type of required development applications;
- 7. Include map(s) of the development location and extent of the area to be studies, including current zone and land use;
- 8. Identify environmental legislative, regulatory, and policy requirements that may affect the development proposal;
- g. Identify relevant information including existing studies, plans, databases, and other sources to be analyzed. (E.g., such as current and historical air photos, watershed or subwatershed studies, secondary plans, master plans, and supporting studies, EIS or EIR information from adjacent lands, natural heritage databases (NHIC), data on file with the City of Windsor and/or Essex Region Conservation Authority);
- 10. Scan for endangered species and species at risk and their associated habitats within the Study Area using the NHIC database, preliminary site visits and pre-consultations with relevant agencies and the City NOTE: Natural heritage records are generally considered in need of field verification after a period of 5 yrs;
- 11. Characterize the natural environment in the study area(s):
  - I. Identify whether there are potential natural heritage features and areas that do not need to be assessed and provide a rationale for their exclusion;
  - II. Using the background information, determine whether or not field verification studies are required and describe the approach and methods chosen;
  - III. Conduct field studies using protocols that are:
    - a. Suitable for the type of natural heritage features and areas on site
    - b. Are designed to provide the information needed to determine whether a feature is significant (or not).
    - c. Appropriate timing or work (season, time of day, weather, etc.), level of efforts (number of site visits, field hours, number of searchers, etc.), maps showing locations for species-specific surveys, technology being used, spatial extent and level of effort for supporting field studies
  - IV. Identify and describe the approach and methods to be used to assess the natural environment and ecological function of the subject property and the adjacent lands for:
    - a. Geology and soils
    - b. Hydrology and hydrogeology

- c. Aquatic and fish habitat
- d Terrestrial vegetation (including wetlands)
- e Vegetation communities
- f Plants
- g Wildlife
- h Natural Hazards
- i Connectivity and ecological linkages
  - Species at Risk and Species at Risk Habitats
- 12. Assess the various natural heritage features against the appropriate policies, guidelines, and plans to determine significance;
- 13. Assess the various natural heritage features and areas against the appropriate policies and guidelines related to natural hazards;
- 14. Carry out an analysis of the individual and cumulative environmental effects that are expected to occur as a result of the proposed development and future uses;
- 15. Provide recommendations for appropriate environmental buffers and/or setbacks for each natural heritage feature and area, and natural hazard lands;
- 16. Identify, explain and recommend specific actions to be undertaken to eliminate, reduce or compensate for the expected impacts consistent with accepted ecological, planning, engineering, and resource management techniques and practices;
- 17. Provide a mitigation strategy, including measures for compliance and long term monitoring, and the ongoing management of measures for the protection, maintenance, and enhancement of natural features, functions and linkages to achieve long term ecosystem health;
- 18. Include a monitoring plan for performance and effectiveness of mitigation measures. Consider whether adequate baseline information have been collected and provide recommended timeframe for monitoring program;
- 19. Indicate the nature and extent of public and agency consultation and/or input;
- 20. Recommend appropriate planning designations and policies for the Study Area;
- Include a concluding statement with appropriate: appendices and attachments; mapping and figures; species lists; and additional technical studies, as applicable

An Environmental Impact Study must be completed by a professional biologist or ecologist, certified to practice in the Province of Ontario, to the satisfaction of the City.

## Watershed/Subwatershed Plan

### **Purpose:**

The purpose of a Watershed/Subwatershed Plan is to inventory, assess and present information about water resources and related features and how they should be protected and enhanced to ensure the long-term health of the ecosystem as land uses changes on the basis of an entire watershed, or subwatershed.

Council will seek the participation in, and joint funding and implementation of, Watershed and Subwatershed Plans from the Province, Essex Region Conservation Authority, adjacent municipalities and other interested or affected parties. The following policies should be read in conjunction with subsections 5.3.8 and 7.3.4 of this Plan. Where a *Watershed Plan* is required, such a study should:

- Take a broad ecosystem approach to water, water related natural features, terrestrial resources, fisheries, and water dependencies/linkages;
- 2. Provide watershed policy and direction for:
  - i. Ecological integrity and carrying capacity;
  - ii. The protection of water systems;
  - iii. Greenway System planning;
  - iv. The management of water quantity and quality;
  - v. Aguifer and ground water management;
  - vi. Fisheries management;
  - vii. The implementation of watershed policies and programes;
  - viii. Regional opportunities and constraints; and
  - ix. Servicing needs and/or availability of water and sewage treatment facilities.

Where a Subwatershed Plan is required, such a study should:

- 1. Identify key issues facing the subwatershed and improve the detail of information required to address local ecological issues;
- 2. Establish detail and implementation specific subwatershed targets, goals and objectives to establish:
  - i. Natural system linkages and functions;
  - ii. Measures to protect and enhance surface and groundwater quantity and quality;
  - iii. Measures to enhance and/or rehabilitate natural features;
  - iv. Development constraints due to flooding and erosion and areas best suited for development;

- v. Best management practices for incorporation into infrastructure and subdivision design;
- vi. An implementation strategy including responsibilities for all recommendations;
- vii. Best management practices for open space areas and Greenway System components;
- 3. Delineate subwatershed planning areas and limits of Regional and 100 year storm events;
- 4. Present targets, goals and objectives for subwatersheds and outline directives for stormwater management plans and other studies or designs for specific areas within the subwatershed; and
- 5. Outline future monitoring requirements.

A Watershed or Sub-Watershed Plan must be completed by a project team comprised of civil engineers, biologists/ecologists, planners, hydrologists and hydrogeologists, as well as other experts to the satisfaction of the City.

# Stormwater Management Plan

### **Purpose:**

The purpose of a Stormwater Management Plan is to identify measures required to control the quantity, quality and velocity of runoff associated with the development of a specific area.

Where a Stormwater Management Plan is required, such a study should:

- 1. Be consistent with approved watershed/subwatershed plan recommendations;
- 2. Provide all of the technical information on which the recommendations have been made, including but not limited to:
  - i. All water resources and functions;
  - ii. Existing overland flow routes;
  - iii. The proposed development;
  - iv. Existing and proposed surface features and associated pre and post development infiltration rates;
  - v. Topographic features including top of bank and flood elevations;
  - vi. Underground utilities and services;
- 3. Assess the impacts of development on receiving waters, both before and after construction, with respect to quantity control, and the potential for flooding, erosion and sedimentation;
- 4. Identify the effect of development on water quality and describe and recommend measures to limit any negative impact and, if possible improve water quality;
- 5. Describe mitigation measures which would, if necessary, prevent adverse impacts on-site, on the receiving water, flora and fauna and recreational uses;
- 6. Identify the effects of development on aquatic habitats and describe and recommend water management practices to ensure the remain sustainable;
- 7. Identify long-term costs on managing and maintaining the function of the stormwater management system;
- 8. Identify how the stormwater management system can integrate with the Greenway System and over-all urban design; and
- 9. Identify the Federal, Provincial and Conservation Authority approvals required for the project and be consistent with the requirements of the appropriate agencies.

The Stormwater Management Plan shall be coordinated with the Environmental Impact Study to ensure a consistent approach to maintaining or improving the ecological conditions of the Study Area. For large scale development proposals the Stormwater Management Plan may be done in two stages to avoid significant revisions to technical reports as detailed design evolves. The stages include:

- 1. Stage 1 The Stage 1 Report outlines the design assumptions and conceptual engineering schemes to manage both quantity and quality of run-off and determine the areas that need to be set aside for stormwater management purposes. The Stage 1 Reportisto be submitted when the application is initiated and must be accepted prior to draft plan approval of a Plan of Subdivision or a prior to the acceptance of a Rezoning application if it is being submitted in conjunction with a site plan application; and
- 2. Stage 2 The Stage 2 Report provides the detailed calculations and design of the stormwater management facilities and drainage systems, including associated landscaping, based on the accepted principles in the Preliminary Report, and must be accepted prior to, or in conjunction with, the final acceptance of the engineering drawings.

A Stormwater Management Plan must be completed by a professional civil engineer certified to practice in Ontario, to the satisfaction of the City.

# **Functional Servicing Report**

### **Purpose:**

The purpose of a Functional Servicing Report is to determine how an area proposed for development will be serviced taking into consideration the future sanitary, water and storm sewer servicing needs.

Where a Functional Servicing Report is required, such a report should:

- Identify the routing of services;
- Identify the sizing of services including over-sizing as may be required;
- 3. Identify the requirements for fire-fighting capacity;
- 4. Identify the cost sharing responsibilities of developing the services;
- 5. Identify the timing of services;
- 6. Describe any interim servicing measures and how those services shall be decommissioned or modified; and
- 7. Detail any implementation requirements, including how the disturbed areas will be rehabilitated.

## **Qualifications:**

A Functional Servicing Report must be completed by a professional civil engineer certified to practice in Ontario, to the satisfaction of the City.

## Transportation Impact Study and/or Transportation Impact Statement

#### **Purpose:**

The purpose of these studies is to identify the transportation network improvements and on-site design elements necessary to accommodate additional vehicle, cyclist, pedestrian and transit traffic and parking the proposed development will generate and ensure its impact on adjacent land uses is safe and acceptable;

Where a Transportation Impact Study is required, such study should:

- 1. Include the collection and projection of traffic related data from the nearby and adjacent road network based on existing and future conditions;
- 2. Assess trip generation, assignment and distribution from the proposed development as well as existing, permitted and proposed developments within the Study Area to a horizon year directed by the City during the pre-application process;
- 3. Assess street and intersection capacity and queuing including current and projected operational deficiencies that may arise as a result of growth from background traffic, future conditions and traffic generated by the proposed development;
- 4. Describe and recommend measures required to achieve the transportation goals, objectives and policies set out in the Transportation Chapter of this Plan and the City's capital projections included in the Development Charges By-law;
- 5. Describe and recommend specific site design practices, including Transportation Demand Management measures, to ensure priority is given to sustainable modes of transportation over vehicle use;
- 6. Employ Transportation Association of Canada and other applicable guidelines regarding driveway access design, location, throat length and function;
- 7. Describe the final outcome that will be achieved by the transportation network with the proposed development and associated improvements to the network to the defined planning horizon;
- 8. Describe how the proposal will promote development patterns that will generate positive impacts on transportation;
- 9. Ensure that driveway, loading and vehicular and bicycle parking requirements are provided and suitably located in the development;
- 10. Ensure that facilities are provided for ease and safety of pedestrian movement through the development including, but not limited to, walkways, pedestrian crossings, and overpasses/underpasses; and
- 11. Evaluate the proportion of development that is in proximity to existing or planned transit stops along transit routes.
- 12. Names and sections of technical guidelines used and assumptions made, should be attached to the study.

# Noise and/or Vibration Study

### **Purpose:**

The purpose of a Noise and/or Vibration Study is to demonstrate that a proposed development may proceed in such a manner that sensitive land uses are protected from unacceptable levels of noise and/or vibration associated with uses such as industrial operations, public highways, rail corridors and yards, and airports;

The following policies should be read in conjunction with subsection 5.4.5 of this Plan. Where a Noise and/or Vibration Study is required, such a study should:

- 1. Identify sources of noise and/or vibration that may impact identified sensitive land uses and assess the existing and projected noise and/or vibration levels on the identified sensitive land uses based on existing and approved future conditions and relevant standards and criteria;
- Identify and recommend various mitigation measures, warning clauses, and/or other appropriate measures, which can be implemented and secured by way of zoning (including `H' Holding Symbol), site plan approval and/or development agreement that can mitigate the impact of noise and/or vibration on the identified sensitive land uses;
- 3. Identify how any lawfully existing stationary noise sources and/or existing transportation corridors may benefit from a Class 4 Area designation as it relates to any proposed sensitive land uses as referenced in Provincial guidelines (including NPC-300);
- 4. Have regard to relevant Federal and Provincial legislation, policies and appropriate guidelines and conduct the Noise and/or Vibration Studies in a manner that will satisfy all levels of authority; and
- 5. In circumstances where statutory Provincial approvals for noise and/or vibration are required, the City will require that a Certificate of Approval is sought and obtained from the relevant authorities before development proceeds.

## **Qualifications:**

A Noise and/or Vibration Study must be completed by a registered professional engineer or registered professional planner with appropriate acoustic/vibration expertise in the Province of Ontario, to the satisfaction of the City.

# Tree Inventory and Preservation Study

#### **Purpose:**

The purpose of a Tree Inventory and Preservation Study is to investigate existing trees/woodlots, within and adjacent to a development proposal and to determine how protection and enhancement can coincide with proposed development.

A Tree Inventory and Preservation Study may be required where a full Environmental Impact Study is not required. The following policies should be read in conjunction with subsection 5.3.6 and 10.2 of this Plan, Site Control Plan guidelines and the City's Development manual, 2015 Section 1.17. Where a Tree Inventory and Preservation Study is required, such a study should include:

- Consultation with the City's Planning Department before undertaking a Tree Inventory and Preservation Study to ensure appropriate methodology;
- 2. A Tree Inventory and Preservation Study must include an inventory of trees by species and diameter at breast height (DBH 1.4 m) and the condition of each tree that may be impacted by the development, including trees on adjacent lands and including all trees in excess of 100mm (4 inches) DBH, as well as major shrub groupings, including the details of the trees and significant associated vegetation worthy of protection; Tree condition assessments should follow city and ISA Guidelines for assessment and should include pre and post construction assessments in order to track potential changes or unknown impacts;
- 3. All trees and significant vegetation that meet the required threshold are to mapped with GPS sub-meter accuracy as a means of identification in the field and be accurately located and assessed to determine; potential impacts that the proposed development layout, storm water management systems, grading and servicing will have on the remaining vegetation, the need for suitable protection measures, possible preservation techniques to enhance the condition of residual trees;
- 4. An evaluation of the potential impacts of the proposed development upon the existing trees, with associated recommendations for trees and vegetation to be preserved and recommended tree protection zones; Tree protection zones will follow recommended forestry division protection policies and procedures outlined in the Site Plan Control;
- 5. Possible infrastructure modifications and construction staging procedures to mitigate impacts;
- 6. Mitigation measures must align with the City's Site Plan Control and include provisions for replacement of trees and vegetation designated for preservation that are not successfully preserved;
- 7. Replacement tree details must follow Forestry Division's policy on suitable tree species and stock types. Details of long-term impact monitoring during and after construction to ensure protection measures are adequate and fully functional;
- 8. Where impacted trees are located on adjacent lands, written confirmation from the owner of those lands acknowledging the impacts and confirming agreement with the mitigation measures proposed;
- g. The forestry division requires that tree replacement be calculated on a diameter-for-diameter replacement calculation for any trees to be removed. If it is not possible to plant new trees on site (i.e. no

- space), Cash-in-lieu will be provided to the City to plant trees elsewhere. Cash-in-lieu rates are determined annual by council approved fee rates
- 10. If construction is being undertaken next to the edge of a woodlot suitable barrier fencing, at a minimum, along the drip line of the woodlot to be preserved prior to the start of construction on site;
- 11. The grades around woodlots shall not be disturbed. If it is necessary to change grades around treed areas to be preserved, the proponent may be required to take precautions such as dry welling and root feeding. Filling and grading within the drip line of trees shall be done by hand;
- 12. If trees are to be planted or transplanted on site, a Landscape Plan must be submitted to the City Forester or designate for review and approval. In addition a detailed maintenance program to be followed after development is complete. Tree transplanting should only be considered for rare, unique or otherwise 'special' individual tree or plant specimens;
- 13. Impact and Mitigation planning should include assessments for opportunities to support and enhance objectives described within the City's Climate Change Adaptation plans or the City's Urban Forest Management Plan (2024); and
- 14. The City Forester may request a security deposit in the form cash or a Letter of Acceptance of Responsibility. Financial Securities held by the City shall be released by the City provided that the trees are healthy and in a state of vigorous growth 2 years after the completion of all construction activity, guarantee the protection of trees, or the satisfaction of all the conditions of permit issuance will be required for the Detailed Vegetation Management Plan on lots or blocks that are to come into public ownership.

A Tree Inventory and Preservation Study must be completed by a, Certified Professional Arborist, Professional Forester, Ecologist or Landscape architect or equivalent to the satisfaction of the City.

# **Lighting Study**

### **Purpose:**

The purpose of a Lighting Study is to evaluate the intensity and impact of light pollution generated by development, the potential impacts on residential property and wildlife, and to ensure visibility and safety.

The following should be read in conjunction with Section 8.13 of the Official Plan. Where a Lighting Study is required, such study should:

- 1. Identify the location and specifications of all lighting fixtures proposed on the exterior of the buildings and site of the proposed development;
- 2. Include a photometric plan of projected illumination (lumens) in connection with the proposed development and demonstrate the illumination levels at all property lines and 6.0 metres beyond those property lines;
- 3. Identify the Light Pollution Index (LPI);
- 4. Analyze the LPI and cumulative effects of lighting in the context of existing and planned future conditions;
- 5. Recommend measures to mitigate the impact of light pollution in connection with the proposed development; and
- 6. Provide evidence that sufficient lighting is provided to ensure lighting improves visibility and safety.

#### Qualifications:

A Lighting Study must be completed by a registered professional engineer or certified engineering technologist in the Province of Ontario, to the satisfaction of the City.

# **Climate Change and Energy Studies**

#### Purpose:

The purpose of Climate Change and Energy Studies are to evaluate how the proposed development could alter the climate by impacting: wind; shadow and sunlight penetration; urban heat island effects (extreme heat); flooding and to determine the appropriate design measures to reduce the impacts of climate change and mitigate the contribution of greenhouse gas emission.

The following should be read in conjunction with Sub-section 8.6.2.3 of the Official Plan. During the pre-application process the City will determine the components of the Climate Change Study required.

#### Energy, Greenhouse Gas (GHG) Emissions and Mitigation Study

The intent of this study is to understand the GHG emissions and energy impact of the development, along with the opportunities to support the community's efforts to mitigate climate change.

- 1. Does the proposed development promote:
  - A compact urban form that encourages and facilitates walking, cycling and the use of public transit;
  - ii. A development pattern where public parks, small-scale convenience retail and other appropriate neighbourhood serving uses are provided within an approximate 5 minute walk from all residents;
  - iii. The electrification of various transportation modes, including the installation of electric charging for electric vehicles and bicycles;
  - iv. The use of low carbon construction, including but not limited to concrete and steel; and
  - v. Green building certifications of any kind.

#### **Energy Strategy**

The intent of this study is to further encourage energy efficient building design.

- 1. The Energy Strategy is designed to facilitate the following key outcomes:
  - Energy and GHG emissions reductions above base case;
  - ii. Explore alternative energy systems, renewable energy systems, district energy systems and distribution and demand management plans to accommodate current and projects needs of the community;
  - iii. Energy resiliency; and
  - iv. Innovative residential and public building designs that contribute to the low carbon design, energy reduction and natural resource conservation.

#### Climate Resiliency Study

The intent of this study is to examine the risk and resilience of the development to a climate change related disruption or impact. The primary climate change risks in the City of Windsor are attributed to Extreme Heat (Urban Heat Island), Flooding and Biodiversity loss. However, additional climate hazards may be identified due to location of the development or updated climate data.

#### 1. Heat Island Reduction Brief

Within the Climate Resiliency Study, the heat island reduction brief should include factors influencing and opportunities to address the urban heat island. This may include but not be limited to:

- i. Changes to permeable surfaces resulting from the development and associated impacts on heat retention and reflection;
- ii. Changes to vegetation cover and canopy and impact on heat island affects;
- iii. Changes to retention of storm water on the site and the associated impacts on-site and downstream; and
- iv. Measures taken to reduce the heat island effect including but not limited to:
  - a) Maintaining or restoring tree canopy;
  - b) Provisions for shading;
  - c) Maintaining vegetative surfaces such as green or cool roofs; and
  - d) Use of retained stormwater for water vegetation or water features.
- v. This brief shall be supported by any required landscape plan.

#### 2. Flood Reduction Brief

Within the Climate Resiliency Study the flood reduction brief shall include:

- i. A short summary of the findings from any required Stormwater Study, focused on Climate Change analysis, findings and solutions;
- ii. Measures taken to reduce risks in the event of flooding, including but not limited to:
  - a) Location and protection of essential building components;
  - b) Green infrastructure to complement existing infrastructure, including the requirement for innovative low impact development opportunities and best practices that minimize the risks associated with natural hazards.
- iii. This Study shall also review if the development occurs in a location that is at risk or vulnerable to other climate influenced natural hazards and measures that may be taken to reduce risk.

#### 3. Sustainability Brief

It is the intent of the Sustainability Brief to understand any development's contribution to the overarching sustainability objectives of the City beyond those encapsulated by the climate change studies. Where a Sustainability Brief is required, it shall include measures taken to promote:

- i. Waste diversion, including recycling and organics;
- ii. Bird Friendly Architecture (ex. Windows and lighting);
- iii. Potential for local food production or pollinator habitat;
- iv. Electric Vehicle Infrastructure;
- v. Use of Environmentally preferable materials and products;
- vi. Water Conservation energy conservation, air quality protection and integrated waste management opportunities;
- vii. Compact urban form that encourages walking, cycling and the use of public transit

- viii. A development pattern where public parks, small-scale convenience retail and other appropriate neighbourhood serving uses are provided within an approximate 5 minute walk from all residents; and
- ix. Alternative energy systems, renewable energy systems, district energy systems and distribution and demand management plans to accommodate current and projected needs of the community;
- x. Innovative residential and public building designs that contribute to low carbon design, energy use reduction and natural resource conservation; and
- xi. Green infrastructure to complement existing infrastructure, including the requirement for innovative low impact development opportunities and best practices that minimize the risks associated with natural hazards.

#### 4. Shadow Study

Where a Shadow Study is required, such study should include:

- i. Include diagrams showing extent of shadows at different intervals over different months;
- ii. Include diagrams showing surrounding topographic context;
- iii. Include a digital copy of the 3-D model used by the consultant to generate the shadow diagrams;
- iv. Include architectural elevation indicating building height at rooftop, mechanical equipment and average grade around building foundation; and
- v. Include diagrams showing the vertical extent of shadows upon adjacent lands.

#### 5. Wind Study

Where a Wind Study is required, such Study shall include:

- i. The height of the proposed development in relation to the height of surrounding structures;
- ii. The orientation and general massing of the development with respect to the primary wind directions;
- iii. The location and shape of specific design features that induce wind activity;
- iv. The orientation of the development with respect to sun angles;
- v. The potential impact of wind speed increases created by the development on the surroundings, pedestrians and birds in all four seasons; and
- vi. An outline of mitigation features to be included in development design including base and podium conditions, canopies, tower orientation and landscaping.

## **Qualifications:**

A Climate Change Study, and its various individual components may require a host of professionals with a variety of areas of expertise. All elements of a Climate Change Study shall be carried out by qualified professionals with expertise in the appropriate area of study, to the satisfaction of the City.

# **Financial Impact Study**

## Purpose:

The purpose of a Financial Impact Study is to evaluate the growth-related financial impact of proposed development, including impacts to the City's capital and operating budgets triggered by the proposed development. It is also used to estimate the cost and timing of local municipal capital infrastructure required to service the new development.

A Financial Impact Study ensures that the proposed new development is consistent with and supported by, the necessary local municipal infrastructure, and that it is not premature. Where required, a Financial Impact Study should include:

- 1. The projected incremental assessment, together with the estimated tax and non-tax revenues that would be generated;
- 2. The projected incremental local municipal operating costs;
- 3. The expected marginal net revenue or deficit; and
- 4. A projection of each of the planned phases of development, if applicable, for both operating and capital components to show that the approvals being requested are in the public interest and not premature pursuant to the Planning Act.

## **Qualifications:**

The Financial Impact Study should be prepared by a qualified municipal financial consultant, to the satisfaction of the City.

<u>APPENDIX 3: City of Windsor Official Plan – Streamlining OPA Comparison of Proposed and Current Policy Changes</u>

SECTION	Proposed OPA 179 Policy	Current OP Policy
10.2 Preamble	Development Applications  The following policies describe how development applications will be submitted, reviewed and processed:  CONSULTATION:  Formal consultation with the City and relevant commenting agencies shall be permitted prior to the submission of any	10.2 Support Studies and Information  Council may require as part of the development and infrastructure approval process or, as part of a more detailed planning analysis, supporting studies and information. The following policies provide guidance for some of the supporting documents and information that may be required.  10.2.1 GENERAL POLICIES  10.2.1.2 PROVINCIAL & FEDERAL REQUIREMENTS: Where a support study is required, such a study shall be
	development application required under the Planning Act. The objective of consultation shall be to inform an applicant of the approval process, including the City's requirements for supporting information and material to be submitted as part of a complete application	prepared having regard to relevant federal and provincial legislation, policies and appropriate guidelines.  10.2.1.4 PUBLIC PARTICIPATION  A public participation programme may be established as part of the preparation of a support study to allow interested or affected parties to participate in the process.  10.2.1.12 CONSULTATION WITH FIRST NATIONS: Consultation with First Nations will take place as part of a development application or detailed planning study. Moved to Section 10.6
10.2.2	Purpose: The purpose of the consultation will be to review a draft development proposal for the lands affected and identify the need for, and the scope of Supporting Technical Studies and other information and materials considered necessary by the City and other affected agencies to allow for a comprehensive assessment of the development application(s).	10.2.1.1 DETERMINING NEED Support studies, information and materials may be required as a part of the development and infrastructure approval process or as a part of a more detailed planning study. The need and timing will be determined by the Municipality on a site or area specific basis having regard to the other provisions of this Plan and provincial legislation, policies and

SECTION	Proposed OPA 179 Policy	Current OP Policy
		appropriate guidelines. Applicants seeking development approval shall be advised of the need for one or more support studies as part of the pre-application consultation process or, if subsequently deemed necessary, prior to a prescribed public meeting.
10.2.3	<ul> <li>Consultation shall involve two stages:</li> <li>a) Stage 1 - Identifying a preliminary list of required Supporting Technical Studies, plans, other information and material to be submitted with a complete application, including fees or approvals from other agencies as may be required. As part of this stage, the applicant will also be advised if a proposed development is identified as being "viable". The term "viable" will be used to help the applicant to decide if they wish to proceed to Stage 2 of the application process or if they might also consider revising their proposal;</li> <li>b) Stage 2 - The applicant will submit an consultation application with consultation fees together with copies of all Supporting Technical Studies identified as being required in Stage 1. All studies will be reviewed by Administrative Departments and local agencies. If a peer review is required, it will be completed at the expense of the applicant.</li> </ul>	10.2.1.8 PRE-APPLICATION CONSULTATION: Council shall provide the opportunity for a person or public body proposing an application for development approval to consult with administrative staff. The objective of preapplication consultation shall be to inform an applicant of the approval process, including the Municipality's requirements for supporting information and material to be submitted as part of a complete application.

SECTION	Proposed OPA 179 Policy	Current OP Policy
10.2.4	REQUIRED INFORMATION: The applicant shall initiate the consultation process by completing and submitting a Planning Consultation Stage 1 application that includes:	10.2.1.3 PREPARATION Support studies, information and materials may be required as a part of the development and infrastructure approval process or as a part of a more detailed planning study. The need and timing will be determined by the Municipality on a
	a) Mapping that identifies the location of the Subject Site and surrounding context;	site or area specific basis having regard to the other provisions of this Plan and provincial legislation, policies and appropriate guidelines. Applicants seeking development
	b) A description of the existing Official Plan designation and Zoning affecting the Subject Site; and	approval shall be advised of the need for one or more support studies as part of the pre-application consultation process or, if subsequently deemed necessary, prior to a prescribed public meeting.
	c) A preliminary description of the proposed development concept, including, where applicable, a description of the proposed Official Plan and/or Zoning amendments to be requested.	
10.2.5	EXEMPTIONS: The City may forgo consultation, where the City has identified that due to the nature of the proposal, the need for and scope of required information and materials can be determined without formal Stage 1 and/or Stage 2 consultation.	N/A (Did not exist previously)
10.2.6	INCOMPLETE APPLICATIONS:  Development applications submitted to the City prior to completion of the Stage 1 and Stage 2 consultation without the necessary supporting information and materials may be deemed as incomplete and returned to the applicant.	N/A (Did not exist previously)

Proposed OPA 179 Policy	Current OP Policy
COMPLETE APPLICATION REQUIREMENTS: The City shall determine the information and materials necessary for submission with the application based on the nature of the proposal and generally in accordance with the list of Supporting Technical Studies identified in this Plan.	N/A (Did not exist previously)
Technical Studies Required: Any or all of the Supporting Technical Studies identified in this Plan may be requested from applicants to ensure that all relevant and required information pertaining to a development application is available at the time of submission, or, if subsequently deemed necessary, prior to a prescribed public meeting.	N/A (Did not exist previously)
It is the intent of the Supporting Technical Studies to enable the City to make informed decisions within the time periods set out in the Planning Act. The City may require provision of Supporting Technical Studies at its sole discretion as part of a complete application, at any time during the processing of an application under the Planning Act: including but not limited to those Studies listed below:  a) Planning Rationale Report - The purpose of the Planning Rationale Report is to provide a framework for an applicant seeking development approval to explain salient details of the application and provide supporting land use planning reasons and opinions why the proposal should be considered and approved. This document is also intended to assist staff with their review and processing responsibilities;	10.2.1.7 SUPPORT INFORMATION AND MATERIALS FOR PLANNING ACT APPLICATIONS: The municipality may require the applicant to submit any of the following information at any time during an application under the Planning Act:  (a) Deed and/or Offer of Purchase;  (b) Topographic Plan of Survey;  (c) Conceptual Development Plan;  (d) Floor Plans and/or Elevations;  (e) Record of Site Condition (RSC);  (f) Stormwater Management Plan;
	Complete Application Requirements: The City shall determine the information and materials necessary for submission with the application based on the nature of the proposal and generally in accordance with the list of Supporting Technical Studies identified in this Plan.  Technical Studies Required: Any or all of the Supporting Technical Studies identified in this Plan may be requested from applicants to ensure that all relevant and required information pertaining to a development application is available at the time of submission, or, if subsequently deemed necessary, prior to a prescribed public meeting.  Study Purpose: It is the intent of the Supporting Technical Studies to enable the City to make informed decisions within the time periods set out in the Planning Act. The City may require provision of Supporting Technical Studies at its sole discretion as part of a complete application, at any time during the processing of an application under the Planning Act: including but not limited to those Studies listed below:  a) Planning Rationale Report - The purpose of the Planning Rationale Report is to provide a framework for an applicant seeking development approval to explain salient details of the application and provide supporting land use planning reasons and opinions why the proposal should be considered and approved. This document is also intended to assist staff with their

SECTION	Prop	osed OPA 179 Policy	Current OP Policy
	b)	Urban Design Study - The purpose of an Urban Design Study is to provide direction for the protection and enhancement of the character of a planning district, neighbourhood, corridor or any other identified area, and the thoughtful implementation of good urban design principles based on an assessment of the characteristics and opportunities of the surrounding community;	(g) Approved Class Environmental Assessment;  (h) Geotechnical Study;  (i) Draft Plan of Subdivision;
	c)	Built Heritage Impact Study - The purpose of a Heritage Impact Study is to identify and evaluate cultural heritage resources and determine if any heritage resources, including listed or designated heritage resources, are impacted by development proposals and the potential need for mitigation	(j) Condominium Description;  (k) Transportation Impact Study and/or Statement;
	d)	measures;  Archaeological Assessment - The purpose of an Archaeological Assessment is to ensure	(1) Environmental Evaluation Report;
		archaeological resources on site are evaluated, documented and mitigated prior to land disturbance/site development;	(m) Guideline Plan; (n) Sanitary and/or Storm Sewer Study;
	e)	Block Plan - The purpose of a Block Plan is to provide comprehensive and specific direction for areas where the existing land use designations are appropriate but more detailed guidance is required for areas experiencing transition or development pressures in	(o) Market Impact Assessment; (p) Noise and/or Vibration Study;
		order to optimize development potential and infrastructure;	(q) Planning Rationale Study;
	f)	Environmental Impact Study - The purpose of an Environmental Impact Study is to demonstrate that a proposed development or infrastructure undertaking	(r) Tree Inventory and Preservation Study;

SECTION	Proj	posed OPA 179 Policy	Current OP Policy
		may proceed in or adjacent to lands designated as Natural Heritage, Environmental Policy Area A or B and/or Candidate Natural Heritage Site without causing negative impact on the feature or its associated ecological functions;	(s) Built Heritage Impact Study; (t) Archaeological Assessment;
	g)	Watershed/Subwatershed Plan - The purpose of a Watershed/Subwatershed Plan is to inventory, assess and present information about water resources and related features and how they should be protected and enhanced to ensure the long-term health of the	(u) Lighting Study; (v) Environmental Site Assessment;
		ecosystem as land uses changes on the basis of an entire watershed, or subwatershed;	(w) Design Study;
	h)	Stormwater Management Report - The purpose of a Stormwater Management Report is to identify measures required to control the quantity, quality and runoff flowrate associated with the development of a	(x) Studies related to atmospheric gases that can be generated in soil and/or leachate;  (y) Micro-Climate Study; and
		specific area;	
	i)	Functional Servicing Study - The purpose of a Functional Servicing Study is to determine how an area proposed for development will be serviced taking into consideration the future sanitary, water and storm	(z) Other Material or Studies relevant to the development and lands affected by the application.
		sewer servicing needs.;	Note: Study components of the above as contained in subsections 10.2.2 thru 10.2.20 inclusive have been deleted
	j)	Transportation Impact Study and/or Transportation Impact Statement - The purpose of these studies is to identify the transportation network improvements and on-site design elements necessary to accommodate additional vehicle, cyclist, pedestrian and transit traffic and parking the proposed development will generate	and are now part of a guideline that is no longer part of the Official Plan.

SECTION	Prop	posed OPA 179 Policy	Current OP Policy
		and ensure its impact on adjacent land uses is safe and acceptable;	
	k)	Noise and/or Vibration Study - The purpose of a Noise and/or Vibration Study is to demonstrate that a proposed development may proceed in such a manner that the sensitive land uses are protected from unacceptable levels of noise and vibration associated with uses such as industrial operations, public highways, rail corridors and yards, and airports;	
	1)	Tree Inventory and Preservation Study - The purpose of a Tree Inventory and Preservation Study is to investigate and inventory existing trees and vegetation within and adjacent to development and determine how protection and enhancement can coincide with proposed development;	
	m)	Lighting Study - The purpose of a Lighting Study is to evaluate the intensity and impact of light pollution generated by development, the potential impacts on residential property and wildlife, and to ensure visibility, safety and mitigation;	
	n)	Climate Change Study - The purpose The purpose of a Climate Change Study is to evaluate how the proposed development could alter the climate by impacting: wind; shadow and sunlight penetration; urban heat island effects (extreme heat); flooding and to determine the appropriate design measures to reduce the impacts of climate change and mitigate the contribution of greenhouse gas emission;	

SECTION	Proposed OPA 179 Policy	Current OP Policy
	<ul> <li>o) Financial Impact Study – The purpose of a Financial Impact Study is to evaluate the growth-related financial impact of proposed development, including impacts to the City's capital and operating budgets triggered by the proposed development; and</li> <li>p) Other Studies of Relevance – recognizing that many applications are unique, the City reserves the ability to ask for any other special studies, reports or plans that may be required to effectively evaluate any</li> </ul>	
	development proposal.	
10.2.10	TERMS OF REFERENCE: The City has prepared terms of reference for a number of the Supporting Technical Studies to provide information on the scope of work required in order to assist in the preparation and review of these studies.	10.2.1.5 IMPLEMENTATION All relevant mitigation recommendations included in a support study shall be considered as condition of approval to be implemented by the proponent of development.
10.2.11	STUDY SCOPE: Supporting Technical Studies may vary in scope, depending on the size, nature and intent of the proposal and the level of impact on the adjacent land use. Proponents of all development applications shall be advised by the City of the required study contents during the Stage 1 consultation process.	10.2.1.9-Scope Support studies may vary in scope, depending on the size, nature and intent of the proposal and the adjacent pattern of land use. Proponents of development approval shall be advised by administrative staff of the required study contents during the pre-application consultation process.
10.2.12	APPLICATIONS DEEMED TO BE COMPLETE: Where the need for one or more Supporting Technical Studies has been identified, the application shall only be deemed to be complete when the required Supporting Technical Studies are prepared and submitted subject to the following requirements:	10.2.1.3 PREPARATION: All support studies shall be prepared by qualified professionals to the satisfaction of the Municipality and, where appropriate, in consultation with relevant public agencies and affected parties.

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SECTION	a) Shall be prepared to the satisfaction of the City and, where appropriate, in consultation with relevant public agencies and affected parties.; b) Shall be prepared in accordance with the policies of this Plan and any relevant federal and provincial legislation, policies and appropriate guidelines. c) Shall be prepared by an appropriately accredited qualified professional retained by, and at the sole expense of the applicant; d) May be subject to a peer review where the City: i. Lacks the appropriate expertise and/or internal resources to review such Supporting Technical Studies; and/or ii. Is not satisfied with the extent and quality of the work submitted by the applicant. e) Such peer review shall be completed by an appropriate agency or professional consultant retained by the City, at the applicant's expense. f) Where a peer review is requested by the City, the technical study will not be identified as being satisfactory until:  i. The peer review study has been submitted to the City, and the City is fully satisfied with the extent and quality of the work, including any requirements for additional or supplementary work identified through the peer review process; and	10.2.1.6 ADOPTION Council may adopt a support study by resolution.
	ii. The City has been fully reimbursed by the applicant for the cost of the peer review study.	

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10.2.13	ASSESSING MERITS:  To augment the policies in this Plan, the City may develop performance checklists or indices to assist with evaluating the merits of development applications in the context of the policies in this Plan addressing such matters as, but not limited to; healthy development, sustainability, climate change resiliency, green development and urban design.	N/A (Did not exist previously)
10.2.14	CONDITIONS OF APPROVAL: All relevant mitigation recommendations included in a Supporting Technical Study shall be included as conditions of approval to be implemented by the proponent of a development.	N/A (Did not exist previously)
10.2.15	PUBLIC INFORMATION:  Council shall ensure that all information and material provided by a person or public body that has been submitted as part of a development application, will be available to the public for review once the application has been deemed complete.	10.2.1.11 Public INFORMATION: Council shall ensure that information and material provided by a person or public body that has submitted a complete application for development approval shall be available to the public for review.
10.2.16	COMPLETE APPLICATION:  For any planning applications to be deemed complete, the following mandatory items shall be submitted to the City:  a) Application Form; b) Explanatory Letter; c) Proof of Ownership or Completed Offer of Purchase; d) Plan of Survey; e) Materials required by the Planning Act or any other relevant legislation/regulation; f) Supporting Technical Studies as required by the City and applicable agencies;	10.2.1.10 COMPLETE APPLICATION: When the pre-application consultation process for a proposed development approval application identifies the need for one or more support studies, the application shall not be considered complete for processing purposes until the required study or studies is prepared and submitted to the satisfaction of the Municipality. Notification of a complete application shall be given to the applicant and all other parties by the Municipality in accordance with the Planning Act.

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	g) Required Fees and deposits, including a signed contingency deposit agreement where applicable; h) Lands for parkland dedication, if applicable, have been identified; i) All confirmations, clearances, permits, peer reviews, materials and information required during the Stage 1 and Stage 2 planning consultation have been submitted and considered to be satisfactory by the City; j) The required Development Application sign has been posted on the subject property; and k) If an Open House is required as part of the Stage 1 planning consultation, a record of the Open House is provided to the City.	
10.2.17	Incomplete applications submitted to the City will not be accepted and shall be returned to the applicant. The City may deem an application to be incomplete and refuse all information, supporting documents and materials, submitted as part of the application(s) if it considers the quality of the submission unsatisfactory.	N/A (Did not exist previously)
10.2.18	Notice of Complete Application:  Notification of an application deemed to be complete shall be given to the applicant, the public and all other parties by the Municipality in accordance with the Planning Act	N/A (Did not exist previously)

SECTION	Proposed OPA 179 Policy	Current OP Policy
10.6	Development Applications	10.6 Public Participation
10.6.1	Public Engagement: The opinions and advice of the public will be sought as a part of the decision-making process. The community engagement process will be transparent, accessible and inclusive.	10.6.1 PARTICIPATION: The opinions, attitudes and advice of individuals and groups will be sought as a part of the decision making process.  10.6.2 PRECONSULTATION: Preconsultation with affected or interested individuals, group and public bodies shall be encouraged prior to the finalization of a development application or a detailed planning study.  10.6.6 CONCENSUS BUILDING: Council will provide opportunities for consensus building and conflict resolution prior to making a decision on a development or infrastructure proposal.
10.6.2	PUBLIC NOTIFICATION:  The City will ensure the public is notified on development applications in accordance with relevant provincial legislation and municipal policies. Where persons, groups or corporations regularly communicate with the City through email, the City may use email rather than postal mail. The City will adopt standards for posting of development application signs to be placed on properties where development applications have been proposed.	10.6.3 PUBLIC NOTIFICATION: Council will ensure that the public is notified on development and infrastructure proposals in accordance with relevant provincial legislation.
10.6.3	Public Information:  The City will provide interested parties affected by a development proposal with the information necessary to understand the nature of the proposal. In addition to providing hard copies of documents in the Planning Department, the City will ensure that digital copies of documents area available on the City's website.	10.6.4 PROVIDE INFORMATION: Council will provide interested and affected parties affected by a development or infrastructure proposal with the information necessary to understand the nature of the proposal.

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10.6.4	TIMING OF NOTICES:  Within 15 days after an affirmative notice of acceptance of a complete application is provided for applications made under the Planning Act requiring public notice, the City will provide a Notice of Application to the persons and public bodies prescribed under the Planning Act, and make the required information and material available to the public.	10.6.5 ADEQUATE TIME: Council will provide adequate time for the public to contribute in the decision making process.
10.6.5	LARGE SCALE APPLICATIONS:  Council may consider using a variety of public participation techniques for development proposals issues having a broad scope such as Secondary Plans, Official Plan Amendments and large subdivisions including, but not limited to, open houses, public displays, area meetings, newspaper notices, signage, internet-based tools, city website and social media.	10.6.7 CITY-WIDE ISSUES: Council may consider using a variety of public participation techniques for special issues having a city-wide scope including, but not limited to, open houses, public displays, area meetings, newspaper notices, and cable television programming.
10.6.6	OPEN HOUSE: The applicant may be required to host an open house as part of the Stage 2 planning consultation process and produce an Open House Report summarizing the results of the open house. The purpose of the open house is to provide opportunity for consultation by the applicant with the area residents/property owners who may be impacted by the proposal before the application is deemed to be complete. The required open house:  a) Will be hosted by the applicant and will be	N/A (Did not exist previously)
	<ul> <li>b) Should be held at a location that is accessible to the public and may be accessed by walking, bicycling and public transit and should be located within 1km of the Subject Site, when practical. The location should be in a structure that meets</li> </ul>	

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	or exceeds the requirements of the Accessibility for Ontarians with Disabilities Act. In addition, virtual attendance shall be enabled;	
	c) Should be comprised of the following components:	
	i. Notice to the area residents/property owners, which contains sufficient information as determined by the City Planner;	
	ii. Attendance of assigned municipal staff;	
	iii. Display boards which provide the primary details of the application together with sufficient information as determined by the City Planner;	
	iv. Copies of any reports or studies that have been prepared as part of the application; and	
	v. The availability of the applicant or the applicant's agent to answer any questions that the public may have about the application.	
	d) The required Open House Report shall be comprised of:	

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	<ul> <li>i. A summary of the results of the open house including issues raised and responses provided;</li> <li>ii. A copy of the Notice provided;</li> </ul>	
	iii. A copy of any presentation(s) and graphics;	
	iv. A copy of written questions from the public and written responses to these questions by the applicant; and	
	v. A copy of the attendee sign-in sheet and list of persons who attended virtually.	
10.6.7	ENGAGEMENT WITH FIRST NATIONS:  Engagement with First Nations will take place as part of a development application or detailed planning study.  Engagement will be the responsibility of the proponent in consultation with the City and at the cost of the applicant.	10.6.8 CONSULTATION WITH FIRST NATIONS: Consultation with First Nations will take place as part of a development application or detailed planning study.
10.6.8	No Notice Required: City Council may delegate authority to the City Planner to forego public notification as prescribed under the Planning Act to allow for changes of a minor nature to correct a technical error or omission contained in an Official Plan Amendment or Zoning By-law Amendment to change punctuation or format, or correct clerical, grammatical, mapping, or typographical errors; and to insert footnotes or similar annotations to indicate the origin and approval of each provision.	N/A (Did not exist previously)

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11.4.3	Consent Policies	11.4.3 Consent Policies
11.4.3.1	COMMITTEE OF ADJUSTMENT: Council has delegated by by-law the authority to grant consents to the Committee of Adjustment.	11.4.3.1 COMMITTEE OF ADJUSTMENT: Council has delegated to the City of Windsor Committee of Adjustment Council's consent granting authority.
11.4.3.2	APPROPRIATE REASONS FOR CONSENTS: Without limiting the relevant provisions of the Planning Act, Consents may only be granted where completing a subdivision process is deemed not to be necessary to ensure the proper and orderly development of the subject lands. The consent process will be used for matters such as granting easements and rights of way, leases or other interests in land lasting in excess of 21 years or lot line adjustments. Consents may be used for lot creation in the following circumstances; a) Small scale Infilling or intensification for development that is compatible with the neighbourhood; b) Lot line adjustments; c) An entire parcel is being developed and there are no remaining lands; d) There is no need to extend or improve municipal services outside of the subject lands; e) Where there is no phasing of the development; and f) Where parkland dedication may be cash-in-lieu.	11.4.3.2 APPROPRIATE CIRCUMSTANCES FOR CONSENTS: Consents may only be granted when it is not necessary for the proper and orderly development of the city. Accordingly, consents will generally be limited to: (a) Creation of lots for minor infilling; and (b) The mortgaging or leasing of land beyond 21 years; (c) Lot boundary adjustments; and (d) Easements and rights of ways

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11.4.3.3	CONFORM WITH PERMITTED USES: Consents shall only be granted for the creation of lots which comply with the Official Plan and Zoning By-law.	11.4.3.3 CONFORM WITH PERMITTED USES:  Consents shall only be granted for the creation of lots which comply with the Zoning By law and/or unless appropriate minor variances are also granted concurrently.
11.4.3.4	ACCESS TO A PUBLIC HIGHWAY: Consents shall only be granted for lots that will have access to a public road that meets municipal standards for construction. Where the abutting road requires improvement, the City may require the land owner to contribute to the improvement costs.	11.4.3.4 ACCESS TO A PUBLIC HIGHWAY:  Consents shall only be granted for lots which have access to a public highway which is paved with a hard surface and is of a reasonable standard of construction
11.4.3.5	MUNICIPAL SERVICES: All new lots created by consent shall be serviced by municipal sanitary sewer and water services and provide for stormwater management.	11.4.3.5 SEWER & WATER SERVICES: All lots created by consent shall be serviced by municipal sanitary sewer and water services.
11.4.3.6	<ul> <li>EVALUATION CRITERIA: Without limiting the relevant provisions of the Planning Act, the approval authority shall evaluate applications for consent in the same manner as an application for plan of subdivision, including; a) Provincial legislation, provincial policies and applicable provincial guidelines;</li> <li>b) Conformity with the policies of this Plan, Volume II: Secondary Plans and Special Policy Areas and other relevant municipal standards and guidelines;</li> <li>c) Conformity with the recommendations of any support studies prepared as part of the application;</li> <li>d) The continuation of an orderly development pattern and the lot pattern in the neighbourhood;</li> </ul>	11.4.3.6 EVALUATION CRITERIA: The Committee of Adjustment will evaluate consent applications according to the following criteria:  (a) Provincial legislation, policies and applicable guidelines;  (b) The physical layout of the proposed lots having regard to the Urban Design policies of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;  (c) The continuation of an orderly development pattern;  (d) Impact upon the comprehensive development of adjacent properties;
	and the let pattern in the heighboarhood,	(e) The requirements or comments of Municipal departments and public agencies or authorities; and

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	e) Impact of the development on adjacent propertion and the lot pattern and density in the communand  f) The requirements or comments of Municipal community.	ipal
44.40.7	departments and public agencies or authorities	
11.4.3.7	CONDITIONS OF APPROVAL:  The approval authority may attach such conditions as it deems appropriate to the approval of a consent. Such conditions may include, but are not limited to, the follows:  a) The fulfillment of any financial requirement to the purposes or payments of lands for public open spurposes or payments of this Plan;	it deems appropriate to the approval of a consent. Such conditions may include, but are not limited to, the following:  (a) The fulfillment of any financial requirement to the Municipality;  (b) The conveyance of lands for public open space purposes or payments-in-lieu thereof in accordance with the Open
	<ul><li>c) The conveyance of lands for public highwa widenings as may be required;</li><li>d) The conveyance of appropriate easements;</li></ul>	(c) The conveyance of lands for public highways or widenings as may be required;
	<ul> <li>e) The provision of municipal infrastructure or services;</li> <li>f) The completion of a development or ser agreement with the City if required; and</li> <li>g) Other such matters as the approval aut considers necessary and/or appropriate.</li> </ul>	vicing  (e) The application of the site plan control process;  (f) The provision of municipal infrastructure or other services; and

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11.4.4	Part Lot Control Policies	11.4.4 Part Lot Control Policies
11.4.4.1	PART LOT CONTROL BY-LAWS: Council may pass by-laws to exempt all or parts of registered plans of subdivision from part lot control to permit further subdivision in accordance with the Planning Act, and in conformity with the Zoning By-law.	11.4.4.1 PART LOT CONTROL BY-LAWS: Council may pass by-laws to exempt all or parts of registered plans of subdivision from part lot control to permit resubdivision in accordance with the Planning Act, and in conformity with the Zoning By-law
11.4.4.2	AMENDING BY-LAW: Part lot control by-laws may be subsequently repealed, amended or limited to a period of not more than 5 years by Council.	11.4.4.2 AMENDING BY-LAW: Part lot control by-laws may be subsequently repealed, amended or limited to a period of not more than 5 years by Council.
11.4.4.3	AREAS FOR PART LOT CONTROL: Council will generally limit the use of part lot control by-laws to the following:  a) The splitting of lots upon which semi-detached dwellings or street row housing is intended to be built;  b) The resubdivision of older registered plans of	11.4.4.3 AREAS FOR PART LOT CONTROL: Council will generally limit the use of part lot control by-laws to the following:  (a) The splitting of lots upon which semi-detached dwellings or street rowhousing is intended to be built; and  (b) The resubdivision of older registered plans of subdivision
	subdivision where no new rights-of-ways are to be created. and  c) The division of blocks within an approved plan of subdivision where the subdivision agreement anticipates that the final lot pattern will be established through the part lot control process.	where no new rights-of-ways are to be created.
11.6.3 11.6.3.4	Zoning By-Law Amendment Policies  DELEGATION OF AUTHORITY: Council may pass a By-law under Section 39.2 of the Planning Act to delegate the authority to make zoning amendments to: a) Remove an 'H' Holding Symbol; or	11.6.3 Zoning By-Law Amendment Policies N/A (Did not exist previously)

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	b) Extend a Temporary Use; or  c) Allow for amendments to the Zoning By-law that are minor in nature under the following conditions:  i. making technical amendments or to correct errors in text or mapping;	
11.6.6	Minor Variance Policies	11.6.6 Minor Variance Policies
11.6.6.1	COMMITTEE OF ADJUSTMENT: Council has appointed a Committee of Adjustment pursuant to the Planning Act to consider applications for minor variance from the Zoning By-law(s) and/or any other By-laws that implements the Official Plan.	Unchanged
11.6.6.2	EVALUATION CRITERIA: When reviewing an application for minor variance the Committee of Adjustment shall be satisfied that:	11.6.6.2 EVALUATION CRITERIA: When reviewing an application for minor variance the Committee of Adjustment shall be satisfied that:
	<ul> <li>a) The general intent and purpose of the Official Plan, including the Strategic Directions, Goals and Objectives of the land use designation in which the</li> </ul>	(a) The general intent and purpose of the Official Plan is maintained;
	<ul><li>property is located, is maintained;</li><li>b) The general intent and purpose of the By-law being varied is maintained;</li></ul>	(b) The general intent and purpose of the By-law being varied is maintained;
	c) The variances or the number of variances to the By- law are minor in nature, would not more appropriately be considered through an application to amend the Zoning By-law due to the cumulative impacts of the variances, preserves the pattern, scale and character of the blockface;	(c) The variance is minor in nature; and  (d) The variance is desirable for the appropriate use of the land, building or structure.

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	d) The variance(s) are generally not more than 20 percent above the By-law regulation being varied where the variances would increase the building envelope of a main building or accessory building containing a dwelling unit. For clarity this includes variances related to lot width; lot area; lot coverage; front, rear, and side yard depth; building height; and maximum gross floor area; and	
	e) The variance(s) are desirable for the appropriate use of the land, building or structure and would not hinder the reasonable development and/or use of properties in the neighbourhood, would not cause a detriment, safety concerns, or would not detract from the character or amenity of nearby properties or the neighbourhood. The area of influence or the neighbourhood will vary with the scale of development and associated areas of potential impact.	
11.6.6.3	EXISTING UNDERSIZED LOTS:  Notwithstanding the provisions of sub-section (c) above, the Committee may give further consideration to variances required to enable appropriate development for existing undersized lots, where existing non-complying structures are being altered or where infilling and intensification is occurring provided that the Committee is satisfied that the provisions of 11.6.6.2 subsections (c) and (e) have been fully addressed	N/A (Did not exist previously)
11.6.6.4	TERMS & CONDITIONS:  The Committee of Adjustment may attach such terms and conditions as it deems reasonable and appropriate to the approval of the application for a minor variance. The conditions shall relate directly to the impact of the variance and may include measures required to mitigate the impact	11.6.6.3 TERMS & CONDITIONS: The Committee of Adjustment may attach such terms and conditions as it deems appropriate to the approval of the application for a minor variance.

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	of altering the zoning regulations on the resulting built form or property development, including but not limited to:  a) Specifying architectural elements such as window location, outdoor amenity space, fencing or other screening and door location;  b) Requiring additional landscaping including low impact design elements;		
	<ul><li>c) Providing additional bicycle facilities in lieu of motor vehicle parking; and</li><li>d) Improvement to grading and stormwater management.</li></ul>		
11.6.6.5	AGREEMENTS: The Committee of Adjustment may require the owner of the land to enter into one or more agreements with the Municipality and address the impacts of the variance dealing with some or all of the terms and conditions of its decision. An agreement may be registered against the land to which it applies, and the Municipality is entitled to enforce the agreement against the owner and, subject to the Registry Act and the Land Titles Act, against any and all subsequent owners of the land.	11.6.6.4 AGREEMENTS WITH MUNICIPALITY: The Committee of Adjustment may require the owner of the land to enter into one or more agreements with the Municipality dealing with some or all of the terms and conditions of its decision. An agreement may be registered against the land to which it applies and the Municipality is entitled to enforce the agreement against the owner and, subject to the Registry Act and the Land Titles Act, against any and all subsequent owners of the land.	
11.7	Site Plan Control  OBJECTIVE:  Site Plan Control will be used by the City as a means of achieving well-designed, functional, accessible, safe, sustainable built form and public space. Site Plan Control, including reference to Section 41 of the Planning Act, is one of the key tools for implementing the City's policies on urban design in accordance with this Plan, policies and guidelines	11.7 Site Plan Control 11.7.1.1 URBAN DESIGN: To implement the urban design policies of this Plan.	

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	within Council adopted Secondary Plans, Community Improvement Plans and the Urban Design Guidelines.	
11.7.1.2	SITE PLAN CONTROL BY-LAW:  The City will establish by By-law, a Site Plan Approval Area which encompasses all of the lands within the boundaries of the City and is applicable to all forms of development, with the specific exemption of new residential development that includes 10 dwelling units or less. The By-law shall also reference any provincial regulations concerning the timeline for the lapsing of approved site plans.  Notwithstanding that specific exemption, the City may apply Site Plan Control to all forms of development, including residential developments that contain 10 dwelling units or less, where the development site is within 120 metres of a shoreline or 300 metres of a railway line.	11.7.1.2-SITE PLAN CONTROL AREA: The entire area within the City of Windsor is designated as a Site Plan Control Area.
11.7.1.3	EXEMPTIONS: Within the Site Plan Control By-law, the City may exempt some forms of development which would otherwise be subject to Site Plan Control where it considers such approval to be unnecessary due to the type or scale of development proposed.	11.7.2.2 EXEMPTIONS: Council may exempt the following developments from site plan control: (a) An addition to an accessory building as defined in the Zoning Bylaw where such addition is for the purpose of replacing a temporary building or buildings, structure or structures, provided that the lot coverage of such addition does not exceed the lot coverage of the temporary building(s) or structures(s) it is intended to replace. (b) Small scale low profile residential development unless the property is: (i) situated within an area that has been Designated a Heritage Conservation District under Part V of the Ontario Heritage Act; (ii) situated within the following Community Improvement Plan (CIP) Areas: • City Centre West Urban Village CIP; • Glengarry-Marentette Waterfront Village CIP; • Olde Sandwich Towne CIP. (iii) situated within an area where Urban Design Guidelines have been adopted

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		by Council; (iv) located in a Mature Neighbourhood shown on Schedule A-1
		(c) A commercial or combined commercial and residential
		building provided that the total floor area, at grade,
		measured from the exterior walls does not exceed fifty (50)
		square metres;
		(d) An addition to an existing commercial or combined
		commercial and residential building provided that the floor
		area measured, at grade, from the exterior walls of the
		addition does not exceed: i) fifty (50) square metres or ii) ten
		per cent (10%) of the total floor area, at grade, of the
		existing building, provided, that the ten City of Windsor
		Official Plan1 Volume I 1 Tools 11 - 25 percent (10%) does
		not exceed one hundred and fifty (150) square metres;
		(e) An industrial or institutional building provided that the
		total floor area, at grade, measured from the exterior walls
		does not exceed on hundred (100) square metres;
		(f) An addition to an existing industrial or institutional
		building provided that the total floor area, at grade,
		measured from the exterior walls does not exceed i) one
		hundred square metres, or ii) ten per cent (10%) of the total
		floor area, at grade, of the existing building provided that
		the ten percent (10%) does not exceed two hundred and
		fifty (250) square metres;
		(g) A temporary building or structure that is designed,
		constructed and placed on land in a manner which permits
		its removal after a period of time not to exceed one hundred
		and twenty (120) consecutive days;
		(h) A sign including any alternation to an existing sign;
		(i) Building features or mechanical elements more
		particularly described as: a church spire, belfry, skylight,
		cupola, scenery loft chimney, smokestack, water tank, air-

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		conditioning and/or heating equipment, ventilator, mechanical penthouse, protective and screening fences, communications equipment, pedestrian bridge, fire escape, building entrance/exit and canopy or awning, provided further that the said building feature or mechanical element is to be constructed separate and apart from any other development which requires approval; (j) A parking area containing less than 5 parking spaces including all parking spaces, collector aisles and manoeuvring aisles, provided further that the said parking area is to be constructed separate and apart from any other developments as defined in this by law which requires approval; and (k) The placement of a portable classroom on a school site of a district school board if the school site was in existence on January 1, 2007.
11.7.1.4	SITE PLAN REQUIREMENTS: The City may require Site Plan Control:  a) As a condition of a subdivision/condominium approval or any other type of development approval; and  b) As a condition of a decision of the Committee of Adjustment;	11.7.2.3 REVIEW PROCEDURES: Site plan control applications shall consult with municipal staff prior to the submission of plans and drawings for approval under the provisions of the Planning Act 11.7.2.4 PLANS & DRAWINGS: An application for site plan control approval shall include the plans required by s.41 of the Planning Act. 11.7.2.5 ADDITIONAL INFORMATION: In addition to the provisions of Section 11.7.2.4, an application for site plan control approval shall include drawings showing plan and elevation views for each building to be used for residential purposes containing less than twenty-five dwelling units, which drawings are sufficient to display matters relating to exterior design, including without limitation the character, scale, appearance and design

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		features of buildings, and their sustainable design, but only
		to the extent that it is a matter of exterior design.
		11.7.2.6 LOCATIONAL CRITERIA:
		The provisions of Section 11.7.2.5 apply to the following: (a)
		Development situated within an area that has been
		designated a Heritage Conservation District under Part V of
		the Ontario Heritage Act; (b) Development situated within
		the following Community Improvement Plan (CIP) Areas; •
		City Centre West Urban Village CIP; • Glengarry Marentette
		Waterfront Village CIP; ◆ Olde Sandwich Towne CIP; (c)
		Development situated within an area where Urban Design
		Guidelines have been adopted by Council; (d) Development
		situated with and/or adjacent to a Civic Way, Main Street, or
		Gateway area; and (e) Development situated in a Business
		Improvement Area.
		11.7.2.7-EVALUATION CRITERIA:
		Where an application for site plan control approval is made,
		Council or its designate shall review the submission based or
		the provisions of the Planning Act and the Site Plan Control
		By-law, including such criteria as: (a) The relevant design
		guidelines and policies provided in Land use, Urban Design
		and Heritage Conservation chapters of this Plan, Volume II:
		Secondary Plans & Special Policy Areas and other relevant
		standards and guidelines; (b) Other municipal guidelines as
		may be appropriate; (c) Function and efficiency; (d) Safety
		and access; (e) Adequacy of servicing; City of Windsor
		Official Plan1 Volume I 1 Tools 11 - 28 (f) Grading and
		drainage; (g) Landscaping and lighting; (h) Sustainable design
		elements for the site and any adjacent boulevard; (Added by
		OPA #66-11/05/07-B/L209-2007) (i) Matters related to
		exterior design; (Added by OPA #66-11/05/07-B/L209-2007)
		(j) Accessibility for persons with disabilities; and (Added by

SECTION	Proposed OPA 179 Policy	Current OP Policy
		OPA #66- 11/05/07-B/L209-2007) (k) The design guidelines
		in the Sandwich Heritage Conservation District Plan dated
		July 2008, adopted by By law No. 22-2009. (OPA 68,
		effective October 19, 2012, OMB Case Order No. PL090206)
		(I) Olde Sandwich Towne – Community Improvement Plan
		Supplemental Development and Urban Design Guidelines
		dated October 2008, adopted by By-Law 28-2009. (OPA 69,
		effective October 19, 2012, OMB Case Order No. PL090206)
		(m) Applicable Community Improvement Plans.
		(n) Design Guidelines adopted by Council.
		11.7.2.8 AGREEMENTS:
		All applicants will normally enter into one or more
		agreements which the City may register on title in
		accordance with the Planning Act. All applicants shall be
		required to post security to the Municipality to ensure the
		conditions of the site plan control agreement(s) are fulfilled
		11.7.2.9 CONDITIONS OF APPROVAL:
		The approval authority may attach such conditions as it
		deems appropriate to the approval of an application in
		accordance with the Planning Act. Such conditions may
		include, but are not limited to the following: (Added by OPA
		#66-11/05/07-B/L209-2007) (a) A gratuitous land dedication
		at no expense to the municipality for highway widening and
		intersection improvements in accordance with section 7.2.6
		of this Plan; (b) The conveyance of property for daylighting
		triangles and corner roundings in accordance with the City of
		Windsor Development Standards;
		(c) Street furniture, curb ramps, waste and recycling
		containers, bicycle parking facilities and the sustainable
		design elements on any adjoining highway under the
		Municipality's jurisdiction including trees, other vegetation
		and permeable paving materials; and, (Added by OPA #66-

SECTION	Proposed OPA 179 Policy	Current OP Policy
		11/05/07-B/L209-2007) (d) Facilities designed to have regard
		for accessibility for persons with disabilities.





# STREAMLINING THE DEVELOPMENT APPROVAL PROCESS

Phase 1 – Multiple Residential Interim Control By-law Study (OP & Zoning Amendments)

Phase 2 – Bill 109:Adapting the Development Process (Administrative Process Changes)

Phase 3 – Implementation (OP Amendment 179)







# **KEY FINDINGS**

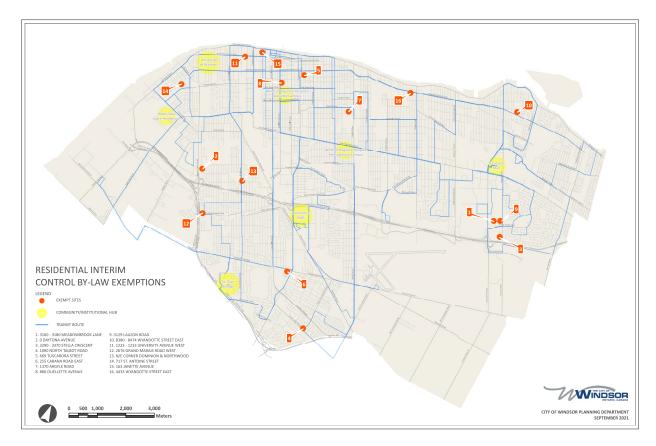
Multiple-residential growth needs to be directed to parts of the City that have:

- Transit and Transportation networks
- Goods and Services within walking distance
- Municipal Services
- Limited Development Constraints
- Existing density

The best way to direct development to these places is to make it easier for applicants by:

- Reducing uncertainty including planning approvals, provide Guidelines
- Invest in change, improve services, Community Improvement Grants, re-zone lands

Promoting change in designated areas will reduce pressure for change in other areas.





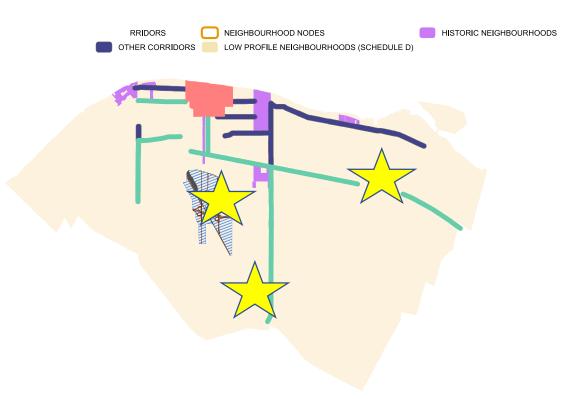




# OFFICIAL PLAN POLICY CHANGES ADOPTED BY CITY COUNCIL (2022)

### Regional Centres become Mixed Use Centres

- Permit Medium and High profile residential and mixed-use buildings.
- The Zoning By-law would utilize separate zones to regulate the height of buildings adjacent to low profile residential uses, ensuring an appropriate transition
- Design Guidelines will provide additional development details/examples



# Many municipalities are now doing the same thing





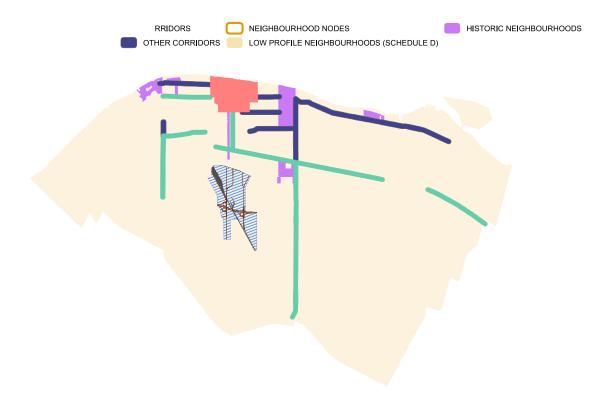
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# OFFICIAL PLAN POLICY CHANGES ADOPTED BY CITY COUNCIL (2022)

### Mixed Use Corridors

- Permit Medium and High profile residential buildings
- Parkland dedication and Parking requirements revised to encourage intensification
- The Zoning By-law to regulate height adjacent to low profile residential areas, ensuring an appropriate transition
- Direction regarding permitting non-residential uses on ground floor or requiring non-residential uses on the ground floor would be included in policy
- The Zoning By-law to regulate areas where ground floor non-residential uses are required.
- Design Guidelines will provide additional development details/examples











# OFFICIAL PLAN POLICY CHANGES ADOPTED BY CITY COUNCIL (2022)

### Mixed Use Nodes

- Permit medium profile buildings up to 20 m
- The Zoning By-law to regulate height adjacent to low profile residential areas, ensuring an appropriate transition
- Require 50 per cent of ground floor facing arterial or collector roads to be non-residential uses.
- Parkland dedication and Parking requirements revised to encourage intensification
- Zone Nodes to permit residential and mixed use areas
- Design Guidelines will provide additional development details/examples











# OFFICIAL PLAN POLICY CHANGES ADOPTED BY CITY COUNCIL (2022)

## Low Profile Residential Areas – Stable Neighbourhoods

- Policies to protect character through limits of gross floor area and height
- Zoning By-law revised to include maximum height (9.0 m) and
- Maximum gross floor area (400 sq m)
- Require design brief as part of application process to define character and demonstrate compatibility
- Design Guidelines will provide additional development details/examples

"Compatible development means development that may not necessarily be the same as, or even similar to the existing buildings in the vicinity, but, nonetheless, enhances an established community and coexists with existing development without causing any undue, adverse impact on surrounding properties."









# OFFICIAL PLAN POLICY CHANGES ADOPTED BY CITY COUNCIL (2022)

### **Mature Neighbourhoods**

- In addition to policies and zoning for Low Profile Neighbourhoods:
  - Design brief to describe historic and current architectural style, materials and site characteristics.
  - Development or redevelopment to be consistent with historic neighbourhood character

**Consistent** means "marked by harmony, regularity, or steady continuity: free from variation or contradiction"



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# ZONING BY-LAW AMENDMENTS ADOPTED BY CITY COUNCIL (2022)

## Stable Residential Neighbourhoods

- Add maximum gross floor area in RD1 and RD2 Zones recommend 400 sq m (4,300 sq ft)
- Reduce height permissions from 10 m to 9 m

### Mature Neighbourhoods

- Add provision limiting height to not more than 0.5 m higher than the abutting dwellings
- Similar provisions for front yards and side yards

### **Mixed Use Corridors**

- Add permission for free standing residential buildings
- Require building step- back after 3 storeys and adjacent to low profile residential uses
- Require ground floor retail for 50% of streetfront at key intersections











# **ZONING BY-LAW AMENDMENTS ADOPTED BY CITY COUNCIL (2022)**

### Mixed Use Nodes

Add permission for for combined use buildings up to 4 storeys

### General

- Pre-zone key redevelopment areas including Nodes and Corridors
- Eliminate min. dwelling unit size (prev. 40sq m)
- Define Special Needs housing and permit in all Residential Zones
- Eliminate definitions of:
  - Fraternity or Sorority House
  - Shelter













# Adapting the Development Process

## **COMPARING ONTARIO & WINDSOR APPLICATION TIMELINES**

- Official Plan Amendments Average of 24.2 months, with a range of between 13.8 and 31.4 months (Windsor 6.4 months);
- Zoning By-law Amendments Average of 21.4 months, with a range of between 9.2 and 36.2 months (Windsor 4.6 months);
- Site Plan Approval Average of 20.2 months, with a range of between 13.7 and 34.7 months (Windsor 1 month);
- Plan of Condominium Average of 11.4 months, with a range of 9.4 months and 18.2 months (Windsor 1.8 months); and,
- Plan of Subdivision Average of 24.6 months, with a range of between 16.1 and 34.4 months (Windsor 5.4 months).

The City of Windsor is already doing a very good job of expediting planning approvals



Municipal Planning Consultants



# Adapting the Development Process

# CHALLENGES IN THE DEVELOPMENT APPROVAL PROCESS

CONSTRAINT	DESCRIPTION	
Staff Resources	<ul> <li>The Municipality is currently down a number of positions which puts pressure on the remaining position as well as other planners to deal with the initial contact. At the same time the municipality is dealing with record volumes of applications.</li> <li>Unexpected counter inquiries pull planning staff from application review.</li> <li>Utilizing temporary positions does not build corporate knowledge</li> </ul>	
Staff Turnover	<ul> <li>Staff turnover is a reality faced by all employers, public or private.</li> <li>Younger workers seek a different work-life balance than historic trends.</li> <li>Loss of institutional knowledge due to people leaving to reduce the work stress and increase the remuneration for the work that is done.</li> </ul>	
Development Coordination	<ul> <li>Typically, in municipalities first contact with an applicant and taking in an application is a more junior position.</li> <li>It is critical that a person in this position has both the experience and knowledge</li> <li>A position that has the responsibility to coordinate and monitor the status of all development applications is necessary</li> </ul>	
Quality of Applications	<ul> <li>Many applications are woefully incomplete or have misinformation.</li> <li>A substantially different application is submitted when the application is finally submitted.</li> </ul>	
Allocation of Files	<ul> <li>The allocation of files currently occurs once a week. That means if an application is submitted it could be 7 days or longer before it is allocated to a planner.</li> <li>Allocating this role to the Development Supervisor has eliminated this delay.</li> </ul>	
Consistency in Approach	<ul> <li>There is a need to clearly define what studies are required at what time in the planning process.</li> <li>Providing applicants/agents with the scope of work required for technical studies has proven to be helpful and has greatly improved the consultation process.</li> <li>The objective of the Planning Department needs to be clear to all staff. The intent of the review should be to facilitate development and find solutions to problems rather than to simply find problems.</li> </ul>	
Integration of Review	Historically there were inter-departmental staff meeting to review development applications (Triage Meetings). The process has been found to be very beneficial and would expedite the development approval of more complicated matters.      Municipal Planning	



# Adapting the Development Process

# **SEEKING SOLUTIONS**

- REDUCE THE NEED FOR PLANNING APPROVAL
- GOOD APPLICATIONS
- CONSIDER OPTIONS TO DELEGATE AUTHORITY

OF PLANNING APPROVAL

- CHANGES TO THE APPLICATION PROCESS
- INFORMATION TECHNOLOGY
- STAFF RESOURCES
- CONSISTENT OBJECTIVES AND DECISIONS

## **NEXT STEPS: Phase 3**

- OFFICIAL PLAN AMENDMENT
- ZONING BY-LAW AMENDMENT
- REVIEW STAFF RESOURCES AND ROLES
- EDUCATION AND TEAM BUILDING
- SYSTEM IMPROVEMENTS







# PHASE III STREAMLINING THE DEVELOPMENT APPLICATION PROCESS: IMPLEMENTATION AND OPA 179





# Streamlining the Development Process; Implementation

# **OFFICIAL PLAN AMENDMENT 179**

### COMMITTEE OF ADJUSTMENT POLICIES

- Minor Variance
- Consents
- Non-Conforming Uses

MINOR REZONING

**ALTERNATE NOTICE PROVISIONS** 

SITE PLAN CONTROL

## **GUIDELINES CREATED**

- Planning Rationale Report
- Urban Design Study
- Heritage Impact Study
- Archaeological Assessment
- Block Plan
- Environmental Impact Study
- Watershed/Subwatershed Plan
- Stormwater Management Plan
- Functional Servicing Report
- Sanitary and/or Storm Sewer Study
- Transportation Impact Study/Impact Statement
- Noise and/or Vibration Study
- Tree Inventory & Preservation Study
- Natural Features Inventory and Preservation
- Lighting Study
- Climate Change Study & Briefs
- Environmental Site Assessment
- Financial Impact Study



Council Report: S 71/2024

Subject: Approval of a Draft Plan of Subdivision and Zoning By-law Amendment for properties known as 4170 and 4190 Sixth Concession Rd; Applicant: 2863167 Ontario Inc.; File Nos. SDN-001/24 [SDN/7194] and Z-012/24 [ZNG/7195]; Ward 9.

#### Reference:

Date to Council: July 2, 2024 Author: Justina Nwaesei, MCIP, RPP Planner III - Development 519-255-6543, ext. 6165 jnwaesei@citywindsor.ca

Planning & Building Services Report Date: May 31, 2024 Clerk's File #: Z/14781 & Z/14544

To: Mayor and Members of City Council

#### Recommendation:

I THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of the lands located on the east side of Sixth Concession Road, north side of Spago Crescent, south of Holburn Street, described as Pt Lot 13, Concession 6, designated as Part 1 and Part 2 on 12R 12694 [PIN 01560-0137 LT and PIN 01560-0136 LT], from RD1.2 to RD2.3 with a holding prefix (HRD2.3).

- II THAT the holding (H) symbol **BE REMOVED** when the following conditions are satisfied:
  - a) The Owner(s) apply to remove the hold provision; and
  - b) Registration of a Final Plan of Subdivision.

III THAT the application of 2863167 Ontario Inc. for Draft Plan of Subdivision approval for Part of Lot 13, Concession 6, designated as Part 1 and Part 2 on 12R 12694 [PIN 01560-0137 LT and PIN 01560-0136 LT], **BE APPROVED** subject to the following conditions:

- A. That the Draft Plan Approval shall lapse on \_\_\_\_\_ (3 years from the date of approval);
- B. That this approval applies to the draft plan of subdivision presented on attached Map No. SDN-001/24-1, prepared by VERHAEGEN Land Surveyors for 2863167 Ontario Inc., showing 5 Blocks for townhome dwellings, 1 Block to be conveyed to the Corporation of the City of Windsor for storm water management pond, 2 Blocks for Road Reserves, and one proposed road allowance (Street A):
- C. That the owner(s) shall enter into a subdivision agreement with the Corporation of the City of Windsor for the proposed development on the subject lands;

- D. That the Owner(s) shall submit for approval of the City Planner/Executive Director of Planning & Building a final draft M-Plan, which shall include the names of all road allowances within the plan, as approved by the Corporation.
- E. That the subdivision agreement between the Owner(s) and the Corporation of the City of Windsor be registered on title and shall contain, among other matters, the following provisions:
  - The Owner(s) shall include all items as set out in the Results of Circulation (Appendix D, attached hereto) with further amendments as required and other relevant matters set out in CR 233/98 (Standard Subdivision Agreement).
  - Conveyance Requirements: The Owner(s) shall, prior to the issuance of a construction permit, gratuitously convey to the Corporation of the City of Windsor
    - i) Block 6 on Map No. SDN-001/24-1 for Storm Water Management (SWM) Facility purposes;
    - ii) Block 7 (a 0.3m wide strip of land along the entire Sixth Concession Road frontage) and Block 8 (0.3m wide strip of land along the dead-end of Street A) on Map No. SDN-001/24-1, for land reserve purposes; and
    - iii) A 2.5m wide strip of land along the frontage of Block 5 on Map No. SDN-001/24-1, for utilities; and all conveyances shall be to the satisfaction of the City Engineer and the City Solicitor.
  - 3. Cul-De-Sac: The Owner(s) shall construct at the northerly limit of Street A a cul-de-sac bulb wide enough to accommodate a minimum boulevard width of 2.5m for utilities as stipulated by the City of Windsor Standard Drawing AS-206C. Also, the radius shall be large enough for garbage collection trucks and emergency vehicles to turn around in. All work to be to the satisfaction of the City Engineer.
  - 4. **Sidewalks** -The owner(s) shall agree to:
    - a) Pay to the Corporation, prior to the issuance of a Building Permit, the sum of \$10,080.00 being the Owner's contribution towards the future construction of a concrete sidewalk on the 6th Concession Road frontage of the subject lands.
    - b) Construct, at their entire expense and according to City of Windsor Standard Specifications, concrete sidewalks at the following locations, to the satisfaction of the City Engineer:
      - i. New Street A along the west boulevard
      - ii. Spago Crescent along the north boulevard from Street A to Zurich Avenue
  - 5. **Curbs and Gutters** The Owner(s) shall further agree to pay to the Corporation, prior to the issuance of a construction permit, the sum of \$5,328.00 being the Owner's contribution towards the future construction of concrete curb & gutter on the 6th Concession Rd frontage of the subject lands.
  - 6. **Drainage Report** The Owner(s) shall agree to retain, at its own expense, a Consulting Engineer to provide a detailed Drainage Report in accordance with the Drainage Act, to the satisfaction of the City Engineer.

- 7. Servicing Charges The Owner(s) shall note that they may be required to pay servicing charges for the existing sewers on Spago Crescent and/or sewer connection(s) owing to Sixth Concession Development Ltd. if not paid previously for this site. Proof of payment will be required prior to the issuance of a construction permit.
- 8. **Tree Removal & Replacement:** The Owner(s) shall pay to the Corporation, prior to the issuance of a construction permit, the sum of \$3,400 being tree replacement cost for the removal of the Norway Maple (22cm DBH).
- 9. Tree Protection Fencing: The Owner(s) shall agree to install tree protection fence, prior to commencement of pre-grading activities, and shall further agree to retain a Certified Arborist to inspect the tree protection fencing prior to and during construction to ensure that the fencing remains intact and in good repair throughout the stages of development.
- 10. Climate Change considerations: The Owner(s) shall agree to compensate at caliper-per-caliper rate any trees not able to be retained on the site, in addition to the standard payment for one new tree per unit requirement at the time of building permit, to the satisfaction of the City Forester as per the Schedule of Fees.
- 11. **Parkland Conveyance:** The Owner(s) shall, prior to the issuance of a construction permit, pay cash-in-lieu of the 5% of lands to be developed, in accordance with By-law 12780, to the satisfaction of the Executive Director of Parks and the City Planner.
- 12. **Enbridge Clearance Requirements:** The Owner(s) shall agree to maintain a minimum separation of
  - i) 0.6m horizontal and 0.3m vertical from all Enbridge's plants less than NPS 16;
  - ii) 1.0m horizontal and 0.6m vertical between any CER-regulated and vital pipelines; and
  - iii) 1.0m when drilling parallel to any of Enbridge's pipelines.
- 13. **Noise and Vibration Control:** The Owner(s) shall, at its entire expense,
  - i) install a 1.8m high noise barrier fence with a minimum density of 20 kg/m2 along the westerly lot line (Sixth Con. Rd. frontage) of the subject lands in accordance with the diagram labelled Sheet 4 Mitigation Measures (excerpt from Appendix B to Acoustical Report) on page 14 of Appendix E attached to this report.
- 14. **Noise Control Measures:**\_The Owner(s) shall agree to design the subject development in compliance with the following criteria:
  - i) all windows leading to sensitive living areas shall have a minimum sound transmission class (STC) as noted in the diagram labelled *Sheet 4 Mitigation Measures (excerpt from Appendix B to Acoustical Report)* on page 14 of Appendix E attached to this report, in order to meet the MOECC indoor noise level criteria:
  - ii) all walls leading to sensitive living areas shall have a minimum sound transmission class (STC) as noted in the diagram labelled *Sheet 4* –

- Mitigation Measures (excerpt from Appendix B to Acoustical Report) on page 14 of Appendix E attached to this report;
- iii) acoustic privacy between units in a multi-tenant building, the inter-unit wall, shall meet or exceed STC-50; and
- iv) wall separation between noisy spaces, such as refuse chutes or elevator shafts, and suites shall meet or exceed STC-55.
- 15. Acoustical Consultant Review: The Owner(s) shall, prior to the issuance of a building permit, and at their entire expense, engage the services of an acoustical consultant to review the sound transmission class (STC) for the proposed development's walls, windows, and doors to ensure they conform to the recommendations outlined in the February 20, 2024, Acoustical Report prepared by BAIRD AE.
- 16. **Warning Clause(s):** The Owner(s) shall agree to place the following warning clause in all Offers to Purchase, and Agreement of Purchase or Sale or lease between the Owner(s) and all prospective home buyers, and in the title of each dwelling unit within the subject plan of subdivision [Map No. SDN-001/24-1].
  - a) Noise Warning "This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment."
  - b) Vibration Warning "Purchasers/tenants are advised that due to the proximity of the adjacent roadway, vibration from the roadway may be felt."

#### 17. The Owner(s) shall agree to:

- relocate any existing Bell Canada facilities or easements found to be in conflict with the proposed development;
- ii) contact Bell Canada during detailed design to confirm the provision of communication/telecommunication infrastructure needed to service the development; and, where the required infrastructure is unavailable, the owner(s) shall agree to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure or demonstrate to the satisfaction of the City Engineer and Chief Building officer that sufficient alternative communication/telecommunication will be provided to enable the effective delivery of communication/telecommunication services for emergency management services.

#### NOTES TO DRAFT APPROVAL (File # SDN-001/24)

- 1. The applicant is directed to Section 51(39) of The Planning Act 1990 regarding appeal of any imposed conditions to the Local Planning Appeal Tribunal. Appeals are to be directed to the City Clerk of the City of Windsor.
- 2. It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the City of Windsor, to the attention of the City Planner / Executive Director of Planning and Development, quoting the above-noted file number.

- 3. Required agreements with the Municipality will be prepared by the City Solicitor.
- 4. The applicant should consult with an Ontario Land Surveyor for this proposed plan concerning registration requirements relative to the Certification of Titles Act.
- 5. The final plan approved by the Corporation of the City of Windsor must be registered within thirty (30) days or the Corporation may withdraw its approval under Section 51(59) of The Planning Act 1990.
- 6. All plans of subdivision/condominium are to be prepared and presented in metric units and certified by the Ontario Land Surveyor that the final plan is in conformity to the approved zoning requirements.
- 7. Where agency conditions are included in the City's Subdivision Agreement, the Applicant is required to forward a copy of the agreement to the agencies in order to facilitate their clearance of conditions for final approval of this plan.
- **IV** THAT the City Clerk **BE AUTHORIZED** to issue the required notice respecting approval of the draft plan of subdivision under Section 51(37) of The Planning Act.
- **V** THAT the subdivision agreement shall **BE REGISTERED** against lands to which it applies prior to the final registration of the Plan of Subdivision.
- **VI** THAT prior to the final approval by the Corporation of the City of Windsor, the City Planner / Executive Director of the Planning and Development shall **BE ADVISED**, in writing, by the appropriate agencies that conditions have been satisfied.
- VII THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary agreements and documents approved as to form and content satisfactory to the City Solicitor

#### **Executive Summary:**

On April 9, 2024, applications were received for zoning by-law amendment and plan of subdivision approval for the properties known as 4170 and 4190 Sixth Concession Road in electoral Ward 9. The applicant is a numbered company, **2863167 Ontario Inc.** The planning department assigned file numbers SDN-001/24 and Z-012/24 to the applications. Following a preliminary review of the applications and studies submitted by the applicant, the applications were found to be ready for payment and the applicant was advised accordingly. Application fees were processed on April 19, 2024, and the applications were deemed to be complete same day, following the fee payment. A 'Notice of Complete Application' was placed in the Windsor Star.

Materials received for the proposed development applications (SDN-001/24 and Z-012/24) were uploaded on the city's website, and the Planning Department circulated the applications to municipal departments and external agencies for comment. The comments received from those who were consulted are attached as APPENDIX D to this report; those comments were considered in the preparation of this planning report. Also, required support studies were reviewed and considered in the preparation of this report; excerpts from some of the support studies are hereto attached as Appendix E.

This planning report contains different sections and subsections (headings and subheadings). The intent of this executive summary is to assist the reader in understanding the contents of this report. It is important to note that this planning report has been prepared in the standard format for all reports being submitted for the consideration of the City of Windsor Council and the

Development & Heritage Standing Committee. Therefore, this planning report contains the following headings (sections):

•	RECOMMENDATION	pages 1 - 5
•	EXECUTIVE SUMMARY	pages 5 - 7
•	BACKGROUND	pages 8 - 15
•	DISCUSSION	pages 15 - 24
•	RISK ANALYSIS	page 24
•	CLIMATE CHANGE RISKS	page 24
•	FINANCIAL MATTERS	page 24
•	CONSULTATIONS	pages 24 - 26
•	CONCLUSIONS	page 26 - 27
•	APPROVALS	page 27
•	APPENDICES	page 27

Below is a synopsis of the content of each section in this report:

The **Recommendation** SECTION of this report contains the planner's recommendation to Council. The recommendations outline the conditions of approval for the draft plan of subdivision and the zoning by-law amendment. A holding prefix on the Zoning by-law amendment can only be removed following the registration of Final Plan of subdivision.

The **BACKGROUND** SECTION of this report provides the following:

- 1. Key Map showing the location of the subject lands.
- 2. Planning Activities leading to the subject Applications the consultations with the planning department resulted in revisions to the applicant's original development concept plan for the subject lands. The revisions resulted in a change in design concept from a proposed construction of five off-street townhouse dwellings containing a total of 73 dwelling units to the current proposal to construct five on-street townhouse dwellings with a total of 27 dwelling units.
- 3. Application Information such as a description of the location of the subject land, applicant's name, agent's name, registered owner's name, applicant's proposal, and materials submitted by the applicant.
- 4. Site Information (i) OP designation, (ii) zoning category, (iii) zoning district map number; (iv) current and previous uses, (v) size, and (vi) shape, of the subject lands.
- 5. Rezoning Map an excerpt from the City's Zoning District Map, showing current zoning of the subject lands and surrounding lands.
- 6. Neighbourhood characteristics Neighbourhood Map, Surrounding land uses and existing Municipal infrastructure.

The **Discussion** SECTION of this report contains planning analysis, which is a review and analysis of the following policies, by-law(s), and matters affecting the subject land:

- 1. Planning Act
- 2. Provincial Policy Statement 2020
- 3. Official Plan [Volumes I and II]
- 4. Zoning By-law [B/L 8600]
- 5. Holding Provision
- 6. Site Plan Control

The **RISK ANALYSIS** SECTION is noted as 'not applicable' given that this is a Planning Act matter.

The **CLIMATE CHANGE RISKS** SECTION addresses Climate Change Mitigation and Adaptation pertaining to the proposed development on the subject lands.

The **FINANCIAL MATTERS** SECTION is noted as 'not applicable' given that this is a Planning Act matter.

The **Consultation** SECTION provides a brief summary of Public consultations that have either occurred, or will occur later (as in the case of the statutory Public meeting that will occur later). This section also includes consultation with municipal departments and external agencies and some highlights of their comments.

The **Conclusion** Section contains a summary of the planning opinion on the subject rezoning.

The **APPROVALS** SECTION contains names and titles of Administration with approval authority over the subject report. This list includes the Manager of Development and the City Planner, who are both Registered Professional Planners.

The **APPENDICES** SECTION contains the following list of appendices attached to this report:

- 1. Appendix A Site Photos (taken June 3, 2024)
- Appendix B Draft Plan of Subdivision, SDN-001/24-1
- 3. Appendix C Site Layout Plan (Development Concept Plan), SDN-001/24-2
- 4. Appendix D Consultations Results of Circulation
- 5. Appendix E Excerpts from Planning Justification Report & other Required Support Studies
- 6. Appendix F Draft Zoning By-law Amendment for Z-012/24

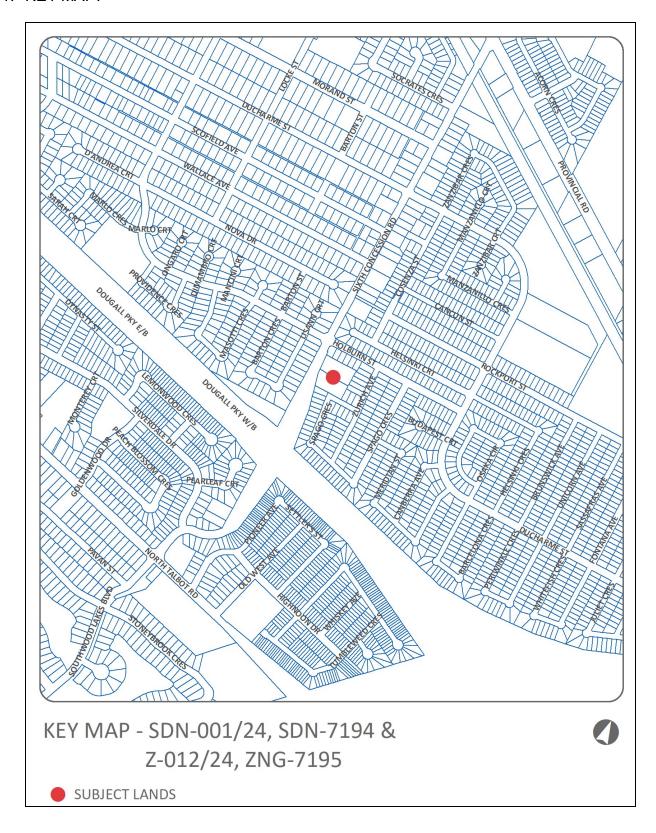
This report references those supporting materials submitted by the applicant for this rezoning and subdivision applications and made available at <a href="https://www.citywindsor.ca/residents/planning/land-development-applications/current-development-applications/4170-4190-sixth-concession-road">https://www.citywindsor.ca/residents/planning/land-development-applications/current-development-applications/4170-4190-sixth-concession-road</a> for public review.

In addition, this planning report is supported by some documents included and/or referenced in the Appendices attached. This planning report provides sufficient evidence that the recommended amendment and draft plan approval are consistent with the Provincial Policy Statement 2020 and are in conformity with the applicable policies of Official Plan Volume I and the North Roseland Secondary Plan in Official Plan Volume II.

This report recommends approval of the applicant's request for rezoning and draft plan approval. A holding prefix is recommended for the zoning by-law amendment.

### **Background:**

#### 1. KEY MAP:



#### 2. PLANNING ACTIVITIES LEADING TO THE SUBJECT APPLICATIONS

In October 2021, a presubmission application was received from Avani Homes Inc. to change the zoning of the parcels known as 4170 & 4190 Sixth Concession Road from Residential District 1.2 to an appropriate Residential District to allow the construction of five townhouse dwellings containing a total of 73 dwelling units, with access from Spago Crescent and Sixth Concession Road. The planning department processed the applicant's request under file PS-116/21 and issued a letter in January 2022, summarizing next step(s) in the planning process. Comments received from municipal departments and external agencies were noted in the letter. An Official Plan Amendment would have been required for the proposed concept plan with 73 dwelling units.

As a result of the content of the January 2021 planning letter, the applicant made drastic changes to the development proposal and held a public open house / public information centre (PIC) on November 9, 2022, to discuss a revised concept plan containing five townhome dwellings with a total of 27 townhome dwelling units on the subject lands, plus the request to rezone the subject land to permit townhomes. The proponent-driven PIC allowed area residents to receive information, and provide their input, regarding the proposed development. Area residents in attendance voiced their concerns as noted in the PJR excerpts in Appendix E attached hereto.

In December 2022, the planning department received a rezoning application package to change the zoning of the subject lands from RD1.2 to RD2.2 to permit townhome dwellings. The Applicant was 2863167 ONTARIO INC. and file number Z-001/23 was assigned. The contact person and agent were the same as in the previous application (PS-116/21.) There was no concurrent subdivision application.

On February 22, 2023, the application fee was processed, and the application (Z-001/23) was deemed complete same day. On May 3, 2023, the applicant's agent requested putting the application on hold to allow them time to submit the subdivision application concurrently with the Zoning By-law Amendment (ZBA).

On July 31, 2023, the Stage 1 Planning Consultation (PC-011/23) was received for the subdivision application. On September 1, 2023, Stage 1 PC letter was emailed to the applicant and agent. On September 25, 2023, Stage 2 PC was received and processed. Following a couple of revisions to the required support studies/reports, the Stage 2 PC response letter was finalized and emailed on March 13, 2024.

On April 9, 2024, the current application package for zoning by-law amendment and plan of subdivision was assigned to staff for processing under file numbers SDN-001/24 and Z-012/24. Application fees were processed on April 19, 2024. Following a review of the applications and studies submitted by the applicant, the application package was deemed to be complete on April 19, 2024. A 'Notice of Complete Application' was placed in the Windsor Star, and the Planning Department circulated the applications to municipal departments and external agencies for their review and comment.

#### 3. APPLICATION INFORMATION

**LOCATION:** 4170 & 4190 Sixth Concession Road (east side of Sixth Concession Road, between Spago Crescent & Holburn Street)

**APPLICANT:** 2863167 ONTARIO INC. (C/O PAWAN KHICHI)

**AGENT:** STOREY SAMWAYS PLANNING LTD, (C/O DAVID FRENCH)

**REGISTERED OWNER:** SAME AS APPLICANT

#### PROPOSAL:

The applicant is proposing to develop a residential subdivision with five (5) townhome dwellings containing a total of 27 townhome dwelling units at the above noted location. The proposed dwelling units will front on a proposed new roadway allowance (Street A). Access to Street A is from Spago Crescent.

The subject lands are designated *Low Profile Residential* on Schedule NR2-7 – Land Use Designations & Concept Plan, North Roseland Planning Area, OP. Vol.2, and zoned *RD1.2* by Zoning By-Law 8600. The RD1.2 zoning category does not permit townhome dwellings.

Consequently, the applicant is also requesting an amendment to the zoning by-law 8600 to change the zoning of the subject lands *from RD1.2 to RD2.3* to permit the proposed townhome dwellings. Official Plan Amendment is not required.

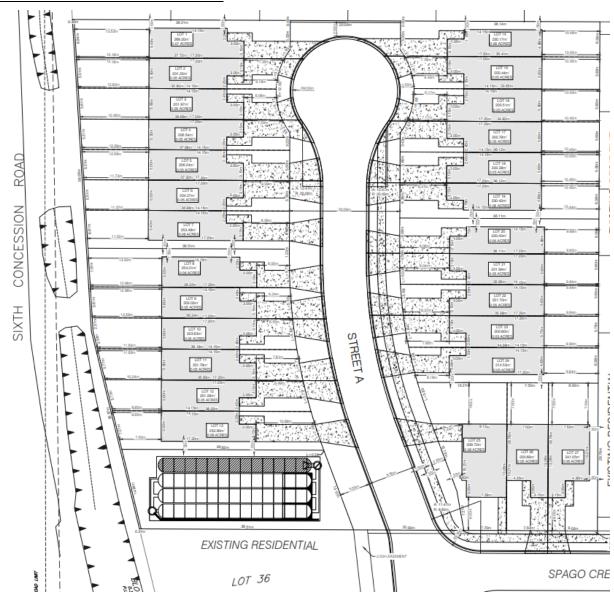
#### SUBMISSIONS BY APPLICANT:

- Plan of Subdivision Application Form
- Zoning By-law Amendment Application Form
- Draft Plan, dated Feb. 16, 2024, by Verhaegen Land Surveyors
- Concept Development Plan, dated Feb. 1, 2024, by BAIRD AE
- Planning Justification Report, dated March 18, 2024, by Storey Samways Planning Ltd.
- Traffic Impact Study, dated Aug 19, 2022, revised Feb. 20, 2024, by BAIRD AE
- Acoustical Report, dated Dec. 8, 2023, revised Feb. 20, 2024, by BAIRD AE
- Functional Servicing Report, dated Sep 8, 2022, revised Feb. 20, 2024, by BAIRD AE
- Functional Servicing Report Drawings and Appendices A, B & C, by BAIRD AE
- Vibration Study, dated Feb. 20, 2024, by BAIRD AE
- Tree Preservation Plan, dated Feb.16, 2024, by BAIRD AE
- Tree Inventory & Preservation Plan Report, dated Feb. 20, 2024, by Jackson Arboriculture Inc. for Goodban Ecological Consulting
- Avani Homes 6<sup>th</sup> Concession Road Public Information Centre (PIC) Invitation
- Avani Homes PIC Comment Summary
- Property deed
- Topographic Survey, dated Sep. 30, 2021
- Energy Strategy, dated Dec. 20, 2022, by BAIRD AE

Copy the link below to access the above materials located on the City's website:

https://www.citywindsor.ca/residents/planning/land-development/development-applications/current-development-applications/4170-4190-sixth-concession-road

# CONCEPT DEVELOPMENT PLAN



# 4. SITE INFORMATION

OFFICIAL PLAN	ZONING & ZDM	CURRENT USE(S)	PREVIOUS USE(S)			
LOW PROFILE RESIDENTIAL: Land Use Designation, North	RESIDENTIAL DISTRICT 1.2 (RD1.2);	4170 Sixth Con Single unit dwelling;	unknown			
Roseland Planning Area, OP Volume II	ZDM13	4190 sixth Con Single unit dwelling				
FRONTAGE	DEPTH	AREA	SHAPE			
93.363 m <i>(44.266 m + 49.097 m)</i>	irregular	8,413.414sq.m. [2.079 acres]	irregular			
Note: All measurements are in accordance with Plan 12R-12694approximate						

#### 5. REZONING MAP



PART OF ZONING DISTRICT MAP 13

N.T.S.

# REQUESTED ZONING AMENDMENT

Applicant: Storey Samways Planning Ltd.



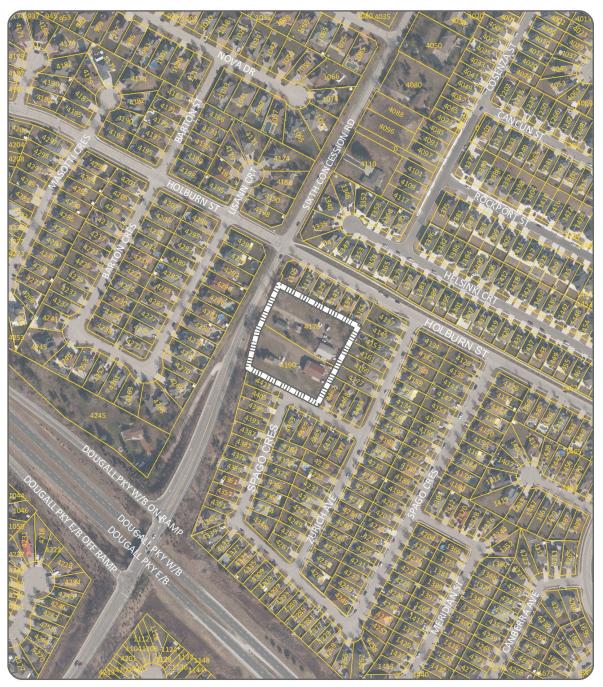


PLANNING & BUILDING DEPARTMENT

DATE : APRIL, 2024 FILE NO. : Z-012/24, ZNG/7195

#### 6. NEIGHBOURHOOD CHARACTERISTICS

#### **NEIGHBOURHOOD MAP**



NEIGHBOURHOOD MAP - SDN-001/24, SDN-7194 & Z-012/24, ZNG-7195





The subject neighbourhood lies on the north side of Dougall Parkway and characterized by low profile residential subdivisions containing single detached dwellings. The subject area is made up of, and currently zoned to accommodate, one low profile residential housing type (single unit dwellings) per lot; whereas, the neighbourhood south of Dougall Parkway (outside the North Roseland Planning Area) is made up of, and zoned to accommodate, a mix of low profile residential housing types (single unit dwellings, semi-detached dwellings and townhome dwellings) per lot/block.

#### **SURROUNDING LAND USE**

North, East, and South sides of the subject lands – Low Profile Residential use of the single detached form of housing. Take note that the applicable zoning district (RD1.2) permits single unit dwellings, existing duplexes and existing semi-detached dwellings.

West side of the subject lands – Sixth Concession Road R.O.W, followed by Low Profile Residential use of the single detached form of housing under RD1.1 zoning category.

Further north, east, west and south of the subject lands, within 850m to 1.3km distance, are Municipal Parks and schools.

- Schools Talbot Trail Public School (900m distance) and First Lutheran Christian Academy (1.3km distance).
- Municipal Parks Holburn Park (900m distance), Captain John Wilson Park and Talbot Wilson Park (both 1km distance), Stoney brook Park (850m distance), Golden Park (1.2km distance) and North Talbot Park (1.3km distance).

Attached to this report as **Appendix A** are site photos taken on June 3, 2024. The site photos show some of the surrounding land uses and the character of the neighbourhood.

#### **MUNICIPAL INFRASTRUCTURE**

- The City's records show there is a 250 mm diameter PVC sanitary sewer and a 525 mm diameter RCP storm sewer along Spago Crescent available to service the subject lands. In addition, there is a 315.6m long 5<sup>th</sup> Concession Drain along the Sixth Concession Road frontage.
- There is an existing 150mm PVC watermain located on the south of the property at Spago Crescent.
- Municipal watermains and fire hydrants are available on Spago Crescent, Zurich Avenue and Holburn Street and Sixth Concession Road north of the subject lands.
- LED streetlights are available within abutting roadways and there are overhead pole lines with street lights along Sixth Concession Road.
- There are concrete sidewalks along the east side of Zurich Avenue, both sides of Holburn Street, and both sides of the portion of Sixth Concession Road from the south limit of the subject lands southerly to North Talbot Road. Gravel shoulders exist on the portion of Sixth Concession Road from the south limit of the subject lands northerly to Provincial Road.
- There are concrete curbs and gutters within Holburn Street, Spago Crescent, Zurich Avenue rights-of-way, but there is no curb and gutter and no sidewalk along that portion of Sixth Concession Road fronting the subject lands and all the way to Provincial Road.
- There are bike lanes on Sixth Concession Road right-of-way, from the south limit of the subject lands southerly to North Talbot Road.
- Transit Windsor Bus routes (Walkerville 8 and School Route Extras) are available to service the subject lands and neighbourhood. Walkerville 8 buses and Massey School Route Extras run along Sixth Concession Road and Holburn Street by the subject lands. The

- closest existing bus stop to the subject lands is located on Holburn Street, between Sixth Concession and Zurich Avenue, approximately 120m from the subject properties.
- Sixth Concession Road is classified as Class I Collector Road and Spago Crescent is classified as local road. Holburn Street is classified as Class II Collector Road and is a nearby collector road accessible to the subject lands through Spago Crescent or Zurich Avenue (local roads).

#### Discussion:

#### PLANNING ANALYSIS:

#### PLANNING ACT

Section 51, subsection (17) of the Planning Act requires the applicant to provide the approval authority (being the City) with the prescribed information and material and as many copies as may be required by the approval authority of a draft plan of the proposed subdivision drawn to scale and showing several items listed from (a) to (l) inclusive. A review of the applicant's submission shows compliance with s.51(17) of the Planning Act. Further, the submission has regard to matters of Provincial interest set out in section 2 of the Planning Act and criteria for consideration of a draft Plan of subdivision set out in section 51(24) of the Act.

## 2. PROVINCIAL POLICY STATEMENT (PPS) 2020

#### A. Excerpts from PARTS I, II, and IV of the PPS 2020

PART I - PREAMBLE: The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. The Provincial Policy Statement sets the policy foundation for regulating the development and use of land.

PART II – LEGISLATIVE AUTHORITY: The Provincial Policy Statement 2020 was issued under the authority of section 3 of the Planning Act and came into effect May 1, 2020.

In respect of the exercise of any authority that affects a planning matter, section 3 of the Planning Act requires that decisions affecting planning matters "shall be consistent with" policy statements issued under the Act. Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government "shall be consistent with" this Provincial Policy Statement.

PART IV – VISION FOR ONTARIO'S LAND USE PLANNING SYSTEM. The long-term prosperity and social well-being of Ontario depends upon planning for strong, sustainable and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy.

Planning authorities are encouraged to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs.

Strong, liveable and healthy communities promote and enhance human health and social well-being, are economically and environmentally sound, and are resilient to climate change.

Taking action to conserve land and resources avoids the need for costly remedial measures to correct problems and supports economic and environmental principles.

# **B.** PPS 2020 Policies relevant to the subject Planning Act matter under consideration The following PPS 2020 policies are applicable to the subject planning matters (Zoning By-law Amendment and Plan of Subdivision applications):

- √ 1.0 Building Strong Healthy Communities
- ✓ 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns [policies 1.1.1 and 1.1.3]
- √ 1.4 Housing (policy 1.4.3).
- ✓ 1.6 Infrastructure and Public Service Facilities (policies 1.6.6.2 and 1.6.6.7)
- √ 1.7 Long-Term Economic Prosperity (policy 1.7.1)

The applicant's planning consultant has analyzed these PPS policies (excluding policy 1.6) in their Revised Planning Justification Report (PJR) dated March 18, 2024. I have reviewed the planning analysis in the March 18, 2024, revised PJR and can confirm that the Planning Consultant's analysis is acceptable.

This report provides additional analysis of the relevant PPS 2020 Policies applicable to the subject planning matters.

#### 1.0 Building Strong Healthy Communities:

Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

The PPS points to the important role of land use planning in achieving strong healthy communities, a healthy environment and economic growth.

#### Policy 1.1.1 states that Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

With respect to 1.1.1(a) – The current use and zoning of the subject lands is for single detached dwellings (one on each lot). The recommended zoning by-law amendment will facilitate the redevelopment of the subject lands for a more compact development (townhome dwelling units), which is a more efficient use of the subject lands. Furthermore, the subject lands are within an established residential neighbourhood and, as such, can be readily serviced by available municipal sewers. Consequently, the recommended amendment and draft plan of subdivision

will result in a redevelopment that is cost effective and will sustain the financial well-being of the City and Province.

With respect to 1.1.1(b) – The North Roseland Planning Area is proposed to be primarily a low profile residential Community and the lands are predominantly designated Low Profile Residential. Therefore, only single detached, semi-detached and on-street townhouses are permitted on most of the lands in the area. The current residential zoning category (RD1.2) in the subject area permits single detached dwellings, plus existing duplexes and existing semi-detached dwellings. Consequently, the lands within the subject Planning Area are mostly occupied by single detached dwellings.

This amendment will promote a mix of housing types without an Official Plan Amendment. The recommended amendment from RD1.2 to RD2.3 will complement the existing residential use in the area by allowing semi detached and townhouse types to be built in the subject area.

With respect to 1.1.1(c) – No environmental or public health and safety concern is triggered by the recommended amendment. The Noise study submitted by the applicant identifies some noise concerns from Sixth Concession Road. The Study indicates that monitored noise levels exceed MOECC Noise Level Criteria and, as a result, mitigation measures such as acoustic fencing, building components and warning clauses are recommended to meet the Ministry's criteria.

With respect to 1.1.1(e) – The amendment would promote a more compact development because more units can be built together under one roof; thereby, eliminating additional side yard requirements, which in turn helps minimize land consumption and servicing costs. Each of the proposed townhome dwellings contain two or more common vertical interior walls, which reduces exterior walls in within the development; thereby, making the dwellings more energy efficient and more cost effective.

The subject zoning by-law amendment and draft plan of subdivision will bring about an efficient development with no adverse impact on the financial well-being of the City of Windsor, land consumption, and servicing costs, and will not cause any environmental or public health and safety concerns.

The recommended zoning by-law amendment and draft plan of subdivision are consistent with Policy 1.1.1 of the PPS.

#### Policy 1.1.3 Settlement Areas

1.1.3.1 Settlement areas shall be the focus of growth and development.

The subject parcel is located within a settlement area (City of Windsor) and the subject amendment creates opportunity for growth and development within the City of Windsor settlement area; thereby, promoting the vitality of the settlement area.

- 1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the impacts of a changing climate;
- e) support active transportation;
- f) are transit-supportive, where transit is planned, exists or may be developed; and
- g) are freight-supportive.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

This amendment and plan of subdivision will facilitate the development of townhome dwellings that can be designed to complement the existing building stock in the subject area. The applicant's proposal is an infill residential development with increase in the number of dwelling units from 2 to 27 on the subject lands resulting in an increase in density; therefore, the recommended amendment and draft plan of subdivision promote residential intensification.

The subject amendment and plan of subdivision will achieve a more compact low profile residential development that will efficiently use land, resources, and existing infrastructure, including existing and planned active transportation options such as sidewalks and bike lanes. The amendment and plan of subdivision will also support the use of available public transit in the area. The amendment will facilitate the construction of a housing type (townhome dwellings) with dwelling units that have reduced number of exterior walls; thereby, promoting energy efficiency in the proposed buildings.

The subject amendment and plan of subdivision are consistent with Policies 1.1.3.1, 1.1.3.2 and 1.1.3.3 of the PPS.

As noted in Part IV of PPS 2020 – *Vision for Ontario's Land Use Planning System*, "Planning authorities are encouraged to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs."

#### Policy 1.4 Housing

- 1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:
  - b) permitting and facilitating:
    - 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, ...; and
    - 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;
  - c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
  - d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;

This amendment and plan of subdivision will

- promote a higher density than currently exists on the subject lands;
- create an opportunity for a more compact development in an established residential area containing low density developments that are mostly single unit dwellings;
- facilitate a net increase in residential units or accommodation:
- result in intensification of the subject site and area;

- facilitate the municipality's ability to accommodate residential growth through intensification:
- provide a form of housing that is appropriate in terms of range and mix, and
- meet the social, health and well-being of current and future residents.

Appropriate level of infrastructure, active transportation and transit services are available or will be available in the subject area. The recommended amendment and plan of subdivision are consistent with policy 1.4 of the PPS.

#### Policy 1.6 Infrastructure and Public Service Facilities

1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

The subject lands are within an area that is serviced by municipal sewage services and municipal water services. The applicant's Functional Servicing Report, dated Sep 8, 2022, confirms that "the sanitary service and water supply for the proposed development are through existing infrastructure along Spago Crescent." The recommended zoning by-law amendment and plan of subdivision are consistent with policy 1.6.6.2 of the PPS.

1.6.6.7 Planning for stormwater management shall:

f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

The applicant's Functional Servicing Report, dated Sep 8, 2022, confirms that "the stormwater management criteria for this development are based on the City of Windsor and ERCA requirements." The report demonstrates that approximate stormwater management measures will be provided to satisfy water quality treatment and quantity attenuation criteria. Consequently, the recommended amendment and plan of subdivision promote stormwater management best practices; therefore, are consistent with policy 1.6.6.7 (f) of the PPS.

#### Policy 1.7 Long-Term Economic Prosperity

- 1.7.1 Long-term economic prosperity should be supported by:
  - b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce.

The recommended amendment and proposed residential plan of subdivision will facilitate the supply of more housing and housing options in the immediate area; thereby, helping to support long-term economic prosperity for the city, region, and province.

In summary, the above planning analysis demonstrates that the recommended zoning by-law amendment and plan of subdivision are consistent with the relevant Policies of PPS 2020.

It should also be noted that the planning analysis provided in the applicant's Planning Justification Report (PJR) also demonstrates that the subject zoning by-law amendment is consistent with the relevant Policies of the PPS. See excerpts from the Planning Justification Report attached as **Appendix E** to this planning report. The applicant's planning consultant's conclusion in their PJR is as follows: *In consideration of the above PPS policy discussion, it is my opinion that the proposed townhouse dwelling development is consistent with, and implements, the relevant policies of the Provincial Policy Statement.* 

#### 3. OFFICIAL PLAN:

LAND USE DESIGNATION: Low Profile Residential, Schedule NR2-7: Land Use Designations & Concept Plan, North Roseland Planning Area, OP Vol. II. The North Roseland Planning Area is proposed to be primarily a low profile residential Community, (section 3.4, OP Vol. II).

One of the development concept goals in the North Roseland Planning Area is to "promote land use patterns, residential profiles and building forms that make efficient use of existing resources, services and infrastructure" (Section 3.5.1, OP VOL. II). This townhome development proposal will make efficient use of existing resources, services and infrastructure in the subject area, as discussed already in the PPS section of this report.

Another development concept goal in the North Roseland Planning Area is to "Facilitate noise/vibration reduction from roads and rail and protect future residents from unacceptable levels of noise/vibrations" (Section 3.5.2, OP VOL. II). See discussion under 3.6.10 and 3.7.1.2 below.

SECTION 3.6.3, OP VOL. II states "Location of low profile residential lot frontages on the collector roads should be avoided." The proposed development backs unto Sixth Concession and does not front any collector road.

SECTION 3.7.2.1, OP VOL. II states "For the purposes of this plan, Low Profile Residential development comprises the following types of dwelling: (a) single detached; (b) semi-detached; and (c) on-street townhouses." On-street townhouses are proposed on the subject lands.

SECTION 3.7.2.2, OP VOL. II states "On-street townhouses shall only be permitted along Local Roads." The proposed on-street townhouses/townhomes front on the proposed Street A and Spago Crescent. Both Street A and Spago Crescent are classified as local roads.

The applicant's recommended zoning amendment and plan of subdivision will result in a townhome development that conforms with the above policies of the North Roseland Secondary Plan.

With respect to Noise Control, Section 3.6.10, OP VOL. II states, "Provide adequate noise control measures to reduce noise pollution, vibrations from railway tracks and highways by utilizing minimum intrusive features and appropriate subdivision designs/site plan layouts."

This planning report highlights the noise control measures recommended by the applicant's Noise and Vibration consultant, BAIRD AE. See Appendix E attached to this planning report.

SECTION 3.7.1.2, OP VOL. II addresses Noise & Vibration Study requirements and states, "A noise and vibration study(s) shall be required for residential developments and subdivision plans within 300 meters of railway tracks, Sixth Concession Road, Highway #401 and Walker Road. Such noise/vibration study(s) shall identify all noise sources and their impact on residential development. It shall recommend noise/vibration control measures for implementation..."

As noted already in this report, the applicant submitted an Acoustical Report and a Vibration Study, prepared by BAIRD AE. Recommendations and conclusions from both studies are noted in Appendix E attached to this report.

Noise control measures and warning clauses are recommended by BAIRD AE and have been included in Recommendation III of this planning report. Vibration warning clause is also recommended by BAIRD AE and have been included in Recommendation III of this report.

In summary, the recommendations contained in this report will lead to the implementation of appropriate noise and vibration mitigation measures in the site and building design for the subject development, in accordance with the BAIRD AE's recommendations.

#### SECTION 6.3.1 OF OP VOL. 1 - RESIDENTIAL OBJECTIVES

The Residential objectives of the Official Plan include the following: (i) to support a complementary range of housing forms, (ii) to promote compact residential form for new developments, and (iii) to promote residential redevelopment, infill and intensification initiatives in locations in accordance with the City of Windsor Official Plan. (Sections 6.3.1.1, 6.3.1.2 and 6.3.1.3, OP Vol.1.)

The above noted objectives of the OP are satisfied by the proposed development on the subject lands. The amendment and plan of subdivision support a complementary housing form in the subject neighbourhood. The amendment also provides opportunity for residential redevelopment, infill and intensification; thereby, promoting a compact neighbourhood as shown in the concept plan SDN-001/24-2, attached as Appendix C to this report.

#### SECTION 11.6.3 OF OP VOL. 1 – ZONING BY-LAW AMENDMENT POLICIES

The recommended zoning by-law amendment and the draft plan of subdivision are consistent with the relevant policies of the PPS noted in this report and conform with the relevant policies of OP Vol. II as discussed already in this report.

Support studies were received as noted earlier in this report and those studies were considered in the preparation of this report. The requirements, comments and recommendations from municipal departments and circularized agencies have been considered as noted in this report, particularly, in the CONSULTATION section of this report.

The zoning by-law amendment promotes opportunity for residential redevelopment, infill and intensification, which creates a compact form of neighbourhood and ensures continuation of an orderly development pattern in the subject area. The zoning by-law amendment and draft plan of subdivision will provide additional housing supply / opportunities in the area with no adverse impact on the adjacent properties.

Based on the above analysis in this report, the recommended Zoning By-law Amendment maintains conformity with the Official Plan per section 11.6.3.1 and meets the criteria set out above under section 11.6.3.3 of the OP Vol. 1.

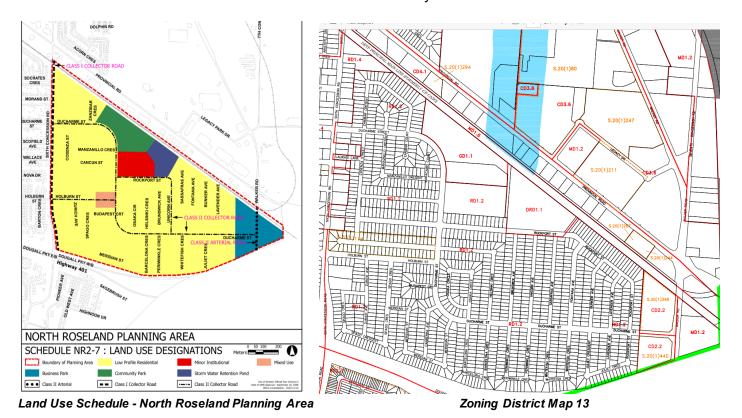
#### 4. ZONING

The subject lands are zoned Residential District 1.2 (RD1.2) by City of Windsor Zoning By-law 8600. This zoning by-law amendment application provides an opportunity to redevelop the underutilized lands currently occupied by two single unit dwellings and accessory structures to achieve five townhome dwellings with 27 townhome dwelling units.

The Zoning District Map shows that currently, the RD1.2, RD1.4 and DRD1.1 zoning categories are the residential zoning categories intended to permit low profile residential developments in the North Roseland Planning Area. However, these zoning categories (RD1.2, RD1.4 and DRD1.1) encourage only one type of low profile residential development out of the three forms of low profile residential developments permitted / listed in s.3.7.2.1, OP VOL. II.

The Maps below are meant to help the reader understand the gap between the current zoning categories in the subject area and the land use designation that should be implemented. This

amendment and plan of subdivision will result in the implementation of policy 3.7.2.1, OP Vol. II, in a manner that is consistent with the Provincial Policy Statement 2020.



The recommended new zoning is Residential District 2.3 (RD2.3), and uses permitted in the RD2.3 zoning category are as follows:

- One Semi-detached Dwelling
- One Single Unit Dwelling
- Townhome Dwelling
- Any use accessory to the preceding uses

A review of Zoning By-law 8600 shows that Residential District 2.3 (RD2.3) is an appropriate zoning category for the subject lands because it permits the three types of low profile residential developments permitted in the North Roseland Planning Area. The RD2.3 zoning category implements Section 3.7.2.1, OP Volume II, which states "For the purposes of this plan, Low Profile Residential development comprises the following types of dwelling: (a) single detached; (b) semi-detached; and (c) on-street townhouses." The "on-street" component of the townhouse dwellings is a matter of design and can be achieved, as evidenced in the applicant's concept plan Map SDN-001/24-2 attached as Appendix C to this report. The RD2.3 zoning category also encourages a range and mix of low profile residential housing options in the subject area, which is consistent with the PPS 2020.

As noted in pages 2 to 4 of the attached Appendix E, area residents expressed concerns about the proposed townhouse development on the subject lands. The proposed density for the subject development was noted as a concern.

<u>DENSITY:</u> The current RD1.2 zoning category permits a single unit dwelling on a parcel with a minimum lot area of 360m<sup>2</sup>, which results in a density of 27.78 units per hectare. Similarly, the RD2.3 zoning category permits a single unit dwelling on a parcel with a minimum lot area of

360m<sup>2</sup>. Therefore, density remains the same for single unit dwellings on the existing and proposed zoning categories.

However, the RD2.3 zoning permits additional forms of low profile developments and higher densities, making it a more appropriate zoning category to use in implementing the North Roseland Planning Area objective for lands designated low profile residential. In the RD2.3 zoning, the minimum lot area requirement for a semi-detached dwelling is  $450m^2$ , resulting in a density of 44.44 units per hectare; while the minimum lot area requirement for a townhome dwelling is  $200m^2$  per unit, which amounts to a density of 50 units per hectare.

Tables 1 and 2 below would help the reader understand the density discussion in the subject area. As shown below, the proposed densities in Table 2 are appropriate for townhome dwellings in the North Roseland Planning Area.

TABLE 1			SEMI-DETACHED DWELLING	TOWNHOME DWELLING	
By-law 8600	RD1.2	RD2.3	RD2.3	RD2.3	
Lot Area - minimum required	360m <sup>2</sup>	360m <sup>2</sup>	450m <sup>2</sup>	200m <sup>2</sup> per unit	
Density (maximum permitted)	27.78 units per ha	27.78 units per ha	44.44 units per ha	50 units per ha	

TABLE 2	PROPOSED DENSITIES FOR THE PROPOSED TOWNHOME DEVELOPMENT					
SDN-001/24-1 (APPENDIX B)	Block 1	Block 2	Block 3	Block 4	Block 5	
Proposed Lot Area	1317.96m <sup>2</sup>	1542.92m <sup>2</sup>	1264.62m <sup>2</sup>	1049.36m <sup>2</sup>	751.46m <sup>2</sup>	
Proposed Number of dwelling units	6	7	6	5	3	
Minimum Lot Area per unit	219.66m <sup>2</sup>	220.42m <sup>2</sup>	210.77m <sup>2</sup>	209.87m <sup>2</sup>	250.49m <sup>2</sup>	
Density (proposed)	45.52 units per ha	45.37 units per ha	47.44 units per ha	47.65 units per ha	39.92 units per ha	

<u>PARKING:</u> Parking requirement for the proposed townhome dwellings is as follows:

Townhome Dwelling

having an attached garage or carport

1 parking space for each dwelling unit

without an attached garage or carport

1.25 parking spaces for each dwelling unit

A minimum setback of 6.0m is required from the exterior lot line to a garage wall (section 5.11.1, By-law 8600). Therefore, Lot 25 in Block 5, will not comply with by-law 8600, if it has a garage door facing the west exterior lot line). Also, if Lot 25 does not have a garage, the parking space provided is too small (per section 24.20.10, By-law 8600). The applicant is advised to adjust the design of Lot 25 to comply with the noted sections of By-law 8600.

#### HOLDING PROVISION

A hold provision is recommended for this zoning by-law amendment to ensure that construction permit is not issued for any of the permitted uses in the RD2.3 zoning district (save & except the single unit dwelling, which is currently permitted in the RD1.2 zoning category) until such time when the final plan of subdivision is registered. This holding provision also creates the opportunity for the City and the applicant to address outstanding planning issue(s) through a subdivision agreement, which will be executed and registered on title before a final plan of subdivision can be registered. The holding provision can be removed when an application is made for the removal of the H symbol and all applicable conditions are satisfied.

#### A draft by-law is attached as **Appendix F.**

#### 6. SITE PLAN

The proposed amendment is NOT a "development" as defined in section 41(1) of the Planning Act and the City of Windsor By-law 1-2004. Therefore, the applicant is NOT required to submit application for Site Plan Approval.

**Risk Analysis:** N/A. See Climate Change risk analysis below.

# Climate Change Risks

#### **Climate Change Mitigation:**

Residential intensification minimizes the impact on the community greenhouse gas emissions. Development within existing communities and neighbourhoods use available infrastructure such as sewers, sidewalks, and public transit and, as such, help to mitigate development impact. Although there are currently no sidewalks on the section of Sixth Concession Road from the subject lands northerly towards Provincial Avenue; it is expected that the existing sidewalks in the subject neighbourhood, planned future sidewalks, existing bicycle lanes in and around the subject area will facilitate active transportation and positively impact climate change. The proposed residential intensification on the subject lands will encourage the use of existing and planned transit and active transportation in the neighbourhood, which will help to minimize the City's carbon footprint.

#### **Climate Change Adaptation:**

Trees and other landscaping features help create better living conditions and support climate change adaptation. Implementation of the lot-grading plan for this proposed development would help mitigate adverse impacts on climate change. Stormwater management facilities also help to support climate change adaptation.

Financial Matters: N/A

#### Consultations:

1. PUBLIC OPEN HOUSE [Developer-led Public Information Centre (PIC)]

DATE: November 9, 2022.

VENUE: Signature Tributes Event Centre, 3310 Dougall Avenue, Windsor.

TIME: 7 pm (ended at 9 pm)

NEIGHBOURHOOD PARTICIPATION: Attended by 15 members of the public (neighbours). It is noted that 135 invitations were mailed to those landowners within a 120 m buffer of the subject lands.

Summary of comments/concerns/input from the area residents and the response from the applicant's planning consultant can be found in Appendix E attached to this report.

Key issues include:

- Increase in Density (proposed number of dwelling units is high for the land area),
- Increase in traffic volume, traffic speed, and on-street parking,
- Privacy concerns for the rear yards of abutting existing homes,
- Existing storm and sanitary sewer capacity.

Density has been discussed in the zoning section of this report, as well as in the PJR portion of Appendix E attached to this report.

Aside from the response provided by the applicant's planning consultant with respect to increase in traffic volume and speed, the applicant's Traffic Impact Study confirmed that "upgrades are required for the existing intersection of 6th Concession Road with Holburn Street infrastructure in 2030 and 2035 background conditions. These upgrades are <u>not</u> due to the proposed development as the development's traffic will have minimum impact on the operation of existing intersections."

The PJR portion of Appendix E contains the applicant's planning consultant's response to Privacy concerns, the existing storm, and sanitary sewer capacity. Also, excerpts from the Functional Servicing Report (see Appendix E) confirm that the existing sanitary sewer from Spago Crescent has enough capacity to accommodate the proposed development of 27 dwelling units. The FSR also states that stormwater measures will be provided to satisfy water quality treatment and quantity attenuation criteria.

#### 2. DEPARTMENT AND AGENCIES

Attached as **Appendix D**, to this report, are comments from the municipal departments and external agencies. There are no objections; however, some comments include conditions and/or recommendations for the approval of the rezoning application and plan of subdivision. This report takes into consideration those conditions and recommendations found in Appendix D, and the recommendations within the required studies and reports submitted by the applicant.

The following items/issues, found in the attached Appendix D, are best addressed within a subdivision agreement. Consequently, this report recommends inclusion of those issues and other conditions of approval within a subdivision agreement for the proposed development on the subject lands.

#### Development, Projects & ROW has the following requirements:

**Plan of Subdivision Agreement**\_- The applicant enter into an agreement with the City of Windsor for all requirements under the General Provisions of the Plan of Subdivision Agreement for the Engineering Department.

**Sidewalks** -The owner(s) agrees, to:

- ❖ Pay to the Corporation, prior to the issuance of a Building Permit, the sum of \$10,080.00 being the Owner's contribution towards the future construction of a concrete sidewalk on the 6th Concession Road frontage of the subject lands.
- Construct at their expense and according to City of Windsor Standard Specifications, concrete sidewalks constructed to the satisfaction of the City Engineer. Sidewalks are to be constructed at the following locations:
  - o New Street A along the west boulevard
  - o Spago Crescent along the north boulevard from Street A to Zurich Avenue

**Curbs and Gutters**\_— The Owner further agrees to pay to the Corporation, prior to the issuance of a construction permit, the sum of \$5,328.00 being the Owner's contribution towards the future construction of concrete curb & gutter on the 6th Concession Rd frontage of the subject lands.

**Drainage Report** - The Owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed Drainage Report in accordance with the Drainage Act.

**Servicing Charges** – The applicant(s) shall note that they may be required to pay servicing charges for the existing sewers on Spago Crescent and/or sewer connection(s) owing to Sixth Concession Development Ltd. if not paid previously for this site. Proof of payment will be required prior to the issuance of a construction permit.

#### Other requirements:

- Parkland dedication
- Tree Protection Plan
- ENWIN minimum separation requirement: to ensure adequate clearances are achieved and maintained.
- Enbridge Gas has active infrastructure in the proposed area and requires a minimum separation of 0.6m horizontal and 0.3m vertical from all Enbridge's plant less than NPS 16 and a minimum separation 1.0m horizontal and 0.6m vertical between any CER-regulated and vital pipelines. Furthermore, Enbridge requires a minimum separation of 1.0m when drilling parallel to any of their pipelines.
- ERCA's requirement for stormwater management analysis is addressed in the City of Windsor Subdivision Agreement General Provisions G-2 (4).
- Canada Post Developer requirements are addressed in the City of Windsor Subdivision Agreement General Provisions G-2 (11) (a) to (e)

#### 3. PUBLIC NOTICE

The Corporation of the City of Windsor will advertise the official notice in the Windsor Star Newspaper as prescribed by the Planning Act.

The City will mail courtesy notice to all properties within 200 m of the subject parcel, prior to the Development & Heritage Standing Committee (DHSC) meeting.

## Conclusion and Planner's Opinion:

The applicant's request to change the zoning of the subject lands from Residential District 1.2 to Residential District 2.3 will facilitate the proposed townhome residential subdivision development on the subject lands and positively impact housing supply in the city.

The applications have been processed and evaluated considering the Provincial Policy Statement, Planning Act, City of Windsor Official Plan policies, and comments received from municipal staff and outside agencies.

The Planning Justification Report submitted by the applicant explains salient details of the applications and provides salient information and supporting reasons why the draft plan of subdivision and the zoning by-law amendment applications should be considered and approved. As part of this report, I have provided additional planning analysis in support of the proposed Plan of Subdivision and the Zoning By-law Amendment, based on relevant provincial legislation and Official Plan policies.

In my professional opinion, both the recommended Zoning By-law Amendment and Draft Plan of Subdivision are consistent with the policies of the Provincial Policy Statement 2020 and maintain conformity with the City of Windsor Official Plan.

The proposed Draft Plan of Subdivision meets the requirements under section 51(17) of the Planning Act and can be designed in compliance with the Zoning By-law 8600 (as amended). The Draft Plan of Subdivision will provide housing opportunities in an established area.

Administration is recommending that the Draft Plan of Subdivision be approved subject to the conditions as in Recommendations III to VII (inclusive) of this report and the Zoning By-law Amendment be approved as in Recommendation I of this report, subject to a holding prefix

removal in accordance with Recommendation II of this report. The recommended zoning by-law amendment and plan of subdivision constitute good planning.

A decision to approve this zoning by-law amendment and the draft plan of subdivision is consistent with the PPS 2020.

# **Planning Act Matters:**

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

Greg Atkinson, MCIP, RPP

Thom Hunt, MCIP, RPP

Manager of Development/Deputy City Planner

City Planner

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

JP JM

#### Approvals:

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

#### **Notifications:**

Name	Address	Email
Abutting property owners, tenants/ occupa	ants within 200 meters (400 feet) radi	us of the subject lands

#### **Appendices:**

- 1 Appendix A Site Photos (taken June 3, 2024)
- 2 Appendix B Draft Plan of Subdivision, SDN-001/24-1
- 3 Appendix C Development Concept Plan, SDN-001/24-2
- 4 Appendix D Consultations Results of Circulation
- 5 Appendix E Excerpts from Planning Justification Report & other Required Support Studies
- 6 Appendix F Draft By-law for Z-012/24



View of existing buildings on the subject lands, looking north from Spago Crescent, in front of the property known as 4411 Spago Crescent



View of abutting property (4411 Spago Cres.) south side of the subject lands, looking west from Spago Crescent



Partial view of the driveway on 4411 Spago Crescent and existing buildings on 4190 Sixth Concession Rd.



View of Spago Cres., looking east towards Zurich Ave., from the south side of the subject lands, at 4411 Spago Cres.



View of Spago Cres., looking west towards 4411 Spago Cres., from the intersection of Spago Cres. and Zurich Ave.



View of Zurich Avenue, looking north towards Holburn St., from the intersection of Spago Cres. and Zurich Ave.



View of Holburn Street looking west towards Sixth Concession, from the intersection of Holburn and Zurich



A close view of Holburn Street looking west towards Sixth Concession, from the intersection of Holburn and Zurich



Street view of Sixth Con. Rd., looking north from the intersection of Sixth Concession Road and Holburn Street



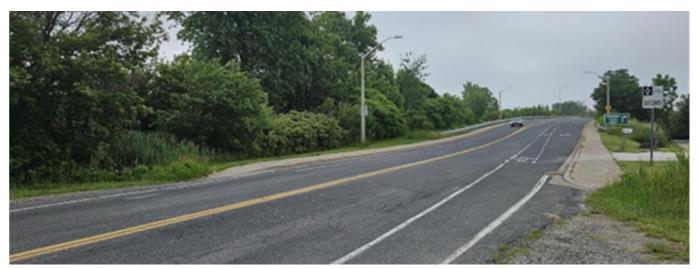
View of southeast corner of Holburn and Sixth Con. from Sixth Con. Rd and Holburn St. intersection, looking at properties abutting the north limit of the proposed development



Street view of Holburn Street, looking east from the intersection of Sixth Concession Road and Holburn Street



View of east and west sides of Sixth Concession Road in front of the subject lands, looking south



View of Sixth Con. Rd showing the end of the existing concrete sidewalks south of the subject lands, looking south



View of Sixth Concession Road from the subject lands, looking north towards Holburn St.



FRONT/WEST VIEW 4190 SIXTH CON. RD. AND NORTH WALL OF 4411 SPAGO CRESC., LOOKING EAST FROM SIXTH CON. RD



FRONT/WEST VIEW 4170 & 4190 SIXTH CONCESSION ROAD, LOOKING EAST FROM SIXTH CONCESSION ROAD



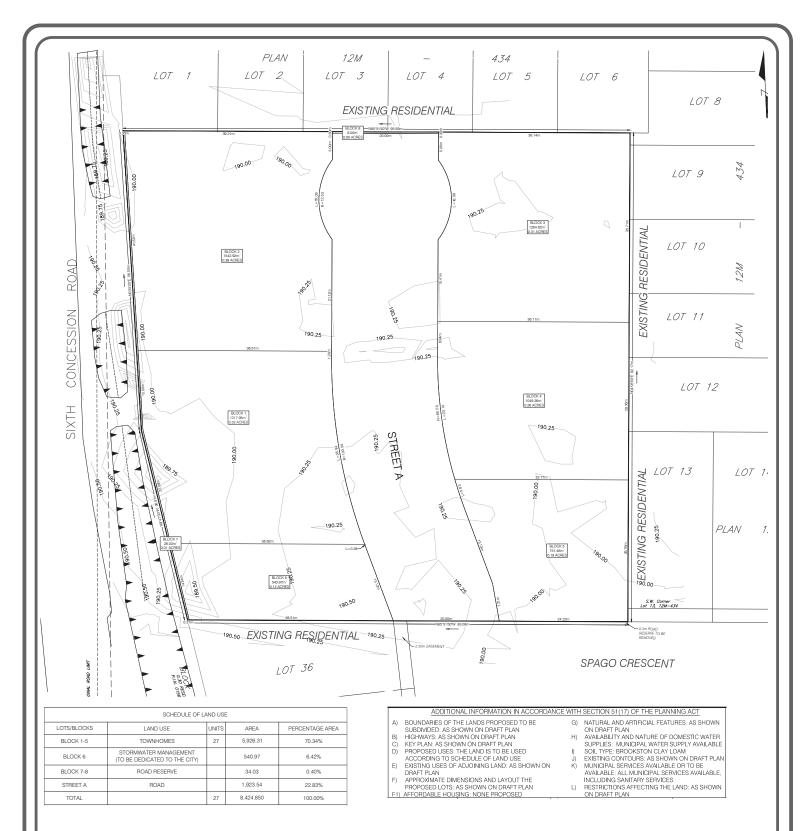
Photo showing existing driveway for 4170 Sixth Concession Road

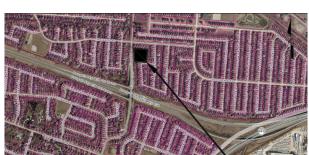
Photo showing existing driveway for 4190 Sixth Concession Road

Photo showing existing driveway for 4190 Sixth Concession Road

Photo showing existing driveway for 4190 Sixth Concession Road







DRAFT PLAN OF SUBDIVISION

KEY PLAN

SITE

PART OF LOT 13, CONCESSION 6
(GEOGRAPHIC TOWNSHIP OF SANDWICH EAST) IN THE CITY OF WINDSOR

COUNTY OF ESSEX, ONTARIO

APPENDIX B - DRAFT PLAN OF SUBDIVISION, SDN-001/24-1

NOTE: FOR INFORMATION ONLY. SEE LARGE SCALE DRAWINGS FOR FURTHER DETAILS.

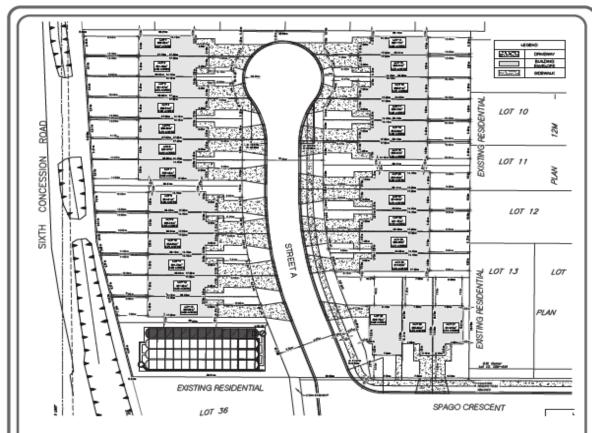
# DRAFT PLAN OF SUBDIVISION

MAP NO: SDN-001/24-1 (DRAFT PLAN) **APPLICANT: 2863167 ONTARIO INC.** 

DATE: APRIL, 2024

CITY OF WINDSOR PLANNER PROPERTY Standing Committee Meeting Agenda - Tuesday, July 2, 2024

# APPENDIX C - SDN-001/24-2



TOWNHOME DWILLIAG DETAULE								
	PROPOSED							
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LOT SA	648	0.84	r.(a	6:00	70-30~ <sup>2</sup> (30-30%)	60.00%	55.00%	COMPLES
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LOT 36	6.00	7.80m		7.52	86.47 m <sup>2</sup> [40.84%]	55,00%	A7.00%	COMPLES
LOT 27	600	7.85m	r.(a	8.00	96.24 m <sup>2</sup> (35.78%)	\$5,00%	36.00%	COMPLEX

	BTS PLAN					
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PROPOSED USE	TOWNSOME DIVISIONS					
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MIN. 808 1990	r.jan.	SEE ABOVE TABLE				
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PEDIFORDPANS	IDE OF THE REQUIRED PROMITIVED AREA PLUE SE PER METER DECREASE IN LIGHT WORK BELOW BUT TO A MICHAEL OF THE REQUIRED PROKET WAS AREA.	SEE ABOVE TABLE				
ACCESS AREA WOTH	MN 3.85= 10 MW 4.52=	3.80m	COMPLES			
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EIGHT OF BULDING J NO. OF ETCHEVE	4800mj 1.0 (RCPE)*					
ULDING LIFE & GOOLPANO	RESCENTAL.					

NOTE: FOR INFORMATION ONLY. SEE LARGE SCALE DRAWINGS FOR FURTHER DETAILS.

# DRAFT PLAN OF SUBDIVISION

MAP NO: SDN-001/24-2 (CONCEPT DEVELOPMENT PLAN)

APPLICANT: 2863167 ONTARIO INC.

DATE: APRIL, 2024

CITY OF WINDSOR PLANNING DEPARTMENT

[Comments from Municipal Departments & External Agencies – SDN-001/24 & Z-012/24]

#### **BELL CANADA – JUAN CORVALAN**

Bell Canada will provide a response should any comments / input be required on the information included in the circulation received. Bell Canada kindly requests that even if a specific comment is not provided at this time that you continue to circulate us at <a href="mailto:circulations@wsp.com">circulations@wsp.com</a> on any future materials related to this development project or infrastructure / policy initiative so that we can continue to monitor its progress and are informed of future opportunities for engagement.

# 1) Bell Canada Responses to Pre-Consultation & Complete Development Application Circulations:

#### **Pre-consultation Circulations**

Please note that Bell Canada does NOT generally comment on pre-consultation circulations unless the information provided identifies that a future draft plan of subdivision, draft plan of condominium and/or site plan control application will be required to advance the development proposal.

#### **Complete Application Circulations & Recirculations**

Please note that Bell Canada does NOT generally comment on the following development applications - official plan and zoning by-law amendments, part lot control, temporary use and interim control by-laws. However, Bell Canada does generally comment on site plan approval, draft plans of subdivision and draft plan of condominium applications.

Bell Canada will generally comment on recirculations where the change modifies the proposed residential dwelling unit count and/or non-residential gross floor area in a draft plan of subdivision, draft plan of condominium and/or site plan control application.

2) Bell Canada Responses to Infrastructure and Policy Initiative Circulations: If required, a follow-up email will be provided by Bell Canada to outline any input to be

considered on the infrastructure / policy initiative circulation received at this time.

#### **Concluding Remarks:**

If you have any other specific questions, please contact <u>planninganddevelopment@bell.ca</u> directly.

We note that WSP operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. However, all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP. WSP is not responsible for the provision of comments or other responses.

#### CANADA POST – BRUNO DESANDO

Thank you for contacting Canada Post regarding plans for a new subdivision in the City of Windsor. Please see Canada Post's feedback regarding the proposal, below.

#### Service type and location

- 1. Canada Post will provide mail delivery service to the subdivision through centralized Community Mail Boxes (CMBs).
- 2. If the development includes plans for (a) multi-unit building(s) with a common indoor entrance, the developer must supply, install and maintain the mail delivery equipment within these buildings to Canada Post's specifications.

[Comments from Municipal Departments & External Agencies – SDN-001/24 & Z-012/24]

#### **Municipal requirements**

- 1. Please update our office if the project description changes so that we may determine the impact (if any).
- 2. Should this subdivision application be approved, please provide notification of the new civic addresses as soon as possible.

#### Developer timeline and installation

1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the CMB(s).

Please see Appendix A for any additional requirements for this developer.

#### Appendix A - Additional Developer Requirements:

- The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.
- The developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
- The developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
- The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.
- The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
  - Any required walkway across the boulevard, per municipal standards
  - Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications)
  - A Community Mailbox concrete base pad per Canada Post specifications.

#### TRANSIT WINDSOR - JASON SCOTT

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Walkerville 8. The closest existing bus stop to this property is located on Holburn at Sixth Concession Southeast Corner. This bus stop is approximately 120 metres from this property falling within Transit Windsor's 400 metre walking distance guidelines to a bus stop. Transit Windsor's City Council approved Transit Master Plan has a new local route replacing the Walkerville 8 in this area that will further enhance transit service by introducing two way conventional transit service versus the existing one way loop.

[Comments from Municipal Departments & External Agencies – SDN-001/24 & Z-012/24]

#### ASSESSMENT MANAGEMENT – JOSE MEJALLI

No objection to the amended zoning to allow the proposed new residential subdivision with five (5) townhome dwellings containing a total of 27 townhome dwelling units at the above noted location.

#### **ENVIRONMENTAL SERVICES – ANNE MARIE ALBIDONE**

So long as the cul-de-sac radius is the standard the City uses, then I have no objections. The radius needs to be large enough for our collection trucks to turn around in (as well as emergency vehicles).

#### **ENBRIDGE - JOSE DELLOSA**

After reviewing the provided drawing at Sixth Concession Rd & Holburn St and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the proposed area. Two (2) services at 4170 and 4190 Sixth Concession Rd as well as the gas main on Spago Cres. A PDF drawing has been attached for reference.

#### **Please Note:**

- 1. The shown piping locations are approximate and for information purposes only
- 2. The drawings are not to scale
- 3. This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc

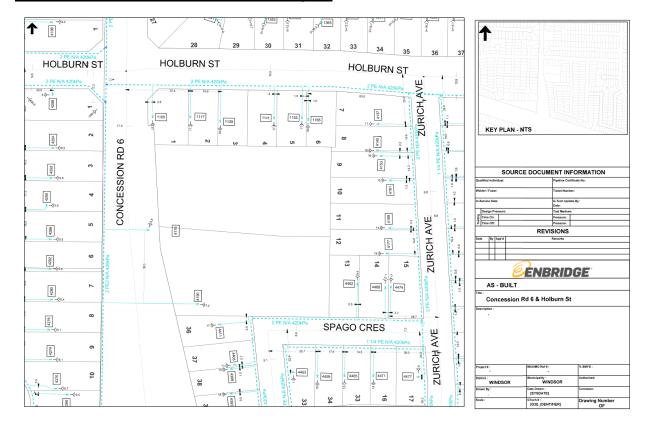
Enbridge Gas requires a minimum separation of 0.6m horizontal and 0.3m vertical from all of our plant less than NPS 16 and a minimum separation 1.0m horizontal and 0.6m vertical between any CER-regulated and vital pipelines. For all pipelines (including vital pipelines), when drilling parallel to the pipeline, a minimum horizontal clearance measured from the edge of the pipeline to the edge of the final bore hole of 1 m (3.3 ft) is required. Please ensure that this minimum separation requirement is maintained, and that the contractor obtains locates prior to performing any work and utilizes safe excavation practices while performing any work in the vicinity.

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

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

[Comments from Municipal Departments & External Agencies – SDN-001/24 & Z-012/24]

#### Concession Rd 6 & Holburn St. As-Built Diagram



#### **ERCA - ALICIA GOOD**

The City of Windsor has received Application for Draft Plan of Subdivision Approval SDN-001-24 for the above noted subject lands, which proposes to construct five (5) townhouses with twenty-seven (27) units, with frontage on a new local street, on two existing lots of record, totalling 8,422.52 sq m (90,662.22 sq ft).

The City of Windsor has also received Application for Zoning By-Law Amendment Z-012-24 to support the Application for Draft Plan of Subdivision Approval.

The subject lands are designated *Low Profile Residential* on Schedule NR2-7 – Land Use Designations & Concept Plan, North Roseland Planning Area, OP. Vol.2, and zoned *RD1.2* by Zoning By-Law 8600.

The RD1.2 zoning category does not permit townhome dwellings; therefore, the applicant is also requesting an amendment to the zoning by-law 8600 to change the zoning of the subject lands from RD1.2 to RD2.3 to permit the proposed townhome dwellings. An Official Plan Amendment is not required.

The following is provided as a result of our review of Notice of Public Meeting to Consider Draft Plan of Subdivision SDN-001-24, and Zoning By-Law Amendment Z-012-24.

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

[Comments from Municipal Departments & External Agencies – SDN-001/24 & Z-012/24]

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

We have reviewed our floodline mapping for this area and it has been determined this site is not located within a regulated area that is under the jurisdiction of the ERCA (Ontario Regulation 41/24 under the *Conservation Authorities Act*). As a result, a permit is not required from ERCA for issues related to Section 28 of the *Conservation Authorities Act*.

ERCA has concerns with the potential impact to the quantity and quality of runoff in the downstream watercourse due to the proposed development on this site. ERCA recommends that both the quantity and quality of excess runoff be adequately controlled to avoid any adverse impacts to the downstream watercourse. We further recommend that this analysis be completed to the satisfaction of the municipality. We do not require further consultation on this file with respect to excess runoff from the proposed development.

Our office continues to uphold our previous comments for Z-012-24, labelled as Z-001-23 (dated March 27, 2023).

## 2023 ERCA COMMENTS FOR Z-001/24 (6TH CONCESSION RD).

The City of Windsor has received an Application for Zoning By-Law Amendment for the subject property. The applicant is requesting the amendment to permit townhouses. There is provision for onsite storm servicing. In addition, the applicant requests site-specific zoning provisions to permit interior side yard of 1.2m for lots 23 & 24, and 75% front yard paving for Lot 24. Five (5) townhouses with 27 townhouse dwelling units are shown on the development concept plan. The applicant intends to submit a separate application for approval of a draft plan of subdivision on the subject lands.

The following is provided as a result of our review of Zoning By-Law Amendment Z-001/23.

# DELEGATED RESPONSIBILITY TO REPRESENT THE PROVINCIAL INTEREST IN NATURAL HAZARDS (PPS) AND REGULATORY RESPONSIBILITIES OF THE CONSERVATION AUTHORITIES ACT

The following comments reflect our role as representing the provincial interest in natural hazards as outlined by Section 3.1 of the Provincial Policy Statement of the Planning Act as well as our regulatory role as defined by Section 28 of the Conservation Authorities Act.

We have reviewed our floodline mapping for this area and it has been determined this site is not located within a regulated area that is under the jurisdiction of the ERCA (Section 28 of the Conservation Authorities Act). As a result, a permit is not required from ERCA for issues related to Section 28 of the Conservation Authorities Act, Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the Conservations Authorities Act, (Ontario Regulation No. 158/06).

#### Stormwater Management

ERCA has concerns with the potential impact of the quality and quantity of runoff in the downstream watercourse due to the proposed development on this site. ERCA recommends that stormwater quality and stormwater quantity will need to be addressed up to and including the 1:100 year storm event and be in accordance with the guidance provided by the Stormwater Management Planning and Guidance Manual, prepared by the Ministry of the Environment

[Comments from Municipal Departments & External Agencies – SDN-001/24 & Z-012/24]

(MOE, March 2003) and the "Windsor-Essex Region Stormwater Management Standards Manual".

We further recommend that the stormwater management analysis be completed to the satisfaction of the Municipality. We do not require further consultation on this file with respect to stormwater management.

#### FINAL RECOMMENDATION

We therefore request the following draft condition for inclusion in the Notice of Decision and implementing Subdivision Agreement:

1. That a stormwater management plan be designed and implemented to the satisfaction of the City of Windsor.

#### WINDSOR FIRE - MICHAEL COSTE

No issues with fire

#### LANDSCAPE & URBAN DESIGN – STEFAN FEDIUK

Please have the applicant's Arborist provide the tree inventory in digital form (ie. MSExcel) so we can calculate the loss to the urban tree canopy, and calculate what requirements there are for tree planting's related to the proposed subdivision.

#### **Previous comments from Stefan Fediuk**

#### August 16, 2023 - Stage 1 PC-011/23:

No additional Studies are required from a landscape architectural or urban design perspective. Comments related to Z001-23 still apply as requirements for the fulfillment of the application as both the zoning and subdivision applications will be processed concurrently.

Per the subdivision application, the applicant is to be aware that there is a requirement for one municipal boulevard trees per unit to be planted. Payment as cash-in-lieu can be paid at the time of building permit for the City Forester to plant those trees.

#### March 24, 2023 – comments related to Z-001/23:

Pursuant to the application for a zoning amendment (Z 001/23) to permit TOWNHOUSES on the subject, by rezoning from RD1.2 to RD2,2 please note no objections. Please also note the following comments:

#### Zoning Provisions for Parking Setback:

There are no objections to the requested side yard reductions for Lot 23 & 24 and the front yard paving increase to 75% for lot 24. The irregular shaped corner lot created by lot 24 allows for a greater enhancement to the landscape area abutting Street 'A.

#### Tree Preservation & Climate Change:

The applicant has provided a Tree Inventory recognizing 65 existing trees, with 10 of those trees (No. 1, 2, 3, 51, 52, 53, 54 60, 61, 62, 64, and 65) situated within the municipal or considered 'Shared Trees' which straddle the property line between private and public

[Comments from Municipal Departments & External Agencies – SDN-001/24 & Z-012/24]

ownership. The Planning Justification Report and the Energy Strategy do not make reference to the existing trees nor their preservation.

Issues of privacy have been cited by abutting residences, which could be alleviated with the preservation of as many of the existing trees as possible, especially those situated along the periphery of the development site (potentially trees no. 4 thru 32 (9 of which are abutting residential properties). Preservation of these trees will also assist in storm water management and help to reduce potential flooding of the existing and proposed residences.

As part of the development, the applicant is required to provide a tree protection plan to the satisfaction of the Landscape Architect and City Forester, identifying which trees are to be retained and proposed preservation techniques to be implemented.

As a response to climate change and impacts to urban forest canopy, in addition to the standard payment for one new tree per unit requirement at the time of building permit, any trees not able to be retained on the site, will require to be compensated at caliper-per-caliper rate, satisfactory to the City Forester as per the Schedule of Fees.

#### Urban Design:

Townhouses can take many forms. The applicant provided precedent imagery that was displayed at the Open House Information Session. The styles presented in images 5 thru 8 align with architectural characteristics of the surrounding single-family residential neighbourhood context. Precedent Image 8 is the most compatible as it emulates the split-ranch styles of the neighbourhood.

#### Parkland Dedication:

There are no parkland implications beyond the usual requirement for cash-in-lieu of 5% parkland dedication.

#### **HERITAGE - TRACY TANG**

Tracy Tang, Planner on behalf of Kristina Tang, Heritage Planner

No supporting information required.

There is no apparent built heritage concern with these properties and they are located on an area of low archaeological potential.

Nevertheless, the Applicant should be notified of the following archaeological precaution.

- Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
- 2. In the event that human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

#### Contacts:

[Comments from Municipal Departments & External Agencies – SDN-001/24 & Z-012/24]

Windsor Planning & Building Department:

519-255-6543 x6179, ktang@citywindsor.ca, planningdept@citywindsor.ca

Windsor Manager of Culture and Events (A):

Michelle Staadegaard, (O) 519-253-2300x2726, (C) 519-816-0711, mstaadegaard@citywindsor.ca

Ontario Ministry of Citizenship and Multiculturalism

Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca

Windsor Police: 911

Ontario Ministry of Government & Consumer Services

A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, 1-416-212-

7499, Crystal.Forrest@ontario.ca

#### **ZONING - CONNOR O'ROURKE**

- 1. Lot 2 front yard paving percentage is incorrectly calculated in table. 66.28% Provided | 61.15% Actual. Complies. (24.28.1)
- 2. If Lot 25 has a garage facing the driveway it has to have a minimum setback of 6.0m from the exterior lot line to the garage wall (5.11.1); if Lot 25 does not have a garage the parking space provided is too small. (24.20.10)

## FORESTRY - Yemi Adeyeye

Forestry has following comments on this property.

After reviewing the tree inventory the developer is requesting to remove one healthy city owned Norway Maple. This MANO 22DBH is listed as tree #62 on the tree inventory.

The developer is required to pay a tree replacement cost of \$3,400, for the requested removal of the Norway Maple (22cm DBH).

#### NATURAL AREAS - Karen Alexander

Natural Areas has following comments on this liaison.

No removal or disturbance of active bird nests (Migratory Bird Act)

#### **PARKS - Hoda Kameli**

Parks D&D has no objection to this Liaison.

#### TRANSPORTATION PLANNING - ELARA MEHRILOU

- Transportation Planning has reviewed the Transportation Impact Study submitted for the above-noted application, titled, "TRAFFIC IMPACT ASSESSMENT RESIDENTIAL DEVELOPMENT 6TH CONCESSION ROAD WINDSOR, ONTARIO" dated August 19, 2022 Revised February 20, 2024 with project number "21-150" by Shurjeel Tunio, P.Eng. Lead Engineer of Baird AE.
- The report is satisfactory in its current form. Overall, the TIS establishes that the traffic impacts are not due to the proposed development as the development's traffic will have minimum impact on the operation of existing intersections.

[Comments from Municipal Departments & External Agencies – SDN-001/24 & Z-012/24]

#### **ENWIN**

#### HYDRO ENGINEERING: Jeremy Allossery

No objection provided adequate clearances are achieved and maintained. Take note of the ENWIN owned hydro poles at the western edges of the property, carrying overhead and lateral secondary and communication conductors. Also be advised of the overhead and underground secondary conductors servicing the currently existing buildings on the properties.

<u>Be advised:</u> The hydro poles carrying overhead secondary conductors mentioned above may require relocation/removal or accommodations in design in order to maintain adequate clearance or to clear land for construction. Removal or relocations would be at the customer's cost.

#### WATER ENGINEERING: Bruce Ogg

ENWIN Water has no objections.

#### **ENGINEERING - JUAN PARAMO**

We have reviewed the subject Plan of Subdivision application and have the following comments:

#### Sewers

The proposed access from the development will be from Spago Crescent. There is a 250mm sanitary sewer and a 525mm storm sewer located within the Spago Crescent right-of-way and the 5th Concession Drain along the 6th Concession Road frontage. There is a 0.3 metre reserve (City owned) which controls access to the Spago Crescent right-of-way. Connection to existing services on Spago Crescent are subject to servicing charges owing to Sixth Concession Development Ltd.

A Functional Servicing Report dated September 08, 2022 and revised February 20, 2024 by Baird AE, has been received and reviewed. The applicant's consultant has confirmed that the municipal sanitary sewer have adequate capacity, and no adverse impacts are expected on the surrounding areas as a result of the proposed development. The servicing report has been deemed acceptable, and the proposed servicing strategy is supported by the Engineering Development department.

The 5th Concession Drain is a municipal drain with by-laws and governed under the Drainage Act. An engineer's report prepared in accordance with the Drainage Act is required to connect to the drain for the storm sewer outlet, and for the removal of the two redundant driveways.

Any redundant sewer connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3.

We have received the revised Functional Servicing Report prepared by Baird AE, dated February 20th 2024. An official approval of this report will be issued following a detailed review.

The applicant will be required to submit a stormwater management plan in accordance

### APPENDIX D - CONSULTATION - RESULTS OF CIRCULATION

[Comments from Municipal Departments & External Agencies – SDN-001/24 & Z-012/24]

with Windsor Essex Region Stormwater Management Standards Manual, restricting stormwater runoff to pre development levels. This will include, at a minimum:

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

For more information of SWM requirements, visit: link

- https://essexregionconservation.ca/wp-content/uploads/2018/12/WERegion-SWM-Standards-Manual.pdf
- https://www.citywindsor.ca/business/buildersanddevelopers/Documents/Checklist-Rational-Method.pdf

### **Roads and Right-of-Way**

Street A shall be classified as a Local road in accordance with the direction of the Official Plan, requiring a right-of-way width of 20.0 meters. Furthermore, the right-of-way around the cul-desac bulb will need to be wider to accommodate a minimum boulevard width of 2.5 meter for utilities as stipulated by the City of Windsor Standard Drawing AS-206C. The proposed right-of-way must adhere with City of Windsor Standard AS-206D, the City's Standard Urban Cross Section, and the City of Windsor Development Manual.

Curbs and Gutters to be constructed as per City of Windsor Standard AS-208. Sidewalk is required along one side of the proposed residential street fronting the right-of-way as per the City of Windsor Standard Engineering Drawing AS-401 & AS-206D. Sidewalk is also required along Spago Crescent. The owner shall agree to construct sidewalk along the north boulevard of Spago Crescent from Street A to Zurich Avenue.

Spago Crescent is classified as a Local road with a 15 meter right-of-way therefore, a 2.5m utility easement is required along the frontage of Lots 25, 26 & 27 per City of Windsor Standard Drawing AS-206C.

Currently, 6th Concession Road is lacking curb and gutter as well as sidewalk along both sides of 6th Concession Road. The owner shall agree to contribute \$10,080.00 towards the future construction of sidewalks within the right-of-way, as well as contribute \$5,328.00 towards the future construction of curb and gutter along the 6th Concession Road frontage.

Driveways will be constructed of concrete as per the City of Windsor Standard Engineering Drawing AS-204 and are to be constructed with a straight flare and no raised curb within the right-of-way. Proposed driveway entrances shall have a minimum 1-metre separation from any hydro poles or vertical obstruction. Driveways shall have a minimum corner clearance of 15 meters.

A 0.3m reserve is required along the entire Sixth Concession frontage as well as along the dead-end of Street A.

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

### APPENDIX D - CONSULTATION - RESULTS OF CIRCULATION

[Comments from Municipal Departments & External Agencies – SDN-001/24 & Z-012/24]

### requirements:

**Plan of Subdivision Agreement** - The applicant enter into an agreement with the City of Windsor for all requirements under the General Provisions of the Plan of Subdivision Agreement for the Engineering Department.

Sidewalks -The owner(s) agrees, to:

- · Pay to the Corporation, prior to the issuance of a Building Permit, the sum of \$10,080.00 being the Owner's contribution towards the future construction of a concrete sidewalk on the 6th Concession Road frontage of the subject lands.
- · Construct at their expense and according to City of Windsor Standard Specifications, concrete sidewalks constructed to the satisfaction of the City Engineer. Sidewalks are to be constructed at the following locations:
- New Street A along the west boulevard
- Spago Crescent along the north boulevard from Street A to Zurich Avenue

**Curbs and Gutters** – The Owner further agrees to pay to the Corporation, prior to the issuance of a construction permit, the sum of \$5,328.00 being the Owner's contribution towards the future construction of concrete curb and gutter on the 6th Concession Road frontage of the subject lands.

**Drainage Report** - The Owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed Drainage Report in accordance with the Drainage Act.

**Servicing Charges** – The applicant(s) shall note that they may be required to pay servicing charges for the existing sewers on Spago Crescent and/or sewer connection(s) owing to Sixth Concession Development Ltd. if not paid previously for this site. Proof of payment will be required prior to the issuance of a construction permit. If you have any further questions or concerns, please contact Shannon Mills, of this department at <a href="mailto:smills@citywindsor.ca">smills@citywindsor.ca</a>

### WINDSOR POLICE - BARRY HORROBIN

I have reviewed the concept plan associated with this Zoning By-law amendment to create five (5) new townhome dwellings totaling 27 residential units along newly proposed Street 'A' that connects to Spago Crescent, and would advise as follows:

### **EMERGENCY VEHICULAR ACCESS**

➤ The Windsor Police Service has no objections to the plan/layout being proposed for this plan of subdivision. The plan as proposed will fully support and facilitate the ability of the Windsor Police Service to carry out incident response ((both emergency and non-emergency in nature) and general police patrolling activities, once constructed.

#### SPECIFIC SAFETY ISSUES & CONSIDERATIONS

The following issues are hereby raised for consideration, with the goal being to optimize public safety in a practical manner:

### APPENDIX D - CONSULTATION - RESULTS OF CIRCULATION

[Comments from Municipal Departments & External Agencies – SDN-001/24 & Z-012/24]

- When responding to incidents, particularly those with high risk/priority, it is critical for police responders to accurately locate the right address where an emergency call for assistance is required. This is particularly important for a situation such as this, whereby the built form of the 5 townhomes (27 residential units) are visually identical. Therefore, it is very important that each separate dwelling unit have a prominently displayed address number that is at least 5" high, is of a contrasting colour to the backdrop onto which it is mounted and can be easily seen from the adjacent roadway (Street 'A' and Spago Crescent) by police responders without obstruction. This will optimize the address identification by Police/Fire/Ambulance during an emergency response.
- ➤ Pedestrian safety is very important in all residential neighbourhoods. This includes ensuring appropriate sidewalk infrastructure is provided to keep pedestrians off the roadway and to connect to adjacent areas. Proper street lighting is very important as well. Lighting provided should be LED, in keeping with the current municipal standard, which helps in promoting public safety.
- Proper lighting is critical for ensuring public safety of each residential property and its occupants. At a minimum, the following illumination levels should be provided:
  - ➤ Each exterior door should have a porch light that yields, ideally, 4.0 to 4.5 foot-candles of illumination

# **PLANNING JUSTIFICATION REPORT - Excerpts**

#### 2.0 INTRODUCTION

The purpose of this report is to determine the appropriateness of a zoning by-law amendment to support the development of five townhouse dwellings, containing a total of 27 dwelling units with frontage provided a new local street, on two existing lots of record totaling 8,422.52 sq. m (90,662.22 sq. ft.), in the City of Windsor. **Please refer to Appendix A**.

Through the City of Windsor's required pre-consultation process for the current application, the owner was informed that a required component of the Complete Application Package was the provision of a Planning Rationale Report to support the development. This document is intended to serve that purpose, and as such, the proposal will be reviewed against the applicable Provincial and City of Windsor policies to determine whether the proposed residential development is consistent with the Provincial Policy Statement (PPS), in conformity with the City of Windsor Official Plan (OP), and ultimately represents good planning.

### **Current Proposal**

The current proposal calls for the development of five, two-storey, townhouse dwellings, containing a total of 27 dwelling units, along with a new local road (cul-de-sac) connecting to Spago Crescent, on two existing lots of record. It is noted that currently each of the two lots contain a single detached dwelling and accessory structures, which, to facilitate this proposed development, will be demolished or removed from the site.

It is also noted, that although the subject parcels driveway accesses are currently provided from Sixth Concession Road, no access / egress points serving the proposed residential development are either proposed, or permitted by the City to Sixth Concession Road. Please refer to the development concept attached as Appendix "B".

In order to facilitate the proposed development, the following Planning Act applications are required:

- 1. Zoning By-Law Amendment to permit the proposed townhouse dwelling types (discussed in detail later in this report under Zoning By-Law Amendment);
- 2. Draft Plan of Subdivision Approval to confirm proposed layout complies with applicable zone standards, and to establish an orderly and technically-appropriate buildout.

### 3.0 BACKGROUND

The site subject of this report is located on the east side of Sixth Concession Road, between Holburn Street to the north, and Dougall Parkway to the south. Please refer to Appendix "A".

Schedule NR2-7, North Roseland Planning Area, of the Windsor Official Plan designates the subject lands as Low Profile Residential (**pleaserefertoAppendix"C"**), which permits the proposed townhouse dwellings.

The Windsor Zoning By-law classifies the parcel as Residential District 1.2 (RD1.2) (pleaserefertoAppendix"D"), which does not permit the proposed townhouse dwellings as-of-right. Discussions on the OP and ZBL appear in sections 6.2, and 6.3, respectively, below, in this document.

#### 4.0 NEIGHBOURHOOD CONTEXT

As indicated above, the subject site, located on the east side of Sixth Concession Road, between Holburn Street and Dougall Parkway, is comprised of two existing lots of record, with each lot containing a single detached dwelling and accessory structures. The topography of the site is generally flat, and an open municipal drain runs along the frontage of the site within the municipal right-of-way.

Abutting the subject site to the north, east and south are single detached dwellings, with additional built-out residential subdivisions beyond that; and directly to the west is Sixth Concession Road, with built-out residential subdivisions beyond that.

Please refer to Appendix "A".

In a review of the area, and style of dwellings, it appears that this general residential area was built-out between the 1990's and early 2000's. The dwellings on the subject parcels pre-date the surrounding development by quite some time.

#### **5.0 CONSULTATION ACTIVITES**

In the course of preparing this report, the following activities were undertaken by various members of the development team:

- Participation in required City of Windsor Pre-Submission process and review/consideration of administration and agency comments
- Discussions and email exchanges with City of Windsor planning staff
- Meetings, phone calls and email exchanges with Baird AE design and engineering staff regarding preparation of required application submission components
- Review of the Provincial Policy Statement (PPS), City of Windsor Official Plan, and the City of Windsor Zoning By-law
- Developer-led Public Information Centre (PIC) November 9, 2022

#### **Public Information Centre**

As required by the City's Pre-Submission response, dated January 25, 2022, File No. PS-116/21, the proponent, Pawan Khichi (Avani Homes Inc.), held a Public Information Centre on November 9, 2022 to advise the public of Mr. Khichi's proposed rezoning and draft plan of subdivision applications affecting 4170 & 4190 Sixth Concession Road.

The meeting, held November 9, 2022 at Signature Tributes Event Centre, 3310 Dougall Avenue, Windsor, began at 7 pm and finished at 9 pm, and was attended by 15 members of the public (neighbours). It is noted that 135 invitations were mailed to those land owners within a 120 m buffer, the notification list provided by the City of Windsor. I also note that an invitation was extended to the appropriate ward Councilor. A copy of the invitation shall be submitted with the

rezoning application package. Further, it is noted that a representative of the City's planning department attended the meeting in an observatory capacity.

At the meeting, I (David French, Storey Samways Planning Ltd.) provided an overview of the project, the reason for the PIC, and an explanation of the planning approval process. Following my presentation, I opened up the floor to questions and comments from the public.

Below is a summary of the questions and comments received, both verbally at the meeting, and following the meeting by way of a completed comment sheet or email. A copy of all received written comments (comment sheets and email) shall be provided to the city as part of our rezoning and draft plan of subdivision approval application package. It is further noted that many of those in attendance shared similar comments, and as such, similar comments are grouped together as appropriate, below:

**Public Comment:** the proposed number (density) of dwelling units (27) is too great a number to be accommodated on the subject lands, and within the context of the existing subdivision.

**Developer Response:** Various Provincial and local (Windsor) policies support, and promote, residential intensification by way of infill development and making use of under-utilized parcels. The proposed subdivision assists in implementing the important housing policies at both the Provincial and local level. In addition, engineering studies commissioned by the developer confirm there is adequate servicing capacity available, that any traffic increase resulting from the additional dwelling units can be accommodated, and that stormwater drainage can be accommodated.

**Public Comment:** the existing neighbourhood already has a traffic problem – traffic volume, traffic speed, on-street parking – and the addition of the proposed 27 dwelling units will only exacerbate the existing problems.

**Developer Response:** a Traffic Impact Study, prepared by a qualified professional, indicates that the proposed development will have a negligible impact on the existing traffic patterns, and that no improvements that can be attributed to the proposed subdivision are warranted. It was suggested that the local residents contact the City and/or local police regarding their perceived existing traffic issues.

**Public Comment:** existing on-street parking is already at a premium – adding additional dwellings in the neighbourhood will reduce availability of on-street parking currently in use by existing residents on Spago Crescent.

**Developer Comment:** although the actual design on the townhouse dwellings is still to be confirmed, at the time of the meeting, it was the intention of the developer to provide two parking spaces – one within an attached garage, and one outside in front - per dwelling unit. It was also noted that the Windsor Zoning By-law requires a minimum of one (1) parking space per dwelling unit – a number which the proposed development exceeds.

**Public Comment:** the proposed townhouse dwellings will infringe on the backyard privacy of the abutting existing dwellings.

**Developer Comment:** the zone performance standards regarding building height and rear yard setback will be met for the proposed new townhouse dwellings. As well, it is the intention of the

developer to provide privacy fencing along rear lot lines, to mitigate any perceived privacy issues – for both the abutting dwellings and for the proposed new townhouse dwellings.

It is noted that one resident, located on the west side of Sixth Concession Road (Barton Street address) shared concerns with his loss of privacy. While I do not discount this resident's concerns, I do note that a solid privacy fence is currently in place which separates the resident's back yard from the Sixth Concession Road right-of-way. Further to this, it is my opinion that this fence, the actual right-of-way, the traffic, and the eventual erection of a solid privacy fence on the subject lands, will mitigate the perceived privacy issue of the Barton Crescent resident.

**Public Comment:** street access to the subject lands should be provided from Sixth Concession Road, and not via the Zurich and Spago road network.

**Developer Comment:** existing Windsor Official Plan policies prohibit a connection point onto Sixth Concession Road.

**Public Comment:** the increased density will reduce property values in the neighbourhood.

**Developer Comment:** property (de)valuation is attributed to many factors, however in the long term, dwelling density and types have not proven to quantifiably reduce property values.

**Public Comment:** the existing stormwater and sanitary sewer infrastructure can not accommodate the additional dwellings.

**Developer Comment:** reports, prepared by a qualified engineer, confirm that the existing servicing infrastructure can accommodate the proposed additional dwellings, and shall be submitted to the City as part of our rezoning application package.

In closing, I submit the above provides an accurate summary of the meeting, comments received, and responses provided. It is my opinion that the proposed new subdivision can be accommodated within the context of the existing local and regional neighbourhoods, and clearly implements policies regarding housing, and intensification, and offends none others.

### **6.0 ANALYSIS**

### 6.1 Provincial Policy Statement, 2020 (PPS)

"The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians.

The Provincial Policy Statement provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The Provincial Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system..."

As such, when considering and promoting a change in land use it is both important and required to consider the Provincial Policy Statement (PPS) to ensure that both the long-term interests of the Province, and municipal interests, are met.

In this case there are multiple sections of the PPS which are relevant and these are identified below, along with comment.

### Part IV: Vision for Ontario's Land Use Planning System

"...The Provincial Policy Statement focuses growth and development within urban and rural settlement areas while supporting the viability of rural areas. It recognizes that the wise management of land use change may involve directing, promoting or sustaining development. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns and avoiding significant or sensitive resources and areas which may pose a risk to public health and safety. Planning authorities are encouraged to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs.

Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel..."

Comment: The proposed townhouse dwellings will make efficient use of two under-utilized parcels of land without requiring the need of public investment or tax-payer funded upgrades to existing infrastructure and service facilities.

- 1.0 Building Strong Healthy Communities
- 1.1.1 Healthy, liveable and safe communities are sustained by:
- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

Comment: use of existing, under-utilized land inventory promotes efficient development, and in this case, due to the existing servicing infrastructure being able to accommodate the proposed development, the financial well-being of the Province and the City is not negatively impacted.

b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs:

Comment: this project proposes the development of five townhouse dwellings containing a total of 27 dwelling units, which are regarded as an in-demand housing option in today's real estate market.

c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

Comment: as accepted best practices are followed for the design, it is not anticipated that the proposed townhouse dwelling development will cause environmental or public health and safety concerns.

e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

Comment: development on the subject parcels is a clear example of infill and intensification-type development, in that it is existing parcels of record serviced by an existing road network, and existing services at the road. As such, the proposed development provides for a cost-effective and efficient use of land and municipal roadways and other infrastructure.

#### 1.1.3 Settlement Areas

1.1.3.1 Settlement areas shall be the focus of growth and development.

Comment: the proposed development is located in the City of Windsor, which is an identified settlement area.

- 1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the impacts of a changing climate;
- e) support active transportation;
- f) are transit-supportive, where transit is planned, exists or may be developed; and
- g) are freight-supportive.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

Comment: as evidenced by the discussion throughout this section on PPS, it can be said that the proposed development meets the above criteria.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Comment: no publicly funded upgrades to either the transit or servicing systems are anticipated or required.

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Comment: as indicated above, the proposal calls to develop existing under-utilized urban parcels for multiple dwelling units for residential purposes without requiring upgrades to the existing public service facilities. It is an excellent example of intensification and avoids risks to public health and safety.

### 1.4 Housing

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

Comment: the proposed townhouse development both promotes and implements the important housing policies found in the PPS through the efficient use of an underutilized parcel with access to full municipal servicing and other public service facilities.

- 1.7 Long-Term Economic Prosperity
- 1.7.1(a) promoting opportunities for economic development and community investment readiness;
- 1.7.1(b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;
- 1.7.1(c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities:
- 1.7.1(d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;

Comment: by making use of an existing underutilized parcel, and the servicing infrastructure already present, the project assists in keeping the settlement area boundary as compact as possible ensuring that availability of land and resources is not compromised for the long-term benefit of both the City or Windsor and Province of Ontario. The subject lands are located nearby to main transportation corridors, as well as being in close proximity to shopping and restaurant services, and to public transportation and park systems, thus providing easy and efficient access to the services provided in the immediate area.

In consideration of the above PPS policy discussion, it is my opinion that the proposed townhouse dwelling development is consistent with, and implements, the relevant policies of the Provincial

Policy Statement. Further to this, the proposed development does not offend the remaining policies and directions of the Provincial Policy Statement.

## 6.2 City of Windsor Official Plan (OP)

While the entire Official Plan is applicable, there are certain sections which contain policies that it is prudent to provide reference and comments. These sections are:

#### Volume 1

- Section 3, Development Strategy
- Section 4, Healthy Communities
- · Section 6.3, Residential

Section 3, Development Strategy

Section 3.2, Growth Concept

3.2.1.2, Neighbourhood Housing Variety

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

Comment: the proposed townhouse dwellings will offer a different product than the common single-detached dwellings found in the area, allowing for a less expensive entry point into home ownership, and at the same time offer a lower-maintenance alternative. This type of dwelling is attractive to new home-buyers, and those downsizing from single detached dwellings. As well, this development is viewed as infill / intensification on existing urban lots of record, thereby reducing the urban sprawl pressures into the agricultural and natural areas.

Section 3.2, Urban Structure Plan

### 3.3.3 Neighbourhoods

Neighbourhoods are the most basic component of Windsor"s urban structure and occupy the greatest proportion of the City. Neighbourhoods are stable, low-to-medium-density residential areas and are comprised of local streets, parks, open spaces, schools, minor institutions and neighbourhood and convenience scale retail services.

The three dominant types of dwellings in Windsor"s neighbourhoods are single detached, semidetached and townhouses. The density range for Windsor"s neighbourhoods is between 20 to 35 units per net hectare. This density range provides for low and some medium-density intensification to occur in existing neighbourhoods. Multiple dwelling buildings with medium and high-densities are encouraged at nodes identified in the Urban Structure Plan.

Comment: this intensification proposal calls for the construction of five townhouse dwellings, providing a total of 27 dwelling units, with an overall density of 32 units per hectare.

### Section 4, Healthy Communities

#### 4.1 Goals

In keeping with..., Council's healthy community goals are to achieve:

- 4.1.1 Windsor's full potential as a healthy and liveable city.
- 4.1.3 A high quality of life in Windsor.
- 4.1.6 Economic opportunities throughout Windsor.
- 4.1.7 A safe environment throughout Windsor.

### 4.2 Objectives

- 4.2.1.5 To encourage a mix of housing types and services to allow people to stay in their neighbourhoods as they age.
- 4.2.1.6 To provide for pedestrian scale neighbourhood centres that serve the day-to-day needs of the local residents.
- 4.2.2.1 To consider the environment in the planning and design of Windsor.
- 4.2.2.3 To encourage community planning, design and development that is sustainable.
- 4.2.2.4 To promote development that meets human needs and is compatible with the natural environment.
- 4.2.2.5 To reduce environmental impacts.
- 4.2.3.1 To encourage a mix of uses.
- 4.2.3.2 To encourage the location of basic goods and services floe to where people live and work.
- 4.2.3.4 To accommodate the appropriate range and mix of housing.
- 4.2.4.1 To encourage development which fosters social interactions.
- 4.2.4.2 To encourage development that fosters the integration of all residents into the community.
- 4.2.4.3 To encourage developments that adapt to changing resident needs.
- 4.2.6.1 To provide for a wide range of employment opportunities at appropriate locations throughout Windsor.
- 4.2.6.2 To encourage a range of economic development opportunities to reach full employment.

Comment: In my opinion, the proposed development meets the above objectives and will assist the City of Windsor in providing a visibly-needed boost to the City's housing stock, on two underdeveloped, contiguous lots in an area that is ideal for its development due to its strategic location near the 401 and Dougall Parkway corridors, and due to its close proximity to commercial, recreational and educational facilities and amenities.

Further, while this development will not ultimately provide a fixed employment resource, its construction-phase will provide for a sizable number of high-paying local construction and skilled-trades jobs, and from a longer-term economic perspective, will eventually contribute to the City's tax assessment base.

Section 6.3, Residential

- 6.3.1, Objectives
- 6.3.1.1 To support a complementary range of housing forms and tenures in all neighbourhoods.

- 6.3.1.2 To promote compact neighbourhoods which encourage a balanced transportation system.
- 6.3.1.3 To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.
- 6.3.2, Policies
- 6.3.2.1 Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile, and Medium Profile dwelling units. High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors.
- 6.3.2.3 For the purposes of this Plan, Low Profile housing development is further classified as follows: (a) small scale forms: single detached, semi-detached, duplex and row and multiplexes with up to 8 units; and (b) large scale forms: buildings with more than 8 units.
- 6.3.2.4 Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up to four (4) storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas.

New residential development and intensification shall be located where: (a) There is access to a collector or arterial road; (b) Full municipal physical services can be provided; (c) Adequate community services and open spaces are available or are planned; and (d) Public transportation service can be provided.

Comment: the five proposed townhouse (row) dwellings will contain a total of 27 dwelling units, with the unit/dwelling breakdown as follows:

- · Seven units
- Six units
- · Six units
- Five units
- Three units

As per the policies above, and what is being proposed, this development falls under Low Profile housing development and is permitted. Further, the proposed development has access to nearby arterial and collector roads, full municipal services, adequate community services and open spaces, as well as public transportation.

#### Volume 2

Section 3, North Roseland Planning Area – Phase 2

Volume II

Section 3.7, Policies

3.7.1.2 A noise and vibration study(s) shall be required for residential developments and subdivision plans within 300 meters of railway tracks, Sixth Concession Road, Highway #401 and Walker Road. Such noise/vibration study(s) shall identify all noise sources and their impact on

residential development. It shall recommend noise/vibration control measures for implementation. The noise/vibration study(s) shall be subject to guidelines of the Ministry of Environment & Energy. These studies shall require approvals from the Director of Development Review (Planning Department) and the Ministry of Environment.

Comment: As required by this policy, a noise and vibration study has been prepared by a qualified professional engineer. In summary, appropriate noise and vibration mitigation measures can, and will be, implemented in the site and building design. A copy of the noise and vibration study shall be submitted as a stand-alone document concurrently with the application.

#### 3.7.2 Low Profile Residential

Low Profile Residential development will be the predominant land use within the planning area.

- 3.7.2.1 For the purposes of this plan, Low Profile Residential development comprises the following types of dwelling:
- (a) single detached;
- (b) semi-detached;
- (c) on-street townhouses.
- 3.7.2.2 On-street townhouses shall only be permitted along Local Roads.

Comment: the proposal calls for the development of on-street townhouses on a local road.

# 6.3 City of Windsor Zoning By-law 8600

As described earlier in this report, the subject lands are currently zoned Residential District 1.2 (RD1.2), which does not permit the proposed on-street townhouse dwellings. Therefore, a zoning by-law amendment is required to permit the townhouse dwellings.

Zoning By-law Amendment Application

In order to permit the proposed development, it is proposed that the site be rezoned to the Residential District 2.3 zone, which will permit the townhouse dwellings, and, provide appropriate zone performance standards for the build-out. In that, it is noted that all RD2.3 Zone performance standards are met or exceeded, and in that, no special site-specific standards are required.

This intensification on the site, and the rezoning request, is supported by the various supporting studies submitted in conjunction with this report.

#### 6.5 Draft Plan of Subdivision

An application for Draft Plan of Subdivision shall be submitted concurrently with the zoning bylaw amendment application. The draft plan, **attached as Appendix "E"**, prepared to support the zoning amendment application, details a total of eight blocks (8) blocks and one new local road (Street "A"), and more specifically:

SCHEDULE OF LAND USE							
LAND USE	UNITS	AREA	PERCENTAGE AREA				
TOWNHOMES	27	5,926.31	70.34%				
STORMWATER MANAGEMENT (TO BE DEDICATED TO THE CITY)		540.97	6.42%				
ROAD RESERVE		34.03	0.40%				
ROAD		1,923.54	22.83%				
	27	8,424.850	100.00%				
	LAND USE  TOWNHOMES  STORMWATER MANAGEMENT (TO BE DEDICATED TO THE CITY)  ROAD RESERVE	LAND USE UNITS TOWNHOMES 27 STORMWATER MANAGEMENT (TO BE DEDICATED TO THE CITY) ROAD RESERVE ROAD	LAND USE         UNITS         AREA           TOWNHOMES         27         5,926.31           STORMWATER MANAGEMENT (TO BE DEDICATED TO THE CITY)         540.97           ROAD RESERVE         34.03           ROAD         1,923.54				

As provided earlier in this report, all studies and drawings, required by the City to support both the rezoning and draft plan applications, have been submitted as stand-alone documents with the rezoning application. It is noted that from a technical perspective, the proposed subdivision can be accommodated within the existing Windsor infrastructure network, save and except the need to construct the new local road, Street "A", which 23 on the new dwelling units will front on, with the remaining four units fronting on Spago Crescent.

It is also noted that no access / egress points shall be provided to the Sixth Concession Road right-of-way, and it is expected that a 0.3 reserve along the Sixth Concession Road frontage shall be required to be conveyed to the City. This reserve is detailed on the draft plan.

#### 7.0 CONCLUSION

Based on the above analysis of Provincial and municipal policies, it is my opinion that the proposed zoning by-law amendment application to permit the five townhouse dwellings, 27-unit, development is consistent with, and conforms to important Provincial and municipal policies surrounding the economy, housing and intensification in identified settlement areas.

In conclusion the proposed townhouse dwellings (residential use) use at this location represents sound planning for the reasons contained within this report.

[Prepared by David French, BA, CPT, and Reviewed by Tom Storey, M.Sc., MCIP, RPP of Storey Samways Planning Ltd.]

# **ACOUSTICAL REPORT - Excerpts**

Baird AE has been retained to conduct an acoustical study to examine the impacts of noise created by transportation sources on the proposed residential development in the City of Windsor. This report will recommend mitigation measures based on criteria set by the Ministry of Environment and Climate Change (MOECC).

The on-site noise source measurement was carried out in accordance with the MOECC publication NPC-103 Noise Measurements Procedures.

Based on the predicted sound levels as shown in Sheet 1 (Appendix A),

- The outdoor living area noise level is greater than 60dBA, hence a retaining wall is required. Further, mitigation measures are required such as a warning clause for daytime noises to meet MOECC Limit of 50dBA road noise.
- Road noise levels for indoor living areas are above 50dBA and 40dBA for the receiver's location during the day and night; therefore, special building components, warning clauses, and central air conditioning are required.
- Outside Living Areas (OLA) have a noise level greater than 60dBA, hence, a noise barrier
  is required to mitigate the noise level. A noise barrier of 1.8m height is proposed along
  the property line of the western residential blocks. The acoustic barrier will have a surface
  density of no less than 20 kg/m2.

The results of attenuated noise levels are provided in Table 7. The noise level is still higher for sleeping areas on level 2 at both receiver locations (i.e., Level 1 & 2). Hence, mitigation measures such as building components are required to mitigate noise.

Based on the assumed 25% window-door/floor ratio, the windows and door component requirements were estimated from the attenuated noise level shown in Table 7 for both daytime and nighttime. Using this assumption, the west façades of the building's window and door components should have a Sound Transmission Class (STC) of 27 during the day and 25 at night. Hence, the worst case-scenario of STC i.e., STC 27 is used for building components.

### **5. RECOMMENDATIONS** (pages 10 & 11 of the Acoustical Report):

As demonstrated in this report, mitigation measures are required to bring residential units within the development into compliance with MOECC criteria. With the inclusion of the following recommended measures, the MOECC noise criteria will be satisfied.

### **Recommendation #1**

Due to the exceedance of the MOECC criteria for daytime and nighttime acoustic levels from 6th Concession Road, the dwellings shall include warning clauses as described below:

In all agreements of sale, lease, and rental for residential units, there must be a Type D warning clause. This is because noise levels exceed 55 dBA during the day and 60 dBA at night.

This includes:

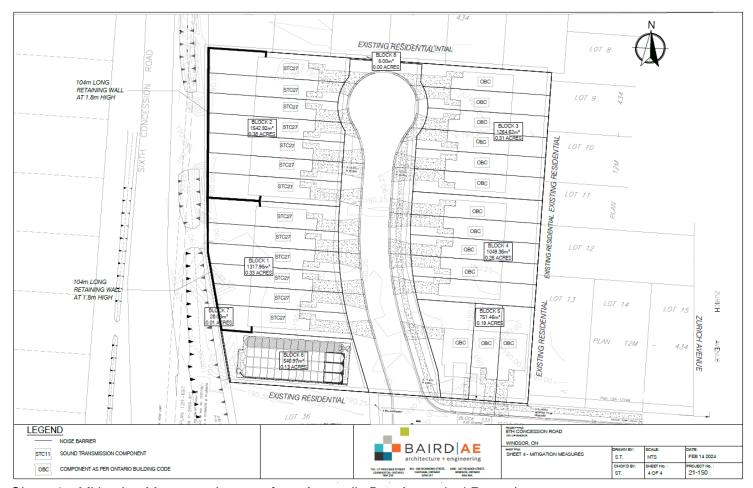
Type 'D'

"This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment."

#### Recommendation #2

In order to comply with the MOECC's criteria for daytime and nighttime noise levels from roadways and railway lines, noise barriers of various heights with a minimum density of 20 kg/m2 shall be installed along the property line.

The layout of the proposed 1.8m high noise barrier is shown in Appendix B (of the Acoustical Report), Sheet 4. Typical noise barriers are provided in Appendix A.



Sheet 4 – Mitigation Measures (excerpt from Appendix B to Acoustical Report)

### Recommendation #3 (Building Components)

Due to exposure to road noise, some units require special building components for areas of sensitive use (i.e., bedroom, living room, dining room, kitchen, etc.) and the following is required:

# Window requirements:

All windows leading to sensitive living areas must have a minimum sound transmission class (STC) as per Sheet 4 in order to meet the MOECC indoor noise level criteria.

### Wall requirements:

All walls leading to sensitive living areas are to have a minimum sound transmission class (STC) as per Sheet 4. Also, acoustic privacy between units in a multi-tenant building, the inter-unit wall, should meet or exceed STC-50. Wall separation between noisy spaces, such as refuse chutes or elevator shafts, and suites should meet or exceed STC-55.

### Recommendation #4 (Units along 6th Concession Road)

Prior to the issuance of building permits, it is recommended that an acoustic consultant review the sound transmission class (STC) for the proposed development's walls, windows and doors to ensure they conform to the recommendations outlined in this report.

### **6. SUMMARY** (page 11 of the Acoustical Report):

We conclude that this development with the implementation of the above-described mitigation measures will be designed to address impacts from the surrounding noise sources.

[Signed by Shurjeel Tunio, P.Eng., Senior Project Manager, Baird AE]

# **VIBRATION STUDY - Excerpts**

Baird AE has performed a ground vibration monitoring to support draft plan of subdivision process for the planned residential development located in Windsor, Ontario. This report addresses traffic vibration effects on the nearest sensitive receptors.

Based on the interpolation results, vibration from road may felt at sensitive receiver location A. The levels are not considered high enough to cause damage to buildings but are likely to complain of home owners.

Following statement to be included in the agreement:

"Purchasers/tenants are advised that due to the proximity of the adjacent roadway, vibration from the roadway may be felt."

Further, based on acoustical report prepared by Baird AE dated December 2022, an acoustical fence of 1.8m high will be installed along the westerly limit of development. This acoustical fence will also help reduce vibration amplitudes.

We conclude that this vibration effect from surrounding roadway will be minimum effects and the development can be carried out safely.

[Signed by Shurjeel Tunio, P.Eng., Senior Project Manager, Baird AE]

# TREE INVENTORY AND PRESERVATION PLAN REPORT - Excerpts

### 2.2 Impact Assessment

A tree preservation analysis was completed on each tree included in the inventory considering the impacts from the proposed development and many other factors including, but not limited to, tree condition, species, DBH and the existing site conditions. The impacts from the proposed development will occur where tree roots and branches conflict with machinery during demolition, pre-grading and construction.

During the tree preservation analysis the distance of dripline was used to assess the impacts to

the trees included in the tree inventory. Where considerable encroachment is required within the dripline tree removal may be required.

#### 4.0 TREE INVENTORY RESULTS

The results of the tree inventory indicate that a total of 65 trees reside on subject property, on neighbouring property within 6 m and within the road allowance. The trees included in the inventory appear to be comprised of landscape plantings and naturally occurring trees.

No rare, threatened or endangered tree species were documented in the tree inventory. Refer to Table 1 for the complete tree inventory and Sheet 1 for the tree locations.

#### 6.0 DISCUSSION

The following sections discuss the tree removal requirements, tree preservation opportunities and tree preservation recommendations based on the results of the impact assessment.

#### 6.1 Tree Removal

The removal of Trees 3-11, 13, 15, 16, 22, 23, 25-29, 38, 40-50, 55-58 and 61-64 will be required to accommodate the proposed development.

It is understood that Trees 18-21, 31, 32, 37, 39 and 65 have previously been removed from the property.

Trees 3, 62, 64 and 65 appear to reside within the road allowance. Permission from the appropriate municipal department will be required prior to their removal.

#### **6.2 Tree Preservation**

The preservation of Trees 1, 2, 12, 14, 17, 24, 30, 33-36, 51-54, 59 and 60 will be possible with the use of appropriate tree protection measures.

Encroachment within the driplines of Tree 59 will be required to accommodate the proposed development. If any roots are exposed during construction they must be pruned by a Certified Arborist in accordance with good arboricultural practice to ensure that the root systems are not damaged during construction.

Tree protection fence must be installed at the dripline unless noted otherwise in this report and on Sheet 1. Tree protection fence must be installed prior to the commencement of construction (pre-grading) to ensure that the trees identified for preservation are not impacted by the proposed development.

Refer to Sheet 1 for the prescribed tree protection fence locations, additional tree protection plan notes and the tree protection fence detail.

#### 6.3 Tree Preservation Recommendations

The following recommendations are made in attempts to reduce the impacts to trees identified for preservation:

- Tree protection fence must be installed at the locations outlined on Sheet 1 prior to the commencement of pre-grading, unless noted otherwise in this report and on Sheet 1.
- Once tree protection fence has been installed it must not be moved, relocated or altered in any way (unless repairing fallen fence etc.) for the duration of the construction period.
- No intrusion into an area identified on Sheet 1 as a tree preservation zone (TPZ) is allowed at anytime during construction unless noted otherwise in this report and on Sheet 1.
- No storage of machinery, construction debris, materials, waste or any other items is allowed within a TPZ.
- Any tree branches and roots that conflict with the proposed development must be pruned by a Certified Arborist in accordance with good arboricultural practice.
- Tree protection fencing should be inspected by a Certified Arborist prior to and during construction to ensure that the fencing remains intact and in good repair throughout the stages of development.

[Signed by Jeremy Jackson, H.B.Sc., ISA Certified Arborist, Jackson Arboriculture Inc.]

# TRAFFIC IMPACT STUDY - Excerpts

### 1. INTRODUCTION

Baird AE has been retained to prepare a Traffic Impact Assessment in support of the residential development in City of Windsor.

# 1.2 Analysis Methodology

A transportation analysis was completed to determine the existing and future operating conditions of intersection and individual turning movements. The operational analyses were primarily based on procedures set out in the Highway Capacity Manual (2010) with the assistance of Synchro 10.

## 3.1 Growth Rate

For this study, a conservative growth rate of 3% per year was assumed to reflect growth in background traffic volumes. The projected traffic volumes are provided in Appendix B.

## 7.0 CONCLUSION

Based on our review, we provide the following preliminary comments for the development:

- The existing site consists of three (3) buildings that be removed.
- The proposed development will have 26 townhouses, roadway and landscape areas in a 0.84ha area.

- The background growth rate of 2 percent was considered in the modelling as it represents the worst-case scenario.
- One full access road from Spago Crescent will be provided to serve the development. Spago Crescent forms the west-leg with Zurich Avenue within proximity of development.
- The proposed development is expected to generate 76 two-way trips during morning peak hours and 86 two-way trips during evening peak hours. It is anticipated that the development will be completed by 2023.
- The proposed access is a "3" leg intersection with a "Stop" control on the access road.
- Under future conditions, the intersections of Holburn Street with 6th Concession Road operates at an overall acceptable level of service during 2025, 2030 and 2035 morning and evening peak hours. However, westbound turning traffic operates at LOS F during 2030 evening conditions. Hence, improvement is required.
- Under future conditions, the intersections of 6th Concession Rd with Zurich Avenue operates at an overall acceptable level of service during 2025, 2030 and 2035 morning and evening peak hours.
- An exclusive right-turn lane is required for the 2025 condition.
- A traffic signal is warranted for the intersection of 6th Concession Road with Holburn Street under 2025 background and total traffic conditions.
- The improved Holburn Street with 6th Concession Road operates at an acceptable level of service.
- An adequate sight line distance is provided for a safe departure from the development.

**In conclusion,** upgrades are required for the existing intersection of 6th Concession Road with Holburn Street infrastructure in 2030 and 2035 background conditions. These upgrades are not due to the proposed development as the development's traffic will have minimum impact on the operation of existing intersections. Hence, we believe this conclusion is satisfactory...

[Signed by Shurjeel Tunio, P.Eng. Lead Engineer, Baird AE]

# FUNCTIONAL SERVIING REPORT (FSR) – Excerpts

### 1. Introduction

Baird AE was retained to prepare a Functional servicing report to review the storage requirements, sanitary capacity and water servicing for the 6th Concession Development in Windsor, Ontario.

# 4. Stormwater Management

The stormwater management criteria for this development are based on the City of Windsor and ERCA requirements. The requirement includes:

• Stormwater quantity controls are required for the site to control the proposed conditions peak flows, up to the 100-year storm, to the allowable release rate.

- Water quality control is to be provided to a "Normal Protection level' as per MOE (2003) guidelines.
- Erosion and sediment control measures are to be provided.

## 5.3. Sanitary Study Area

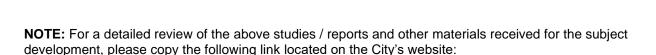
In discussion with the City of Windsor, a master sanitary study was undertaken to find if the existing sanitary sewers from Spago Crescent to the 900mm Trunk sewer on Morand Street have enough capacity to accommodate the proposed development of 27 units with an estimated peak flow of 2.21 L/s.

- 1. The overall study area includes both residential and commercial developments.
- 2. Residential was considered 50 persons/ ha, while the commercial was 74 persons/ha. The overall study area was calculated to be at 350.618 ha with a population of 21315.
- 3. The existing 900mm sanitary trunk sewer on Morand street and the existing sanitary sewers from the proposed development to the trunk sewer have enough capacity to handle the 2.21L/s flow from the proposed development
- 4. The sanitary design sheet and drainage area breakdowns are attached in appendix C of this report.

### 7. Conclusion

This functional servicing report is to be read in conjunction with the submission material. The report presents municipal servicing details, proposed servicing and stormwater management plan for the townhome dwellings in the City of Windsor. Furthermore, the report demonstrates that approximate stormwater management measures will be provided to satisfy water quality treatment and quantity attenuation criteria. The sanitary service and water supply for the proposed development are through existing infrastructure along Spago Crescent.

[Signed by Gowtham Sivakumar, P.Eng, Civil Engineer, BAIRD AE INC.]



https://www.citywindsor.ca/residents/planning/land-development/development-applications/current-development-applications/4170-4190-sixth-concession-road

### APPENDIX F – DRAFT BY-LAW

BY-LAW NUMBER -2023

# A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the day of , 2023.

**WHEREAS** it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

**THEREFORE** the Council of The Corporation of the City of Windsor enacts as follows:

1. By-law Number 8600 is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of the by-law and made part thereof, so that the zoning district symbol of the lands described in Column 3 shall be changed from that shown in Column 5 to that shown in Column 6:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol	6. New Zoning Symbol
1	13	Pt Lot 13, Concession 6, designated as Part 1 and Part 2 on 12R 12694 [PIN 01560-0137 LT and PIN 01560-0136 LT] (located on the east side of Sixth Concession Rd., north side of Spago Cres., south of Holburn St.)	-	RD1.2	HRD2.3

- 2. THAT the holding (H) symbol **BE REMOVED** when the following conditions are satisfied:
  - a) The Owner(s) apply to remove the hold provision; and
  - b) Registration of a Final Plan of Subdivision

DREW DILKENS, MAYOR

CLERK

First Reading - , 2024 Second Reading - , 2024 Third Reading - , 2024

### **SCHEDULE 2**

has the following purpose and effect: 1. By-law \_\_\_\_

To amend the zoning of the lands described as Pt Lot 13, Concession 6, designated as Part 1 and Part 2 on 12R 12694 [PIN 01560-0137 LT and PIN 01560-0136 LT] (located on the east side of Sixth Concession Road, north side of Spago Crescent, south of Holburn Street, by changing the zoning from Residential District 1.2 to Residential District 2.3 (with a holding prefix) to facilitate the development of a residential plan of subdivision containing 5 townhome dwellings with a total of 27 townhome dwelling units on the subject lands.

This amendment provides the opportunity for the creation of 5 blocks for low profile residential development in the form of on-street townhouses on the subject lands. This amendment supports a more compact development and helps optimize the use of existing municipal infrastructure and public facilities in the subject area. The amendment provides the opportunity to develop the subject underutilized lands with <u>no</u> amendment to the official plan.

2. Key map showing the location of the lands to which By-law \_\_\_\_applies.



PART OF ZONING DISTRICT MAP 13

SCHEDULE 2

Applicant: Storey Samways Planning Ltd.



PLANNING & BUILDING DEPARTMENT FILE NO.: Z-012/24, ZNG/7195



Council Report: S 65/2024

# Subject: Zoning By-law Amendment Application for 0 Bernard Road, Z-011/24 [ZNG-7193], Ward 5

### Reference:

Date to Council: July 2, 2024 Author: Brian Nagata, MCIP, RPP Planner II - Development Review (519) 255-6543 ext. 6181

Planning & Building Services Report Date: May 14, 2024

Clerk's File #: Z/14744

To: Mayor and Members of City Council

#### Recommendation:

I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning for the lands located on the east side of Bernard Road between Ypres Street and Somme Avenue, described as Lot 191, Part of Block C, and Part of Closed Alley, Plan 1102, and Parts 2 & 4, Reference Plan 12R-28879, (PIN No. 01362-0223 LT), by adding a site specific provision to permit a *Semi-Detached Dwelling* as an additional permitted use, subject to additional regulations:

# 504. EAST SIDE OF BERNARD ROAD BETWEEN YPRES STREET AND SOMME AVENUE

- (1) For the lands comprising of Lot 191, Part of Block C, and Part of Closed Alley) Plan 1102, and Parts 2 & 4, Reference Plan 12R-28879, PlN No. 01362-0223 LT, a Semi-Detached Dwelling shall be an additional permitted main use subject to the following additional provisions:
- 1. The Semi-Detached Dwelling provisions of Section 10.2.5, save and except Subsections 10.2.5.1 and 10.2.5.2;
- 2. Lot Width minimum

12.2 m

3. Lot Area - minimum

389.6 m<sup>2</sup>

- 4. Section 5.99.80.1.1.b) shall not apply.
- 5. Notwithstanding Section 24.28.1.3.2, the total area of the required front yard occupied by a hard surface for the purpose of a walkway, driveway, access area, parking space, or any combination thereof for a lot having a width of less than 9 metres shall not exceed 50% of the required front yard.

[ZDM 11; ZNG/7193]

# **Executive Summary:**

N/A

**Background:** 

**Application Information:** 

**Location:** 0 Bernard Road

(Lot 191, Part of Block C and Part of Closed Alley, Plan 1102, Parts 2 & 4, Reference Plan 12R-28879; Roll No. 070-

390-04903; PIN No. 01362-0223 LT)

Ward: 5

Planning District: Fountainbleu

**Zoning District Map:** 11

Owner: 14535723 Canada Inc. (Andi Shallvari)

**Applicant:** Same as Owner

**Authorized Agent:** Pillon Abbs Inc. (Tracey Pillon-Abbs)

Proposal:

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning for the lands located on the east side of Bernard Road between Ypres Street and Somme Avenue, known municipally as 0 Bernard Road (the subject property), to add a site-specific provision to permit a semi-detached dwelling as an additional permitted main use on a lot with a minimum lot width of 12.2 metres, and a minimum lot area of 389.6 m<sup>2</sup>.

**Submitted Information:** Conceptual Plans (See Appendix A), Deed, Plan of Survey, Planning Rationale Report (Scoped) (See Appendix G), and Zoning By-law Amendment Application Form

### Site Information:

Official Plan	Zoning	Current Use	Previous Use		
Residential	Residential District 1.2 (RD1.2)	Vacant Land	Agricultural		
Lot Width	Lot Depth	Lot Area	Lot Shape		
12.2 m	32.0 m	389.6 m <sup>2</sup>	Rectangular		
All measurements are based on Reference Plan 12R-28879					

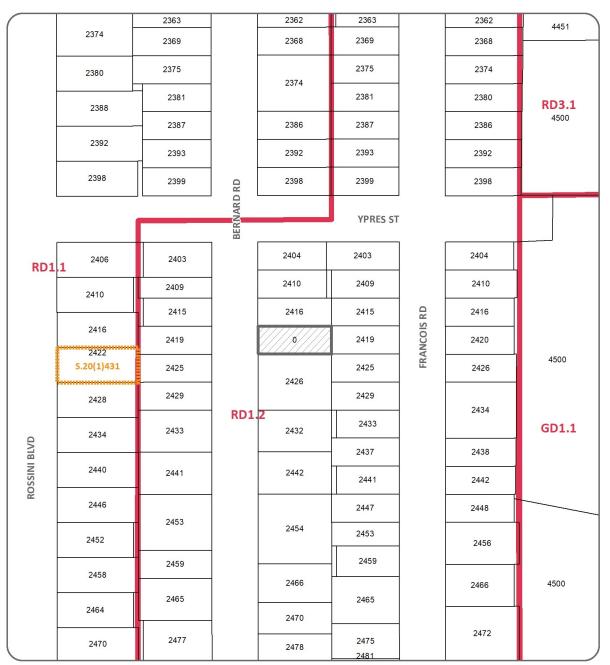
The subject property is a vacant lot maintained as landscaped open space. The subject property includes a 2.1-metre-wide utility easement adjacent to its rear lot line.



KEY MAP - Z-011/24, ZNG/7193



SUBJECT LANDS



PART OF ZONING DISTRICT MAPS 11

N.T.S.

# REQUESTED ZONING AMENDMENT

Applicant: 14535723 Canada Inc. (Andi Shallvari)



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : APRIL, 2024 FILE NO. : Z-011/24, ZNG/7193



NEIGHBOURHOOD MAP - Z-011/24, ZNG/7193





# **Neighbourhood Characteristics:**

The subject property is located on the northern side of the Fountainbleu neighbourhood. The Fountainbleu neighbourhood constitutes the area north of the Canadian National Railway Company and Canadian Pacific Railway rail corridors, east of the former railway corridor that traversed the Chrysler Windsor Assembly Plant, south of Tecumseh Road East, and west of Jefferson Boulevard.

# **Surrounding Land Uses:**

### North:

Low density residential

#### East:

- Low density residential
- Ypres Park

### South:

Low density residential

#### West:

Low density residential

## **Municipal Infrastructure:**

- Bernard Road is classified as a local road, which has a two-lane cross section with curbs and gutters, a single streetlight, and no sidewalks.
- Sanitary sewer, storm sewer and watermain are located within the Bernard Road right-of-way.

### Discussion:

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

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

1.0 Building Strong Healthy Communities

### Policy 1.1.1 states:

Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
  - This amendment will allow for a semi-detached dwelling infill development that optimizes existing municipal services.
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
  - This amendment will allow for the construction of a semi-detached dwelling, further diversifying the range and mix of residential types available in the Fountainbleu neighbourhood.
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns.
  - This amendment will not cause any environmental or public health and safety concerns.
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs:
  - This amendment will allow for the redevelopment of the subject property through residential intensification, optimizing existing municipal infrastructure and public service facilities, and avoiding unnecessary land consumption.
  - The redevelopment of the subject property at a higher density, in conjunction with it being within walking distance of transit stops, also represents a transit-supportive development.
    - 400.0 metres is typically used as an acceptable walking distance to a transit stop.
    - This is reflected within Transit Windsor's 2019 Transit
       Master Plan and the City of Windsor's Active Transportation
       Master Plan.
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society.
  - The interior layout and exterior site design for a semi-detached dwelling is exempt from having to comply with the Barrier-Free Design requirements of the Ontario Building Code.

- The Accessibility for Ontarians with Disabilities Act does not apply to semi-detached dwellings.
- o g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.
  - The subject property is serviced by a 150-millimetre cast iron pit cast watermain, 250-millimetre PVC sanitary sewer, and 300millimetre concrete storm sewer within the Bernard Road right-ofway.
  - The subject property is serviced by overhead hydro lines running adjacent to the rear lot line through the abutting property known municipally as 2419 Francois Road.
  - The subject property has direct access to a public highway in the form of Bernard Road.
  - Ford City Public School and W.F. Herman Academy Elementary & Secondary School are located within 1.0 kilometre and 750 metres of the subject property, respectively.
  - St. Teresa of Calcutta Catholic Elementary School and F.J.
     Brennan Catholic High School are located within 1.6 kilometres and 3.0 kilometres of the subject property, respectively.
  - Gino and Liz Marcus Community Complex and Fontainebleau Branch Public Library are located within 3.6 kilometres and 2.8 kilometres of the subject property, respectively.

## Policy 1.1.3.1 states:

- Settlement areas shall be the focus of growth and development.
  - o The subject property is located within a Settlement area.

### Policy 1.4.3 states:

- Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:
  - o b) permitting and facilitating:
    - 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;
      - Refer to the responses provided to PPS Policies 1.1.1 b) and 1.1.1 e) herein.
  - c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

- Refer to the response provided to PPS Policy 1.1.1 g) herein.
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;
  - Refer to the responses provided to PPS Policies 1.1.1 b), 1.1.1 e), and 1.1.1 g) herein.

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

- *Policy 1.1.3.2* states:
  - Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
    - a) efficiently use land and resources:
    - b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
    - f) are transit-supportive, where transit is planned, exists or may be developed; and
  - Policy 1.6.6.2 states:
    - Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.
  - o Policy 1.6.7.4 states:
    - A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.
  - o Policy 1.7.1 states:
    - Long-term economic prosperity should be supported by:
      - b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;
      - c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;

## o Policy 1.8.1 states:

- Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:
  - e) encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;

### Official Plan

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

The subject property is located within the Fountainbleu Planning District on Schedule A - Planning Districts & Policy Areas, and within a Residential land use designation on Schedule D - Land Use Plan to the City of Windsor Official Plan.

### Volume I

## Chapter 3 - Development Strategy

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

### 3.2 - Growth Concept

## 3.2.1 - Safe, Caring and Diverse Communities

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

## 3.3 - Urban Structure Plan

This amendment does not comply with the following applicable key policy direction for managing the structural elements within the municipality.

### 3.3.3 - Neighbourhoods

The three dominant types of dwellings in Windsor's neighbourhoods are single detached, semi-detached and townhouses. The density range for Windsor's neighbourhoods is between 20 to 35 units per net hectare. This density range provides for low and some medium-density intensification to occur in existing neighbourhoods.

This amendment will allow a density of 51.4 units per hectare. Notwithstanding this non-compliance, this amendment will limit the semi-detached dwelling to two (2) dwelling units. The subject property does not have sufficient space to accommodate the third parking space required for establishing an Additional Dwelling Unit (ADU). A Minor Variance granted by the Committee of Adjustment to obtain relief from the ADU parking requirements of Zoning By-law 8600 is the only means of establishing an ADU.

The existing single unit dwellings within the 2400 block of Bernard Road (the block) only require two (2) parking spaces to establish two (2) ADU's for a total of three (3) dwelling units. All but one lot within the block currently has or can accommodate two (2) parking spaces without having to obtain relief from the ADU parking requirements.

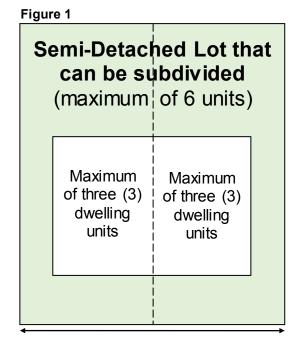
The density within the block ranges from approximately 10.3 units per hectare to 34.2 units per hectare, with an average of 21.7 units per hectare.

The density in the block ranges from approximately 30.8 units per hectare to 102.5 units per hectare, with an average of 65.2 units per hectare if two (2) ADU's for each existing single unit dwelling are factored in.

Section 35.1 of the *Planning Act* (i.e. Restriction for residential units) does not allow a zoning bylaw to restrict the establishment of three (3) dwelling units on a parcel of urban residential land (lot) where a single unit dwelling, semidetached dwelling, or townhome dwelling is a permitted use.

Section 5.99.80.1.1.b) of Zoning By-law 8600 (i.e. ADU Provisions) states that: "For the purposes of this provision each semi-detached dwelling unit or townhome dwelling unit is considered to be located on its own parcel of urban residential land if it conforms with the provisions of the applicable zoning district and can be subdivided."

Generally, this means that a semi-detached dwelling unit or townhome dwelling unit is considered to be on its own parcel of urban



Minimum 12.2

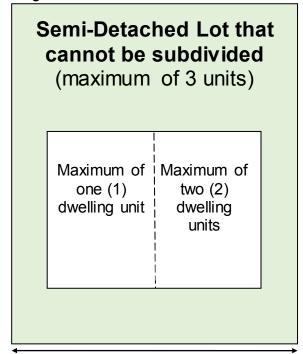
residential land if the lot <u>can be</u> subdivided without a Minor Variance. This is beneficial where all units within a dwelling are in common ownership. For a semi-detached dwelling this would permit two (2) ADU's within each dwelling unit resulting in a maximum of six (6) dwelling units on a single lot, as illustrated in Figure 1.

In the scenario where this criterion cannot be met, the ADU Provisions allow a semidetached dwelling to have a maximum of one (1) ADU. This equates to a maximum of three (3) dwelling units on a single lot, as illustrated in Figure 2. This is the same number of dwelling units allowed for a single unit dwelling under the ADU Provisions. The difference in density between the two scenarios as it pertains to the proposed development is illustrated in Table 1 below.

**Table 1 - Density Comparison** 

Scenario	Max. No. Dwelling Units	Density
Semi-detached dwelling on a single lot that can be subdivided without a Minor Variance (maximum of 6 dwelling units per single lot)	6	154.0 units per hectare
Semi-detached dwelling on a single lot that cannot be subdivided without a Minor Variance, or a single unit dwelling (maximum of 3 dwelling units per single lot)	3	77.0 units per hectare





Minimum 12.2

While the applicant is proposing a total of 2 units (i.e. 51.3 units per hectare), the Planning Department has concerns with the potential maximum density that can be achieved with this development as a result of the combination of:

- Section 35.1 of the Planning Act allowance of three (3) dwelling units on each parcel of urban residential land;
- Zoning Bylaw 8600 ADU Provisions recognizing each semi-detached dwelling unit as its own parcel of urban residential land (if can be subdivided without a Minor Variance); and
- Zoning Bylaw 8600 ADU Provisions allowing up to two (2) ADU's for each semi-detached dwelling unit on its own parcel of urban residential land.

Should Council adopt the Planning Department's recommendation to remove the applicability of Section 5.99.80.1.1.b) from the subject property, the result would limit the semi-detached dwelling to a maximum of three (3) dwelling unit's conditional on a Minor Variance granted by the Committee of Adjustment to obtain relief from the ADU parking requirements.

Should the current or future owner(s) wish to establish further ADUs a Consent granted by the Committee of Adjustment or a by-law passed by Council granting an Exemption from Part Lot Control must be approved, which would establish each semi-detached dwelling unit on a separate parcel.

# Chapter 6 - Land Use:

### 6.1 Goals

This amendment complies with the following applicable land use goal:

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

# 6.3 Residential

# 6.3.1 Objectives

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

- To support a complementary range of housing forms and tenures in all neighbourhoods (Objective 6.3.1.1).
- To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan (Objective 6.3.1.3).

# 6.3.2 Policies

### **Permitted Uses**

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

A semi-detached dwelling is classified as a Low-Profile dwelling.

# Types of Low-Profile Housing

For the purposes of this Plan, Low Profile housing development is further classified as follows: (Policy 6.3.2.3)

- (a) small scale forms: single detached, semi-detached, duplex and row and multiplexes with up to 8 units; and
  - A semi-detached dwelling is classified as a small-scale form of Low-Profile dwelling.

# **Locational Criteria**

New residential development and intensification shall be located where: (Policy 6.3.2.4)

- (a) There is access to a collector or arterial road;
  - The subject property is located within approximately 275.0 metres of Tecumseh Road East, a Class II Arterial Road, approximately 500.0

metres of Grand Marais Road East, a Class II Collector Road, and approximately 550.0 metres of Pillette Road, a Class I Collector Road.

- (b) Full municipal physical services can be provided;
  - Refer to the response provided to PPS Policy 1.1.1 g) herein.
- (c) Adequate community services and open spaces are available or are planned;
   and
  - Refer to the responses provided to PPS Policy 1.1.1 g) and the Surrounding Land Uses section herein.
- (d) Public transportation service can be provided.
  - The subject property is located within approximately 300.0 metres of the Transway 1C bus route.

# **Evaluation Criteria for a Neighbourhood Development Pattern**

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is: (Policy 6.3.2.5)

- (c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.
  - This amendment will allow for a development that is compatible with the established built environment found within the block.
  - The Planning Department undertook a detailed analysis of the lots and buildings contained within the block, focusing on a variety of different factors associated with the criteria set forth under this policy.
  - The purpose of the analysis was to determine if a development permitted through this amendment will be compatible with the established built environment of the block.
  - The analysis found the block to have a diverse built environment, resulting from a buildout occurring over a period of nine (9) decades.
  - The data collected through this analysis is included in the table attached hereto as Appendix H.
  - The findings in relation to the said criteria is detailed below:
    - Scale and Massing
      - The lot areas of properties within the block range from approximately 292.6 m<sup>2</sup> to 973.1 m<sup>2</sup>, with an average of 497.0 m<sup>2</sup>.
        - The subject property has a lot area of 389.6 m<sup>2</sup>.

- The lot widths of properties within the block range from approximately 9.1 metres to 30.5 metres, with an average of 15.8 metres.
  - The subject property has a lot width of 12.2 metres.
- The main building areas for properties within the block of range from approximately 54.2 m<sup>2</sup> to 207.1 m<sup>2</sup>, with an average of 108.8 m<sup>2</sup>.
- The total building area for properties within the block of range from approximately 84.7 m<sup>2</sup> to 223.0 m<sup>2</sup>, with an average of 137.6 m<sup>2</sup>.
  - The applicant is proposing a main building area (total building area) of approximately 156.8 m<sup>2</sup> for the semidetached dwelling.
  - The RD1.2 zoning will permit a maximum building area of 175.3 m<sup>2</sup>.
- The lot coverage for properties within the block range from approximately 12.2% to 44.8%, with an average of 23.3%.
  - The applicant is proposing a lot coverage of 40.2%.
- The block includes single unit dwellings of various sizes and architectural styles, reflective of their time of construction ranging from 1936 to 2015.
- Orientation, Parking and Amenity Areas
  - The amenity areas, orientation, parking areas and siting will be consistent with the surrounding neighbourhood (i.e. driveway off street, front yard and rear yard amenity areas, street facing dwelling).
  - The maximum area of the required front yard occupied by a hard surface for the purpose of a walkway, driveway, access area or a parking space or any combination thereof for a lot having a width of nine (9) metres or greater is the same for a single unit dwelling and semi-detached dwelling.
  - The Planning Department is recommending that a sitespecific provision be added to amend the current Front Yard Paving and Surfacing in Residential Districts provision by removing the following regulation:

for a lot having a width of less than 9 metres: 50% of the required front yard area plus 5% for each 1 metre decrease in lot width below 9 metres to a maximum of 70% of the required front yard area (24.28.1.3.2).

and replacing it with:

for a lot having a width of less than 9 metres: 50% of the required front yard area.

- This regulation will apply in the scenario where the subject property is severed to create a lot for each semi-detached dwelling unit.
- This provision will prevent the two (2) less than nine (9) metre wide lots from having front yard paving occupying more than 50% of the required front yard area.
  - This consequently prevents a front yard paving to landscaped open space yard ratio that is inconsistent with and not complimentary to that found on the other residential properties within the block.
- This regulation will also limit the number of automobiles that can be accommodated on the subject property.
- Height, Siting and Setbacks
  - The provisions for maximum main building height, minimum front yard depth, minimum rear yard depth, minimum side yard width, and maximum gross floor area for a main building for a single unit dwelling and semi-detached dwelling under the RD1.2 zoning are identical.
    - The applicant is not requesting relief from any of these provisions.
- (d) provided with adequate off-street parking:
  - The proposed development will accommodate the required number of parking spaces onsite.
  - Transportation Planning, through their comments, confirmed that a parking study is not required so long as the required number of parking spaces are being provided onsite.
- (e) capable of being provided with full municipal physical services and emergency services; and
  - Refer to the response provided to PPS Policy 1.1.1 g) herein for details on the municipal physical services available to the subject property.
  - The subject property is served by Essex-Windsor EMS, Windsor Fire & Rescue Services (Fire Hall No. 2) & Windsor Police Service.

# Chapter 11 - Tools:

Land use compatibility throughout Windsor is an implementation goal to be achieved when administering a planning tool under this Chapter. Compatibility between land uses is also an objective of the Zoning By-law Amendment planning tool (Policy 11.6.1.2).

 Land use compatibility was considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

# Policy 11.6.3.3 states:

- When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:
  - (a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;
  - o (b) Relevant support studies:
  - (c) The comments and recommendations from municipal staff and circularized agencies;
  - o (d) Relevant provincial legislation, policies and appropriate guidelines; and
  - (e) The ramifications of the decision on the use of adjacent or similar lands.
    - This amendment is not anticipated to have any ramifications on the use of adjacent or similar lands.

The aforesaid matters were considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

# Zoning By-Law

Relevant excerpts from Zoning By-law 8600 are attached as Appendix D.

The subject property is within a RD1.2 zone of Zoning By-law 8600, which does not permit a semi-detached dwelling use.

The applicant is requesting an amendment to Zoning By-law 8600 to add a site-specific provision to allow a semi-detached dwelling with a minimum lot width of 12.2 metres, and a minimum lot area of 389.6 m<sup>2</sup>.

The applicant's request for a site-specific provision in the Planning Rationale Report has been considered and is supported in this report in conjunction with the regulations being recommended by the Planning Department herein.

No other zoning deficiencies have been identified or supported.

A draft amending by-law is attached as Appendix G. Subsection 24 (1) of the *Planning Act*, R.S.O. 1990, c. P.13., prohibits a by-law from being passed that does not conform with the Official Plan. As discussed through the Official Plan section herein, the proposed amendment conforms to the applicable policies of the Official Plan.

currently available infrastructure such as sewers, sidewalks, and public transit helps to mitigate development impact.
Climate Change Adaptation:
N/A
Financial Matters:
N/A
Consultations:
Comments received from City Departments, external agencies and members of the public on this application were taken into consideration when preparing this report. A record of the comments is included as Appendix E herein.
There are no objections to the proposed amendment.
The applicant hosted a virtual public open house on January 31, 2024, via Zoom. Notice of the open house was issued to owners of properties within 120.0 metres of the subject property. The open house was attended by one (1) resident. Comments from residents were also received by phone, letters, and email.
Section 3.2 of the Planning Rationale Report summarizes the comments and questions and includes corresponding responses.
Comments received were taken into consideration when preparing this report.
Public Notice: Statutory notice was advertised in the Windsor Star, a local daily newspaper. A courtesy notice was mailed to property owners and residents within 120 metres of the subject property.

The *Planning Act* requires that a decision of Council in respect of the exercise of any authority that affects a planning matter, "shall be consistent with" *Provincial Policy Statement 2020*. The recommended zoning amendment has been evaluated for

consistency with the Provincial Policy Statement 2020 and conformity with the policies

Residential intensification minimizes the impact on the community greenhouse gas emissions. Development within existing communities and neighbourhoods while using

Risk Analysis:

Conclusion:

of the City of Windsor Official Plan.

Climate Change Risks

**Climate Change Mitigation:** 

N/A

The recommended zoning by-law amendment is consistent with the PPS, conforms with the policy direction of the City of Windsor Official Plan, is compatible with existing and permitted uses in the surrounding neighbourhood and constitutes good planning.

# **Planning Act Matters:**

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

Greg Atkinson, MCIP, RPP
Thom Hunt, MCIP, RPP

Manager of Development City Planner

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

JP JM

# Approvals:

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

# **Notifications:**

Name	Address	Email
Abutting property owners, ter subject property	ants/occupants within 120-me	ter (400 feet) radius of the

# Appendices:

- 1 Appendix A Conceptual Plan
- 2 Appendix B Site Images
- 3 Appendix C Excerpts from Official Plan Volume I
- 4 Appendix D Excerpts from Zoning By-law 8600
- 5 Appendix E Consultations
- 6 Appendix F Draft Amending By-law
- 7 Appendix G Planning Rationale Report (Scoped)
- 8 Appendix H Zoning Analysis

# Bernard Ave.

# **Semi-Detached**

# Lot 191 Bernard Rd., Windsor, ON, N8W 4S1

# **ARCHITECTURAL SHEETS**

A001 COVER SHEET A100 FLOOR PLAN A101 ELEVATIONS

# ARCHITECTURAL LEGEND

ROOM NUMBER DOOR NUMBER WINDOW TYPE EXTERIOR BUILDING ELEVATION INDICATOR INTERIOR BUILDING **ELEVATION INDICATOR** SECTION INDICATOR MILLWORK ELEVATION INDICATOR

FOR RIGID PAVEMENT —/
25mm X 75mm KEY WAY
CENTERED IN CONCRETE BASE

STANDARD CURB & GUTTER

SUPERELEVATED CURB & GUTTER

1. FILLER MATERIAL SHALL BE 12-20mm THICK PIECE OF FULL DEPTH

3m ON CIRCULAR SECTION WITH RADIUS LESS THAN

3. CONTRACTION JOINTS FOR ASPHALT SURFACES TO BE SPACED 5m
AND CONTRACTION JOINTS FOR CONCRETE

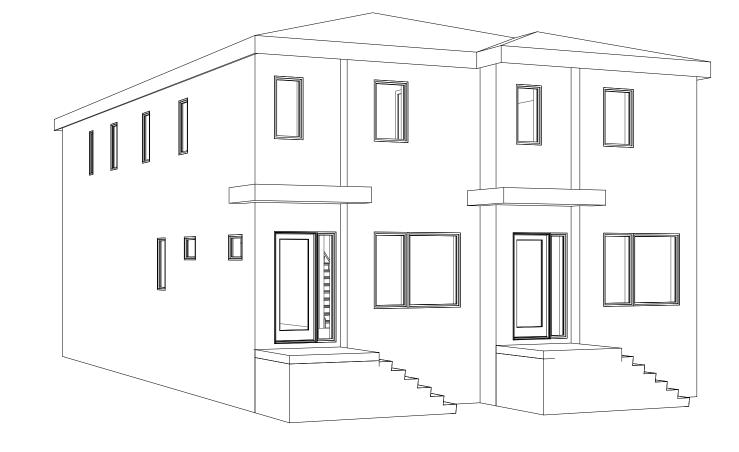
CROSS FALL OF GUTTER SHALL CONFORM TO PAVEMENT CROSS

5. ALL WORK SHALL CONFORM TO CITY OF WINDSOR SPEC. S-5

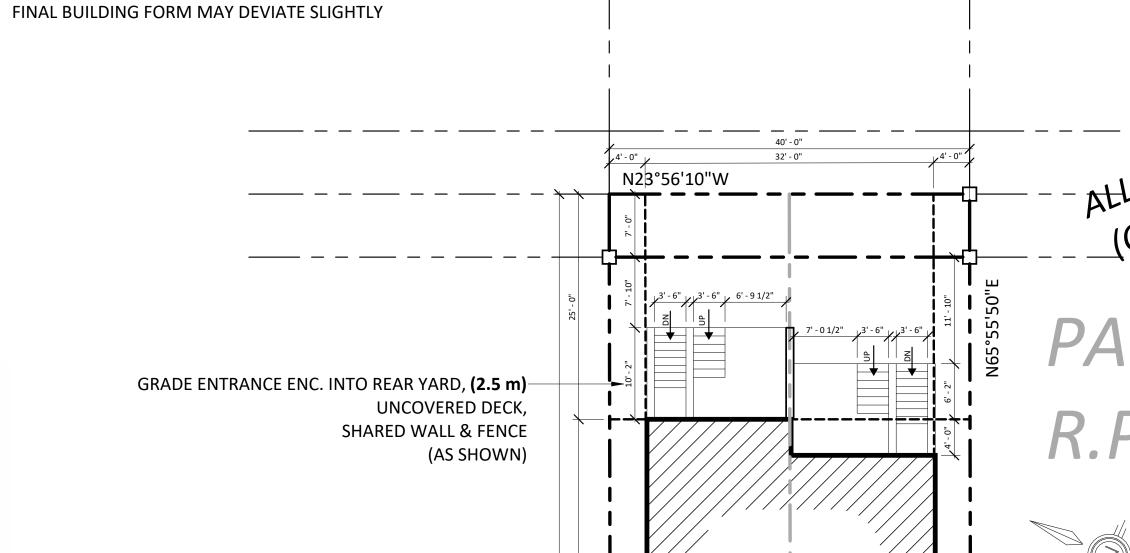
2. MAXIMUM SPACING OF JOINTS:

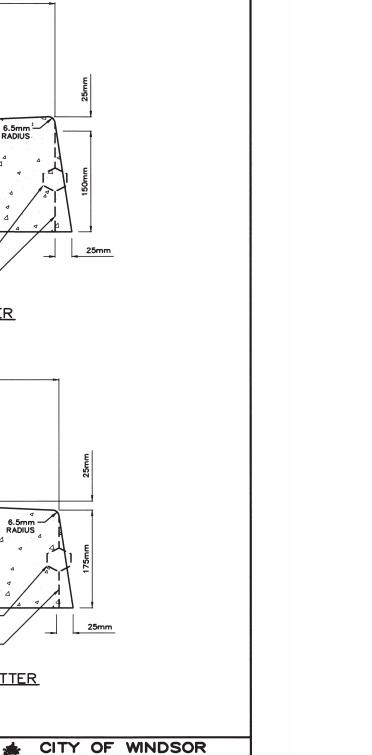
9m; 4.9m ELSEWHERE.

AND WIDTH OF JOINT MEETING OPSS 1308 (EXCLUDING CORK FILLER)



**CONCEPTUAL BUILDING MASSING** 



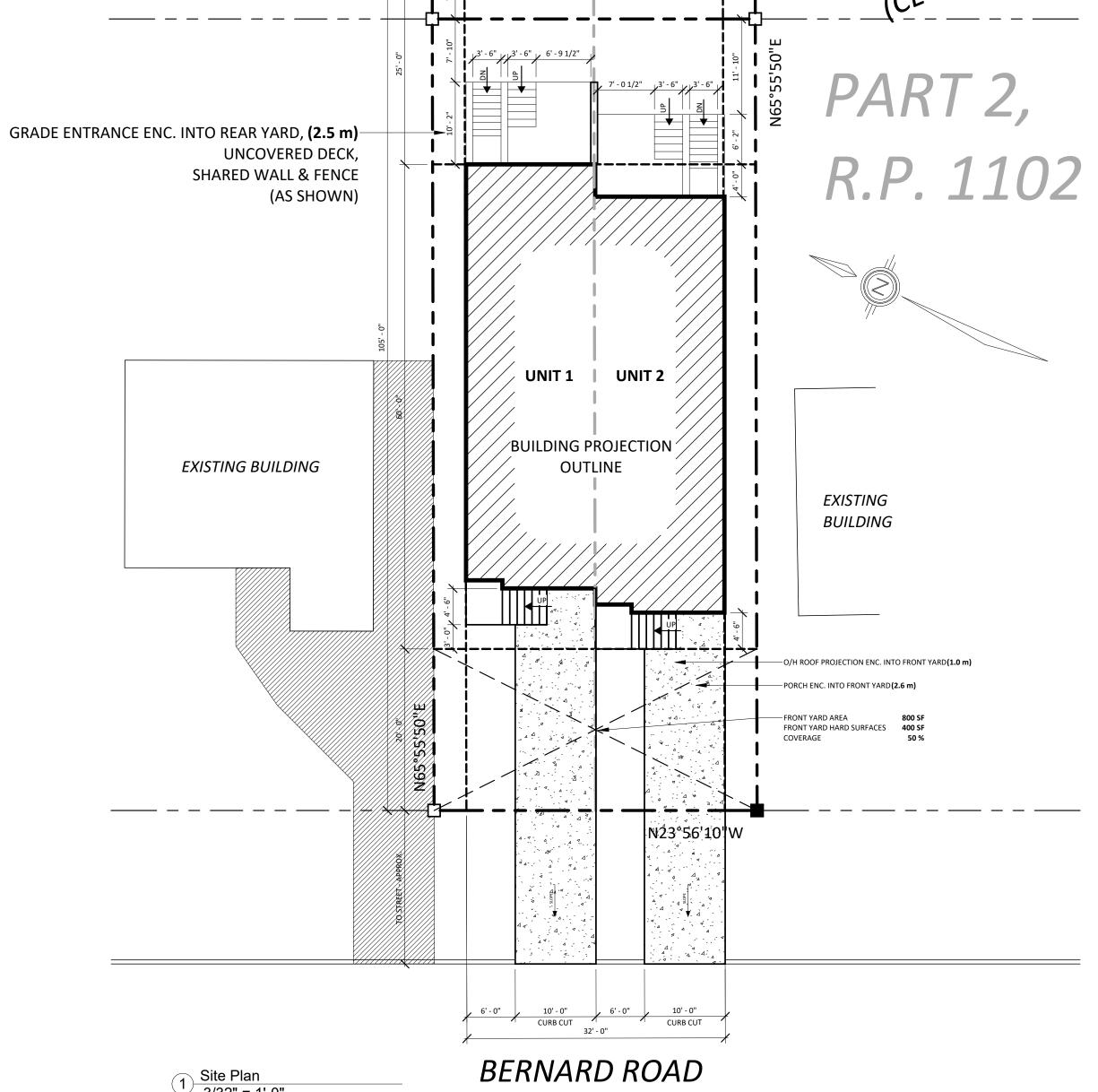


STANDARD & SUPERELEVATED CURB

& GUTTER FOR RESIDENTIAL ROADS

DR'N BY: E.T. , P.R. DATE: MARCH 2017

REVISION: FEBRUARY 2018 CH'KD BY: M.C.



# SITE PLAN DRAWING LEGEND

NOTE: ALL VENTS TO BE IN INSTALLED PER ONTARIO

**BUILDING CODE** 

OUTSIDE GRADE

SAN. HOUSE DRAIN

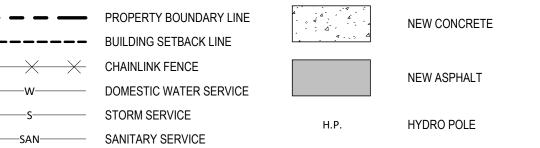
CHECK VALVE

CLEANOUT

INSTALL SANITARY SEWER EJECTOR IN ALL **BASEMENTS** 

SANITARY EJECTOR PUMP SYSTEM **OPTION** 

---- BUILDING SETBACK LINE CHAINLINK FENCE DOMESTIC WATER SERVICE HYDRO POLE SANITARY SERVICE





306-209-3039

109257 FIRM BCIN: Issued For: Zoning Bylaw Amendment Zoning Bylaw Amendment - Rev.01 Revision No.:

2311 Project number: Drawn by: Author Checker Checked by:

As indicated

SECOND FLOOR FIRST FLOOR GRADE <sup>\_</sup>GRADE ENTRANCE CELLAR (UNFINISHED) **CONCEPTUAL BUILDING HEIGHT** 

# **SITEPLAN MATRIX:**

PROPOSED ZONING: RD2.1 1. LOT WIDTH: 40'-0" (12.2 m)

2. LOT DEPTH: 105'-0" (32 m)

3. LOT AREA: 4,200 sq.ft. (390.2 sm) 4. LOT COVERAGE: 41% (1,687 sq.ft.) (156.8 sm)

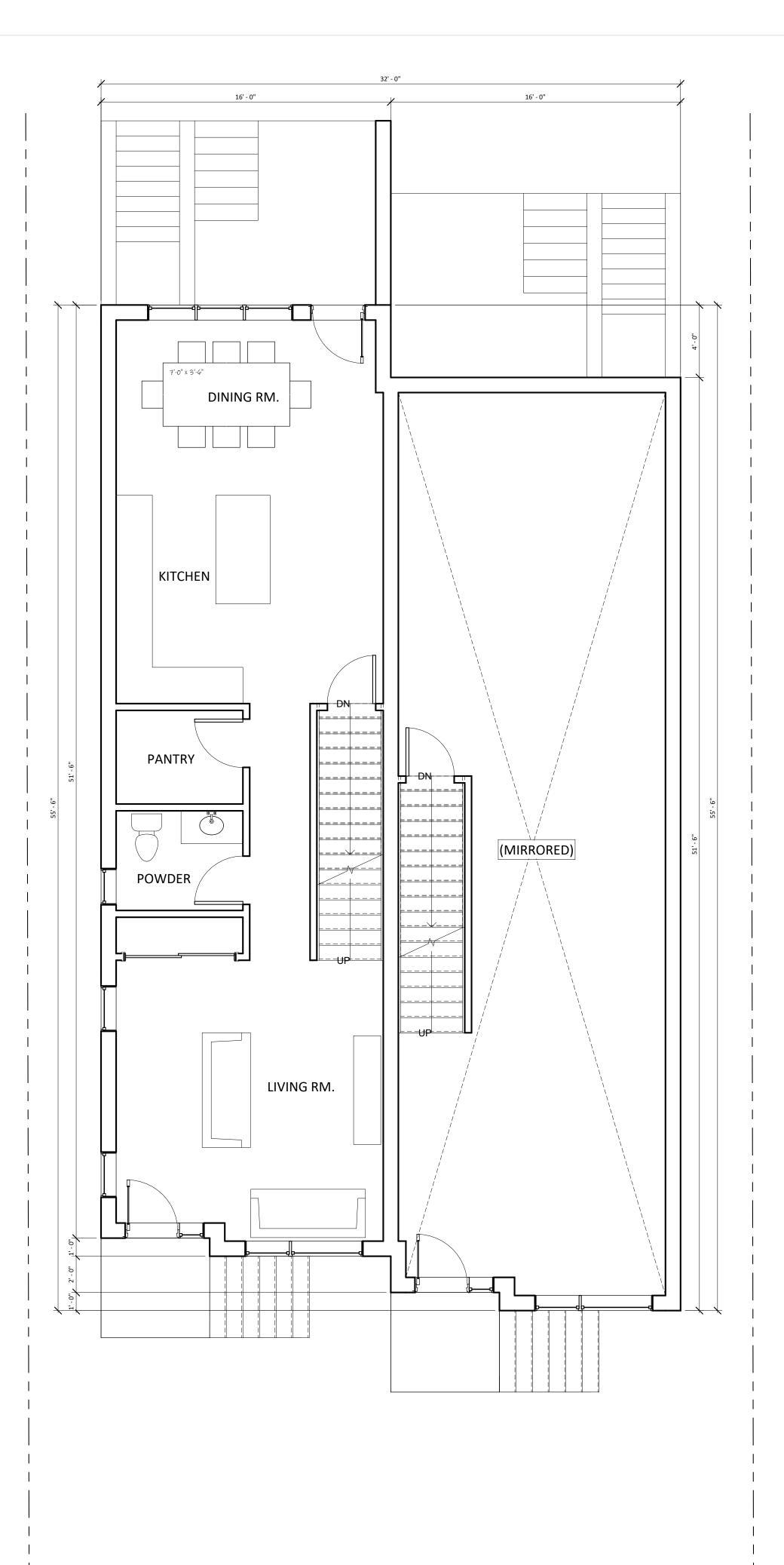
5. MAIN BUILDING HEIGHT: 29'-0" (max.) (9.0 m)

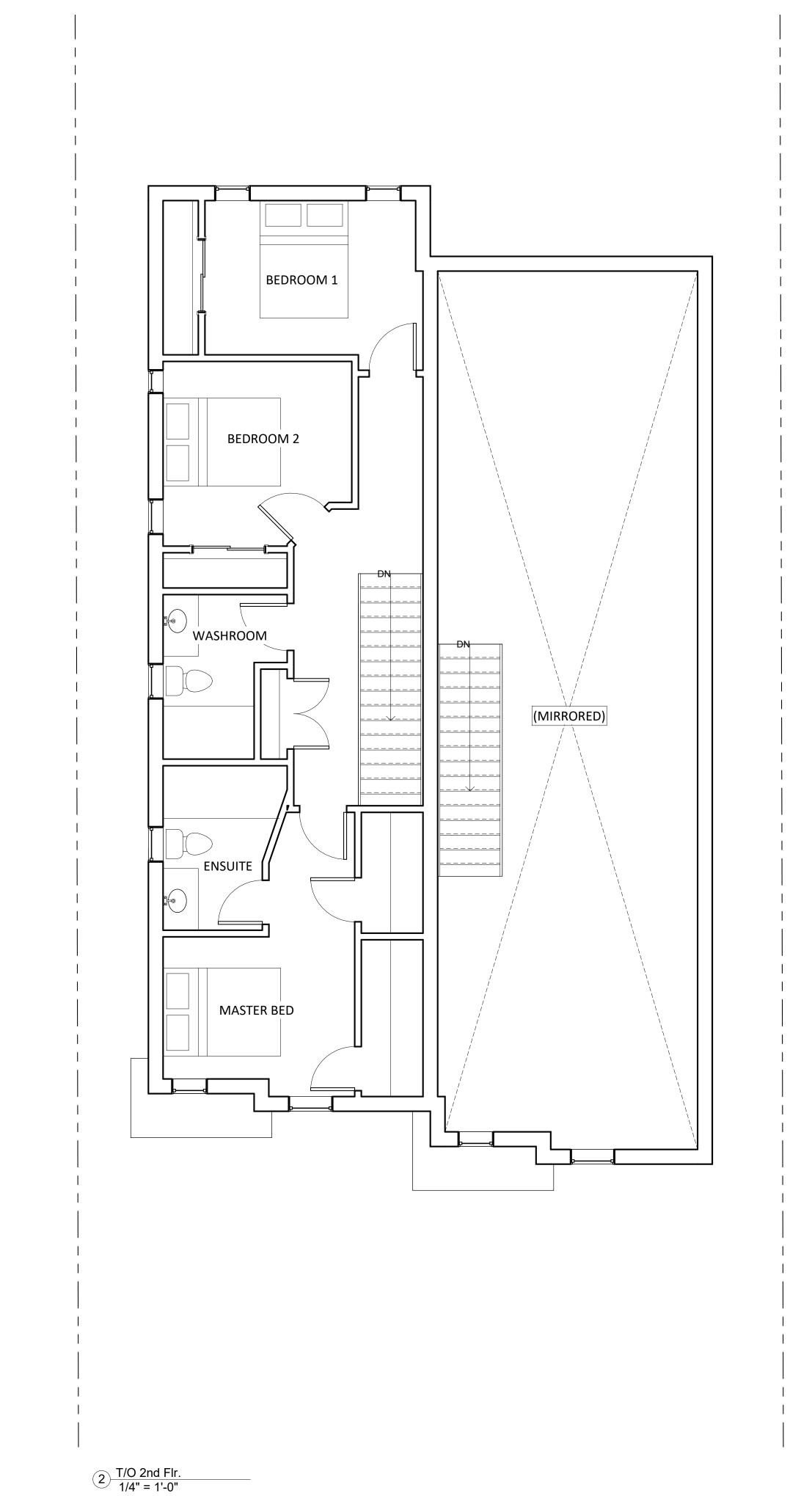
6. FRONT YARD DEPTH: 20'-0" (6.0 m)

7. REAR YARD DEPTH: 25'-0" (7.5 m) 8. SIDE YARD WIDTH: 4'-0" (1.2 m)

9. GROSS FLOOR AREA: 3,374 sq.ft. (w/ UNFINISHED BASEMENT) (313.5 sm)

1. SITE INFORMATION & OUTLINES SHOWN FOR REFEREENCE AND APPROXIMATED BASED ON GOOGLE AERIAL IMAGERY. 2. CONTRACTOR RESPONSIBLE FOR CONFIRMING ALL SITE DIMENSIONS & DATUMS, PROVIDING UP TO DATE SURVEY, AS WELL AS LOCATING ALL UNDERGROUND UTILITES PRIOR TO COMENCEMENT OF WORK. 3. NEW CONCRETE DRIVEWAYS & CURB CUTS TO BE AS PER TYPICAL CITY OF WINDSOR STANDARDS, REFER TO DETAILS.





JL

JL Design 306-209-3039 info@johnplucente.com www.johnplucente.com

# MASOTT CONSTRUCTION INC.

519-737-6929 masotti@masotticonstruction.com

John Pasqualino Lucente FIRM BCIN:	109257
Issued For:	
Description	Date

Zoning Bylaw Amendment	28dec23
Zoning Bylaw Amendment - Rev.01	25mar24

Revision No.:

<b>Date</b> 25mar24		
No. <b>Description</b> 1 Revision Front Yard hardscape coverage & building form.		

FLOOR PLAN

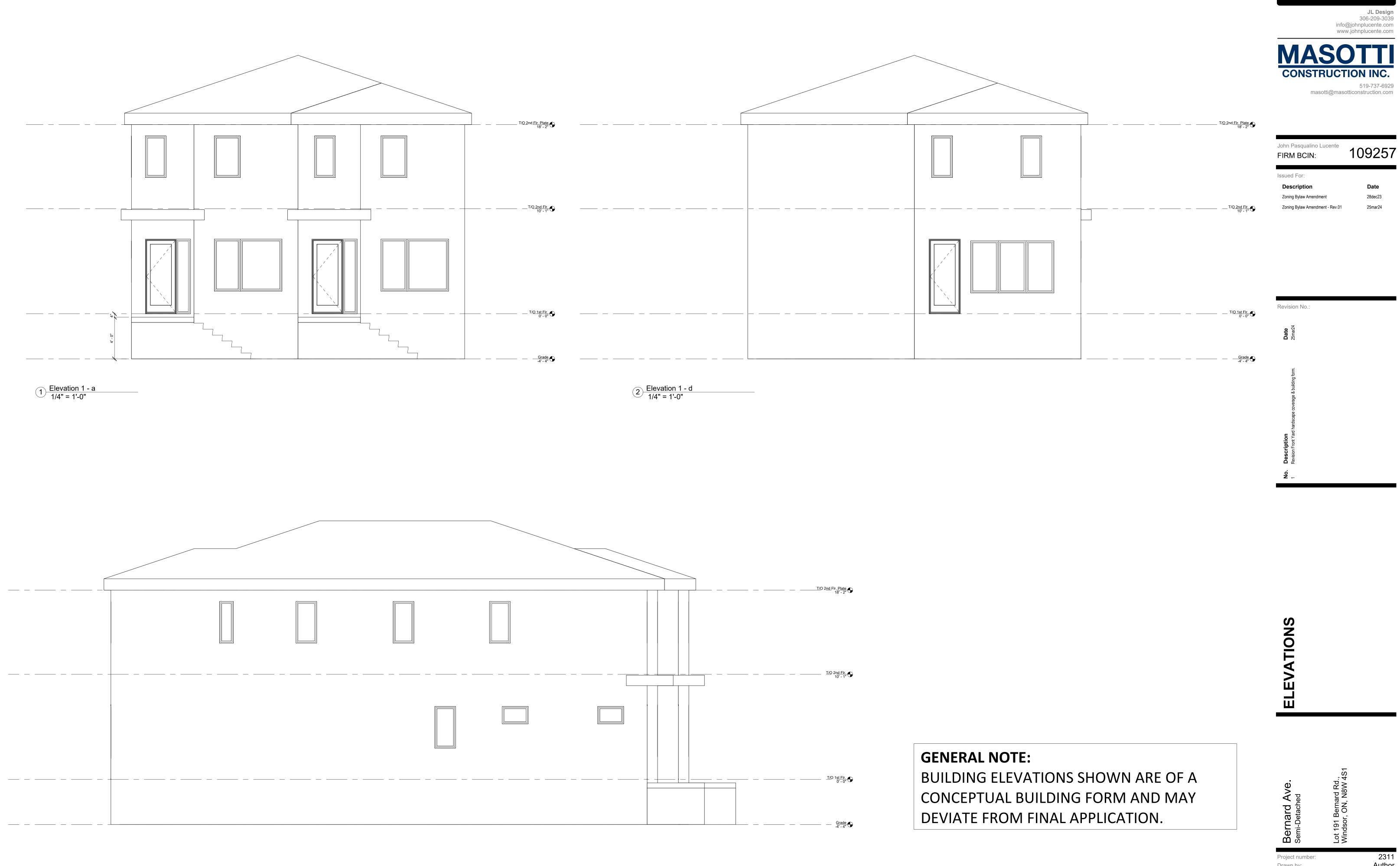
Project number: 2311

Drawn by: Author Checker

Sheet: A 100

Scale: 1/4" = 1'-0"

Development & Heritage Standing Committee Meeting Agenda - Tuesday, July 2, 2024 Page 225 of 644



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3 Elevation 2 - a 1/4" = 1'-0"

2311 Author Checker Checked by:

# APPENDIX "B" Site Photos (May 15, 2024)



Figure 1 - Bernard Road, looking north towards Ypres Street (subject property to right)



Figure 2 - Bernard Road, looking south towards Somme Avenue (subject property to left)

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Figure 3 - Bernard Road, looking northwest towards Ypres Street (subject property to right)



Figure 4 - Looking east towards subject property from Bernard Road

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Figure 5 - Looking northeast towards subject property from Bernard Road (2416 Bernard Road centre)



Figure 6 - Looking southeast towards subject property from Bernard Road (2426 Bernard Road centre)

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Figure 7 - Looking west from subject property



Figure 8 - Looking southwest from subject property

# APPENDIX "C" Excerpts from Official Plan Volume I

	3.	Development Strategy
	3.2	Growth Concept
	3.2.1	Safe, Caring and Diverse Community
NEIGHBOURHOOD HOUSING VARIETY	3.2.1.2	Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands.
	3.3	Urban Structure Plan
	3.3.3	Neighbourhoods

### NEIGHBOURHOOD HOUSING VARIETY

Neighbourhoods are the most basic component of Windsor's urban structure and occupy the greatest proportion of the City. Neighbourhoods are stable, low-to-medium-density residential areas and are comprised of local streets, parks, open spaces, schools, minor institutions and neighbourhood and convenience scale retail services.

The three dominant types of dwellings in Windsor's neighbourhoods are single detached, semi-detached and townhouses. The density range for Windsor"s neighbourhoods is between 20 to 35 units per net hectare. This density range provides for low and some medium-density intensification to occur in existing neighbourhoods. Multiple dwelling buildings with medium and high-densities are encouraged at nodes identified in the Urban Structure Plan.

# 6. Land Use

# 6.1 Goals

In keeping with the Strategic Directions, Council's land use goals are to achieve:

NEIGHBOURHOODS	6.1.1	Safe, caring and diverse neighbourhoods.
RESIDENTIAL	6.1.3	Housing suited to the needs of Windsor's residents.
RESIDENTIAL INTENSIFICATION	6.1.14	To direct residential intensification to those areas of the City where transportation, municipal services, community and goods and services are readily available. (added by OPA #159 –AP PROVED July 11, 2022, B/L# 100-2022)

	6.3	Residential		
	6.3.1	Objectives		
RANGE OF FORMS & TENURES	6.3.1.1	To support a complementary range of housing forms and tenures in all neighbourhoods.		
INTENSIFICATION, INFILL & REDEVELOPMENT	6.3.1.3	To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan. (Added by OPA#159 - APPROVED July 11, 2022, B/L#100-2022)		
	6.3.2	Policies		
PERMITTED USES	6.3.2.1	Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile, and Medium Profile dwelling units.		
		High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors. (Added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022)		
TYPES OF LOW PROFILE HOUSING	6.3.2.3	For the purposes of this Plan, Low Profile housing development is further classified as follows:		
		(a) small scale forms: single detached, semi- detached, duplex and row and multiplexes with up to 8 units; and		

### LOCATIONAL CRITERIA

6.3.2.4

Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up to four (4) storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas.

New residential development and intensification shall be located where:

- (a) There is access to a collector or arterial road;
- (b) Full municipal physical services can be
- (c) Adequate community services and open spaces are available or are planned; and
- (d) Public transportation service can be provided.
  (Added by OPA #159 APPROVED July 11, 2022, B/L# 100-2022)

EVALUATION CRITERIA FOR A NEIGHBOURHOOD DEVELOPMENT PATTERN

6.3.2.5

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is:

(c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.

In Mature Neighbourhoods as shown on Schedule A-1, compatible with the surrounding area, as noted above, and consistent with the streetscape, architectural style and materials, landscape character and setback between the buildings and streets; (Added by OPA #159 – APPROVED July 11 2022, B/L# 100-2022)

- (d) provided with adequate off street parking;
- (e) capable of being provided with full municipal physical services and emergency services; and

# Tools Zoning Objectives To ensure compatibility between land uses. Zoning By-law Amendment Policies When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan

consider such matters as the following:

**COMPATIBLE** 

**EVALUATION** 

**CRITERIA** 

USES

and will, without limiting the generality of the foregoing,

- (a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II:
- (b) Relevant support studies;
- (c) The comments and recommendations from municipal staff and circularized agencies;
- (d) Relevant provincial legislation, policies and appropriate guidelines; and
- (e) The ramifications of the decision on the use of adjacent or similar lands.

# APPENDIX "D" Excerpts from Zoning By-law 8600

# **SECTION 5 - GENERAL PROVISIONS**

(AMENDED by B/L 274-1998, Oct. 2, 1998; B/L 31-2013, March 28/2013; DELETED By B/L 117-2016, Dec. 28, 2016; ADDED by B/L 177-2016, Dec. 28, 2016; AMENDED by B/L 95-2019, Sept. 27/2019)

# 5.99 ADDITIONAL USE PROVISIONS

# 5.99.80 SECOND UNITS / ADDITIONAL DWELLING UNITS

- .1 For any zoning district that permits a single unit dwelling, semidetached dwelling, duplex dwelling, or townhome dwelling, the following additional provisions shall apply:
  - .1 Additional Permitted Uses
    - a) Two additional dwelling units shall be permitted on a parcel of urban residential land. This may be either:
      - i. Two additional dwelling units within the primary dwelling unit located in the main building, or
      - ii. One additional dwelling unit in the primary dwelling unit located in the main building and one additional dwelling unit in a building accessory to said dwelling.

For clarity, this provision permits a maximum of three dwelling units in total on a parcel of urban residential land as shown in Tables 5.99.80.11 and 5.99.80.12.

TABLE 5.99.80.11			
	Dwelling Units - Maximum		
Dwelling Type	Main Building	Accessory Building	Total
Single Unit Dwelling	3	0	3
Semi-detached Dwelling Unit	3	0	3
Duplex Dwelling	3	0	3
Townhome Dwelling Unit	3	0	3

TABLE 5.99.80.12			
	Dwelling Units - Maximum		
Dwelling Type	Main Building	Accessory Building	Total
Single Unit Dwelling	2	1	3
Semi-detached Dwelling Unit	2	1	3
Duplex Dwelling	2	1	3
Townhome Dwelling Unit	2	1	3

b) For the purposes of this provision each semi-detached dwelling unit or townhome dwelling unit is considered to be located on its own parcel of urban residential land if it conforms with the provisions of the applicable zoning district and can be subdivided.

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# **SECTION 10 - RESIDENTIAL DISTRICTS 1. (RD1.)**

(B/L 10358 Jul 16/1990; B/L 11093 Jul 20/1992; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233; B/L 370-2001 Nov 15/2001; B/L 363-2002 Dec 31/2002; B/L 220-2002, Feb 24/2003; B/L 10-2004 OMB Order PL040143, File No. R040023, Decision/Order No. 0055, Issued Jan 12/2005 B/L 114-2016 Sep 19/2016); B/L 164-2017, Dec. 7/2017 [ZNG/5270]; B/L 95-2019, Sept. 27/2019

# 10.2 RESIDENTIAL DISTRICT 1.2 (RD1.2)

# 10.2.1 PERMITTED USES

Existing Duplex Dwelling
Existing Semi-Detached Dwelling
One Single Unit Dwelling
Any use accessory to the preceding uses

# 10.2.5 Provisions

		Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.1	Lot Width - minimum	9.0 m	15.0 m	12.0 m
.2	Lot Area - minimum	$360.0 \text{ m}^2$	$450.0 \text{ m}^2$	$360.0 \text{ m}^2$
.3	Lot Coverage - maximum	45.0%	45.0%	45.0%
.4	Main Building Height - maximum	9.0 m	9.0 m	9.0 m
.5	Front Yard Depth - minimum	6.0 m	6.0 m	6.0 m
.6	Rear Yard Depth - minimum	7.50 m	7.50 m	7.50 m
.7	Side Yard Width - minimum	1.20 m	1.20 m	1.20 m
.8	Gross Floor Area - main building - maximum	$400 \text{ m}^2$	$400 \text{ m}^2$	$400 \text{ m}^2$

(AMENDED by B/L 101-2022, July 11, 2022)

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# SECTION 24 - PARKING, LOADING AND STACKING PROVISIONS

(AMENDED by B/L 8627 July 8/1986; B/L 9057 July 7, 1987; B./L 9882 July 31, 1989; B./L 10358 July 16/1990; B/L 10473 Nov. 5, 1990; 10993 May 4, 1992; B/L 11093 July 20, 1992; B/L 11157 Sept. 21,/1992; B/L 11780 March 28,/1994; B/L 12234 July 14/1995; B/L 12429 Jan. 8/1996; B/L 12819 March 17/1997; B/L 30-1998 March 2/1998; B/L 162-1998 June 24/1998; B/L 264-1999 Oct. 19/1999; B/L 33-2001 Oct. 23/2001 by OMB Decision No. 1716, Case # PL01023; B/L 370-2001 Nov. 15/2001; B/L 363-2002 Dec. 31/2002; B/L 92-2003 May 6/2003; B/L 269-2003 Sept. 15/2003; B/L 69-2004 March 31/2004; B/L 144-2004 June 11/2004; B/L 375-2004 Dec. 21/2004; B/L 46-2005 March 23/2005; B/L 212- 2005 Sept./ 22/2005; B/L 204-2006 Nov. 30/2006; B/L 166-2007 Oct. 5/2007; B/L 110-2009 by OMB Order PL090722 Issued Nov. 20/2009 and AMENDED by Order PL090722 Issued Dec. 4/2009; B/L 164-2010 Nov. 17/2010 AND DELETED AND REPLACED by B/L 129-2012 Oct. 2/2012; B/L 95-2019, Sept. 27/2019)

# 24.28 FRONT YARD PAVING AND SURFACING IN RESIDENTIAL DISTRICTS

# 24.28.1 IN ANY RESIDENTIAL DISTRICT:

- .1 A walkway, driveway or access area necessary for access to a parking space may cross a required front yard. That part of the required front yard not used for a walkway, driveway, access area, or, where permitted by this by-law, a parking space, shall be used exclusively as a landscaped open space yard.
- .3 For a single-unit dwelling, semi-detached dwelling, duplex dwelling or townhome dwelling unit, the total area of the required front yard occupied by a hard surface for the purpose of a walkway, driveway, access area or a parking space or any combination thereof cannot exceed:
  - .1 for a lot having a width of 9 metres or greater: 50% of the required front yard area; or
  - .2 for a lot having a width of less than 9 metres: 50% of the required front yard area plus 5% for each 1 metre decrease in lot width below 9 metres to a maximum of 70% of the required front yard area.
    - b) For the purposes of this provision each semi-detached dwelling unit or townhome dwelling unit is considered to be located on its own parcel of urban residential land if it conforms with the provisions of the applicable zoning district and can be subdivided.
- .5 All driveways, access areas and parking spaces, shall be paved and maintained with a hard surface consisting of paving brick or block, asphalt, concrete or any combination thereof.

# APPENDIX "E" Consultations

# **CALDWELL FIRST NATION COMMUNITY**

No comments provided

# **ENGINEERING - DEVELOPMENT**

We have reviewed the subject Rezoning application and have the following comments:

# **Sanitary and Storm Sewers**

The site may be serviced by the existing 250mm sanitary sewer and a 300mm sewer located within the Bernard Road right-of-way. If possible existing connections should be utilized. Any redundant connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3.

# Right-of-Way

The Official Plan classifies Bernard Road as a Local Road with a required right-of-way width of 20 meters. The current right-of-way width is sufficient therefore, a conveyance is not required.

The applicant will be required to obtain driveway permits from the Engineering department. Only one driveway permit will be issued per property unless the site is severed.

Refer to Appendix - 1 for a full list of right-of-way permit requirements, prior to the issuance of a Building Permit.

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

If you have any further questions or concerns, please contact Juan Paramo, of this department at <a href="mailto:jparamo@citywindsor.ca">jparamo@citywindsor.ca</a>.

# [Juan Paramo - Development Engineer]

# **ENGINEERING - R.O.W.**

No comments provided

# ENWIN UTILITIES LTD. - HYDRO ENGINEERING

No Objection.

Please be advised of the overhead 120/240 Volt secondary conductor along the eastern limit of the property, in the back alley.

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Prior to working in these areas, we suggest notifying your contractor and referring to the *Occupational Health and Safety Act* and Regulations for Construction Projects to confirm clearance requirements during construction and demolition. Also, we suggest referring to the *Ontario Building Code* for required clearances for New Building Construction.

# [Nillavon Balachandran - Hydro Engineering Technologist]

# **ENWIN UTILITIES LTD. - WATER ENGINEERING**

Water Engineering has no objections.

# [Bruce Ogg - Water Project Review Officer]

# **FORESTRY**

The two privately owned Locust trees located on the front of property were deemed to be in good health at the time of inspection.

It is recommended prior to construction either snow fence or another suitable barrier be installed around the drip line of the tree to help preserve the health of both trees.

By adding this barrier, it will reduce/eliminate soil compaction and a change in soil grade.

# [Marc Edwards - Supervisor Parks]

# **PARKS DEVELOPMENT & DESIGN**

No concerns from Natural Areas and Parks Development & Design.

# [Sherif Barsom - Landscape Architect]

# PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

There are no additional studies required from a landscape architectural or urban design perspective related to the proposed development at this time.

There is however a shared tree immediately in the front of the property. The owner is to consult with the City Forester in relation to the preservation of this tree during and after construction.

# [Stefan Fediuk - Senior Urban Designer]

# PLANNING DEPARTMENT - SITE PLAN CONTROL

Site Plan is not applicable for this proposed development pursuant to the *Planning Act* and City of Windsor By-law 1-2004.

# [Jacqueline Cabral - Clerk Steno]

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# TRANSPORTATION PLANNING

The Official Plan classifies Bernard Road as a Local/Residential Road with a required right-of-way width of 20 meters. The current right-of-way sufficient; therefore, no conveyance is required.

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

Only one driveway access is allowed.

All parking must comply with ZBL 8600.

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

[Elara MehriLou - Transportation Planner I]

# **WALPOLE ISLAND FIRST NATION**

No comments provided

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# Appendix - 1

**Video Inspection -** The Owner further agrees, at its entire expense and to the satisfaction of the City Engineer:

- a. To undertake a video inspection, of any existing connections proposed for reuse to ensure the suitability of the connection for use in accordance with City of Windsor Standard Specifications S-32 CCTV Sewer Inspection.
- b. Any redundant connections will be abandoned according to the City of Windsor Engineering Best Practice B.P.1.3.3.
- c. Any new connections to combined sewers will follow City of Windsor Engineering Best Practice B.P.1.1.1

**Driveway Permit** - Each property will be permitted a driveway as per City Specifications and Engineering Best Practices. Owner to submit a site plan including the proposed driveways tying into the road, with dimensions provided at the property line and road.

**Driveway Approaches** - The Owner further agrees that driveway approaches shall be constructed in such width and location as shall be approved by the City Engineer and the Owner shall have the option of constructing the said driveway approaches as follows:

- 1. asphalt in accordance with City of Windsor Standard Drawing AS-221; or
- 2. concrete in accordance with City of Windsor Standard Drawing AS-222;
- to provide straight flare driveway approaches and to terminate the raised curbs at the property line and the raised curbs shall not extend into the driveway approaches, outside of the subject lands.

All work to the satisfaction of the City Engineer.

**Sewer Connection Permit** - The owner(s) will be required to obtain a permit from the Engineering Department to connect to existing sanitary and/or storm sewer connections. Existing connections are to be utilized wherever possible at the entire cost and risk of the owner. If an existing connection is not utilized, it shall be capped and abandoned to the satisfaction of the City Engineer. If a new connection is required, it shall be installed, by trenchless method under the existing pavement from the sewer main tap pit on Bernard Road, except when specific consent is given by the City Engineer.

Storm and sanitary connections are required for each property. All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains.

If you have any further questions or concerns, please contact Lea Marshall, of this department at <a href="mailto:lmarshall@citywindsor.ca">lmarshall@citywindsor.ca</a>.

# APPENDIX "F" Draft Amending By-law

BY-LAW NUMBER -2024

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the day of , 2024.

**WHEREAS** it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

**THEREFORE** the Council of The Corporation of the City of Windsor enacts as follows:

1. That subsection 1 of Section 20, of said by-law, is amended by adding the following clause:

# 504. EAST SIDE OF BERNARD ROAD BETWEEN YPRES STREET AND SOMME AVENUE

For the lands comprising of as Lot 191, Part of Block C, and Part of Closed Alley, Plan 1102, and Parts 2 & 4, Reference Plan 12R-28879, PIN No. 01362-0223 LT, a *Semi-Detached Dwelling* shall be an additional permitted use and the following shall apply:

1. The *Semi-Detached Dwelling* provisions of Section 10.2.5, save and except Subsections 10.2.5.1 and 10.2.5.2;

2. Lot Width - minimum 12.2 m

3. Lot Area - minimum 389.6 m<sup>2</sup>

4. Section 5.99.80.1.1.b) shall not apply.

5. Notwithstanding Section 24.28.1.3.2, the total area of the required front yard occupied by a hard surface for the purpose of a walkway, driveway, access area, parking space, or any combination thereof for a lot having a width of less than 9 metres shall not exceed 50% of the required front yard.

[ZDM 11; ZNG/7193]

2. The said by-law is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of said by-law and made part thereof, so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 5:

1.2.3.4.5.ItemZoningLands AffectedZoningNew ZoningNumberDistrictSymbolSymbolMap Part

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11 Lot 191, Part of Block C, and RD1.2 RD1.2
Part of Closed Alley, Plan S.20(1)504
1102, and Parts 2 & 4,
Reference Plan 12R-28879,
PIN No. 01362-0223 LT
(located on the east side of Bernard Road between of Ypres Street and Somme Avenue)

DREW DILKENS, MAYOR

CLERK

First Reading - , 2024

1

Second Reading - , 2024

Third Reading - , 2024

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### **SCHEDULE 2**

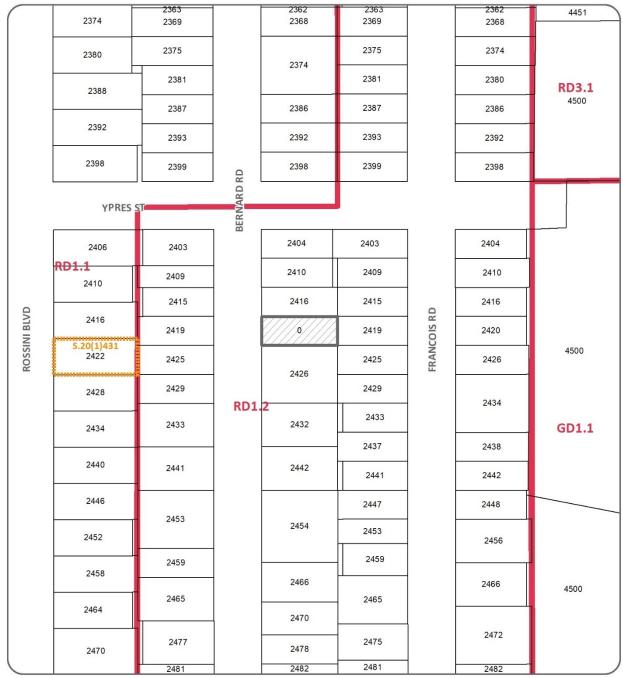
1. By-law \_\_\_\_\_ has the following purpose and effect:

To amend the zoning of the lands located on the east side of Bernard Road between of Ypres Street and Somme Avenue, legally described as Lot 191, Part of Block C, and Part of Closed Alley, Plan 1102, and Parts 2 & 4, Reference Plan 12R-28879, PIN No. 01362-0223 LT, so as to permit the development of a semi-detached dwelling on the subject land.

The amending by-law maintains the RD1.2 zoning on the subject land and adds a special zoning provision permitting a semi-detached dwelling on a lot subject to additional regulations. The additional regulations reduce the minimum lot width and lot area and nullifies the Front Yard Paving and Surfacing in Residential Districts Provision regulation that allows a greater percentage of the required front yard to be paved for a lot having a width less than 9 metres and nullifies the Second Units / Additional Dwelling Units General Provision regulation that defines when a semi-detached dwelling unit is considered to be on its own parcel of urban residential land.

2. Key map showing the location of the lands to which By-law \_\_\_\_applies.

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PART OF ZONING DISTRICT MAPS 11

N.T.S.

# **SCHEDULE 2**

Applicant: 14535723 Canada Inc. (Andi Shallvari)



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : APRIL, 2024 FILE NO. : Z-011/24, ZNG/7193

# PLANNING RATIONALE REPORT (SCOPED)

# ZONING BY-LAW AMENDMENT PROPOSED RESIDENTIAL DEVELOPMENT

0 Bernard RoadCity of Windsor, Ontario

March 28, 2024

# Prepared by:



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# 1.0 INTRODUCTION

I have been retained by 14535723 CANADA INC. (herein the "Applicant"), to provide a scoped land use Planning Rationale Report (PRR) in support of a proposed development to be located at 0 Bernard Road (herein the "Site") in the City of Windsor, Province of Ontario.

The Site, in Ward 5 (Fountainbleu Planning District), is made up of one (1) interior parcel of land, which is currently vacant.

The Site is located on the east side of Bernard Road, north of Somme Ave and south of Ypres Street, between 2416 Bernard Road and 2426 Bernard Road.

It is proposed to construct a new two (2) storey semi-detached dwelling. A total of two (2) residential units are proposed.

The tenure of each unit will be individually owned.

The proposed development provides for a new affordable housing choice in an existing neighbourhood.

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

Parking will be provided in the front yard on private driveways.

The Site has access to full municipality services.

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

Once the ZBA application has been approved, the Applicant will proceed with a building permit.

Pre-consultation (stage 1) was completed by the Applicant (City File #PC-036/23).

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

This scoped PRR will show that the proposed development is suitable, consistent with the PPS, conforms to the intent and purpose of the OP and ZBL, and represents good planning.

# 2.0 SITE AND SURROUNDING LAND USES

# 2.1 Legal Description and Ownership

The Site is made up of one (1) interior parcel of land, which is currently vacant.

The Site was created by severance in 2021 (B-067/21).

The former alleyway at the rear of the Site has been closed and merged with the subject lands.

The Site is located on the east side of Bernard Road, north of Somme Ave and south of Ypres Street, between 2416 Bernard Road and 2426 Bernard Road (see the area in red on Figure 1 – Site Location).



Figure 1 – Site Location (Source: Windsor GIS)

The Site is part of the Fountainbleu Planning District and is located in the City of Windsor Ward 5.

The Site is owned, locally known as and legally described as follows:

Address	Legal Description	PIN	ARN	Owner	Purchased Date
0 Bernard Road, Windsor	LT 191 PL 1102 SANDWICH EAST; PT BLK C PL 1102 SANDWICH EAST (PT ALLEY CLOSED BY R554954) BEING FURTHER DESIGNATED AS PARTS 2 AND 4, PLAN12R28879; S/T INTEREST IN R561985; S/T 554954E; WINDSOR	01362- 0233 LT	070-390- 04903	14535723 CANADA INC.	2022

# 2.2 Physical Features of the Site

#### 2.2.1 Size and Site Dimension

The Site, subject to the proposed development, consists of a total area of 390.2 m2, with 12.2 m along Bernard Road and a depth of 32 m.

### 2.2.2 Existing Structures and Previous Use

The Site is currently vacant.

The previous use was residential.

#### 2.2.3 Vegetation

The property currently has a mown lawn and two privately owned trees.

### 2.2.4 Topography and Drainage

The Site is generally level, and it is outside of the Essex Region Conservation Authority (ERCA) regulated area.

#### 2.2.5 Other Physical Features

Fencing is located along a portion of the Site owned by others.

### 2.2.6 Municipal Services

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

The Site has access to transit and major roadways.

### 2.2.7 Nearby Amenities

There are many schools, parks and libraries in close proximity to the Site.

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

# 2.3 Surrounding Land Uses

Overall, the Site is in an existing built-up area. The following is a summary of the abutting land uses:

Direction	Abutting Land Use
North	Residential
South	Residential
East	Residential
West	Residential

# 3.0 PROPOSAL AND CONSULTATION

# 3.1 Development Proposal

The Site is currently vacant. It is proposed to develop the Site for residential purposes.

It is proposed to construct a new two (2) storey semi-detached dwelling. A total of two (2) residential units are proposed.

A concept plan was prepared by JL Design, dated March 25, 2024 (see Figure 2a -Concept Plan).

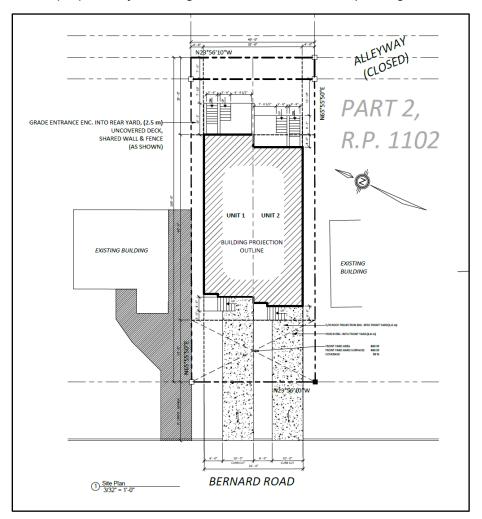


Figure 2a - Concept Plan

The Concept Plan is preliminary in order to illustrate how the Site can be developed.

The building area of the proposed dwelling will occupy a total of 156.8 m2 of the Site (41 %). The proposed height is 9.0 m.

The tenure of each unit will be individually owned.

The proposed dwelling will face Bernard Road. Conceptual elevations of the proposed dwelling have been prepared (see Figure 2b – Elevations).

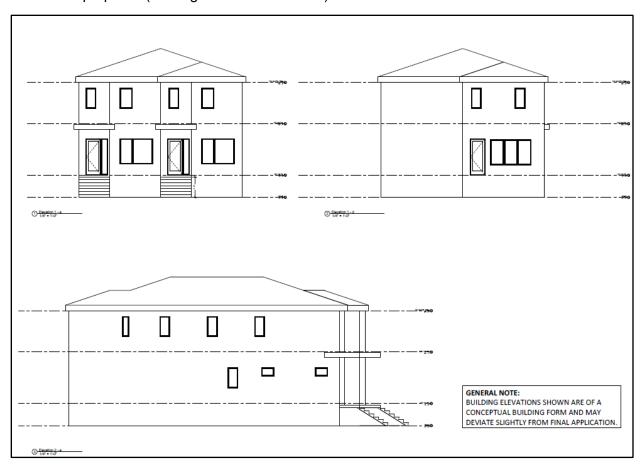


Figure 2b - Conceptual Elevations

The conceptual elevations are preliminary in order to illustrate how the Site can be developed.

Access to the proposed building will be from the east and west sides. There is a front porch proposed.

It is proposed that each unit will have 3 bedrooms. There is an unfinished basement.

Accessibility of units will be addressed at the time of the building permit.

A private uncovered deck will be located on the east side of the proposed building for each unit.

Landscaping and amenity space will be provided.

Parking will be provided in the front yard on private driveways.

The refuse (garbage and recycling) will be located in the individual units.

The Site will be serviced with full municipality services (sewer, water and storm).

There was an existing concrete driveway to the north which encroaches onto the Site and has now been removed.

# 3.2 Public Consultation Strategy

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

As part of a public consultation strategy, in addition to the statutory public meeting, an informal electronic public open house was held with area residents and property owners on Wednesday, January 31, 2024, from 6:00 pm to 7:00 pm.

The open house provided members of the public with opportunities to review and comment on the proposed development.

A total of 62 owners and tenants were notified, which represents a 120 m radius from the Site.

In addition to the Applicant Team, there was one (1) resident registered and attended the open house.

There were phone calls and emails received.

The following is a summary of the comments and questions received, along with the responses provided.

Topic Item	Comments and Questions	Response
Development	No development is supported in the area.	Infill and intensification are supported by the PPS and City OP.
	Does not in support of a semi- detached dwelling.	
Elevations	How many levels?	It is a 2 storey building with an unfinished basement.
Tenure	Does the builder have the intent to rent?	The tenure of each unit will be individually owned.
Application	What does the by-law amendment include/content?	It is proposed to amend the RD1.2 zone to permit a new semi-detached dwelling as an additional permitted use.

Topic Item	Comments and Questions	Response
		Relief for lot area and lot frontage is
		also included in the request.
Density	What is the occupancy	Each unit will have 3 bedrooms.
	capacity for each unit?	
	Too many people.	
Parking	Is there on street parking capacity for visitors?	On-street parking is available.
		Off-street parking will be available.
Services	What is the septic sewer	The Site has access to full municipal
	capacity and flooding history?	services, including sewer and water.
		There will not be a septic system.
Fencing	Will existing fencing (chain	Fencing is not yet determined.
	link) be utilized or will better	
	privacy fencing be installed?	
Alley	Is the closed alleyway at the	The alleyway is closed and owned
	rear of this property?	privately.
Site Plan	What are the measurements of	The lot is 40 ft wide. The proposed
	the lot and the proposed	building is 32 ft wide and will have a 4 ft
	setback?	setback from both interior side yards.
	How is the side yard setback	Side yards measured by the wall of the
	measured?	building.
	Are eaves included in the side	Eaves are allowed to encroach beyond
	yard setback?	the 1.20 m.

# 4.0 APPLICATION AND STUDIES

Pre-consultation (stage 1) was completed by the Applicant (City File #PC-036/23). Comments were received and have been incorporated into this scoped PRR.

The following explains the purpose of the application as well as a summary of the required support studies.

# 4.1 Zoning By-law Amendment

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

The current zoning of the Site, subject to development, is the Residential District 1.2 (RD1.2) category, as shown on Map 11 of the City of Windsor Zoning By-law #8600.

It is proposed to further amend the zoning to Residential District 1.2 (RD1.2 - S.20(1)(XXX)) category to permit one (1) new semi-detached dwelling as an additional permitted use.

Relief from certain regulations is also being requested.

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

# 4.2 Other Application

Once the ZBA application has been approved, the Applicant will proceed with a building permit.

The Site is not subject to Site Plan Control (SPC).

# 4.3 Supporting Studies

#### 4.3.1 Tree

A Tree Inventory Report was determined by the City to be unnecessary. There are two privately owned locust trees identified on the front portion of the Site.

The trees were noted to be in fair health at the time of inspection.

It is recommended by the City that prior to construction, snow fencing, or another suitable barrier be installed around the dripline of the trees to help preserve their health.

# 5.0 PLANNING ANALYSIS

# 5.1 Policy and Regulatory Overview

### **5.1.1 Provincial Policy Statement**

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

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

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

The Site is within a 'Settlement Area', as defined by the PPS.

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

PPS Policy #	Policy	Response
1.0	Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns	where the Site is located, which will contribute positively to promoting efficient land use and
1.1.1	Healthy, liveable and safe communities are sustained by:  a) promoting efficient development and land use patterns which sustain the financial well-being of the	The proposed development is consistent with the policy to build strong, healthy, and livable communities as it provides for a new affordable housing choice in an existing built-up area.

PPS Policy #	Policy	Response
	Province and municipalities over the long term; b) accommodating an	The existing land use pattern provides for infilling and intensification.
	appropriate affordable and market-based range and mix of residential types, employment, institutional,	There are no environmental or public health and safety concerns as the area is established.
	recreation, park and open space, and other uses to meet long-term needs;	The development pattern does not require expansion of the settlement area.
	c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;	Accessibility of units will be addressed at the time of the building permit.
	d) avoiding development and land use patterns that would prevent the efficient expansion	Public service facilities are available, such as local schools.
	of settlement areas in those areas which are adjacent or close to settlement areas;	The development pattern is proposed to be an efficient development of the Site.
	e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;	The Site has access to full municipal services.
	f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict	

g)	ciety; ensuring that necessary rastructure and public	
-,	rastructure and public	
ser ava	rvice facilities are or will be allable to meet current and bjected needs; and	
lan	promoting development and deve	
foc	ttlement areas shall be the cus of growth and velopment.	The Site is within an existing settlement area.
bas of I a) b)	ttlement areas shall be sed on densities and a mix land uses which:  efficiently use land and resources;  are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;  minimize negative impacts to air quality and climate change, and promote energy efficiency;  prepare for the impacts of a changing climate;	The Site offers an opportunity for intensification.  The design and style of the proposed building will blend well with the scale and massing of the existing surrounding area.  Residents will have immediate access to local amenities.  Transit is available for the area.  The Site is located close to major roadways.

PPS Policy #	Policy	Response
	f) are transit-supportive, where transit is planned, exists or may be developed; and	
	g) are freight-supportive.	
1.1.3.3	Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.	The proposed development is located on a Site that is physically suitable.  The Site is generally level, which is conducive to easy vehicular movements.  The intensification can be accommodated for the proposed development as it is an appropriate development of the Site.  Parking will be provided onsite. On-street parking is also available.
1.1.3.4	Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.	The proposed building will be built with a high standard of construction.  There will be no risks to the public.
1.1.3.6	New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of	The proposed development does have a compact built form.  The proposed building size will allow for the efficient use of land, pedestrian and vehicle access,

PPS Policy #	Policy	Response
	land, infrastructure and public service facilities.	infrastructure, and public services.
1.4.1- Housing	To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:  a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.	The proposed development is consistent with the PPS in that it provides for a new housing choice in an existing built-up area.  The proposed development will make efficient use of land, resources, existing infrastructure, and public service facilities by increasing the number of residential dwelling units within the existing settlement area.  The proposed development encourages the utilization of existing transit located close to the Site to meet the health and well-being of future residents.  The proposed development will provide for an infill and intensification opportunity in the existing built-up area.  Municipal services are available.
1.4.3	Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of	The proposed development provides for a new affordable housing choice and utilizes the Site in an efficient manner.  The development will allow a new building to be used for

PPS Policy #	Policy	Response
	current and future residents of the regional market area.	residential purposes. This will address the need for new housing choices in the area.
		The proposed density will have a positive impact on the area. The proposed development will be limited to a 2 storey, low profile building, which is compatible with the surrounding area.
		The Site is close to nearby amenities.
		There is suitable infrastructure, including transit.
1.6.1 - Infrastructure	Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.	The development can proceed on full municipal services.
1.6.6.2	Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to	The proposed development will be serviced by municipal sewer, water, and storm, which are the preferred forms of servicing for settlement areas.

PPS Policy #	Policy	Response
	optimize the use of the services.	
1.6.6.7	Planning for stormwater management shall:  a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;  b) minimize, or, where possible, prevent increases in contaminant loads;  c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use	There are no anticipated negative impacts on the existing municipal system, as it will not add to the capacity in a significant way.  There will be no risk to health and safety as the Site is outside of the ERCA regulated area.  There are no natural heritage features located on the Site.
	of green infrastructure; d) mitigate risks to human health, safety, property and the environment; e) maximize the extent and	
	function of vegetative and pervious surfaces; and  f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.	
1.6.7.1	Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and	The Site is in close proximity to major roadways.

PPS Policy #	Policy	Response
	goods, and are appropriate to address projected needs.	
1.6.7.2	Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.	The proposed development contributes to the City's requirements for development within a built-up area.  The area is serviced by transit.
1.6.7.4	A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.	The proposed development will be limited to a 2 storey, low profile building, which is a compatible density for the Site and with the surrounding area.  The proposed development is near many local amenities, and residents would not have to travel far to access necessities.
2.2.1 - Water	Planning authorities shall protect, improve or restore the quality and quantity of water.	No water issues are anticipated.
3.0 – Healthy and Safety	Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.	There are no natural or human-made hazards.

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

#### 5.1.2 Official Plan

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

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

The Site is part of the Fountainbleu Planning District on Schedule A: Planning Districts & Policy Areas of the OP.

The current land use designation of the Site, subject to development, is 'Residential', as shown on Schedule D: Land Use Plan of the OP (see Figure 3 –OP).

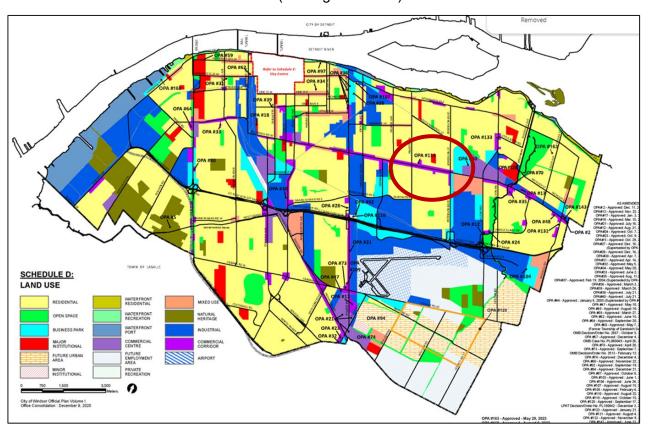


Figure 3 - OP

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

20

OP Policy #	Policy	Response
3.2.1.2 – Development Strategy	Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives.	The proposed residential development supports one of the City's overall development strategies of providing for a range of housing types.
4.0 – Healthy Community	The implementing healthy community policies are interwoven throughout the remainder of the Plan, particularly within the Environment, Land Use,	The proposed development will support the City's goal of promoting a healthy community in order to live, work, and play.
	Infrastructure and Urban Design chapters, to ensure their consideration and application as a part of the planning process.	The proposed development is close to nearby transit, employment, shopping, local amenities, and parks.
6.0 - Preamble	A healthy and livable city is one in which people can enjoy a vibrant economy and a sustainable healthy environment in safe, caring and diverse neighbourhoods. In order to ensure that Windsor is such a city, Council will manage development through an approach which balances environmental, social and economic considerations.	The proposed development supports the policy set out in the OP as it is suited for addressing the City's residential needs.  Existing semi-detached dwellings are a permitted use. A new semi-detached dwelling is proposed.
6.1 - Goals	In keeping with the Strategic Directions, Council's land use goals are to achieve:	The proposed development supports the goals set out in the OP.
	<ul><li>6.1.1 Safe, caring and diverse neighbourhoods.</li><li>6.1.3 Housing suited to the needs of Windsor's residents.</li></ul>	The proposed residential use will provide a new housing choice in an existing neighbourhood.
	6.1.10 Pedestrian oriented clusters of residential, commercial, employment and institutional uses.	The proposed semi-detached dwelling is suited for the needs of future residents.

OP Policy #	Policy	Response
		The Site is pedestrian friendly and close to nearby amenities and major roadways.
6.2.1.2 - General Policies, Type of Development Profile	For the purpose of this Plan, Development Profile refers to the height of a building or structure. Accordingly, the following Development Profiles apply to all land use designations on Schedule D: Land Use unless specifically provided elsewhere in this Plan: (a) Low Profile developments are buildings or structures generally no greater than three (3) storeys in height; (b) Medium Profile developments are buildings or structures generally no greater than six (6) storeys in height; and (c) High Profile developments are buildings or structures generally no greater than fourteen (14) storeys in height.	The proposed development is considered low profile.
6.3.1.1 - Residential	To support a complementary range of housing forms and tenures in all neighbourhoods.	The proposed semi-detached will complement the existing neighbour.
6.3.1.2	To promote compact neighbourhoods which encourage a balanced transportation system.	The proposed development is close to major roadways.
6.3.1.3	To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.	The proposed development will provide for infilling and intensification.
6.3.2.1 – Permitted Uses	Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile, and Medium Profile dwelling units. High Profile Residential Buildings	The proposed development is considered low profile.

OP Policy #	Policy	Response
	shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors.	•
6.3.2.3 – Types of Low Profile Housing	For the purposes of this Plan, Low Profile housing development is further classified as follows:  (a) small scale forms: single detached, semi-detached, duplex and row and multiplexes with up to 8 units; and (b) large scale forms: buildings with more than 8 units.	Semi-detached dwellings, which are considered small-scale, are permitted.
6.3.2.4 – Locational Criteria	Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up to four (4) storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas. New residential development and intensification shall be located where: (a) There is access to a collector or arterial road; (b) Full municipal physical services can be provided; (c) Adequate community services and open spaces are available or are planned; and (d) Public transportation service can be provided.	The Site is close to major roadways, has access to full municipal services, is close to nearby amenities and is close to transit.
6.3.2.5 – Evaluation Criteria (existing neighbourhood)	At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a	This scoped PRR has evaluated the PPS in Section 5.1.1.  There are no constraint areas that impact the Site.

OP Policy #	Policy	Response
	Neighbourhood development	
	pattern is: (a) feasible having	There are no adjacent
	regard to the other provisions of this Plan, provincial	nuisances.
	legislation, policies and	There is no known
	appropriate guidelines and	contamination.
	support studies for uses:	contamination.
	(i) within or adjacent to any	Traffic generation is not
	area identified on Schedule C:	anticipated to have any
	Development Constraint	significant impact.
	Areas and described in the	
	Environment chapter of this	There are no heritage
	Plan; (ii) adjacent to sources	resources on or near the Site.
	of nuisance, such as noise,	There are no secondary plans
	odour, vibration and dust;	that impact the Site.
	(iii) within a site of potential or known contamination; (iv)	The proposed development is
	where traffic generation and	compatible with the existing
	distribution is a provincial or	neighbourhood.
	municipal concern; and (v)	3 c a
	adjacent to heritage	<b>Existing</b> semi-detached
	resources. (b) in keeping	dwellings are a permitted use.
	with the goals, objectives and	A <b>new</b> semi-detached
	policies of any secondary plan	dwelling is proposed.
	or guideline plan affecting the	Only min an artist form the
	surrounding area; (c) In	Only minor relief from the
	existing neighbourhoods, compatible with the	RD1.2 is being requested to allow the proposed dwelling
	surrounding area in terms of	type.
	scale, massing, height, siting,	3,60.
	orientation, setbacks, parking	The proposed building height
	and amenity areas. In Mature	will be similar to a single
	Neighbourhoods as shown on	detached dwelling.
	Schedule A-1, compatible with	
	the surrounding area, as noted	The massing of the
	above, and consistent with the	development has been
	streetscape, architectural style and materials, landscape	carefully designed to emulate the scale of the existing
	character and setback	structures and the
	between the buildings and	surrounding context.
	streets; (d) provided with	
	adequate off street parking;	The building will be oriented to
	(e) capable of being provided	face Benard Rd, similar to the
	with full municipal physical	existing built environment.
	services and emergency	

OP Policy #	Policy	Response
	services; and (f) Facilitation a gradual transition from Low Profile residential development to Medium and/or High Profile development and vice versa, where appropriate, in accordance with Design Guidelines approved by Council.	Lot area and lot frontages in the area vary in size.  The Site is capable of accommodating the proposed development in terms of scale, massing, height, and siting.  The Site is not in a mature neighbourhood, as shown on Schedule A-1.  Off-street parking is provided.  Amenity areas and landscaping will be provided.  Full municipal and emergency services are available.  No transition between uses is required as part of the building design.
7.0 - Infrastructure	The provision of proper infrastructure provides a safe, healthy and efficient living environment. In order to accommodate transportation and physical service needs in Windsor, Council is committed to ensuring that infrastructure is provided in a sustainable, orderly and coordinated fashion.	The proposed development is close to nearby transit, off a major roadway, and has access to full municipal services.

Therefore, the proposed development will conform with the purpose and intent of the City of Windsor OP.

# 5.1.3 Zoning By-law

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

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

According to Map 11 attached to the ZBL the Site is currently zoned Residential District 1.2 (RD1.2) category (see Figure 4 – ZBL).

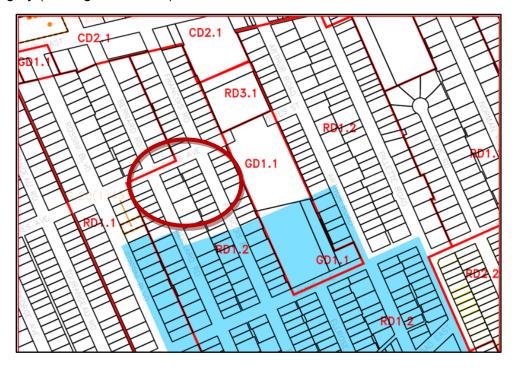


Figure 4 – ZBL

It is proposed to further amend the zoning to Residential District 1.2 (RD1.2 - S.20(1)(XXX)) category to permit one (1) new semi-detached dwelling as an additional permitted use with site specific relief.

SEMI-DETACHED DWELLINGS means one dwelling divided vertically into two dwelling units by a common interior wall having a minimum area above grade of 10.0 sq. m., and may include, where permitted by Section 5.99.80, up to two additional dwelling units.

A review of the RD1.2 zone provisions, as set out in Section 10.2 of the ZBL is as follows:

Zone Regulations (10.2.5)	Required RD1.2 Zone (Semi-detached Dwelling)	Proposed	Compliance and/or Relief Requested with Justification
Permitted Uses	Existing Duplex Dwelling Existing Semi-Detached	one (1) new semi- detached dwelling	Subject to the ZBA.

Zone Regulations (10.2.5)	Required RD1.2 Zone (Semi-detached Dwelling)	Proposed	Compliance and/or Relief Requested with Justification
	Dwelling One Single Unit Dwelling Any use accessory to the preceding uses		The proposed development is compatible with the existing neighbourhood.  No transition between uses is required in the building design.
			The proposed building height will comply.
Lot Width – minimum	15.0 m	12.2 m	Relief Required.  Lot frontage is existing.
			The request is minor.
			The Site is sufficient to accommodate the proposed semi-detached dwellings.
			The proposed side yard setbacks will comply.
Lot Area –	450.0 m2	390.2 m2	Relief Required.
minimum			Lot area is existing.
			The request is minor.
			The land area is sufficient to accommodate the proposed development.
			The proposed lot coverage will comply.
Lot Coverage	45.0%	41.0 %	Complies
– maximum		(based on building area of 156.8 m2)	

Zone Regulations (10.2.5)	Required RD1.2 Zone (Semi-detached Dwelling)	Proposed	Compliance and/or Relief Requested with Justification
Main Building Height - maximum	9.0 m	9.0 m	The proposed lot coverage will comply.
Front Yard Depth – minimum	6.0 m	6.0 m	The proposed lot coverage will comply.
Rear Yard Depth – minimum	7.50 m	7.5 m	Complies
Side Yard Width – minimum	1.20 m	North side – 1.20 m South side – 1.20 m	Complies
Gross Floor Area – main building – maximum	400 m2	313.5 m2 (w/unfinished basement)	Complies
Parking Requirements - minimum 24.20.5.1	Semi-detached dwelling - 1 for each dwelling unit Total required = 2	>2 parking spaces  (private driveways for each unit are proposed)	Complies
Driveway Hard Surface – maximum 24.28.3.1	50.0 % of the required front yard area (for a lot having a width of 9 metres or greater)	50.0 %	Complies

Therefore, the proposed development will comply with all zone provisions set out in the RD1.2 Zone except for the following, which requires site-specific relief:

- 1. decrease the minimum lot width from 15.0 m to 12.2 m, and
- 2. decrease the minimum lot area from 450.0 m2 to 390.2 m2.

# 6.0 SUMMARY AND CONCLUSION

# 6.1 Context and Site Suitability Summary

### 6.1.1 Site Suitability

The Site is ideally suited for residential development for the following reasons:

- The land area is sufficient to accommodate the proposed development,
- The Site is generally level,
- The Site will be able to accommodate municipal water, storm and sewer,
- There are no anticipated traffic or parking concerns, and
- The location of the proposed development is appropriate.

### 6.1.2 Compatibility of Design

The proposed development will be limited to a 2 storey, low profile building, which is a compatible density for the Site and with the surrounding area.

The proposed residential use will provide a new housing choice in an existing built-up area.

The Site is capable of accommodating the proposed development in terms of scale, massing, height, and siting.

Parking, amenity areas, and landscaping will be provided.

### 6.1.3 Good Planning

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

Existing semi-detached dwellings are a permitted use. A new semi-detached dwelling is proposed.

Residential use on the Site represents an efficient development pattern that optimizes the use of land.

#### **6.1.4 Environment Impacts**

The proposal does not have any negative impact on the natural environment.

#### 6.1.5 Municipal Services Impacts

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

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0 Bernard Rd, Windsor, Ontario

#### 6.1.6 Social, Cultural, and Economic Conditions

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

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

The proposed development promotes efficient development and land use patterns that sustain the financial well-being of the City.

The proposal does not cause any public health and safety concerns.

The proposal represents a cost-effective development pattern that minimizes land consumption and servicing costs.

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

There are no cultural heritage resources that impact the Site.

### 6.2 Conclusion

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

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

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

- 10.2.13.2 Where a Planning Rationale Report is required, such a study should:
  - (a) Include a description of the proposal and the approvals required:
  - (b) Describe the Site's previous development approval history;
  - (c) Describe major physical features or attributes of the Site including current land uses(s) and surrounding land uses, built form and contextual considerations;
  - (d) Describe whether the proposal is consistent with the provincial policy statements issued under the Planning Act;
  - (e) Describe the way in which relevant Official Plan policies will be addressed, including both general policies and site-specific land use designations and policies;
  - (f) Describe whether the proposal addresses the Community Strategic Plan;

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- (g) Describe the Suitability of the Site and indicate reasons why the proposal is appropriate for this Site and will function well to meet the needs of the intended future users;
- (h) Provide an analysis of the compatibility of the design and massing of the proposed developments and land use designations;
- (i) Provide an analysis and opinion as to why the proposal represents good planning, including the details of any methods that are used to mitigate potential negative impacts;
- (j) Describe the impact on the natural environment;
- (k) Describe the impact on municipal services;
- (I) Describe how the proposal will affect the social and/or economic conditions using demographic information and current trends; and,
- (m) Describe areas of compliance and non-compliance with the Zoning By-law.

#### Planner's Certificate:

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

Tracey Pillon-Abbs, RPP Principal Planner



# **Zoning Analysis**

Municipal Address	Age of Main Building	Lot Width (m) (Approximate)	Lot Area (m2) (Approximate)	Main Building Area (m2) (Approximate)	Total Building Area (m2) (Approximate)	Lot Coverage Main Building Only (Approximate)	Lot Coverage (Approximate)	Density (Approximate) (uph)	Density with ADU's (Approximate) (uph)
0 Bernard Road	0	12.2	389.6	156.8	156.8	40.2%	40.2%	51.3	51.3
2403 Bernard Road	1940	15.2	455.2	135.7	149.9	29.8%	32.9%	22.0	65.9
2404 Bernard Road	1936	12.9	364.2	103.6	134.2	28.4%	36.8%	27.5	82.4
2409 Bernard Road	1946	9.1	292.6	54.2	84.7	18.5%	28.9%	34.2	102.5
2410 Bernard Road	1956	12.2	364.2	120.2	184.3	33.0%	50.6%	27.5	82.4
2415 Bernard Road	1942	12.2	364.2	108.5	142.6	29.8%	39.2%	27.5	82.4
2416 Bernard Road	1947	12.2	393.8	88.0	104.3	22.3%	26.5%	25.4	76.2
2419 Bernard Road	1953	12.2	390.2	81.9	129.0	21.0%	33.1%	25.6	76.9
2425 Bernard Road	1939	12.2	390.2	76.2	102.8	19.5%	26.3%	25.6	76.9
2426 Bernard Road	1940	24.4	780.3	94.9	155.4	12.2%	19.9%	12.8	38.4
2429 Bernard Road	1936	12.2	390.2	75.9	107.6	19.5%	27.6%	25.6	76.9
2432 Bernard Road	1994	18.2	582.8	207.1	223.0	35.5%	38.3%	17.2	51.5
2433 Bernard Road	1959	18.3	585.3	113.6	159.3	19.4%	27.2%	17.1	51.3
2441 Bernard Road	1947	18.3	585.3	120.5	120.5	20.6%	20.6%	17.1	51.3
2442 Bernard Road	1950	18.4	587.7	100.5	153.8	17.1%	26.2%	17.0	51.0
2453 Bernard Road	1945	24.4	780.3	97.0	133.3	12.4%	17.1%	12.8	38.4
2454 Bernard Road	1940	30.5	973.1	126.4	189.8	13.0%	19.5%	10.3	30.8
2459 Bernard Road	1942	12.2	390.2	72.2	86.2	18.5%	22.1%	25.6	76.9
2465 Bernard Road	1950	16.8	536.5	77.0	89.1	14.4%	16.6%	18.6	55.9
2466 Bernard Road	1941	18.3	585.3	154.8	159.7	26.4%	27.3%	17.1	51.3
2470 Bernard Road	1993	13.7	438.9	111.2	121.1	25.3%	27.6%	22.8	68.4
2477 Bernard Road	1950	18.3	546.2	99.0	138.5	18.1%	25.4%	18.3	54.9
2478 Bernard Road	1936	12.2	390.7	116.2	130.3	29.7%	33.4%	25.6	76.8
2481 Bernard Road	1941	18.3	585.3	74.0	97.8	12.6%	16.7%	17.1	51.3
2482 Bernard Road	1970	12.2	390.2	120.8	154.1	31.0%	39.5%	25.6	76.9
2486 Bernard Road	1950	12.2	390.2	97.5	138.5	25.0%	35.5%	25.6	76.9
2489 Bernard Road	1941	18.3	585.2	96.6	133.8	16.5%	22.9%	17.1	51.3
2490 Bernard Road	2015	12.2	390.2	88.4	88.4	22.7%	22.7%	25.6	76.9
2494 Bernard Road	1936	12.2	364.2	92.4	130.1	25.4%	35.7%	27.5	82.4
2497 Bernard Road	1950	24.4	780.3	146.9	166.2	18.8%	21.3%	12.8	38.4
2498 Bernard Road	2015	12.2	364.2	163.3	201.8	44.8%	55.4%	27.5	82.4
Average		15.8	497.0	108.8	137.6	23.3%	29.4%	21.7	65.2

Item No. 7.4



Council Report: S 79/2024

Subject: Zoning By-law Amendment Application for 0 Turner Road, Z-014/24 [ZNG-7202], Ward 9

#### Reference:

Date to Council: July 2, 2024 Author: Brian Nagata, MCIP, RPP Planner II - Development Review (519) 255-6543 ext. 6181

Planning & Building Services Report Date: June 13, 2024 Clerk's File #: Z/14808

To: Mayor and Members of City Council

### **Recommendation:**

I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning for the lands located on the southeast corner of Moxlay Avenue and Turner Road, described as Part of Lots 1007 to 1010, Part of Closed Alley, Plan 1126, Part 2, Reference Plan 12R-11872 [PIN No. 01350-0225 LT], from Residential District 1.1 (RD1.1), to Residential District 3.2 (RD3.2), subject to additional regulations:

#### 508. SOUTHEAST CORNER OF MOXLAY AVENUE AND TURNER ROAD

- (1) For the lands comprising of Part of Lots 1007 to 1010, Part of Closed Alley, Plan 1126, Part 2, Reference Plan 12R-11872, PlN No. 01350-0225 LT, the following shall apply:
- 1. Section 5.15.5 shall not apply.
- 2. The provisions of Section 12.2.5 shall apply, save and except Subsections 12.2.5.3, 12.2.5.4 and 12.2.5.8.
- 3. Lot Coverage maximum 41.6%

For this provision *lot coverage* shall exclude any portion of an *accessory building* covered by a *green roof*.

4. Main Building Height - maximum 10.0 m

5. Front Yard Depth - maximum 0.0 m

6. Landscaped Open Space Yard - minimum 41.6% of lot area

For this provision a *landscaped open space yard* shall include a *green roof* and *soft landscaping* defined as follows:

"GREEN ROOF means an area open to the sky, located on the roof of a building and maintained with flowers, grass, shrubs, and/or trees."

"SOFT LANDSCAPING means an area open to the sky, maintained with flowers, grass, shrubs, and/or trees."

- 7. A minimum of 390.0 m<sup>2</sup> of *green roof* shall be provided.
- 8. Notwithstanding Section 25.5.20.1.2 of Table 25.5.20.1, the minimum separation from a *parking area* and Turner Road shall be 1.20 metres, and such separation shall include a 1.20-metre-high ornamental fence spanning the length of the separation, save and except that portion of the separation within 0.30 metres of an *access area*.
- 9. Notwithstanding Section 25.5.20.1.3 of Table 25.5.20.1, the minimum separation from a *parking area* to the south interior lot line shall be 1.20 metres.
- 10. Notwithstanding Section 25.5.20.1.6 of Table 25.5.20.1, the minimum separation from a *parking area* to a building wall containing a *habitable room window* shall be 3.50 metres, and such separation shall include a soft landscaping buffer with a minimum depth of 2.00 metres along any building wall containing a *habitable room window*.

[ZDM 12; ZNG/7202]

- II. 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. Micro-Climate Study, prepared by Haddad Morgan & Associates Ltd., dated December 30, 2023.
  - b. Planning Rationale Report, prepared by Pillon Abbs Inc., dated April 25, 2024.
  - c. Road Traffic and Stationary Noise Impact Study: Turner Road Noise Impact Study, prepared by Acoustic Engineering Ltd., dated November 9, 2023.
  - d. Sanitary Study, prepared by Haddad Morgan & Associates Ltd., dated August 14, 2023.
  - e. Stormwater Management Study, prepared by Haddad Morgan & Associates Ltd., stamped on March 27, 2024.
  - f. Stormwater Management Study Approval Letter, from the Office of the Commissioner of Engineering Services., dated March 27, 2024.
  - g. Tree Inventory & Preservation Study, prepared by a licensed landscape architect, in accordance with Section 10.2.14 of the City of Windsor Official Plan.

- h. Urban Design Study, prepared by a qualified consultant, in accordance with Section 10.2.12 of the City of Windsor Official Plan.
- III. 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 the north limit of Lot 1011, Plan 1126, PIN No. 01350-0183 LT.
  - b. 1.83-metre-high screening fence shall be erected and maintained the west limit of the east half of the Closed Alley, Plan 1126, PIN No. 01350-0226 LT.
  - a. Mitigation measures identified in the aforesaid Road Traffic and Stationary Noise Impact Study: Turner Road Noise Impact Study, subject to the approval of the Chief Building Official.
  - 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 aforesaid Sanitary Study and
     Stormwater Management Study.
- IV. THAT the Site Plan Approval Officer **CONSIDER** the following matter in an approved site plan and/or executed and registered site plan agreement:
  - i. Energy Strategy prepared by a qualified consultant, in accordance with the Energy Strategy Terms of Reference.

Execu	utive	Sum	mary:

N/A

**Background:** 

**Application Information:** 

**Location:** 0 Turner Road

(Part of Lots 1007 to 1010, Part of Closed Alley, Plan 1126, Part 2, Reference Plan 12R-11872; Roll No. 070-260-03700; PIN No. 01350-0225 LT)

Ward: 9

Planning District: Devonshire

**Zoning District Map:** 12

Owner: Olivia Construction Homes Inc. (Ashraf Botros)

**Applicant:** Same as Owner

**Authorized Agent:** Pillon Abbs Inc. (Tracey Pillon-Abbs)

### Proposal:

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning for the lands located on the southeast corner of Moxlay Avenue and Turner Road, known municipally as 0 Turner Road (the subject property), from a Residential District 1.1 (RD1.1) zone to a site-specific Residential District 3.2 (RD3.2) zone to allow for the construction of a three (3) storey, 17-unit multiple dwelling with a 21-space rear parking area.

The applicant is requesting a site-specific zoning provision to increase the maximum lot coverage from 35.0% to 42.0% and reduce the minimum landscaped open space yard from 35.0% to 11.2% of the lot area.

**Submitted Information:** Conceptual Plans (See Appendix A), Deed, Micro-Climate Study (See Appendix G), Plan of Survey, Planning Rationale Report (See Appendix H), Road Traffic and Stationary Noise Impact Study: Turner Road Noise Impact Study (See Appendix I), Sanitary Study (See Appendix J), Stormwater Management Study Approval Letter (Appendix K), Stormwater Management Study (See Appendix L), and Zoning Bylaw Amendment Application Form.

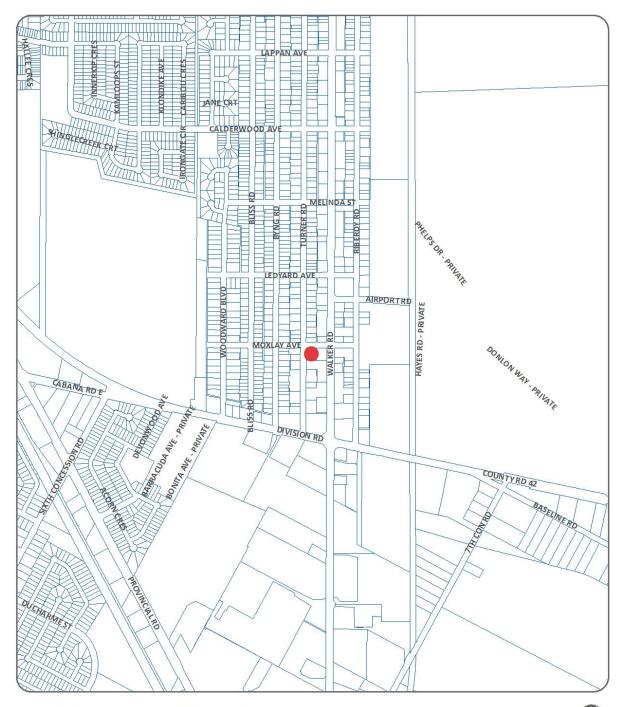
#### **Site Information:**

Official Plan	Zoning	Current Use	Previous Use
Residential	Residential District 1.1 (RD1.1)	Vacant Land	Residential (Single Unit Dwelling - demolished in 1990)
Lot Width	Lot Depth	Lot Area	Lot Shape
36.4 m	42.7 m	1,551.6 m <sup>2</sup>	Rectangular

All measurements are based on the Plan of Survey completed by Verhaegen Land Surveyors, dated January 8, 2021

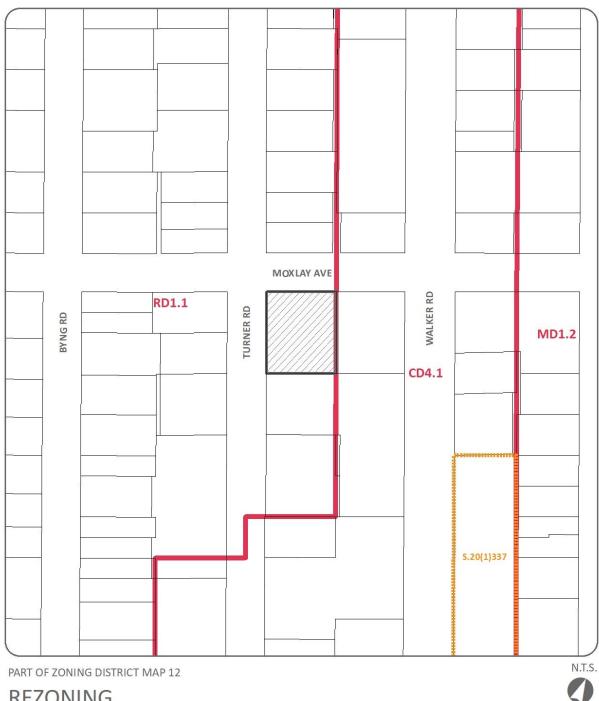
The subject property is vacant and maintained as landscaped open space, save and except a small portion making up part of a shared gravel driveway with the abutting property to the east known municipally as 3911 Walker Road.

The subject property is bound by a roadside ditch to the north and west and is subject to a 2.13-metre-wide utility easement along the east lot line (Instrument No. R1102972E).



KEY MAP - Z-014/24, ZNG-7202

SUBJECT LANDS



# REZONING

Applicant: Olivia Construction Homes Inc.



PLANNING & BUILDING DEPARTMENT

DATE : MAY, 2024 FILE NO. : Z-014/24, ZNG-7202



NEIGHBOURHOOD MAP - Z-014/24, ZNG-7202





#### **Neighbourhood Characteristics:**

The subject property is located on the eastern side of the Devonshire neighbourhood. The Devonshire neighbourhood constitutes the area north of Division Road, east of the Canadian Pacific Railway rail corridor, south of E. C. Row Expressway and west of the Canadian National Railway rail corridor.

### **Surrounding Land Uses:**

#### North:

- Commercial (business office, financial office, personal service shops, restaurants, retail stores, retail stores - equipment & supplies)
- Low density residential

#### East:

Automobile repair garage

#### South:

Retail store - equipment & supplies

#### West:

Low density residential

#### **Municipal Infrastructure:**

- Moxlay Avenue is classified as a local road, which has a two-lane cross section with no curbs and gutters, sidewalks or streetlights.
- Turner Road is classified as a local road, which has a two-lane cross section with no curbs and gutters, sidewalks or streetlights.
- Roadside ditches are located within the Moxlay Avenue right-of-way.
- Roadside ditches, sanitary sewer, and watermains are located within the Turner Road right-of-way.
- There is a transit stop for the South Windsor 7: Westbound transit route within approximately 285.0 metres of the subject property.
- There is a transit stop for the Walkerville 8: Northbound transit route within approximately 275.0 metres of the subject property.
- There is a transit stop for the Walkerville 8: Southbound transit route within approximately 90.0 metres of the subject property.

#### Discussion:

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

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

#### 1.0 Building Strong Healthy Communities

#### Policy 1.1.1 states:

- Healthy, liveable and safe communities are sustained by:
  - a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
    - This amendment will allow for a multiple dwelling infill development that optimizes existing municipal services.
  - b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
    - This amendment will allow for the construction of a multiple dwelling, further diversifying the range and mix of residential types available in the Devonshire neighbourhood.
  - c) avoiding development and land use patterns which may cause environmental or public health and safety concerns.
    - The Road Traffic and Stationary Noise Impact Study: Turner Road Noise Impact Study (Noise Study) found the road traffic noise impacts from Walker Road to exceed the limits set forth in the Ministry of the Environment and Climate Change's Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning (NPC-300).
    - The Noise Study recommends mitigation measures to ensure that the inhabitants of the multiple dwelling will not be subjected to unacceptable levels of noise.
    - The Planning Department is recommending that the Site Plan Approval Officer be directed to incorporate these mitigation measures into an approved site plan and executed and registered site plan agreement, subject to the approval of the Chief Building Official.
    - This amendment will not cause any environmental or public health and safety concerns if the mitigation measures are implemented.

- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
  - This amendment will allow for the redevelopment of the subject property through residential intensification, optimizing existing municipal infrastructure and public service facilities, and avoiding unnecessary land consumption.
  - The development of the subject property at a higher density, in conjunction with it being within walking distance of transit stops and a Mixed-Use Corridor (Walker Road), also represents a transitsupportive development.
    - 400.0 metres is typically used as an acceptable walking distance to a transit stop.
    - This is reflected within Transit Windsor's 2019 Transit
       Master Plan and the City of Windsor's Active Transportation
       Master Plan.
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society.
  - The interior layout for a multiple dwelling must comply with the Barrier-Free Design requirements of the *Ontario Building Code*.
  - The exterior site design for a multiple dwelling must comply with the accessibility requirements under Ontario Regulation 191/11 Integrated Accessibility Standards to the Accessibility for Ontarians with Disabilities Act, 2005 and the Barrier-Free Design requirements of the Ontario Building Code.
    - Zoning By-law 8600 also includes provisions that cover many of the aforesaid accessibility requirements.
  - Compliance with the aforesaid requirements will be addressed through the Site Plan Control and Building Permit application processes.
  - The Engineering Department is requesting that the Site Plan Approval Officer incorporate a payment of \$9,142.00, being the Owner's contribution towards the future construction of a concrete sidewalk on the Turner Road and Moxlay Avenue frontage of the subject lands into an executed and registered site plan agreement.

- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.
  - The subject property is serviced by a 150-millimetre cast iron thick walled watermain, 250-millimetre PVC sanitary sewer, and roadside ditch within the Turner Road right-of-way.
  - The subject property is serviced by a roadside ditch within the Moxlay Avenue right-of-way.
  - The subject property is serviced by overhead hydro lines running parallel to the east property line.
  - The subject property has direct access to a public highway in the form of Moxlay Avenue and Turner Road.
  - John A. McWilliam Public School and Vincent Massey Secondary School are located within 2.4 kilometres and 5.8 kilometres of the subject property, respectively.
  - St. Christopher Catholic Elementary School and Holy Names Catholic High School are located within 3.0 kilometres and 6.5 kilometres of the subject property, respectively.
  - Optimist Community Centre and W.F. Chisholm Branch Public Library are located within 5.3 kilometres of the subject property.

#### Policy 1.1.3.1 states:

- Settlement areas shall be the focus of growth and development.
  - The subject property is located within a Settlement area.

#### Policy 1.2.6 states:

- 1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.
  - The Noise Study found the stationary noise impacts from neighboring commercial properties to be below the limits set forth in NPC-300.

#### Policy 1.4.3 states:

- Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:
  - o b) permitting and facilitating:
    - 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;

- Refer to the responses provided to PPS Policies 1.1.1 b) and 1.1.1 e) herein.
- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
  - Refer to the response provided to PPS Policy 1.1.1 g) herein.
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;
  - Refer to the response provided to PPS Policies 1.1.1 a), 1.1.1 b), 1.1.1 e) and 1.1.1 g) herein.

#### Policy 1.6.9.2 states:

- 1.6.9.2 Airports shall be protected from incompatible land uses and development by:
  - a) prohibiting new residential development and other sensitive land uses in areas near airports above 30 NEF/NEP;
    - Refer to the response provided to PPS Policy 1.1.1 c) herein.
  - b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the airport; and
    - Refer to the response provided to PPS Policy 1.1.1 c) herein.
  - c) discouraging land uses which may cause a potential aviation safety hazard.
    - Refer to the response to Official Plan Policy 7.2.10.2(c) herein.

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

- Policy 1.1.3.2 states:
  - Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
    - a) efficiently use land and resources;

- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- f) are transit-supportive, where transit is planned, exists or may be developed; and

#### Policy 1.6.6.2 states:

• Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

#### Policy 1.6.7.4 states:

 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

#### o Policy 1.7.1 states:

- Long-term economic prosperity should be supported by:
  - b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;
  - c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;

#### Policy 1.8.1 states:

- Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:
  - e) encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;

#### Official Plan

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

The subject property is located within the Devonshire Planning District on *Schedule A - Planning Districts & Policy Areas*, within an Airport Operating Area with a Noise Exposure Forecast over 30 on *Schedule C - Development Constraint Areas*, and within a Residential land use designation on *Schedule D - Land Use Plan*, to the *City of Windsor Official Plan*.

#### Volume I

#### Chapter 3 - Development Strategy

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

#### 3.2 - Growth Concept

#### 3.2.1 - Safe, Caring and Diverse Communities

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

#### Chapter 6 - Land Use:

#### 6.1 Goals

This amendment complies with the following applicable land use goals:

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

#### 6.3 Residential

#### 6.3.1 Objectives

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

 To support a complementary range of housing forms and tenures in all neighbourhoods • To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan (Objective 6.3.1.3).

#### 6.3.2 Policies

#### **Permitted Uses**

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

A three (3) storey multiple dwelling is classified as a Low-Profile dwelling unit.

#### **Locational Criteria**

Residential intensification shall be directed to the Mixed-Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up to four (4) storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas.

New residential development and intensification shall be located where: (Policy 6.3.2.4)

- (a) There is access to a collector or arterial road;
  - The subject property is located within approximately 35.0 metres of Walker Road and approximately 250.0 metres of Division Road, both Class II Arterial Roads.
- (b) Full municipal physical services can be provided;
  - Refer to the response provided to PPS Policy 1.1.1 g) herein.
- (c) Adequate community services and open spaces are available or are planned; and
  - Refer to the responses provided to PPS Policy 1.1.1 g) and the Surrounding Land Uses section herein.
- (d) Public transportation service can be provided.
  - Refer to the response provided to PPS Policy 1.1.1 e) and the Municipal Infrastructure section herein.

#### **Evaluation Criteria for a Neighbourhood Development Pattern**

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is: (Policy 6.3.2.5)

 (a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:

- (i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;
  - The subject property is located within an Airport Operating Area with a Noise Exposure Forecast above 30.
    - Refer to the response provided to Official Plan policy 7.2.10.2 herein.
- (ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust;
  - Refer to the responses provided to PPS Policies 1.1.1 c) and 1.2.6 herein.
- (iv) where traffic generation and distribution is a provincial or municipal concern; and
  - The Transportation Planning Department did not identify any concerns with traffic generation and distribution.
- (c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.
  - The Planning Department analyzed the properties within the 2100-2200 blocks of Moxlay Avenue and the 3800-3900 blocks of Turner Road (the block) to determine if a development permitted through this amendment will be compatible with the established built environment within the block.
  - The analysis included four (4) blocks due to the subject property being situated at the intersection of Moxlay Avenue and Turner Road.
  - The analysis found the block to have a diverse built environment consisting of a mix of commercial uses and Low-Profile residential uses,
  - The data collected through this analysis is summarized below and included in the table attached hereto as Appendix M.

#### Scale and Massing

- The lot coverage attributed to main buildings within the block ranges from approximately 0.0% to 100.0%.
  - Lot coverage of just the residential properties ranges from 11.5% to 40.5%.
  - Total lot coverage of just the residential properties ranges from 12.6% to 40.5%.
  - The applicant is proposing a lot coverage of 41.6% (644.7 m²).
  - The RD1.1 zoning permits a maximum lot coverage of 45.0%, which equates to 698.2 m² for the subject property.
  - The RD3.2 zoning permits a maximum lot coverage of 35.0%, which equates to 543.1 m² for the subject property.

- The Planning Department is recommending that a site-specific provision be added to establish a maximum lot coverage of 41.6%, subject to the requested additional lot coverage being compensated equally through an increase in minimum landscaped open space yard from 35.0% of the lot area to 41.6% of the lot area.
- Lot widths of properties within the block range from approximately 10.7 metres to 185.7 metres.
  - Lots widths of just the residential properties range from 10.7 metres to 34.6 metres.
- Lot areas of properties within the block range from approximately 370.7 m<sup>2</sup> to 13,378.4 m<sup>2</sup>.
  - Lots areas of just the residential properties range from 370.1 m<sup>2</sup> to 1.278.0 m<sup>2</sup>.
- The block includes a hotel (Lexington Inn & Suites), a restaurant (Applebee's), a semi-detached dwelling, an automobile repair garage (E & A Auto Centre), two (2) retail stores - equipment & sales (Lunar Industrial Supply Limited and Tamar Building Products), and several single unit dwellings of various sizes and architectural styles, reflective of their time of construction ranging from 1935 to 2021.

#### Height

- The maximum main building height provision for a multiple dwelling on a corner lot under the RD3.2 zoning is 24.0 metres.
  - The applicant is proposing a building height of 9.9 metres.
  - Building heights within the block include a two (2) storey semidetached dwelling, one (1) storey, one and a half (1 ½) storey and two (2) storey single unit dwellings and one (1) to two (2) storey commercial buildings.
  - The Planning Department is recommending that a site-specific provision be added to establish a maximum main building height of 10.0 metres.
    - This provision will ensure that a multiple dwelling will have a building height complimentary with the residential and commercial properties in the block.
    - This provision will ensure that unacceptable levels of shadows will not be cast on surrounding residential properties.
    - This provision will lastly ensure that adequate privacy is provided for surrounding residential properties.

#### Siting, Setbacks, Orientation and Parking

- The applicant is proposing to locate the multiple dwelling at the front lot line.
  - A multiple dwelling at this location will define and frame the street while screening the parking area from view.
  - This location also provides a complimentary transition from the Residential land use designation to the Mixed-Use Corridor land use designation on the lands immediately east.
    - Buildings in a Mixed-Use Corridor land use designation are encouraged to be located at the street frontage lot line with parking accommodated to the rear of the site.
  - The Planning Department is recommending that a site-specific provision be added to establish a maximum front yard depth of 0.0 metres.
    - This provision will ensure that a multiple dwelling is constructed at the front lot line.
- The applicant's request for a reduction in minimum landscaped open space yard is not supported by the Planning Department.
  - The applicant has subsequently agreed to provide a green roof to comply with the minimum landscaped open space yard provision being recommended herein.
  - The Planning Department is recommending that a site-specific provision be added to establish a definition for a green roof that includes it as landscaped open space yard.
  - The Planning Department is also recommending that a site-specific provision be added to establish a minimum green roof area of 390.0 m<sup>2</sup>.
    - This provision accounts for the approximately 25.1% (390.0 m²) deficiency in landscaped open space yard, which includes the 6.6% (102.4 m²) increase in maximum lot coverage.
  - The Planning Department is further recommending that a sitespecific provision be added that excludes any portion of an accessory building with a green roof from being included as lot coverage.
    - This provision will allow for a carport to be constructed over a portion of the parking area in the future, adding aesthetic value to the property.

- The applicant, after the submission of this application, has requested that the site-specific provision be expanded to include relief from the following provisions:
  - Reduction in minimum parking area separation from Turner Road from 3.00 metres to 1.20 metres to accommodate the required parking spaces.
    - The Planning Department is recommending that a sitespecific provision be added to establish a minimum parking area separation from Turner Road of 1.20 metres, subject to the inclusion of a 1.20-metre-high ornamental fence spanning the length of the separation, save and except that portion of the separation within 0.30 metres of an access area.
  - Reduction in minimum parking area separation from a building wall containing a habitable room window from 4.50 metres to 3.50 metres to accommodate the minimum access area width of 7.00 metres.
    - The Planning Department is recommending that a site-specific provision be added to establish a minimum parking area separation from a wall containing a habitable room window of 3.50 metres, subject to the inclusion of a soft landscaping buffer with a minimum depth of 2.00 metres along any building wall containing a habitable room window and a minimum parking area separation from the south lot line of 1.20 metres.
      - This provision provides sufficient space for trees to be planted along the south lot line and ensures that the inhabitants of the dwellings with habitable room windows facing the parking area are buffered from vehicle headlights and provided with adequate privacy.
  - Exemption from the provision requiring any part of any building or structure from having a minimum separation of 6.0 metres from the point of intersection of any two streets to accommodate the proposed multiple dwelling building footprint.
    - The purpose of this provision is to maintain clear sightlines at intersections.
    - Transportation Planning has confirmed that a corner cut off is not required as both Moxlay Avenue and Turner Road are classified as local roads. Further, they have rural cross sections, translating to wider boulevards.
    - The Planning Department is not opposed to the requested exemption.

- (d) provided with adequate off street parking;
  - The proposed development will accommodate the required number of parking spaces onsite.
- (e) capable of being provided with full municipal physical services and emergency services; and
  - Refer to the response provided to PPS Policy 1.1.1 g) herein for details on the municipal physical services available to the subject property.
  - The subject property is served by Essex-Windsor EMS, Windsor Fire & Rescue Services (Fire Hall No. 6) and Windsor Police Service.
- (f) Facilitation a gradual transition from Low Profile residential development to Medium and/or High-Profile development and vice versa, where appropriate, in accordance with Design Guidelines approved by Council.
  - o A three (3) storey multiple dwelling is classified as a Low-Profile dwelling.

#### Chapter 7 - Infrastructure:

#### 7.2 Transportation System

#### 7.2.10 Air Transportation Policies

Council shall protect the Windsor Airport from incompatible development. Accordingly, all proponents of development within the Airport Operating Area designated on Schedule 'C': Development Constraint Areas shall be subject to the following: (Policy 7.2.10.2)

- (b) Redevelopment of existing sensitive land uses may only be considered above 30 NEF/NEP provided the proponent successfully completes a noise study to:
  - (i) Support the feasibility of the proposal;
    - Refer to the response provided to PPS Policy 1.1.1 c) herein.
  - (ii) Identify and implement appropriate mitigation measures (refer to Procedures chapter);
    - Refer to the response provided to PPS Policy 1.1.1 c) herein.
- (c) Redevelopment of existing residential uses and other sensitive land use in areas above 30 NEF/NEP may only be considered if it has been demonstrated that there will be no negative impacts on the long-term function of the airport;
  - Windsor Airport through their comments confirmed that they have no issues with the proposed development.

- (d) Land uses which may cause a potential aviation safety hazard are discouraged;
  - o Refer to response to Official Plan Policy 7.2.10.2(c) above.

Council shall ensure that new development in the vicinity of the Windsor Airport includes appropriate noise and vibration abatement measures in accordance with established off-airport land use planning practices (Policy 7.2.10.3).

• Refer to the response provided to PPS Policy 1.1.1 c) herein.

#### Chapter 11 - Tools:

Land use compatibility throughout Windsor is an implementation goal to be achieved when administering a planning tool under this Chapter. Compatibility between land uses is also an objective of the Zoning By-law Amendment planning tool (Policy 11.6.1.2).

 Land use compatibility was considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

#### Policy 11.6.3.3 states:

- When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:
  - (a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;
  - (b) Relevant support studies;
  - (c) The comments and recommendations from municipal staff and circularized agencies;
  - o (d) Relevant provincial legislation, policies and appropriate guidelines; and
  - (e) The ramifications of the decision on the use of adjacent or similar lands.
    - This amendment is not anticipated to have any ramifications on the use of adjacent or similar lands.

The aforesaid matters were considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

#### **Zoning By-Law**

Relevant excerpts from Zoning By-law 8600 are attached as Appendix D.

The subject property is within a RD1.1 zone of Zoning By-law 8600, which does not permit a multiple dwelling use.

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning of the subject lands from Residential District 1.1 (RD1.1) zone to a site-specific Residential District 3.2 (RD3.2) zone to allow for the construction of a three (3) storey, 17-unit multiple dwelling with a 21-space rear parking area.

The applicant's request has been considered and is supported in this report in conjunction with the site specific provisions being recommended by the Planning Department herein.

No other zoning deficiencies have been identified or supported.

A draft amending by-law is attached as Appendix F. Subsection 24 (1) of the *Planning Act*, R.S.O. 1990, c. P.13., prohibits a by-law from being passed that does not conform with the Official Plan. As discussed through the Official Plan section herein, the proposed amendment conforms to the applicable policies of the Official Plan.

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N/A

#### **Climate Change Risks**

#### **Climate Change Mitigation:**

Residential intensification minimizes the impact on the community greenhouse gas emissions. Development within existing communities and neighbourhoods while using currently available infrastructure such as sewers, sidewalks, and public transit helps to mitigate development impact.

Residential intensification minimizes the impact on the community greenhouse gas emissions. Development within existing communities and neighbourhoods while using currently available infrastructure such as sewers, sidewalks, and public transit helps to mitigate development impact. Situating development in areas with access to active transportation and transit increases the likelihood of residents utilizing various non-vehicular means of utilitarian transportation which collectively reduced the amount of greenhouse gas emissions within the City of Windsor.

<b>Climate Change</b>	Adaptation:
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N/A

#### **Financial Matters:**

N/A

#### **Consultations:**

Comments received from City Departments, external agencies and members of the public on this application were taken into consideration when preparing this report. A record of the comments is included as Appendix E herein.

There are no objections to the proposed amendment.

The applicant hosted an electronic public open house on November 1, 2023, via Zoom. Notice of the open house was issued to owners of properties within 120.0 metres of the subject property. The open house was attended by one (1) person.

Section 3.2 of the Planning Rationale Report summarizes the comments and questions raised at the open house, and includes corresponding responses. Comments received were taken into consideration when preparing this report.

Public Notice: Statutory notice was advertised in the Windsor Star, a local daily newspaper. A courtesy notice was mailed to property owners and residents within 120 metres of the subject property.

#### Conclusion:

The *Planning Act* requires that a decision of Council in respect of the exercise of any authority that affects a planning matter, "shall be consistent with" *Provincial Policy Statement 2020*. The recommended zoning amendment has been evaluated for consistency with the Provincial Policy Statement 2020 and conformity with the policies of the City of Windsor Official Plan.

The recommended Zoning By-law amendment is consistent the PPS, conforms with the policy direction of the City of Windsor Official Plan, is compatible with existing and permitted uses in the surrounding neighbourhood and constitutes good planning.

#### **Planning Act Matters:**

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

Greg Atkinson, MCIP, RPP
Manager of Development
Thom Hunt, MCIP, RPP
City Planner

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

JP JM

#### **Approvals:**

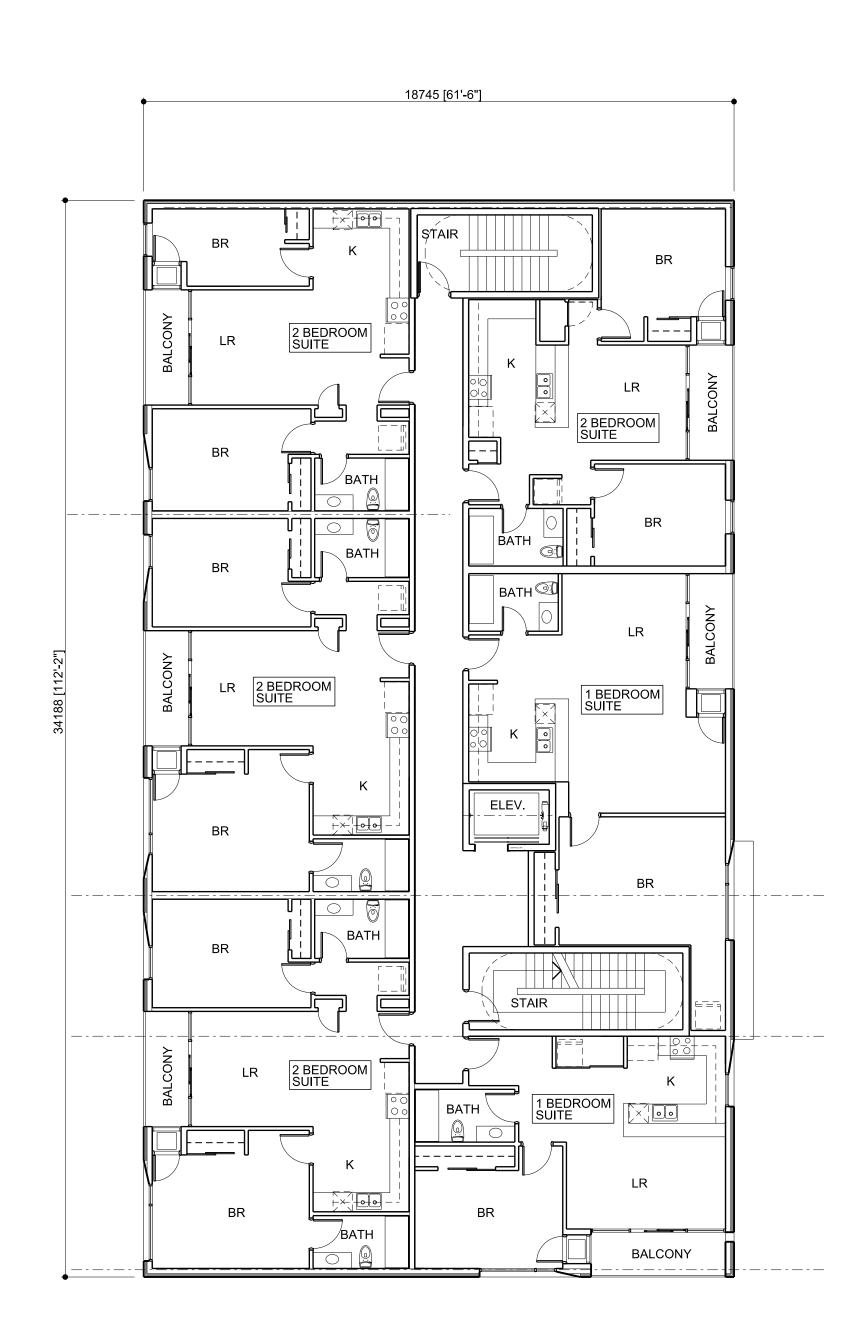
Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Aaron Farough	Senior Legal Counsel, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

#### **Notifications:**

Name	Address	Email
Abutting property owners, ter subject property	nants/occupants within 120-mo	eter (400 feet) radius of the

#### **Appendices:**

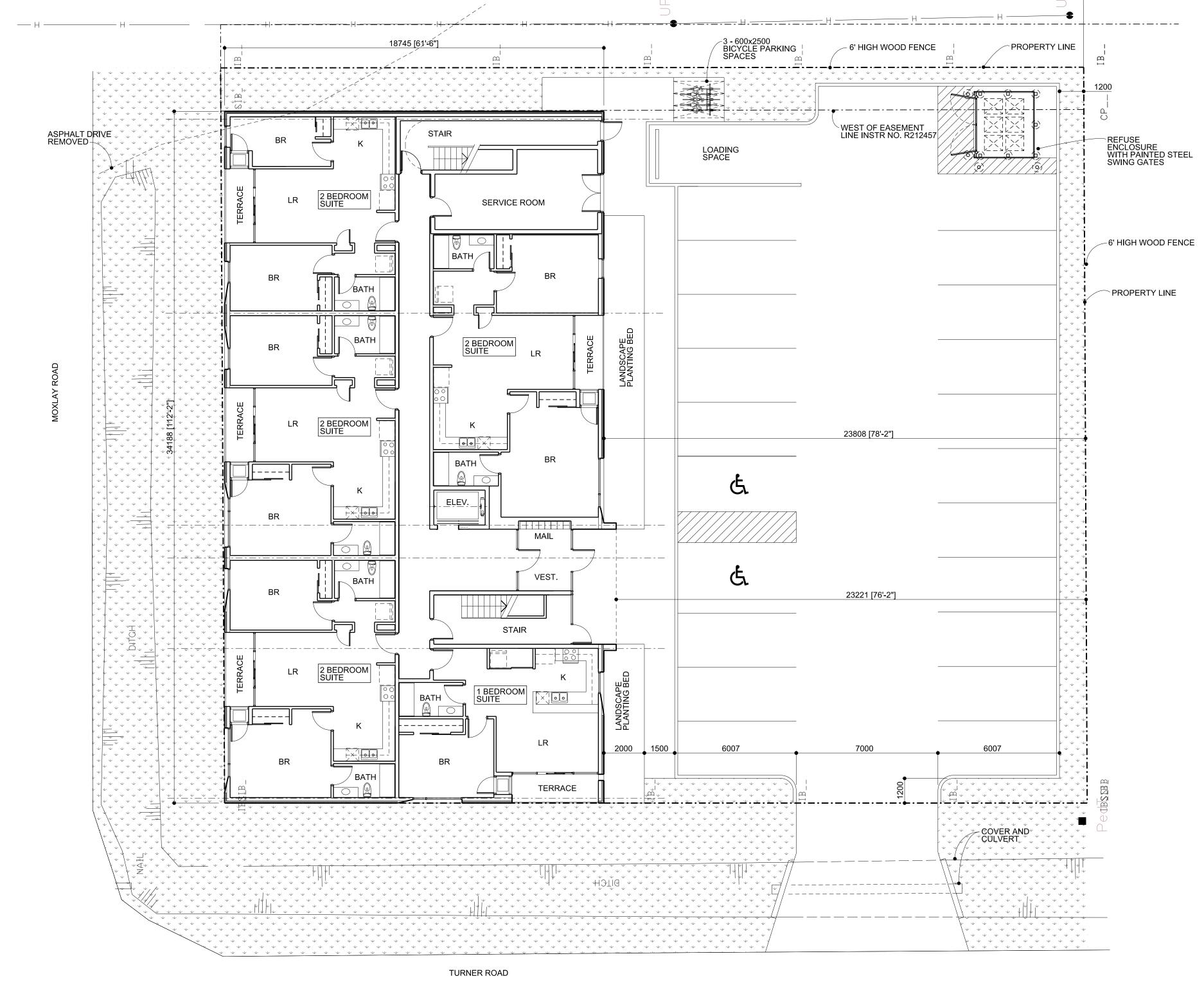
- 1 Appendix A Conceptual Plans
- 2 Appendix B Site Images
- 3 Appendix C Excerpts from Official Plan Volume I
- 4 Appendix D Excerpts from Zoning By-law 8600
- 5 Appendix E Consultations
- 6 Appendix F Draft Amending By-law
- 7 Appendix G Micro-Climate Study
- 8 Appendix H Planning Rationale Report
- 9 Appendix I Road Traffic and Stationary Noise Impact Study
- 10Appendix J Sanitary Study
- 11Appendix K Stormwater Management Report Approval Letter
- 12Appendix L Stormwater Management Study
- 13Appendix M Zoning Analysis



## TYPICAL SECOND AND THIRD FLOOR PLANS



# SITE LOCATION MAP



## SITE AND GROUND FLOOR PLAN

## TABULATION DATA

PROPERTY AREA = 1550.12m<sup>2</sup>
BUILDING AREA = 610
GROSS BUILDING AREA = 1825m<sup>2</sup>
GROUND FLOOR = 605m<sup>2</sup>
SECOND FLOOR = 610m<sup>2</sup>
THIRD FLOOR = 610m<sup>2</sup>
PARKING SPACES = 21 SPACES
LOADING SPACES = 1 SPACE
BICYCLE SPACES = 3 SPACE

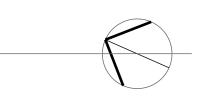
SCHEDULE OF SUITES		
FLOOR LEVEL	1 BR	2 BR
GROUND FLOOR	1	4
SECOND FLOOR	2	4
THIRD FLOOR	2	4
TOTAL	5	12

# PC - 1

sheet nun

Turner Road Development windsor, ontario CANADA

,	
issue record	
1. PRE-CONSULT	8-14-23
2. PC-STAGE 2	12-30-23



# site plan and floor plans

scale: 1" = 10'-0"

drawing by: checked by:

do not scale drawing - use figured dimensions only

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and signed by the architect

developer

Olivia Construction Inc 1797 S Cameron Blvd Windsor, ON N9B 3P6 t: (519) 969-7557

structural

Haddad Morgan and Assoc. LTD. consulting engineers 24 shepherd street east windsor, ontario N8X 2J8 t: 519 973 1177 f: 519 253 2740



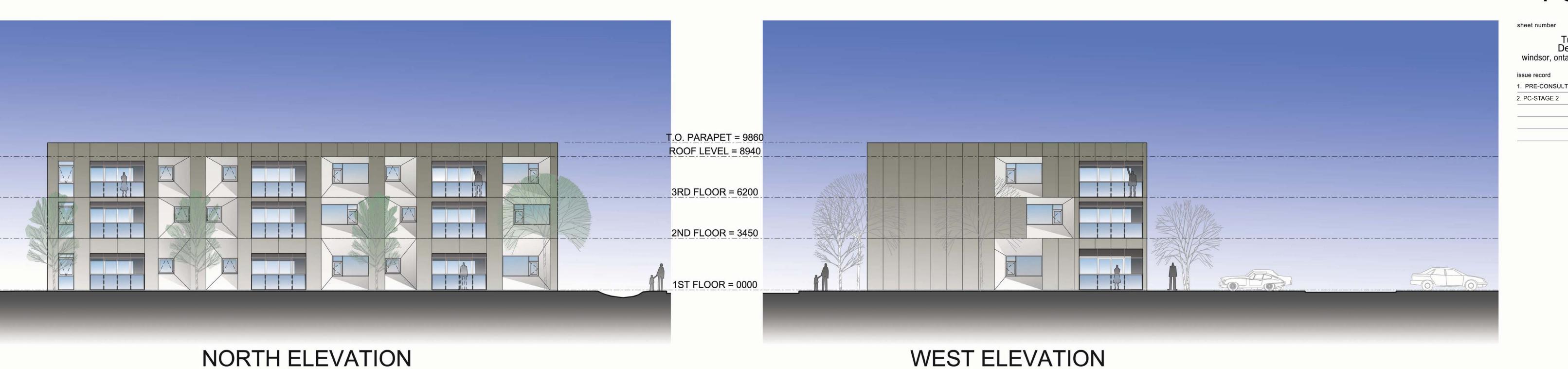
architectural

studio g+G inc., architect

1057 walker road
windsor, ontario
N8Y 2N6 CANADA
t: 519 254 8698



12-30-23



# T.O. PARAPET = 9860 ROOF LEVEL = 8940 3RD FLOOR = 6200 2ND FLOOR = 3450

SOUTH ELEVATION

# **EAST ELEVATION**

# **EXTERIOR BUILDING MATERIALS**

CLADDING: PREFINISHED INSULATED METAL PANELS WITH POLYISOCYANUATE CORE SUCH AS NOREX-S BY NORBEC - COLOUR AS SHOWN IN THESE ELEVATIONS

BALCONY RAILINGS: CLEAR TEMPERED GLASS ON STRUCTURAL FRAME SYSTEM BY CRL SYSTEMS

BALCONY GLAZING: CLEAR ANODIZED ALUMINUM CURTAIN WALL

STOREFRONT GLAZING: ANODIZED ALUMINUM CURTAIN WALL GLAZING SYSTEM

Olivia Construction Inc 1797 S Cameron Blvd

Windsor, ON N9B 3P6 t: (519) 969-7557 structural

developer

elevations

checked by:

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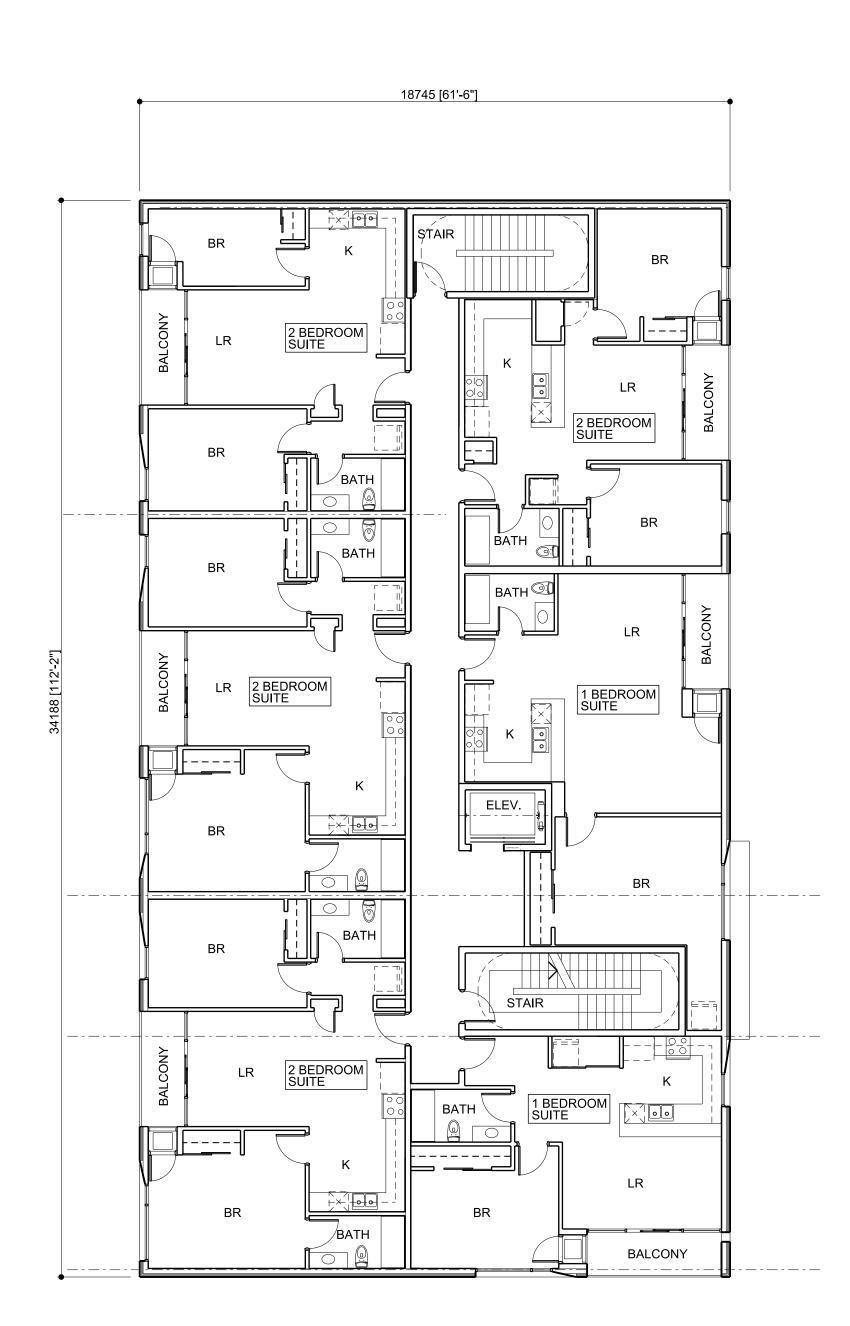
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1: 519 253 2740

architectural

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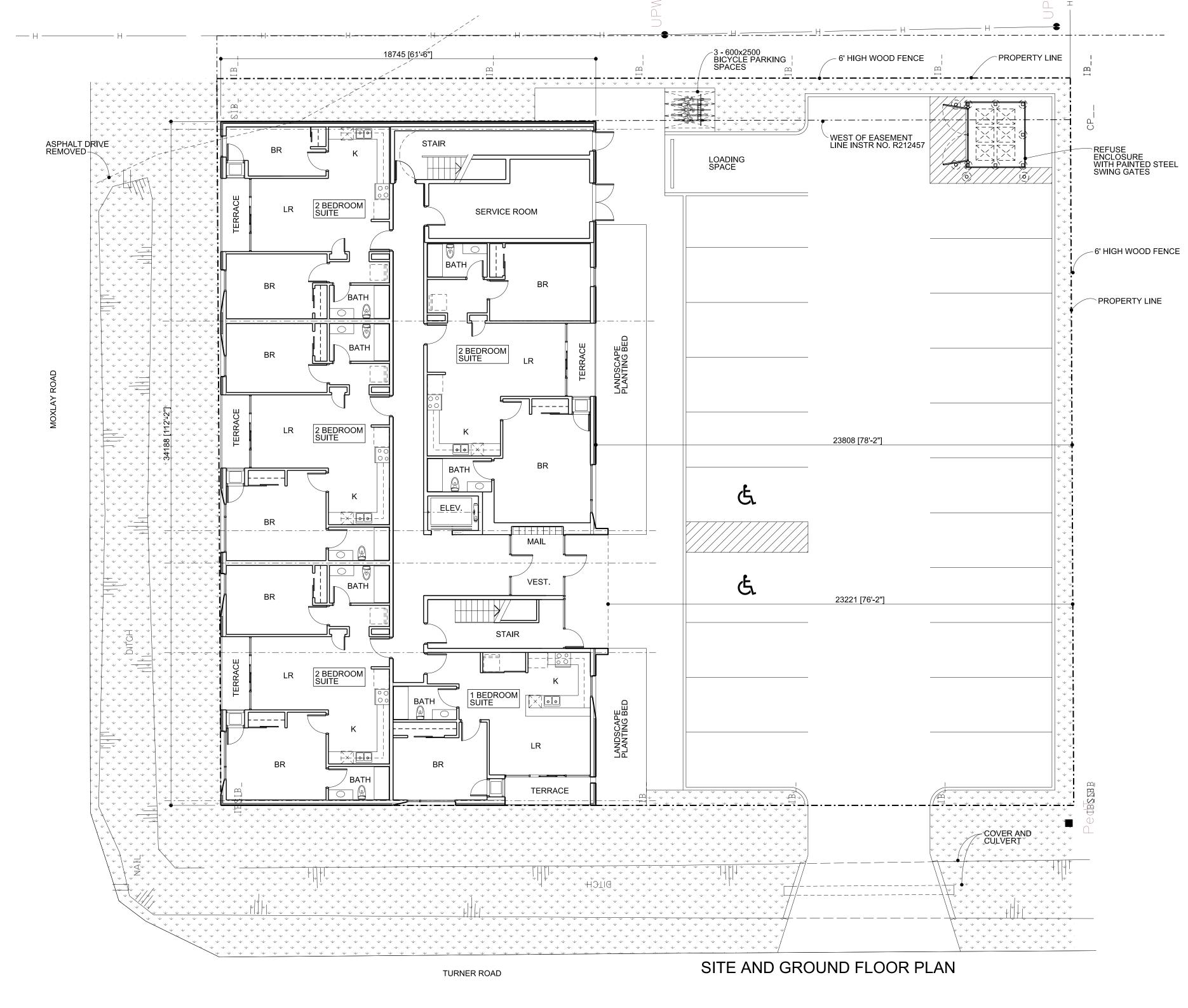




## TYPICAL SECOND AND THIRD FLOOR PLANS



SITE LOCATION MAP



## TABULATION DATA

PROPERTY AREA = 1550.12m<sup>2</sup>
BUILDING AREA = 610
GROSS BUILDING AREA = 1825m<sup>2</sup>
GROUND FLOOR = 605m<sup>2</sup>
SECOND FLOOR = 610m<sup>2</sup>
THIRD FLOOR = 610m<sup>2</sup>
PARKING SPACES = 21 SPACES
LOADING SPACES = 1 SPACE
BICYCLE SPACES = 3 SPACE

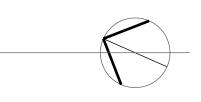
SCHEDULE OF SUITES		
FLOOR LEVEL	1 BR	2 BR
GROUND FLOOR	1	4
SECOND FLOOR	2	4
THIRD FLOOR	2	4
TOTAL	5	12



sheet nun

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# APPENDIX "B" Site Photos



Figure 1 - Looking southeast towards subject property from intersection of Moxlay Avenue & Turner Road



Figure 2 - Looking south towards subject property from Moxlay Avenue

Z-014/24 ZNG/7202 Page B2 of B10



Figure 3 - Looking southwest towards subject property from Moxlay Avenue



Figure 4 - Moxlay Avenue looking east from Turner Road (subject property on right)

Z-014/24 ZNG/7202 Page B3 of B10



Figure 5 - Moxlay Avenue looking west towards Turner Road (subject property on left)



Figure 6 - Moxlay Avenue looking east from Turner Road (3898 Turner Road centre)

Z-014/24 ZNG/7202 Page B4 of B10



Figure 7 - Turner Road looking north from Moxlay Avenue (3898 Turner Road on right)



Figure 8 - Moxlay Avenue looking northwest from Turner Road (3897 Turner Road centre)

Z-014/24 ZNG/7202 Page B5 of B10



Figure 9 - Moxlay Avenue looking west from Turner Road (3903 Turner Road on left)



Figure 10 - Turner Road looking south from Moxlay Avenue (subject property on left)

Z-014/24 ZNG/7202 Page B6 of B10



Figure 11 - Looking southeast towards northeast corner of subject property from Moxlay Avenue



Figure 12 - Turner Road looking southwest from Moxlay Avenue (3911 Turner Road centre)

Z-014/24 ZNG/7202 Page B7 of B10



Figure 13 - Turner Road looking south from Moxlay Avenue (subject property on left)



Figure 14 - Looking east towards subject property from Turner Road

Z-014/24 ZNG/7202 Page B8 of B10



Figure 15 - Looking east towards subject property from Turner Road



Figure 16 - Looking east towards subject property from Turner Road

Z-014/24 ZNG/7202 Page B9 of B10



Figure 17 - Looking north towards subject property from Turner Road



Figure 18 - Looking north towards subject property from Turner Road



Figure 19 - Looking east towards subject property from Turner Road

# APPENDIX "C" Excerpts from Official Plan Volume I

	3.	Development Strategy
	3.2	Growth Concept
	3.2.1	Safe, Caring and Diverse Communities
NEIGHBOURHOOD HOUSING VARIETY	3.2.1.2	Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands.
	6.	Land Use
	6.1	Goals
	In keeping with the	Strategic Directions, Council's land use goals are to achieve:
NEIGHBOURHOODS	6.1.1	Safe, caring and diverse neighbourhoods.
RESIDENTIAL	6.1.3	Housing suited to the needs of Windsor's residents.
RESIDENTIAL INTENSIFICATION	6.1.14	To direct residential intensification to those areas of the City where transportation, municipal services, community and goods and services are readily available. (added by OPA #159 –AP PROVED July 11, 2022, B/L# 100-2022)
	6.3	Residential
	6.3.1	Objectives
RANGE OF FORMS & TENURES	6.3.1.1	To support a complementary range of housing forms and tenures
INTENSIFICATION, INFILL & REDEVELOPMENT	6.3.1.3	To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan. (Added by OPA#159 - APPROVED July 11, 2022, B/L#100-2022)

	6.3.2	Polic	ies	
PERMITTED USES	6.3.2.1	identif	ied on	ed in the Residential land use designation Schedule D: Land Use include Low Profile, Profile dwelling units.
		in the (	City C	Residential Buildings shall be directed to locate entre, Mixed Use Centres and Mixed Use dded by OPA #159 – APPROVED July 11, 2022, B/L# 100-
LOCATIONAL CRITERIA	6.3.2.4	Use No these a in heig	odes and reas Mandal ht sha The shaded to produce the shades and shades and shades are s	ntensification shall be directed to the Mixed areas in proximity to those Nodes. Within Medium Profile buildings, up to four (4) storeys ll be permitted. These taller buildings shall be provide a transition in height and massing from areas.
		New re-		tial development and intensification shall be e:
		(a)		There is access to a collector or arterial road;
		(b)	)	Full municipal physical services can be provided;
		(c)		Adequate community services and open spaces are available or are planned; and
		(d)	)	Public transportation service can be provided. (Added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022)
EVALUATION CRITERIA FOR A NEIGHBOURHOOD DEVELOPMENT PATTERN	6.3.2.5	to the s	satisfa ntial de	of submission, the proponent shall demonstrate ction of the Municipality that a proposed evelopment within an area having a bod development pattern is:
		(a)	Plan	ble having regard to the other provisions of this, provincial legislation, policies and appropriate elines and support studies for uses:
			(i)	within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment

(ii)

chapter of this Plan;

noise,

adjacent to sources of nuisance, such as

- (iv) where traffic generation and distribution is a provincial or municipal concern; and
- (c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.

In Mature Neighbourhoods as shown on Schedule A-1, compatible with the surrounding area, as noted above, and consistent with the streetscape, architectural style and materials, landscape character and setback between the buildings and streets; (Added by OPA #159 – APPROVED July 11 2022, B/L# 100-2022)

- (d) provided with adequate off street parking;
- (e) capable of being provided with full municipal physical services and emergency services; and
- (f) Facilitation a gradual transition from Low Profile residential development to Medium and/or High Profile development and vice versa, where appropriate, in accordance with Design Guidelines approved by Council.

(Added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022)

#### 7. Infrastructure

#### 6.1 Transportation System

#### 7.2.10 Air Transportation Policies

DEVELOPMENT WITHIN THE AIRPORT OPERATING AREA

7.2.10.2

Council shall protect the Windsor Airport from incompatible development. Accordingly, all proponents of development within the Airport Operating Area designated on Schedule 'C': Development Constraint Areas shall be subject to the following:

(a) New sensitive land uses shall not be permitted in areas above 30 NEP/NEF as set out on maps approved by Transport Canada;

(b)

Redevelopment of existing sensitive land uses may

			only be	considered above 30 NEF/NEP provided the ent successfully completes a noise study to:
			(i)	Support the feasibility of the proposal;
			(ii)	Identify and implement appropriate mitigation measures (refer to Procedures chapter);
		(c)	other semay onl that then	lopment of existing residential uses and nsitive land use in areas above 30 NEF/NEP by be considered if it has been demonstrated re will be no negative impacts on the long-nction of the airport;
		(d)		es which may cause a potential aviation azard are discouraged;
NOISE AND VIBRATION ABATEMENT	7.2.10.3	the W vibrat	indsor Air ion abaten	sure that new development in the vicinity of rport includes appropriate noise and nent measures in accordance with airport land use planning practices.
	44	Т		
	<u>11.</u>	Too	IS	
	11.6	Zoni		
		Zoni		
COMPATIBLE USES	11.6	Zoni Obje	ng ctives	atibility between land uses.
	11.6 11.6.1	Zoni Obje To ens	ng ctives sure comp	atibility between land uses.  w Amendment Policies
	11.6 11.6.1 11.6.1.2	Zonii Obje To ens Zonii When amend and w	ctives sure comp ng By-la considerindments, Co ill, withou	
USES	11.6 11.6.1 11.6.1.2 11.6.3	Zonii Obje To ens Zonii When amend and w	ng ctives sure comp ng By-la considerindments, Co ill, withoutler such m	ng applications for Zoning By-law buncil shall consider the policies of this Plan at limiting the generality of the foregoing,
USES	11.6 11.6.1 11.6.1.2 11.6.3	Zonii  Obje  To ens  Zonii  When amend and w consid	ng ctives sure comp ng By-la considerin dments, Co ill, withou der such m	ng applications for Zoning By-law buncil shall consider the policies of this Plan at limiting the generality of the foregoing, natters as the following:  the relevant evaluation criteria contained in

(d) Relevant provincial legislation, policies and appropriate guidelines; and

(e) The ramifications of the decision on the use of adjacent or similar lands.

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# APPENDIX "D" Excerpts from Zoning By-law 8600

## **SECTION 10 - RESIDENTIAL DISTRICTS 1. (RD1.)**

(B/L 10358 Jul 16/1990; B/L 11093 Jul 20/1992; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233; B/L 370-2001 Nov 15/2001; B/L 363-2002 Dec 31/2002; B/L 220-2002, Feb 24/2003; B/L 10-2004 OMB Order PL040143, File No. R040023, Decision/Order No. 0055, Issued Jan 12/2005 B/L 114-2016 Sep 19/2016); B/L 164-2017, Dec. 7/2017 [ZNG/5270]; B/L 95-2019, Sept. 27/2019; B/L 101-2022, July 11, 2022

### **10.1 RESIDENTIAL DISTRICT 1.1 (RD1.1)**

#### 10.1.1 PERMITTED USES

Existing Duplex Dwelling
Existing Semi-Detached Dwelling
One Single Unit Dwelling
Any use accessory to the preceding uses

#### 10.1.5 Provisions

		Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.1	Lot Width - minimum	9.0 m	15.0 m	15.0 m
.2	Lot Area - minimum	$360.0 \text{ m}^2$	$450.0 \text{ m}^2$	$450.0 \text{ m}^2$
.3	Lot Coverage - maximum	45.0%	45.0%	45.0%
.4	Main Building Height - maximum	9.0 m	9.0 m	9.0 m
.5	Front Yard Depth - minimum	6.0 m	6.0 m	6.0 m
.6	Rear Yard Depth - minimum	7.50 m	7.50 m	7.50 m
.7	Side Yard Width - minimum	1.20 m	1.20 m	1.50 m
.8	Gross Floor Area - main building – maximum	$400 \text{ m}^2$	$400 \text{ m}^2$	$400 \text{ m}^2$

(AMENDED by B/L 101-2022, July 11, 2022)

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## **SECTION 12 - RESIDENTIAL DISTRICTS 3. (RD3.)**

(B/L 9057, Jul 7/1987; B/L 9100, Aug 17/1987; B/L 9545, OMB. Order R880673, Apr 20/1990 Amended Jan 8/1991; B/L 11093, Jul 20/1992; OMB Order R940355 Oct 3/1995; B/L 11876, OMB Order R940356 Sep 11/1995; B/L 13079, Oct 3/1997; B/L 162-1998, Jun 24/1998; B/L 211-1999, Aug 31/1999; B/L 33-2001, Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233; B/L 443-2001, Jan 2/2002; B/L 363-2002, Dec 31/2002; B/L 23-2004, Feb 19/2004; B/L 401-2004, Jan 7/2005; B/L 90-2009, Jul 27/2009; B/L 113-2009, Aug 11/2009; B/L 129-2012, Oct 2/2012; B/L 31-2013, Mar 28/2013) [ZNG/2930; ZNG/5270] B/L 164-2017, Dec. 7/2017; B/L 95-2019, Sept. 27/2019

### 12.2 RESIDENTIAL DISTRICT 3.2 (RD3.2)

#### 12.2.1 PERMITTED USES

Lodging House Multiple Dwelling Religious Residence Residential Care Facility

Any of the following existing dwellings:

Double Duplex Dwelling
Duplex Dwelling
Semi-Detached Dwelling
Single Unit Dwelling

Any use accessory to any of the preceding uses

#### 12.2.5 Provisions

.1	Lot F	rontage - minimum	30.0 m
.2	Lot A	rea - minimum	
		r a <i>corner</i> lot having a minimum frontage of 30.0 m on th of the <i>exterior lot lines</i> :	
	a)	For the first 5 dwelling units	$540.0 \text{ m}^2$
	b)	For the next 19 dwelling units	67.0 m <sup>2</sup> per unit
	c)	For each additional dwelling unit	44.0 m <sup>2</sup> per unit
	For any other lot:		
	a)	For the first 4 dwelling units	$540.0 \text{ m}^2$
	b)	For the next 15 dwelling units	85.0 m <sup>2</sup> per unit
	c)	For each additional dwelling unit	55.0 m <sup>2</sup> per unit
.3	Lot C	Coverage - maximum	35.0%
.4	Main	Building Height - maximum	
	Co	rner Lot	24.0 m
	Int	18.0 m	

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.8 Landscaped Open Space Yard - minimum

35.0% of lot

area

Dwelling Unit Density - dwelling units per hectare -

.13 maximum 7.50 m

For a corner *lot* having a minimum frontage of 30.0 m on each of the *exterior lot lines* 188 units per ha

For any other *lot* 150 units per ha

A *Lodging House* for the accommodation of 10 persons or less, and any use accessory thereto, shall comply with the *Single Unit Dwelling* provisions of Section 10.1.5 and further, the whole of the *building* shall be used for a *Lodging House*, including any *accessory use*. [ZNG/5630]

#### (AMENDED by B/L 95-2019, Sept. 27/2019)

A addition to an *existing Double Duplex Dwelling*, *existing Duplex Dwelling*, *existing Semi-Detached Dwelling* or an *existing Single Unit Dwelling* and any use accessory to the preceding uses, shall comply with the provisions of Section 11.2.5.

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# **APPENDIX "E" Consultations**

#### CALDWELL FIRST NATION COMMUNITY

No comments provided

#### **ENGINEERING - DEVELOPMENT**

We have reviewed the subject Rezoning application and have the following comments:

The Sanitary Sewer Study has been deemed acceptable, and the proposed sanitary servicing strategy is supported by the Engineering Development department.

A Stormwater Management Report complete with Site Servicing Drawings has been received and approved.

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

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

**Sidewalks** - The owner(s) agrees, to pay to the Corporation, prior to the issuance of a Building Permit, the sum of \$9,142.00 being the Owner's contribution towards the future construction of a concrete sidewalk on the Turner Road and Moxlay Avenue frontage of the subject lands.

**Curbs and Gutters** - The Owner further agrees, at the discretion of the City Engineer, to pay to the Corporation, prior to the issuance of a construction permit, the sum of \$4,770.00 being the Owner's contribution towards the future construction of concrete curb and gutter on the frontage of the subject lands.

If you have any further questions or concerns, please contact Shannon Mills, of this department at smills@citywindsor.ca.

[Juan Paramo - Development Engineer]

#### **ENGINEERING - R.O.W.**

No comments provided

#### **ECONOMIC DEVELOPMENT & CLIMATE CHANGE**

The ESCC team has no objections to this application. We are requesting an energy strategy by the SPC review.

[Barbara Lamoure - Environment and Sustainability Coordinator]

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#### **ENWIN UTILITIES LTD. - HYDRO ENGINEERING**

No Objection.

Please be advised of the overhead 120/240V secondary conductor on the eastern limit of the property.

Prior to working in these areas, we suggest notifying your contractor and referring to the Occupational Health and Safety Act and Regulations for Construction Projects to confirm clearance requirements during construction. Also, we suggest referring to the Ontario Building Code for required clearances for New Building Construction.

[Nillavon Balachandran - Hydro Engineering Technologist]

#### **ENWIN UTILITIES LTD. - WATER ENGINEERING**

Water Engineering has no objections.

[Bruce Ogg - Water Project Review Officer]

#### **FORESTRY**

Same comments as Planning Department - Landscape Architect

[Yemi Adeyeye - Manager of Forestry & Natural Areas]

### **GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD**

No comments provided

#### PARKS DESIGN & DEVELOPMENT

No concerns from Parks Design & Development and Natural Areas.

[Sherif Barsom - Landscape Architect]

#### **PLANNING DEPARTMENT - HERITAGE**

No supporting information required.

There is no apparent built heritage concern with this property, and it is located on an area of low archaeological potential.

Nevertheless, the Applicant should be notified of the following archaeological precaution.

 Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism must be notified and confirm satisfaction of any archaeological requirements before work can recommence. Z-014/24 ZNG/7202 Page E3 of E5

2. In the event that human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

#### Contacts:

- Windsor Planning & Building Department:
  - o 519-255-6543 x6179, ktang@citywindsor.ca, planningdept@citywindsor.ca
- Windsor Manager of Culture and Events (A):
  - Michelle Staadegaard, (O) 519-253-2300x2726, (C) 519-816-0711, mstaadegaard@citywindsor.ca
- Ontario Ministry of Citizenship and Multiculturalism
  - o Archaeology Programs Unit, 1-416-212-8886, <u>Archaeology@ontario.ca</u>
- Windsor Police: 911
- Ontario Ministry of Government & Consumer Services
  - A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, 1-416-212-7499, <u>Crystal.Forrest@ontario.ca</u>

#### [Tracy Tang - Planner II - Revitalization & Policy Initiatives]

### PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

The following studies are required from an urban design and landscape architectural perspective as part of a complete Site Plan Control application:

- Tree Inventory & Preservation Study
- Urban Design Study

The development will be subject to Site Plan Control at which time all landscape architectural comments and requirements will be made. At that time a landscape plan and photometric will be required as a condition of site plan agreement. The applicant can expedite the process for development permit by providing these plans with their application to site Plan control.

#### [Stefan Fediuk - Landscape Architect / Acting Senior Urban Designer]

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#### PLANNING DEPARTMENT - SITE PLAN CONTROL

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

#### [Jacqueline Cabral - Clerk Steno]

#### TRANSPORTATION PLANNING

- Turner Road is classified as a local road with a required right-of-way width of 20 metres. The current right-of-way width is sufficient; therefore, no conveyance is required.
- Moxlay Ave is classified as a local road with a required right-of-way width of 20 metres. The current right-of-way width is sufficient; therefore, no conveyance is required.
- All parking must comply with Zoning By-Law 8600.
- Each parking space shall have a minimum length of 5.5 metres and a minimum width of 2.5 metres, except where one side of the parking space is flanked by a wall or fence, each parking space shall have a minimum length of 5.5 metres and a minimum width of 3.5 metres.
- Aisle width must be 6 metres in order to have adequate width for turning manoeuvres.
- Per the Official Plan, a sidewalk is required on at least one side of a Local Road. A sidewalk contribution is required along the frontage of Turner Rd and Moxlay Ave, as per Engineering Right-of-Way's comments.
- All new accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
- Driveways proposed must be 7-9 metres total at the property line (minimum 3.5m/lane, maximum 4.5m/lane).
- Raised curbs not permitted within the right-of-way.
- All new exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

#### [Elara Mehrilou - Transportation Planner I]

#### WALPOLE ISLAND FIRST NATION

No comments provided

#### WINDSOR AIRPORT

The Airport Operations has no issues with the development PC 016/23 - OLIVIA CONSTURCTION HOMES INC. - 0 TURNER ROAD

#### [Steve Tuffin - Director of Operations]

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## WINDSOR-ESSEX CATHOLIC DISTRICT SCHOOL BOARD

No comments provided

### **WINDSOR POLICE SERVICE**

No comments provided

[Barry Horrobin - Director of Planning & Physical Resources]

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# APPENDIX "F" Draft Amending By-law

BY-LAW NUMBER -2024

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the day of , 2024.

**WHEREAS** it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

**THEREFORE** the Council of The Corporation of the City of Windsor enacts as follows:

1. That subsection 1 of Section 20, of said by-law, is amended by adding the following clause:

#### 508. SOUTHEAST CORNER OF MOXLAY AVENUE AND TURNER ROAD

For the lands comprising of Part of Lots 1007 to 1010, Part of Closed Alley, Plan 1126, Part 2, Reference Plan 12R-11872, PIN No. 01350-0225 LT, the following shall apply:

- 1. Section 5.15.5 shall not apply.
- 2. The provisions of Section 12.2.5 shall apply, save and except Subsections 12.2.5.3, 12.2.5.4 and 12.2.5.8.
- 3. Lot Coverage maximum

41.6%

For this provision *lot coverage* shall exclude any portion of an *accessory building* covered by a *green roof*.

4. Main Building Height - maximum

10.0 m

5. Front Yard Depth - maximum

 $0.0 \, \mathrm{m}$ 

6. Landscaped Open Space Yard - minimum

41.6% of lot area

For this provision a *landscaped open space yard* shall include a *green roof* and *soft landscaping* defined as follows:

"GREEN ROOF means an area open to the sky, located on the roof of a building and maintained with flowers, grass, shrubs, and/or trees."

"SOFT LANDSCAPING means an area open to the sky, maintained with flowers, grass, shrubs, and/or trees."

7. A minimum of 390.0 m<sup>2</sup> of green roof shall be provided.

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8. Notwithstanding Section 25.5.20.1.2 of Table 25.5.20.1, the minimum separation from a *parking area* and Turner Road shall be 1.20 metres, and such separation shall include a 1.20-metre-high ornamental fence spanning the length of the separation, save and except that portion of the separation within 0.30 metres of an *access area*.

- 9. Notwithstanding Section 25.5.20.1.3 of Table 25.5.20.1, the minimum separation from a *parking area* to the south interior lot line shall be 1.20 metres.
- 10. Notwithstanding Section 25.5.20.1.6 of Table 25.5.20.1, the minimum separation from a *parking area* to a building wall containing a *habitable room window* shall be 3.50 metres, and such separation shall include a soft landscaping buffer with a minimum depth of 2.00 metres along any building wall containing a *habitable room window*.

[ZDM 12; ZNG/7202]

2. The said by-law is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of said by-law and made part thereof, so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 5:

1.	2.	3.	4.	5.
Item	Zoning	Lands Affected	Zoning	New Zoning
Number	District		Symbol	Symbol
	Map Part			
1	12	Part of Lots 1007 to 1010,	RD1.1	RD3.2
		Part of Closed Alley, Plan		S.20(1)508
		1126, Part 2, Reference Plan		
		12R-11872 and PIN No.		
		01350-0225 LT (located on		
		the southeast corner of		
		Moxlay Avenue and Turner		
		Road)		

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DREW DILKENS, MAYOR

**CLERK** 

First Reading - , 2024

Second Reading - , 2024

Third Reading - , 2024

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#### **SCHEDULE 2**

1. By-law \_\_\_\_\_ has the following purpose and effect:

To amend the zoning of the lands located on the southeast corner of Moxlay Avenue and Turner Road, legally described as Part of Lots 1007 to 1010, Part of Closed Alley, Plan 1126, Part 2, Reference Plan 12R-11872, PIN No. 01350-0225 LT, to permit the development of a multiple dwelling with 17 dwelling units on the subject land.

The amending by-law changes the zoning on the subject land from Residential District 1.1 (RD1.1) to Residential District 3.2 (RD3.2) and adds a special zoning provision permitting a maximum lot coverage of 41.6%, maximum main building height of 10.0 metres and maximum front yard depth of 0.0 metres; permitting a minimum landscaped open space yard of 41.6% of the lot area, minimum green roof area of 390.0 m², minimum parking area separation of 1.20 metres from Turner Road and the south interior lot line, and 3.50 metres from a building wall containing a habitable room window; introducing green roof and soft landscaping definitions, and nullifying the Corner Lot General Provision regulation that requires any part of any building or structure to have a minimum separation of 6.0 metres from the point of intersection of any two streets.

2.	. Key map s	howing the lo	ocation of the lar	nds to which B	y-law	applies.

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PART OF ZONING DISTRICT MAP 12

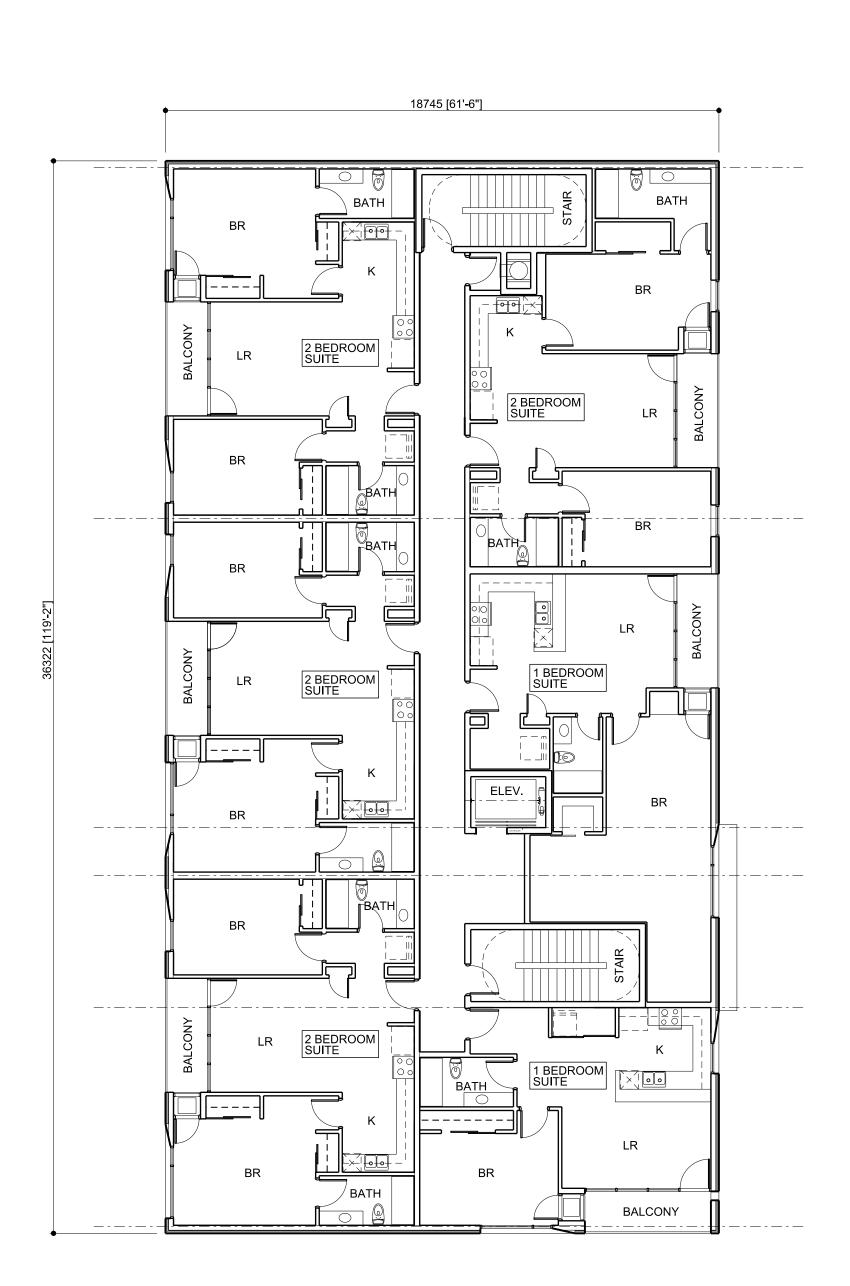
## SCHEDULE 2

Applicant: Olivia Construction Homes Inc.

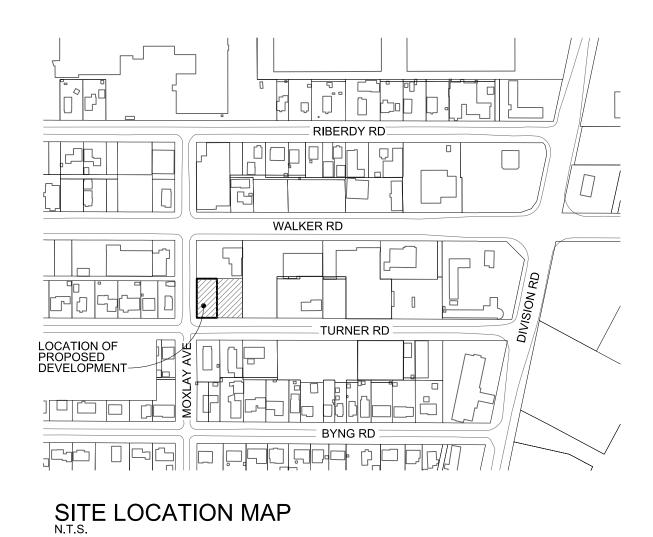


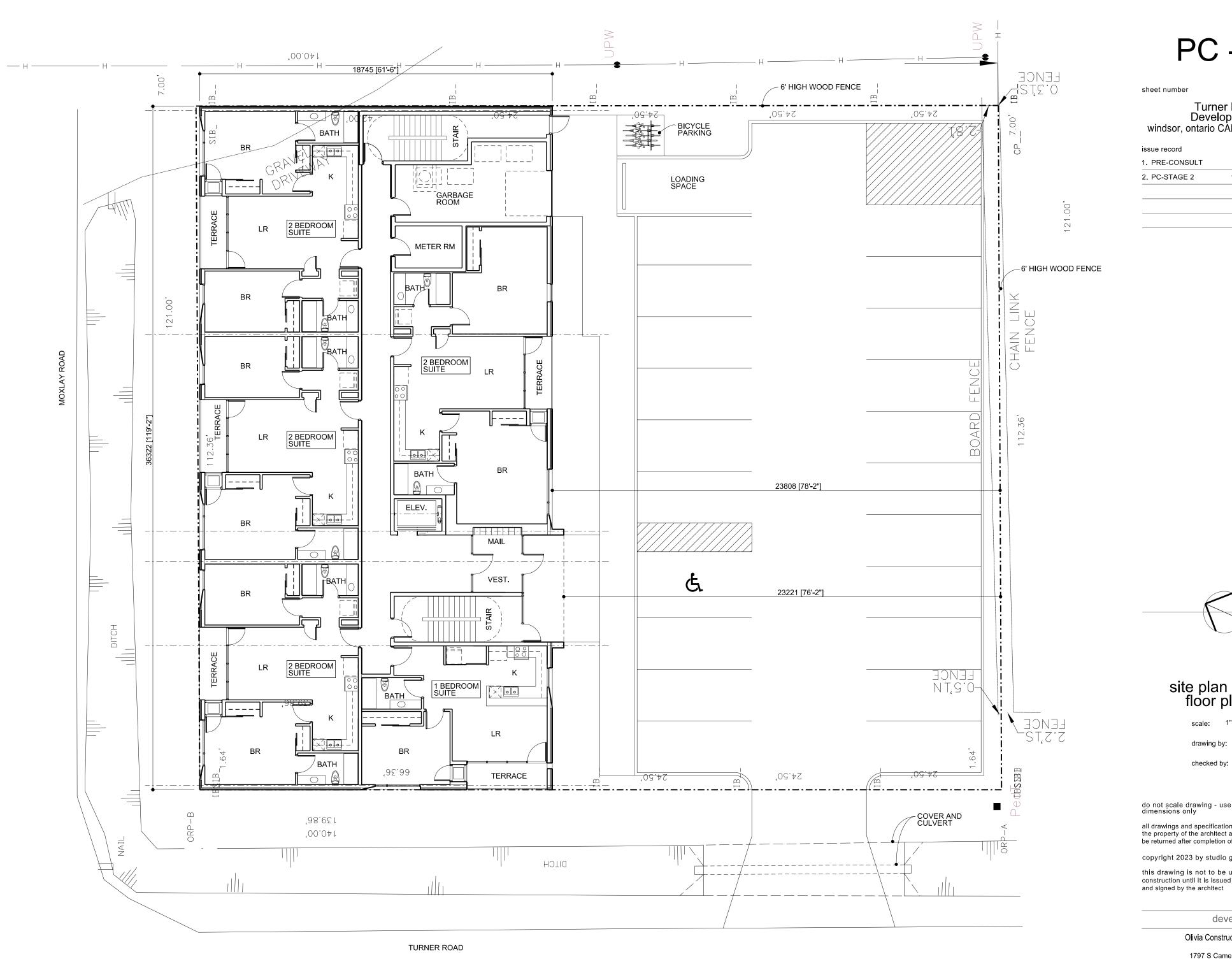
PLANNING & BUILDING DEPARTMENT

DATE : MAY, 2024 FILE NO. : Z-014/24, ZNG-7202



# TYPICAL SECOND AND THIRD FLOOR PLANS





# SITE AND GROUND FLOOR PLAN

## **TABULATION DATA**

PROPERTY AREA = 1550.12m<sup>2</sup> BUILDING AREA = 681m<sup>2</sup> GROSS BUILDING AREA = 2043m<sup>2</sup> PARKING SPACES = 21 SPACES LOADING SPACES = 1 SPACE REFUSE MANAGED INSIDE THE BUILDING

SCHEDULE OF SUITES		
FLOOR LEVEL	1 BR	2 BR
GROUND FLOOR	1	4
SECOND FLOOR	2	4
THIRD FLOOR	2	4
TOTAL	5	12

# PC - 1



# site plan and floor plans

scale: 1" = 10'-0" drawing by: checked by:

do not scale drawing - use figured dimensions only all drawings and specification remain the property of the architect and must be returned after completion of the work copyright 2023 by studio g+G inc. this drawing is not to be used for

construction until it is issued as such

developer Olivia Construction Inc 1797 S Cameron Blvd

structural

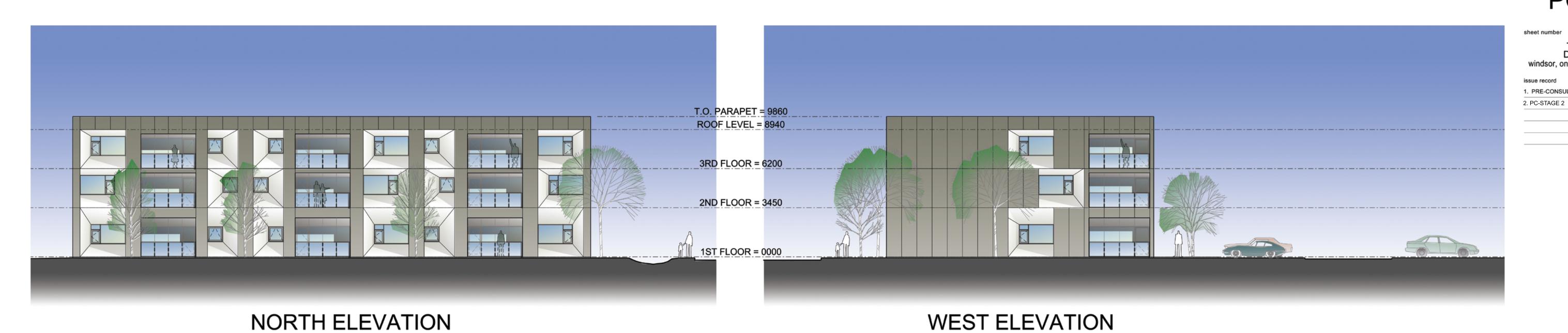
Windsor, ON N9B 3P6 t: (519) 969-7557

Haddad Morgan and Assoc. LTD. consulting engineers 24 shepherd street east windsor, ontario N8X 2J8 t: 519 973 1177 f: 519 253 2740



architectural





TO, PARAPET = 9880
ROOF LEVEL = 8840
3RD FLOOR = 6200
2ND FLOOR = 3450
1ST FLOOR = 0000

SOUTH ELEVATION

EAST ELEVATION

elevations

scale:  $\frac{3}{32}$ " = 1' drawing by:

checked by:

do not scale drawing - use figured dimensions only

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Olivia Construction Inc

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structural

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architectural

studio g+G inc., architect
1057 walker road
windsor, ontario
N8Y 2N6 CANADA
t: 519 254 8698

3/2" = 1'-0"

STOREFRONT GLAZING: ANODIZED ALUMINUM CURTAIN WALL GLAZING SYSTEM

BALCONY RAILINGS: CLEAR TEMPERED GLASS ON STRUCTURAL

BALCONY GLAZING: CLEAR ANODIZED ALUMINUM CURTAIN WALL

CLADDING: PREFINISHED INSULATED METAL PANELS WITH POLYISOCYANUATE CORE SUCH AS NOREX-S BY NORBEC -

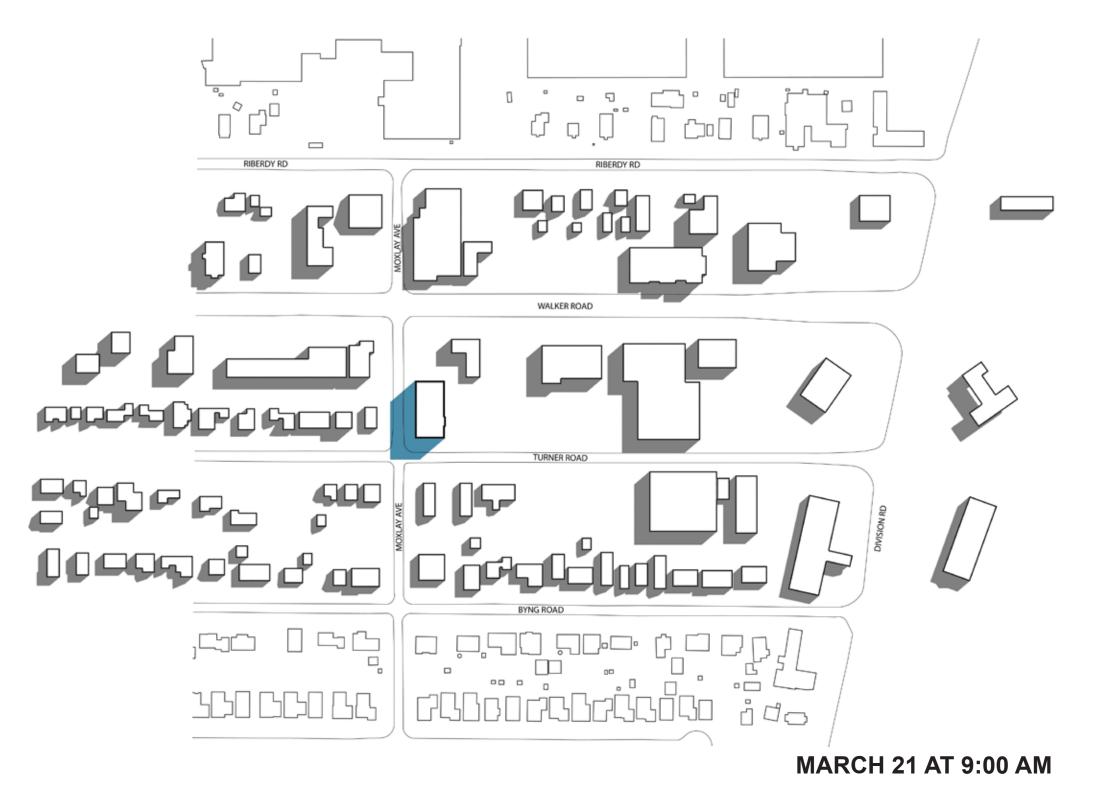
**EXTERIOR BUILDING MATERIALS** 

COLOUR AS SHOWN IN THESE ELEVATIONS

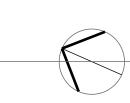
FRAME SYSTEM BY CRL SYSTEMS

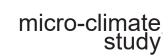
Turner Road Development windsor, ontario CANADA

2. PC - STAGE 2 12-30	1. PRE-CONSULT	8 <b>-</b> 14
	2. PC - STAGE 2	12-30-



PROPOSED SHADOW COLOUR EXISTING SHADOW COLOUR





drawing by:

do not scale drawing - use figured dimensions only all drawings and specification remain the property of the architect and must be returned after completion of the work

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> developer Olivia Construction Inc

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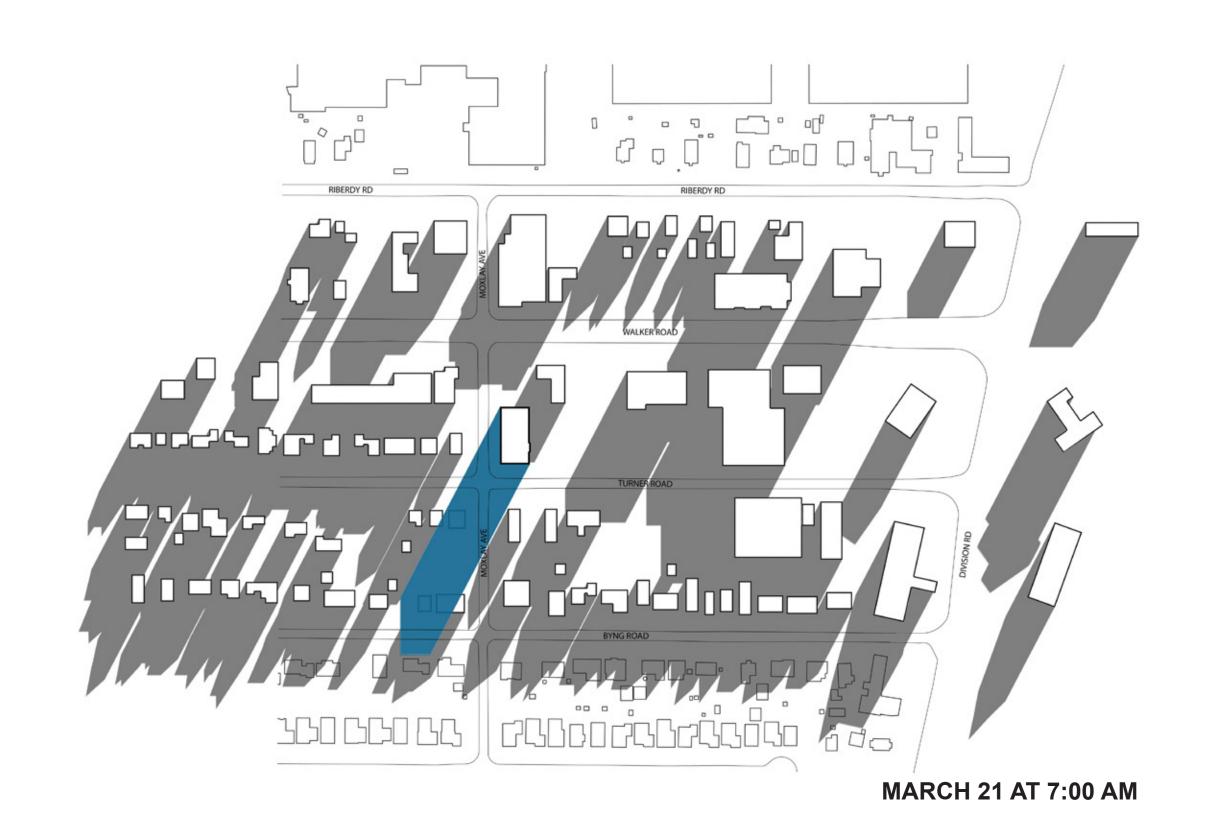
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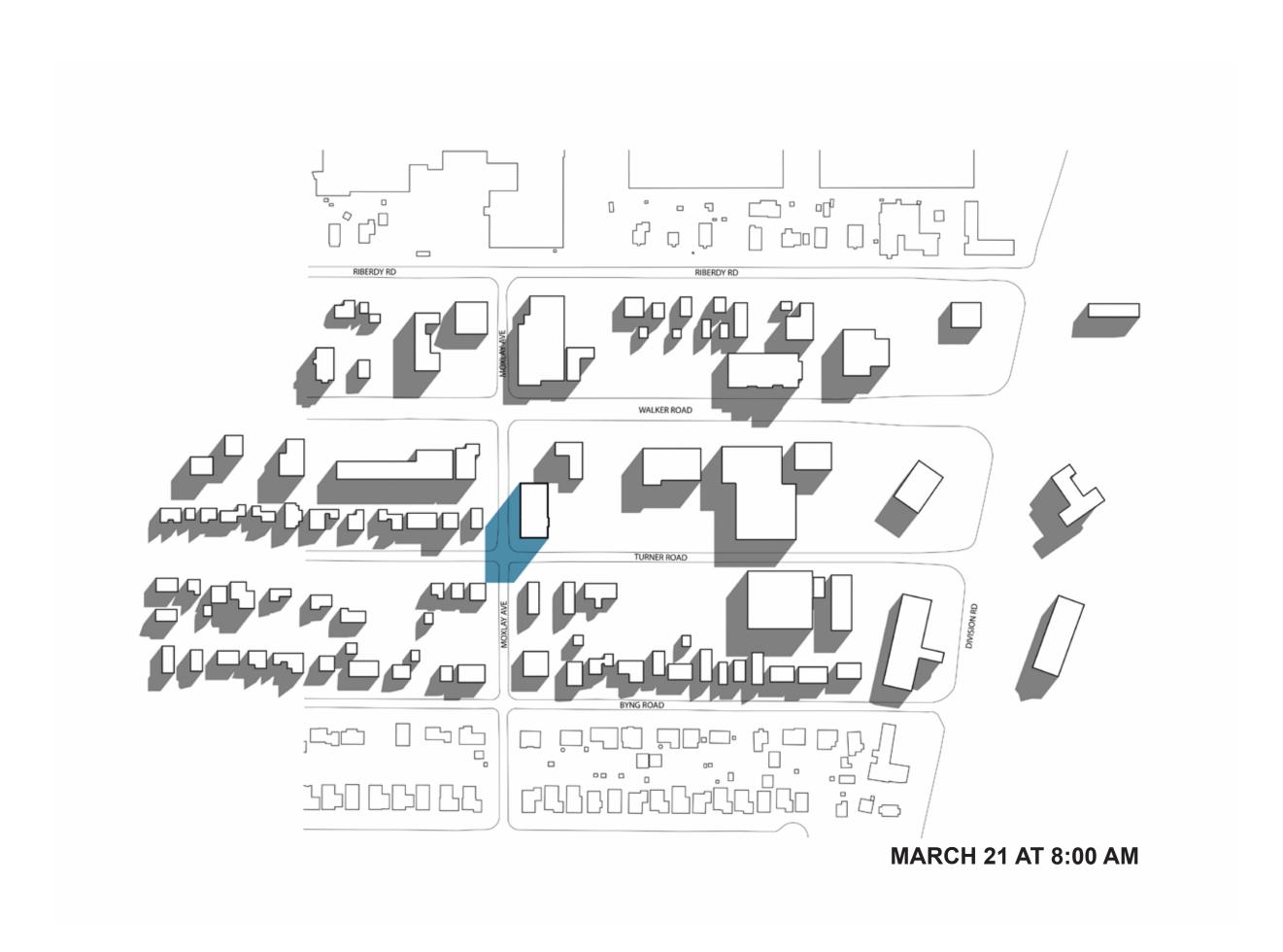
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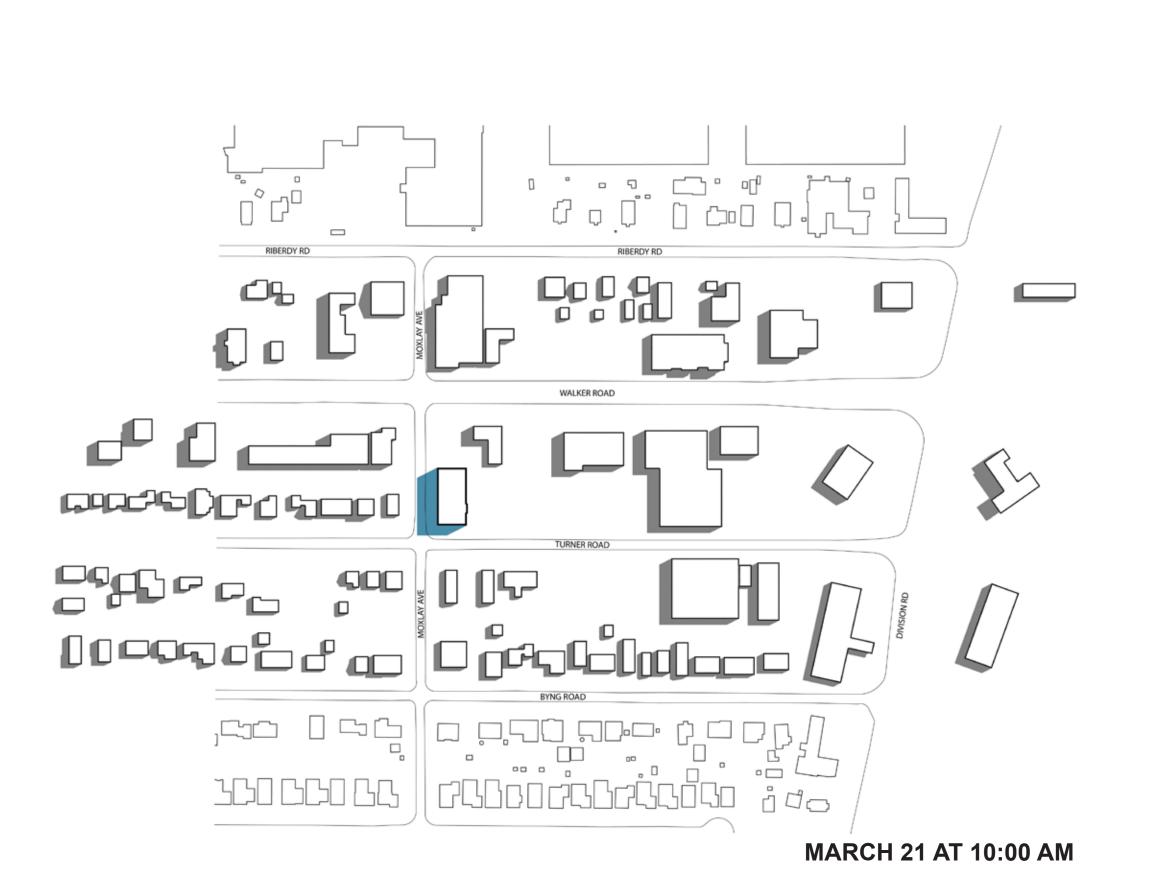


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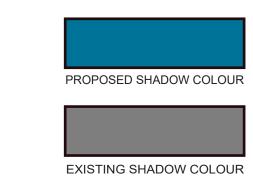
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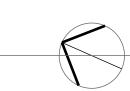
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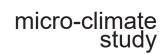
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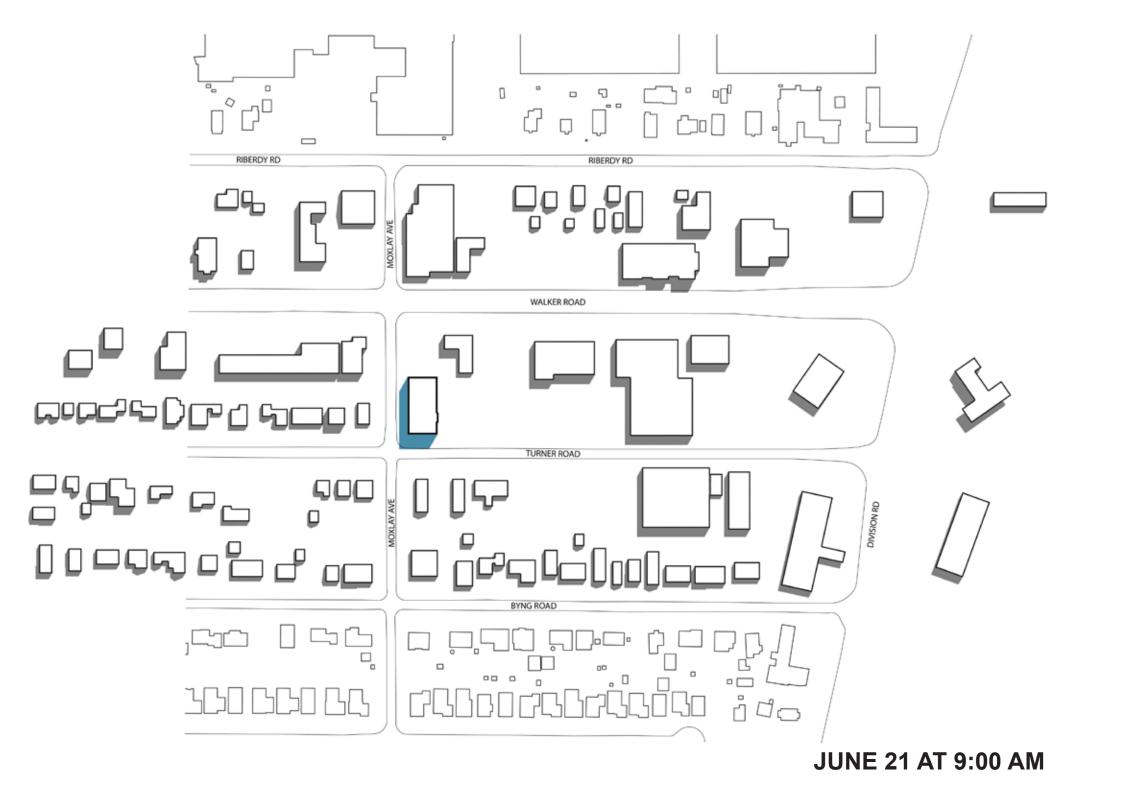
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PROPOSED SHADOW COLOUR





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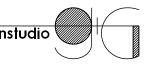
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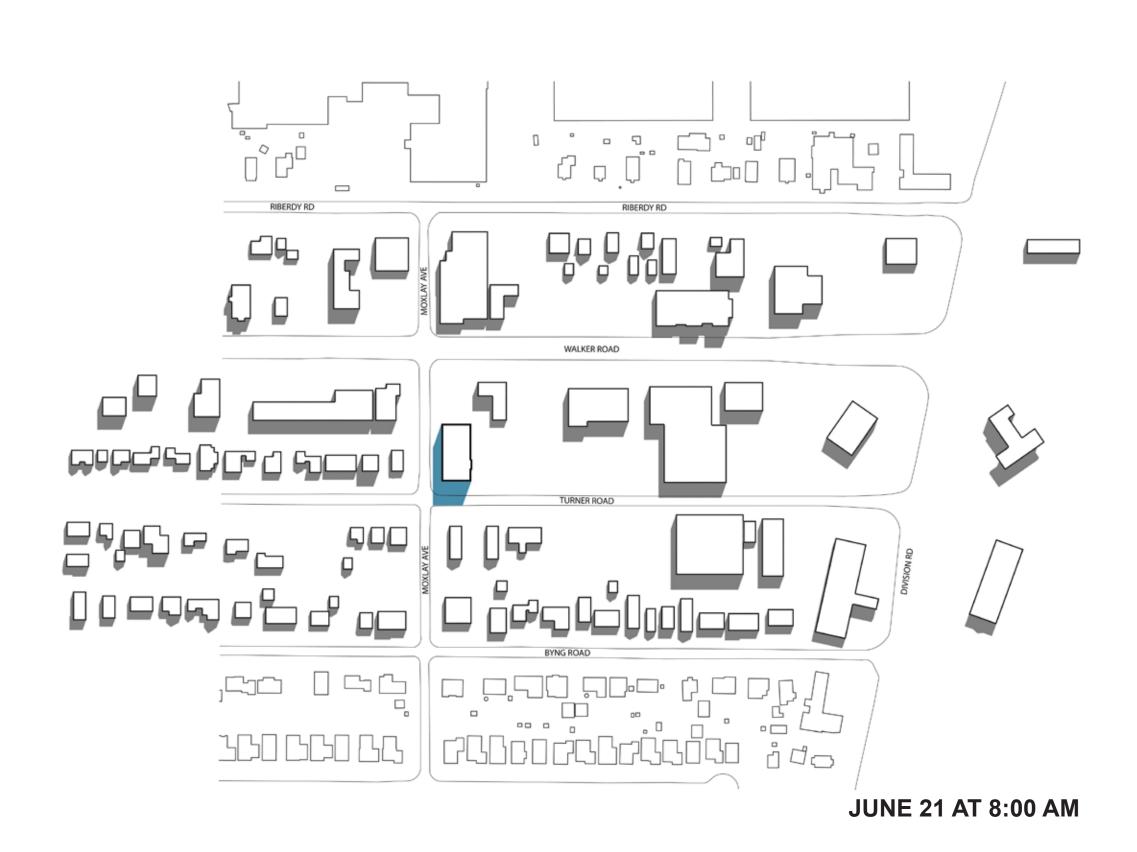
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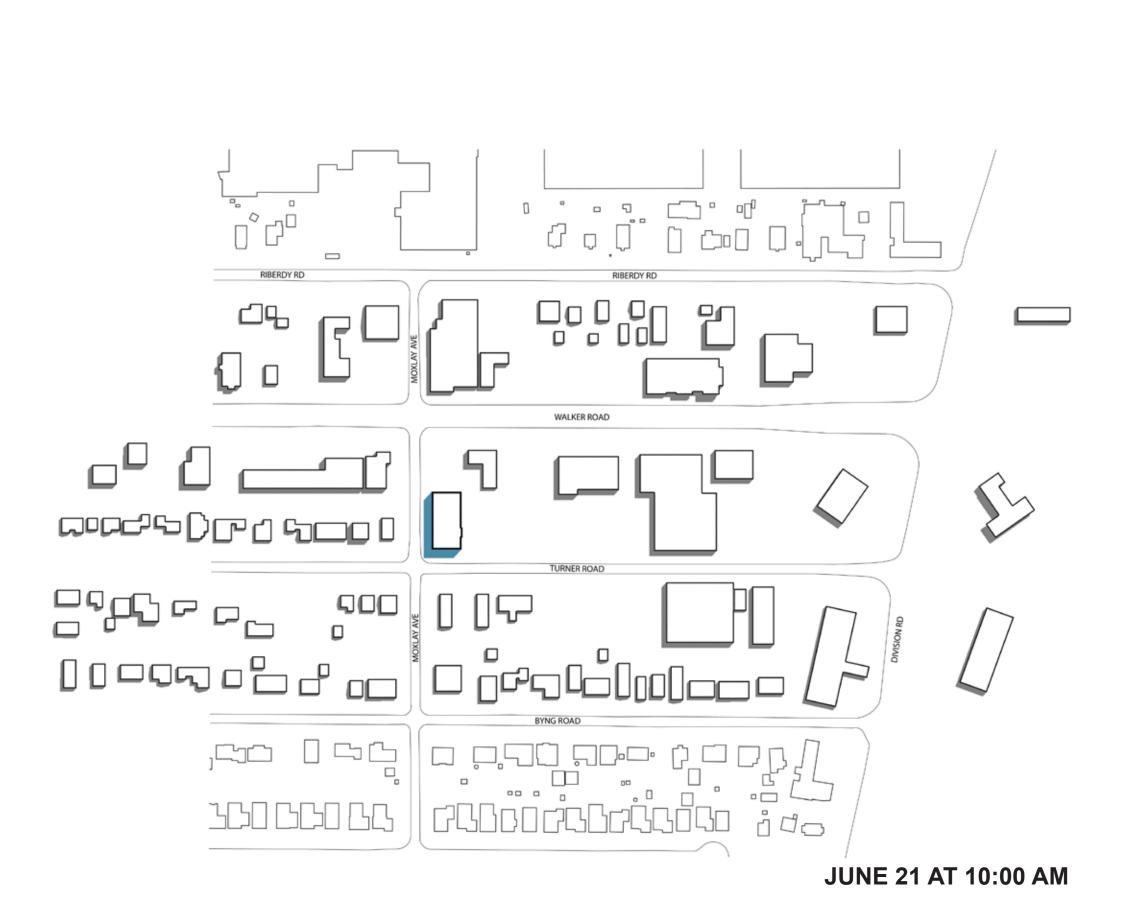


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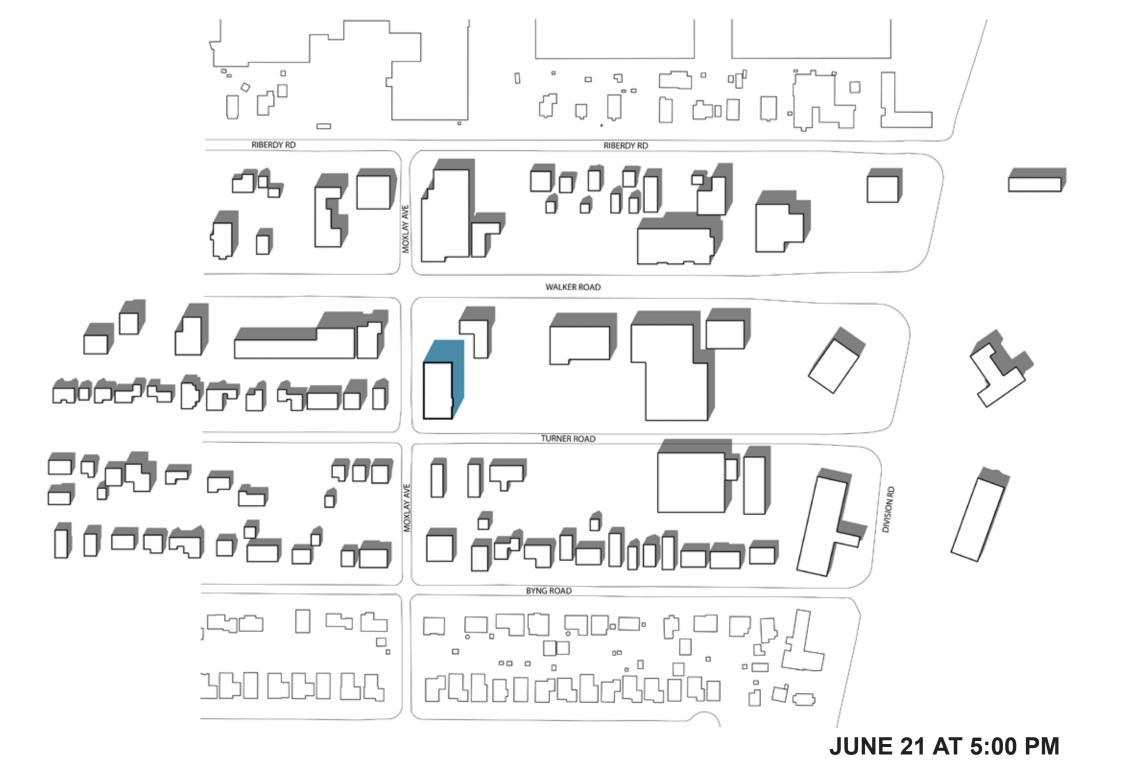






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PROPOSED SHADOW COLOUR



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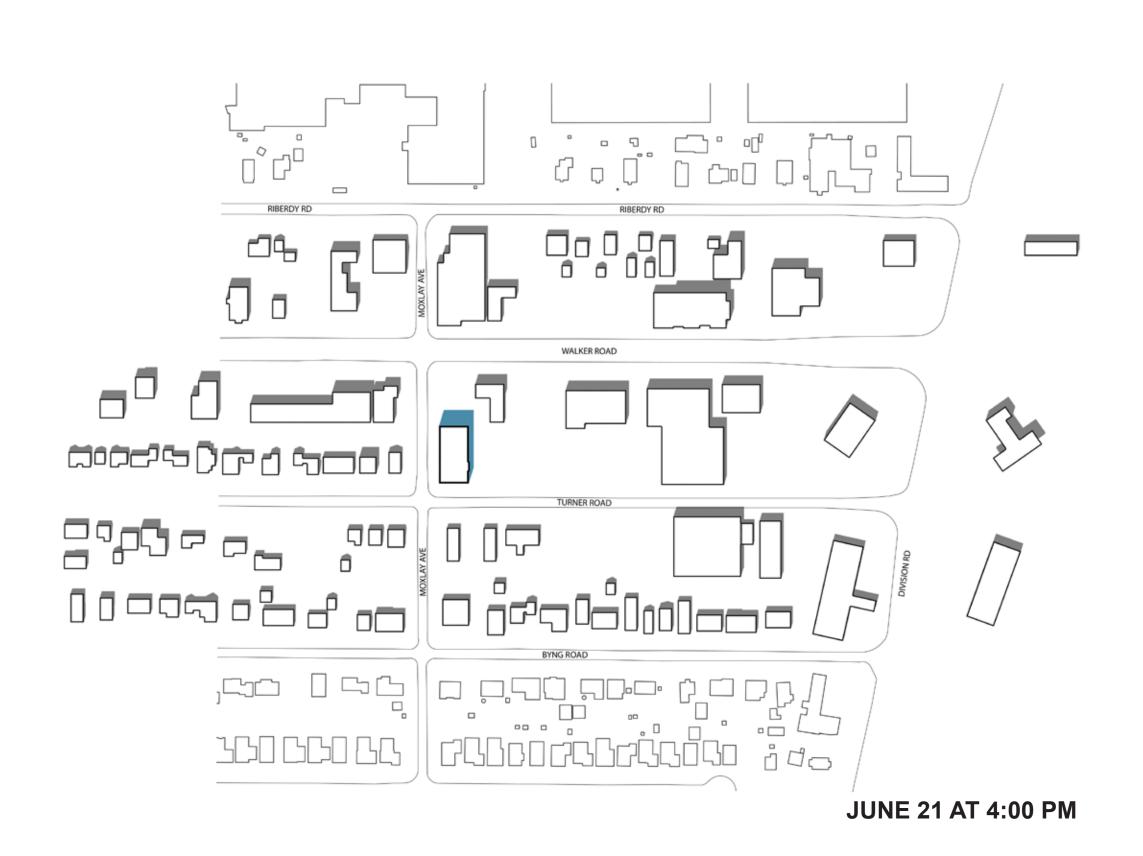
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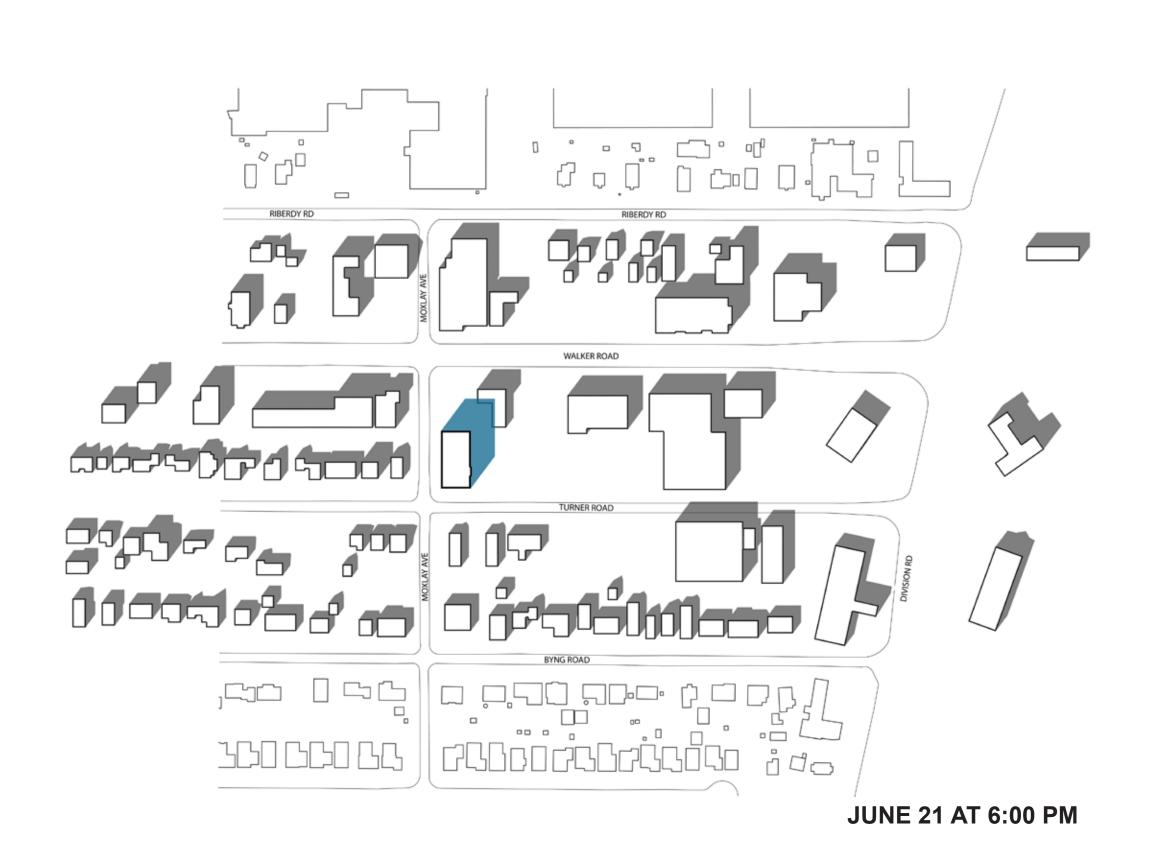


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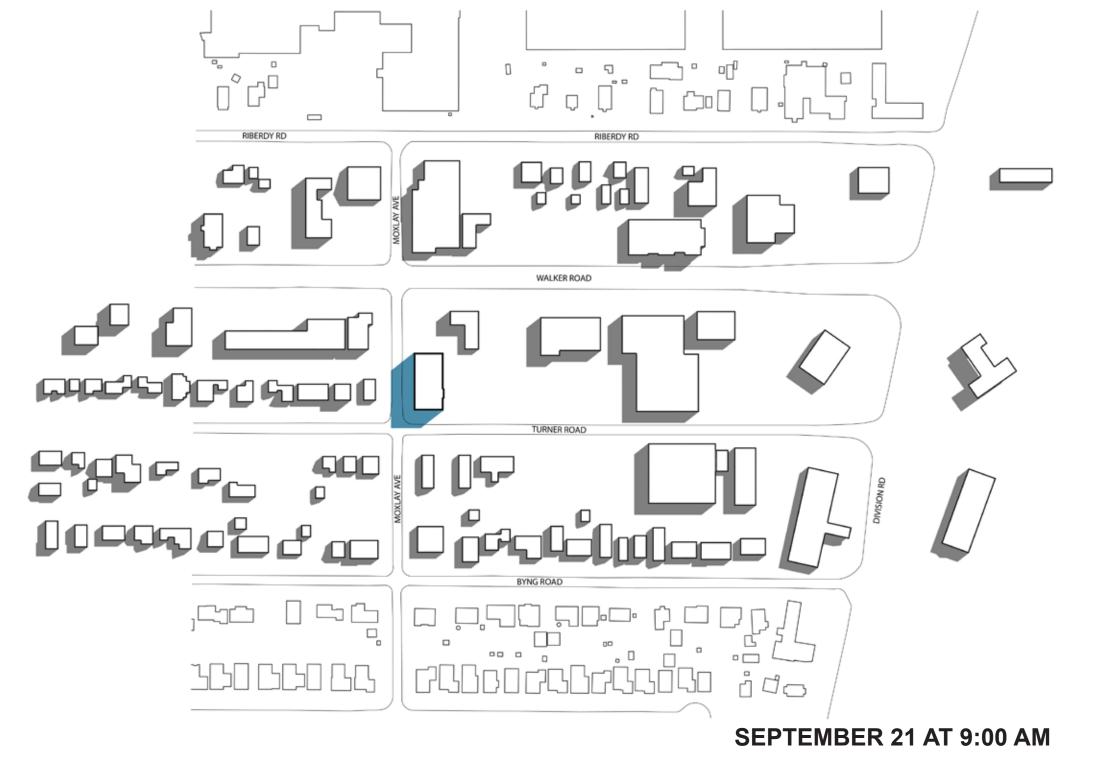


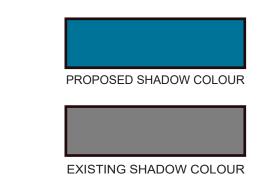


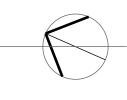
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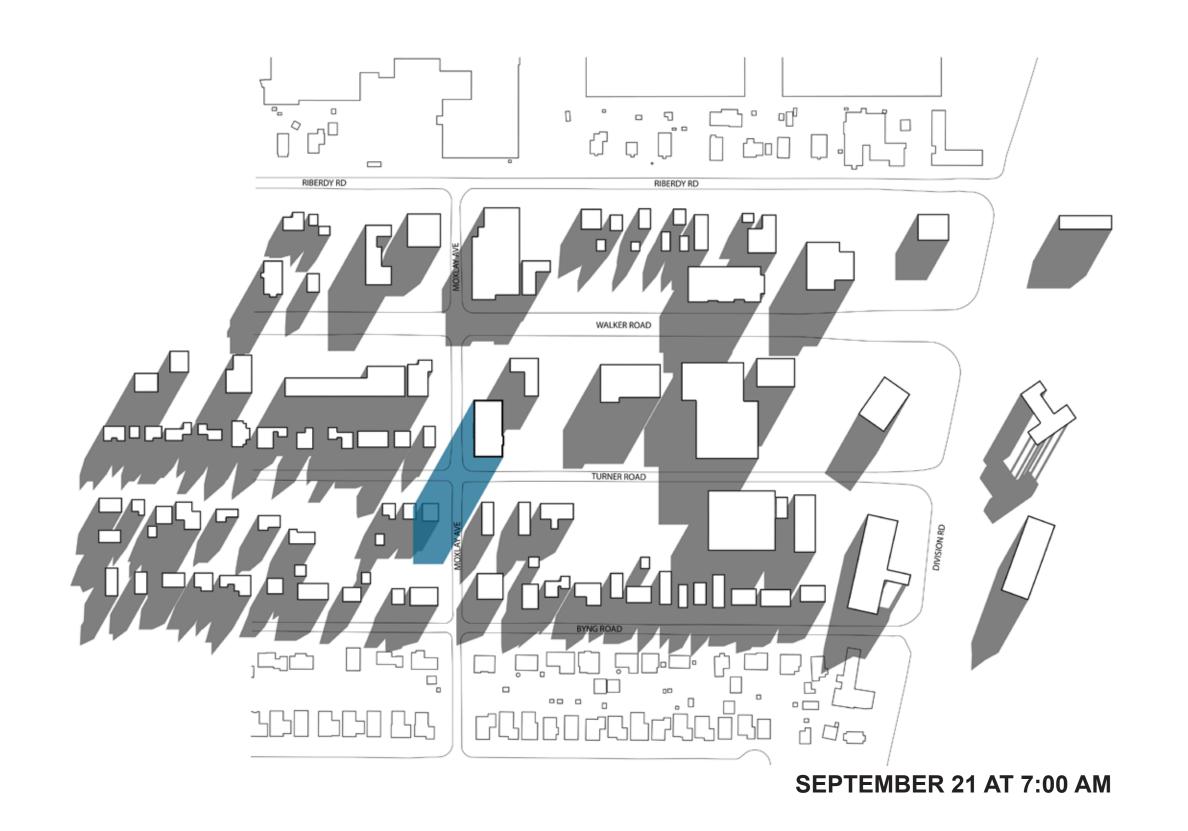
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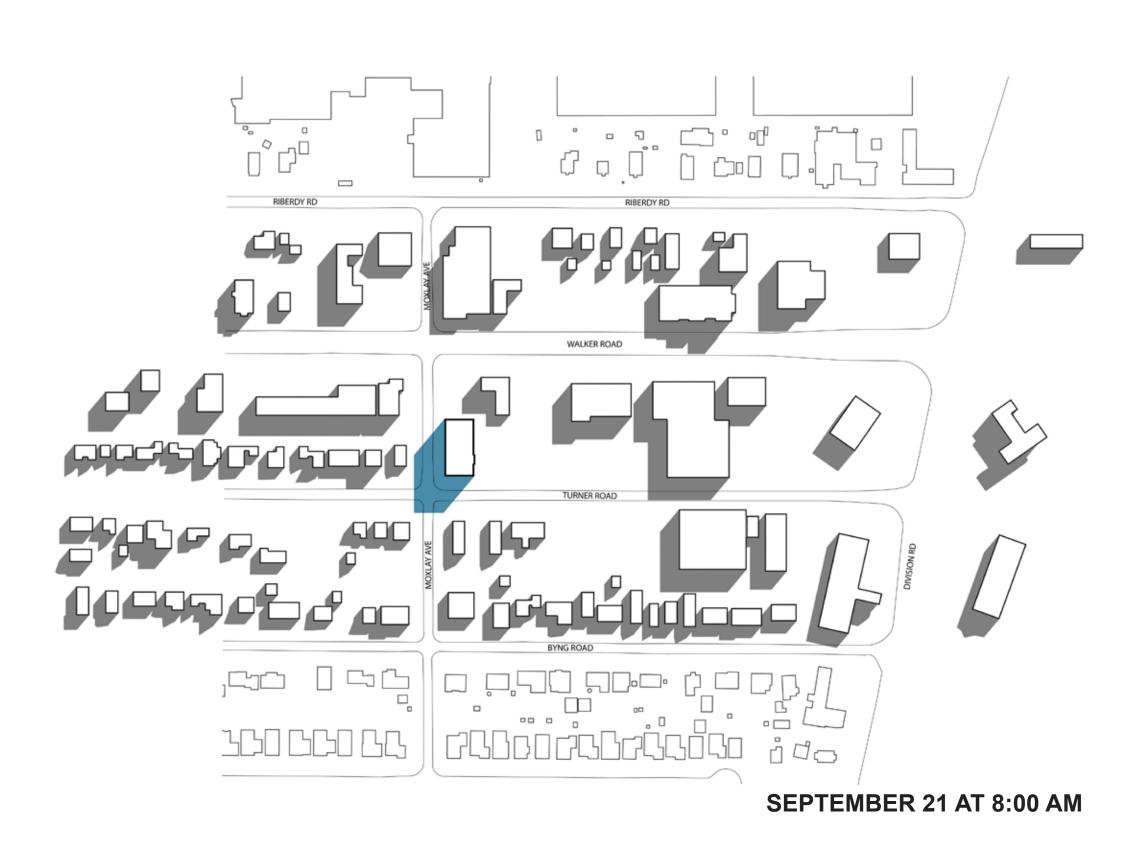


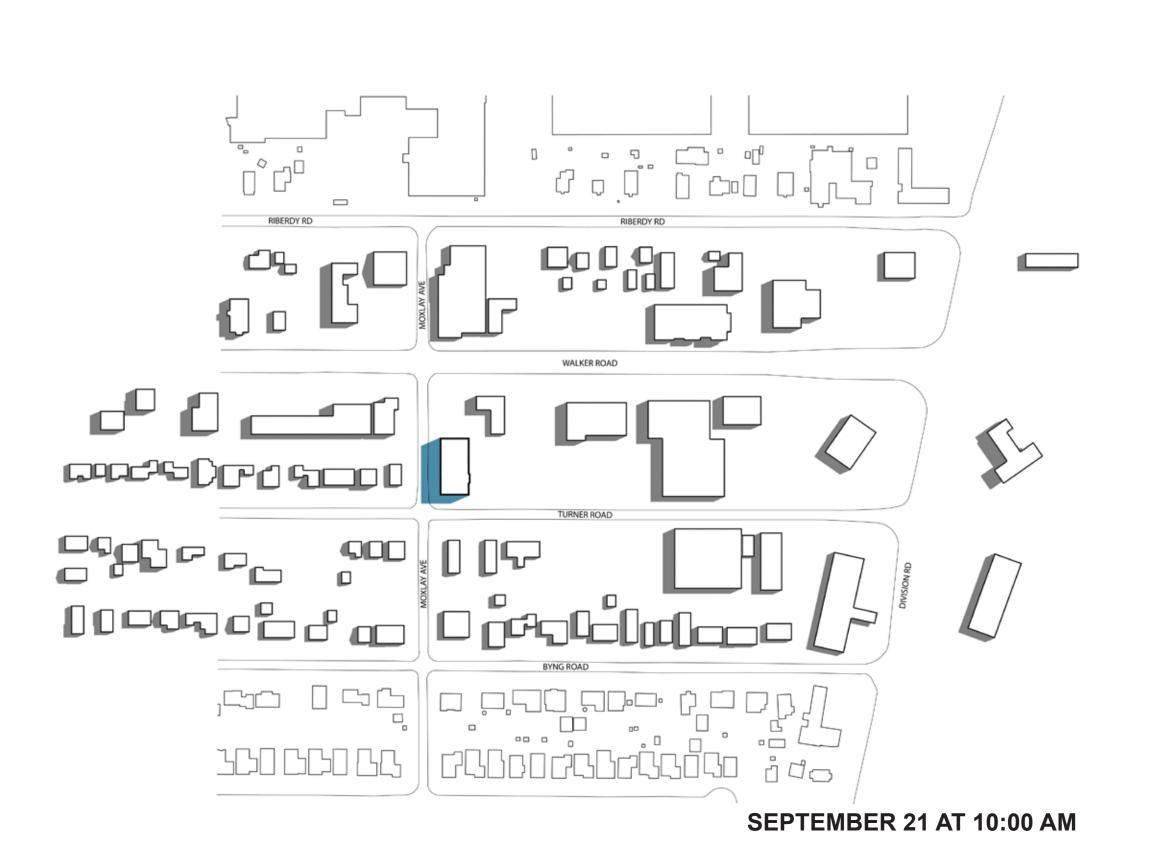
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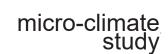
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PROPOSED SHADOW COLOUR



EXISTING SHADOW COLOUR



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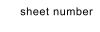
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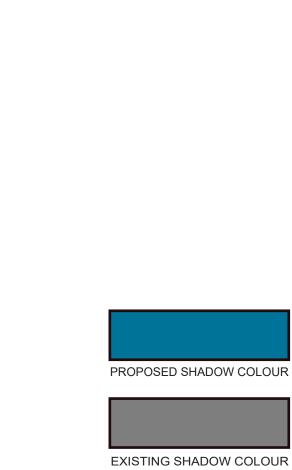




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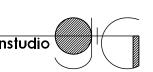
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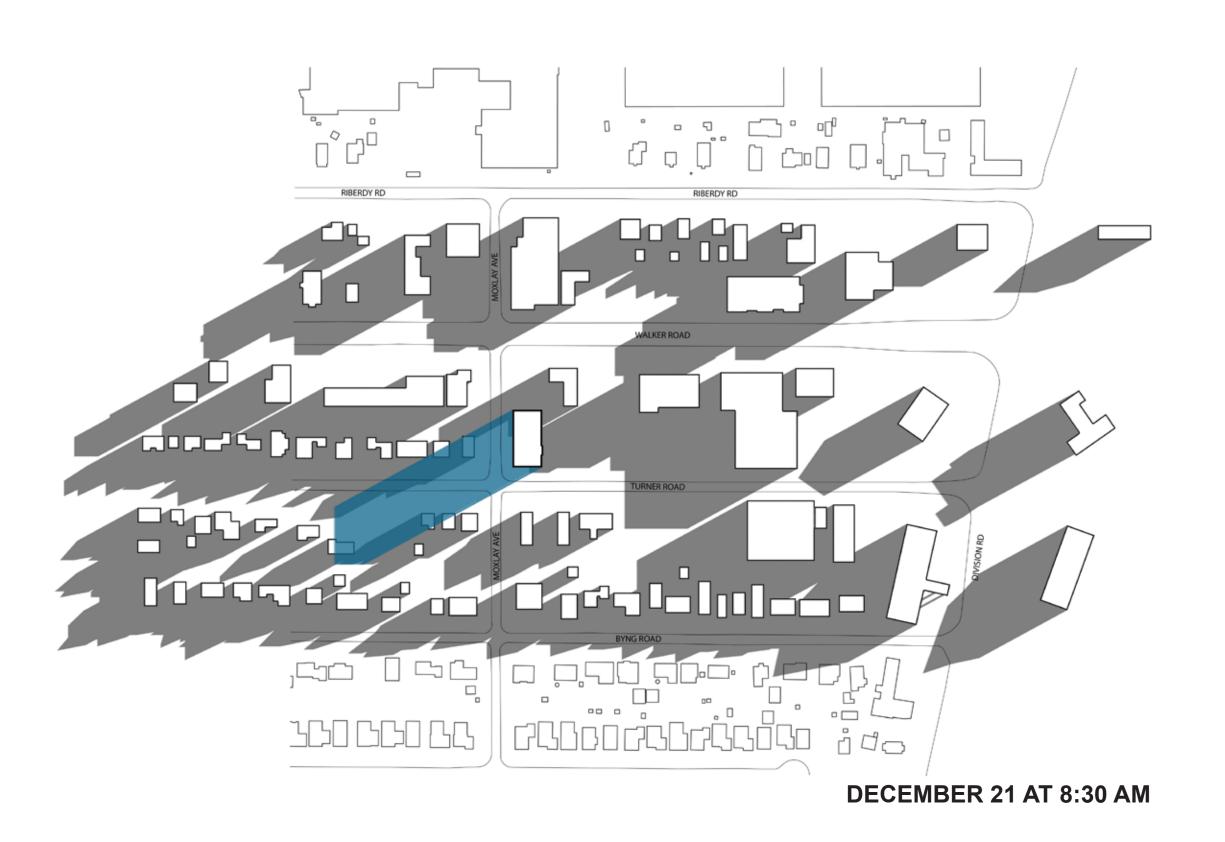
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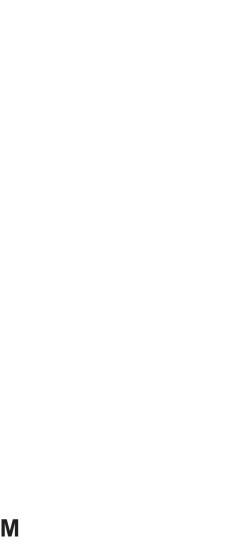
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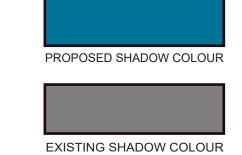
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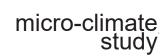
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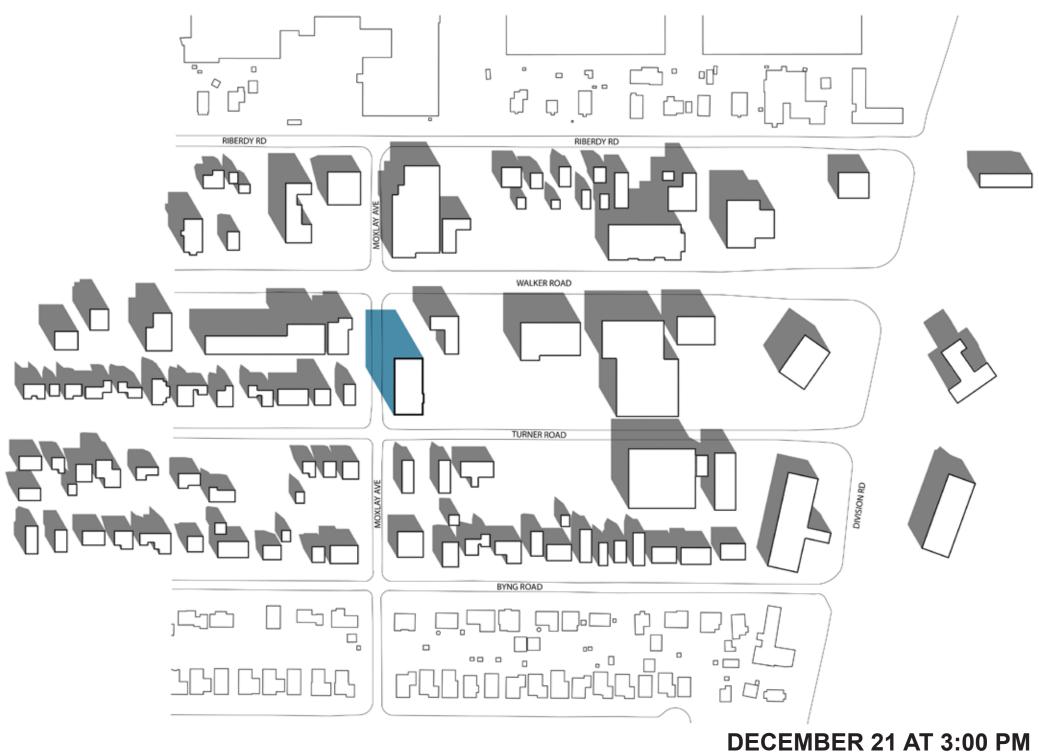
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# PLANNING RATIONALE REPORT

# ZONING BY-LAW AMENDMENT PROPOSED RESIDENTIAL DEVELOPMENT

0 Turner Road, Windsor, Ontario (south side of Moxlay Avenue and east side of Turner Road)

April 25, 2024

Prepared by:



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## 1.0 INTRODUCTION

I have been retained by Olivia Construction Homes Inc. (herein the "Applicant"), to provide a land use Planning Rationale Report (PRR) in support of a proposed development located at 0 Tuner Road (herein the "Site") in the City of Windsor, Province of Ontario.

The Site is currently a vacant parcel of land in Ward 9, in the Devonshire Planning District and was previously used for residential.

It is proposed to construct a three (3) storey multiple dwelling with 17 residential units. A total of 21 on-site parking spaces are proposed, with access from Turner Road.

The Site has access to full municipal services.

The Site will provide for a new housing choice in an existing built-up area, which is an example of a missing middle development.

An application for a Zoning By-law Amendment (ZBA) is required in order to permit the proposed multiple dwelling.

Once the ZBA has been approved, the Applicant will proceed with a Site Plan Control (SPC) application in order to complete the detailed design requirements. A building permit will also be required prior to any construction or site alterations.

Pre-consultation (stage 1) was completed by the Applicant. Comments dated September 27, 2023 (City File #PS-016/23) were received and have been incorporated into this PRR.

Pre-submission (stage 2) was completed by the Applicant. Comments dated March 12, 2024 (City File #PC-014/24) were received and have been incorporated into this PRR.

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

This PRR will show that the proposed development is suitable for residential intensification, is consistent with the PPS, conforms to the intent and purpose of the OP and ZBL and represents good planning.

## 2.0 SITE AND SURROUNDING LAND USES

## 2.1 Description of Site and Ownership

The Site has been owned by Olivia Construction Homes Inc. since November 2020. It is made up of one (1) square-shaped corner parcel of land located on the south side of Moxlay Avenue and the east side of Turner Road (see the area in red on Figure 1a – Site Location).



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

The Site is locally known as 0 Turner Road and is legally described as Part Lot 1007 Plan 1126 Sandwich East; Part Lot 1010 Plan 1126 Sandwich East; Part Alley Plan 1126 Sandwich East closed by R183264, Part 2, 12R11872; S/T R1102972E; Windsor (ARN 3739-070-260-03700).

## 2.2 Physical Features of the Site

#### 2.2.1 Size and Site Dimension

The Site, subject to the proposed development, consists of a total area of 1,550.12 m2 (0.155 ha), with a lot width of 18.745 m along Turner Road and a lot depth of 34.18 m along Moxlay Ave.

## 2.2.2 Existing Structures and Previous Use

The Site is currently vacant (see Figure 1b – Site Street View).



Figure 1b – Site Street View (Source: Pillon Abbs Inc.)

The previous use of the Site was for residential. A single detached dwelling was demolished in 1990.

### 2.2.3 Vegetation

The Site has an open grassed area.

There are some mature trees located on the Site.

## 2.2.4 Topography, Drainage and Soil

The Site is flat and is outside the regulated area of the Essex Region Conservation Authority (ERCA).

Turner and Moxley, Windsor, Ontario

The Site is part of the Turkey Creek Drainage Area.

The Site is impacted by Source Water Protection and is within a Significant Groundwater Recharge Area (SGRA).

The soil is made up of Burford Loan – Shallow Phase (Bg-s).

#### 2.2.5 Other Physical Features

There is an existing shared driveway along Moxley Ave.

There is fencing along the south boundary of the Site.

There is an open ditch along the west and north boundary of the Site.

### 2.2.6 Municipal Services

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

Turner Road is a north/south local residential road, and Moxlay Ave is an east/west local residential road.

There is no on-street parking in the area of the Site.

There are no streetlights or sidewalks along Turner Road and Moxlay Ave.

The closest fire hydrant is located south of the Site on Turner Road.

The Site has access to transit with the closest bus stop located at the corner of Walker Road and Moxley Ave (180 m), Stop ID: 1772 (Bus #8).

The Site is in close proximity to major transportation corridors, including Walker Road.

#### 2.2.7 Nearby Amenities

There are several schools nearby, including the Talbot Trail Public School, First Lutheran Christan Academy and Roseland Public School.

There are many parks and recreation opportunities in close proximity to the Site, including Devonwood Conservation Area.

The nearest library is Fountaineblue Public Library.

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

Turner and Moxley, Windsor, Ontario

## 2.3 Surrounding Land Uses

Overall, the Site is located in a mixed use area within an existing built up area in Ward 9 and within the Devonshire Planning District.

A site visit was undertaken on June 2, 2022. Photos were taken by Pillon Abbs Inc..

**North** – The lands directly north of the Site are used for residential with access from Moxlay Ave (see Photo 1 - North).



Photos 1 - North

**South** – The lands directly south of the Site are used for industrial with access from Turner Road and Walker Road (see Photo 2 - South).



Photo 2 - South

**East** – The lands east of the Site are used for commercial (E&A Auto Centre) with access from Moxlay Ave and Walker Road (see Photo 3 - East).



Photo 3 – East

**West** – The lands west of the Site are used for residential with access from Turner Road (see Photos 4 - West).







Photos 4 – West

## 3.0 PROPOSAL AND CONSULTATION

# 3.1 Development Proposal

It is proposed to develop the Site for residential purposes.

It is proposed to construct a three (3) storey multiple dwelling with 17 residential units.

A Concept Plan has been prepared by studio g+G., architects, dated December 30, 2023 (see Figure 2a – Concept Plan).

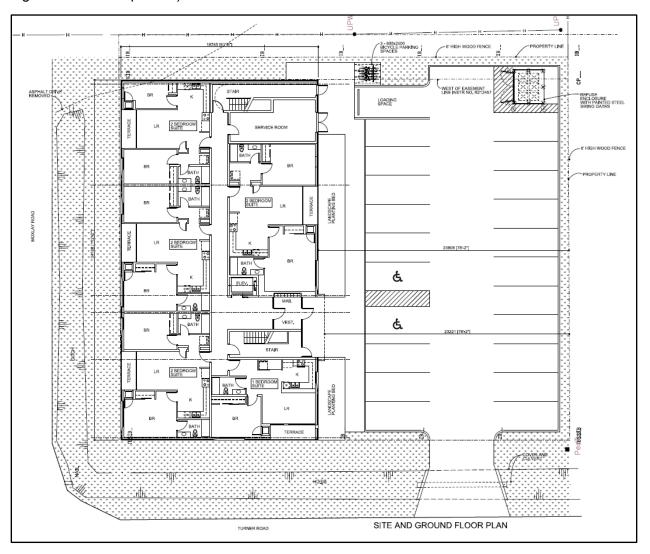


Figure 2a - Concept Plan

The concept plan illustrates a preliminary proposal.

Based on the size of the Site (0.155 ha), the proposed gross density will be 109.68 units per hectare (uph).

The tenure of the units is proposed to be rental.

The proposed multiple dwelling will be a maximum of 9.86 m in height (3-storeys).

The total building area is proposed to be 644 m2 in size, which will result in a total lot coverage of 41.5 %.

The building will face Moxley Ave with a primary pedestrian entrance from the parking area (see Figure 2b – Elevations).







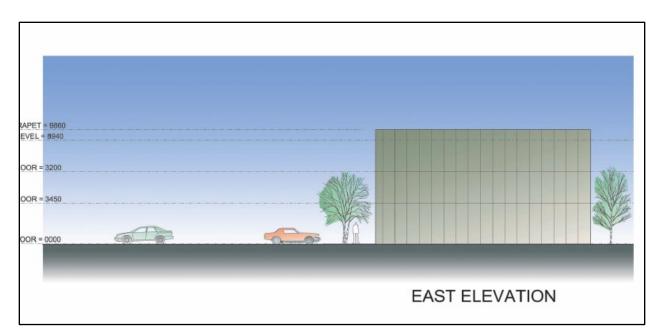
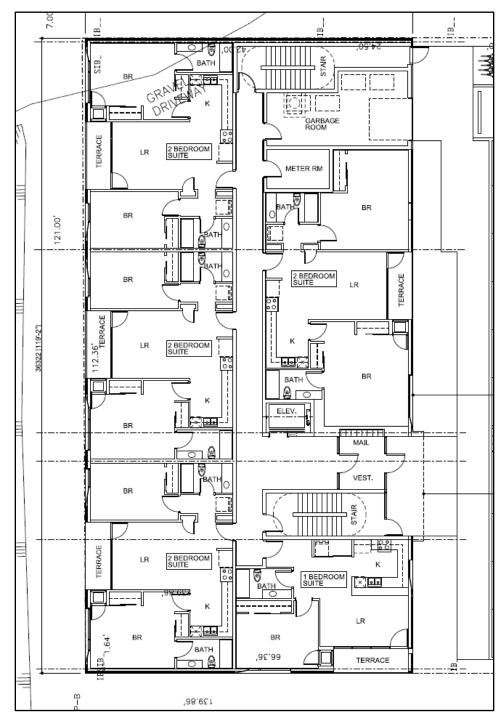


Figure 2b – Elevations

Units range in size from 1 to 2 bedrooms each (see Figure 2c – Floor Plans).



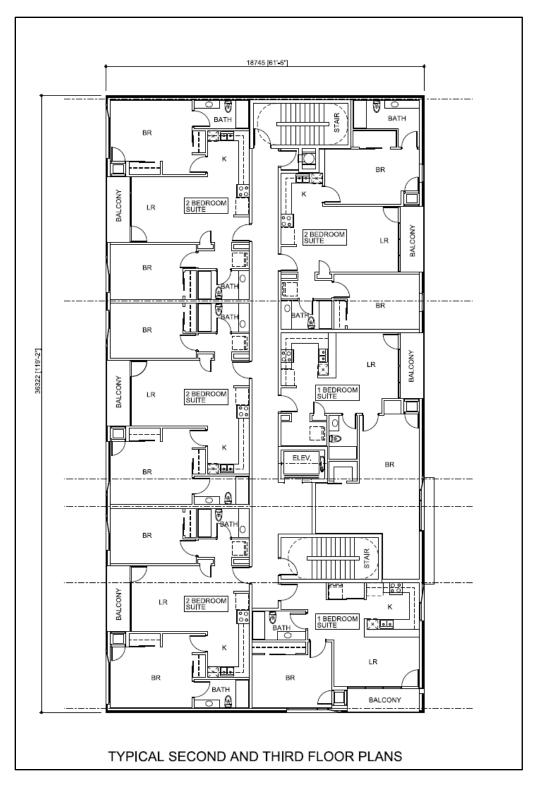


Figure 2c – Floor Plans

There will be balconies (terraces) on three (3) sides of the proposed building.

Parking (paved) for 21 spaces is proposed to be located at the rear of the proposed building, with vehicle access from Turner Road.

Parking includes marked visitor and barrier free spaces.

Bicycle parking with a minimum of 3 spaces and 1 loading area is provided on-site.

Outdoor amenity space, seating area, and greenspace are proposed.

All sidewalks will be paved.

Landscaping will be provided.

New wood fencing is proposed along the south and east sides of the Site.

Waste management (garbage and recycling) is proposed to be stored in a fenced enclosure.

The Site will be serviced with full municipal services, including water, storm and sewers.

A portion of the ditch along Turner Road will be covered, and a culvert will be installed in order to access the proposed parking area.

No buildings or structures are proposed within the utility easement (Instrument No. R1102972E).

EnWin Utilities Ltd.'s has been contacted regarding the minimum building setback from the overhead hydro lines.

# 3.2 Public Consultation Strategy

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

As part of a public consultation strategy, in addition to the statutory public meeting, an informal electronic public open house was held with area residents (120 m radius) and property owners on Wednesday, November 1, 2023, from 6:00 pm to 7:00 pm.

A total of 58 notices were mailed out.

The open house provided members of the public with opportunities to review and comment on the proposed development.

In addition to City of Windsor Staff and the Applicant Team, a total of 1 person registered and attended.

The following is a summary of the comments and responses from the public open houses:

Turner and Moxley, Windsor, Ontario

Topic Item	Comments and Questions	Response
Building Height	Please confirm the building	The building height proposed is 9.86 m.
	height.	
Traffic	Traffic is very busy along	A TIS is not warranted for the proposed
	Tamar (from the storage area)	development.
Noise	This will improve noise from	A Noise Study will be conducted.
	Walker Road	·
		The proposed building will act as a
		buffer.

### 4.0 APPLICATIONS AND STUDIES

Pre-consultation (stage 1) was completed by the Applicant. Comments dated September 27, 2023 (City File #PS-016/23), were received and have been incorporated into this PRR.

Pre-submission (stage 2) was completed by the Applicant. Comments dated March 12, 2024 (City File #PC-014/24) were received and have been incorporated into this PRR.

The proposed development requires an application for a Zoning By-law Amendment (ZBA) along with required support studies.

The following explains the purpose of the application and other required approvals, as well as a summary of the required support studies.

### 4.1 Zoning By-Law Amendment

A site specific (major) Zoning By-law Amendment (ZBA) is required to permit the proposed development of a multiple dwelling with 5 or more dwelling units as an additional permitted use.

The zoning for the Site is proposed to be changed from Residential District 1.1 (RD1.1) category to a site specific Residential District 3.2 (RD3.2 - S.20(1)(XXX)) category, as shown on Map 12 of the City of Windsor Zoning By-Law (ZBL).

In addition to the change in zoning for the permitted use of a multiple dwelling with 5 or more dwelling units as an additional permitted use, the proposed development will comply with all zone provisions set out in the RD3.2 Zone, except relief is required from certain provisions.

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

# 4.2 Other Application

Once the ZBA has been approved, the Applicant will proceed with a Site Plan Control (SPC) application in order to complete the detailed design requirements.

A building permit will also be required prior to any construction or site alterations.

### 4.3 Supporting Studies

The following studies have been prepared to support the application.

### 4.3.1 Sanitary Sewers

A Sanitary Study was prepared by Haddad Morgan & Associates Ltd, dated August 14, 2023.

The purpose of the report was to assess the sanitary sewers in the area of the Site.

Turner and Moxley, Windsor, Ontario

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The report concluded that the existing infrastructure surrounding the Site is able to support the proposed development.

#### 4.3.2 Stormwater

A Stormwater Management Study (SWM) was prepared by Haddad Morgan & Associates Ltd, dated January 10, 2024, and further revised on March 24, 2024.

The purpose of the report was to assess the storm sewers in the area of the Site.

The report concluded that the existing infrastructure surrounding the Site is able to support the proposed development.

#### 4.3.3 Micro Climate

A Micro Climate Study was prepared by studio g+G., architects, dated December 30, 2023.

The purpose of the report was to assess the shadow impacts in the area from the proposed development.

The report concluded that some shadowing will be created, however it is minor.

#### **4.3.4** Noise

A Road Traffic and Stationary Noise Impact Study was prepared by JJ Acoustic Engineering Ltd, dated November 9, 2023.

The purpose of the report was to assess the road traffic and stationary noise in the area based on volume.

Noise emissions from Windsor International Airport were also assessed.

The report concluded that the potential environmental noise impact from road traffic noise is significant.

The proposed balconies are permitted.

The following recommendations are made to mitigate noise:

- Central air-conditioning
- Noise warning clauses
- Special building components

Further, based on the recommendations, the building will be designed to meet the following Sound Transmission Class (STC) ratings:

- Windows for East façade to have an STC of 27
- Exterior walls to have an STC of 47

20

Roof assembly to have an STC of 43

### 5.0 PLANNING ANALYSIS

## 5.1 Policy and Regulatory Overview

### 5.1.1 Provincial Policy Statement

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

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

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

The Site is with a 'Settlement Area", as defined by the PPS.

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

PPS Policy #	Policy	Response
1.0	Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns	_
1.1.1	Healthy, liveable and safe communities are sustained by:	The proposed development is consistent with the policy to build strong, healthy, and livable communities as it

PPS Policy #	Policy	Response
	a) promoting efficient development and land use patterns which sustain the financial well-being of the	provides for a development where people can live, work and play.
	Province and municipalities over the long term;	The proposed development offers a new housing choice.
	b) accommodating an appropriate affordable and market-based range and mix of residential types,	There are no anticipated environmental or public health and safety concerns as the area is established.
	employment, institutional, recreation, park and open space, and other uses to meet long-term needs;	The development pattern does not require expansion of the settlement area as it is considered infilling and intensification.
	c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;	The proposed development will not change lotting or street patterns in the area.
	d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or	The Site has access to full municipal services and is close to existing local parks, places of worship, and schools.
	e) promotingcost- effective development	Accessibility of units will be addressed at the time of the building permit.
	patterns and standards to minimize land consumption and servicing costs;	Public service facilities are available, such as local schools.
	f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;	The development pattern is proposed to be an efficient use of the Site.

PPS Policy #	Policy	Response
	h) promoting development and land use patterns that conserve biodiversity.	
1.1.2	Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years.  Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.	The proposed development will help the City of Windsor meet the full range of current and future residential needs through intensification.  The Site will provide for residential infilling within an existing settlement area.
1.1.3.1	Settlement areas shall be the focus of growth and development.	The proposal enhances the vitality of the Municipality, as the proposal is within an existing settlement area.  There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal infilling opportunity.
1.1.3.2	Land use patterns within settlement areas shall be based on densities and a mix of land uses which:  a) efficiently use land and resources;  b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their	The Site will provide for a new housing choice in an

PPS Policy #	Policy	Response
	unjustified and/or uneconomical expansion;	within an existing established neighbourhood.
	c) minimize negative impacts to air quality and climate change, and promote energy efficiency;	The Site offers an opportunity for intensification by creating a new housing choice.
	<ul><li>d) prepare for the impacts of a changing climate;</li><li>e) support active transportation;</li></ul>	The design and style of the building will blend well with the scale and massing of the existing surrounding neighbourhood.
	f) are transit-supportive, where transit is planned, exists or may be developed; and	Residents will have immediate access to local amenities, shopping, employment, recreational areas, and institutional uses.
	g) are freight-supportive.	Transit is available for the area.
		The Site is located close to major transportation corridors.
1.1.3.3	Planning authorities shall identify appropriate locations and promote opportunities for	The proposed development is located on a Site that is physically suitable.
	transit-supportive development, accommodating a significant supply and range of housing options through	The Site is flat, which is conducive to easy vehicular movements.
	intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of	The intensification can be accommodated for the proposed development as it is an appropriate use of the Site.
	suitable existing or planned infrastructure and public service facilities required to	Parking will be provided onsite, including space for tenants and visitors.

PPS Policy #	Policy	Response
	accommodate projected needs.	Bicycle parking will also be provided.
		One loading space will be provided.
1.1.3.4	Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.	The proposed residential building will be built with a high standard of construction, allowing a seamless integration with the existing area.  There will be no risks to the public as identified in the support studies.
		The Site is outside of the ERCA regulated area.
1.1.3.5	Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.	The City has established targets for intensification and redevelopment. The proposed development will assist in meeting those targets as the Site is located in an existing built-up area.
1.1.3.6	New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.	The proposed development does have a built form that is compact.  The proposed building size will allow for the efficient use of land, vehicle access, and infrastructure.
1.2.6.1 - Compatibility	Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from	Avoidance is possible through mitigation measures.  There are no adverse effects from odour, noise and any

PPS Policy #	Policy	Response
	odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and	other contaminants anticipated.  There are no health and safety concerns.  The abutting land uses can operate without any
1.4.1 - Housing	procedures.  To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:  a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if	interruptions.  The proposed development will provide for an infill and intensification opportunity in the existing built-up area.  The Site offers an opportunity for intensification in an area with a mix of uses.  Municipal services are available.
	necessary, lands which are designated and available for residential development; and b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a	
	three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.	
1.4.3	Planning authorities shall provide for an appropriate	The proposed density is compatible with the

PPS Policy #	Policy	Response
	range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area.	surrounding area and will provide an appropriate transition between uses.  The Site is close to local amenities.  There is suitable infrastructure, including transit.
1.6.1 - Infrastructure	Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.	The development can proceed on full municipal services.  Electrical distribution will be determined through detailed design.  Access to public transit is available.
1.6.6.2 - Sewage, Water and Stormwater	Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.	The proposed development will be serviced by municipal sewer, water and storm, which is the preferred form of serving for settlement areas.  A Sanitary and SWM study has been completed.
1.6.6.7 - Stormwater	Planning for stormwater management shall:  a) be integrated with planning for sewage and water services	There will be no anticipated impacts on the municipal system, and it will not add to

PPS Policy #	Policy	Response
	and ensure that systems are optimized, feasible and financially viable over the long term;	the capacity in a significant way.  There will be no risk to health and safety.
	b) minimize, or, where possible, prevent increases in contaminant loads;	At this time, there are no streetlights, however, they can be installed in the future.
	c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;	A Sanitary and SWM study has been completed.
	d) mitigate risks to human health, safety, property and the environment;	
	e) maximize the extent and function of vegetative and pervious surfaces; and	
	f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.	
1.6.7.1 - Transportation	Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to	to major transportation corridors and has access to transit.
	address projected needs.	At this time, there are no sidewalks, however they can be installed in the future.
1.6.7.2	Efficient use should be made of existing and planned infrastructure, including	The proposed development contributes to the City's requirements for

PPS Policy #	Policy	Response
	through the use of transportation demand management strategies, where feasible.	development within an existing built-up area.
1.6.7.4	A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and	The proposed development contributes to the City's requirement for infilling and intensification within an existing settlement area.
	future use of transit and active transportation.	The proposed density, scale, and building height will blend with the existing land use pattern.
		The height of the proposed development is keeping in context with the surrounding area.
2.1.1 - Natural Heritage	Natural features and areas shall be protected for the long term.	There are no natural features that apply to this Site.
2.2.1 - Water	Planning authorities shall protect, improve or restore the	A SWM study has been completed.
	quality and quantity of water.	The Site is outside the regulated area of ERCA.
2.6.1 - Heritage	Significant built heritage resources and significant cultural heritage landscapes shall be conserved.	There are no cultural heritage features that apply to this Site.
3.0 - Health and Safety	Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not	There are no natural or human-made hazards.  The Site is outside the regulated area of ERCA.

PPS Policy #	Policy	Response
	create new or aggravate existing hazards.	

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

#### 5.1.2 Official Plan

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

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

The lands are designated "Residential" according to Schedule "D" Land Use attached to the OP for the City of Windsor (see Figure 3 –OP).

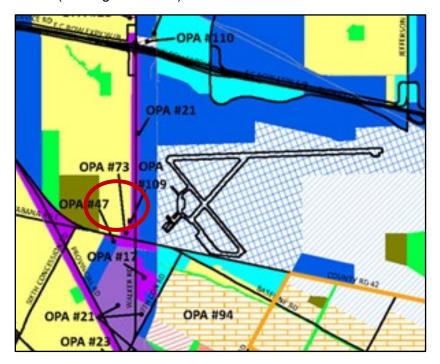


Figure 3 –OP

The Site is also subject to the following:

- Schedule C Development Constraints Airport Operating Area with a Noise Exposure Forecast (NEF) above 30, and
- Schedule C-1 Archaeological Potential, low potential.

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

OP Policy #	Policy	Response
3.1	The planning of Windsor's future is guided by the following vision taken from Dream Dare Do – The City of Windsor Community Strategic Plan.	The proposed development will support the City's vision by providing residential in an existing built-up area where citizens can live, work and play.
		The proposed development will incorporate design features to protect, maintain and improve the quality of life for present and future generations by integrating the principles of sustainability and place making.
3.2.1.2 – Growth Concept, Neighbourhood Housing Variety	Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives.	The proposed development supports one of the City's overall development strategies of providing for a range of housing types.  The Site will provide for a new housing choice in an existing built-up area, which is an example of missing middle development.
3.2.1.3 – Growth Concept, Distinctive Neighbourhood Character	Windsor will keep much of what gives its existing neighbourhoods their character – trees and greenery, heritage structures and spaces, distinctive area identities, parks, and generally low profile development outside the City Centre. Around the neighbourhood centres, the existing character	The Site will provide for a new housing choice in an existing built-up area, which is an example of a missing middle development.

OP Policy #	Policy	Response	
	of the neighbourhood will be		
	retained and enhanced.		
4.0 - Healthy Community	The implementing healthy community policies are interwoven throughout the remainder of the Plan, particularly within the Environment, Land Use, Infrastructure and Urban Design chapters, to ensure their consideration and application as a part of the	The proposed development will support the City's goal of promoting a healthy community.  The proposed development is close to nearby transit, employment, shopping, local/regional amenities and parks.	
	planning process.		
6.0 - Preamble	A healthy and livable city is one in which people can enjoy a vibrant economy and a sustainable healthy environment in safe, caring and diverse neighbourhoods. In order to ensure that Windsor is such a city, Council will manage development through an approach which balances environmental, social and economic considerations.	The proposed development supports the policy set out in the OP as it is suited for the residential needs of the City.	
6.1 - Goals	In keeping with the Strategic Directions, Council's land use goals are to achieve:  6.1.1 Safe, caring and diverse neighbourhoods.	The proposed development supports the goals set out in the OP as it provides for the intensification of residential offering a new housing choice.	
	<ul><li>6.1.3 Housing suited to the needs of Windsor's residents.</li><li>6.1.10 Pedestrian oriented clusters of residential, commercial, employment and institutional uses.</li></ul>	Care in the design of the proposed multiple dwelling has taken into consideration the built form in the area.  The Site provides for an infilling opportunity, allowing a transition between existing uses.	
6.1.14 – Residential Intensification	To direct residential intensification to those areas of the City where	The Site has access to transportation, full municipal services and local amenities.	

OP Policy #	Policy	Response
	transportation, municipal services, community facilities and goods and services are readily available.	
6.2.1.2 – General Policies, Type of Development Profile	For the purpose of this Plan, Development Profile refers to the height of a building or structure. Accordingly, the following Development Profiles apply to all land use designations on Schedule D: Land Use unless specifically provided elsewhere in this Plan:	The proposed development is considered a low profile development as it is proposed to have 3 storeys constructed on the Site.  The proposed development is in keeping with the neighbouring heights and densities found in the area.
	(a) Low Profile developments are buildings or structures generally no greater than three (3) storeys in height;	The proposed building will provide for a transition between uses.
	(b) Medium Profile developments are buildings or structures generally no greater than six (6) storeys in height; and	
	(c) High Profile developments are buildings or structures generally no greater than fourteen (14) storeys in height.	
6.3.1.1 – Range of Forms & Tenures	To support a complementary range of housing forms and tenures in all neighbourhoods	It is proposed to construct a 3 storey building with 17 residential rental units.
		The proposed development will offer a new housing choice which will complement the existing neighbourhood.
		The Site is a corner lot, and the proposed building will have a street presence with parking behind the building.

OP Policy #	Policy	Response
6.3.1.2 - Neighbourhoods	To promote compact neighbourhoods which encourage a balanced transportation system.	The proposed development takes advantage of the entire Site.  The Site will have paved sidewalks connection to the parking area.
		The Site has access to transit and is in close proximity to major transportation corridors.
6.3.1.3 – Intensification, Infill & Redevelopment	To promote residential redevelopment, infill and intensification initiatives in locations in accordance with	The proposed development is considered infill and intensification.
	this plan.	The parcel of land is vacant and appropriate for development.
6.3.2.1 – Permitted Uses	Uses permitted in the Residential land use designation identified on Schedule D: Land Use include <b>Low Profile</b> , and Medium Profile dwelling units.	The proposed development is a permitted use in the OP as it is considered a low profile development.
	High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors.	
6.3.2.4 – Location Criteria	Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes.	The Site is located near major transportation corridors.  Full services are available.
	Within these areas Medium Profile buildings, up 4 storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas.	Local amenities are close by.  The proposed development is located close to transit.

OP Policy #	Policy Response	
	New residential development and intensification shall be located where:	
	a) there is access to a collector or arterial road; b) full municipal physical services can be provided; c) adequate community services and open spaces are available or are planned; and d) public transportation service can be	
6.3.2.5 – Evaluation of a Neighbourhood	provided.  At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed	This PRR has undertaken the required evaluation of provincial legislation.
	residential development within an area having a Neighbourhood development	There are no development constraint areas that impact this Site.
	pattern is: (a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate	Noise study has been completed, and mitigation measures are recommended.
	guidelines and support studies for uses: (i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in	The Site will provide for a new housing choice in an existing built-up area, which is an example of a missing middle development.
	the Environment chapter of this Plan; (ii) adjacent to sources of	concerns.
	nuisance, such as noise, odour, vibration and dust; (iii) within a site of potential or known contamination; (iv) where traffic generation and distribution is a provincial or municipal	The proposed development will be strategically located to provide efficient ease of the proposed new access into the parking area from Turner Road.
	concern; and (v) adjacent to heritage resources.	The Site is capable of accommodating the proposed development in

OP Policy #	Policy	Response
OP Policy #	(b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area; (c) in existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas. In Mature Neighbourhoods as shown on Schedule A-1, compatible with the surrounding area, as noted above, and consistent with the streetscape, architectural style and materials, landscape character and setback between the buildings and streets; (e) capable of being provided with full municipal physical services and emergency services; and (f) facilitating a gradual transition from Low Profile residential development to Medium and/or High Profile development and vice versa, where appropriate, in	terms of scale, massing, height and siting.  Full municipal services can be provided.  The setbacks and the design features incorporated into the proposed development provide for a transition between uses in the area.  The City's design guidelines can be followed.
	accordance with Design Guidelines approved by	
7.0 - Infrastructure	Council.  The provision of proper infrastructure provides a safe, healthy and efficient living environment. In order to accommodate transportation and physical service needs in Windsor, Council is committed to ensuring that infrastructure is provided in a sustainable, orderly and coordinated fashion.	The proposed development is close to nearby transit, off a major transportation corridor and has access to full municipal services.

OP Policy #	Policy	Response
7.2.10.2 - Airport	Council shall protect the	A Noise Study was prepared.
·	Windsor Airport from	
	incompatible development.	Mitigation measures are
	Accordingly, all proponents of	included in the
	development within the Airport	recommendations.
	Operating Area designated on	
	Schedule 'C': Development	Based on the
	Constraint Areas shall be	recommendations, the
	subject to the following:	proposed building will be
	(a) New sensitive land uses	designed to meet the
	shall not be permitted in areas	following Sound
	above 30 NEP/NEF as set out	Transmission Class (STC)
	on maps approved by	ratings:
	Transport Canada; (b)	
	Redevelopment of existing	Windows for East façade to
	sensitive land uses may only	have an STC of 27
	be considered above 30	• Exterior walls to have an
	NEF/NEP provided the	STC of 47
	proponent successfully	• Roof assembly to have an
	completes a noise study to: (i)	STC of 43
	Support the feasibility of the	
	proposal; (ii) Identify and	
	implement appropriate	
	mitigation measures (refer to	
	Procedures chapter); (c)	
	Redevelopment of existing residential uses and other	
	sensitive land use in areas	
	above 30 NEF/NEP may only	
	be considered if it has been	
	demonstrated that there will	
	be no negative impacts on the	
	long-term function of the	
	airport; (d) Land uses which	
	may cause a potential aviation	
	safety hazard are	
	discouraged; (e) Other land	
	uses may be permitted within	
	the Airport Operating Area	
	provided the proponent	
	completes a noise study to	
	support the feasibility of the	
	proposal and, if feasible	
	identify and implement	

OP Policy #	Policy	Response
	appropriate mitigation measures.	
8.7.2.3 – Built Form, Infill Development	Council will ensure that proposed development within an established neighbourhood is designed to function as an integral and complementary part of that area's existing development pattern by having regard for:	The Site provides for an infilling opportunity, allowing a transition between uses.  Massing – The proposed development fits well into this Site, contributing to the overall architectural diversity in the area.
	<ul> <li>(a) massing;</li> <li>(b) building height;</li> <li>(c) architectural proportion;</li> <li>(d) volumes of defined space;</li> <li>(e) lot size;</li> <li>(f) position relative to the road;</li> </ul>	Building height – the height of the proposed development is appropriate and provides for a transition between uses.
	(f) position relative to the road; (g) building area to site area ratios; (h) the pattern, scale and character of existing development; (i) exterior building appearance; and (j) Council adopted Design Guidelines that will assist in the design and review of applications for development in accordance with the policies noted above. (h) the pattern,	Architectural proportion — the proposed development will act as an edge, separating the commercial area from Walker Road from the residential block to the west, providing a residential character to the east side of Turner road and act as a sound buffer as well.  Volume of defined space — The proposed building
	scale and character of existing development; and (i) exterior building appearance, (j) Council adopted Design	maintains an active street frontage.  Lot size – This design approach strengthens the
	Guidelines that will assist in the design and review of applications for development	continuity and cohesive identity of the corner lot.
	in accordance with the policies noted above	Building area – The design considerations of the proposed development demonstrate a balance between fitting into the existing context and adding a

OP Policy #	Policy	Response
		unique architectural contribution to the area.
		Pattern, scale and character – The Site is capable of accommodating the proposed development in terms of scale, massing, height and siting.
		Exterior building appearance – The proposed 3 storey residential development takes inspiration from the surrounding area for the design aesthetic.
10.2.11.1 - Airport	The purpose of a Noise and/or Vibration Study is to demonstrate that a proposed development may proceed in such a manner that the public is protected from unacceptable levels of noise	A Noise Study has been prepared.  Mitigation measures have been included in the recommendations.
	and vibration associated with uses such as industrial operations, public highways, rail corridors and yards, and airports.	Based on the recommendations the building will be designed to meet the following Sound Transmission Class (STC) ratings.
10.2.18.1 - Climate	The purpose of a Micro-Climate Study is to evaluate how the proposed development will alter the micro-climate including wind, shadow and sunlight penetration, and to determine the appropriate design measures to reduce or mitigate any undesirable conditions.	A Micro Climate Study has been prepared.

Therefore, the proposed development will conform to the City of Windsor OP.

Turner and Moxley, Windsor, Ontario

### 5.1.3 Zoning By-law

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

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

According to Map 12 attached to the ZBL the Site is currently zoned Residential District 1.1 (RD1.1) category (see Figure 4 – Zoning).

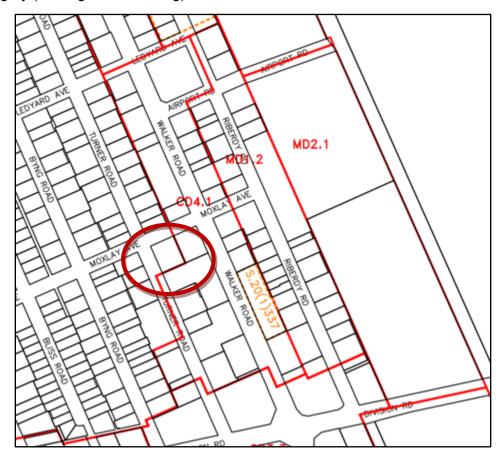


Figure 4 -Zoning

The zoning for the Site is proposed to be changed to a site specific Residential District 3.2 (RD3.2 - S.20(1)(XXX)) category as shown on Map 12 of the City of Windsor Zoning By-Law (ZBL) in order to permit a multiple dwelling with 5 or more dwelling units as an additional permitted use.

MULTIPLE DWELLING means one dwelling containing a minimum of three dwelling units. A double duplex dwelling, semi-detached dwelling, stacked dwelling, or townhome dwelling is not a multiple dwelling.

Turner and Moxley, Windsor, Ontario

A review of the RD3.2 zone provisions, as set out in Section 12.2.5 of the ZBL is as follows:

Zone Regulations	Required RD 3.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
Permitted Uses	Lodging House Multiple Dwelling Religious Residence Residential Care Facility Any of the following existing dwellings: Double Duplex Dwelling Duplex Dwelling Semi-Detached Dwelling Single Unit Dwelling Any use accessory to any of the preceding uses	Multiple dwelling with 5 or more dwelling units	A zoning amendment is required to permit the proposed development as an additional permitted use.
Min Lot	30.0 m	34.18 m	Complies
Frontage		along Moxlay Ave	
Min Lot Area	For a corner lot having a minimum frontage of 30.0 m on each of the exterior lot lines:  a) For the first 5 dwelling units - 540.0 m2  b) For the next 19 dwelling units - 67.0 m2 per unit  c) For each additional dwelling unit - 44.0 m2 per unit  540 + 804 = 1,344 m2	1,550.12 m2	Complies

Zone Regulations	Required RD 3.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
Max Lot Coverage	35.0 %	41.5 % (based on 644 m2 building area	Relief required.
		and 1,550.12 m2 lot)	Relief is considered minor.
		Say 42%	The increase in the maximum lot coverage will allow the building to utilize the Site effectively.  LOT COVERAGE means:  1. the percentage of lot area covered by all buildings at grade, combined with 2. the percentage of lot area covered by the vertical downward projection of all roofs, cantilevered building walls and other projecting features exclusive of the following: balconies; chimney breasts; cornices; decks; eaves; fire escapes; steps and ramps; a swimming pool open to the sky; the first 15.0 m2 of a sunroom.  All other zone regulations pertaining to setbacks can
Max Building	Corner – 24.0 m	9.86 m	be maintained. Complies
Height Min	35.0% of lot area	175 m2 (11.2 %)	Relief Required.
Landscaped Open Space Yard	1550.12/35 = 542.54 m2		Private terraces are provided for each unit.
			LANDSCAPED OPEN SPACE means an area open to the sky and maintained with one or more of the following

Zone Regulations	Required RD 3.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
			ground covers: bark; flowers; grass; mulch; ornamental stone, block or brick, excluding construction grade aggregate; shrubs; trees; water feature; wood chips; and may include outdoor recreational facilities accessory to a dwelling or dwelling unit.  Additional outdoor seating can be provided.  The decrease will the provided parking to comply with the zoning requirements.  The type of landscaping can be provided as part of SPC approval.
Dwelling Unit Density – dwelling units	For a corner lot having a minimum frontage of 30.0 m	109.68 units per hectare (uph)	Complies
per hectare – maximum	on each of the exterior lot lines 188 units per ha	Based on 0.155 ha and 17 units	
Min Front Yard Depth	N/A	N/A	Complies
Min Rear Yard Depth	N/A	N/A	Complies
Min Side Yard	N/A	N/A	Complies
Parking Spaces Required (Table 24.20.20.5.1)	Multiple Dwelling containing a minimum of 5 dwelling units:	21	Complies

Zone Regulations	Required RD 3.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
	1.25 parking spaces required for each dwelling unit		
	17 x 1.25 = 21.25 space (21 rounded down)		
Visitor Parking (24.22.10)	15 percent of parking spaces marked	3 (spaces to be marked)	Complies
	= 3.15 (3 rounded down)		
Accessible Parking Spaces Required (Table 24.24.1)	For 1 to 24 total number of Parking Spaces  Type A – 1 parking spaces  Total B - 0 parking spaces	1	Complies
	= 1 parking spaces		
Bicycle Parking (24.30.1)	10 to 19 parking spaces in parking area:  = 2 spaces	3	Complies
Loading	required	1	Complies
Loading (Table 24.40.1.5)	1,000 m² or less - 0	Based on 610 m2 total building size	Complies
Min Parking Area Separation (Table 25.5.20.1.2)	Any other street – 3.00 m	>3.00 m	Complies

Zone Regulations	Required RD 3.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
Min Parking Area	An interior lot line - 0.90 m	0.90 m (west side)	Complies
Separation (Table 25.5.20.1.3)		0.90 m (south side)	Complies
Min Parking Area	A building wall in which is located a	4.5 m	Complies
Separation (Table 25.5.20.1.5)	main pedestrian entrance facing the parking area – <b>2.00</b> m	(3.4 m from the south face of the building)	
Min Parking Area Separation (Table 25.5.20.1.6)	A building wall containing a habitable room window or containing both a main pedestrian entrance and a habitable room window facing the parking area where the building is located on the same lot as the parking area – 4.50 m	4.50 m	Complies
Min Daylight Corner - 5.15.5	On a corner lot, any part of any building or structure shall have a minimum separation of 6.0 metres from the point of intersection of any two streets unless:  1 that part of the building or structure is elevated a minimum of 2.20 metres above grade;  2 that part of the building or structure consists exclusively	>6.0 m	Complies

Zone Regulations	Required RD 3.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
	of not more than one structural support column having a maximum outside diameter of 1.0 metre and a minimum height of 2.20 metres above grade.		

Therefore, in addition to the change in zoning for the permitted use of a multiple dwelling with 5 or more dwelling units, the proposed development will comply with all zone provisions set out in the RD3.2 Zone except for the following, which requires site specific relief:

- 1. increase the maximum lot coverage from the required 35.0 % to the proposed 42.0 %, and
- 2. decrease the minimum landscaped open space from 35.0 % to 11.2 %.

#### 6.0 SUMMARY AND CONCLUSION

### 6.1 Context and Site Suitability Summary

#### 6.1.1 Site Suitability

The Site is ideally suited for residential development for the following reasons:

- The land area is sufficient to accommodate the proposed development,
- The Site is generally level, which is conducive to easy vehicular movements,
- The Site will be able to accommodate municipal water, storm and sewer systems,
- There are no anticipated traffic concerns.
- There are no natural heritage concerns,
- There are no cultural heritage concerns,
- There are no hazards, and
- The location of the proposed development is appropriate.

#### 6.1.2 Compatibility of Design

The proposed development has been designed to be compatible with the existing built-up area.

The proposed development is a low profile form of development which incorporates sufficient setbacks to allow for appropriate landscaping and buffering.

The building has been designed to address compatibility within uses in the area.

The proposed development will be strategically located to provide efficient ease of the proposed new access into the parking area.

The Site is capable of accommodating the proposed development in terms of scale, massing, height and siting.

#### **6.1.3 Good Planning**

The proposal represents good planning as it addresses the need for the City to provide infilling, which contributes to a new housing choice and intensification requirements set out in the PPS and the OP.

Residential use on the Site represents an efficient development pattern that optimizes the use of land.

The building will act as a buffer between land use.

The proposed development will not change lotting or street patterns in the area.

Turner and Moxley, Windsor, Ontario

#### **6.1.4 Natural Environment Impacts**

The proposal does not have any negative natural environmental impacts.

#### 6.1.5 Municipal Services Impacts

Full municipal services are available, which is the preferred form for development.

#### 6.1.6 Social, Heritage and/or Economic Conditions

The proposed development does not negatively affect the social environment as the Site is in close proximity to major transportation corridors, transit, open space and community amenities.

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

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

Based on the Site area, the proposed development will result in a total gross density, which is appropriate for the area.

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

There are no cultural heritage resources that impact the Site.

### 6.2 Conclusion

In summary, it would be appropriate for Council for the City of Windsor to approve the ZBA to permit the proposed development on the Site as it is appropriate for infilling and will offer residential in an area of mixed uses.

The Site will provide for a new housing choice, which is an example of a missing middle development, while respecting the built form in the area.

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

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

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

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

Turner and Moxley, Windsor, Ontario

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

#### **Planner's Certificate:**

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



Tracey Pillon-Abbs, RPP Principal Planner

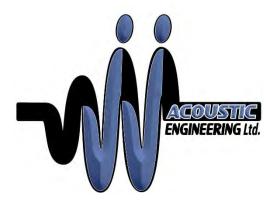


### Road Traffic and Stationary Noise Impact Study

Turner Road Noise Impact Study

JJ-00589 NIS1





November 9, 2023

Reference No. JJ-00589-NIS1

Ashraf Botros Olivia Construction Homes Inc. 1797 S Cameron Blvd Windsor, ON N9B 3P6

Dear Mr. Botros:

Re: Road Traffic and Stationary Noise Impact Study Turner Road, Windsor, Ontario

#### 1. Introduction

JJ Acoustic Engineering Ltd. (JJAE) was retained to complete a Road Traffic and Stationary Noise Impact Study (Study) for the residential development located at Turner Road in Windsor, Ontario (Site). The Site will be developed into a 3-storey residential building. JJAE has provided a copy of the most up-to-date Site Plan in Attachment A.

The Study was prepared consistent with Ontario Ministry of the Environment, Conservation and Park (MOECP) NPC 300, "Environmental Noise Guideline, Stationary and Transportation Sources—Approval and Planning" dated August 2013.

This Study has determined that the potential environmental noise impact from road traffic noise is significant. The proposed development will need the following: a requirement for central air-conditioning, noise warning clauses, and special building components. Road traffic noise control requirements for the Site were determined based on road traffic volumes provided by the City of Windsor (City) and forecasted to 10 years from the date of this study.

The following attachments were included with this Study:

- Attachment A Site Plan
- Attachment B Traffic Data Summary Table & Sample Stamson Traffic Model Outputs
- Attachment C Stationary Noise Impact Figures
- Attachment D Stationary Noise Impact Source Table
- Attachment E Aircraft Data

#### 2. Road Traffic Analysis

#### 2.1 Road Traffic Noise Modeling Methodology

The road traffic noise impact was conducted using STAMSON, the MOECP's computerized model of ORNAMENT. The Application of the model for the site was consistent with the ORNAMENT technical documents. The computer model input parameters include, among other data, the number of road segments, number of house rows, the positional relationship of the receptor to a noise source or barrier in terms of distance, elevation and angle of exposure to the source, the basic site topography, the ground surface type, traffic volumes, traffic composition and speed limit.

The predicted sound level is based on the 1-hour equivalent sound level, designated as Leq, and is adjusted by the STAMSON program to the 16-hour daytime and the 8-hour nighttime equivalent sound level. The applicable noise criteria for noise sensitive spaces are specified in terms of the 16-hour daytime period (7:00 a.m. to 11:00 p.m.) and 8-hour nighttime period (11:00 p.m. to 7:00 a.m.) enabling a direct comparison between the STAMSON model output and the noise limits.

#### 2.2 Road Traffic Model Input Parameters

This section describes the STAMSON model input parameters used to predict road traffic noise impact for the Site.

The Site has one significant roadway in the vicinity of the development: Walker Road approximately 50 meters to the East of the Site. Where there are intervening and off-site structures that provide line-of-sight obstruction to the roads, JJAE did not include line-of-sight obstruction in our analysis as to calculate worst-case noise impact. Rail line CPKC Windsor Subdivision Railway is about 345 meters to the East of the Site, and Division Road is about 290 meters to the South of the Site. These traffic noise sources are beyond our red flag distances and, as such, JJAE will not be considering them in the report.

#### 2.2.1 **Road Traffic Parameters**

The traffic data provided by the City has been summarized below:

#### Walker Road:

- Current AADT (2015): 29,700
- Forecast AADT (2033): 46,322
- Commercial Vehicle Rates: Assumed values of 1% medium trucks and 2% heavy trucks
- Posted Speed Limit: 60 km/h
- Day Night Splits: 90% day and 10% night

The traffic data is the foundation of this analysis, and the Study will be updated if the values change. JJAE assumed 2.5% annual growth to forecast AADT. Traffic data was supplied by the City. The City's AADT report for this Noise Studies report has been supplied in Attachment B.

#### 2.3 **Road Traffic Noise Modeling Results**

JJAE calculated the Plane of Window (POW) noise exposure for each floor at the Site for the separate daytime and nighttime periods.

The STAMSON road traffic model outputs are provided in Attachment B.

#### 2.4 **Road Traffic Modeling Discussion**

Noise control requirements will be defined based on NPC 300.

#### Daytime Outdoor Living Area Assessment (NPC 300, Section C7.1.1)

NPC 300 section A5 (pages 13-14) defines an Outdoor Living Area (OLA). As part of this definition, a balcony or terrace is considered an OLA if it has a minimum depth of 4 meters. All balconies are less than 4 m in depth and therefore will not be considered as OLAs.

Due to high traffic volumes an OLA is not feasible for this site, with respect to noise.

#### Plane of a Window – Ventilation Requirements (NPC 300, Section C7.1.2)

The predicted daytime and nighttime Plane of Window (POW) noise impact assumes a worst-case and direct line of sight noise exposure to both roads, unless the building itself blocks line-of-sight (full or partial).

JJAE has used the following criteria, which is a summary of NPC 300 requirements, to evaluate the Site noise impacts from road traffic noise:

Daytime Level (dBA)	Nighttime Level (dBA)	Ventilation Requirements and Warning Clauses	Special Building Components
55	50	Not Required	Not Required
55 – 65	50 - 60	Yes, with Type C Warning Clause	Not Required
66 or more	60 or more	Yes, with Type D Warning Clause	Yes

Table B.1 summarizes the predicted worst-case sound levels and the requirements for the units. The following warning clause is required:

**Warning Clause C:** "This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."

**Warning Clause D:** "This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."

Indoor Living Areas – Building Components (NPC 300, Section C7.1.3)

At minimum, the building must be constructed to standard Ontario Building Code requirements.

#### 2.5 Aircraft Noise

JJAE has reviewed the Noise Exposure Forecast NEF for Windsor International Airport and has determined that the site is located between the NEF contours of 25 and 30. JJAE has used 30 as the worst-case scenario in our calculations. JJAE has used a calculation tool developed by the National Research Council (NRC) called IBANA Calc, which calculates the Indoor Noise level within a given space. JJAE has modeled a representative suite within the building to calculate the worst-case noise impact.

JJAE will provide recommendations to mitigate all noise sources below the indoor noise limits stated in NPC 300 Table C-4 that in the Sleeping Quarters the Indoor NEF/NEP of 0. It should be noted that NEF is calculated with the following equation: NEF =  $Leq_{24}$  - 32 dBA. Thus, we are looking to have an indoor noise level at or below 32. Attachment E provides all calculations for the aircraft calculations.

### 3. Stationary Noise Impact Analysis

#### 3.1 Stationary Noise Impact Sound Level Criteria

The general criteria for stationary noise sources are defined by NPC 300. The criteria defined in Table C-5 and C-6, "Exclusion Limit Values of One-Hour Equivalent Sound Level (Leq, dBA) Outdoor Points of Reception" and "Exclusion Limit Values of One-Hour Equivalent Sound Level (Leq, dBA) Plane of Window of Noise Sensitive Spaces" are used to evaluate the noise impact at the proposed development.

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The criteria for a Class 1 area have been summarized below:

Receiver Category	Time Period	Stationary Noise Criteria
Outdoor Living Area (OLA)	Day = 7:00 to 23:00	Leq = 50 dBA
Plane of Window (POW)	Day = 7:00 to 23:00	Leq = 50 dBA

Night = $23:00$ to $7:00$	Leq = 45 dBA
	*

#### 3.2 Modelling Methodology

The stationary noise impact was evaluated using the CADNA A acoustic modelling software that is based on the ISO 9613-2 standard. The data for all potential stationary noise sources was summarized in Attachment D.

• **Ground Absorption**: Default ground absorption coefficient of 0.7 was used.

• **Temperature**: 10°C

• **Humidity**: 70%

- **Building Reflection Coefficient**: Absorption Coefficient Alpha of 0.37 (Reflection Loss of 2dB, Structured Façade) was used.
- **Time-Weighted Adjustment:** where sources operate non-continuously JJAE has provided operating times and as shown in Sections 4 and 5.
- **Tonality**: A 5 dbA tonal penalty was applied to all tonal sources, where applicable. JJAE has provided a (T) for sources identified as tonal in Sections 4 and 5.
- **Reflection Order:** A maximum reflection order of 1 was used to evaluate indirect noise impact.

#### 4. Noise Impact Summary – From Site

The noise from the Site to the neighboring buildings could not be accounted for because the site has not undergone mechanical design yet. An addendum to this report should be completed once a mechanical design is done to account for noise from the Site to the neighboring building.

### 5. Noise Impact Summary – From Environment to Site

There are several buildings near the site. JJAE has identified several potential stationary noise sources including:

- HVAC 1FAN Units
- HVAC 2FAN Units
- Medium HVAC Units
- Heavy truck 20kph
- Heavy Truck Idling

A summary of the noise sources used in our modelling is provided in Attachment D.

JJAE modelled the noise impact from all significant noise sources to the Site. The results are summarized in the table below and illustrated on Figure 1.

Building #1	Worst Case Daytime Sound Level (dBA)	Daytime Noise Limit (dBA)	Worst Case Nighttime Sound Level (dBA)	Nighttime Noise Limit (dBA)	Limits met
North	47	50	45	45	Yes
East	47	50	45	45	Yes
South	40	50	38	45	Yes
West	33	50	31	45	Yes

From the table above it can be seen that all façades for the Site are at or below the noise limits.

#### 6. Recommendations

The road traffic noise impacts were above the NPC 300 requirements. Noise mitigation measures include:

#### **Building #1:**

- Warning Clause Type C for the North, South and West façades.
- Warning Clause Type D for the East façade.
- JJAE and the client require air conditioning for all units.
- A minimum of STC 27 on all exterior glazing for the East façade.
- Roof assembly must meet a minimum STC rating of 43.
- Exterior Walls must meet a minimum STC rating of 47.

The stationary noise impacts from neighboring buildings to the site were evaluated and the sound level predictions were determined to be below noise limits.

The noise from the Site to the neighboring buildings could not be accounted for because the site has not undergone mechanical design yet. An addendum to this report should be completed once a mechanical design is done to account for noise from the Site to the neighboring building.

#### 7. Conclusions

The results of this Study indicate that the potential environmental impact from road traffic noise sources is significant. Mitigation measures will be required including ventilation requirements and noise warning clauses for each unit.

Should you have any questions on the above, please do not hesitate to contact us.

Yours truly,

Written By: Reviewed by:

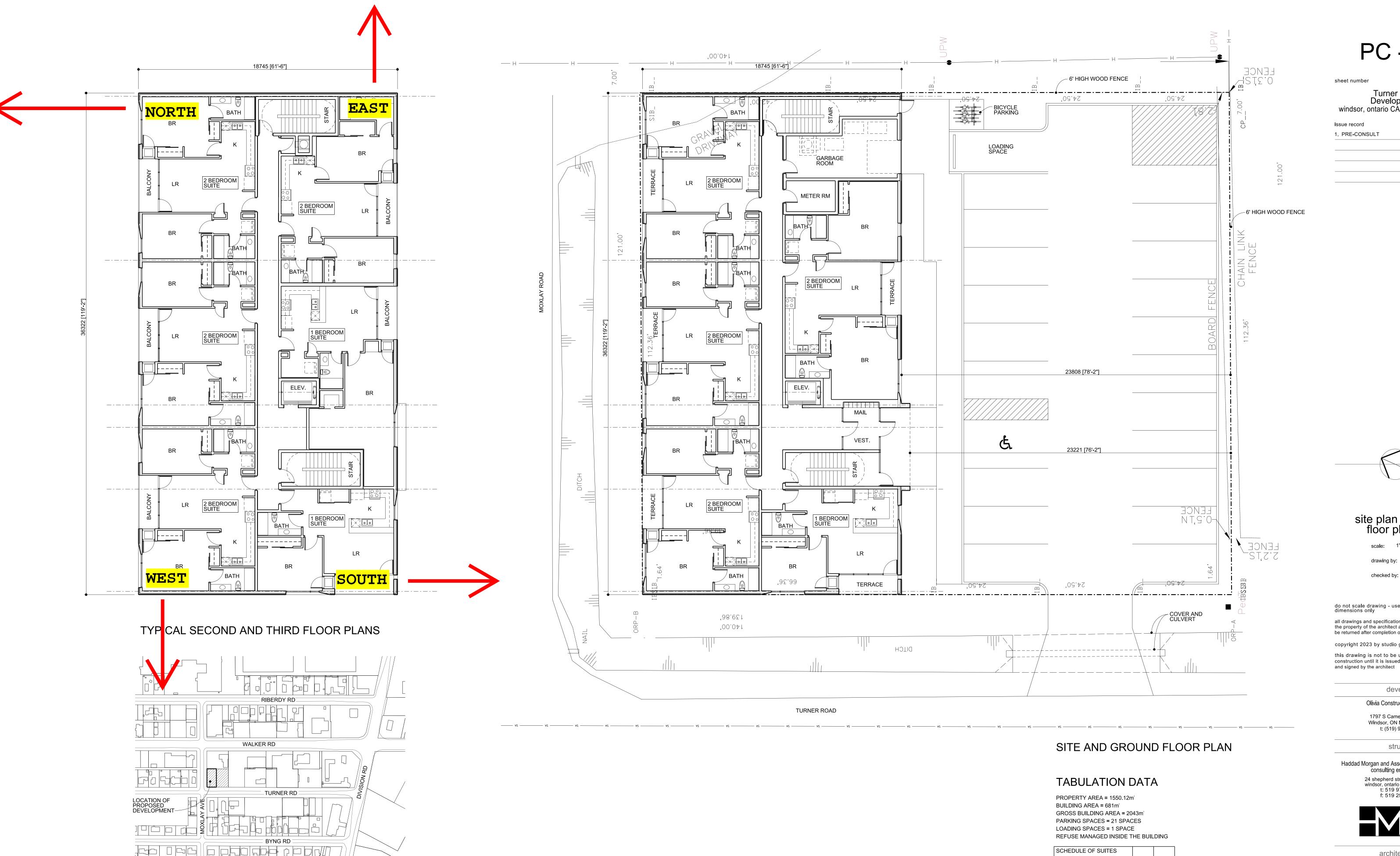
Nov 9, 2023

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Joseph Sleiman Acoustic Technician Joey Jraige, P.Eng., B.A.Sc. President (Owner)

Joseph Heimin.

## ATTACHMENT A



SCHEDULE OF SU	ITES		
FLOOR LEVEL		1 BR	2 BR
GROUND FLOOR		1	4
SECOND FLOOR		2	4
THIRD FLOOR		2	4
	TOTAL	5	12

PC - 1

1. PRE-CONSULT

site plan and floor plans

scale: 1" = 10'-0" drawing by:

checked by:

do not scale drawing - use figured dimensions only all drawings and specification remain the property of the architect and must be returned after completion of the work copyright 2023 by studio g+G inc. this drawing is not to be used for construction until it is issued as such

> developer Olivia Construction Inc

1797 S Cameron Blvd Windsor, ON N9B 3P6 t: (519) 969-7557

structural

Haddad Morgan and Assoc. LTD. consulting engineers 24 shepherd street east windsor, ontario N8X 2J8 t: 519 973 1177 f: 519 253 2740

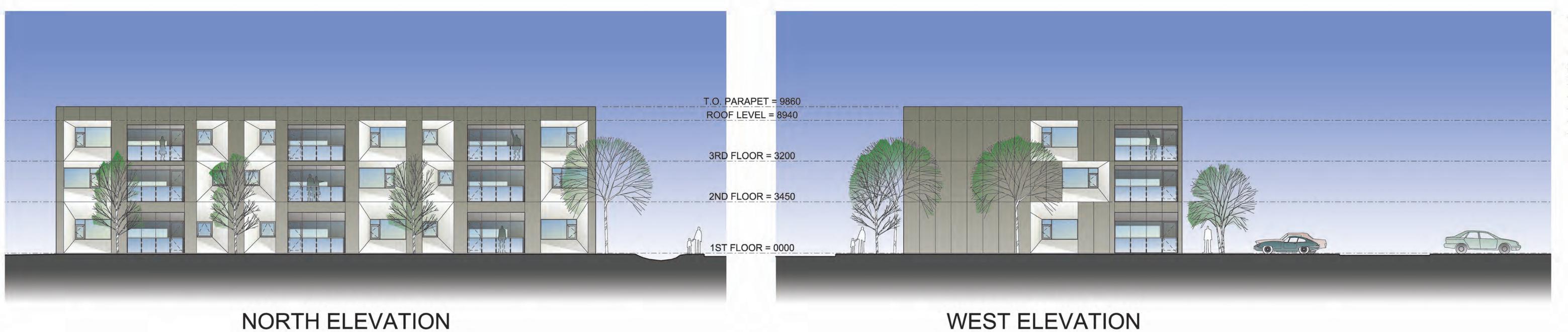


architectural

studio g+G inc., architect 1057 walker road windsor, ontario N8Y 2N6 CANADA t 519 254 8698



SITE LOCATION MAP



T.O. PARAPET = 9860 ROOF LEVEL = 8940 3RD FLOOR = 3200 2ND FLOOR = 3450 1ST FLOOR = 0000

SOUTH ELEVATION

# **EAST ELEVATION**

# **EXTERIOR BUILDING MATERIALS**

**CLADDING: PREFINISHED INSULATED METAL PANELS WITH** POLYISOCYANUATE CORE SUCH AS NOREX-S BY NORBEC -**COLOUR AS SHOWN IN THESE ELEVATIONS** 

BALCONY RAILINGS: CLEAR TEMPERED GLASS ON STRUCTURAL FRAME SYSTEM BY CRL SYSTEMS

BALCONY GLAZING: CLEAR ANODIZED ALUMINUM CURTAIN WALL

STOREFRONT GLAZING: ANODIZED ALUMINUM CURTAIN WALL **GLAZING SYSTEM** 

elevations

checked by:

do not scale drawing - use figured dimensions only

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> developer Olivia Construction Inc

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architectural

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## ATTACHMENT B

Table B1

Road Traffic Noise Levels and Mitigation Measures Summary
Turner Road, Windsor, Ontario

Point of Reception	Road Sound Level Daytime (dBA)	Road Sound Level Nighttime (dBA)	Ventilation Requirements NPC 300	Warning Clauses From NPC 300	Special Building Components
North Façade	Daytime (abA)	, 8 ( /			
Plane of Window Level 1	63 (dBA)	57 (dBA)	Requirement for Air Conditioning	Type C	Compliance with Ontario Building Code
Plane of Window Level 2	63 (dBA)	57 (dBA)	Requirement for Air Conditioning	Type C	Compliance with Ontario Building Code
Plane of Window Level 3	63 (dBA)	57 (dBA)	Requirement for Air Conditioning	Type C	Compliance with Ontario Building Code
East Façade					
Plane of Window Level 1	66 (dBA)	60 (dBA)	Requirement for Air Conditioning	Type D	Minimum Window STC Rating of 27
Plane of Window Level 2	66 (dBA)	60 (dBA)	Requirement for Air Conditioning	Type D	Minimum Window STC Rating of 27
Plane of Window Level 3	66 (dBA)	60 (dBA)	Requirement for Air Conditioning	Type D	Minimum Window STC Rating of 27
South Façade					
Plane of Window Level 1	61 (dBA)	55 (dBA)	Requirement for Air Conditioning	Type C	Compliance with Ontario Building Code
Plane of Window Level 2	61 (dBA)	55 (dBA)	Requirement for Air Conditioning	Type C	Compliance with Ontario Building Code
Plane of Window Level 3	61 (dBA)	55 (dBA)	Requirement for Air Conditioning	Type C	Compliance with Ontario Building Code
West Façade (1)					
Plane of Window Level 1	56 (dBA)	50 (dBA)	Requirement for Air Conditioning	Type C	Compliance with Ontario Building Code
Plane of Window Level 2	56 (dBA)	50 (dBA)	Requirement for Air Conditioning	Type C	Compliance with Ontario Building Code
Plane of Window Level 3	56 (dBA)	50 (dBA)	Requirement for Air Conditioning	Type C	Compliance with Ontario Building Code

#### Notes:

(1) The West Façade is shielded by the building. JJAE has assumed a conservative 10 dBA reduction in sound level from the East Façade for the West Façade

#### Joseph Sleiman

From: Spagnuolo, Mike <mspagnuolo@citywindsor.ca>

**Sent:** Thursday, November 9, 2023 3:38 PM

To: Joseph Sleiman
Cc: Joey Jraige

**Subject:** RE: Traffic Data for surrounding roadways 3942 Turner Road, Windsor

Hi Joseph.

I can provide you with our most recent ADT.

Division west of Walker 16,100 (2015)

Division east of Walker 13,600 (2015)

Walker north of Division 36,400 (2017)

Walker south of Division 37,000 (2015)

Traffic forecasts and acceptable truck percentages regarding your TIS can be obtained from Transportation Planning transportation@citywindsor.ca

For information regarding the railway, you will need to submit a Freedom of Information request for it. You will need to specify the grade crossings or the limits of the railroad line you are requesting the data for.

For your reference, they have the following related information for each crossing provided to us from the railways:

- The average annual daily railway movements
- The railway design speed
- An indication of whether or not whistling is required when railway equipment is approaching the grade crossing

Hope this points you in the right direction. If you need any traffic data (ADT, TMC's etc) feel free to reach out to me directly.

MIKE SPAGNUOLO I SIGNAL SYSTEMS ANALYST



Office Of The City Engineer 1269 Mercer St | Windsor, ON | N8X 0A9 (519) 255-6247 Ext 6061

www.citywindsor.ca

From: Joseph Sleiman < Joseph@jjae.ca>
Sent: November 9, 2023 12:44 PM

To: Spagnuolo, Mike <mspagnuolo@citywindsor.ca>

Cc: Joey Jraige <joey@jjae.ca>

Subject: Traffic Data for surrounding roadways 3942 Turner Road, Windsor

**CAUTION**: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Mike, I hope your day is going great!

I need your help with a project I am working on located in the street 3942 Turner Road, Windsor. I need the following information for Walker Road and Division Road:

Please provide:

"Future AADT 10 years or Current AADT with a growth % most commonly used by the City of Windsor? % Medium Trucks (or estimations as deemed acceptable by the City of Windsor)? % Heavy trucks (or estimations as deemed acceptable by the City of Windsor)? Speed limits for roadways."

Also, I have contacted **Community Connect** to get some Rail line data, more specifically, **rail line CPKC Windsor Subdivision Railway** to which they said that I must contact the Road Authority to obtain this information (please see the email thread attached). Are you able to provide this information or steer me in the right direction as to whom I should ask?

For this project in 3942 Turner Road, Windsor, I also need the information for the CPKC rail located to the east of the site, to the southwest of the Windsor Airport.

Thank you very much for your time.

Have a wonderful weekend. Regards,

Joseph C. Sleiman
JJ Acoustic Engineering Ltd.
226-344-8911
joseph@jjae.ca



STAMSON 5.0 NORMAL REPORT Date: 24-11-2023 20:02:07 MINISTRY OF ENVIRONMENT AND ENERGY / NOISE ASSESSMENT

Filename: b1northf.te Time Period: Day/Night 16/8 hours

Description: Building #1 North Facade Floor 1

Road data, segment # 1: Walker Rd (day/night)

Car traffic volume : 40439/4493 veh/TimePeriod \* Medium truck volume: 417/46 veh/TimePeriod \* Heavy truck volume : 834/93 veh/TimePeriod \* Posted speed limit : 60 km/h

Road gradient : 0 %

Road pavement : 1 (Typical asphalt or concrete)

\* Refers to calculated road volumes based on the following input:

24 hr Traffic Volume (AADT or SADT): 29700 Percentage of Annual Growth : 2.50 Number of Years of Growth : 18.00 Medium Truck % of Total Volume : 1.00
Heavy Truck % of Total Volume : 2.00
Day (16 hrs) % of Total Volume : 90.00

Data for Segment # 1: Walker Rd (day/night)

Angle1 Angle2 : 0.00 deg 90.00 deg woou uepth : 0

No of house rows : 0 / 0

Surface (No woods.)

0 / 0
2 (Reflective ground surface)

Receiver source distance : 50.00 / 50.00 m Receiver height : 2.00 / 2.00 m

Topography : 1 (Flat/gentle slope; no barrier)

Reference angle : 0.00

Results segment # 1: Walker Rd (day) -----

Source height = 1.19 m

ROAD (0.00 + 63.44 + 0.00) = 63.44 dBA

Angle1 Angle2 Alpha RefLeq P.Adj D.Adj F.Adj W.Adj H.Adj B.Adj SubLeq \_\_\_\_\_\_

0 90 0.00 71.68 0.00 - 5.23 - 3.01 0.00 0.00 0.00 63.44

Segment Leq: 63.44 dBA

Total Leq All Segments: 63.44 dBA

Results segment # 1: Walker Rd (night)

Source height = 1.19 m

ROAD (0.00 + 56.91 + 0.00) = 56.91 dBA

Angle1 Angle2 Alpha RefLeq P.Adj D.Adj F.Adj W.Adj H.Adj B.Adj SubLeq

0 90 0.00 65.15 0.00 - 5.23 - 3.01 0.00 0.00 0.00 56.91

Segment Leq: 56.91 dBA

Total Leq All Segments: 56.91 dBA

TOTAL Leq FROM ALL SOURCES (DAY): 63.44 (NIGHT): 56.91

STAMSON 5.0 NORMAL REPORT Date: 24-11-2023 20:01:48 MINISTRY OF ENVIRONMENT AND ENERGY / NOISE ASSESSMENT

Filename: b1eastf1.te Time Period: Day/Night 16/8 hours

Description: Building #1 East Facade Floor 1

Road data, segment # 1: Walker Rd (day/night)

Car traffic volume : 40439/4493 veh/TimePeriod \* Medium truck volume : 417/46 veh/TimePeriod \* Heavy truck volume : 834/93 veh/TimePeriod \* Posted speed limit : 60 km/h

Road gradient : 0 %

Road pavement : 1 (Typical asphalt or concrete)

\* Refers to calculated road volumes based on the following input:

24 hr Traffic Volume (AADT or SADT): 29700 Percentage of Annual Growth : 2.50 Number of Years of Growth : 18.00 Medium Truck % of Total Volume : 1.00
Heavy Truck % of Total Volume : 2.00
Day (16 hrs) % of Total Volume : 90.00

Data for Segment # 1: Walker Rd (day/night)

Angle1 Angle2 : -90.00 deg 90.00 deg Wood depth : 0 (No woods . -30.00 deg
: 0
No of house rows : 0 / 0
Surface (No woods.)

0 / 0 2 (Reflective ground surface)

Receiver source distance : 50.00 / 50.00 m Receiver height : 2.00 / 2.00 m

Topography : 1 (Flat/gentle slope; no barrier)

Reference angle : 0.00

Results segment # 1: Walker Rd (day) -----

Source height = 1.19 m

ROAD (0.00 + 66.45 + 0.00) = 66.45 dBA

Angle1 Angle2 Alpha RefLeq P.Adj D.Adj F.Adj W.Adj H.Adj B.Adj SubLeq \_\_\_\_\_\_ 

Segment Leq: 66.45 dBA

Total Leq All Segments: 66.45 dBA

Results segment # 1: Walker Rd (night)

Source height = 1.19 m

ROAD (0.00 + 59.92 + 0.00) = 59.92 dBA

Angle1 Angle2 Alpha RefLeq P.Adj D.Adj F.Adj W.Adj H.Adj B.Adj SubLeq

- 90 90 0.00 65.15 0.00 - 5.23 0.00 0.00 0.00 0.00 59.92

Segment Leq: 59.92 dBA

Total Leq All Segments: 59.92 dBA

TOTAL Leq FROM ALL SOURCES (DAY): 66.45 (NIGHT): 59.92

STAMSON 5.0 NORMAL REPORT Date: 24-11-2023 20:02:23 MINISTRY OF ENVIRONMENT AND ENERGY / NOISE ASSESSMENT

Filename: b1southf.te Time Period: Day/Night 16/8 hours

Description: Building #1 South Facade Floor 1

Road data, segment # 1: Walker Rd (day/night)

Car traffic volume : 40439/4493 veh/TimePeriod \* Medium truck volume: 417/46 veh/TimePeriod \* Heavy truck volume : 834/93 veh/TimePeriod \* Posted speed limit : 60 km/h

Road gradient : 0 %

Road pavement : 1 (Typical asphalt or concrete)

\* Refers to calculated road volumes based on the following input:

24 hr Traffic Volume (AADT or SADT): 29700 Percentage of Annual Growth : 2.50 Number of Years of Growth : 18.00 Medium Truck % of Total Volume : 1.00
Heavy Truck % of Total Volume : 2.00
Day (16 hrs) % of Total Volume : 90.00

Data for Segment # 1: Walker Rd (day/night)

Angle1 Angle2 : -90.00 deg 0.00 deg . -30.00 deg
: 0
No of house rows : 0 / 0
Surface (No woods.)

0 / 0 2 (Reflective ground surface)

Receiver source distance : 81.00 / 81.00 m Receiver height : 2.00 / 2.00 m

Topography : 1 (Flat/gentle slope; no barrier)

Reference angle : 0.00

Results segment # 1: Walker Rd (day)

-----

Source height = 1.19 m

ROAD (0.00 + 61.34 + 0.00) = 61.34 dBA

Angle1 Angle2 Alpha RefLeq P.Adj D.Adj F.Adj W.Adj H.Adj B.Adj SubLeq \_\_\_\_\_\_

Segment Leq: 61.34 dBA

Total Leq All Segments: 61.34 dBA

Results segment # 1: Walker Rd (night)

Source height = 1.19 m

ROAD (0.00 + 54.82 + 0.00) = 54.82 dBA

Angle1 Angle2 Alpha RefLeq P.Adj D.Adj F.Adj W.Adj H.Adj B.Adj SubLeq

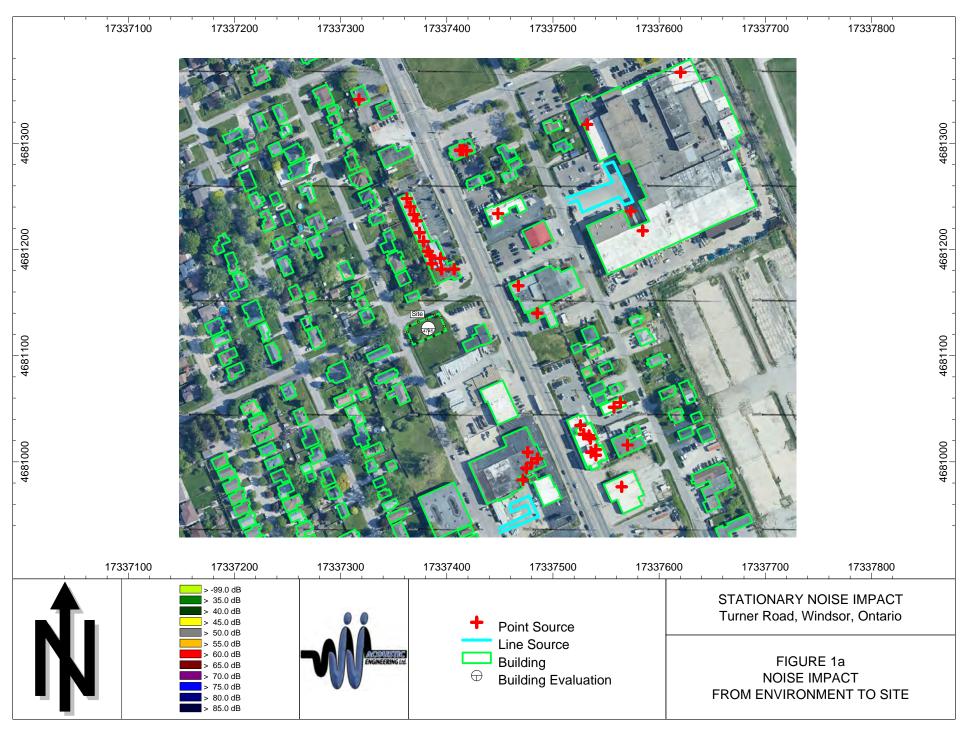
- 90 0 0.00 65.15 0.00 - 7.32 - 3.01 0.00 0.00 0.00 54.82

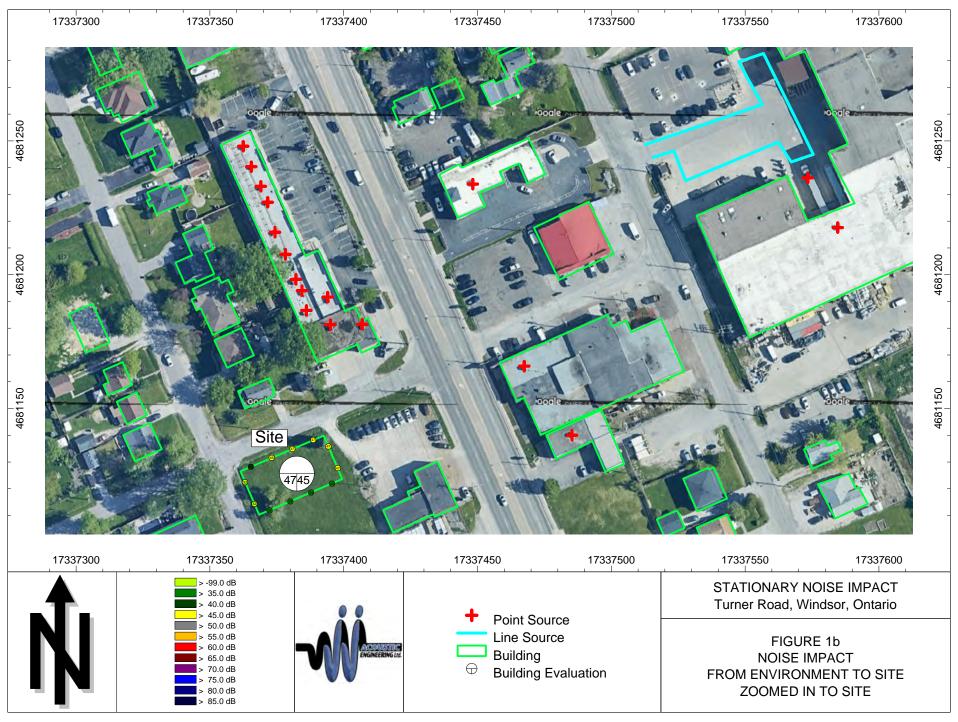
Segment Leq: 54.82 dBA

Total Leq All Segments: 54.82 dBA

TOTAL Leq FROM ALL SOURCES (DAY): 61.34 (NIGHT): 54.82

## ATTACHMENT C





## ATTACHMENT D

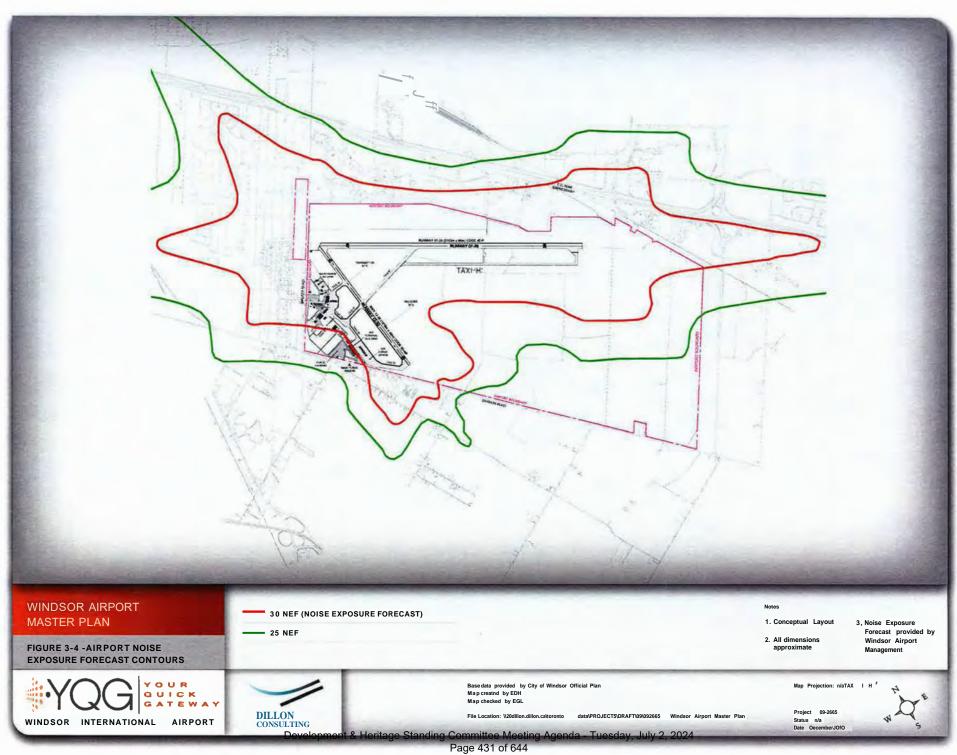
# Table D1 Stationary Noise Impact Source Data Turner Road, Windsor, Ontario

		Total	Data Source	Height			
		SWL	or	Absolute	Above Roof		
Noise Source Description	Cadna ID	(dBA)		(m)	(m)	Х	у
HVAC 1FAN	HVAC_1FAN		HVAC_1FAN	9.5		17337585	
HVAC 1FAN	HVAC 1FAN		HVAC 1FAN	9.5		17337620	
HVAC 1FAN	HVAC_1FAN		HVAC 1FAN	6.5	1.5	17337448	4681234
HVAC 1FAN	HVAC 1FAN	_	HVAC 1FAN	6.5		17337412	
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	6.5	1.5	17337419	4681293
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337386	4681187
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	6.5	1.5	17337467	4681166
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	5.5	1.5	17337485	4681140
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	5.5	1.5	17337475	4680994
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	5.5	1.5	17337480	4680999
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	5.5	1.5	17337485	4681003
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	5.5	1.5	17337476	4681009
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	6.5	1.5	17337570	4681016
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	6.5	1.5	17337558	4681051
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	6.5	1.5	17337564	4681056
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	6.5	1.5	17337565	4680976
Heavy Truck Idling	Heavy_Truck_Idling	100	Heavy_Truck_Idling	1.5	1.5	17337472	4680983
HVAC 2FAN	HVAC_2FAN	82.8	HVAC_2FAN	11.5	1.5	17337529	4681026
HVAC 2FAN	HVAC_2FAN	82.8	HVAC_2FAN	11.5	1.5	17337535	4681022
HVAC 2FAN	HVAC_2FAN	82.8	HVAC_2FAN	11.5	1.5	17337536	4681009
HVAC 2FAN	HVAC_2FAN	82.8	HVAC_2FAN	11.5	1.5	17337540	4681011
HVAC 2FAN	HVAC_2FAN	82.8	HVAC_2FAN	11.5	1.5	17337534	4681025
HVAC 2FAN	HVAC_2FAN	82.8	HVAC_2FAN	6.5	1.5	17337526	4681034
Heavy Truck Idling	Heavy_Truck_Idling	100	Heavy_Truck_Idling	1.5	1.5	17337573	4681236
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337395	4681181
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337407	4681181
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337394	4681192
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337384	4681194
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337382	4681198
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337378	4681208
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337374	4681216
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337372	4681227
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337369	4681233
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337365	4681240
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	7.5	1.5	17337362	4681248
Medium HVAC	Medium_HVAC	90.9	Medium_HVAC	11.5	1.5	17337540	4681006
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	6.5	1.5	17337415	4681294
HVAC 1FAN	HVAC_1FAN	81.7	HVAC_1FAN	6.5	1.5	17337317	4681341
HVAC 2FAN	HVAC_2FAN	82.8	HVAC_2FAN	9.5	1.5	17337532	4681318

#### Table D2 Stationary Noise Impact Source Data Turner Road, Windsor, Ontario

		Total	Data Source	Height		Op	erating Ti	me	N	loving Pt. S	rc	
		SWL	or	Absolute	Above Roof	Day	Special	Night		Number		Speed
Noise Source Description	Cadna ID	(dBA)	Representative Data	(m)	(m)	(min)	(min)	(min)	Day	Evening	Night	(km/h)
Heavy truck 20kph	Heavy_truck_20kph	90.7	Heavy_truck_20kph	1.5	1.5	540	0	0	4	0	0	20
Heavy truck 20kph	Heavy_truck_20kph	91.9	Heavy_truck_20kph	1.5	1.5	540	0	0	4	0	0	20

## ATTACHMENT E



#### Aircraft Noise Sound Insulation Scenario Calculation Results

Project: TurnerRd

Proj ect I D: Date: 1/12/2024

Outdoor Level: NEF 30 or Leq24 62 or Ldn 63 dBA

Source Spectrum details:

100% Standard Aircraft

Corrections:

Receiving room:

Floor Area: 13 ft<sup>2</sup>

Absorbtion: 100% of floor area

Construction Description:

Element 1: VIN1\_OSB11\_WS140(406)\_GFB152\_RC13(610)\_G13

Construction Type: 2by6 Wall+RC

Area: 13.00 m<sup>2</sup>
Test ID: TLA-99-061a
Test Date: 2/10/1999

Vinyl siding, 11 mm OSB, 140 mm wood studs on 406 mm centre with glass fibr e cavity insulation, 1 of 13 mm gypsum board on resilient channels spaced 610 mm on centre.

Sound Level vs. Frequency - Spectrum Values:

Frequency(Hz)	Indoor Sound Level (dB)
50	39. 1
63	42. 3
80	41. 6
100	36. 9
125	36. 5
160	33. 1
200	26. 0
250	16.8
315	12. 2
400	8.8
500	5. 6
630	4.8
800	-0. 2
1000	-4.8

1250	-10. 5
1600	-15. 1
2000	-18.3
2500	-19.0
3150	-17. 9
4000	-25.8
5000	-39.7

A-Weighted Sound Level vs. Frequency - Spectrum Values:

#### Frequency(Hz) A-Wtd Sound Level (dBA)

50	8. 9
63	16. 1
80	19. 1
100	17. 1
125	20. 4
160	19. 7
200	15. 7
250	8. 2
315	5.6
400	4.0
500	2.4
630	2.9
800	-1.0
1000	-4.8
1250	-9. 9
1600	-14. 1
2000	-17. 1
2500	-17. 7
3150	-16. 7
4000	-24.8
5000	-39. 2

Transmission Loss vs. Frequency - Spectrum Values:

## Frequency(Hz) Transmission Loss(dB)

50	15. 7
63	13.8
80	15. 9
100	22. 1
125	22.8
160	25. 9
200	32.5
250	40. 7
315	44.4
400	46. 9
500	49. 6

630	49.8
800	54.0
1000	57. 3
1250	61.8
1600	64. 7
2000	65.7
2500	64.6
3150	61. 1
4000	65.8
5000	73. 6

Source Sound Level vs. Frequency - Spectrum Values:

## Frequency(Hz) Source Sound Level (dB)

#### Single Number Ratings

Outdoor Sound Level:	62	dBA
Indoor Sound Level:	26	dBA
A-wtd Level Reduction:	36	dB
A-wtd Reduction re Standard Source:	36	dB
OITC Rating:	32	dB

#### Aircraft Noise Sound Insulation Scenario Calculation Results

Project: TurnerRd

ProjectID: Date: 1/12/2024

Outdoor Level: NEF 30 or Leq24 62 or Ldn 63 dBA

Source Spectrum details:

100% Standard Aircraft

Corrections:

Receiving room:

Floor Area: 13.39 ft<sup>2</sup>
Absorbtion: 100% of floor area

Construction Description:

El ement 1: GMEM4\_PSMEMO. 2\_WFB13\_I NSUL70\_PAPO. 3\_STEO. 8\_SJ254(1610)\_AI R352\_CTI LE16

Construction Type: Steel Deck

Area: 13.00 m<sup>2</sup>

Test ID: TLF-99-011a Test Date: 4/21/1999

Granular membrane and peel and stick membranes, 13 mm wood fibre board, 70 mmm thick polyisocyanurate insulation, kraft paper, 0.7 mm steel decking, steel j oists on 1610 mm centre, 16 mm ceiling tiles hung from steel decking, no vents i nstalled.

Sound Level vs. Frequency - Spectrum Values:

Frequency(Hz)	Indoor Sound Level (dB)
50	38. 6
63	42.0
80	42.0
100	39. 7
125	39. 4
160	35. 9
200	31. 1
250	25. 7
315	19. 0
400	14. 2
500	12. 2
630	8. 9
800	3.9

1000	-2. 9
1250	-9.9
1600	-16. 2
2000	-21. 9
2500	-26.6
3150	-33.8
4000	-44. 1
5000	-54.0

A-Weighted Sound Level vs. Frequency - Spectrum Values:

#### Frequency(Hz) A-Wtd Sound Level (dBA)

50	8.4
63	15.8
80	19. 5
100	20.6
125	23. 3
160	22. 5
200	20. 2
250	17. 1
315	12. 4
400	9.4
500	9.0
630	7.0
800	3. 1
1000	-2. 9
1250	-9.3
1600	-15. 2
2000	-20. 7
2500	-25. 3
3150	-32. 6
4000	-43.1
5000	-53. 5

Transmission Loss vs. Frequency - Spectrum Values:

## Frequency(Hz) Transmission Loss(dB)

16. 1
14.0
15.4
19. 1
19. 7
23.0
27. 3
31.7
37.4
41.4

500	42. 9
630	45. 6
800	49. 7
1000	55. 3
1250	61.0
1600	65.6
2000	69. 2
2500	72. 1
3150	76. 9
4000	83. 9
5000	87.8

Source Sound Level vs. Frequency - Spectrum Values:

## Frequency(Hz) Source Sound Level (dB)

50 63 80 100 125 160 200 250 315 400 500 630 800 1000 1250 1600 2000 2500	54. 8 56. 0 57. 5 58. 9 59. 0 58. 5 57. 5 56. 5 55. 2 54. 6 53. 7 52. 5 51. 2 49. 6 47. 4 45. 6
2500 3150 4000	45. 6 43. 3 40. 2
5000	34. 3

#### Single Number Ratings

Outdoor Sound Level:	62	dBA
Indoor Sound Level:	29	dBA
A-wtd Level Reduction:	33	dB
A-wtd Reduction re Standard Source:	33	dB
OITC Rating:	29	dB

#### Aircraft Noise Sound Insulation Scenario Calculation Results

Project: TurnerRd

ProjectID: Date: 1/12/2024

Outdoor Level: NEF 30 or Leq24 62 or Ldn 63 dBA

Source Spectrum details:

100% Standard Aircraft

Corrections:

Receiving room:

Floor Area: 13.39 ft<sup>2</sup> Absorbtion: 120% of floor area

Construction Description:

Element 1: GL3\_AIR16\_GL6

Construction Type: Wi ndow

Area: 2.00 m<sup>2</sup>

Test ID: CMHC177. 961. 11 Test Date: 11/1/1996

Aluminum casement

Sound Level vs. Frequency - Spectrum Values:

Frequency(Hz)	Indoor Sound Level (dB)

50	26.8
63	27.0
80	26. 5
100	20. 9
125	27. 2
160	30.0
200	32. 5
250	22. 5
315	18. 5
400	16. 7
500	12. 2
630	10. 6
800	5. 7
1000	4.5
1250	3. 2
1600	0.5

2000	-1.6
2500	-3.4
3150	-9.8
4000	-12. 1
5000	-19. 1

A-Weighted Sound Level vs. Frequency - Spectrum Values:

## Frequency(Hz) A-Wtd Sound Level (dBA)

50 63 80 100 125 160 200 250 315 400 500 630 800 1000 1250	-3. 4 0. 8 4. 0 1. 8 11. 1 16. 6 21. 6 13. 9 11. 9 9. 0 8. 7 4. 9 4. 5 3. 8
630	8.7
	_
1000	4.5
1250	3.8
1600	1.5
2000	-0.4
2500	-2.1
3150	-8.6
4000	-11. 1
5000	-18. <i>6</i>

 $\label{tensor} \textit{Transmission Loss vs. Frequency - Spectrum Values:}$ 

#### Frequency(Hz) Transmission Loss(dB)

19. 0
20.0
22.0
29. 0
23.0
20.0
17. 0
26.0
29. 0
30.0
34.0
35.0
39. 0

1000	39.0
1250	39.0
1600	40.0
2000	40.0
2500	40.0
3150	44.0
4000	43.0
5000	44.0

Source Sound Level vs. Frequency - Spectrum Values:

#### Frequency(Hz) Source Sound Level (dB)

\_\_\_\_\_

50	54.8
	56.0
63	
80	57.5
100	58. 9
125	59. 3
160	59. 0
200	58. 5
250	57. 5
315	56. 5
400	55.8
500	55. 2
630	54.6
800	53. 7
1000	52. 5
1250	51. 2
1600	49. 6
2000	47.4
2500	45.6
3150	43.3
4000	40. 2
5000	34.3
0000	31.3

#### Single Number Ratings

Outdoor Sound Level:	62	dBA
Indoor Sound Level:	25	dBA
A-wtd Level Reduction:	37	dB
A-wtd Reduction re Standard Source:	37	dB
OITC Rating:	28	dB



August 14, 2023

The Corporation of the City of Windsor P.O. Box 1607 Windsor, Ontario N9A 6S1

RE: DEVELOPMENT AT TURNER AND MOXLAY AVENUE - SANITARY STUDY Our Project No.: 23-211

Further to requirements sent forward during the planning process with the City of Windsor we offer the following analysis and report specific to the sanitary sewer on Turner Ave. at the proposed development. The following report will summarize our findings and recommendations.

#### Overview

The current site, located on Turner Avenue at Moxlay Avenue is a vacant land with intended use for a residential development. The site is able to be serviced by the existing 10" (250mm) PVC sanitary sewer located on Turner Ave. which communicates flow to the north until it is intercepted by a larger (375mm) on Ledyard.

#### **Summary of Study**

For this study, our office followed the standard design methodologies recommended by the Ministry of the Environment (MOECP) with factors defined in the City of Windsor's own development manual. Our analysis considered the flow which is conveyed from Division Road (start of the sanitary line) to the Ledyard sewer.

#### **Sanitary Sewer**

As noted in the previous section, our assessment was based on flows within the areas being assigned to the Turner Ave. sewer while accounting for additional load specific to the proposed development, refer to the attached calculation one will see the total tributary areas considered which assume an average width from rear yard to rear yard on Turner of 94m and applying pipe lengths defined on the sewer atlas as defining road length.

The sewer calculations were reviewed for the presence of increased flow. Consideration was given to the original flow from the site as a residential land compared to the proposed high-density residential development. It should be noted that per the City development manual a flow rate of 0.0042 L/S /capita was applied, inclusive of an addition 29 persons (1 person per bed in the new develop) being added. The addition of the 29 persons is in addition to capacity already assigned when considering the calculation of 50 persons per Ha.

To establish amplified loads as proposed in both the City of Windsor standard and the MOECP guidelines the Harman Formula was employed. Furthermore, an extraneous flow value of 0.1560 L/s/Ha was also added to the loading. As such the total load for any segment of pipe was defined for a flow of:

#### $Q_{Design} = Peak \ Factor \times Population \times 0.0042 + Extrenous \ Flow$

Based on the above and apply the data available in City Atlas N-12 we have been able to establish the slope and thus flow capacity of each segment of the line defined. Through this effort we were able to establish a Q/Qfull usage of the existing system.

It is important to note that per the City atlas this sewer is only sanitary and all storm in this area appears to be directed to road side ditches. Considering all of the above this sewer is more than capable of supporting the proposed 29 persons of additional load without creating a surcharged condition.

#### Conclusion

As noted in the above section of this site report, the existing infrastructure surrounding the site is able to support the proposed development. The sanitary sewers have been confirmed as being designed to support the change in use.

#### Closing

We trust that the above meets your needs at this time. Should you require any further assistance in this regard please do not hesitate to contact our office.

Yours truly,

Haddad Morgan and Associates Ltd

August 14, 2023

William Tape, Ph.D., P.E., P. Eng., C.A.H.P.

Senior Engineer

Upstream	Downstream	Area	Total area	Рори	ulations	Total	Pop flow	Extren.	Harmon	Design	Pipe size	pipe slope	Pipe Area	R	Q full	Q/Qfull
			На	50/ha	additional	Population	L/s	L/s	factor	L/s	mm	%	SM	d/4	L/s	
Division	7S2194	2.17	2.17	109	29	138	0.58	0.34	4.20	2.77	250	0.38%	0.393	0.0625	0.291	0.95%
7S2194	7S2193	2.01	4.17784	100.4	0	238.4	1.00	0.65	4.12	4.78	250	0.42%	0.393	0.0625	0.308	1.55%
7S2193	Trunk at Ledyard	0.97	5.142938	48.3	0	286.6	1.20	0.80	4.09	5.72	250	0.47%	0.393	0.0625	0.326	1.75%



### Office of the Commissioner of Engineering Services

March 27, 2024

Haddad Morgan & Associated Ltd. 24 Shepherd Street East Windsor, ON N8X 2J8

Attention: William Tape, Ph.D., P.E., P. Eng.

RE: 0 Turner Road – PC-014-24 Stormwater Management

This will acknowledge receipt of the stormwater management report and site servicing drawings dated March 27, 2024, for the above-noted development.

We have reviewed the stormwater management report, which confirms the following:

- Stormwater will be restricted to the 2 year pre-development release rate by two
  means of control inside the MH near the property line. The discharge will be
  pumped during high tailwater conditions, shut down during gravity flow release
  then re-engage to drain the system. An Ipex LMF flow control device will restrict
  flows during gravity conditions.
- Storage will be provided for the 1:5 year storm event in storm pipes, structures, and underground storage and for the 1:100 year storm event in ponding above catchbasins in the parking lot.
- Stormwater quality control will be achieved through the StormTech Chamber systems Isolator Row Plus.

The site servicing noted above is acceptable. The Corporation of the City of Windsor provided a cursory review of the information submitted and it is not to be considered a detailed comprehensive review. The Consulting Engineers are responsible for their designs, materials specified and used for the project within the City of Windsor. Any issues discovered after the acceptance of your submission are the sole responsibility of the Consulting Engineers and shall be rectified to the satisfaction of the City Engineer at no cost to the Corporation of the City of Windsor.

By copy of this letter, the Building Department is advised that we have no objection to the issuing of permits for this development, subject to any additional approval if required.



### Office of the Commissioner of Engineering Services

Engineering Department permits are required for all work in the right-of-way, including, but not limited to paving in the right-of-way, driveways and sewer connections.

I trust that the above is satisfactory, however, should you have any questions please contact Shannon Mills, of this office at smills@citywindsor.ca.

Yours truly,



Patrick Winters, P.Eng. Manager of Development

SM

CC: Building Department, Attn: Brandon Calleja

Building Department, Attn: Amanda Foot Engineer/Plan Examiner: Attn: Philip Glos Planning Department, Attn: Kareem Kurdi

Right-of-Way, Attn: Adam Pillon

Attachments:

Stormwater Management report dated March 27, 2024 Site Servicing Drawings dated March 27, 2024



## Stormwater Management Study Report

Development on Turner at Moxlay Site (R1)
Windsor, Ontario



23-211

William Tape, Ph.D., P.E., P.Eng.

SUBMITTED TO:

The City of Windsor

The principal objective of this report is to provide the stormwater management for multi-unit residential development on Turner Avenue within the undeveloped parcel on the southeast corner of the intersection with Moxlay. This shall include the stormwater storage requirement, in accordance with the storm water management guidelines set out in Windsor/Essex Region Stormwater Management Standards Manual.

#### **Available Infrastructure**

In coordination with the City of Windsor's available infrastructure the storm flow will convey to the existing road side drain located on Turner fronting the property.

#### **Pre-Develops Conditions**

The current site is 0.155 Ha in size and is currently in an undeveloped condition. The release rate for this site has been restricted to the 2 year event based on the current undeveloped condition.

#### **STORM**

#### **Proposed Development**

The proposed project includes the residential buildings and a new parking lot with access from Turner. In the developed condition, the surface condition breakdown will be as follows:

**Building Area** 660.4 square metres Paved/Hardscape Area 767.1 square metres 123.4 square metres Landscaped Area

The introduction of the new on-site storm network would change the overland flow distance, in addition to accounting for the flow on paved infrastructure and thus this was accounted for in the calculations associated with the design of the onsite network as defined in the attached drawings. The release rate applied for the site is based on the following study and discussions with the City of Windsor.

The net rate stated above was used as the basis for determining the storage requirement.

The proposed system includes the following components:

- New storm sewer system under the proposed pavement;
- Underground storage units;
- Outlet control:
- Surface storage within parking areas where permitted by the standard.

#### **Minor System**

The minor storm event for this site is the 5- year event with restrict given in accordance with the 2 year event due to the discharge is to a road side ditch. A detailed depiction of the proposed on site storm sewer infrastructure can be found in the design drawings. Due to the proposed flow restrictions, stormwater quantity control is necessary in the minor system design. Therefore, the necessary storm water storage associated with the 5-year storm shall be accommodated by means of underground structures (pipes, manholes, catch basins, and storage units). The minor system hydraulic grade line (HGL) shall be below ground elevations (i.e., **no surface storage**), as per the standards manual.

#### **Major System**

This design was developed using the standard for major system design with a 100-year return period. The necessary storm water storage associated with the 100-year storm event shall be accommodated by means of underground structures (pipes, manholes, catch basins, storage units) and surface storage.

#### **Runoff Control**

Based on the 2 year analysis for the purpose of release it was determined that a release during the 5 year event must be restricted to 4.9L/s and the major event could be increased to 13 L/s. With the above considered release rates of 4.9L/s at the minor event and 5.8 L/s at the major event will define the release maximums.

To achieve this release rate two means of discharge will be used. Given the discharge is to a shallow road side ditch pumping from the system will be needed to lift the water from the onsite system to the ditch. This will also be of value during high tailwater conditions where the discharge is submerged. In addition to the pump the system has been designed such that a gravity outlet exists and once water is able to discharge through that outlet (where tailwater conditions don't exist) the pump will, via float settings, shut down and allow for gravity flow release until such time the outlet stops flowing and the pump will re-engage to drain the system.

To control the outlet flow rate under gravity condition an Ipex LMF device is proposed.

#### **Pumping**

Refer to the drawings attached for specific float and control settings. The final pump shall be selected through a design build submission for various vendors. Pump on and off stages are also defined in the document.

#### **Storage Requirements**

Storage has been assessed against a free jet release condition and against a tailwater condition at the ditch that reaches the top of bank level. Both these calculations are offered in the attached

appendices. It was found that the tailwater condition demands the highest storage values such that for the minor event 22CM are required with 72.2CM required for the major event. Based on the design of the system 24.55 CM are provided at the minor event staging with 80.2 CM being provided at the major event stage.

The minor storm is contained below surface in its entirety with the 100 year event reaching a flood elevation of not more than 619.95.

Please refer to page 5 of the calculation packages attached for definition of the storage measures and associated volumes.

#### Free Board

Given the above 100 year flood levels all openings to the building shall be set to an elevation of not less than 0.3m above this point the lowest building elevation is set to 621.30ft which is 1.35ft (0.411m) above the 100 year storage level.

#### **Water Quality**

Referring to the attached a water quality unit by ADS is proposed. Please find attached the analysis provided by ADS.

#### Closing

Should you have any questions or comments regarding this report, please feel free to contact our office.

# SWM CALCULATIONS WITH TAIL CONDTION



This project has been analyzed in accordance with the requirements set out in the latest edition of the Windsor-Essex Region Stormwater Management Report for catchments 2Ha or smaller

Project Description:	Turner Development		
Project No.:	23-211		
Date of Analysis	Jan-24	Revision	0
		_	
Design for Minor Event	2	Design for Major Event	100

#### Property Information (SM units)

Description	Existing	New	Table 3.2.2.7 C
Total Catchment Size	1550.9	1550.9	
Building Area	0	660.4	0.95
Paved Area	0	767.1	0.95
Gravel Area	0		0.70
Landscape - Clay	1550.9	123.4	0.20
Landscape - Sand			0.15
Residential Single Family			0.60
Resid. Single - Lots <500SM			0.70
Residential - semi det.			0.70
Residential - Town/Row			0.80
Industrial Commerical			0.90

		А	С
Description		Existing	New
Building A	rea	-	627.42
Paved Area		-	728.72
Gravel Area		-	-
Landscape - Clay		310.18	24.68
Landscape - Sand		-	-
esidential Single Family		-	-
id. Single - Lots <500	SM	-	-
Residential - semi det.		-	-
esidential - Town/Row		-	-
ndustrial Commerica	ndustrial Commerical		-
Sumation		310.18	1,380.82

Soil Designation (A-D)

% Impervious Override

D

%

Page 2 Pre-Development Event Analysis

Storm Event - Section 3.2 (Pre-Developed)

Storm Event	а	b	С
2	854	7	0.818
5	1259	8.8	0.838
10		9.5	0.845
25		10.2	0.852
50	2114	10.6	0.858
100	2375	11	0.861

l =	а
	(T+b) <sup>c</sup>
Min	or Storm
a	854
b	7
С	0.818
Maj	or Storm
a	2375
b	11
С	0.861

Time of Concentration - 3.7.3

Time of Concentration = t (sheet) +t (shallow) + t (concentrated)

t sheet (t1)	6.92L <sup>0.6</sup> n <sup>0.6</sup>	Length of Shallow flow  Mannings Grass - shore	41.8 e praire	m
		Average Slope	0.5	%
		Shallow Concentrated Flow (User Input) t2	0	min
		Concentrated time (pipe flow) (User Input) t3	0	min

<sup>\*\*</sup>USER NOTE - macro will not run to solve t1 if t1 below reads 0.0 - input higher value

Mannings n - Values Per Table 3.7.4.1

Value	Description				
0.013	Smooth asphalt/concrete				
0.06	Cultived soil - resid. Cover <20%				
0.17	Cultived soil - resid. Cover >20%				
0.13	Range (natural)				
0.15	Grass - shore praire				
0.24	grass - dense				
0.4	woods - light underbrush				
0.8	woods - dense underbrush				
0	User Input				

Minor Storm		
Calculated n value	0.15	
t2+t3	0	min
t1 (sheet)	20.21	min
t total	20.21	min
Intensity	57.25	mm/hı

Major Storm		
Calculated n value	0.15	
t2+t3	0	min
t1 (sheet)	13.76	min
t total	13.76	min
Intensity	149.87	mm/hr

Page 3

**Pre-Development Runoff and Flow Control Analysis** 

Soil Classification

D

	AC		
Description	Existing	New	
Property Total Area CM	1,550.92	1,550.92	
Building Area	-	627.42	
Paved Area	-	728.72	
Gravel Area	-	-	
Landscape - Clay	310.18	24.68	
Landscape - Sand	-	-	
Residential Single Family	-	-	
Resid. Single - Lots <500SM	-	-	
Residential - semi det.	-	-	
Residential - Town/Row	-	-	
Industrial Commerical	-	-	
Sumation AC	310.18	1,380.82	

<sup>\*</sup> User Note: % Impervious taken as 100% for noted items - if different use overide on Pg.1

* User Note: % Imper	* User Note: % Impervious taken as 100% for noted items - if different use overide on Pg.1					
% Impervious Storage depth 3.3.2	92.0 % 102.4 mm	C equiv by AC C 100 year	0.890			
Runoff Pre-Developm Intensity (minor) Intensity (major)	ent 57.25 mm/hr 149.87 mm/hr					
Rational Method - Pre	eDevelopment					
$Q_{minor}$	0.0049 CMS	Q Reduction	0 CMS **			
$Q_{major}$	0.013 CMS	** pei	r approval authority			
		·	,			
Surface Elevation :	Minor Event	188.70	m			
	Major Event	188.86	m			
0 11 11 6		100.00				
Outlet Info:	Invert at outlet	188.33	m An Bir			
	Orifice Diameter	PUMP	mm Max. Dia.			
	Orifice coefficient Tailwater elev.	0.62 188.83	m			
	Tallwater elev.	100.05				
Head Condition Differential Minor m						
		Major	m			
·						
Discharge Rate Throu	gh Orifice	Minor	0.0049 CMS <i>OK</i>			
		Major	0.0049 CMS <i>OK</i>			

Page 4 Storage Requirements

Zero Release condition
Storage Depth 102.37 mm Zero Release Storage 158.8 CM

C<sub>100year</sub> 0.948 C<sub>minor</sub> 0.890

 Release Rates
 CMS
 Minor
 0.005
 Major
 0.005

 23-209/18-141
 CMS
 CMS

	23-209/18-141 CMS CMS							
		Minor I	Minor Event Major			Major		
Time	Intensity (mm/hr)	Total Input CM	Total Release CM	Storage CM	Intensity (mm/hr)	Total Input CM	Total Release CM	Storage CM
5	111.9	12.87	1.47	11.4	218.2	26.74	1.47	25.27
10	84.1	19.36	2.94	16.4	172.7	42.31	2.94	39.37
15	68.1	23.52	4.41	19.1	143.7	52.80	4.41	48.39
20	57.6	26.52	5.88	20.6	123.5	60.51	5.88	54.63
25	50.1	28.85	7.35	21.5	108.6	66.50	7.35	59.15
30	44.5	30.75	8.82	21.9	97.1	71.35	8.82	62.53
35	40.1	32.34	10.29	22.0	87.9	75.39	10.29	65.10
40	36.6	33.71	11.76	21.9	80.4	78.83	11.76	67.07
45	33.7	34.91	13.23	21.7	74.2	81.83	13.23	68.60
50	31.3	35.98	14.70	21.3	68.9	84.46	14.70	69.76
55	29.2	36.95	16.17	20.8	64.4	86.82	16.17	70.65
60	27.4	37.83	17.64	20.2	60.5	88.94	17.64	71.30
65	25.8	38.64	19.11	19.5	57.1	90.87	19.11	71.76
70	24.5	39.39	20.58	18.8	54.0	92.63	20.58	72.05
75	23.2	40.09	22.05	18.0	51.3	94.26	22.05	72.21
80	22.1	40.74	23.52	17.2	48.9	95.77	23.52	72.25
85	21.1	41.35	24.99	16.4	46.7	97.17	24.99	72.18
90	20.2	41.93	26.46	15.5	44.7	98.49	26.46	72.03
95	19.4	42.47	27.93	14.5	42.8	99.72	27.93	71.79
100	18.7	42.99	29.40	13.6	41.2	100.89	29.40	71.49
105	18.0	43.49	30.87	12.6	39.6	101.99	30.87	71.12
110	17.4	43.96	32.34	11.6	38.2	103.03	32.34	70.69
115	16.8	44.41	33.81	10.6	36.9	104.03	33.81	70.22
120	16.2	44.84	35.28	9.6	35.7	104.97	35.28	69.69
125	15.7	45.26	36.75	8.5	34.6	105.88	36.75	69.13
130	15.3	45.66	38.22	7.4	33.5	106.74	38.22	68.52
135	14.8	46.05	39.69	6.4	32.5	107.57	39.69	67.88
140	14.4	46.42	41.16	5.3	31.6	108.37	41.16	67.21
145	14.0	46.78	42.63	4.2	30.7	109.13	42.63	66.50
150	13.7	47.13	44.10	3.0	29.9	109.87	44.10	65.77
155	13.3	47.47	45.57	1.9	29.1	110.58	45.57	65.01
160	13.0	47.79	47.04	0.8	28.4	111.27	47.04	64.23
165	12.7	48.11	48.51	- 0.4	27.7	111.94	48.51	63.43
				22.0	1			72.2

Page 5 - Storage Distribution

**Alternate Zero Release Solution** 

158.8 CM

Minor Event	22.0	CM - REQUIRED			
81' of piping at 8" dia.					0.81
Manholes qty 3					3.39
ADS Chambers					20.35
				total	24.55
Major Event	72.2	CM - REQUIRED		totai	24.33
aumfa aa waxadiwa ta alaa		100.01\	5003 Coaft of avec		FF 7
surface ponding to elegate 81' of piping at 8" dia.		189.01)	5892.8sqft of area		55.7 0.81
Manholes qty 3					3.39
ADS chambers					20.35
					80.2
					30.2

# SWM CALCULATIONS WITH FREE RELEASE AT OUTLET



This project has been analyzed in accordance with the requirements set out in the latest edition of the Windsor-Essex Region Stormwater Management Report for catchments 2Ha or smaller

Project Description:	Turner Development		
Project No.:	23-211		
Date of Analysis	Jan-24	Revision	0
Design for Minor Event	2	Design for Major Event	100

#### Property Information (SM units)

Description	Existing	New	Table 3.2.2.7 C
Total Catchment Size	1550.9	1550.9	
Building Area	0	660.4	0.95
Paved Area	0	767.1	0.95
Gravel Area	0		0.70
Landscape - Clay	1550.9	123.4	0.20
Landscape - Sand			0.15
Residential Single Family			0.60
Resid. Single - Lots <500SM			0.70
Residential - semi det.			0.70
Residential - Town/Row			0.80
Industrial Commerical			0.90

	AC		С
Description		Existing	New
Building A	rea	-	627.42
Paved Area		1	728.72
Gravel Area		1	1
Landscape - Clay		310.18	24.68
Landscape - Sand		-	-
<mark>esidential Single Fami</mark>	ily	-	1
i <mark>id. Single - Lots &lt;500</mark>	SM		
Residential - semi det	•		
esidential - Town/Row		1	-
ndustrial Commerical		-	-
Sumation		310.18	1,380.82

Soil Designation (A-D)	D	
% Impervious Override	0	%

Page 2 Pre-Development Event Analysis

Storm Event - Section 3.2 (Pre-Developed)

Storm Event	а	b	С
2	854	7	0.818
5	1259	8.8	0.838
10		9.5	0.845
25		10.2	0.852
50	2114	10.6	0.858
100	2375	11	0.861

l =	a
	(T+b) <sup>c</sup>
Min	or Storm
а	854
b	7
С	0.818
Maj	or Storm
a	2375
b	11
С	0.861

Time of Concentration - 3.7.3

Time of Concentration = t (sheet) +t (shallow) + t (concentrated)

t sheet	6.92L <sup>0.6</sup> n <sup>0.6</sup>	Length of Shallow flow  Mannings Grass - sh	41.8 m
. ,		Average Slope	0.5 %
		Shallow Concentrated Flow (User Input) t2	0 mii
		Concentrated time (pipe flow (User Input) t3	r) 0 mii

<sup>\*\*</sup>USER NOTE - macro will not run to solve t1 if t1 below reads 0.0 - input higher value

Mannings n - Values Per Table 3.7.4.1

Value	Description			
0.013	Smooth asphalt/concrete			
0.06	Cultived soil - resid. Cover <20%			
0.17	Cultived soil - resid. Cover >20%			
0.13	Range (natural)			
0.15	Grass - shore praire			
0.24	grass - dense			
0.4	woods - light underbrush			
0.8	woods - dense underbrush			
0	User Input			

		•
Minor Storm		
Calculated n value	0.15	
t2+t3	0	min
t1 (sheet)	20.21	min
t total	20.21	min
Intensity	57.25	mm/hr
		=

Major Storm		
Calculated n value	0.15	
t2+t3	0	min
t1 (sheet)	13.76	min
t total	13.76	min
Intensity	149.87	mm/hr

Page 3 Pre-Development Runoff and Flow Control Analysis

Soil Classification

D

		AC
Description	Existing	New
Property Total Area CM	1,550.92	1,550.92
Building Area	-	627.42
Paved Area	-	728.72
Gravel Area	-	-
Landscape - Clay	310.18	24.68
Landscape - Sand	-	-
Residential Single Family	-	-
Resid. Single - Lots <500SM	-	-
Residential - semi det.	-	-
Residential - Town/Row	-	-
Industrial Commerical	-	-
Sumation AC	310.18	1,380.82

<sup>\*</sup> User Note: % Impervious taken as 100% for noted items - if different use overide on Pg.1

% Impervious	92.0	%	C equiv by AC	0.890
Storage depth 3.3.2	102.4	mm	C 100 year	0.948

**Runoff Pre-Development** 

Intensity (minor) 57.25 mm/hr Intensity (major) 149.87 mm/hr

Rational Method - PreDevelopment

$Q_{\text{minor}}$	0.0049	смѕ	Q Reduction	0	CMS **
$Q_{major}$	0.013	смѕ	** per :	approval aut	hority

Surface Elevation : Minor Event 188.70 m

Major Event 188.86 m

Outlet Info: Invert at outlet 188.33 m

Orifice Diameter 62.00 mm
Orifice coefficient 0.62
Tailwater elev. 0 m

Tailwater elev. 0 m

Head Condition Differential Minor 0.343 m
Major 0.496 m

Discharge Rate Through Orifice Minor 0.005 CM Major 0.0058 CM

Max. Dia.

62.5

mm

Page 4 Storage Requirements

Zero Release condition

Storage Depth 102.37 mm Zero Release Storage 158.8 CM

C<sub>100year</sub> 0.948 C<sub>minor</sub> 0.890

 Release Rates
 CMS
 Minor
 0.005
 Major
 0.006

 23-209/18-141
 CMS
 CMS

	23-209/18-141			CIVIS				
	Minor Event				Major			
Time	Intensity (mm/hr)	Total Input CM	Total Release CM	Storage CM	Intensity (mm/hr)	Total Input CM	Total Release CM	Storage CM
5	111.9	12.87	1.46	11.4	218.2	26.74	1.75	24.98
10	84.1	19.36	2.91	16.4	172.7	42.31	3.50	38.81
15	68.1	23.52	4.37	19.1	143.7	52.80	5.25	47.55
20	57.6	26.52	5.83	20.7	123.5	60.51	7.01	53.51
25	50.1	28.85	7.29	21.6	108.6	66.50	8.76	57.75
30	44.5	30.75	8.74	22.0	97.1	71.35	10.51	60.84
35	40.1	32.34	10.20	22.1	87.9	75.39	12.26	63.13
40	36.6	33.71	11.66	22.0	80.4	78.83	14.01	64.82
45	33.7	34.91	13.12	21.8	74.2	81.83	15.76	66.06
50	31.3	35.98	14.57	21.4	68.9	84.46	17.51	66.95
55	29.2	36.95	16.03	20.9	64.4	86.82	19.26	67.55
60	27.4	37.83	17.49	20.3	60.5	88.94	21.02	67.92
65	25.8	38.64	18.95	19.7	57.1	90.87	22.77	68.10
70	24.5	39.39	20.40	19.0	54.0	92.63	24.52	68.11
75	23.2	40.09	21.86	18.2	51.3	94.26	26.27	67.99
80	22.1	40.74	23.32	17.4	48.9	95.77	28.02	67.75
85	21.1	41.35	24.77	16.6	46.7	97.17	29.77	67.40
90	20.2	41.93	26.23	15.7	44.7	98.49	31.52	66.97
95	19.4	42.47	27.69	14.8	42.8	99.72	33.27	66.45
100	18.7	42.99	29.15	13.8	41.2	100.89	35.03	65.86
105	18.0	43.49	30.60	12.9	39.6	101.99	36.78	65.21
110	17.4	43.96	32.06	11.9	38.2	103.03	38.53	64.51
115	16.8	44.41	33.52	10.9	36.9	104.03	40.28	63.75
120	16.2	44.84	34.98	9.9	35.7	104.97	42.03	62.94
125	15.7	45.26	36.43	8.8	34.6	105.88	43.78	62.10
130	15.3	45.66	37.89	7.8	33.5	106.74	45.53	61.21
135	14.8	46.05	39.35	6.7	32.5	107.57	47.28	60.29
140	14.4	46.42	40.80	5.6	31.6	108.37	49.04	59.33
145	14.0	46.78	42.26	4.5	30.7	109.13	50.79	58.35
150	13.7	47.13	43.72	3.4	29.9	109.87	52.54	57.33
155	13.3	47.47	45.18	2.3	29.1	110.58	54.29	56.29
160	13.0	47.79	46.63	1.2	28.4	111.27	56.04	55.23
165	12.7	48.11	48.09	0.0	27.7	111.94	57.79	54.14
				22.1				68.1

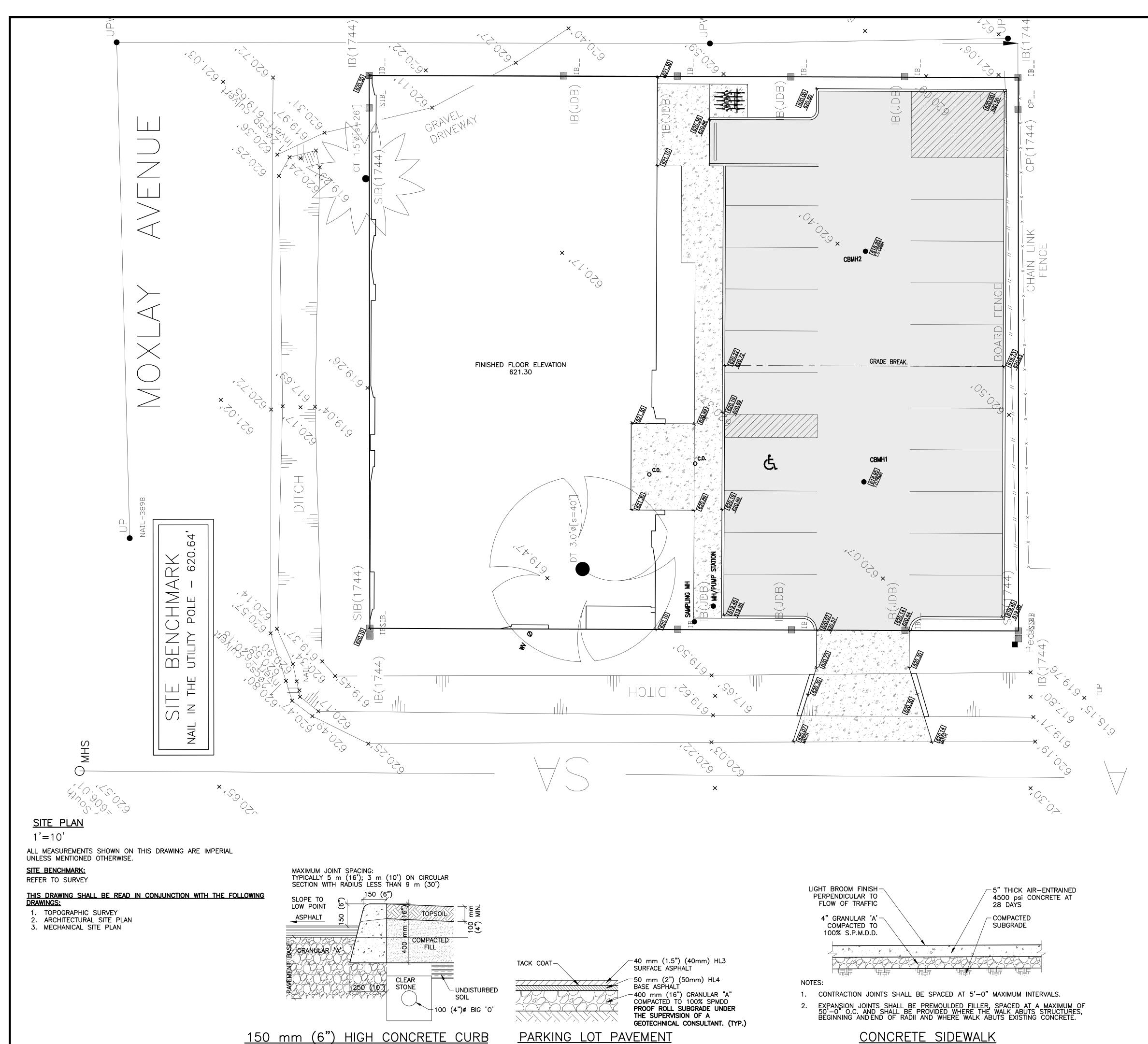
Page 5 - Storage Distribution

**Alternate Zero Release Solution** 

158.8 CM

Minor Event	22.1	CM - REQUIRED			
81' of piping at 8" dia. Manholes qty 3 ADS Chambers					0.81 3.39 20.35
				total	24.55
Major Event	68.1	CM - REQUIRED			
surface ponding to ele 81' of piping at 8" dia. Manholes qty 3 ADS chambers		(189.01)	5892.8sqft of area		55.7 0.81 3.39 20.35
					80.2

## **DRAWINGS**



NOT TO SCALE

NOT TO SCALE

#### **GENERAL NOTES:**

- PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS AND FIELD CONDITIONS. IN THE EVENT DIMENSIONS OR FIELD CONDITIONS VARY FROM DESIGN DRAWINGS, THE ENGINEER SHALL BE NOTIFIED.
- 2. THE LOCATION OF UTILITIES AS SHOWN ON THIS DRAWING ARE NOT CERTIFIED AS TO LOCATION. THE ONUS LIES UPON THE TENDERER (AND AFTER ACCEPTANCE OF TENDER, UPON THE CONTRACTOR) TO ASCERTAIN AT HIS OWN EXPENSE THE EXACT LOCATION OF EACH UTILITY. NO EXTRA OR CLAIM FOR COMPENSATION WILL BE ALLOWED IF IT IS DISCOVERED THAT ANY UTILITY IS ACTUALLY LOCATED ON THE SITE AND IS IN CONFLICT WITH THE PROPOSED WORKS.
- 3. THE CONTRACTOR ASSUMES FULL RESPONSIBILITY TO CONTACT THE VARIOUS UTILITY COMPANIES FOR LOCATES AND TO REPAIR ANY DAMAGE THAT MAY HAVE OCCURRED TO THESE UTILITIES OR TO OTHER THIRD PARTIES ARISING OUT OF ANY ACT OR NEGLECT BY THE CONTRACTOR, OR ANYONE ACTING UNDER HIS AUTHORITY, DURING THE COURSE OF WORK. THE CONTRACTOR AGREES TO INDEMNIFY STUDIO G+G AND HADDAD, MORGAN AND ASSOCIATES LTD. AGAINST THE CONTRACTOR'S ACTIONS.
- AGREES TO INDEMNIFY STUDIO G+G AND HADDAD, MORGAN AND ASSOCIATES LTD. AGAINST THE CONTRACTOR'S ACTIONS.

  4. ALL SIGNS, BARRICADES, FENCES AND LIGHTS SHALL BE MAINTAINED BY THE CONTRACTOR AS DIRECTED BY THE ENGINEER.

5. THE CONTRACTOR AND HIS WORKERS SHALL UNDERTAKE ALL WORK ON THIS

- PROJECT IN COMPLIANCE WITH THE "OCCUPATIONAL HEALTH AND SAFETY ACT AND REGULATIONS FOR CONSTRUCTION PROJECTS", ONT. REG. 213/91 AS AMENDED.

  6. ALL WORK SHALL CONFORM TO THE CITY OF WINDSOR SPECIFICATIONS
- AND/OR REQUIREMENTS.

  7. ALL DIMENSIONS SHOWN ON THE PLAN ARE IN IMPERIAL UNITS.

  8. ALL DIMENSIONS SHOWN ON THE PLAN ARE TO FACE OF CURB OR EDGE OF PAVEMENT, UNLESS NOTED OTHERWISE. ALL ELEVATIONS INDICATED ARE AT EDGE OF PAVEMENT.
- 9. THE LIMIT FOR EXCAVATION AND GRANULAR BASE INSTALLATION SHALL BE 6" BEYOND EDGE OF PAVEMENTS OR BACK OF CURB.
- 10. SUBGRADE SHALL BE SHAPED TO THE SPECIFIED GRADE AND CROSS SECTION AND HEAVILY PROOF—ROLLED TO DETERMINE THE PRESENCE OF ANY SOFT SPOTS IN THE PRESENCE OF A GEOTECHNICAL ENGINEER.

  11. ALL EXCAVATED MATERIAL SHALL BE REMOVED FROM SITE.
- 12. GRANULAR BASE SHALL BE GRANULAR 'A' MATERIAL CONFORMING TO OPSS 1010, MECHANICALLY COMPACTED TO 100% S.P.M.D.D. BASE THICKNESS SHALL BE MINIMUM 12".
- 13. STORM DRAINS SHALL BE PVC PIPE DR35 CERTIFIED TO CSA B182.2. TRENCHES UNDER PAVEMENTS, SIDEWALKS AND 5' BEHIND CURBS TO BE BACKFILLED WITH GRANULAR 'A' CONFORMING TO OPSS 1010 MECHANICALLY COMPACTED TO 100% S.P.M.D.D. UNDER GRASSED AREA BACKFILL WITH NATIVE MATERIAL COMPACTED TO 90% S.P.M.D.D. STORM DRAINS SHALL BE INSTALLED IN ACCORDANCE WITH OPSS 410.
- 14. BENCHING IS NOT REQUIRED IN STORM MANHOLES. PROVIDE A MINIMUM OF 12" AND A MAXIMUM OF 18" DEEP SUMP.
- 15. CATCH BASINS SHALL BE INSTALLED IN ACCORDANCE WITH OPSS 407 AT THE LOCATIONS AS INDICATED. CATCH BASIN FRAME AND COVER SHALL CONFORM TO OPSD 400.020. CATCH BASINS TO HAVE 24" SUMPS. INSTALL 6" Ø 'T' TRAP CLEAN-OUTS. INSTALL FILTER CLOTH UNDER GRATES DURING CONSTRUCTION.
- 16. SUBDRAINS AND TILE DRAINS SHALL BE 4" Ø BIG 'O' WRAPPED WITH FILTER FABRIC SOCK BACKFILLED WITH 3/4" CLEAR STONE. SLOPE 4" Ø BIG 'O' @ 0.2%. BIG 'O' SUBDRAINS SHALL BE INSTALLED UNDER CURBS AND CONNECTED TO THE NEAREST CATCHBASIN.
- CONNECTED TO THE NEAREST CATCHBASIN.

  17. CONCRETE FOR BARRIER CURBS, SIDEWALKS AND DRIVEWAYS SHALL HAVE A COMPRESSIVE STRENGTH OF 32 MPa AT 28 DAYS WITH 6% TO 8% AIR ENTRAINMENT.
- 18. THE CONTRACTOR SHALL SUPPLY, PLACE AND COMPACT HOT-MIX, HOT-LAID ASPHALTIC CONCRETE IN ACCORDANCE WITH OPSS 310 "HOT MIX ASPHALT".
- 19. SURFACE COURSE ASPHALT SHALL BE HL3 AND BASE COURSE ASPHALT SHALL BE HL4. ASPHALTIC MIXTURES SHALL BE MANUFACTURED IN ACCORDANCE WITH THE REQUIREMENTS OF OPSS 1150.

RESTORED WITH A MINIMUM OF 4" TOPSOIL, GRASS SEED AND HYDRO

- 20. PAVEMENT MARKINGS SHALL BE PLACED ON A CLEAN SURFACE. TRAFFIC PAINT SHALL BE WATER BASED LATEX TRAFFIC PAINT YELLOW IN COLOUR.
  21. ALL EXISTING GRASS AREAS DISTURBED DURING CONSTRUCTION SHALL BE
- MULCH.
  22. PROVIDE ALL CONCRETE PAVED SURFACES, SIDEWALKS, AND DRIVES WITH
- CRYSTAL—LOK BY IMCO.

  23. UPON COMPLETION THE CONTRACTOR SHALL ENGAGE A LICENSED ONTARIO LAND SURVEYOR TO PROVIDE CONFIRMATION OF CONSTRUCTION TO DESIGN GRADES.

### SEDIMENT CONTROL MEASURES:

- 1. THE CONTRACTOR SHALL PROTECT ALL EXPOSED SURFACES AND CONTROL
- ALL RUNOFF DURING CONSTRUCTION.

  2. ALL EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO STARTING CONSTRUCTION AND MUST REMAIN IN PLACE UNTIL RESTORATION IS
- COMPLETE.
  3. THE CONTRACTOR SHALL MAINTAIN EROSION CONTROL MEASURES DURING
- CONSTRUCTION.

  4. ALL COLLECTED SEDIMENT SHALL BE DISPOSED OF AT AN APPROVED LOCATION.
- 5. AREA DISTURBED DURING CONSTRUCTION SHALL BE KEPT TO A MINIMUM.
  6. ALL DE-WATERING SHALL BE DISPOSED OF IN AN APPROVED SEDIMENTATION
- 7. THE CONTRACTOR SHALL PROTECT ALL CATCHBASINS, MANHOLES AND PIPE ENDS FROM SEDIMENT INTRUSION WITH FILTER CLOTH OR OTHER APPROVED
- 8. ALL SUMPS SHALL BE KEPT CLEAN DURING CONSTRUCTION.
- 9. THE CONTRACTOR SHALL PREVENT WIND-BLOWN DUST.
  10. STRAW BALES ARE TO BE USED DURING CONSTRUCTION, AS REQUIRED.

## THE FOLLOWING CITY OF WINDSOR STANDARD DRAWINGS SHALL APPLY TO THIS CONTRACT:

COMMERCIAL DRIVE - CONCRETE	AS-204
CURB AND GUTTER FOR ASPHALT PAVEMENT	AS-208
FLAT CATCH BASIN FRAME AND GRATE	AS-301
MANHOLE FRAME AND COVER TYPE II	AS-304A
DETAIL OF TYPICAL MANHOLE STEP	AS-305
600mmX600mm PRECAST CONCRETE CATCH BASIN	AS-309
PRIVATE DRAIN DETAIL (SINGLE)	AS-313
PRE-CAST MAINTENANCÈ HOLE 1200mm DIAMETER	AS-314A
CLEANOUT AT PROPERTY LINE	AS-325
SUB DRAIN AT CATCH BASIN	AS-515
TRUNCATED DOME TACTILE SURFACE INDICATORS	AS-549



JAN 10, 24	SWM ASSESSMENT
DATE	ISSUED FOR

PROJECT :
TURNER ROAD DEVELOPMENT
Windsor, Ontario

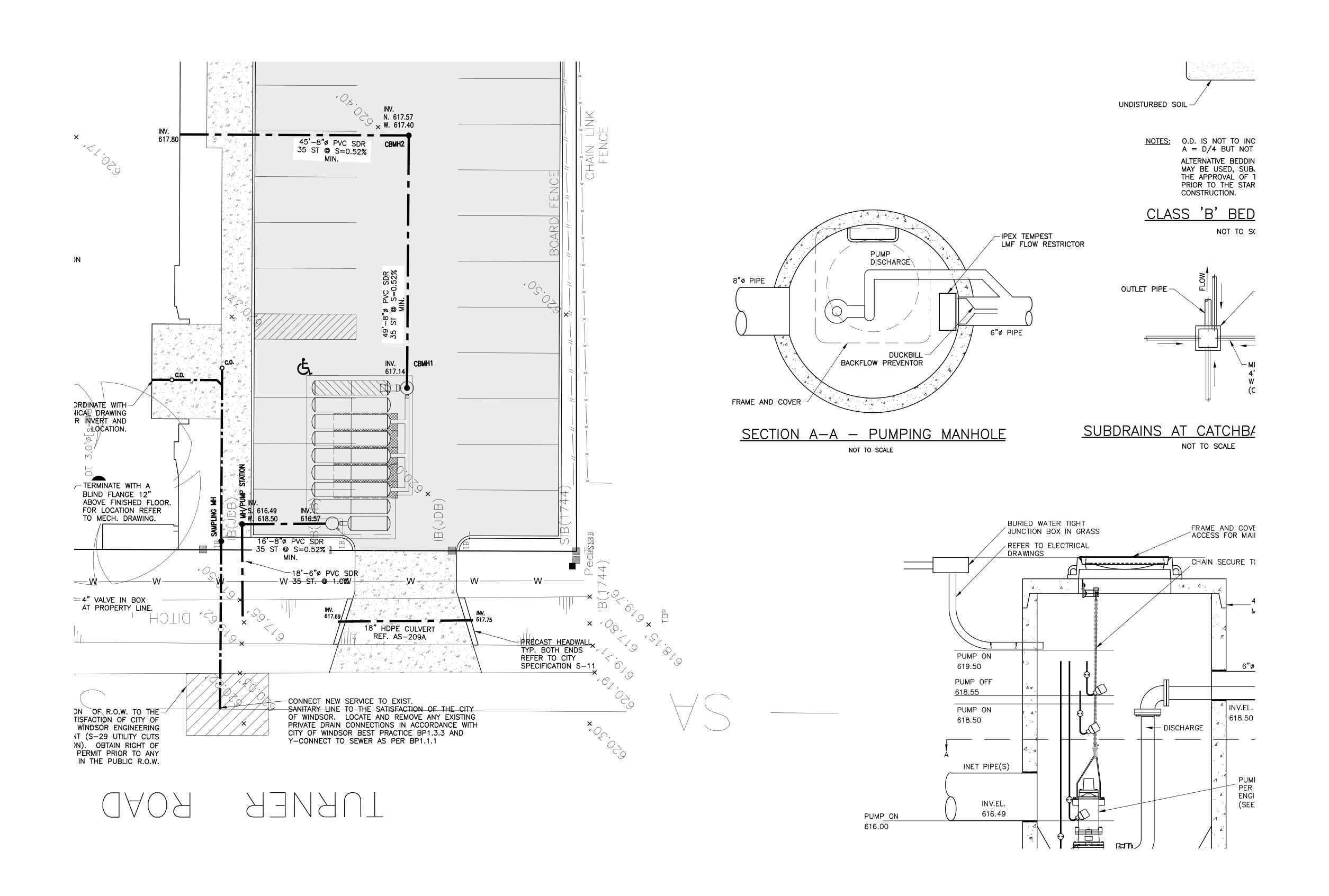
DWG. TITLE :	
SITE LAYOUT AND GRADING	G

_		
	DATE :	DECEMBER 2023
	SCALE :	AS SHOWN
	DESIGNED BY:	W.T.
	DRAWN BY:	M.T.
	CHECKEDBY :	W.T.
	APPROVED BY:	W.T.
	PROJECTNO. :	23-211

DWG. NO.

2100

NOT TO SCALE



-1:100 YEAR ELEVATION 619.95 FINISHED FLOOR ELEVATION 621.30 5 BENCHMARK Utility Pole - 620.64' 44 TURNER ROAD SITE PLAN 1'=10' ALL MEASUREMENTS SHOWN ON THIS DRAWING ARE IMPERIAL UNLESS MENTIONED OTHERWISE. SITE BENCHMARK: REFER TO SURVEY THIS DRAWING SHALL BE READ IN CONJUNCTION WITH THE FOLLOWING DRAWINGS: TOPOGRAPHIC SURVEY
 ARCHITECTURAL SITE PLAN
 MECHANICAL SITE PLAN

DESIGNED BY: W.T. DRAWN BY: M.T. CHECKEDBY : W.T. APPROVED BY: W.T. PROJECTNO. **:** 23-211

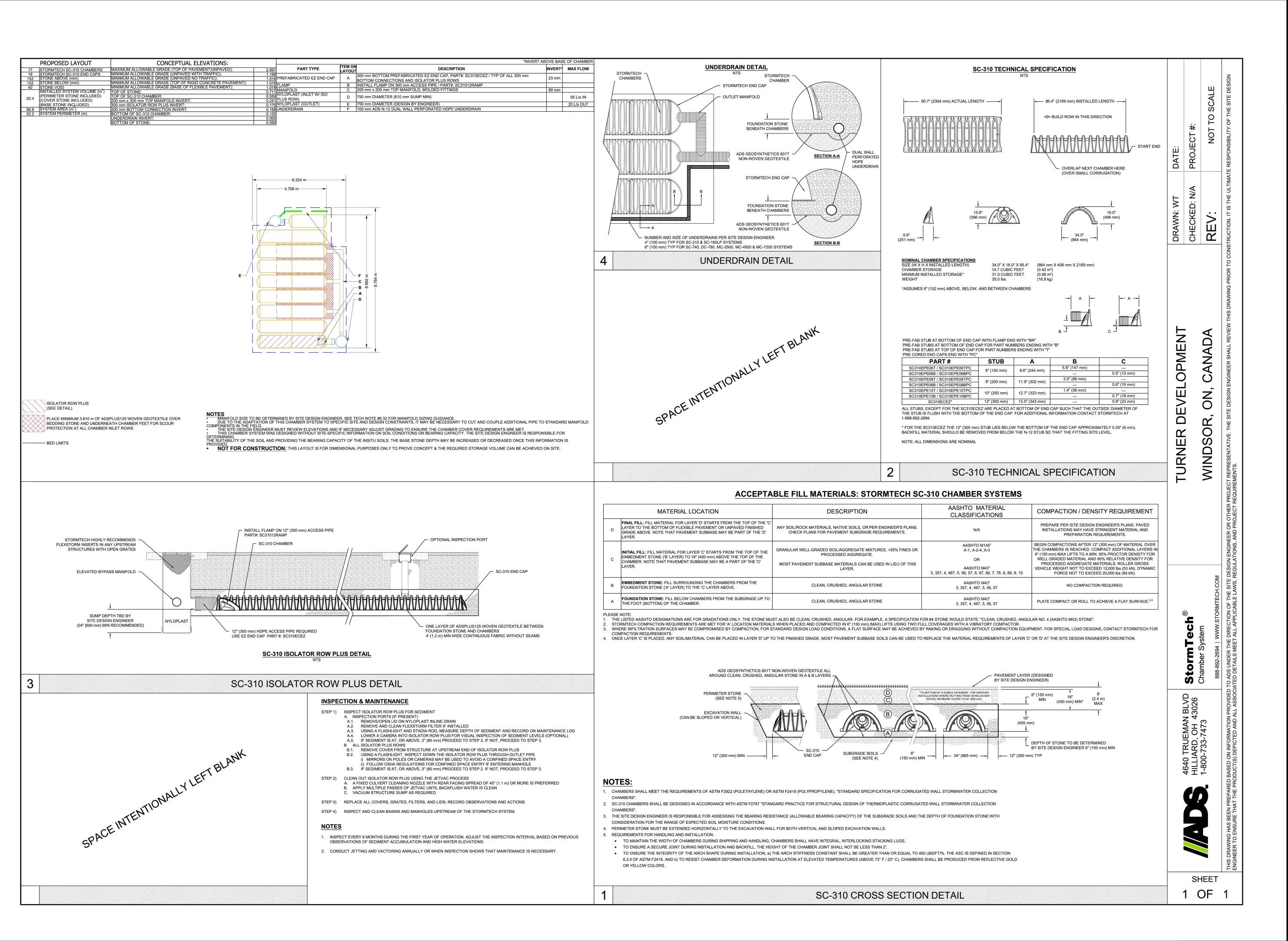
: DECEMBER 2023 : AS SHOWN

DWG. TITLE : STORMWATER MANAGEMENT

PROJECT: TURNER ROAD DEVELOPMENT Windsor, Ontario

JAN 10, 24	SWM ASSESSMENT
DATE	ISSUED FOR







JAN 10, 24	SWM ASSESSMENT
DATE	ISSUED FOR

PROJECT:
TURNER ROAD
DEVELOPMENT

Windsor, Ontario

DWG. TITLE :

ADS CHAMBER SYSTEM

DATE :	DECEMBER 2023
SCALE :	AS SHOWN
DESIGNED BY:	W.T.
DRAWN BY:	M.T.
CHECKEDBY :	W.T.
APPROVED BY:	W.T.
PROJECTNO. :	23-211

DWG. NO.

200

## FLOW RESTRICTION DEVICE

## THE NEXT **GENERATION IN STORM SEWER INLET CONTROLS**









STORM WATER FLOW CONTROL

#### THE COST-EFFECTIVE SOLUTION TO YOUR STORM WATER SURCHARGE PROBLEMS

- Conserves sewer system capacity
- System accommodates low to high flows
- Integrated odour and floatable control
- Fast and easy to install and maintain



We build tough products for tough environments® Committee Meeting Agenda - Tuesday, July 2, 2024 Page 468 of 644



## THE NEXT GENERATION IN STORM SEWER INLET CONTROLS

### Reduces Sewer Overflows & Basement Backups

Tempest is a family of cost-effective inlet control devices that work together across a series of catch basins to limit the amount of storm water runoff that can enter a combined sewer system during a storm event. Basement backups and sewer overflows are avoided because storm water surcharges are controlled at the sewer inlet and are allowed to remain in catch basins or temporarily above ground.

### Integrated Odour & Floatable Control

In addition to flow control, Tempest systems can also alleviate sewer system odour emissions as well as prevent floating debris from entering the sewer system.

## Wide Range of Models & Pre-set Flow Rates

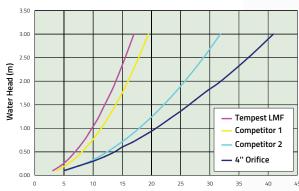
Available in a wide range of patent pending models and pre-set flow rates, Tempest systems can accommodate most storm water flow control requirements from 32 GPM to 270 GPM and beyond. Application specific solutions can also be engineered to meet your unique needs in both wet and dry catch basin environments.

### Easy to Install & Maintain

Constructed from durable PVC, Tempest units are corrosion free and built to last. The Tempest's light weight design accommodates both square and round catch basins and features a universal back plate and interchangeable components with no moving parts that makes the units quick and easy to install over a catch basin outlet pipe.

These devices also include a quick release mechanism to allow easy access for service without the need to drain the installation.

#### Tempest Inlet Control Devices restrict flow to a narrower range than traditional methods regardless of head



\* Excluding Tempest HF Sump Water Flow Rate (Lps)
Development & Heritage Standing Committee Meetin

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# **Tempest LMF** The system depicted is the Tempest LMF available in 14 pre-set rates and designed specifically for low to moderate flow rates with an engineered inlet design that eliminates the passage of odour and floatables

#### **FEATURES & BENEFITS**

- Restricts flow to a narrow range regardless of head
- 2 Unit design prevents the passage of floatables and odours
- Neoprene gasket for air-tight seal\*
- Virtually maintenance free and corrosion free durable PVC construction
- **5** Features a quick release mechanism that's accessed with reach bar. Unit can then be simply lifted out for easy maintenance\*
- 6 Universal back plates available for both square and round catch basins\*

#### THE TEMPEST FAMILY OF SYSTEMS

#### **TEMPEST LMF**



Restricts:

- ✓ Flow
- ✓ Odours
- √ Floatables

#### LOW to MODERATE FLOW RATES

32 GPM (2 L/s) - 270 GPM (17 L/s) 14 pre-set flow rates

The Tempest LMF system features a vortex inlet design that allows a low flow rate to be set and eliminates the passage of odours and floatables and allows for debris and sediment to collect in the structure.

#### **TEMPEST MHF**

#### MEDIUM TO HIGH FLOW RATES

143 GPM (9L/s) or greater Specified pre-set flow rates

The Tempest MHF is a standard orifice plate or plug device designed to allow a specified flow volume through the outlet pipe at a specified head.

Restricts: √ Flow

#### **TEMPEST** HF & HF SUMP



- ✓ Flow
- ✓ Odours
- √ Floatables

#### **HIGH FLOW RATES**

240 GPM (15 L/s) or greater 5 pre-set flow rates

The standard Tempest HF system allows a near constant discharge rate to be set and eliminates the passage of odours and floatables and allows for debris and sediment to collect in the structure.

The Tempest HF SUMP system is designed for catch basins & manholes in which there is no sump or the outlet pipe is too low to install standard Tempest device.

#### UNIVERSAL BACK PLATES

Available for BOTH square and round catch basins.\*

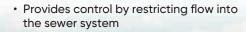






For round catch basins

# SOLUTION: TEMPEST INLET CONTROL SYSTEMS



- · Provides temporary ponding in catch basins, parking lots & roadways
- · Helps preserve sewer capacity, slows down the inlet flow
- · Reduces residential flooding and flash flooding
- · Water surcharge is controlled and directed as per engineer design
- Can accommodate outlet pipes 6" and larger





Restricted **Catch Basins** 

**Ponding** 



#### **CUSTOMER SERVICE CENTRE**

IPEX Inc.

Toll Free: (866) 473-9462

ipexna.com

#### About the IPEX Group of Companies

As leading suppliers of thermoplastic piping systems, the IPEX Group of Companies provides our customers with some of the largest and most comprehensive product lines. All IPEX products are backed by more than 50 years of experience. With state-of-the-art manufacturing facilities and distribution centers across North America, we have earned a reputation for product innovation, quality, end-user focus and performance.

Markets served by IPEX group products are:

- Electrical systems
- Telecommunications and utility piping systems
- PVC, CPVC, PP, PVDF, PE, ABS, and PEX pipe and fittings
- · Industrial process piping systems
- Municipal pressure and gravity piping systems
- · Plumbing and mechanical piping systems
- · Electrofusion systems for gas and water
- · Industrial, plumbing and electrical cements
- · Irrigation systems



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A policy of ongoing product improvement is maintained. This may result in modifications of features and/or specifications without notice.



# **ADS WATER QUALITY CALCULATIONS**

(ANALYSIS AND DESIGN BY ADS)



# ADS Isolator Row PLUS Sizing Summary

Project Name: Turner Development

**Consulting Engineer:** Haddad Morgan

**Location:** Windsor, ON

Sizing Completed By: C. Neath Email: <a href="mailto:cody.neath@ads-pipe.com">cody.neath@ads-pipe.com</a>

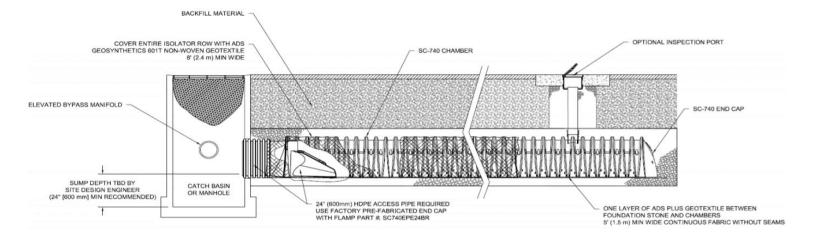
Treatment Requirements				
Treatment Goal:		Norn	nal (M	OE)
Selected Parameters:	70%	TSS	90%	Volume

Summary of Results				
Isolator Row PLUS TSS Removal:	79.7%			
Total Volume Treated:	> 90%			

Overall System Capacities			
Total Sediment Storage Capacity:	0.4 m³		
Peak Stormtech Inlet Flow Capacity:			
Peak IR PLUS Water Quality Flow:	13.9 L/s		

Site Details			
Site Area:	0.15509 ha		
% Impervious:	92%		
Rational C:	0.85		
Rainfall Data:	ERCA Table 3.4.1.5		
Particle Size Distribution:	ETV		

Stormtech Details				
Chamber Model:	SC-310			
No. Chambers in Isolator Row PLUS:	3			
ETV Verified Flowrate per Chamber:	4.62 L/s			
Bottom Surface Area per Chamber:	1.64 m²			
Total Bottom Surface Area:	4.92 m²			



#### Notes:

Removal efficiencies are based on ETV results.

Consult approved Stormtech drawings for dimensions and further details on overall system and Isolator Row configuration.

Isolator Row PLUS must include Flared End Ramp (FLAMP) for proper performance.



Project Name: **Turner Development** Consulting Engineer: Haddad Morgan Location: Windsor, ON

## Net Annual Removal Efficiency Summary:

Rainfall Intensity <sup>(1)</sup>	Rational Equation Flowrate	Surface Loading Rate	Fraction of Rainfall <sup>(1)</sup>	Removal Efficiency	Weighted Net- Annual Removal Efficiency	
mm/hr	L/s	L/min/m <sup>2</sup>	%	%	%	
2.00	0.7	9	0.0%	81.2%	0.0%	
3.00	1.1	13	13.2%	81.2%	10.7%	
4.00	1.5	18	9.6%	81.2%	7.8%	
5.00	1.8	22	7.5%	81.2%	6.1%	
6.00	2.2	27	6.0%	81.2%	4.9%	
7.00	2.6	31	4.8%	81.2%	3.9%	
8.00	2.9	36	4.1%	81.2%	3.3%	
9.00	3.3	40	3.6%	81.2%	2.9%	
10.00	3.7	45	3.2%	81.2%	2.6%	
11.00	4.0	49	2.8%	81.2%	2.3%	
12.00	4.4	54	2.5%	81.2%	2.0%	
15.00	5.5	67	6.6%	81.2%	5.4%	
20.00	7.3	89	8.3%	81.2%	6.7%	
25.00	9.2	112	5.8%	81.2%	4.7%	
30.00	11.0	134	4.6%	81.2%	3.7%	
35.00	12.8	156	3.8%	81.2%	3.1%	
40.00	14.6	179	2.9%	81.2%	2.4%	
45.00	16.5	201	2.4%	81.2%	1.9%	
50.00	18.3	223	1.8%	75.7%	1.4%	
65.00	23.8	290	6.6%	58.2%	3.8%	
			Not Ann 15		79.7%	
	Total Net Annual Removal Efficiency:					
	Total Runoff Volume Treated					

#### Notes:

- (1) Removal efficiencies based on verified ETV testing results, considering maximum documented TSS removal rate of 81.2%.
- (2) Rainfall data from Windsor/Essex Region Stormwater Management Standards Manual, Table 3.4.1.5.

Municipal Address	Use	Age of Main Building	Lot Width (m) (Approximate)	Lot Area (m2) (Approximate)	Main Building Area (m2) (Approximate)	Total Building Area (m2) (Approximate)	Lot Coverage Main Building Only (Approximate)	Lot Coverage (Approximate)	Density (Approximate) (uph)	Density with ADU's (Approximate) (uph)
3888 Turner Road	Single Unit Dwelling	1935	15.9	550.7	124.3	154.3	22.6%	28.0%	18.2	54.5
3819 Turner Road	Single Unit Dwelling	1938	24.9	916.4	218.1	328.1	23.8%	35.8%	10.9	32.7
3861 Turner Road	Single Unit Dwelling	1942	24.4	899.6	181.6	181.6	20.2%	20.2%	11.1	33.3
3811 Turner Road	Single Unit Dwelling	1945	15.8	550.5	81.7	85.7	14.8%	15.6%	18.2	54.5
3881 Turner Road	Single Unit Dwelling	1945	15.9	550.9	80.8	120.2	14.7%	21.8%	18.2	54.5
3887 Turner Road	Single Unit Dwelling	1945	14.0	487.3	95.2	126.5	19.5%	25.9%	20.5	61.6
3898 Turner Road	Single Unit Dwelling	1945	15.9	550.7	87.3	112.2	15.8%	20.4%	18.2	54.5
3903 Turner Road	Single Unit Dwelling	1945	21.5	834.2	179.1	199.9	21.5%	24.0%	12.0	36.0
3911 Turner Road	Single Unit Dwelling	1945	21.3	741.3	171.3	180.4	23.1%	24.3%	13.5	40.5
3839 Turner Road	Single Unit Dwelling	1946	34.6	1,278.0	146.6	161.2	11.5%	12.6%	7.8	23.5
3868 Turner Road	Single Unit Dwelling	1948	21.3	741.3	159.4	159.4	21.5%	21.5%	13.5	40.5
3806 Turner Road	Single Unit Dwelling	1950	21.3	741.3	269.3	281.0	36.3%	37.9%	13.5	40.5
3850 Turner Road	Single Unit Dwelling	1950	21.3	786.8	176.8	224.4	22.5%	28.5%	12.7	38.1
3860 Turner Road	Single Unit Dwelling	1950	21.3	741.3	103.5	139.0	14.0%	18.8%	13.5	40.5
3880 Turner Road	Single Unit Dwelling	1950	21.3	786.8	226.9	243.7	28.8%	31.0%	12.7	38.1
3897 Turner Road	Single Unit Dwelling	1950	12.5	434.3	117.9	147.4	27.2%	33.9%	23.0	69.1
3818 Turner Road	Single Unit Dwelling	1953	21.3	741.3	142.6	142.6	19.2%	19.2%	13.5	40.5
3814 Turner Road	Single Unit Dwelling	1954	21.3	786.8	105.7	174.3	13.4%	22.2%	12.7	38.1
3803 Turner Road	Single Unit Dwelling	1958	16.2	593.2	129.4	244.8	21.8%	41.3%	16.9	50.6
3826 Turner Road	Single Unit Dwelling	1958	21.3	741.3	149.1	149.1	20.1%	20.1%	13.5	40.5
3975 Turner Road	Single Unit Dwelling	1967	10.7	370.7	96.3	105.7	26.0%	28.5%	27.0	80.9
3898 Byng Road	Single Unit Dwelling	1970	21.0	821.0	209.9	222.3	25.6%	27.1%	12.2	36.5
3921 Turner Road	Single Unit Dwelling	1970	32.0	1,112.0	239.1	259.1	21.5%	23.3%	9.0	27.0
3849 Turner Road	Single Unit Dwelling	1978	18.3	720.2	217.8	249.2	30.2%	34.6%	13.9	41.7
3840 Turner Road	Single Unit Dwelling	2003	21.3	741.3	250.7	250.7	33.8%	33.8%	13.5	40.5
3902 Byng Road	Semi-Detached Dwelling	2005	21.4	789.0	290.4	302.0	36.8%	38.3%	25.3	76.0
3829 Turner Road	Single Unit Dwelling	2021	15.2	562.1	227.5	227.5	40.5%	40.5%	17.8	53.4
2130 Division Road	Hotel	N/A	52.0	3,984.0	1,358.1	1,358.1	34.1%	34.1%	N/A	N/A
2250 Division Road	Restaurant	N/A	61.1	5,075.8	598.2	598.2	11.8%	11.8%	N/A	N/A
3873 Turner Road	Vacant	N/A	32.0	1,230.5	0.0	0.0	0.0%	0.0%	N/A	N/A
0 Turner Road (Subject Property)	Vacant (Proposed 17 Unit Multiple Dwelling)	N/A	42.7	1,551.6	644.7	644.7	41.6%	41.6%	109.6	N/A
0 Turner Road	Vacant	N/A	74.7	2,822.1	0.0	0.0	0.0%	0.0%	N/A	N/A
3946 Turner Road	Retail Store - Equipment & Supplies	N/A	185.7	13,378.4	7,912.8	7,912.8	59.1%	59.1%	N/A	N/A
3959 Turner Road	Retail Store - Equipment & Supplies	N/A	42.7	1,574.0	1,574.0	1,574.0	100.0%	100.0%	N/A	N/A
3981-3983 Turner Road	Retail Store - Equipment & Supplies	N/A	21.6	951.8	418.8	418.8	44.0%	44.0%	N/A	N/A
3895 Walker Road	Retail Store - Equipment & Supplies	N/A	33.5	705.1	325.0	325.0	46.1%	46.1%	N/A	N/A
3911 Walker Road	Automobile Repair Garage	N/A	33.5	1,522.1	336.8	336.8	22.1%	22.1%	N/A	N/A
Average (Excludes Subject Property)			30.8	1,439.0	483.9	503.1	26.3%	29.1%	14.0	32.9



Committee Matters: SCM 180/2024

Subject: Adoption of the Development & Heritage Standing Committee minutes of its meeting held June 3, 2024



## CITY OF WINDSOR MINUTES 06/03/2024

## **Development & Heritage Standing Committee Meeting**

Date: Monday, June 3, 2024 Time: 4:30 o'clock p.m.

#### **Members Present:**

#### Councillors

Ward 1 - Councillor Fred Francis

Ward 4 - Councillor Mark McKenzie

Ward 7 - Councillor Angelo Marignani

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison (Chairperson)

#### **Members**

Member Anthony Arbour Member Daniel Grenier Member John Miller Member Charles Pidgeon Member Robert Polewski Member William Tape

#### **Members Regrets**

Member Joseph Fratangeli Member Khassan Saka

# 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 Dana Paladino, Commissioner, Corporate Services Thom Hunt, City Planner Greg Atkinson, Deputy City Planner James Chacko, Executive Director, Parks & Facilities

# **Development & Heritage Standing Committee Monday, June 3, 2024**

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Shawna Boakes, Executive Director Operations / Deputy City Engineer

Jen Knights, Executive Director, Recreation & Culture

Wira Vendrasco, Acting City Solicitor

Michael Cooke, Manager, Planning Policy / Deputy City Planner

Patrick Winters, Manager, Development

Michelle Staadegaard, Manager, Culture & Events

Emilie Dunnigan, Manager Development Revenue & Financial Administration

Aaron Farough, Senior Legal Counsel

Diana Radulescu, Planner II – Development Review

Adam Szymczak, Planner III - Development

Kristina Tang, Planner III – Heritage

Tracy Tang, Planner III - Economic Development

Frank Garardo, Planner III – Policy & Special Studies

Laura Strahl, Planner III - Special Projects

Kevin Alexander, Planner III – Special Projects

Natasha McMullin, Clerk Steno Senior

Anna Ciacelli, Deputy City Clerk

## Delegations—participating via video conference

- Item 7.2 Sean Eden & Omar Srour, Magnificent Homes
- Item 7.4 Tracey Pillon-Abbs, RPP, Principal Planner
- Item 7.4 Sumeet Hehr, area resident
- Item 7.5 Heather Purdy, area resident
- Item 10.1 Rob MacDonald, consultant team lead, Archaeological Services Inc.
- Item 10.1 Martin Cooper, consolutant team project manager, Archaeological Services Inc.

### Delegations—participating in person

- Item 7.1 Natalya Garrod & Zack Hamm, Caldwell First Nation
- Item 7.2 David French, BA, CPT, Storey Samways Planning Ltd.
- Item 7.2 Bryan Pearce, Principal Planner, Baird, Architecture & Engineering
- Item 7.3 Bryan Pearce, Principal Planner, Baird, Architecture & Engineering
- Item 7.4 Zak Habib, Project Manager, available for questions
- Item 7.4 Bryan Pearce, Principal Planner, Baird, Architecture & Engineering
- Item 7.5 Michael Davis, Partner, Urban Planning, Siv-ik Planning & Design Inc.
- Item 7.5 Sukhi Dhaliwal, area resident
- Item 7.5 Suzanne De Froy, area resident
- Item 7.5 Satvir Sandhu, area resident
- Item 7.5 Andi Shallvari, Consultant & Marc Masotti, Consultant, Masotti Construction
- Item 7.5 Jagjeet Bal, area resident
- Item 7.5 Kathy Moreland, area resident
- Item 7.5 Ian Murphy, area resident
- Item 7.5 Brian KUKHTA, area resident
- Item 7.5 Rugaiya Siddiqui, area resident

# **Development & Heritage Standing Committee Monday, June 3, 2024**

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Item 7.5 – Pavitarpal Randha, area resident Item 11.2 – James King, Owner/Operator Central Park Athletics (3400 Grand Marais Rd. E)

### 1. CALL TO ORDER

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

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

Member Daniel Grenier discloses an interest and abstains from voting on Item 7.4 being "Official Plan Amendment and Zoning By-Law Amendment regulations for Multiple Dwelling - Z010/24[ZNG7188] & OPA187[OPA7189] Castle Gate Towers INC. - 2230-2240 Daytona Ave," as his company has hired the planner on record for the application for one of their projects.

## 3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None Requested.

## 4. COMMUNICATIONS

# 10. Letter from the Ministry of Citizenship & Multiculturalism regarding the changes made to the *Ontario Heritage Act* (OHA) as part of *Bill 23, More Homes Built Faster Act*, 2022

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 627** 

That the letter from the Ministry of Citizenship & Multicultralism dated May 27, 2024 regarding the changes made to the *Ontario Heritage Act* (OHA) as part of *Bill 23, More Homes Built Faster Act*,

2022 BE RECEIVED.

Carried.

Clerk's File: GP2024

## 8. ADOPTION OF THE MINUTES

# 8.1. Adoption of the Development & Heritage Standing Committee minutes of its meeting held May 6, 2024

Moved by: Member William Tape

Seconded by: Member Charles Pidgeon

# **Development & Heritage Standing Committee Monday, June 3, 2024**

Page **4** of **19** 

THAT the minutes of the Development & Heritage Standing Committee meeting held May 6, 2024 **BE ADOPTED** as presented. Carried.

Report Number: SCM 138/2024

## 10. HERITAGE ACT MATTERS

## 10.1. Windsor Archaeological Management Plan Review (City-wide)

Rob MacDonald, consultant team lead and Martin Cooper, consultant team project manager, Archaeological Services Inc.

Rob MacDonald, consultant team lead and Martin Cooper, consultant team project manager, Archaeological Services Inc. appear before the Development & Heritage Standing Committee regarding the Administrative report dated January 30, 2024, entitled "Windsor Archaeological Management Plan Review (City-wide)", and provide an overview of the Windsor Archaeological Management Plan as follows: What is an Archaeological Management Plan (AMP); Project Consultant Team; Technical Working Group; Project Objectives; Indigenous Engagement Plan; Community Engagement Plan; Windsor Archaeological Management Plan (WAMP) Development Steps; Archaeological Potential Modeling & Mapping Process; Archaeological Potential Modeling Approaches; Indigenous Site Potential; Pre-Contact Indigenous Archaeological Site Potential; Colonial Period Site Potential; Colonial Period Archaeological Site Potential; Combined Indigenous and Colonial Period Site Potential; Lands with no Archaeological Integrity or Previously Assessed and Cleared; Archaeological Potential Zone and Archaeologically Sensitive Areas; and a WAMP Review.

Councillor Kieran McKenzie inquires whether the recommendations are sufficiently representative of the work that the consultants have undertaken and would there be any delta between the recommendations and what they would propose. Mr. MacDonald responds that the recommendations are completely appropriate to what they would propose. They have achieved a good balance between the two.

Councillor Kieran McKenzie inquires whether the map could be classified as a living document that changes as various new sites are identified. Mr. MacDonald responds that the WAMP takes advantage of the advanced geographical information system technology. The information can easily be updated in real time on a periodic basis.

Councillor Kieran McKenzie asks for information related to the engagement process with first nations communities as it relates to the recommendations. Mr. Cooper indicates that there was a list of 14 first nations and organizations compiled and received a response from 7 of those groups. Four groups were met with regularly, they provided input on how they would like to see the WAMP progress. It is an ongoing process with a living document.

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Councillor Kieran McKenzie requests information related to identifying how often formal review, updates and council involvement would be recommended. Mr. MacDonald indicates that it depends on the volume of reports that are received at the City. Reporting on an annual basis for a municipality is typical, but it is at their discretion. The WAMP is typically completed on the same cycle as the Official Plan reviews.

Councillor Kieran McKenzie inquires whether it is a 5-year cycle. Mr. MacDonald indicates that is correct.

Member John Miller inquires about a funding source for this initiative. Emilie Dunnigan, Manager Development Revenue and Financial Administration appears before the Development & Heritage Standing Committee regarding the Administrative report dated January 30, 2024, entitled "Windsor Archaeological Management Plan Review (City-wide)", and indicates that the additional contribution of \$50,000 will come from the ongoing operating budget and not from the Heritage budget.

Councillor Jim Morrison inquires whether there is any direction if a major study were required, where the funding would be sourced. Ms. Dunnigan responds that any studies should be included in the initial project budget. Stages 3 & 4 would be funded on an annual basis from a reserve fund. It is likely that there may not be sufficient funds where finance may need to revisit the capital project itself to reallocate, reprioritize, make changes in scope and if more funding is required, they would need to come back to council.

Councillor Jim Morrison inquires whether this applies only to properties on City owned land. Kristina Tang, Heritage Planner, appears before the Development & Heritage Standing Committee regarding the Administrative report dated January 30, 2024, entitled "Windsor Archaeological Management Plan Review (City-wide)", and indicates that the reserve fund is only for City projects.

Councillor Kieran McKenzie inquires about the potential need for additional staffing, will they see this in the 2025 budget as a recommendation. Jelena Payne, Commissioner, Economic Development appears before the Development & Heritage Standing Committee regarding the Administrative report dated January 30, 2024, entitled "Windsor Archaeological Management Plan Review (City-wide)", and indicates that there has been some discussion, and the consensus is to wait a year or so to determine what the capacity of the consultants are for these types of projects. There have been some challenges finding qualified archaeological candidates. This may be brought forward in the 2026 budget.

Councillor Kieran McKenzie inquires what the timeline would be to implement this recommendation and any areas impacted by this policy. Michael Cooke, Manager Planning Policy appears before the Development & Heritage Standing Committee regarding the Administrative report dated January 30, 2024, entitled "Windsor Archaeological Management Plan Review (City-wide)", and indicates that the OPA will implement the AMP if approved today, the by-law will come into effect. The policies and procedures will follow. Staffing requirements will be monitored. The consultants will be responsible for training and educating staff on the significance, importance of the schedule, and steps involved in the various stages of work.

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Councillor Kieran McKenzie inquires whether there would be a requirement for Council involvement in that process. Mr. Cooke responds that Council should have a fulsome understanding of the plan to allow for better implementation.

Councillor Kieran McKenzie inquires whether it is reasonable to request an implementation update. Mr. Cooke indicates that is something that can be included.

Councillor Jim Morrison inquires whether they are expecting the consultants to come back for the Council meeting to start the process so that there is some understanding of the plan. Mr. Cooke responds that the consultants will be returning as part of the scope of work.

Councillor Angelo Marignani inquires how this information will be presented to Council and the public and if there will be a risk report provided. Ms. Tang indicates that identification of archaeological risks will come through the planning act. As part of the roll-out they will be updating their internal mapping system for City involved projects. In terms of private development, the mapping and schedule for OPA will be available publicly online.

Councillor Angelo Marignani requests that administration highlight the provincial rules vs the municipal rules. Wira Vendrasco, City Solicitor appears before the Development & Heritage Standing Committee regarding the Administrative report dated January 30, 2024, entitled "Windsor Archaeological Management Plan Review (City-wide)", and responds that the province has set out various pieces of legislation that outline the responsibilities of the municipalities. The provisions in the planning act would indicate if archaeological investigations need to be part of complete applications and Environmental Assessments.

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

Decision Number: DHSC 622

- I. THAT the update to the Windsor Archaeological Management Plan (WAMP) attached hereto in the Appendices **BE ADOPTED** by City Council; and further,
- II. THAT Council **DIRECTS** Administration to **DEVELOP** Corporate Procedures to implement the Windsor Archaeological Management Plan (WAMP); and further,
- III. THAT Administration **UNDERTAKE** a search for an appropriate location to study, curate, store and display significant archaeological resources resulting from future archaeological investigations within the municipal limits of Windsor and report back to City Council on options which may be available should a future need arise; and further,

Whereas on February 2, 2024 the 2024 Capital Budget was deemed approved via Mayoral Decision MD05-2024 and subsequently City Council **SUPPORT** expenditures of up to \$75,000, be it further resolved,

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- IV. THAT a new "Windsor Archaeological Fund" reserve fund **BE ESTABLISHED** to be used as needed for unexpected studies and/or surveys, or other related costs that may be required during the execution of capital projects as it relates to Stage 3 and Stage 4 archaeological assessments; and further,
- V. THAT the City Treasurer **BE DIRECTED** to transfer \$75,000 from the Pay-As-You-Go Reserve, Fund 169, to this new "Windsor Archaeological Fund" Reserve to provide initial funding; and further,
- VI. THAT the City Treasurer **BE DIRECTED** to bring forward a request to establish an annual transfer to the Windsor Archaeological Fund in the amount of \$50,000 to a new Corporate Account as part of the 2025 Operating budget for consideration of future funding; and further,
- VII. THAT the City Treasurer **BE AUTHORIZED** to approve the allocation of the "Windsor Archaeological Fund" to projects as required; and that the use of this Reserve **BE REPORTED** to City Council semi-annually through the semi-annual variance report; and,
- VIII. THAT administration **BE REQUESTED** to report back with an update related to the implementation of the Windsor Archaeological Management Plan prior to the end of 2024.

Carried.

Report Number: S 15/2024 Clerk's File: SPL/14797

There being no further business the meeting of the Development & Heritage Standing Committee (*Heritage Act* Matters) portion is adjourned at 5:18 o'clock p.m.

The Chairperson calls the *Planning Act* Matters portion of the Development & Heritage Standing Committee meeting to order at 5:20 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 May 6, 2024

Moved by: Member Anthony Arbour Seconded by: Member Daniel Grenier

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held May 6, 2024 **BE ADOPTED** as presented. Carried.

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Report Number: SCM 153/2024

## 6. PRESENTATION DELEGATIONS (PLANNING ACT MATTERS)

See items 7.1 through 7.5

#### 7. PLANNING ACT MATTERS

# 7.1. Official Plan Amendment initiated by the City of Windsor for the Windsor Archaeological Management Plan Review (City-wide) – File No. OPA 181 [OPA/7170]

Moved by: Councillor Fred Francis

Seconded by: Councillor Kieran McKenzie

Decision Number: DHSC 617

THAT Official Plan Amendment No. 181 as shown in Appendix A, regarding the Windsor Archaeological Management Plan (WAMP) review and as detailed in the administrative report entitled "Official Plan Amendment initiated by the City of Windsor for the Windsor Archaeological Management Plan Review (City-wide) – File No. OPA 181 [OPA/7170]" **BE ADOPTED**; and,

THAT administration **BE REQUESTED** to meet with representatives from the Caldwell First Nation Group to review their concerns and that an update **BE PROVIDED** to Council accordingly; and,

THAT the Caldwell First Nation Group **BE REQUESTED** to provide a commentary letter regarding the meetings and discussions with administration and that this information **BE PROVIDED** to City Council for their consideration.

Carried.

Report Number: S 16/2024 Clerk's File: Z/14780

# 7.2. Zoning By-Law Amendment Z009-24 [ZNG/7186] and Official Plan Amendment OPA 186 [OPA-7187] - 2743331 Ontario Inc. – 0, 0, 666, 676, 684 & 696 Chatham Street West, Ward 3

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

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Decision Number: DHSC 618

- I. THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan BE AMENDED by designating Part of Lot 2, Block B, Plan 76, situated on the northeast corner of Chatham Street West and Caron Avenue 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.# NORTHEAST CORNER OF CHATHAM STREET WEST AND CARON AVENUE
  - 1.#.1 The lands described as Part of Lot 2, Block B, Plan 76 situated at the northeast corner of Chatham Street and Caron Avenue, and known municipally as 0 Chatham Street West, 666 Chatham Street West, 676 Chatham Street West, 684 Chatham Street West and 696 Chatham Street West, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I The Primary Plan.
  - 1.#.2 Notwithstanding Section 6.11 of the Official Plan, Volume I:
    - a) A building with maximum 16 storeys shall be permitted; and
    - b) A building with solely residential uses shall be permitted.
- III. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning on the lands of Part of Lot 2, Block B, Plan 76 situated at the northeast corner of Chatham Street and Caron Avenue, and known municipally as 0 Chatham Street West, 666 Chatham Street West, 676 Chatham Street West, 684 Chatham Street West and 696 Chatham Street West and Plan 450, Part Lot C situated at the southeast corner of Chatham Street West and Caron Avenue, and known municipally as 0 Chatham Street West by adding a site-specific exception to Section 20(1) as follows:

# X. NORTHEAST CORNER OF CHATHAM STREET WEST AND CARON AVENUE AND SOUTHEAST CORNER OF CHATHAM STREET WEST AND CARON AVENUE

For the 1228 m<sup>2</sup> lands comprising of Part of Lot 2, Block B, Plan 76; the following additional regulations shall apply:

- a) Despite Section 16.6.1, a multiple dwelling building is permitted;
- b) Ground floor parking is not permitted;
- c) The podium of the building shall not be higher than 14 metres and must be clad with red brick:
- d) Despite section 16.6.5.4, the maximum building height shall be 55 metres;
- e) The parking located at Plan 450, Part Lot C shall count towards the required parking for the proposed development at Part of Lot 2, Block B, Plan 76;

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- f) Despite Section 24.26.8, an exterior parking space is permitted to be located within 6 metres of the intersection of any two streets;
- g) Despite Section 25.5.20, a parking area separation of 0.9m from a street is permitted;
- h) Notwithstanding the definition of "amenity area" in Section 3, *amenity area* may include the *gross floor area* of any balcony;
- i) Section 5.15.5 related to the location of a building on a corner lot shall not apply; and,
- IV. THAT the Site Plan Approval Officer **BE DIRECTED** to request the applicant undertake the following, subject to any updated information, and to incorporate recommendations from the studies into an approved site plan and an executed and registered site plan agreement:
  - 1) Geotechnical study
  - 2) Noise and Vibration Study
  - 3) Requirements of the City of Windsor Engineering and City of Windsor Transportation Planning contained in Appendix I of Report S68/2024, subject to approval of the City Engineer; and,
- V. THAT The Site Plan Approval Officer CONSIDER all comments contained in Appendix I of Report S68/2024 and all recommendations in the documents submitted in support of the applications for amendments to the Zoning By-law 8600. Carried.

Report Number: S 68/2024 Clerk's File: Z/14760 & Z/14762

# 7.3. Zoning By-Law Amendment Z013-24(ZNG/7201) - Baird AE Inc – 285 Giles Boulevard and 0 Giles Boulevard, Ward 3

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

Decision Number: **DHSC 619** 

- I. THAT Zoning By-law 8600 BE AMENDED by changing the zoning on the lands of South Part Lots 18 & 19, Lot 20 and North Part Lot 21, Plan 110 situated at the southwest corner of Giles Boulevard and McDougall Street, and known municipally as 285 Giles Boulevard and Part Park Lot 5, Plan 106 situated at the southeast corner of Giles Boulevard and McDougall Street, and known municipally as 0 Giles Boulevard by adding a site-specific exception to Section 20(1) as follows:
- x. southwest corner of Giles Boulevard and McDougall Street and southeast corner of Giles Boulevard and McDougall Street

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For the 2283 m<sup>2</sup> lands comprising of South Part Lots 18 & 19, Lot 20 and North Part Lot 21, Plan 110; the following additional regulations shall apply to a *combined use building*:

- j) Despite Section 15.2.5.15, for a combined use building, dwelling units are permitted in the same storey and below non-residential uses;
- k) Despite Section 25.5.20.6, the minimum separation between a building wall containing a habitable room window or containing both a main pedestrian entrance and a habitable room window facing the parking area where the building is located on the same lot as the parking area shall be 2 metres.
- Despite Section 24.26.1, the required parking spaces for dwelling units are permitted to be located at Part Park Lot 5, Plan 106, situated at the southeast corner of Giles Boulevard and McDougall Street.

(ZDM 7; ZNG/7201)

- II. THAT the Site Plan Approval Officer **BE DIRECTED** to request the applicant undertake the following, subject to any updated information, and to incorporate recommendations from the studies into an approved site plan and an executed and registered site plan agreement:
  - 1) Noise Study
  - Requirements of the City of Windsor Engineering and City of Windsor Transportation Planning contained in Appendix E of Report S 59/2024, subject to the approval of the City Engineer.
  - Provide 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.
  - 4) Tree Inventory and Preservation Study; and,
- III. The Site Plan Approval Officer CONSIDER all other comments contained in Appendix E of Report S 59/2024 and all recommendations in the documents submitted in support of the applications for amendments to the Zoning By-law 8600.
  Carried.

Report Number: S 59/2024 Clerk's File: Z/14778

# 7.4. Z010-24 [ZNG7188] & OPA187[7189] Castle Gate Towers -2230-2240 Daytona Ave

# **Development & Heritage Standing Committee Monday, June 3, 2024**

Moved by: Councillor Kieran McKenzie Seconded by: Member Anthony Arbour

Decision Number: DHSC 620

1. THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating lands on Plan 1015, Lots 76 to 79, Part Lot 75 and RP 12R21146 Parts 5 to 7; Windsor (Roll 080-490-04510-000), situated on the East side of Daytona Avenue, South of Northwood Street and known municipally as 2230-2240 Daytona Avenue, as a Special Policy Area; and,

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2. THAT Chapter I in Volume II: Secondary Plans and Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding site specific policies as follows:

## 1.XX East Side of Daytona Avenue, South of Northwood Street

LOCATION	1.xx.1	The property described as Plan 1015, Lots 76 to 79, Part Lot 75 and RP 12R21146 Parts 5 to 7, in the City of Windsor, known municipally as 2230-2240 Daytona Ave, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.
ADDITIONAL PERMITTED	1.xx.2	Notwithstanding Section 4.7.1.4 of the Official Plan, Volume II, South Cameron
USES		Secondary Plan: a multiple dwelling shall be an additional permitted use.

3. THAT Zoning By-Law 8600 **BE AMENDED** by changing the zoning of Plan 1015, Lots 76 to 79, Part Lot 75 and RP 12R21146 Parts 5 to 7; Windsor (Roll 080-490-04510-000), situated on the East side of Daytona Avenue, South of Northwood Street and known municipally as 2230-2240 Daytona Avenue by adding a site-specific exception to Section 20(1) as follows:

#### 505. EAST SIDE OF DAYTONA AVENUE, SOUTH OF NORTHWOOD STREET

For the lands comprising Plan 1015, Lots 76 to 79, Part Lot 75 and RP 12R21146 Parts 5 to 7; Windsor (Roll 080-490-04510-000), situated on the East side of Daytona Avenue, South of Northwood Street and known municipally as 2230-2240 Daytona Avenue, a multiple dwelling with five or more dwelling units shall be an additional permitted main use subject to the following additional provisions:

- 1. Notwithstanding the definition of "front lot line" in Section 3, the exterior lot line adjacent to Daytona Avenue shall be deemed to be the front lot line.
- 2. Lot Width minimum 44.0 m

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- 3. Lot Area per dwelling unit minimum 90.0 m2
- 4. Lot Coverage maximum 40.0%
- 5. Main Building Height –maximum 14.63 m
- 6. Front Yard Depth minimum 4.0 m
- 7. Side Yard Width minimum 5.0 m
- 8. Rear Yard Depth minimum 12.0 m
- 9. Notwithstanding Sections 25.5.20.1.5 and 25.5.20.1.6, where a building is located on the same lot as the parking area, for a building wall containing a habitable room window, a main pedestrian entrance facing the parking area, or containing both a habitable room window and main pedestrian entrance facing the parking area, the minimum parking area separation from that building wall shall be 0m.
- 10. Direct vehicular access to Northwood Street is prohibited; and,
- 4. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, as required, in the site plan approval and site plan agreement:
- a) Noise abatement shall be required to be incorporated into the site plan agreement in accordance with section 4.7.1.9 of the City of Windsor Official Plan, Vol. II.
- b) The requirements and recommendations of municipal departments and agencies as noted in this report and detailed in Appendix attached.

Councillors Fred Francis and Angelo Marignani voting nay.

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

Report Number: S 67/2024 Clerk's File: Z/14775 & Z/14776

# 7.5. OPA and Rezoning – Generation Development Contractors Inc. – 3930 & 3950 Sixth Concession Road – OPA 185 OPA/7185 Z-008/24 ZNG/7184 - Ward 9

Councillor Jim Morrison leaves the meeting at 7:11 o'clock p.m. and Councillor Mark McKenzie assumes the chair.

Councillor Jim Morrison returns to the meeting at 7:17 o'clock p.m. and Councillor Mark McKenzie returns to his seat at the Council Table.

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Moved by: Councillor Fred Francis Seconded by Member Anthony Arbour

THAT the application for OPA and Rezoning – Generation Development Contractors Inc. – 3930 & 3950 Sixth Concession Road – OPA 185 OPA/7185 Z-008/24 ZNG/7184 - Ward 9 BE DENIED.

The motion is put and is lost.

Aye votes: Councillors Fred Francis, Mark McKenzie, Angelo Marignani and Member Anthony Arbour.

Nay votes: Councillors Kieran McKenzie and Jim Morrison and Members Daniel Grenier and Robert Polewski.

Absent: None. Abstain: None.

Moved by: Councillor Kieran McKenzie Seconded by: Member Daniel Grenier

- 1. THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan BE AMENDED by designating Part of Lot 14, Concession 6, Sandwich East and Part 3, Plan 12R-14860 (PIN 01560-0993), and Lot 104, Plan 12M-524 (PIN 01560-2471), further identified as Parts 1, 2, and 3, Plan 12R-28726 (Roll No. 070-150-00801, 070-150-23126), situated on the north side of Ducharme Street, east of Sixth Concession Road, and known municipally as 3930 and 3950 Sixth Concession Road, 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 NORTHEAST CORNER OF SIXTH CONCESSION ROAD AND DUCHARME STREET

# LOCATION 1.X.1 The property described as Part of Lot 14, Concession 6, Sandwich East and Part 3, Plan 12R-14860 (PIN 01560-0993), and Lot 104, Plan 12M-524 (PIN 01560-2471), further identified as Parts 1, 2, and 3, Plan 12R-28726, situated at the northeast corner of Sixth Concession Road and Ducharme Street is designated on Schedule A: Planning Districts and Policy Areas in Volume I - The Primary Plan.

ADDITIONAL 1.X.2 Notwithstanding the "Low Profile Residential" land use PERMITTED designation on Schedule NR2-7: Land Use Designations USES and the Low Profile Residential policies in Section 3.7.2 of

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the North Roseland Planning Area, a townhome dwelling or multiple dwelling having a maximum building height of 11 m shall be an additional permitted use.

3. THAT Zoning By-law 8600 BE AMENDED by changing the zoning of Part of Lot 14, Concession 6, Sandwich East and Part 3, Plan 12R-14860 (PIN 01560-0993), and Lot 104, Plan 12M-524 (PIN 01560-2471), further identified as Parts 1, 2, and 3, Plan 12R-28726; Roll No: 070-150-00801 and 070-150-23126, situated on the north side of Ducharme St, east of Sixth Concession Rd, and known municipally as 3930 and 3950 Sixth Concession Road, further identified as Parts 1, 2 and 3 on the draft reference plan attached as Appendix A to Report S 66/2024, by adding the following site specific exception:

#### 502. NORTHEAST CORNER SIXTH CONCESSION ROAD AND DUCHARME STREET

For the lands described as Part of Lot 14, Concession 6, Sandwich East and Part 3, Plan 12R-14860 (PIN 01560-0993), and Lot 104, Plan 12M-524 (PIN 01560-2471), further identified as Parts 1, 2, and 3, Plan 12R-28726, the following additional provisions shall apply:

1) The following are an additional permitted *main use*:

Multiple Dwelling

Townhome Dwelling

- 2) The following additional provisions shall apply to an additional permitted *main use*:
  - a) Notwithstanding the definition of "front lot line" in Section 3, for the purpose of the additional provisions below, the exterior lot line adjacent to Sixth Concession Road shall be deemed to be the front lot line.

b)	Dwelling units – maximum	24
c)	Lot Width – minimum	20.0 m
d)	Lot Area – minimum	135 m² per unit
e)	Lot Coverage – maximum	45% of lot area
f)	Main Building Height – maximum	11.0 m
g)	Front Yard Depth – minimum	4.5 m
h)	Rear Yard Depth – minimum	7.5 m
i)	Side Yard Width – minimum	2.5 m
j)	Gross Floor Area – Total Main Building – maximum	$3,900 \text{ m}^2$

k) Notwithstanding Section 25.5.10.1, tandem parking spaces are permitted.

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- m) 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 0.0 m.
- n) 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.
- p) Sections 5.11.5 and 24.40 shall not apply.

The motion is **put** and is **lost**.

Aye votes: Councillors Kieran McKenzie and Jim Morrison and Members Daniel Grenier and Robert Polewski.

Nay votes: Councillors Fred Francis, Mark McKenzie, Angelo Marignani and Member Anthony

Arbour.

Absent: None. Abstain: None.

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

Decision Number: DHSC 621

That the report of the Planner II – Development dated May 16, 2024 entitled "OPA and Rezoning – Generation Development Contractors Inc. – 3930 & 3950 Sixth Concession Road – OPA 185 OPA/7185 Z-008/24 ZNG/7184 - Ward 9" **BE RECEIVED**.

Carried.

Report Number: S 66/2024 Clerk's File: Z/14777 & Z/14779

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 9:06 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 9:06 o'clock p.m.

#### 11. ADMINISTRATIVE ITEMS

# 11.2. City of Windsor Community Improvement Plans-Rescindment of Grant Approvals with no expiry deadline (City-wide)

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## James King, Owner/Operator, Central Park Athletics

James King, Owner/Operator, Central Park Athletics appear before the Development & Heritage Standing Committee regarding the Administrative report dated May 17, 2024, entitled "City of Windsor Community Improvement Plans-Rescindment of Grant Approvals with no expiry deadline (City-wide)" and outline issues that his business has faced and concludes by requesting a one-year extension of the Community Improvement Plan Grant approval.

Councillor Angelo Marignani inquires whether the delegate has requested an extension previously. Mr. King responds that there hasn't been an extension. He indicates that they wanted to build a student residence on-site. Mr. King provides details related to the history of the application.

Councillor Angelo Marignani inquires as to details from administration related to the extension request. Greg Atkinson appears before the Development & Heritage Standing Committee regarding the Administrative report dated May 17, 2024, entitled "City of Windsor Community Improvement Plans-Rescindment of Grant Approvals with no expiry deadline (City-wide)" and indicates that the landscaping is not a concern. There is a grant agreement that needs to be completed. Eligible invoices and proof of payment need to be provided before the City is able to pay out any grants. The indoor soccer pitch eligible grant was given in 2014 a draft grant agreement was followed up with in 2017 with no response, which was resent in 2019 with no response and a formal letter was sent in April of 2023 notifying that the grant approvals would be rescinded if no follow-up was received. No response was received until this week. We are recommending rescinding because finance holds this money after the approval is given. If projects do not move forward, or follow-up within a reasonable time frame is not received, the funds can be repurposed for other budget pressures.

Councillor Kieran McKenzie inquires whether there have been any other proponents that have corresponded with administration to request any extensions. Mr. Atkinson responds that there have been 2 that have reached out requesting an extension.

Moved by: Councillor Fred Francis

Seconded by: Councillor Kieran McKenzie

Decision Number: DHSC 624

- I. THAT approvals for financial incentives authorized under various Community Improvement Plans by Council Resolutions listed in Appendix A **BE RESCINDED** save and except for the properties located at 3400 Grand Marais Rd E and 2862 Kew Dr; and,
- II. THAT these properties **BE GRANTED** up to a one year extension to complete the Community Improvement Plan work; and,
- III. THAT funding in the amount of \$164,059, which has been allocated to various capital projects for use under the Community Improvement Plans **BE RETURNED** to CIP Reserve Fund 226; and,

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IV. THAT future tax increment grants estimated in the amount of \$569,074.24 BE RETURNED to the general tax levy and used to offset future budget pressures.
Carried.

Report Number: S 69/2024

Clerk's File: SPL2024

# 11.1. Council Question - Feasibility Report on the Elimination of Alley Closure Administrative Fees, CQ 21-2023

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

Decision Number: **DHSC 623** 

- I. That the report of the Planner II Development Review dated May 7, 2024 entitled "Council Question Feasibility Report on the Elimination of Alley Closure Administrative Fees, CQ 21-2023" regarding a feasibility report on the elimination of the alley closure application fee of \$1505.00 and other associated fees to assist in the acceleration of closing residential alleys BE RECEIVED for information; and,
- II. THAT Council **DIRECT** the Recommendations for Accelerating the Timeline for Closing Residential Alleys contained within Report S 60/2024 to the new Ad Hoc Alley Standards Committee, as approved by the Environment, Transportation & Public Safety Standing Committee on April 24, 2024; and,
- III. THAT any additional funding and staffing requests **BE FORWARDED** to the 2025 Budget Deliberation process.

Carried.

Report Number: S 60/2024 Clerk's File: SAA2024 & ACOQ2024

# 12. COMMITTEE MATTERS

# 12.1. Minutes of the International Relations Committee of its meeting held May 8, 2024

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

Decision Number: DHSC 625

THAT the minutes of the International Relations Committee meeting held May 8, 2024 BE

**RECEIVED** as presented.

Carried.

# **Development & Heritage Standing Committee Monday, June 3, 2024**

Page **19** of **19** 

Report Number: SCM 154/2024

# 12.2. Report No. 52 of the International Relations Committee - City of Windsor and Arlington, Texas Friendship City Agreement

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

Decision Number: DHSC 626

THAT Report No. 52 of the International Relations Committee indicating:

THAT the International Relations Committee RECOMMEND that the City of Windsor and the City of Arlington, Texas enter into a Friendship City Agreement; and,

THAT if approved by both parties, that the Mayor's Office BE REQUESTED to sign a Friendship City Memorandum of Understanding for Arlington, Texas consistent with the process outlined in the Twin City/Friendship City Policy.

BE APPROVED.

Carried.

Report Number: SCM 155/2024

#### 13. QUESTION PERIOD

None registered.

#### 14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Items Matters) is adjourned at 9:22 o'clock p.m. The next meeting of the Development & Heritage Standing Committee will be held on Monday, July 2, 2024. Carried.

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



Council Report: S 72/2024

Subject: Request for Heritage Permit – 567 Church Street, Revell-D'Avignon House (Ward 3)

#### Reference:

Date to Council: July 2, 2024

Author: Kristina Tang Heritage Planner

Email: ktang@citywindsor.ca Phone: 519-255-6543 X 6179

Tracy Tang

Planner III- Economic Development (A)

Email: ttang@citywindsor.ca Phone: 519-255-6543 X 6449

Julia Wu & Liyue Qiu

Research Assistant- Municipal Heritage Register Email: juwu@citywindsor.ca; lqiu@citywindsor.ca

Phone: 519-255-6543 X 6820 Planning & Building Services Report Date: June 4, 2024 Clerk's File #: MBA/2985

To: Mayor and Members of City Council

#### Recommendation:

- I. THAT the Heritage Permit at 567 Church St, Revell-D'Avignon House, BE GRANTED to the Property Owners Xiaoliang Duan & Hao Cui for the removal and replacement of the existing cedar wood roof with asphalt shingles, and the repainting of the "fish-scale" shingles at the gable ends, midline band of the bay window, and wood siding of the property per details outlined in Appendix B Heritage Permit Application; OR
- II. THAT if a cedar wood shingle roof is used for replacement at 567 Church St. Revell-D'Avignon House, that a grant from the Community Heritage Fund (Reserve Fund 157) for replacement of the roof, **BE APPROVED** for 30% of the total cost to the upset cost of \$20,000, to the Owners Xiaoliang Duan & Hao Cui subject to:
  - i. Submission of Community Heritage Fund Application with required quotes
  - ii. Submission of conservation details, technical details and samples, to the satisfaction of the City Planner or designate prior to work start;

- iii. Determination by the City Planner that the work is completed to heritage conservation standards:
- iv. Determination by the Chief Building Official (if Building Permit is deemed required) that the work is completed to applicable codes
- v. Owner's submission of paid receipts for work completed;
- vi. That the Community Heritage Fund (Reserve Fund 157), grants approved shall lapse if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.
- III. THAT the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the roof replacement, gable ends, and ornamental strip between the two-storeys.

**Executive Summary: N/A** 

## **Background:**

The Revell-D'Avignon House, located at 567 Church Street, was designated on the Windsor Municipal Heritage Register on January 16, 1996, through by-law 12085. The single-family detached property, originally constructed in c.1885, was designated due to its Queen Anne Revival style with extensive wooden architectural detail and wooden clapboard, as well as its representation of the quality of houses which once lined Church Street and other early Windsor streets. The subject property is located in the 500 block of Church Street between Vera Place and Wyandotte Street West and is prominently visible as one of two large buildings on the west side of the block. The Reasons for Designation from the Designation By-law is included as Appendix 'A'.



Front elevation of the house from Church Street

In Spring 2024, Owner of the property (Xiaoliang Duan) began discussions with the City about the replacement of the cedar wood roof with asphalt shingles to address the aging and deteriorating cedar wood shingles. Administration has recommended the replacement of the current wood roof with new cedar roofing to ensure the conservation of a distinctive heritage attribute of the building. However, the Owner wishes to continue

with asphalt roofing and has applied for a Major Heritage Permit application for the work on the property. The Owner intends to begin the roofing project upon approval of the application, so as to prevent further deterioration and leaking into the interior. The complete Heritage Permit application was received on June 9, 2024.

## **Legal Provisions:**

The Ontario Heritage Act (OHA) requires the owner of a heritage designated property to apply to Council to alter the property (per Section 33 of the Act). The designation by-law includes heritage attributes (see Appendix 'A'). In accordance with the OHA, changes to a designated property that is likely to affect the property's heritage attributes must be considered by City Council after consulting with its municipal Heritage Committee. Council has the option of granting consent with or without terms and conditions or refusing the application within 90 days of notice of complete application. Council also has the option to further delegate the item to an employee or official of the municipality. The delegation of final details would be more expediently handled through staff review and approval.

Part IV, 39 (1) of the *Ontario Heritage Act* (OHA) provides that "The council of a municipality may pass by-laws providing for the making of a grant or loan to the owner of a property designated under this Part for the purpose of paying for the whole or any part of the cost of alteration of such designated property on such terms and conditions as the council may prescribe." The City's Community Heritage Fund (Reserve Fund 157) exists to provide grants to heritage conservation works on designated heritage properties.

The City's Community Heritage Fund (Reserve Fund 157) and Heritage Property Tax Reduction program exists to support and encourage owners of heritage property to invest in the conservation of designated heritage properties.

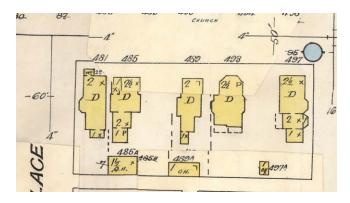
#### Discussion:

## Proposal:

## **History of Roof:**

The c.1885 Queen Anne Revival style property would have been constructed with a wood roof, and as evidenced in the 1924 Fire Insurance Map.





Subject house was addressed as 485 Church in 1924 Fire Insurance Map, Sheet 14, with Shingles for roofing material.

There seems to have been a change in roofing material in the 1937 & 1952 Fire Insurance Maps, indicating roofing to be Tar & Gravel on Composition. However, since the property's designation in 1996, there has been attempt to restore the heritage property to be more respectful of its original style, including in the choice of roofing material. Records of communication with a previous Owner in 1996 suggested that the Owner then was looking to make repairs to the brick foundation and to do a complete replacement of the roof to restore it back to cedar shingles from the asphalt shingles. The previous Owner was advised to obtain cost estimates from two roofing contractors for both asphalt and cedar shingles, ultimately replacing the asphalt shingles with cedar.

### Proposal:

It has been near three decades since the last restoration and the roof has exhibited signs that it is at the end of its life cycle or require repair. The current Owner has expressed their desire and need for roof repairs or replacement on their home, as the broken shingles have led to leaking during storms. As such, the Owner of 567 Church Street has expressed an urgent need to replace the aging cedar wood roof to ensure that no further deterioration or damages occur to the property. The shape and slope of the roof is not requested to be changed, and the fish-scale shingles and the wood lap siding of the property is proposed to be repainted and remain in place.

Although Administration has requested and repeatedly encouraged the Owner to consider the use of Wood Shingles to maintain and support the heritage character of the property and discussed the potential of eligibility of heritage financial incentives for applicable conservation work, the Owner has not been interested in considering the wood roofing options, citing costs reasons.



Photos of the existing cedar wood roof



Photos of the midline band of the bay window (east elevation) on left and of the east facing gable on right.



Photo of the south facing gable (left) and west elevation siding (right)

## Cedar Roof Replacement with new Asphalt Shingles Roof:

The Owner's preference is the Timberline HDZ asphalt shingles in the colour Barkwood, meant to "emulate wood shingle", sourced from the United States. Staff discussed with the Owner in the selection of a shingle type that is closer to the color of wood shingles.



Timberline HDZ asphalt shingles in the colour Barkwood.

# Repainting of the Shingles at Gable Ends, Midline Band of Bay Window, and Lap Siding:

The Property Owners intent is to repaint the "fish-scale" shingles on two existing gables located on the east and south façade, the midline band of the front facing (east façade) bay window, and the lap siding of the property, all of which are due for repainting. The Owner plans to repaint the shingles with the BEHR ULTRA Exterior Satin Enamel Paint & Primer in the colour Midnight Blue (N480-7) and the Lunar Surface (N460-3) for the siding (sourced from the United States).



N480-7 N460-3

BEHR ULTRA Exterior Satin Enamel Paint & Primer in the colour Midnight Blue (N480-7)(left) for the shingles and the colour Lunar Surface (N460-3)(right) for the siding.



Southwest Elevation (on left) and West rear Elevation (on right)

## **Heritage Conservation Considerations:**

Section 4.3.3 Roofs in the *Standards & Guidelines for the Conservation of Historic Places in Canada* provides direction for the best heritage practices when dealing with roofs.

	Recommended	Not Recommended
3	<b>Documenting</b> the form, materials and condition of roof assemblies before undertaking an intervention, including the roof's pitch, shape, decorative and functional elements, and materials, and its size, colour and patterning.	Undertaking an intervention that affects character- defining roofs and roof elements, without first documenting their existing character and condition.
12	<b>Testing</b> proposed interventions to establish appropriate replacement materials, quality of workmanship and methodology. This can include reviewing samples, testing products, methods or assemblies, or creating a mock-up. Testing should be carried out under the same conditions as the proposed intervention.	
16	Replacing in kind an entire element of the roof that is too deteriorated to repair—if the overall form and detailing are still evident—using the physical evidence as a model to reproduce the element. This can include a large section of roofing, a dormer, or a chimney. If using the same kind of material is not technically or economically feasible, then a compatible substitute material may be considered.	Removing a roof element that is irreparable, such as a chimney or dormer, and not replacing it, or replacing it with a new element that does not convey the same appearance or serve the same function.  Replacing deteriorated roof elements and materials that are no longer available with physically or visually incompatible substitutes.

The proposal by the current Owner would result in a loss of heritage feature, though roofing could be changed back again in the future (since it is not an irreversible change) to be compatible with its heritage character. Still, Administration is also recommending that should the Owner decide further that Wood Roofing is actually a possible option, that Heritage Incentives be available to support that decision.

## Official Plan Policy:

The Windsor Official Plan includes (9.3.6.1.), "Council will manage heritage resources by: (e) providing support and encouragement to organizations and individuals who undertake the conservation of heritage resources by private means".

The Plan includes protection (9.3.4.1). "Council will protect heritage resources by: (c) Requiring that, prior to approval of any alteration, partial demolition, removal or change in use of a designated heritage property, the applicant demonstrate that the proposal will not adversely impact the heritage significance of the property ..." and enhancement [9.3.5.1(b)] "Council will enhance heritage resources by: (b) Promoting, maintaining and administering the [Community Heritage] Fund for special heritage conservation projects; ".

## Risk Analysis:

The risk of taking no action for this property is the potential deterioration of a designated heritage property and potential loss of more heritage attributes due to age and water intrusion.

Cedar roof shingles and shakes are relatively rare in Windsor, with a limited number of properties still retaining such roofing material. There is a real risk of loss of these unique

heritage features in the City from the proposal, reducing the heritage value of the property, although the roofing material change could be restored in the future. There are general concerns in heritage conservation projects from the lack of specialized tradespersons, limited material supply, and inflated costs, as well as the general appeal to homeowners of the affordability and low maintenance of modern materials such as asphalt and metal. However, there are limited heritage designated properties in Windsor and properties with designated status are meant to be representative examples in Windsor. The Owner has been firm about their desire to change the roofing to asphalt.

## Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

#### **Financial Matters:**

The Owner's current proposal results in a loss of heritage attribute/character to a designated property and thus would not be eligible for any heritage incentives. However, if the Owner decides to use wood roofing or if Council decides to recommend the replacement of roof with compatible wood roofing material, then the Owner could apply for Heritage incentives at that time. Therefore, Administration has provided a recommendation to that effect and is providing context in the financial section for Heritage Committee and Council's consideration.

The Community Heritage Fund (CHF) guidelines includes the following:

"As a general principle, awards will be limited to a maximum of \$50,000 unless the DHSC (Development & Heritage Standing Committee) so recommends and Council approves." The award from the Community Heritage Fund is generally given according to the following formula: Grant: 15 percent of the award in the form of a grant & Low Cost Loan: 85 percent of the award". In this particular case, the applicant has not asked for any funding due to the Asphalt Roofing request. However, if the Owner decides to use wood roofing, it is suggested by Administration that the conservation work be supported by a 30% of cost of wood roofing, up to upset limit of \$20,000, subject to all conditions outlined in the recommendations, with no loan component. The Community Heritage Fund asks for "A minimum of two cost estimates, based on specifications approved by the DHSC and the City Planner or Designate, shall be obtained by the owner for all restoration work to be done." The estimates will be reviewed to ensure that all work specified is covered. The lower bid will usually be recommended for funding." The CHF form and estimates will be required if the Owner chooses to apply for the heritage incentive.

Administration's recommendation of up to the 30% of the cost of the replacement work to upset cost of \$20,000 after HST, which is in line with recent Council decisions such as CR364/2023 for 546 Devonshire Road and 548-550 Devonshire Road. The heritage percentage funding support have been attributed due to the high cost of conserving wood roof appearance and special heritage features, especially in today's climate of increasingly expensive trades work and inflation. A previous Council Decision (CR 227/2017) for the Robinson-Beaudet House, 908 Dawson Road, granted replacement of

a heritage attribute of concrete-tile roof with other types of roofing material as well, but also supplied provision for Owner to be granted up to \$20,000 if a masonry tile roof was used for repair or replacement instead.

As of May 31, 2024, the Community Heritage Fund (Reserve Fund 157) has an uncommitted balance of \$106,071.56 available (including the safeguard of having the minimum balance of \$50,000 in the Committed funds). Therefore, there is sufficient funds in Fund 157 to cover the cost of the grant project.

The Owner will also be eligible to apply for the Heritage Property Tax Reduction program for heritage conservation work, which is administratively processed when amounts are under \$20,000 as per By-law 164-2015. The total property taxes payable in 2023 for 567 Church is approximately \$1,745.69. The annual rebate would be up to 30% or approximately \$523.70, for a maximum of 3 years up to the cost of the restoration. The Owner has been apprised that painting of the wood elements are eligible works under the Tax Reduction Program but has stated that she will not be applying for the program.

### **Consultations:**

City staff have been consulting with the Owner in recent months and visited the site on June 6, 2024.

## **Conclusion:**

The Property Owner will receive no assistance from the Community Heritage Fund to replace the current cedar roof to asphalt. However, should the roof be replaced with wood shingles, the Owner would be eligible to apply for Heritage Incentive programs. These approvals would be subject to conditions described. Further heritage alteration approvals necessitated for this scope of work are recommended to be delegated to the City Planner or designate to direct further conservation details.

## Planning Act Matters: N/A

## **Approvals:**

Name	Title
Josie Gualtieri	Financial Planning Administrator
Kate Tracey	Senior Legal Counsel
Jason Campigotto	Deputy City Planner - Growth
Thom Hunt	City Planner / Executive Director Planning & Building
Janice Guthrie	Chief Financial Officer/City Treasurer
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

## **Notifications:**

Name	Address	Email

## Appendices:

- Appendix A- Reasons for Designation Appendix B Heritage Permit Application 2

## REASONS FOR DESIGNATION

## Historical

Built C. 1895 for Daniel Revell, a conductor on the Great Western and the Wabash Railroads and owned by his daughter, Mrs. J. Eugene D'Avignon, wife of the Sheriff of Essex County and their daughter, Helen Eugenie D'Avignon, until 1948.

## Architectural

- Queen Anne Revival style house, with extensive wooden architectural detail and wooden clapboard.
- Representative of the quality of houses which once lined Church Street and other early Windsor streets.



Planning Department Suite 320-350 City Hall Sq W Windsor ON N9A 6S1

## HERITAGE PERMIT APPLICATION Revised 11/2023

AP	PLI	CA	TI	ON	IT	PE

	(Delegated Authority Approval)  Major Heritage Permit (City Council Approval)
	1. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION
	Provide in full the name of the applicant, registered owner and agent, the name of the contact person, and address, postal code, phone number, and email address. If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.
	APPLICANT
	Contact Name(s) Xiaoliang Duan
	Company or Organization
	REGISTERED OWNER IF NOT APPLICANT
	Contact Name(s) Hao Cui
	AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION
	Contact Name(s)
	Company or Organization
	Mailing Address
	City, Province Postal Code
-	Email Phone(s)
١	Who is the primary contact?
	and the same and t

Page 1 of 5



Planning Department Suite 320-350 City Hall Sq W Windsor ON N9A 6S1

## HERITAGE PERMIT APPLICATION

2. SUBJECT PROPERTY Municipal Address: 567 Church St Windsor ON N9A4T3 Legal Description (if known):\_ Building/Structure Type: ☐ Institutional Residential ☐ Industrial □ Commercial Heritage Designation: □ Part V (Heritage Conservation District) Part IV (Individual) By-law #: 12085 District: Is the property subject to a Heritage Easement or Agreement? ☐ Yes V No 3. TYPE OF APPLICATION Check all that apply: □ Alteration\* ✓ Demolition/Removal of heritage □ Addition □ Erection attributes □ Demolition/Removal of building □ Signage Lighting or structure \*The Ontario Heritage Act's definition of "alter" means to change in any manner and includes to restore, renovate, repair or disturb. 4. HERITAGE DESCRIPTION OF BUILDING Describe the existing design or appearance of buildings, structures, and heritage attributes where work is requested. Include site layout, history, architectural description, number of storeys, style, features, etc.. The original wood roof is old and some parts have broken, We will replace a new roof with asphalt material

Page 2 of 5



## HERITAGE PERMIT APPLICATION Revised 11/2023

## 5. PROPOSED WORK

THO OSED WORK
Provide a detailed written description of work to be done, including any conservation methods you plan to use. Provide details, drawings, and written specifications such building materials, measurements, window sizes and configurations, decorative details. Attach site plans, elevations, product spec sheets, etc. to illustrate, if necessary. We will replace the new asphalt roof for the property. NO shape and slope will be
changed, for the sides of the roof, the original ones are the wood materil and not brok
so we will paint it with the same colour and do not need to change to the asphalt matr
for the sides of the roof
PERCEPT LEE AND
6. HERITAGE PERMIT RATIONALE
Explain the reasons for undertaking the proposed work and why it is necessary.
The original roof is old and broken will cause leaking during the summer season. It
needs to replaeced as soon as possible
Describe the potential impacts to the heritage attributes of the property.
The property will look nice after replacing roof ,and will more strong
7. CHECKLIST OF MATERIALS SUBMITTED Check all that apply:
Required:
Photographs (showing the current condition and context of existing building structures, and heritage attributes that are affected by the application)
<ul> <li>Site plan/ Sketch (showing buildings on the property and location of propose work(s))</li> </ul>
<ul> <li>Architectural drawings of proposed work(s) (e.g. existing and proposed elevation floor plans, roof plans, etc., as determined by Heritage Planning staff)</li> </ul>
Specifications of proposed work(s) (e.g. construction specification details)

Page 3 of 5



Planning Department Suite 320-350 City Hall Sq W Windsor ON N9A 6S1

## HERITAGE PERMIT APPLICATION

Potentially required (to be determined by Heritage Planning staff	j):
Registered survey	
Material samples, brochures, product data sheets etc.	
☐ Cultural Heritage Evaluation Report	
☐ Heritage Impact Assessment (HIA)	
☐ Heritage Conservation Plan	
☐ Building Condition Assessment	
8. NOTES FOR DECLARATION	
The applicant hereby declares that the statements made herein a are, to the best of their belief and knowledge, a true and complet purpose and intent of this application.	and information provided ate representation of the
The applicant agrees that the proposed work shall be done application, including attachments, and understands that the is Alteration Permit under the Ontario Heritage Act shall not be provisions of any By-Law of the Corporation of the City of Wind of the Building Code Act, RSO 1980, c51.	ssuance of the Heritage a waiver of any of the
The applicant acknowledges that in the event a permit is issued conditions imposed by the Council of the Corporation of the City specifications approved is prohibited and could result in the per applicant further agrees that if the Heritage Alteration Permit is rirregularity, in the relation to non-conformance with the said agror regulations that, in consideration of the issuance of the permicity for any resultant loss or damage are hereby expressly waive	of Windsor, or plans and mit being revoked. The revoked for any cause of reements, By-Laws, acts hit, all claims against the
10.15	05-13-2024
Signature of Applicant(s)	Date
Signature of Applicant(s)	Date



## HERITAGE PERMIT APPLICATION

Revised 11/202

## **SCHEDULE A**

A. Authorization of Registered Owner for Agent to Ma If the applicant is not the registered owner of the land that the written authorization of the registered owner that the the application must be included with this application form be completed.	is the subject of this application, applicant is authorized to make
I,, am the registered	d owner of the land that is
subject of this application for a Heritage Alteration Permit	and Lauthorize
	lication on my behalf.
name of agent	
Signature of Registered Owner	Date
If Corporation – I have authority to bind the corporation.	
B. Consent to Enter Upon the Subject Lands and Pres	mises
Heritage Committee and City Council and staff of the Co- to enter upon the subject lands and premises described form for the purpose of evaluating the merits of this a conduct any inspections on the subject lands that ma approval. This is their authority for doing so.	in Section 3 of the application oplication and subsequently to
Signature of Registered Owner	Date
If Corporation – I have authority to bind the corporation.	
C. Acknowledgement of Applicant I understand that receipt of this application by the City of does not guarantee it to be a complete application. Furth occur and I may be contacted to provide additional in discrepancies or issues with the application as submitted I further understand that pursuant to the provisions of the Municipal Freedom of Information and Protection of Prival material and information provided with this application are	ner review of the application will information and/or resolve any in a contain the act and the act act, this application and all
Signature of Applicant	Date
olynature of Applicant	Date

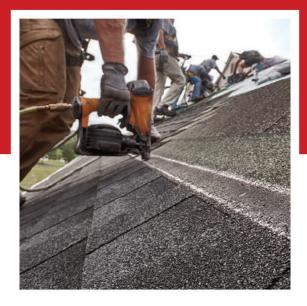
Page 5 of 5





## North America's #1-selling shingle just got better — again

Now featuring a 25-Year Limited Warranty against blue-green algae discoloration\*



Now with GAF Time-Release Algae-Fighting Technology and LayerLock™ Technology, Timberline HDZ® offers everything you can expect from an architectural shingle roof, and more.\*

\*See reverse for details



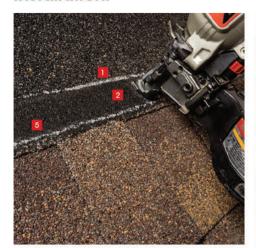


## Timberline HDZ® Shingles

## Benefits:

- LayerLock™ Technology mechanically fuses the common bond between overlapping shingle layers.
- The added strength at the common bond powers the StrikeZone<sup>™</sup> — The industry's widest nailing area.
- Up to 99.9% nailing accuracy The StrikeZone™ nailing area is so easy to hit that a roofer placed 999 out of 1,000 nails correctly in our test.³
- Up to 30% faster nail fastening thanks to the industry's largest nail zone.<sup>3</sup>
- Dura Grip™ sealant pairs with the smooth microgranule surface of the StrikeZone™ nailing area for fast tack. Then, an asphalt-to-asphalt monolithic bond cures for durability, strength, and exceptional wind uplift performance.
- WindProven™ Limited Wind Warranty²
   When installed with the required combination of GAF Accessories, Timberline HDZ® Shingles are eligible for an industry first: a wind warranty with no maximum wind speed limitation.
- 25-year StainGuard Plus<sup>™</sup> Algae Protection Limited Warranty against blue-green algae discoloration.¹ Proprietary GAF Time-Release Algae-Fighting Technology helps protect shingles from unsightly stains.

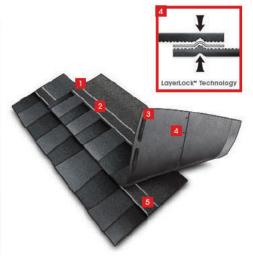
## Installation:



The StrikeZone<sup>™</sup> Nailing Area
The industry's largest nailing area for up to 99.9% nail placement accuracy.<sup>3</sup>



LayerLock™ Technology
Proprietary technology mechanically fuses
the common bond between overlapping
shingle layers.



- 1. Alignment guide
- 2. StrikeZone™ Nailing Area
- 3. Dura Grip™ Adhesive
- 4. LayerLock™ Technology
- 5. Smooth microgranule surface



## Visit gaf.ca/TimberlineHDZ

- ¹25-year StainGuard Plus™ Algae Protection Limited Warranty against blue-green algae discoloration is available only on products sold in packages bearing the StainGuard Plus™ logo. See GAF Shingle & Accessory Limited Warranty for complete coverage and restrictions.
- 215-year WindProven<sup>™</sup> limited wind warranty on Timberline HDZ<sup>®</sup> Shingles requires the use of GAF starter strips, roof deck protection, ridge cap shingles, and leak barrier or attic ventilation. See GAF Roofing System Limited Warranty for complete
- coverage and restrictions Visit gar, com/LRS for qualifying GAF products.

  Results based on study conducted by Home Innovation Research Labs, an independent research lab, comparing installation





Millions of families have found shelter and peace of mind under a Timberline® roof.

And now, a good thing just got even better again.





## It's never just a roof. It's a promise, kept.

Providing a home means making a promise — of shelter, security, and stability. It says to the people who count on you, "You're going to be safe, dry, and warm under this roof."

Choosing a Timberline HDZ® roof is a great way to help keep that promise.

It's our first shingle ever to come with patented LayerLock™ Technology. That means it's engineered for the best possible installation.

# It's a shingle that helps your roofer do their best work.

LayerLock<sup>™</sup> Technology strengthens the bond between layers of your Timberline HDZ<sup>®</sup> Shingles. To help your roofer give you the best possible installation. And to help you rest easy when the wind is howling outside.

## Here's how it works:

The strength added by LayerLock™ Technology allowed GAF to create the StrikeZone™ nailing area — the industry's widest nail zone — which offered 99.9% nailing accuracy in our test.¹

LayerLock<sup>™</sup> Technology also powers the industry's first wind warranty with no maximum wind speed limitation. Timberline HDZ<sup>®</sup> Shingles are eligible for the WindProven<sup>™</sup> limited wind warranty when installed with the required combination of four qualifying GAF Accessories.<sup>2</sup>



Results based on study conducted by Home Innovation Research Labs, an independent research lab, comparing installation of Timberline HD® Shingles to Timberline HDZ® Shingles on a 16-square roof deck using standard 4-nall nalling pattern under controlled laboratory conditions. Actual results may vary.

<sup>2 15-</sup>year WindProven™ limited wind warranty on GAF Shingles with LayerLock™ Technology requires the use of GAF Starter Strips, Roof Deck Protection, Ridge Cap Shingles, and Leak Barrier or Aftic Ventilation Seq GAF Roof Standing Communities with Cappen Communities and Leak Barrier or Aftic Ventilation Seq GAF Roofing System Communities and Leak Barrier or Aftic Ventilation Seq GAF Roofing System Cappen Communities and Leak Barrier of Aftic Ventilations and Leak Barrier of Layer Cappen Communities and Leak Barrier of Layer Cappen Ca



# It's a system, built to protect

A Timberline HDZ® roof is so much more than shingles. It's layers of protection, working together to help keep your home safe from rain, snow, sun, and wind.

In fact, installing 4 qualifying GAF Accessories

— GAF starter strips, roof deck protection,
ridge cap shingles, and eith r leak barrier or
attic ventilation — in one roof system makes
Timberline HDZ® Shingles eligible for the
WindProven™ limited wind w xrranty.¹

Timberline HDZ® Shingles als ) feature GAF
Time-Release Algae-Fighting Technology,
for long-lasting algae-fighting power, and
come with a 25-year StainG ₁ard Pl₁₁s™ Algae
Protection Limited Warranty against blue-green
algae discoloration.²



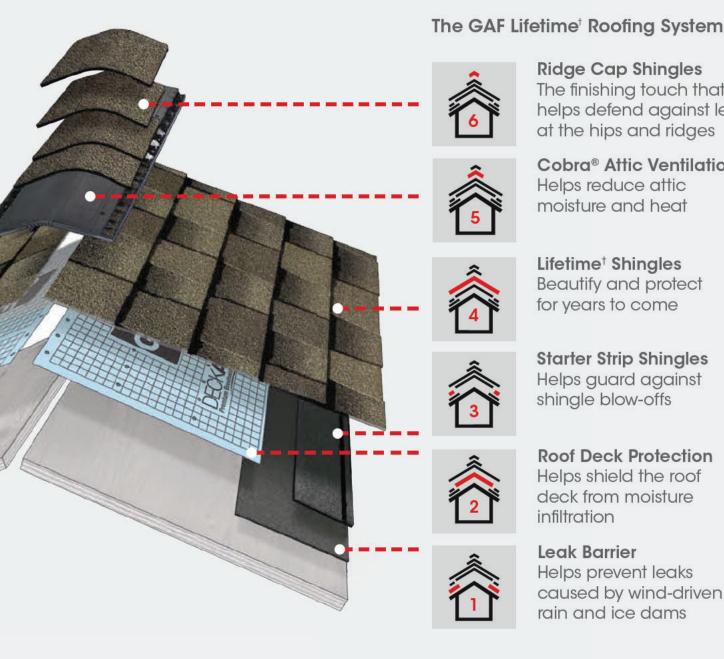




LayerLock<sup> $^{\text{IM}}$ </sup> Technology mechanically fuses the common bond between overlapping shingle layers. The added strength at the common bond powers the StrikeZone<sup> $^{\text{IM}}$ </sup> — the industry's widest nailing area.

<sup>&</sup>lt;sup>1</sup> 15-year WindProven™ limited wind warranty on GAF Shingles with LayerLock™ Technology requires the use of GAF Starter Strips, Roof Deck Protection, Ridge Cap Shingles, and Leak Barrier or Attic Ventilation. See *GAF Roofing System Limited Warranty* for complete coverage and restrictions. Visit gaf.com/LRS for qualifying GAF products. For installations not eligible for the *GAF Roofing System Limited Warranty*, see the *GAF Shingle & Accessory Limited Warranty*.

<sup>&</sup>lt;sup>2</sup> 25-year StainGuard Plus™ Algae Protection Limited Warranty against blue-green algae discoloration is available only on products sold in packages bearing the StainGuard Plus™ logo. See GAF Shingle & Accessory Limited Warranty for complete coverage and restrictions and qualifying Development & Heritage Standing Committee Meeting Agenda - Tuesday, July 2, 2024



## **Ridge Cap Shingles**

The finishing touch that helps defend against leaks at the hips and ridges

## Cobra® Attic Ventilation Helps reduce attic moisture and heat

Lifetime† Shingles Beautify and protect for years to come

## Starter Strip Shingles Helps guard against shingle blow-offs

Roof Deck Protection Helps shield the roof deck from moisture infiltration

## **Leak Barrier**

Helps prevent leaks caused by wind-driven rain and ice dams

Install any GAF Lifetime<sup>†</sup> Shingle and at least 3 qualifying GAF Accessories and get a Lifetime<sup>†</sup> limited warranty on your qualifying GAF products plus

non-prorated coverage for the first 10 years. For even stronger coverage, ask your GAF factory-certified contractor<sup>1</sup> about enhanced GAF warranties.



<sup>†</sup> Lifetime refers to the length of warranty coverage provided and means as long as the original individual owner(s) of a single-family detached residence [or eligible second owner(s)] owns the property where the qualifying GAF products are installed. For other owners/structures, Lifetime coverage is not applicable. Lifetime coverage on shingles requires the use of GAF Lifetime Shingles only. See the GAF Shingle & Accessory Limited Warranty for complete coverage and restrictions. Visit gaf.com/LRS for qualifying GAF products. Lifetime coverage on shingles and accessories requires the use of any GAF Lifetime Shingle and at least 3 qualifying GAF Accessories. See the GAF Roofing System Limited Warranty for complete coverage and restrictions. For installations not eligible for the GAF Roofing System Limited Warranty, see the GAF Shingle & Accessory Limited Warranty. Visit gaf.com/LRS for qualifying GAF products.

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<sup>1</sup> Contractors enrolled in GAF certification programs are not employees or agents of GAF, and GAF does not control or otherwise supervise these independent businesses. Contractors may receive benefits, such as loyalty rewards points and discounts on marketing tools from GAF for participating in the program and offering GAF enhanced warranties, which require the use of a minimum amount Development & Heritage Standing Committee Meeting Agenda - Tuesday, July 2, 2024



## Barkwood

The neutral brown Barkwood emulates wood and coordinates well with warm colors like beige, taupe, cream, gold, and yellow.

## **Color Availability**



## **Nationally Available Colors**



## **Harvest Blend Colors**



## Regionally Available Colors (See next page for details.)



For more details visit gaf.com/TimberlineHDZ

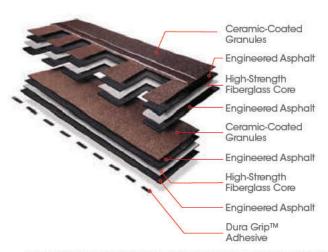
## Timberline HDZ® Availability

Color Availability	1	2	3	4	5	6	7
Chart	()			-	9	•	
Most Popular Colors:							
Barkwood				•			•
Charcoal				•			•
Hickory				•			•
Hunter Green				•			
Mission Brown	- 1			•			•
Pewter Gray				•			•
Shakewood				•			•
Slate				•			•
Weathered Wood				•			•
Harvest Blend Colors:							
Nantucket Morning				•			•
Appalachian Sky				•			•
Golden Harvest	0.1			•			•
Cedar Falls				•			•
Regional Colors:							
Birchwood				•			•
Biscayne Blue							
Copper Canyon <sup>1</sup>							
Driftwood							•
Fox Hollow Gray	0						
Golden Amber <sup>1</sup>							
Oyster Gray							•
Patriot Red	-						
Sunset Brick							
White <sup>1</sup>							
Williamsburg Slate							



<sup>1</sup> Rated by the Cool Roof Rating Council (CRRC); can be used to comply with 2019 Title 24 Part 6 Cool Roof Requirements of the California Code of Regulations.

## The protective layers of a Timberline HDZ® Shingle



## Product/System Specifics

- Fiberglass asphalt construction
- Dimensions (approx.): 13½ x 39¾ (337 mm x 1,000 mm)
- Exposure: 5 5/8" (143 mm)
- Bundles/Square: 3
- Pieces/Square: 64
- StainGuard Plus<sup>™</sup> Algae Protection Limited Warranty¹
- Hip/Ridge: TimberTex<sup>83</sup>; TimberCrest<sup>8</sup>; Seal-A-Ridge®3; Z®Ridge; Ridglass®
- Starter: Pro-Start®; QuickStart®; WeatherBlocker™

1374	X 39%	"(337 x 1,	UUU mm)
1	1 1	910 4	

## Applicable Standards & Protocols:

- UL Listed to ANSI/UL 790 Class A
- State of Florida approved
- Classified by UL in accordance with ICC-ES AC438
- Meets ASTM D7158, Class H
- Meets ASTM D3161, Class F
- Meets ASTM D3018, Type 1
- Meets ASTM D34622
- Miami-Dade County Product Control approved
- **ICC-ES Evaluation Reports** ESR-1475 and ESR-3267
- Meets Texas Department of Insurance Requirements
- Rated by the CRRC; Can be used to comply with 2019 Title 24 Part 6 Cool Roof Requirements of the California Code of Regulations.
- 1 25-year StainGuard Plus™ Algae Protection Limited Warranty against blue-green algae discoloration is available only on products sold in packages bearing the StainGuard Plus™ logo. See GAF Shingle & Accessory Limited Warranty for complete coverage and restrictions and qualifying products.
- <sup>2</sup> Periodically tested by independent and internal labertage standing Committee Meeting Agenda Tuesday, July 2, 2024
  <sup>3</sup> Harvest Blend colors are only available on TimberTex® and Seal-A-Rid Page 524 of 644

## TimberTex® and TimberCrest® Premium Ridge Cap Shingles

6

Hip & Ridge Cap Shingles accentuate the natural beauty of your architectural shingle roof. They're the perfect finishing touch that helps defend against leaks at the hips and ridges.

## gaf.com/ridgecaps





TimberTex® and TimberCrest® Premium Ridge Cap Shingles are designed to complement the color of your Timberline® Shingles. To ensure the closest color consistency for your roof, ask your contractor to use genuine TimberTex® or TimberCrest® Premium Ridge Cap Shingles.¹

- Accentuate the beauty of your newly installed shingle roof
- Protect against leaks and blow-offs at the hip and ridge areas of your roof
- Complement the color of your GAF Shingles with hip and ridge cap shingles manufactured by GAF
- 25-year StainGuard Plus<sup>™</sup> Algae Protection Limited Warranty<sup>2</sup> against blue-green algae discoloration uses GAF Time-Release Algae-Fighting Technology to help protect your ridge cap shingles from unsightly stains.

Also available<sup>1</sup>





<sup>&</sup>lt;sup>1</sup>These products are not available in all areas. See gaf.com/ridgecapavailability for details.

<sup>&</sup>lt;sup>2</sup> 25-year StainGuard Plus<sup>®</sup> Algae Protection Limited Warranty against blue-green algae discoloration is available only on products sold in packages bearing the StainGuard Plus<sup>®</sup> logo. See GADEWellopment & Heritage Standing Committee Meeting Agendas ti Tiussday, July 12,122024 ducts.



It seems like yesterday. In 2020, GAF introduced Timberline HDZ® Shingles with LayerLock™ Technology, which are eligible for the WindProven Limited Wind Warranty with no maximum wind speed limitation when installed with the required combination of GAF accessories.¹

Now we're making our most popular shingle even better, with the addition of a 25-year StainGuard Plus™ Algae Protection Limited Warranty² against blue-green algae discoloration. Add GAF Hip and Ridge Cap Shingles and starter strips with the StainGuard Plus™ Algae Protection Limited Warranty² for protection from eave to ridge.

Offer your customers Timberline HDZ® — the shingle that just keeps getting better. Only from GAF.

Find out more at gaf.com/StainGuardPlus

### A **standard** industries company

### We protect what matters most™

GAF



<sup>2</sup> 25-year stainGuard Plus<sup>®</sup> Algae Protection (Development & Interitage Standing Committee Meeting Agenda is Juesday, aduly 22/2024: StainGuard Plus<sup>®</sup> logo. See GAF Shingle & Accessory Limited Warranty for complete coverage restrictions and qualifying products. Page 526 of 644

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398625-0122

## BEHR ULTRA 946mL Exterior Satin Enamel Paint & Primer in Ultra Pure White

Model # 985004C|Store SKU # 1000468929



### Overview

A revolutionary paint and primer in one, BEHR PREMIUM PLUS ULTRA is made with the finest raw materials and was developed using NANOGUARD technology for a dense, hard, durable paint film. BEHR PREMIUM PLUS ULTRA is liquid protection for your home.

Paint & Primer in One; Stain-Blocking formula

Pearl-like appearance; Ideal for siding, doors and trim

Extra-protective shell guards against damage from sunlight, moisture, stains and dirt

Enhanced mildew resistant finish

Can be applied in extreme temperatures, between 2 C -32 C

## **Specifications**

## **Dimensions**

Assembled Depth (in inches)	4.25
Assembled Height (in inches)	5
Assembled Weight (in lbs)	2.7
Assembled Width (in inches)	4.25
Packaged Depth (in inches)	4.33
Packaged Height (in inches)	4.83
Packaged Weight (In lbs)	2.64
Packaged Width (in inches)	4.33

## **Details**

**Base Material** 

Water-Based Certified

Container Size (L) 0.94

Country of Origin US-United States

Coverage Area (Sq. Ft.) 100

Eco Options Clean Air

Low VOC Yes

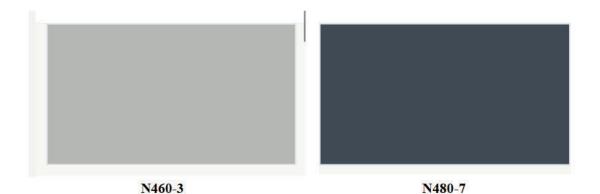
Mildew Resistant Yes

Primer Required No

Sheen Satin

Weatherproof Yes

## I will choose color N460-3 for the siding and N480-7 for the wood shingles





Council Report: S 73/2024

Subject: Request for Partial Demolition of Heritage Listed Property - 820 Monmouth Road, Terrace (Ward 4)

### Reference:

Date to Council: July 2, 2024

Authors: Kristina Tang Heritage Planner

Email: ktang@citywindsor.ca Phone: 519-255-6543 X 6179

Tracy Tang

Planner III- Economic Development (A)

Email: ttang@citywindsor.ca Phone: 519-255-6543 X 6449

Gabriel Lam & Danielle Poirier

Community Development Planning Assistant

Email: glam@citywindsor.ca; dpoirier@citywindsor.ca

Phone: 519-255-6543 X 6438 Planning & Building Services Report Date: June 4, 2024 Clerk's File #: MBA2024

To: Mayor and Members of City Council

## Recommendation:

THAT Council **BE INFORMED** of the proposed partial demolition at 820 Monmouth Rd, Terrace of 35 square feet of building to accommodate a one-storey rear addition.

**Executive Summary: N/A** 

## **Background:**

The Vernacular Terraced Row House located at 820 Monmouth Road, was listed on the Windsor Municipal Heritage Register on August 27, 2007. Records indicate that the series of terraces on the 800 Monmouth Block were completed circa 1904. Attached to three other units (subject property being the second from north), the two storey townhouse is a well-preserved example of worker housing that distiller Hiram Walker &

His Sons (through Walker Subsidiaries) built for their employees during the Town of Walkerville's formative years.



View of 816-820 Monmouth Rd from Monmouth Rd (6/11/2024)

Current owner of the property, John Anthony Rosati, is proposing to partially demolish a portion of the rear building to accommodate an addition. Mr. Rosati applied for a Minor Variance for relief from the provisions of Zoning By-law 8600 to accommodate the rear addition to a Townhouse Dwelling Unit with reduced minimum side yard. The variance was granted under the condition that the owner obtain a Heritage Permit to the satisfaction of the City Planner at the Committee of Adjustment on May 30, 2024. The Owner formally submitted notification of the partial demolition through a heritage permit application in Appendix A and supplied all necessary information on June 11, 2024. A Building Permit will also be required for the addition prior to construction.



**Location of Property (Red)** 

## Discussion:

## **Legal Provisions:**

The subject property is listed on the Windsor Municipal Heritage Register, but not designated. Section 27 of Part IV of the *Ontario Heritage Act* states that "the register

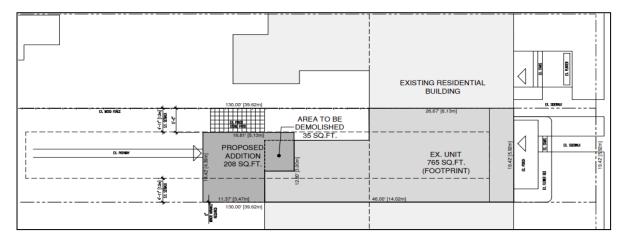
may include property ... that the council of the municipality believes to be of cultural heritage value or interest", without being designated. Also, "[T]he owner of the property shall not demolish or remove a building or structure on the property or permit the demolition or removal of the building or structure unless the owner gives the council of the municipality at least 60 days notice in writing of the owner's intention to demolish or remove the building or structure or to permit the demolition or removal of the building or structure." The 60 days only begins after notice is received accompanying plans and information as Council may require. City of Windsor Council approved "Requirements and Procedures, Application for Demolition of Heritage-Listed Properties" (Council Decision # M163-2015) which outlines the required information for demolition, and notes that Administration has 30 days to evaluate if the information submitted is sufficient. Only after determination has been made that the required information has been submitted, does the 60-day count begin.

During the 60 days after notice, City Council (with Committee consultation) may initiate designation or decide to take no action. If a property is proposed for designation, a notice of intent to designate must include a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property, which are those features that are considered important to retain if any alterations to the property are proposed after designation. "Cultural heritage value or interest" is to be considered according to Ontario Regulation 9/06.

There is no explicit provision for the Committee or Council to comment on additions to or remodelling a heritage-listed, non-designated property, other than removal/demolition or partial demolition of structures from the Register under the *Ontario Heritage Act* unless designation is initiated. As this property is being evaluated as part of the ongoing Walkerville Heritage Conservation District Study, individual designation is not currently a recommendation of this report.

## Proposal:

The owner is proposing the construction of a 208 square foot rear addition to the existing structure at 820 Monmouth Road. To allow for this addition, 35 square feet of the existing structure is proposed to be demolished. The addition will include a new rear entrance and new windows. Changes to the overall façade of the entire property would also include new windows, a new railing, and new vertical black wood composite siding around the existing front porch. The Owner will also conduct repointing of the historic masonry using appropriate lime rich Type O mortar.



Overall Site Plan (A-026-24)

## **Historical Background:**

The subject property is located along Monmouth Road, between Cataraqui Street and Niagara Street. This neighbourhood is known to be one of the earlier industrial worker housing streets in Walkerville. The Town of Walkerville was founded by Hiram Walker of Detroit, Michigan in 1890<sup>1</sup>. Upon moving his liquor business to Canada, Walker created an industrial town with the Hiram Walker Distillery at its core. Monmouth Road played an essential role in Walkerville, providing rental housing for the workers. To this day, this section of Monmouth Road has maintained its heritage value through the original townhouse structures that are defined by its red brick and streetscape.



Front View of 820 Monmouth Rd (6/11/2024)

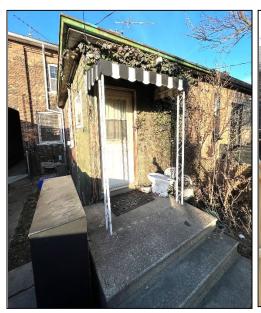
## **Heritage Considerations:**

<sup>&</sup>lt;sup>1</sup> Walkerville, n.d., *A History of Hiram Walker and Walkerville*, Visit Walkerville, n.d. https://visitwalkerville.com/history

The Vernacular Terrace house at 820 Monmouth Road is representative of early worker housing in Walkerville. The Terrace features a symmetrical façade balanced in the center by the through alleyway, common bond red brick construction, with double rows of decorative brick beltlines between floors and beneath the parapet.–Openings feature voussoirs of double row rowlocks.



View of 816, 820, 822 & 826 Monmouth block (Google Streetview)



Back porch of 820 Monmouth Rd (Source: Owner)



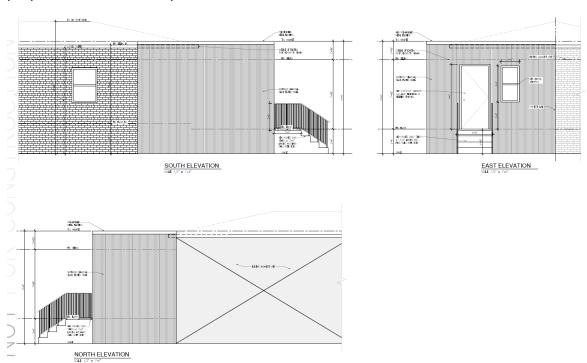
Rear View of 820 Monmouth Rd (6/11/2024)



Rear View of 820 Monmouth in 1958 (WPL Archives)

1924 Fire Insurance Map (address was originally 106 Monmouth Road)

The rear of 820 Monmouth property is not visible from Monmouth Road. Further, the height of the rear addition proposed is one storey and measures as 12 feet and 6 inches from final grade up to the parapet. The lack of visibility and sightlines of the new construction from the front façade and Monmouth Rd, as well as the proposed height of addition which is subordinate to the existing build, will not impact the overall streetscape character of Monmouth Road. Therefore, there is no heritage concern regarding the proposed addition and partial demolition.



### Elevation Drawings of proposed rear addition

The proposed addition will be clad in black wood composite siding (NORTwood fluted panel ECO 50). This siding will also vertically clad the base of the front porch. The existing windows are proposed to be replaced with new, black vinyl windows, which have been used on the neighbourhood properties within this block.



Sample of composite siding proposed to be used

The proposed changes do not appear to negatively impact the property and appear to be fitting with the heritage context of the rowhouse block and the neighbourhood. A Building Permit would be required for the demolition and construction work.

## Official Plan Policy:

Chapter 9 of the City of Windsor Official Plan, Heritage Conservation, includes the following objectives related to the recognition, conservation, and enhancement of heritage resources:

CONSERVATION 9.2.1
MANAGEMENT

To conserve Windsor's heritage resources for the benefit of the community and posterity in a manner which respects their architectural, historical, and contextual significance and ensures their future viability as functional components of Windsor's urban environment.

IDENTIFY
HERITAGE
RESOURCES
HERITAGE
REGISTER

9.3.3.4 Council will identify heritage resources by:

(a) Maintaining and updating the list of built heritage resources known as the Windsor Municipal Heritage Register; and

The proposed addition and partial demolition conform with the Official Plan policies. The approval of the demolition would not impact the Heritage Register listing of the unit.

## Risk Analysis:

The demolition proposed would allow the Owner to proceed with their desired renovation plans for the property, without negatively impacting the heritage value of the listed property. The notification of the proposed demolition authorized by the Ontario Heritage Act serves as an opportunity to provide a process to designate a property when required to prevent inappropriate and concerning changes applied to the building. In this case, the proposal does not result in negative heritage concerns.

## Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

## **Financial Matters:**

There is no cost to the city; the property owner is paying the full cost of the proposal. The proposed works may increase the assessed value of the property.

## **Consultations:**

The associated Minor Variance Report (A-026-24) for the new addition included consultation from the Planning, Engineering and Geomatics, Parks and Facilities, Windsor Police services, and Heritage Planning staff with no specific objections to the proposal. No neighbouring properties provided objections to the proposal at the Committee of Adjustment. City staff visited the site on June 11, 2024.

## **Conclusion:**

Council is to be informed of the proposed partial demolition to Heritage Listed Property-820 Monmouth Road, Terrace. The proposal outlines a plan to partially demolish 35 square feet of the subject property to construct a 208 square foot rear addition. This partial demolition and new construction will not be visible to Monmouth Road, and therefore have no negative impact on the heritage character of the neighbourhood.

Planning Act Matters: N/A

## Approvals:

Name	Title
Tracy Tang	Planner III- Economic Development (A)
Kristina Tang	Heritage Planner
Kate Tracey	Senior Legal Counsel
Jason Campigotto	Deputy City Planner - Growth
Thom Hunt	City Planner / Executive Director Planning & Building
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

## **Notifications:**

Name	Address	Email

Name	Address	Email

## Appendices:

1 Appendix A- Heritage Permit Application





J Demolition

## **APPLICATION TYPE**

□ Minor Heritage Permit (Delegated Authority Approval) □ Major Heritage Permit (City Council Approval) □ Demolition	
1. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION	
Provide in full the name of the applicant, registered owner and agent, the name of the contact person, and address, postal code, phone number, and email address. If the applicant or registered owner is a numbered company, provide the name of the principal of the company. If there is more than one applicant or registered owner, copy this page complete in full and submit with this application.	
APPLICANT Contact Name(s) John Anthony Rosati	
Contact Name(s) Same as above	
Company or Organization N/A	
Mailing Address N/A	
City, Province N/A Postal Code N/A	
Email N/A Phone(s) N/A	
AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION	
Contact Name(s) N/A	
Company or Organization N/A	
Mailing Address N/A	
City, Province N/A Postal Code N/A	
Email N/A Phone(s) N/A	
Who is the primary contact?	
Desc 4 of E	





2. SUBJECT PROPERTY		
Municipal Address: 820 Monmouth Road		
Legal Description (if known): Plan 490; PT LOTS 6 and 8		
Building/Structure Type:  ✓ Residential   Commercial   Industrial   Institutional		
Heritage Designation:  ☐ Part IV (Individual)  ☐ Part V (Heritage Conservation District)  By-law #: N/A  District: N/A		
Is the property subject to a Heritage Easement or Agreement?  ☐ Yes   ✓ No		
3. TYPE OF APPLICATION  Check all that apply:  □ Demolition/Removal of heritage attributes  ✓ Addition □ Erection ✓ Alteration*  attributes  □ Demolition/Removal of building □ Signage □ Lighting or structure		
*The Ontario Heritage Act's definition of "alter" means to change in any manner and includes to restore, renovate, repair or disturb.		
4. HERITAGE DESCRIPTION OF BUILDING  Describe the existing design or appearance of buildings, structures, and heritage		
attributes where work is requested. Include site layout, history, architectural description, number of storeys, style, features, etc		
Two storey red brick rowhome, located on the 800 block of Monmouth.		
Formerly housed Hiram Walker employees prior to it's existing use as a single family housing unit.		
Designed by Albert Kahn.		



### 5. PROPOSED WORK

Provide a detailed written description of work to be done, including any conservation methods you plan to use. Provide details, drawings, and written specifications such as building materials, measurements, window sizes and configurations, decorative details, etc.. Attach site plans, elevations, product spec sheets, etc. to illustrate, if necessary. Please see attached drawings.

The addition of 185sf to the rear of the home will consist of a Laundry Room,

Mud Room and office space. In addition, a new entrance to the home from the rear

will be added to increase the functionality of the space. New construction will be

be completed as per code and take into account Heritage construction best practices.

We are also re-pointing some brick with Restomix Motor (see attached spec sheet).

Exterior cladding material will be black wood composite siding (NORTwood)

Existing windows to be replaced with new, black vinyl windows to match neighbours.

### 6. HERITAGE PERMIT RATIONALE

Explain the reasons for undertaking the proposed work and why it is necessary.

Restoration to its pristine condition to sustain future generations.

The addition will create a more functional, livable space for the home.

Describe the potential impacts to the heritage attributes of the property. Front facade will not be touched and will remain as is.

## **7. CHECKLIST OF MATERIALS SUBMITTED** Check all that apply: Required:

- ✓ Photographs (showing the current condition and context of existing buildings, structures, and heritage attributes that are affected by the application)
- ✓ Site plan/ Sketch (showing buildings on the property and location of proposed work(s))
- ✓ Architectural drawings of proposed work(s) (e.g. existing and proposed elevations, floor plans, roof plans, etc., as determined by Heritage Planning staff)
- ✓ Specifications of proposed work(s) (e.g. construction specification details)





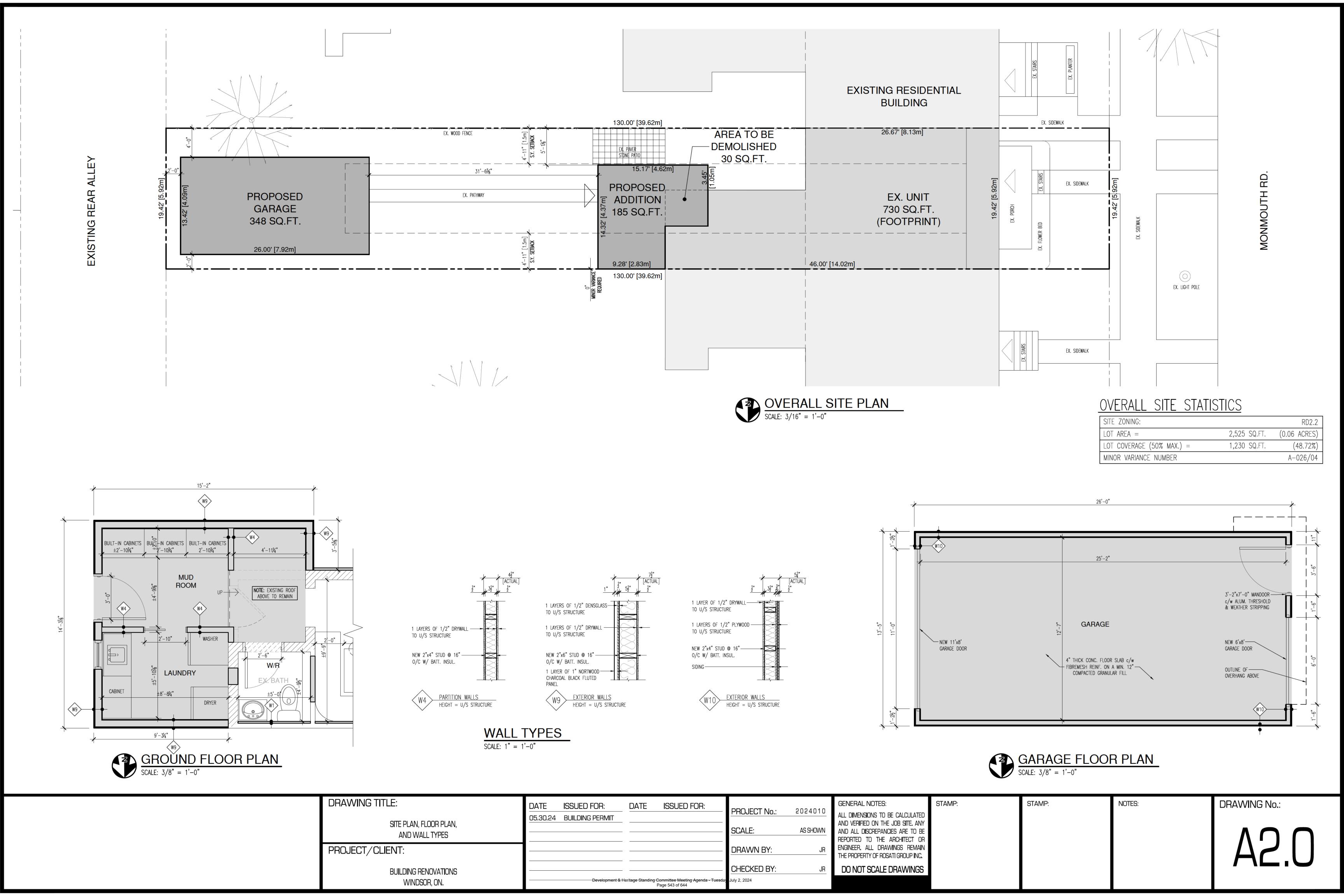
Potentially required (to be determined by Heritage Planning sta	aff):
☐ Material samples, brochures, product data sheets etc.	
☐ Cultural Heritage Evaluation Report	
☐ Heritage Impact Assessment (HIA)	
☐ Heritage Conservation Plan	
☐ Building Condition Assessment	
8. NOTES FOR DECLARATION	
The applicant hereby declares that the statements made herein are, to the best of their belief and knowledge, a true and compurpose and intent of this application.	
The applicant agrees that the proposed work shall be done application, including attachments, and understands that the Alteration Permit under the Ontario Heritage Act shall not be provisions of any By-Law of the Corporation of the City of Wir of the Building Code Act, RSO 1980, c51.	issuance of the Heritage e a waiver of any of the
The applicant acknowledges that in the event a permit is issue conditions imposed by the Council of the Corporation of the Cit specifications approved is prohibited and could result in the papplicant further agrees that if the Heritage Alteration Permit is irregularity, in the relation to non-conformance with the said agor regulations that, in consideration of the issuance of the per City for any resultant loss or damage are hereby expressly was	y of Windsor, or plans and ermit being revoked. The s revoked for any cause of greements, By-Laws, acts mit, all claims against the
	June 4, 2024
Signature of Applicant(s)	Date
Signature of Applicant(s)	Date

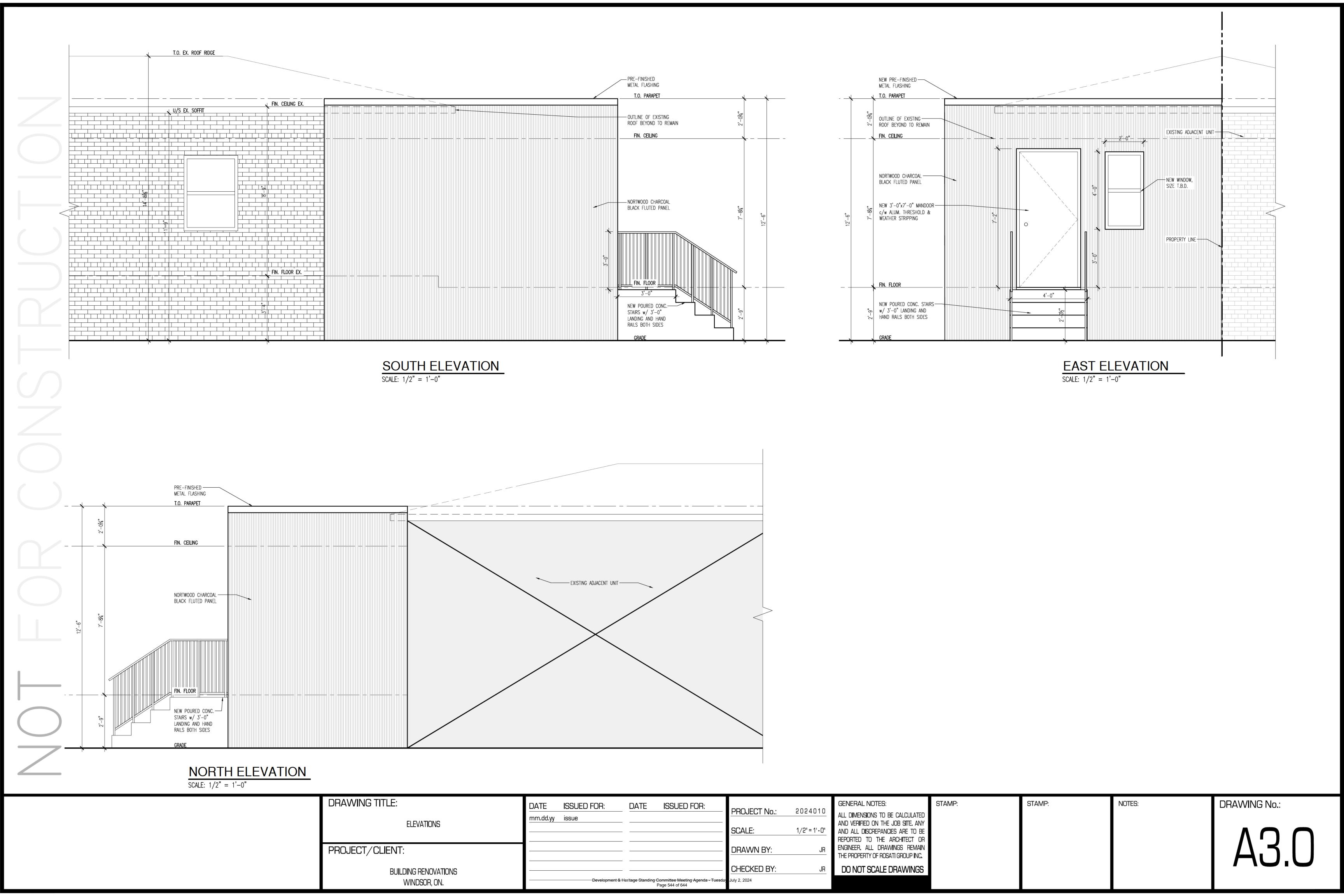




# **SCHEDULE A**

If the applicant is not the registered owner the written authorization of the registered the application must be included with this be completed.	er of the land that is the subje ed owner that the applicant is	ect of this application, authorized to make
I, N/A name of registered owner,	am the registered owner of	the land that is
subject of this application for a Heritage	Alteration Permit and Lauth	orize
N/A	to make this application on	
name of agent	to make this application on	my benan.
(// 1/2		N/A
Signature of Registered O	wner	Date
If Corporation – I have authority to bind	the corporation.	
B. Consent to Enter Upon the Subjec	t Lands and Premises	
to enter upon the subject lands and preform for the purpose of evaluating the conduct any inspections on the subje approval. This is their authority for doing	merits of this application a ct lands that may be requ g so.	and subsequently to
Signature of Registered O	wner	Date
If Corporation – I have authority to bind	the corporation.	
C. Acknowledgement of Applicant I understand that receipt of this applicated does not guarantee it to be a complete a occur and I may be contacted to prodiscrepancies or issues with the applicated I further understand that pursuant to the Municipal Freedom of Information and I material and information provided with the Signature of Application	application. Further review of vide additional information tion as submitted. The provisions of the Ontario Protection of Privacy Act, this application are made available.	of the application will and/or resolve any Heritage Act and the is application and all







# Office of the Commissioner of Economic Development

# Planning & Development Services

# **Committee of Adjustment**

### **MISSION STATEMENT:**

"Our City is built on relationships – between citizens and their government, businesses and public institutions, city and region – all interconnected, mutually supportive, and focused on the brightest future we can create together."

Author's Name: Simona Simion, Planner II	File No.: A-026/24
Author's Phone: (519) 255-6543 ext. 6397	Report Date: May 23, 2024
Author's E-mail: ssimion@citywindsor.ca	Committee Meeting Date: May 30, 2024

To: Committee of Adjustment

Subject Application: Relief from the provisions of the By-Law 8600

Owner: John Anthony Rosati

Agent: n/a

Location: 820 Monmouth Rd

Legal Description: PLAN 490; PT LOTS 6 & 8; RP 12R16444; PARTS 1 & 2

## 1. RECOMMENDATION:

That the Minor Variance application of John Anthony Rosati for relief from the provisions of the By-law 8600 to accommodate an addition to a Townhome Dwelling Unit with reduced minimum side yard, for the property municipally known as 820 Monmouth Rd, **BE GRANTED** with condition:

I. The owner/applicant shall obtain a Heritage Permit to the satisfaction of the City Planner.<sup>1</sup>

<sup>1</sup>For questions, please contact Kristina Tang, Heritage Planner, at <a href="mailto:ktang@citywindsor.ca">ktang@citywindsor.ca</a> or Tracy Tang, Economic Development Planner, at <a href="mailto:ttang@citywindsor.ca">ttang@citywindsor.ca</a>

# 2. THE REQUESTED VARIANCE:

Construct an addition to a Townhome Dwelling Unit with reduced minimum side yard, thereby seeking the following relief:

Section 11.2.5.5.7 - Minimum Side Yard Width (north lot line)

By Law Requirements	Proposed
1.50 m	0.0 m

Note: An approved variance is valid and must be acted upon before the expiration date. If a granted variance is not used within required timeline, the application is deemed to be null and void. A new Committee of Adjustment application will be required for any expired application.

### 3. PLANNING ANALYSIS:

The subject property consists of PLAN 490; PT LOTS 6 & 8; RP 12R16444; PARTS 1 & 2, municipally known as 820 Monmouth Rd. The property consists of a Townhome Dwelling Unit.

The applicant is seeking relief from Zoning By-law 8600 to accommodate an addition to the Townhome Dwelling Unit dwelling with reduced minimum side yard width. The proposed addition is to align to the zero-side yard width of the existing townhome.

# PLANNING ACT

Subsection 45(1) of the Planning Act states that the Committee of Adjustment "may, despite any other Act, authorize minor variance from the provisions of the by-law, in respect of the land building or structure or the use thereof, as in its opinion is desirable for the appropriate development or use of the land, building or structure, if in the opinion of the committee the general intent and purpose of the by-law and of the official plan, if any, are maintained."

# Subsection 45(3) of the Planning Act Power of committee to grant minor variances states

(3) A council that has constituted a committee of adjustment may by by-law empower the committee of adjustment to grant minor variances from the provisions of any by-law of the municipality that implements an official plan, or from such by-laws of the municipality as are specified and that implement an official plan, and when a committee of adjustment is so empowered subsection (1) applies with necessary modifications. R.S.O. 1990, c. P.13, s. 45 (3).

# Subsection 45(9) Conditions in decision states

(9) Any authority or permission granted by the committee under subsections (1), (2) and (3) may be for such time and subject to such terms and conditions as the committee considers advisable and as are set out in the decision. R.S.O. 1990, c. P.13, s. 45 (9).

# PROVINCIAL POLICY STATEMENT (PPS) 2020

The Planning Staff has reviewed the relevant policies of the PPS - "Healthy, livable and safe communities" (Policy statement 1.1.1 of the PPS). The requested minor variances are consistent with these policies promoting cost-effective development to minimize land consumption and servicing costs.

# **OFFICIAL PLAN (OP)**

The Minor Variance Policies in Section 11.6.6 are hereto attached as **Appendix A**. Section 11.6.6.2 outlines the evaluation criteria for minor variance applications.

The subject land is designated Residential per the Official Plan. The proposed development as an addition to a Townhome Dwelling Unit is permitted and conforms to the associated objectives and policies. Therefore, the requested variances meet the general intent and purpose of the Official Plan-

The proposed development conforms to the zoning bylaw provisions with the exception of the variance being requested. Therefore, the general intent and purpose of the by-law being varied is maintained.

The proposal will have no impact on the properties in the immediate neighbourhood. Therefore, the variance is minor in nature.

The variance is desirable for the appropriate use of the land providing an additional living space.

Section 11.6.6 Minor Variance Policies Committee of Adjustment of the Official Plan, subsection 11.6.6.3 Terms & Conditions states that the Committee of Adjustment may attach such terms and conditions as it deems appropriate to the approval of the application for a minor variance.

The subject property located at 820 Monmouth Road is listed on the Municipal Heritage Register. The applicant is required to submit a Heritage Permit, to the satisfaction of the City Planner.

# **ZONING BY-LAW 8600**

The subject land is zoned Residential District 2.2 (RD2.2), S.20(1)267per By-law 8600 permitting a Townhome Dwelling Unit.

The requested variance will not result in undue hardship on the owner, adjoining properties or the public realm; therefore, the variance is minor in nature. The proposed minor variance meets the intent of Zoning Bylaw 8600.

# **COMMENT**

The new construction shall be subject to Building Permit application and approval.

Demolition or partial demolitions of structures or buildings on the heritage property will require a Heritage Permit application. The application will need to be reviewed by Heritage Committee and through Council for a decision before a Building Permit can be issued.

The applicant to ensure that roof water run off is not draining on the neighbouring property to the north at 816 Monmouth Rd.

## 4. PLANNER'S OPINION:

The requested variance is minor in nature and maintains the general intent and purpose of the Official Plan and Zoning By-Law 8600. Therefore, the variances are consistent with section 45 (1) of the Planning Act. The Planning Division recommends approval of the applicant's request with condition.



# Simona Simion, MCIP RPP Planner II – Research and Policy Support

I concur with the above comments and opinion of the Planner II.

Greg Atkinson, MCIP RPP

**Development Manager / Deputy City Planner** 

SS/

# **CONTACT:**

Name: Simona Simion Fax: (519) 255-6544

Phone: (519) 255-6543 ext. 6397 Email: ssimion@citywindsor.ca

# APPENDIX "A" - Excerpts from the Official Plan Volume I

	4.2.3	Quality of Life
COMMUNITY NEEDS	4.2.3.3	To recognize the needs of the community in terms of shelter, support services, accessibility and mobility.

	11.6.6	Minor Variance Policies
COMMITTEE OF ADJUSTMENT	11.6.6.1	Council has appointed a Committee of Adjustment pursuant to the Planning Act to consider applications for minor variance from the Zoning By-law(s) and/or any other by-law that implements the Official Plan.
EVALUATION CRITERIA	11.6.6.2	When reviewing an application for minor variance the Committee of Adjustment shall be satisfied that:  (a) The general intent and purpose of the Official Plan is maintained;  (b) The general intent and purpose of the By-law being varied is maintained;  (c) The variance is minor in nature; and  (d) The variance is desirable for the appropriate use of the land, building or structure.
TERMS & CONDITIONS	11.6.6.3	The Committee of Adjustment may attach such terms and conditions as it deems appropriate to the approval of the application for a minor variance.
AGREEMENTS WITH MUNICIPALITY	11.6.6.4	The Committee of Adjustment may require the owner of the land to enter into one or more agreements with the Municipality dealing with some or all of the terms and conditions of its decision. An agreement may be registered against the land to which it applies and the Municipality is entitled to enforce the agreement against the owner and, subject to the Registry Act and the Land Titles Act, against any and all subsequent owners of the land.

# **APPENDIX "B"**

# Comments received by the Secretary Treasurer of the Committee of Adjustment

# PLANNING DEPARTMENT - ZONING

**Required Minor Variances \*** 

- 1. Minimum Side Yard Width: (11.2.5.5.7)
  - a. 1.50 m (Required) 0 m (Provided north side yard)

Ana Lukas, Zoning Coordinator

# PUBLIC WORKS DEPARTMENT - ENGINEERING AND GEOMATICS

Right of way permits must be obtained for any work within the right of way.

This department has no objection to the proposed application.

Thomas Hyunh, Technologist

# PUBLIC WORKS DEPARTMENT - TRANSPORTATION PLANNING

Transportation Planning has no comments.

Elara Mehrilou, Transportation Planner

# PARKS & FACILITIES

There are no requirements from a landscape architectural perspective.

From and urban design perspective, the property is listed on the Heritage Registry. The applicant is to pre-consult with the Heritage Planner to ensure that the proposed development is appropriate and will not detract from the potential for designation.

Stefan Fediuk, Landscape Architect

# **WINDSOR POLICE SERVICES**

I have reviewed the agenda items for the May 30<sup>th</sup> meeting of the Committee of Adjustment and would advise as follows:

None of the applications being considered present outcomes that will negatively impact public safety or the ability of the Windsor Police Service to provide proper and adequate response to incidents and other service delivery requirements. As such, we have no concerns or objections with any of the applications on the May 30<sup>th</sup> meeting agenda.

Barry Horrobin, Director of Planning & Physical Resources

# **HERITAGE PLANNING**

The subject property located at 820 Monmouth Road is listed on the Municipal Heritage Register.

820 Monmouth Rd | Terrace | c1904 | Vernacular Row House | Walkerville

# **Heritage Permit Application**

Demolition or partial demolitions of structures or buildings on the heritage property will require a Heritage Permit application. The application will need to be reviewed by Heritage Committee and through Council for a decision before a Building Permit can be issued.

The permit application form and additional information about the heritage permit process are available online on the City's webpage here: <a href="https://www.citywindsor.ca/residents/planning/Plans-and-Community-Information/Know-Your-Community/Heritage-Planning/heritage-regulation/Pages/Application-for-Heritage-Alteration-Permit.aspx">https://www.citywindsor.ca/Documents/Permit.aspx</a>. Information about demolition is available here: <a href="https://www.citywindsor.ca/Documents/residents/planning/plans-and-community-information/know-your-community/heritage-planning/heritage-regulation/Notice%20of%20Intent%20to%20Demolish%20Requirements%202023-11.pdf</a>

Please contact Kristina Tang (<u>ktang@citywindsor.ca</u>) and Tracy Tang (<u>ttang@citywindsor.ca</u>) to initiate the heritage permit process.

Tracy Tang, Planner





# **NORT**wood



2024 Collection



Tools & Safety

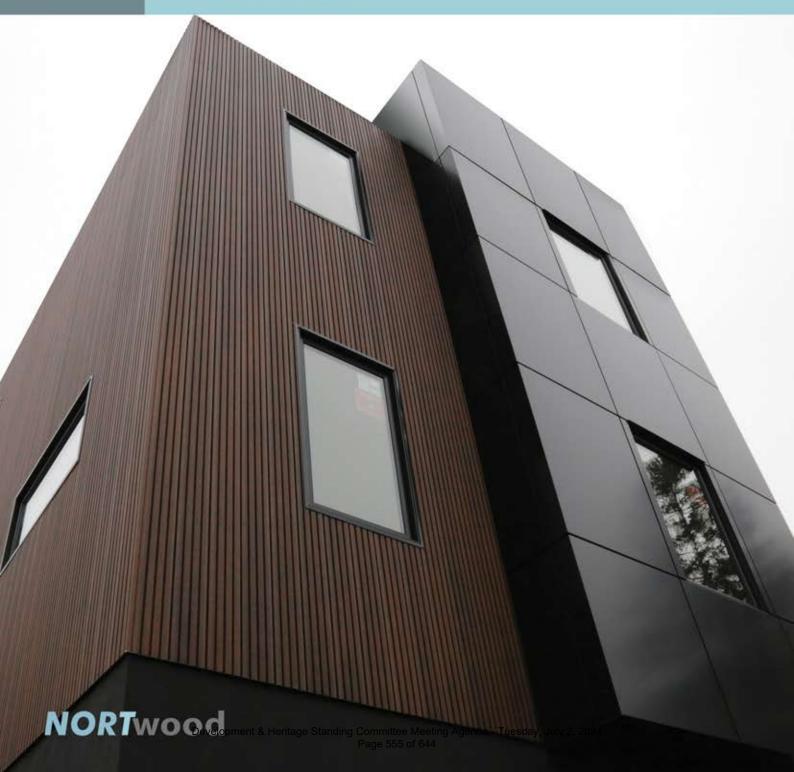
Color Collection

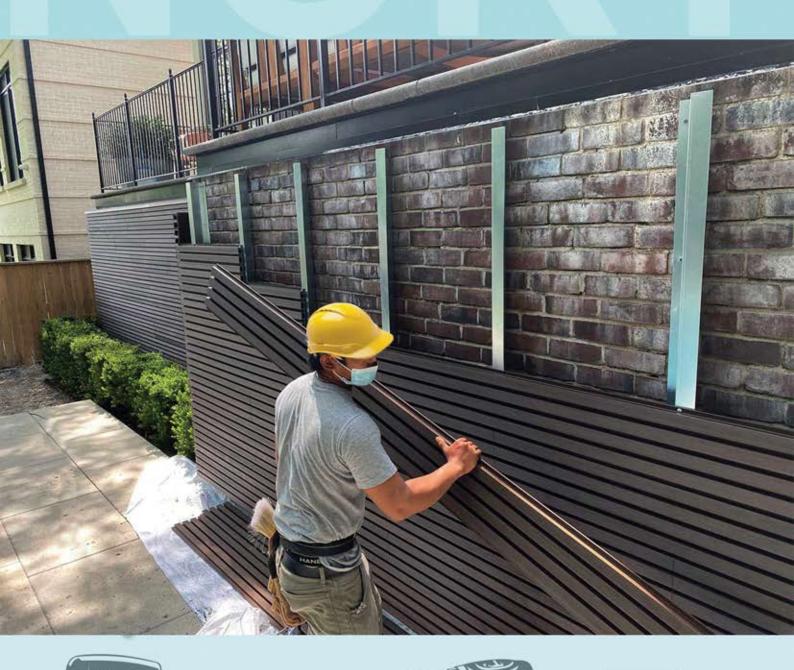
Fluted Panel

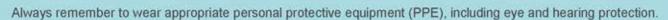
Subframe Requirements

P 8-9-10-11 Installation

P 18 Miter Cut Techniques







Tools & Safety

Utilize standard wood-cutting tools such as a table saw and miter saw equipped with a carbide blade (60-80 tooth),
Development & Heritage Standing Committee Meeting Agenda - Tuesday, July 2, 2024
a jig saw, a hole saw, and a drill for attachments
Page 556 of 644





# **NORTwood Color Collection**



Charcoal Black



Deep Gray



Norway Teak



Brazil Ipe







Golden Maple

# **Product Description**

NORTwood Tongue & Groove Siding is an extruded WPC closed joint rainscreen siding system, designed to be installed horizontally or vertically.

Panels are available in standard lengths of 142" as well as trim Components, used for end captures such as along the 12' bottom and top of walls, around windows and doors, corners, end terminations and expansion.

Before installing Nortwood Cladding product, it is recommended that you check with local building codes for any special requirements or restrictions.

All Pictures shown are for illustration purposes only and are not intended to provide a specific work order for installation.

Any construction or use of Nortwood panels must be in accordance with all local zoning and/or building codes. The consumer assumes all risks and liability associated with the construction and use of this product

Note: Recommende Construction Adhesive is : LPG PL Premium Fast grab 8x



General questions:

What are Fluted Panels?

Fluting is a type of moulding finish in which squared moulding is repeated in a pattern. These are more refined versions of slat walls.

What Are NORTwood Fluted Panels Made Of?

NORTwood Fluted panels are engineered from wood fibres with a polyethylene density, NORTwood plastic composite looks like natural wood with linear or vertical designs. The material is moisture, pest, and mould-resistant.

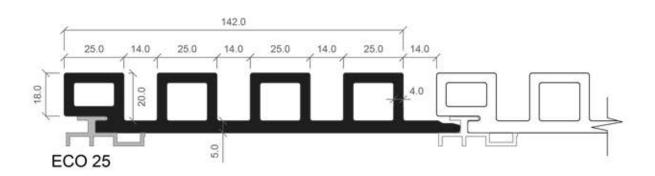
What Are Fluted Panels Used For?

Fluted panels are great as extra décor features on modern homes, hotels lobbies, conference rooms, reception areas, and any space that requires something luxury.

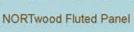
# ECO 25 NORTwood Fluted Panel

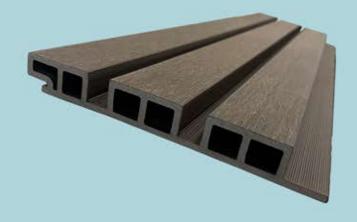


25mmx163mm x3600mm | 2.5 Kg/m (1"x 6 1/2" x 142")

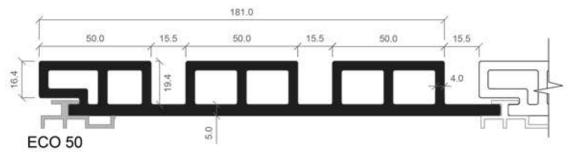


**ECO 50** 





26x208mm x3600mm | 2.2 Kg/m (1"x 8 1/2" x 142")





Product	Material	Part
Panel Clip	Aluminum	
Corner S-Clip (Optional)	Stainless Steel	
Aluminum Starter	Aluminum Profile	
F -Trim	WPC	P
Corner Trim	WPC	7
L -Trim	WPC	

Please be aware that in order to achieve an architectural exposed appearance and eliminate the necessity for extra trims, NORTwood panels can be readily cut and mitered for corner installations.

# **Subframe Requirements**

# Wood or Steel Strapping

The studs need to have a minimum thickness of 1 inch (25 mm). Straps should be fixed into position at a maximum of 16 inches (400 mm) centers using a suitable Stainless Steel Countersunk Wood/Masonry screw. All studs need to be flat and leveled against the wall surface use shims if necessary. Architects should be consulted regarding weather barriers and insulation for your project. Where a weather barrier is to be used, it should be a breathable type and must be positioned behind the studs.



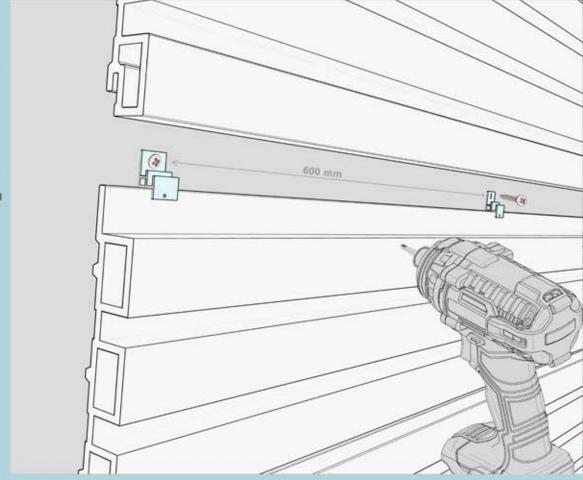
# **Horizontal Paneling**

Aluminum Clips should be hard fastened every 600mm directly through the clips on the substrates.

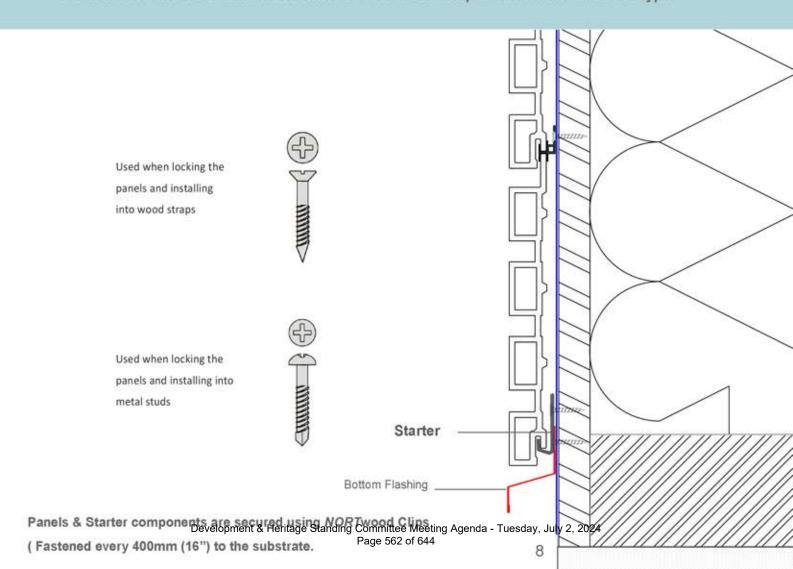
# Note:

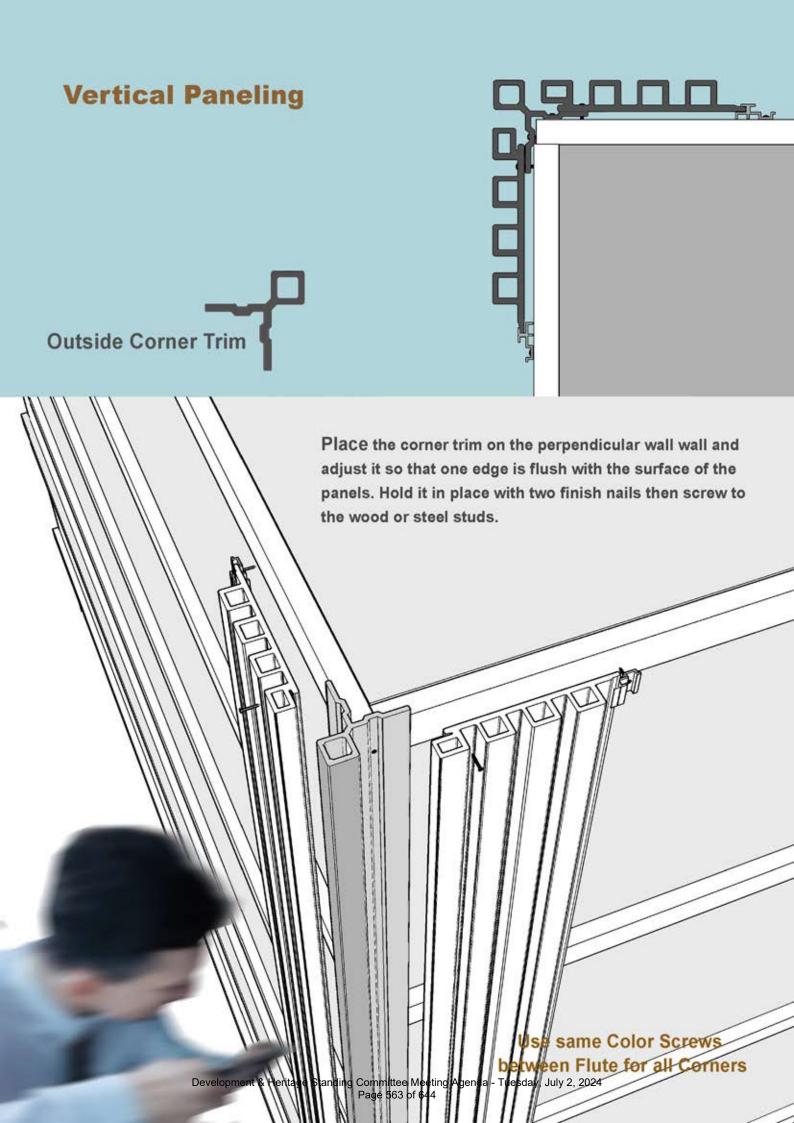
Substrates must be able to carry the load of the panels. Please Consult with your engineer or architect.

#8 pan-head screws are recommended.



All fasteners should be suitable for exterior use and be compatible with the substrate type.







Council Report: S 78/2024

Subject: Request for Partial Demolition of Heritage Listed Property - 886 Monmouth Road, Terrace (Ward 4)

# Reference:

Date to Council: July 2, 2024

Author: Tracy Tang

Planner III - Economic Development (A)

Email: ttang@citywindsor.ca Phone: 519-255-6543 X 6449

Gabriel Lam & Danielle Poirier Community Development Planning Assistant

Email: glam@citywindsor.ca; dpoirier@citywindsor.ca

Planning & Building Services Report Date: June 12, 2024 Clerk's File #: MBA2024

To: Mayor and Members of City Council

# Recommendation:

**THAT** Council **BE INFORMED** of the proposed partial demolition at 886 Monmouth Road, Terrace, to remove the existing poured concrete porch and construct a new front yard deck.

**Executive Summary: N/A** 

# **Background:**

The vernacular terraced rowhouse located at 886 Monmouth Road was listed on the Windsor Municipal Heritage Register on August 27, 2007. Records indicate that the series of terraces on the 800 Monmouth Block were completed circa 1904. Attached to three other units (subject property being the northern end unit), the two storey rowhouse is a well-preserved example of worker housing that distiller Hiram Walker & his sons (through Walker Subsidiaries) built for their employees during the Town of Walkerville's formative years.

On April 22, 2024, the Owner submitted a Building Permit application to remove the existing front porch and replace it by constructing a new deck. Through the Building Permit process, Heritage Planning staff were notified of the proposal and advised the Property Owner and their Contractor of the Heritage Planning requirements. On June 12, 2024, the Owner formally submitted notification of the removal (demolition) of the existing porch through a Heritage Permit application (Appendix A).



View of 886-896 Monmouth Rd from Monmouth Rd (June 11, 2024)



Front Porch of 886 Monmouth Rd from Monmouth Rd (June 11, 2024)

# Discussion:

# **Legal Provisions:**

The subject property is listed on the Windsor Municipal Heritage Register, but not designated. Section 27 of Part IV of the *Ontario Heritage Act* states that "the register may include property ... that the council of the municipality believes to be of cultural heritage value or interest", without being designated. Also, "[T]he owner of the property shall not demolish or remove a building or structure on the property or permit the demolition or removal of the building or structure unless the owner gives the council of the municipality at least 60 days notice in writing of the owner's intention to demolish or remove the building or structure or to permit the demolition or removal of the building or structure." The 60 days only begins after notice is received accompanying plans and information as Council may require. City of Windsor Council approved "Requirements and Procedures, Application for Demolition of Heritage-Listed Properties" (Council Decision # M163-2015) which outlines the required information for demolition, and notes that Administration has 30 days to evaluate if the information submitted is sufficient. Only after determination has been made that the required information has been submitted, does the 60-day count begin.

During the 60 days after notice, City Council (with Committee consultation) may initiate designation or decide to take no action. If a property is proposed for designation, a notice of intent to designate must include a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property, which are those features that are considered important to retain if any alterations to the property are proposed after designation. "Cultural heritage value or interest" is to be considered according to Ontario Regulation 9/06.

There is no explicit provision for the Committee or Council to comment on alterations to a heritage-listed, non-designated property, other than removal/demolition or partial demolition of structures from the Register under the *Ontario Heritage Act* unless designation is initiated. As this property is being evaluated as part of the ongoing Walkerville Heritage Conservation District Study, designation is not a recommendation of this report currently.

# Proposal:

The owner intends to construct a front yard deck that is 5 feet deep by 10 feet wide (50 square feet in area), of grey-toned composite decking material, 21 inches in height, with side steps and black discreet metal handrails affixed to the exterior brick wall.

To facilitate this proposed construction, the current poured concrete porch is proposed to be demolished (see drawings within Appendix A). The current porch is made of poured concrete in a reddish-orange tone. The landing of the porch is presently 4 feet deep, 5 feet wide, and 21 inches in height. There is a thin black metal handrail on one side of the porch. The railing on the other side has been removed by the Owner. The current railing is proposed to be replaced with a similar discreet, thin profile, black railing. The Owner has expressed the need to replace the existing porch as it is in poor condition, sinking on one side, and separating from the exterior brick wall.



Current condition of 886 Monmouth Road front porch (June 11, 2024)

# **Historical Background:**

The subject property is located on the east side of Monmouth Road in the 800 block between Cataraqui Street and Niagara Street. This neighbourhood is known to be one of the earlier industrial worker housing streets in Walkerville. The Town of Walkerville was founded by Hiram Walker of Detroit, Michigan in 1890¹. Upon moving his liquor business to Canada, Walker created an industrial town with the Hiram Walker Distillery at its core. Monmouth Road played an essential role in Walkerville, providing rental housing for the workers. To this day, this section of Monmouth Road has maintained its heritage value through the original townhouse structures that are defined by its red brick and streetscape.

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<sup>&</sup>lt;sup>1</sup> Walkerville, n.d., *A History of Hiram Walker and Walkerville*, Visit Walkerville, n.d. <a href="https://visitwalkerville.com/history">https://visitwalkerville.com/history</a>



Front view of 886 Monmouth (WPL Archives - 1958)

# **Heritage Considerations:**

The Vernacular Terrace house at 886 Monmouth Road is representative of early worker housing in Walkerville. The terrace features a symmetrical façade balanced in the center by the through alleyway, common bond red brick construction, with a decorative brick belt course at the floor line and beneath the parapet. Openings feature voussoirs of double row rowlocks. The terrace has a medium pitch hipped roof with two small, hipped dormers and two brick chimneys.

Heritage Planning staff engaged in discussions with the Property Owner and their Contractor about the design of the proposed porch to make it more heritage-sensitive and appropriate in the neighbourhood. Staff have recommended changes to the size/massing and the material/colour. The Owner was agreeable to reducing the proposed size/massing of the front yard deck to 5 feet deep by 10 feet wide (from their original proposal of 8 feet deep by 10 feet wide). However, the suggested material/colour of using masonry or composite products in darker/brownish tones by Staff was not acceptable to the Owner. The Owner had purchased grey-toned composite decking material for the proposed porch prior to the discussions, and wishes to use that material. Other than the recommended material (particularly the cladding of visible sides of the porch), the proposed construction generally appears to be compatible with the heritage appearance of the property and is consistent with other Monmouth Road properties with enlarged front porches.



Another photo of the grey-toned composite material (Provided by owner).

# Official Plan Policy:

Chapter 9 of the City of Windsor Official Plan, Heritage Conservation, includes the following objectives related to the recognition, conservation, and enhancement of heritage resources:

CONSERVATION MANAGEMENT	9.2.1	To conserve Windsor's heritage resources for the benefit of the community and posterity in a manner which respects their architectural, historical, and contextual significance and ensures their future viability as functional components of Windsor's urban environment.
IDENTIFY	9.3.3.4	Council will identify heritage resources by:

HERITAGE
RESOURCES
HERITAGE
REGISTER

(a) Maintaining and updating the list of built heritage resources known as the Windsor Municipal Heritage Register; and

The proposed size and massing conform to the Official Plan policies as it appears to be fitting with the heritage context of the neighbourhood.

# Risk Analysis:

The partial demolition proposed would allow the Owner to proceed with their desired porch replacement plans for the property, as their current porch is in poor condition. The size and massing of the proposal does not negatively impact the heritage value of the listed property or the Walkerville Heritage Area. The notification of the proposed demolition authorized by the *Ontario Heritage Act* serves as an opportunity to provide a process to designate when required to prevent inappropriate and concerning changes applied to the building.

Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

**Financial Matters:** 

There is no cost to the City, the Property Owner is paying the full cost of the proposal.

# **Consultations:**

Heritage Planning staff discussed the details of the proposal with the Property Owner and their Contractor through email correspondence, phone calls, as well as an inperson Site Visit to the subject property on Tuesday, June 11, 2024. Heritage Planning staff consulted with Adam Maillet, Development Application Coordinator, Building Department, regarding the Building Permit application and Zoning By-law provisions; and Kate Tracey and Aaron Farough, both Senior Legal Councils, Legal & Real Estate Department, regarding the legal provisions within the *Ontario Heritage Act*.

# **Conclusion:**

Council is to be informed of the proposed partial demolition to the Heritage Listed Property - 886 Monmouth Road, Terrace. The proposal outlines a plan to demolish the existing poured concrete front porch to facilitate the construction of a new front yard deck that is 50 square feet in area using grey-toned composite decking material. This partial demolition and new construction will be highly visible from Monmouth Road; however, its proposed size and massing is compatible and will not have a negative impact on the heritage character of the neighbourhood.

Planning Act Matters: N/A

# **Approvals:**

	1
Name	Title
Tracy Tang	Planner III- Economic Development (A)
Kate Tracey	Senior Legal Counsel
Jason Campigotto	Deputy City Planner - Growth
Thom Hunt	City Planner / Executive Director Planning & Building
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

# **Notifications:**

Name	Address	Email

Name	Address	Email

# Appendices:

1 Appendix A – Heritage Permit Application



☐ Minor Heritage Permit

# HERITAGE PERMIT APPLICATION

Demolition

# **APPLICATION TYPE**

Major Heritage Permit

(Delegated Authority Approval)	(City Council Approval)	
1. APPLICANT, REGISTER	ED OWNER, AND AGE	ENT INFORMATION
contact person, and address applicant or registered owne	s, postal code, phone r is a numbered compar ore than one applicant	d owner and agent, the name of the number, and email address. If the ny, provide the name of the principals or registered owner, copy this page,
APPLICANT Contact Name(s) Mary Company or Organization Mailing Address 886 City Province WindSor	Quennevill Monmowth	Road Postal Code N84 3L4
REGISTERED OWNER IF N	IOT APPLICANT	
Contact Name(s)		
Company or Organization		
Mailing Address		
		Postal Code
		Phone(s)
AGENT AUTHORIZED BY F		TO FILE THE APPLICATION
Company or Organization		
Mailing Address	(0)	
City, Province		Postal Code
Email	****	Phone(s)
Who is the primary contac	1?	
☑ Applicant	☐ Registered Owner	☐ Agent



# HERITAGE PERMIT APPLICATION

Revised 11/2023

2. SUBJECT PROPERTY	. 1	. 0		
Municipal Address: 886	Monmo	wth K	oad	
Legal Description (if known):_	_			
Building/Structure Type:  Residential  Cor	nmercial	☐ Industrial		☐ Institutional
Heritage Designation:  □ Part IV (Individual)		☐ Part V (F	-leritage Co	onservation District)
By-law #:		District:		
Is the property subject to a Heritage Easement or Agreement?  □ Yes □ No				
3. TYPE OF APPLICATION  Check all that apply:  Demolition/Removal of heritage				
attributes				
☐ Demolition/Removal of building ☐ Signage ☐ Lighting or structure				
*The Ontario Heritage Act's definition of "alter" means to change in any manner and includes to restore, renovate, repair or disturb.				
4. HERITAGE DESCRIPTION OF BUILDING				
Describe the existing design or appearance of buildings, structures, and heritage attributes where work is requested. Include site layout, history, architectural description, number of storeys, style, features, etc				
The home is one of the rowhouses on Monmouth It is a two-Story home and is one of the Ind units.  The front porch (cement) is sinking on the right side and has detached from the house.				
und units.				
right side and has detached from the house.				



# **HERITAGE PERMIT APPLICATION**

# 5. PROPOSED WORK

Provide a detailed written description of work to be done, including any conservation methods you plan to use. Provide details, drawings, and written specifications such as building materials, measurements, window sizes and configurations, decorative details, etc.. Attach site plans, elevations, product spec sheets, etc. to illustrate, if necessary.

4-1

I plan to put up a new front porch -
approximately 5" x 10" in a neutral
Prarey composite. This necessitates
removing the Cement Stoop - or at loast
part of it.
6. HERITAGE PERMIT RATIONALE
Explain the reasons for undertaking the proposed work and why it is necessary.
The sinking front Stoop is an eyesore. I've
he-pointed and replaced the front door the
new porch will tinish my removation of the fr
Describe the potential impacts to the heritage attributes of the property.
In my view the Dorch will enhance
the law of the property.
The same of the property
7. CHECKLIST OF MATERIALS SUBMITTED Check all that apply: Required:
<ul> <li>Photographs (showing the current condition and context of existing buildings, structures, and heritage attributes that are affected by the application)</li> </ul>
☐ Site plan/ Sketch (showing buildings on the property and location of proposed work(s))
<ul> <li>Architectural drawings of proposed work(s) (e.g. existing and proposed elevations, floor plans, roof plans, etc., as determined by Heritage Planning staff)</li> </ul>
☐ Specifications of proposed work(s) (e.g. construction specification details)





Potentially required (to be determined by Heritage Planning staff):	
☐ Registered survey	
☐ Material samples, brochures, product data sheets etc.	
☐ Cultural Heritage Evaluation Report	
☐ Heritage Impact Assessment (HIA)	
☐ Heritage Conservation Plan	
☐ Building Condition Assessment	
8. NOTES FOR DECLARATION	
The applicant hereby declares that the statements made herein and are, to the best of their belief and knowledge, a true and complete purpose and intent of this application.	
The applicant agrees that the proposed work shall be done in a application, including attachments, and understands that the issue Alteration Permit under the Ontario Heritage Act shall not be a value provisions of any By-Law of the Corporation of the City of Windsor, of the Building Code Act, RSO 1980, c51.	ance of the Heritage waiver of any of the
The applicant acknowledges that in the event a permit is issued, an conditions imposed by the Council of the Corporation of the City of V specifications approved is prohibited and could result in the permit applicant further agrees that if the Heritage Alteration Permit is revoirregularity, in the relation to non-conformance with the said agreen or regulations that, in consideration of the issuance of the permit, a City for any resultant loss or damage are hereby expressly waived.	Vindsor, or plans and being revoked. The ked for any cause of nents, By-Laws, acts
M. Quenolla	June 11/24.
Signature of Applicant(s)	() Date !
Signature of Applicant(s)	Date

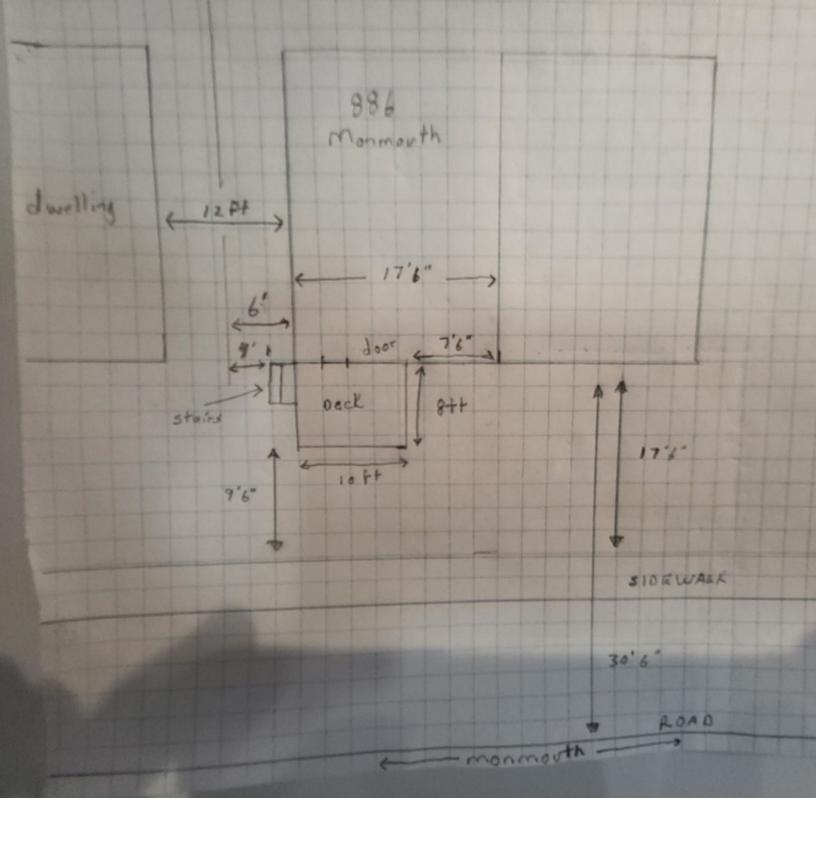


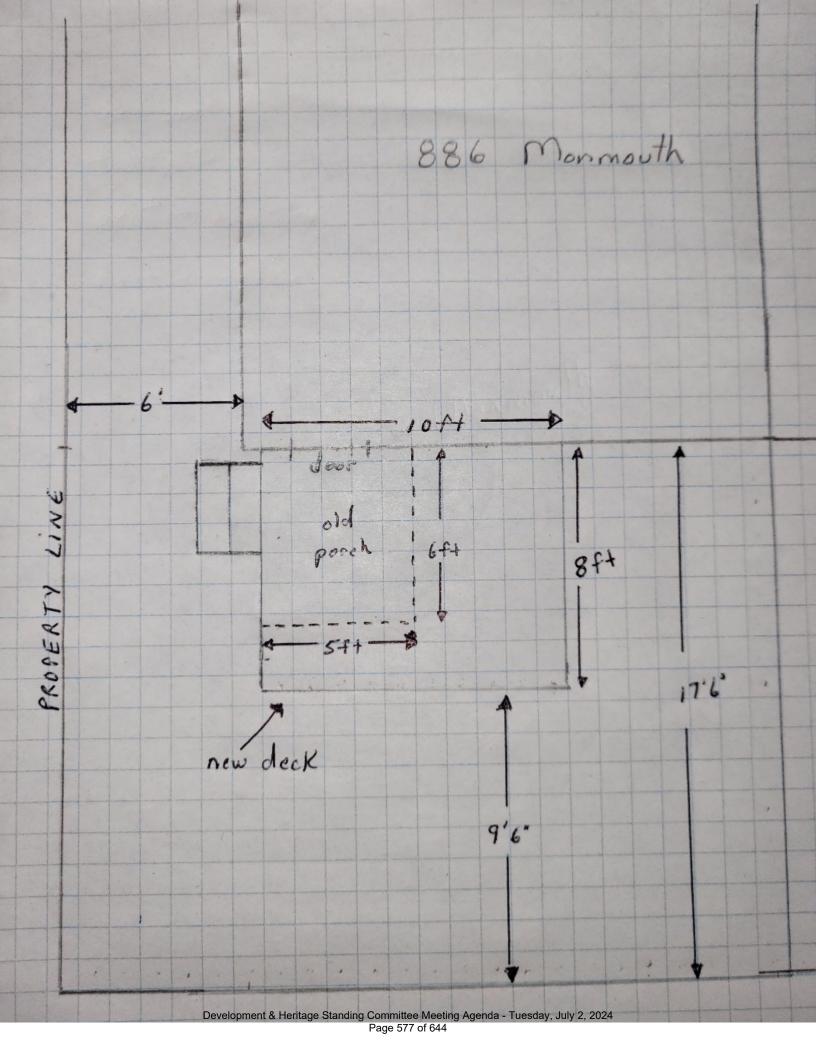


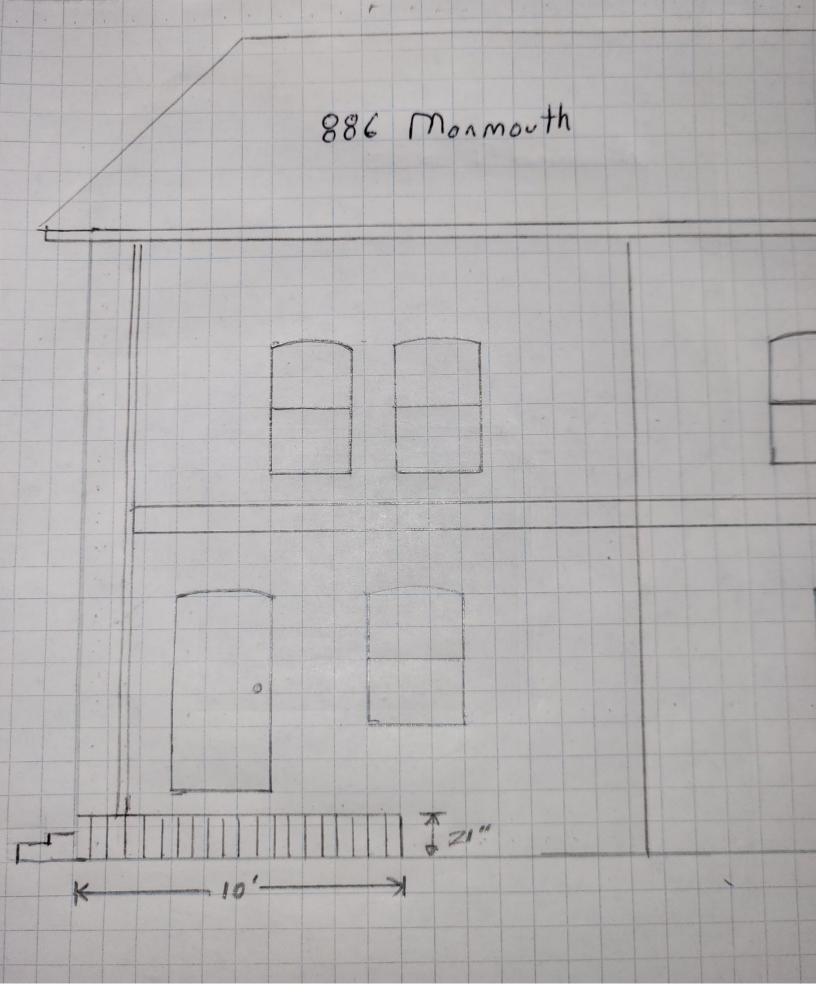
Page 5 of 5

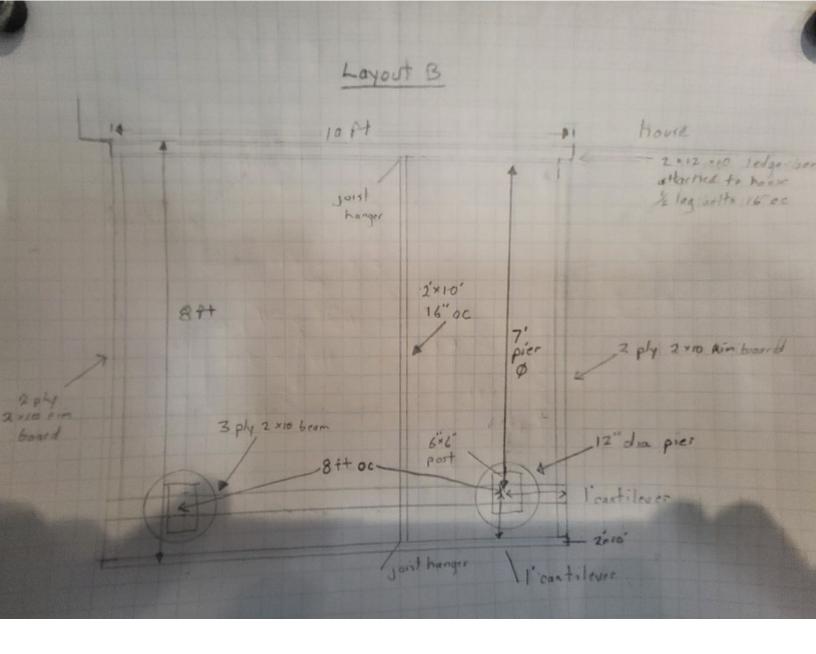
# **SCHEDULE A**

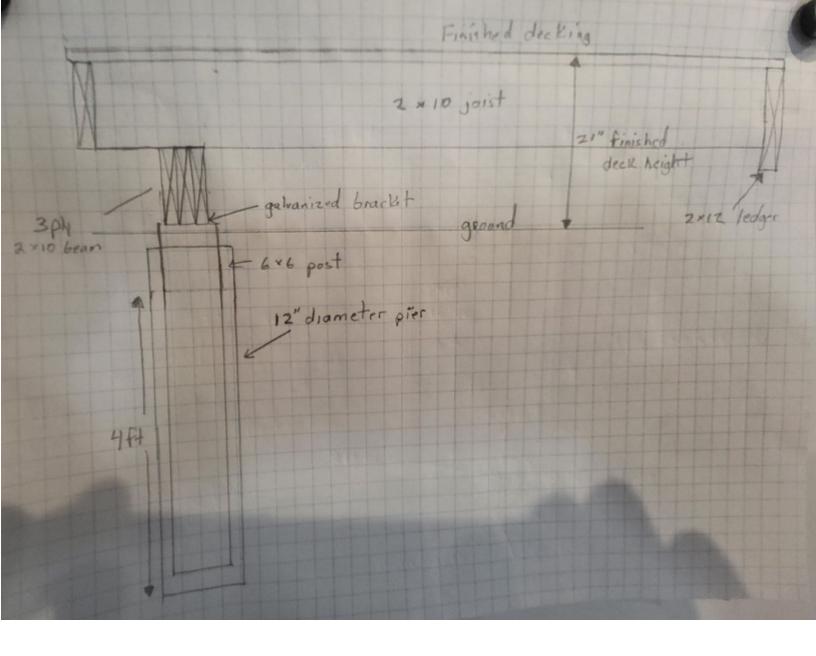
A. Authorization of Registered Owner for Agent to Make the Application If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the applicant is authorized to make the application must be included with this application form or the authorization below must be completed.				
I,, am the registered	d owner of the land that is			
subject of this application for a Heritage Alteration Permit	and I authorize			
name of agent to make this appl	ication on my behalf.			
Signature of Registered Owner	Date			
If Corporation – I have authority to bind the corporation.				
I, <u>Uenne Jile</u> , hereby authoriz Heritage Committee and City Council and staff of the Corto enter upon the subject lands and premises described form for the purpose of evaluating the merits of this apconduct any inspections on the subject lands that may approval. This is their authority for doing so.  Signature of Registered Owner	ze the members of the Windsor rporation of the City of Windsor in Section 3 of the application oplication and subsequently to			
If Corporation – I have authority to bind the corporation.				
C. Acknowledgement of Applicant I understand that receipt of this application by the City of does not guarantee it to be a complete application. Furth occur and I may be contacted to provide additional in discrepancies or issues with the application as submitted. I further understand that pursuant to the provisions of the Municipal Freedom of Information and Protection of Privation and information provided with this application are Signature of Applicant	er review of the application will information and/or resolve any e Ontario Heritage Act and the acy Act, this application and all			













Grey-toned composite decking material (indoor lighting)



Grey-toned composite decking material (natural outdoor lighting)

Development & Heritage Standing Committee Meeting Agenda - Tuesday, July 2, 2024 Page 581 of 644

#### Property Photographs – 886 Monmouth Road, Terrace

Images taken by staff on June 11, 2024



Front of the property from Monmouth Rd



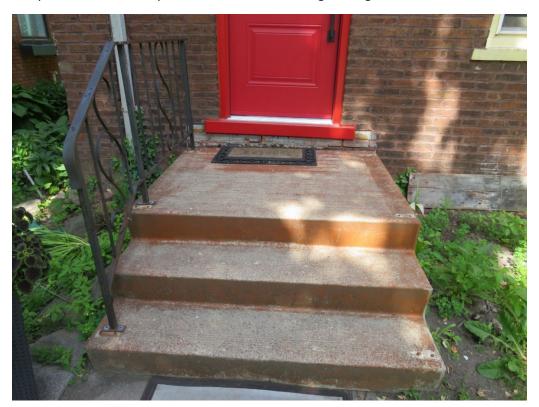
Front of the property looking south



Front of the property looking north



Perspective of the front yards of the terrace building looking south



Front porch of poured concrete, proposed to be demolished



Front porch of poured concrete, side view



Porch detaching from exterior brick wall



Porch detaching from exterior brick wall



Council Report: S 80/2024

Subject: 3251 Riverside Drive East Culvert Relocation - Cost Sharing - Riverside Horizons Inc. - Ward 5

#### Reference:

Date to Council: July 2, 2024 Author: Shannon Mills Technologist III (519) 255-6257 ext. 6635 smills@citywindsor.ca Development -Engineering Report Date: June 14, 2024

Report Date: June 14, 2024 Clerk's File #: SPL/14202

To: Mayor and Members of City Council

#### Recommendation:

- I. THAT the Chief Administrative Officer and the City Clerk BE AUTHORIZED to sign a cost sharing agreement with Riverside Horizon's Inc., whereby the City will pay an estimated \$509,876, excluding HST (final payment to be based on actual construction costs), as the City's share of infrastructure costs associated with the Pratt Drain culvert relocation, to be satisfactory in form to the City Solicitor, in technical content to the City Engineer and in financial content to the City Treasurer; and,
- **II. THAT** the cost sharing payment be funded from the New Infrastructure Development Project (Project ID #7035119).

#### **Executive Summary:**

N/A

#### **Background:**

Under CR439/2023 DHSC 546 Council Approved rezoning of the properties known municipally as 3251 Riverside Drive East & 222 Belleview Avenue, from Commercial District CD1.7 and Residential District RD2.2 to Residential District RD3.3. Subsequently, Riverside Horizons Inc. (Horizons) has applied through Site Plan Control

to redevelop the noted properties from a parking lot into a 12-storey building with 84 residential units.

To implement the proposed development, a concrete box storm culvert constructed in 1916 under the subject property will be relocated to the Belleview Avenue and Riverside Drive East rights-of-way. As a part of the culvert relocation Administration has requested Horizons abandon approximately 78 meters of vitrified clay pipe storm sewer along Belleview Avenue which was constructed in 1910 and an additional 38 meters of the aforementioned box culvert which is located under existing homes on Belleview Avenue (Collectively "the Works")

The Developer's Consulting Engineer, Dillon Consulting Ltd ("Dillon"), completed detailed servicing drawings for the Works which have been approved by the City Engineer and a Right-of-Way permit has been issued. The Work is beneficial to both parties as explained below, and as such a cost sharing agreement has been negotiated and agreed upon in principle. Administration is seeking approval herein to enter into the cost sharing agreement, and for payment of the cost sharing amount.

#### Discussion:

The Pratt Drain culvert enclosure was constructed in 1916 and is reaching the end of its useful service life. Under existing conditions, the culvert enclosure runs under several houses on Belleview Avenue (222, 228, 232, and 236 Belleview Avenue) before bisecting the proposed development parcel at 3251 Riverside Drive East, and eventually out letting to the Detroit River. Because of this, the culvert is difficult to access for maintenance.

In order to accommodate the proposed development, the City and Dillon agreed that the enclosure should be reconstructed within the Belleview Avenue and Riverside Drive rights-of-way, in order to remove it as an obstruction from private property. The City also requested the Developer abandon an additional section of vitrified clay pipe storm sewer along Belleview Avenue which has reached its end of life. Because of the mutual benefit of the work to both parties, the costs were agreed to be split 50/50.

Tender submissions for the noted work were received by Dillon on behalf of Horizons on March 12, 2024. Bids were received from 3 contractors with Sherway Contracting Ltd. being the low bidder with an overall tender amount of \$886,741.00. Based on the low tender, Sherway Contracting Ltd will be awarded the contract by Horizons to carry out the Works, and the City's share of the cost is estimated at \$509,876.08 (excluding HST and including Engineering and Contract Administration).

An overall summary of the City's share of the costs is provided below:

Description	Amount
Estimated Project Costs	
City's Share of Culvert Relocation (50% of total project cost)	\$443,370.50

City's Share of Engineering (+15%)	and Construction Administration	\$66,505.58
TOTAL (excluding HST)		\$509,876.08

#### Risk Analysis:

Associated risks to the Corporation resulting from the undertaking of this project include risks typical to facilitate private development, mainly non-performance by the Developer. These risks are mitigated through the requirement of the Developer to provide performance securities and insurance. Performance securities can be drawn upon in the event the Developer breaches the terms of the agreement with the Corporation, and the insurance will indemnify the Corporation against potential damage and claims which may arise during construction and the maintenance period.

Maintenance of the existing culvert is limited to trenchless technologies and may require access agreements with property owners. As the culvert is currently located beneath the homes should a catastrophic failure of the culvert occur there is a risk to the structures above. The proposed relocation will eliminate these risks altogether and the recommendations of this report provide an opportunity to do so through a cost sharing arrangement.

#### Climate Change Risks

#### **Climate Change Mitigation:**

This report is administrative in nature and does not include any risks related to Climate Change adaptation.

#### **Financial Matters:**

Traditionally, commitments have been made to Developers to compensate them for oversizing of services following the installation of said services. Currently, there is approximately \$1.1M available in Project 7035119 - New Infrastructure Development. This is sufficient funding for the estimated payment of \$509,876.08. Final payment will be made to the Developer based on actual costs once the project is deemed substantially performed and accepted onto maintenance.

#### **Consultations:**

Kate Tracey – Senior Legal Council

Kathy Buis – Financial Planning Administrator

Michael Dennis – Manager, Strategic Capital Budget Development and Control

#### Conclusion:

Administration is recommending approval of the execution of a cost sharing agreement with Riverside Horizons Inc., and for payment to Riverside Horizons Inc. at \$509,876.08 (excluding HST) for storm culvert relocation costs required to provide service for privately owned lands on Riverside Drive East. Payment to be funded from Project 7035119 - New Infrastructure Development.

#### **Planning Act Matters:**

N/A

#### Approvals:

Name	Title	
Tom Graziano	Acting for Patrick Winters, Manager of Development	
Stacey McGuire	Executive Director Engineering/Deputy City Engineer	
Mark Winterton	Commissioner, Infrastructure Services	
Wira Vendrasco	City Solicitor	
Janice Guthrie	Commissioner, Finance and City Treasurer	
Joe Mancina	Chief Administrative Officer	

#### **Notifications:**

Name		Address	Email
List provided Clerks	d to		

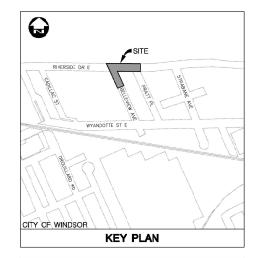
#### **Appendices:**

- 1 S-2131 3251 Riverside Dr E Culvert Relocation (April 26, 2024) For Construction
  - 2 Letter for Cost Sharing Agreement Riverside Dr E Culvert Relocation

# 3251 RIVERSIDE DRIVE EAST CULVERT RELOCATION IN THE CITY OF WINDSOR

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### **TENDER B**



CITY OF	WINDSOR BENCH MARK
BM ELEV. 180.716m	TOP NUT OF FIRE HYDRANT AT SOUTH EAST SIDE AT INTERSECTION OF RIVERSIDE DRIVE AND BELLEVIEW AVENUE

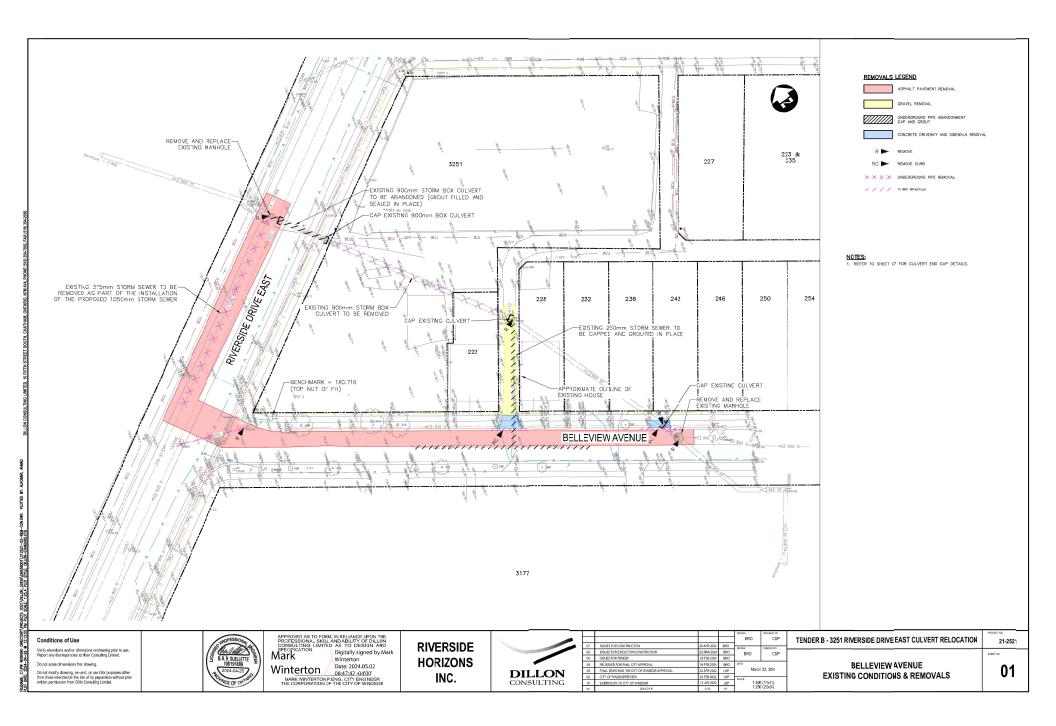
ALL EXISTING INVERTS TO BE FIELD CHECKED PRIOR TO CONSTRUCTION

INDEX		
SHEET	DESCRIPTION	
	COVER SHEET	
01	EXISTING CONDITIONS & REMOVALS	
02	PLAN AND PROFILE - BELLEVIEW ALLEYWAY - STA 0+000 TO STA 0+038	
03	PLAN AND PROFILE - BELLEVIEW AVENUE - STA: 1+000 TO STA: 1+139	
04	PLAN AND PROFILE -RIVERSIDE DRIVE -STA: 2+000 TO STA: 2+070	
05	RESTORATION PLAN	
06	NISCELLANEOUS DETAILS	
07	CULVERT END CAP CETAILS	



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S-2131



## Conditions of Use

Verify elevations and/or dimensions on drawing prior to use. Report any discrepancies to Dillon Consulting Limited. Do not scale dimensions from drawing. Do not modify drawing, re-use it, or use it for purposes other than those intended at the time of its preparation without prio written permission from Dillon Consulting Limited.



APPROVED AS TO FORM, IN RELIANCE UPON THE PROFESSIONAL SKILL AND ABILITY OF DILLON CONSULTING LIMITED AS TO DESIGN AND SPECIFICATION.

Digitally signed by Marks Digitally signed by Mark Winterton Date: 2024.05.02 08:55:54 Winterton MARK WINTERTON P.ENG., CITY ENGINEER THE CORPORATION OF THE CITY OF WINDSOR

DILLON CONSULTING

RIVERSIDE

**HORIZONS** 

INC.

/ AVENUE

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STORM SEWER INVERT

STATION

BRO CDP CDP BRO E-ISSUED FOR FINAL CITY APPROVAL INAL DRAWINGS FOR CITY OF WINDSOR APP ITY OF WINDSOR REVIEW March 22, 2024 JEWISSION TO CITY OF WINDS

TRENCH BACKFILL CASE 3

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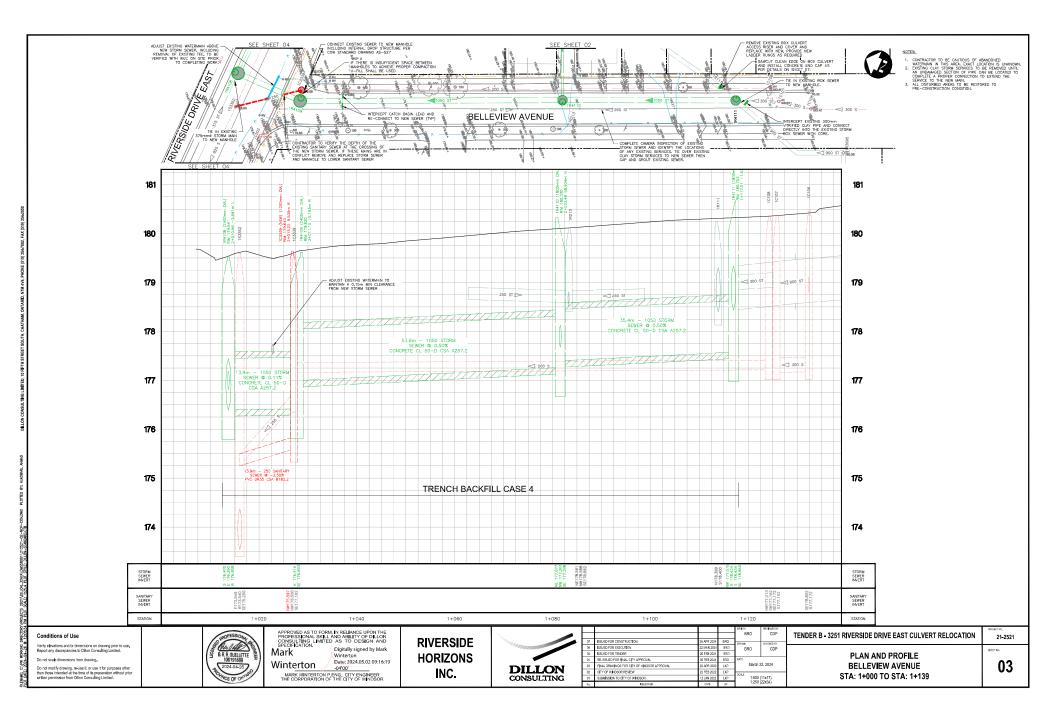
STATION

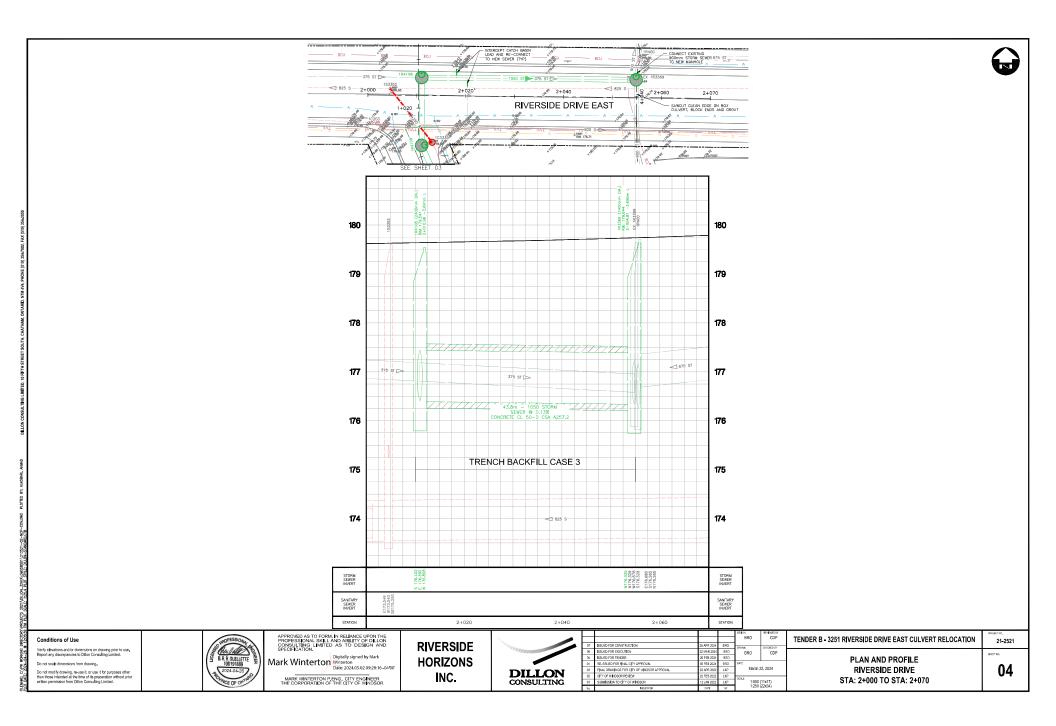
TENDER B - 3251 RIVERSIDE DRIVE EAST CULVERT RELOCATION 21-2521 PLAN AND PROFILE 02 BELLEVIEW ALLEYWAY STA: 0+000 TO STA: 0+038

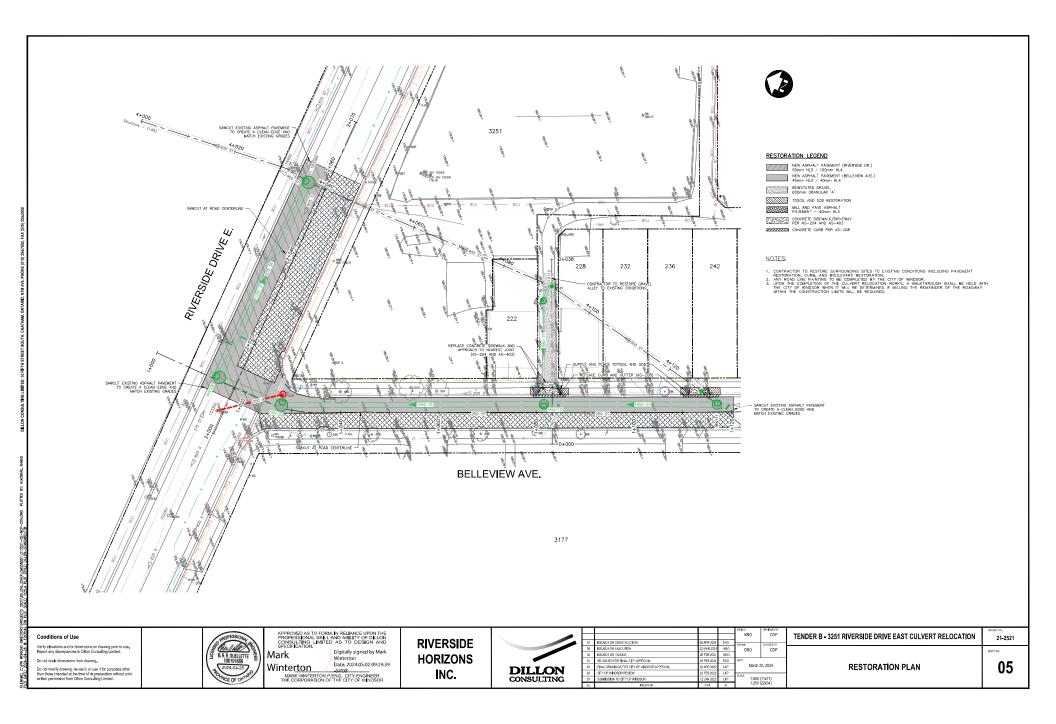
- 2. ALL WORKS TO BE CONSTRUCTED TO A TOLERANCE OF 5mm±.
- 3. ALL DIMENSIONS AND RADII ARE TO CONSTRUCTION BASELINE OR EDGE OF PAVEMENT.
- 4. CHAINAGES SHOWN REFER TO CONSTRUCTION BASELINE.
- SEWER BEDDING TO BE CLASS 'B' (EXCEPT CLASS 'A' TO FIRST PIPE JOINT OUTSIDE OF MANHOLE FOR RIGID PIPE).
- BACKFILL OF SEWER AND UTILITY TRENCHES SHALL BE IN ACCORDANCE WITH AS-536 (SEE DETAILS SHEET), IF GRANULAR '8' TYPE 1 IS USED, IT SHALL BE APPROVED PRIOR TO USE UNDER THE CITY'S RECYCLED ACCRECATE POLICY.
- ALL SEWERS SHALL HAVE A MINIMUM OUTSIDE EDGE OF PIPE/OUTSIDE EDGE OF PIPE SEPARATION OF 2.50m FROM ANY WATERMAIN.
- 8. CONJECTION TO EVEN PIECE
  THE CONTRACTOR STALL BE REQUIRED TO USE ONLY PLANT MANUFACTURED TIES WHEN INSTALLING PRIVATE
  DRAIN CONNECTIONS. THE ANGULAR RISE OF THE CONNECTIONS SHALL BE RETWEN 5' AND 85' IF THE
  ANGULAR RISE EXCEEDS 45' THE CONTRACTOR SHALL PROVIDE AN ADDITIONAL PIECE COUPLING WITH STOP
  IMMEDIATELY BEFORE THE FITTING. A SHORT SECTION OF PIECE PIPE IS TO BE USED TO CONNECT THE COUPLING
  TO THE TER TITHING. THE COPINE SHALL REST DIRECTLY UPON THE BELL PORTION OF THE OFTEN.
- CONNECTIONS TO CONCRETE PIPE:
  ALL FIELD MANUFACTURED TEES SHALL BE CORED AND CONNECTED USING AN APPROVED MANUFACTURED TEE
  MICH LEDING. A STORBERGE
- 10. CLEAR SEPARATION OF 0.50m SHALL BE MAINTAINED WHEN A WATERMAIN PASSES UNDERNEATH A STORM OR SANITARY SEWER.
- 12. CONTRACTOR TO USE IPEX LIFE SAVER LIFT RINGS FOR MANHOLES.
- 13. THE CITY OF WINDSOR DEVELOPMENT MANUAL STANDARDS APPLY.
- 14. CONTRACTOR TO PAY FOR ALL PERMITS AND FEES REQUIRED FOR SERVICE INSTALLATION.
- ALL STORM SEWERS 375mm DIA, OR SMALLER TO BE PVC DR-35. ALL STORM SEWERS 450mm DIA. OR LARGER TO BE CONCRETE A257.2 65-D UNLESS SHOWN OTHERWISE.
- 16. ALL STORM MANHOLES TO HAVE A MINIMUM 450mm DEEP SUMP.
- 17. CONTRACTOR TO SUPPLY AND INSTALL ALL REQUIRED UTILITY SUPPORTS ADHERING TO UTILITY REQUIREMENTS, ANY SHOP DEAWNOS REQUIRED BY THE UTILITY COMPANY SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- 18. TRENCH BACKFILL CASE IDENTIFIED ON THE DRAWINGS REFER TO CITY OF WINDSOR STANDARD DETAIL AS-536
- ALL CATCH BASIN LEAD EXTENSIONS TO BE PCV DR-35 AND MATCH THE EXISTING CATCH BASIN LEAD DIAMETER.

ALL EXISTING INVERTS TO BE FIELD CHECKED PRIOR TO CONSTRUCTION

> Development & Heritage Standing Committee Meeting Agenda - Tuesday, July 2, 2024 Page 591 of 644







	THE FOLLOWING CITY OF WINDSOR STANDARD DETAILS SHALL APPLY TO THIS CONTRACT		
AS-102	PROJECT SIGN		
AS-208	RESIDENTIAL DRIVE - CONCRETE		
AS-209A	BACKFILL OF DITCH/SWALE/TRENCH		
AS-222	STANDARD CURB AND GUTTER FOR RESIDENTIAL ROADS		
AS-301	STANDARD CATCH BASIN - FRAME AND COVER (PROVISIONAL)		
AS-304A	MANHOLE FRAME AND COVER		
AS-305	DETAIL OF TYPICAL MANHOLE STEP		
AS-309A	600mmX600mm PRECAST CONCRETE CATCH BASIN (PROVISIONAL)		
AS-310A	BEDDING FOR SEWER PIPE - CLASS 'A'		
AS-310B	BEDDING FOR SEWER PIPE - CLASS 'B'		
AS-314A	PRECAST MAINTENANCE HOLE 1200mm DIAMETER		
AS-314C	PRECAST MAINTENANCE HOLE 1800mm DIAMETER		
AS-314D	PRECAST MAINTENANCE HOLE 2400mm DIAMETER		
AS-401	RESIDENTIAL CONCRETE SIDEWALK		
AS-519	GRANULAR 'B' TYPE 1 BACKFILL		

THE FOLLOWING CITY OF WINDSOR SPECIFICATIONS SHALL APPLY TO THIS CONTRACT		
S-1	SEWERS	
S-2	MANHOLES AND CATCH BASINS	
8-3	EARTH EXCAVATION	
S-4	SELECTED GRANULAR BASE COURSES	
8-5	CONCRETE CURBS AND GUTTER SYSTEMS	
S-6	CONCRETE SIDEWALK AND DRIVEWAY APPROACHES	
8-9	CONCRETE	
8-38	HOT MIX, HOT LAID ASPHALTIC CONCRETE	

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APPROVED AS TO FORM, IN RELIANCE UPON THE PROFESSIONAL SKILL AND ABILITY OF DILLON CONSULTING LIMITED AS TO DESIGN AND SPECIFICATION. Mark Winterton Date: 2024.05.02 09:31:08 -04%

MARK WINTERTON P.ENG., CITY ENGINEER THE CORPORATION OF THE CITY OF WINDSOF

RIVERSIDE **HORIZONS** INC.



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67	ISSUED FOR CONSTRUCTION	26 APR 2024	BRO	DSYAN
(6	ISSUED FOR EXECUTION	22 MAR 2024	BRO	BRO
06	ISSUED FOR TENDER	26 FEB 2124	BRO	
04	RE-ISSUED FOR FINAL CITY APPROVAL	05 FEB 2024	BRO	BATE
63	FINAL DRAWINGS FOR CITY OF WINDSOR APPROVAL	22 APR 2022	LKP	Marc
(6	CITY OF WINDSOR REVIEW	22 FEB 2022	LKP	904.6
01	SUBMISSION TO CITY OF WINDSOR	12 JAN 2022	FKb	1:50
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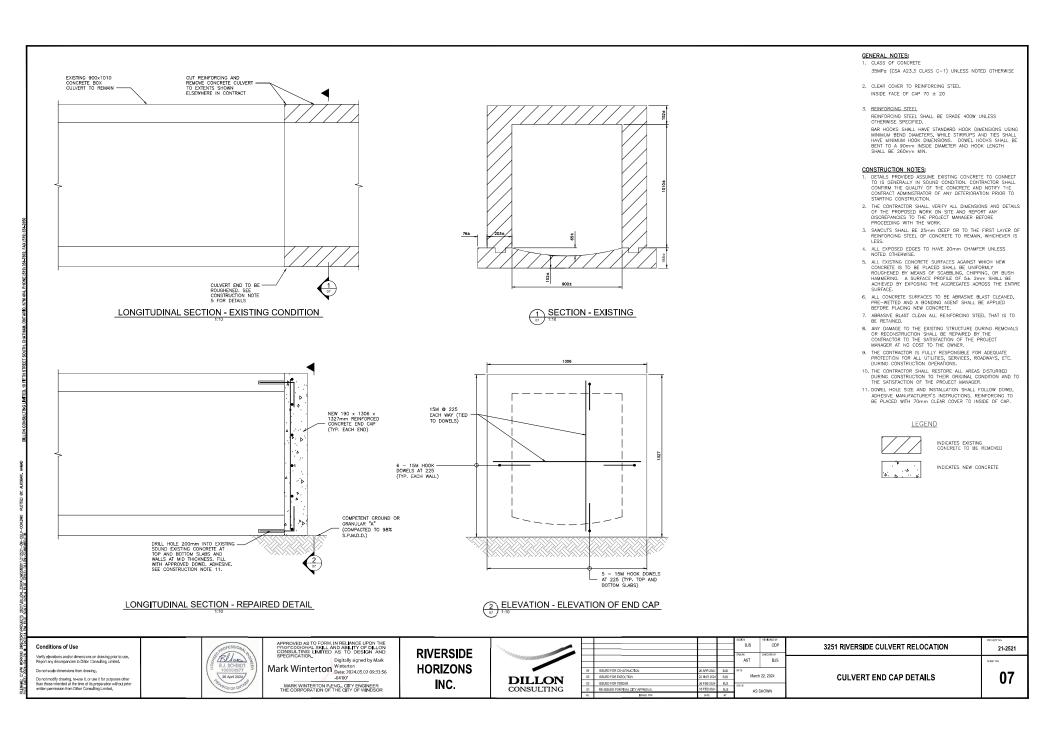
March 22, 2024

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TENDER B - 3251 RIVERSIDE DRIVE EAST CULVERT RELOCATION CDP **MISCELLANEOUS DETAILS** 

06

21-2521





Our File: 21-2521

May 2, 2024

Corporation of the City of Windsor Engineering Department, Development Division 350 City Hall Square West, Suite 310 Windsor, Ontario N9A 6S1

Attention: Shannon Mills, C.E.T.

Technologist III

#### Riverside Drive East Culvert Relocation – Cost Sharing Agreement

On behalf of our client, Riverside Horizons Inc., we have prepared this letter to outline the proposed cost sharing for the design and construction of the Pratt Drain culvert relocation on Belleview Avenue and Riverside Drive East.

Per previous discussions between the City of Windsor and Riverside Horizons Inc., it has been agreed that the cost sharing will be 50% to each party for all costs associated with the construction required to relocate the Pratt Drain culvert from private lands to City right-of-way. An additional 15% shall be added to the total cost to the City to cover the design, tendering, and construction observation. A summary of these costs is provided below based on the Tender results:

Item	Total Cost (excl. HST)	City Share (excl. HST)
Construction	\$886,741.00	\$443,370.50
Design, Tendering, Construction Observation (15%)	\$133,011.15	\$66,505.58
Development Review Fee (4% of Horizon's share of the work)	\$17,734.82	\$0.00
Total	\$1,037,486.97	\$509,876.08

In summary, the City shall be responsible for repayment to Riverside Horizons Inc. for a total of \$509,876.08 + HST. The Developer has agreed to up front the entire cost initially, until monies are available in the City's oversizing account for repayment.

Should you have any questions or concerns, please contact the undersigned or send an email to bouellette@dillon.ca.

3200 Deziel Drive Suite 608 Windsor, Ontario Canada N8W 5K8 Telephone 519.948.5000 Fax

519,948,5054

The Corporation of the City of Windsor Page 2 May 2, 2024



Yours sincerely,

**DILLON CONSULTING LIMITED** 

Ben Ouellette, P.Eng. Project Manager

BRO:jrb



Council Report: S 76/2024

Subject: Application to Demolish Residential Dwelling Located at 2318 Westcott Road, which is Subject to Demolition Control By-law 131-2017 (Ward 5)

#### Reference:

Date to Council: July 2, 2024
Author: Tracy Tang, MCIP, RPP
Planner III – Economic Development (A)
ttang@citywindsor.ca
519-255-6543 x 6449
Planning & Building Services

Report Date: June 10, 2024 Clerk's File #: SPL2024

**To**: Mayor and Members of City Council

#### Recommendation:

- THAT the Chief Building Official **BE AUTHORIZED** to issue a demolition permit
  to the property owner 2644008 Ontario Ltd. (Adel Shaya) for the single
  residential dwelling located at 2318 Westcott Road to facilitate redevelopment of
  the property into a single detached dwelling, resulting in a total of one residential
  dwelling unit; 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, that:
  - 1. The Redevelopment identified in Appendix 'C' be substantially complete within two years of demolition permit issuance; and,
  - 2. If redevelopment, including construction of a new building, is not substantially complete within two years of the commencement of demolition the maximum penalty (\$20,000) shall be entered on the collectors roll of the property; and,
- IV. THAT the City Solicitor **BE DIRECTED** to register a notice of Condition #2 in the land registry office against the property in the event that the redevelopment is not substantially complete within two (2) years following the commencement of the demolition.

#### **Executive Summary: N/A**

#### **Background:**

Following a two-year interim control by-law study, a suite of new Official Plan policies and Zoning Bylaw regulations were approved by Council on August 28, 2017 that aims to prevent demolition of buildings along the City's traditional commercial streets for use as surface parking.

These Official Plan policies and zoning by-law regulations apply within the City's Business Improvement Areas and other mainstreet areas such as Ouellette Avenue between University Avenue and Tecumseh Road. The policies apply to new or expanded parking areas (i.e. creation of 5 or more parking spaces) and generally:

- Prohibit new and expanded off-street parking areas abutting traditional commercial streets:
- Require new and expanded off-street parking areas to be located behind buildings;
- Permit rezoning of residential properties within 75 metres of traditional commercial streets for off-street parking use subject to criteria;
- Prohibit new vehicle access from traditional commercial streets where access from a side street or alley exists; and
- Require screening and landscaping of parking areas.

Demolition Control By-law 131-2017 was also approved by Council to encourage orderly development and prevent speculative demolition of residential dwellings in the vicinity of traditional commercial streets, and to limit the expansion of parking areas into the adjacent neighbourhoods.

#### Discussion:

#### **Exemption from Demolition Control By-law 131-2017**

Section 3 of the Demolition Control By-Law 131-2017 states that "...no person shall demolish the whole or any part of any residential property in the control area described in Section 2 hereof unless the person is the holder of a demolition permit issued by Council under the provisions of this by-law." The decision to issue (or not to issue) a demolition permit is at City Council's sole discretion.

Section 5 of the Demolition Control By-Law 131-2017 states that "...Council shall, on an application for a demolition permit, issue a demolition permit where a building permit has been issued to erect a new building on the site of the residential property sought to be demolished." Section 7 states that a demolition permit may be issued with the following conditions:

- (a) That the applicant for the demolition permit construct and substantially complete the new building to be erected on the site of the residential property to be demolished by not later than such date as may be determined by Council, provided, however, that such date is not less than two years from the day demolition of the existing residential property is commenced;
- (b) That, on failure to complete the new building within the time specified in the permit issued, the Clerk shall be entitled to enter on the collectors roll, to be collected in like manner as municipal taxes, such sum of money as may be determined by Council but not in any case to exceed the sum of Twenty Thousand Dollars (\$20,000.00) for each dwelling unit contained in the residential property in respect of which the demolition permit is issued, and such sum shall, until payment thereof, be a lien or charge upon the land in respect of which the permit to demolish the residential property is issued;
- (c) That notice of conditions in this section 7 be registered in the land registry office against the land to which it applies.

Section 11.11 of the City's Official Plan requires the filing of redevelopment plan as a condition of approval for a demolition permit for areas subject to Demolition Control By-Laws. Section 11.11.1.2 requires that "Redevelopment plans shall include plans for:

- (a) Replacement Buildings;
- (b) Replacement of Demolished dwelling units and;
- (c) Landscaped open space."

Demolition Control By-law 131-2017 applies to properties containing a residential dwelling unit located within 100 metres (328 feet) of traditional commercial streets, which includes properties north and south of Tecumseh Road East between Westcott Road and Rossini Boulevard (See Appendix B).

The property subject of this application is designated for Residential use in the City's Official Plan and zoned Residential District 1.2 (RD1.2), which permits an Existing Duplex Dwelling, Existing Semi-Detached Dwelling, One Single Unit Dwelling, and accessory uses.

#### **Demolition Application and Proposed Redevelopment**

The City has received an application to demolish a detached single unit residential dwelling located at 2318 Westcott Road (see Appendix A). The subject property contains a one-and-a-half-storey vinyl siding-clad single residential detached dwelling and a one-storey garage structure at the rear. The parcel is 294 square metres in size (i.e. 35 feet by 90.5 feet). The property is not listed on the Municipal Heritage Register.

The owner 2644008 Ontario Ltd. (Adel Shaya) proposes to demolish the existing dwelling and garage and replace it with a single detached dwelling, resulting in a total of one residential dwelling unit (Appendix C). The dwelling is proposed to be 1297 square feet, with four bedrooms and three bathrooms. On August 18, 2022, the Committee of Adjustment granted a consent to sever the property to allow for the creation of a new lot, and a variance for reduced minimum lot width and lot area to facilitate the construction of a new single detached dwelling on the property. The latest redevelopment proposal as attached in Appendix 'C' has undergone a Zoning By-law review, where Administration found it to be in compliance with Zoning By-law 8600 and no additional minor variances are required.

The application and drawings are consistent with the requirements of Sections 11.11 regarding a Redevelopment Plan.

#### Risk Analysis:

There is little risk associated with approval of the requested demolition. The proposed redevelopment has undergone two separate Zoning By-law reviews, once through the Committee of Adjustment application process and other through the present Demolition Control application process. The building permit review process will take into consideration the plan's compliance with the Ontario Building Code and other relevant legislation. The owner has demonstrated there is a redevelopment plan for the property and, should Council decide to approve their request, are expected to construct the new dwelling within the two-year time frame set out in the recommendations section.

A building permit is required for the new construction, and any new construction approval must conform to the Ontario Building Code. Inspections will be undertaken as part of the permit issuance process for new development.

If the new dwelling is not substantially complete within two years of demolition permit issuance, a penalty in the amount of \$20,000 will be added to the tax roll of the property.

#### Climate Change Risks

#### Climate Change Mitigation:

The proposed residential redevelopment implements Environmental Master Plan Objective C1: Encourage in-fill and higher density in existing built areas. The proposal will increase the residential density and will make efficient use of the property within an area that has access to public transit and other amenities.

#### Climate Change Adaptation:

The proposed residential redevelopment may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to

meet the current provisions of the Building Code, which would be implemented through the building permit process.

#### **Financial Matters:**

The current assessed value of the property is \$108,000 and municipal tax levy is \$2,014.97. The assessment is anticipated to increase once the new dwelling is constructed.

#### **Consultations:**

The property owner has been consulted regarding the application for exemption from Demolition Control By-law 131-2017 and the requirement of a Redevelopment Plan. Staff from the Planning, Building, and Legal Departments has been consulted in the preparation of this report.

#### Conclusion:

The demolition of the existing residential dwelling at 2318 Westcott Road will facilitate the construction of a single detached dwelling (one primary unit). The proposed redevelopment complies with Zoning By-law 8600, constitutes orderly development, and the requested demolition is not considered speculative.

It is recommended that Council grant the requested demolition permit application submitted by the property owner 2644008 Ontario Ltd. (Adel Shaya), and that a condition be imposed requiring the redevelopment to be substantially complete within two years of demolition permit issuance.

Planning Act Matters: N/A

#### **Approvals:**

Name	Title
Jason Campigotto	Acting Deputy City Planner - Growth
Neil Robertson	Deputy City Planner
Thom Hunt	City Planner/ Executive Director, Planning
	& Development Services
Brandon Calleja	Acting Manager of Permits / Deputy CBO
John Revell	Chief Building Official
Kate Tracey	Senior Legal Counsel, Legal Services &
	Real Estate
Jelena Payne	Commissioner, Economic Development

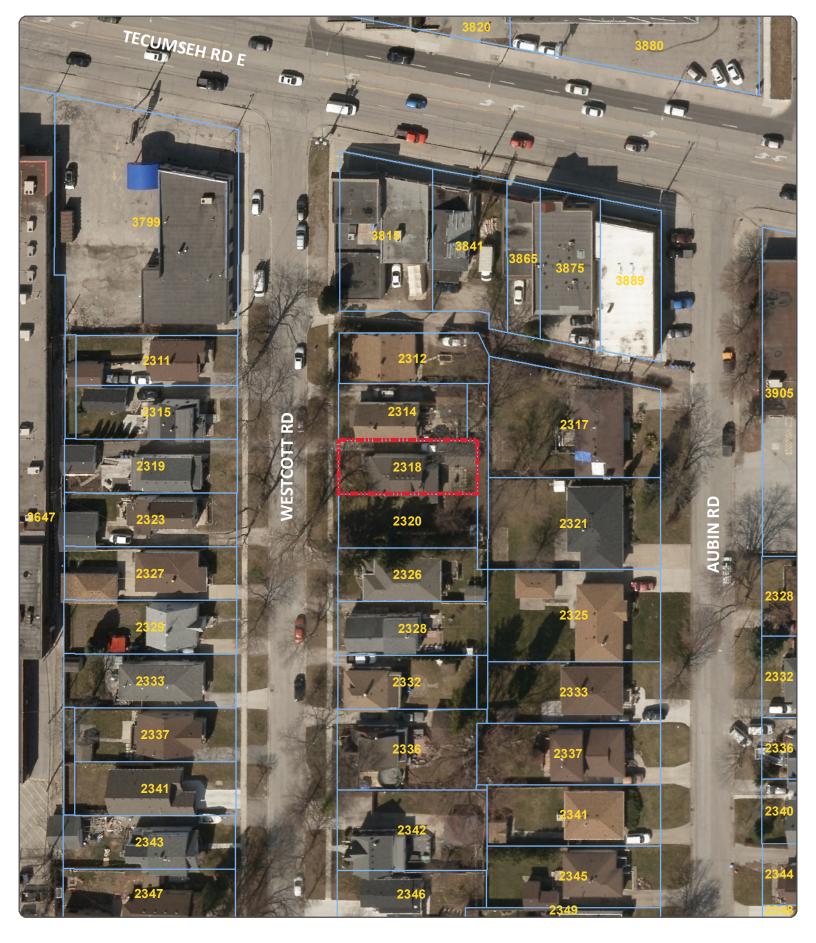
Name	Title
Joe Mancina	Chief Administrative Officer

#### **Notifications:**

Name	Address	Email
2644008 Ontario Ltd.		

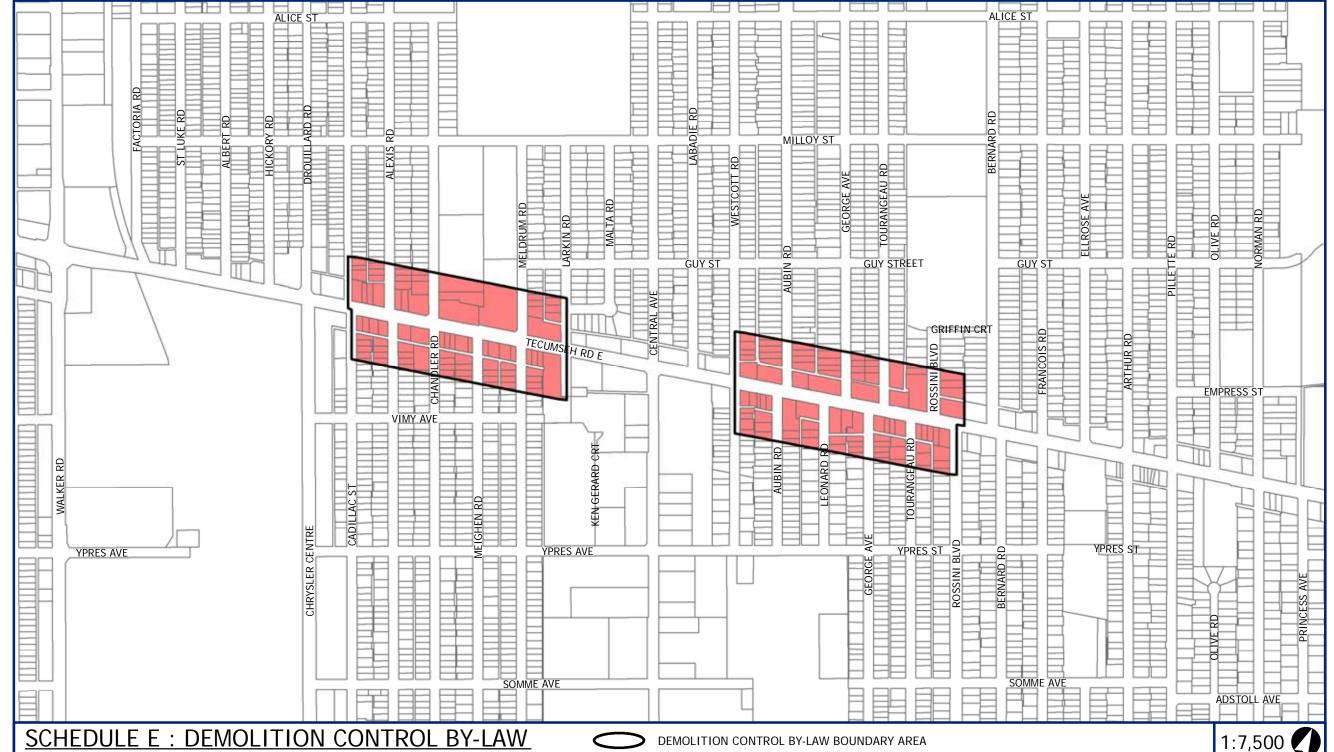
#### Appendices:

- 1 Appendix A Location Map
- 2 Appendix B Demolition Control Area
- 3 Appendix C Proposed Redevelopment Plan for 2318 Westcott Road (Not Approved for Construction)
- 4 Appendix D Site Photos



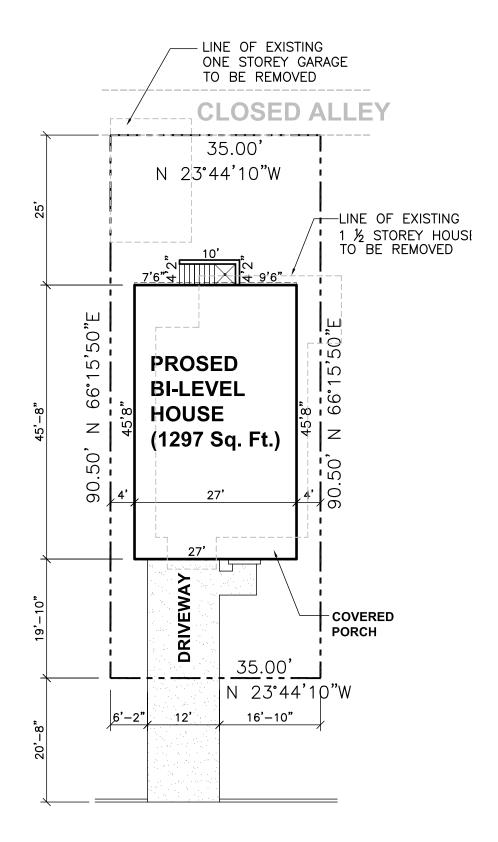
## **LOCATION MAP: 2318 WESTCOTT ROAD**



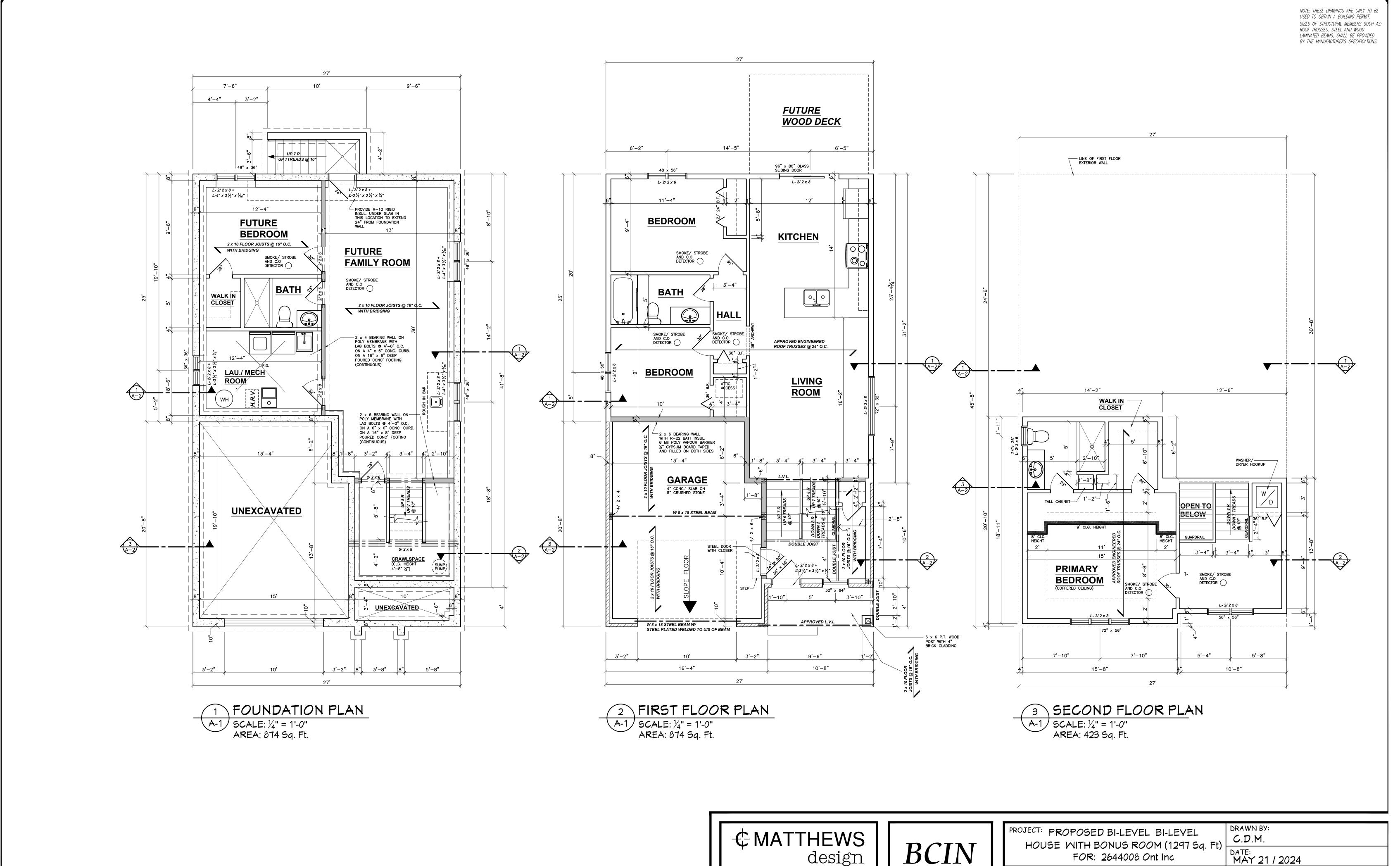


Development & Heritage Standing Committee Meeting Agenda - Tuesday, July 2, 2024
Page 606 of 6程 IES INCLUDED IN DEMOLITION CONTROL BY-LAW





# 2318 WESTCOTT ROAD



Development & Heritage Standing Committee Meeting Agenda - Tuesday, July 2, 2024 Page 608 of 644

(2318 MESTCOTT)

6 - 2557 Dougall Ave, Suite 1600 WINDSOR ONTARIO, CANADA N8X 1T5

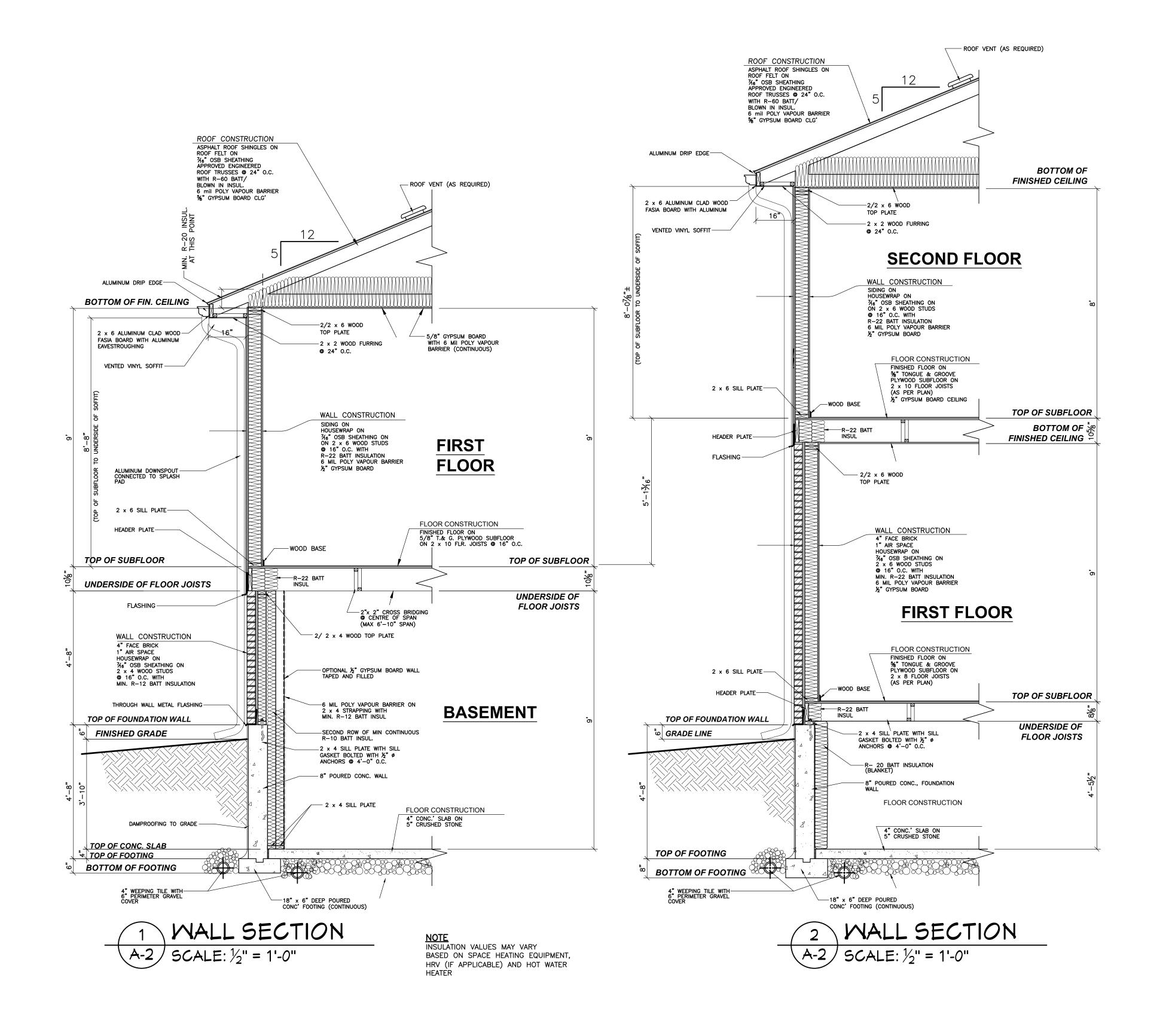
(519) 915 - 3275 E-MAIL: cmatthewsdesignwindsor@gmail.com **BCIN** 

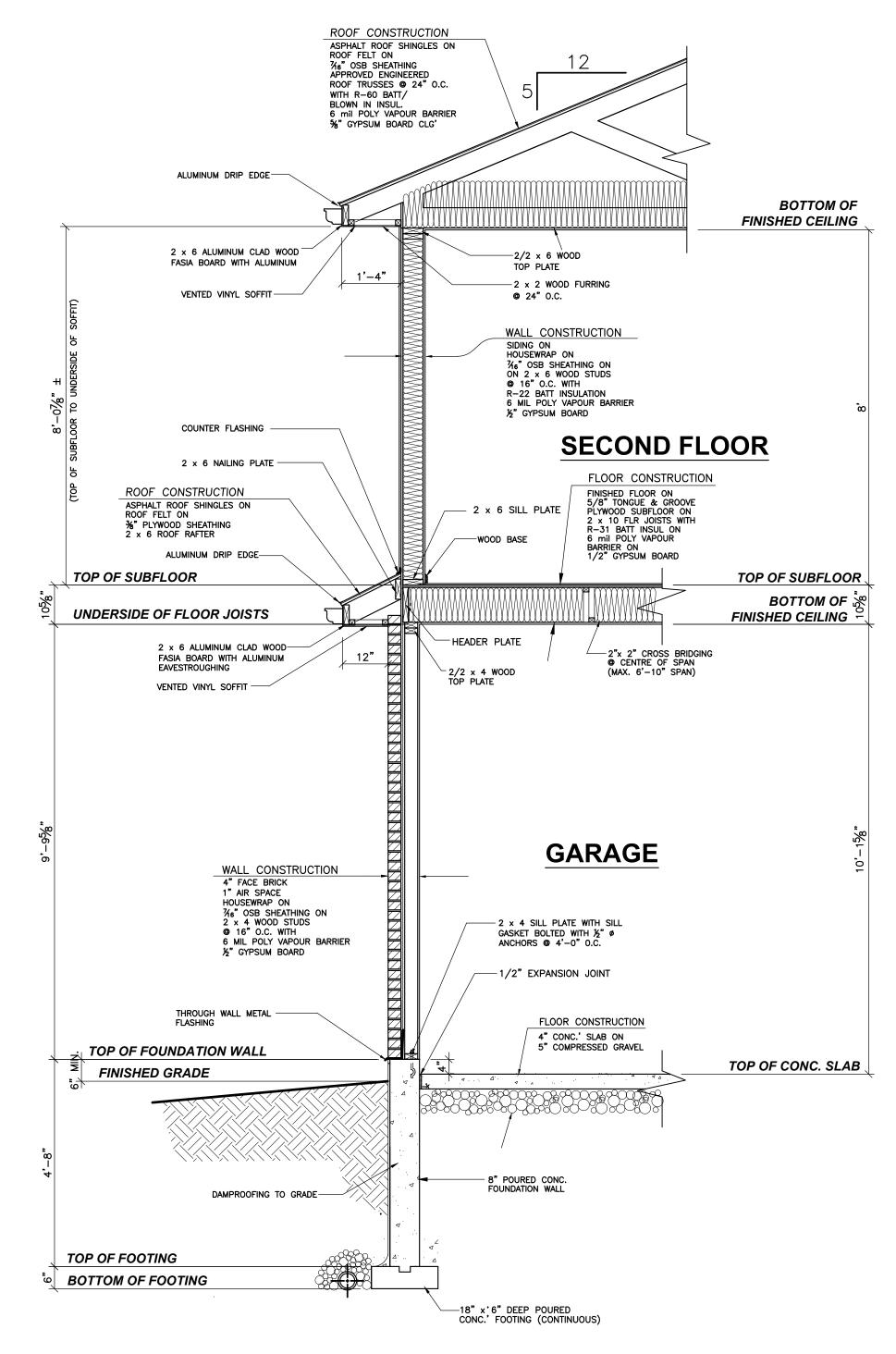
38359

FOUNDATION PLAN

AND FIRST FLOOR PLAN

DATE: MAY 21 / 2024 SCALE: 1/4" = 1'-0" DWG. No. **A**-1 JOB No. 2409D





MALL SECTION

THROUGH GARAGE

A-2 SCALE: 1/2" = 1'-0"

**CHATTHEWS** design

6 - 2557 Dougall Ave, Suite 1600
WINDSOR ONTARIO, CANADA
N8X 1T5
(519) 915 - 3275
E-MAIL: cmatthewsdesignwindsor@gmail.com

BCIN 38359

DESIGNS © C.MATTHEWS DESIGN 2024

PROJECT: PROPOSED BI-LEVEL BI-LEVEL
HOUSE WITH BONUS ROOM (1297 Sq. Ft)
FOR: 2644008 Ont Inc

TITLE:

SECTIONS

DRAWN BY:
C.D.M.

DATE:
MAY 21 / 2024

DWG. No.
2409D

DWG. No.
2409D

Development & Heritage Standing Committee Meeting Agenda - Tuesday, July 2, 2024 Page 610 of 644

(519) 915 - 3275
E-MAIL: cmatthewsdesignwindsor@gmail.com

38359

TITLE: ELEVATIONS AND

ROOF PLAN

SCALE: 1/4" = 1'-0" DWG. No. A-3 JOB No. 2409D

#### Appendix D – Site Photos of 2318 Westcott Road

Google Streetview, January 2021









Council Report: S 77/2024

# Subject: Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Reigns 740 Inc. for 3495 Bloomfield Road (Ward 2)

#### Reference:

Date to Council: July 2, 2024
Author: Tracy Tang, MCIP, RPP
Planner III – Economic Development (A)
ttang@citywindsor.ca
519-255-6543 x 6449
Planning & Building Services

Report Date: June 10, 2024 Clerk's File #: SPL2024

To: Mayor and Members of City Council

#### Recommendation:

- I. THAT the request made by Reigns 740 Inc. 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 3495 Bloomfield Road pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan;
- II. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$15,000 based upon the completion and submission of a Phase II Environmental Site Assessment Study completed in a form acceptable to the City Planner and City Solicitor;
- III. THAT the grant funds in the amount of \$15,000 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003) when the eligible work is completed to the satisfaction of the City Planner;
- IV. THAT should the proposed Phase II Environmental Site Assessment Study not be completed within two (2) years of Council approval, the approval BE RESCINDED and the funds be uncommitted and made available for other applications.

**Executive Summary: N/A** 

**Background:** 

### **Brownfield Redevelopment Community Improvement Plan (CIP)**

Brownfield sites are properties that may be contaminated due to previous industrial or commercial uses such as a manufacturing facility or gas station. City Council approved a Brownfield Redevelopment CIP at its April 19, 2010 meeting for the purpose of encouraging the study, clean-up, and redevelopment of contaminated properties. The approval of the CIP was the result of nearly five years of study and consultation, which began in October 2005.

### Importance of Brownfield Redevelopment

Historically, there has been little interest in redeveloping brownfield sites due to the uncertainty surrounding the extent of contamination and the potential cost of clean-up. The Brownfield Redevelopment CIP was adopted in 2010 and provides financial incentives to undertake the necessary studies and remedial work necessary to redevelop brownfield sites and reduce the potential negative impacts to the City's environment and neighbourhoods.

The benefits associated with brownfield redevelopment go far beyond the boundaries of the property. For example, they are often strategically located within existing built up areas of the City where services and other infrastructure, such as roads, schools, community facilities and public transit are already available, therefore additional infrastructure costs are not incurred to service these areas. The redevelopment of these sites also remove the negative stigma often associated with brownfield properties, which increases the value of the subject property and adjacent properties.

### Site Background

The subject site consists of one property parcel located on the southeast side of Bloomfield Road at the intersection with South Street. The property is 0.10 hectares (or 0.26 acres) in size and rectangular shaped. It is currently vacant with a former hydro substation (utilities) building and a fenced in yard. The site is designated 'Residential' on Official Plan Schedule D: Land Use, and is zoned Residential District RD1.3, which permits an Existing Duplex Dwelling, Existing Semi-Detached Dwelling, and One Single Unit Dwelling.

The property was first developed sometime between 1954 and 1962. It was utilized as a hydro substation up until sometime between 2006 and 2010. The site has been vacant since the substation ceased its operations. Some Potentially Contaminating Activities (PCAs) identified on the subject site include fill material of unknown quality and the historic industrial use of hydro substation.

The principal owner of Reigns 740 Inc. is Sital Garha. Reigns 740 Inc. intends to redevelop the property for residential use, thus a Record of Site Condition (RSC) is required under Ontario Regulation 153/04. In February 2024, Reigns 740 Inc. expressed interest in submitting Consent to Sever and Minor Variance applications to facilitate the redevelopment, as well as submitting an application for Sandwich Town Community Improvement Plan (CIP) incentives. Through this correspondence, the requirement for an RSC was noted. The owner has now submitted the Brownfield Redevelopment CIP grant application and will be incurring the eligible Phase II ESA study costs and, should the application be approved, would receive the grant payment.

### Discussion:

### **Environmental Site Assessment Grant Program**

The ESA Grant Program offers a matching grant to property owners of brownfield sites to conduct environmental studies that provide information on the type and extent of contamination and potential remediation costs. The program offers 50% of the cost of an eligible study up to a maximum of \$15,000. If two studies are required, an additional \$10,000 is available for a maximum total grant value of \$25,000.

The applicant proposes to redevelop 3495 Bloomfield Road for residential use, and requires a Phase II ESA study as part of their application for a RSC. The applicant has completed a Phase I ESA, which identifies areas of potential environmental concern, and recommends that a Phase II ESA study be completed to assess the existing soil and groundwater conditions at the site. Upon completion, the City would retain a copy of the final Phase II ESA study report.

### **CIP Goals**

City staff is supportive of the application as it meets all of the eligibility requirements specified within the Brownfield Redevelopment CIP. The proposed study of the subject site also supports the following CIP goals:

- To promote the remediation, rehabilitation, adaptive re-use and redevelopment of brownfield sites throughout the City of Windsor in a fiscally responsible and sustainable manner over the long term;
- Improve the physical and visual quality of brownfield sites;
- Improve environmental health and public safety;
- Provide opportunities for new housing, employment uses, and commercial uses;
- Increase tax assessment and property tax revenues;

- Increase community awareness of the economic, environmental and social benefits of brownfield redevelopment; and
- Utilize public sector investment to leverage significant private sector investment in brownfield remediation, rehabilitation, adaptive re-use, and redevelopment.

### **Policy Support**

The study of brownfield sites to support clean up and redevelopment is supported by policies within the 2020 Provincial Policy Statement, the City's Official Plan and the City's Environmental Master Plan.

### Risk Analysis:

As with all brownfield sites, there is a degree of risk associated with the potential presence of contamination. The proposed Phase II ESA study will assist in mitigating the above noted risk by confirming the presence and extent of any contamination. It may also provide an estimated cost for remediation and establish next steps in the remediation process, if required.

### Climate Change Risks

### **Climate Change Mitigation:**

The proposed residential redevelopment is supported by the Environmental Master Plan action item, which encourages use of the Brownfields Redevelopment Strategy.

### Climate Change Adaptation:

The redevelopment of the vacant former hydro substation property may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process.

#### **Financial Matters:**

The cost estimate (excluding HST) for completing the proposed Phase II ESA study is \$31,950. If approved, the maximum grant would total \$15,000. Should the actual costs of the study be less than what has been estimated, the grant payments would be based on the lower amount.

If approved, the grant would be paid from the Brownfield Strategy Remediation Fund (Project #7069003). The funds would be transferred from CIP reserve fund 226 for payment when the eligible study is complete. The current uncommitted balance of the CIP reserve fund is \$294,507 however this balance does not account for other CIP

grant requests that are currently being considered by the standing committee or have been endorsed by the standing committee and are not yet approved by City Council.

### **Consultations:**

The development and approval of the Brownfield Redevelopment CIP was subject to extensive stakeholder and public consultation, which sought input from a wide range of stakeholders and internal City departments.

Planning staff have consulted with the applicant's agent from Dillon Consulting prior to accepting the application for the Environmental Study Grant program. Greg Atkinson, Manager of Development, Planning and Building Services; Josie Gualtieri, Financial Planning Administrator, Finance Department; and Kate Tracey, Senior Legal Counsel, Legal Department were consulted in the preparation of this report.

### Conclusion:

City Staff recommend Council approve the request from Reigns 740 Inc. to participate in the Environmental Site Assessment Grant Program. In the opinion of planning staff, the proposed study conforms to the Brownfield Redevelopment CIP and assists the City in the achievement of a number of the CIP goals.

Planning Act Matters: N/A

### Approvals:

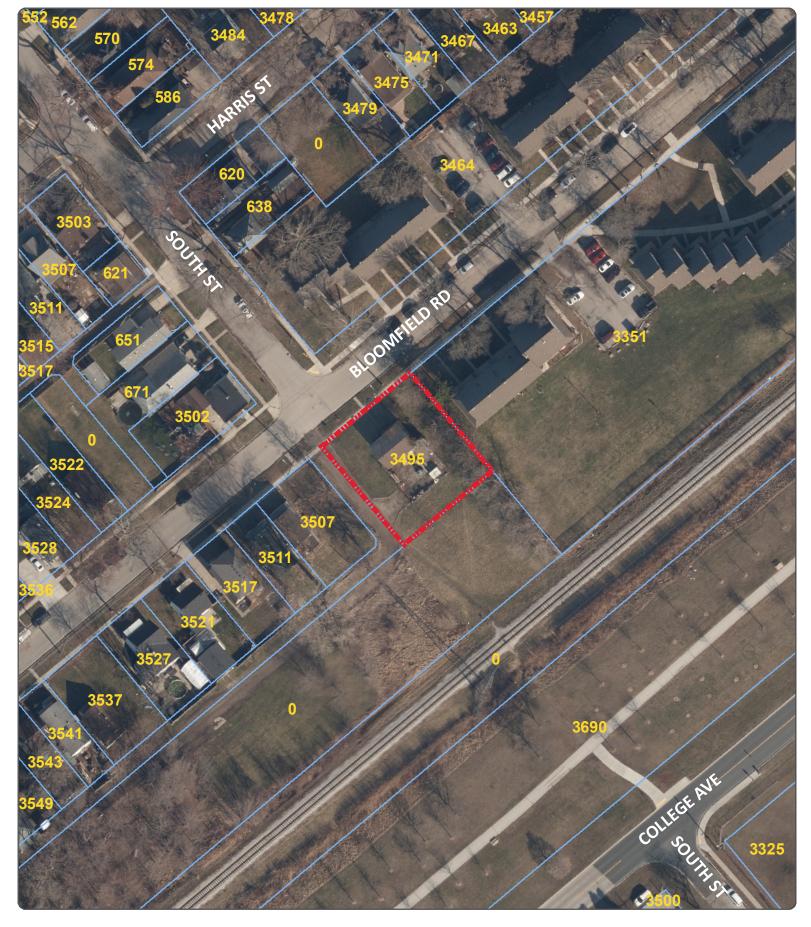
Name	Title
Josie Gualtieri	Financial Planning Administrator
Jason Campigotto	Acting Deputy City Planner - Growth
Neil Robertson	Acting City Planner / Executive Director,
	Planning & Development Services
Thom Hunt	City Planner
Kate Tracey	Senior Legal Counsel, Legal Services &
	Real Estate
Janice Guthrie	Commissioner, Finance and City Treasurer
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

### **Notifications:**

Name	Address	Email
Reigns 740 Inc.		
Taryn Azzopardi		

### Appendices:

1 Appendix A - Location Map



# **LOCATION MAP: 3495 BLOOMFIELD ROAD**







Council Report: S 74/2024

# Subject: City of Windsor Community Improvement Plans-Extensions of Grant Approvals

#### Reference:

Date to Council: July 2, 2024

Author: Laura Strahl, Senior Planner-Special Projects

519-255-6543 x6396 lstrahl@citywindsor.ca

Kevin Alexander, Senior Planner-Special Projects kalexander@citywindsor.ca

Greg Atkinson, Deputy City Planner-Development gatkinson@citywindsor.ca

Planning & Building Services Report Date: June 6, 2024 Clerk's File #: SPL2024

To: Mayor and Members of City Council

#### Recommendation:

- I. THAT approvals for financial incentives authorized under various Community Improvement Plans by Council Resolutions listed in Appendix A BE EXTENDED for one (1) year from the date of Council approval of Report S74/2024;
- II. That the City **CONSENT** to assignments of all existing Community Improvement Plan ("**CIP**") grant agreements with the City (each, a "**Grant Agreement**") upon the original owner (the "**Assignor**") notifying the City that all or part of the subject property is being or has been conveyed to a new owner (the "**Assignee**"), provided:
  - a. In the case of the Assignor wishing to assign the right to receive the Grant payments to the Assignee:
    - i. The Assignee and Assignor enter into an assignment agreement satisfactory in form and content to the City Solicitor;
    - ii. The Assignor agrees that the Assignee has the right to receive the Grant payments;
    - iii. The Assignee agrees to assume the Assignor's obligations under the Grant Agreement; and
    - iv. All other requirements of the Grant Agreement are satisfied; or

- b. In the case of the Assignor wishing to continue to receive the Grant payments:
  - The Assignee and Assignor enter into an assignment agreement satisfactory in form and content to the City Solicitor (the "Grant Retention Agreement", and together with the Grant Assignment Agreement, the "Assignment Agreements");
  - ii. The parties agree that the Assignor shall continue to receive the Grant payments;
  - iii. The Assignee agrees to assume the Assignor's obligations under the Grant Agreement; and
  - iv. All other requirements of the Grant Agreement are satisfied.
- III. That the City Planner **BE AUTHORIZED** to sign the Assignment Agreements, satisfactory in form and content to the City Solicitor, in content to the Deputy City Planner Development and in financial content to the City Treasurer.

### **Executive Summary:**

N/A

### **Background:**

Part IV, Section 28 of the Planning Act, allows City Council to designate a community improvement project area and prepare a Community Improvement Plan (CIP) whenever there is an Official Plan in effect. The purpose of a CIP may be related to planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, and provision of affordable housing within the project area.

Approved CIPs allow the City to take a variety of measures to further the objectives identified within the CIP that would otherwise be prohibited by Ontario's *Municipal Act*. This includes the acquisition and preparation of land; construction, repair, rehabilitation or improvement of buildings; the sale, lease or disposal of land and buildings; and the provision of grants to owners or tenants of land—all of which must conform with the objectives and policies contained within the CIP.

The CIPs approved by the City of Windsor offer financial incentives targeted to the needs of geographic areas or targeted activities as described below in the seven CIPs. The financial incentives are funded in two different ways: 1) a reserve account and placed in a CIP capital project prior to payment 2) increase in municipal taxes as a result of the development.

This report addresses the status of projects City Council has previously approved for financial incentives under the following seven (7) CIPs:

1. Olde Sandwich Towne Community Improvement Plan (Sandwich Town CIP)

- Officially came into effect on October 19, 2012, after City Council passed by-law 27-2009 to establish the CIP on January 26, 2009.
- The Sandwich Town CIP consists of grant programs that encourage new development, retail investment, facade improvements, and preservation of Heritage Resources in the Sandwich Heritage Conservation District and Community Improvement Area.

### 2. Brownfield Redevelopment Community Improvement Plan (Brownfield CIP)

- Approved by City Council on April 19, 2010, following a five-year study and consultation process that commenced October 2005.
- The Brownfield CIP provides incentives to promote the remediation, rehabilitation, adaptive re-use and redevelopment of brownfield sites throughout the City of Windsor.

# 3. Economic Revitalization Community Improvement Plan (Economic Revitalization CIP)

 Implemented by City Council on March 15, 2011, encourages new investment in targeted sectors within the city by providing financial incentives to new businesses, expansion of existing building, and small business.

# 4. Downtown Windsor Enhancement Strategy and Community Improvement Plan (Downtown CIP)

- Approved by City Council on September 29, 2017, and an adopting by-law was passed by City Council on October 16, 2017.
- The Downtown CIP provides financial incentives to encourage new residential development, retail investment, facade improvements, and building/property improvements.

### 5. The Ford City Community Improvement Plan (Ford City CIP)

- Approved on January 08, 2018, and adopted by City Council through by-laws 171-2018 and 172-2018.
- The Ford City CIP provides financial incentives to encourage retail/ residential development and building improvement in the neighbourhood.

# 6. Building Facade Improvement Program and Urban Design Guideline for Main Streets Community Improvement Plan

 Approved by City Council on January 28, 2018, and was amended and renamed to the Main Streets CIP on September 06, 2022 providing additional financial incentives programs as part of the CIP and in newly expanded areas within the vicinity of Main Streets in the City of Windsor.

# 7. The University Avenue and Wyandotte Street Community Improvement Plan (University/ Wyandotte CIP)

- Approved by City Council on June 7, 2021, and an adopting by-law was passed by City Council on July 13, 2021.
- The University/ Wyandotte CIP provides financial incentives aimed towards encouraging private sector investment and redevelopment along the corridors connecting downtown to the University of Windsor.

Administration has started to review individual grant approvals and identified grants that can be rescinded and grants that need extensions. Report S69/2024 recommended rescindment of grant approvals and removal of the commitment of those funds making them available for other applications and/or to offset future budget pressures. The purpose of this report is to recommend grant applications that have reasonable reasons for extensions.

### Discussion:

#### **Grant Extensions**

In 2020, Administration started including deadlines for projects to be completed and grant agreements to be signed within each individual report to Council dealing with an grant application. When CIP grants are approved by Council the funds are committed and held for payment following the completion of eligible work and submission of all required information and documents (e.g. signing of legal agreements, submission of invoices, and other requirements) within the allotted timeline. Council approved CIP grants for specific improvements (e.g. building façade improvement, environmental study grants, new residential units) are taken from a reserve account and placed in CIP capital project prior to payment.

Council approved tax increment-based CIP grants are recorded as an expense to a Corporate account on an annual basis over the lifespan of the grant program based on the amount of municipal tax increase resulting from property improvements and the Council approved non-tax increment-based CIP grants result in commitment in the reserve account.

Many applicants have found supply chain issues and labour shortages that started during the pandemic are still affecting their projects. Where applicants are making efforts to still complete their projects, it is appropriate to extend the grant for an additional year to complete their projects.

Appendix A notes the grant approvals that need extensions.

### **Assignment of Grants**

On September 27, 2021, by CR395/2021, City Council provided blanket approval for the assignment of all existing CIP tax increment grant agreements with the City. Upon the original owner notifying the City that the subject property is or has been sold, and if the original owner and new owner agree to certain terms, and enter into an assignment agreement satisfactory to the City, all tax increment grants may be assigned.

Administration has experienced a number of situations where properties subject to CIP grant agreements occur, and the parties want to assign CIP grants beyond just the tax increment grant. Administration is seeking approval herein to approval the assignment of all CIP grants, upon the same terms as approved by CR395/2021.

### Risk Analysis:

There is a risk that these projects are holding commitments in the account and future projects will not be awarded grants. Most of the projects in Appendix A are currently underway. Extending the approvals will allow the projects to finish and receive their grant payout.

Climate Change Risks

**Climate Change Mitigation:** 

N/A

**Climate Change Adaptation:** 

N/A

### **Financial Matters:**

The chart below identifies the total estimated grants (both one-time and tax increment grants) that would be extended for the CIP approvals outlined in Appendix A. Until such time as the work is completed or additional agreements are executed, there is no financial impact. Should the grants not be required after the extension period lapse, the one-time grant payments would be uncommitted and the estimated tax increment grants would be removed from any future budget estimates. The additional property taxes generated by the new development would be available to offset future budget pressures funded through the property tax levy.

CIP	One-Time Grant Payment	Estimate Tax Increment Grant Amount	
Downtown CIP	\$280,000.00	\$875,347.60	
Economic Revitalization CIP	-	\$1,214,832.70	
Brownfield CIP	\$31,500.00	\$1,008,179.28	
Sandwich Town CIP	\$126,207.00	\$342,738.00	
Ford City CIP	\$46,503.00	\$61,210.00	
Main Streets CIP	\$75,000.00	-	

### **Consultations:**

The City of Windsor's CIP were subject to stakeholder and public consultation as part of the approval process, including public meetings, a statutory public meeting and circulation among internal City staff and the Province.

Planning staff have consulted with applicants prior to making recommendations for approval to Council. Staff from the Planning, Finance and Legal Departments were also consulted in the preparation of this report.

Applicants listed in Appendix A have been notified of the standing committee at which this report will be considered.

### **Conclusion:**

Administration recommends that Council extend the approvals listed in Appendix A for one year, and further that Council approve the assignment of all CIP grants agreements.

### **Planning Act Matters:**

N/A

### Approvals:

Name	Title
Laura Strahl	Planner III – Special Projects
Kevin Alexander	Planner III – Special Projects
Josie Gualtieri	Financial Planning Admin.
Greg Atkinson	Deputy City Planner - Development
Jason Campigotto	Deputy City Planner – Growth (A)
Thom Hunt	City Planner/Executive Director of Planning and Building Services
Kate Tracey	Senior Legal Counsel
Lorie Gregg	Deputy Treasurer Taxation, Treasury and Financial Planning
Janice Guthrie	Commissioner of Finance & City Treasurer
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

### **Notifications:**

Name	Address	Email

### Appendices:

1 Appendix A - Grant Extensions

### Sandwich Town CIP

Council Approval Date	Council Resolution	Address	Applicant	Project Description	Grant Program
June 3, 2019	CR284/2019	3239 Russell Street (0 Russell Street)	2579105 Ontario Inc.	Development of eight two-storey residential units with six bedrooms each	Development and Buildings Fee Grant Revitalization Grant
July 13, 2020	CR347/2020	3311 Peter Street	1603965 Ontario Ltd. (C/O: Julie Touma)	Demolition of a single dwelling unit to construct a new one storey single dwelling unit	Development and Buildings Fee Grant Revitalization Grant
April 19, 2021	CR147/2021	3150 to 3156 Sandwich Street	2594756 Ontario Ltd. (Kyle McDonald)	Conversion of a vacant building for commercial retail and residential uses	Development and Buildings Fee Grant Revitalization Grant Commercial/Mixed Use Building Facade Grant Commercial Mixed-Use Building Improvement Loan Grant
December 20, 2021	CR559/2021	3388 Baby St	Gurbax Wahid	Demolition of a single dwelling unit to construct a new two storey two unit duplex dwelling	Development and Buildings Fee Grant Revitalization Grant

### **Downtown CIP**

Council Approval Date	Council Resolution	Address	Applicant	Project Description	Grant Programs
July 5, 2021	CR311/2021	364 to 374 Ouellette Avenue	2757395 Ontario Inc.	Construction of new residential units and facade improvements	Upper Storey Residential Development Grant Program  Commercial/Mixed Use Building Facade Improvement Grant Program  Building/Property Tax Increment Grant Program
November 1, 2021	CR495/2021	754 Ouellette Avenue	Trinity Windsor Drug Limited	Improvements to existing one storey building	Commercial/Mixed Use Building Facade Improvement Grant Program Building/Property Improvement Tax Increment Grant Program
February 8, 2021	CR151/2021, Extension: CR97/2024	511 Pelissier Street	Larry Wolf Horwitz	Create new residential units within existing building	New Residential Development Grant Program Building/Property Improvement Tax Increment Grant Program
December 6, 2021	CR15/2022	493 University Ave	2770722 Ontario Limited	Facade improvements and create new residential units	Upper Storey Residential Unit Creation Program  Commercial/Mixed Use Building Facade Improvement Grant Program  Building/Property Improvement Tax Increment Grant Program

July 5, 2021	CR310/2021 DHSC 297, Extension: CR97/2024	490-495 Pelissier St	2527179 Ontario Inc.	Facade improvements	Commercial/Mixed Use Building Facade Improvement Grant Program
February 3, 2020	CR57/2020, Extension: CR97/2023	119 Chatham Street and 149 Chatham Street	St. Clair Rhodes Development	Facade improvements and renovations for office use	Commercial/Mixed Use Building Facade Improvement Grant Program Building/Property Improvement Tax Increment Grant Program

### Ford City CIP

Council Approval Date	Council Resolution	Address	Applicant	Project Description	Grant Programs
January 18, 2021	CR33/2021	1008 Drouillard Road	2594756 Ontario Ltd. (C/O: Kyle McDonald)	Improvements to the interior/ exterior of the property	Municipal Development Fees Grant Retail Investment Grant
April 19, 2021	CR154/2021	1024 to 1026 Drouillard Road	Spectrum Contracting Inc. (C/O: Randy Diestelmann)	Improvements to the interior/ exterior of the property	Retail Investment Grant

### Main Streets CIP

Council Approval Date	Council Resolution	Address	Applicant	Project Description	Grant Programs
January 18,	CR33/2021	1008 Drouillard	2594756 Ontario Ltd.	Improvements to the interior/	Building Facade
2021		Road	(C/O: Kyle	exterior of the property	Improvement Grant
			McDonald)		
April 19, 2021	CR154/2021	1024 to 1026	Spectrum	Improvements to the interior/	Building Facade
		Drouillard Road	Contracting Inc.	exterior of the property	Improvement Grant
			(C/O: Randy		
			Diestelmann)		
December 20,	CR560/2021	1378 Ottawa	Jaskaran Takhar	Improvements to the exterior of	Building Facade
2021		Street		the property	Improvement Grant

### **Economic Revitalization CIP**

Council Approval Date	Council Resolution	Address	Applicant	Project Description	Grant Programs
May 4, 2020	CR212/2020	KJ Land Resources Inc.	KJ Land Resources Inc.	Renovation of building for head office	Business Retention and Expansion
May 25, 2020	CR/247/2020	1785 Walker Road	2520034 Ontario Limited	Renovation of building for employment use	Business Retention and Expansion Grant

January 31,	CR40/2022	10700 Tecumseh Rd E	2810859 Ontario Inc	Construction of new	Small Business Investment
2022				surgical facility	Grant
April 25, 2022	CR/177/2022	3430 Wheelton Dr	538512 Ontario Limited	Renovation of building for manufacturing	Business Retention and Expansion Grant

### **Brownfield Revitalization CIP**

Council Approval Date	Council Resolution	Address	Applicant	Project Description	Grant Programs
August 4, 2020	CR405/2020	840 Wyandotte St E	1362279 Ontario Ltd.	Clean up and redevelop	Feasibility Study Grant
February 1,	CR60/2021			site for mixed use	Environmental Site
2021					Assessment Grant
					Brownfield Tax
					Assistance
					Brownfield
					Rehabilitation Grant
February 1,	CR60/2021	1370 Argyle Rd	Duo Fratres Inc.	Clean up and redevelop	Brownfield Tax
2021				site for residential use	Assistance
					<ul> <li>Brownfield</li> </ul>
					Rehabilitation Grant



Council Report: S 81/2024

Subject: Sandwich Town CIP Application, 3495 Bloomfield Road;

Owner: Reigns 740 Inc. (C/O: Sital Singh Garha); (Ward 2)

#### Reference:

Date to Council: July 2, 2024 Author: Kevin Alexander, MCIP RPP Senior Planner - Special Projects (519) 255-6543 x. 6732 kalexander@citywindsor.ca

Gabriel Lam & Danielle Poirier Community Development Planning Assistant Email: glam@citywindsor.ca; dpoirier@citywindsor.ca

Planning & Building Services Report Date: June 14, 2024 Clerk's File #: SPL2024

**To**: Mayor and Members of City Council

#### Recommendation:

- I. **THAT** the request for incentives under the Sandwich Incentive Program made by Reigns 740 Inc. (C/O: Sital Singh Garha), (the "Owner") owner of the property located at 3495 Bloomfield Road (the "Property"), **BE APPROVED** for the following programs when all work is complete:
  - Development and Building Fees Grant for 100% of the Development and Building Fees identified in the Sandwich CIP to a maximum amount of (+/- \$60,000);
  - ii. Revitalization Grant Program for 70% of the municipal portion of the tax increment for up to 10 years (+/-\$10,836 per year) (collectively, the "Grant"); and
- II. **THAT** Administration **BE AUTHORIZED** to prepare the Sandwich Incentive Program Agreement for the *Revitalization Grant* in accordance with all applicable policies, requirements, and provisions contained within the Olde Sandwich Towne Community Improvement Plan (the "Grant Agreement") to the satisfaction of the City Planner as to content, the City Solicitor as to form, and the CFO/City Treasurer as to financial implication;

- III. **THAT** funds in the maximum amount of \$60,000 under the *Development Building Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the *Sandwich Community Development Plan Fund* (Account 7076176) when the work is complete;
- IV. THAT grants BE PAID to Reign 740 Inc. upon completion of the proposed three (3) single family dwellings from the Sandwich Community Development Plan Fund (Project 7076176) to the satisfaction of the City Planner and Chief Building Official;
- V. **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
- VI. **THAT** the approved Grants **SHALL LAPSE** if the Owner has not completed the work and fulfilled the conditions within 2 years of the approval date. Extensions **SHALL BE** given at the discretion of the City Planner.

### **Executive Summary:**

N/A

### **Background:**

On January 26, 2009, City Council passed by-laws to establish the Sandwich Heritage Conservation District Plan (By-law 22-2009), Olde Sandwich Towne Community Improvement Plan (By-law 27-2009), and Supplemental Development and Urban Design Guidelines (By-law 28-2009). These By-laws came into effect on October 18, 2012. One of the key recommendations of the Olde Sandwich Towne Community Improvement Plan (Sandwich CIP) is the implementation of the Incentive Program(s).

On June 17, 2013, through M265-2013 Council activated the following Incentive Programs from the Sandwich Incentive Program(s) "toolkit" (See):

- a) Commercial/Mixed Use Building Facade Grant Program
- b) Revitalization Grant Program
- c) Commercial Core Feasibility Grant Program
- d) Development Charge Grant Program
- e) Development and Building fees Grant Program
- f) Neighbourhood Residential Rehabilitation Grant Program.

On June 17, 2013, Council also received the Development Review Process for development applications within the Sandwich Heritage Conservation District (HCD) area, and within the Sandwich Community Improvement Plan (CIP) Area (outside of the Sandwich HCD Area) (M264-2013). On April 28, 2014, Council also activated the

Commercial/Mixed Use Building Improvement Loan Program from the Sandwich Incentive Program(s) "toolkit".

#### Discussion:

On February 20<sup>th</sup>, 2024, the owner Reigns 740 lnc. (C/O: Sital Singh Garha) Reigns 740 lnc. submitted a Sandwich CIP grant application with Site Plan and Elevation Drawings for the purpose of demolishing the vacant former hydro substation building and constructing three (3) two (2) storey single family dwellings located at 3459 Bloomfield Road (See Appendix 'A' for location map), (See Appendix 'B' for Site Plan).

In February 2024, the owner also submitted an Application to the Committee of Adjustment (COA) for a Consent to Sever and Minor Variance applications to facilitate the redevelopment of three (3) two (2) storey single family dwellings located on the site. The site is designated 'Residential" on Official Plan Schedule D: Land Use, and is zoned Residential District RD1.3, which permits an Existing Duplex Dwelling, Existing Semi-Detached Dwelling, and One Single Unit Dwelling.

Given that the owner intends to redevelop the property for residential use (considered a more sensitive land use), a Record of Site Condition (RSC) is required under Ontario Regulation 153/04. Thus, the owner has also applied for funding through the City's Brownfield CIP to fund a Phase II Environmental Site Assessment Study for the property since it's past use was a hydro substation between 1954 and 1962 through to between 2006 and 2010.

### Sandwich Incentive Program(s)

The proposal is located within Target Area 3 of the Sandwich CIP Area and eligible for the following incentive programs. The eligible costs for each incentive program are based on the cost estimates provided by the applicant. As the project is implemented these costs could fluctuate slightly resulting in a minor impact on the eligible costs for each incentive program. The application is consistent with the general program requirements identified in Section 10.3 of the CIP, with the following program specific requirements:

### 1. Development and Building fees Grant Program

The purpose of the program is to provide an additional incentive to augment the other incentive programs and to facilitate and spur adaptive re-use, redevelopment, and new construction. The program provides a grant equal to 100% of the fees paid for the eligible types of development applications and building permits. The applicant has applied for a Building Permit for the addition of the new dwellings in the existing space. Building Permit drawings have been submitted but are still under review. Recommendation I. i. of the report will include a maximum amount of \$60,000 to ensure that all fees are captured for the proposed three residential structures.

Based on the information we have at the time of this report the following fees are required:

- Building Permit Fee to be determined.
- Demolition Permit Fee to be determined

- Minor Variance Fee to be determined
- Parkland Conveyance Fee to be determined

TOTAL: To Be Determined up to a maximum of \$60,000

### 2. Revitalization Grant Program

The purpose of this program is to use the tax increase that can result when a property is rehabilitated, redeveloped, or developed to provide assistance in securing the project financing and offset some of the costs associated with the rehabilitation. The program will provide an annual grant equal to 70% of the increase in City property taxes for 10 years after project completion if the project results in an increase in assessment and therefore an increase in property taxes. Based on the project description and current value vs. estimated post-project assessment value of land, and buildings identified in the Grant Application, the property assessment is expected to increase.

The confirmed current value assessment of the property located at 3495 Bloomfield Road is \$61,000. The owner currently pays property taxes of \$1,183.19. The municipal portion, to which the grant would apply, is \$1,079.51.

The Applicant's estimated Post-Project Value of Land and Buildings based on the cost of construction is \$1,950,000 with a value increase of \$1,889,000.

However, some of the proposed costs incurred, although eligible for purposes of the application, may not result in a direct increase in assessment value. In other words, the grant is calculated and paid, not on the post-project value or projections made in this report, but on the actual post-development value, as determined by MPAC after project completion. Administration has estimated the Post-Redevelopment Property Value Assessment based on the drawings and information provided to be \$823,470. The grant will however be based upon the actual tax increment once the assessment and full review of the building after completion of renovations has been determined by MPAC.

For illustrative purposes, the table below identifies the annual grant equal to 70% of the increase in City property taxes for 10 years after project completion, based on the Current Value Assessment and the (projected) Estimated Post Project Assessment Value. The taxes retained by the City over the duration of the grant program is equal to a 30% increase of the tax increment. After completion of the grant program (10 years), the City will collect the full value of municipal tax increase (\$10,836 annually).

Estimated Revitalization Grant for 3495 Bloomfield Road

Annual Pre Development Municipal Taxes	Annual Estimate Post Development Municipal Taxes	Annual Estimate Value of Grant (70% of municipal increase)	Annual Estimate of Grant Over 10 years)
\$ 1079.51	\$15,480	\$10,836	\$108,360

#### **Assumptions**

Current Property Value Assessment (2023 – Multi-Residential) \$61,000

Estimate Total Post Development Assessment \$823,470

### Risk Analysis:

The Planning & Building Department will conduct a review of the building plans to confirm compliance with the Ontario Building Code, and applicable law (e.g. zoning bylaw and the Ontario Heritage Act). The drawings will continue to be reviewed to ensure that the City's incentives are being used appropriately and the City is receiving good value for the public investment allocated through the Sandwich Incentive Program(s). As a requirement of Section 28 (7.3) of the Planning Act, Administration has confirmed that the grant amount does not exceed the total cost of the project.

The following grants will not be disbursed until an agreement for the Sandwich Incentive Program has been registered on title between the owner and the City of Windsor and not until all work is completed and inspected by Administration as per the approved drawings and Building Permit:

- Revitalization Grant Program
- Development and Building Fees Grant Program

There is little risk associated with approval of a tax increment-based grant such as the Revitalization Grant Program as the payments commence after the eligible work has been completed and the property reassessed by MPAC, and will only continue if the development remains eligible in accordance with the Sandwich CIP. Should the development fail to meet its requirements under the CIP, grant payments would cease.

### Climate Change Risks

### **Climate Change Mitigation:**

The subject development mitigates greenhouse gas (GHG) emissions by renovating a vacant existing residential space which reduces material usage and construction time,

The re-use of the existing building and site contributes to the revitalization of the Sandwich Town Neighbourhood through increasing the density and promoting walking and other alternative modes of transportation, thereby contributing to a complete community. The improvements to the existing building will utilize modern building methods, which will conform to the Ontario Building Code concerning safety and energy efficiency.

As a brownfield site, the proposed residential redevelopment is supported by the Environmental Master Plan action item, which encourages use of the Brownfields Redevelopment Strategy.

### **Climate Change Mitigation:**

As temperatures increase and when considering the Urban Heat Island effect for the City of Windsor, the property does not appear to be located within a Heat Vulnerability area. However, the rehabilitation of the existing site and construction of the new building will utilize modern building methods, which will conform to the Ontario Building Code concerning energy efficiency.

### **Financial Matters:**

On February 22, 2021, Council approved the 2021 budget, which included a new reserve fund for all active CIPs in the City. As CIP grant applications are approved, the approved grant amount will be transferred to the capital project account to be kept as committed funds, until the grant is ready to be paid out. The current uncommitted balance of the CIP reserve fund is \$294,507 however this balance does not account for other CIP grant requests that are currently being considered by the Development & Heritage Standing Committee/City Council standing committee or have been endorsed by the standing committee and are not yet approved by City Council.

If approved, funds will be transferred from the CIP Reserve Fund 226 to the Sandwich Community Development Plan Fund (project 7076176) to disperse the amount of +/-\$60,000 for the Development and Building Fees Grant Program identified in this report.

The Revitalization Grant will be based upon the municipal tax increase and will be calculated by the Finance Department when all work is complete.

Eligible Incentive Programs	Grant
Development and Building Fees Grant	+/- \$60,000
Note: Development and Building Fees are paid upfront by the applicant and these fees are approximate and can change at the time of Building Permit	
Revitalization Grant	\$108,360
*(\$10,836 per year between years 1 to 10	
Total	+/- \$168,360

Except for the Revitalization Grant, the owner will be reimbursed through the project Sandwich Community Development Plan Fund (project 7076176) when all work is

complete. The *Revitalization Grant* is funded through the municipal portion of the annual tax levy.

### **Consultations:**

The Planning and Building Department has consulted with the owner of 3495 Bloomfield through the Sandwich Incentive(s) Program application and all other aspects of the Development Review Process including the requirements of the Heritage Permit process.

For the purpose of determining the approximate dollar value of grants Carolyn Nelson, Manager of Property Valuation & Administration and Jose Mejalli, Assessment Management Officer, Taxation & Financial Projects were consulted with respect to the Sandwich Town CIP *Revitalization Grant Program*. Josie Gualtieri, Financial Administrator from Financial Planning was consulted regarding funding through Account 7076176-Sandwich Community Development Plan. Karen Kong and Amanda Foot were consulted with respect to building and development fees and public works fees. Kate Tracey, Senior Legal Counsel, was also consulted.

### **Conclusion:**

The demolition of the existing building located at 3495 Bloomfield Road will provide sufficient lot area to allow the owner of Reigns 740 Inc. to construct three (3) two (2) storey residential dwellings, thereby meeting the intent while also providing an opportunity to attract new residents to the neighbourhood and increasing the housing stock of the area through the redevelopment of the property. Near the University of Windsor, the owner intends to use the properties as student rentals.

The incentive program application meets all the eligibility criteria as identified in the Discussion section of this report. There are sufficient funds in the Sandwich Community Development Plan Fund to provide the Development & Building Fees grant amount, which has been applied for by the applicant for this project with the Revitalization Grant portion funded through the municipal portion of the annual tax levy.

Administration recommends that the application request by the owner of 3495 Bloomfield Road for incentives under the Sandwich Incentive Program be approved.

### **Planning Act Matters:**

N/A

### Approvals:

Name	Title
Kevin Alexander	Senior Planner – Special Projects
Josie Gualtieri	Financial Planning Administrator
Jason Campigotto	Deputy City Planner – Growth
John Revell	Chief Building Official

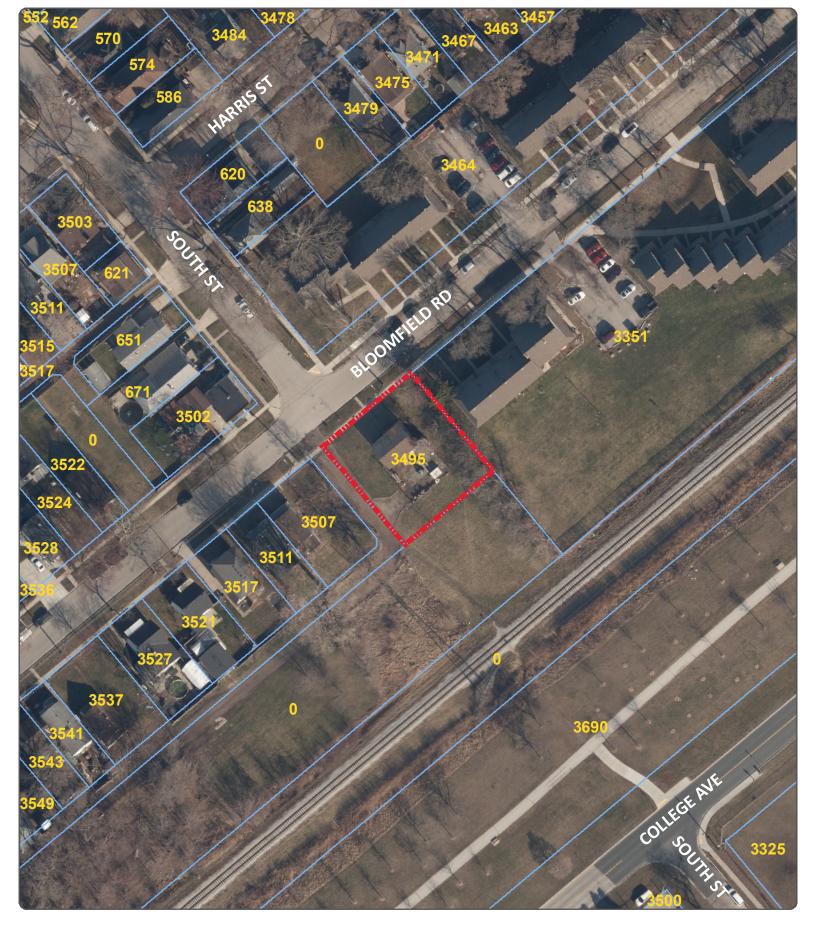
Name	Title
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Kate Tracey	Senior Legal Counsel, Legal & Real Estate
Jelena Payne	Commissioner of Economic Development
Lorrie Gregg	Deputy Treasurer Taxation and Financial Planning
Janice Guthrie	Commissioner Finance/City Treasurer
Joe Mancina	Chief Administrative Officer

### **Notifications:**

Name	Address	Email

### Appendices:

Appendix 'A' Location Map and Existing Condition Appendix 'B' Proposed Site Plan 3495 Bloomfield Road



# **LOCATION MAP: 3495 BLOOMFIELD ROAD**







**EXISTING USE: 3495 BLOOMFIELD ROAD** 

Vacant Substation (Utilities) Building

### **GENERAL NOTES**

### CODE AND PROCEDURES

THESE PLANS HAVE BEEN PREPARED IN ACCORDANCE WITH THE CURRENT EDITION OF THE ONTARIO BUILDING CODE. THE OWNER / BUILDER IS RESPONSIBLE FOR ENSURING THAT ANY CHANGES TO THE CODE ARE COMPLIED WITH AND ALL AMENDMENTS ARE INCORPORATED IN THE CONSTRUCTION OF THIS PLAN. ALL WORK SHALL CONFORM TO LOCAL CODES AND BYLAWS. IT IS THE OWNER/BUILDERS RESPONSIBILITY TO NOTIFY AG DESIGN OF ANY REQUIREMENTS THAT EXCEED THE ONTARIO BUILDING CODE.

THE COMPRESSIVE STRENGTH OF CONCRETE AFTER 28 DAYS SHALL NOT BE LESS THAN:

- 32 MPA (4650 PSI) WITH 5 TO 8 % AIR ENTRAINMENT FOR GARAGE FLOORS, CARPORTS FLOORS AND ALL EXTERIOR FLATWORK.
- 20 MPA (2900 PSI) FOR INTERIOR FLOORS OTHER THEN THOSE FOR GARAGES AND CARPORTS 15 MPA FOR FOUNDATION WALLS, COLUMNS, FOOTINGS, PIERS AND OTHER APPLICATIONS
- SITE BATCHED CONCRETE SHALL CONFORM TO THE ONTARIO BUILDING CODE REQUIREMENTS.

WHEN THE AIR TEMPERATURE IS BELOW 5°C CONCRETE SHALL BE KEPT AT A TEMPERATURE OF NOT LESS THAN 10°C OR MORE THAN 25°C WHILE BEING PLACED AND MAINTAINED AT A TEMPERATURE OF NOT LESS THAN 10°C FOR 72 HOURS AFTER PLACING. NO FROZEN MATERIAL OR ICE SHALL BE USED IN THE CONCRETE.

### <u>FOOTINGS</u>

FOOTINGS AND PADS ARE TO BE PLACED ON UNDISTURBED SOIL, ROCK, OR COMPACTED GRANULAR FILL, TO AN ELEVATION BELOW FROST PENETRATION WITH A MINIMUM SOIL BEARING CAPACITY OF 75 KPA. IT IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO VERIFY THE SOIL BEARING CAPACITY PRIOR TO CONSTRUCTION. IF A LESSER BEARING CAPACITY IS ENCOUNTERED IT IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO HAVE THE FOUNDATION REDESIGNED BY A QUALIFIED PROFESSIONAL TO SUIT SITE CONDITION.

WHERE WATER TABLE LEVELS ARE WITHIN A DISTANCE BELOW THE BEARING SURFACE LESS THAN OR EQUAL TO THE WIDTH OF THE FOOTING, THE FOOTINGS SHALL BE DOUBLED IN WIDTH UNDER WALLS AND DOUBLED IN AREA UNDER POSTS.

### **FOUNDATION WALLS**

FOUNDATION WALLS TO EXTEND A MINIMUM 8" ABOVE FINISHED GRADE.

GRADE LINES ON PLANS ARE ASSUMED, OWNER/CONTRACTOR TO VERIFY.

WHERE EXTERIOR FINISHED GROUND LEVEL IS AT A HIGHER ELEVATION THAN THE GROUND LEVEL INSIDE THE FOUNDATION WALLS SHALL BE DAMP PROOFED & WHERE HYDROSTATIC PRESSURE OCCURS WATER PROOFING IS REQUIRED.

### <u>DEADBOLT</u>

DOORS THAT REQUIRE A DEADBOLT SHALL BE EQUIP WITH A DEADBOLT LOCK WITH A CYLINDER HAVING NO MORE THAN FIVE PINS AND A BOLT THROW NOT LESS THAN 25MM LONG, PROTECTED WITH A SOLID OR HARDENED FREE-TURNING RING OR BEVELED CYLINDER HOUSING

### WOOD FRAMING GENERAL

ALL WOOD FRAMING SHALL COMPLY WITH SECTION 9.23 OF THE ONTARIO BUILDING CODE.

ALL STRUCTURAL FRAMING LUMBER SHALL BE GRADE STAMPED AS SPRUCE - PINE - FIR (S-P-F) NO.2 OR BETTER WITH A MOISTURE CONTENT OF 19% OR LESS AT TIME OF CONSTRUCTION.

WOOD FRAMING MEMBERS THAT ARE NOT TREATED WITH A WOOD PRESERVATIVE AND BEAR ON CONCRETE OR IN DIRECT CONTACT WITH THE GROUND SHALL BE SEPARATED WITH A 6 MIL POLY OR TYPE 'S' ROLL ROOFING.

ALL NOTCHING AND DRILLING OF FRAMING MEMBERS SHALL CONFORM TO SUBSECTION 9.23.5 OF THE ONTARIO BUILDING CODE.

FLUSHED FRAMED WOOD MEMBERS SHALL BE SUPPORTED WITH APPROPRIATE JOIST HANGERS AND FASTENERS.

### **ROOF FRAMING**

ROOF SHEETING SHALL BE INSTALLED WITH THE SURFACE GRAIN AT RIGHT ANGLES TO THE ROOF FRAMING JOINTS PERPENDICULAR TO ROOF RIDGE SHALL BE STAGGERED WITH EDGES SUPPORTED ON TRUSSES. IF TONGUED AND GROOVED EDGE PANEL TYPE SHEETING IS NOT USED THAN EDGES PARALLEL TO THE ROOF RIDGE SHALL BE SUPPORTED BY METAL 'H' CLIPS OR NOT LESS THAN 1.5"X1.5" BLOCKING SECURELY NAILED BETWEEN FRAMING MEMBERS.

VENTILATION OF ROOF SPACE TO BE VENTED TO A MINIMUM OF OF 1/150 OF INSULATED ROOF AREA.

### MECHANICAL & ELECTRICAL

MECHANICAL AND ELECTRICAL SERVICES DONE BY OTHERS.

SMOKE ALARMS SHALL CONFORM TO CAN/ULC-S531 "SMOKE ALARMS"

SMOKE ALARMS SHALL BE INSTALLED ON OR NEAR THE CEILING AND BE INSTALLED AS PER CAN/ULC-S553 "INSTALLATION OF SMOKE ALARMS"

SMOKE ALARMS SHALL HAVE A VISUAL SIGNALLING COMPONENT CONFORMING TO THE REQUIREMENTS IN 18.5.3. OF NFPA 72, "NATIONAL FIRE ALARM AND SIGNALING CODE"

SMOKE ALARMS SHALL BE INSTALLED WITH PERMANENT CONNECTIONS TO AN ELECTRICAL CIRCUIT. C/W BATTERY BACKUP AS PER O.B.C REQUIREMENTS

ALL SMOKE ALARMS SHALL BE INTERCONNECTED SO THE ACTIVATION OF ONE ALARM WILL CAUSE ALL ALARMS TO SOUND

### STAIR AND GUARD INFORMATION

### STAIR DIMENSIONS

STAIRS SHALL HAVE A WIDTH OF NOT LESS THAN 34"

THE CLEAR HEIGHT OVER STAIRS SHALL BE NOT LESS THAN 6'-4"

RISERS SHALL HAVE A UNIFORM HEIGHT IN ANY ONE FLIGHT WITH A MAXIMUM TOLERANCE OF, 4" BETWEEN ADJACENT TREADS AND 3" BETWEEN THE TALLEST AND SHORTEST RISERS IN A FLIGHT.

TREADS SHALL HAVE A UNIFORM RUN WITH A MAXIMUM TOLERANCE OF, <sup>1</sup>/<sub>4</sub>" BETWEEN ADJACENT TREADS, AND 3" BETWEEN THE DEEPEST AND SHALLOWEST TREADS IN A FLIGHT

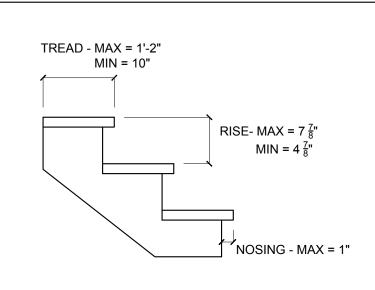
### **HANDRAILS**

THE HEIGHT OF HANDRAILS ON STAIRS AND RAMPS SHALL BE NOT LESS THAN 34" AND NOT MORE THAN 38"

# <u>GUARDS</u>

THE MINIMUM HEIGHT OF GUARDS SHALL BE NOT LESS THAN 36"

ALL GUARDS SHALL BE CONSTRUCTED AS PER SB-7 REQUIREMENTS



CONTRACTOR MUST VERIFY ALL DIMENSIONS ON THE JOB AND REPORT ANY DISCREPANCY TO DESIGNER BEFORE PROCEEDING WITH WORK

THIS DESIGNER ASSUMES NO RESPONSIBILITY OR LIABILITY FOR ERRORS OR OMISSIONS NOT REPORTED BY THE CONTRACTOR OR HIS SUBTRADES

CONSTRUCTION MUST COMPLY WITH THE LATEST STANDARDS OF THE ONTARIO BUILDING CODE AND ANY OTHER APPLICABLE LAWS.

ALL DRAWINGS AND SPECIFICATION ARE THE PROPERTY OF THE DESIGNER AND ARE PROTECTED BY COPY RIGHT.

I Ashley Kozachanko declare that I take responsibility for the design of this plan. I am qualified and registered with the Ministry of Municipal Affairs and Housing.

DESIGN Windsor, ON **NEW DWELLING** 3495 BLOOMFIELD ROAD WINDSOR, ON

February 21, 2024 Scale 1/4" = 1'-0" Project No.: 007/24 Drawing No.:

GENERAL NOTES & SITE PLAN

PROP

INTERIOR SIDE PROPERTY LINE

PROPOSED SINGLE FAMILY

**DWELLING** 

(1224 ft<sup>2</sup>)

INTERIOR SIDE PROPERTY LINE

PROPOSED SINGLE FAMILY

**DWELLING** 

 $(1224 \text{ ft}^2)$ 

INTERIOR SIDE PROPERTY LINE

PROPOSED SINGLE FAMILY

(1224 ft<sup>2</sup>)

EXTERIOR SIDE PROPERTY LINE

13'-3"

40'-4"

LOT AREA =  $3663 \text{ ft}^2$ 

PROPOSED DWELLING

COVERAGE = 1224 ft<sup>2</sup>

23'-11"

LOT AREA =  $3663 \text{ ft}^2$ 

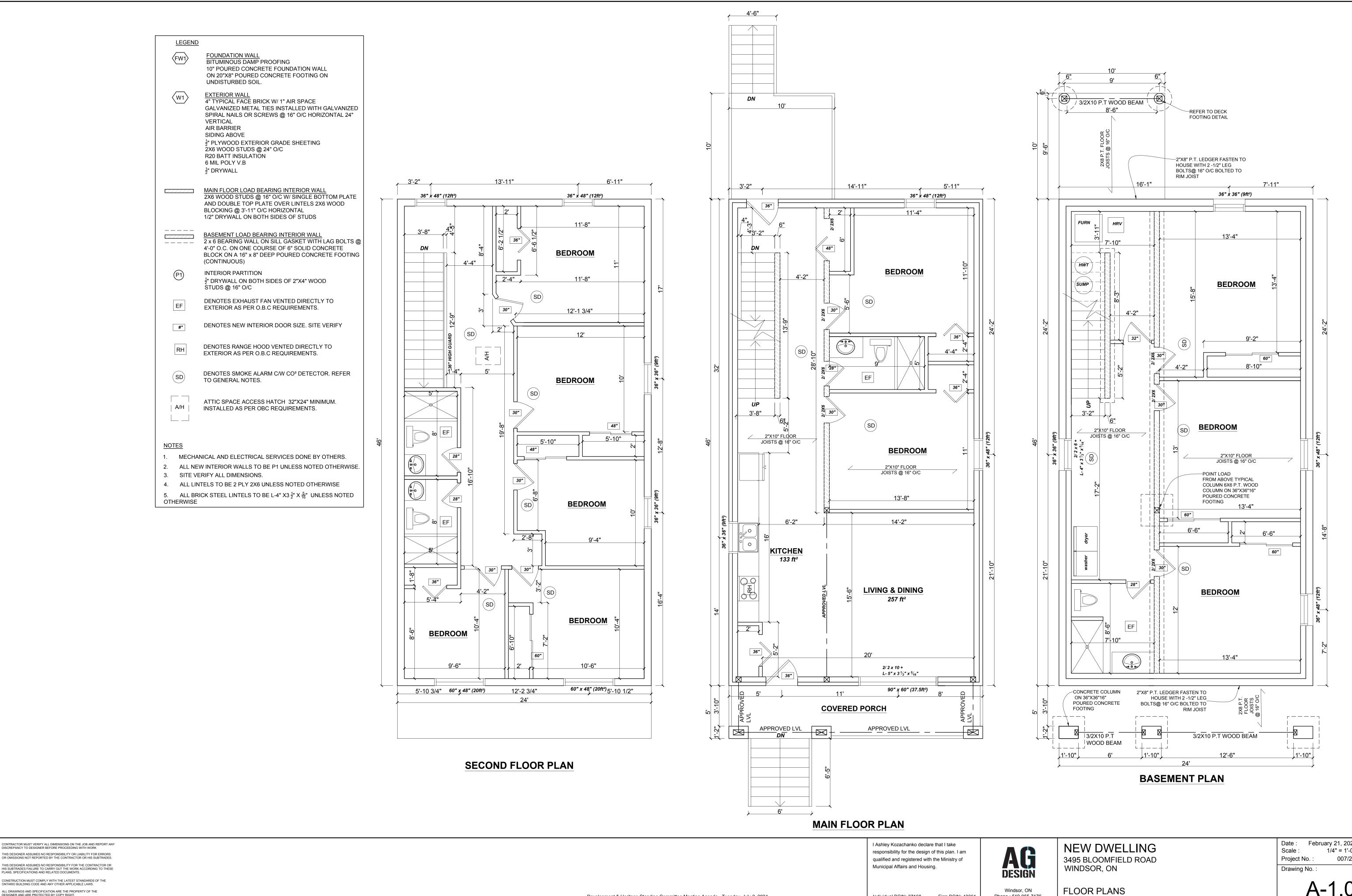
PROPOSED DWELLING

LOT AREA = 3774 ft<sup>2</sup> PROPOSED DWELLING

COVERAGE = 1224 ft<sup>2</sup>

(32%)

COVERAGE = 1224 ft<sup>2</sup>



CONTRACTOR MUST VERIFY ALL DIMENSIONS ON THE JOB AND REPORT ANY DISCREPANCY TO DESIGNER BEFORE PROCEEDING WITH WORK

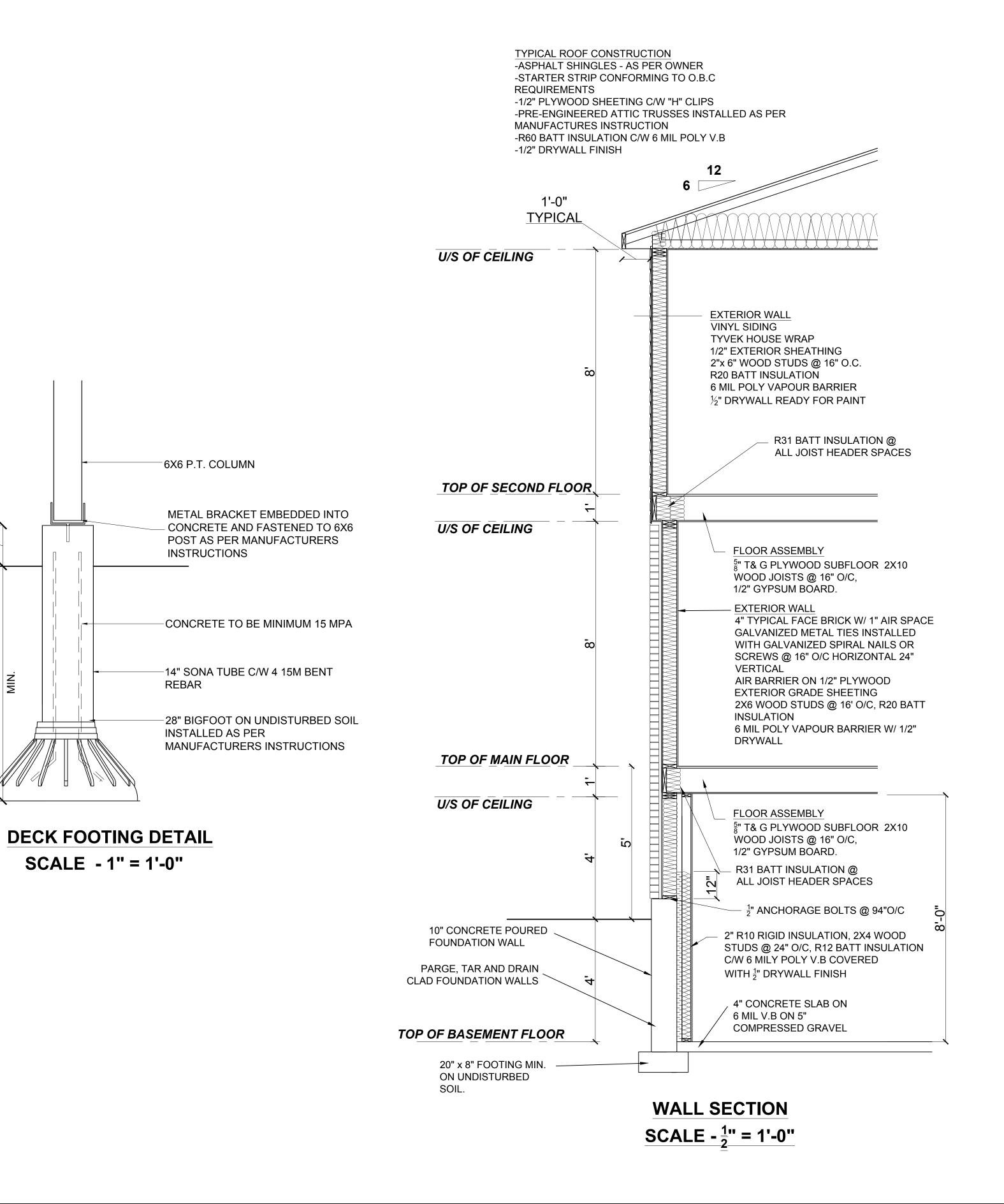
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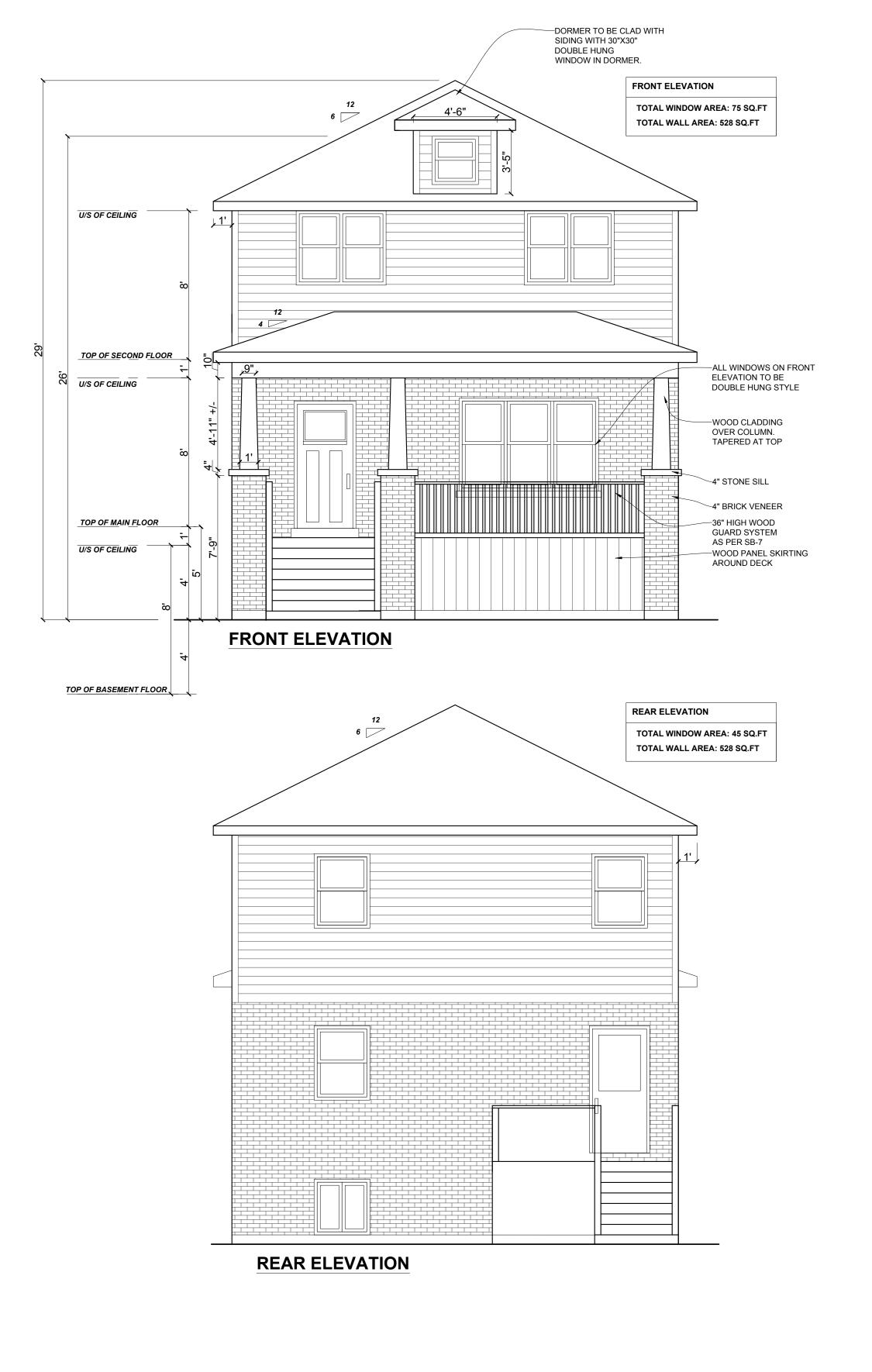
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February 21, 2024 1/4" = 1'-0" 007/24

Phone : 519-965-7176

Individual BCIN: 37168 Firm BCIN: 43361





CONTRACTOR MUST VERIFY ALL DIMENSIONS ON THE JOB AND REPORT ANY DISCREPANCY TO DESIGNER BEFORE PROCEEDING WITH WORK

THIS DESIGNER ASSUMES NO RESPONSIBILITY OR LIABILITY FOR ERRORS OR OMISSIONS NOT REPORTED BY THE CONTRACTOR OR HIS SUBTRADES.

THIS DESIGNER ASSUMES NO RESPONSIBILITY FOR THE CONTRACTOR OR HIS SUBTRADES.

THIS SUBTRADES FAILURE TO CARRY OUT THE WORK ACCORDING TO THESE

CONSTRUCTION MUST COMPLY WITH THE LATEST STANDARDS OF THE ONTARIO BUILDING CODE AND ANY OTHER APPLICABLE LAWS.

ALL DRAWINGS AND SPECIFICATION ARE THE PROPERTY OF THE DESIGNER AND ARE PROTECTED BY COPY RIGHT.

I Ashley Kozachanko declare that I take responsibility for the design of this plan. I am qualified and registered with the Ministry of Municipal Affairs and Housing.

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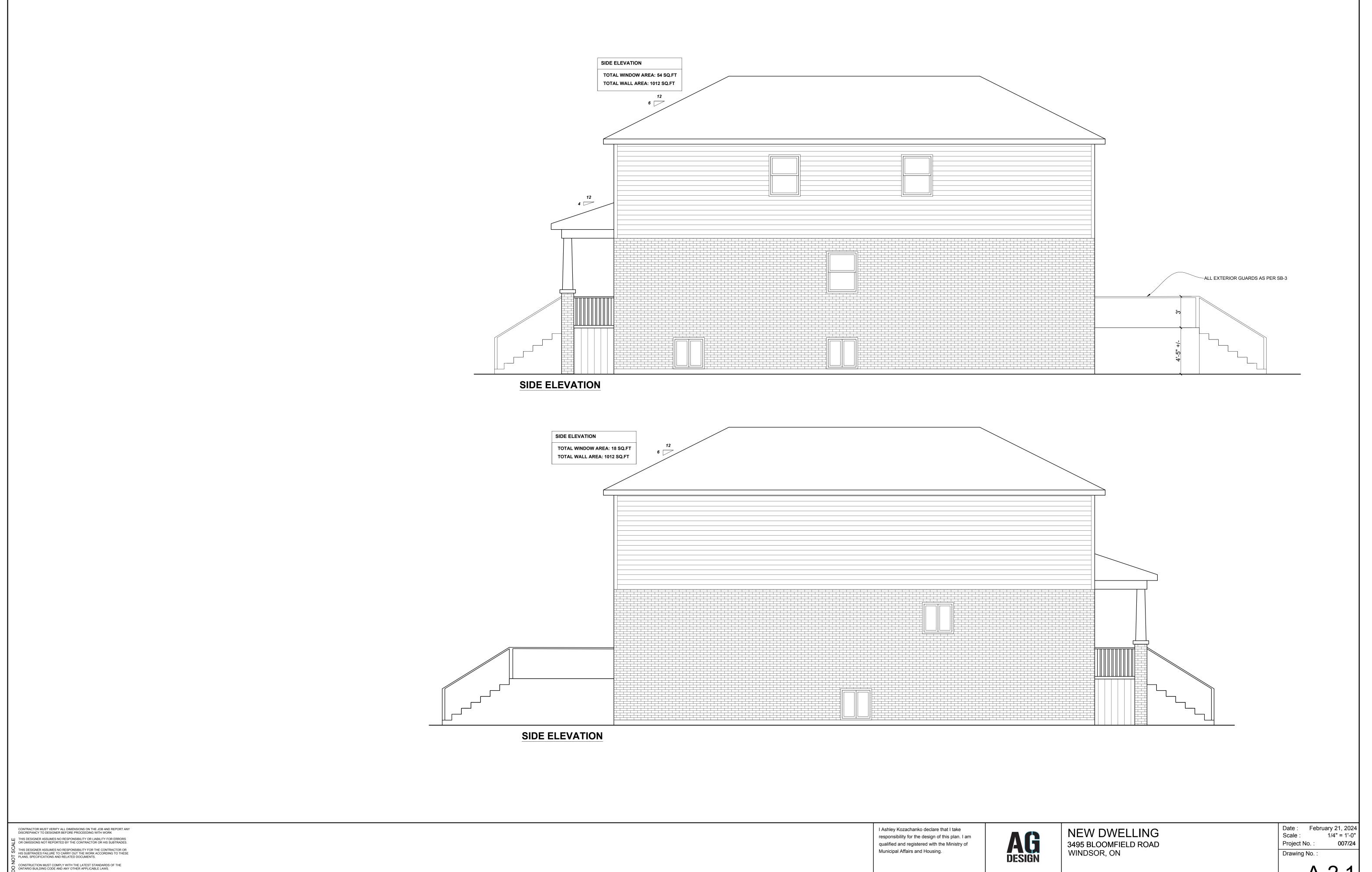
AG DESIGN Windsor, ON

Phone : 519-965-7176

NEW DWELLING 3495 BLOOMFIELD ROAD WINDSOR, ON Date : February 21, 2024
Scale : 1/4" = 1'-0"
Project No. : 007/24

Drawing No. :

ELEVATIONS & DETAILS



Development & Heritage Standing Committee Meeting Agenda - Tuesday, July 2, 2024

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ELEVATIONS