

## Development & Heritage Standing Committee Meeting

Date: Tuesday, September 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

#### **Members Regrets**

Member Robert Polewski

### **PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:**

Tracey Tang, Planner III – Economic Development

Sandra Gebauer, Council Assistant

### **ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:**

Jelena Payne, Commissioner, Economic Development

Neil Robertson, City Planner

Greg Atkinson, Deputy City Planner

Aaron Farough, Senior Legal Counsel

Patrick Winters, Manager, Development

Emilie Dunnigan, Manager, Development Revenue & Financial Administration

Kevin Alexander, Planner III - Special Projects

Brian Nagata, Planner II – Development Review

Elara Mehrilou, Transportation Planner I

# Minutes

## Development & Heritage Standing Committee Tuesday, September 3, 2024

Page 2 of 16

---

Diana Radulescu, Planner II – Development Review  
Natasha McMullin, Clerk Steno Senior  
Anna Ciacelli, Deputy City Clerk

### Delegations—participating via video conference

Item 11.5 - Kaela McLellan, applicant  
Item 11.3 - Cathy Cooke, area resident

### Delegations—participating in person

Item 11.1 - Michel Matte, Owner, Granite Design Works, Inc.  
Item 11.1 - Lawrence Anthony Lamont, area resident

## 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

None disclosed.

## 3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

## 4. COMMUNICATIONS

None presented.

## 5. ADOPTION OF THE *PLANNING ACT* MINUTES

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

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

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

# Minutes

Development & Heritage Standing Committee  
Tuesday, September 3, 2024

Page 3 of 16

Report Number: SCM 251/2024

## 7. PLANNING ACT MATTERS

### 7.1. Zoning By-Law Amendment Z019-24 (ZNG/7215) - Architectura Inc. Architects – 1098 Albert Rd, Ward 5

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 646**

I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 106, Plan 865 situated at the northeast corner of Albert Road and Richmond Street, known municipally as 1098 Albert Road, by adding a site-specific exception to Section 20(1) as follows:

#### 512. NORTHEAST CORNER OF ALBERT ROAD AND RICHMOND STREET

For the lands comprising of Lot 106, Plan 865 the following additional regulations shall apply:

- 1) The following are an additional permitted *main use*:  
One *Multiple Dwelling* containing a maximum of four *dwelling units*
- 2) The following additional provisions shall apply to an additional permitted *main use*:
  - a) Lot Width – minimum 9.0 m
  - b) Lot Area – minimum 327.0 m<sup>2</sup>
  - c) Lot Coverage – maximum 55%
  - d) Main Building Height – maximum 7.60 m
  - e) Front Yard Depth – minimum 4.5 m
  - f) Rear Yard Depth – minimum 7.5 m
  - g) Side Yard Width – minimum 0.25 m
  - h) Gross Floor Area – *Main Building* – maximum 364 m<sup>2</sup>
  - i) Notwithstanding Section 5.2.20.20, a refuse bin shall be stored in a required *rear yard*.

# Minutes

## Development & Heritage Standing Committee Tuesday, September 3, 2024

Page 4 of 16

- j) Notwithstanding section 24.20.5., three parking spaces shall be provided.
- k) Section 24.30.20.3.2 shall not apply.

II. THAT the H symbol **SHALL APPLY** to Lot 106, Plan 865 situated at the northeast corner of Albert Road and Richmond Street, known municipally as 1098 Albert Road and that Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following clause to Section 95.20:

- (10) a) Conveyance of a 4.6 m by 4.6 m corner cut-off at the northeast corner of Albert Road and Richmond Street to the satisfaction of the City Engineer.

[ZNG/7215]

Carried.

Report Number: S 105/2024  
Clerk's File: Z/14833

### 7.2. Impact of Bill 185 Passed by the Provincial Legislature – City Wide

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 647**

- I. THAT the report of the City Solicitor dated July 29, 2024 regarding the legislative changes resulting from provincial Bill 185 and related legislation **BE RECEIVED**; and,
- II. THAT Administration **BE DIRECTED** to provide a brief presentation outlining the legislative changes when this report proceeds to Council.

Carried.

Report Number: S 103/2024  
Clerk's File: GP2024

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 4:55 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 4:56 o'clock p.m.

### 8. ADOPTION OF THE MINUTES

None presented.

### 10. HERITAGE ACT MATTERS

None presented.

# Minutes

Development & Heritage Standing Committee  
Tuesday, September 3, 2024

Page 5 of 16

---

## 11. ADMINISTRATIVE ITEMS

### 11.1. Closure of west half of north/south alley located between Montrose Street and Tecumseh Boulevard West, Ward 3, SAA-4133

**Michel Matte, Owner, Granite Design Works, Inc.**

Michel Matte, Owner, Granite Design Works, Inc., appears before Council regarding the administrative report dated July 3, 2024 entitled, "Closure of west half of north/south alley located between Montrose Street and Tecumseh Boulevard West, Ward 3, SAA-4133" and is available for questions.

**Lawrence Anthony Lamont, area resident**

Lawrence Anthony Lamont, area resident, appears before Council regarding the administrative report dated July 3, 2024 entitled, "Closure of west half of north/south alley located between Montrose Street and Tecumseh Boulevard West, Ward 3, SAA-4133" and is available for questions.

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 648**

- I. THAT the 2.44-metre-wide west half of the north/south alley located between Montrose Street and Tecumseh Boulevard West, and shown on Drawing No. CC-1849 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure; and,
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in as is condition to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada to accommodate existing infrastructure;
    - ii. Enbridge Gas Inc. to accommodate existing underground infrastructure; and,
    - iii. ENWIN Utilities Ltd. to accommodate existing aboveground infrastructure; and,
- III. THAT Conveyance Cost **BE SET** as follows:
  - a. For alley conveyed to abutting lands zoned RD1.3, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor; and,

# Minutes

## Development & Heritage Standing Committee Tuesday, September 3, 2024

Page 6 of 16

---

- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1849; and,
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s); and,
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and,
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.  
Carried.

Report Number: S 85/2024  
Clerk's File: SAA2024

### **11.5. Closure of north/south alley located between Millen Street and Girardot Street, Ward 2, SAA-6996**

#### **Kaela McLellan, applicant**

Kaela McLellan, applicant appears via video conference before the Development & Heritage Standing Committee regarding the administrative report dated July 16, 2024, entitled "Closure of north/south alley located between Millen Street and Girardot Street, Ward 2, SAA-6996" and is available for questions.

Councillor Angelo Marignani inquires whether the delegate is in favour of the recommendation. Ms. McLellan responds that she is in favor of the recommendation.

Councillor Angelo Marignani inquires whether there were any concerns regarding the alley closure. Ms. McLellan indicates that she has a concern about the hydro pole in the area and how that would be affected.

Brian Nagata, Planner II Development Review, appears before the Development & Heritage Standing Committee regarding the administrative report dated July 16, 2024, entitled "Closure of north/south alley located between Millen Street and Girardot Street, Ward 2, SAA-6996" and indicates that as a condition of the alley closure, a blanket easement will be granted over the entire alley for maintenance or repair purposes.

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

# Minutes

## Development & Heritage Standing Committee Tuesday, September 3, 2024

Page 7 of 16

Decision Number: **DHSC 562**

- I. THAT the north/south alley located between Millen Street and the north limit of Lot 17, Plan 1208, and shown on Drawing No. CC-1833 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure; and,
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in as is condition to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada to accommodate existing aerial facilities;
    - ii. ENWIN Utilities Ltd. to accommodate existing overhead 120/240V distribution; and,
    - iii. Managed Network System Inc. (MNSi.) to accommodate existing aerial facilities; and,
- III. THAT Conveyance Cost **BE SET** as follows:
  - a. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor; and,
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1833; and,
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s); and,
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and,
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.  
Carried.

Report Number: S 98/2024  
Clerk's File: SAA2024

# Minutes

## Development & Heritage Standing Committee

Tuesday, September 3, 2024

Page 8 of 16

### 11.3. Part Closure of east/west alley located between Belleperche Place and Fairview Boulevard, Ward 6, SAA-7135

#### Cathy Cooke, area resident

Cathy Cooke appears before the Development & Heritage Standing Committee via video conference regarding the administrative report dated July 11, 2024, entitled "Part Closure of east/west alley located between Belleperche Place and Fairview Boulevard, Ward 6, SAA-7135" and expresses support for the alley closure and plans to continue to maintain the alley.

Councillor Angelo Marignani requests clarification about the closed and conveyed portion of the alley. Mr. Nagata indicates that once the alley is closed and conveyed and not under the ownership of the city, any matters pertaining to encroachments would become a civil matter. If it remains unpurchased, it would still be the city's responsibility, but would be known as an orphan alley.

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 650**

- I. THAT the 4.27-metre-wide west part of the east/west alley located between Belleperche Place and Fairview Boulevard, and shown on Drawing No. CC-1845 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure; and,
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in as is condition to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada to accommodate to accommodate overhead utility infrastructure;
    - ii. Cogeco Connexion Inc. to accommodate overhead utility infrastructure;
    - iii. ENWIN Utilities Ltd. to accommodate existing overhead 27.6kV and 120/240-volt hydro distribution, poles and down guy wires; and,
    - iv. Managed Network System Inc. (MNSi.) to accommodate overhead utility infrastructure; and,
- III. THAT Conveyance Cost **BE SET** as follows:
  - a. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor; and,



# Minutes

## Development & Heritage Standing Committee

Tuesday, September 3, 2024

Page 9 of 16

- 
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1845; and,
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s); and,
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and,
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.  
Carried.

Report Number: S 92/2024

Clerk's File: SAA2024

### 11.2. Closure of east/west alley located between Church Street and Dougall Avenue, Ward 3, SAA-7138

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 649**

- I. THAT the 4.57-metre-wide east/west alley located between Church Street and Dougall Avenue, and shown on Drawing No. CC-1843 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure; and,
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in as is condition to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
- a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada to accommodate existing aboveground infrastructure;
    - ii. Cogeco Connexion Inc. to accommodate existing aboveground infrastructure;
    - iii. ENWIN Utilities Ltd. to accommodate existing overhead 120/240V and 600/347V hydro pole distribution;
    - iv. Managed Network System Inc. (MNSi.) to accommodate existing aboveground infrastructure; and,
- III. THAT Conveyance Cost **BE SET** as follows:
- a. For alley conveyed to abutting lands zoned CD2.1, \$20.00 per square foot without easements plus HST (if applicable) and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor, and \$10.00 per square foot with easements plus HST (if applicable) and a proportionate

# Minutes

## Development & Heritage Standing Committee Tuesday, September 3, 2024

Page 10 of 16

share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

- b. For alley conveyed to abutting lands zoned RD1.3, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor; and,
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1843; and,
  - V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s); and,
  - VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and,
  - VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.  
Carried.

Report Number: S 89/2024  
Clerk's File: SAA2024

### **11.4. Closure of north/south alley, located between Clairview Avenue and Wyandotte Street East; and east/west alley located between Clover Street and Adelaide Avenue; Ward 7, SAA-6767**

Councillor Angelo Marignani inquires whether there was any objection to the closure of this alley. Mr. Nagata indicates there weren't any objections received.

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

Decision Number: **DHSC 651**

- I. THAT the 3.35-metre-wide north/south alley located between Clairview Avenue and Wyandotte Street East, and shown on Drawing No. CC-1815 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure; and,
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in as is condition to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada for protection of existing facilities;

# Minutes

## Development & Heritage Standing Committee Tuesday, September 3, 2024

Page 11 of 16

- 
- ii. ENWIN Utilities Ltd. to accommodate existing overhead 120/240-volt distribution, poles and down guy wires; and,
  - iii. Owner of the property known municipally as 10655 Clairview Avenue (legally described as Lot 3, Plan 1077, PIN No. 01596-0041 LT) to accommodate access to repair and maintain existing water service; and,
- III. THAT the 4.88-metre-wide east/west alley located between Clover Street and Adelaide Avenue, and shown on Drawing No. CC-1815 (attached hereto as Appendix "A"), **BE DENIED** for subsequent closure; and,
- IV. THAT Conveyance Cost **BE SET** as follows:
- a. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor; and,
- V. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1815; and,
- VI. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s); and,
- VII. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and,
- VIII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.  
Carried.

Report Number: S 97/2024  
Clerk's File: SAA2024

### 11.6. Ford City CIP Application for 1306 Drouillard Road. Owner: Charbel Semaan (C/O: Maged Basilious) – Ward 5

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

Decision Number: **DHSC 653**

- II. THAT the request for incentives under the Ford City CIP Financial Incentive Programs made by Charbel Semaan, (c/o: Maged Basilious), Owner of the property located at 1306 Drouillard Road for the construction of a two (2) storey auto body shop **BE APPROVED** for the following incentive programs:
  - i. Municipal Development Fees Grant Program to a maximum amount of \$30,000;

# Minutes

## Development & Heritage Standing Committee

Tuesday, September 3, 2024

Page 12 of 16

- 
- ii. Building/Property Improvement Tax Increment Grant Program for 100% of the municipal portion of the tax increment for up to 10 years in an estimated amount of \$16,358 per year.
  - III. THAT Administration **BE AUTHORIZED** to prepare the agreement between the City and Charbel Semaan (C/O: Maged Basilius; Maged Basilius Architect) to implement the *Building/Property Improvement Tax Increment Grant Program* (only) in accordance with all applicable policies, requirements to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implications; and,
  - IV. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Grant Agreement(s) in content satisfactory to the City Planner, in financial content to the satisfaction of the City Treasurer and in form satisfactory to the City Solicitor; and,
  - V. THAT funds in the amount of up to a maximum of \$30,000 under the *Municipal Development Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the Ford City CIP Fund (Project #7181046) once the work is completed; and,
  - VI. THAT grants **BE PAID** to Charbel Semaan upon the completion of the of the auto body shop building from the Ford City CIP Fund (Project #7181046) to the satisfaction of the City Planner and Chief Building Official; and,
  - VII. THAT should the construction of the two (2) storey auto body shop not be completed within three (3) years following Council approval of Report S101/2024, City Council **RESCIND** the approvals under the Municipal Development Fees Grant and the Building/Property Improvement Tax Increment Grant programs and that the funds under the Municipal Development Fees Grant Program **BE UNCOMMITTED** and returned to CIP Reserve Fund 226.

Carried.

Report Number: S 101/2024

Clerk's File: SPL2024

### 11.7. Closure of north/south alley located between Wyandotte Street West and Rooney Street, Ward 2, SAA-7032

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 654**

- I. THAT the 3.05-metre-wide north/south alley located between Rooney Street and the south limits of Lot 102, Plan 369 and Lot 12, Plan 1042, and shown on Drawing No. CC-1840 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure; and,

# Minutes

## Development & Heritage Standing Committee Tuesday, September 3, 2024

Page 13 of 16

- 
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in as is condition to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
- a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
    - i. Bell Canada to accommodate existing aerial facilities;
    - ii. ENWIN Utilities Ltd. to accommodate existing overhead 16kV and 120/240-volt distribution, poles and down guy wires; and
    - iii. Managed Network System Inc. (MNSi.) to accommodate existing aerial facilities; and,
- III. THAT Conveyance Cost **BE SET** as follows:
- a. For alley conveyed to abutting lands zoned RD1.3, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor; and,
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1840; and,
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s); and,
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and,
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.  
Carried.

Report Number: S 102/2024  
Clerk's File: SAA2024

### **11.8. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Baird AE Inc. on behalf of Bullet Investments Inc. for 285 Giles Boulevard East (Ward 3)**

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

Decision Number: **DHSC 655**

- I. THAT the request made by Baird AE Inc. on behalf of Bullet Investments Inc. to participate in the Brownfield Rehabilitation Grant Program **BE APPROVED** for 70% (or 100% if LEED certified) of the municipal portion of the tax increment resulting from the proposed redevelopment at 285 Giles Boulevard East for up to 10 years or until 100% of the eligible

# Minutes

## Development & Heritage Standing Committee Tuesday, September 3, 2024

Page 14 of 16

costs are repaid pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,

- II. THAT Administration **BE DIRECTED** to prepare an agreement between Bullet Investments Inc., the City, and any persons legally assigned the right to receive grant payments to implement the Brownfield Rehabilitation Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Brownfield Redevelopment Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implications; and,
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Rehabilitation Grant Agreement; and,
- IV. THAT the approval to participate in the Brownfield Rehabilitation Grant Programs **EXPIRE** if the agreement is not signed by applicant within two years following Council approval.

Carried.

Report Number: S 106/2024  
Clerk's File: Z/14778

## 12. COMMITTEE MATTERS

### 12.1. Minutes of the International Relations Committee of its meeting held July 10, 2024

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

Decision Number: **DHSC 656**

THAT the minutes of the International Relations Committee meeting held July 10, 2024 **BE RECEIVED** as presented.

Carried.

Report Number: SCM 252/2024  
Clerk's File: MB2024

### 12.2. Report No. 53 of the International Relations Committee - Twin City Agreement with Arlington, Texas

Councillor Fred Francis requests deferral of this item in order to discuss with the mayor's office. Anna Ciacelli, Deputy City Clerk appears before the Development & Heritage Standing Committee regarding the July 10, 2024, report, entitled "Report No. 53 of the International Relations Committee - Twin City Agreement with Arlington, Texas" and responds that the International Relations Committee approved a motion to accept the Twin City agreement. The motion would then go to standing committee, then on to council for final decision.

# Minutes

## Development & Heritage Standing Committee Tuesday, September 3, 2024

Page 15 of 16

---

Councillor Kieran McKenzie inquires whether the motion is contrary to the city policy. Ms. Ciacelli indicates that the committee can make any recommendation it would like to, it is the responsibility of the standing committee and Council to approve or deny the motion.

Councillor Fred Francis indicates that this is not the first time the IRC has received a twin city request. The policy is meant to ensure that it is people based and that the work is being done outside City Hall and is intended to be a long-lasting bond between the two cities.

Councillor Kieran McKenzie asks administration to clarify the procedure. Ms. Ciacelli provides information and indicates that the response from the Mayor's office will come back to the Standing Committee before going forward to Council for final decision.

Moved by: Councillor Fred Francis

Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 657**

THAT Report No. 53 of the International Relations Committee indicating that the following motion BE RECONSIDERED: CR293/2024:

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; and,

THAT The following motion BE APPROVED:

That the International Relations Committee RECOMMEND that the City of Windsor and the City of Arlington, Texas enter into a Twin City Agreement; and,

That if approved by both parties, that the Mayor's Office BE REQUESTED to sign a Twin City Memorandum of Understanding for Arlington, Texas consistent with the process outlined in the Twin City Policy;

**BE REFERRED** to the Mayor's Office for comment; and that the comments **BE FORWARDED** to a future meeting of the Development & Heritage Standing Committee.

Carried.

Report Number: SCM 253/2024  
Clerk's File: MB2024

### 13. QUESTION PERIOD

None registered.

# Minutes

## Development & Heritage Standing Committee

Tuesday, September 3, 2024

Page 16 of 16

---

### 14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Items Matters) is adjourned at 5:17 o'clock p.m. The next meeting of the Development & Heritage Standing Committee will be held on Monday, October 7, 2024.

Carried.

---

Ward 10 – Councillor Jim Morrison  
(Chairperson)

---

Deputy City Clerk / Supervisor of  
Council Services



**Development & Heritage Standing Committee Meeting**  
*(Planning Act Matters)*

Date: Tuesday, September 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

**PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:**

Tracey Tang, Planner III – Economic Development  
Sandra Gebauer, Council Assistant

**ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:**

Jelena Payne, Commissioner, Economic Development  
Neil Robertson, City Planner  
Greg Atkinson, Deputy City Planner  
Aaron Farough, Senior Legal Counsel  
Patrick Winters, Manager, Development  
Emilie Dunnigan, Manager, Development Revenue & Financial Administration  
Kevin Alexander, Planner III - Special Projects  
Brian Nagata, Planner II – Development Review  
Elara Mehrilou, Transportation Planner I  
Diana Radulescu, Planner II – Development Review  
Natasha McMullin, Clerk Steno Senior  
Anna Ciacelli, Deputy City Clerk

# Minutes

## Development & Heritage Standing Committee Tuesday, September 3, 2024

Page 2 of 6

---

### Delegations—participating via video conference

Item 11.5 - Kaela McLellan, applicant  
Item 11.3 - Cathy Cooke, area resident

### Delegations—participating in person

Item 11.1 - Michel Matte, Owner, Granite Design Works, Inc.  
Item 11.1 - Lawrence Anthony Lamont, area resident

## 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

None disclosed.

## 3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

## 4. COMMUNICATIONS

None presented.

## 5. ADOPTION OF THE *PLANNING ACT* MINUTES

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

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

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

## 7. *PLANNING ACT* MATTERS

# Minutes

## Development & Heritage Standing Committee

Tuesday, September 3, 2024

Page 3 of 6

### 7.1. Zoning By-Law Amendment Z019-24 (ZNG/7215) - Architecttura Inc. Architects – 1098 Albert Rd, Ward 5

Diana Radulescu, Planner II – Development Review, is available for questions.

Member Daniel Grenier inquires about the proposed outdoor bicycle parking spaces and whether they are a good amenity given there is active bike theft in the neighbourhood. Ms. Radulescu states that according to the zoning by-law the residential development up to four units does not require bicycle parking spaces but the applicant has included them within the conceptual site plan. This proposal can account for a reduction of one car parking space and connect to existing multi-modal options within the neighbourhood.

Member Grenier inquires with the applicant why three small bedroom units are proposed and not two bedrooms. The applicant or agent were not available to answer questions. Chair Jim Morrison states that the question can be raised at the Council meeting.

Councillor Kieran McKenzie inquires whether administration had considered a parking deficiency to be acceptable due to the proposed bicycle parking. Ms. Radulescu states that during the planning review, the multi-modal opportunities within the neighbourhood are considered when evaluating a proposed parking deficiency. Ms. Radulescu states that this neighbourhood, Ford City, is connected by existing and proposed active transportation, transit connections, sidewalks on both sides of the road and proximity to a main street (Drouillard Rd). Councillor McKenzie notes that it forms part of the decision that leads to the staff recommendation.

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 646**

I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 106, Plan 865 situated at the northeast corner of Albert Road and Richmond Street, known municipally as 1098 Albert Road, by adding a site-specific exception to Section 20(1) as follows:

#### 512. NORTHEAST CORNER OF ALBERT ROAD AND RICHMOND STREET

For the lands comprising of Lot 106, Plan 865 the following additional regulations shall apply:

- 1) The following are an additional permitted *main use*:  
One *Multiple Dwelling* containing a maximum of four *dwelling units*
- 2) The following additional provisions shall apply to an additional permitted *main use*:
  - a) Lot Width – minimum 9.0 m
  - b) Lot Area – minimum 327.0 m<sup>2</sup>
  - c) Lot Coverage – maximum 55%

# Minutes

## Development & Heritage Standing Committee Tuesday, September 3, 2024

- d) Main Building Height – maximum 7.60 m
- e) Front Yard Depth – minimum 4.5 m
- f) Rear Yard Depth – minimum 7.5 m
- g) Side Yard Width – minimum 0.25 m
- h) Gross Floor Area – *Main Building* – maximum 364 m<sup>2</sup>
- i) Notwithstanding Section 5.2.20.20, a refuse bin shall be stored in a required *rear yard*.
- j) Notwithstanding section 24.20.5., three parking spaces shall be provided.
- k) Section 24.30.20.3.2 shall not apply.

II. THAT the H symbol **SHALL APPLY** to Lot 106, Plan 865 situated at the northeast corner of Albert Road and Richmond Street, known municipally as 1098 Albert Road and that Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following clause to Section 95.20:

- (10) a) Conveyance of a 4.6 m by 4.6 m corner cut-off at the northeast corner of Albert Road and Richmond Street to the satisfaction of the City Engineer.

[ZNG/7215]

Carried.

Report Number: S 105/2024

Clerk's File: Z/14833

## 7.2. Impact of Bill 185 Passed by the Provincial Legislature – City Wide

Aaron Farough, Senior Legal Counsel, is available for questions.

Councillor Fred Francis clarifies and inquires what City Council is to expect when development applications are presented to Council, where residents are no longer able to appeal Council decisions. Mr. Farough states that residents are no longer able to appeal unless the resident falls within a specified class under the Planning Act.

Councillor Francis inquires what the communication strategy is now that residents are unable to appeal once an application has been approved. Mr. Farough states that legal requirements have been met where notices have been updated with information regarding the eligible class of appellants, as this is their only chance to raise their concerns. Mr. Farough continues that eligible appellants could have the ability to seek party status prior to the tribunal. City Planner, Neil

# Minutes

## Development & Heritage Standing Committee Tuesday, September 3, 2024

Page 5 of 6

Robertson states that marketing information material is being developed to convey the message to the public of opportunities when they can participate in the process.

Councillor Francis states that he encourages this material to be ready when Ward Meetings begin to inform residents of changes and expectations. Commissioner Jelena Payne agrees and states that with numerous legislative changes and need to inform the public over the last few years, information sheets were prepared and distributed at Ward Meetings. Commissioner Payne also confirmed that information had been sent as tax inserts for residents, but residents are only paying attention when it affects them personally. Commissioner Payne adds that administration is committed to a multi-strategy approach, whereby information can be conveyed and will resonate and educate residents. Councillor Francis states that the information needs to be user friendly and easily accessible to eliminate miscommunication and misinformation with the public.

Chair Morrison inquires if the City of Windsor has agreed to continue holding Public Information Meetings as they are not mandatory. Mr. Robertson states that this is correct.

Chair Morrison inquires if the circulation distance of public notice is 200 meters and whether it is larger than required. Mr. Robertson states that 120 meters are used depending on the complexity of the application to ensure the public has been notified. Chair Morrison states that we do not have the jurisdiction to change this and that it is a provincial policy.

Councillor Kieran McKenzie inquires if there is a visual PowerPoint presentation prepared for residents to find information. Mr. Farough states that a presentation can be created for the next Council meeting. Mr. Farough adds that the first step had been to update the general notice to inform residents of changes to their appeal rights in relation to applications, and now administration is looking at what can be done beyond notifications.

Councillor McKenzie suggests alternative ways to access the reading material and whether it requires specific direction. Chair Morrison states that he does not believe direction is required and any presentations can be shown during Ward meetings for residents.

Councillor McKenzie inquires about the approval of a draft plan of subdivision and the duration one will last prior to having to reapply. Mr. Farough states that the province has recently created a lapsing provision requirement, of which the City of Windsor had already instilled prior to the provincial requirement, as an incentive for developers to act on application approvals. Mr. Farough adds that with Site Plan Control agreements it has changed timeline requirements.

Councillor McKenzie inquires of the possibility of a lapsing provision in a rezoning circumstance and if it could be considered by the legislature. Mr. Robertson states that it would be a provincial decision as the City does not have regulatory authority to do that currently, as the Planning Act states which types of applications can have provisions. Mr. Robertson adds that in the instance of a rezoning if the application does not proceed, it will revert to the prior zoning designation.

Councillor Angelo Marignani inquires about the changes to the Municipal Act section that prohibits municipalities from directly or indirectly aiding businesses, and how does this conflict with our

# Minutes

## Development & Heritage Standing Committee Tuesday, September 3, 2024

Page 6 of 6

---

Community Incentive Programs (CIP) and modify the new strategy based on Bill 185. Mr. Robertson states the economic development CIP that is in place is a mechanism under the Planning Act that allows us to provide bonus provisions and incentives in compliance with the Municipal Act and it does not affect our CIPs.

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

Decision Number: **DHSC 647**

- I. THAT the report of the City Solicitor dated July 29, 2024 regarding the legislative changes resulting from provincial Bill 185 and related legislation **BE RECEIVED**; and,
- II. THAT Administration **BE DIRECTED** to provide a brief presentation outlining the legislative changes when this report proceeds to Council.

Carried.

Report Number: S 103/2024  
Clerk's File: GP2024

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 4:55 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 4:56 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 4:55 o'clock p.m.

---

Ward 10 – Councillor Jim Morrison  
(Chairperson)

---

Deputy City Clerk / Supervisor of Council  
Services