

## Development & Heritage Standing Committee Meeting Agenda

**Date:** Monday, May 5, 2025

**Time:** 4:30 o'clock p.m.

**Location:** Council Chambers, 1<sup>st</sup> 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 By-law 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 (*Planning Act*) minutes of its meeting held April 7, 2025 (**SCM 120/2025**)

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

**7.            *PLANNING ACT* MATTERS**

7.1.        OPA & Rezoning – 593067 Ontario Ltd - 960 Hanna Street East - OPA 193 OPA/7277 Z-004/25 ZNG/7276 – Ward 4 (**S 44/2025**)

7.2.        Proposed Official Plan Residential Corridor Land Use Designation – City Wide (**S 15/2025**)

**Clerk's Note:** Administration is providing the *attached* additional information memo (**AI 10/2025**)

**8. ADOPTION OF THE MINUTES**

- 8.1. Adoption of the Development & Heritage Standing Committee minutes of its meeting held April 7, 2025 (**SCM 119/2025**)

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

**10. HERITAGE ACT MATTERS**

- 10.1. Walkerville Heritage Conservation District Study – Results and Findings (Ward 4) (**S 6/2025**)  
**Clerk's Note:** Appendix A available at [www.citywindsor.ca](http://www.citywindsor.ca) due to size
- 10.2. Windsor Municipal Heritage Register – Updates about Bill 23 Strategies (City Wide) (**S 7/2025**)
- 10.3. Community Heritage Fund Request – 794 Devonshire Road, Porter Coate House (Ward 4) (**S 57/2025**)
- 10.4. 357-359 Indian Road (Sandwich HCD) – Request for Heritage Permit for Alteration (Ward 2) (**S 56/2025**)

**11. ADMINISTRATIVE ITEMS**

- 11.1. University Avenue West and Wyandotte Street West Community Improvement Plan Grant Applications made by the University of Windsor for 401 Sunset (Ward 2) (**S 37/2025**)  
**Clerk's Note:** Administration is providing the *attached* additional information memo (**AI 8/2025**)
- 11.2. Amendment to CR399/2024 & CR69/2025 for Closure of west half of north/south alley located between Montrose Street and Tecumseh Boulevard West, Ward 3, SAA-4133 (**S 43/2025**)
- 11.3. Economic Revitalization CIP (Community Improvement Plan) application submitted by Minth Canada Holding Inc 5000 Cabana Rd E (formerly known as County Rd 42) (Ward 9) (**S 53/2025**)
- 11.4. Sandwich CIP, 357-359 Indian Road; Owner: Bruno and Maurizio Mantovan; Ward 2 (**S 54/2025**)
- 11.5. Main Street CIP Application for 1801 Wyandotte Street E., Owner: 2798315 Ontario Inc. (C/O: Tony Rosati), Ward 4 (**S 55/2025**)

- 11.6. Part Closure of Walker Road R.O.W. at Tecumseh Road East, and Amendment to Public Highway Dedication By-Law 4205, Ward 4 (**S 58/2025**)
- 11.7. Part Closure of open north/south alley located north of Seminole Street, Ward 5, SAA-7091 (**S 59/2025**)
- 11.8. Part Closure of east/west alleys located between Thompson Boulevard and Prado Place, Ward 6, SAA-7244 (**S 60/2025**)

**12. COMMITTEE MATTERS**

**13. QUESTION PERIOD**

**14. ADJOURNMENT**



**Committee Matters: SCM 120/2025**

**Subject: Adoption of the Development & Heritage Standing Committee (*Planning Act*) minutes of its meeting held April 7, 2025**

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

**Date: Monday, April 7, 2025**

**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 Charles Pidgeon  
Member John Miller  
Member William Tape  
Member Joseph Fratangeli

**Members Regrets**

Member Robert Polewski  
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  
Neil Robertson, City Planner  
Greg Atkinson, Deputy City Planner – Development  
Jason Campigotto, Deputy City Planner - Growth  
Phong Nguy, Executive Director Operations/ Development City Engineer

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John Revell, Chief Building Official  
Ian Day, Senior Manager Traffic Operations/Parking  
Aaron Farough, Senior Legal Council  
Emilie Dunnigan, Manager, Development Revenue & Financial Administration  
Patrick Winters, Manager, Development  
Tea De Angelis, Supervisor, Research & Policy  
Tracy Tang – Planner III - Heritage  
Adam Szymczak, Planner III - Development  
James Abbs, Planner III - Development  
Kevin Alexander, Planner III - Special Projects  
Laura Strahl, Planner III - Special Projects  
Frank Garardo, Planner III - Policy & Special Studies  
Sophia Di Blasi, Planner II - Research & Policy Support  
Chris Gerardi, Policy Analyst  
Elara Mehrilou, Transportation Planner I  
Natasha McMullin, Senior Clerk Steno  
Anna Ciacelli, Deputy City Clerk

### **Delegations—participating via video conference**

Item 7.1– Caroline Baker, Baker Planning Group  
Item 7.3 – Robert Brown, Oakview Land Use Planning  
Item 7.3 – John Leslie, Representative for 2408380 Ontario Inc.  
Item 10.1 – Shan Xue, BDB Development Inc.  
Item 11.3 – Shan Xue, BDB Development Inc.  
Item 11.6 – John Naccarato, Owner

### **Delegations—participating in person**

Item 7.1– Manni Japra, Applicant  
Item 7.1 – Adam Meloche, Meloche Architectural Studio  
Item 7.3 – Anthony Debly, Representative for Adjacent Property Owner  
Item 7.4 – Melanie Muir, Dillon Consulting Limited  
Item 10.2 – John Bortolotti, Architect for Applicant  
Item 10.3 – John Bortolotti, Architect for Applicant  
Item 11.5 – Melanie Muir, Dillon Consulting Limited

## **1. CALL TO ORDER**

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 5:02 o'clock p.m.

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

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None disclosed.

## 3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

### 11.5. University Avenue West and Wyandotte Street West Community Improvement Plan Grant Applications made by the University of Windsor for 401 Sunset (Ward 2)

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Fred Francis

THAT the report of the Planner III - Special Projects dated March 14, 2025, entitled "University Avenue West and Wyandotte Street West Community Improvement Plan Grant Applications made by the University of Windsor for 401 Sunset Avenue (Ward 2)" **BE DEFERRED** to a future Development & Heritage Standing Committee to allow for the applicant to update their design and resubmit the application.

Carried.

## 4. COMMUNICATIONS

None presented.

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

### 5.1. Adoption of the Development & Heritage Standing Committee minutes (*Planning Act*) of its meeting held March 3, 2025

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Mark McKenzie

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held March 3, 2025, **BE ADOPTED** as presented.

## 7. *PLANNING ACT* MATTERS

### 7.1. Rezoning – Home Discovery Group - 3161 Jefferson Blvd - Z-041/24 ZNG/7260 - Ward 8

Adam Szymczak, Senior Planner – Development, is available for questions.

Adam Meloche (architect) and Caroline Baker (agent), is available for questions.

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Angelo Marignani

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Decision Number: **DHSC 713**

1. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 221, Part Lot 222, Part Block B, Registered Plan 1153, save and except Part 2, Plan 12R-5307 (PIN 01562-0703), situated on the west side of Jefferson Boulevard, south of Queen Elizabeth Drive, (3161 Jefferson Boulevard; Roll No. 070-590-16300) from Commercial District 1.4 (CD1.4) to Residential District 2.5 (RD2.5) and by adding a site specific exception to Section 20(1) as follows:

### **527. WEST SIDE OF JEFFERSON BOULEVARD, SOUTH OF QUEEN ELIZABETH DRIVE**

For the land described as Lot 221, Part Lot 222, Part Block B, Registered Plan 1153, save and except Part 2, Plan 12R-5307 (PIN 01562-0703),

1. A *Stacked Dwelling* shall be an additional permitted *main use* and shall be subject to the provisions of Section 11.5.5.7.
2. That for a *Multiple Dwelling* with 5 or more *dwelling units*, a *Stacked Dwelling*, or a *Townhome Dwelling*, the following additional provisions shall apply:
  - a) Lot Area – per *dwelling unit* – minimum – 160.0 m<sup>2</sup>
  - b) The *minimum front yard* depth shall be 5.0 m, and the *maximum front yard* depth shall not apply.
  - c) Notwithstanding Clause .20 in Table 5.30.10 (Section 5.30.10.20), for any below *grade* entrance and steps leading thereto, including a below *grade* patio, the maximum encroachment into a *required front yard* shall be 2.75 m.
  - d) Notwithstanding Clause .76 in Table 5.30.10 (Section 5.30.10.76), the maximum total tread area within a *required yard* shall not apply.
  - e) Notwithstanding Clause .3 in Table 25.5.20.1 (Section 25.5.20.1.1), the minimum parking area separation from the southerly *interior lot line* shall be 0.5 m.
  - f) Notwithstanding Clause .6 in Table 25.5.20.1 (Section 25.5.20.1.6), the minimum parking area separation from a building wall containing a *habitable room window* or containing both a main pedestrian entrance and a *habitable room window* facing the *parking area* where the *building* is located on the same *lot* as the *parking area* shall be 3.20 m.

Carried.

Report Number: S 19/2025  
Clerk's File: Z/14917

### **7.3. Official Plan Amendment and Zoning By-law Amendment Applications for 0 Wellington Avenue & 673 Wellington Avenue, Z-005/25 [ZNG-7284] & OPA 195 [OPA-7285], Ward 3**

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

Robert Brown, Oakview Land Use Planning (agent), is available for questions.

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Anthony Debly, Debly Law (representative for Buu Quoc Tran, owner of the nearby property at 1165 Wyandotte Street West), states that we just wanted the Committee to be aware that there were other factors that may not have been considered that we wanted to bring to your attention through a couple of the neighbours that are opposing it. Mr. Debly notes that there are concerns about environmental implications with respect to potential contamination of food products from the previous manufacturing use. Mr. Debly asks that if the Committee decides to approve the application, that further inquiry is conducted through the Ministry of Health, City of Windsor, or other relevant entities to do a thorough investigation of the property to ensure that the manufacturing use to a commercial use involving food products remains healthy for all intended users and occupants of the grocery store. Mr. Debly outlines concerns with the applicant's character and the operation of his existing grocery store within the commercial building at Mr. Tran's property. Mr. Delby indicates that unsanitary conditions, contamination of food products and the ongoing improper disposal of refuse onsite have been observed by residents of the neighbourhood. Mr. Delby lastly states that there is a concern that these activities and lack of respect for regulatory by-laws are going to continue into the new place, and it was our respectful submission in summing up, that it be denied because it does not align with the public interest and they do not exhibit what I would respectfully submit is good character to merit any further benefits from the City.

John Leslie, Dickinson Wright (representative for 2408380 Ontario Inc.), states that our concerns lie specifically with respect to the reduction in the parking spaces, which is almost a 50% reduction. Mr. Leslie indicates that the parking rate for a retail store used within the Traffic Impact - Parking Study is incorrect. Mr. Leslie further notes that the Traffic Impact - Parking Study states that only 49 parking spaces are required, whereas Zoning By-law 8600 actually requires 79 parking spaces. Mr. Leslie states that parking is at a minimum within the area and surrounding parking lots will be used due to insufficient parking provided at the subject lands. Mr. Leslie suggests that Administration is requesting the parking reduction rather than the applicant, and that Administration concluded that it will have no effect on the surrounding area. Mr. Leslie concludes that his client opposes the application due to the parking reduction and its ramifications on the surrounding area.

Councillor Angelo Marignani inquires if the client he represents has a grocery store on their property. Mr. Leslie states that his client is the owner of the property and that there is a grocery store on the property.

Councillor Kieran McKenzie inquires about previous use of the lands, whether it is a brownfield site and whether soil remediation is required. Mr. Brown states that this is the first time this is coming up. Mr. Brown notes that no concerns regarding potential site contamination site were raised in consultations with the applicant or Administration. Mr. Brown concludes that this type of land use change normally does not trigger an environmental review process.

Councillor Kieran McKenzie inquires how the parking recommendation had been decided on. Mr. Brown states that the request was based on the outcome rather than the reduction. The Traffic Impact - Parking Study concluded that 42 parking spaces would be adequate for serving the needs of the use, and the Transportation Planning Department agreed.

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Councillor Kieran McKenzie inquires about any issues with prior use of the site and if Administration had evaluated the lands previous use. Mr. Nagata states that at the Ministry level a Record of Site Condition is not required to change an industrial use to a commercial use, however as a prerequisite for obtaining a Food Store business licence is a Board of Health Inspection Certificate is required.

Councillor McKenzie inquires about how the final number of parking spaces were determined based on the Traffic Impact - Parking Study. Mr. Nagata states that the Planning Department was aware of the higher parking rate and of the associated reduction. Chris Gerardi, Policy Analyst for Transportation Planning states that the Transportation Planning Department was aware of the discrepancy between the parking rates and an argument was made that justified the reduction. Mr. Gerardi states that they did not agree with everything presented in the Traffic Impact - Parking Study and businesses can operate in a variety of ways.

Councillor Kieran McKenzie states that the Traffic Impact - Parking Study states additional spaces could be added and inquires if that is correct based on the configuration of the lots. Mr. Gerardi states that that is correct, and that expansion of the parking lot can happen if needed.

Councillor Kieran McKenzie inquires if there is a mechanism to trigger parking lot expansion. Mr. Nagata states that as part of the recommendation Administration has linked the parking requirement for the retail store use to the gross floor area of the vacant industrial building as it exists on today's date. This will necessitate a Planning Act approval for any expansion of the retail store use to address the associated parking requirement.

Member Anthony Arbor inquires if there is a way to request an Environmental Assessment of the parking lot and building prior to construction, as there may be a possibility for contamination due to prior use. Mr. Nagata states that it is not considered applicable law under the building permit process in this situation and as such there would not be a requirement to do a record of site condition. Mr. Robertson states that Ontario Regulation 153 of 2024 provides the triggers for when a record of site condition is required and deals directly with the province to require an environmental review.

Councillor Kieran McKenzie inquires if it's possible to have this information when the application is presented at Council. Mr. Nagata states yes.

Chair Jim Morrison inquire if the Health Unit can come to the next Council meeting. Councillor Kieran McKenzie inquires if the Health Unit would have the direct oversight of the approval. Councillor Francis states that the Health Unit does spot checks on variety and grocery stores. Mr. Robertson states that the Health Unit will be circulated and made known the concerns that were raised and ask for comments or attendance at the next meeting.

Councillor Marignani inquires if the site is currently being used as a grocery store. Mr. Nagata states no that it's been vacant for quite some time.

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Councillor Kieran McKenzie moves the recommendation and asks that Administration have consultation with the Health Unit.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 715**

- I. THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating the lands located on the west side of Wellington Avenue between Wyandotte Street West and Elliott Street West, described as Lots 43 to 53, Plan 68, as a Special Policy Area.
- II. THAT the City of Windsor Official Plan, Volume II, Chapter 1 - Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:

### 1.xx. West side of Wellington Avenue between Wyandotte Street West and Elliott Street West

- 1.xx.1 The property described as Lots 43 to 53, Plan 68, known municipally as 0 Wellington Avenue (Roll No. 040-230-00800) and 673 Wellington Avenue, situated on the west side of Wellington Avenue between Wyandotte Street West and Elliott Street West, is designated on Schedule A: Planning Districts & Policy Areas in Volume I - The Primary Plan.
- 1.xx.2 Notwithstanding Section 6.4.3.2 of the City of Windsor Official Plan, Volume I, Chapter 6 - Land Use:
  - a) A retail store shall be an additional permitted ancillary use.
- III. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning for the lands located on the west side of Wellington Avenue between Wyandotte Street West and Elliott Street West, described as Lots 43 to 53, Plan 68 (PIN No. 01205-0133 LT & PIN No. 01205-0134 LT), by adding a site specific provision to allow a Retail Store as an additional permitted main use, subject to the following additional regulations:

### 528. WEST SIDE OF WELLINGTON AVENUE BETWEEN WYANDOTTE STREET WEST AND ELLIOTT STREET WEST

(1) For the lands comprising of Lots 43 to 53, Plan 68 (PIN No. 01205-0133 LT & PIN No. 01205-0134 LT), a *Retail Store* shall be an additional permitted *main use* subject to the following additional provisions:

1. Section 18.2.5.10 shall not apply.
2. Notwithstanding Table 24.20.5.1, a minimum of 42 parking spaces shall be provided for a *Retail Store* use occupying the ground floor of the existing building as it existed on April 7, 2025.
3. Notwithstanding Section 24.26.5, a *parking space* and *accessible parking space* shall be permitted in a required front yard.
4. Notwithstanding Section 25.5.10.3, a poured in place concrete curb

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- shall not be required to bound the west limit of a *parking area* having 0.00 metres of separation from the west interior lot line.
5. Notwithstanding Section .2 of Table 25.5.20.1, the minimum separation for a *parking area* from Wellington Avenue shall be 2.65 metres.
  6. Notwithstanding Section .3 of Table 25.5.20.1, the minimum separation for a *parking area* from the west interior lot line shall be 0.00 metres. [ZDM 3; ZNG/7284]
- IV. THAT, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer, the following **BE SUBMITTED** with an application for Site Plan Approval:
- a. Planning Justification Report, prepared by Oakview Land Use Planning, dated January 21, 2025.
  - b. Traffic Impact / Parking Study, prepared by RC Spencer Associates Inc., dated January 2025; and,
- V. THAT Administration **BE DIRECTED** to consult with the Windsor Essex County Health Unit (WECHU) for comment with respect to process in terms of oversight for the proposed use of the property, given the previous use of the site; and that the information **BE PROVIDED** to Council when the report moves forward for consideration.

Carried.

Report Number: S 33/2025  
Clerk's File: Z/14931 & Z/14930

### **7.4. Official Plan & Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling - Z 030-24 [ZNG-7234] & OPA 189 [OPA-7235] Lakefront Heights Inc. 0 Wyandotte St. E - Ward 7**

Jim Abbs, Senior Planner – Development, presents application.

Melanie Muir (agent), is available for questions and is in support of the recommendation.

Councillor Marignani inquires with a development this size what traffic improvements will be made to not impede on the quality of life for area residents. Mr. Gerardi states that the applicant has submitted a Traffic Impact Study (TIS) which is currently under review, and any recommendations of the study will be implemented at the Site Plan Control stage.

Councillor Marignani inquires when the study will be completed and for the Committee to review. Mr. Gerardi states that the study has been completed and a review will be done prior to the Site Plan Control stage.

Councillor Marignani inquires whether the HVAC system can be higher than the permitted use. Jim Abbs states that mechanical structures can exceed the height of the building as currently permitted by Zoning By-law 8600.

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Councillor Marignani inquires about the sewer extension and whether Lublin Avenue will be included in the expansion. Patrick Winters states that a previous application had been required to oversize the sanitary sewer to accept flow from all of the vacant properties on Wyandotte Street yet to be constructed. Mr. Winters states that this development will rely on that sewer as its outlet and plans of subdivision have been approved with an oversized sewer to support this development.

Councillor Marignani inquires about the proximity of the Lublin Avenue sewer extension and if there is a delay in the extension would it not affect this development. Mr. Abbs states that is correct and that the development still has many steps of the Planning process to complete.

Councillor Marignani quotes the sewer report stating that the capacity planning does not adequately account for the demand of this and future development in the area and inquires if this is a concern. Mr. Winters states the report does account for the vacant lands and that additional analysis is required to prior to construction, and a downstream assessment needs to be completed to our satisfaction.

Councillor Marignani inquires if the sewer water management will be going upstream to the treatment plant. Mr. Winters states that it will be flowing downstream from Lublin into the existing sewer system into the treatment plant.

Councillor Marignani inquires if the grade of this development will be lower than the Little River Treatment Plant. Mr. Winters states that this development lies within a regulated Essex Region Conservation Area (ERCA) flood plain and any development will have to be constructed to the necessary flood proofing elevations as required by ERCA.

Councillor Marignani inquires if the sewers will be able to maintain flow due to this development and future and not cause a burden on current area residents. Mr. Winters state that adequate capacity assessments have been completed for all the approved developments in the area as part of the rezoning such as functional servicing studies have been provided and approved at time of Site Plan Control. Mr. Abbs adds that this is the same for any developments north or south of Wyandotte Street East which have been approved and no development is assessed in isolation of another to ensure minimal impact on residents.

Councillor Marignani inquires if we are building too quickly to ensure adequate infrastructure for what is being built. Mr. Winters states that when the North Neighbourhood Pond was developed, that all of the surrounding vacant land was taken into consideration and that there is adequate capacity to support this development and future developments.

Councillor Marignani inquires when the infrastructure will be installed on Lublin Avenue. Mr. Abbs states that the phases of the subdivision has been registered and can be constructed at any time, and the servicing drawings have been approved by the City as well. Mr. Winters states that the servicing drawings have been approved and can proceed when the markets deem it appropriate.

Councillor Marignani inquires if Lublin Avenue will be ready for when the development is ready for construction. Mr. Abbs states yes they will have to be ready.

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Councillor Marignani inquires if there is any concern with the scenery loft. Mr. Abbs states that the Planning Department no concerns.

Councillor Marignani inquire if Administration is confident that this development will not create any future concerns. Mr. Abbs agrees.

Councillor Marignani inquire if there is a timeline for the expansion of Little River Treatment Plant. Mr. Winters states that an Environmental Assessment is ongoing relating to the Treatment Plant expansion which will include timing for capacity upgrades as deemed needed for forecasted growth.

Councillor Marignani inquire if there will be public consultation prior to the development. Mr. Abbs states that public consultation was provided for this development as part of the Planning Consultation process. This DHSC meeting represents the Statutory meeting required under the Planning Act. One additional opportunity for Public Consultation will take place when the application and DHSC recommendation are presented to Council but there will be no additional public consultation at the Site Plan Control stage.

Councillor Marignani inquires if there will an Open House to discuss this development. Melanie Muir states that one was held an Open House a year and a half ago and plans have not changed, and took into consideration and implemented resident concerns such as sanitary/storm management and the appropriate studies were conducted.

Councillor Marignani inquires what some of the concerns of residents expressed. Ms. Muir states concerns of storm water management and flooding, increase in traffic, species at risks, and many of the residents were excited about the development as a different housing option.

Councillor Marignani states concerns with the misalignment of projects and timelines of developments. Mr. Abbs states that the majority of this development depends on the Developer of Lublin Street and that it does not mean that the construction will start for the development right away. Mr. Winters states we are awaiting the Developer to start construction as they have been asked to install a larger pipe to support the development, and the City would not initiate servicing the street without the required construction.

Moved by: Councillor Mark McKenzie

Seconded by: Member Anthony Arbour

Decision Number: **DHSC 716**

- I. THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating Part of Lot 141, Concession 1, Part 1, Plan 12R-29002, in the City of Windsor, known municipally as 0 Wyandotte St. E, situated on North Side of Wyandotte St. E, between Clover St. and Chateau Ave., as a Special Policy Area.
- II. THAT Chapter 1 in Volume II: Secondary Plans and Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a new Special Policy Area as follows:

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- 1.# North Side of Wyandotte St. E, between Clover St. and Chateau Ave. (0 Wyandotte St. south of Riverside Sportsmen Club)**
- 1.#.1 The property described as Part of Lot 141, Concession 1, Part 1, Plan 12R-29002, in the City of Windsor, known municipally as 0 Wyandotte St. E, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.
- 1.#.2 Notwithstanding Section 6.3.2.1 of the Official Plan, Volume I, High Profile Residential Buildings shall be permitted on the subject property.
- III. THAT an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED** changing the zoning of Part of Lot 141, Concession 1, Part 1, Plan 12R-29002, known municipally as 0 Wyandotte St. E, from Commercial District 1.5 (CD 1.5) to Residential District 3.3 (RD 3.3);
- IV. THAT subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for Part of Lot 141, Concession 1, Part 1, Plan 12R-29002, in the City of Windsor, known municipally as 0 Wyandotte St. E by adding site specific regulations as follows:
- 529. North Side of Wyandotte St. E, between Clover St. and Chateau Ave. (0 Wyandotte St. south of Riverside Sportsmen Club)**
- For the lands described as Part of Lot 141, Concession 1, Part 1, Plan 12R-29002, in the City of Windsor, known municipally as 0 Wyandotte St. E. the following regulations shall apply:
- Main Building Height - within 24m of Wyandotte Street East right of way – Maximum – 10 m
  - Parking Structure Height maximum – 10 m
  - Main Building Height – remainder of site - Maximum - 44.0 m;
  - Lot Coverage - Maximum - 60%

Report Number: S 34/2025  
Clerk's File: Z/14915 & Z/14914

## 7.5. Zoning By-law Amendments- City of Windsor – File Z-06/25 ZNG/7288- City Wide

Frank Garardo, Planner III – Policy & Special Studies, is available for questions.

Councillor Marignani inquire if an applicant still apply for a minor variance if deemed appropriate for relief from a zoning by-law amendment. Frank Garardo states yes that a variance process will still apply to any of these provisions.

Councillor Marignani inquires how the as-of-right permission for three residential units on a single lot facilitated by these zoning by-law amendments will not negatively impact the service capacity of existing municipal infrastructure such as water, sewer, storm water management and established

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neighbourhoods. Mr. Garardo states that with current framework three units are allowed on a single lot, one of the amendments ensures for semi-detached and townhome dwellings are severed prior with appropriate servicing at the time. Mr. Garardo state that it allows more time to look at the servicing during the severance process. Mr. Robertson state that this will have to be monitored and has been looked at retroactively, what is being proposed will align with the Ontario Regulations recently passed.

Councillor Kieran McKenzie inquires if we decide to go ahead with this proposal how much of it goes along with the evolution of intensification. Mr. Robertson states that the report is under current legislative requirements for as-of-right permissions. Any future regulations or provisions which are enacted would require the City to comply with it.

Councillor McKenzie inquires about the intensification policy and what extent this report does to inform the new regulatory framework and vision of the City. Mr. Robertson states that many factors are considered such as service adequacy, road conditions, transit and strategic recommendations can accommodate the intensification. Mr. Robertson states that this is a way to direct where intensification can occur.

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

Decision Number: **DHSC 717**

- I. THAT Zoning By-law 8600 **BE AMENDED** as shown in Appendix A.
- II. THAT Zoning By-law 85-18 **BE AMENDED** as shown in Appendix B.  
Carried.

Report Number: S 38/2025  
Clerk's File: Z/14933

## 7.2. Rezoning - City of Windsor - Housekeeping Amendment 2025-1 - Z-015/24 ZNG/7205 - City Wide

Adam Szymczak, Senior Planner – Development, is available for questions.

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

Decision Number: **DHSC 714**

THAT Zoning By-law 8600 **BE AMENDED** as follows:

**1A.** Adding to Section 3.10, alphabetically, the following defined terms:

**EMERGENCY POWER GENERATOR** means an outdoor stationary device having a running wattage of 26kW or less that serves solely as a secondary source of electrical power whenever the primary electricity supply is disrupted or discontinued during a power outage or natural disaster that are beyond the control of the owner or operator of a facility, that operates

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only during an emergency, for training of personnel, or for operational testing. A device that serves as a back-up power source under conditions of load shedding, peak shaving, power interruptions pursuant to an interruptible power service agreement, or scheduled facility maintenance is not an *Emergency Power Generator*.

[ZNG/7205]

**HVAC SYSTEM** means the outdoor components of an air conditioning, cooling, heating, or ventilation system. A central air conditioning system or heat pump is an *HVAC System*. It does not include a portable air conditioning system, mini split-system air-conditioner, and window air conditioner, or similar heating and cooling equipment.

1B. Deleting clause .25 from Table 5.30.10.

1C. Adding the following clauses to Table 5.30.10:

.38	<b>Emergency Generator</b> [ZNG/7205]	<b>Power</b>	<i>Required rear yard</i> or <i>Required side yard</i>	<i>No Limit</i>	<i>Side lot line</i>	0.60 m
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.45	<b>HVAC System</b> [ZNG/7205]		<i>Required rear yard</i> or <i>Required side yard</i>	<i>No Limit</i>	<i>Side lot line</i>	0.60 m
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1D. Deleting and substituting the following defined terms in Section 3.10:

**REQUIRED YARD** means for the purpose of Section 5.30 any of *required front yard, required rear yard, required side yard, or required landscaped area*.

[ZNG/7205]

**N/A** means for the purpose of Section 5.30, that a minimum separation is not required. For the remainder of this by-law, it means not applicable.

[ZNG/7205]

2. Deleting and substituting the following defined terms in Section 3.10:

**BUSINESS OFFICE** means an *office* of any one or more of the following: commercial business; data centre; financial services including a bank, credit union, payday lender, savings and loan office and trust company; government; industrial business; non-profit or charitable organization; professional person. A financial office is a *Business Office*. A *medical office* or *veterinary office* is not a *business office*.

[ZNG/7205]

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**GAMING FACILITY** means a casino or slot machine facility established or regulated under any Provincial Act and may include sport and event betting. A *billiard hall, bingo hall, games arcade, place of entertainment or recreation, teletheatre, or building* used for the sale of lottery tickets is not a *gaming facility*.

[ZNG/7205]

**3A.** Deleting and substituting the following defined terms in Section 3.10:

**AMENITY AREA** means the total area of a balcony, *landscaped area*, and the following as an accessory activity or use to a *dwelling* or a *dwelling unit* located on the same *lot*: common, community, meeting, multi-purpose, or similar room; *community garden*; indoor athletic, exercise, or recreational facility; lounge; *scenery loft; swimming pool*. It does not include the following: elevator lobby, laundry facility, mailbox facility, mail room, *office*, recycling or refuse room, storage room.

[ZNG/7205]

**SCENERY LOFT** means an area that is located above the uppermost storey of a *main building* that occupies a fully enclosed room or group of rooms, that is fully and readily accessible to all residents of the *building*, and that is not used as a *dwelling unit*.

[ZNG/7205]

**3B.** Deleting the defined term “Landscaped Open Space” in Section 3.10 and substituting the following:

**LANDSCAPED AREA** means an area open to the sky consisting of any of the following: *deck; ground cover; outdoor recreational facility* accessory to a *dwelling* or *dwelling unit*; patio; pedestrian walkway; terrace; water feature. It does not include the following: *access area, access ramp, bicycle parking space, collector aisle, green roof, loading compound, loading space, outdoor storage yard, parking aisle, parking space, porch, roof, scenery loft, sports facility, swimming pool, transport storage area, transport terminal*.

[ZNG/7205]

**GREEN ROOF** means an area located on the roof of a *building*, open to the sky, and maintained with a *ground cover*.

[ZNG/7205]

**GROUND COVER** means any of the following: bark; compost; decorative or ornamental block, brick, edging, paver, pebble, slab, or stone; mulch; plants, including flowers, grass, shrubs, and trees; wood chips. It does not include construction grade aggregate.

[ZNG/7205]

**SOFT LANDSCAPING** means an area open to the sky and maintained with a *ground cover*.

[ZNG/7205]

**LANDSCAPED OPEN SPACE** means *landscaped area*.

[ZNG/7205]

**3C.** Deleting and substituting the following defined term in Section 3.10:

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LANDSCAPED OPEN SPACE YARD means *landscaped area*.

[ZNG/7205]

4. Deleting and substituting Section 5.35.1 with the following:

### 5.35.1 **FIXTURES OR STRUCTURES – HEIGHT EXEMPTION**

[ZNG/7205]

For a *building* or *use* listed in Table 5.35.1, a fixture or structure listed in Table 5.35.1 may extend above the permitted *maximum building height*, provided that such fixture or structure is erected only to such height as is necessary to accomplish its purpose.

<b>TABLE 5.35.1</b>	
.1 For any <i>Building</i> :	
Antenna	Safety Equipment
<i>Architectural Feature</i>	Satellite Dish
Chimney	Security Equipment
Communication Equipment	Skylight
Fire Wall	Solar Panel
Parapet	Vent Stack
Roof Vent	
.5 For a <i>Combined Use Building, Lodging House, Multiple Dwelling, Religious Residence, Residential Care Facility, Student Residence, or non-residential building</i> :	
Belfry	Roof Access Ladder
Bell Tower	Roof Hatch
Cupola	Screening Fence
Electrical Generator	Smokestack
Elevator Machine Room	Spire
<i>HVAC Equipment</i>	Stairwell Room
Hoist Room	Steeple
Mechanical Penthouse	Turret
Minaret	Water Tank
Protective Fence	Window Washing Equipment

5A. Deleting and substituting the defined term “Parking Space” with the following defined terms in Section 3.10:

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**PARKING SPACE** means an area used for the parking of an operable *motor vehicle*. It includes an *accessible parking space* and *visitor parking space*. A *bicycle parking space*, *loading space*, or *stacking space* is not a *parking space*.

[ZNG/7205]

**ACCESSIBLE PARKING SPACE** means a *parking space* for the use of a person with a disability and identified as Type A or Type B in Section 80.34 of O. Reg. 191/11: Integrated Accessibility Standards.

[ZNG/7205]

**ACCESS AISLE** means the space between or beside an *accessible parking space* that allows a person with a disability to get in and out of a *motor vehicle*.

[ZNG/7205]

**BICYCLE PARKING SPACE** means an area that is provided and maintained for the purpose of temporary parking or storage of a bicycle or motor assisted bicycle as defined in subsection 1 (1) of the Highway Traffic Act, R.S.O. 1990, c. H.8.

[ZNG/7205]

**VISITOR PARKING SPACE** means a *parking space* designated for the temporary parking of an operable *motor vehicle* by a visitor or guest to a *dwelling* or *dwelling unit*. A *loading space* or *stacking space* is not a *visitor parking space*.

[ZNG/7205]

**5B.** Deleting and substituting the following defined terms in Section 3.10:

**LOADING SPACE** means an area used for the temporary parking of a *motor vehicle* while goods are loaded thereon or unloaded therefrom. A *parking space*, *stacking space*, or *visitor parking space* is not a *loading space*.

[ZNG/7205]

**STACKING SPACE** means an area used for the temporary accommodation of a *motor vehicle* standing in a queue. A *loading space*, *parking space*, or *visitor parking space* is not a *stacking space*.

[ZNG/7205]

**5C.** Adding to Section 3.10, alphabetically, the following defined term:

**PUBLIC WALKWAY** means a multi-use trail, off-road cycling trail, recreationway, sidewalk, trail, walkway, or similar facility located within a *highway* or *public park*.

[ZNG/7205]

**5D.** Deleting and substituting Section 24.24.15 with the following:

### **24.24.15 ACCESS AISLES**

.1 An *access aisle* shall be provided for all *accessible parking spaces*.

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- .2 An *access aisle* may be shared by two *accessible parking spaces* and shall have a minimum width of 1.5 m, shall extend the full length of the *accessible parking space*, and shall be marked with high tonal contrast diagonal lines.

[ZNG/7205]

5E. Deleting and substituting Section 24.30.20.3 with the following:

- .3 A *bicycle parking space* shall not hinder, impede, or obstruct the movement of a bicycle, motor assisted bicycle, person, or vehicle and shall be subject to the following provisions:
- .1 When located on a *public walkway*, a *bicycle parking space* shall be setback a minimum of 2.0 m from a building entrance or exit, an *access aisle*, or an *accessible parking space*.
  - .2 Except where a *bicycle parking space* is located within a *parking garage*, a *bicycle parking space* within 6.0 m from the point of intersection of any *highways*, railway rights-of-way, or any combination thereof, is prohibited.
  - .3 A *bicycle parking space* is prohibited from encroaching into the following: *access area*, *access ramp*, *accessible parking space*, *collector aisle*, *driveway*, *highway*, *loading space*, *parking aisle*, *parking space*, *public walkway*, *stacking space*, *transport storage area*, *visitor parking space*.

[ZNG/7205]

5F. Adding new Section 6 as follows:

### SECTION 6 – OTHER PARKING PROVISIONS

[ZNG/7205]

#### 6.1 APPLICATION

- 6.1.1 Unless otherwise stated, the provisions in Section 6 apply to the *use* of any *lot* in any *zoning district* in this by-law.
- 6.1.90 The provisions in Section 6.90 apply to all land identified on Schedule ‘P’ – Off-Street Parking Overlay to this by-law. Any reference to Section 20(4) in this by-law means Section 6.90.

#### 6.90 TRADITIONAL COMMERCIAL STREET – OFF-STREET PARKING PROVISIONS

##### 6.90.1 ADDITIONAL DEFINITIONS

The following defined terms apply to the provisions in Section 6.90:

**NEW OR EXPANDED PARKING AREA** means the creation of five or more *parking spaces*.

**REAR WALL** means the *building* wall furthest from the *traditional commercial street*. Where the rear wall of a *building* does not follow a straight line, the closest parallel *building* wall to the facade shall be deemed the rear wall.

**TRADITIONAL COMMERCIAL STREET** means the following *streets*:

Devonshire Road between Riverside Drive East and Wyandotte Street East

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Drouillard Road between Trenton Street and Deming Street  
Erie Street between Mercer Street and Hall Avenue  
Ottawa Street between Marentette Avenue and Windermere Road  
Ouellette Avenue between Wyandotte Street and Tecumseh Road  
Sandwich Street between Brock Street and Detroit Street  
Tecumseh Road East between Forest Avenue and Chilver Road  
Tecumseh Road East between Cadillac Street and Larkin Road  
Tecumseh Road East between Westcott Road and Rossini Boulevard  
University Avenue West between Randolph Avenue and Salter Avenue  
Wyandotte Street East between Arthur Street and Raymo Road  
Wyandotte Street East between McDougall Street to Argyle Road  
Wyandotte Street East between Thompson Boulevard and Glidden Avenue  
Wyandotte Street West between California Avenue and Campbell Avenue

### 6.90.2 ADDITIONAL PERMITTED MAIN USES

*Parking Garage* in a *Combined Use Building* provided a minimum *building* depth of 10.0 m of the ground floor area abutting the *traditional commercial street* is occupied by any use permitted by the *zoning district* or zoning exception in which the *lot* is located.

### 6.90.3 PROHIBITED USES

.1 A *Public Parking Area* is prohibited save and except for a *bicycle parking space*.

### 6.90.5 ADDITIONAL PROVISIONS

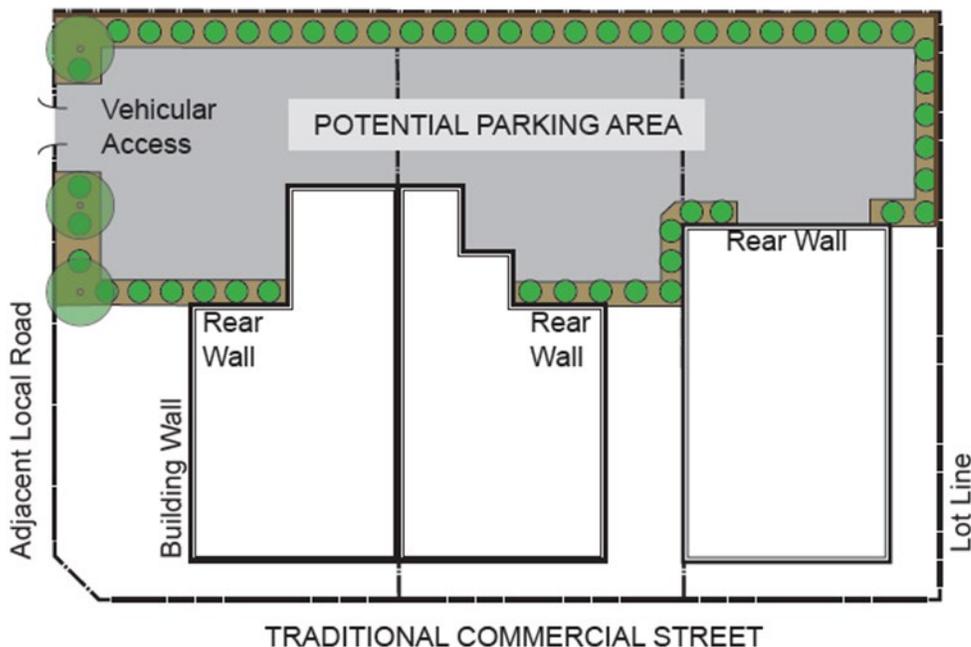
- .1 For any *parking area* with five or more *parking spaces*, that portion of the *parking area* not used for a *parking space*, *parking aisle*, *collector aisle*, *access area*, *loading space*, or *stacking space* shall be maintained exclusively as a *landscaped area*.
- .3 The following additional provisions apply to any *new or expanded parking area*, *parking garage*, *access area*, and *stacking space* except for the Drouillard Road area shown on Schedule P.5 Off-Street Parking Overlay and any *school drop-off / pick-up area*:
- a) A *parking space*, *collector aisle*, *parking aisle*, or a *stacking space* is prohibited between the *traditional commercial street* and:
    - 1) the *rear wall* of the *building* located on the same *lot*; or
    - 2) 10.0 m from the *exterior lot line* that abuts a *traditional commercial street*, whichever distance is greater.
  - b) Where access can be provided from a *street* not identified as a *traditional commercial street* or from an *alley*, an *access area* to or from a *traditional commercial street* is prohibited.

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- c) Where an *access area* cannot be provided from a *street* not identified as a *traditional commercial street* or from an *alley*, a maximum of one *access area* may be provided from a *traditional commercial street*.
  - d) For a *parking area* with 19 or less *parking spaces*, the minimum width of the *access area* shall be 3.0 m. For any *parking area*, the maximum width of the *access area* shall be 7.0 m.
- .5 These provisions apply only to any *new or expanded parking area, parking garage, access area, and stacking space* in the Drouillard Road area shown on Schedule P.5 Off-Street Parking Overlay:
- a) A *parking space, collector aisle, parking aisle, or a stacking space* is prohibited between the *traditional commercial street* and the building wall located closest to the *traditional commercial street*.
  - b) A maximum of one *access area* may be provided from a *traditional commercial street*.
  - c) For a *parking area* with 19 or less *parking spaces*, the minimum width of the *access area* shall be 3.0 m. For any *parking area*, the maximum width of the *access area* shall be 7.0 m.

### ILLUSTRATION 6.90.1.1 – EXAMPLE OF POTENTIAL PARKING AREA



5G. Deleting Section 20(4).

6A. Adding new Section 83 as follows:

### SECTION 83 – HERITAGE CONSERVATION DISTRICTS

[ZNG/7205]

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(B/L 24-2009 Oct 19/2012 OMB Order PL090206)

### 83.0 APPLICATION

Section 83 applies to any land that is designated a Heritage Conservation District. Any reference to Section 20(3) in this by-law shall mean Section 83.

### 83.1 SANDWICH HERITAGE CONSERVATION DISTRICT RESIDENTIAL OVERLAY ZONE

For the lands delineated on Schedule 'A' to this by-law and labelled with the overlay zone symbol "S.20(3)1" or "S.83(1)", despite the provisions in the applicable *zoning district* or exception, the following additional provisions shall apply:

#### 83.1.2 PROHIBITIONS

- .1 *Building height* of more than 2 storeys is prohibited.
- .2 The construction of new *structures* or additions between the *main wall* of the existing *building* and the *front lot line* is prohibited.
- .3 A *garage* is prohibited unless it is located a minimum of 6 m to the rear of the closest wall of the existing *main building*.
- .4 A *parking space* in a *front yard* is prohibited.

#### 83.1.3 ADDITIONAL PROVISIONS

- .1 The minimum *lot frontage*, minimum *lot area*, maximum *lot coverage*, maximum number of *dwelling units*, minimum *rear yard* depth, and minimum *side yard* width shall be as existing on October 19, 2012.
- .2 Maximum *front yard* depth – the maximum *front yard* for any *building* erected between existing *buildings* in the same block shall conform to the average of the front yards established by the nearest *building* on each side.

### 83.2 SANDWICH HERITAGE CONSERVATION DISTRICT COMMERCIAL OVERLAY ZONE

For the lands delineated on Schedule 'A' to this by-law and labelled with the overlay zone symbol "S.20(3)2" or "S.83(2)", despite the provisions in the applicable *zoning district* or any exception, the following additional provisions shall apply:

#### 83.2.1 ADDITIONAL PERMITTED MAIN USES

*Bake Shop*  
*Bakery*  
*Business Office*  
*Child Care Centre*  
*Commercial School*  
*Confectionery*  
*Farmers' Market*  
*Food Outlet – Take-out*  
*Funeral Establishment*  
*Medical Office*

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*Micro-Brewery*

*Outdoor Market within a Business Improvement Area*

*Personal Service Shop*

*Place of Entertainment and Recreation*

*Place of Worship*

*Professional Studio*

*Public Hall*

*Restaurant*

*Retail Store*

*Tourist Home*

*Veterinary Office*

*Wholesale Store*

*Dwelling Units in a Combined Use Building* with any one or more of the above permitted *main uses*, provided that all *dwelling units*, not including entrances thereto, are located entirely above the non-residential use.

### 83.2.2 PROHIBITIONS

- .1 *Front yard* setback on Sandwich Street is prohibited.
- .2 A *parking space* in a *front yard* is prohibited.
- .3 The lease, rental, or sale of *motor vehicles*, heavy equipment, or heavy machinery is prohibited.

### 83.2.3 ADDITIONAL PROVISIONS

- .1 *Building Height* – minimum of 2 storeys and maximum of 4 storeys
- .2 *Front Yard* setback on other *streets* – maximum – 2 m
- .3 *Amenity Area* – minimum – 12 m<sup>2</sup> per *dwelling unit*
- .4 *Gross Floor Area* – *Bakery* or *Confectionery* – maximum – 500 m<sup>2</sup>
- .5 Rooftop mechanical equipment shall be setback from the roof edge a distance equal to the height above the roof and shall be screened from view from the *street*.

6B. Deleting Section 20(3).

7. Adding new Section 91 as follows:

## SECTION 91 – ZONING EXCEPTIONS

[ZNG/7205]

### 91.1 APPLICATION

Section 91 applies to any *lot* where the “x” symbol follows a *zoning district* symbol on any Schedule listed in Section 1.20.3. The terms “Site Specific Exception”, “Site-Specific Exception”, “Site Specific Provision”, “Specific Zoning Exception” mean “Zoning Exception”. Section 20(1) applies to any zoning exception with the symbol S.20(1) and a clause of Section 20(1).

### 91.2 PURPOSE

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A zoning exception may supplement, alter, add, prohibit, or remove any by-law provision affecting any *building, lot, structure, or use*.

### 91.10 PROVISIONS

The “x” symbol shall follow the zoning symbol and by one or more numbers in bracket.

Example: RD1.3x(1), MD1.4x(1,4)

The number refers to a specific clause in Section 91.10. The format of the clause shall be the clause number, a general location description, the current legal description of the area to which the clause applies, if available, and the zoning exception. The ZDM and ZNG numbers are Reference Information and do not form part of this by-law.

Example: **60. NORTHWEST CORNER OF CARLTON STREET AND CHURCH STREET**

For the lands comprising of Lot 24, Block 11, Plan 1967, an *Arena* is an additional permitted *main use* and for an additional permitted *main use*, no *parking spaces* are required.

[ZDM 10; ZNG/14]

**(B/L 13-1967, May 2/1967)**

**8A.** Adding new Section 97 as follows:

### SECTION 97 – TEMPORARY USE PROVISIONS

[ZNG/7205]

#### 97.1 APPLICATION

Section 97 applies to any *lot* where the “t” symbol follows a zoning symbol or a zoning exception symbol on any Schedule to this by-law.

#### 97.2 PURPOSE

Section 39(1) in the Planning Act states that Council may pass an amending by-law that authorizes the temporary use of land, buildings, or structures for any purpose that is prohibited in this by-law.

A temporary use provision may supplement, alter, add, or remove any by-law provision affecting the *use* of the *lot, building, or structure*. The temporary use provision shall define the area to which it applies and specify the period for which the authorization shall be in effect, which shall not exceed three years from the day of the passing of the amending by-law.

At the request of the property owner, Council may, by amending by-law, grant further periods of not more than three years each authorizing the temporary use.

#### 97.5 EXPIRY & DELETION

Upon the expiry of the period or periods of time in the temporary use provision, Section 34 (9) (a) of the Planning Act does not apply to allow the continued use of the land, buildings or structures for the purpose temporarily authorized. The temporary use provision shall be deleted from Section 97.10 and be replaced with the most recent amending by-law number and the expiry date and be deleted from any Schedule listed in Section 1.20.3.

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### 97.10 TEMPORARY USE PROVISIONS

The “t” symbol shall follow the zoning symbol or the zoning exception symbol and by one or more numbers in brackets.

Example: RD1.3t(1), MD1.4t(1,4), CD1.2x(1)t(7),

The number refers to a specific clause in Section 97.10. The format of the clause shall be the clause number in brackets and shall include a description of the area to which the clause applies, the temporary use provision, and the expiry date of the clause. The ZDM and ZNG numbers are Reference Information and do not form part of this by-law.

Example: (64) For the lands comprising of Lot 11, Block 12, Plan 1973, a Carnival is a permitted temporary use provided that the temporary use is located outdoors. For said temporary use, no *parking spaces* are required. This provision shall expire on July 31, 2027.

[ZNG/5475]

(B/L 1-2024, July 31, 2024)

- (1) Expired September 14, 2003.
- (2) Expired September 14, 2003.
- (3) Expired December 1, 2003.
- (4) Expired January 1, 2004.
- (5) Expired December 1, 2004.
- (6) By-law 209-2001 expired June 30, 2004.
- (7) By-law 125-2011 expired June 20, 2014.
- (8) By-law 41-2013 expired April 7, 2014.
- (9) By-law 129-2021 expired October 31, 2021. [ZNG/6465]

**8B.** Deleting Section 20(2).

**9A.** Deleting and replacing Section 1.20.30 with the following:

#### 1.20.30 EXCEPTION

[ZNG/7205]

In addition to the *zoning district*, an area on any Schedule may be further delineated and identified by an exception as follows:

Overlay zone symbol – “S.20(3)1”, “S.83(1)”, “S.20(3)2”, or “S.83(2)”

Zoning exception symbol – “S.20(1)” and a clause of Section 20(1) or “x” and a clause of Section 91

“H” symbol and a clause of Section 95

“t” symbol and a clause of Section 97.10

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Examples:

S.20(3)2 identifies the area is subject to Section 20(3)2.

RD1.1x(20) identifies the area is subject to clause 20 of Section 91.10.

H(1,4)MD1.4 identifies the area is subject to holding clauses 1 and 4 of Section 95.20.

RD1.3t(1) identifies the area is subject to clause 1 of Section 97.10.

An area so identified shall be subject to the provisions of the *zoning district*, the identified exception, and all applicable provisions of this by-law. An additional permitted use listed in the exception shall be subject to the provisions of the *zoning district*, and, unless otherwise stated, to any additional provisions in the exception.

A *lot* may have more than one exception.

Where an additional *main use* is permitted by an exception, any *use* accessory to the permitted *main use*, excluding an *outdoor storage yard* except where permitted within the *zoning district* or exception, shall also be permitted subject to the provisions of the *zoning district*, the exception, and all applicable provisions of this by-law.

**9B.** Deleting and replacing Section 1.20.90 with the following:

### 1.20.90 **PRECEDENCE**

[ZNG/6277; ZNG/7205]

.1 Unless otherwise stated, the precedence of provisions, from lowest to highest, is as follows:

Section 3 – Definitions

Section 5 – General Provisions

Section 24 – Parking, Loading and Stacking Provisions

Section 25 – Parking Area Provisions

Section 6 – Other Parking Provisions

Section 7 – Additional Use Provisions

Sections 8 to 19 – Zoning Districts

Section 20(1) – Site Specific Provisions

Section 83 – Heritage Conservation Districts

Section 91 – Zoning Exceptions

Section 95 – Holding Zone Provisions

Section 97 – Temporary Use Provisions

Within Sections 20(1), 91, 95, or 97, the greater clause number shall take precedence.

.5 Where a provision in this by-law is less than the minimum required by, is more than the maximum required by, or conflicts with an exception in, a provincial or federal act, regulation, or statute, the provincial or federal act, regulation, or statute shall

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take precedence.

- .10 Where a conflict between provisions cannot be resolved using the precedence of provisions, the City Planner shall determine the precedence.

Carried.

Report Number: S 26/2025  
Clerk's File: Z14932

**8. ADJOURNMENT**

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act Matters*) portion is adjourned at 6:11 o'clock p.m.

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Ward 10 – Councillor Jim Morrison  
(Chairperson)

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Deputy City Clerk / Supervisor of Council  
Services

**Subject: OPA & Rezoning – 593067 Ontario Ltd - 960 Hanna Street East - OPA 193 OPA/7277 Z-004/25 ZNG/7276 – Ward 4**

**Reference:**

Date to Council: May 5, 2025  
 Author: Adam Szymczak, MCIP, RPP  
 Senior Planner - Development  
 519-255-6543 x 6250  
 aszymczak@citywindsor.ca

Planning & Building Services  
 Report Date: 3/20/2025  
 Clerk's File #: Z/14940

To: Mayor and Members of City Council

**Recommendation:**

1. THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating Lots 64 to 67, N Pt Lot 68, Registered Plan 430 (PIN 01158-0312 & 01158-0313; 960 Hanna Street East; Roll No. 030-440-04700), situated at the northwest corner of Hanna Street E and Langlois Street as a Special Policy Area.
2. THAT Chapter 1 in Volume II: Secondary Plans and Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a new Special Policy Area as follows:

**1.X 960 HANNA STREET EAST**

<i>LOCATION</i>	1.X.1	The property described as Lots 64 to 67, N Pt Lot 68, Registered Plan 430 (PIN 01158-0312 & 01158-0313; situated at the northwest corner of Hanna Street East and Langlois Street is designated on Schedule A: Planning Districts and Policy Areas in Volume I: The Primary Plan.
<i>ADDITIONAL PERMITTED MAIN USES</i>	1.X.2	<p>Notwithstanding the Residential designation of these lands on Schedule D: Land Use in Volume I: The Primary Plan, the uses and activities listed below shall be an additional permitted main use:</p> <p>Business Office, Contractor's Office, Warehouse, Workshop          An industrial facility for the following activities:</p> <ul style="list-style-type: none"> <li>• Assembling of laminate countertops including cutting, finishing, and repair.</li> <li>• Cutting and forming of kitchen tools, gadgets and other related accessories.</li> </ul>

- Display and storage of flooring, plumbing fixtures, and other related materials.
- Display of construction and other similar materials.
- Packaging and shipping of any of the above goods and materials.

All activities and uses shall take place entirely within a fully enclosed building and the outdoor storage and display of goods and materials is prohibited

3. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 64 to 67, N Pt Lot 68, Registered Plan 430 (PIN 01158-0312 & 01158-0313; known municipally as 960 Hanna Street East; Roll No. 030-440-04700), situated at the northwest corner of Hanna Street E & Langlois Street by adding a zoning exception to Section 20(1) as follows:

530. **NORTHWEST CORNER OF HANNA STREET EAST AND LANGLOIS STREET**

For the lands consisting of Lots 64 to 67, N Pt Lot 68, Registered Plan 430 (PIN 01158-0312 & 01158-0313), the following additional provisions shall apply:

a) Additional permitted *Main Uses*:

*Contractor's Office*

*Warehouse*

*Workshop*

An industrial facility for the following activities:

- Assembling of laminate countertops including cutting, finishing, and repair.
- Cutting and forming of kitchen tools, gadgets and other related accessories.
- Display and storage of flooring, plumbing fixtures, and other related materials.
- Display of construction and other similar materials.
- Packaging and shipping of any of the above goods and materials.

b) For any additional permitted *main use*:

1. The outdoor storage and display of goods and materials is prohibited.
2. All activities and uses shall take place entirely within a fully enclosed *building*.
3. Notwithstanding Section 24.20.5, a minimum of 7 *parking spaces* shall be provided.

(ZDM 7; ZNG/7276)

## Executive Summary:

N/A

## Background:

**Location:** 960 Hanna Street East; Lots 64 to 67, N Pt Lot 68, Registered Plan 430; PIN 01158-0312, 01158-0313; (Northwest corner of Hanna Street East and Langlois Street)

**Roll No:** 030-440-04700

**Ward:** 4      **Planning District:** Walkerville      **Zoning District Map:** 7

**Applicant:** 593067 Ontario Ltd. (Victor Wolanski)

**Owner:** 593067 Ontario Ltd. (Victor Wolanski)

**Agents:** Kal & Co. Design Group (Bob Tomoski)

**Proposal:** Amend the Official Plan (OP) and Zoning By-law to allow for the administrative / operational offices for a maintenance company and manufacturing as an additional permitted use for the following activities:

Assembling custom counter tops which requires cutting of premade laminate countertop pieces, assembling, and finishing custom counter tops. Package and delivery. Cut and form kitchen tools, gadgets, accessories. Package and shipping. Wholesale storage and display of flooring materials, plumbing fixtures (toilets, vanities, etc.) Display for wholesale of construction and other materials for contractors, metal roofing, siding, etc.

The Applicant indicates no expansion or changes to the exterior of the existing building or to the gravel parking area. Interior renovations are proposed with a 152.55 m<sup>2</sup> area in the existing building.

**Documents:** All documents are available [online](#) or by [email](#).

Attached to Report S 44/2025 as an Appendix: Planning Rationale Report (PRR); Site Plan; Floor Plan

Not attached to this report: Application Official Plan Amendment, Application Zoning By-law Amendment, Corporate Profile, Open House Notice, Official Plan – Schedule D

## Site Information:

OFFICIAL PLAN	ZONING B/L 8600	CURRENT USE	PREVIOUS USE
Residential	Commercial District 2.2 (CD2.2)	Vacant Building	Commercial
LOT FRONTAGE LANGLOIS ST	LOT FRONTAGE HANNA ST E	LOT AREA	LOT SHAPE
39.6 m	45.4 m	1,804.1 m <sup>2</sup>	Rectangular

All measurements are provided by the Applicant and are approximate.

## Neighbourhood:

Sections 2.2 and 2.3 in the PRR provide details about the physical features of the site and surrounding land use including site photos.

The predominant use in the surrounding area is low-profile residential. The subject land was adjacent to a spur of the Essex Terminal Railway (ETR) that served various industrial and transport-related uses along the Hanna Street, Howard Avenue, McDougall Street, and Windsor Avenue corridors. The spur connected to the main ETR line east of Lincoln Road. The spur was closed, tracks removed, and the lands were sold during the 1980s and 1990s. The Hanna Street corridor has a range of non-residential uses including a Public Hall (Royal Canadian Legion, Hungarian Cultural Centre), Automobile Repair Garage, Contractor's Office, Child Care Centre, and Retail Store.

Public transit is available via the Transway 1C and Parent 14 with several stops within 470 m and 60 m of the subject parcel respectively. The Transit Master Plan will maintain similar service. The site is serviced by combined and storm sewers.

**Figure 1: Key Map**

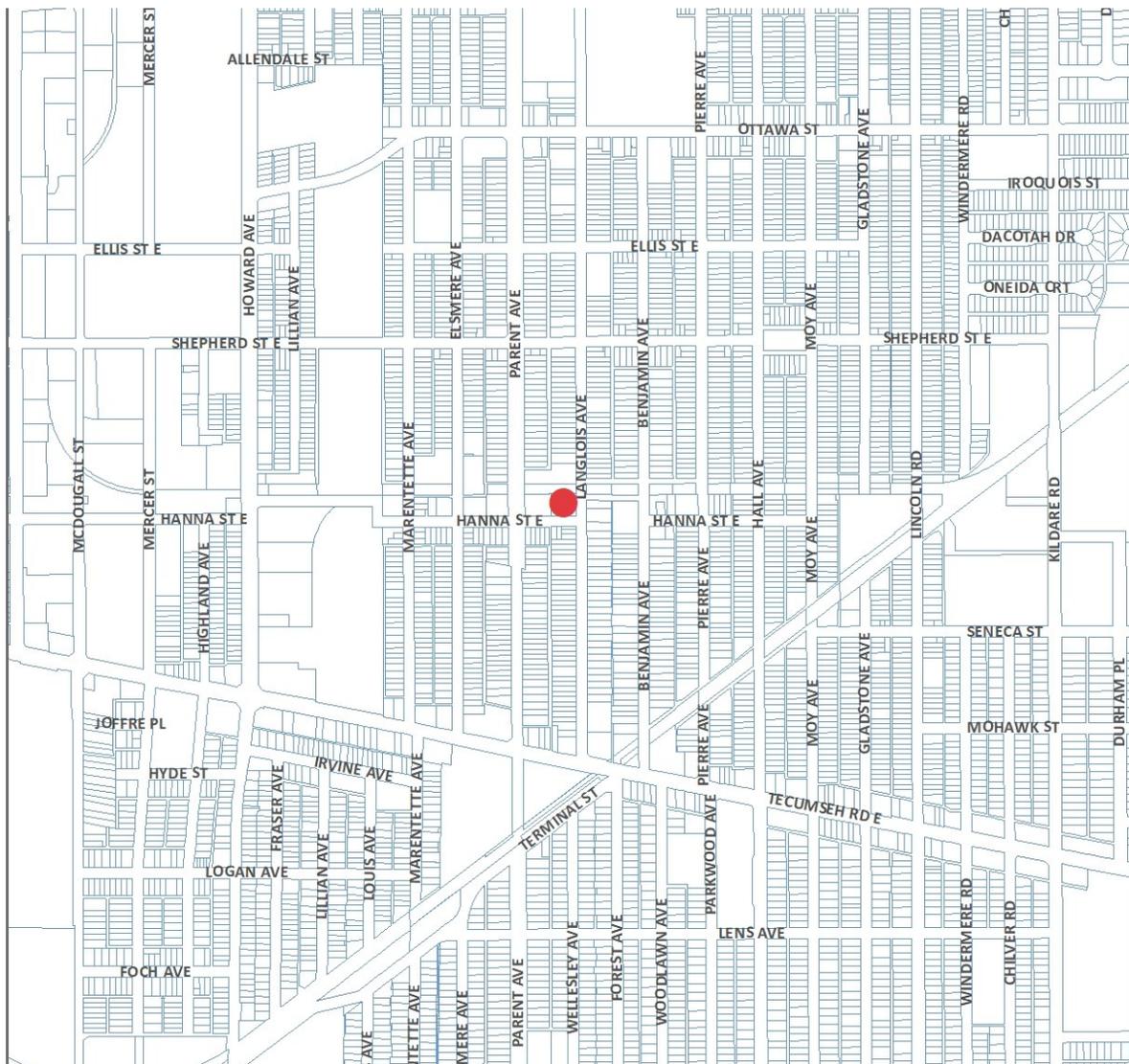
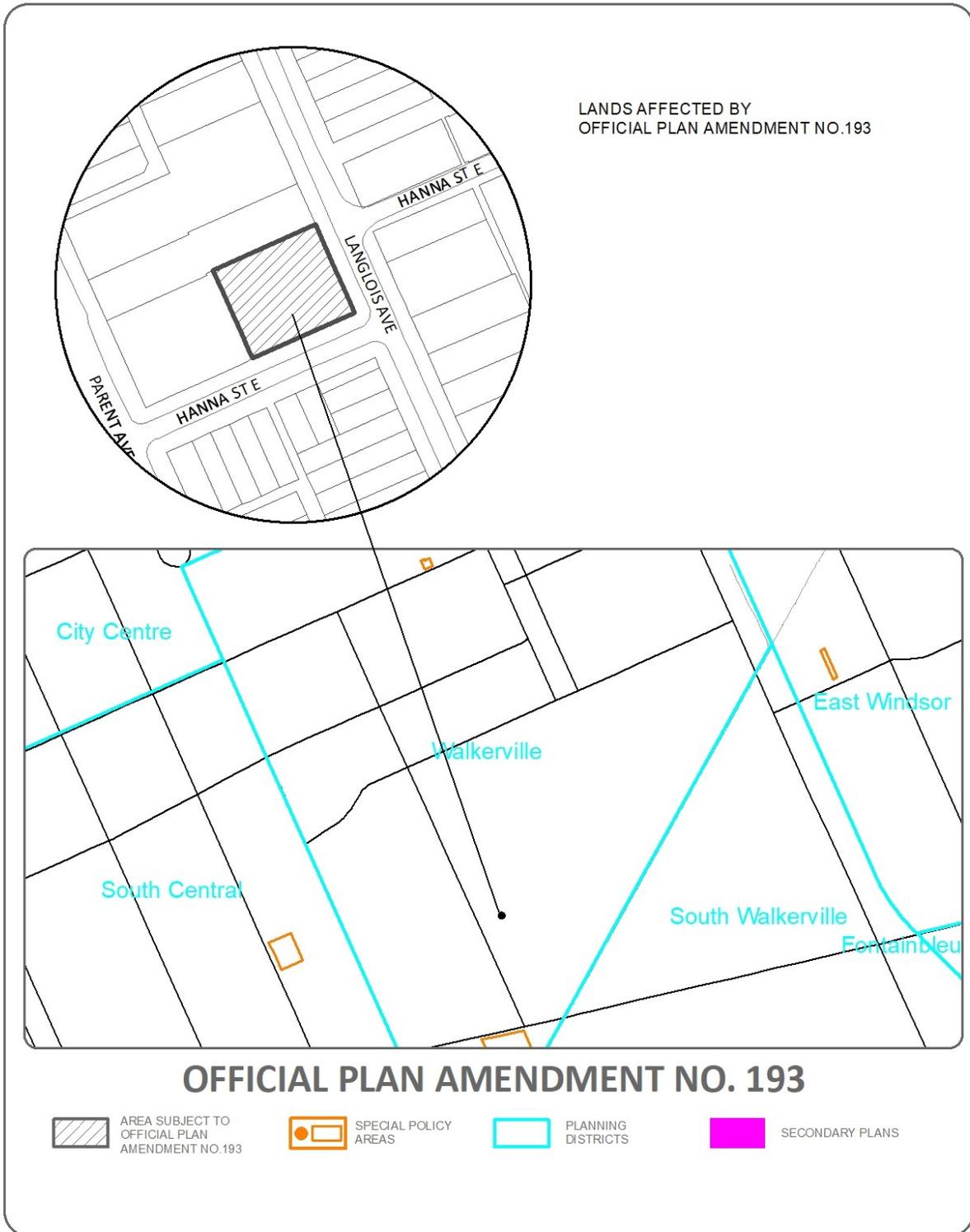
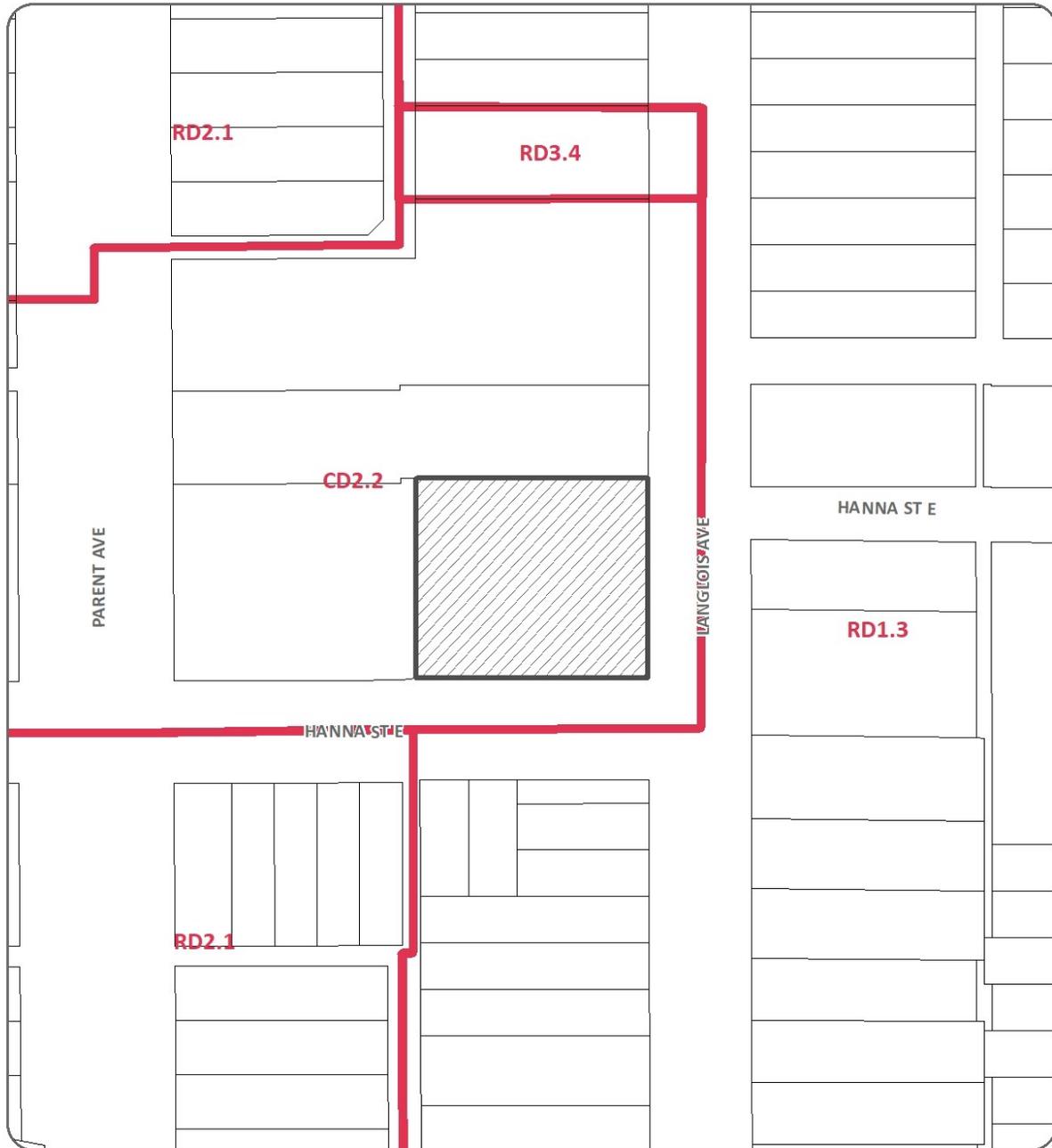


Figure 2: Subject Parcel – Official Plan Amendment (OPA 193)

### SCHEDULE A



**Figure 3: Subject Parcel - Rezoning**



PART OF ZONING DISTRICT MAP 7

N.T.S.

## REZONING



Applicant: 593067 Ontario Ltd.

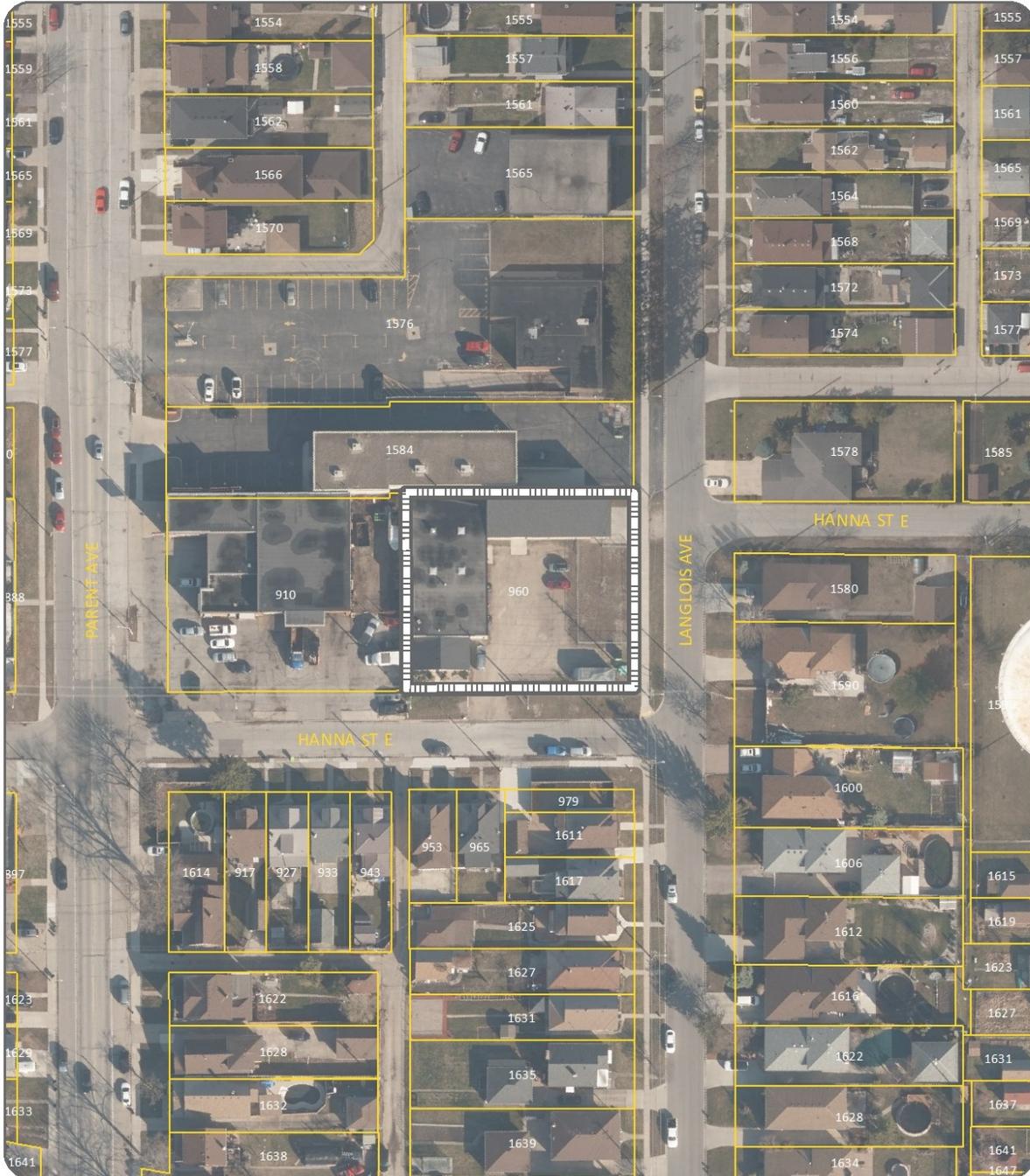


SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT

DATE : JANUARY, 2025  
FILE NO. : Z-004/25, ZNG/7276

Figure 4: Neighborhood Map



NEIGHBOURHOOD MAP - Z 004-25 [ZNG-7276] &  
OPA 193 [OPA-7277]



SUBJECT LANDS

## **Discussion:**

**Planning Rationale Report (PRR) (Pillon Abbs Inc., 2025 January 11)** – The PRR notes that the subject parcel is *“ideally suited for development”* for the reasons listed in Section 6.1.1 of the PRR. The proposed development is *“compatible with the surrounding area ... in terms of scale, massing, height and siting”*.

The PRR states that the *“existing building has been designed to be compatible with the existing built-up area and incorporates sufficient setbacks”*. The PRR notes that *“there are several similar uses in the immediate area”* and that the development *“represents an efficient development pattern that optimizes the use of the land ... and will not change lotting or street patterns in the area”*.

The PRR concludes that the proposal represents *“good planning as it addresses the need for the City to provide economic development and employment opportunities within the settlement area”* and 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”*. Planning & Development Services generally concurs with the information, analysis and conclusions in the PRR.

## **Provincial Planning Statement 2024 (PPS):**

The PPS provides policy direction on provincial interest matters related to land use planning. Section 5.1.1 in the PRR provides an analysis of the relevant PPS policies. The PRR notes that the site *“is located in the existing settlement area ... which is where growth should occur”* and that the proposed development *“promotes an efficient development and land use pattern”* and *“has access to full municipal infrastructure”*. Further, the proposed uses offer *“a new employment opportunity”* and *“all activities will be located inside the existing building”*. The PRR concludes that the *“proposed development is consistent with the PPS”*. Planning and Development Services concurs with this analysis and is of the opinion that the proposed amendments to the Official Plan & Zoning By-law 8600 are consistent with the overall policy direction of the PPS.

## **City of Windsor Official Plan (OP):**

The parcel is designated “Residential” on Schedule D: Land Use in Volume 1 of the OP. The Applicant is requesting an amendment by allowing a limited range of non-residential uses as additional permitted main uses. Section 5.1.2 in the PRR submitted by the Applicant has a complete review and analysis of appropriate Official Plan policies. The PRR notes that the development will *“support economic development in the area”* and *“help diversify employment opportunities”*. The PRR states that the site is currently zoned for a range of commercial uses and that similar uses are in the surrounding area. It concludes that the *“proposed development will conform with the purpose and intent of the City of Windsor OP when the OPA is adopted”*.

Planning and Development Services concurs with the analysis in the PRR. OPA 193 will allow specific additional uses and activities as additional permitted main uses, and that all activities take place within the building and that the outdoor storage of goods and materials is prohibited. When OPA 193 is approved, the requested zoning amendment will conform to the direction of the OP.

### **Zoning By-Law 8600:**

The Applicant is requesting a zoning amendment by adding a zoning exception to allow a limited range of non-residential uses listed under Proposal in the Background section. Planning & Development Services. The existing CD2.2 zoning will remain. The recommended zoning exception differs from that requested by the Applicant to make use of existing defined terms (Contractor's Office, Warehouse, Workshop) in Zoning By-law 8600 and clear description of activities that are permitted within the industrial facility. This will minimize ambiguity in the interpretation of future uses.

Staff recommend that all activities and uses take place entirely within a fully enclosed building to mitigate concerns with noise and fumes and that outdoor storage and display of goods and materials is prohibited to minimize the visual impact on the residential uses in the area. The zoning exception also recognizes that a minimum of seven parking spaces shall be provided.

The proposed zoning exception is appropriate in terms of permitted use and provisions.

### **Site Plan Control (SPC):**

No changes to the existing building or parking area are proposed, therefore, SPC will not apply to the change of use. Any addition to the exterior of the building or alterations to the parking area or storage areas may be subject to SPC.

### **Risk Analysis:**

N/A

### **Climate Change Risks**

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

In general, infill development will minimize the impacts on community greenhouse gas emissions as these developments create complete communities and neighbourhoods while using currently available or planned infrastructure and facilities such as sewers, sidewalks, and public transit.

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

While not the subject of this report, any new construction or renovation is required to meet the current provisions of the Building Code, which will be implemented through the building permit process.

### **Financial Matters:**

N/A

### **Consultations:**

An Open House was held on August 15, 2024, 3 to 4 pm, at the subject property. 103 notices were mailed and a total of 28 people attended. A summary of comments from the public and responses from the Applicant are provided in Section 3.2 of the PRR. Statutory notice was advertised in the Windsor Star, a local newspaper. A courtesy notice was mailed to property owners within a 200 m of the subject lands. Comments from departments and agencies are attached as Appendix D.

**Conclusion:**

Based on the information presented in this report, and the documents submitted by the Applicant, it is my opinion that the requested amendment to the City of Windsor Official Plan adding a new Special Policy Area to permit a limited range of non-residential uses is consistent with the PPS 2024 and is in general conformity with the Official Plan. The requested amendment to Zoning By-law is consistent with the PPS 2024 and will be in conformity with the Official Plan when OPA 193 is approved.

The recommendations to amend the Official Plan and Zoning By-law 8600 constitute good planning.

**Planning Act Matters:**

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

*Greg Atkinson, MCIP, RPP  
Deputy City Planner - Development*

*Neil Robertson, MCIP, RPP  
City Planner*

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

*JP JM*

**Approvals:**

<b>Name</b>	<b>Title</b>
Adam Szymczak	Senior Planner - Development
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	City Planner
Aaron Farough	Senior Legal Counsel
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

- 1 Appendix A - Planning Rationale Report
- 2 Appendix B - Site Plan
- 3 Appendix C - Floor Plan
- 4 Appendix D - Consultations

# PLANNING RATIONALE REPORT

## OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT PROPOSED DEVELOPMENT

960 Hanna Street East  
Windsor, Ontario

January 11, 2025

Prepared by:



Tracey Pillon-Abbs, RPP  
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Chatham, ON  
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# 1.0 INTRODUCTION

I have been retained by Kal & Co. Design Group (herein the "Applicant") to provide a land use Planning Rationale Report (PRR) in support of a proposed development located at 960 Hanna Street East (herein the "Site") in the City of Windsor, Province of Ontario.

The Site is made up of one (1) parcel of land in Ward 4 in the Walkerville Planning District.

The Site currently has an existing one-storey commercial building and gravel parking area.

The existing building is currently vacant.

It is proposed that the Site be further developed to permit the administration / operational offices for a maintenance company with storage and allow for manufacturing uses.

No exterior renovations are proposed.

Interior renovations are proposed.

The Site has access to full municipal services.

Pre-consultation (stage 1) was completed by the Applicant. Comments dated May 23, 2024 (City File #PC-042/24) were received.

Pre-submission (stage 2) was completed by the Applicant. Comments dated December 11, 2024 (City File #PC-119/24) were received.

Applications for an Official Plan Amendment (OPA) and a Zoning By-law Amendment (ZBA) are required in order to permit the proposed development.

Once the OPA and ZBA have been approved, the Applicant will proceed with a building permit for any proposed interior renovations.

The purpose of this report is to review the relevant land use documents, including the Provincial Planning Statement 2024 (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, 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 593067 ONTARIO LTD. since 2023.

The Site is made up of one (1) square-shaped corner parcel of land located on the north side of Hanna Street East and the west side of Langlois Avenue (see the area in **yellow** on Figure 1a – Site Location).

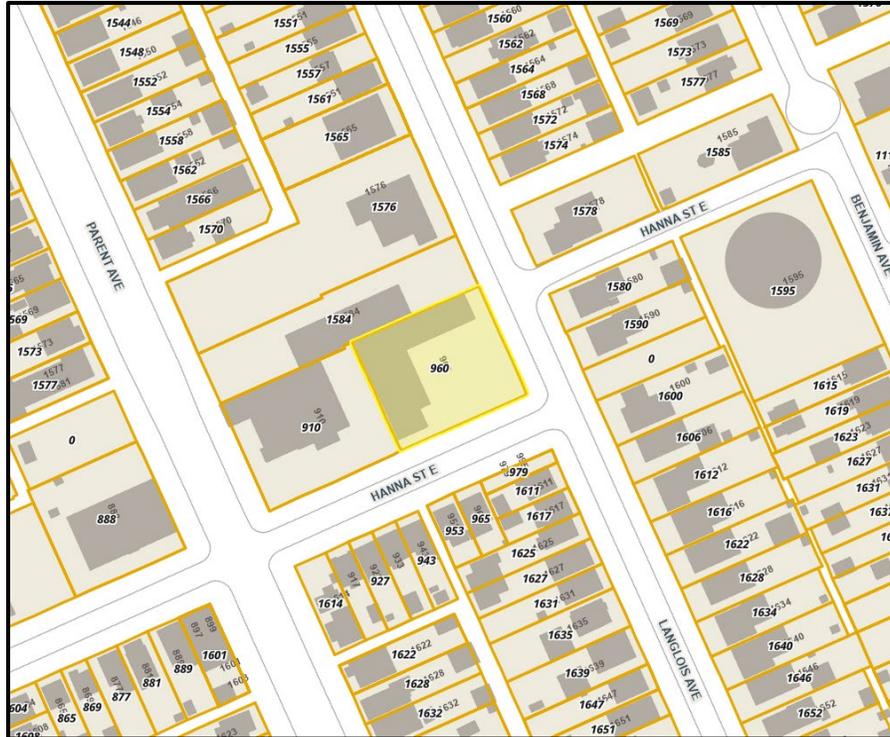


Figure 1a – Site Location (Source: City of Windsor GIS)

The Site is locally known as 960 Hanna Street East, City of Windsor, Province of Ontario and is legally described as LOT 66 PLAN 430 WINDSOR; LOT 67 PLAN 430 WINDSOR; PT LOT 64 PLAN 430 WINDSOR; PT LOT 65 PLAN 430 WINDSOR; PT LOT 68 PLAN 430 WINDSOR AS IN R460876; WINDSOR, PIN 01158-0313 LT (ARN 37-39-030-440-04700-0000).

## 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 1,804.13 m<sup>2</sup>, with a lot frontage of 39.66 m along Langlois Street and a lot depth of 45.49 m along Hanna Street East.

### 2.2.2 Existing Structures and Previous Use

The Site currently has an existing one-storey commercial building and gravel parking area.

The existing building is currently vacant (see Figures 1b – Site Street View).





Figures 1b – Site Street View, From Hanna St E (Source: Pillon Abbs Inc.)

The previous use of the Site was used for an upholstery shop and warehouse for approximately 20 years.

### **2.2.3 Vegetation**

The Site has an existing grassed area and landscaping.

### **2.2.4 Topography, Drainage and Soil**

The Site is flat and is outside the regulated area of the Essex Region Conservation Authority (ERCA).

The Site is part of the Windsor Area Drainage.

The Site is not impacted by Source Water Protection.

The soil is made up of Brookstone Clay Loan (Bcl).

### **2.2.5 Other Physical Features**

There is existing fencing around the entire Site.

The main access to the Site is from an existing gated driveway along Hanna Street East. There is also an existing un-gated driveway along Langlois Avenue.

## 2.2.6 Municipal Services

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

Hanna Street East and Langlois Ave are local roads. Hanna Street East runs toward Parent Avenue to the west, which is a Class II collector road.

There is on-street parking along Hanna Street East and Langlois Avenue.

There are streetlights or sidewalks in the area of the Site.

The Site is in close proximity to major transportation corridors, including Tecumseh Road East and Howard Avenue.

The Site is close to transit, with the closest bus stop located at the corner of Parent Ave and Hanna St E (Stop ID 2071 and 2070, Bus 14).

## 2.2.7 Nearby Amenities

There are several schools, parks and libraries nearby.

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

## 2.3 Surrounding Land Uses

Overall, the Site is located in an existing built up area in Ward 4 in the Walkerville Planning District.

There are a mix of land uses in the area.

There are residential lands to the south and east and employment lands to the north and west of the Site.

A site visit was undertaken on October 21, 2024.

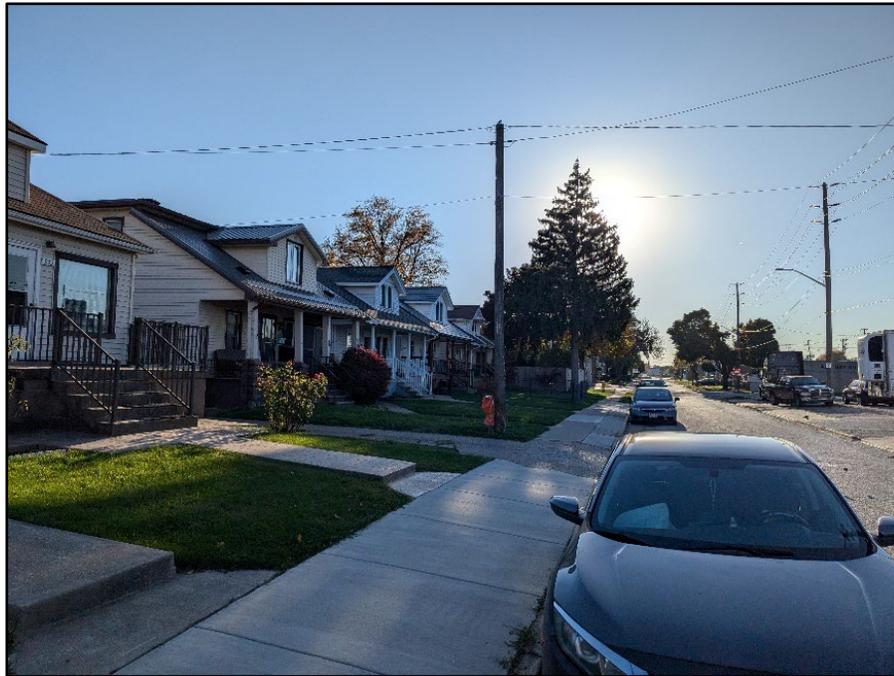
**North** – The lands directly north of the Site are used for commercial (HQ Nutrition) with access from Parent Ave (see Photo 1 - North).



Photo 1 – North (Source: Google Maps)

**South** – The lands directly south of the Site are used for residential (low profile), with access from Hanna Street East and Langlois Avenue (see Photos 2 - South).





Photos 2 – South (Source: Pillon Abbs Inc.)

**East** – The lands directly east of the Site are used for residential (low profile) with access from Langlois Avenue (see Photo 3 - East).



Photo 3 – East (Source: Pillon Abbs Inc.)

**West** – The lands directly west of the Site are used for commercial (Slater Tire and Battery Centre), with access from Parent Avenue and Hanna Street East (see Photo 4 - West).

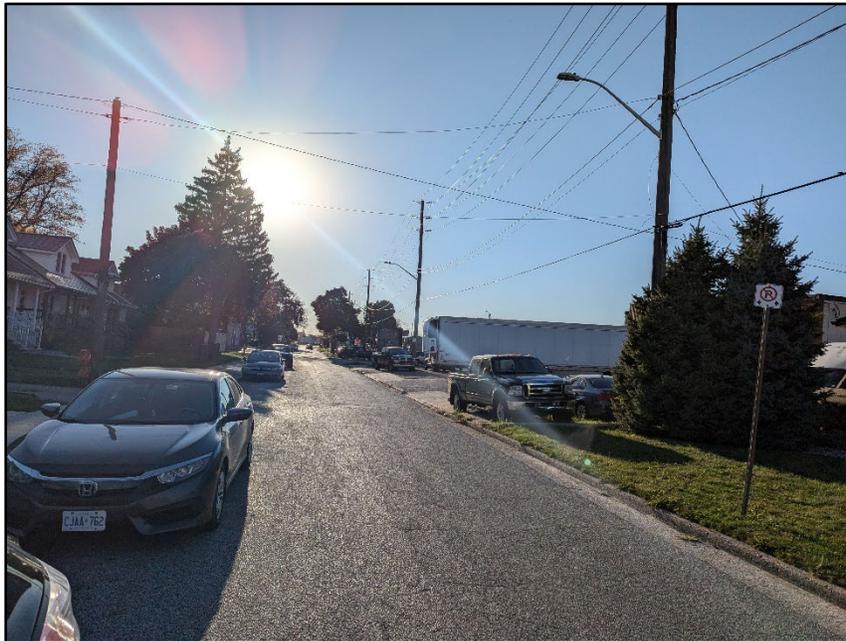


Photo 4 – West (Source: Pillon Abbs Inc.)

# 3.0 PROPOSAL AND CONSULTATION

## 3.1 Development Proposal

The Site is made up of one (1) parcel of land in Ward 4 in the Walkerville Planning District.

The Site currently has an existing one-storey 1,793.86 m<sup>2</sup> (19,309 ft<sup>2</sup>) commercial building and gravel parking area.

The existing building is currently vacant.

It is proposed that the Site be further developed to permit the administration / operational offices for a maintenance company with storage and allow for manufacturing uses.

A Site Plan has been provided (see Figure 2a – Site Plan).

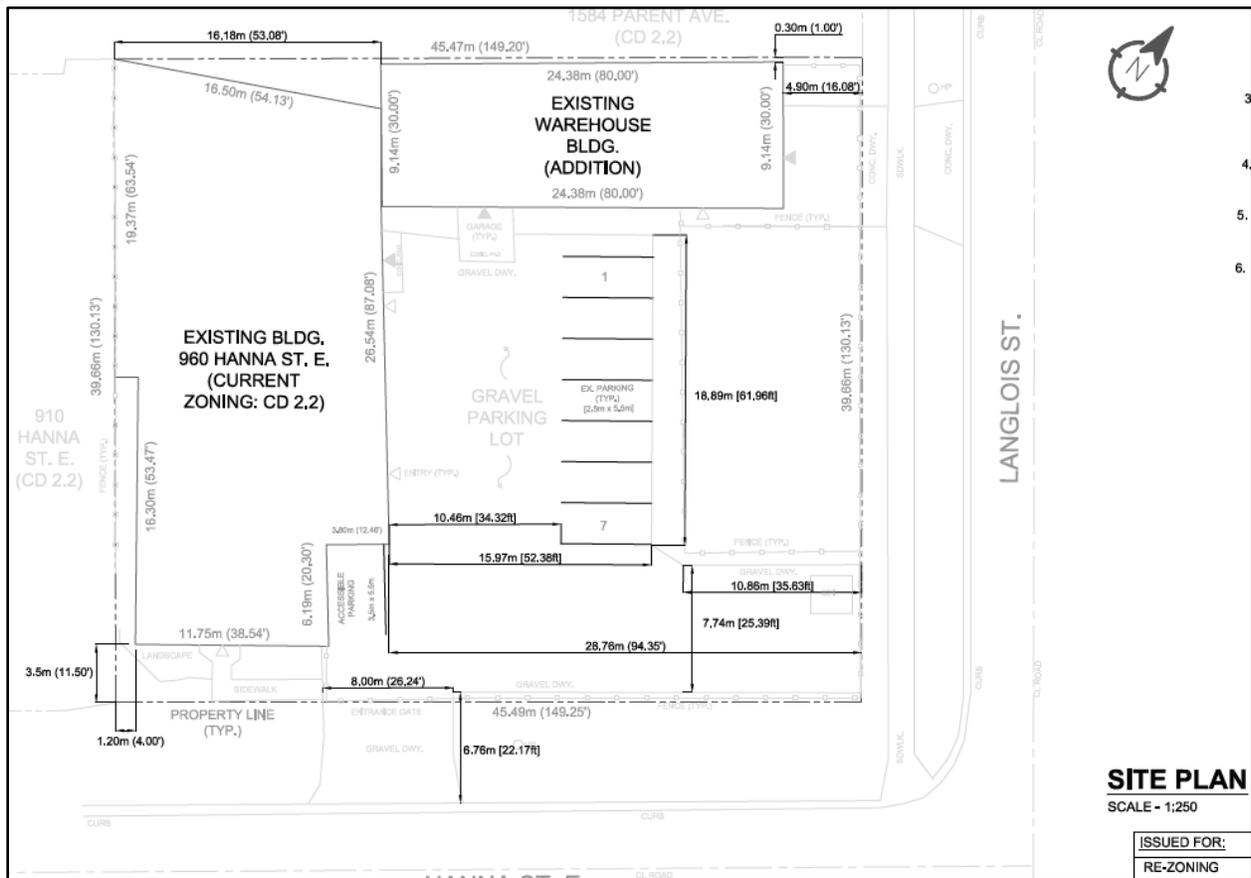


Figure 2a – Site Plan

The manufacturing use includes the following activities and uses:

- Assembling custom countertops which requires cutting premade laminate countertop pieces, assembling and finishing custom countertops.
- Package and delivery.
- Cut and form kitchen tools, gadgets, and accessories.
- Package and shipping.
- Wholesale storage and display of flooring materials, and plumbing fixtures (toilets, vanities, etc).
- Display for wholesale of construction and other material for contractors (metal roofing, siding, etc).
- For display and maintenance site.

No exterior renovations are proposed.

There will be no outdoor storage of goods and materials.

The existing building area will remain the same.

The main entrance into the building is from the south side and will remain.

The site plan illustrates the existing buildings and parking areas.

The number of existing parking spaces (7 total) and loading spaces will remain the same, as shown on the Site Plan.

Interior renovations are proposed with a 152.55 m<sup>2</sup> (1,642 ft<sup>2</sup>) area of the existing building.

Any noise, dust, or vibration can be mitigated through filters and ventilations.

A floor plan has been provided (see Figure 2b – Floor Plan).

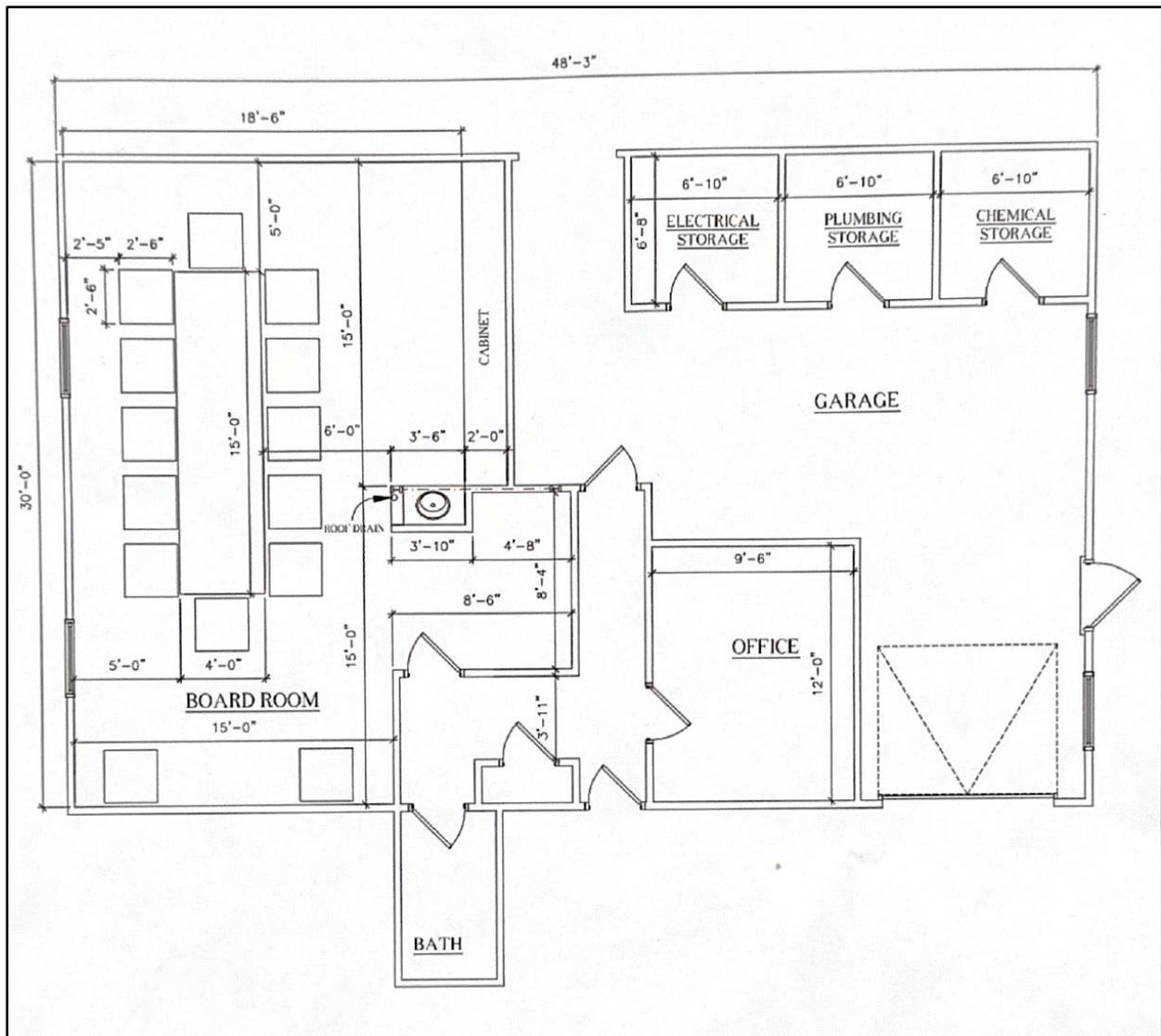


Figure 2b – Floor Plan

Each driveway access will remain the same.

The Site has full municipal services (water, sewer and drainage).

### 3.2 Public Consultation Strategy

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

As part of a public consultation strategy, in addition to the statutory public meeting, an informal in-person public open house was held by the Applicant with area residents and property owners on August 15, 2024, from 3:00 pm to 4:00 pm.

A total of 103 notices were mailed out.

The open house provided members of the public with opportunities to review and comment on the proposed development.

A total of 28 people attended.

The following is a summary of the comments and responses from the public open houses:

<b>Topic Item</b>	<b>Comments and Questions</b>	<b>Response</b>
Notices and Purpose	Who was sent the notices?  Who is hosting?  What is the purpose?	The City provided the mailing labels.  The open house is hosted by the Applicant before any application is submitted to the City.  The open house provided members of the public with opportunities to review and comment on the proposed development.
Proposal	There was some support for the proposal.  We will demolish the Building and put up high rise apartments?  Will there be an Industrial Stamping Plant?	No, the proposed use is manufacturing.
Noise and Pollution	We do not want to create a manufacturing plant that becomes an industrial noise and pollution place.  There is aluminum dust and gas that will be harmful to the neighbourhood residents.  There is formaldehyde dust and gas that will be harmful to the neighborhood residents.	The Applicant may have to add some ventilation and filters.

Topic Item	Comments and Questions	Response
	The ventilation and Heating System is inadequate and dangerous for the facilities.	
Safety	<p>The wood dust in the air is so dangerous that if one lit a match in the room, the building could explode.</p> <p>What guarantee is there that we will comply with safety regulations and Codes and when will the residents be shown proof of compliance.</p> <p>What equipment is used to cut countertops and is there carcinogenic from the dust and chemicals in the laminate and wood products.</p>	<p>The Countertop Business will operate safely.</p> <p>The Applicant will go through the permits and inspections that are required.</p>
Nearby Schools	There are 2 schools and a daycare Centre nearby whose children will be polluted by the Formaldehyde.	The proposed development will not have any impact on nearby schools and day cares.

## **4.0 APPLICATIONS AND STUDIES**

Pre-consultation (stage 1) was completed by the Applicant. Comments dated May 23, 2024 (City File #PC-042/24) were received.

Pre-submission (stage 2) was completed by the Applicant. Comments dated December 11, 2024 (City File #PC-119/24) were received.

Applications for an Official Plan Amendment (OPA) and a Zoning By-law Amendment (ZBA) are required in order to permit the proposed development.

The following explains the purpose of the application and other required approvals, as well as a summary of the required support studies.

### **4.1 Official Plan Amendment**

A site specific Official Plan Amendment (OPA) is required to permit the proposed development.

The current designation for the Site is "Residential," as shown on Schedule D of the City of Windsor Official Plan (OP).

It is proposed to maintain the existing designation and request that the proposed development be added as an additional permitted use.

The OP is detailed, and the justification is set out in Section 5.1.2 of this PRR.

### **4.2 Zoning By-Law Amendment**

A site specific Zoning By-law Amendment (ZBA) is required to permit the proposed development.

The current zoning for the Site is Commercial District 2.2 (CD2.2) category, as shown on Map 7 of the City of Windsor Zoning By-Law (ZBL).

It is proposed to maintain the existing CD2.2 zoning category and request that the proposed development be added as an additional permitted use.

Relief is also required to confirm the number of existing parking spaces.

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

### **4.3 Other Application**

Once the OPA and ZBA has been approved, the Applicant will proceed with a building permit for any proposed interior renovations.

## 4.4 Supporting Studies

There were no supporting studies required for the application.

## 5.0 PLANNING ANALYSIS

### 5.1 Policy and Regulatory Overview

#### 5.1.1 Provincial Planning Statement

The Provincial Planning Statement, 2024 (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 was issued under Section 3 of the Planning Act and came into effect on October 20, 2024.

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

PPS Policy #	Policy	Response
Chapter 1 - Vision	A prosperous and successful Ontario will also support a strong and competitive economy that is investment-ready and recognized for its influence, innovation and diversity. Ontario's economy will continue to mature into a centre of industry and commerce of global significance. Central to this success will be the people who live and work in this province.	Windsor has directed growth where the Site is located, which will contribute positively to promoting efficient land use and development patterns.  The OPA and ZBA are minor changes to the existing Site.
Chapter 2.1.1: Building Homes, Sustaining Strong and Competitive Communities	As informed by provincial guidance, planning authorities shall base population and <b>employment</b> growth forecasts on Ontario Population Projections published by the	The proposed development will support the City's need for employment growth.  The City OP also allows for existing land uses to be expanded subject to criteria.

PPS Policy #	Policy	Response
	Ministry of Finance and may modify, as appropriate.	
2.1.6	<p>Planning authorities should support the achievement of complete communities by:</p> <p>a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, <b>employment</b>, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;</p>	The proposed development will support the City's requirement to accommodate for employment to meet long-term needs.
2.3.1.1 – Settlement Areas	Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.	<p>The Site is located in an existing settlement area of the City of Windsor, which is where growth should occur.</p> <p>The proposed use of the Site represents an efficient development pattern that optimizes the use of land.</p> <p>The proposed development will not change lotting or street patterns in the area.</p>
2.3.1.2	<p>Land use patterns within settlement areas should be based on densities and a mix of land uses which:</p> <p>a) efficiently use land and resources;</p> <p>b) optimize existing and planned infrastructure and public service facilities;</p>	<p>The proposed development promotes an efficient development and land use pattern as it uses an existing building within a settlement area.</p> <p>The Site has access to full municipal infrastructure and is close to nearby public service facilities.</p>

PPS Policy #	Policy	Response
		<p>There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal infilling opportunity.</p> <p>The OPA and ZBA will not change the character of the Site in any way.</p>
2.8.1.1 - Employment	<p>Planning authorities shall promote economic development and competitiveness by:</p> <p>a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;</p> <p>b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;</p> <p>c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;</p> <p>d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and</p> <p>e) addressing land use compatibility adjacent to employment areas by providing</p>	<p>The proposed development offers a new employment opportunity.</p> <p>There is a need.</p> <p>The proposed development will be suitable to be located within the existing building.</p> <p>Infrastructure is provided.</p> <p>The proposed development has been designed to be compatible with the existing built-up area.</p> <p>The building is set back from the road and is away from the existing residential uses to the south and east.</p>

PPS Policy #	Policy	Response
	an appropriate transition to sensitive land uses.	
2.8.1.2	Industrial, manufacturing and small-scale warehousing uses that could be located adjacent to sensitive land uses without adverse effects are encouraged in strategic growth areas and other mixed-use areas where frequent transit service is available, outside of employment areas.	<p>The proposed use can be located within the existing building as it is not immediately abutting any residential uses.</p> <p>Adverse effects are not anticipated.</p> <p>Existing buffering and setbacks are provided as a way to mitigate uses.</p>
2.8.1.3	In addition to policy 3.5, on lands within 300 metres of employment areas, development shall avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long term economic viability of employment uses within existing or planned employment areas, in accordance with provincial guidelines.	<p>The proposed use is appropriate for the Site.</p> <p>All activities will be located inside the existing building.</p> <p>Any noise, dust, or vibration can be mitigated through filters and ventilations.</p>
2.8.2.1 – Employment Areas	Planning authorities shall plan for, protect and preserve employment areas for current and future uses, and ensure that the necessary infrastructure is provided to support current and projected needs.	<p>The Site will continue to be used for employment, which is what it is currently used for.</p> <p>The OPA and ZBA are considered minor in terms of impact on the Site and its surroundings.</p>
2.8.2.3	<p>Planning authorities shall designate, protect and plan for all employment areas in settlement areas by:</p> <p>a) planning for employment area uses over the long-term that require those locations including manufacturing, research and development in connection with manufacturing, warehousing</p>	The proposed development is considered an expansion of an existing employment use.

PPS Policy #	Policy	Response
	and goods movement, and associated retail and office uses and ancillary facilities;	
Chapter 3.1.1 – Infrastructure and Facilities	Infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs.	The Site has access to infrastructure and nearby public service facilities.
3.5.1 – Land Use 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 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.	<p>The proposed use is appropriate for the existing building.</p> <p>The land area is sufficient to accommodate the proposed development.</p> <p>Noise, dust, or vibration can be mitigated to ensure land use compatibility.</p> <p>The OPA and ZBA do address compatibility.</p>
3.6.2 – 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. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.	The development can proceed with existing municipal services.
3.6.8	<p>Planning for stormwater management shall:</p> <p>a) be integrated with planning for sewage and water services and ensure that systems are optimized, retrofitted as appropriate, feasible and</p>	Stormwater is existing.

PPS Policy #	Policy	Response
	financially viable over their full life cycle; b) minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;	
4.1.1 – Natural Heritage	Natural features and areas shall be protected for the long term.	There are no natural heritage features that impact the Site.
4.2.1 - Water	Planning authorities shall protect, improve or restore the quality and quantity of water by: a) using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development; minimizing potential	The Site is outside the regulated area of ERCA.
4.6.1 - Cultural Heritage and Archaeology	Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.	There are no cultural heritage features that apply to this Site.
Chapter 5.1.1 - Protecting Public Health and Safety	Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.	There are no natural or human-made hazards.

Therefore, the proposed development is consistent with the PPS.

### 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 lands are designated "Residential" according to Schedule "D" Land Use attached to the OP for the City of Windsor (see Figure 3 – OP).

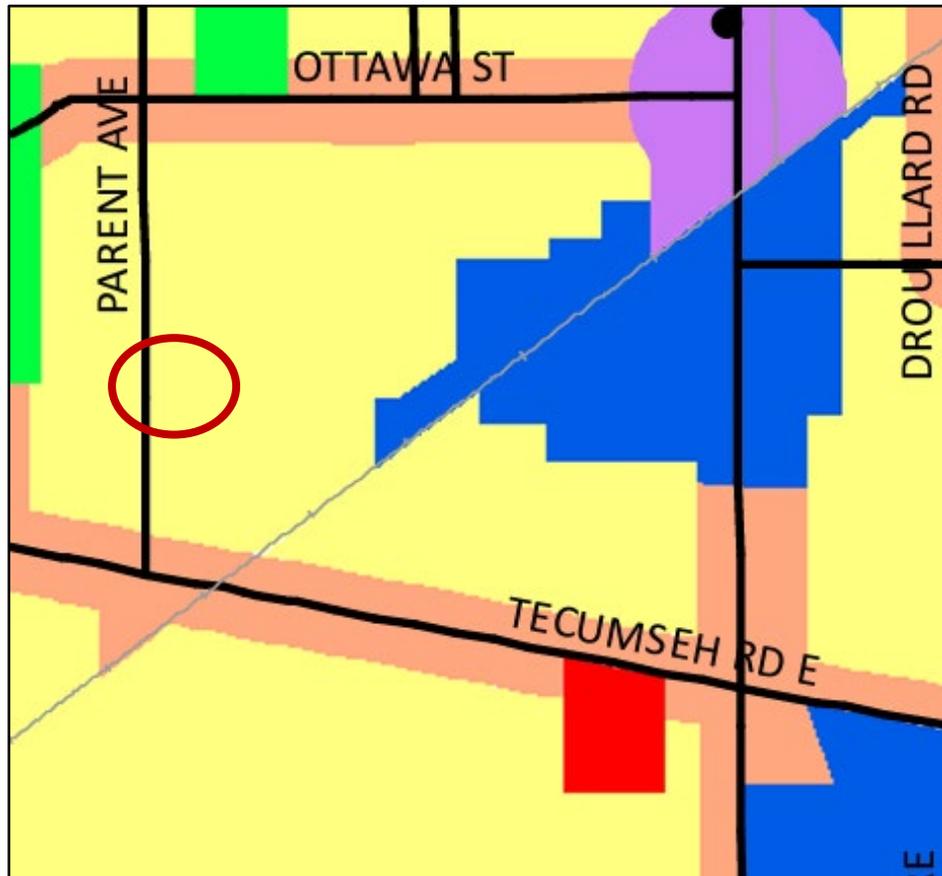


Figure 3 – OP

The Site is also subject to the following:

- Schedule 'B' – Greenway System – Parent Ave is designated as "recreationway"
- Schedule 'C-1' – Development Constraint Areas: Archaeological Potential – Designated within "Low Archaeological Potential"
- Schedule 'F' - Roads & Bikeways – Hanna St E is a local road, and Parent Ave is a Class II Collector

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

<b>OP Policy #</b>	<b>Policy</b>	<b>Response</b>
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.	<p>The proposed development will support the City's vision by providing employment in an existing built-up area where citizens can live, work and play.</p> <p>The location of the proposed development is appropriate as there is a mix of uses in the area.</p> <p>Applications for an OPA and a ZBA are required in order to permit the proposed development.</p>
4.0 - Healthy Community	The implementing healthy community policies are interwoven throughout the remainder of the Plan, particularly within the Environment, Land Use, Infrastructure and Urban Design chapters, to ensure their consideration and application as a part of the planning process.	<p>The proposed development will support the City's goal of promoting a healthy community.</p> <p>The proposed development is close to nearby transit, residential, shopping, local/regional amenities and parks.</p> <p>The proposed development will help diversify employment opportunities needed in the area and will provide jobs.</p>
4.2.6.1 – Employment Opportunities	To provide for a wide range of employment opportunities at appropriate locations throughout Windsor.	<p>The proposed development will provide employment opportunities.</p> <p>Employment (jobs) will be provided.</p>
4.2.6.2 – Economic Development	To encourage a range of economic development opportunities to reach full employment.	The proposed development will support economic development in the area.

OP Policy #	Policy	Response
		The proposed development will help diversify employment opportunities.
6.0 - Preamble	A healthy and livable city is one in which people can enjoy a <b>vibrant economy</b> 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 employment needs of the City.  The OPA and ZBA are minor changes to the existing Site.
6.1 - Goals	In keeping with the Strategic Directions, Council's land use goals are to achieve:  6.1.4 The retention and expansion of Windsor's employment base.  6.1.10 Pedestrian oriented clusters of residential, commercial, employment and institutional uses.	The proposed development supports the goals set out in the OP as it provides employment.  Employment is encouraged in the area.  The Site is currently zone for commercial uses.
6.3 - Residential	The lands designated as "Residential" on Schedule D: Land Use provide the main locations for housing in Windsor outside of the City Centre Planning District. In order to develop safe, caring and diverse neighbourhoods, opportunities for a broad range of housing types and complementary services and amenities are provided. The following objectives and policies establish the framework for development decisions in Residential areas.	The current designation for the Site is "Residential," as shown on Schedule D of the City OP.  An OPA and ZBA are required to permit the proposed development.  The OPA and ZBA are considered minor in terms of impact on the Site and its surroundings.

OP Policy #	Policy	Response
6.3.2.2 – Ancillary Uses	<p>In addition to the uses permitted above, Council will encourage the achievement of diverse and self-sufficient neighbourhoods by permitting the following ancillary uses in areas designated Residential on Schedule D: Land Use without requiring an amendment to this Plan:</p> <p>c) Neighbourhood Commercial uses subject to the provisions of policy 6.3.2.9;</p>	<p>Currently, the Site is being used for commercial purposes.</p> <p>The additional uses are very similar to the current uses permitted in the CD2.2 zone.</p> <p>There are several similar uses in the immediate area.</p>
6.3.2.9 – Neighbourhood Commercial Evaluation Criteria	<p>Neighbourhood Commercial uses shall be encouraged to locate in Mixed Use Corridors and Mixed Use Nodes as shown on Schedule D. Ideally, these uses would form part of a multi-use building with residential uses located above or behind the non-residential uses on the street front.</p> <p>At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed Neighbourhood Commercial development within a designated Residential area is: (a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses: (i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan; (ii) adjacent to sources of</p>	<p>The PPS has been assessed as part of section 5.1.1 of this PRR.</p> <p>There are no anticipated nuisances that will cause any negative impact to the surrounding residential uses.</p> <p>The proposed use will be safe.</p> <p>Traffic and parking are not expected to be impacted.</p> <p>There are no heritage resources that impact the Site.</p> <p>There is a need.</p> <p>There are no secondary uses that impact the Site.</p> <p>The proposed use will be compatible as it will be located inside the existing building, which will not change the characteristic of the Site.</p>

OP Policy #	Policy	Response
	<p>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 concern; (v) adjacent to heritage resources; and (vi) where market impact is identified as a municipal concern; (b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area; (c) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas; (d) capable of being provided with full municipal physical services and emergency services; and (e) provided with adequate off-street parking.</p>	<p>The existing building has been designed to be compatible with the existing built-up area.</p> <p>The Site is currently being serviced by municipal infrastructure.</p> <p>There is adequate off street parking.</p> <p>The Site is generally level, which is conducive to easy vehicular movements.</p>
6.3.2.10 – Ancillary Use Design Guidelines	<p>The following guidelines shall be considered when evaluating the proposed design of an ancillary use: (a) the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan; (b) the provision of appropriate landscaping or other buffers to enhance: (i) all parking lots, and outdoor loading, storage and service areas; and (ii) the separation between the use and adjacent uses, where appropriate; (c) motorized vehicle access is oriented in such a manner that traffic will be discouraged from using</p>	<p>There are no exterior changes to the existing building, loading area or parking area.</p> <p>There is existing landscaping and buffering provided on the site.</p>

OP Policy #	Policy	Response
	Local Roads where other options are available; and (d) pedestrian and cycling access is accommodated in a manner that is distinguishable from the access provided to motorized vehicles and is safe and convenient.	
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 transportation corridor and has access to municipal services.
11.6.3.1 – Amendment Policies (Zoning)	All amendments to the Zoning By-law(s) shall conform with this Plan. The Municipality will, on each occasion of approval of a change to the zoning by-law(s), specify that conformity with the Official Plan is maintained or that the change will be in conformity upon the coming into effect of an amendment to the Official Plan.	<p>The proposed ZBA is used to permit the proposed development and does conform with the purpose and intent of the OP, as set out in this PRR, with the OPA.</p> <p>The Site was always used for manufacturing.</p> <p>There are several similar uses in the immediate area.</p>
11.6.3.3 – Evaluation Criteria	<p>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:</p> <p>(a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans &amp; Special Policy Areas and other</p>	<p>The OP policies have been considered in the analysis of the ZBA.</p> <p>This PRR has undertaken the required evaluation of OP policies.</p> <p>There are no Secondary Plans that impact the Site.</p> <p>Support studies have been summarized in Section 4.3 of this PRR.</p>

OP Policy #	Policy	Response
	<p>relevant standards and guidelines; (b) Relevant support studies; (c) The comments and recommendations from municipal staff and circularized agencies; (d) Relevant provincial legislation, policies and appropriate guidelines; and (e) The ramifications of the decision on the use of adjacent or similar lands.</p>	<p>Comments and recommendations from staff and agencies have been provided as part of the Stage 2 application review.</p> <p>This PRR has undertaken the required evaluation of provincial legislation in Section 5.1.1.</p> <p>There are no design guidelines that impact this type of development.</p> <p>Allowing the proposed use will result in a vacant parcel of land to be used.</p> <p>The OPA and ZBA are considered minor in terms of impact on the Site and its surroundings.</p>
<p>11.6.10.1 – Existing Land Uses</p>	<p>Certain lawfully existing uses may, by their nature or location, not satisfy or conform to the land use policies or applicable land use designation in this Plan. They may have been established at their location for a long period of time and accepted as such within the neighbourhood or constructed more recently in compliance with the previous zoning. Notwithstanding any other provisions of this Plan in conflict herewith, such uses may be zoned as conforming uses in the zoning by-law provided that: (a) The use does not constitute a danger, a nuisance or blight to the adjacent neighbourhood by</p>	<p>The proposed additional use does is safe and will not cause any danger or nuisance.</p> <p>The operation will be kept inside the existing building and will not change the character of the Site.</p> <p>The proposed use will not have any negative impact on the nearby residential uses.</p> <p>The OPA and ZBA will not change the character of the Site in any way.</p>

OP Policy #	Policy	Response
	virtue of its function or operational characteristics; and (b) The extension or <b>enlargement</b> of the use or change in its functionality would not be detrimental to nor pose a nuisance to the adjacent neighbourhood; or (c) Where the use is deemed to be a sensitive land use, it shall be part of a viable larger grouping of similar land uses.	

Therefore, based on the above-noted analysis in this PRR, the proposed development will conform to the policy direction of the OP when the OPA is adopted.

### 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 7 attached to the ZBL the Site is currently zoned Commercial District 2.2 (CD2.2) category (see Figure 4 – ZBL).

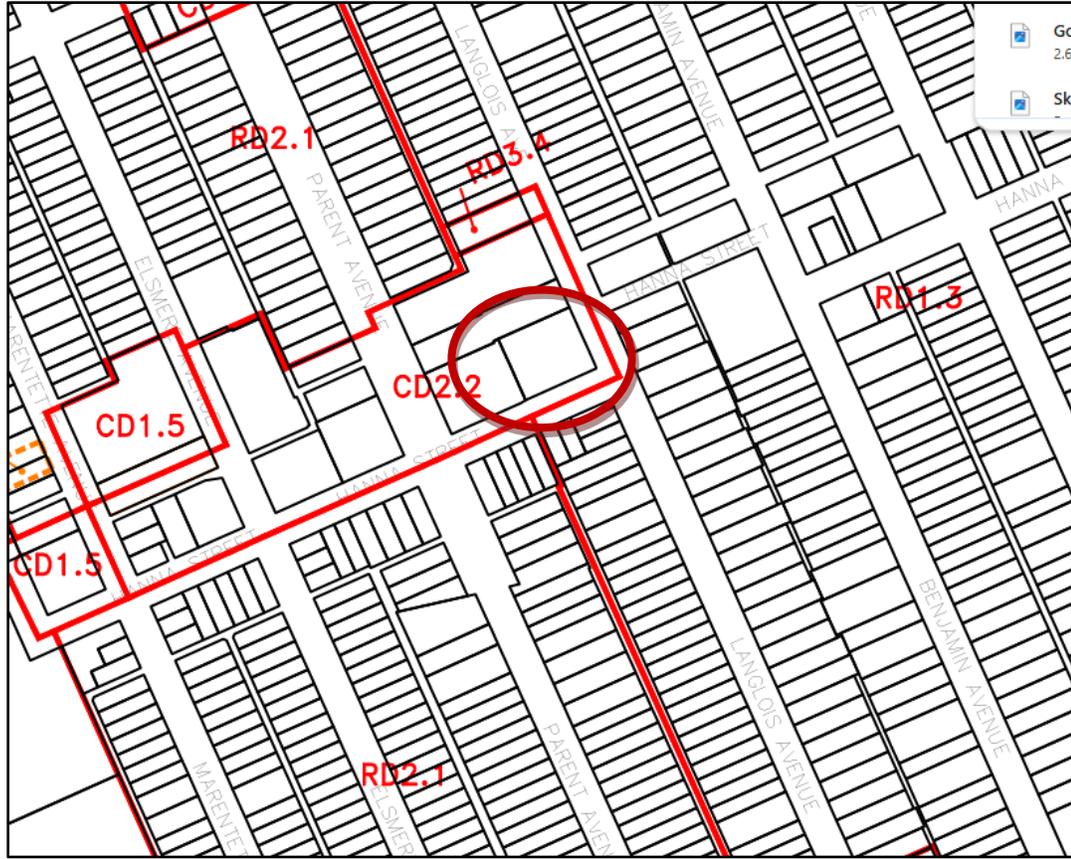


Figure 4 –ZBL

The zoning for the Site is proposed to be changed to a site specific Commercial District 2.2 (CD2-2 - S.20(1)(XXX)) category in order to permit the proposed development as an additional permitted use.

A review of the CD2.2 zone provisions, as set out in Section 15.2 of the ZBL is as follows:

Zone Regulations (Section 18.4.5)	Required CD2.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
Permitted Uses (Section 15.2.1)	Bakery Business Office Child Care Centre Commercial School Confectionery Food Outlet – Take-Out Funeral	Administration / operational offices for a maintenance company and allow for manufacturing uses as additional permitted uses.	Shall comply, subject to the OPA and ZBA being approved.  The proposed use is very similar to some of the uses in the CD2.2, such as light

Zone Regulations (Section 18.4.5)	Required CD2.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
	Establishment Medical Office Micro-Brewery Personal Service Shop Place of Entertainment and Recreation Place of Worship Professional Studio Public Hall <b>Repair Shop – Light</b> Restaurant Retail Store Veterinary Office <b>Wholesale Store</b> Dwelling Units in a Combined Use Building with any one or more of the above uses Gas Bar Outdoor Market Parking Garage Public Parking Area Tourist Home Existing Automobile Repair Garage Existing Service Station Any use accessory to any of the preceding uses. An Outdoor Storage Yard is prohibited, save and except, in combination with the following main uses: Outdoor Market, Existing Automobile Repair Garage.		repair shop, and wholesale store.  There will be no outdoor storage of goods and materials.
Min. Lot Width	N/A	Existing	Complies

Zone Regulations (Section 18.4.5)	Required CD2.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
Max. Building Height	14.0 m	Existing	Complies
Amenity Area – Per Dwelling Unit – minimum	N/A	N/A	Complies
Max. Gross Floor Area – main building	Bakery or Confectionary – N/A	N/A	Complies
Other	For a Combined Use Building, all dwelling units, not including entrances thereto, shall be located above the non-residential uses.	N/A	Complies
	An Outdoor Market is permitted within a Business Improvement Area. An Outdoor Market is prohibited elsewhere.	N/A	Complies
Min. Parking Spaces Required (Table 24.20.20.5.1)	Warehousing 1 for each 200 m <sup>2</sup> GFA: 24.38 m x 9.14 m = 222.83 m <sup>2</sup>  <b>TOTAL = 1.11 (1 rounded down)</b>  Other Industrial 1 for each 45 m <sup>2</sup> GFA for the first 2,700 m <sup>2</sup> GFA AND 1 for each additional 180 m <sup>2</sup> GFA :  1,571.09 m <sup>2</sup>	Existing – 7 parking spaces	Shall comply, subject to the OPA and ZBA being approved.  A fixed number of parking spaces is requested.

Zone Regulations (Section 18.4.5)	Required CD2.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
	TOTAL – 34.91 (34 rounded down)  <b>TOTAL COMBINED – 35 parking spaces</b>		

Therefore, the proposed development will comply with all zone provisions set out in the CD2.2 zone with the exception of the following requested relief:

- *Permit a total of 7 existing parking spaces.*

No other zoning relief is required.

## **6.0 SUMMARY AND CONCLUSION**

### **6.1 Context and Site Suitability Summary**

#### **6.1.1 Site Suitability**

The Site is ideally suited for 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 or parking 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 existing building has been designed to be compatible with the existing built-up area and incorporates sufficient setbacks and buffering.

There are no external changes to the existing building, which will not change the characteristics of the area.

The proposed development is an appropriate use of the Site and will not cause any noise, dust or vibration.

The proposed development will help diversify employment opportunities needed in the area and provide jobs.

#### **6.1.3 Good Planning**

The proposal represents good planning as it addresses the need for the City to provide economic development and employment opportunities within the settlement area.

The building is existing and is an expansion of an existing commercial use, similar to some of the uses currently permitted in the CD2.2 zone.

There are several similar uses in the immediate area.

The proposed use on the Site represents an efficient development pattern that optimizes the use of land.

The proposed development will not change lotting or street patterns in the area.

The City OP does allow for existing land uses to be expanded subject to criteria.

#### **6.1.4 Natural Environment Impacts**

The proposal does not have any negative natural environmental impacts.

#### **6.1.5 Municipal Services Impacts**

Municipal services are available, which is the preferred form for development.

There are no parking or traffic concerns.

#### **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, residential, open space and community amenities.

Development 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.

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 OPA and the ZBA to permit the proposed development on the Site.

This 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.

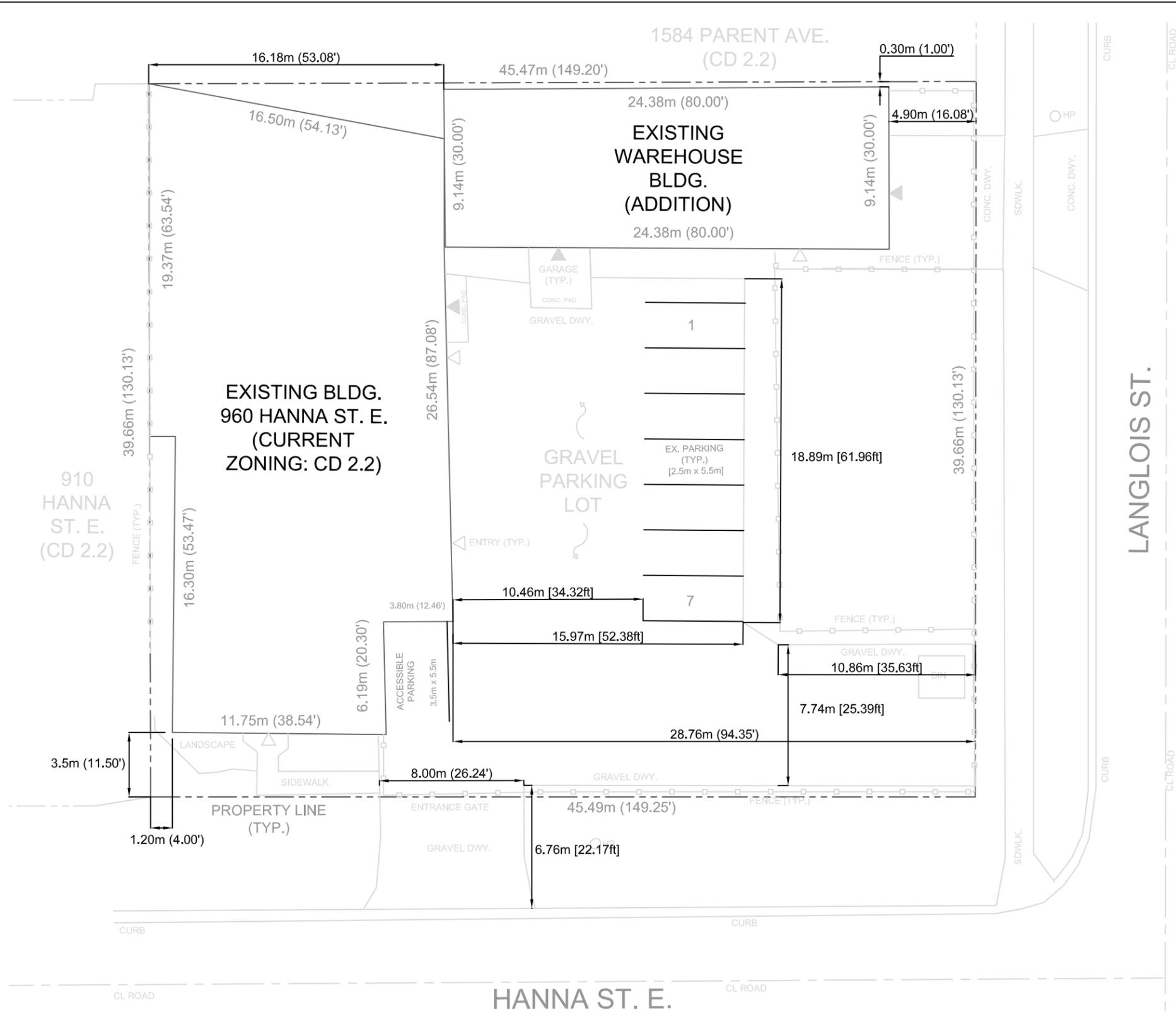
**Planner's Certificate:**

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**





- GENERAL NOTES:**
1. DRAWINGS ARE NOT TO BE SCALED.
  2. THE LOCATION OF UTILITIES IS APPROXIMATE ONLY AND ARE SHOWN FROM THE MOST CURRENT INFORMATION AVAILABLE.
  3. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING UTILITY LOCATES PRIOR TO CONSTRUCTION AND PROTECTING THE UTILITIES DURING CONSTRUCTION.
  4. ALL WORK SHALL CONFORM TO THE CITY OF WINDSOR AND ONTARIO PROVINCIAL STANDARDS AS APPLICABLE.
  5. ALL AREAS DISTURBED BY CONSTRUCTION ARE TO BE RESTORED TO PRE-CONSTRUCTION CONDITION OR BETTER.
  6. DRAWING/SITE PLAN DOES NOT REPRESENT A LEGAL SURVEY NOR SHOULD BE USED IN PLACE OF ONE..

SITE STATISTICS	
CURRENT ZONING	CD2.2
LOT AREA	19,309 SQ.FT.
BUILDING AREA	7,889 SQ.FT
EX. PARKING SPACES	7 + 1

**REFERENCE:**

ALL LOT DIMENSIONS AND PROPERTY LINES ARE REFERENCED FROM TOPOGRAPHIC SURVEY DONE BY KING ENGINEERING + DESIGN ON MARCH 27, 2024 (SURVEY NOT DONE BY O.L.S., AND FOR REFERENCE PURPOSES ONLY), DRAWINGS PROVIDED BY CLIENT ON MARCH 22, 2024, AND ONLINE CITY OF WINDSOR GIS MAPPING.

**SITE PLAN**  
SCALE - 1:250

ISSUED FOR:	DATE:	STAMP:
RE-ZONING	2024/04/04	
REVISION (PARKING)	2024/01/09	

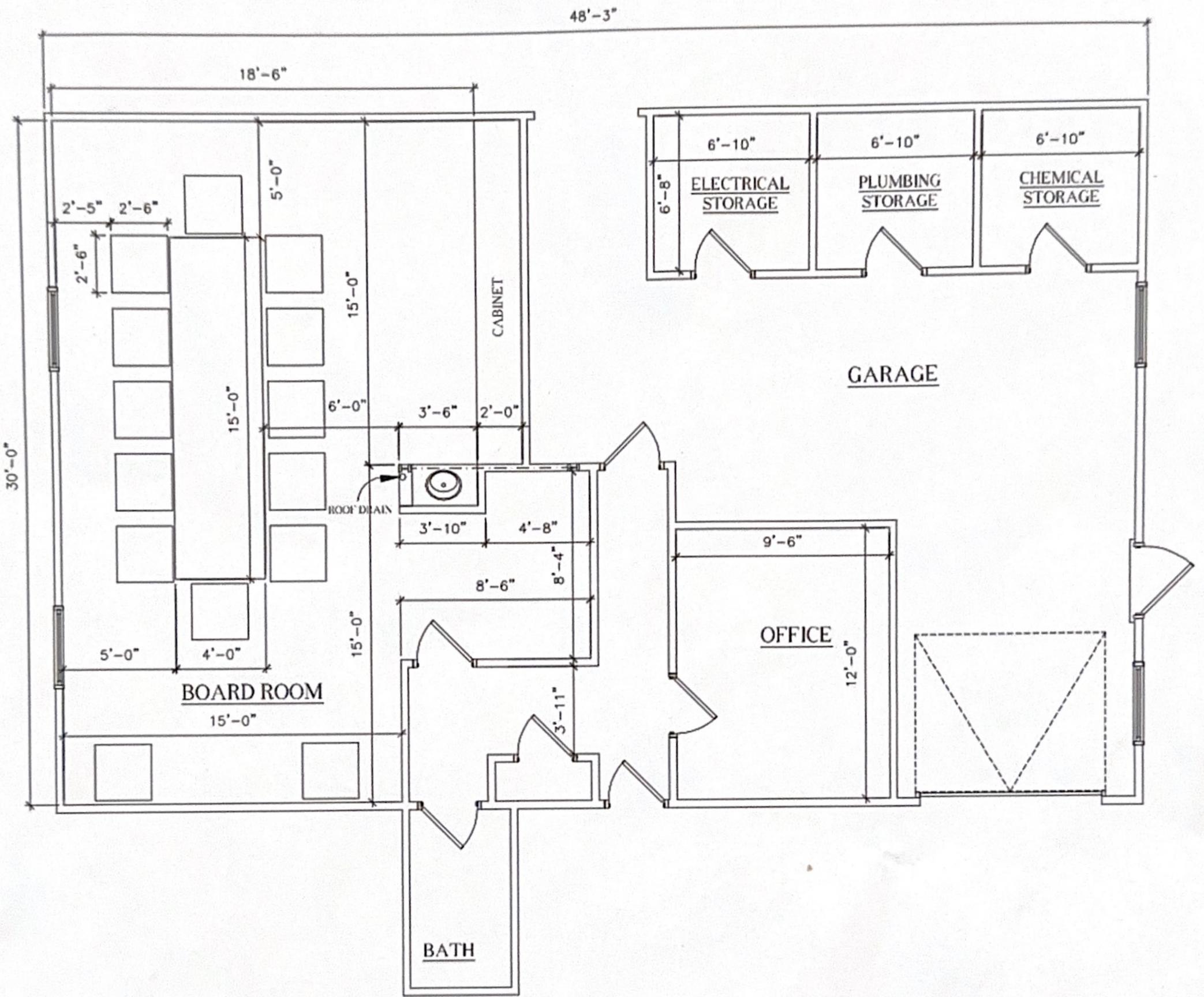


1650 Shawnee Rd.  
Tecumseh, ON  
N8N 1S5

## SITE PLAN

960 HANNA ST. E.

DATE:	2025/01/09	CH'KD BY:	JJK	DSGN BY:	JJK
CITY OF WINDSOR	PROJECT No:	24-010	DRAWING No:	SP-1	



AREA

1642 sq.ft

# Prelim Floorplan

960 Hanna

## **APPENDIX D – CONSULTATIONS**

### **CITY OF WINDSOR - DEVELOPMENT ENGINEERING – JUAN PARAMO**

**Sewers** - The site may be serviced by a 450mm combined sewer within the Langlois Avenue right-of-way and a 1050mm storm sewer located north of 960 Hanna Street East. 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. The level of service for the sewer system in this area is not expected to experience any significant degradation because of the proposed change in use.

**Right of-Way** - Hanna Street East is classified as a residential Road according to the Official Plan requiring a right-of-way width of 20.1m; the current right-of-way is sufficient, and a conveyance is not required.

In summary we have no objection to the subject proposal.

Contact: Juan Paramo, [jparamo@citywindsor.ca](mailto:jparamo@citywindsor.ca)

### **CITY OF WINDSOR - ENVIRONMENTAL SERVICES – JIM LEETHER**

No Issues.

### **CITY OF WINDSOR - FORESTRY – MITCHELL SCHINKEL**

There are two City owned trees on the property. There is one Private Tree. Based on the site plan provided, no exterior renovations are proposed. There will be no outdoor storage of goods and materials, and the existing building area will remain the same.

Forestry has no further concerns regarding tree preservation currently. Forestry requests the opportunity to review any future landscaping plans in order to provide comment and suggestion regarding new tree species selection, stock types and long-term tree care that would enhance tree survival, performance and aesthetics on-site and would maximize future on-site Tree Canopy and City-wide Tree Canopy Resilience.

Please let us know if you have any further questions regarding Tree Protection and Replacement issues.

### **CITY OF WINDSOR - NATURAL AREAS – KAREN ALEXANDER**

No site plan control is required, so no concerns or comments.

### **CITY OF WINDSOR – PLANNING & DEVELOPMENT SERVICES - SITE PLAN CONTROL**

If parking area is not in compliance with ZBL 8600, Site Plan Control will be required.

### **CITY OF WINDSOR – PLANNING & DEVELOPMENT SERVICES - ZONING COORDINATOR – STEFAN PAVLICA**

Current Zoning: Commercial District 2.2 (CD2.2)

Existing Use: Commercial building (vacant)

Section 5 – General Provisions: COMPLY

Section 15.2.5 – Commercial District 2.2 (CD2.2) - Maximum Building Height [15.2.5.4]:  
Required: 14.0 m; Provided: As Existing

## APPENDIX D – CONSULTATIONS

Section 20 – Site Specific Zoning Exemptions: NOT APPLICABLE

Section 24 – Parking, Loading, and Stacking Provisions: COMPLY

Section 25 – Parking Area Regulations - Construction and Maintenance of Parking Area:

[25.5.10.17] Subject to Section 25.5.1.5, a refuse bin may be located within a parking area and **shall be fully screened by a screening fence having a minimum height of 1.80 metres.**

### CITY OF WINDSOR – RIGHT-OF-WAY – MARK SCHAFFHAUSER

#### Required Drawing Revisions:

- 1. Driveway Approaches** – Do not conform to City of Windsor Standards, which must be constructed with straight flares and no raised curbs within the right-of-way.
  - Modify as per Standard Engineering Drawing AS-204.
- 2. Sewer Connections** – All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains.
  - Modify drawings to include all sewer connections and water services.
  - Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.
- 3. Encroachment Agreement** – There are existing items encroaching into the right-of-way, which require either removal or an encroachment agreement to legalize said items.
  - Modify drawings to remove encroaching items or identify that an encroachment agreement with the City of Windsor will be required for the landscaping, boulders and raised curbs along Hanna St. E. and Langlois Ave.

#### Right-of-Way Permit Requirements

**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, with straight flare driveway approaches and no raised curbs within the right-of-way. The Owner shall have the option of constructing said driveway approaches as follows:

- Commercial/Industrial Property - Unless otherwise noted, to construct all non-residential driveway approaches of concrete in accordance with City of Windsor Standard Drawing AS-204.

**Encroachment Agreement** – The owner agrees to remove or submit application for and execute an agreement with the Corporation for the proposed encroachments into the right-of-way (i.e. landscaping, boulders and raised curbs along Hanna) to the satisfaction of the City Engineer.

**Sewer Connections** – The site is serviced by a 450mm combined sewer located within the Langlois Street right-of-way. All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains.

- Modify drawings to include all sewer connections and water services.

## APPENDIX D – CONSULTATIONS

- Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.

If you have any further questions or concerns, please contact Dan Perissinotti, of this department at [dperissinotti@citywindsor.ca](mailto:dperissinotti@citywindsor.ca)

### **CITY OF WINDSOR – TRANSPORTATION PLANNING – ELARA MEHRILOU**

**Parking** - All parking must comply with ZBL 8600. Parking area must be a hard surface, gravel is not accepted. All parking stalls must be painted including accessible parking space and the access aisle.

**Access** - All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings. The applicant must ensure that the loading/unloading from Langlois Ave access does not block the sidewalk and/or right-of-way. Raised curb and the boulder at the Hanna St E access must be removed.

**Exterior Path** - All new exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

**Other Comments** - The gate of the fence at Hanna St access must open inward only and does not swing out.

Contact: Ellie MehriLou, [EMehrilou@citywindsor.ca](mailto:EMehrilou@citywindsor.ca).

### **ENWIN - HYDRO ENGINEERING - JEREMY ALLOSSERY**

No objection provided adequate clearances are achieved and maintained. Take note of the existing overhead, secondary service and communication conductors running along the eastern and southern edges of the property.

### **ENWIN - WATER ENGINEERING - BRUCE OGG**

ENWIN Water has no objections.

### **WINDSOR FIRE & RESCUE SERVICES – MICHAEL COSTE**

No issues.

**Subject: Proposed Official Plan Residential Corridor Land Use Designation - City Wide**

**Reference:**

Date to Council: March 3, 2025  
Author: Frank Garardo, MCIP, RPP  
Planner III – Policy and Special Studies  
(519) 255-6543 x 6446  
Planning & Building Services  
Report Date: 2/11/2025  
Clerk's File #: Z2025

**To:** Mayor and Members of City Council

**Recommendation:**

THAT the report of the Planner III – Policy and Special Studies dated February 11, 2025 entitled “Proposed Official Plan Residential Corridor Land Use Designation-City Wide” **BE TABLED** at the Development & Heritage Standing Committee meeting to allow for further discussion and input regarding the proposed Official Plan policies prior to formal consideration by the Standing Committee and Council..

**Executive Summary:**

The City of Windsor is advancing a new Residential Corridor land use designation within its Official Plan to support intensification in alignment with provincial and municipal growth objectives. This initiative follows the completion of intensification studies undertaken as part of Interim Control By-law 103-2020, which temporarily paused multi-unit residential development to allow for further study. These studies identified key locations within the city that can accommodate additional residential density, provided strategies for guiding growth, and assessed how to ensure compatibility within existing neighbourhoods. The findings support directing multi-residential growth to areas with strong transit networks, accessible services, and adequate infrastructure while ensuring an appropriate transition with surrounding areas.

The proposed Residential Corridor designation aims to focus exclusively on housing to optimize infrastructure use, promote residential intensification (e.g. townhouses, stacked rowhouses, and mid-rise apartments), and provide connectivity between mixed-use areas and residential neighbourhoods. The designation is intended to direct growth along arterial and collector roads where frequent transit service is available, helping to increase the range and mix of housing options. The initiative also responds to the Provincial Planning Statement (PPS) 2024, which came into effect on October 20, 2024,

and mandates that municipalities facilitate intensification and housing diversity. The PPS identifies Strategic Growth Areas, including corridors and nodes, as priority locations for higher-density residential and mixed-use development. Windsor's adoption of the Residential Corridor designation aligns with these directives by refining the city's intensification framework to focus growth in appropriate locations.

Policy refinements will expand the city's Intensification Priority Areas to include Residential Corridors, ensuring a balanced transition between higher-density mixed-use areas and low-density residential neighbourhoods. The policy will implement design guidelines that address height, massing, setbacks, and landscape buffering to maintain compatibility. Additionally, zoning by-law updates will help streamline approvals for developments that align with the city's housing strategy.

The Residential Corridor designation is expected to deliver multiple benefits, including encouraging a diverse range of housing options to accommodate different household needs, promoting walkability and transit use by focusing growth along well-served corridors, reducing development pressures on established low-density neighbourhoods, and ensuring sustainable urban expansion. The designation will provide predictability for developers, city staff, and residents by outlining clear policies for intensification that take into account the surrounding neighbourhood character.

Future updates to the Official Plan and Zoning By-law will ensure consistency with Windsor's broader intensification strategy and compliance with provincial directives. The Residential Corridor designation represents a proactive approach to managing growth by fostering complete communities, enhancing housing supply, and optimizing land use while maintaining a high quality of life for Windsor residents.

### **Background:**

On July 13th, 2020, Council approved Interim Control By-law 103-2020 (MRICBL) which paused development on all lands, buildings, and structures for a Group Home, Shelter, Lodging House, and multi-unit residential with five or more dwelling units, unless exempted in the Interim Control By-law, in order to conduct intensification studies. Council approved an extension to By-law 99-2021 on May 18, 2022 for an additional year. The Interim Control By-law was lifted in July 2022 (By-Law 101-2022) with the adoption of an intensification framework in the City of Windsor Official Plan.

To support this initiative, the City engaged a consortium of consultants made up of Municipal Planning Consultants, The Planning Partnership and The Altus Group (the "consultants") to undertake intensification studies to determine the following:

- The appropriate locations within the city that can accommodate additional residential density;
- How to appropriately guide growth to those geographic areas;
- The extent to which a designated area can accommodate growth; and
- How to ensure compatibility within the existing neighbourhood context;

To address the above items, the consultants completed reports on Demographics and Economic Analysis, Multi-Residential Interim Control By-Law Study, and Intensification Guidelines. Some of the recommendations have already been implemented through Official Plan amendments, while others are part of the City's ongoing work program.

## **Key Findings**

The MRICBL Study led to several key findings and recommendations, primarily focused on enabling mixed-use (including multi-unit residential) development along public transit corridors and nodes (major intersections and concentrated land use areas). The reaction from the development community was considered to be supportive, as the resulting amendments sought to streamline the development process by removing the need for Official Plan amendments in some areas of the City.

Key findings include:

- Multi-residential growth should be directed to areas of the city that have:
  - Strong transit and transportation networks
  - Goods and services within walking distance
  - Adequate municipal services
  - Limited development constraints
- To facilitate development in these areas, the following strategies should be employed:
  - Reducing uncertainty in planning approvals by providing clear guidelines
  - Investing in infrastructure improvements, such as Community Improvement grants and land rezoning

Promoting development in designated areas will help reduce pressure for changes in other parts of the city, particularly in local neighbourhoods and surrounding areas.

## **Intensification Framework**

Enabling infilling and intensification within the city aligns with both provincial and municipal objectives. A comprehensive approach to residential intensification provides clarity and certainty for developers and neighbourhoods. The City has a responsibility to identify areas where intensification is appropriate and where more significant planning is necessary. Fundamental principles for this framework include recommendations from the Multi-Residential Interim Control By-law Study Background Report. The framework encourages growth in suitable areas while ensuring compatibility and transition with surrounding neighbourhoods.

At its February 10, 2025 meeting, Council received an update report about the Provincial Planning Statement (PPS), 2024 that came into effect on October 20, 2024. The Provincial Planning Statement is a policy statement issued under the authority of section 3 of the Planning Act, and explicitly states that planning authorities must ensure that all decisions regarding land use planning, development approvals, and municipal planning documents are consistent with the PPS.

All of the policies that fall under Section 2.2 Housing of the PPS are written as specific Provincial directives, with the expectation that municipalities increase the range and mix of housing options and densities across the city.

The PPS 2024 amends the PPS 2020 Housing Policies so that planning authorities shall provide for an appropriate range and mix of housing options and densities by, among other things, permitting and facilitating all types of residential intensification and development, and introduction of new housing options within previously developed areas, and redevelopment which results in a net increase in residential units (Policy 2.2.1.b).

Provincial Planning Statement 2024 now imposes general policies for strategic growth areas defined as:

*areas, nodes, corridors, and other areas that have been identified by municipalities to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form.*

The recommendations from the PPS report recognized that Planning Authorities across Ontario will have to further review and refine existing planning documents including Official Plans and Zoning by-laws. Some of the future policy updates described in this report included:

- Expanding on the existing Intensification Framework of mixed-use centres, nodes and corridors by establishing residential corridors and identifying all of them as Strategic Growth Areas;
- Refining the existing corridors and nodes within strategic growth areas which provide an appropriate type and scale of developments;
- Implementing Intensification Targets within designated growth areas;
- Reviewing and updating Chapter 3: Urban Growth Strategy of the Official Plan to identify the Designated Growth Areas (Sandwich South) and Strategic Growth Areas (centres, nodes and corridors), and to establish density and intensification targets respectively;
- Reviewing and updating Chapter 6: Land Use of the Official Plan to implement the Strategic Growth Areas and to ensure compatible intensification of the Strategic Growth Areas and neighbourhoods; and,
- Reviewing and updating the Additional Dwelling Unit (ADU) Official Plan policies and Zoning Bylaw regulations based on monitoring development activity and to comply with the recently released Ontario Regulation 462/24 (November 20, 2024).

At the February 10, 2025 Council meeting; Council approved the following recommendation to review the existing intensification framework to include residential corridors as follows:

*THAT administration BE DIRECTED to review and refine Windsor's existing intensification framework of mixed use centres, nodes and corridors to include residential corridors and identify all of the areas*

*identified for intensification as Strategic Growth Areas in conformity with section 2.4.1 of the Provincial Planning Statement, 2024...*

The Provincial Planning Statement (PPS), 2024 is a streamlined province-wide land use planning policy framework that replaces the previous Provincial Policy Statement 2020, and A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (the Growth Plan), while building upon housing-supportive policies from both documents.

**Discussion:**

**Implementation**

The framework for the above recommendations has been integrated into the Official Plan through Official Plan amendment 159, which outlines an intensification strategy and corresponding guidelines. Other recommendations remain part of the City’s ongoing work program.

The Official Plan implements a macro policy direction around infill and intensification. This policy direction focuses intensification to areas that can support it and where it is most appropriate – places that have access to transit, goods, services, and infrastructure. The intensification has been guided to “Intensification Priority Areas” made up of Mixed-Use Centres, Mixed-Use Corridors and Mixed-Use Nodes.

Currently, the Official Plan (OPA 159) provides a one-size-fits all approach to intensification across all identified “Intensification Priority Areas”. However, recognizes the need for flexibility by adopting the corresponding City of Windsor’s intensification/Design guidelines. These guidelines recognize that neighborhoods across the City vary, and therefore, intensification should be tailored to the specific needs and characteristics of each area. The policies and regulations guiding development should reflect this diversity. Below is a summary of previous phases of work completed as part of the Official Plan residential intensification projects within the City of Windsor:

<p><u>Regional Centres become Mixed Use Centres</u></p>	<ul style="list-style-type: none"> <li>• Permit Medium and High profile residential and mixed-use buildings.</li> <li>• The Zoning By-law would utilize separate zones to regulate the height of buildings adjacent to low profile residential uses, ensuring an appropriate transition</li> <li>• Design Guidelines will provide additional development details/examples</li> </ul>
<p><u>Mixed Use Corridors</u></p>	<ul style="list-style-type: none"> <li>• Permit Medium and High profile residential buildings</li> <li>• Parkland dedication and Parking requirements revised to encourage intensification</li> <li>• The Zoning By-law to regulate height adjacent to low profile residential areas, ensuring an appropriate transition</li> </ul>

	<ul style="list-style-type: none"> <li>• Direction regarding permitting non-residential uses on ground floor or requiring non-residential uses on the ground floor would be included in policy</li> <li>• The Zoning By-law to regulate areas where ground floor non-residential uses are required.</li> <li>• Design Guidelines will provide additional development details/examples</li> </ul>
<i>Mixed Use Nodes</i>	<ul style="list-style-type: none"> <li>• Permit medium profile buildings up to 20 m</li> <li>• The Zoning By-law to regulate height adjacent to low profile residential areas, ensuring an appropriate transition</li> <li>• Require 50 per cent of ground floor facing arterial or collector roads to be non-residential uses.</li> <li>• Parkland dedication and Parking requirements revised to encourage intensification</li> <li>• Zone Nodes to permit residential and mixed use areas</li> <li>• Design Guidelines will provide additional development details/examples</li> </ul>
<i>Low Profile Residential Areas – Stable Neighborhoods</i>	<ul style="list-style-type: none"> <li>• Policies to protect character through limits of gross floor area and height</li> <li>• Zoning By-law revised to include maximum height (9.0 m) and</li> <li>• Maximum gross floor area (400 sq m)</li> <li>• Require design brief as part of application process to define character and demonstrate compatibility</li> <li>• Design Guidelines will provide additional development details/examples</li> </ul>
<i>Design Guidelines - to address built form and transition in heights</i>	<ul style="list-style-type: none"> <li>• City of Windsor Intensification as the Design Guidelines referenced in the Official Plan to evaluate Infill and Intensification development proposals.</li> </ul>

**Growth Strategy/Strategic Growth Areas**

In October 2024, the Provincial Planning Statement 2024 was released and implements a series of changes regarding planning for future growth. The PPS introduces new land-use planning rules designed to provide municipalities with the tools and flexibility needed to meet housing targets while addressing local challenges and priorities. Notably, the PPS introduces policies for strategic growth areas that emphasize complete communities, a range and mix of housing options, and intensification goals.

The PPS 2024 emphasizes the need for municipalities to promote growth within Strategic Growth Areas, which include areas, nodes, and corridors served with frequent transit, similar to the existing “intensification priority areas” identified in the City of Windsor Official Plan.

Planning authorities are encouraged to identify and focus growth and development in strategic growth areas. *(Policy 2.4.1) Planning authorities should:*

- a) Prioritize planning and investment for infrastructure and public service facilities in strategic growth areas;*
- b) Identify the appropriate type and scale of development in strategic growth areas and the transition of built form to adjacent areas;*
- c) Permit development and intensification in strategic growth areas to support the achievement of complete communities and a compact built form;*

Additionally, the PPS 2024 introduces Policy 2.4.3, which mandates that planning authorities plan for intensification on lands adjacent to existing and planned frequent transit corridors. *“Frequent transit” is defined as public transit services that run at least every 15 minutes in both directions, throughout the day and into the evening,...”*

## **Work Programs**

These Provincial directives are in keeping with the City of Windsor’s existing focus on intensification priority areas, reinforcing the City’s ongoing efforts to promote development within corridors with access to transit, goods, services, and optimizing infrastructure.

As a continuation of Provincial legislation and part of an ongoing work program for the City; Official Plan amendments will continue to be undertaken to provide refinements within the existing growth strategy and intensification framework.

As an initial step, amendments will be initiated for land uses that relate to intensification priority areas within the City. Policy refinements and a new land use designation is being proposed, which would facilitate housing options and densities in areas that can support it, while taking into consideration the transition of built form to adjacent areas and key provisions within the City of Windsor Intensification/Design Guidelines. A Residential Corridor land use designation and draft policy is being proposed.

The proposed policy objectives:

- Focus exclusively on housing
- Revisit existing intensification priority areas where surrounding land uses are predominately residential
- Focus on areas which include frequent transit
- Provide connectivity between mixed-use areas and neighbourhoods
- Provide guidelines for residential intensification on corridors where the surrounding land uses are primarily low profile residential

- Increase the range of housing options and densities to be realized through redevelopment, while taking into consideration the surrounding neighbourhood characteristics
- Provide objectives for modest intensification in areas which exhibit a characteristic lotting and/or development profile (i.e existing developed residential lot patterns)
- Provide opportunity for higher density intensification in areas which exhibit a characteristic lotting and/or undeveloped profile (i.e existing larger undevelopment lot patterns)
- Focus on residential redevelopment within corridors (Arterial and Collector roads) to increase housing options and facilitate the transition of built form to adjacent areas
- Focus on a net increase in residential units to facilitate intensification and infill development in existing areas of the city by reducing the requirement for development applications in some circumstances.
- Continue to implement the recommendations from OPA 159, while providing further direction in the policy as they relate to the adopted City of Windsor intensification/design guidelines and built form
- Provide predictability for applicants, the City, and stakeholders, by providing consistent direction about the criteria for the design of proposed development
- Provide opportunities for clarity and streamlining applications
- Provide policy objectives for the expansion of growth areas to accommodate future growth. Policies can be expanded to future areas within the City of Windsor
- Expand on Provincial direction for identifying strategic growth areas within the City of Windsor Official Plan.

### **Benefits of Establishing the Residential Corridor Designation**

The Residential Corridor Land Use Designation in the Official Plan would serve as a key policy tool to facilitate a gradual transition between high-intensity Mixed-Use Nodes and Corridors and established lower-density residential neighborhoods. Through well-defined policies, it enables a balanced approach to growth by introducing moderate-density housing types, such as townhomes, stacked rowhouses, and mid-rise apartments, in strategically located corridors. These policies help prevent abrupt shifts in building height and density by promoting context-sensitive development that complements surrounding areas. Design guidelines ensure that setbacks, step-backs, landscaping, and architectural treatments create a smooth visual and functional transition, maintaining neighborhood character while supporting increased housing diversity. Additionally, Residential Corridor policies emphasize enhanced connectivity, pedestrian-oriented design, and transit access, reinforcing walkability and reducing reliance on private vehicles. By providing a structured framework for density increases while preserving livability, the Residential Corridor designation plays a crucial role in promoting sustainable, well-integrated growth within the urban fabric.

- Encourage a range of housing types, including townhomes, stacked rowhouses, mid-rise apartments, and live-work units, to accommodate different household needs.
- Support affordable housing opportunities by allowing increased density in well-served areas while maintaining livability.
- Promote aging-in-place strategies by integrating housing options that support seniors, young professionals, and families.
- Establish gradual transitions from high-intensity Mixed-Use Nodes and Corridors to lower-density residential neighborhoods.
- Prevent abrupt shifts in building height, density, and activity levels by integrating medium-density housing such as townhouses and low-rise apartments.
- Use landscaping, setbacks, and architectural design to maintain compatibility with adjacent areas.
- Facilitate moderate-density growth in areas with strong transit connectivity and access to community amenities.
- Reduce development pressures in established neighborhoods by directing growth to designated corridors.

### **Residential Corridor Range of Permitted Uses**

The Residential Corridor land use designation aims to support the development of housing options while respecting the character of existing residential areas. The permitted uses focus on residential forms that complement the surrounding areas including low profile residential development and smaller multiple dwellings. The Residential Corridor would recognize existing low profile residential uses to not create legal-non-conforming circumstances, while permitting an increase in density. The policy would include some flexibility for permitting medium and higher density development within residential corridors in carefully considered circumstances, particularly where there is opportunity for growth without disrupting the established parcel fabrics.

Uses permitted in the Residential Corridor land use designation are generally low-profile residential uses, as well as institutional uses that are generally no more than three stories height.

In addition to the permitted uses in a Residential Corridor; Council may permit medium and high-density residential development and profiles provided:

- The proposal is located within a largely undeveloped area which does not have a characteristic lot or development profile;
- Council is satisfied that the proposal provides appropriate transitions to abutting lower scale development are established. Appropriate transitions may be achieved through the implementation of regulatory techniques including, but not limited to new height limitations, enhanced building setbacks and step backs, enhanced landscape buffers and planting requirements and/or the implementation of an angular plane;

- The proposal is located on a site of suitable size for the proposed development, and shall provide adequate landscaping, on-site amenity features and spaces, on-site waste pickup, on-site parking, buffering and on-site stormwater management features.

### **Examples of Residential Corridors Structures (Appendix A)**

- Wyandotte Street East (Fairview Blvd intersection)
- St Anne's Arms/Lesperance Road samples (Tecumseh)
- Walker Road - Walkerville Stones

### **Where they would be**

The Residential Corridor designation is intended to guide development in areas where growth can be thoughtfully integrated with existing infrastructure. Residential Corridors are ideally located on certain collector and arterial roads where full municipal services and frequent transit opportunities are available or planned to be available. Furthermore the locations should be well positioned to connect to mixed use areas, ensuring that development serves as a transition from low density residential areas to higher density mixed use areas.

Residential Corridor development shall be located where:

- there is direct access to Class I or Class II Arterial Roads or Class I Collector Roads;
- full municipal physical services can be provided; and
- there is a logical connectivity to Mixed Use Corridors, Mixed Use Nodes, and Mixed Use Centres
- can create gradual transitions between lower-density neighbourhoods and higher-density mixed use centres, mixed-use nodes, and mixed-use corridors;
- public transportation services and alternative forms of transportation are accessible; available or are planned to be available;

### **Evaluation Criteria**

The purpose of the evaluation policies is to provide a framework for assessing new developments within a residential corridor. The policies outline considerations and criteria to be used when reviewing development applications. The policy reflects an evaluation based on certain criteria including the existing parcel fabrics as it relates to lot sizes, lot depths, massing, and the relationship to adjacent buildings. Proposed evaluation criteria includes consideration of the following:

- compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas;
- the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;
- the consideration of transitions in height and density to adjacent buildings;

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed development within a Residential Corridor is:

- feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:
  - within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;
  - within a site of potential or known contamination;
  - where traffic generation and distribution is a provincial or municipal concern; and
  - adjacent to sensitive land uses and/or heritage resources.
- in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;
- capable of being provided with full municipal physical services and emergency services;
- provided with adequate off-street parking;
- compatible with adjacent land uses including matters such as shadowing, overview, noise, lighting, traffic, and other nuisance effects;
- compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas;
- the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;
- the consideration of transitions in height and density to adjacent buildings;

### **Extending or Establishing New Corridors**

As the City of Windsor continues to experience growth and development pressures, the need for new or extended Residential Corridors will become more evident. The expansion or extension of new Residential Corridors will be carefully considered to ensure that they align with the overall vision of the Official Plan. The policies for establishing or extending new Residential Corridors reflect the following considerations:

Council will only designate or extend a Residential Corridor when the Municipality is satisfied that:

- there is demonstrated market demand for residential development, and the need for diverse housing options;
- new forms of residential development can be achieved in a way that is compatible with the surrounding neighbourhood;
- the environmental, traffic, and infrastructure impacts can be addressed;
- It can be coordinated with major infrastructure improvements along the proposed corridor;
- existing Residential Corridors have seen significant progress towards intensification;
- expansion will provide continuity and not impact existing lotting patterns;

- the area represents a logical extension of growth for the corridor, and can appropriately integrate with existing development

## **Design Guidance – Compatibility**

In planning terms, compatibility refers to the ability of land uses or developments to coexist, even when they are not identical or similar. The definition of “compatible” most often referred to can be found in *Motisi v. Bernardi*, 1987 CarswellOnt 3719, (1987) O.M.B.D. No. 2, 20 O.M.B.R. 129:

*Being compatible with is not the same thing as being the same as. Being compatible with is not even the same thing as being similar to. Being similar to implies having a resemblance to another thing; they are like one another, but not completely identical. Being Compatible with implies nothing more than being capable of existing together in harmony.*

In evaluating development proposals within a Residential corridor, the design policies are intended to foster development that is compatible and complementary to the existing characteristics. The design guidance focuses on connectivity to mixed use areas, site orientation, pedestrian-friendly design, and minimizing disruptive traffic impacts.

The following guidelines shall be considered when evaluating the proposed design of a development within a Residential Corridor:

- the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan;
- the provision of appropriate landscaping or other buffers to:
  - enhance all parking lots, and outdoor loading and service areas; and
  - enhance the separation between the use and adjacent sensitive uses, where appropriate;
- where possible, parking is located in the rear of the buildings to create continuous building facades adjacent to the street;
- Council will encourage Residential Corridor development to provide a continuous street frontage and presence.
- measures are taken in site design which provide for ease of access for pedestrians between the public sidewalk and building main entrances in a manner which is distinguishable from access provided for vehicles;
- minimize the number of vehicular access points to the adjacent Class I or Class II Arterial Roads or Class I Collector Roads;
- Council will adopt Design Guidelines that will assist in the design and review of development applications in a manner that will ensure implementation of these policies;
- Council may adopt a Special Policy Areas to provide additional detail for addressing specific planning issues affective or characterizing a defined Residential Corridor.

In addition to the above design guidelines, Council may go beyond the residential corridor and address specific planning issues or unique characteristics within a particular residential corridor. The use of Special Policy areas and section 20 zoning provisions could provide additional guidance on addressing development challenges.

## **Provincial Planning Statement (PPS) 2024**

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 vision of the PPS focuses growth and development within urban settlement areas, that 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. Planning authorities are encouraged to permit and facilitate a range of housing options, including residential intensification, to respond to current and future needs. Land use patterns should promote a mix of housing, including opportunities for infill and intensification that support a broad range of housing options. Specific Provincial Policy that applies to housing and growth are summarized below.

### **2.1 Planning for People and Homes**

Policy 2.1.6 states:

*Planning authorities should support the achievement of complete communities by:*

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;*
- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and*
- c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.*

Land use policies would focus on residential intensification, further diversifying the range and mix of housing options available within the City of Windsor. Intensification could provide more options for individuals who wish to live or remain within the Planning Areas however prefer an alternative form of housing.

### **2.2 Housing**

Policy 2.2.1 states:

*Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:*

- c) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and*
- d) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.*

Official Plan policies will continue to guide intensification to areas which optimize the existing municipal infrastructure and public service facilities, and avoid unnecessary land consumption.

Policy 2.2.1(b)(2) states that: *all types of residential intensification, including the ..., development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;*

Official Plan policies would focus on providing a range of housing and opportunities for net increase in residential units.

## **2.3 Settlement Areas and Settlement Area Boundary Expansions**

### **2.3.1 General Policies for Settlement Areas**

**2.3.1.1** - *Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.*

**2.3.1.2** - *Land use patterns within settlement areas should be based on densities and a mix of land uses which:*

- a) *efficiently use land and resources,*
- b) *optimize existing and planned infrastructure and public service facilities,*
- c) *support active transportation,*
- d) *are transit-supportive, as appropriate*

**2.3.1.3** - *Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.*

Official Plan policies will continue to allow for the redevelopment of lands within settlement areas through intensification, optimizing existing municipal infrastructure and public service facilities, and avoiding unnecessary land consumption.

## **2.4 Strategic Growth Areas**

### **2.4.1 General Policies for Strategic Growth Areas**

Planning authorities are encouraged to identify and focus growth and development in *strategic growth areas*.

Planning authorities should:

- a) *prioritize planning and investment for infrastructure and public service facilities in strategic growth areas;*
- b) *identify the appropriate type and scale of development in strategic growth areas and the transition of built form to adjacent areas;*
- c) *permit development and intensification in strategic growth areas to support the achievement of complete communities and a compact built form;*

Official Plan policies will focus on identifying areas which can strategically support growth and intensification, while providing guidance for transition of built form to adjacent areas.

### **2.4.3 Frequent Transit Corridors**

*Planning authorities shall plan for intensification on lands that are adjacent to existing and planned frequent transit corridors, where appropriate.*

Intensification would be promoted along major roads which can support frequent transit opportunities. Residential Corridors would be proposed in areas which include public transportation or multi-modal transportation options.

## **2.9 Energy Conservation, Air Quality and Climate Change**

**Policy 2.9.1** - *Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that:*

- a) *support the achievement of compact, transit-supportive, and complete communities*

## **Chapter 3: Infrastructure and Facilities**

### **3.6 Sewage, Water and Stormwater**

**Policy 3.6.2** - *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. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems*

### **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”.

Official Plan amendments would continue to ensure that the goals and objectives of the plan allow for the orderly development of land.

### **Financial Matters:**

There are no immediate financial implications with the tabling of this report.

### **Risk Analysis:**

#### **Climate Change Risks**

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

The proposed Residential Corridor land use designation and policy direction implements Environmental Master Plan Objective C1: Encourage in-fill and higher density in existing built areas.

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

Redevelopment within the proposed Residential Corridor land use designation may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process. The site would also be required to incorporate storm water management best practices.

### **Consultations:**

This report is being tabled to facilitate discussion and input regarding proposed Official Plan changes. Courtesy notice was provided in the Windsor Star. Further notification in the Windsor Star is mandatory under the Planning Act prior to the formal consideration of any amendments to the Official Plan or Corresponding Zoning By-Law by the Development and Heritage Standing Committee.

### **Planners Opinion:**

This report provides an overview of draft policy initiatives as it relates to a Residential Corridor land use designation within the City of Windsor Official Plan. Further refinements and input is being sought by tabling the report at the Development and Heritage Standing Committee.

### **Conclusion:**

This report has been prepared to provide further information on draft policy initiatives within the City of Windsor Official Plan.

**Planning Act Matters:**

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

*Greg Atkinson, MCIP, RPP*  
Deputy City Planner - Development

*Neil Robertson, MCIP, RPP*  
City Planner

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

JP JM

**Approvals:**

<b>Name</b>	<b>Title</b>
Frank Garardo	Planner III – Policy and Special Studies
Jason Campigotto	Deputy City Planner - Growth
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	City Planner / Executive Director, Planning & Development Services
Aaron Farough	Senior Legal Counsel, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development
Janice Guthrie acting for Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

1. Appendix A – Examples of Residential Corridor Structure Types

**Appendix A**

Wyandotte Street East (Fairview Blvd intersection) – low-rise multiple dwelling



Lesperance Road (Town of Tecumseh)- Low rise multiple dwellings





Walkerville Stones- Walker Road



**Subject: Additional Information Memo to S 15/2025 - Official Plan Amendment 194- Residential Corridor Land Use Policy- City Wide**

**Reference:**

Date to Council: May 5, 2025  
Author: Frank Garardo MCIP, RPP  
Planner III - Special Projects  
519-255-6543 (ext. 6446)  
Planning & Building Services

Report Date: 4/10/2025  
Clerk's File #: Z2025

**To:** Mayor and Members of City Council

**Subject: Additional Information Memo to S15/2025,**

**Additional Recommendations for Report # S15/2025:**

1. THAT Official Plan Amendment 194 **BE APPROVED** and Volume 1: The Primary Plan of the City of Windsor Official Plan ("Official Plan") **BE AMENDED** as follows:
  - Chapter 6: Land Use of the Official Plan **IS AMENDED** by adding section 6.3.3 Residential Corridors as shown on Appendix A of this Report.
2. THAT administration **BE DIRECTED** to hold further public consultation on the candidate areas for Residential Corridor designations.
3. THAT administration **BRING BACK** Official Plan amendments to designate the candidate areas as Residential Corridors.

**Background:**

The Development & Heritage Standing Committee (DHSC) considered report S15/2025 concerning the advancement of new Official Plan Policy at their March 5, 2025 meeting.

DHSC approved the following motion:

*THAT the report of the Planner III – Policy and Special Studies dated February 11, 2025 entitled "Proposed Official Plan Residential Corridor Land Use Designation-City Wide" **BE TABLED** at the Development & Heritage Standing Committee meeting to allow for*

*further discussion and input regarding the proposed Official Plan policies prior to formal consideration by the Standing Committee and Council.*

The purpose of this memo is to provide an update and recommendations on the proposed Official Plan Amendment (OPA194) - Residential Corridor Land Use Policy. The original report (S15/2025) included the policy framework for introducing a new land use policy in the Official Plan.

## **Discussion:**

### **Proposed Residential Corridor Land Use Policy**

The proposed amendment introduces a new land use designation and corresponding policies that will increase the range of housing options and densities in areas that have access to transit, goods and services, infrastructure, etc., while taking into consideration the transition of built form to adjacent areas and key provisions within the City of Windsor Intensification/Design Guidelines.

### **Permitted Uses**

The permitted uses focus on residential forms that complement the surrounding areas including low profile residential development and "missing middle" housing types like triplexes, townhouses, stacked dwellings, and low to mid-rise apartments.

The Residential Corridor would recognize existing low profile residential uses to not create legal-non-conforming circumstances, while permitting an increase in density. The policy would include some flexibility for permitting medium and higher density development within residential corridors in carefully considered circumstances, particularly where there is opportunity for growth and sufficient area to provide a separation and/or transition to existing low profile development.

Uses permitted in the Residential Corridor land use designation are generally low-profile residential uses, as well as institutional uses that are generally no more than three stories height. In addition to the permitted uses in a Residential Corridor; Council may permit higher density medium and high-profile residential development provided:

- The proposal is located within a largely undeveloped area which does not have a characteristic lot or development profile;
- Council is satisfied that the proposal provides appropriate transitions to abutting lower scale development. Appropriate transitions may be achieved through the implementation of regulatory techniques including, but not limited to new height limitations, enhanced building setbacks and step backs, enhanced landscape buffers and planting requirements and/or the implementation of an angular plane;
- The proposal is located on a site of suitable size for the proposed development, and shall provide adequate landscaping, on-site amenity features and spaces, on-site waste pickup, on-site parking, buffering and on-site stormwater management features.

## Locational Criteria

The Residential Corridor designation is intended to guide development in areas where growth can be thoughtfully integrated with existing infrastructure. Residential Corridors are ideally located on select collector and arterial roads where full municipal services and frequent transit opportunities are available or planned to be available. Furthermore the locations should be well positioned to connect to mixed use areas, ensuring that development serves as a transition from low density residential areas to higher density mixed use areas.

Residential Corridor development shall be located where:

- there is direct access to Class I or Class II Arterial Roads or Class I Collector Roads;
- full municipal physical services can be provided;
- there is a logical connectivity to Mixed Use Corridors, Mixed Use Nodes, and Mixed Use Centres;
- gradual transitions between lower-density neighbourhoods and higher-density mixed use centres, mixed-use nodes, and mixed-use corridors can be achieved; and
- public transportation services and alternative forms of transportation are accessible; available or are planned to be available;

## Evaluation Criteria

The purpose of the evaluation policies is to provide a framework for assessing new developments within a residential corridor. The policies outline considerations and criteria to be used when reviewing development applications. The policy reflects an evaluation based on certain criteria including the existing parcel fabrics as it relates to lot sizes, lot depths, massing, and the relationship to adjacent buildings. Proposed evaluation criteria includes consideration of the following:

- compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas;
- the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;
- the consideration of transitions in height and density to adjacent buildings;
- feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:
  - within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;
  - within a site of potential or known contamination;
  - where traffic generation and distribution is a provincial or municipal concern; and
  - adjacent to sensitive land uses and/or heritage resources.
- in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;

- capable of being provided with full municipal physical services and emergency services;
- provided with adequate off-street parking;
- compatible with adjacent land uses including matters such as shadowing, noise, lighting, traffic, and other nuisance effects;
- compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas;
- the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;
- the consideration of transitions in height and density to adjacent buildings;

**Recommendation 1 is recommending that the City of Windsor Official Plan policies be amended as shown on Appendix A.**

### **Next Steps- Locations**

As an initial step, it is recommended that a refinement of previously identified “intensification priority areas” be undertaken. The candidate locations listed below are situated within predominately residential areas and are well-suited to accommodate additional housing. These areas benefit from direct access to public transit, bike lanes, and pedestrian walkways, making them strong candidates for Residential Corridor policies.

These locations were originally identified as “intensification priority areas” during the Official Plan amendment 159 process which implemented uniform policies across the City of Windsor, with the recognition that intensification should be tailored to the specific needs and characteristics of each area. The Residential Corridor land use designation builds upon the intensification framework and provides more detailed guidance based on the characteristics of the area.

**Howard Avenue:** The corridor on Howard Avenue from Cabana Road West to Division Road is currently undergoing a guideline plan to identify more detailed planning framework for the area. The attributes of the area include large, underutilized lots which include opportunities for medium to higher density residential development along the corridor. Furthermore, the area is well positioned to connect to already existing mixed-use centres located to the North. Designating this area as a Residential Corridor would provide direction for future residential intensification projects.

**Wyandotte Street East:** Wyandotte Street East is currently designated as a mixed-use corridor which includes a variety of sections which include low density residential, medium density residential, mixed use, and commercial areas. The existing areas with low profile homes are ideal candidates for contextually appropriate residential intensification with gradual transitions to the higher density sections.

**Cabana Road West:** The corridor between Randolph Street and Howard Avenue includes predominantly low profile residential development with existing lotting patterns which resemble typical low density residential lots. A residential corridor designation would continue to encourage a net increase in residential units, with the additional

policies in the residential corridor outlining the necessary transition requirements for the type and scale of development.

**Lauzon Road:** The corridor between Wyandotte St E and St. Rose Ave includes predominantly low profile residential development with existing lotting patterns which resemble typical low density residential lots. A residential corridor designation would continue to encourage a net increase in residential units, with the additional policies outlining the necessary transition requirements for the type and scale of development.

Administration would host further public consultation on the candidate areas, including open house events with an opportunity for public consultation prior to Council consideration.

## **Provincial Planning Statement (PPS) 2024**

The Provincial Planning 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 vision of the PPS focuses growth and development within urban settlement areas, requires that land use be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns. Planning authorities are encouraged to permit and facilitate a range of housing options, including residential intensification, to respond to current and future needs. Land use patterns should promote a mix of housing, including opportunities for infill and intensification that support a broad range of housing options.

## **Financial Matters:**

There are no immediate financial implications with adoption of these recommendations. The implementation of the recommendations from this report and subsequent Zoning By-law Amendments will provide more housing options in a fiscally responsible way.

## **Consultations:**

A meeting of the Development & Heritage Standing Committee was held on March 3, 2025 to discuss the Background Report and preliminary direction coming from the recommendations. This meeting was advertised in the Windsor Star and open to the public.

An in-person public engagement event was held at City Hall on April 22, 2025 between the hours of 4:00-6:00pm to present and consult the public on the draft Official Plan Amendment. Additionally, a virtual public engagement session was held on April 22, 2025 between the hours of 6:30-7:30pm.

A lets talk-Windsor interactive site has been made available to invite the public to share further feedback, ideas, and questions on the proposed Policy.

Courtesy notice was provided in the Windsor Star.

**Conclusion:**

This report has been prepared to provide further recommendations on draft policy initiatives within the City of Windsor Official Plan. The original report (S15/2025) included the policy framework for introducing a new land use policy in the Official Plan.

**Planning Act Matters:**

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

*Greg Atkinson, MCIP, RPP*  
Deputy City Planner - Development

*Neil Robertson, MCIP, RPP*  
City Planner

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

JP JM

**Approvals:**

<b>Name</b>	<b>Title</b>
Frank Garardo	Planner III – Policy and Special Studies
Jason Campigotto	Deputy City Planner - Growth
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	City Planner / Executive Director, Planning & Development Services
Aaron Farough	Senior Legal Counsel, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

**Appendices:**

1. Appendix A – Official Plan Amendment 194
2. Appendix B – Public Engagement Comments

# APPENDIX A

## **PROPOSED AMENDMENT 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 Proposed Amendments

Also included, but not constituting part of the Amendment are Part A (Basis); Part C (Implementation)

This Official Plan Amendment contains the following Parts:

Part A: Basis

Part B: Details of the Amendment

Part C: Implementation

DRAFT

## **PART A: BASIS**

---

### **1.0 PURPOSE**

#### **RESIDENTIAL CORRIDORS**

Land use policies are being proposed to provide a framework for residential redevelopment within intensification priority areas where present and future residents will be in proximity to goods and services, public transportation and employment areas.

The proposed Residential Corridor land use designation is intended to encourage residential development that supports compatible residential development, while acknowledging the transition of the proposed built form to adjacent areas. Land uses within a Residential Corridor will focus exclusively on opportunities for housing while optimizing the use of existing infrastructure and transit.

### **2.0 LOCATION AND DESCRIPTION OF LANDS AFFECTED BY THE AMENDMENT**

The amendment would affect lands on *Schedule D: Land Use* of the City of Windsor Official Plan designated as Residential Corridor.

### **3.0 BACKGROUND**

The Official Plan implements a macro policy direction around infill and intensification. This policy direction focuses intensification to areas that can support it and where it is most appropriate – places that have access to transit, goods and services, and infrastructure. The intensification has been guided to “Intensification Priority Areas” made up of Mixed-Use Centres, Mixed-Use Corridors and Mixed-Use Nodes.

Currently, the Official Plan provides a one-size-fits all approach to intensification across all identified “Intensification Priority Areas”. However, recognizes the need for flexibility by adopting the corresponding City of Windsor intensification Guidelines. These guidelines recognize that neighborhoods across the City vary, and therefore, intensification should be tailored to the specific needs and characteristics of each area. The policies and regulations guiding development should reflect this diversity.

The proposed amendment provides an additional framework for “intensification priority areas” and introduces a new land use designation – Residential Corridors. The Residential Corridor Land Use Designation serves as a key policy tool to facilitate a gradual transition between high-intensity Mixed-Use Nodes and Corridors and established lower-density residential neighborhoods. Through well-defined policies, it enables a balanced approach to growth by introducing housing types, such as townhomes, stacked dwellings, and low to mid-rise apartments, in strategically located corridors.

## **PART B: DETAILS OF THE AMENDMENT**

---

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

- 1. Section 6.2.1.1 is hereby amended by adding the following:**
  - x) Residential Corridors**
- 2. Section 6.3 Residential is hereby amended by adding the following section:**

### **6.3.3 Residential Corridor**

*The Residential Corridor land use designation is intended for residential development that supports a range of housing options to optimize the use of existing infrastructure and transit.*

*The Residential Corridor Designation provides a connection between Windsor neighbourhoods and Mixed Use Corridors, Mixed Use Nodes, and Mixed Use Centres.*

*Transit service, cycling and pedestrian facilities are provided or planned to be provided along Residential Corridors. These services are intended to encourage options for multi-modal transportation while also supporting complete communities.*

*Where there is a conflict between the policies of Chapter 3 and the policies of this section, the policies of this Section shall prevail.*

<i>PERMITTED USES</i>	<b>6.3.3.1</b>	<i>Uses permitted in the Residential Corridor land use designation are a range of low-profile residential uses (as defined in policy 6.3.2.3) that are generally no more than three stories in height. Townhomes, low profile apartments, and multiple dwelling structures are encouraged.</i>
<i>NEW OR EXTENDED CORRIDORS</i>	<b>6.3.3.2</b>	<p><i>Council will only designate or extend a Residential Corridor when the Municipality is satisfied that:</i></p> <ul style="list-style-type: none"> <li><i>a) There is demonstrated market demand for residential development, and the need for diverse housing options;</i></li> <li><i>b) New forms of residential development can be achieved in a way that is compatible with the surrounding neighbourhood;</i></li> <li><i>c) The environmental, traffic, and infrastructure impacts can be addressed;</i></li> <li><i>d) It can be coordinated with major infrastructure improvements along the proposed corridor;</i></li> <li><i>e) Existing Residential Corridors have seen significant progress towards intensification;</i></li> <li><i>f) Expansion will provide continuity and not impact existing lotting patterns; and</i></li> <li><i>g) The area represents a logical extension of growth for the corridor, and can appropriately integrate with existing development.</i></li> </ul>
<i>LOCATIONAL CRITERIA</i>	<b>6.3.3.3</b>	<p><i>Residential Corridor development shall be located where:</i></p> <ul style="list-style-type: none"> <li><i>a) there is direct access to Class I or Class II Arterial Roads or Class I Collector Roads;</i></li> <li><i>b) full municipal physical services can be provided;</i></li> </ul>

- c) *there is a logical connectivity to Mixed Use Corridors, Mixed Use Nodes, and Mixed Use Centres;*
- d) *gradual transitions between lower-density neighbourhoods and higher-density mixed use centres, mixed-use nodes, and mixed-use corridors can be achieved; and*
- e) *public transportation services and alternative forms of transportation are accessible; available or are planned to be available;*

*EVALUATION  
CRITERIA OF  
DEVELOPMENT  
WITHIN A  
RESIDENTIAL  
CORRIDOR*

**6.3.3.4**

*At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed development within a Residential Corridor is:*

- (a) *feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:*
  - (i) *within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;*
  - (ii) *within a site of potential or known contamination;*
  - (iii) *where traffic generation and distribution is a provincial or municipal concern; and*
  - (iv) *adjacent to sensitive land uses and/or heritage resources.*
- (b) *in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;*

- (c) *capable of being provided with full municipal physical services and emergency services;*
- (d) *provided with adequate off-street parking;*
- (e) *compatible with adjacent land uses including matters such as shadowing, noise, lighting, traffic, and other nuisance effects;*
- (f) *compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas;*
- (g) *the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;*
- (h) *the consideration of transitions in height and density to adjacent buildings;*

*DESIGN  
GUIDELINES*

**6.3.3.5**

*The following guidelines shall be considered when evaluating the proposed design of a development within a Residential Corridor:*

- (a) *the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan;*
- (b) *the provision of appropriate landscaping or other buffers to:*
  - i) *enhance all parking lots, and outdoor loading and service areas; and*
  - ii) *enhance the separation between the use and adjacent sensitive uses, where appropriate;*
- (c) *where possible, parking is located in the rear of the buildings to create continuous building facades adjacent to the street;*

- (d) council will encourage Residential Corridor development to provide a continuous street frontage and presence.*
- (e) measures are taken in site design which provide for ease of access for pedestrians between the public sidewalk and building main entrances in a manner which is-distinguishable from access provided for vehicles;*
- (f) minimize the number of vehicular access points to the adjacent Class I or Class II Arterial Roads or Class I Collector Roads;*
- (g) council will adopt Design Guidelines that will assist in the design and review of development applications in a manner that will ensure implementation of these policies;*
- (h) council may adopt a Special Policy Areas to provide additional detail for addressing specific planning issues affective or characterizing a defined Residential Corridor.*

*ADDITIONAL  
PERMITTED  
USES  
(INCREASE IN  
DENSITY)*

**6.3.3.6**

*In addition to the permitted uses in a Residential Corridor; Council may permit medium and high-density residential development and profiles provided:*

- a) The proposal is located within a largely undeveloped area which does not have a characteristic lotting or development profile as defined in section 6.2.1.3 b);*
- b) Lot sizes are larger than the existing lot pattern found in the surrounding area;*
- c) Council is satisfied that the proposal provides appropriate transitions to abutting lower scale development. Appropriate transitions may be achieved through the implementation of regulatory techniques including, but not limited to new height limitations, enhanced building setbacks and step backs, enhanced landscape buffers and planting requirements and/or the implementation of an angular plane;*
- d) The proposal is located on a site of suitable size for the proposed development, and shall provide adequate landscaping, on-site amenity features and spaces, on-site waste pickup, on-site parking, buffering and on-site stormwater management features;*
- e) The ability to conform with sections 6.3.3.4 to 6.3.3.5 of this plan.*

**PART C: IMPLEMENTATION**

Official Plan Amendments would be implemented by making the referenced changes to the land use schedules and text of the City of Windsor Official Plan and Council passing of the required zoning by-laws.

## RESIDENTIAL CORRIDOR LAND USE POLICY (OPA 194) COMMENT FORM

Name: Terry Kennedy	Email:
Address: [REDACTED]	Phone #: [REDACTED]
Comments: My concerns, for Sandwich Town, is the on-going problems, of Quality-of-Life. The environment and the push-back, of having too much population growth — without the services. Homes, should not be, set-upon, by politician — with unreasonable agendas. Councillors, should understand the <u>character</u> , of Communities, before passing judgement, or weaponizing poverty for the benefit — of multi-millionaires. * I'm still looking, for the view of the planning Dept. — as they <u>have not</u> , included the elements of the Transportation Masterplan — with the mis-givings of "The Residential Corridore Project."	



**Committee Matters: SCM 119/2025**

**Subject: Adoption of the Development & Heritage Standing Committee minutes of its meeting held April 7, 2025**

**Development & Heritage Standing Committee Meeting**

**Date: Monday, April 7, 2025**  
**Time: 4:30 pm**

**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 Charles Pidgeon  
Member John Miller  
Member William Tape  
Member Joseph Fratangeli

**Members Regrets**

Member Robert Polewski  
Member Khassan Saka

**ALSO PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING:**

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 – Development

# Minutes

## Development & Heritage Standing Committee

Monday, April 7, 2025

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Jason Campigotto, Deputy City Planner - Growth  
Phong Nguy, Executive Director Operations/ Development City Engineer  
John Revell, Chief Building Official  
Ian Day, Senior Manager Traffic Operations/Parking  
Aaron Farough, Senior Legal Council  
Emilie Dunnigan, Manager, Development Revenue & Financial Administration  
Patrick Winters, Manager, Development  
Tea De Angelis, Supervisor, Research & Policy  
Tracy Tang – Planner III, Heritage  
Adam Szymczak, Planner III - Development  
James Abbs, Planner III - Development  
Kevin Alexander, Planner III - Special Projects  
Laura Strahl, Planner III - Special Projects  
Frank Gerardo, Planner III - Policy & Special Studies  
Sophia Di Blasi, Planner II-Research & Policy Support  
Chris Gerardi, Policy Analyst  
Elara Mehrilou, Transportation Planner I  
Natasha McMullin, Senior Clerk Steno  
Anna Ciacelli, Deputy City Clerk / Supervisor of Council Services

### Delegations—participating via video conference

Item 7.1– Caroline Baker, Baker Planning Group  
Item 7.3 – Robert Brown, Oakview Land Use Planning  
Item 7.3 – John Leslie, Representative for 2408380 Ontario Inc.  
Item 10.1 – Shan Xue, BDB Development Inc.  
Item 11.3 – Shan Xue, BDB Development Inc.  
Item 11.6 – John Naccarato, Owner

### Delegations—participating in person

Item 7.1– Manni Japra, Applicant  
Item 7.1 – Adam Meloche, Meloche Architectural Studio  
Item 7.3 – Anthony Debly, Representative for Adjacent Property Owner  
Item 7.4 – Melanie Muir, Dillon Consulting Limited  
Item 10.2 – John Bortolotti, Architect for Applicant  
Item 10.3 – John Bortolotti, Architect for Applicant  
Item 11.5 – Melanie Muir, Dillon Consulting Limited

## 1. CALL TO ORDER

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

# Minutes

Development & Heritage Standing Committee  
Monday, April 7, 2025

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

None disclosed.

## 3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

### 11.5. University Avenue West and Wyandotte Street West Community Improvement Plan Grant Applications made by the University of Windsor for 401 Sunset (Ward 2)

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

THAT the report of the Planner III - Special Projects dated March 14, 2025, entitled "University Avenue West and Wyandotte Street West Community Improvement Plan Grant Applications made by the University of Windsor for 401 Sunset Avenue (Ward 2)" **BE DEFERRED** to a future Development & Heritage Standing Committee to allow for the applicant to update their design and resubmit the application.

Carried.

Report Number: S 37/2025  
Clerk's File: SPL/14645

## 8. ADOPTION OF THE MINUTES

### 8.1. Adoption of the Development & Heritage Standing Committee minutes of its meeting held March 3, 2025

Moved by: Member William Tape  
Seconded by: Member Joseph Fratangeli

THAT the minutes of the Development & Heritage Standing Committee meeting held March 3, 2025, **BE ADOPTED** as presented.

Carried.

Report Number: SCM 83/2025

## 10. HERITAGE ACT MATTERS

### 10.1. 420 Rosedale Avenue (Sandwich HCD) – Request for Heritage Permit for New Erection (Ward 2)

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### Shan Xue, BDB Development

Shan Xue, BDB Development appears via Zoom before the Development & Heritage Standing Committee regarding the Administrative report dated March 17, 2025, entitled “420 Rosedale Avenue (Sandwich HCD) – Request for Heritage Permit for New Erection (Ward 2)” to request a permit to build a new, three-unit rental property on the vacant lot located at 420 Rosedale Avenue, within the Sandwich Heritage Conservation District.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 718**

- I. THAT the request for a Heritage Permit under Section 42 (1) 2. of the *Ontario Heritage Act* for the erection of one residential, three-unit dwelling at 420 Rosedale Avenue **BE GRANTED** as per plans in Appendix ‘A’ of this report;
- II. THAT the Heritage Permit approval **BE SUBJECT** to the following approval conditions to the satisfaction of the City Planner or designate prior to work start:
  - a. Submission of satisfactory product details and samples (including material and colour selections);
  - b. Determination that the work is satisfactory to meet Building Code compliance; and
  - c. Determination by the City Planner or designate that the work adheres to the details and plans as outlined in the Heritage Permit application; and
- III. THAT the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the proposed scope of work for the erection of one residential, three-unit dwelling.

Carried.

Report Number: S 39/2025

Clerk’s File: MBA/9191

## 10.2. 925 Cousineau Road, Holy Redeemer College – Request for Heritage Permit for New Addition (Ward 1)

### John Bortolotti, Architect for Applicant

John Bortolotti, Architect for Applicant appears before the Development & Heritage Standing Committee regarding the Administrative report dated March 17, 2025, entitled “925 Cousineau Road, Holy Redeemer College – Request for Heritage Permit for New Addition (Ward 1)” and indicates that the plan with Heritage called for a large portion of the area building exterior to be covered with masonry, at a cost of \$350,000 to the building owner. Mr. Bortolotti adds that the owner had suggested that the exterior of the arena building be covered by metal cladding all the way to the ground, with the two-storey portion of the addition not part of the arena being covered in masonry to

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match the heritage building. Mr. Bortolotti is requesting a compromise to help reduce costs for the applicant.

Councillor Fred Francis inquires about the seating capacity of the arena. Mr. Bortolotti responds that the seating installed will be mobile benches for students only, with space for no more than two hundred people maximum.

Councillor Francis inquires about sightlines, and where the new arena building will be visible in relation to the heritage building. Mr. Bortolotti responds that the arena building will only be visible from the park at the rear of the property and through a small gap between the rectory and the elementary school built in the 1990s and verifies it would not be seen from Cousineau Road.

Councillor Francis inquires about parking, and whether any new parking will be added. Mr. Bortolotti responds that less than 20 parking spaces will be added.

Councillor Kieran McKenzie inquires about the letter attached to the report from Vincent Michael, an architectural historian with expertise on the designs of the architect of Holy Redeemer College. Councillor McKenzie states that, while Dr. Michael approves of the design of the addition, no mention of the materials used for the addition is made. Mr. Bortolotti states that the owner of the property has required that he submit drawings and plans to Dr. Michael for advice and approval, but they did not discuss the materials to be used – only the size, and location of the addition.

Councillor Angelo Marignani expresses his concern over the impact the addition will have on the existing heritage property, specifically the scale, design, and incompatibility with the current heritage status, and inquires whether administration's recommendation of stone cladding versus metal cladding would hinder the application. Mr Bortolotti replies that he cannot say if it would stop the addition from being built, but it would delay it significantly due to cost.

Member William Tape states that he agrees with the applicant's choice of metal cladding to the ground to help delineate the new addition from the heritage building. He asks how Mr. Bortolotti intends to delineate the two-storey extension from the arena build. Mr. Bortolotti replies that while the masonry will be similar, it will not be identical. He also states that the two-storey extension will be attached to the main building by a vestibule and will not attach directly to the heritage building.

Member Tape clarifies that this will be a clear massing change between the old and new builds, so it will appear as a separate entity. John Bortolotti agrees with this.

Member John Miller requests clarification related to the masonry on the arena addition. Mr. Bortolotti replies that while split-face block was used on the previous elementary school addition, the intention here would be to use the same brick for both the two-storey addition and the arena building.

Member Miller responds that he would like to see a compromise where a shorter knee-wall could be applied to the arena exterior to provide more to tie the buildings together. Mr. Bortolotti states that he is open to this compromise, suggesting that the wall could go to the base of the windows (three feet), which would provide a significant cost savings to the owner.

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Councillor Fred Francis asks Administration if there is an avenue to collaborate with the applicant to find a compromise for both sides. Tracy Tang, Planner III – Heritage appears before the Development & Heritage Standing Committee regarding the Administrative report dated March 17, 2025, entitled “925 Cousineau Road, Holy Redeemer College – Request for Heritage Permit for New Addition (Ward 1)” and states that yes, there is the ability to compromise on this matter. Ms. Tang indicates that she had suggested in previous email correspondence that a brick or masonry material at half-wall or skirt-wall height could be incorporated. The recommendation in the report was merely to tie the new structure in with the old structure, while understanding that there are limitations to the new addition due to its prefabricated nature, and due to the associated costs with masonry work.

Councillor Jim Morrison inquires whether the arena portion will be available to be rented to the public. Mr. Bortolotti replies that the building will be for internal use and not available for public rental.

Moved by: Councillor Fred Francis

Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 719**

- I. THAT the request for a Heritage Permit under Section 33 of the *Ontario Heritage Act* for the construction of an arena addition at 925 Cousineau Road, formerly Holy Redeemer College, **BE GRANTED** to the Property Owner Académie Ste-Cécile International School as outlined in Appendix ‘B’ of this report;
- II. THAT the Heritage Permit approval **BE SUBJECT** to the following approval conditions to the satisfaction of the City Planner or designate prior to work start:
  - a. Submission of satisfactory product details and samples (including material and colour selections);
  - b. Determination by the City Planner or designate that the work adheres to the details and plans as outlined in the Heritage Permit application; and,
- III. THAT the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the proposed scope of work for the arena addition.

Carried.

Report Number: S 40/2025

Clerk’s File: MBA/9829

### 10.3. 3975 Riverside Dr E, Frank H. Joyce House – Request for Heritage Permit for Demolition and Alteration (Ward 5)

Member William Tape inquires as to how the interface between the original building and the demolition of the addition will be managed. Mr. Bortolotti replies that the original structure and masonry still exists, and the owner’s intent is to restore the existing brick, and to use left over brick from the demolition to fill in any holes. Mr. Bortolotti states that the original windows and door

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openings are still there, and the work done in the past to place the addition caused minimal damage to the base structure.

Member Tape asks Mr. Bortolotti if he is concerned about any decay of the mortar beds. Mr. Bortolotti replies that the mortar in this area of the building is the best preserved, and that additional work will have to be done to repair mortar throughout the building. The owner intends to revert the building back into a house once the demolition of the addition is complete. He states that everything on the building will need to be re-done.

Moved by: Councillor Kieran McKenzie

Seconded by: Member William Tape

Decision Number: **DHSC 720**

- I. THAT the request for a Heritage Permit under Section 33 and Section 34 of the *Ontario Heritage Act* for the demolition of the 1952 dormitory addition and the rehabilitation of the rear portion of the original dwelling at 3975 Riverside Drive East, Frank H. Joyce House, **BE GRANTED** to the Property Owners Maria & Viorel (Mike) Mihai as outlined in Appendix 'B' of this report;
- II. THAT the Heritage Permit approval **BE SUBJECT** to the following approval conditions to the satisfaction of the City Planner or designate prior to work start:
  - a. Submission of satisfactory product details and samples (including material and colour selections);
  - b. Determination by the City Planner or designate that the work adheres to the details and plans as outlined in the Heritage Permit application;
  - c. Determination that the work is satisfactory to meet Building code compliance;
  - d. Salvage and storage of historic construction materials, namely the variegated red wire cut brick, for incorporation into proposed future rehabilitation measures for the main dwelling; and,
- III. THAT the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the proposed scope of work for the demolition of the 1952 addition.

Carried.

Report Number: S 41/2025

Clerk's File: MBA/9476

There being no further business the meeting of the Development & Heritage Standing Committee (*Heritage Act* Matters) portion is adjourned at 5:00 o'clock p.m.

The Chairperson calls the *Planning Act* Matters portion of the Development & Heritage Standing Committee meeting to order at 5:02 o'clock p.m.

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## 4. COMMUNICATIONS

None presented.

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

### 5.1. Adoption of the Development & Heritage Standing Committee (*Planning Act*) minutes of its meeting held March 3, 2025

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

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held March 3, 2025, **BE ADOPTED** as presented.

Report Number: SCM 84/2025

## 6. PRESENTATION DELEGATIONS (PLANNING ACT MATTERS)

See items 7.1, 7.3, 7.4, and 7.5.

## 7. *PLANNING ACT* MATTERS

### 7.1. Rezoning – Home Discovery Group - 3161 Jefferson Blvd - Z-041/24 ZNG/7260 - Ward 8

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

Decision Number: **DHSC 713**

1. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 221, Part Lot 222, Part Block B, Registered Plan 1153, save and except Part 2, Plan 12R-5307 (PIN 01562-0703), situated on the west side of Jefferson Boulevard, south of Queen Elizabeth Drive, (3161 Jefferson Boulevard; Roll No. 070-590-16300) from Commercial District 1.4 (CD1.4) to Residential District 2.5 (RD2.5) and by adding a site specific exception to Section 20(1) as follows:

#### **527. WEST SIDE OF JEFFERSON BOULEVARD, SOUTH OF QUEEN ELIZABETH DRIVE**

For the land described as Lot 221, Part Lot 222, Part Block B, Registered Plan 1153, save and except Part 2, Plan 12R-5307 (PIN 01562-0703),

1. A *Stacked Dwelling* shall be an additional permitted *main use* and shall be subject to the provisions of Section 11.5.5.7.
2. That for a *Multiple Dwelling* with 5 or more *dwelling units*, a *Stacked Dwelling*, or a *Townhome Dwelling*, the following additional provisions shall apply:

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- a) Lot Area – per *dwelling unit* – minimum – 160.0 m<sup>2</sup>
- b) The *minimum front yard* depth shall be 5.0 m, and the *maximum front yard* depth shall not apply.
- c) Notwithstanding Clause .20 in Table 5.30.10 (Section 5.30.10.20), for any below *grade* entrance and steps leading thereto, including a below *grade* patio, the maximum encroachment into a *required front yard* shall be 2.75 m.
- d) Notwithstanding Clause .76 in Table 5.30.10 (Section 5.30.10.76), the maximum total tread area within a *required yard* shall not apply.
- e) Notwithstanding Clause .3 in Table 25.5.20.1 (Section 25.5.20.1.1), the minimum parking area separation from the southerly *interior lot line* shall be 0.5 m.
- f) Notwithstanding Clause ,6 in Table 25.5.20.1 (Section 25.5.20.1.6), the minimum parking area separation from a building wall containing a *habitable room window* or containing both a main pedestrian entrance and a *habitable room window* facing the *parking area* where the *building* is located on the same *lot* as the *parking area* shall be 3.20 m.

Carried.

Report Number: S 19/2025  
Clerk's File: Z/14917

### 7.3. Official Plan Amendment and Zoning By-law Amendment Applications for 0 Wellington Avenue & 673 Wellington Avenue, Z-005/25 [ZNG-7284] & OPA 195 [OPA-7285], Ward 3

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 715**

- I. THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating the lands located on the west side of Wellington Avenue between Wyandotte Street West and Elliott Street West, described as Lots 43 to 53, Plan 68, as a Special Policy Area.
- II. THAT the City of Windsor Official Plan, Volume II, Chapter 1 - Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:
  - 1.xx. **West side of Wellington Avenue between Wyandotte Street West and Elliott Street West**
    - 1.xx.1 The property described as Lots 43 to 53, Plan 68, known municipally as 0 Wellington Avenue (Roll No. 040-230-00800) and 673 Wellington Avenue, situated on the west side of Wellington Avenue between Wyandotte Street West and Elliott Street West, is designated on Schedule A: Planning Districts & Policy Areas in Volume I - The Primary Plan.

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1.xx.2 Notwithstanding Section 6.4.3.2 of the City of Windsor Official Plan, Volume I, Chapter 6 - Land Use:

a) A retail store shall be an additional permitted ancillary use.

- III. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning for the lands located on the west side of Wellington Avenue between Wyandotte Street West and Elliott Street West, described as Lots 43 to 53, Plan 68 (PIN No. 01205-0133 LT & PIN No. 01205-0134 LT), by adding a site specific provision to allow a Retail Store as an additional permitted main use, subject to the following additional regulations:

### 528. WEST SIDE OF WELLINGTON AVENUE BETWEEN WYANDOTTE STREET WEST AND ELLIOTT STREET WEST

(1) For the lands comprising of Lots 43 to 53, Plan 68 (PIN No. 01205-0133 LT & PIN No. 01205-0134 LT), a *Retail Store* shall be an additional permitted *main use* subject to the following additional provisions:

1. Section 18.2.5.10 shall not apply.
2. Notwithstanding Table 24.20.5.1, a minimum of 42 parking spaces shall be provided for a *Retail Store* use occupying the ground floor of the existing building as it existed on April 7, 2025.
3. Notwithstanding Section 24.26.5, a *parking space* and *accessible parking space* shall be permitted in a required front yard.
4. Notwithstanding Section 25.5.10.3, a poured in place concrete curb shall not be required to bound the west limit of a *parking area* having 0.00 metres of separation from the west interior lot line.
5. Notwithstanding Section .2 of Table 25.5.20.1, the minimum separation for a *parking area* from Wellington Avenue shall be 2.65 metres.
6. Notwithstanding Section .3 of Table 25.5.20.1, the minimum separation for a *parking area* from the west interior lot line shall be 0.00 metres.  
[ZDM 3; ZNG/7284]

IV. THAT, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer, the following **BE SUBMITTED** with an application for Site Plan Approval:

- a. Planning Justification Report, prepared by Oakview Land Use Planning, dated January 21, 2025.
- b. Traffic Impact / Parking Study, prepared by RC Spencer Associates Inc., dated January 2025; and,

V. THAT Administration **BE DIRECTED** to consult with the Windsor Essex County Health Unit (WECHU) for comment with respect to process in terms of oversight for the proposed use of the property, given the previous use of the site; and that the information **BE PROVIDED** to Council when the report moves forward for consideration.

Carried.

Report Number: S 33/2025  
Clerk's File: Z/14931 & Z/14930

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## 7.4. Official Plan & Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling - Z 030-24 [ZNG-7234] & OPA 189 [OPA-7235] Lakefront Heights Inc. 0 Wyandotte St. E - Ward 7

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

Decision Number: **DHSC 716**

- I. THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating Part of Lot 141, Concession 1, Part 1, Plan 12R-29002, in the City of Windsor, known municipally as 0 Wyandotte St. E, situated on North Side of Wyandotte St. E, between Clover St. and Chateau Ave., as a Special Policy Area.
- II. THAT Chapter 1 in Volume II: Secondary Plans and Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a new Special Policy Area as follows:

**1.# North Side of Wyandotte St. E, between Clover St. and Chateau Ave. (0 Wyandotte St. south of Riverside Sportsmen Club)**

1.#.1 The property described as Part of Lot 141, Concession 1, Part 1, Plan 12R-29002, in the City of Windsor, known municipally as 0 Wyandotte St. E, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.#.2 Notwithstanding Section 6.3.2.1 of the Official Plan, Volume I, High Profile Residential Buildings shall be permitted on the subject property.

- III. THAT an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED** changing the zoning of Part of Lot 141, Concession 1, Part 1, Plan 12R-29002, known municipally as 0 Wyandotte St. E, from Commercial District 1.5 (CD 1.5) to Residential District 3.3 (RD 3.3);

- IV. THAT subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for Part of Lot 141, Concession 1, Part 1, Plan 12R-29002, in the City of Windsor, known municipally as 0 Wyandotte St. E by adding site specific regulations as follows:

**529. North Side of Wyandotte St. E, between Clover St. and Chateau Ave. (0 Wyandotte St. south of Riverside Sportsmen Club)**

For the lands described as Part of Lot 141, Concession 1, Part 1, Plan 12R-29002, in the City of Windsor, known municipally as 0 Wyandotte St. E. the following regulations shall apply:

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

Parking Structure Height maximum – 10 m

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

Lot Coverage - Maximum - 60%

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Report Number: S 34/2025  
Clerk's File: Z/14915 & Z/14914

### 7.5. Zoning By-law Amendments- City of Windsor – File Z-06/25 ZNG/7288- City Wide

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

Decision Number: **DHSC 717**

- I. THAT Zoning By-law 8600 **BE AMENDED** as shown in Appendix A.
- II. THAT Zoning By-law 85-18 **BE AMENDED** as shown in Appendix B.  
Carried.

Report Number: S 38/2025  
Clerk's File: Z/14933

### 7.2. Rezoning - City of Windsor - Housekeeping Amendment 2025-1 - Z-015/24 ZNG/7205 - City Wide

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

Decision Number: **DHSC 714**

THAT Zoning By-law 8600 **BE AMENDED** as follows:

**1A.** Adding to Section 3.10, alphabetically, the following defined terms:

**EMERGENCY POWER GENERATOR** means an outdoor stationary device having a running wattage of 26kW or less that serves solely as a secondary source of electrical power whenever the primary electricity supply is disrupted or discontinued during a power outage or natural disaster that are beyond the control of the owner or operator of a facility, that operates only during an emergency, for training of personnel, or for operational testing. A device that serves as a back-up power source under conditions of load shedding, peak shaving, power interruptions pursuant to an interruptible power service agreement, or scheduled facility maintenance is not an *Emergency Power Generator*.

[ZNG/7205]

**HVAC SYSTEM** means the outdoor components of an air conditioning, cooling, heating, or ventilation system. A central air conditioning system or heat pump is an *HVAC System*. It does not include a portable air conditioning system, mini split-system air-conditioner, and window air conditioner, or similar heating and cooling equipment.

**1B.** Deleting clause .25 from Table 5.30.10.

**1C.** Adding the following clauses to Table 5.30.10:

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.38	<b>Emergency Generator</b> [ZNG/7205]	<b>Power</b>	<i>Required rear yard or Required side yard</i>	<i>No Limit</i>	<i>Side lot line</i>	0.60 m
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.45	<b>HVAC System</b> [ZNG/7205]		<i>Required rear yard or Required side yard</i>	<i>No Limit</i>	<i>Side lot line</i>	0.60 m
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1D. Deleting and substituting the following defined terms in Section 3.10:

**REQUIRED YARD** means for the purpose of Section 5.30 any of *required front yard, required rear yard, required side yard, or required landscaped area.*

[ZNG/7205]

**N/A** means for the purpose of Section 5.30, that a minimum separation is not required. For the remainder of this by-law, it means not applicable.

[ZNG/7205]

2. Deleting and substituting the following defined terms in Section 3.10:

**BUSINESS OFFICE** means an *office* of any one or more of the following: commercial business; data centre; financial services including a bank, credit union, payday lender, savings and loan office and trust company; government; industrial business; non-profit or charitable organization; professional person. A financial office is a *Business Office*. A *medical office* or *veterinary office* is not a *business office*.

[ZNG/7205]

**GAMING FACILITY** means a casino or slot machine facility established or regulated under any Provincial Act and may include sport and event betting. A *billiard hall, bingo hall, games arcade, place of entertainment or recreation, teletheatre, or building* used for the sale of lottery tickets is not a *gaming facility*.

[ZNG/7205]

3A. Deleting and substituting the following defined terms in Section 3.10:

**AMENITY AREA** means the total area of a balcony, *landscaped area*, and the following as an accessory activity or use to a *dwelling* or a *dwelling unit* located on the same *lot*: common, community, meeting, multi-purpose, or similar room; *community garden*; indoor athletic, exercise, or recreational facility; lounge; *scenery loft; swimming pool*. It does not include the following: elevator lobby, laundry facility, mailbox facility, mail room, *office*, recycling or refuse room, storage room.

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[ZNG/7205]

**SCENERY LOFT** means an area that is located above the uppermost storey of a *main building* that occupies a fully enclosed room or group of rooms, that is fully and readily accessible to all residents of the *building*, and that is not used as a *dwelling unit*.

[ZNG/7205]

**3B.** Deleting the defined term “Landscaped Open Space” in Section 3.10 and substituting the following:

**LANDSCAPED AREA** means an area open to the sky consisting of any of the following: *deck; ground cover; outdoor recreational facility accessory to a dwelling or dwelling unit; patio; pedestrian walkway; terrace; water feature*. It does not include the following: *access area, access ramp, bicycle parking space, collector aisle, green roof, loading compound, loading space, outdoor storage yard, parking aisle, parking space, porch, roof, scenery loft, sports facility, swimming pool, transport storage area, transport terminal*.

[ZNG/7205]

**GREEN ROOF** means an area located on the roof of a *building*, open to the sky, and maintained with a *ground cover*.

[ZNG/7205]

**GROUND COVER** means any of the following: *bark; compost; decorative or ornamental block, brick, edging, paver, pebble, slab, or stone; mulch; plants, including flowers, grass, shrubs, and trees; wood chips*. It does not include construction grade aggregate.

[ZNG/7205]

**SOFT LANDSCAPING** means an area open to the sky and maintained with a *ground cover*.

[ZNG/7205]

**LANDSCAPED OPEN SPACE** means *landscaped area*.

[ZNG/7205]

**3C.** Deleting and substituting the following defined term in Section 3.10:

**LANDSCAPED OPEN SPACE YARD** means *landscaped area*.

[ZNG/7205]

**4.** Deleting and substituting Section 5.35.1 with the following:

**5.35.1 FIXTURES OR STRUCTURES – HEIGHT EXEMPTION**

[ZNG/7205]

For a *building* or *use* listed in Table 5.35.1, a fixture or structure listed in Table 5.35.1 may extend above the permitted *maximum building height*, provided that such fixture or structure is erected only to such height as is necessary to accomplish its purpose.

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TABLE 5.35.1	
.1 For any <i>Building</i> :	
Antenna	Safety Equipment
<i>Architectural Feature</i>	Satellite Dish
Chimney	Security Equipment
Communication Equipment	Skylight
Fire Wall	Solar Panel
Parapet	Vent Stack
Roof Vent	
.5 For a <i>Combined Use Building, Lodging House, Multiple Dwelling, Religious Residence, Residential Care Facility, Student Residence, or non-residential building</i> :	
Belfry	Roof Access Ladder
Bell Tower	Roof Hatch
Cupola	Screening Fence
Electrical Generator	Smokestack
Elevator Machine Room	Spire
<i>HVAC Equipment</i>	Stairwell Room
Hoist Room	Steeple
Mechanical Penthouse	Turret
Minaret	Water Tank
Protective Fence	Window Washing Equipment

**5A.** Deleting and substituting the defined term “Parking Space” with the following defined terms in Section 3.10:

**PARKING SPACE** means an area used for the parking of an operable *motor vehicle*. It includes an *accessible parking space* and *visitor parking space*. A *bicycle parking space, loading space, or stacking space* is not a *parking space*.

[ZNG/7205]

**ACCESSIBLE PARKING SPACE** means a *parking space* for the use of a person with a disability and identified as Type A or Type B in Section 80.34 of O. Reg. 191/11: Integrated Accessibility Standards.

[ZNG/7205]

**ACCESS AISLE** means the space between or beside an *accessible parking space* that allows a person with a disability to get in and out of a *motor vehicle*.

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[ZNG/7205]

**BICYCLE PARKING SPACE** means an area that is provided and maintained for the purpose of temporary parking or storage of a bicycle or motor assisted bicycle as defined in subsection 1 (1) of the Highway Traffic Act, R.S.O. 1990, c. H.8.

[ZNG/7205]

**VISITOR PARKING SPACE** means a *parking space* designated for the temporary parking of an operable *motor vehicle* by a visitor or guest to a *dwelling* or *dwelling unit*. A *loading space* or *stacking space* is not a *visitor parking space*.

[ZNG/7205]

**5B.** Deleting and substituting the following defined terms in Section 3.10:

**LOADING SPACE** means an area used for the temporary parking of a *motor vehicle* while goods are loaded thereon or unloaded therefrom. A *parking space*, *stacking space*, or *visitor parking space* is not a *loading space*.

[ZNG/7205]

**STACKING SPACE** means an area used for the temporary accommodation of a *motor vehicle* standing in a queue. A *loading space*, *parking space*, or *visitor parking space* is not a *stacking space*.

[ZNG/7205]

**5C.** Adding to Section 3.10, alphabetically, the following defined term:

**PUBLIC WALKWAY** means a multi-use trail, off-road cycling trail, recreationway, sidewalk, trail, walkway, or similar facility located within a *highway* or *public park*.

[ZNG/7205]

**5D.** Deleting and substituting Section 24.24.15 with the following:

### **24.24.15 ACCESS AISLES**

- .1 An *access aisle* shall be provided for all *accessible parking spaces*.
- .2 An *access aisle* may be shared by two *accessible parking spaces* and shall have a minimum width of 1.5 m, shall extend the full length of the *accessible parking space*, and shall be marked with high tonal contrast diagonal lines.

[ZNG/7205]

**5E.** Deleting and substituting Section 24.30.20.3 with the following:

- .3 A *bicycle parking space* shall not hinder, impede, or obstruct the movement of a bicycle, motor assisted bicycle, person, or vehicle and shall be subject to the following provisions:
  - .1 When located on a *public walkway*, a *bicycle parking space* shall be setback a minimum of 2.0 m from a building entrance or exit, an *access aisle*, or an *accessible parking space*.

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- .2 Except where a *bicycle parking space* is located within a *parking garage*, a *bicycle parking space* within 6.0 m from the point of intersection of any *highways*, railway rights-of-way, or any combination thereof, is prohibited.
- .3 A *bicycle parking space* is prohibited from encroaching into the following: *access area*, *access ramp*, *accessible parking space*, *collector aisle*, *driveway*, *highway*, *loading space*, *parking aisle*, *parking space*, *public walkway*, *stacking space*, *transport storage area*, *visitor parking space*.

[ZNG/7205]

5F. Adding new Section 6 as follows:

### SECTION 6 – OTHER PARKING PROVISIONS

[ZNG/7205]

#### 6.1 APPLICATION

- 6.1.1 Unless otherwise stated, the provisions in Section 6 apply to the *use* of any *lot* in any *zoning district* in this by-law.
- 6.1.90 The provisions in Section 6.90 apply to all land identified on Schedule ‘P’ – Off-Street Parking Overlay to this by-law. Any reference to Section 20(4) in this by-law means Section 6.90.

#### 6.90 TRADITIONAL COMMERCIAL STREET – OFF-STREET PARKING PROVISIONS

##### 6.90.1 ADDITIONAL DEFINITIONS

The following defined terms apply to the provisions in Section 6.90:

**NEW OR EXPANDED PARKING AREA** means the creation of five or more *parking spaces*.

**REAR WALL** means the *building wall* furthest from the *traditional commercial street*. Where the rear wall of a *building* does not follow a straight line, the closest parallel *building wall* to the facade shall be deemed the rear wall.

**TRADITIONAL COMMERCIAL STREET** means the following *streets*:

Devonshire Road between Riverside Drive East and Wyandotte Street East  
Drouillard Road between Trenton Street and Deming Street  
Erie Street between Mercer Street and Hall Avenue  
Ottawa Street between Marentette Avenue and Windermere Road  
Ouellette Avenue between Wyandotte Street and Tecumseh Road  
Sandwich Street between Brock Street and Detroit Street  
Tecumseh Road East between Forest Avenue and Chilver Road  
Tecumseh Road East between Cadillac Street and Larkin Road  
Tecumseh Road East between Westcott Road and Rossini Boulevard  
University Avenue West between Randolph Avenue and Salter Avenue  
Wyandotte Street East between Arthur Street and Raymo Road

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Wyandotte Street East between McDougall Street to Argyle Road

Wyandotte Street East between Thompson Boulevard and Glidden Avenue

Wyandotte Street West between California Avenue and Campbell Avenue

### 6.90.2 ADDITIONAL PERMITTED MAIN USES

*Parking Garage* in a *Combined Use Building* provided a minimum *building* depth of 10.0 m of the ground floor area abutting the *traditional commercial street* is occupied by any use permitted by the *zoning district* or zoning exception in which the *lot* is located.

### 6.90.3 PROHIBITED USES

.1 A *Public Parking Area* is prohibited save and except for a *bicycle parking space*.

### 6.90.5 ADDITIONAL PROVISIONS

.1 For any *parking area* with five or more *parking spaces*, that portion of the *parking area* not used for a *parking space*, *parking aisle*, *collector aisle*, *access area*, *loading space*, or *stacking space* shall be maintained exclusively as a *landscaped area*.

.3 The following additional provisions apply to any *new or expanded parking area*, *parking garage*, *access area*, and *stacking space* except for the Drouillard Road area shown on Schedule P.5 Off-Street Parking Overlay and any *school drop-off / pick-up area*:

a) A *parking space*, *collector aisle*, *parking aisle*, or a *stacking space* is prohibited between the *traditional commercial street* and:

1) the *rear wall* of the *building* located on the same *lot*; or

2) 10.0 m from the *exterior lot line* that abuts a *traditional commercial street*,

whichever distance is greater.

b) Where access can be provided from a *street* not identified as a *traditional commercial street* or from an *alley*, an *access area* to or from a *traditional commercial street* is prohibited.

c) Where an *access area* cannot be provided from a *street* not identified as a *traditional commercial street* or from an *alley*, a maximum of one *access area* may be provided from a *traditional commercial street*.

d) For a *parking area* with 19 or less *parking spaces*, the minimum width of the *access area* shall be 3.0 m. For any *parking area*, the maximum width of the *access area* shall be 7.0 m.

.5 These provisions apply only to any *new or expanded parking area*, *parking garage*, *access area*, and *stacking space* in the Drouillard Road area shown on Schedule P.5 Off-Street Parking Overlay:

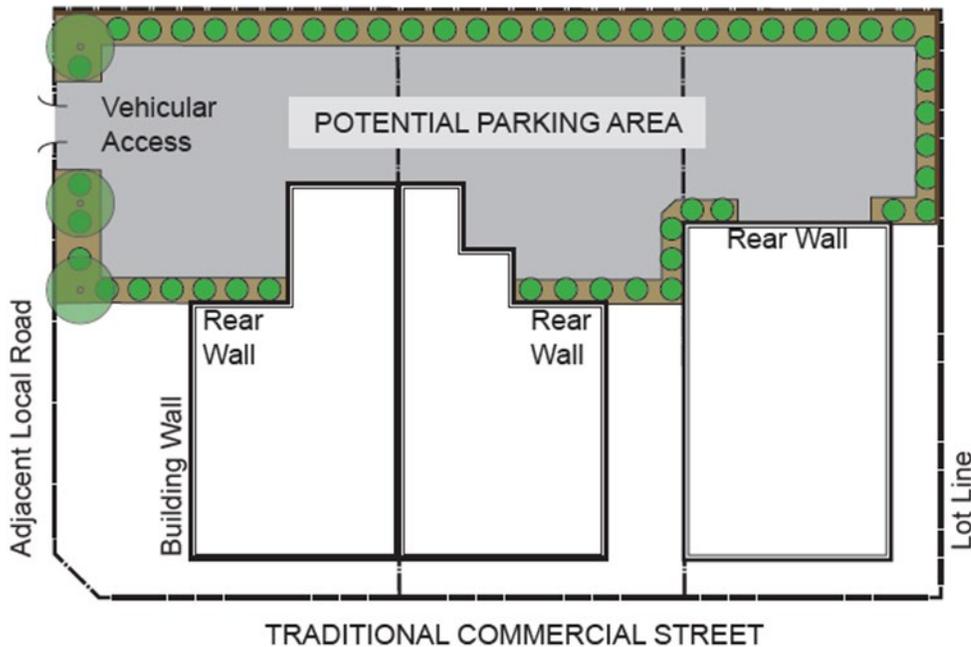
a) A *parking space*, *collector aisle*, *parking aisle*, or a *stacking space* is prohibited between the *traditional commercial street* and the building wall located closest to the *traditional commercial street*.

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- b) A maximum of one access area may be provided from a *traditional commercial street*.
- c) For a *parking area* with 19 or less *parking spaces*, the minimum width of the access area shall be 3.0 m. For any *parking area*, the maximum width of the access area shall be 7.0 m.

### ILLUSTRATION 6.90.1.1 – EXAMPLE OF POTENTIAL PARKING AREA



**5G.** Deleting Section 20(4).

**6A.** Adding new Section 83 as follows:

### **SECTION 83 – HERITAGE CONSERVATION DISTRICTS**

[ZNG/7205]

(B/L 24-2009 Oct 19/2012 OMB Order PL090206)

#### **83.0 APPLICATION**

Section 83 applies to any land that is designated a Heritage Conservation District. Any reference to Section 20(3) in this by-law shall mean Section 83.

#### **83.1 SANDWICH HERITAGE CONSERVATION DISTRICT RESIDENTIAL OVERLAY ZONE**

For the lands delineated on Schedule 'A' to this by-law and labelled with the overlay zone symbol "S.20(3)1" or "S.83(1)", despite the provisions in the applicable *zoning district* or exception, the following additional provisions shall apply:

##### **83.1.2 PROHIBITIONS**

- .1 *Building height* of more than 2 storeys is prohibited.

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- .2 The construction of new *structures* or additions between the *main wall* of the existing *building* and the *front lot line* is prohibited.
- .3 A *garage* is prohibited unless it is located a minimum of 6 m to the rear of the closest wall of the existing *main building*.
- .4 A *parking space* in a *front yard* is prohibited.

### 83.1.3 ADDITIONAL PROVISIONS

- .1 The minimum *lot frontage*, minimum *lot area*, maximum *lot coverage*, maximum number of *dwelling units*, minimum *rear yard* depth, and minimum *side yard* width shall be as existing on October 19, 2012.
- .2 Maximum *front yard* depth – the maximum *front yard* for any *building* erected between existing *buildings* in the same block shall conform to the average of the front yards established by the nearest *building* on each side.

### 83.2 SANDWICH HERITAGE CONSERVATION DISTRICT COMMERCIAL OVERLAY ZONE

For the lands delineated on Schedule 'A' to this by-law and labelled with the overlay zone symbol "S.20(3)2" or "S.83(2)", despite the provisions in the applicable *zoning district* or any exception, the following additional provisions shall apply:

#### 83.2.1 ADDITIONAL PERMITTED MAIN USES

*Bake Shop*  
*Bakery*  
*Business Office*  
*Child Care Centre*  
*Commercial School*  
*Confectionery*  
*Farmers' Market*  
*Food Outlet – Take-out*  
*Funeral Establishment*  
*Medical Office*  
*Micro-Brewery*  
*Outdoor Market within a Business Improvement Area*  
*Personal Service Shop*  
*Place of Entertainment and Recreation*  
*Place of Worship*  
*Professional Studio*  
*Public Hall*  
*Restaurant*  
*Retail Store*  
*Tourist Home*  
*Veterinary Office*  
*Wholesale Store*

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*Dwelling Units in a Combined Use Building with any one or more of the above permitted main uses, provided that all dwelling units, not including entrances thereto, are located entirely above the non-residential use.*

### 83.2.2 PROHIBITIONS

- .1 *Front yard* setback on Sandwich Street is prohibited.
- .2 A *parking space* in a *front yard* is prohibited.
- .3 The lease, rental, or sale of *motor vehicles*, heavy equipment, or heavy machinery is prohibited.

### 83.2.3 ADDITIONAL PROVISIONS

- .1 *Building Height* – minimum of 2 storeys and maximum of 4 storeys
- .2 *Front Yard* setback on other *streets* – maximum – 2 m
- .3 *Amenity Area* – minimum – 12 m<sup>2</sup> per *dwelling unit*
- .4 *Gross Floor Area – Bakery or Confectionery* – maximum – 500 m<sup>2</sup>
- .5 Rooftop mechanical equipment shall be setback from the roof edge a distance equal to the height above the roof and shall be screened from view from the *street*.

6B. Deleting Section 20(3).

7. Adding new Section 91 as follows:

## SECTION 91 – ZONING EXCEPTIONS

[ZNG/7205]

### 91.1 APPLICATION

Section 91 applies to any *lot* where the “x” symbol follows a *zoning district* symbol on any Schedule listed in Section 1.20.3. The terms “Site Specific Exception”, “Site-Specific Exception”, “Site Specific Provision”, “Specific Zoning Exception” mean “Zoning Exception”. Section 20(1) applies to any zoning exception with the symbol S.20(1) and a clause of Section 20(1).

### 91.2 PURPOSE

A zoning exception may supplement, alter, add, prohibit, or remove any by-law provision affecting any *building, lot, structure, or use*.

### 91.10 PROVISIONS

The “x” symbol shall follow the zoning symbol and by one or more numbers in bracket.

Example: RD1.3x(1), MD1.4x(1,4)

The number refers to a specific clause in Section 91.10. The format of the clause shall be the clause number, a general location description, the current legal description of the area to which the clause applies, if available, and the zoning exception. The ZDM and ZNG numbers are Reference Information and do not form part of this by-law.

Example: **60. NORTHWEST CORNER OF CARLTON STREET AND CHURCH STREET**

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For the lands comprising of Lot 24, Block 11, Plan 1967, an *Arena* is an additional permitted *main use* and for an additional permitted *main use*, no *parking spaces* are required.

[ZDM 10; ZNG/14]

(B/L 13-1967, May 2/1967)

8A. Adding new Section 97 as follows:

### SECTION 97 – TEMPORARY USE PROVISIONS

[ZNG/7205]

#### 97.1 APPLICATION

Section 97 applies to any *lot* where the “t” symbol follows a zoning symbol or a zoning exception symbol on any Schedule to this by-law.

#### 97.2 PURPOSE

Section 39(1) in the Planning Act states that Council may pass an amending by-law that authorizes the temporary use of land, buildings, or structures for any purpose that is prohibited in this by-law.

A temporary use provision may supplement, alter, add, or remove any by-law provision affecting the *use* of the *lot*, *building*, or *structure*. The temporary use provision shall define the area to which it applies and specify the period for which the authorization shall be in effect, which shall not exceed three years from the day of the passing of the amending by-law.

At the request of the property owner, Council may, by amending by-law, grant further periods of not more than three years each authorizing the temporary use.

#### 97.5 EXPIRY & DELETION

Upon the expiry of the period or periods of time in the temporary use provision, Section 34 (9) (a) of the Planning Act does not apply to allow the continued use of the land, buildings or structures for the purpose temporarily authorized. The temporary use provision shall be deleted from Section 97.10 and be replaced with the most recent amending by-law number and the expiry date and be deleted from any Schedule listed in Section 1.20.3.

#### 97.10 TEMPORARY USE PROVISIONS

The “t” symbol shall follow the zoning symbol or the zoning exception symbol and by one or more numbers in brackets.

Example: RD1.3t(1), MD1.4t(1,4), CD1.2x(1)t(7),

The number refers to a specific clause in Section 97.10. The format of the clause shall be the clause number in brackets and shall include a description of the area to which the clause applies, the temporary use provision, and the expiry date of the clause. The ZDM and ZNG numbers are Reference Information and do not form part of this by-law.

Example: (64) For the lands comprising of Lot 11, Block 12, Plan 1973, a Carnival is a permitted temporary use provided that the temporary use is located outdoors. For said temporary use, no *parking spaces* are required. This

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provision shall expire on July 31, 2027.

[ZNG/5475]

(B/L 1-2024, July 31, 2024)

- (1) Expired September 14, 2003.
- (2) Expired September 14, 2003.
- (3) Expired December 1, 2003.
- (4) Expired January 1, 2004.
- (5) Expired December 1, 2004.
- (6) By-law 209-2001 expired June 30, 2004.
- (7) By-law 125-2011 expired June 20, 2014.
- (8) By-law 41-2013 expired April 7, 2014.
- (9) By-law 129-2021 expired October 31, 2021. [ZNG/6465]

**8B.** Deleting Section 20(2).

**9A.** Deleting and replacing Section 1.20.30 with the following:

### **1.20.30 EXCEPTION**

[ZNG/7205]

In addition to the *zoning district*, an area on any Schedule may be further delineated and identified by an exception as follows:

Overlay zone symbol – “S.20(3)1”, “S.83(1)”, “S.20(3)2”, or “S.83(2)”

Zoning exception symbol – “S.20(1)” and a clause of Section 20(1) or “x” and a clause of Section 91

“H” symbol and a clause of Section 95

“t” symbol and a clause of Section 97.10

Examples:

S.20(3)2 identifies the area is subject to Section 20(3)2.

RD1.1x(20) identifies the area is subject to clause 20 of Section 91.10.

H(1,4)MD1.4 identifies the area is subject to holding clauses 1 and 4 of Section 95.20.

RD1.3t(1) identifies the area is subject to clause 1 of Section 97.10.

An area so identified shall be subject to the provisions of the *zoning district*, the identified exception, and all applicable provisions of this by-law. An additional permitted use listed in the exception shall be subject to the provisions of the *zoning district*, and, unless otherwise stated, to any additional provisions in the exception.

A *lot* may have more than one exception.

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Where an additional *main use* is permitted by an exception, any *use* accessory to the permitted *main use*, excluding an *outdoor storage yard* except where permitted within the *zoning district* or exception, shall also be permitted subject to the provisions of the *zoning district*, the exception, and all applicable provisions of this by-law.

**9B.** Deleting and replacing Section 1.20.90 with the following:

**1.20.90 PRECEDENCE**

[ZNG/6277; ZNG/7205]

.1 Unless otherwise stated, the precedence of provisions, from lowest to highest, is as follows:

Section 3 – Definitions

Section 5 – General Provisions

Section 24 – Parking, Loading and Stacking Provisions

Section 25 – Parking Area Provisions

Section 6 – Other Parking Provisions

Section 7 – Additional Use Provisions

Sections 8 to 19 – Zoning Districts

Section 20(1) – Site Specific Provisions

Section 83 – Heritage Conservation Districts

Section 91 – Zoning Exceptions

Section 95 – Holding Zone Provisions

Section 97 – Temporary Use Provisions

Within Sections 20(1), 91, 95, or 97, the greater clause number shall take precedence.

.5 Where a provision in this by-law is less than the minimum required by, is more than the maximum required by, or conflicts with an exception in, a provincial or federal act, regulation, or statute, the provincial or federal act, regulation, or statute shall take precedence.

.10 Where a conflict between provisions cannot be resolved using the precedence of provisions, the City Planner shall determine the precedence.

Carried.

Report Number: S 26/2025

Clerk's File: Z14932

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act Matters*) portion is adjourned at 6:11 o'clock p.m.

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The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 6:11 o'clock p.m.

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

See items 11.3, and 11.6.

### 11. ADMINISTRATIVE ITEMS

#### 11.3. Sandwich CIP, 420 Rosedale Avenue; Owner: Wei Li; Ward 2

**Shan Xue, BDB Development Inc.**

Shan Xue, BDB Development Inc, appears before the Development & Heritage Standing Committee regarding the Administrative report dated March 12, 2025, entitled "Sandwich CIP, 420 Rosedale Avenue; Owner: Wei Li; Ward 2" and is available for questions.

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 723**

- I. THAT the request for incentives under the Sandwich Incentive Program made by the registered owner Wei Li of the property located at 420 Rosedale Avenue, **BE APPROVED** for the following programs:
  - i. *Development and Building Fees Grant* for 100% of the Development and Building Fees identified in the Sandwich CIP to a maximum amount of \$20,000;
  - ii. *Revitalization Grant Program* for the lesser of 70% of the municipal portion of the tax increment for up to 10 years (+/- \$3,908 per year) or the eligible project costs;
- II. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Sandwich Incentive Program Agreement for the *Revitalization Grant* in accordance with all applicable policies, requirements, and provisions contained within the Olde Sandwich Towne Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implication;
- III. THAT funds to a maximum amount of \$20,000 under the *Development Building Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the *Sandwich Community Development Plan Fund* (Project 7076176) once the work is completed;
- IV. THAT grants **BE PAID** to Wei Li upon completion of the two (2) story three (3) unit single family dwelling from the *Sandwich Community Development Plan Fund* (Account 7076176) to the satisfaction of the City Planner and Chief Building Official; and,

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- V. THAT grants approved **SHALL LAPSE** and **BE UNCOMMITTED** and returned to CIP Reserve Fund 226 if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

Carried.

Report Number: S 35/2025

Clerk's File: Z/10320

### 11.6. Downtown Community Improvement Plan Grant Application made by 2835039 Ontario Inc. for 557 Pelissier Street, Ward 3

#### John Naccarato, Owner

John Naccarato, Owner, appears before the Development & Heritage Standing Committee regarding the Administrative report dated March 18, 2025, entitled "Downtown Community Improvement Plan Grant Application made by 2835039 Ontario Inc. for 557 Pelissier Street, Ward 3" and is available for questions.

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 725**

- I. THAT the request made by 2835039 Ontario Inc. for the proposed development at 557 Pelissier Street to participate in the Retail Investment Grant Program **BE APPROVED**, for a grant up to 50% of the eligible costs of improvements to the interior to create a retail unit, to a maximum of \$7,450.
- II. THAT the City Treasurer **BE AUTHORIZED** to issue payment of \$7,450 for grants under the Retail Investment Grant Program for 557 Pelissier Street to 2835039 Ontario Inc. upon completion of interior improvements subject to the satisfaction of the City Planner and Chief Building Official.
- III. THAT grant funds in the amount of \$7,450 under the Retail Investment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to the City Centre Community Development Planning Fund (Project #7011022) when work is completed.
- IV. THAT grants approved **SHALL LAPSE** and **BE UNCOMMITTED** and returned to CIP Reserve Fund 226 if the applicant has not completed the work and fulfilled the conditions within one (1) year of the approval date.

Carried.

Report Number: S 42/2025

Clerk's File: Z/12916

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### **11.1. Amendment to CR141/2023 for Closure of E. C. Row Avenue East right-of-way, west of Banwell Road, Ward 9, SAS-6835**

Councillor Kieran McKenzie requests that Administration confirm that the City of Windsor still owns the roadway in question, and if it is connected to a lease agreement with the NextStar Energy plant. Aaron Farough, Senior Legal Council appears before the Development & Heritage Standing Committee regarding the Administrative report dated March 7, 2025, entitled Amendment to CR141/2023 for Closure of E. C. Row Avenue East right-of-way, west of Banwell Road, Ward 9, SAS-6835” and states that the roadway is currently not under lease to NextStar, but the intention is to incorporate that roadway into the lease agreement.

Councillor Kieran McKenzie expresses concern regarding the report’s dismissal of the traffic and safety concerns because of this roadway being closed. He asks Administration if they perceive any public safety concerns due to having only one way in or out of the industrial park. Ian Day, Senior Manager, Transportation appears before the Development & Heritage Standing Committee regarding the Administrative report dated March 7, 2025, entitled Amendment to CR141/2023 for Closure of E. C. Row Avenue East right-of-way, west of Banwell Road, Ward 9, SAS-6835” and indicates that a transportation consultant has been engaged to investigate potential short- and long-term solutions to enhancing access to the Twin Oaks industrial park.

Councillor Kieran McKenzie asks if the City has any leverage to have the roadway in question be made available for public use during emergency circumstances. Patrick Winters, Manager, Development Engineering appears before the Development & Heritage Standing Committee regarding the Administrative report dated March 7, 2025, entitled Amendment to CR141/2023 for Closure of E. C. Row Avenue East right-of-way, west of Banwell Road, Ward 9, SAS-6835” and replies that there are ongoing discussions with NextStar regarding this issue, although Banwell Road is in the process of undergoing fundamental changes which will result in the roadway in question eventually becoming inaccessible.

Councillor Kieran McKenzie inquires about the timeline for the Banwell Road project, and when the roadway in question may be impossible to consider as a potential means of egress. Mr. Winters replies that the timeline is being reviewed by the Dillon Consulting team and the city team responsible for this project. It is Mr. Winters’ understanding that they are looking at the potential of the roadway in question, but that it would be difficult to maintain access.

Councillor Angelo Marignani inquires whether Administration has any concerns about the grade separation that will be going into the intersection and the proposed road closure. Mr. Winters replies that according to the Banwell Road Environmental Assessment, the roadway in question was already slated to be made into a cul-de-sac for this reason.

Councillor Marignani inquires whether the temporary berm that is currently on the north side of the roadway in question is to be used in the overpass construction or will it be extended to provide noise mitigation for the nearby neighbourhood. Mr. Winters replies that the berm was placed there by NextStar, but the final grading of the area would be dependent on what was in the approved site plan.

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**Development & Heritage Standing Committee**  
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Moved by: Councillor Kieran McKenzie  
Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 721**

I. THAT CR141/2023, adopted on March 20, 2023, **BE AMENDED** as follows:

By **DELETING** Section I in its entirety, and **INSERTING** the following in its place:

- I. THAT the portion of E. C. Row Avenue East right-of-way shown on Drawing No. CC-1819 (attached hereto as Appendix "A") and described as Parts 12, 13, 15 & 26 on Reference Plan 12R-29361, and Part 1 on the Draft Reference Plan (attached hereto as Appendix "B"), and hereinafter referred to as the "Subject Lands", **BE ASSUMED** for subsequent closure;

By **DELETING** Section II in its entirety, and **INSERTING** the following in its place:

- II. THAT the Subject Lands **BE CLOSED AND RETAINED** by The Corporation of the City of Windsor and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements over Parts 13 & 15 on Reference Plan 12R-29361, and Part 1 on the Draft Reference Plan being granted to the following parties, subject to their being accepted in the City's standard form and in accordance with the City's standard practice:
    - i. Bell Canada to protect aerial and buried facilities running parallel to the north of the existing two-lane asphalt road; and
    - ii. ENWIN Utilities Ltd. to accommodate existing hydro pole line with 27,600-volt primary electrical power circuit.

By **DELETING** Section IV in its entirety, and **INSERTING** the following in its place:

III. THAT the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1819, Reference Plan 12R-29361, and the Draft Reference Plan; and,

- II. THAT Administration **BE DIRECTED** to report back on the potential options to address public safety challenges in the Twin Oaks Industrial Park by creating emergency access to EC Row Ave. in consultation with appropriate Emergency Service providers and other appropriate stakeholders.

Carried.

Report Number: S 31/2025  
Clerk's File: SAA2025

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### 11.2. Closure of north/south alley located between Algonquin Street and Totten Street, Ward 10, SAA-7092

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 722**

- I. THAT the 4.27-metre-wide north/south alley located between Algonquin Street and Totten Street, and shown on Drawing No. CC-1839 (attached hereto as Appendix “A”), and hereinafter referred to as the “subject alley”, **BE ASSUMED** for subsequent closure;
- II. THAT the subject alley **BE CLOSED AND CONVEYED** 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 and buried facilities;
    - ii. ENWIN Utilities Ltd. to accommodate existing overhead 120/240-volt hydro distribution; and
    - iii. Managed Network System Inc. (MNSi.) to accommodate existing plant on the pole line.
  - b. Ontario Land Surveyor be directed to use existing fence line for determining the boundaries of the lands to be conveyed to each abutting property owner.
- III. THAT Conveyance Cost **BE SET** as follows:
  - a. For alley conveyed to abutting lands zoned RD1.1, \$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.
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1839.
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.  
Carried.

Report Number: S 32/2025  
Clerk’s File: SAA2025

# Minutes

## Development & Heritage Standing Committee

Monday, April 7, 2025

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### 11.4. Main Street CIP Application for 415 Devonshire Road, Owner: AALTEN GROUP INC. (C/O: Chris Stronks), Ward 4

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 724**

- I. THAT the request for incentives under the *Main Streets Community Improvement Plan* made by AALTEN GROUP INC. (C/O: Chris Stronks), the owner of the property located at 415 Devonshire Road **BE APPROVED IN PRINCIPLE** for the following programs:
  - i. *Building Facade Improvement Program* totaling a maximum of \$30,000;
  - ii. *Building/Property Improvement Tax Increment Grant Program* for the lesser of 100% of the municipal portion of the tax increment for up to ten (10) years of +/- \$9,048 per year or the total eligible costs;
- II. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Main Street CIP for the *Building/Property Improvement Tax Increment Grant Program* agreement in accordance with all applicable policies, requirements, and provisions contained within the *Main Streets 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 implication;
- III. 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;
- IV. THAT funds in the maximum amount of \$30,000 (*Building Facade Improvement grants*) under the *Main Streets CIP* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the *Main Streets CIP Project Fund* (Project #7219018) when the grant funds are ready to be paid out;
- V. THAT grants **BE PAID** to AALTEN Group INC. (C/O: Chris Stronks) upon completion of improvements to the exterior of the property located at 415 Devonshire Road from the *Building Facade Improvement Program – Main Streets CIP Project Fund* (Project #7219018) to the satisfaction of the City Planner and Chief Building Official; and
- VI. THAT grants approved **SHALL LAPSE** and **BE UNCOMMITTED** and returned to CIP Reserve Fund 226 if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

Carried.

Report Number: S 36/2025

Clerk's File: Z/13002

# Minutes

Development & Heritage Standing Committee  
Monday, April 7, 2025

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## 11.7. Response to CQ26/2023 Models of Pre-Approved Building Plans Utilized by Different Municipalities in North America – City Wide

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

Decision Number: **DHSC 726**

That the report of Supervisor, Research & Policy dated February 20, 2025, entitled “ Response to CQ26/2023 Models of Pre-Approved Building Plans Utilized by Different Municipalities in North America – City Wide” **BE RECEIVED** for information.  
Carried.

Report Number: S 22/2025  
Clerk’s File: ACO2025 & SB2025

## 12. COMMITTEE MATTERS

None presented.

## 13. QUESTION PERIOD

None registered.

## 14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Matters) is adjourned at 6:23 o’clock p.m. The next meeting of the Development & Heritage Standing Committee will be held on May 5, 2025.  
Carried.

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Ward 10 – Councillor Jim Morrison  
(Chairperson)

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Deputy City Clerk / Supervisor of  
Council Services

**Subject: Walkerville Heritage Conservation District Study – Results and Findings (Ward 4)**

**Reference:**

Date to Council: March 3, 2025  
Author: Tracy Tang, MCIP, RPP  
Planner III – Heritage (A)  
Email: ttang@citywindsor.ca  
Phone: 519-255-6543 X 6179

Sophia Di Blasi, M. Arch  
Planner II – Policy & Research Support  
Email: sdibiasi@citywindsor.ca  
Phone: 519-255-6543 X 6820  
Planning & Building Services  
Report Date: January 15, 2025  
Clerk's File #: MBA/1700

**To:** Mayor and Members of City Council

**Recommendation:**

- I. THAT the Walkerville Heritage Conservation District (HCD) Study Main Report and Appendices, (a copy of Appendix A is available on the City of Windsor Website due to size (the "Walkerville HCD Study Report") **BE RECEIVED**; and
- II. THAT the six recommendations within the Walkerville HCD Study Report **BE ADOPTED**:
  1. THAT Administration **BE DIRECTED** to proceed with the Plan and Guidelines (Stage 2) for the Walkerville Heritage Conservation District;
  2. THAT the boundary identified by the black dashed line in Figure 2 herein, as further shown in Appendix "B" (the "Recommended Boundary") **BE ADOPTED** as the boundary for the Walkerville Heritage Conservation District;
  3. THAT the recommended policy and process changes identified within Appendix C of the Walkerville HCD Study Report **BE ADOPTED** and Administration **BE DIRECTED** to pursue their implementation;
  4. THAT Administration **BE DIRECTED** to explore the eligibility of those properties identified in Appendix E of the Walkerville HCD Study Report for

individual property designation under Section 29 Part IV of the *Ontario Heritage Act (OHA)*;

5. THAT the objectives of the Walkerville HCD Study Report **BE ADOPTED** and inform the creation of the Walkerville Heritage Conservation District Plan and Guidelines; and,
6. THAT the Statements of Cultural Heritage Value or Interest (SCHVIs) for the Walkerville Heritage Conservation District as set forth in Chapter 10 of the Walkerville HCD Study Report **BE ADOPTED** and inform the creation of the Walkerville Heritage Conservation District Plan and Guidelines.

### **Executive Summary: N/A**

### **Background:**

On July 8, 2019, City Council directed Administration to proceed with implementation of the Walkerville Heritage Conservation District Study (the “Walkerville HCD Study”) (CR 334/2019). Subsequently, project updates were received and available funds were approved by City Council on January 18, 2021 (CR 32/2021). The pursuit of the Walkerville HCD Study was further endorsed by City Council through the approval of the recommendations from the Walkerville Districting Plan on July 25, 2022 (CR330/2022) which included references to the Walkerville HCD Study, as well as the approval of seven strategies in response to Provincial Bill 23’s requirement for municipalities to evaluate their municipal heritage registers on September 5, 2023 (CR 366/2023).

In September 2023, Dr. Marcus R. Letourneau and Dr. Carl Bray of M. R. Letourneau and Associates Inc. (MRLA) were retained to assist City Staff with the process of developing a Walkerville HCD Study. City Staff and the supporting consultants worked jointly to develop a work plan that addresses the required scope as legislated by the Province. MRLA provided a presentation of the Walkerville HCD Study project kick-off to Development & Heritage Standing Committee (DHSC) on December 4, 2023. The presentation was received by City Council on January 15, 2024 (CR 21/2024) and included an overview about the study process, informative legislative background, historical summary of Walkerville and its significance, project scope of work, and consultation summary to-date.

The purpose of this report is to summarize the work completed since January 2024 and present the findings and recommendations from the Walkerville HCD Study Report.

### **Discussion:**

The neighbourhood of Walkerville has long been an area of heritage interest for the City of Windsor. Currently, Walkerville is identified as a Heritage Area, as “an area or neighbourhood where there are collections of important heritage resources”, and a Mature Neighbourhood Area within the City of Windsor’s Official Plan (Schedule G: Civic Image and Schedule A-1: Special Policy Areas). However, a Heritage Area does not have official legal status under provincial legislation, and the City’s Official Plan policies do not require regulation of alterations.

Due to the recent legislative changes in Ontario and adoption of the Walkerville Districting Plan, a heritage conservation district (“HCD”) was identified as a logical next step to protect key heritage features of the area and effectively manage change. A HCD is defined under Part V of the *Ontario Heritage Act* (the “OHA”) as a “geographically defined area within a municipality that is noted for its distinct heritage character”. A HCD is established through a by-law adopted by a municipality and must be registered with the Ontario Heritage Trust. The study area for the Walkerville HCD Study project was based on the existing Heritage Area boundary, however slightly expanded. The study area covers the area bounded by the Detroit River, Walker Road, Ottawa Street, and the laneway between Lincoln Road and Gladstone Avenue (except for those properties on Wyandotte Street East where the limit extends to Gladstone Avenue proper). A total of 1362 properties (parcels) fall within the study area, with a concentration of 52 OHA Part IV individually designated properties and 292 listed heritage properties.

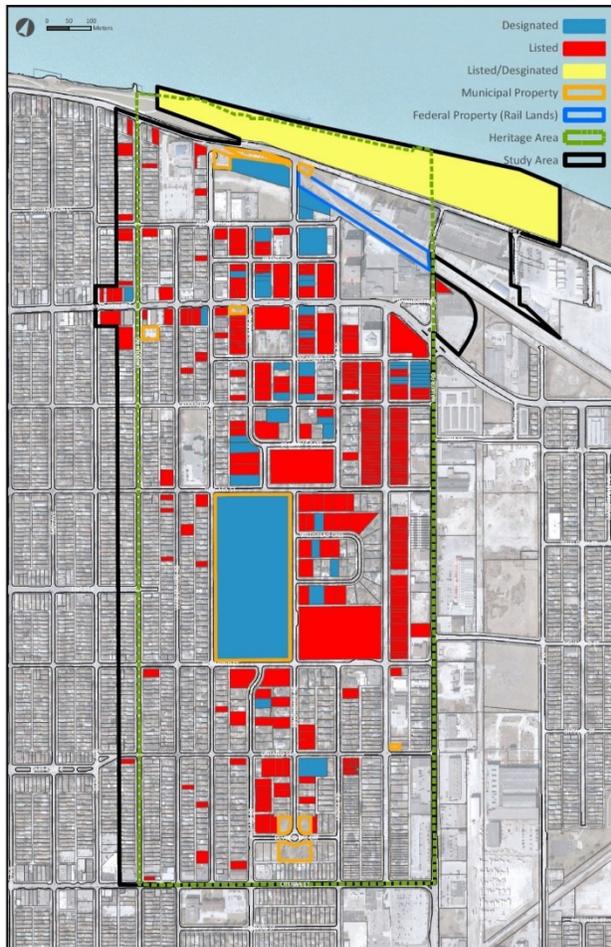


Figure 1: Map illustrating the Study Area Boundary, the Heritage Area Boundary, and existing Section 27 Part IV ‘Listed’ OHA Properties and Section 29 Part IV Designated OHA Properties.

the Ontario Heritage Trust. The study area for the Walkerville HCD Study project was based on the existing Heritage Area boundary, however slightly expanded. The study area covers the area bounded by the Detroit River, Walker Road, Ottawa Street, and the laneway between Lincoln Road and Gladstone Avenue (except for those properties on Wyandotte Street East where the limit extends to Gladstone Avenue proper). A total of 1362 properties (parcels) fall within the study area, with a concentration of 52 OHA Part IV individually designated properties and 292 listed heritage properties.

<b>Total Properties</b>	<b>1362</b>
Heritage Designated	52
Heritage Listed	292
Total Heritage	344 (25.26%)
Monmouth Rowhouse	111

Table 1: Table summarizing the Heritage Status (protected under Sections 27 and 29 of Part IV of the OHA) of properties within the Study Area.

## Purpose of the Walkerville HCD Study

According to the Ministry’s Ontario Heritage Toolkit, HCDs exist as a means for municipalities to “represent an area with a group or complex of buildings, or a larger area with many buildings and properties, or an area with a concentration of heritage resources with special character or historical association that distinguishes it from its surroundings.” It could include buildings, structures, streets, landscapes, and even views and vistas. Across Ontario, one of the ways to conserve and enhance these areas is to designate them as HCDs. Through legislation under Part V of the OHA, a municipality can control change (e.g. new development/infill) in ways that conserve an

area's heritage values and attributes while encouraging compatible development. A HCD designation is not meant to prevent change; it is meant to be a tool to manage change in ways that respect and are compatible with the existing heritage character of the area.

The Walkerville HCD Study is intended to evaluate the heritage resources within the Walkerville HCD Study area boundary and its merits to becoming a HCD according to the provisions under the *OHA (Section 40 (2))*, as well as identify alternative Planning tools that can help manage change. In undertaking the Walkerville HCD Study, it was acknowledged and emphasized that there was no predetermined outcome. Research and findings from the Study informed the recommendations on whether any further action is recommended to be taken, and if so, what tools or options they may be.

## **Methodology**

Building on the requirements of both the *OHA* and the City of Windsor, the Walkerville HCD Study was to consist of the following components:

- An analysis of the current planning policy framework, potential amendments, and municipal capacity;
- A historical overview of the area's development and inventory & analysis of heritage resources (i.e. all properties within the study area, including buildings, streetscapes, landmarks, and open spaces);
- An evaluation of the cultural heritage value, significance, and contribution of the heritage resource inventory;
- An undertaking of public engagement including public meetings and surveys; and
- A rationale for designation, recommended tools, recommended objectives for a potential HCD, and a proposed district boundary.

To conduct the research and evaluate contribution status of the heritage resource inventory, the following resources were used (but were not limited to):

- In-person site visits and photography;
- Existing municipal records and heritage property files;
- Historic Registered Plans, Land Registry Office books, fire insurance plans (1890; 1924; 1937; 1953), city directories, and newspapers
- Windsor Public Library Local History Branch & Community Archives;
- Local historical texts and publications, including works by Chris Edwards and Elaine Weeks and the International Metropolis blog by Andrew Foot.

The following deliverables were to be prepared as part of the Walkerville HCD Study:

- Recommended boundary for HCD designation under Part V of the *OHA*, scoped from the study area boundary;
- Recommendations for individual heritage designation under Part IV of the *OHA* for properties outside of the recommended HCD boundary;
- Recommendations for alternative tools for conserving cultural heritage within the study area, e.g. area-specific policy, regulations, or guidelines; and
- Final HCD Study Report including the evaluation and recommendations.

## Results and Findings

Based on the analysis presented in the Walkerville HCD Study Report, MRLA concludes that the Recommended Boundary satisfies the criteria set by both the Province and City of Windsor for designation as a HCD. As a result, the Walkerville HCD Study Report prepared by MRLA includes the following six recommendations:

**Recommendation 1:** That it be recommended that City of Windsor Council proceed with the Plan and Guidelines Stage for the Walkerville Heritage Conservation District.

For reasons stated within the Walkerville HCD Study Report, including how Walkerville has merits to being designated as a HCD and meets both Provincial legislative requirements and City of Windsor Official Plan requirements. A HCD designation status is a chance to celebrate, identify, and inventory the rich heritage resources of Walkerville and provide a tool to manage change, ensuring that future developments or alterations enhance and complement Walkerville's heritage character.

**Recommendation 2:** That the Recommended Boundary be recommended to Council as the boundary for the Walkerville Heritage Conservation District.

The Recommended Boundary captures the highest concentration of heritage resources and properties within the study area and exceeds the *OHA* legislative requirements for 25% of properties within the HCD boundary to be "contributing", as it meets 2 of 9 criteria under O. Reg. 9/06, as set out in Appendix "C" attached hereto. The Recommended Boundary provides a balanced approach for administrative implementation, regulation, and resource capacity. The Walkerville HCD Study Report recommends protection of the properties outside of the Recommended Boundary through an expanded Heritage Area regulated under the Official Plan, as shown in Appendix "B".

**Recommendation 3:** That the recommended policy and process changes identified within Appendix C of the Walkerville HCD Study Report be adopted and implemented.

Section 40(2) of the *OHA* required that the Walkerville HCD Study provide recommendations for "(d) policy statements, guidelines and procedures for achieving the stated objectives and managing change in the heritage conservation district". The proposed policy framework amendments and



Figure 2: Map illustrating the recommended Walkerville HCD Boundary

procedural updates ensure that the visions, goals, and objectives of City Council through the Official Plan are strengthened and actionable to better preserve not only Walkerville's, but the whole of Windsor's, cultural heritage resources.

**Recommendation 4:** That the properties identified in Appendix E of the Walkerville HCD Study Report be subject to further analysis to determine their eligibility for individual property designation under Section 29 Part IV of the *OHA*.

There are many properties that were inventoried and researched that are located within the original study area but outside of the Recommended Boundary. As shown in the Walkerville HCD Study Report, MRLA assessed these properties and determined that several may have merits for individual property designation under Section 29, Part IV of the *OHA*.

**Recommendation 5:** That the objectives of the Walkerville HCD Study Report be adopted and inform the creation of the Walkerville Heritage Conservation District Plan and Guidelines

Under Section 40(2) of the *OHA*, the Walkerville HCD Study was required to also "(c) consider and make recommendations as to the objectives of the designation and the content of the heritage conservation district plan required under section 41.1." As shown in the Walkerville HCD Study Report, MRLA established five objectives for a future HCD Plan and Guidelines framework for Walkerville, including conservation and protection of identified heritage resources, maintenance and adaptive reuse, policies and guidelines for site alteration and development, processes and procedures for heritage approvals, and interpretation and celebration.

**Recommendation 6:** That the SCHVs for the Walkerville Heritage Conservation District as set forth in Chapter 10 of the Walkerville HCD Study Report be adopted and inform the creation of the Walkerville Heritage Conservation District Plan and Guidelines.

Under Section 41(1) (5) of the *OHA*, a HCD Plan must include "(b) a statement explaining the cultural heritage value or interest of the heritage conservation district; (c) a description of the heritage attributes of the heritage conservation district and of properties in the district;...". As shown in the Walkerville HCD Report, MRLA has prepared the SCHVs for the Walkerville HCD.

Heritage Planning Staff provided a thorough review of the Walkerville HCD Study Report, recommendations, and supporting appendices. Heritage Planning Staff support the findings and recommendations of the heritage consultants at MRLA.

### **Legal Provisions:**

#### **Official Plan:**

With regards to the creation or designation of a new HCD, Official Plan policy 9.3.3.1 (b) states that "Council will recognize Windsor's heritage resources by Designating groups of buildings and areas as Heritage Conservation Districts under the Ontario Heritage Act".

Further, Official Plan policy 9.3.3.3 requires each designated HCD to meet criteria that “(a) the area will be comprised of buildings, structures or parts thereof, and sites or landscapes that would meet individual criteria for designation”, but also “(b) may include other elements that do not individually merit designation, but which constitute infilling among properties of architectural and/or historical significance and are necessary for the conservation of the overall character of the area.”

The results and findings of the Walkerville HCD Study Report demonstrate that the recommended HCD meets the City of Windsor’s Official Plan policies. Appendix B of the Walkerville HCD Study Report contains an in-depth review of the existing applicable plans and policies.

**Ontario Heritage Act:**

Part IV of the OHA identifies key steps and outlines the basic information required for both a HCD Study and Plan. In December 2022, the Province revised the requirements of Ontario Regulation 9/06 to include specific criteria for the inclusion of properties within a HCD. 25% of all properties within a HCD must be “contributing” by meeting two of the nine criteria under O. Reg. 9/06 as set out in Appendix “C”.

MRLA recommended that the Recommended Boundary be strong and defensible against possible appeals at the Ontario Land Tribunal (OLT) by exceeding the provincial minimum (25% of properties meeting 2/9 criteria). A Walkerville-specific target was established to have a minimum of 30% of properties within the Recommended Boundary meeting 3/9 criteria. Table 2 provides a summary of how many properties within the Recommended Boundary meet each criterion based upon the preliminary assessment:

<b>Number of properties (parcels) within Recommended Boundary</b>	<b>742</b>
Section 29 Part IV ‘Designated’ properties within the area	45
Section 27 Part IV ‘Listed’ properties within the area	269
Total heritage properties within the area	314 (42%)
Properties that meet 3/9 provincial criteria	496 of 742 (67%)
Properties that meet 2/9 provincial criteria	606 of 742 (82%)

*Table 2: Table summarizing the properties within the recommended HCD boundary*

While these are preliminary assessments, the number of properties currently identified as meeting the provincial threshold has been surpassed by over 50% of the total properties in the Recommended Boundary.

**Risk Analysis:**

Failure to designate the area within the Recommended Boundary as the Walkerville HCD poses significant risks in terms of heritage resource loss, lack of protections, and unregulated changes. This could have broader implications under current pressures like the nation-wide housing crisis and Bill 23, where listed properties (269 of which are in the Recommended Boundary) are slated to lose protection effective January 1, 2027.

Without HCD designation, Walkerville's heritage resources are vulnerable to demolition, incompatible new construction, and inappropriate alterations. Infill development and intensified redevelopment, enabled by provincial housing legislation (e.g., "as-of-right" permissions for additional dwelling units), could result in diminishment and disruption of the cohesive and unique character of the area.

The City of Windsor's current tools and frameworks are not sufficient enough to influence development, and Administration lacks mechanisms to ensure heritage-sensitive changes take place while preserving Walkerville's historical integrity. As noted above, this has been exacerbated by the significant changes to the Province's heritage and planning frameworks. The *OHA* provides mechanisms for conserving heritage within designated HCDs, including design guidelines and mandatory permitting procedures for alterations, erections, and demolitions. Designation as a HCD offers a critical opportunity to balance growth, manage change, and safeguard Walkerville's irreplaceable heritage amidst pressing development challenges.

There is no risk of appeal associated with the recommendations of this report. However, should Council decide to direct Administration to proceed with the Walkerville HCD Plan and Guidelines stage of the project and subsequent adoption of a designation by-law, the *OHA* provides provisions on notice requirements and ability to appeal to the Ontario Land Tribunal (OLT) when it comes forward. In the case of the 1997 Walkerville HCD designation attempt, there was a lack of public support for the designation as some of the residents viewed the designation as having been prepared without sufficient public consultation and the assumption that a HCD would impose onerous restrictions and controls. To mitigate misunderstandings and alleviate concerns, Administration and MRLA have conducted collaborative public consultation events, solicited public feedback through interactive maps and online surveys, spread awareness through news releases, media advisories, postcards, letters, social media outreach, and posted educational content on Let's Talk Windsor online engagement platform. Nevertheless, MRLA has advised from their previous experiences in completing and defending HCDs across Ontario, that it would be wise to consider a contingency amount for any potential appeals of the HCD designation to the OLT.

## **Climate Change Risks**

**Climate Change Mitigation: N/A**

**Climate Change Adaptation: N/A**

## **Financial Matters:**

The capital project 7141014 (Heritage Conservation District Study) was established in 2014 as part of the 2014 Capital Budget and has \$285,000 in budgeted funding for the Walkerville HCD project. MRLA was retained in September 2023 to assist Heritage Planning staff in the undertaking of the Walkerville HCD Study (Stage 1) project.

MRLA's consultation fee as budgeted for in their contract is \$89,956, inclusive of non-recoverable HST, for the Stage 1 Study. As of December 15, 2024, a total of \$73,397.80 has been paid to MRLA, with a remaining balance of \$16,558.20 to cover

work completed as well as any remaining work to conclude the Stage 1 project. In addition, expenditures have been incurred by staff from the Recreation and Culture department, University of Windsor researchers, and University of Waterloo co-op students. The financial status of capital project 7141014 is simplified in Table 3 below.

<b>Budget of capital project 7141014</b>	<b>\$285,000.00</b>
<b>Total anticipated costs (Stage 1)</b>	<b><u>(\$143,444.88)</u></b>
<b>Total anticipated balance remaining</b>	<b>\$141,555.12</b>

*Table 3: Table summarizing the costs incurred for the Walkerville HCD Study (Stage 1)*

Should Council provide direction to continue with the Stage 2 Plan and Guidelines of the Walkerville HCD project, it is proposed that the same firm, MRLA, be retained to undertake the works. Given MRLA’s familiarity with the project and their effective execution of the Stage 1 Study project, this continuity will ensure efficiency and consistency in delivering the Walkerville HCD Plan. MRLA has estimated that the Stage 2 project can cost between \$120,000 and \$170,000 to execute, which includes MRLA consulting fees, architect sub-consulting fees, university co-op students, and other expenses. Stage 2 of the project involves the development of a HCD Plan report, detailed design guidelines, public engagement events, property inventory write-ups, and municipal policy work. A large portion of the cost estimate is due to public engagement events and the property inventory work. Should the designation by-law for the Walkerville HCD be adopted by City Council following the Stage 2 Plan & Guidelines, additional costs for legal registration for each property with the Land Registry Office and potential appeal(s) should be considered. Total estimated costs of \$281,840 for Stage 2 is included in Table 4 below.

<b>Total anticipated balance remaining (from Stage 1)</b>	<b>\$141,555.12</b>
<b>Total anticipated costs (Stage 2)</b>	<b><u>(\$281,840.00)</u></b>
<b>Total anticipated shortfall</b>	<b><u>(\$140,284.88)</u></b>

*Table 4: Table summarizing estimated costs for the Walkerville HCD Plan & Guidelines (Stage 2)*

MRLA has advised that working within the current budget of \$141,555.12 may come at the sacrifice of defensibility, producing a higher quality final deliverable Plan and Guidelines (particularly with regard to individual property statements), and more deeply engaging public consultations (which alleviate the risk of potential appeals to OLT). Thus, as a recommendation of concurrent Report S 7/2025 titled “Windsor Municipal Heritage Register – Updates about Bill 23 Strategies (City-wide)”, additional funding in the amount of \$150,000 is being requested to be transferred from capital project 7241028 (Bill 23 Municipal Heritage Register) to capital project 7141014 to bring the total remaining balance from \$141,555.12 to \$291,555.12 and provide sufficient funding to complete Stage 2. A transfer recommendation and impact analysis to project 7241028 as a result of this transfer is addressed in report S 7/2025.

## Consultations:

On November 20, 2023 at the Willistead Manor, the City of Windsor conducted a kick-off public engagement event for the Walkerville HCD Study using both in-person and online platforms. To notify the community and garner awareness about the public engagement event, 5,702 invitation postcards were mailed to properties within the original Study Area boundary, a news release and media advisory were issued, and the City's social media platforms posted. A "Let's Talk Windsor" online engagement project page was created with project information and timelines, an online survey, and mapping tool to solicit feedback. In the afternoon of that day, an internal City Staff meeting was conducted including 49 attendees from the following departments: Planning, Building, Parks, Culture, Transportation, Engineering, Right-of-way, Real Estate Services, Asset Planning, and Operations. The hybrid in-person and virtual live-streamed-and-recorded public engagement event was held that evening with 70 in-person attendees and 3 virtual participants. The public event recording was uploaded on "Let's Talk Windsor", 64 survey responses were submitted, 12 significant locations within Walkerville were identified, and 4 potential HCD boundaries were identified. This consultation revealed community priorities, strengths, and concerns, emphasizing the desire for managed growth and heritage conservation.

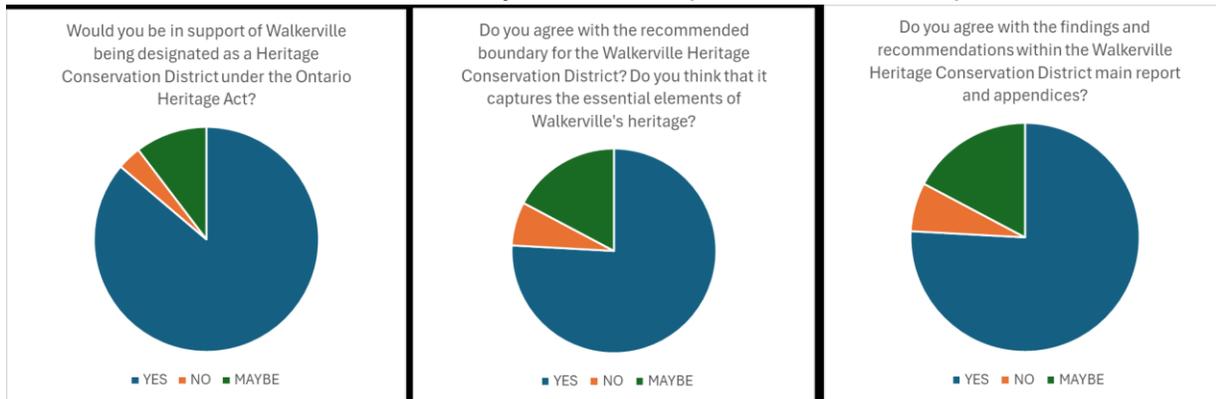


*Figure 3: The November 20, 2023 Public Meeting.*



*Figure 4: The November 25, 2024, Public Meeting.*

On November 25, 2024 the second public engagement event was held for the Walkerville HCD Study at the same location, Willistead Manor. Presentation materials and draft report contents were uploaded in advance on “Let’s Talk Windsor”, along with an online survey. Prior to the event, Heritage Planning Staff circulated the draft report and appendices to internal Planning Department staff for review, however no feedback or comments were received. 2,632 notification letters were mailed by Canada Post to all properties within the original Study Area boundary, email notices were sent to “Let’s Talk Windsor” subscribers, and a News Release, Media Advisory, and Social Media blast-outs helped to spread the word. 103 persons were in attendance at the event. The presentation and Q & A session were video-recorded and uploaded on “Let’s Talk Windsor” along with a write-up of the FAQs. 29 survey responses were submitted, the results of which are summarized in Figure 5 below. Participants expressed concerns about intensification, added density, and incompatible infill development in Walkerville,



however they were also extremely wary about private property restrictions and impacts. Overall, there was a strong emphasis on the need to recognize, celebrate, and conserve Walkerville’s heritage, while also not overstepping property owners’ rights, while also balancing land development and more housing units.

*Figure 5: Responses to Let’s Talk Windsor online survey questions.*

Heritage Planning staff have consulted with Josie Gualtieri, Financial Planning Administrator, Finance Department for confirmation of fund balances, as well as Kate Tracey and Aaron Farough, Senior Legal Counsels, Legal Department in the preparation of this report.

**Conclusion:**

Walkerville's rich history, scenic streetscapes, unique buildings, and carefully planned aesthetic underscores its significant cultural heritage value. This distinctive neighbourhood is a critical area for heritage conservation in a time of rapid growth. With public support and a clear implementation plan, the pursuit of Walkerville’s heritage designation through a HCD ensures that Walkerville's historical and cultural legacy is preserved for future generations while responsibly managing inevitable changes.

The Walkerville HCD Study Report provides compelling evidence to support its designation under both the legal provisions of the *OHA* and the municipal requirements under Official Plan policies. The recommendations within the Walkerville HCD Study Report demonstrate a clear and actionable path forward for preserving Walkerville's

heritage character while accommodating compatible change. Furthermore, the Walkerville HCD Study Report addresses potential challenges such as municipal resource management and public concerns, offering practical solutions through detailed policies, guidelines, and community engagement strategies. Administration recommends that City Council receive the Walkerville HCD Study Report, inclusive of the adoption of the six recommendations herein, proceed with the Plan and Guidelines Stage, and allocate appropriate funds to execute the Plan and Guidelines (Stage 2) of the Walkerville HCD project.

**Planning Act Matters: N/A**

**Approvals:**

Name	Title
Emilie Dunnigan	Manager, Development Revenue & Financial Administration
Michael Dennis	Manager, Strategic Capital Budget Development & Control
Jason Campigotto	Deputy City Planner – Growth (A)
Neil Robertson	City Planner/Executive Director – Planning and Development
Kate Tracey	Senior Legal Counsel
Janice Guthrie	Commissioner, Finance and City Treasurer
Jelena Payne	Commissioner, Economic Development
Janice Guthrie acting for Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email
List provided to clerk’s office		

**Appendices:**

1 Appendix A – Walkerville HCD Study Main Report and Appendices available at [www.citywindsor.ca](http://www.citywindsor.ca) due to size.

- 2 Appendix B – Walkerville HCD Study Maps
- 3 Appendix C – *Ontario Heritage Act* HCD Provisions and Official Plan Policies

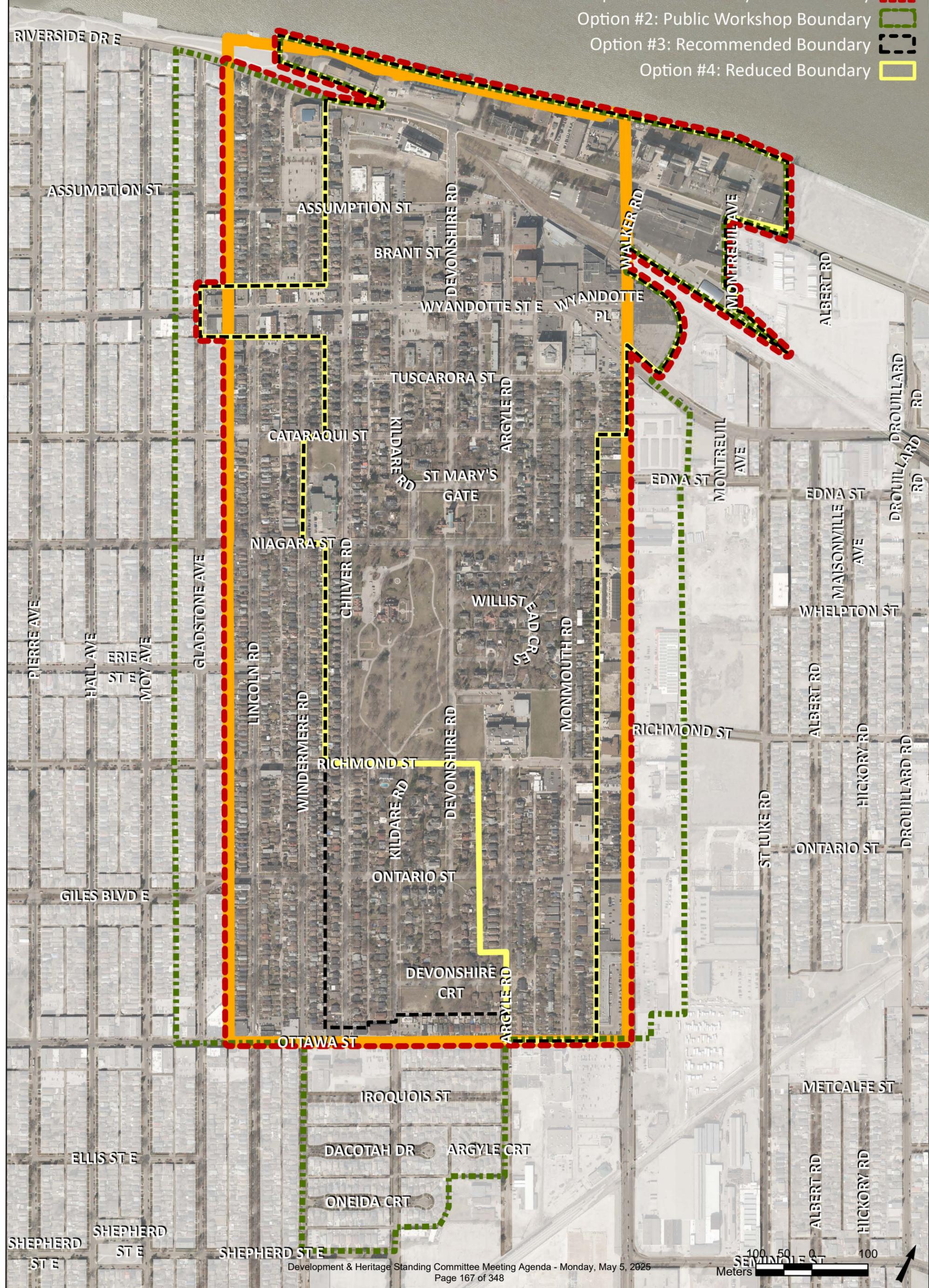
## **Appendix 'B' – Walkerville HCD Study Maps**

1. Walkerville HCD Study Area – Boundary Options
2. Walkerville HCD Study Area – Recommended Boundary and Sub-Areas
3. Walkerville HCD Study Area – Preliminary Assessment of Contributing and Non-Contributing Properties
4. Walkerville HCD Study Area – Proposed Extended Heritage Area Boundary

# Walkerville Heritage Conservation District Study Area

## Boundary Options

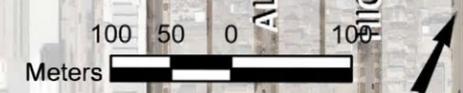
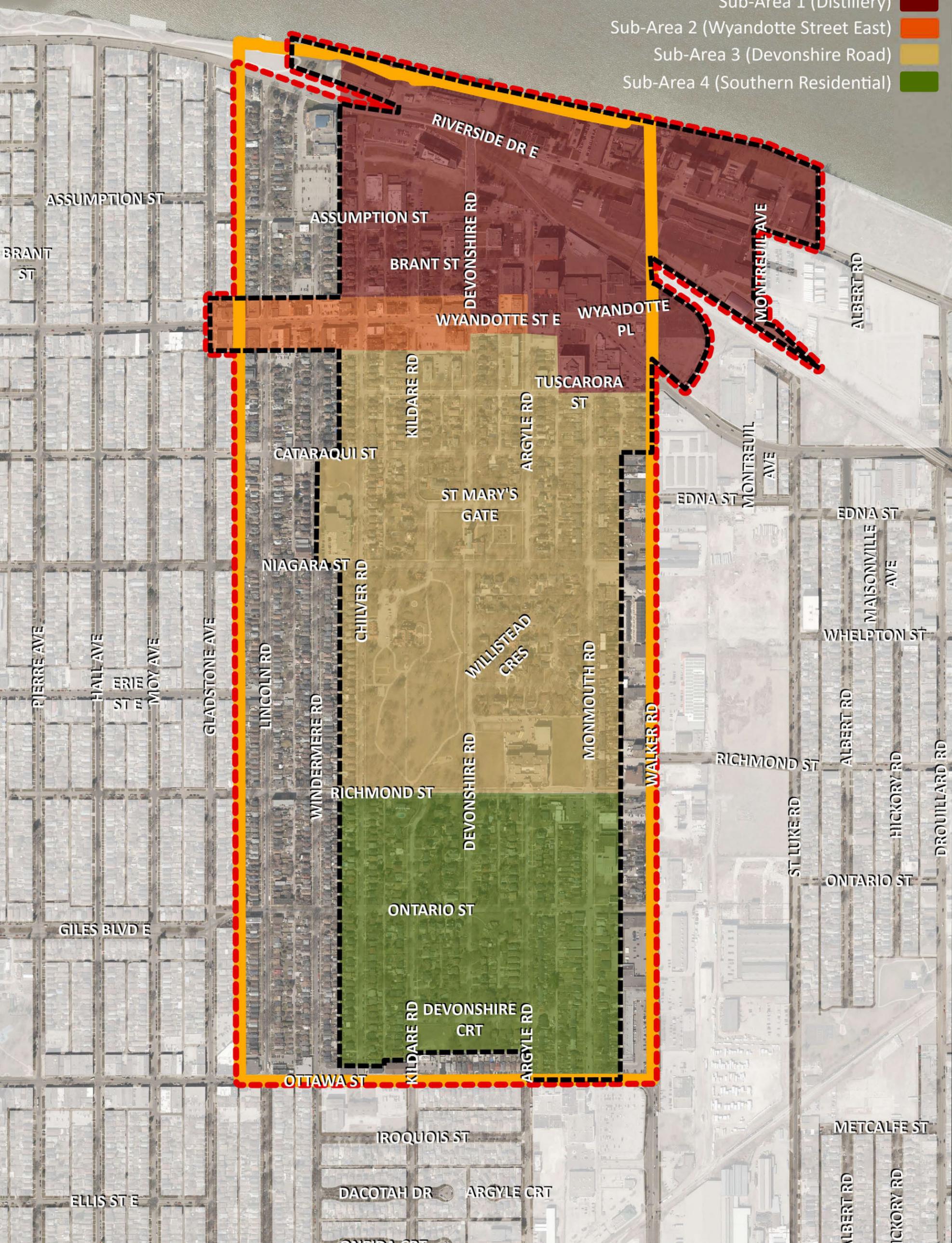
- Heritage Area Boundary 
- Option #1: RFP Study Area Boundary 
- Option #2: Public Workshop Boundary 
- Option #3: Recommended Boundary 
- Option #4: Reduced Boundary 



# Walkerville Heritage Conservation District Study Area

## Recommended Boundary and Sub-Areas

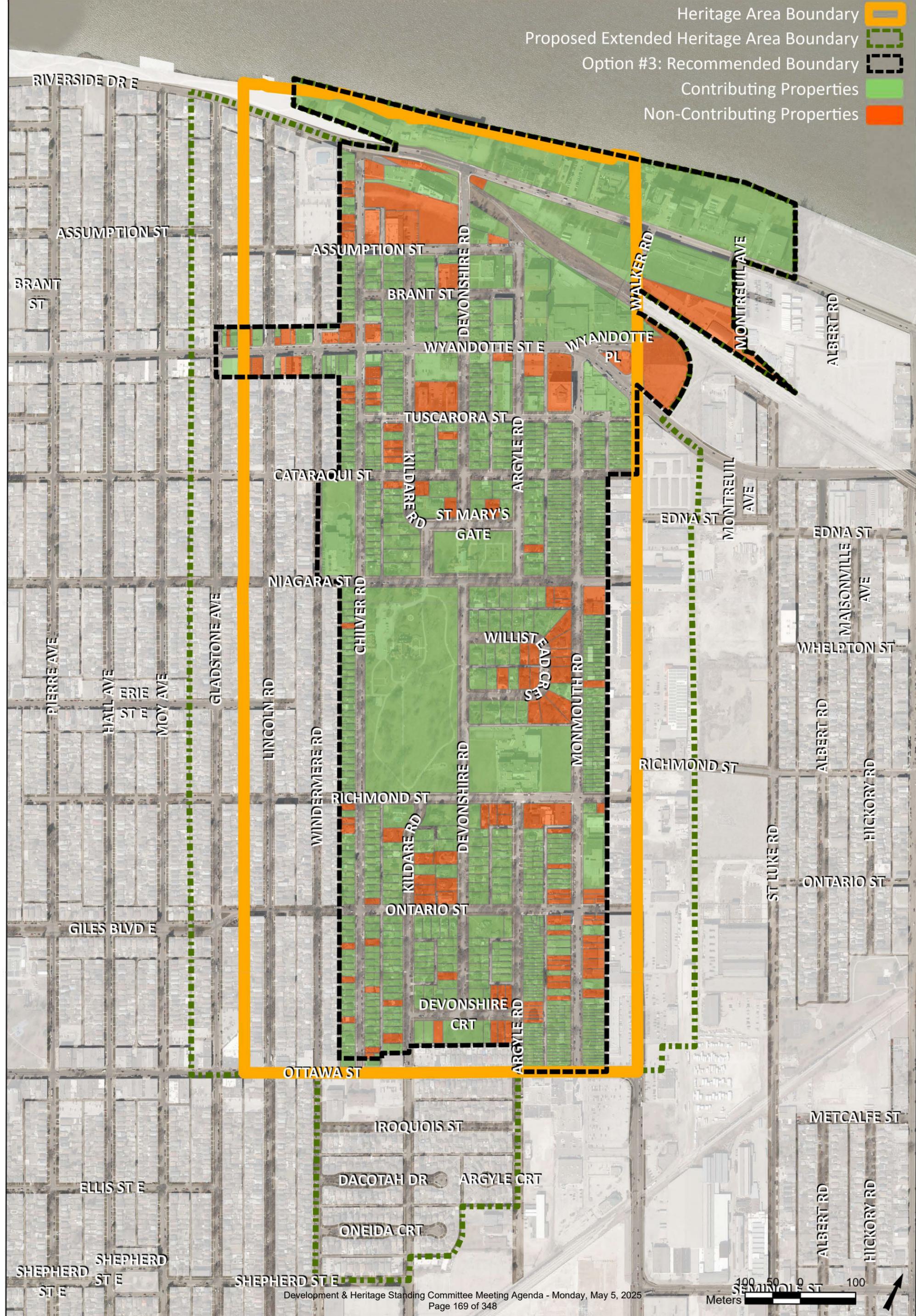
- Heritage Area Boundary 
- RFP Study Area Boundary 
- Option #3: Recommended Boundary 
- Sub-Area 1 (Distillery) 
- Sub-Area 2 (Wyandotte Street East) 
- Sub-Area 3 (Devonshire Road) 
- Sub-Area 4 (Southern Residential) 



# Walkerville Heritage Conservation District Study Area

## Preliminary Assessment of Contributing and Non-Contributing Properties

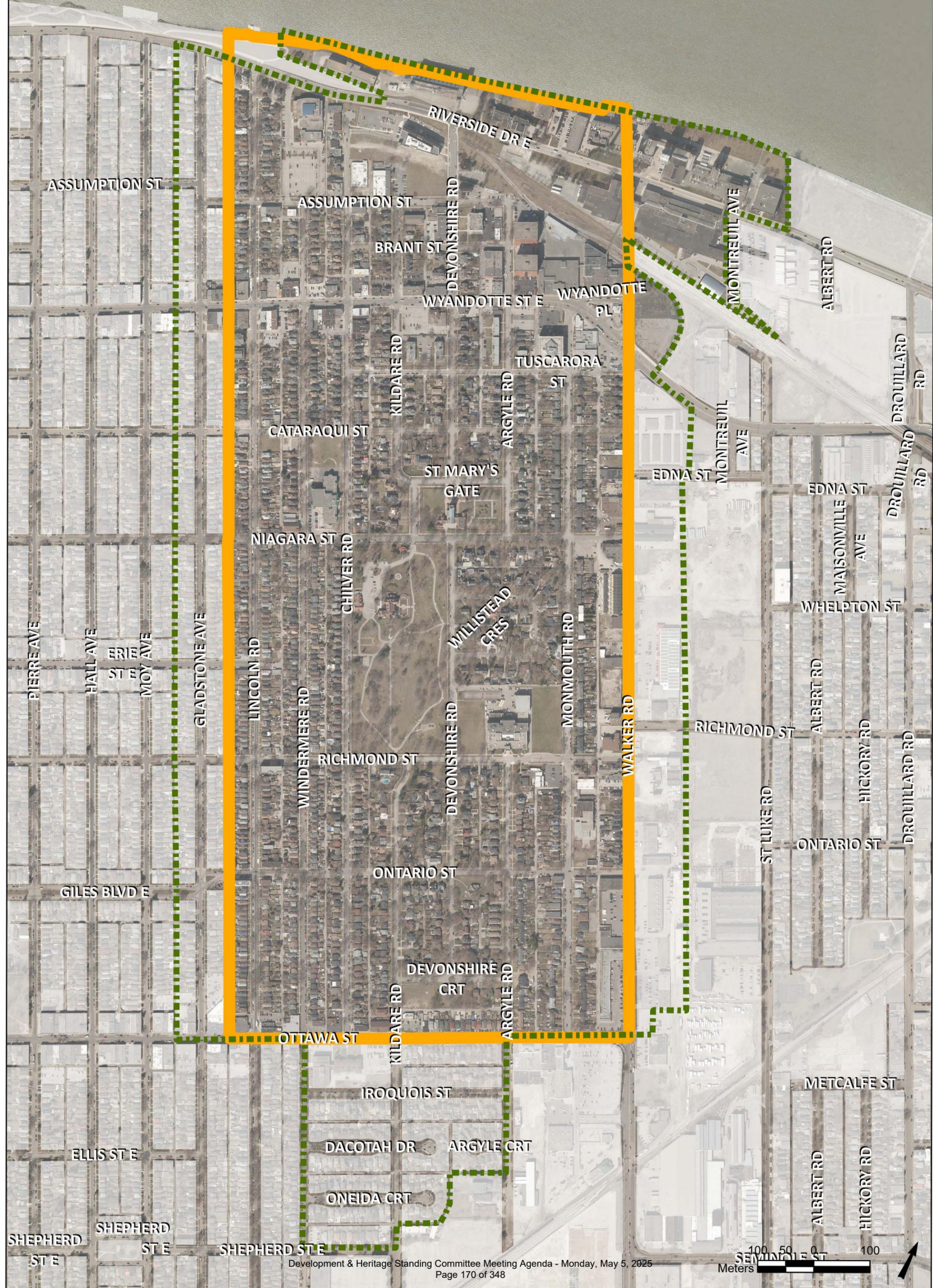
- Heritage Area Boundary
- Proposed Extended Heritage Area Boundary
- Option #3: Recommended Boundary
- Contributing Properties
- Non-Contributing Properties



# Walkerville Heritage Conservation District Study Area

## Proposed Extended Heritage Area Boundary

Heritage Area Boundary   
Option #2: Public Workshop Boundary 



## **Appendix 'C' – Ontario Heritage Act HCD Provisions and City of Windsor Official Plan Policy Tools to Regulate Heritage Changes**

### **Ontario Heritage Act PART V: HERITAGE CONSERVATION DISTRICTS**

#### **Area study**

**40** (1) The council of a municipality may undertake a study of any area of the municipality for the purpose of designating one or more heritage conservation districts. 2005, c. 6. s. 29.

#### **Scope of study**

(2) A study under subsection (1) shall,

(a) examine the character and appearance of the area that is the subject of the study, including buildings, structures and other property features of the area, to determine if the area should be preserved as a heritage conservation district;

(b) examine and make recommendations as to the geographic boundaries of the area to be designated;

(c) consider and make recommendations as to the objectives of the designation and the content of the heritage conservation district plan required under section 41.1;

(d) make recommendations as to any changes that will be required to the municipality's official plan and to any municipal by-laws, including any zoning by-laws. 2005, c. 6. s. 29.

#### **Consultation**

(3) If the council of a municipality has established a municipal heritage committee under section 28, the council shall consult with the committee with respect to the study. 2005, c. 6. s. 29.

### **Ontario Heritage Act: ONTARIO REGULATION 9/06**

#### **Criteria for determining cultural heritage value or interest**

##### **Criteria, s. 41 (1) (b) of the Act**

**3.** (1) The criteria set out in subsection (2) are prescribed for the purposes of clause 41 (1) (b) of the Act. O. Reg. 569/22, s. 1.

(2) Subject to subsection (3), in the case of a by-law passed under subsection 41 (1) of the Act on or after January 1, 2023, a municipality or any defined area or areas of it may be designated by such a by-law as a heritage conservation district under subsection 41 (1) of the Act if the municipality or the defined area or areas of it meets the following criteria:

1. At least 25 per cent of the properties within the municipality or defined area or areas satisfy two or more of the following:

- i. The properties have design value or physical value because they are rare, unique, representative or early examples of a style, type, expression, material or construction method.
- ii. The properties have design value or physical value because they display a high degree of craftsmanship or artistic merit.
- iii. The properties have design value or physical value because they demonstrate a high degree of technical or scientific achievement.
- iv. The properties have historical value or associative value because they have a direct association with a theme, event, belief, person, activity, organization or institution that is significant to a community.
- v. The properties have historical value or associative value because they yield, or have the potential to yield, information that contributes to an understanding of a community or culture.
- vi. The properties have historical value or associative value because they demonstrate or reflect the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
- vii. The properties have contextual value because they define, maintain or support the character of the district.
- viii. The properties have contextual value because they are physically, functionally, visually or historically linked to each other.
- ix. The properties have contextual value because they are defined by, planned around or are themselves a landmark. O. Reg. 569/22, s. 1.

## City of Windsor Official Plan CHAPTER 9: HERITAGE CONSERVATION

The Official Plan designates Walkerville as a “Heritage Area” within Schedule G: Civic Image. The Walkerville Heritage Area is generally bound by the Detroit River to the north, Walker Road to the east, Ottawa Street to the south, and Lincoln Road to the west. The following policies apply:

	9.3.5	Enhancement of Heritage Resources
	9.3.5.1	Council will enhance heritage resources by:
<i>HERITAGE AREAS AND HERITAGE CONSERVATION DISTRICTS</i>	9.3.5.1 (a)	Ensuring that within any Heritage Area or Heritage Conservation District that:
<i>INFRASTRUCTURE</i>	9.3.5.1 (a) (i)	Infrastructure undertakings respect and enhance the historic character of the area;
<i>DEVELOPMENT</i>	9.3.5.1 (a) (ii)	Development be of compatible height, massing, scale, setback and architectural style;

## City of Windsor Official Plan CHAPTER 6: LAND USE

The Walkerville Heritage Area is also a Mature Neighbourhood area as per Official Plan Schedule A-1, where the Windsor Intensification Guidelines for Stable and Mature Neighbourhoods apply, as well as the following Official Plan policies:

	6.3	Residential
	6.3.2	Policies
<i>HERITAGE CONSERVATION</i>	6.3.2.17	Council shall encourage the retention, restoration and sensitive renovation of historic and/or architecturally significant residential buildings in accordance with the Heritage Conservation chapter of this Plan. Infill and intensification within Mature Neighbourhoods, shown on Schedule A-1, shall be consistent with the built form, height, massing, architectural and landscape of the area. Council will adopt Design Guidelines to assist in the design and review of development in these areas.
<i>ADDITIONAL DWELLING UNIT REQUIREMENTS</i>	6.3.2.24	An additional dwelling unit shall be permitted within the primary dwelling unit and a building accessory to the primary dwelling unit subject to the following criteria: (e) Where located on a parcel of urban residential land identified on the Municipal Heritage Register or within a Mature Neighbourhood identified on Schedule A-1 the additional dwelling unit must not alter the exterior of an existing primary or accessory building visible from the street or other public space unless it is demonstrated, to the satisfaction of the City Planner, that the proposed alteration would not detract from the cultural heritage value and attributes of the property or Mature Neighbourhood...

**Subject: Windsor Municipal Heritage Register – Updates about Bill 23 Strategies (City-wide)**

**Reference:**

Date to Council: March 3, 2025  
Author: Tracy Tang, MCIP, RPP  
Planner III – Heritage (A)  
Email: ttang@citywindsor.ca  
Phone: 519-255-6543 X 6179  
Planning & Building Services  
Report Date: January 15, 2025  
Clerk's File #: MBA/14619

**To:** Mayor and Members of City Council

**Recommendation:**

- I. THAT the report of the Acting Heritage Planner regarding 2025 Updates on the Implementation of the seven (7) Bill 23 Strategies **BE RECEIVED** for information.
  - Strategy 1: Walkerville Heritage Conservation District Plan and Guidelines
  - Strategy 2: Part IV Designation of properties of “high” priority
  - Strategy 3: Exploring new ways to designate
  - Strategy 4: Designation through Development Review and Incentive Programs
  - Strategy 5: Protections through Demolition Control By-law
  - Strategy 6: Protection of City-Owned Heritage resources through Council direction
  - Strategy 7: Continued recognition of heritage properties through a Windsor Heritage Inventory
- II. THAT \$150,000 in available funds in the Capital Project 7241028 (Bill 23 Municipal Heritage Register) **BE TRANSFERRED** into the Capital Project 7141014 (Heritage Conservation District Study) for the funding of Strategy 1: Walkerville Heritage Conservation District Plan and Guidelines; and,
- III. THAT \$25,000 in available funds in the Capital Project 7241028 (Bill 23 Municipal Heritage Register) **BE TRANSFERRED** into the Capital Project 7086006 (Windsor Archaeological Management Plan) for the funding of the outstanding archaeologist consulting fees.

**Executive Summary: N/A**

**Background:**

On November 28, 2022, *Bill 23, More Homes Built Faster Act* received Royal Assent and introduced amendments to the *Ontario Heritage Act (OHA)*. A summary of the impacts of the Bill were brought to Council on February 27, 2023 through Council Report C 19/2023. One significant change to the *OHA* requires that properties listed on a Municipal Heritage Register be removed from the Register if Council does not issue a Notice of Intention to Designate (NOID) the property by January 1, 2025. Once removed, the property cannot be listed again on the Register for a period of five years. After January 1, 2025, City Council could, however, consider the designation of a property that was removed from the Register as long as the designation of the property is based on prescribed criteria.

As of July 10, 2023, there were a total of 884 listed heritage properties on the Windsor Municipal Heritage Register. If no action were taken, the 884 listed properties would effectively lose all heritage protection on January 1, 2025 and could be subject to demolition. On September 5, 2023, City Council through CR 365/2023 approved the seven (7) strategies to evaluate the listed heritage properties within Council Report S 88/2023 titled “Windsor Municipal Heritage Register: Strategies in Response to Provincial Bill 23 (City-wide)”.

Further on April 22, 2024, City Council received a verbal update to the Municipal Heritage Register: Strategies and requested that the Heritage Planner report back at a future Development & Heritage Standing Committee (DHSC) date (CR 158/2024). On June 6, 2024, *Bill 200, the Homeowner Protection Act* received Royal Assent and extended the deadline for municipalities to issue a NOID for listed properties before they are removed from the register from January 1, 2025 to January 1, 2027. Subsequently on July 8, 2024, City Council through CR 158/2024 directed Administration to report back to DHSC on resource capacity and practicality given the two year extended deadline.

This report provides a brief update on the progress undertaken on the seven strategies since the verbal update received on April 22, 2024.

**Discussion:**

The total number of properties recognized on the Windsor Municipal Heritage Register is 1,272. Table 1 below shows the breakdown of properties with heritage status through the *OHA* as of the date of this report. The majority of the properties, totaling 881, are listed but not designated. Windsor has 135 individually designated properties, along with an additional 256 properties designated as part of a Heritage Conservation District (HCD).

Heritage Status	Counts
Register listed (focus of this report)	881
Designated	135
Designated through a HCD (Prado or Sandwich)	256

<b>Total</b>	1272
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*Table 1: Heritage Status of Properties on the Windsor Municipal Heritage Register*

Being listed on the Municipal Heritage Register currently provides properties with interim protection under the *OHA*. This includes a provision that requires property owners to provide at least 60 days' notice to the municipality prior to demolishing or removing any structures on the property. During this period, the municipality has the opportunity to evaluate the property's cultural heritage value or interest and decide whether to proceed with a NOID, thereby affording the property full heritage protection under Part IV of the *OHA*. The listing status also raises awareness among the public, municipal staff, and potential developers about the historical or cultural significance of a property, thereby encouraging sensitive treatment of these resources during planning and development processes. Additionally, it allows municipalities to request a Heritage Impact Assessment (HIA) as part of development applications to better understand and mitigate potential impacts on listed properties. While not as robust as designation, these measures act as critical tools to prevent immediate loss and promote informed decision-making regarding heritage conservation.

In a typical year, the City of Windsor designates only a few heritage properties, most of which are initiated by property owners. The designation process, governed by the *Ontario Heritage Act*, is criteria-based and requires in-depth research through archives, local history centers, various historical sources, and site visits before a designation report is prepared for recommendation to the Heritage Committee and City Council. This is followed by statutory processes, including notifications, by-law preparation, registration, and potential appeals, with the entire process typically taking six months from initiation to Council adoption.

To address the implications of Bill 23 and Bill 200 on the 881 listed heritage properties, Heritage Planning staff developed seven strategies to prioritize the evaluation process. These strategies were informed by ongoing work, an administrative review of properties potentially at risk of demolition, and best practices implemented elsewhere in Ontario. The following section provides an update on the implementation of these strategies since they were first presented to City Council in September 2023, reorganized and renumbered based on their efficacy and impact to date.

## **Heritage Register Evaluation Strategies**

### **Strategy 1: Walkerville Heritage Conservation District Plan and Guidelines (269 properties, 31%)**

Through the undertaking of the Walkerville HCD Study (CR334/2019 and CR32/2021) from Fall 2023 to Fall 2024, a Recommended Boundary (generally bound by Chilver Rd, Ottawa St, Walker Rd, Detroit River) was identified by the retained heritage consultants of M. R. Letourneau and Associates Inc. (MRLA). Of the 881 listed properties on the Windsor Municipal Heritage Register, 269 properties are located within the Recommended Boundary. This represents an estimated 31% of all listed properties on the register and speaks to the unique history, architecture, and fabric that defines this heritage-rich and significant area.

Should Heritage Committee and City Council direct Administration to proceed with the Plan and Guidelines Phase for the Walkerville HCD, then next steps would be pursued for the protection of all properties within the Recommended Boundary. The potential exists for the 269 listed properties currently on the Heritage Register within the Recommended Boundary (31%) to be protected by Part V heritage designation of the *Ontario Heritage Act* by the time that Bill 23's January 1, 2027 deadline comes into effect.

**Strategy 2 (previously 3): Part IV Designation of properties of “high” priority (192 properties, 22%)**

Administration has been conducting heritage research to prepare for the designation of high-priority properties under Part IV, Section 29 of the *OHA*. In the summer of 2023, in preparation for Council Report S 88/2023 (CR 365/2023), Administration undertook a preliminary review, priority ranking, and categorization of properties on the Heritage Register, excluding those within the Walkerville Heritage Area. Rankings were determined based on various factors, including cultural heritage value or interest under O. Reg. 9/06 of the *OHA*, risk factors, historical geography, and location within a main street area. This assessment utilized the Heritage Planner's professional expertise, Google Street View, and municipal heritage property files, assigning each property a priority ranking of high, medium, or low.

Of the 881 listed properties, 239 (27%) were identified as high priority, with strong merits for designation. This includes 33 City-owned properties (addressed under Strategy 6) and 14 properties within the proposed Walkerville HCD boundary (covered under Strategy 1), leaving 192 properties (22%) to be addressed under Strategy 2.

To support this effort, four University of Windsor Department of History students and four University of Waterloo co-op students were engaged to conduct historical research on high-priority listed properties. Since the launch of the Cultural Heritage Evaluation Research (CHER) project in June 2024, 59 properties have been researched and evaluated for heritage designation potential based on the criteria outlined in O. Reg. 9/06 of the *OHA*. Properties were grouped into broad categories, as outlined in Table 2 below.

Categories of Heritage Listed Properties	Counts
School	14
Place of Worship	25
Community Landmarks/Significance	5
University of Windsor	11
Industrial	3
Risk from Development Pressure	1

*Table 2: Categories of the 59 Researched Heritage Listed Properties*

Ford Powerhouse	All Saint's Church	W. C. Kennedy High School	Windsor Grove Cemetery
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*Examples of some “high” priority heritage listed properties. Photos sourced from Google Streetview and Google Earth.*

Pending strategic discussions with large property owners and corporations (e.g. University of Windsor and the Greater Essex County District School Board), these 59 properties have the potential to be the first to receive individually designated status under Part IV Section 29 of the *OHA*. These represent about 25% of the 239 “strongest” listed properties and 7% of the 881 total listed properties.

Based on feedback from both UWindsor History students and UWaterloo co-op students, it takes an average of 18.5 hours for a student to complete the initial desktop research for a single property. This includes historical property research, an assessment of its ability to meet the criteria under O. Reg. 9/06, and drafting a preliminary Statement of Cultural Heritage Value or Interest. Students were assigned only the initial research portion of the designation process, as the municipal administrative tasks, such as reviewing and verifying findings, justifying designation merits under O. Reg. 9/06, drafting and circulating a designation report with appendices, presenting to the Heritage Committee and City Council, preparing a Designation By-law, and issuing public notices, are complex and require specialized expertise. The total estimated time required to complete both the desktop research and the full heritage designation process for a single property is approximately 37 hours, or one full five-day workweek.

### **Strategy 3 (previously 4): Exploring new ways to designate**

Staff are investigating a “batch designation” approach, which has been suggested and implemented by other municipal heritage planners across Ontario, to speed up the designation process. A batch approach (e.g. one report brought forward for all heritage properties that are owned by the same entity/corporation/owner) would save Administration time and resources in preparing designation reports for each individual property as well as Committee and Council time and resources in their consideration. Staff hope to begin consulting with large institutional landowners to collaborate on the designation of significant heritage listed properties, to increase consensus, and to reduce potential appeals and delays.

Staff are also investigating voluntary designations by heritage-minded property owners. This is a “low-hanging-fruit” strategy that is being employed by other Ontario municipalities to protect privately-owned heritage properties, a majority of which are primary residences of the property owners. To support this effort, staff could prepare and distribute letters to listed property owners, providing informational and educational materials about the heritage designation process and its benefits. This approach aims to

promote awareness and foster collaboration with property owners to protect Windsor's heritage assets proactively.

#### **Strategy 4 (previously 2): Designation through Development Review and Incentive Programs**

Through the *Planning Act* development application circulation process or a Community Improvement Plan financial incentive application, Heritage Planning staff have the ability to identify listed properties with designation interest or merits. Should a development application be submitted that poses potential impacts to a listed (non-designated) property, Heritage Planning staff have the ability to request for a Heritage Impact Assessment which contains evaluations for heritage merits and may result in recommendations for designation. By way of development review, three listed properties have been or are in the process of being individually designated under Part IV of the *OHA*:

- 1646 Alexis Rd, Gordon McGregor School
- 1982 Norman Rd, St. Jules School
- 1958-98 Wyandotte St E, Strathcona Bldg.

Administration will continue focusing on properties that can be designated and protected through the development review process. It must be noted though that once listed properties are removed from the Heritage Register, Council will not be able to designate properties that are not already on the heritage register when a development application is triggered. It must also be noted that for listed properties within the Walkerville HCD Study Report Recommended Boundary, should a development application be submitted, the individual Part IV designation process is not being pursued due to overlaps with the concurrent Walkerville HCD Study.

#### **Strategy 5 (previously 6): Protections through Demolition Control By-law**

In the future, Planning staff may explore the use of Section 33 Demolition Control By-laws under the *Planning Act* on targeted geographic areas, for example Heritage Areas and Mature Neighbourhoods, where there are collections of heritage resources. Although the primary objective of Section 33 is to preserve residential housing or facilitate its replacement rather than to protect or restore heritage assets, a Demolition Control By-law could offer interim protection by deterring demolitions.

#### **Strategy 6 (previously 5): Protection of City-Owned Heritage resources through Council direction (33 properties, 4%)**

Through Council Resolution CR 365/2023, City Council has committed to protecting Heritage properties that are City-owned in the same fashion as pre-Bill 23, even if properties are removed on January 1, 2027. 33 of 881 listed properties (4%) on the Windsor Municipal Heritage Register are City-owned and ranked “high” under Strategy 2. Further, City Council has committed to encouraging a high degree of heritage sensitivity by all City Departments in conformance with the City of Windsor Official Plan.

## **Strategy 7: Continued recognition of heritage properties through a Windsor Heritage Inventory**

It is inevitable that many of the heritage listed properties would be stripped of their *Ontario Heritage Act* status after Bill 23's removal requirements come to maturity on January 1, 2027. Administration will continue to keep a list of Windsor's Heritage Inventory of cultural heritage resources so that the Windsor community can continue to access, seek information, and build awareness of local history.

### **Official Plan Policy:**

The preamble of Chapter 9 – “Heritage Conservation” of the City of Windsor Official Plan Volume I reads “A community’s identity and civic pride is rooted in physical and cultural links to its past. In order to celebrate Windsor’s rich history, Council is committed to recognizing, conserving and enhancing heritage resources.” The seven strategies to evaluate the 881 ‘listed’ properties on the heritage register for protection and conservation through potential designation complies with the objectives and policies within the City of Windsor Official Plan. See Appendix ‘A’ for a list of relevant objectives and policies.

### **Risk Analysis:**

There is no risk to receiving this report for information. However, there is a risk of inaction, that being the potential loss of heritage recognition to more than 800 listed properties. The risk also goes beyond identification and recognition to potential demolition and irreversible loss of Windsor’s heritage resources that would be a detriment to current and future generations.

Strategy 1, which involves the potential Part V designation of the Walkerville HCD, would protect 269 listed properties, while Strategy 6 would cover 33 listed properties. Of the 239 highest-priority properties, 14 fall within the Walkerville HCD (Strategy 1), and 33 are City-owned properties covered by Strategy 6, leaving 192 properties to be addressed through Strategy 2.

However, Strategy 2 is the most resource-intensive and time-consuming approach. It also carries the highest risk of appeal, as Part IV, Section 29 of the *OHA* includes provisions for public notices for the NOID, objections to the NOID, and appeals to the Ontario Land Tribunal (OLT) regarding Council’s decision on an objection. Based on consultations with other municipal heritage planners across Ontario, an estimated 5 to 10% of NOIDs issued typically face objections. Given that Strategy 2 targets 192 properties for individual designation under Part IV, the City could expect approximately 10 to 19 objections and/or appeals to the OLT. Each appeal would involve legal costs, including in-house legal representation and potentially third-party expert reviews.

Given the resource-intensive nature of Strategy 2, advancing individual heritage designations at an accelerated pace would require a reallocation of staff efforts or additional resources. The 2025 Operating Budget deliberations include proposals for temporary staff positions to support the implementation of Bill 23 strategies. With dedicated resources, Administration anticipates that all 192 high-priority properties under Strategy 2 could be designated under Part IV of the Ontario Heritage Act by

January 1, 2027. Combined with Strategies 1 and 6, this would provide heritage protection for approximately 56% of the City's 881 listed properties.

<b>Strategy</b>	<b>Counts</b>	<b>Percentages</b>
Strategy 1: Walkerville HCD	269/881	31%*
Strategy 2: Highest priority/merits	192/881	22%
Strategy 6: City-owned	33/881	4%
<b>Total</b>	<b>494/881</b>	<b>56%</b>

*Table 3: Breakdown of ability per strategy to protect listed properties*

*\*Contingent on Recommendation II to allocate funds and Recommendations I and II of Report S 6/2025 to proceed with Stage 2 of the Walkerville HCD project*

While not all listed properties warrant designation and designating every listed property on the register is neither practical nor necessary, proactive efforts are essential to protect those with the highest cultural heritage value. The seven approved strategies provide a clear path for prioritizing and protecting Windsor's most valuable heritage resources. These efforts ensure that heritage conservation is carried out strategically, balancing resources with the importance of preserving the City's cultural identity.

### **Climate Change Risks**

**Climate Change Mitigation: N/A**

**Climate Change Adaptation: N/A**

### **Financial Matters:**

The capital project 7241028 (Bill 23 Municipal Heritage Register) was established as part of the March 2024 Capital Variance report (CR336/2024, report C69/2024) with a balance of \$367,566. To date, \$22,010 in costs have been incurred. The capital project currently has a remaining balance of \$345,556 available.

Through Recommendation II of this report, Administration is proposing that \$150,000 from capital project 7241028 be transferred to capital project 7141014 (Heritage Conservation District Study) to cover anticipated costs for Strategy 1: Walkerville HCD for the Walkerville HCD Stage 2 Plan & Guidelines. This is due to Strategy 1 being the most effective method of protecting the largest number (31%) of listed heritage properties. Financial details for the Walkerville HCD project are described in concurrent Report S 6/2025. Project 7141014 was established as part of the 2014 Capital Budget and has a remaining balance of \$158,113.

Through Recommendation III of this report, Administration is proposing another \$25,440 from capital project 7241028 be transferred to capital project 7086006 (Windsor Archaeological Management Plan) to cover the deficit in the project due to archaeologist consulting. Project 7086006 was established as part of the 2008 Capital Budget and has no remaining balance.

Should Committee and Council adopt the recommendations of this report, the remaining balance of capital project 7241028 would be \$170,116.00. The financial status of capital project 7241028 as well as anticipated costs are simplified in Table 4 below.

<b>Balance of capital project 7241028</b>	<b>\$367,566.00</b>
<b>Total costs incurred</b>	<b>(\$22,010.00)</b>
<b>Total balance remaining</b>	<b>\$345,556.00</b>
Capital project 7141014 (Strategy 1: Walkerville HCD) transfer	(\$150,000.00)
Capital project 7086006 (WAMP) transfer	(\$25,440.00)
<b>Total transfers</b>	<b>(\$175,440.00)</b>
<b>Anticipated balance of capital project 7241028</b>	<b>\$170,116.00</b>
<b>Total anticipated costs</b>	<b>(\$159,200.00)</b>
<b>Total anticipated balance remaining</b>	<b>\$10,916.00</b>

*Table 4: Table summarizing incurred and estimated future costs for the implementation of the seven Bill 23 strategies*

In addition, the 2025 Operating Budget deliberations include \$217,888 in One Time Funding for two (2) temporary “Planner II – Heritage” positions (2025-0026) to increase staff resourcing to implement the Bill 23 Heritage Register Evaluation Strategies and pursue the protection of Windsor’s heritage resources. These positions are proposed to be dedicated to undertaking the seven strategies and evaluation of ‘listed’ heritage properties for designation potential.

Council’s consideration of the recommendations of this report and support of the additional staff resourcing would enable the pursuit of all seven identified Bill 23 strategies and result in a higher number of listed properties being protected, so that Windsor’s history and legacy are preserved for current and future generations. This work outline and identified funding will allow Administration to undertake the strategies presented in this report to protect as many properties as possible by the January 1, 2027 deadline mandated by Bill 23 and Bill 200.

### **Consultations:**

Heritage Planning staff have consulted with Josie Gualtieri, Financial Planning Administrator, Finance Department and Michael Dennis, Manager, Strategic Capital Budget Development and Control, Finance Department for confirmation of fund balances, as well as Kate Tracey and Aaron Farough, Senior Legal Counsels, Legal Department in the preparation of this report. Heritage Planning staff have also been in

communication with the Ontario Heritage Planners Network to receive updates on other municipalities' undertaking of Bill 23 strategies.

**Conclusion:**

The seven City Council approved strategies help to respond to the potential mass loss of heritage properties across Windsor by conducting designations through various studies, initiatives, and innovative methods. Administration recommends that City Council receive this report for information and continue to support Administration's undertaking of the seven strategies through the allocation of funds and resources.

**Planning Act Matters: N/A**

**Approvals:**

Name	Title
Emilie Dunnigan	Manager, Development Revenue & Financial Administration
Jason Campigotto	Deputy City Planner – Growth (A)
Neil Robertson	City Planner/Executive Director – Planning and Development
Kate Tracey	Senior Legal Counsel, Legal Services & Real Estate
Janice Guthrie	Commissioner, Finance and City Treasurer
Jelena Payne	Commissioner, Economic Development
Janice Guthrie acting for Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**

- 1 Appendix A – Official Plan Volume I Chapter 9, Objectives & Policies

## Appendix 'A' – Official Plan Volume I Chapter 9 Objectives and Policies

The undertaking of the seven strategies in response to Bill 23 is supported by the following objectives in the Official Plan:

<i>CONSERVATION MANAGEMENT</i>	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.
<i>LEADERSHIP BY EXAMPLE</i>	9.2.3	To lead the community in the protection, improvement, utilization and management of heritage resources by using municipally owned heritage properties as examples of proper conservation and stewardship.
<i>PUBLIC AWARENESS &amp; PARTICIPATION</i>	9.2.4	To increase awareness and appreciation of Windsor's heritage resources and encourage participation by individuals, organizations and other levels of government in heritage conservation.

The undertaking of the seven strategies in response to Bill 23 is supported by the following policies in the Official Plan:

	9.3.2.1	Council will identify Windsor's heritage resources by:
<i>AREA STUDIES</i>		(b) Researching and documenting the history, and architectural and contextual merit of potential heritage resources on an area or neighbourhood basis in conjunction with Heritage Conservation District studies, secondary plans or other special studies as may be appropriate;
<i>INDIVIDUAL SITES</i>		(c) Researching and documenting the history, and architectural and contextual merit of potential heritage resources on an individual property basis;
<i>PUBLIC ASSISTANCE</i>		(d) Encouraging and supporting individuals and groups in recommending potential heritage resources.
	9.3.3.1	Council will recognize Windsor's heritage resources by:
<i>DESIGNATE HERITAGE PROPERTIES</i>		(a) Designating individual buildings, structures, sites and landscapes as heritage properties under the Ontario Heritage Act;
<i>HERITAGE CONSERVATION DISTRICTS</i>		(b) Designating groups of buildings and areas as Heritage Conservation Districts under the Ontario Heritage Act;
<i>LIST OF DESIGNATED HERITAGE PROPERTIES</i>		(c) Maintaining a list of designated heritage properties;
	9.3.3.4.	Council will identify heritage resources by:

*IDENTIFY  
HERITAGE  
RESOURCES  
HERITAGE  
REGISTER*

- (a) Maintaining and updating the list of built heritage resources known as the Windsor Municipal Heritage Register; and
- (b) Identifying neighbourhoods containing collections of important heritage resources such as Heritage Areas and Heritage Conservation Districts on Schedule 'G': Civic Image.

9.3.6.1. Council will manage heritage resources by:

*LEADERSHIP*

- (b) Protecting, conserving and managing Municipally owned heritage resources in a manner which furthers the objectives and policies of this Plan and which sets an example of leadership for the community in the conservation of heritage resources;

*MUNICIPAL  
OPERATIONS*

- (c) Ensuring that the activities of all Municipal departments respect the character and significance of Windsor's heritage resources;

*PUBLIC  
PARTICIPATION*

- (d) Encouraging public participation in the conservation of heritage resources;

*PRIVATE  
INITIATIVES*

- (e) Providing support and encouragement to organizations and individuals who undertake the conservation of heritage resources by private means;

*AWARENESS &  
EDUCATION*

- (f) Promoting public understanding, appreciation and enjoyment of Windsor's heritage resources through an on-going public awareness and education programme;

*INFORMATION  
BASE*

- (i) Creating a heritage resource information base to identify heritage resources.

**Subject: Community Heritage Fund Request – 794 Devonshire Road,  
Porter Coate House (Ward 4)**

**Reference:**

Date to Council: May 5, 2025  
Author: Tracy Tang, MCIP, RPP  
Planner III – Heritage (A)  
Email: ttang@citywindsor.ca  
Phone: 519-255-6543 X 6179

Yasaman Bozorg-Grayeli  
Planning Assistant – Community Development  
ybozorg-grayeli@citywindsor.ca  
519-255-6543 X 6438  
Planning & Building Services  
Report Date: 4/11/2025  
Clerk's File #: MBA/6702

**To:** Mayor and Members of City Council

**Recommendation:**

- I. THAT the Heritage Permit at 794 Devonshire Rd, Porter Coate House, **BE GRANTED** for exterior painting and restoration works;
- II. THAT the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the exterior painting and restoration works;
- III. THAT a total grant of 30% of the cost of the exterior painting and restoration works, to an upset amount of \$6,428 from the Community Heritage Fund (Reserve Fund 157) **BE GRANTED** to the Owners of the Porter Coate House at 794 Devonshire Rd, subject to:
  - a. Submission of conservation details, technical details, and samples to the satisfaction of the City Planner or designate prior to work start;
  - b. Determination by the City Planner that the work is completed to heritage conservation standards;
  - c. Owner's submission of paid receipts for work completed; and

- d. 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.

**Executive Summary: N/A**

**Background:**

The property at 794 Devonshire Road is known as the Porter Coate House, which was constructed in 1907 at the northeast corner of Devonshire Road and Cataraqui Street. The dwelling is a two-and-one-half-storey detached house in a late Queen Anne style with Tudor Revival style elements, and is representative of the fine houses constructed in the former Town of Walkerville. This property was designated by City of Windsor Council through By-law 309-2002 on October 7, 2002. The Statement of Cultural Heritage Value or Interest from the Designation By-law is included as Appendix 'A'.



Front (west-facing) and side (south-facing) views of the property (taken by City Staff on November 13, 2024).

There have been discussions with the Owners of the property about conducting repairs on the Porter Coate House since their recent purchase of the property in 2024. The Owners noticed that a number of repairs are needed to their home, including for the masonry, mortar, windows, wood trims, and front porch and steps. Due to financial constraints and availability of specialist contractors, the Owners decided to phase out the works needed to be done. They have prioritized the exterior brick masonry walls and foundation, which were experiencing increasing pressure and leaks.

The Owners have previously applied for a heritage permit and Community Heritage Fund (CHF) grant for the masonry repairs and foundation waterproofing. On January 13, 2025, through Council Resolution CR 18/2025, City Council approved of the request and approved a total grant of up to \$17,221 under the CHF (Reserve Fund 157) for the works. The Owners have also applied for the Heritage Property Tax Reduction program for the masonry repairs and foundation waterproofing scope of work, which is administratively processed when amounts are under \$20,000 as per By-law 164-2015.

The total property taxes payable in 2024 for 794 Devonshire Road were \$7,277.44. The annual rebate would be up to 30% or approximately \$2,183 for a maximum of 3 years up to the cost of the restoration.

The second phase of their house restoration project is to paint the exterior as to prevent further peeling, damage, rotting, and degradation. On April 10, 2025, the Owners submitted a complete heritage permit application (Appendix 'B') and CHF grant application (Appendix 'C') for the works. The Owners are requesting for a total grant of 30% of the cost of the works, \$6,428, and have included a rationale letter for the request (included in Appendix 'C'). Administration is recommending approval for this request.

### **Legal Provisions:**

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 *OHA* requires the owner of a heritage designated property to apply to Council to alter the property. The designation by-law includes heritage attributes (see Appendix 'A'). In accordance with the *OHA*, changes to a designated property that affect 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.

### **Discussion:**

### **Proposal:**

### **Exterior Painting and Restoration**

Wooden elements of the property appear to show signs of damage, whether through peeling, deterioration, or rotting. The previous layers of paint are now peeling off and exposing the wood to weathering and the forces of nature. The wood's protective nature has been compromised and is at risk of further degradation if not attended to. The painting proposed goes beyond aesthetic reasoning in that it can help preserve the existing features for more years to come.

The proposed scope of work includes:

- Clean all surfaces using diluted cleaning solution (TSP) to remove mildew buildup to ensure better adhesion, power wash with low PSI
- Acetone test to determine whether the existing paint is latex or oil
- Sand surfaces and prime using Cloverdale Exterior, a Canadian product from BC

- Paint black using Sherwin Williams all currently dark brown painted wood elements: half-timbers, trims, Tudor elements, fascia, soffits, decorative crown, and other fine decorative wood details and features on both the main dwelling and garage
- Paint black using Sherwin Williams other features to match: downspout/ eavestroughs, window frames/ grids, storm windows, porch columns, porch railing/ spindles, porch trims
- Paint off-white cream shade the Tudor stucco on both the main dwelling and garage
- Paint “Graceful Grey” cedar shake siding
- Any repairs where needed

Other works being pursued by the Property Owners, but not part of this heritage permit application or CHF application request, include:

- Replacing non-original modern 1980’s windows with new windows compatible with existing in a black finish
- Adding aluminum capping to non-original modern storm windows in a black finish
- Painting the wood fence to match the dwelling



Photos of the various wood accents to be restored and painted (taken by the Property Owner on March 26, 2025)



Rendering of the proposed final appearance of the subject property (provided by the Property Owner)

The works proposed follow the *Standards & Guidelines for Conservation of Historic Places in Canada*. Standard 8 is listed below.

8. Maintain *character-defining elements* on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving *prototypes*.

### **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 ...”

### **Risk Analysis:**

The risk of taking no action for this scope of work is the potential further deterioration of the designated heritage attributes and wood accents, causing health and safety concerns from mold growth and rodent infestations due to exposed entry points. No city funds will be expended until the project is determined by Planning Staff to be completed according to good heritage practices. Conditions of this determination include provision of technical information through details within the quote, and request for provision of material samples and product information to ensure that the work is heritage appropriate prior to disbursement of the funds.

### **Climate Change Risks**

**Climate Change Mitigation: N/A**

**Climate Change Adaptation: N/A**

### **Financial Matters:**

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: 15 percent of the award in the form of a grant”. In this particular case, the applicant is asking for a 30% grant approval. As well, 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 then be reviewed to ensure that all work specified is covered. The lower bid will usually be recommended for funding.”

The Owners contacted three local companies to solicit bids and comparable quotes for the proposed painting and repair works: Starks Painting, DOPRO Painting and Renovations, and Tints and Tones Inc. A summary table of the quotes is as below. The Owner has selected their preferred qualified vendor, Tints and Tones Inc., based on the quote provided and flexibility or availability to schedule the work. The Owners will be fully incurring the expenses.

<b>TOTAL SUMMARY Painting Repairs (inclusive of HST)</b>	
<b>Quote from Vendor</b>	<b>Cost in CDN</b>
Starks Painting	\$30,962.00
DOPRO Painting and Renovations	\$38,278.75
Tints and Tones Inc.	\$21,428.19

Based on the estimates of the Owners’ preferred qualified vendors, the total cost of the project is anticipated to be \$21,428.19 after tax. The Owner is requesting for 30% of cost of the work to be covered by the CHF due to the post-COVID 19 inflation and increasingly expensive trades work. Council has approved a higher CHF grant approval percentage in recent years to other heritage property owners (of around 30%-35% for work ranging from wood windows to clay tile and other specialty repairs). The cost of the work is a significant cost for a private property owner, who has other repairs and restorations planned for the heritage designated property in the coming years. The heritage financial incentive through the CHF would provide support to the continued conservation of the heritage features of this designated building. Therefore, administration recommends approval of the request by the Owners for a CHF grant of 30% for the work to be done to the exterior of the house.

As of March 31, 2025, the Community Heritage Fund (Reserve Fund 157) has an uncommitted balance of \$72,129 available (including the safeguard of having the minimum balance of \$50,000 in the Committed funds). Therefore, there are sufficient funds in Fund 157 to cover the cost of the grant request. Administration recommends that the amounts of 30% after HST to an upset amount of \$6,428 be provided for the repair project.

**Consultations:**

City Staff have been consulting with Owners in recent months. Josie Gualtieri, Financial Planning Administrator, assisted with confirmation of fund balance. Aaron Farough, Senior Legal Counsel, Legal Department, was consulted in the preparation of this report.

**Conclusion:**

A total grant amount of 30% of the cost of the exterior painting and restoration at 794 Devonshire Road to upset amount of \$6,428 from the Community Heritage Fund (Reserve Fund 157) is recommended to be approved, subject to conditions. 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:**

<b>Name</b>	<b>Title</b>
Emilie Dunnigan	Manager Development Revenue & Financial Administration
Jason Campigotto	Deputy City Planner – Growth (A)
Greg Atkinson	City Planner (A)
Aaron Farough	Senior Legal Counsel
Lorie Gregg	On behalf of Commissioner of Finance and City Treasurer
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

- 1 Appendix A - Statement of Cultural Heritage Value or Interest
- 2 Appendix B - Heritage Permit Application
- 3 Appendix C - Community Heritage Fund Application
- 4 Appendix D - Additional Photos of 794 Devonshire Rd

## **Appendix 'A' – Statement of Cultural Heritage Value or Interest**

794 Devonshire Rd.-Porter Coate House. By-law 309-2002, passed by council on October 7, 2002.

### **Reasons for Designation**

#### **The Porter-Coates house 794 Devonshire Rd.**

##### **Historical:**

- Built in 1907, the house is illustrative of the fine homes being built for prominent citizens in Walkerville during one of its major growth periods in the early years of the 20<sup>th</sup> century.
- First owned by George F. Porter, a chief draughtsman for the Canadian Bridge Co.
- The second owner was prominent businessman James R. Coate, who lived in the house for 23 years (1910-1933). He was the president and manager of the Walkerville Hardware Co. Ltd.

##### **Architectural:**

- Described as late Queen Anne style, the house has characteristics of both the Queen Anne style house (popular from the 1880s to the 1910s) and the Tudor Revival style house (popular from the 1900s to the 1940s).
- Architectural features of note include: asymmetrical massing (square and polygonal bays, gabled ells), mixture of roof forms (main gable, rear hipped ell), mixture of surface treatments (half-timbering, red brick, wood shingles, clapboard), a variety of window treatments (double hung-small pane over large, diamond motif, and stained glass), and fine detailing (bracketed cornices, wooden porch, carved bargeboard, half-timbered gable ends).
- The original roof material was cedar shingle.

## 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 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) Arun Rattan & Kayla Chopp  
Company or Organization \_\_\_\_\_  
Mailing Address 794 Devonshire Rd  
City, Province Windsor, ON Postal Code N8Y 2M1  
Email [REDACTED] Phone(s) [REDACTED]

#### REGISTERED OWNER IF NOT APPLICANT

Contact Name(s) \_\_\_\_\_  
Company or Organization \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
City, Province \_\_\_\_\_ Postal Code \_\_\_\_\_  
Email \_\_\_\_\_ Phone(s) \_\_\_\_\_

#### AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION

Contact Name(s) \_\_\_\_\_  
Company or Organization \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
City, Province \_\_\_\_\_ Postal Code \_\_\_\_\_  
Email \_\_\_\_\_ Phone(s) \_\_\_\_\_

#### Who is the primary contact?

Applicant

Registered Owner

Agent

## 2. SUBJECT PROPERTY

Municipal Address: 794 Devonshire Road

Legal Description (if known): Plan 211; Lot 11; PT Lot 9 & Block Q

Building/Structure Type:

Residential       Commercial       Industrial       Institutional

Heritage Designation:

Part IV (Individual)       Part V (Heritage Conservation District)

By-law #: 309-2002

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       Addition       Erection       Alteration\*  
 Demolition/Removal of building or structure       Signage       Lighting

\*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..

Described as late Queen Anne style, the house has characteristics of both the Queen Anne style house (popular from the 1880s to the 1910s) and the Tudor Revival style house (popular from the 1900s to the 1940s). Architectural features of note include: asymmetrical massing (square and polygonal bays, gabled ells), mixture of roof forms (main gable, rear hipped ell), mixture of surface treatments (half-timbering, red brick, wood shingles, clapboard), a variety of window treatments (double hung- small pane over large, diamond motif, and stained glass), and fine detailing (bracketed cornices, wooden porch, carved bargeboard, half-timbered gable ends). Work is requested on the porch, wood shingles, trim, window frames, soffits, facia and wooden tudor elements.

## 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.

All wooden elements of the house are showing peeling, damage and in some cases, rotting. Because all elements are in need of new paint, we found it an opportune time to revisit the colour scheme. We would like to update the dark brown features of the house to black. This would include the half-timbering, trims, Tudor elements, fascia, soffits, downspouts/eavestroughs, window frames/grids, storm windows, porch columns, porch railings/spindles and other fine decorative wood details and features. The intent is to keep in spirit of the old, black creosote-saturated timbers from the Tudor style. Initially, an acetone test would be performed to determine where latex vs. Oil paints have been used. With this info, the appropriate primers and paints can be applied. Two coats will be required to ensure consistent coverage for both aesthetic and protective function. Original off-white Tudor stucco features will be refreshed with a colour-matched paint to replicate the existing cream colour. The cedar shingle siding also shows peeling and is in need of paint. It requires that each visible side of each shingle receives two coats by brush, not spray. The paint colour chosen is "Graceful Grey". A neutral, warm leaning taupe that is organic in hue and light in tone.

We would like to make note that while these updates are being performed, we will be replacing some of the non-original windows with new ones as well as adding aluminum capping to non-original storm windows.

## 6. HERITAGE PERMIT RATIONALE

Explain the reasons for undertaking the proposed work and why it is necessary.

The wooden features of the home are well overdue for new paint. Beyond aesthetic

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reasoning, the paint's protective nature is now compromised and the wood itself is at

---

threat of rot in places where rotting has not yet begun.

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Describe the potential impacts to the heritage attributes of the property.

While we intend to change the colour scheme, it is neither drastic, nor outside of typical

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or commonly found tudor revival styles. It is our intent to keep with similar schemes

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found within the neighborhood.

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## 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 staff):

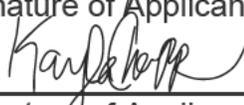
- Registered survey
- Material samples, brochures, product data sheets etc.
- Cultural Heritage Evaluation Report
- Heritage Impact Assessment (HIA)
- Heritage Conservation Plan
- Building Condition Assessment

## 8. NOTES FOR DECLARATION

*The applicant hereby declares that the statements made herein and information provided are, to the best of their belief and knowledge, a true and complete representation of the purpose and intent of this application.*

*The applicant agrees that the proposed work shall be done in accordance with this application, including attachments, and understands that the issuance of the Heritage Alteration Permit under the Ontario Heritage Act shall not be a waiver of any of the provisions of any By-Law of the Corporation of the City of Windsor, or the requirements of the Building Code Act, RSO 1980, c51.*

*The applicant acknowledges that in the event a permit is issued, any departure from the conditions imposed by the Council of the Corporation of the City of Windsor, or plans and specifications approved is prohibited and could result in the permit being revoked. The applicant further agrees that if the Heritage Alteration Permit is revoked for any cause of irregularity, in the relation to non-conformance with the said agreements, By-Laws, acts or regulations that, in consideration of the issuance of the permit, all claims against the City for any resultant loss or damage are hereby expressly waived.*

 <hr style="border: 1px solid black;"/> Signature of Applicant(s)	13/02/2025 <hr style="border: 1px solid black;"/> Date
 <hr style="border: 1px solid black;"/> Signature of Applicant(s)	13/02/2025 <hr style="border: 1px solid black;"/> Date

## 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 owner of the land that is  
*name of registered owner*

subject of this application for a Heritage Alteration Permit and I authorize

\_\_\_\_\_ to make this application on my behalf.  
*name of agent*

\_\_\_\_\_  
Signature of Registered Owner

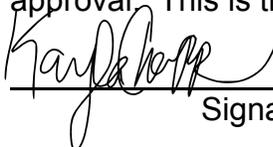
\_\_\_\_\_  
Date

If Corporation – I have authority to bind the corporation.

### B. Consent to Enter Upon the Subject Lands and Premises

Kayla Chopp & Arun Rattan

I, \_\_\_\_\_, hereby authorize the members of the Windsor Heritage Committee and City Council and staff of the Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 3 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as condition of approval. This is their authority for doing so.

 \_\_\_\_\_  
Signature of Registered Owner



13/02/2025  
\_\_\_\_\_  
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 Windsor Planning Department does not guarantee it to be a complete application. Further review of the application will occur and I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further understand that pursuant to the provisions of the *Ontario Heritage Act* and the *Municipal Freedom of Information and Protection of Privacy Act*, this application and all material and information provided with this application are made available to the public.

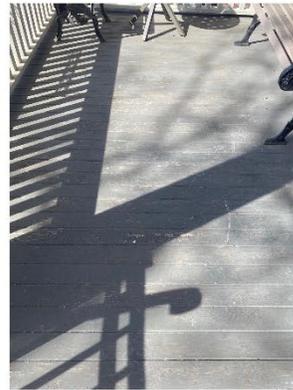
 \_\_\_\_\_  
Signature of Applicant

13/02/2025  
\_\_\_\_\_  
Date



“Graceful Grey”

An acetone test will be performed to determine whether the existing paint is latex or oil. The appropriate paints to be used can then be determined. If oil is to be used, the paint will be a Sherwin Williams Extreme Block. If latex is applicable, we will use Sherwin Williams Emerald Exterior. The primer of choice will be Cloverdale Exterior, a Canadian product from BC intended to hold up to the harshness of their humid climate. It is a slow bond primer which gets optimal adhesion. Sanding will occur beforehand to ensure removal of any dead fibre, creating a receptive surface for the primer to bond to.



Detailed photos of the deteriorated features of the dwelling



# COMMUNITY HERITAGE FUND GRANT APPLICATION

Revised 07/2023

## CORPORATION OF THE CITY OF WINDSOR

Planning Dept., Suite 320-350 City Hall Sq W, Windsor ON N9A 6S1  
519-255-6543 | 519-255-6544 (fax) | [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)

### 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) Arun Rattan & Kayla Chopp  
Company or Organization \_\_\_\_\_  
Mailing Address 794 Devonshire Rd  
City, Province Windsor, On Postal Code N8Y-2M1  
Email [REDACTED] Phone(s) [REDACTED]

#### REGISTERED OWNER IF NOT APPLICANT

Contact Name(s) \_\_\_\_\_  
Company or Organization \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
City, Province \_\_\_\_\_ Postal Code \_\_\_\_\_  
Email \_\_\_\_\_ Phone(s) \_\_\_\_\_

#### AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION

Contact Name(s) \_\_\_\_\_  
Company or Organization \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
City, Province \_\_\_\_\_ Postal Code \_\_\_\_\_  
Email \_\_\_\_\_ Phone(s) \_\_\_\_\_

#### Who is the primary contact?

- Applicant                       Registered Owner                       Agent

**2. SUBJECT PROPERTY FOR WHICH HERITAGE FUNDS ARE REQUESTED**

Heritage Name of Property: Porter-Coate House  
 Municipal Address: 794 Devonshire Rd.  
 Legal Description (Lot and Plan): PLAN 211; LOT 11; PT LOT 9 & BLOCK Q  
 Assessment Roll Number(s): 3739-020-080-06300-0000  
 Existing Use: \_\_\_\_\_

Heritage Designation:

Part IV (Individual)  Part V (Heritage Conservation District)

By-law #: 309-202 District: \_\_\_\_\_

Is the property subject to a Heritage Easement or Agreement?

Yes  No

**3. REQUESTED HERITAGE FUND ASSISTANCE**

Total Estimated Project Costs: \$ 21,428.19

Total Grant Amount Requested: \$ 6,428

NOTE: Details are set out in the pamphlet "Windsor's Community Heritage Fund".

Are there any outstanding mortgages or liens against this property?

No

Yes Amount: \$ 525,000 Institution: TD Bank

Have you previously received assistance from the City for the property named above?

No

Yes Amount: \$ 17,221 Date: 01/13/2025

Source of funds: Heritage Permit HP-02/2025, Council Resolution CR 18/2025, (Reserve Fund 157)

**4. HERITAGE FUND REQUEST RATIONALE**

Describe fully here (or on attached sheets) the proposed conservation/ restoration work to be undertaken:

All wooden elements of the house are showing peeling, damage and in some cases, rotting. This would include the half-timbering, trims, Tudor elements, fascia, soffits, downspouts/eavestroughs, window frames/grids, storm windows, porch columns, porch railings/spindles and other fine decorative wood details and features. We propose utilizing this opportunity to convert these listed elements from their current dark brown, to black. Beyond aesthetic reasons, these elements are well overdue for paint in the interest of preservation, maintenance and prevention. The paint's protective nature is now compromised and the wood itself is at risk of further rot and degradation if not promptly attended to. Original off-white Tudor stucco features will be refreshed with a colour-matched paint to replicate the existing cream colour. The cedar shingle siding also shows peeling and is in need of paint. It requires that each visible side of each shingle receives two coats by brush, not spray. The paint colour chosen is "Graceful Grey". A neutral, warm leaning taupe that is organic in hue and light in tone. We are discovering that the scale of work required is financially overwhelming for us to take on entirely. This coupled with post covid inflation woes are intimidating to say the least. It would be through the generous help of the CHF that we could restore and preserve this monument in the manner it deserves and requires.

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**5. CHECKLIST OF MATERIALS SUBMITTED**

Check all that apply (to be determined by Heritage Planning staff):

- At least two written estimates from qualified contractors and/or qualified design consultants for the proposed restoration work(s). The estimates should contain sufficient detail to permit a review of individual components of the proposed work. Attach estimates to this form when filing.
- A brief one-page rationale/justification letter addressed to the Heritage Committee, requesting support for the proposed works through financial assistance
- 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/materials specification details)
- Early photographs or drawings showing the property's original appearance (if available)

**6. SIGNATURES**

*The applicant hereby declares that the statements made herein and information provided are, to the best of their belief and knowledge, a true and complete representation of the purpose and intent of this application. The applicant agrees that the proposed work shall be done in accordance with this application, including attachments.*

 _____ Signature of Applicant(s)	03/18/2025 _____ Date
 _____ Signature of Applicant(s)	03/18/2025 _____ Date

Date Received by Heritage Planner: _____
--



Kayla Chopp & Arun Rattan  
794 Devonshire Rd.

March 19th, 2025

**Subject:** Community Heritage Fund - Request for special consideration

Dear Members of Council and Heritage Committee,

We hope this letter finds you well. We are the proud new owners of the Porter-Coate House on Devonshire Rd. Owning a property of such historical importance has been a long-held dream of ours and we are committed to embracing the responsibility it entails with great passion and care.

The house's existing paint has been long overdue for attention. It is now beyond being solely an aesthetic need and has become a maintenance concern. Portions of paint have peeled off entirely, exposing the wood to the elements. A few spots show extreme deterioration in the form of rot, allowing entry points for rodents. These locations are to be seamlessly repaired and painted. Although some of the paint and wood has been spared thanks to shade and overhangs, we are of the thought that the entirety of the wood elements should receive a paint update to ensure consistency in both appearance and longevity.

Having researched the colour schemes of the neighborhood and the tudor style in general, we are proposing a black treatment of all currently-dark-brown-painted wood elements including the half-timbering, trims, Tudor elements, fascia, soffits, other fine decorative wood details and features. Often, the timbers used in the tudor style were coated with a creosote, for both protection and colouring, offering a dramatic contrast of black to the cream stucco framed within. To maintain aesthetic consistency, the following would also get a black conversion: downspouts/eavestroughs, window frames/grids, storm windows, porch columns, porch railings/spindles and porch trims. The Tudor stucco will receive a refresh with paint that is colour-matched to the existing cream shade of off-white.

The painted cedar shingle siding is currently a faded gradient of beiges, greys, pinks and yellows. We are proposing a new colour that would neither be imposing or dramatic, but would dignify the cedar as it's own element. This is what we presume the architect might have intended when designating the materiality. We've chosen a warm leaning, organic light grey that could suggest the spirit of a naturally silvering cedar. The aim is not to imitate, rather to be respectful of the natural tonality. The paint colour is "Graceful Grey" and a photoshopped proposal is attached.

We are discovering that the scale of work required is financially overwhelming for us to take on entirely. This coupled with post covid inflation woes are intimidating to say the least. It would be through the generous help of the CHF that we could restore and preserve this monument in the manner it deserves and requires. The total cost of the work is \$21,428.19 and we are asking for a grant of \$6,428 (30%). This grant would be pivotal in our financing of all the other repairs, restoration, and updates that we plan to undertake on our home in the future. Thank you for your consideration.

Sincerely,  
Arun Rattan and Kayla Chopp





“Graceful Grey”

An acetone test will be performed to determine whether the existing paint is latex or oil. The appropriate paints to be used can then be determined. If oil is to be used, the paint will be a Sherwin Williams Extreme Block. If latex is applicable, we will use Sherwin Williams Emerald Exterior. The primer of choice will be Cloverdale Exterior, a Canadian product from BC intended to hold up to the harshness of their humid climate. It is a slow bond primer which gets optimal adhesion. Sanding will occur beforehand to ensure removal of any dead fibre, creating a receptive surface for the primer to bond to.



## Tints and Tones Inc.

Jesse Toupin  
 GST # 70779414  
 635 University Ave E  
 Windsor ON  
 N9A 2Z6  
 5195667612

<https://tintsandtonesinc.com>

tintsandtonespaintingco@gmail.com

ESTIMATE  
 EST00554

DATE  
 03/22/2025

TOTAL  
 CAD \$21,428.19

TO

**Arun Rattan**

Windsor, ON

N8Y 2M1

□ [REDACTED]

[REDACTED]

DESCRIPTION	RATE	QTY	AMOUNT
794 Devonshire Rd	\$18,963.00	1	\$18,963.00

### General Procedures & Preparation

Protect and mask all adjacent surfaces when spraying.  
 Spray surfaces with diluted cleaning solution (TSP) to remove mildew buildup to ensure better adhesion  
 Low PSI power wash.  
 Allow to dry 48 hours or until moisture levels are below recommended levels.  
 All second floor sections to be completed using boom access.

### Cedar Shake

Sand down areas where paint is failing.  
 Apply wood brightener to neutralize dead wood fibres.  
 Prime sanded and treated cedar shakes (1) coat.  
 Paint remaining cedar shakes, (2) coats appropriate exterior finish.

Approx. 1300 sq. ft wall area.

### Soffits and Crown

Scrape and prime soffits and decorative crown (1) coat.  
Paint soffits and decorative crown, (2) coats appropriate exterior finish.

Approx. 240 linear sq. ft

### Exterior windows

Wipe down all windows with TSP or de-glosser to prep surface for paint and create an abrasive surface for stronger adhesion. Sand if necessary.

Paint windows (28); one (1) coat primer, two (2) coats pro industrial finish.

Remove and transport storm windows to studio.  
Mask all areas not to be painted.  
Paint storm windows (21); one (1) coat primer, two (2) coats pro industrial finish.

### Tudor Boards and Stucco

Paint all tudor boards and stucco, (2) coats appropriate exterior finish.

### Columns and Deck Trim

Paint all columns and deck trim, (2) coats appropriate exterior finish.

### Garage

Scrape away chipping paint.  
Masonry prime (1) coat all walls.  
Paint walls; two (2) coats masonry finish.  
Paint all soffits; (1) coat primer, two (2) coats finish.

Approx. 720 sq. ft wall area.

---

Materials & Labor

All paint and materials included in final cost.  
All access including, lifts and scaffolding included in cost.  
Professional labor, masking, prep, and clean-up included.

---

SUBTOTAL	\$18,963.00
TAX (13%)	\$2,465.19
TOTAL	CAD \$21,428.19

---



DATE SIGNED  
03/22/2025

# ESTIMATE



## Prepared For

Arun Rattan  
794 Devonshire Road



### DOPRO Painting And Renovations

262 Curry Avenue  
Windsor, Ontario N9B2B5  
Phone: (905) 920-2112  
Email: dopropaintingandrenovations@gmail.com

Estimate # 133  
Date 22/02/2025  
Business / Tax # 830036901

Description	Total
exterior painting primary quote	\$18,000.00
Prep and paint soffits, fascia, wood details, cedar shakes, front porch (ceiling, soffits, posts, metal handrail, wooden spindles and railing, lattice) back porch	
Hand brush in between all gaps in cedar siding, prime as needed, paint 2 coats	
No lower windows w iron bars anywhere	
Can remove up to 2000 depending on colour approvals by city	
garage	\$3,100.00
Soffits, fascia, stucco and Tudor boards, all wood trims, garage door and frame	
Ivy removal, full prep job on stucco	
Thermoplastic sealant into all cracks	
3100 + materials	
fence	\$3,000.00
Sand all surfaces, wood fill as needed	
Brush and spray the fence to specified colour	
Replace bad lower cross member board to left of side gate	

3000 + materials

---

windows \$5,000.00

Remove all storm windows, prep and paint both sides + insides, reinstall

4-6k

---

materials for primary quote \$3,075.00

20 gallons for cedar shakes

8 gallons for fascia board and stucco

4 gallons for porches

3 gallons for stucco

Consumables 500

---

garage materials \$600.00

6 gallons of paint, 1 gallon primer , consumables

---

windows materials \$450.00

1 gallon liquid mask

3 gallons of paint, 1 gallon primer,

Consumables

---

fence materials \$650.00

8 gallons of paint, consumables

---

**Subtotal** \$33,875.00

---

hst \$4,403.75

---

**Total** **\$38,278.75**

---

**Notes:**

2-3 weeks to complete

5 year warranty against any paint peeling or paint defects

By signing this document, the customer agrees to the services and conditions outlined in this document.



RESIDENTIAL | COMMERCIAL | INDUSTRIAL

519-566-8667 | INFO@STARKSPAINING.COM  
WWW.STARKSPAINING.COM

Date: March 4, 2025

To: Arun Rattan 794 Devonshire Rd Windsor

Contact: [REDACTED]

**QUOTE** We have the pleasure of submitting the following quote for your project.

**SCOPE OF WORK**

Paint exterior of residential home

Paint, miscellaneous materials and lift/boom rental will be supplied and selected by Stark's. Client to supply water hook up for prep. Any major repair of damaged/rotted area (stucco, wood, ETC) is not included.

Colours: to be determined by homeowner (2-tone colour scheme)

Excluded: painting of eavestroughs/downspouts, metal porch railings/hand rails, metal/vinyl storm doors

**PREP**

-all fixtures and surfaces in the immediate area will be properly covered and protected

-power wash where required

-prime as and where required (oil-based paint previously used in some areas)

**PAINT**

The following shall be finish painted:

House (All elevations)

-Tudor style stucco field and wood trim

-cedar shake siding

-wood fascia, soffit, corbels

-front porch: railings, posts, soffit

-rear porch: posts, soffit

-rear second story porch railings

-exterior paintable window surfaces

-man doors (exterior side only)

Garage (All elevations)

-Tudor style stucco field and wood trim, exterior walls

-wood fascia, soffit, corbels

-exterior paintable window surfaces, shutters

-garage door, man door (exterior side only)

Sub Total	27,400.00
HST	3,562.00
<b>TOTAL</b>	<b>\$30,962.00</b>

*This quotation is valid for 30 days. After 30 days, quote is subject to reassessment.*

*Any extra work other than that quoted above will be charged accordingly.*

*Stark's Painting is fully insured and staff is trained in working at heights with booms/lifts. Stark's Painting is not responsible for damages to exterior ground surfaces (such as grass, concrete, asphalt) caused by weight of boom/lift.*

*Re-paint due to change in colour choice will result in additional charges.*

*HST # 836 595 413*

I have read and agree with quotation details and would like to proceed with the project. I acknowledge that a 10% deposit (of total project value) is required to secure my spot in the queue.

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**APPENDIX 'D' – Additional Photos of 794 Devonshire Road**



Views of 794 Devonshire Road looking south-east (left) and north-east (right) (taken by City Staff on November 13, 2024).



Wood features of 794 Devonshire Road proposed to be restored and repainted (taken by City Staff on November 13, 2024).



Wood features of 794 Devonshire Road proposed to be restored and repainted (provided by Property Owner).



**Subject: 357-359 Indian Road (Sandwich HCD) – Request for Heritage Permit for Alteration (Ward 2)**

**Reference:**

Date to Council: May 5, 2025  
Author: Tracy Tang, MCIP, RPP  
Planner III – Heritage (Acting)  
ttang@citywindsor.ca  
519-255-6543 X 6179

Yasaman Bozorg-Grayeli  
Planning Assistant – Community Development  
ybozorg-grayeli@citywindsor.ca  
519-255-6543 X 6438  
Planning & Building Services  
Report Date: 4/11/2025  
Clerk's File #: MB2025

**To:** Mayor and Members of City Council

**Recommendation:**

- I. THAT the request for a Heritage Permit under Section 42 (1) 1. of the *Ontario Heritage Act* for the restoration of the duplex dwelling and reconstruction of the front porch at 357-359 Indian Road **BE GRANTED** as per plans in Appendix 'A' of this report;
- II. THAT the Heritage Permit approval **BE SUBJECT** to the following approval conditions to the satisfaction of the City Planner or designate prior to work start:
  - a. Submission of satisfactory product details and samples (including material and colour selections);
  - b. Determination that the work is satisfactory to meet Building Code compliance; and
  - c. Determination by the City Planner or designate that the work adheres to the details and plans as outlined in the Heritage Permit application; and
- III. THAT the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the proposed scope of work for the restoration of the duplex dwelling and reconstruction of the front porch.

## Executive Summary: N/A

### Background:

City Council passed the Sandwich Heritage Conservation District (HCD) in January 2009. The Designation and related by-laws became effective on October 19, 2012. The subject property is a standard sized vacant residential lot located within the Sandwich HCD and therefore designated under Part V of the *Ontario Heritage Act (OHA)*.

The Property Owners are proposing to restore the existing duplex dwelling structure and add a new front porch. The existing building is currently vacant, has experienced neglect over the years, and is missing its front porch (removed without prior permission by previous owners). However, the property remains part of the 1920s properties contributing to the streetscape of Indian Road. The building condition, although weakened by lack of repair, does not warrant a Demolition Order under the provisions of the *Building Code Act*.

A Heritage Permit is required for the alteration of the Part V heritage designated property at 357-359 Indian Road. The Owners submitted a complete Heritage Permit application with architectural drawings, elevations, and floor plans on April 7, 2025. The Heritage Permit application package can be found in Appendix 'A'.



Photo of the subject property (provided by Owner, taken November 7, 2024)

### Legal Provisions:

As authorized by Section 42 of the *Ontario Heritage Act* and provided by the Sandwich HCD guidelines, a Heritage Permit is to be reviewed by the Windsor Heritage Committee followed by City Council consideration and decision for major projects such as proposed demolitions, new buildings, and major alterations. The *OHA* requires Council to make a decision to grant or refuse the permit applied for, with terms and conditions attached, within 90 days of the City providing the Property Owner notice that it has received the information necessary to make a decision. Heritage designations apply to the entire real property and alterations such as the proposal have the potential to impact the heritage character of the HCD and thus need to be evaluated.

### Discussion:

#### Property Description:

The subject property is a two-storey duplex dwelling located in the Sandwich Town neighbourhood. A fire insurance map dating from 1924 shows the property addressed as 19 and 19 and ½ Indian Road. The dwelling was marked as two and half storey building with front porch and a two storey addition at rear. Later, the address was changed to the current 357-359 Indian Road.

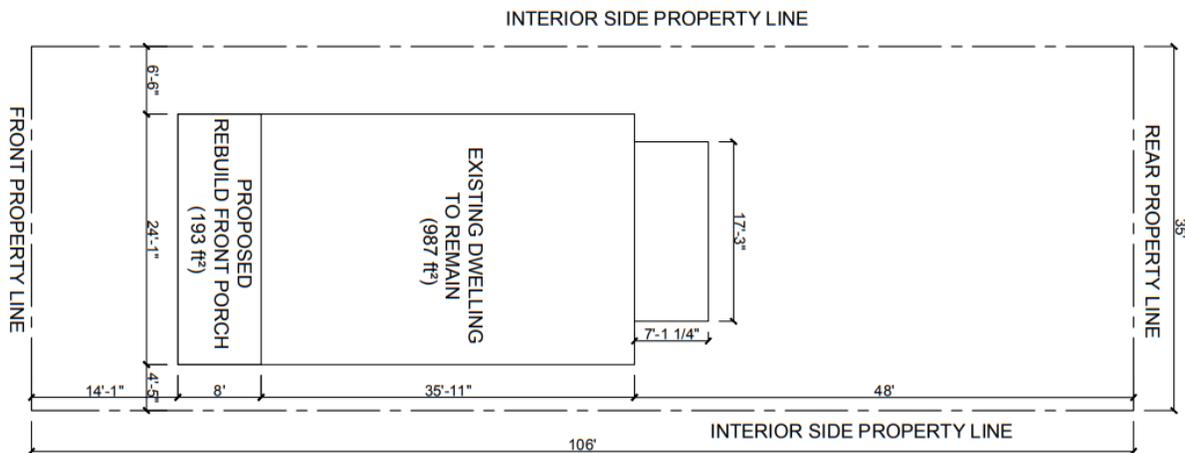


Photo of the subject property taken by Staff (April 9, 2025)

It appears to have an original outer appearance of a vernacular foursquare with a hipped roof. Unique about this dwelling is the rug-faced brick with brown, yellow, and light red hues on the first storey and the red cedar shingle cladding on the second storey. Previously, the dwelling had a full-length masonry front porch that was removed and was not replaced by previous owners. The asphalt roof is in damaged condition. The Sandwich HCD Plan describes in Section 2.2.2 Residential Characteristics that “Both sides of Indian Road contain good examples of the typical 1920s home, distinguished by a distinctive roof line that incorporates the front porch, some half-timbering and usually the use of red, rug brick”.

**Proposal:**

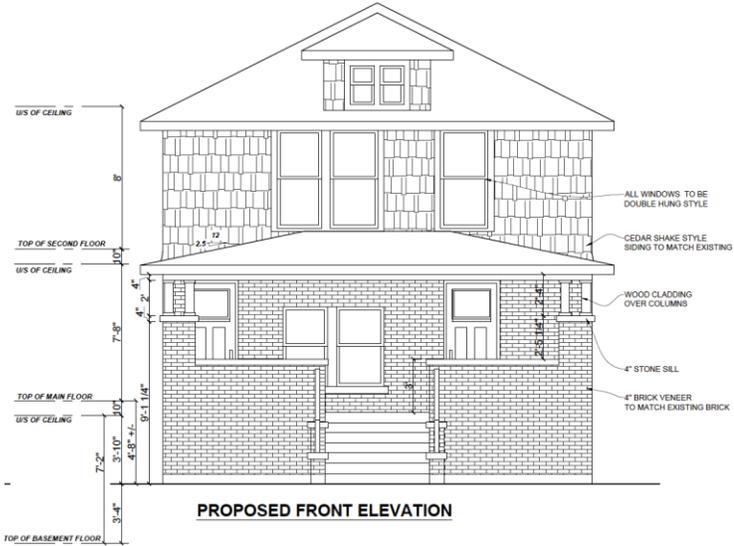
The Heritage Permit application for 357-359 Indian Road concerns the restoration of the existing dwelling and the reconstruction of the front porch. The dwelling is as proposed in the drawings within Appendix ‘A’.



**Site Plan of proposed front porch addition at 357-359 Indian Road**

The restoration of the dwelling would include the following scope of work:

- Reconstructing/rebuilding the front porch to its original style using historic photo documentation as reference. Full range rug brick veneer to match existing brick, wood clad columns, and 4" stone sills are features proposed.
- Reinstating the central dormer on the front (Indian Road) façade
- Replacing the existing second storey cedar siding with cedar shake composite siding in a similar appearance, colour, and texture as the original material. This will be to maintain the structural integrity of the building and prevent further moisture damage.
- Brick and mortar repair (repointing) where needed.
- Replacing the existing rear-entry deck, steps, and column.
- Replacing the asphalt roof with new asphalt shingles to match existing.



Proposed front elevation of the subject property

- Adding black dark casing around all windows, black eavestroughs, and black fascia (optional items).

**Heritage Considerations:**

For the proposed restoration and front porch rebuilding of 357-359 Indian Road, the most relevant references from the *Standards & Guidelines for Conservation of Historic Places in Canada* have been considered. Standards 13 and 14 are listed below.

**Additional Standards Relating to Restoration**

- 13.** Repair rather than replace *character-defining elements* from the *restoration* period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
- 14.** Replace missing features from the *restoration* period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

The proposed works are also in adherence to the relevant policies and considerations from the Sandwich HCD, notably Section 4.2 Additions and Alterations to Existing Buildings and Section 7.4 Alterations.

#### Section 4.2: Additions & Alterations to Existing Buildings

- a) Minor exterior alterations and additions to buildings shall be permitted provided such alterations are not within any front or exterior side yard
- b) Structural alterations to the exterior of buildings visible from the street are not permitted in the event of residential conversions. Any exterior stairs or fire escapes are to be enclosed and kept away from the front or street facing façade of the structure
- c) Additions shall be subordinate to the original structure to allow the original heritage features and built form to take visual precedence on the street
- d) Design guidelines provided in Sections 7 of this Plan will be used to review and evaluate applications for additions and alterations to ensure that the proposed changes are compatible with the existing building and do not result in the irreversible loss of heritage attributes

#### Section 7.4: Alterations

- Potential alterations should be preceded by a period of research into the original style and appearance of the building
- Conservation work should be based on historic documentation such as historic photographs, drawings and physical evidence from the building itself;
- Before beginning any alteration, record the pre-existing state of the building through drawings, notes and photographs. “Before and after” photographs can often be a source of pride for the owner and builder
- If it is impossible to restore an original aspect of the building, the replacement should approximate the original in style, size and proportion
- If adding to the building, incorporate similar forms, materials, scale and design. Avoid concealing original features of the building, especially entrances and decorative detailing. Work should be distinct from the original construction and should be reversible to the original form;

The above policies were used as the main basis for information requirements to be submitted for Council’s consideration for the Heritage Permit application. The Property Owners have actively collaborated with City Administration to best ensure the proposal is a compatible fit in the Sandwich HCD. The proposal as submitted does not appear to adversely impact the Sandwich HCD or Mature Neighbourhood vernacular. The conditions recommended with the approval would allow for verification of the proposal further along in the design process. Other than the required Heritage Permit application, there are no *Planning Act* processes that apply to the proposal. A Building Permit is required for the duplex dwelling restoration and porch construction, which the Owners may proceed with should Council approve the request for a Heritage Permit application. Heritage Planning Staff would also continue the discussion about material and colour selections and require satisfactory final product information to be provided as a condition of the approval.

#### **Official Plan Policy:**

The Windsor Official Plan states “Council will enhance heritage resources by: Ensuring that within any Heritage Area or Heritage Conservation District that: Development be of compatible height, massing, scale, setback and architectural style.” (9.3.5.1(a)(ii)).

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 ...”

Furthermore, the property is located within a Mature Neighbourhood as per Schedule A-1 Special Policy Areas of the Official Plan. As per Policy 1.51.1 of Volume II, Chapter I Special Policy Areas: Infill and intensification within Mature Neighbourhoods shall be consistent with the built form, height, massing, architectural and landscape of the area.

### **Risk Analysis:**

Risk of inappropriate additions and alterations within the Sandwich HCD is being mitigated through the Heritage Permit application process and conditions. The conditions recommended are intended to guide the proposed restoration and porch construction to form a cohesive exterior appearance and make heritage sensitive material selections. The risk of taking no action for this property is the potential further deterioration of a Sandwich HCD designated property, contributing to the Indian Road blight and stigma.

### **Climate Change Risks**

**Climate Change Mitigation: N/A**

**Climate Change Adaptation: N/A**

### **Financial Matters:**

There is no cost to the City; the Property Owners are paying the full cost of the proposal for the restoration and porch reconstruction on the duplex dwelling structure. The proposed work may increase the assessed value of the property and inspire future investment in Sandwich HCD as well.

The subject property is located in the Sandwich CIP area where properties that meet the CIP incentive program criteria are eligible for applying for financial incentives. The Property Owners have expressed interest in the Sandwich CIP and have submitted an application, which is the subject of a separate concurrent CIP report.

### **Consultations:**

Heritage Planning Staff have been in discussion with the Property Owners since October 2024. Kevin Alexander, Senior Planner, Planning Department, Aaron Farough, Senior Legal Counsel, Legal Department, and Building Department Staff were consulted in the preparation of this report.

**Conclusion:**

The Heritage Permit request for the restoration of the duplex dwelling and reconstruction of the front porch at 357-359 Indian Road is recommended for approval, subject to conditions. Delegated Authority to the City Planner or designate to direct any further minor changes as needed will provide expediency on application processing and confirm that the development proposed would not have a negative impact on the heritage character of the Sandwich HCD.

**Planning Act Matters: N/A**

**Approvals:**

<b>Name</b>	<b>Title</b>
Jason Campigotto	Deputy City Planner – Growth (A)
Greg Atkinson	City Planner (A)
Aaron Farough	Senior Legal Counsel
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

- 1 Appendix A - Heritage Permit Application
- 2 Appendix B - Additional Photos of 357-359 Indian Road



Planning Department  
Suite 320-350 City Hall Sq W  
Windsor ON N9A 6S1

# HERITAGE PERMIT APPLICATION

Revised 11/2023

## 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 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) Maurizio Mantovan, Bruno Mantovan

Company or Organization -

Mailing Address [REDACTED]

City, Province [REDACTED] Postal Code [REDACTED]

Email [REDACTED] Phone(s) [REDACTED]

#### REGISTERED OWNER IF NOT APPLICANT

Contact Name(s) -

Company or Organization -

Mailing Address -

City, Province - Postal Code -

Email - Phone(s) -

#### AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION

Contact Name(s) Maurizio Mantovan

Company or Organization -

Mailing Address [REDACTED]

City, Province [REDACTED] Postal Code [REDACTED]

Email [REDACTED] Phone(s) [REDACTED]

#### Who is the primary contact?

- Applicant
- Registered Owner
- Agent



Planning Department  
Suite 320-350 City Hall Sq W  
Windsor ON N9A 6S1

# HERITAGE PERMIT APPLICATION

Revised 11/2023

## 2. SUBJECT PROPERTY

Municipal Address: 357-359 Indian Rd.

Legal Description (if known): PLAN 888 LOT 17; 3710.00SF 35.00FR 106.00D

Building/Structure Type:

- Residential
- Commercial
- Industrial
- Institutional

Heritage Designation:

- Part IV (Individual)
- Part V (Heritage Conservation District)

By-law #: \_\_\_\_\_ District: Sandwich 1

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\*
- Demolition/Removal of building or structure
- Signage
- Lighting

\*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..

Building is bottom half brick and upper half cedar shingles. Roof is asphalt, bad condition, this is the first thing we would like to get resolved and started on. 2 storey.

Rustic style, interior is empty right now. Currently no porch on the front face of the property. Rear of the property has a rear staircase which we will be keeping.

I will attach the plans and drawings of what is proposed.

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Planning Department  
Suite 320-350 City Hall Sq W  
Windsor ON N9A 6S1

# HERITAGE PERMIT APPLICATION

Revised 11/2023

## 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.

Drawings are attached for the exterior of the property. Windows will not be altered.

We want to maintain the same aesthetic on the outside. Porch

to be redone with full range rug brick as seen in the presentation.

Siding is to be changed to a shake siding to maintain the structural integrity of the property. Multiple styles and two very close colours to choose from to match the current property, alternatively could be painted to match. Exterior rear staircase to be redone.

## 6. HERITAGE PERMIT RATIONALE

Explain the reasons for undertaking the proposed work and why it is necessary.

Refurbishing the property. Bringing back the original style porch with the detail in both columns. Siding is very similar to appearance, less to maintain over years, no moisture.

To make the property functional.

Describe the potential impacts to the heritage attributes of the property.

Brick column porch, similar to some other properties in the district. Cedar shake siding, environmentally friendly, will not hold moisture.

Maintaining same exterior aesthetic.

## 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)



Planning Department  
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Windsor ON N9A 6S1

# HERITAGE PERMIT APPLICATION

Revised 11/2023

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 information provided are, to the best of their belief and knowledge, a true and complete representation of the purpose and intent of this application.*

*The applicant agrees that the proposed work shall be done in accordance with this application, including attachments, and understands that the issuance of the Heritage Alteration Permit under the Ontario Heritage Act shall not be a waiver of any of the provisions of any By-Law of the Corporation of the City of Windsor, or the requirements of the Building Code Act, RSO 1980, c51.*

*The applicant acknowledges that in the event a permit is issued, any departure from the conditions imposed by the Council of the Corporation of the City of Windsor, or plans and specifications approved is prohibited and could result in the permit being revoked. The applicant further agrees that if the Heritage Alteration Permit is revoked for any cause of irregularity, in the relation to non-conformance with the said agreements, By-Laws, acts or regulations that, in consideration of the issuance of the permit, all claims against the City for any resultant loss or damage are hereby expressly waived.*

<small>DocuSigned by:</small> <i>Maurizio Mantovan</i> <small>EB592E7504C441C...</small>	03/19/25
Signature of Applicant(s)	Date
<small>Signed By:</small> <i>Bruno Mantovan</i> <small>AC913B81E73945F...</small>	03/19/25
Signature of Applicant(s)	Date



Planning Department  
Suite 320-350 City Hall Sq W  
Windsor ON N9A 6S1

# HERITAGE PERMIT APPLICATION

Revised 11/2023

## 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, Maurizio Mantovan, am the registered owner of the land that is  
name of registered owner

subject of this application for a Heritage Alteration Permit and I authorize

Maurizio Mantovan to make this application on my behalf.  
name of agent

DocuSigned by:  
Maurizio Mantovan 03/19/25  
Signature of Registered Owner Date

If Corporation – I have authority to bind the corporation.

### B. Consent to Enter Upon the Subject Lands and Premises

I, Maurizio Mantovan, hereby authorize the members of the Windsor Heritage Committee and City Council and staff of the Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 3 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as condition of approval. This is their authority for doing so.

DocuSigned by:  
Maurizio Mantovan 03/19/25  
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 Windsor Planning Department does not guarantee it to be a complete application. Further review of the application will occur and I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further understand that pursuant to the provisions of the *Ontario Heritage Act* and the *Municipal Freedom of Information and Protection of Privacy Act*, this application and all material and information provided with this application are made available to the public.

DocuSigned by:  
Maurizio Mantovan 03/19/25  
Signature of Applicant Date







## 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.

### CONCRETE

- 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.

### FOOTINGS

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.

### DEADBOLT

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

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  $\frac{1}{8}$ " BETWEEN ADJACENT TREADS AND  $\frac{3}{8}$ " BETWEEN THE TALLEST AND SHORTEST RISERS IN A FLIGHT.

TREADS SHALL HAVE A UNIFORM RUN WITH A MAXIMUM TOLERANCE OF  $\frac{1}{8}$ " BETWEEN ADJACENT TREADS, AND  $\frac{3}{8}$ " BETWEEN THE DEEPEST AND SHALLOWEST TREADS IN A FLIGHT

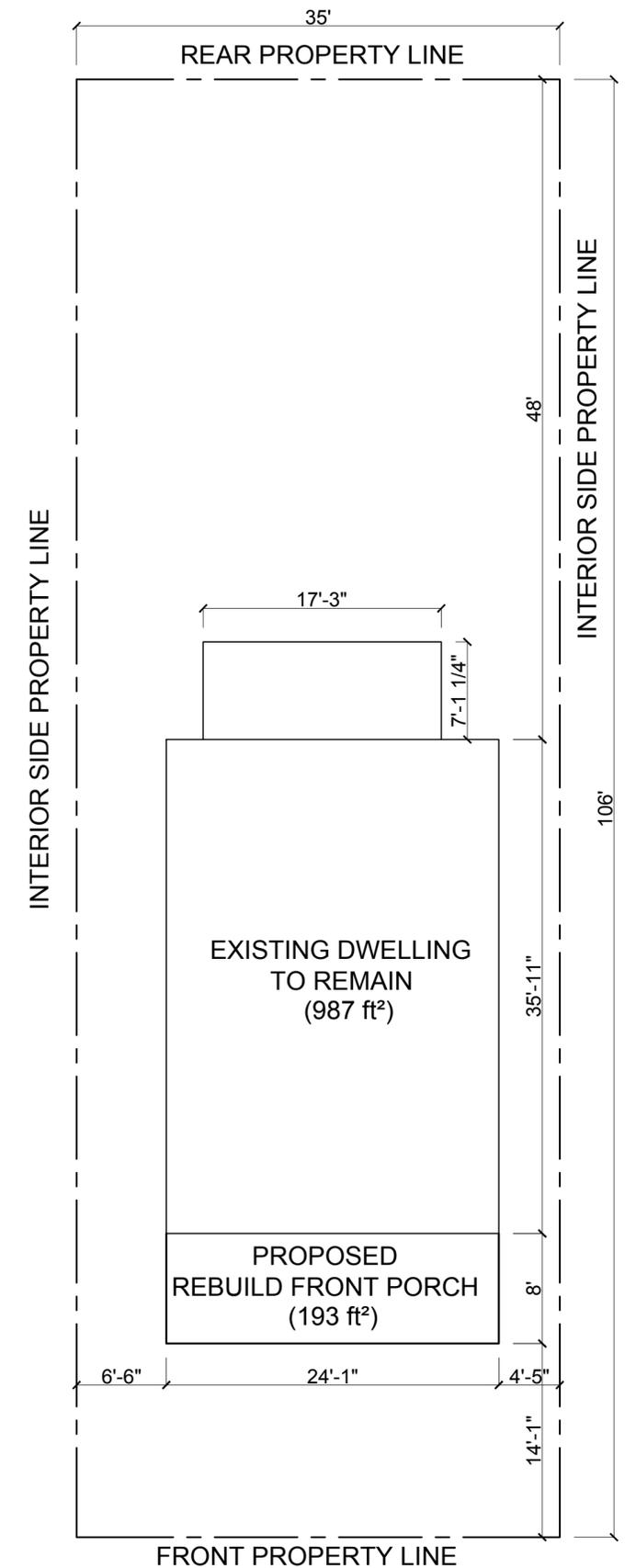
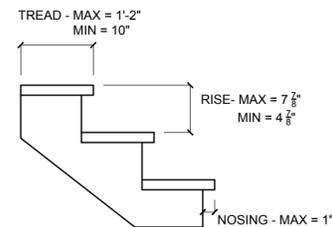
### HANDRAILS

THE HEIGHT OF HANDRAILS ON STAIRS AND RAMPS SHALL BE NOT LESS THAN 34" AND NOT MORE THAN 38"

### GUARDS

THE MINIMUM HEIGHT OF GUARDS SHALL BE NOT LESS THAN 36"

ALL GUARDS SHALL BE CONSTRUCTED AS PER SB-7 REQUIREMENTS



DO NOT SCALE

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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.

**AG**  
DESIGN

Windsor, ON  
Phone : 519-965-7176

**RENOVATIONS**  
357 / 359 INDIAN ROAD  
WINDSOR, ON

GENERAL NOTES & SITE PLAN

Date : January 28, 2025  
Scale : 1/4" = 1'-0"  
Project No. : 015/24  
Drawing No. :

**A-0.1**



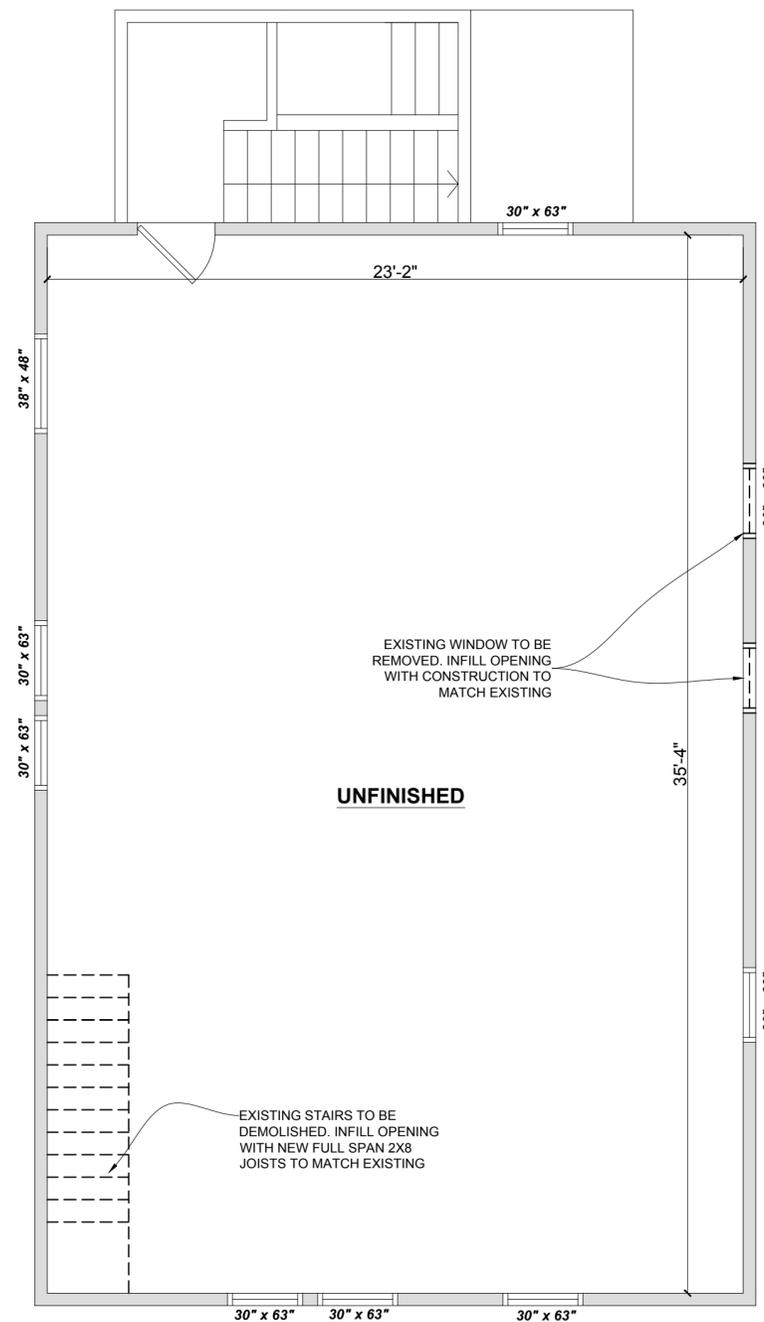


**LEGEND**

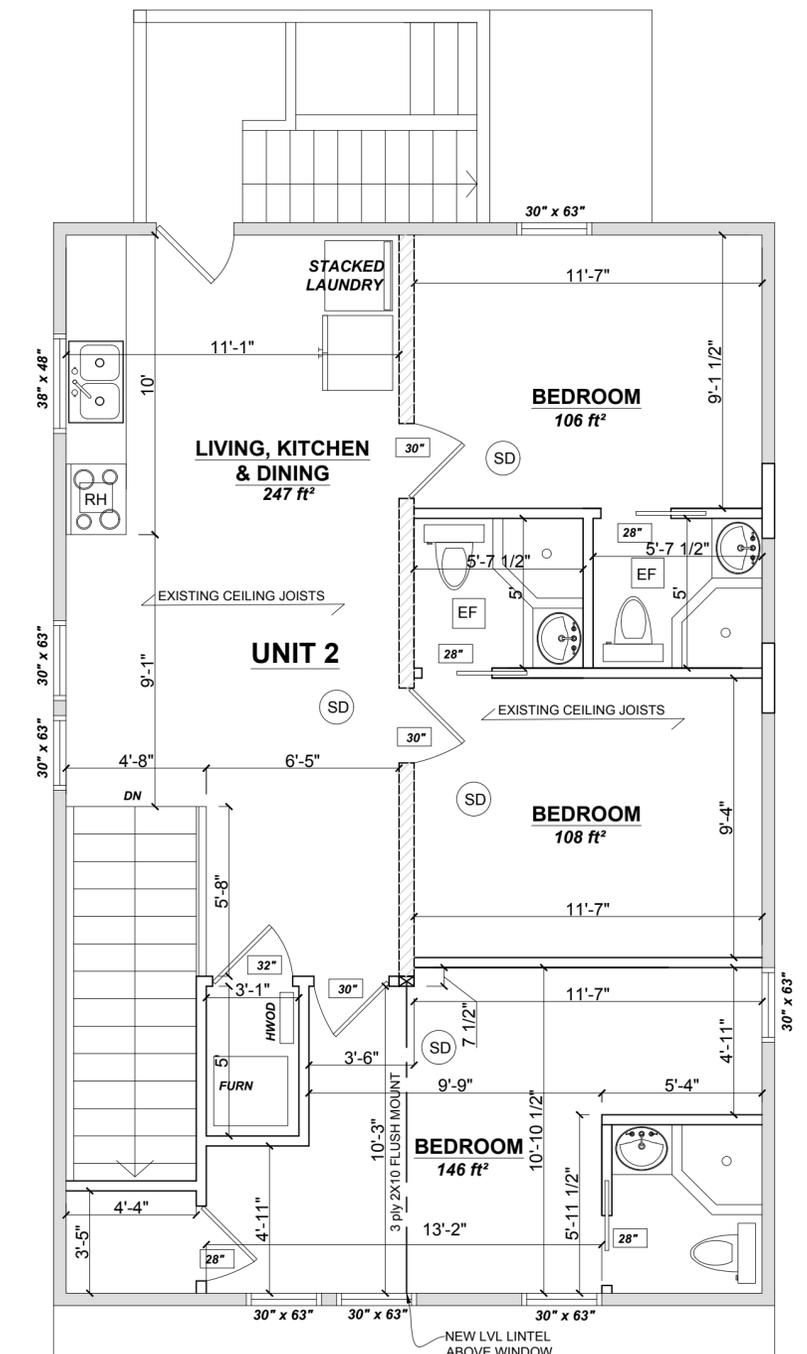
- DENOTES FIRE SEPARATION
- - - - DENOTES ITEM TO BE DEMOLISHED
- ▬ DENOTES EXISTING WALL TO REMAIN
- FW1 EXISTING FOUNDATION WALL  
EXISTING BLOCK FOUNDATION WALL  
NEW 2" R10 RIGID INSULATION  
NEW 2X4 WOOD STUDS @ 24" O/C FILLED WITH R12 BATT INSULATION. COVERED WITH 6 MIL POLY V.B & ½" DRYWALL FINISH.
- W1 EXISTING EXTERIOR WALL  
EXISTING EXTERIOR FINISH ( BRICK BELOW WITH CEDAR SIDING ABOVE)  
EXISTING WOOD STUDS  
NEW BATT INSULATION. COVERED WITH 6 MIL POLY V.B & ½" DRYWALL FINISH.
- ▬ MAIN FLOOR LOAD BEARING INTERIOR WALL  
2X6 WOOD STUDS @ 16" O/C W/ SINGLE BOTTOM PLATE AND DOUBLE TOP PLATE OVER LINTELS 2X6 WOOD BLOCKING @ 3'-11" O/C HORIZONTAL  
1/2" DRYWALL ON BOTH SIDES OF STUDS
- ▬ BASEMENT LOAD BEARING INTERIOR WALL  
2 x 6 BEARING WALL ON SILL GASKET WITH LAG BOLTS @ 4'-0" O.C. ON ONE COURSE OF 6" SOLID CONCRETE BLOCK ON A 16" x 8" DEEP POURED CONCRETE FOOTING (CONTINUOUS)
- P1 NON-LOAD BEARING INTERIOR PARTITIONS  
½" DRYWALL ON EITHER SIDE OF 2X4 WOOD STUDS @ 16" O/C.
- P2 WALL FIRE SEPARATION - 1HR FRR W/ 54 STC SOUND RATING AS PER W5b of SB-3  
2X6 WOOD STUDS @ 24" O/C FILL WALL CAVITY WITH ROXUL SAFE AND SOUND INSULATION. INSTALL RESILIENT METAL CHANNELS ON ONE SIDE @ 16" O/C COVER WITH 1 LAYER OF 5/8" TYPE X DRYWALL. OTHER SIDE TO RECEIVE 2 LAYERS OF 5/8" TYPE X DRYWALL.
- C1 HORIZONTAL FIRE SEPARATION - ENTIRE MAIN FLOOR CEILING  
1 HR FRR & STC 51 CEILING CONFORMING TO F9g OF SB-3  
5/8" T & G PLYWOOD SUBFLOOR 2X10 WOOD JOISTS @ 16" O/C INFILL CAVITY WITH INSULATION, RESILIENT METAL CHANNEL @ 24" O/C, 2 LAYERS OF 1/2" TYPE X GYPSUM BOARD.
- EF DENOTES EXHAUST FAN VENTED DIRECTLY TO EXTERIOR AS PER O.B.C REQUIREMENTS.
- # DENOTES NEW DOOR SIZE. SITE VERIFY
- RH DENOTES RANGE HOOD VENTED DIRECTLY TO EXTERIOR AS PER O.B.C REQUIREMENTS.
- A/H DENOTES SMOKE ALARM C/W CO² DETECTOR. REFER TO GENERAL NOTES.
- SD
- ▬ CRAWL SPACE & ATTIC SPACE ACCESS HATCH  
32"X24" MINIMUM.  
INSTALLED AS PER OBC REQUIREMENTS.

**NOTES**

1. MECHANICAL AND ELECTRICAL SERVICES DONE BY OTHERS.
2. ANY PENETRATIONS IN THE FIRE SEPARATIONS MUST PROPERLY SEALED AS PER OBC REQUIREMENTS
3. SITE VERIFY ALL DIMENSIONS.
4. ALL NEW INTERIOR WALLS TO BE P1 UNLESS NOTED OTHERWISE.
5. ALL WOOD LINTELS TO BE 2/2X6 UNLESS NOTED OTHERWISE.
6. UNITS TO BE HEATED AND COOLED SEPARATELY
7. ALL WINDOWS TO BE REPLACED WITH NEW TO MATCH EXISTING SIZE AND STYLE. SITE VERIFY.



**EXISTING SECOND FLOOR PLAN**



**PROPOSED SECOND FLOOR PLAN**

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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.

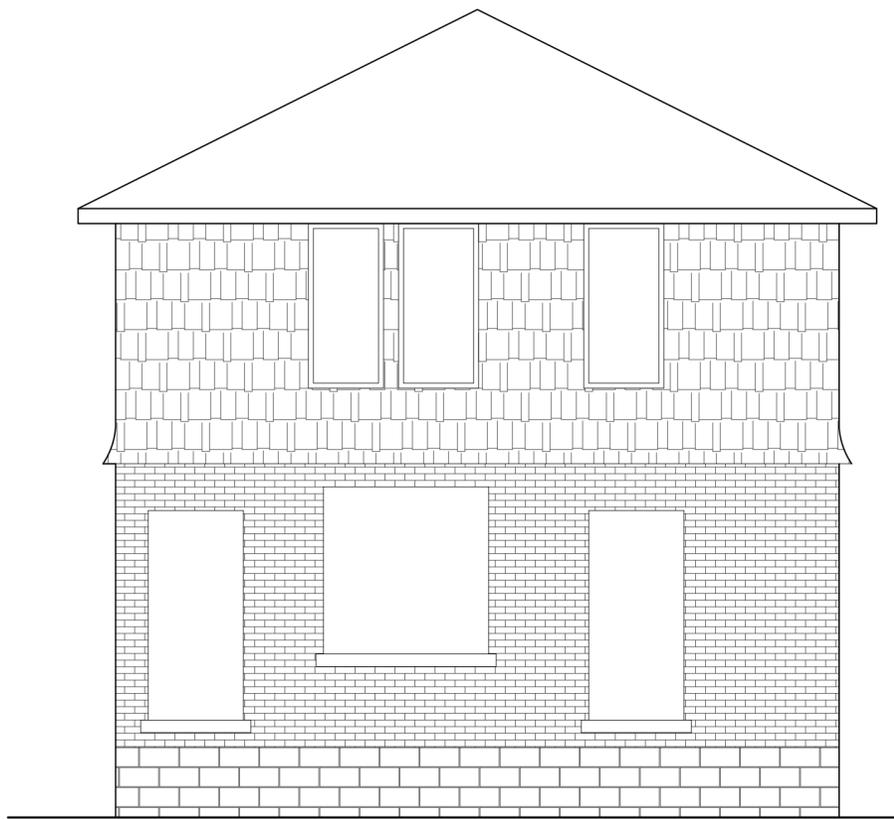


**RENOVATIONS**  
357 / 359 INDIAN ROAD  
WINDSOR, ON

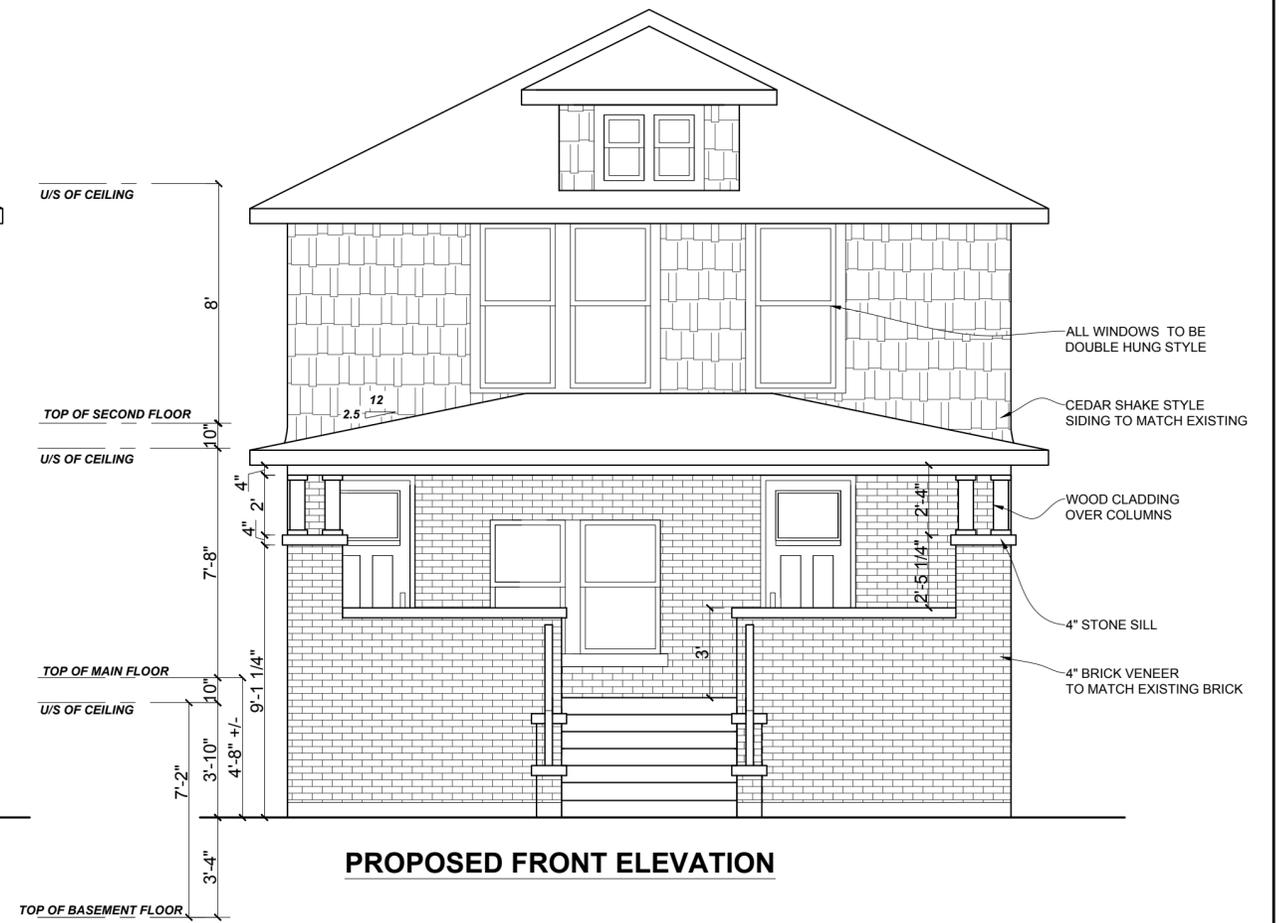
**SECOND FLOOR PLANS**

Date : January 28, 2025  
Scale : 1/4" = 1'-0"  
Project No. : 015/24  
Drawing No. :

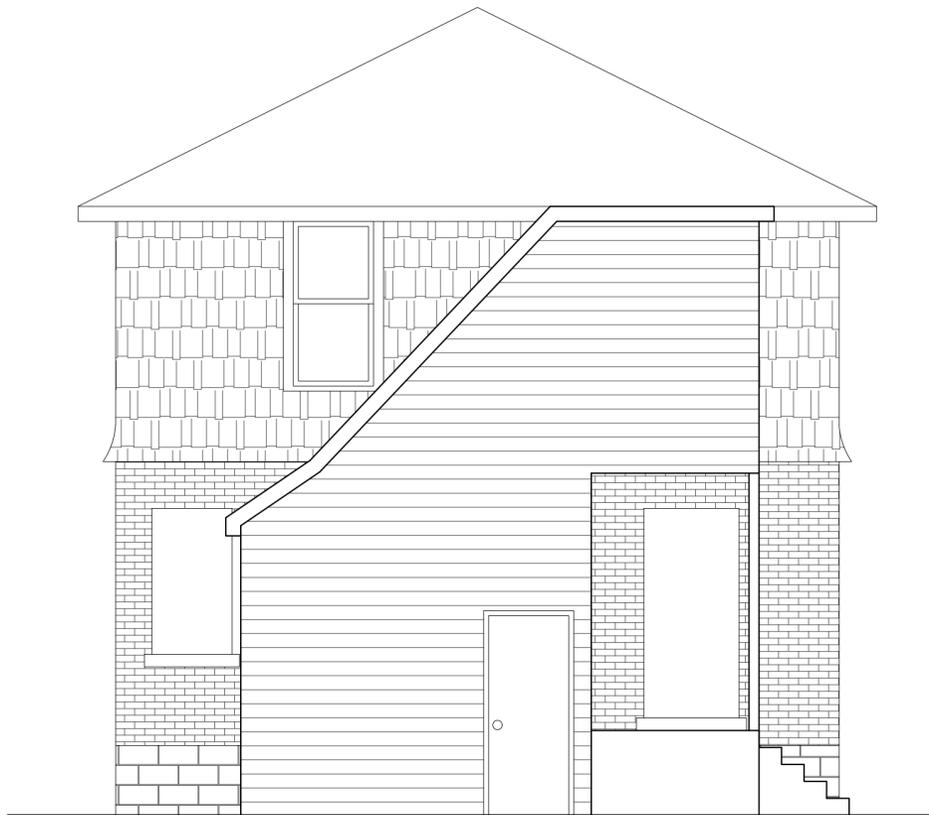
**A-1.2**



**EXISTING FRONT ELEVATION**



**PROPOSED FRONT ELEVATION**



**EXISTING REAR ELEVATION**



**PROPOSED REAR ELEVATION**

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Windsor, ON  
Phone : 519-965-7176

**RENOVATIONS**  
357 / 359 INDIAN ROAD  
WINDSOR, ON

**ELEVATIONS**

Date : March 27, 2025  
Scale : 1/4" = 1'-0"  
Project No. : 015/24  
Drawing No. :

**A-2.0**



**EXISTING SIDE ELEVATION**



**PROPOSED SIDE ELEVATION**

BRICK AND MORTAR REPAIR (REPOINTING) WHERE NEEDED.

DO NOT SCALE  
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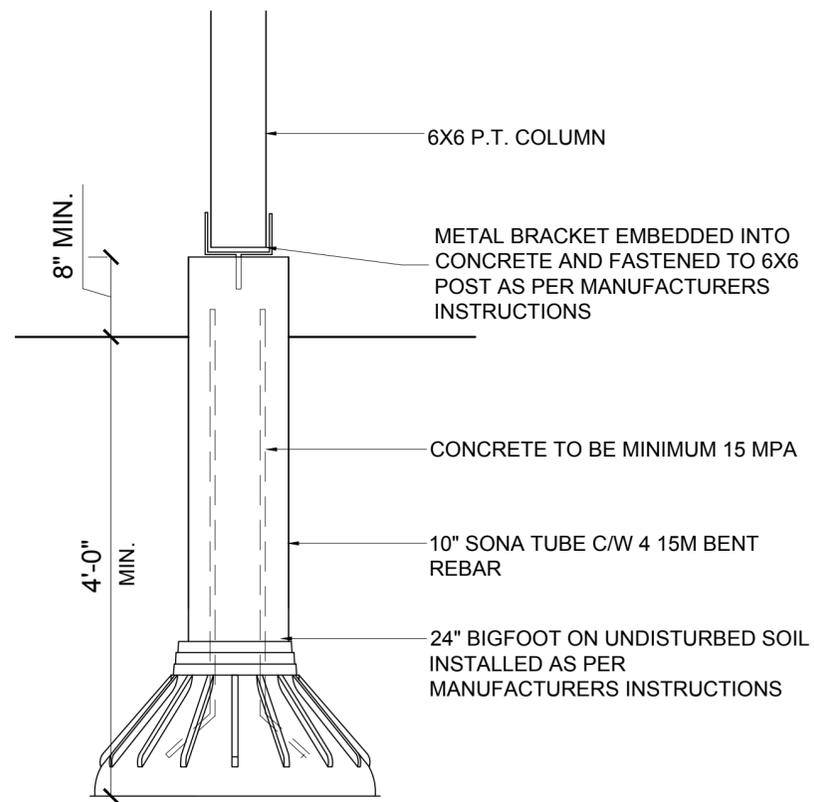
Windsor, ON  
 Phone : 519-965-7176

**RENOVATIONS**  
 357 / 359 INDIAN ROAD  
 WINDSOR, ON

**ELEVATIONS**

Date : March 27, 2025  
 Scale : 1/4" = 1'-0"  
 Project No. : 015/24  
 Drawing No. :

**A-2.1**



**DECK FOOTING DETAIL**  
SCALE - 1" = 1'-0"



**EXISTING SIDE ELEVATION**



**PROPOSED SIDE ELEVATION**

BRICK AND MORTAR REPAIR (REPOINTING) WHERE NEEDED.

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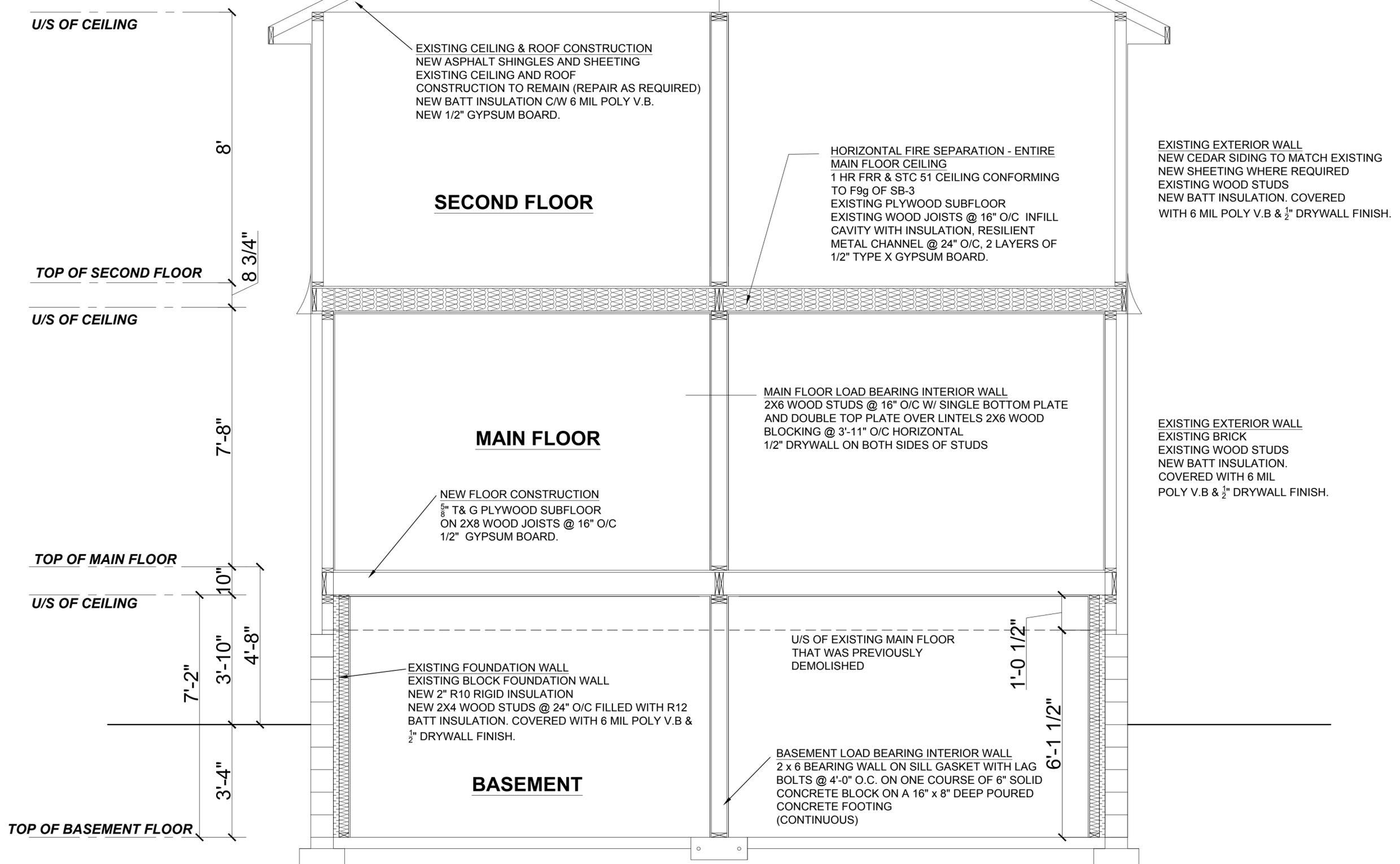
Windsor, ON  
Phone : 519-965-7176

**RENOVATIONS**  
357 / 359 INDIAN ROAD  
WINDSOR, ON

**ELEVATIONS & DETAIL**

Date : March 27, 2025  
Scale : 1/4" = 1'-0"  
Project No. : 015/24  
Drawing No. :

**A-2.2**



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**RENOVATIONS**  
 357 / 359 INDIAN ROAD  
 WINDSOR, ON

**SECTION**

Date : January 28, 2025  
 Scale : 1/4" = 1'-0"  
 Project No. : 015/24  
 Drawing No. :

**A-3.0**



# 357-359 Indian Rd. Project

Heritage Presentation

# Exterior

- ▶ Brick for the Front Porch  
*Canada Brick Full Range Rugg*

Existing Brick



Proposed Brick for Front Porch



- ▶ Cedar Shake Composite Siding

*#1 - Tando Hand Split Shake*

Captures the rugged and rough look of hand cut cedar with random grooves.

Low maintenance, Environmentally Friendly, and Impervious to moisture,

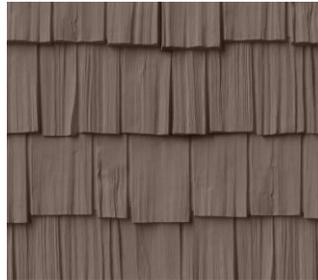
Looks great when combined with brick.

**Two Other Styles which are an option:**

#2 - Rustic Cedar 9

#3 - RoughSawn Cedar Single & Dual

#1 Coastal Brown



Harvest Cedar



#3 Coastal Brown



Harvest Cedar



#2



# Exterior

## ▶ Asphalt Shingle Selection (IKO Cambridge)

Two Selections for choices. “Earhtone Cedar” & “Dual Brown”

“Dual Brown” is what I am leaning towards to match the existing look (right side).

Earhtone Cedar



Dual Brown



# Exterior Window Style

- ▶ Black dark casing around the windows for appearance (optional).
- ▶ Black Eavestroughs (optional).
- ▶ Black Facia (optional).



**APPENDIX 'B' – Additional Photos of 357-359 Indian Road**



Photo of the front Indian Road façade of the subject property, looking slightly north-west (left) and slightly south-west (right). Taken by Staff on April 11, 2025.



Photo of the front Indian Road façade of the subject property. Taken by Staff on April 11, 2025.

**Subject: University Avenue West and Wyandotte Street West  
Community Improvement Plan Grant Applications made by the  
University of Windsor for 401 Sunset Avenue (Ward 2)**

**Reference:**

Date to Council: April 7, 2025  
Author: Laura Strahl, MCIP, RPP  
Planner III - Special Projects  
519-255-6543 ext. 6396  
lstrahl@citywindsor.ca

Planning & Building Services  
Report Date: 3/14/2025  
Clerk's File #: SPL/14645

**To:** Mayor and Members of City Council

**Recommendation:**

- I. THAT the request, made by the University of Windsor (Owner) for the proposed redevelopment of an existing building on a portion of 401 Sunset Avenue as identified in Appendix B to Report 37/2025, to participate in the Building/Property Improvement Tax Increment Grant Program **BE APPROVED** at the lesser of 100% of the municipal portion of the tax increment resulting from the proposed development for up to five (5) years in accordance with the University Avenue and Wyandotte Street Community Improvement Plan or the eligible project costs.
- II. THAT Administration **BE DIRECTED** to prepare an agreements between the City and the University of Windsor (Owner) to implement the Building/Property Improvement Tax Increment Grant Program at 401 Sunset Avenue in accordance with all applicable policies, requirements, and provisions contained within the University Avenue and Wyandotte Street Community Improvement Plan.
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Building/Property Improvement Tax Increment Grant Program to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications.

- IV. THAT approval of the tax increment grant **BE RECIINED** if the applicant has not completed the work and fulfilled the conditions within three (3) years of the approval date.
- V. THAT approval of the tax increment grant **BE RECIINED** in the event the portion of the property identified in Appendix B to Report 37/2025 at 401 Sunset Avenue remain tax exempt after completion of the project.

**Executive Summary:**

N/A

**Background:**

**Owner:** University of Windsor

**Proposed Lease Holder:** Tilbury Acquisitions Inc.

The University Avenue and Wyandotte Street Community Improvement Plan (University/ Wyandotte CIP) was 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 builds a vision for the corridors connecting the downtown to the University of Windsor, thereby informing land use and transportation concepts to enhance the surrounding communities. Financial incentives are provided to encourage private sector investment and redevelopment along the City's key corridors.

The University of Windsor, owner of the property located at 401 Sunset Avenue (See Appendix A – Location Map and Appendix B – Portion Subject to Building/Property Improvement Tax Grant), has applied for financial incentives under the Building/Property Improvement Tax Increment Grant Program. The applicant is proposing to sever the portion of the property identified in Appendix B and enter into a lease agreement with Tilbury Acquisitions Inc. who will redevelop the existing vacant 12-storey building on the property to a 71-unit residence for students and staff (see Appendix C – Concept Plan). The residence will consist of a mix of 1 bedroom, 2-bedroom, 3-bedroom and 4-bedroom suites with a total of 199 beds. The basement will contain a micro-market, theatre room and other amenities.

The property is currently exempt from taxes due to University of Windsor ownership; however, due to the public-private partnership of the development, the applicant has advised that the Municipal Property Assessment Corporation (MPAC) may not exempt the property from taxes after Tilbury Acquisitions Inc. leases the property from the University. Similar projects at other Ontario Universities have been removed from the tax-exempt category. A recommendation is included in this report to cancel the grant should the property remain tax exempt.

## **Discussion:**

### **Building/Property Improvement Tax Increment Grant Program**

This program is intended to provide economic incentive for the development, rehabilitation and redevelopment of properties within the area of the CIP. The program provides an annual grant equal to 100% of the increase in municipal property taxes for five years, after the project is completed and reassessed to help offset the costs of rehabilitating and redeveloping properties, as long as such development results in an increase in assessment and therefore an increase in property taxes. The applicant will initially be required to pay the full amount of property taxes owing for each year during the specified duration. However, the Building/Property Improvement Grant will be paid for the amount of the municipal tax increment after the final tax bills for each year have been collected. Grant payments will cease when the total grant along with all other grants and loans provided equals the costs of rehabilitating and redeveloping properties, or after 5 years, whichever comes first.

The University of Windsor property is tax exempt with the exception of commercial spaces located on the property. The project plan is such that the parcel, as shown in Appendix B, will be severed, ownership will remain with the University of Windsor, and they will lease the parcel to Tilbury Acquisitions Inc. The lease agreement will be effective prior to construction. The severance of the parcel will require MPAC to review and provide an assessment value reflective of the current state and condition of the property inclusive of the existing building. The taxability of the property will also be considered by MPAC, taking into consideration the ownership of the parcel and the lease agreement with Tilbury Acquisitions Inc. Should MPAC determine that the severed parcel is taxable, Administration will be using MPAC's assessment of the severed parcel to determine the base taxes for purposes of calculating the Building/Property Improvement Tax Increment Grant. Property taxes will be calculated and levied based upon the severance date. Incremental municipal property taxes for purposes of the grant will be determined once construction is complete.

### **Risk Analysis:**

There is low risk associated with the approval of subject University/ Wyandotte CIP grant application. An agreement will be prepared between the City and the applicant to ensure all provisions under the University Avenue and Wyandotte Street Community Improvement Plan are met. The Building/ Property Improvement Tax Increment Grant is issued upon completion of eligible work, the establishment of an increased reassessment value by the MPAC, calculation of eligible works is verified, and only after the owner's full payment of annual property taxes.

### **Climate Change Risks**

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

The proposed conversion of an existing vacant building into residential units is confined to the existing building footprint, limiting use to existing infrastructure thereby reducing the overall consumption of construction material.

The utilization of an existing building in an existing neighbourhood promotes energy efficiency, eliminating the need for new development to occur on greenfield sites.

**Climate Change Adaptation:**

N/A

**Financial Matters:**

**Building/Property Improvement Tax Increment Grant Program**

The program provides an annual grant equal to 100% of the increase in municipal property taxes for five (5) years, with the possibility of a five (5) year extension, up to a total of ten (10) years if the project is considered a Catalyst Project; a designated heritage property; projects where at least 20% of the residential units are considered affordable or the project is certified LEED bronze. The property is not a designated heritage property nor certified LEED bronze and does not meet the definition of a Catalyst Project thus the project qualifies for the lesser of 100% of the municipal portion of the tax increment resulting from the proposed development for up to five (5) years or the eligible project costs.

As mentioned in the Discussion section, subject to a determination of assessment and taxability of the severed property, Administration will calculate the base taxes for the Building/Property Improvement Tax Increment Grant, using MPAC’s assessed value and tax class at the time Tilbury enters into a lease on the severed portion of 401 Sunset Avenue.

Due to the unique nature of this proposal involving a severance and a vacant building, that has not previously been individually assessed, it is difficult to estimate the base taxes for the grant. The table below provides a *high-level estimate* of the base taxes.

Administration estimates the annual municipal taxes post development at \$181,864. Using MPAC’s current assessed value for the area of the property to be leased and the 2024 municipal tax rate, the estimated base property taxes is \$135,801. The annual value of the grant is \$46,063 or \$230,315 over five (5) years. The applicant estimates that total construction costs will amount to \$18,500,000. The *Planning Act* stipulates that the total grants under a CIP cannot exceed the eligible costs. The grant under that tax increment program accounts for 1.25% of the construction costs.

<b>Estimate Property/Building Improvement Tax Increment Grant Calculation Portion of 401 Sunset Avenue</b>			
<b>Annual Pre- Development Municipal Taxes</b>	<b>Annual Estimated Post Development Municipal Taxes</b>	<b>Annual Estimated Value of Grant</b>	<b>Total Estimated Grant over five (5) years</b>
\$ 135,801	\$181,864	\$ 46,063	\$230,315

It is Administration’s understanding that projects of a similar nature in Ontario have been classified as taxable by MPAC. It is likely that this project will be classified similarly by MPAC, however it is important to note that if MPAC determines the property to be exempt from tax, there will be no grant needed. If MPAC, upon review and/or inspection

of the property, determines the pre-construction assessment value to be less than the amount used by Administration in their estimate, and the property is taxable, the grant may be higher than \$46,063 annually. The grants calculated for purposes of this report, are based on high-level estimates of the post-development value of the property.

Because the Grant Program does not cancel taxes, the applicant must pay the full amount of property taxes annually and will subsequently receive a grant for the difference between the pre- and post-development municipal taxes. The City will retain the amount of pre-development (base) municipal taxes throughout the lifespan of the grant program; however, will be foregoing any incremental property taxes, which could otherwise be used to offset future budget pressures.

**Consultations:**

The City of Windsor’s University Avenue and Wyandotte Street Community Improvement Plan was 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 the project owner and proposed lease holder prior to accepting the grant application. Carolyn Nelson, Manager Property Valuations and Administration, and Josie Gualtieri, Financial Planning Admin. were consulted on this report.

**Conclusion:**

Administration recommends that City Council approve the application made by the University of Windsor on a portion of the property at 401 Sunset Avenue as shown on Appendix B, to participate in the Building Property Improvement Tax Increment Grant Program under the University Avenue and Wyandotte Street Community Improvement Plan. It is also recommended that approval to participate in the program is rescinded if the eligible work is not completed within three years or the property is determined to remain tax exempt.

**Approvals:**

Name	Title
Laura Strahl	Planner III - Special Projects
Emilie Dunnigan	Manager Development Revenue & Financial Administrator
Jason Campigotto	Deputy City Planner -- Growth
Neil Robertson	City Planner/ Executive Director, Planning & Development Services
Kate Tracey	Senior Legal Counsel, Legal & Real Estate

Name	Title
Lorie Gregg	Deputy Treasurer Taxation and Financial Planning
Janice Guthrie	Commissioner Finance/City Treasurer
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

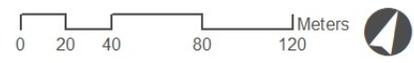
**Appendices:**

- 1 Appendix A - Location Map
- 2 Appendix B - Portion of 401 Sunset Avenue to be Subject to the Building/Property Improvement Tax Increment Grant Program
- 3 Appendix C - Concept Plan



# LOCATION MAP : 401 SUNSET AVENUE

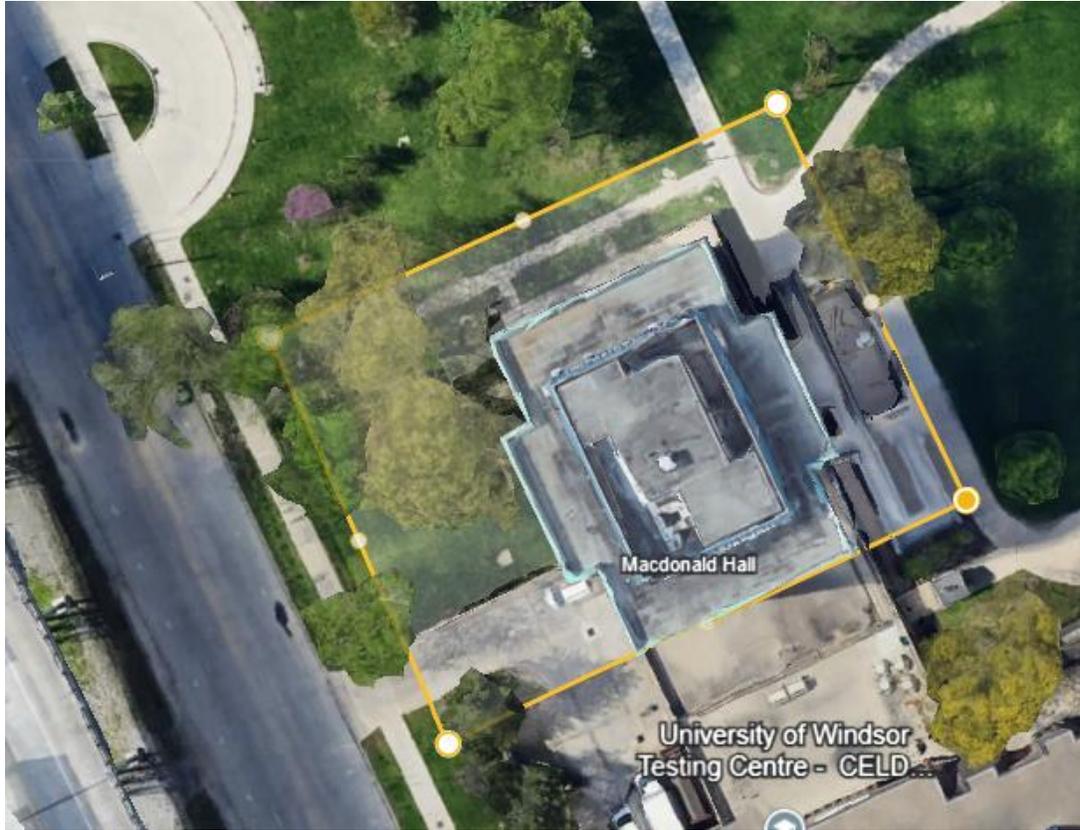
 SUBJECT PROPERTY



**RESIDENCE WEST REDEVELOPMENT – GROUND LEASE AREA**

**Leased Area: 25,000 sq. ft.**

Lease Line:



**LEGEND - NEW WORK**

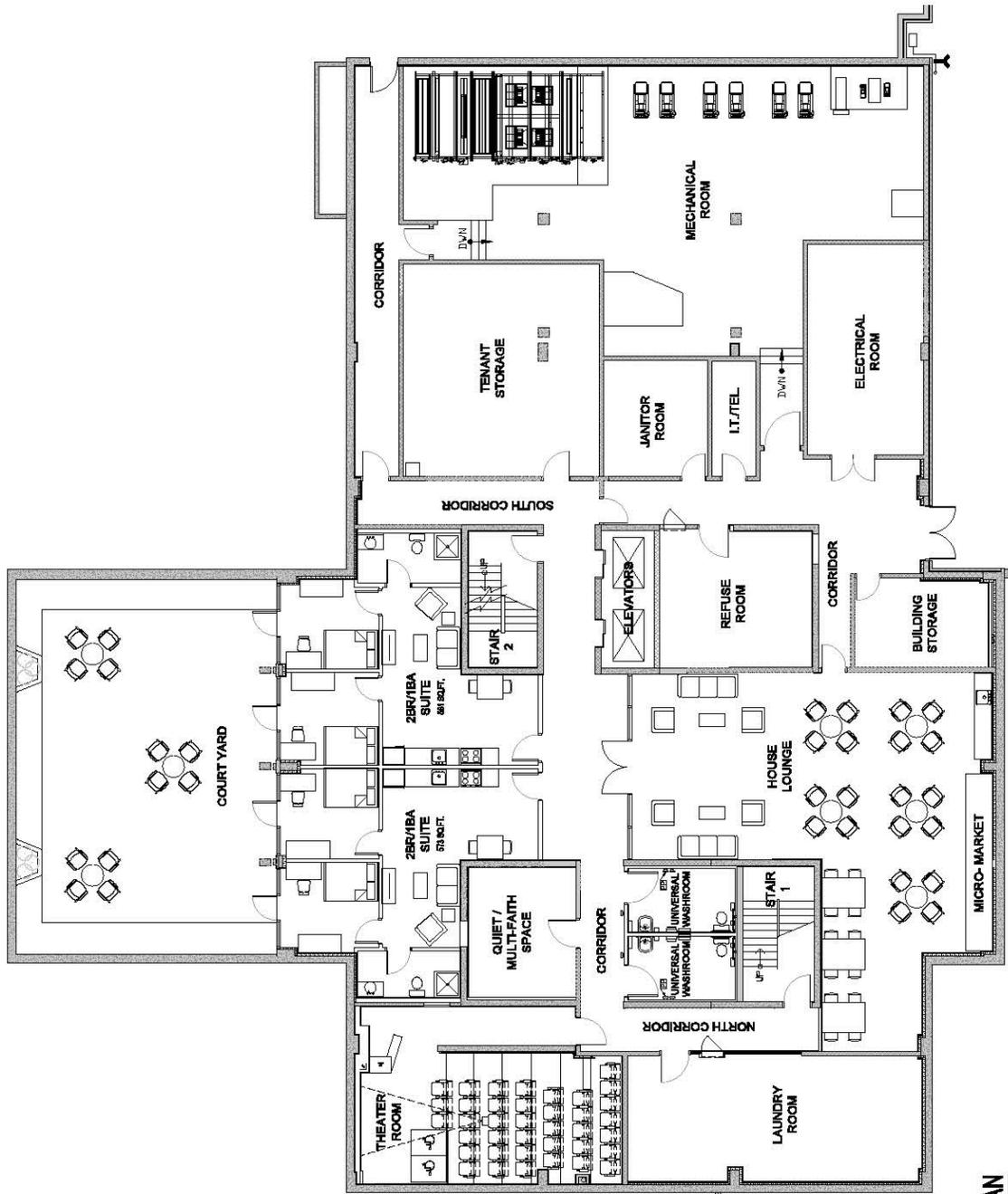
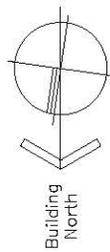
EXISTING WALLS

NEW WALLS

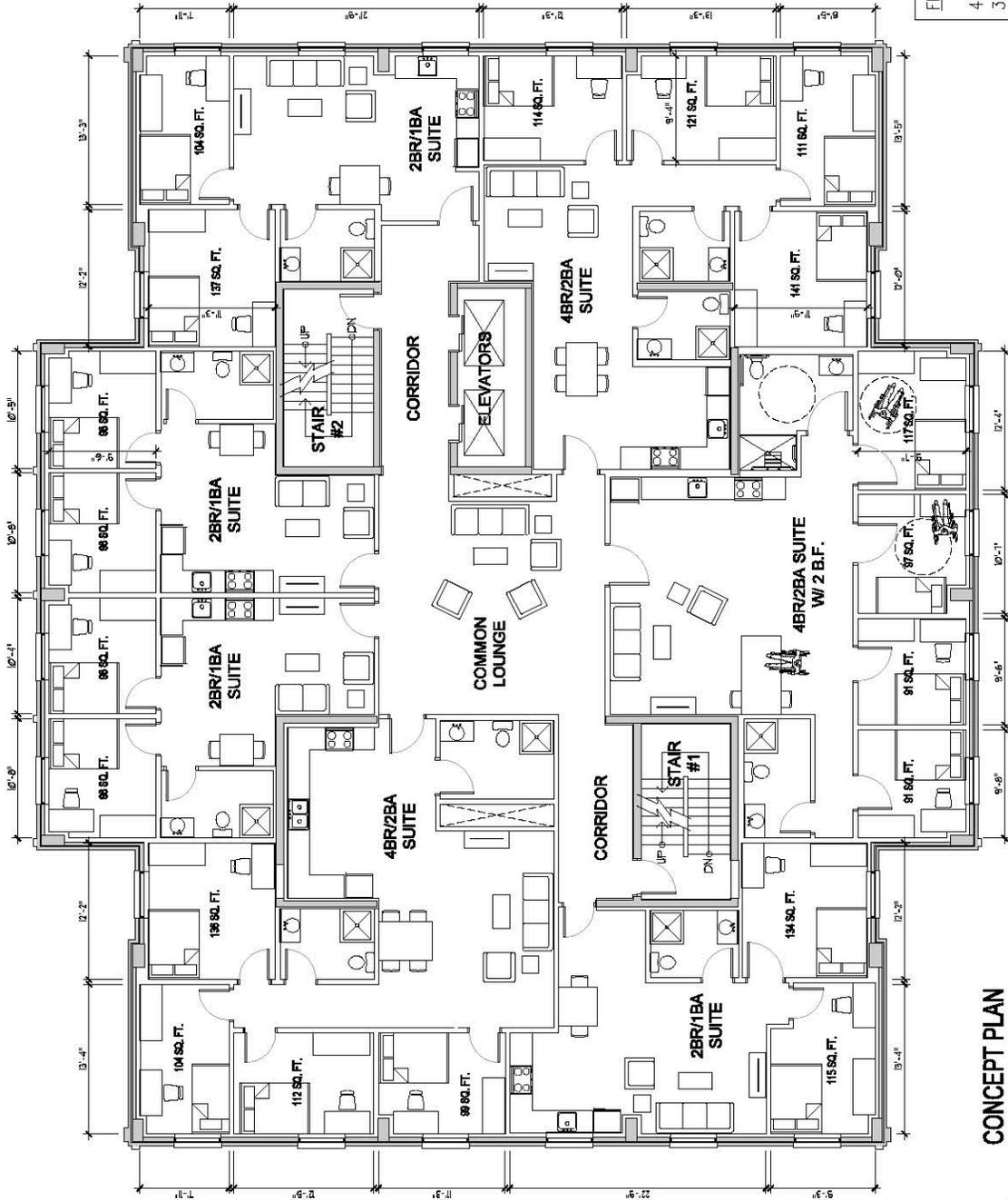
**FLOOR DATA:**

x 2BR/1BA SUITES	= 4 BEDS
TOTAL	= 4 BEDS

**CONCEPT PLAN  
BASEMENT FLOOR**  
SCALE: N1:5



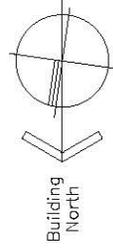




FLOOR DATA:

4 x 2BR/1BA SUITES	= 8 BEDS
3 x 4BR/2BA SUITES	= 12 BEDS
TOTAL	= 20 BEDS

**CONCEPT PLAN**  
**TYPICAL FLOOR 2 THRU 10**  
 SCALE: N.T.S.



 <b>Archon</b> architects incorporated	Project No. <b>22-744</b>	Project Name <b>residence west, university of windsor</b>	Date <b>14oct2024</b>	Drawing No. <b>sd-01</b>
	Building North			

**Subject: Additional Information to Report S37/2025 - University Avenue West and Wyandotte Street West Community Improvement Plan Grant Applications made by the University of Windsor for 401 Sunset Avenue (Ward 2)**

**Reference:**

Date to Council: May 5, 2025  
Author: Laura Strahl, MCIP, RPP  
Planner III - Special Projects  
519-255-6543 ext. 6396  
lstrahl@citywindsor.ca

Planning & Building Services  
Report Date: 4/3/2025  
Clerk's File #: SPL/14645

**To:** Mayor and Members of City Council

**Additional Information:**

**Additional Recommendations for Report # S37/2025:**

The Recommendation I of Report S37/2025 be deleted and replaced with the following:

- I. **THAT** the request made by the University of Windsor (owner) for the proposed redevelopment of an existing building on a portion of 401 Sunset Avenue as identified in Appendix B to Report S37/2025, to participate in the Building/Property Improvement Tax Increment Grant Program **BE APPROVED** at the lesser of 100% of the municipal portion of the tax increment resulting from the proposed development for up to five (5) years, plus an additional five (5) years as a catalyst project or until 100% of the eligible costs are repaid pursuant to the University Avenue West and Wyandotte Street West Community Improvement Plan;

Report S37/2025 recommends approval of a University Avenue West and Wyandotte Street West Community Improvement Plan grant application made by the University of Windsor on a portion of the property at 401 Sunset Avenue as shown on Appendix B to Report S37/2025, to participate in the Building Property Improvement Tax Increment Grant Program under the University Avenue and Wyandotte Street Community Improvement Plan for a term of five (5) years.

The CIP program allows an extension of five (5) additional years (for a total of ten (10) years) if the project meets the definition of a Catalyst Project, as defined within the CIP. Based on the original submission, the project did not meet the definition of a Catalyst

Project, however with the University of Windsor has amended their proposal. Administration has reviewed the amended proposal and now recommends the project be considered a Catalyst Project.

The applicant originally proposed 71 new residential units in the existing vacant building, but they have now reconfigured the floor plans to propose 118 new residential units. To be considered a Catalyst Project, the proposal needs to meet at least three criteria under the Catalyst Definition in the University Avenue and Wyandotte Street West Community Improvement Plan. The applicant meets the following three criteria:

- Represents visible investment of at least \$5 million or more.
  - o The applicant estimates construction costs of \$22,365,700.
- Will result in a significant increase in land value that results in increased municipal assessment of 20% or more.
  - o The proposal will result in an increased municipal assessment over 20%.
- Creates 100 or more new residential units within the CIP Project Area.
  - o The applicant proposes 118 new residential units.

The estimated grant calculation has now changed as a result of the number of units increasing and the project now qualifying for a 10 year tax grant as a Catalyst Project. Below is an updated table to replace the table in the Financial Matters Section of Report 37/2025:

<b>Estimate Building Property Improvement Tax Increment Grant Calculation Portion of 401 Sunset Avenue</b>			
Annual Pre-Development Municipal Taxes	Annual Estimated Post Development Municipal Taxes	Annual Estimate Value of Grant	Total Estimate Grant over ten (10) years
\$135,801	\$156,197	\$20,396	\$203,960

**Approvals:**

<b>Name</b>	<b>Title</b>
Laura Strahl	Planner III - Special Projects
Emilie Dunnigan	Manager Development Revenue & Financial Administrator
Jason Campigotto	Deputy City Planner -- Growth
Greg Atkinson	City Planner/ Executive Director, Planning & Development Services (A)

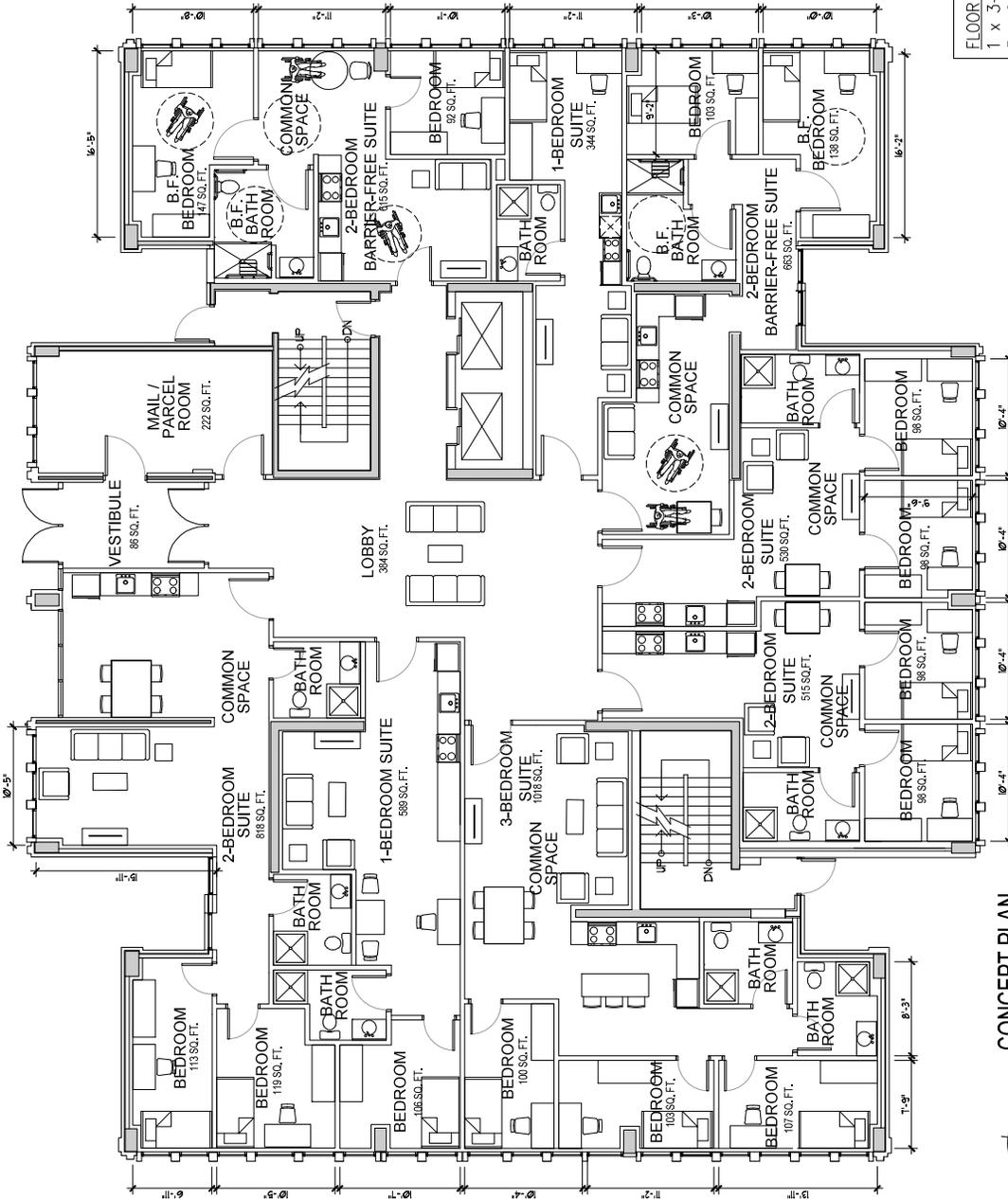
Kate Tracey	Senior Legal Counsel, Legal & Real Estate
Lorie Gregg	Deputy Treasurer Taxation and Financial Planning
Janice Guthrie	Commissioner Finance/City Treasurer
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**

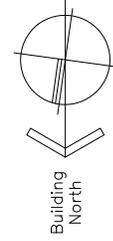
- 1 Appendix A - Updated Conceptual Floor Plans



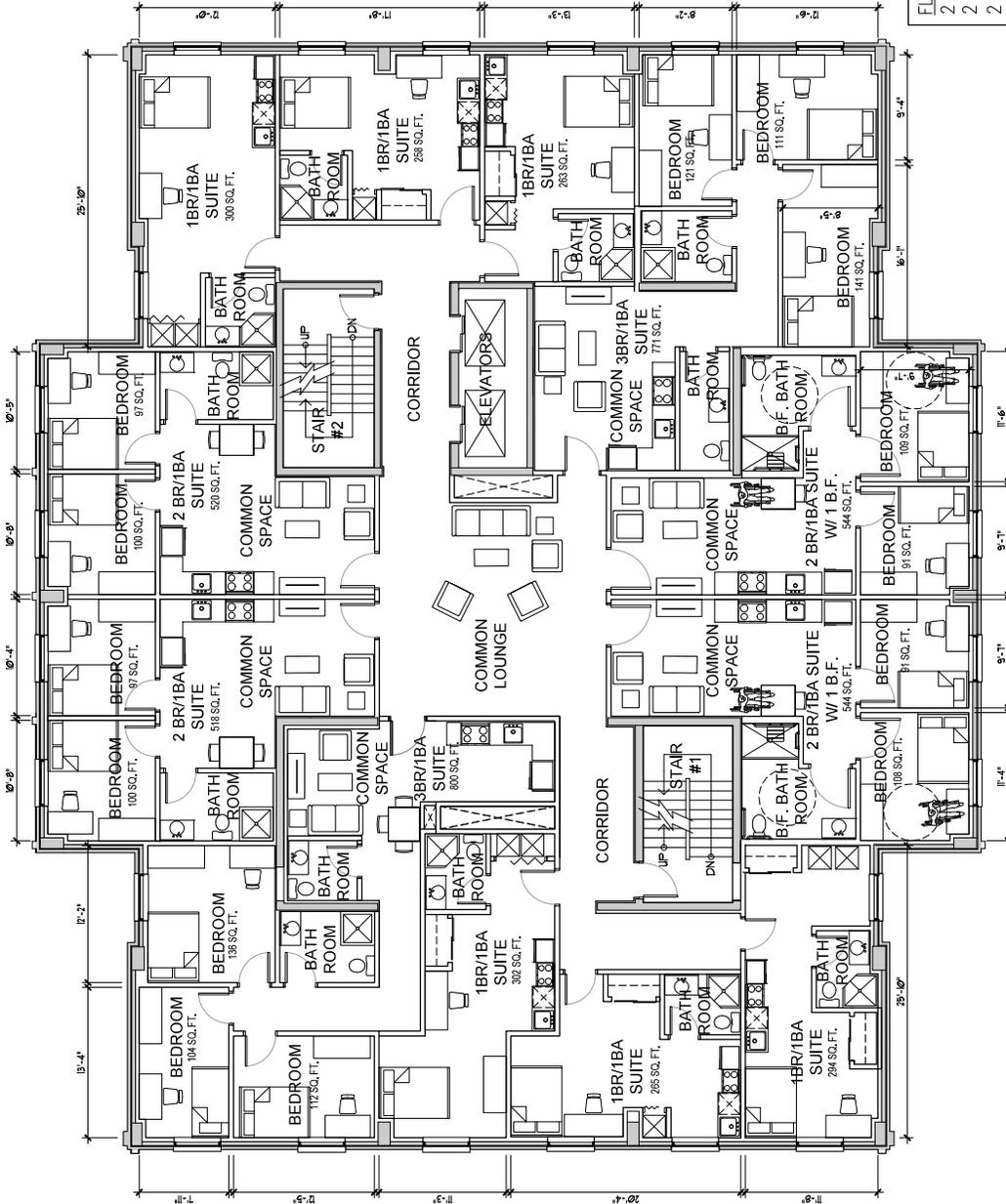
FLOOR DATA:

1 x 3-BEDROOM SUITE	=	3 BEDS
3 x 2-BEDROOM SUITE	=	6 BEDS
2 x 2-BEDROOM SUITE W/ B.F.	=	4 BEDS
2 x 1-BEDROOM SUITE	=	2 BED
<b>TOTAL</b>		<b>= 15 BEDS</b>

**CONCEPT PLAN**  
**FIRST FLOOR**  
 SCALE: N.T.S.

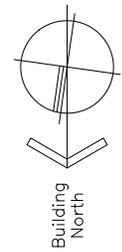


	PROJECT NO. <b>22-744</b>	PROJECT NAME residence west, university of windsor	DATE <b>08April2025</b>	DRAWING NO. <b>sd-01</b>
	first floor plan			



FLOOR DATA:	
2 x 3-BEDROOM SUITE	= 6 BEDS
2 x 2-BEDROOM SUITE	= 4 BEDS
2 x 2-BEDROOM SUITE W/ B.F.	= 4 BEDS
6 x 1-BEDROOM SUITE	= 6 BED
<b>TOTAL</b>	<b>= 20 BEDS</b>

CONCEPT PLAN  
 TYPICAL FLOOR 2 THRU 10  
 SCALE: N.T.S

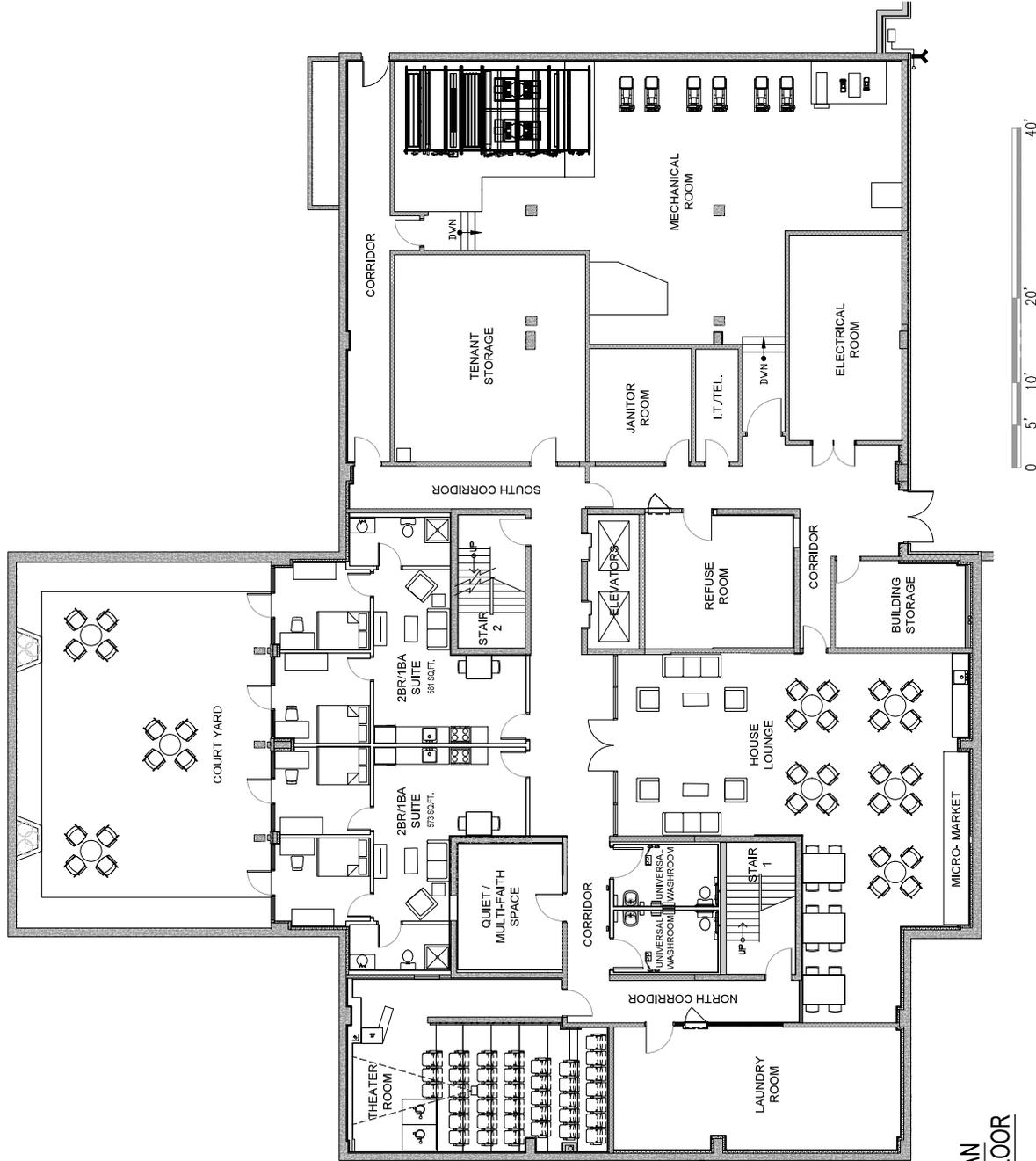


 Archon architects incorporated	project no. <b>22-744</b>	project name residence west, university of windsor	date <b>08april2025</b>	dwg no. <b>sd-02</b>
	typical floor plan			

**LEGEND - NEW WORK**

EXISTING WALLS

NEW WALLS

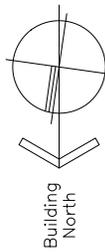


FLOOR DATA:

2 x 2BR/1BA SUITES = 4 BEDS

TOTAL = 4 BEDS

CONCEPT PLAN  
BASEMENT FLOOR  
SCALE: N.T.S



**Subject: Amendment to CR399/2024 & CR69/2025 for Closure of west half of north/south alley located between Montrose Street and Tecumseh Boulevard West, Ward 3, SAA-4133**

**Reference:**

Date to Council: May 5, 2025  
Author: Brian Nagata, MCIP, RPP  
Planner II - Development Review  
(519) 255-6543 ext. 6181

Planning & Building Services  
Report Date: March 18, 2025  
Clerk's File #: SAA2025

**To:** Mayor and Members of City Council

**Recommendation:**

- I. THAT CR399/2024, adopted on September 23, 2024, as amended by CR69/2025, adopted on February 10, 2025, **BE AMENDED** to replace Drawing No. CC-1849 with the drawing attached hereto as Appendix "D". **Executive**

**Summary:**

N/A



# STREET & ALLEY CLOSING (SAA/4133)

1:750

APPLICANT : CITY OF WINDSOR



 ALLEY CLOSED BY CR610/2020

 RECOMMENDED ALLEY CLOSURE  
(CITY INITIATED)

PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: MARCH, 2025

## **Background:**

On December 7, 2020, Council approved the closure of the east half of the north/south alley located between Montrose Street and Tecumseh Boulevard West and shown on Drawing No. CC-1776 attached hereto as Appendix "A".

During the preparation of Reference Plan 12R-29404, it was discovered that the west half of the north/south alley, making up part of 10 properties ranging from 1304 Oak Street to 1370 Oak Street, had not been assumed and closed.

The west half of the north/south alley was established by By-law 310 on November 18, 1941. The alley is comprised of lands acquired by the City in 1932 by Tax Arrears Certificate. Over the years, portions of the alley making up part of 1304 Oak Street, 1312 Oak Street, and 1356 Oak Street were inadvertently sold by the City with the respective properties, resulting in the City losing ownership over the lands. Regaining ownership of the lands through expropriation or a court order, only to convey them back to the property owners, is not a practical option, nor is it necessary.

On September 23, 2024, CR399/2024 was adopted by Council to approve the closure of the portions of the alley still owned by the City, making up part of the remaining seven (7) properties, and shown on Drawing No. CC-1849 attached hereto as Appendix "B".

The Legal Department, through the alley closure by-law preparation stage, discovered that the portion of the alley abutting 1370 Oak Street (legally described as Parts 16 & 17, Reference Plan 12R-29404) was also inadvertently sold by the City with the respective property.

On February 10, 2025, CR69/2025 was adopted by Council to amend CR399/2024 by replacing Drawing No. CC-1849 with the drawing attached hereto as Appendix "C" to reflect the change in status of the portion of the alley abutting 1370 Oak Street.

The Legal Department, through the alley closure by-law preparation stage, discovered that the entire west half of the north/south alley, making up part of 10 properties ranging from 1304 Oak Street to 1370 Oak Street was inadvertently sold by the City with the respective properties.

## **Discussion:**

CR399/2024 and CR69/2025 must be amended to replace Drawing No. CC-1849 with a new drawing (attached hereto as Appendix "D") that identifies the entire west half of the north/south alley as being inadvertently sold by the City.

## **Risk Analysis:**

The recommended amendment to CR399/2024 and CR69/2025 poses no known risk to the City.

**Climate Change Risks**

**Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

N/A

**Consultations:**

N/A

**Conclusion:**

The Planning Department recommends that CR399/2024 and CR69/2025 be amended to replace Drawing No. CC-1849 with that drawing attached hereto as Appendix “D”.

**Planning Act Matters:**

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

*Greg Atkinson, MCIP, RPP  
Deputy City Planner - Development / City Planner (A)*

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

*JP JM*

**Approvals:**

Name	Title
Brian Nagata	Planner II - Development Review
Greg Atkinson	Deputy City Planner - Development
Greg Atkinson	City Planner (A)
Jamelah Hersh	Senior Legal Counsel
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

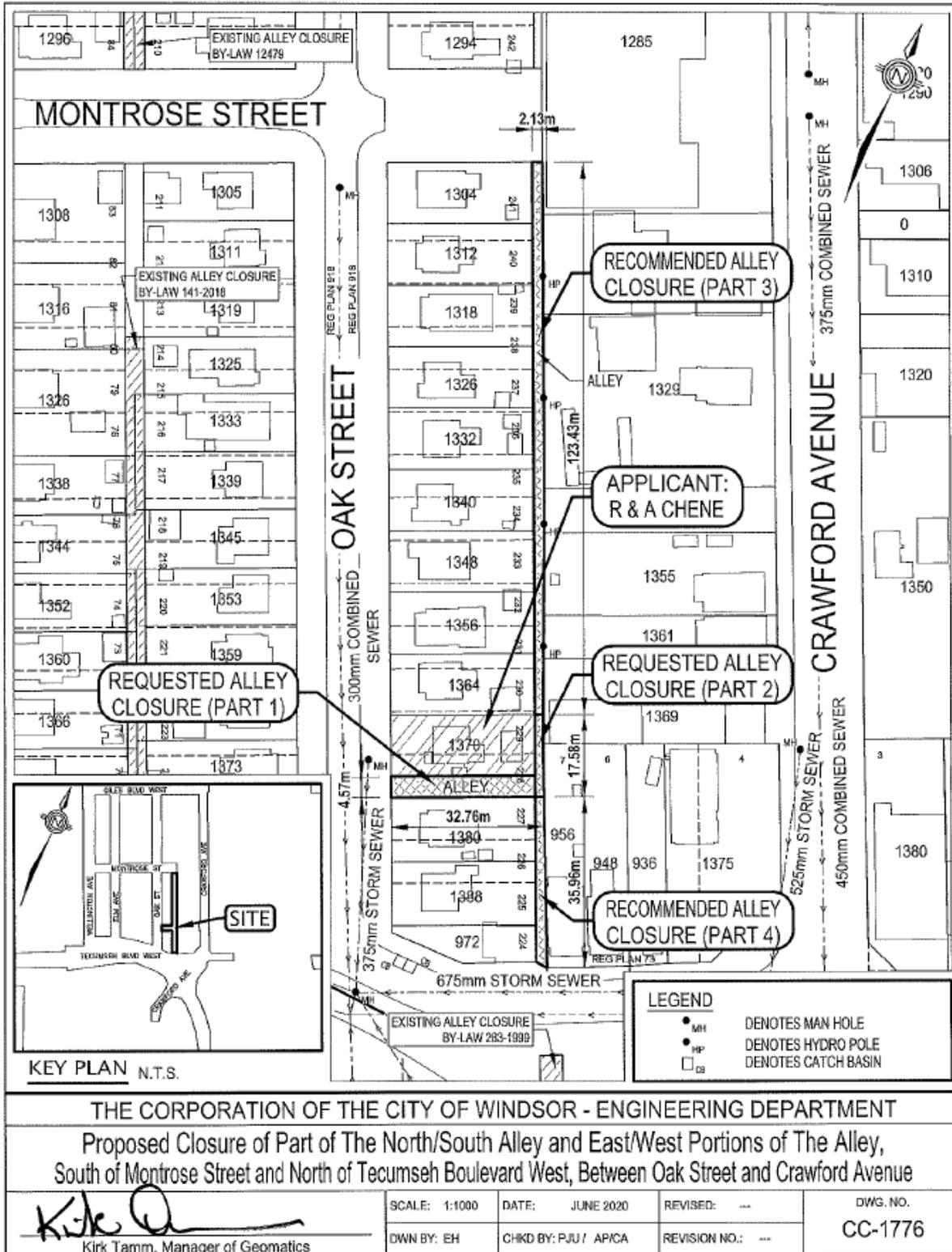
**Notifications:**

None

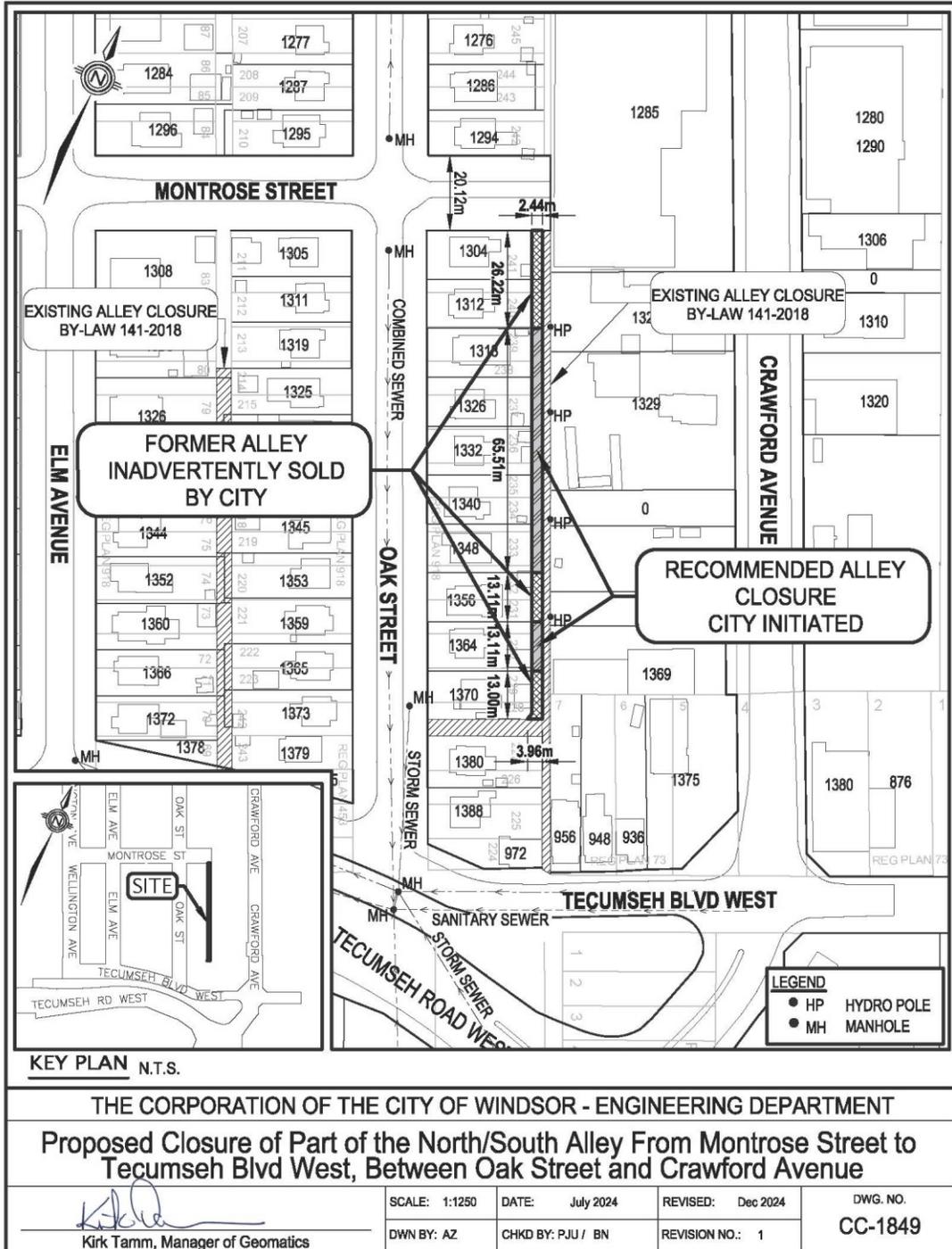
**Appendices:**

- 1 Appendix A - Drawing No. CC-1776
- 2 Appendix B - Drawing No. CC-1849
- 3 Appendix C - Revised Drawing No. CC-1849 (December 2024)
- 4 Appendix D - Revised Drawing No. CC-1849 (March 2025)

### APPENDIX "A" Drawing No. CC-1776

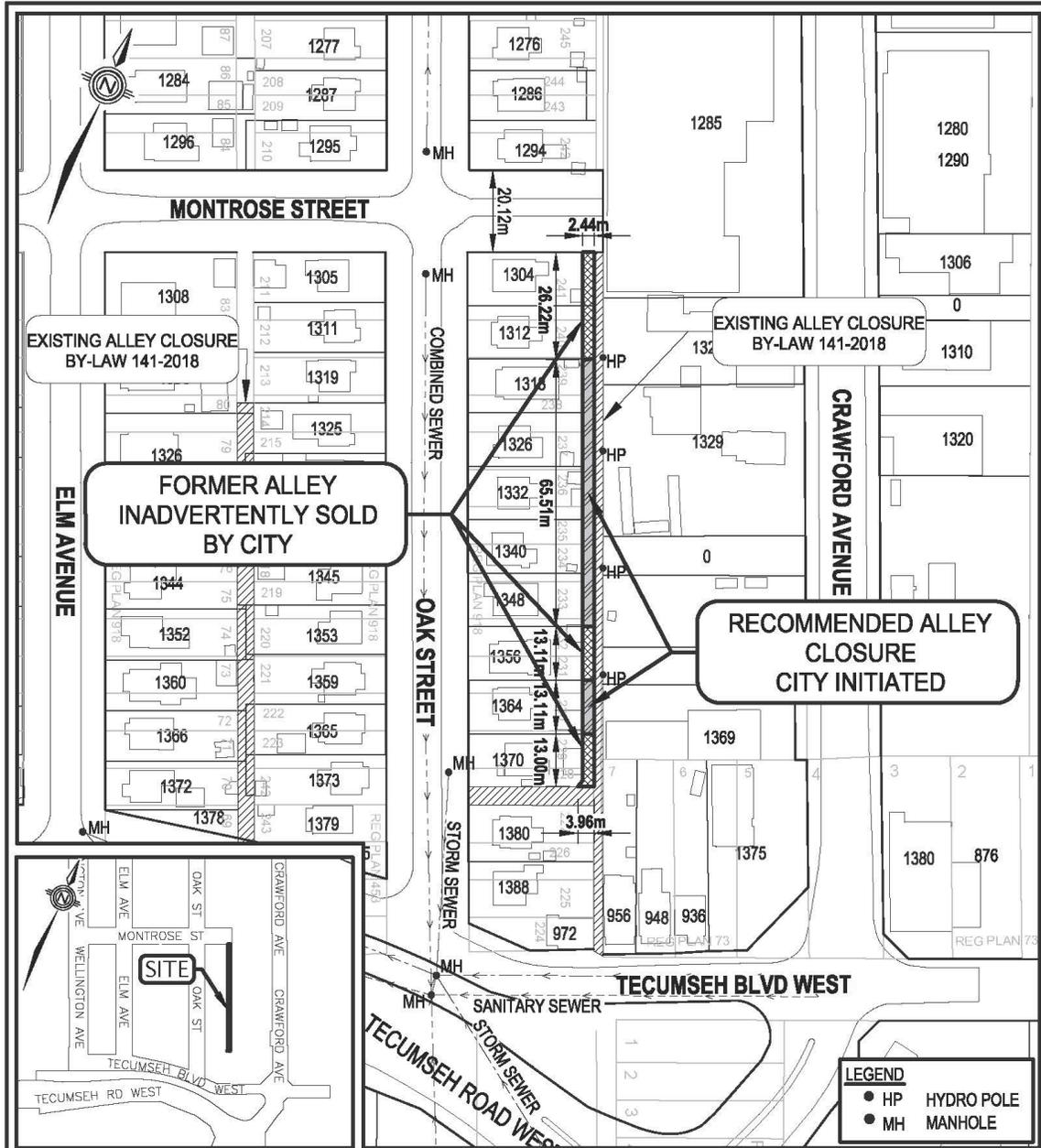


**APPENDIX "B"**  
**Drawing No. CC-1849**  
**(CR69/2025)**



### APPENDIX "C"

#### Revised Drawing No. CC-1849 (December 2024)



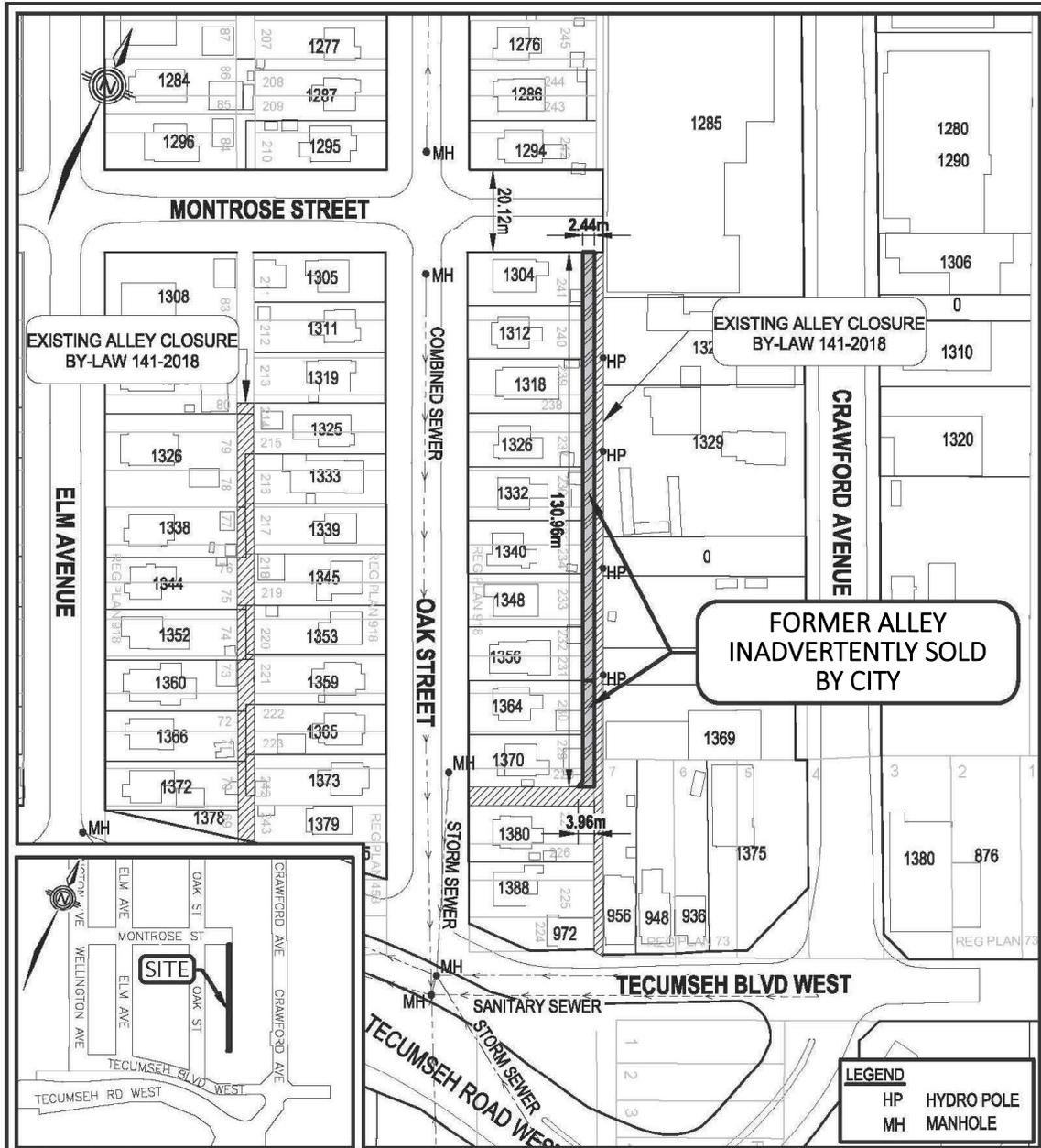
**KEY PLAN** N.T.S.

**THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT**

**Proposed Closure of Part of the North/South Alley From Montrose Street to Tecumseh Blvd West, Between Oak Street and Crawford Avenue**

 Kirk Tamm, Manager of Geomatics	SCALE: 1:1250	DATE: July 2024	REVISED: Dec 2024	DWG. NO. <b>CC-1849</b>
	DWN BY: AZ	CHKD BY: PJJ / BN	REVISION NO.: 1	

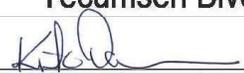
**APPENDIX "D"**  
**Revised Drawing No. CC-1849**  
**(March 2025)**



**KEY PLAN** N.T.S.

**THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT**

**Proposed Closure of Part of the North/South Alley From Montrose Street to Tecumseh Blvd West, Between Oak Street and Crawford Avenue**

 Kirk Tamm, Manager of Geomatics	SCALE: 1:1250	DATE: July 2024	REVISED: Mar 2025	DWG. NO. <b>CC-1849</b>
	DWN BY: AZ	CHKD BY: PJU / BN	REVISION NO.: 2	

**Subject: Economic Revitalization CIP (Community Improvement Plan) application submitted by Minth Canada Holding Inc 5000 Cabana Rd E (formerly known as County Rd 42)-Ward 9**

**Reference:**

Date to Council: May 5, 2025  
Author: Simona Simion, Planner III (A)  
ssimion@citywindsor.ca  
519-255-6543 x 6449

Report Date: 4/11/2025  
Clerk's File #: SPL/10759

**To:** Mayor and Members of City Council

**Recommendation:**

- I. THAT the request made by Minth Canada Holding Inc. ("Minth") to participate in the Business Development Grant Program **BE APPROVED** for the property located at 5000 Cabana Rd E (formerly known as County Road 42), and legally described as Parts 1 and 4 on 12R29960, as shown in the aerial diagram attached as Appendix A Location Map for a period that ends the earlier of 10 years or when 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization Community Improvement Plan; and,
- II. THAT, the CAO and City Clerk **BE AUTHORIZED** to execute a Business Development Grant Agreement with Minth for the Property, to be satisfactory in form to the City Solicitor, in technical content to the City Planner and in financial content to the City Treasurer.

**Executive Summary:** N/A

**Background:**

City Council approved the Economic Revitalization Community Improvement Plan (CIP) at its January 31, 2011, meeting via CR 50/2011. The adopting By-law 30-2011 was passed by Council at its February 14, 2011, meeting.

The Economic Revitalization CIP provides financial incentives to encourage new investment in targeted economic sectors for the purposes of diversifying the local

economy and creating/retaining jobs. The CIP allows the City to take a variety of measures to further the objectives of the Economic Revitalization 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.

To date, City Council has approved a number of applications made under the CIP representing a range of targeted economic sectors including manufacturing, research and development, creative industries, logistics, health & life sciences, and tourism.

### *Windsor Works Strategy*

In February of 2020, Windsor City Council commissioned an economic development report called Windsor Works - An Economic Development Strategy for the City's Future Growth. One of the report's chief recommendations relating to the future economy was to build on Windsor's manufacturing strength to become a hub for new innovation and the auto sector of the future. Specifically, the report recommended establishing Canada's first ramp up factory for electric and autonomous vehicles and working with the Province to prioritize the area for battery production by 2025.

### *Announcement of Landmark Investment*

On April 3, 2025, Minth Group announced that Windsor had been selected as the site for manufacturing operations being a major part of company's overall growth strategy. This facility will first provide structural and battery tray components for customers located in the northern region of North America, with future expansion into additional product lines including plastic exterior trim. This project represents a \$298M investment, creating 1,088 new jobs. The selection of the Windsor location was largely influenced by the availability of incentives such as the CIP grant, available land, skilled labour, and proximity to customers and supply base.

The Minth Group stands as a global leader in the manufacturing of exterior and structural automotive parts. With a workforce of 22,331 employees distributed across four business units and 77 global plants and offices, the operations span three continents and 14 countries. The company serves a diverse clientele, encompassing over 70 automobile brands from all over the world. Leveraging one of the world's most comprehensive and diverse customer platforms, Minth has made significant investments in the electrification of the automotive industry, positioning itself as the world's largest supplier of battery enclosures and body structure components.

*Subject Site*

Minth Canada Holding Inc. has applied for financial incentives under the Business Development Grant Program. The proposed manufacturing facility would be located on 53.83 acres of surplus airport land that is owned by the City of Windsor and would be leased to Minth Canada Holding Inc. The site is located northeast of the intersection of the 8<sup>th</sup> Concession Road and Cabana Road East (formerly known as County Road 42). See Appendix A Location Map.

The existing site is vacant employment land. Pre-development studies were completed by the City of Windsor and as part of the Provincial Site Readiness Program. The site and surrounding airport employment lands were the subject of Official Plan and Zoning By-law amendment approved by Council in January 2024. The subject site is designated 'Industrial' on Schedule D of the Official Plan and is zoned Manufacturing District MD2.2, which permits a wide range of industrial uses.

**Discussion:**

*Business Development Grant Program*

The Business Development Grant Program is intended to provide financial incentive to stimulate new investment in targeted economic sectors for the purposes of expanding and diversifying Windsor’s economy. The Business Development Grant Program will also apply to projects that demonstrate a major investment resulting in a significant positive impact on the local economy and workforce. New manufacturing businesses that create a minimum of 50 jobs are eligible to apply under the program.

Successful applicants are eligible to receive an annual grant for up to 100% of the municipal property tax increase created by an investment in development or redevelopment of a building or property—provided it conforms with the Economic Revitalization CIP. Annual grants typically continue for up to 10 years to a maximum of total eligible costs for the project.

*Proposed Construction*

The application proposes to construct industrial buildings over three (3) phases commencing in 2025 and concluding in 2029. The CIP application applies to all phases which are estimated to cost \$164,634,944.

*Eligible Sector*

Minth Canada Holding Inc. falls under the eligible Manufacturing sector, which is defined as:

### *Manufacturing*

Companies engaged in the fabricating, processing, assembling, packaging, producing or making goods or commodities, including ancillary repair, storage, wholesaling or office uses.

### *Employment*

According to the CIP application Minth Canada Holding Inc. will create a total of 1,088 new jobs for all phases. Phase one will see 376 new jobs established at the subject site.

### *CIP Objectives*

Construction of the industrial facility and recommended Business Development Grant supports the following CIP objectives:

- Encourage investment that results in the productive use of lands and/or buildings for the purposes of establishing or maintaining a business enterprise, or the expansion of existing businesses to realize more effective use of the land's potential;
- Encourage capital investments that create new and/or maintain existing permanent jobs, as well as short-term construction jobs that contribute to the reduction of the unemployment rate;
- Attract investment based on the community's strengths and competitive advantages;
- Support investments in specified high potential economic sectors that contribute to the diversification of the local economy;
- Facilitate the development of the City's vacant employment lands and other areas that have the potential to be new employment areas;
- Provide financial incentive programs that are attractive to potential investors and corporate decision-makers, but are balanced with expectations of City taxpayers and the City's ability to fund the financial incentive programs;
- Support the establishment and on-going development of sector clusters and encourage businesses to take advantage of cluster-related synergies; and,
- Support investment and development that results in an increase in property assessment and grows the non-residential municipal tax base over the long-term.

### **Risk Analysis:**

There is little risk involved in the approval of CIP incentives. Staff resources are required for the upfront administration of the grant program and finalization of the legal agreement. Limited staff resources related to on-going monitoring of the eligible employment use and issuance of annual grants will also be required over the next 10 years. Should Council not approve the CIP request there is a significant risk that Minth Canada Holding Inc. may not proceed with the full planned investment to construct

multiple phases in Windsor.

## **Climate Change Risks**

### **Climate Change Mitigation:**

The proposed manufacturing facility implements Environmental Master Plan Goal A – Improve Our Air Quality, which directs the City to be proactive by partnering with community groups, industry and other levels of governments to improve Windsor’s air quality. It also implements Community Energy Plan Transportation Strategy 11, which seeks to increase the adoption of electric vehicles and alternate fuel vehicles.

The construction and operation of the proposed manufacturing facility will result in an increase in the community greenhouse gas emissions; however, it is important to highlight that the emissions associated with this opportunity will support the national/international transition to EV vehicles as a priority mitigation strategy to move away from fossil fuels.

### **Climate Change Adaptation:**

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

## **Financial Matters:**

### *Business Development Grant Program*

The tax increment portion of the Business Development Grant is not calculated or paid out until all eligible work is completed, and the property is reassessed by the Municipal Property Assessment Corporation (MPAC). Reassessment of the property must result in an increase in assessment value. The grant amount is recalculated annually based on the actual assessed property value, tax class, and municipal tax rate.

### *Summary of Potential Financial Incentives*

Mint Canada Holding Inc. proposes to invest \$164,634,944 in eligible building and site construction costs as part of three development phases. The current assessment value of the 53.83 acres of land is \$342,096 and is assessed taxable as farmland.

The estimated post construction assessment value of all three phases is \$35,230,019 which is an increase of \$34,887,923 from \$342,096. If approved, the total grant value

depends on when the grant program commences. Should Minth decide to delay the commencement of the ten-year grant period until all phases are complete, the annual estimated grant will be calculated based upon the total estimated assessed value of \$35,230,019. The estimated annual grant value will be \$1,939,363, for a total cumulated grant value of \$19,393,630 over 10 years.

Should Minth decide to commence the grant period following the completion of phase one (building 1 is constructed), the annual grant would be \$716,485. The grant would remain at this annual amount until phase 2 is complete (building 2 is constructed), the annual grant would increase to \$1,330,294. Similarly, the grant would remain at the phase 2 annual amount until phase 3 is complete (building 3 is constructed), the annual grant would increase to \$1,939,363 for the remainder of the 10-year period. The total estimated grant for the 10-years under this scenario would be \$15,729,737. If Minth does not construct phases 2 and 3, the total estimated grant value will be \$7,164,850 over the 10-year period.

Because the Business Development Grant Program does not cancel taxes, Minth Canada Holding Inc. must pay the full amount of property taxes annually and will subsequently receive a grant for the difference between the pre and post-development municipal taxes (i.e. the 'tax increment').

### **Consultations:**

The Economic Revitalization CIP was subject to extensive stakeholder and public consultation as part of the approval process, including two public open houses, a statutory public meeting of Council and circulation among internal City staff and the Province.

Planning staff have consulted with the applicant prior to accepting the application for the Business Development Grant Program. Staff from the Planning (Greg Atkinson), Finance (Carolyn Nelson, Lorie Gregg, Josie Gaultieri), Legal (Kate Tracey), and Economic Development (Milan Vujanovic) were consulted in the preparation of this report.

### **Conclusion:**

Administration recommends that Council approve the request made by Minth Canada Holding Inc. to participate in the Business Development Grant Program. Specifically, that the municipal portion of the tax increment resulting from the proposed development at 5000 Cabana Rd E (formerly known as County Road 42) and legally described as Parts 1 and 4 on 12R29960 be provided as an annual grant for the lesser of 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization CIP.

The planned development conforms with the Economic Revitalization CIP and assists the City in the achievement of a number of the CIP objectives, Windsor Works Strategy, and exemplifies the purpose for which the Economic Revitalization CIP was created.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Emilie Dunnigan	Manager Development Revenue and Finance Admin.
Jason Campigotto	Deputy City Planner – Growth (A)
Greg Atkinson	City Planner/Executive Director of Planning and Building Services (A)
Kate Tracey	Senior Legal Counsel, Legal Services & Real Estate
Lorie Gregg	Deputy Treasurer, Taxation & Financial Projects
Janice Guthrie	Commissioner, Finance and City Treasurer
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**

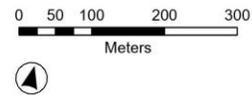
- Appendix A Location Map
- Appendix B Business Overview

# Appendix A: Location Map



**LOCATION MAP:**  
 Owner/Leasor: City of Windsor  
 Lessee: Minth Canada Inc.

- - - Subject Property
- PLAN 12R-29960 PART 1
- - - Parcel Boundary
- PLAN 12R-29960 PART 4





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## Business Overview

Minth Group stands as a global leader in the manufacturing of exterior and structural automotive parts. With a workforce of 22,331 employees distributed across four business units and 77 global plants and offices, our operations span three continents and 14 countries. We take immense pride in serving a diverse clientele, encompassing over 70 automobile brands from all over the world. Leveraging one of the world's most comprehensive and diverse customer platforms, Minth has made significant investments in the electrification of the automotive industry, positioning itself as the world's largest supplier of battery enclosures and body structure components.

At Minth Group, our commitment extends beyond business success to the creation of a sustainable society and future for all. We champion green innovations and increasingly adopt green energy in our operations. Concurrently, we are dedicated to providing high-performance, superior-quality automotive parts that adhere to the highest global standards, continually driving innovation within the automotive industry.

## Project: Manufacturing Footprint Expansion

In the North American market, Minth Group has been growing at a nearly 20% year over year pace for several years, with extensive expansions across multiple operations in Mexico and USA. Our 2030 growth strategy requires a faster pace, with a more diversified footprint. The establishment of the Windsor manufacturing operations that comprise this project will be a major part of our overall growth strategy. This facility will first provide structural and battery tray components for customers located in the northern region of North America, with future expansion into additional product lines including plastic exterior trim. This project represents a \$298M investment, creating 1088 new jobs.

## Location Options

In planning this expansion, we considered many locations across USA and Canada, including Tennessee, Michigan, Ohio, Indiana, and Ontario. The selection of the Windsor location was largely influenced by the availability of incentives such as the CIP grant, available land, skilled labor availability, and proximity to our customers and supply base.

## Conclusion

Minth Group is excited to continue our project in Windsor. The CIP grant will play a vital role in helping to ensure viability of the project through the launch and establishment phases. If approved, the grant will allow Minth Group to achieve our goal of continuing expansion by helping to offset a portion the massive capital costs of the project, resulting in continued growth and more jobs.

**Subject: Sandwich CIP, 357-359 Indian Road; Owner: Bruno and Maurizio Mantovan; Ward 2**

**Reference:**

Date to Council: May 5, 2025  
Author: Kevin Alexander, MCIP RPP  
Senior Planner Special Projects  
519-255-6543 x6732  
kalexander@citywindsor.ca

Planning & Building Services  
Report Date: 4/11/2025  
Clerk's File #: Z/2025

To: Mayor and Members of City Council

**Recommendation:**

- I. **THAT** the request for incentives under the Sandwich Incentive Program made by the registered owner Bruno and Maurizio Mantovan of the property located at 357-359 Indian Road **BE APPROVED** for the following programs:
  - i. *Development and Building Fees Grant* for 100% of the Development and Building Fees identified in the Sandwich CIP to a maximum amount of \$20,000;
  - ii. *Revitalization Grant Program* for the lesser of 70% of the municipal portion of the tax increment for up to 10 years (+/- \$1,869 per year) or the eligible project costs;
- II. **THAT** the CAO and City Clerk **BE AUTHORIZED** to sign the Sandwich Incentive Program Agreement for the *Revitalization Grant* in accordance with all applicable policies, requirements, and provisions contained within the Olde Sandwich Towne Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implication;
- III. **THAT** funds to a maximum amount of \$20,000 under the *Development Building Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the *Sandwich Community Development Plan Fund* (Project 7076176) once the work is completed;

- IV. **THAT** grants **BE PAID** to Bruno and Maurizio Mantovan upon completion of the two (2) story two (2) unit duplex dwelling from the *Sandwich Community Development Plan Fund* (Account 7076176) to the satisfaction of the City Planner and Chief Building Official; and,
- V. **THAT** grants approved **SHALL LAPSE** and **BE UNCOMMITTED** and returned to CIP Reserve Fund 226 if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

**Executive Summary: N/A**

**Background:**

On January 26, 2009, City Council passed by-laws to establish the Sandwich Heritage Conservation District Plan (By-law 22-2009), Olde Sandwich Towne Community Improvement Plan (By-law 27-2009), and Supplemental Development and Urban Design Guidelines (By-law 28-2009). These By-laws came into effect on October 18, 2012. One of the key recommendations of the Olde Sandwich Towne Community Improvement Plan (Sandwich CIP) is the implementation of the Incentive Program(s).

On June 17, 2013, through M265-2013 Council activated the following Incentive Programs from the Sandwich Incentive Program:

- a) Commercial/Mixed Use Building Facade Grant Program
- b) Revitalization Grant Program
- c) Commercial Core Feasibility Grant Program
- d) Development Charge Grant Program
- e) Development and Building fees Grant Program
- f) Neighbourhood Residential Rehabilitation Grant Program.

On June 17, 2013, Council also received the Development Review Process for development applications within the Sandwich Heritage Conservation District (HCD) area, and within the Sandwich Community Improvement Plan (CIP) Area (outside of the Sandwich HCD Area) (M264-2013).

**Discussion:**

On April 8, 2025, owners Bruno and Maurizio Mantovan of the property located at 357-359 Indian Road submitted a Sandwich CIP grant application with Site Plan and Elevation drawings for the purpose of restoring and improving the existing two (2) story two (2) unit duplex dwelling (See Appendix 'A' for location map).

The property is located within Sandwich Heritage Conservation District (HCD) and the Olde Sandwich Towne Community Improvement Plan (Sandwich CIP) area, and for the purpose of financial incentives, located within Target Area 3.

The owner has also applied for a Heritage Permit through Heritage Planning and the subject of another report to be considered by the Development Heritage Standing Committee on May 5<sup>th</sup>, 2025.

The owner has also applied for the *Neighbourhood Residential Rehabilitation Grant Program* through the Sandwich CIP in the amount of \$15,000 which will be processed as a separate report for Chief Administrative Officer (CAO) approval pursuant to Delegation of Authority By-law 208-2008.

One of the general requirements of Section 10.3 q) of the Sandwich CIP requires that approval of any application for the financial incentive program is based on the compatibility of the proposed use with the vision and goals of the CIP, the Sandwich Community Planning Study (CPS), and the Olde Sandwich Towne Supplemental Development and Urban Design Guidelines (Sandwich Urban Design Guidelines) and any other guidelines applicable to the CIP area. The following identifies how this particular development addresses section 10.3 (q) of the CIP.

The proposal is subject to the policies and guidelines identified in the Sandwich HCD and Sandwich CIP Urban Design Guidelines.

### **Sandwich Vision and Sandwich HCD and CIP Policies and Design Guidelines**

#### ***The Sandwich HCD and CIP***

The proposed restoration and improvements to the existing two-storey duplex dwelling located at 357-359 Indian Road is consistent with the Vision and Goals for Sandwich Town and the Sandwich HCD.

The restoration of the dwelling will include the following scope of work:

- Reconstructing/rebuilding the front porch to its original style using historic photo documentation as reference. Full range rug brick veneer to match existing brick, wood clad columns, and 4" stone sills are features proposed.
- Reinstating the central dormer on the front (Indian Road) façade
- Replacing the existing second storey cedar siding with cedar shake composite siding in a similar appearance, colour, and texture as the original material. This will be to maintain the structural integrity of the building and prevent further moisture damage.
- Brick and mortar repair (repointing) where needed.
- Replacing the existing rear-entry deck, steps, and column.
- Replacing the asphalt roof with new asphalt shingles to match existing.
- Adding black dark casing around all windows, black eaves troughs, and black fascia (optional items).

In addition the three (3) interior floors (including the basement) will undergo a complete renovation including framing, new dry wall, plumbing and electrical, and a new HVAC system.

### **Sandwich CIP Urban Design Guidelines**

The proposed restoration and improvements to the existing two-storey duplex dwelling is in keeping with the Sandwich HCD and Sandwich Urban Design Guidelines, in terms of appropriate restoration methods, siting and scale of the new porch and use of materials. Urban Design and Heritage Planning staff have worked closely with the owner to ensure that restoration and improvements use best practices and are consistent with the goals and policies of Sandwich HCD and immediate area.

### **Sandwich Incentive Program**

The proposal is located within Target Area 3 of the Sandwich CIP Area and eligible for the following Incentive programs. The eligible costs for each incentive program are based on the costs estimates provided by the applicant. As the project is implemented, these costs could fluctuate slightly and could have a minor impact on the eligible costs for each incentive program. The application is consistent with the general program requirements identified in Section 10.3 of the CIP, and with the following program specific requirements:

#### ***Development and Building Fees Grant Program***

The purpose of the program is to provide an additional incentive to augment the other incentive programs and to facilitate and spur adaptive re-use, redevelopment and new construction. The program provides a grant equal to 100% of the fees paid for the eligible types of development applications and building permits. The Building Permit drawings have not been submitted and fees will need to be determined in the future. Recommendation III of the report will include a maximum amount of \$20,000 to ensure that all fees are captured.

#### ***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 aid in securing the project financing and offset some of the costs associated with the rehabilitation. The program will provide an annual grant equal to 70% of the increase in municipal property taxes for up to 10 years after project completion if the project results in an increase in assessment and therefore an increase in property taxes. Grant payments will cease when the total grant along with all other grants and loans provided equals the cost of rehabilitating the lands and buildings, or after 10 years, whichever comes first.

Based on the project description and current value vs. estimated post-project assessment value of land, and buildings identified in the Grant Application, the property assessment is expected to increase.

The confirmed current value assessment of the subject property located at 357-359 Indian Road is \$58,000. The Applicant estimates that construction will cost around \$400,000. However, some of the proposed costs that will be incurred, although eligible

for purposes of the application, may not result in a direct increase in assessment value. In other words, the grant is calculated and paid, not on the post-project value or projections made in this report, but on the actual post-development value assessment, as determined by Municipal Property Assessment Corporation (MPAC) after project completion. Administration has estimated the post-redevelopment property assessment value based on the drawings and information provided to be \$200,000. The grant will however be based upon the actual tax increment once the assessment has been determined by MPAC.

### **Risk Analysis:**

The Building Department has not received or conducted a review of the building plans to confirm compliance with the Ontario Building Code and applicable law (e.g. zoning by-law). A review of the drawings will be conducted to ensure that the City's incentives are being used appropriately, and the City is receiving good value for the public investment allocated through the Sandwich Incentive Program(s) "toolkit". As a requirement of Section 28 (7.3) of the Planning Act, Administration has confirmed that the total amount of all of the grants does not exceed the total eligible costs of the project.

The *Development and Building Fees Grant* will not be paid until all work is completed and inspected by Administration as per the Site Plan and Elevation Drawings and Building Permit. The *Revitalization Grant* will not be paid until an agreement for the Sandwich Incentive Program have been registered on title between the owner and the City of Windsor and the property taxes for the applicable year paid.

There is little risk associated with approval of a tax increment-based grant such as the *Revitalization Grant Program* as the payments commence after the eligible work has been completed and the property reassessed by MPAC and will only continue if the development remains eligible in accordance with the Sandwich CIP. Should the development fail to meet its requirements under the CIP, grant payments would cease.

### **Climate Change Risks**

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

The improvements to the two-storey duplex dwelling affects climate change as new materials will have to be brought in to construct interior units and rebuild the porch, which causes emissions. However, the restoration of the existing building and site contributes to the revitalization of the Sandwich Town Neighbourhood limiting vehicular travel and promoting walking and other alternative modes of transportation, thereby contributing to a complete community. The construction methods used for any of the new construction will utilize modern building methods, which will conform to the Ontario Building Code concerning safety and energy efficiency.

Utilizing an existing site and an existing building in a built-up area of the city also promotes efficiency on the existing infrastructure network by not promoting development on greenfield land.

**Climate Change Adaptation:**

As temperatures increase and when considering the Urban Heat Island effect for the City of Windsor, the property does not appear to be located within a Heat Vulnerability area. However, the rehabilitation of the existing site and 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 regarded as committed in the CIP Reserve Fund 226, until the grant is ready to be paid out. The current uncommitted balance of the CIP reserve fund is \$176,700. This balance accounts for CIP requests that have been endorsed by the Development & Heritage Standing Committee/City Council standing committee and are not yet approved by City Council, but does not account for any other CIP grant requests that are currently under consideration.

If approved, funds will be transferred from the CIP Reserve Fund 226 to the *Sandwich Community Development Plan Fund* (project 7076176) to disperse the maximum amount of \$20,000 for the *Development and Building Fees Grant Program* identified in this report once the work is complete to the satisfaction of the City Planner, and the grant is ready to be paid out.

The *Revitalization Grant* will be based upon the municipal tax increase and will be calculated by the Taxation Department once the post-development assessment value is received from MPAC. Based on the below assumptions, the annual estimated tax increment grant is \$1,869 (70% of the estimated increase in municipal taxes), for a total of \$18,690, if the grant is paid out for the ten (10) years.

**Assumptions**

Current Property Assessment Value (Residential)	\$ 58,000
Estimated Post-Development Property Assessment Value (Residential)	\$200,000

<b>Estimated Revitalization Tax Increment Grant for 357-359 Indian Road</b>			
<b>Annual Pre-Development Taxes (municipal portion)</b>	<b>Estimated Post-Development Taxes (municipal portion)</b>	<b>Estimated Annual Increase in Taxes (municipal portion)</b>	<b>Estimated Annual Tax Increment Grant (70% of increase)</b>
<b>\$1,090</b>	<b>\$3,760</b>	<b>\$2,670</b>	<b>\$1,869</b>

The taxes retained by the City over the duration of the grant program is equal to the amount of the pre-development municipal taxes plus 30% of the increase in taxes due to the development (\$1,891 annually (\$1,090 + \$801) or \$18,910 cumulatively up to ten

(10) years). After completion of the grant program, the City will keep the full value of municipal taxes (\$3,760 annually).

<b>Eligible Incentive Programs</b>	<b>Grant</b>
<i>Development and Building Fees Grant</i> <i>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</i>	<b>\$20,000</b>
<i>Revitalization Grant</i>	<b>\$18,690</b>
<b>Total</b>	<b>\$38,690</b>

Except for the *Revitalization Grant*, the owner will be reimbursed through the project *Sandwich Community Development Plan Fund (project 7076176)*. The *Revitalization Grant* is funded through the municipal portion of the annual tax levy. The applicant must pay the property taxes in full annually and will subsequently receive a grant for the difference between the pre and post development municipal taxes.

**Consultations:**

Planners (Kevin Alexander, Senior Planner – Special Projects, Tracy Tang, Acting Heritage Planner and Sophia Di Blasi, Planner II) have worked with the owner to ensure that restoration and improvements use best practices for heritage restoration and are consistent with the goals and policies of Sandwich HCD and immediate area.

Jose Mejalli, Assessment Manager Officer was consulted regarding the Revitalization Grant Program.

Josie Gualtieri, Financial Planning Administrator was consulted with respect to the CIP Reserve Fund and the content of this Report.

Margo Moore Permit Service Clerk from the Building Department was consulted regarding Fees with respect to the *Building & Development Fees Program*

**Conclusion:**

The restoration and improvements to existing duplex dwelling and property will provide two (2) unit dwellings with nine (9) bedrooms to a building that has sat vacant for several years providing an opportunity to attract new residents to the neighbourhood. The incentive program application meets all the eligibility criteria as identified in the Discussion section of this report and is compatible with the Sandwich HCD policies and Urban Design Guidelines.

**Planning Act Matters: N/A**

**Approvals:**

<b>Name</b>	<b>Title</b>
Kevin Alexander	Senior Planner – Special Projects
Carolyn Nelson	Manager of Property Valuation & Administration, Taxation & Financial Projects,
Emilie Dunnigan	Manager Development Revenue & Financial Administrator
Jason Campigotto	Deputy City Planner -- Growth
John Revell	Chief Building Official
Greg Atkinson	City Planner/ Executive Director, Planning & Development Services (A)
Kate Tracey	Senior Legal Counsel, Legal & Real Estate
Lorie Gregg	Deputy Treasurer Taxation and Financial Planning
Lorie Gregg	On behalf of Commissioner Finance/City Treasurer
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

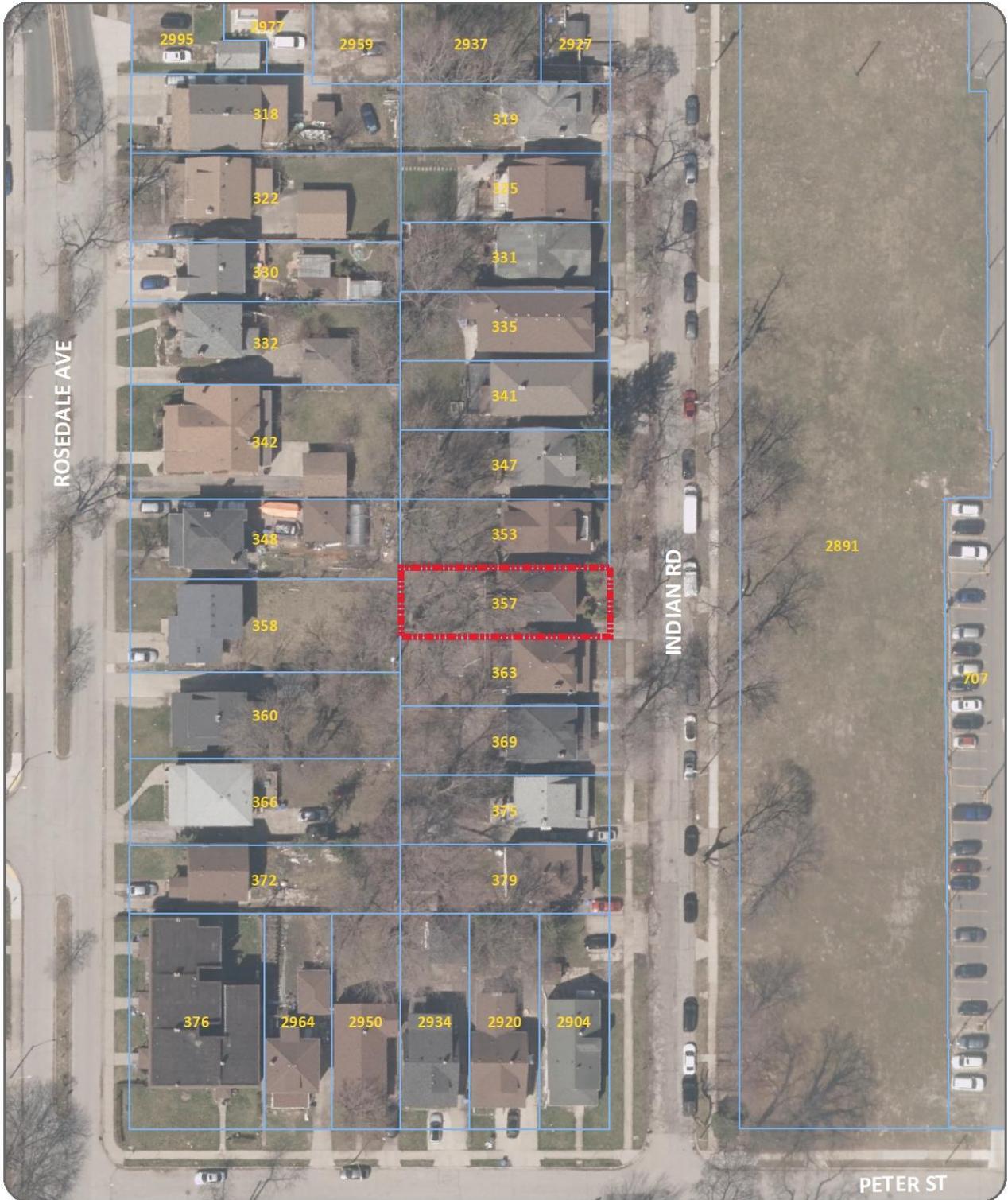
**Appendices:**

Appendix 'A'- Location Map and Existing Condition

Appendix 'B' - Proposed Restoration and Improvements

# APPENDIX 'A'

## LOCATION MAP



## LOCATION MAP



SUBJECT PROPERTY : 357-359 INDIAN ROAD

APPENDIX 'A'  
EXISTING CONDITIONS



APPENDIX 'A'  
EXISTING CONDITIONS

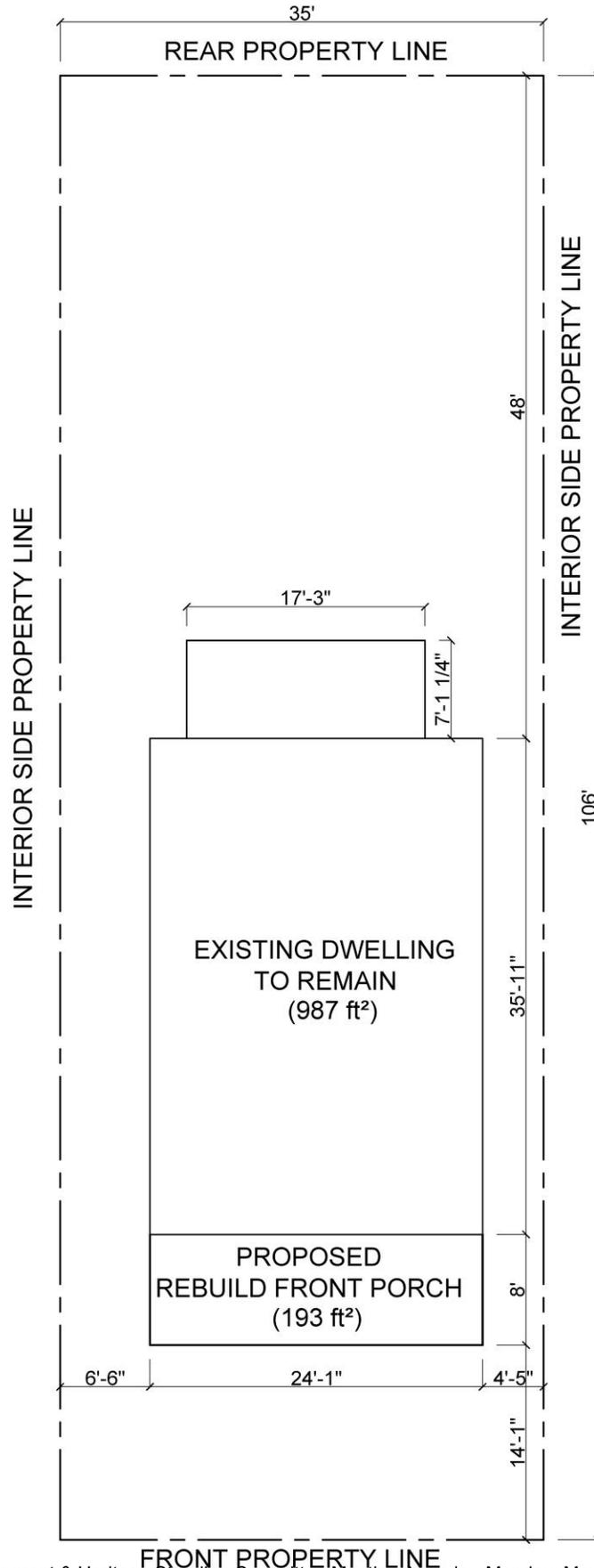


APPENDIX 'A'  
EXISTING CONDITIONS



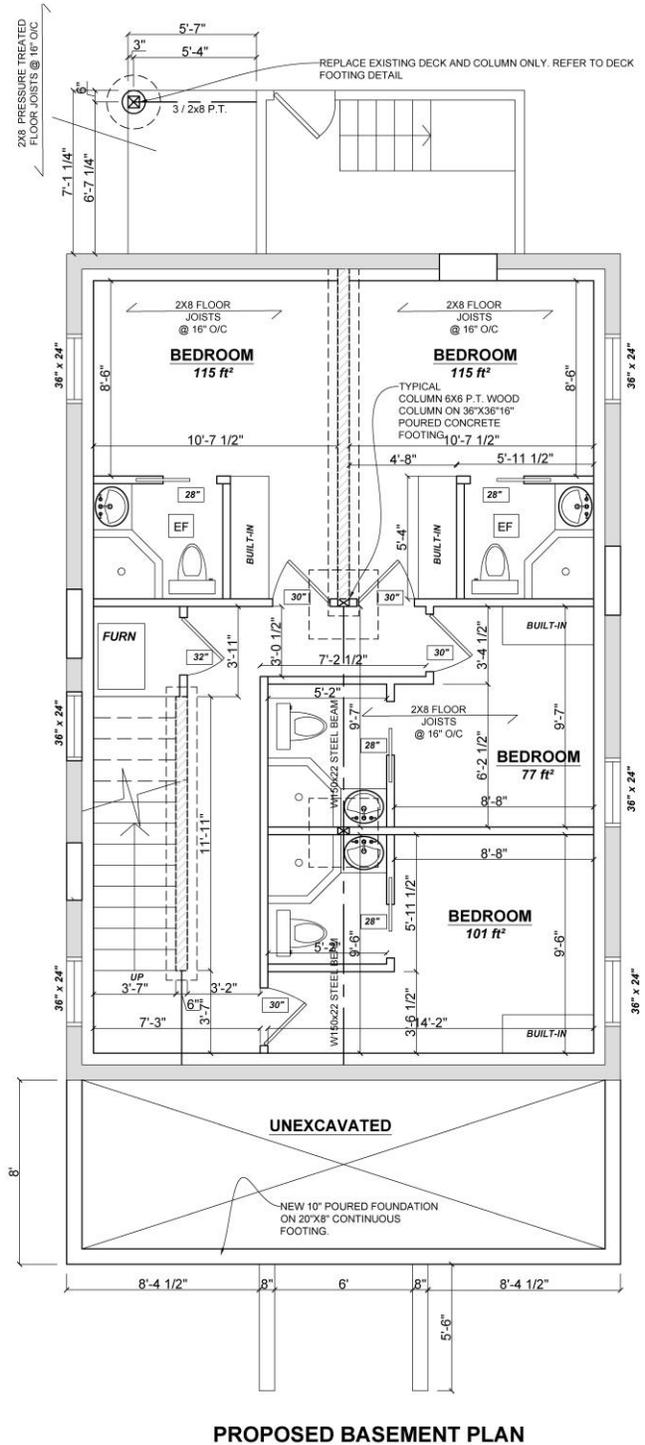
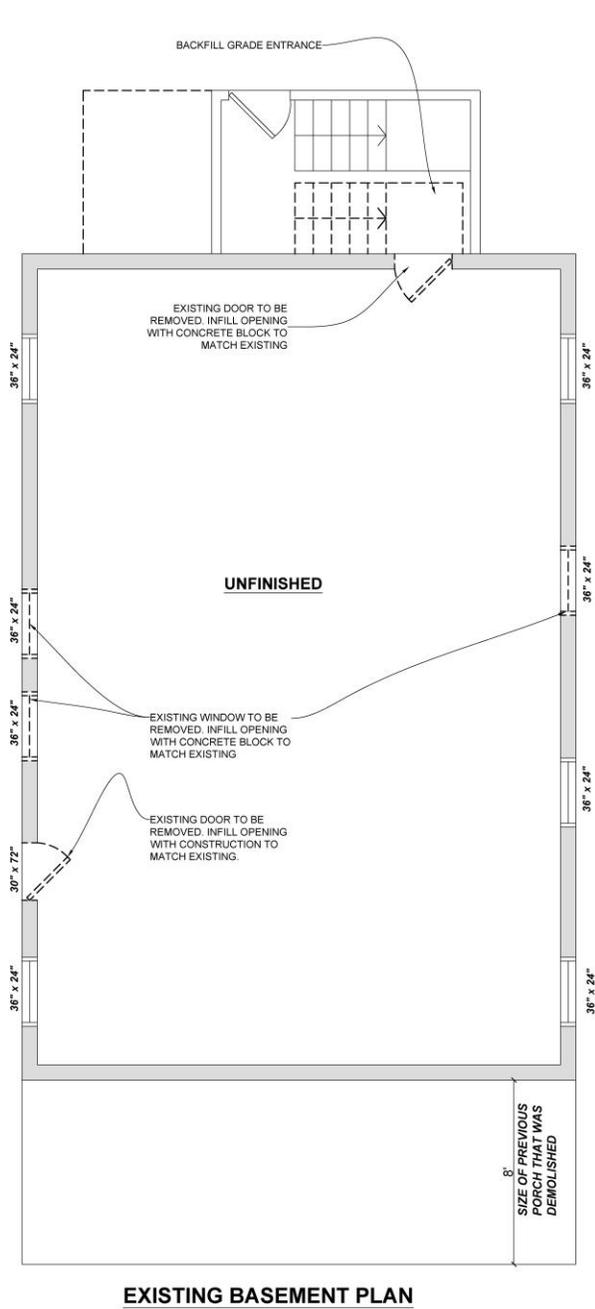
# APPENDIX 'B'

## PROPOSED RESTORATION AND IMPROVEMENTS



# APPENDIX 'B'

## PROPOSED RESTORATION AND IMPROVEMENTS

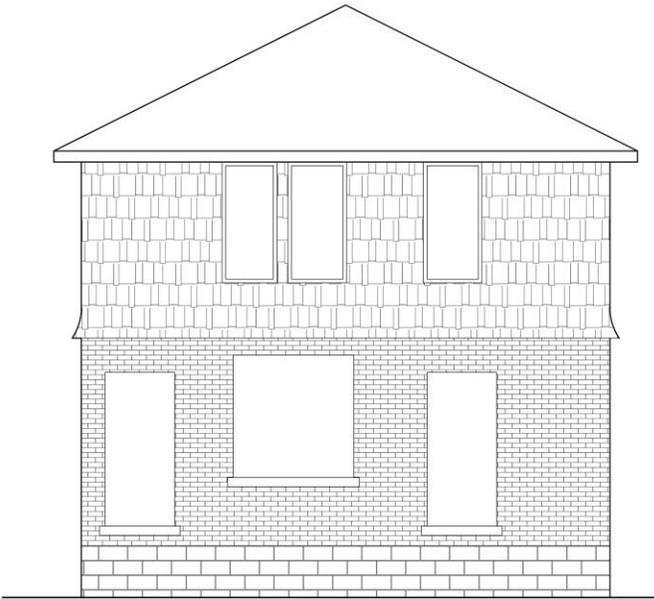




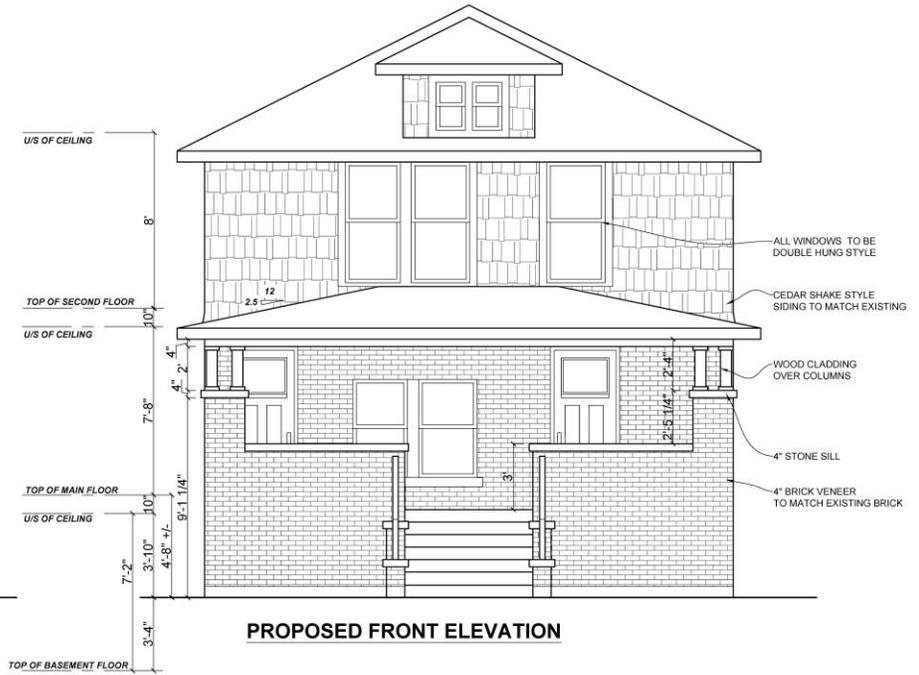


# APPENDIX 'B'

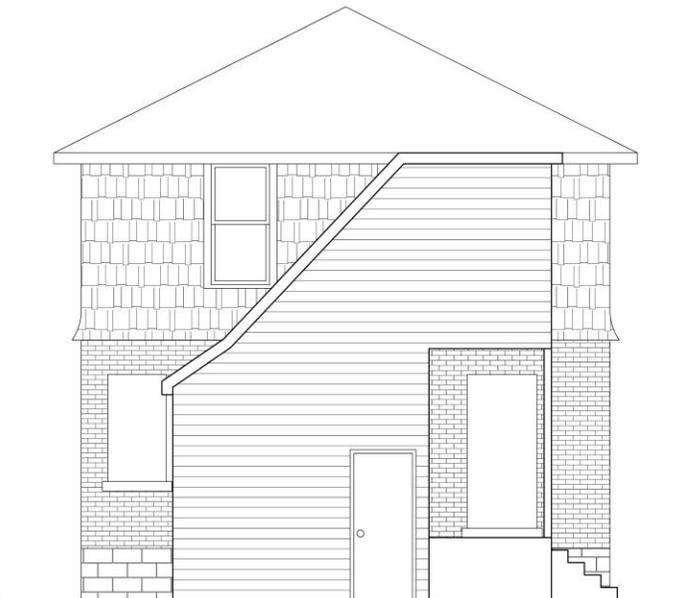
## PROPOSED RESTORATION AND IMPROVEMENTS



**EXISTING FRONT ELEVATION**



**PROPOSED FRONT ELEVATION**



**EXISTING REAR ELEVATION**



**PROPOSED REAR ELEVATION**

# APPENDIX 'B'

## PROPOSED RESTORATION AND IMPROVEMENTS



**EXISTING SIDE ELEVATION**



**PROPOSED SIDE ELEVATION**

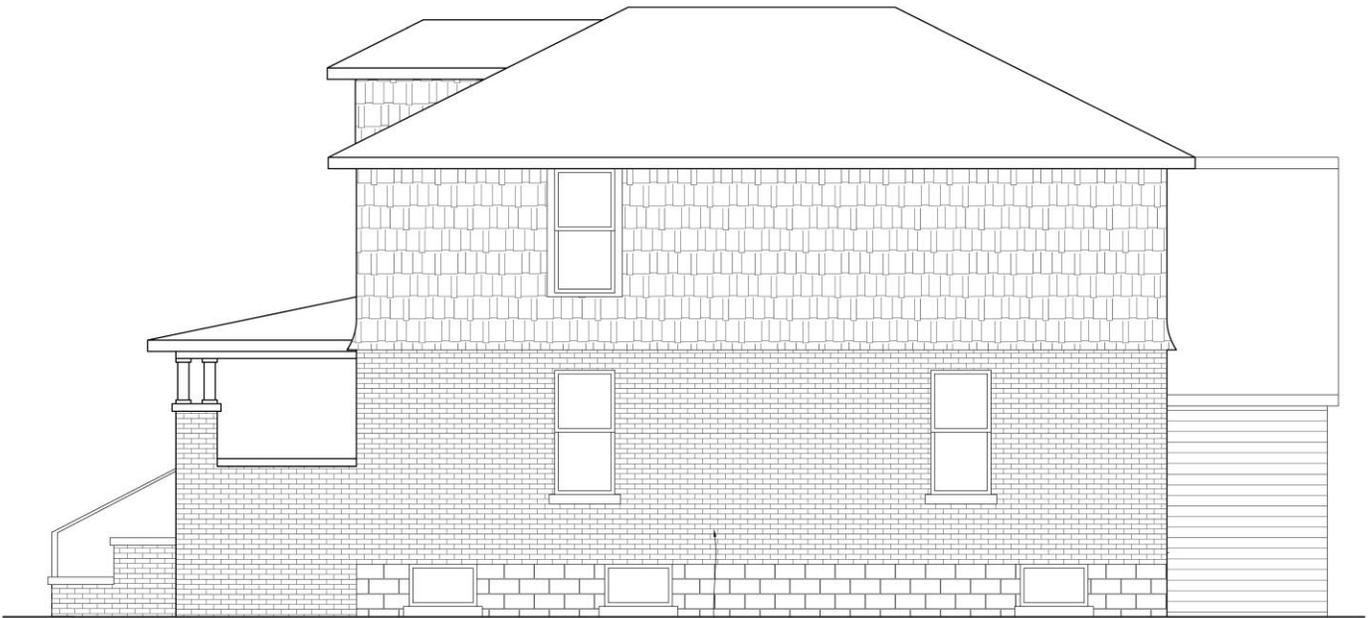
BRICK AND MORTAR REPAIR (REPOINTING) WHERE NEEDED.

# APPENDIX 'B'

## PROPOSED RESTORATION AND IMPROVEMENTS



**EXISTING SIDE ELEVATION**



**PROPOSED SIDE ELEVATION**

BRICK AND MORTAR REPAIR (REPOINTING) WHERE NEEDED.

**Subject: Main Street CIP Application for 1801 Wyandotte Street E.,  
Owner: 2798315 Ontario Inc. (C/O: Tony Rosati), Ward 4**

**Reference:**

Date to Council: May 5, 2025  
Author: Kevin Alexander,  
Planner III - Special Projects  
519-255-6543 x6732  
kalexander@citywindsor.ca

Planning & Building Services  
Report Date: 4/11/2025  
Clerk's File #: Z2025

To: Mayor and Members of City Council

**Recommendation:**

- I. **THAT** the request for incentives under the *Main Streets Community Improvement Plan* made by 2798315 Ontario Inc. (C/O: Tony Rosati), the owner of the property located at 1801 Wyandotte Street E. **BE APPROVED IN PRINCIPLE** for the following programs:
  - i. *Building Facade Improvement Program* totaling a maximum of \$60,000;
  - ii. *Building/Property Improvement Tax Increment Grant Program* for the lesser of 100% of the municipal portion of the tax increment for up to ten (10) years of +/- \$33,098 per year or the total eligible costs;
- II. **THAT** the CAO and City Clerk **BE AUTHORIZED** to sign the Main Street CIP for the *Building/Property Improvement Tax Increment Grant Program* agreement in accordance with all applicable policies, requirements, and provisions contained within the *Main Streets 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 implication;
- III. **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;
- IV. **THAT** funds in the maximum amount of \$60,000 (*Building Facade Improvement grants*) under the *Main Streets CIP* **BE TRANSFERRED** from the CIP Reserve

Fund 226 to the *Main Streets CIP* Project Fund (Project #7219018) when the grant funds are ready to be paid out;

V. **THAT** grants **BE PAID** to 2798315 Ontario Inc. (C/O: Tony Rosati) upon completion of improvements to the exterior of the property located at 1801 Wyandotte Street E. from the *Building Facade Improvement Program – Main Streets CIP* Project Fund (Project #7219018) to the satisfaction of the City Planner and Chief Building Official; and,

VI. **THAT** grants approved **SHALL LAPSE** and **BE UNCOMMITTED** and returned to CIP Reserve Fund 226 if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

### **Executive Summary:**

N/A

### **Background:**

Through CR383/2022 DHSC 414 the *Building Facade Improvement Program and Urban Design Guidelines for Main Streets CIP* was amended and renamed *Main Streets CIP*. The new *Main Streets CIP* includes the following programs:

1. Building Facade Improvement Program
2. Building Property Improvement Tax Increment Grant Program
3. New Residential Development Grant Program (Creation of residential units)

On May 15th, 2023, 2798315 Ontario Inc. (C/O: Tony Rosati), the owner of the property located at 1801 Wyandotte Street E., applied for grants through the Main Streets CIP for the *Building Facade Improvement Program* and *Building/Property Improvement Tax Increment Grant Program*.

The property is located within the Walkerville Business Improvement Area (BIA), Walkerville Heritage Area (as per Schedule G of the Official Plan) and Main Streets CIP Area (See Appendix A). 1801 Wyandotte Street E. is listed on the Windsor Municipal Heritage Register as the Chilver Block (1801-33 Wyandotte Street E.) and was constructed in 1904 by Hogle & Davis with Stahl & Kinsey. The proposed improvements are consistent with the goals and objectives of the Main Street CIP.

### **Discussion:**

#### **Building Facade Improvement Program**

The City of Windsor Building Facade Improvement Program and Urban Design Guidelines for Main Streets CIP offers financial incentives to encourage property owners and businesses to make investments to improve the exterior appearance of their buildings and storefronts along Main Streets. Such improvements provide a benefit to the community as a whole, by preserving heritage features, protecting Main Streets, and reconnecting storefronts with the public realm. The CIP is applicable to all the BIAs in the City of Windsor, except for the Sandwich Town and Downtown Windsor BIAs,

which are under separate CIPs. Funding for the Building Façade Improvement Grant Program is broken down into three categories:

	Category A (Beautification) —aesthetic and minor functional improvements aimed at making the building façade and storefront more attractive and welcoming to tenants and customers
	Category B (Restoration)—aesthetic, functional, and restoration improvements made to restore key features of the building façade
	Category C (Replacement)— encourage work that will replace or reinstate key features that have been lost or deteriorated beyond repair or are of a style that is no longer consistent with the building design.

Applicants can receive a grant for 50% of the costs for eligible building façade and storefront improvements up to a maximum of \$30,000 per project. The amount can be increased up to \$60,000 per project for larger buildings with multiple storefronts. The grant also applies to the side(s) and rear of buildings provided the building façade is visible from an adjacent street or public right-of-way or park, and as long as the storefront/façade facing the main street is improved at the same time.

The applicant is proposing to renovate both the exterior and interior of the building. The following exterior improvements are eligible to receive grants through this program:

- Repointing/cleaning of Brick
- May require new heritage appropriate brick
- Replace all windows and doors with heritage appropriate profile including the upper transom windows
- Lighting and heritage appropriate signage
- Enclose upper storey porch at the rear of the building

### **Façade Cost Breakdown**

The façade improvements will incorporate all sides of the building located at 1801 Wyandotte Street East. Facades are visible from Wyandotte Street E., Chilver Road, Walkerville Jubilee Park and laneway, and the laneway south of the building. In total, this project is eligible for a grant of \$60,000 under the *Building Façade Improvement Grant Program* for Main Streets CIP.

### **Building/Property Improvement Tax Increment Grant Program**

The drawing identified in Appendix ‘B’ indicate a complete interior fit up on all levels. The following interior improvements are considered eligible costs through the *Building/Property Improvement Tax Increment Grant Program*:

- Abatement/ Clean up interior spaces
- Install a new HVAC System, including duct work, etc.
- Install new electrical wiring and fixtures
- Install new plumbing systems
- Install new bathrooms
- Installation of new kitchen areas and Bar on the first floor

- Repurposing of space for office fit out on the second floor

The purpose of this program is to use the tax increase that can result when a property is rehabilitated, redeveloped, or developed to aid in securing the project financing and offset some of the costs associated with the rehabilitation. The program will provide an annual grant equal to 100% of the increase in municipal property taxes for ten (10) years after project completion, not to exceed total eligible costs, 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 2023 assessment value of the subject property located at 1801 Wyandotte Street E. is \$371,000. The owner currently pays annual total property taxes of \$15,112, of which the municipal portion is \$12,277, and is expecting to invest \$5,330,129 on interior and exterior improvements to the building. However, some of the proposed costs which will be incurred, although eligible for purposes of the application, may not result in a direct increase in assessment value. In other words, the grant is calculated and paid, not on the post-project value or projections made in this report, but on the actual post-development value assessment, as determined by the Municipal Property Assessment Corporation (MPAC) after project completion. Administration has estimated the post-redevelopment property value assessment based on the drawings and information provided to be \$1,261,000. The grant will however be based upon the actual tax increment once the assessment has been determined by MPAC.

### **Risk Analysis:**

The approval of these grants does not carry significant risk, as there are sufficient funds within the new CIP reserve fund approved by Council on February 22, 2021. The applicant will not receive any grants until all work is completed and inspected to the satisfaction of the Planning and Building Department. As a requirement of Section 28 (7.3) of the *Planning Act*, Administration has confirmed that the grant amount does not exceed the total cost of the project.

### **Climate Change Risks**

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

The facade and interior improvements to the existing building will have a low impact on how the project affects climate change, because improvements are being made to the existing building which reduces the amount of co<sup>2</sup> emitted during the construction process and requires fewer building materials.

Improvements to the existing building also contributes to the revitalization of the existing Main Street and the protection of a significant built heritage resource. The completion of this project promotes a more walkable environment, thereby encouraging alternate forms of transportation.

Utilizing an existing building and infrastructure in a built-up area of the city also promotes efficiency on the existing infrastructure network by not promoting development on greenfield land.

**Climate Change Adaptation:**

The improvements to this building will utilize modern building methods, which will conform to the Ontario Building Code concerning energy efficiency. An entranceway and windows are also proposed that will be more energy efficient than what is existing.

**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 regarded as committed in the CIP Reserve Fund 226, until the grant is ready to be paid out. The current uncommitted balance of the CIP reserve fund is \$176,700. This balance accounts for CIP requests that have been endorsed by the Development & Heritage Standing Committee/City Council standing committee and are not yet approved by City Council but does not account for any other CIP grant requests that are currently under consideration.

If approved, funds will be transferred from the CIP Reserve Fund 226 to the Building Facade Improvement – Main Streets CIP Project Fund to a maximum amount of \$60,000 for the façade improvement grant once the work is completed to the satisfaction of the City Planner, and the grant is ready to be paid out.

**Building/Property Improvement Tax Increment Grant**

When the CIP application was filed in 2023, the assessment value of this property was \$371,000. The post-development assessment value is estimated to be \$1,261,000. For illustrative purposes, the table below identifies the estimated annual CIP grant to be \$33,098, which is equal to 100% of the increase in the municipal portion of property taxes. The estimated total amount of the grant over ten (10) years is \$330,980.

<b>Estimated Revitalization Tax Increment Grant for 1801 Wyandotte St. E.</b>			
<b>Annual Pre-Development Taxes (Municipal Portion Only)</b>	<b>Estimated Annual Post-Development Taxes (Municipal Portion Only)</b>	<b>Estimated Annual Increase in Taxes (Municipal Portion Only)</b>	<b>Estimated Annual Tax Increment Grant</b>
\$12,277	\$45,375	\$33,098	\$33,098

Because the Grant Program does not cancel taxes, the applicant must pay the full amount of property taxes annually and will subsequently receive a grant for the difference between the pre- and post-development municipal taxes. The City will retain the amount of pre-development (base) municipal taxes throughout the lifespan of the grant program of \$12,277 per annum; however, will be foregoing any incremental property taxes, of \$33,098 per annum to a maximum of 10 years that could otherwise be used to offset future budget pressures. After completion of the grant program (up to 10 years), the City will collect the full value of the municipal taxes (\$45,375 annually).

<b>Eligible Incentive Programs</b>	<b>Grant</b>
Building Facade Improvement – Main Streets	\$60,000
Building/Property Improvement Tax Increment Grant	\$330,980
<b>Total</b>	<b>\$390,980</b>

**Consultations:**

Planners (Kevin Alexander, Senior Planner, Tracy Tang, Acting Heritage Planner and Kristina Tang, Heritage Planner) have worked with the owner and architect on the proposed improvements to 1801 Wyandotte Street E. to ensure that important elements of the building are restored, and heritage appropriate materials are used when elements such as doors and windows require replacement.

Jose Mejalli, Assessment Manager Officer was consulted regarding the Revitalization Grant Program.

Josie Gualtieri, Financial Planning Administrator was consulted with respect to the CIP Reserve Fund and the content of this Report.

Margo Moore, Permit Services Clerk from the Building Division was consulted regarding eligible Building Permit and Public Works Permit Fees for the *Municipal Development Fees Grant Program*.

**Conclusion:**

Improvements to 1801 Wyandotte Street E. meet all eligibility criteria identified in this report and in the *Main Streets CIP*. The restoration and improvements to the existing Chilver Block contributes to the revitalization of the existing Walkerville Main Street area and the protection of a significant built heritage resource listed on Windsor’s Municipal Heritage Register. The proposed improvements are consistent with the goals and objectives of the Main Street CIP.

**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Kevin Alexander	Senior Planner – Special Projects
Carolyn Nelson	Manager of Property Valuation & Administration, Taxation & Financial Projects,

<b>Name</b>	<b>Title</b>
Emilie Dunnigan	Manager Development Revenue & Financial Administrator
Jason Campigotto	Deputy City Planner -- Growth
John Revell	Chief Building Official
Greg Atkinson	City Planner/ Executive Director, Planning & Development Services (A)
Kate Tracey	Senior Legal Counsel, Legal & Real Estate
Lorie Gregg	Deputy Treasurer Taxation and Financial Planning
Lorie Gregg	On behalf of Commissioner Finance/City Treasurer
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

- 1 Appendix 'A' - Location Map
- 2 Appendix 'B' - Proposed Improvements

# APPENDIX 'A'

## LOCATION MAP



## LOCATION MAP



SUBJECT PROPERTY : 1801-1833 WYANDOTTE STREET EAST



# APPENDIX 'B'

## PROPOSED DEVELOPMENT



**NORTH ELEVATION**

SCALE: 1/4" = 1'-0"

NOTE:  
ALL NEW/EXISTING EXTERIOR  
BRICK TO BE STAINED TO MATCH

**SEPARATE PERMIT REQUIRED**  
Any proposed sign requires a separate permit



# APPENDIX 'B'

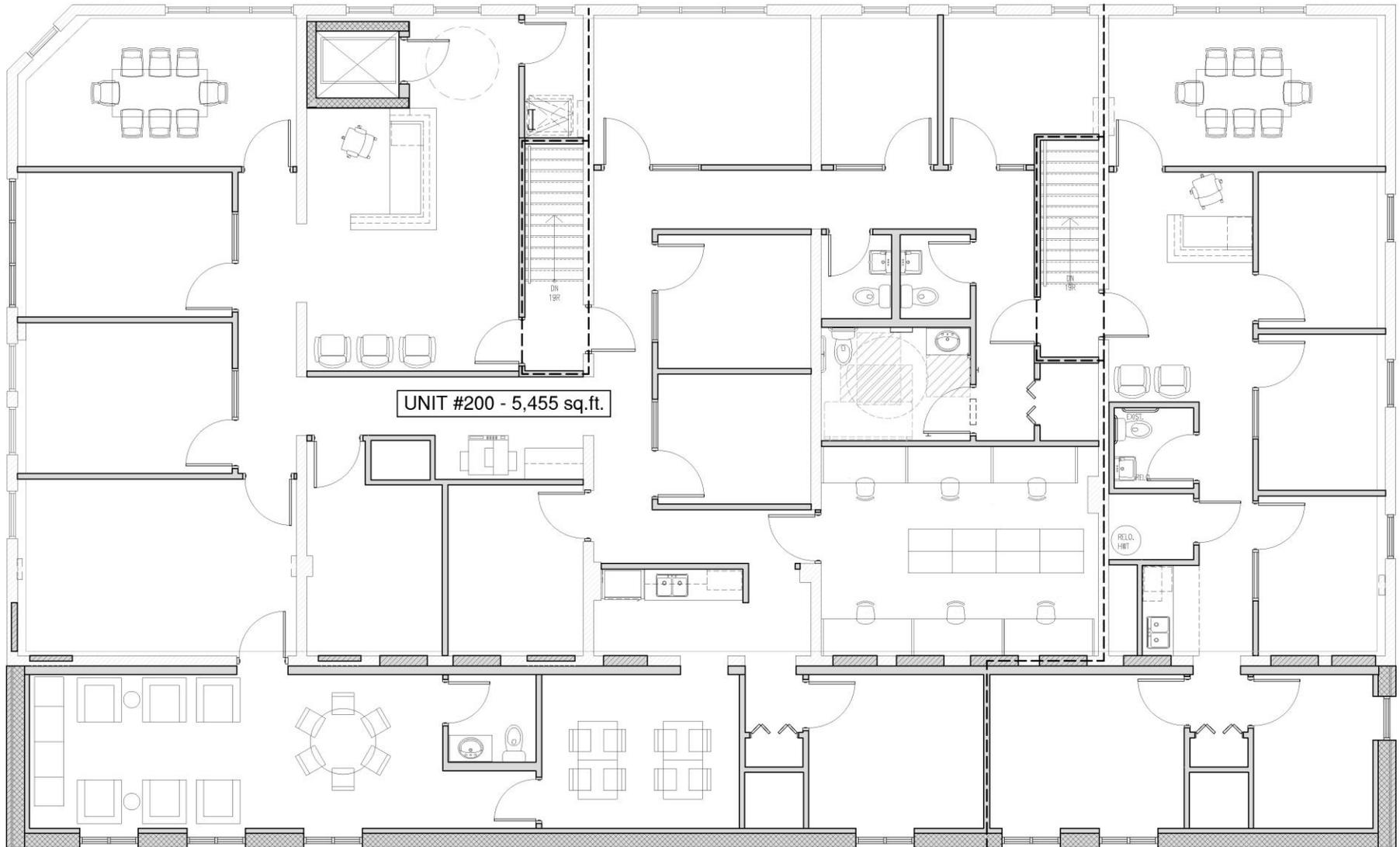
## PROPOSED DEVELOPMENT





# APPENDIX 'B'

## PROPOSED DEVELOPMENT

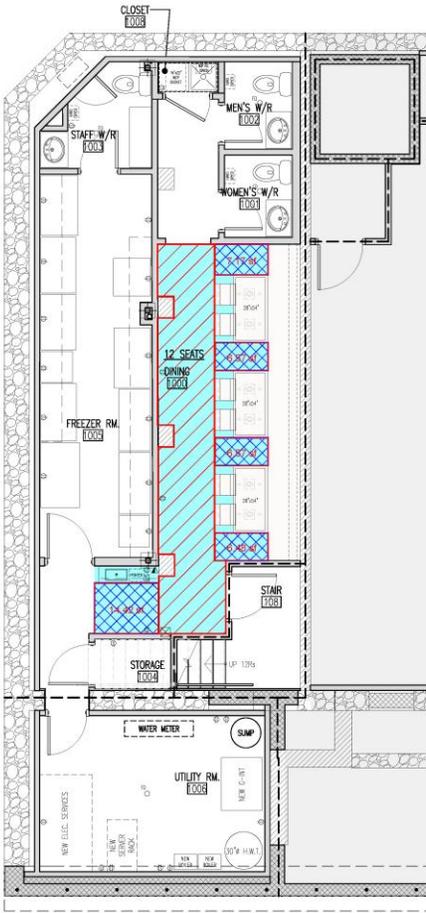


OVERALL SECOND FLOOR PLAN - 5,455 S.F.

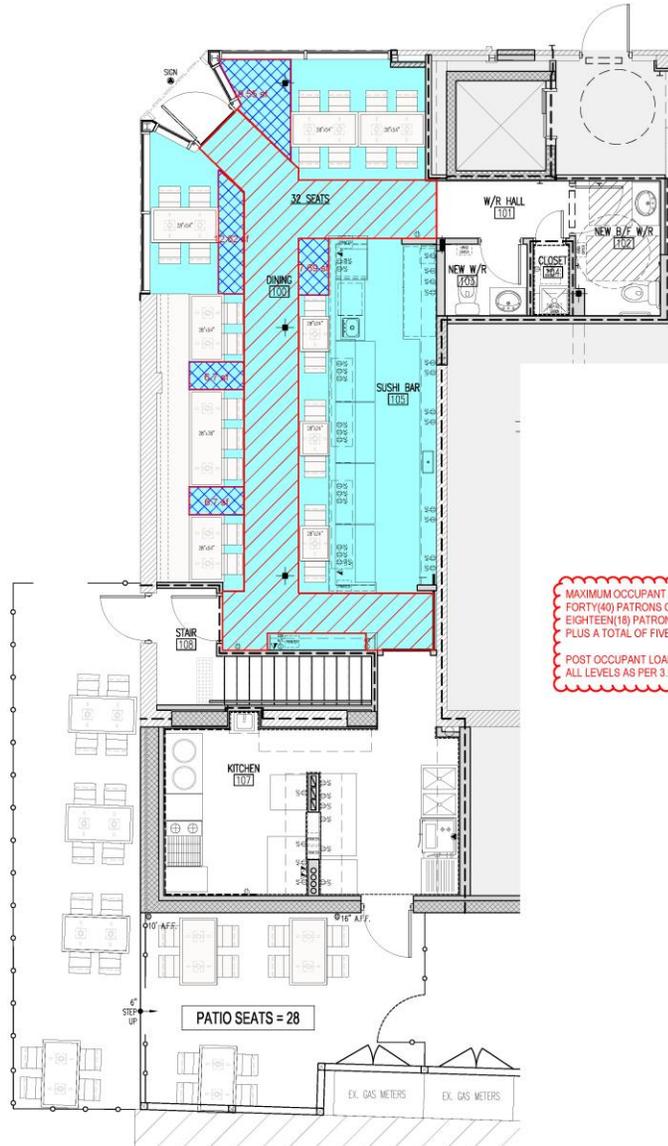
SCALE: 1/4" = 1'-0"

# APPENDIX 'B'

## PROPOSED DEVELOPMENT



**UNIT BASEMENT PLAN -1,130 S.F.**  
SCALE: 1/4" = 1'-0"



**UNIT FLOOR PLAN -1,260 S.F.**  
SCALE: 1/4" = 1'-0"

**OCCUPANT LOAD LEGEND:**

- GROUND FLR. LOUNGE AREA = 685 sq.ft. / 11.84 sq.ft. per person (1.10m<sup>2</sup>) = **57 PERSONS**
- BASEMENT LOUNGE AREA = 235 sq.ft. / 11.84 sq.ft. per person (1.10m<sup>2</sup>) = **19 PERSONS**
- BARRIER-FREE EXIT PATH = MIN. 3'-7 1/2" WIDE (1,100mm)
- AREAS OF NONE SEATED PATRONS

**OCCUPANT LOAD:**

INDOOR SEATING - GROUND FLOOR = **32 SEATS**  
 INDOOR NON-SEATING - GROUND FLR. = **25 PERSONS - 8 PATRONS STANDING**  
 INDOOR SEATING - BASEMENT = **12 SEATS**  
 INDOOR NON-SEATING - BASEMENT = **7 PERSONS - 6 PATRONS STANDING**  
**TOTAL INDOOR OCCUPANT LOAD = 76 PERSONS + 5 EMPLOYEES = 81 TOTAL**  
**58 PATRONS + 5 EMPLOYEES = 63 TOTAL**

OUTDOOR PATIO SEATING = **28 SEATS**  
**GRAND TOTAL = 104 PERSONS + 5 EMPLOYEES = 109 GRAND TOTAL**

MAXIMUM OCCUPANT LOAD SHALL NOT EXCEED FORTY(40) PATRONS ON GROUND FLOOR, EIGHTEEN(18) PATRONS ON BASEMENT LEVEL PLUS A TOTAL OF FIVE(5) STAFF AT ANY TIME.

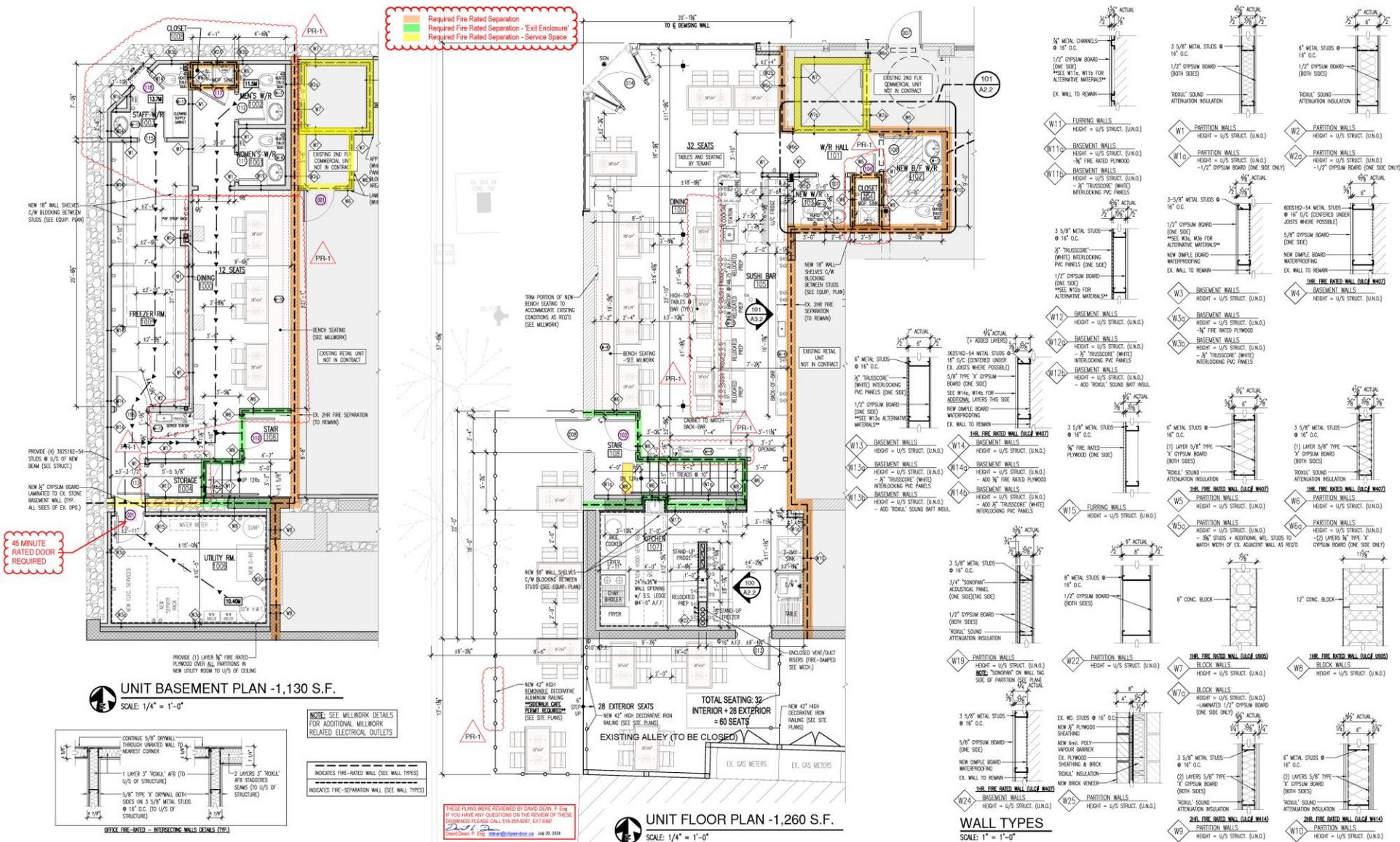
POST OCCUPANT LOAD SIGNAGE IN A CONSPICUOUS LOCATION ON ALL LEVELS AS PER 3.1.17.1.(2), OBC(2012).

ONTARIO BUILDING CODE DATA MATRIX		PART 11 - RENOVATION OF EXISTING BUILDING	
Name of Project: ARBENT ARCHITECTURE + DESIGN		OBC REFERENCE <sup>1)</sup>	
Address 1	879 GUTHRIE DRIVE		
Address 2	1250 BEECH ONTARIO NORTH		
City	ROBICHT ARBENT, ONT		
Name of Project	RESTAURANT RT-LP-LMT 120		
Location/Address	1801 WYANDICOTT STREET EAST WINDSOR, ONTARIO		
Date	24 Apr 24		
11.00 BUILDING CODE VERSION	O Reg. 330/12	LAST AMENDMENT	O Reg. 181/14
11.01 PROJECT TYPE	RENOVATION		361.1.2
11.02 MAJOR OCCUPANCY CLASSIFICATION	RESTAURANT		3.3.1.1(1)
11.03 SUPERSEDED MAJOR OCCUPANCIES	22	Other occupancy categories	RESTAURANT
11.04 BUILDING AREA (m <sup>2</sup> )	DESCRIPTION	EXISTING	NEW
		482.00	0.00
	TOTAL	482.00	482.00
11.04.1 SUB-FLOOR AREA (m <sup>2</sup> )	DESCRIPTION	EXISTING	NEW
		117.00	0.00
	TOTAL	117.00	117.00
11.05 BUILDING HEIGHT	2	STOREYS ABOVE GRADE	361.1.4.2.4
	1	STOREYS BELOW GRADE	3.2.1.1
11.06 NUMBER OF STREETS FREE CORNER ACCESS	2	STREET(S)	3.2.2.10.3.2.5
11.07 BUILDING SIZE	MEDIUM		1.15.2.1.1.6.1.4
11.08 FIRE PROTECTIVE RISK CLASSIFICATION	CHANGE IN MAJOR OCCUPANCY	NO	11.2.1.1
	CONSTRUCTION RISK	4	1.15.1.1.6
	HAZARD RISK	4	1.15.2.1.1.6.1.4
11.09 RENOVATION TYPE	RENOVATION		11.3.1.1.8
11.10 OCCUPANT LOAD	FLOOR LEVEL/AREA	OCCUPANCY TYPE	BASED ON OCCUPANT LOAD (PERSONS)
	STAFF	A-2	Design of space
	TOTAL	A-2	Design of space
11.11 OCCUPANT/STAFF RATIO	RATIO	MALE/FEMALE	11.3.1.1.8
	RESTAURANT	0.50	3.7.4.3.2
	STAFF	0.00	2.1.4.2.1
11.12 STRUCTURAL FIRE RESISTANCE REQUIREMENTS	LOADS OVER BEAM	1.00	NO
	FLOORS	1.00	NO
	MEZZANINE	N/A	N/A
	ROOF	N/A	N/A
11.13 BARRIER-FREE DESIGN	STRUCTURAL	NO	11.4.2.1
	INCREASE IN OCCUPANT LOAD	YES	11.4.2.2
	CHANGE OF MAJOR OCCUPANCY	NO	11.4.2.3
	FILLING	NO	11.4.2.4
	SEWAGE SYSTEM	NO	11.4.2.5
11.14 COMPENSATING CONSTRUCTION	STRUCTURAL	NO	11.4.3.2
	INCREASE IN OCCUPANT LOAD	N/A	11.4.3.3
	CHANGE OF MAJOR OCCUPANCY	N/A	11.4.3.4
	FILLING	N/A	11.4.3.5
	SEWAGE SYSTEM	N/A	11.4.3.6
11.15 COMPLIANCE ALTERNATIVES PROPOSED	N/A		11.5.1.1

THESE PLANS WERE REVIEWED BY DAVID DEAN, P. Eng. IF YOU HAVE ANY QUESTIONS ON THE REVIEW OF THESE DOCUMENTS PLEASE CALL 519-255-8287, EXT 8487. David Dean, P. Eng. dean@heredev.com July 18, 2024

# APPENDIX 'B'

## PROPOSED DEVELOPMENT



**Subject: Part Closure of Walker Road R.O.W. at Tecumseh Road East, and Amendment to Public Highway Dedication By-Law 4205, Ward 4**

**Reference:**

Date to Council: May 5, 2025  
Author: Brian Nagata, MCIP, RPP  
Planner II - Development Review  
(519) 255-6543 ext. 6181

Planning & Building Services  
Report Date: April 14, 2025  
Clerk's File #: SAA2025

To: Mayor and Members of City Council

**Recommendation:**

- I. THAT the portion of public highway located at the southwest corner of Tecumseh Road East and Walker Road, described as Part 18, Reference Plan RD-227, and shown on the aerial photo attached hereto as Appendix "A", and hereinafter referred to as the "subject public highway", **BE ASSUMED** for subsequent closure.
- II. THAT the subject public highway **BE CLOSED**, and as necessary in a manner deemed appropriate by the City Planner.
- III. THAT By-law 4205, dated October 18, 1971, and registered on title as Instrument No. R515264 on October 29, 1971, as amended by By-law 8004, dated October 9, 1984, and registered on title as Instrument No. R921050 on October 19, 1984 **BE AMENDED** as follows:
  - a. By **DELETING** all references to "Part 18" on Reference Plan RD-227.
- IV. THAT the City Solicitor **BE DIRECTED** to prepare the necessary by-law(s).
- V. THAT the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VI. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

## Executive Summary:

N/A

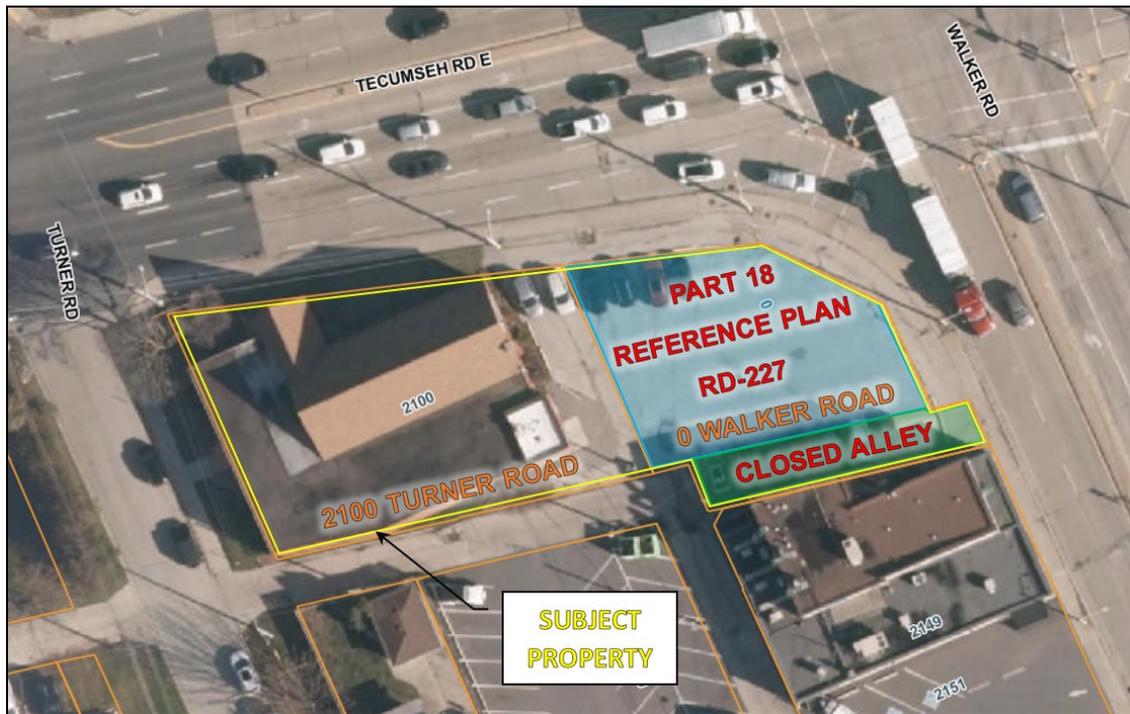


Figure 1 - Location Map

### Background:

The Legal Department received a letter from Shibley Righton LLP, dated February 25, 2025, on behalf of Turner Road Bible Chapel, requesting that the City amend public highway dedication By-law 4025 to remove and release lands from their client's property known as 0 Walker Road (Roll No. 020-390-13000) and 2100 Turner Road (the subject property) (refer to Figure 1 - Location Map above). The letter explains that the request is a condition of closure for their client's sale of the subject property.

On October 18, 1971, Council passed By-law 4205 (the "By-law") declaring all property acquired for the reconstruction of Walker Road, as described in Schedule "A" to the By-law be established as a public highway and part of Walker Road. The lands defined in Schedule "A" include the eastern portion of the subject property described as Part 18 on Reference Plan RD-227 ("Part 18") and known as 0 Walker Road (Roll No. 020-390-13000) (save and except the southerly 4.88 metre wide closed east/west alley) (refer to Figure 1 - Location Map above).

On May 11, 1972, the City conveyed Part 18 to the Trustees of Turner Road Gospel Chapel, now known as Turner Road Bible Chapel (Instrument No. R532570).

On October 31, 1973, the City conveyed the closed east/west alley to The Trustees of Turner Road Gospel Chapel (Instrument No. R583268).

On October 9, 1984, Council passed By-law 8004 to amend the By-law to insert a substituted Schedule “A” for purposes of updating what portions of property would be considered a public highway and part of Walker Road. Inadvertently, reference to Part 18 was not removed from the By-law, and the corresponding public highway was not closed.

**Discussion:**

The conveyance of Part 18 was to be free and clear of all encumbrances. The By-law must be amended to remove references to Part 18 and a by-law passed to close the public highway thereon in order to clear the encumbrances described herein.

**Risk Analysis:**

The recommended amendment to the by-law poses no known risk to the City.

**Climate Change Risks**

**Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

N/A

**Consultations:**

Adam Pillon, Manager of Right-of-Way, Engineering

**Conclusion:**

The Planning Department recommends closure of the public highway shown on attached Appendix “A”, as in Recommendation II of this report.

The Planning Department further recommends that the By-law be amended to remove references to Part 18 as in Recommendation III of this report.

**Planning Act Matters:**

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

*Greg Atkinson, MCIP, RPP  
Deputy City Planner - Development / City Planner (A)*

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

*JP JM*

**Approvals:**

<b>Name</b>	<b>Title</b>
Brian Nagata	Planner II - Development Review
Greg Atkinson	Deputy City Planner - Development
Greg Atkinson	City Planner (A)
Jamelah Hersh	Senior Legal Counsel
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

- 1 Appendix A - Aerial Photo

### APPENDIX "A" EIS Drawing - Aerial Photo



**Subject: Part Closure of open north/south alley located north of Seminole Street, Ward 5, SAA-7091**

**Reference:**

Date to Council: May 5, 2025  
Author: Brian Nagata, MCIP, RPP  
Planner II - Development Review  
(519) 255-6543 ext. 6181

Planning & Building Services  
Report Date: April 14, 2025  
Clerk's File #: SAA2025

To: Mayor and Members of City Council

**Recommendation:**

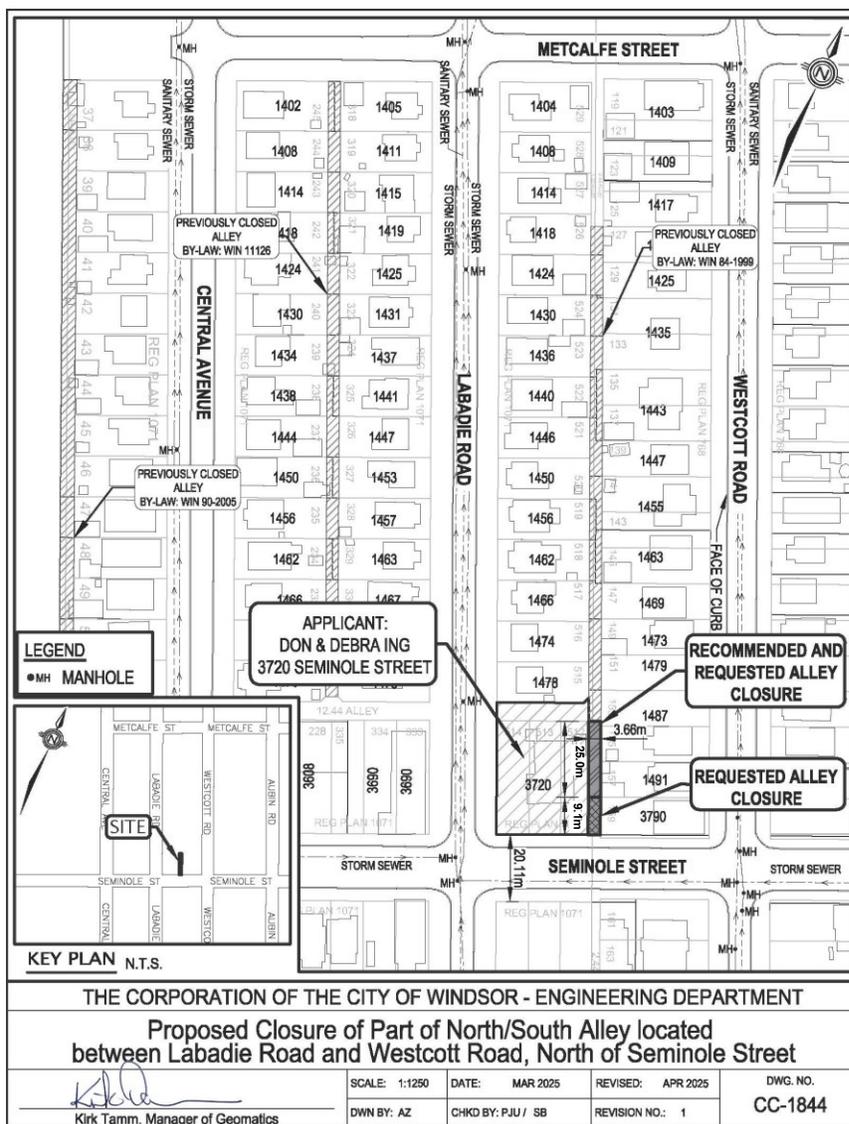
- I. THAT the 25.0 metre portion of the 34.1 metre 2.44-metre-wide open north/south alley located north of Seminole Street and shown on Drawing No. CC-1844 (attached hereto as Appendix "A") and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure.
- II. THAT the subject alley **BE CLOSED AND CONVEYED** 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 protect existing facilities;
    - ii. Cogeco Connexion Inc. to accommodate existing facilities;
    - iii. ENWIN Utilities Ltd. to accommodate existing overhead 16kV and 120/240 volt distribution, poles and down guy wires;
    - iv. Managed Network System Inc. (MNSi.) to accommodate existing aerial facilities.
- III. THAT Conveyance Cost **BE SET** as follows:
  - a. For alley conveyed to abutting lands zoned CD2.3 or RD3.1, \$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 share of

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

- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1844.
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

**Executive Summary:**

N/A



## **Background:**

The applicant, Don Ing, owner of the property known municipally as 3720 Seminole Street (the subject property), applied to close the 34.1 metre 2.44-metre-wide open north/south alley located north of Seminole Street, and shown on Drawing No. CC-1844 attached hereto as Appendix "A", and also shown on the aerial photo attached hereto as Appendix "B".

The applicant wishes to close the aforesaid alley for the purpose of addressing ongoing illicit activities occurring therein.

The Planning Department determined that the 9.1 metre portion of the aforesaid alley abutting 3790 Seminole Street (the remaining alley) is indispensable for the following reason:

1. Serves a property fronting on a heavily travelled street
  - a. Seminole Street is designated as a Class I Collector Road
  - b. The remaining alley provides vehicular access to the parking area at 3790 Seminole Street
    - i. The parking area appears to have had vehicular access off the remaining alley since its construction around 1972
    - ii. The parking area serves the seven unit multiple dwelling on the property, also constructed in 1972

The Planning Department is subsequently recommending that the remaining 25.0 metre portion of the 2.44-metre-wide open north/south be closed (the Subject Alley).

The Subject Alley is unmaintained and composed primarily of asphalt and grass, and a small patch of natural vegetation. The Subject Alley contains utility poles with guy wires and anchors supporting overhead hydro and utility lines. The Subject Alley has been encroached on over the years by the subject property with asphalt paving. There are no Encroachment Agreements on record for the use of the Subject Alley.

The alley was established by Registered Plan of Subdivision No. 768, registered on November 18, 1914.

By-law 84-1999, registered on March 29, 1999, closed the portion of the north/south alley located between the south limit of 1417 Westcott Road and the alley.

## **Discussion:**

The decision to recommend closure of an alley is derived from the City's *Classification of Alleys and Suitability for Closure* guideline document (the document), attached hereto as Appendix "E". The document includes the following four classifications of alleys based on their usefulness and provides the following corresponding criteria for determining their suitability for closure. The use of the document is referenced under Part I of CR146/2005.

## Classification of Public Right-of-Ways

1. Alley that is indispensable.
  - a. Does the alley serve commercial properties?
    - i. The Subject Alley does not serve any commercial properties.
  - b. Does the alley serve properties fronting on heavily traveled streets i.e. major arterial routes?
    - i. The Subject Alley does not serve properties fronting on heavily traveled streets.
  - c. Does the alley contain sewers, and must the alley remain accessible for servicing?
    - i. The Subject Alley does not contain any sewers.
  - d. Does the alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?
    - i. The Subject Alley does not serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive.
  - e. Does the alley contain Fire Department connections that are deemed to be necessary for firefighting access?
    - i. The Subject Alley does not contain any Fire Department connections.
2. Alleys that, have some usefulness, are nevertheless dispensable and may or may not be a complete liability.
  - a. The Engineering - Right-of-Way Department has indicated that the Subject Alley appears to serve no usefulness.
3. Alleys that appear to serve no useful purpose, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
  - a. The Engineering - Right-of-Way Department has indicated that the Subject Alley appears to serve no useful purpose.
4. Alleys lying in Holding zones and other similar undeveloped areas where the alley system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

- a. The Subject Alley does not lie within a Holding zone or similar undeveloped area.

### **Suitability for Closing**

1. Indispensable alley should not be closed, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof.
2. Alleys having some usefulness should be considered for closing only upon request of abutting owners rather than by encouragement of the City.
3. Alleys that serve no useful purpose should be closed if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
4. Alleys that are clearly obsolete should not be closed unless there is a municipal need or specific development proposals acceptable to the City are submitted.

Based on the above, the Planning Department deems the Subject Alley “dispensable” and supports its closure.

It is our recommendation that, upon closure, the abutting property owners be given the chance to acquire the Subject Alley in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the alley in **as is condition** to the abutting property owners, which is the standard manner of conveyance.

### **Risk Analysis:**

The recommended closure will divest the City of associated liability risks and maintenance costs. The recommended closure poses no known risk to City.

### **Climate Change Risks**

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

N/A

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

N/A

### **Financial Matters:**

The rate for an alley conveyed to abutting lands zoned CD2.3 or RD3.1 is assessed at \$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 share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

The survey cost is estimated at \$5,000.00, which will be funded by Capital Project 7145002, which currently has an available balance of \$100,300.00.

**Consultations:**

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in attached hereto as Appendix “C”.

Notice of this application was issued to property owners abutting the alley by regular mail, with no objections being received as of the date of writing this report.

Notice of Development & Heritage Standing Committee meeting and Council meeting are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

The Financial Services Department was consulted on the financial matters associated with this report.

**Conclusion:**

The Planning Department recommends closure of the Subject Alley shown on attached Appendix “A”, subject to easements in favour of Bell Canada, Cogeco Connexion Inc., ENWIN Utilities Ltd. and Managed Network System Inc. (MNSi.), as in Recommendation II of this report.

The closed Subject Alley is to be conveyed in **as is condition** to the abutting property owners as in Recommendation II report.

**Planning Act Matters:**

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

*Greg Atkinson, MCIP, RPP  
Deputy City Planner - Development / City Planner (A)*

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

*JP JM*

**Approvals:**

Name	Title
Brian Nagata	Planner II - Development Review
Greg Atkinson	Deputy City Planner - Development
Greg Atkinson	City Planner (A)
Emilie Dunnigan	Manager of Development Revenue & Financial Administration
Jamelah Hersh	Senior Legal Counsel
Janice Guthrie	Commissioner, Finance & City Treasurer

Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

**Notifications:**

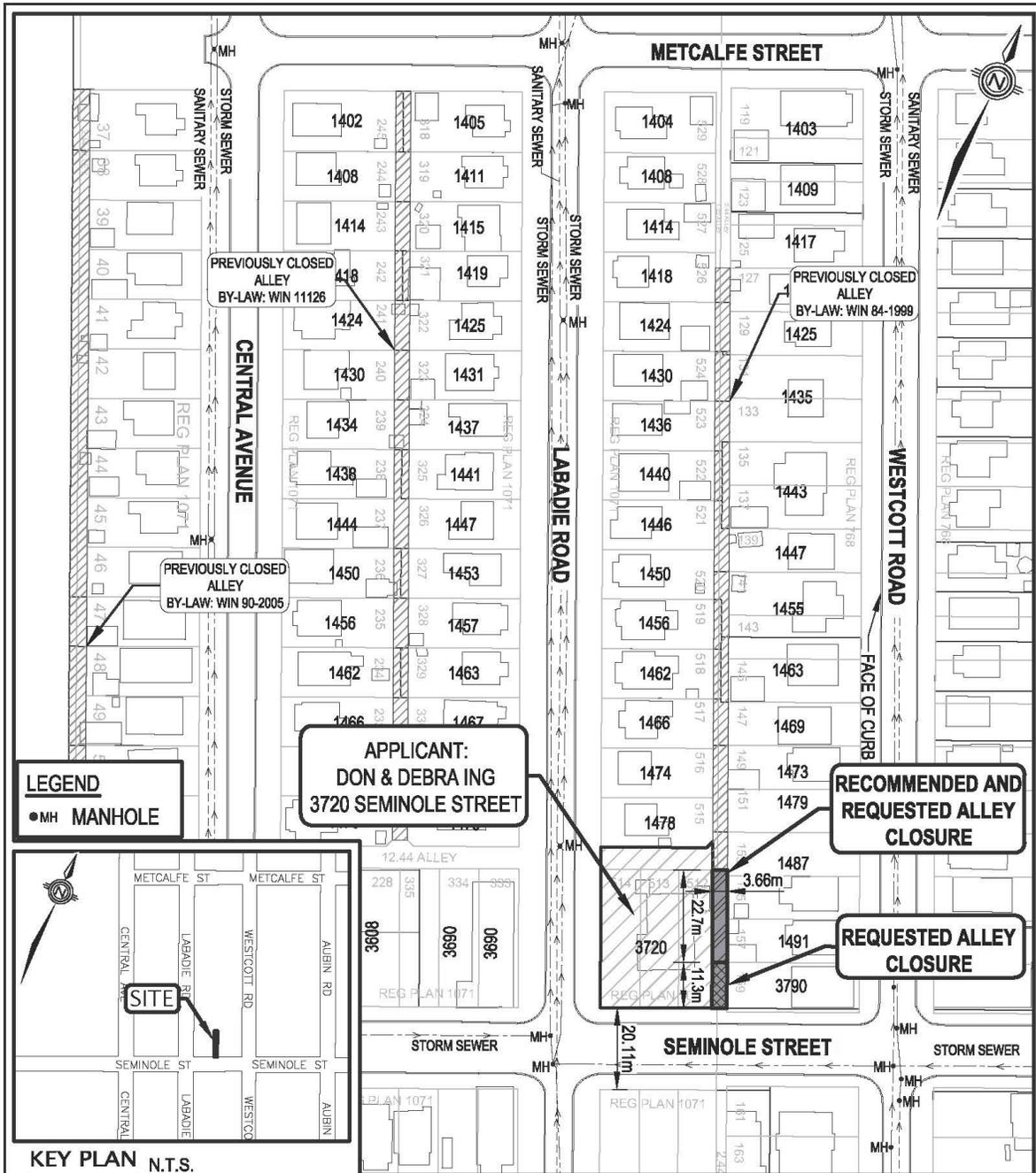
Name	Address	Email
List of mailing labels for property owners abutting the alley issued to Clerks office		

**Appendices:**

- 1 Appendix A - Drawing No. CC-1844
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations w Municipal Departments & Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure

# APPENDIX "A"

## Drawing No. CC-1844



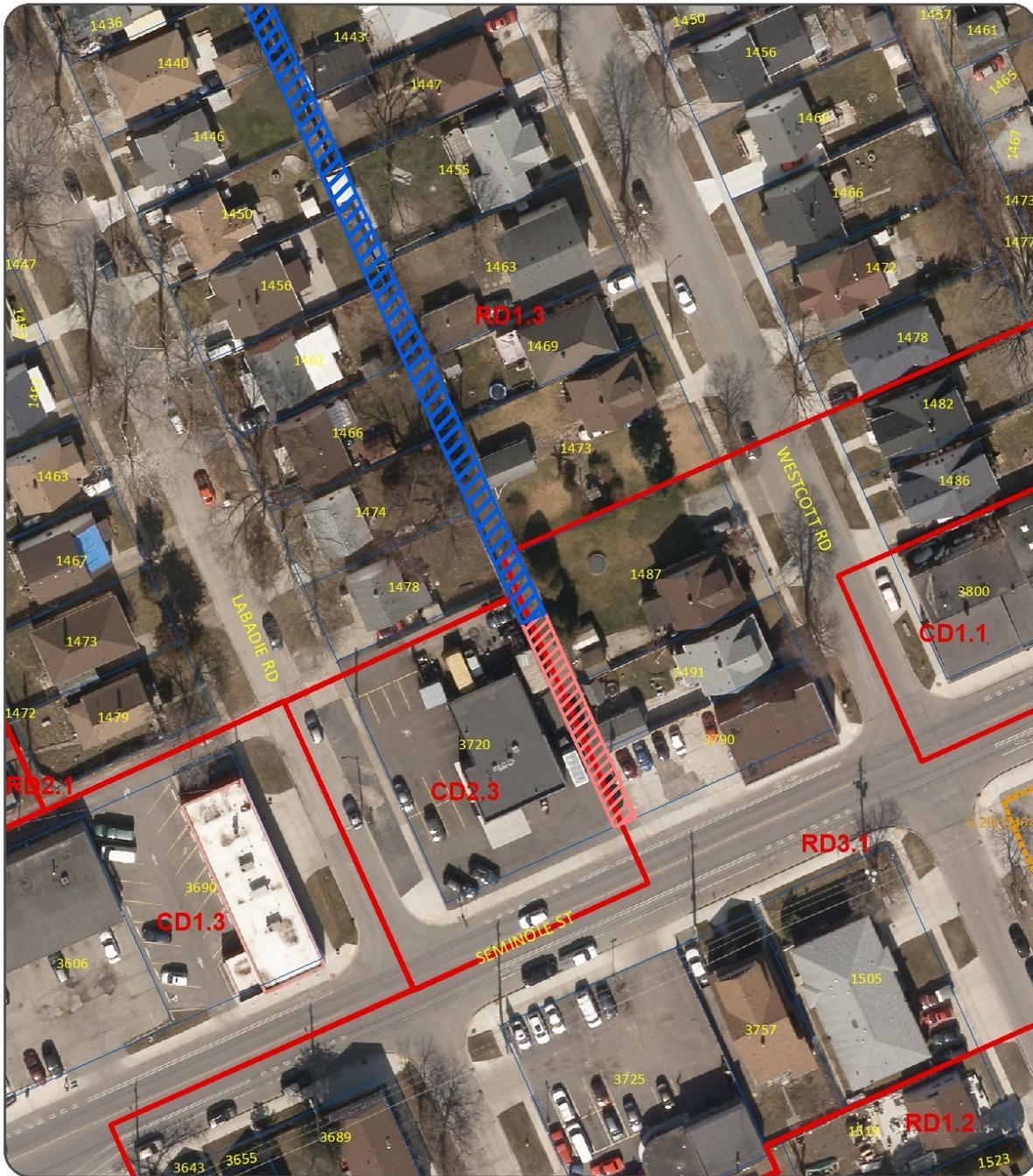
THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT

**Proposed Closure of Part of North/South Alley located  
 between Labadie Road and Westcott Road, North of Seminole Street**

*Kirk Tamm*  
 Kirk Tamm, Manager of Geomatics

SCALE: 1:1250	DATE: MAR 2025	REVISED: APR 2025	DWG. NO.
DWN BY: AZ	CHKD BY: PJU / SB	REVISION NO.: 1	CC-1844

### APPENDIX "B" EIS Drawing - Aerial Photo



## STREET & ALLEY CLOSING (SAA/7091)

1:750

APPLICANT : DON & DEBRA ING



REQUESTED FOR CLOSURE



PREVIOUSLY CLOSED ALLEY



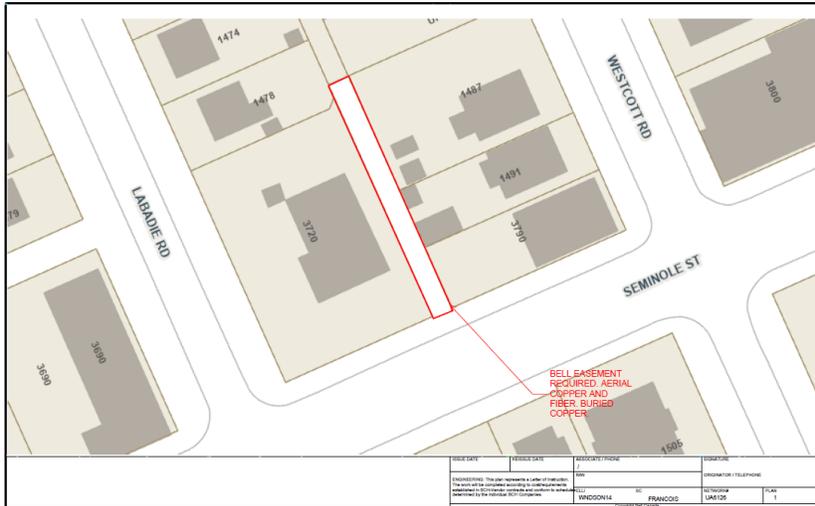
PLANNING DEPARTMENT - PLANNING POLICY

DATE: MARCH, 2025

## APPENDIX "C" Consultations with Municipal Departments and Utility Companies

### BELL CANADA

Please see attached response from Bell Canada requesting easement protection for existing facilities over the above-noted lands.



[Shadae Duhaney - Right of Way Control Centre]

### COGECO CONNEXION INC.

Cogeco is attached to the Bell or EnWin poles in that alley. We would need the easement to continue from the formally closed section out to Seminole.

We have put a green box around the section.

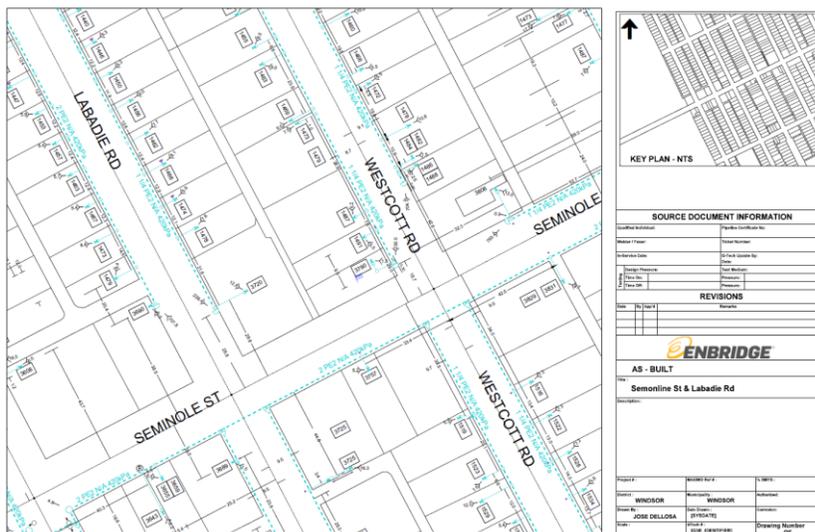


**ENBRIDGE GAS INC.**

After reviewing the provided drawing at Seminole St & Labadie Rd. and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.

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

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



**[Jose Dellosa - Drafter Estimator]**

**ENGINEERING (DEVELOPMENT & ROW)**

The proposed alley closure is approximately 43m long and 3.5m wide and is composed of asphalt, grass, and gravel. There are no sewers running through this alley. There are hydro poles, guy wires, and overhead wires located within the alley; an easement would be required for utilities. There is a driveway approach at the south end of this alley closure that appears to be used by the applicant. A permit will be required by the property owner to keep and maintain the driveway approach to City Standard AS-203 or AS-204. This subject alley appears to have no usefulness as per CR146/2005; therefore, we have no objections to the closure.

**[Adam Pillon - Manager of Right-of-Way]**

**ENGINEERING (OPERATIONS)**

No comments provided

**ENVIRONMENTAL SERVICES**

No concerns from Environmental Services.

**[Anne-Marie Albidone - Manager, Environmental Services]**

**ENWIN UTILITIES LTD. (HYDRO)**

No Objection, however, an easement named to ENWIN Utilities Ltd is required upon closing along the entire east limit of the site to accommodate existing overhead 16kV and 120/240 volt distribution, poles and down guy wires.

**[Steve Zambito - Senior Hydro Engineering Technologist]**

**ENWIN UTILITIES LTD. (WATER)**

Water Engineering has no objections.

**[Bruce Ogg - Water Project Review Officer]**

**LEGAL & REAL ESTATE SERVICES**

Half of the north/south alley abutting 3720 and 3790 Seminole is zoned CD2.3 and the other half, abutting residential properties fronting on Westcott Rd. is zoned RD3.1.

For both the CD2.3 and RD3.1 portions of the alley, conveyance price would be \$20/square foot without easements and \$10/square foot with easements.

Properties abutting the alley would be responsible for their share of the deed preparation and survey costs, plus HST (if applicable).

**[Stephanie Santos - Coordinator Real Estate Services]**

**MANAGED NETWORK SYSTEM INC. (MNSi)**

MNSi will require an aerial Easement through this area as we are currently on the Poles in this Alley.

**[Dave Hartleib - Outside Plant Manager]**

**PARKS**

Parks D&D has no objection to this Liaison.

**[Hoda Kameli - Landscape Architect]**

We have no comments on this liaison.

**[Karen Alexander - Naturalist & Outreach Coordinator]**

There are a few smaller trees of no real value growing along the fence line in this alley.

I have no objections on this alley closure.

**[Yemi Adeyeye - City Forester / manager Forestry & Natural Areas]**

**PLANNING (DEVELOPMENT)**

No comments provided

**PLANNING (LANDSCAPE)**

There are no objections from a landscape architectural or urban design perspective to the request for closure.

**[Stefan Fediuk - Planner III - Senior Urban Designer]**

**ROGERS**

No comments provided

**TELECON (TELUS)**

No comments provided

**TRANSPORTATION PLANNING**

No comments provided

**APPENDIX "D"**  
**Site Photos (Google Street View - November 2023)**



*Figure 1 - Looking north towards alley from Seminole Street (3720 Seminole Street on left) (3790 Seminole Street on right)*

## **APPENDIX “E”**

### **Classification of Alleys and Suitability for Closure**

#### **Classification of Public Rights-of-Ways:**

Currently streets and alleys fall into four classifications on the basis of their usefulness:

1. Alleys that are indispensable. These would be alleys serving commercial properties and properties fronting on heavily traveled streets i.e. major arterial routes and alleys which contain sewers and must remain accessible for servicing; alleys or streets which serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive; and, alleys which contain Fire Department connections that are deemed to be necessary for firefighting access.
2. Alleys that, have some usefulness, are nevertheless dispensable and may or may not be a complete liability.
3. Alleys that appear to serve no useful purpose, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
4. Alleys lying in Holding zones and other similar undeveloped areas where the alley system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

#### **Suitability for Closing:**

Following are the criteria and suitability for closing alleys in each of the above classifications:

1. Indispensable alleys should not be closed, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof. They are essential from the viewpoint of fire protection, police protection, emergency services (i.e. ambulance) and loading or unloading of goods, refuse collection, servicing of blocked sewers and utility services. Without such alleys, the above noted services would at least be more costly if not impossible to complete or adequately access; and would noticeably interfere with street traffic, thereby reducing the access capacity of the adjacent arterial, collector, or street for business.
2. Alleys having some usefulness should be considered for closing only upon request of abutting owners rather than by encouragement of the City.
3. Alleys that serve no useful purpose should be closed if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
4. Alleys that are clearly obsolete should not be closed unless there is a municipal need or specific development proposals acceptable to the City are submitted.

**Subject: Part Closure of east/west alleys located between Thompson Boulevard and Prado Place, Ward 6, SAA-7244**

**Reference:**

Date to Council: May 5, 2025  
Author: Brian Nagata, MCIP, RPP  
Planner II - Development Review  
(519) 255-6543 ext. 6181

Planning & Building Services  
Report Date: April 14, 2025  
Clerk's File #: SAA2025

To: Mayor and Members of City Council

**Recommendation:**

- I. THAT the 24.63 metre portion of the 4.27-metre-wide east/west alley located between Thompson Boulevard and Prado Place, and shown as Part 1 on Drawing No. CC-1862 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject west alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject west 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 infrastructure;
    - ii. Cogeco Connexion Inc. to accommodate existing aerial infrastructure;
    - iii. Enbridge Gas Inc. to accommodate existing underground infrastructure;
    - iv. ENWIN Utilities Ltd. to accommodate existing primary, secondary and communication conductors, poles and down guy wires; and
    - v. Managed Network System Inc. (MNSi.) to accommodate existing aerial infrastructure;
- III. THAT the 4.27-metre-wide east/west alley located between Thompson Boulevard and Prado Place, and shown as Part 2 on Drawing No. CC-1862 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject east alley", **BE ASSUMED** for subsequent closure;

- IV. THAT the subject east 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 infrastructure;
    - ii. Cogeco Connexion Inc. to accommodate existing aerial infrastructure;
    - iii. ENWIN Utilities Ltd. to accommodate existing primary, secondary and communication conductors, poles and down guy wires;
    - iv. Managed Network System Inc. (MNSi.) to accommodate existing aerial infrastructure; and
    - v. Toronto West Professional Centre Inc., owner of the property described as Lots 1 & 2, Plan 841, and Lots 5 & 6, Plan 1173, known municipally as 5455 Wyandotte Street East to accommodate the existing foundation wall described in the Encroachment Agreement between the Corporation of the City of Windsor and Brewer Warehousing Company Limited (now Toronto West Professional Centre Inc.), registered as Instrument No. 656567 on February 16, 1976.
  - b. Ontario Land Surveyor be directed to create a Part for the lands described as "Parcel 2" in the aforesaid Encroachment Agreement.
- V. THAT Conveyance Cost **BE SET** as follows:
- a. For alley conveyed to abutting lands zoned CD2.2, \$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 share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
  - b. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- VI. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1862.
- VII. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VIII. 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.



## Background:

The applicant, Silvana Durocher, owner of the property known municipally as 825 Prado Place (the subject property), applied to close the 4.27-metre-wide east/west alley located between Thompson Boulevard and Prado Place, and shown on Drawing No. CC-1862 attached hereto as Appendix "A", and also shown on the aerial photo attached hereto as Appendix "B".

The applicant wishes to close the alley for the purpose of enlarging the subject property to accommodate the construction of an accessory building for an additional dwelling unit.

The portion of the alley abutting the subject property was established by Registered Plan of Subdivision No. 841 (Plan 841), registered on September 12, 1917.

The remaining portion of the alley was established by Registered Plan of Subdivision No. 1173 (Plan 1173), registered on June 4, 1925.

The Planning Department has determined that the western portion of the alley established by Plan 1173, abutting 5415 & 5421 and 5429 & 5435 Wyandotte Street East is indispensable for the following reasons:

1. The alley serves as the only vehicular means of access to the rear parking area at 5415 & 5421 Wyandotte Street East.
  - a. The rear parking area serving the commercial building on site has existed since at least 1966 (Historic Aerials by Netroline)
  - b. The commercial building was constructed around 1963 (City of Windsor Directories - Migt Directories Limited)
  - c. It is unknown if Building Permits were issued for the commercial building or parking area, as they were established under the former Town of Riverside (1921-1966)
    - i. The City does not have any Building Permit records on digital file from the former Town of Riverside
  - d. The provision of a driveway approach off Thompson Boulevard will negatively impact the functionality of the parking area (the parking area is too small)
2. The alley serves commercial properties
  - a. 5415 & 5421 Wyandotte Street East is a commercial property
3. The alley serves properties fronting on heavily travelled street
  - a. Wyandotte Street East is a Class II Arterial Road
  - b. The alley serves as a direct means of egress to the dwelling located at the rear of 5429 & 5435 Wyandotte Street East

- i. The dwelling was constructed sometime between 1943 and 1951 (City of Windsor Directories - ACME Windsor Directory Co. Limited & Historic Aerials by Netroline)

The alley established by Plan 841 and the portion of the alley established by Plan 1173 not deemed indispensable, and shown as Part 1 and Part 2 on Drawing No. CC-1862, are hereinafter referred to as the “subject alley”.

The subject alley is unmaintained and composed primarily of amenity area, grass and gravel. The subject alley contains a curb cut off Prado Place, Enbridge Gas line at its westerly end, and utility poles with guy wires and anchors supporting overhead hydro and utility lines throughout. The subject alley has been encroached on over the years by abutting properties with buildings, landscaping and structures. The subject property has been using the abutting portion of the subject alley as a driveway since at least 1969 (City of Windsor 1969 Aerial Photography). 5455 Wyandotte Street East has an Encroachment Agreement, registered as Instrument No. 656567 on February 16, 1976, for an existing foundation wall located within a small part of the subject alley. There are no other Encroachment Agreements on record for the use of the subject alley.

### **Discussion:**

The decision to recommend closure of an alley is derived from the City’s *Classification of Alleys and Suitability for Closure* guideline document (the document), attached hereto as Appendix “E”. The document includes the following four classifications of alleys based on their usefulness and provides the following corresponding criteria for determining their suitability for closure. The use of the document is referenced under Part I of CR146/2005.

### **Classification of Public Right-of-Ways**

1. Alley that is indispensable.
  - a. Does the alley serve commercial properties?
    - i. The subject alley does not serve any commercial properties.
  - b. Does the alley serve properties fronting on heavily traveled streets i.e. major arterial routes?
    - i. The subject alley does not serve properties fronting on heavily traveled streets.
  - c. Does the alley contain sewers, and must the alley remain accessible for servicing?
    - i. The subject alley does not contain any sewers.
  - d. Does the alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?

- i. The subject alley does not serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive.
  - e. Does the alley contain Fire Department connections that are deemed to be necessary for firefighting access?
    - i. The subject alley does not contain any Fire Department connections.
- 2. Alleys that, have some usefulness, are nevertheless dispensable and may or may not be a complete liability.
  - a. The Engineering - Right-of-Way Department has indicated that the subject alley appears to serve no useful purpose.
- 3. Alleys that appear to serve no useful purpose, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
  - a. The Engineering - Right-of-Way Department has indicated that the subject alley appears to serve no useful purpose.
- 4. Alley lying in Holding zones and other similar undeveloped areas where the alley system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.
  - a. The subject alley does not lie within a Holding zone or similar undeveloped area.

### **Suitability for Closing**

- 1. Indispensable alley should not be closed, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof.
- 2. Alleys having some usefulness should be considered for closing only upon request of abutting owners rather than by encouragement of the City.
- 3. Alleys that serve no useful purpose should be closed if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- 4. Alleys that are clearly obsolete should not be closed unless there is a municipal need or specific development proposals acceptable to the City are submitted.

Based on the above, the Planning Department deems the subject alley “dispensable” and supports the requested closure.

It is our recommendation that, upon closure, the abutting property owners be given the chance to acquire the alley in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the alley in **as is condition** to the abutting property owners, which is the standard manner of conveyance.

**Risk Analysis:**

The recommended closure will divest the City of associated liability risks and maintenance costs. The recommended closure poses no known risk to City.

**Climate Change Risks****Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

The rate for an alley conveyed to abutting lands zoned CD2.2 is assessed at \$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 share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

The rate for an alley conveyed to abutting lands zoned RD1.2 is assessed at \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

Survey cost is estimated at \$6,500.00, which will be funded by Capital Project 7145002, which currently has an available balance of \$100,300.00.

**Consultations:**

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in attached hereto as Appendix "C".

Notice of this application was issued to property owners abutting the alley by regular mail, with no objections being received as of the date of writing this report.

Notice of Development & Heritage Standing Committee meeting and Council meeting are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

The Financial Services Department was consulted on the financial matters associated with this report.

**Conclusion:**

The Planning Department recommends closure of the subject alley shown on attached Appendix "A", subject to easements in favour of Bell Canada, Cogeco Connexion Inc., Enbridge Gas Inc., ENWIN Utilities Ltd., Managed Network System Inc. (MNSi.), and Toronto West Professional Centre Inc. as in Recommendations II and IV of this report.

The closed alley is to be conveyed in **as is condition** to the abutting property owners as in Recommendations II and IV of this report.

**Planning Act Matters:**

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

*Greg Atkinson, MCIP, RPP  
Deputy City Planner - Development / City Planner (A)*

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

*JP JM*

**Approvals:**

<b>Name</b>	<b>Title</b>
Brian Nagata	Planner II - Development Review
Greg Atkinson	Deputy City Planner - Development
Greg Atkinson	City Planner (A)
Emilie Dunnigan	Manager of Development Revenue & Financial Administration
Jamelah Hersh	Senior Legal Counsel
Janice Guthrie	Commissioner, Finance & City Treasurer
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

**Notifications:**

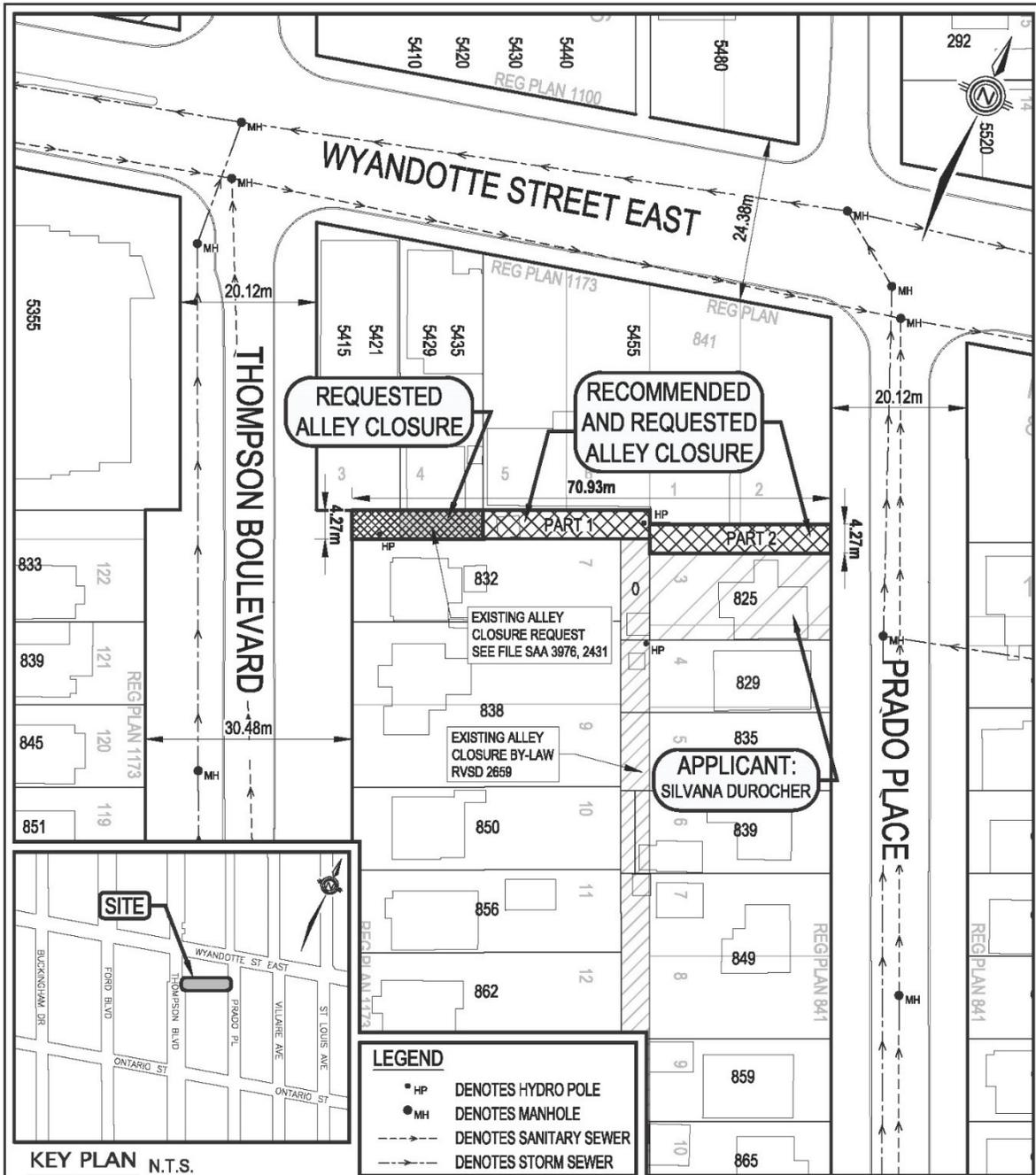
<b>Name</b>	<b>Address</b>	<b>Email</b>
List of mailing labels for property owners abutting the alley issued to Clerks office		

**Appendices:**

- 1 Appendix A - Drawing No. CC-1862
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations w Municipal Departments & Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure

## APPENDIX "A"

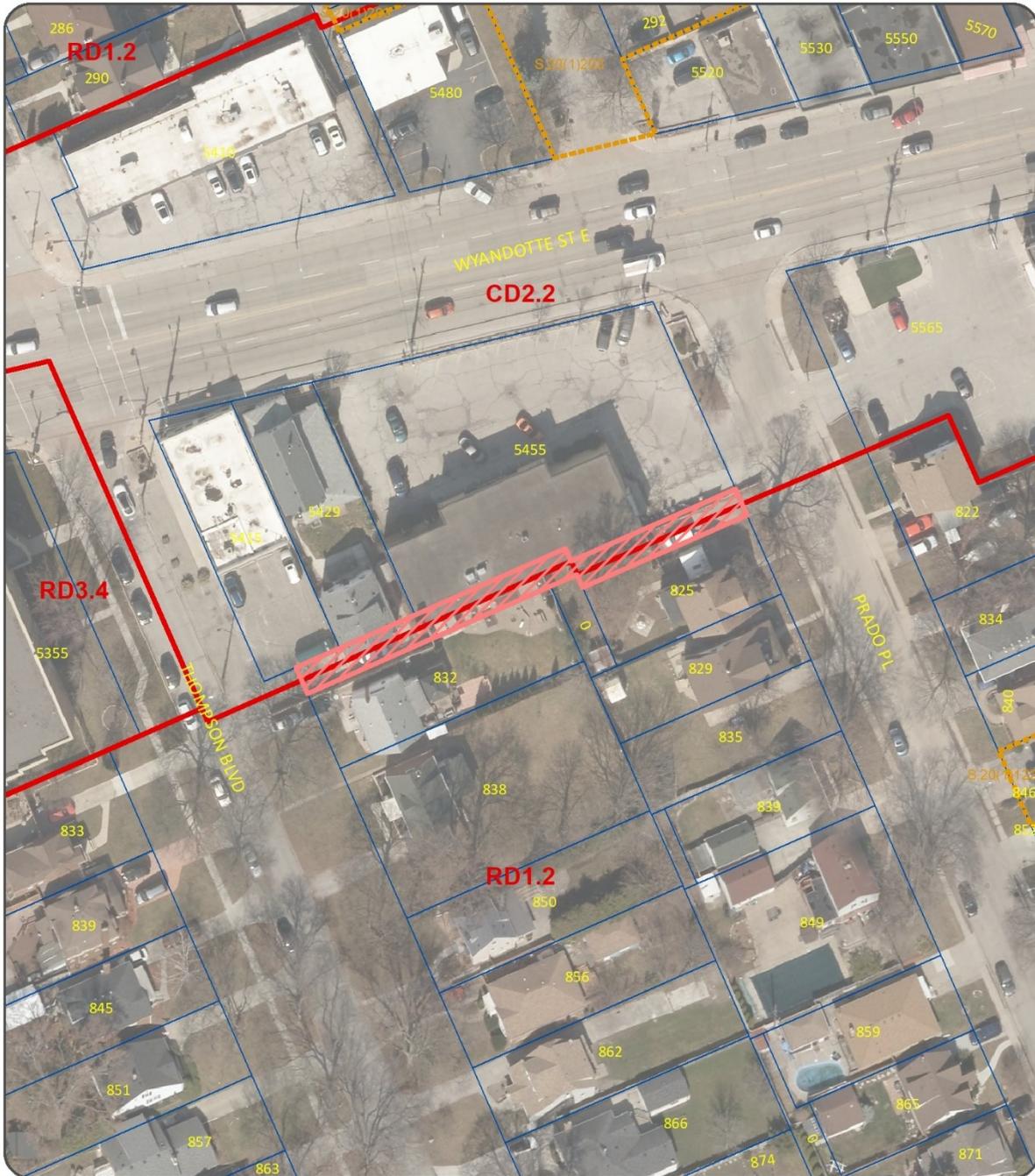
### Drawing No. CC-1862



<b>THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT</b>			
<b>Proposed Closure of the East/West Alley Between Thompson Boulevard and Prado Place, South of Wyandotte Street East</b>			
Kirk Tamm, Manager of Geomatics	SCALE: 1:750	DATE: OCTOBER 2024	REVISED: -
	DWN BY: JM	CHKD BY: PJU / BN	REVISION NO.: -
			DWG. NO. <b>CC-1862</b>

# APPENDIX "B"

## EIS Drawing - Aerial Photo



### STREET & ALLEY CLOSING (SAA/7244)

APPLICANT : SILVANA DUROCHER

 REQUEST FOR CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: OCTOBER, 2024

1:750



## **APPENDIX “C”**

### **Consultations with Municipal Departments and Utility Companies**

#### **BELL CANADA**

No comments provided

#### **COGECO CONNEXION INC.**

Cogeco is on EnWin/Bell poles in the alley and will need an easement.

**[Daniel Haggins - Lead OSP Engineering Windsor and Essex]**

#### **ENBRIDGE GAS INC.**

After reviewing the provided information, and consulting our mapping system, please note that Enbridge Gas has active infrastructure within the proposed area. A PDF drawing have been attached for reference.

Please Note:

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

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

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

- Any pipe that is excavated, please assume that it is live.
- If during any job, any pipe is found that is not on the locate sheet and conflicts with your work, please call our emergency number (1-877-969-0999), and one of our Enbridge 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.



**[Sandro Aversa - Drafter Estimator]**

### **ENGINEERING (DEVELOPMENT & ROW)**

The alley to be closed is approximately 76.8 m long and 4.8 m wide and made partly of asphalt gravel and grass.

There are no sewers running through this alley.

There are hydro poles, guy wires, and overhead wires located within the alley; an easement will be required for utilities.

There are back yard fence encroachments from 825 Prado and 832 Thompson.

There is a gravel driveway at east end of alley being used by 825 Prado for parking. If the alley is closed a permit will be required by the property owner to complete and maintain the driveway to City Standard AS-221 or AS-222.

The west side of the alley provides access to 5415 and 5429 Wyandotte St E, Wyandotte St E is a Class II Arterial Road therefore this alley is deemed indispensable by CR146/2005 and should not be considered for closure.

The subject alley is deemed indispensable by CR 146/2005; however, Engineering has no objection to closing the alley east of 5429 Wyandotte St E.

**[Shannon Mills - Technologist III]**

### **ENGINEERING (OPERATIONS)**

No comments provided

### **ENVIRONMENTAL SERVICES**

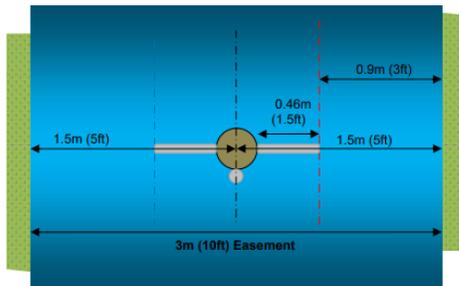
No comments provided

### **ENWIN UTILITIES LTD. (HYDRO)**

Within this alley there are poles carrying primary, secondary and communication conductors. ENWIN will require an easement of 1.5 m on each side of the pole line, 3 m wide in total, through the full length of the alley, beneath the poles.

**Overhead Line**

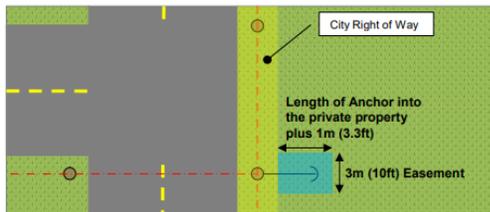
A 3m (10ft) Easement is required for a straight pole line 1.5m (5ft) (on each side)  
 This takes into consideration a 0.3m (1ft) pole diameter, 0.46m (1.5ft)  
 primary insulator, and 0.9m (3ft) clearance from any nearby structure.  
 See top view representation below:



There are also guy wires supporting some of the poles within the alley, which will require guy wire easements to cover the anchors as shown below.

**Guy and Anchor**

A 3m (10ft) wide easement is required for guy and anchor installations into private property. This easement should extend 1m (3.3ft) into the property.



**[Jeremy Allossery - Hydro Engineering Technologist]**

**ENWIN UTILITIES LTD. (WATER)**

ENWIN Water has no objections.

**[Bruce Ogg - Water Project Review Officer]**

**LEGAL & REAL ESTATE SERVICES**

Conveyance price for alley abutting RD1.2: \$1.00 plus survey and deed cost, plus hst if applicable.

Conveyance price for alley abutting CD2.2: \$20.00/sq foot without easements;  
 \$10.00/sq foot with

Easements; hst in addition to conveyance price if applicable.

**[Stephanie Santos - Coordinator Real Estate Services]**

**MANAGED NETWORK SYSTEM INC. (MNSi)**

MNSi would like to be included in an aerial Easement for this closure please.

**[Dave Hartleib - Outside Plant Manager]**

**PARKS**

The Parks Development Division, including Forestry and Natural Areas, has no comments on this application.

**[Hoda Kameli - Landscape Architect]**

**PLANNING (DEVELOPMENT)**

No comments provided

**PLANNING (LANDSCAPE)**

From an urban design and landscape architecture perspective, Therefore, there are no objections to this application.

**[Hoda Kameli - Landscape Architect]**

**ROGERS**

No comments provided

**TELECON (TELUS)**

TELUS has no infrastructure between Pavement Centerline & ROW line on the same side as the proposal.

Consent expires six (6) months from approval date. If the location of your proposed design changes, it will be necessary to re-apply.

**[Frederic Sua - Design Specialist II - Access Engineering]**

**TRANSPORTATION PLANNING**

Transportation Planning has no comments.

**[Elara Mehrilou - Transportation Planner I]**

**WINDSOR FIRE**

No issue with fire

**[Mike Coste - Chief Fire Prevention Officer]**

**WINDSOR POLICE**

The Windsor Police Service has no concerns or objections with this requested closure, as the outcome from this will not negatively impact police incident response or service delivery capability for any of the abutting properties.

**[Barry Horrobin - Director of Planning & Physical Resources]**

**APPENDIX "D"**  
**Site Photos (Google Street View - January 2021)**



*Figure 1 - Looking west towards alley from Prado Place (825 Prado Place on left)*



*Figure 2 - Looking east towards alley from Thompson Boulevard (832 Thompson Boulevard on right)*

## **APPENDIX “E”**

### **Classification of Alleys and Suitability for Closure**

#### **Classification of Public Rights-of-Ways:**

Currently streets and alleys fall into four classifications on the basis of their usefulness:

1. Alleys that are indispensable. These would be alleys serving commercial properties and properties fronting on heavily traveled streets i.e. major arterial routes and alleys which contain sewers and must remain accessible for servicing; alleys or streets which serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive; and, alleys which contain Fire Department connections that are deemed to be necessary for firefighting access.
2. Alleys that, have some usefulness, are nevertheless dispensable and may or may not be a complete liability.
3. Alleys that appear to serve no useful purpose, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
4. Alleys lying in Holding zones and other similar undeveloped areas where the alley system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

#### **Suitability for Closing:**

Following are the criteria and suitability for closing alleys in each of the above classifications:

1. Indispensable alleys should not be closed, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof. They are essential from the viewpoint of fire protection, police protection, emergency services (i.e. ambulance) and loading or unloading of goods, refuse collection, servicing of blocked sewers and utility services. Without such alleys, the above noted services would at least be more costly if not impossible to complete or adequately access; and would noticeably interfere with street traffic, thereby reducing the access capacity of the adjacent arterial, collector, or street for business.
2. Alleys having some usefulness should be considered for closing only upon request of abutting owners rather than by encouragement of the City.
3. Alleys that serve no useful purpose should be closed if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
4. Alleys that are clearly obsolete should not be closed unless there is a municipal need or specific development proposals acceptable to the City are submitted.