

Consolidated Development & Heritage Standing Committee Meeting Agenda

Date: Tuesday, September 2, 2025

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

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

All members will have the option of participating in person in Council Chambers or electronically and will be counted towards quorum in accordance with Procedure 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
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3.	REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS
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4.	COMMUNICATIONS
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5.	ADOPTION OF THE <i>PLANNING ACT</i> MINUTES (<i>previously distributed</i>)
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5.1.	Adoption of the Development & Heritage Standing Committee minutes (Planning Act) of its meeting held August 5, 2025 (SCM 258/2025)
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6.	PRESENTATION DELEGATIONS (<i>PLANNING ACT</i> MATTERS)
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7.	<i>PLANNING ACT</i> MATTERS
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DELEGATIONS: (5 MINUTES) (*previously distributed*)

7.1.	ZBA Application for 7900 Anchor Drive & 8100 Twin Oaks Drive, Z-016/25 [ZNG-7310], Ward 9 (S 98/2025) – <i>Author: Brian Nagata, Planner II - Development Review</i> a) Brian Nagata, Planner II - Development Review (in person) b) Jerry Kavanaugh, Agent for the Applicant & Senior Directing Partner, Architectural Design Associates Inc., available for questions (in person)
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- 7.2. ZBA Application for 0 & 1841 Longfellow Avenue, Z-017/25 [ZNG-7312], Ward 10 **(S 99/2025)** – *Author: Brian Nagata, Planner II - Development Review*
a) Brian Nagata, Planner II - Development Review (in person)
b) Tracey Pillon-Abbs, Principal Planner, Pillon Abbs Inc., available for questions (via Zoom)
- 7.3. ZBA Application for 0 Salter Avenue, Z-009/25 [ZNG-7298], Ward 3 **(S 100/2025)** – *Author: Brian Nagata, Planner II - Development Review*
a) Brian Nagata, Planner II - Development Review (in person)
b) Hal Kersey, President, HRK Realty Services Ltd. Agent for the Applicant, Claudio Martini, Executive Vice President, Sterling Ridge Group, and Alawi Altahhan, Director Project Management, Quality Assurance & Document Control, Sterling Ridge Group, available for questions (in person)
- 7.4. Approval of a Plan of Condominium with Exemption under Section 9(3) of the Condominium Act, 4470 North Service Road East; File No.: CDM 001-25 [CDM-7316]; Ward 5 **(S 97/2025)** – *Author: Justina Nwaesei, Senior Planner – Development*
a) Tracey Pillon-Abbs, Principal Planner, Pillon Abbs Inc., available for questions (via Zoom)
8. **ADOPTION OF THE MINUTES (previously distributed)**
- 8.1. Adoption of the Development & Heritage Standing Committee minutes of its meeting held July 7, 2025 **(SCM 215/2025)**
- 8.2. Adoption of the Development & Heritage Standing Committee minutes of its meeting held August 5, 2025 **(SCM 252/2025)**
9. **PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)**
10. **HERITAGE ACT MATTERS (previously distributed)**
- 10.1. Request to Extend MRLA's Consulting Services to Stage 2 of the Walkerville HCD - Ward 4 **(S 104/2025)** – *Author: Tracy Tang, Planner III - Heritage (Acting)*

11. ADMINISTRATIVE ITEMS

DELEGATIONS: (5 MINUTES) *(previously distributed)*

- 11.5. Downtown CIP - 423-437 Ouellette Ave - Ward 3 (**S 102/2025**) – *Author: Simona Simion, Planner III - Economic Development (Acting)*
a) Dawne Martens, Property Manager, 2424718 Ontario Limited, available for questions (via Zoom)

- 11.6 Part Closure of north/south alley located between Brant Street and Wyandotte Street East, Ward 4, SAA-7198 (**S 70/2025**) – *Author: Brian Nagata, Planner II - Development Review*

Clerk's Note: Administration is providing the ***previously distributed*** additional information memo (**AI 21/2025**)

- a) Jeffrey Nanson, Mousseau, Deluca, McPherson, Prince LLP, on behalf of the Applicant Vito Maggio Holdings Inc. (in person)
b) Patrick Clark, CLP Law, Agent on behalf of 1912944 Ontario Ltd. (via zoom)
c) Elizabeth Fisk, Area Resident (in person)

Clerk's Note: The following written submissions are ***attached***:

- a) Philip Dutton, Lisa Sylvestre, Aaron & Elizabeth Fisk, Area Residents
b) Patrick Clark, CLP Law, Agent on behalf of 1912944 Ontario Ltd

ADMINISTRATIVE ITEMS: *(previously distributed)*

- 11.1. Response to CQ 28-2024 – Downtown Residential Parking Requirements (**C 85/2025**) – *Author: Adam Szymczak, Senior Planner - Development*
- 11.2. Brownfield CIP Application - 844 Bridge Ave - Ward 2 (**S 94/2025**) – *Author: Simona Simion, Planner III - Economic Development (Acting)*
- 11.3. Demolition Application subject to Demolition Control - 1968 George Ave - Ward 5 (**S 95/2025**) – *Author: Simona Simion, Planner III - Economic Development (Acting)*
- 11.4. Downtown CIP - 257 Wyandotte St E - Ward 3 (**S 101/2025**) – *Author: Simona Simion, Planner III - Economic Development (Acting)*

12. COMMITTEE MATTERS

13. QUESTION PERIOD

14. ADJOURNMENT

August 28, 2025

Development & Heritage Standing Committee
City of Windsor

Re: Notice of Standing Committee Meeting – Item 11.6 – Part Closure of north/south alley located between Brant Street and Wyandotte Street East, Ward 4, SAA-7198

Dear Development & Heritage Standing Committee,

It has come to our attention that File SAA-7198 (part closure of the 4.57 m north–south alley between Brant St and Wyandotte St E) has been approved in principle via CR286/2025. This approval surprised owners of properties adjacent to this alley who had met and were preparing a response to the initial notification letter dated April 15, 2025, from the City of Windsor. This letter stated: "You will receive further notification of the date, time, and location of this public meeting from the Council Services Department, along with a copy of the report being submitted and instructions on being listed as a delegation to this meeting if you choose."

However, none of the residents or business owners in the area have received anything else related to SAA-7198. In fact, we called the city upon receipt of this letter and were told more information would be sent. We object to the lack of transparency about the process and opportunity to review and comment on the file.

Collectively, we all have significant concerns about closing this part of the alley and do not support it being closed. Our concerns include:

- 1) All of the adjacent neighbors require free access to this alley for access to their properties; partial closure will create an unnecessary cutoff point.
- 2) The properties on this alley are all zoned commercial, any closure of the alley will reduce access (e.g., truck deliverers) and will compromise future commercial opportunities.
- 3) Increased noise created by a late-night outdoor venue. Our neighborhood is already dealing with significant noise, violence, property damage and verbal abuse from the increased presence of young adults at the bars in the area. The extended neighborhood has been working to increase police presence in this area on Thursday, Friday and Saturday nights.
- 4) Security of property and personal safety in an alley with significantly reduced sightlines. Non-residential loitering and theft have been issues in the area.
- 5) Reduced access for emergency vehicles, particularly fire trucks.
- 6) Reduced access to city services including sewer, water and hydro on city property.

- 7) Reduced access to garbage trucks and deliveries trucks, which currently use the alley for the businesses along this alley.
- 8) The property adjacent to the alley, 1840 Wyandotte is currently vacant and undeveloped and this alley closure would greatly impact the future access and potential development of that property.
- 9) Inconsistency with plans for the area as outlined in the City's own report, Walkerville: Heritage Conservation District Study, January 2025.

In addition, there are pre-existing, ongoing bylaw issues related to this stretch of alley that we were working to address prior to this application.

We object to this decision due to the lack of transparency and public input. We, as interested parties and property owners along this alley, expect an opportunity to review the information referenced in the April 15 letter pertaining to this application SAA/7198 and to provide our input before a decision is made as obligated by the City's own bylaws.

Thank you for your time and consideration.

Sincerely,
Aaron and Elizabeth Fisk
Lisa Sylvestre and Phil Dutton
Kevin Kavanaugh/Kinart Inc.



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August 28, 2025

The Corporation of the City of Windsor
400 City Hall Square East, Suite 201
Windsor, ON N9A 7K6

Attention: Legal Department - Legal Services Division

Sent via email: legal@citywindsor.ca

Mousseau DeLuca McPherson Prince
525 Windsor Ave, Suite 200
Windsor, ON N9A 1J4

Attention Jeffrey Nanson

Sent via email: jnanson@mousseaulaw.com

Dear Counsel:

Re: Decision #CR286/2025 DHSC 744 & 1840 Wyandotte St. E.

Please be advised that we represent 1912944 Ontario Limited / Ms. Daena Boscarior, the owner of 1840 Wyandotte St. E. with regards to the above matter. Kindly direct all future communications to the undersigned.

My client has recently become aware that, as per Council Decision CR286/2025 dated July 14, 2025, the City approved an Application by Vito Maggio Holdings Inc., to close and convey solely to the Applicant the 33.83 metre southerly portion of the 4.57 metre-wide north / south alley located between Brant Street and Wyandotte Street East.

My client did not receive any Notice regarding this Application and consequently was unable to make her position known.

Immediately after becoming aware of the decision on or around August 8, 2025, my client contacted Shantal Beckford, Legal Clerk for Streets and Alley, to formally object to the alley closing and asking to be kept informed of further proceedings.

My client received a response from Mr. Brian Nagata on or around August 11, 2025, which, unfortunately, did not address Ms. Boscarior's concerns or questions, and simply stated that Council had made their decision, and that the alley would be closed and conveyed and that a by-law would be presented to Council at a future meeting. Mr. Nagata reiterated that Ms. Boscarior had not objected, despite her advising that she did not receive any Notice.

Following this response, Ms. Boscarior wrote to all members of Council on or about August 13, 2025, to advise that she was not notified of the Application, to defer the closing and allow her to properly engage in the process to purchase her half, to be registered as a delegate when the by-law comes forward and to provide her with documentation about the notice and recipients and to be notified when the council meeting date will be regarding the by law.

The failure to provide my client Notice has been acknowledged per the Additional Information Memo to Council dated August 20, 2025, authored by Mr. Nagata, which forms part Item 11.6 of the Development & Heritage Standing Committee Meeting Agenda for the meeting dated September 2, 2025.

Despite acknowledging that my client was not provided with Notice, Mr. Nagata has advised that the Planning Department is not recommending any changes to Council Decision CR286/2025.

It is my client's position that Council Decision CR286/2025 was based on incorrect information which are material to the determination. Notably, in the Council Report dated May 8, 2025, authored by Mr. Nagata, Mr. Nagata references that 1840 Wyandotte St. E., is owned by the Applicant, Vito Maggio Holdings Inc.

Further, it appears that during the Development & Heritage Standing Committee Meeting on June 2, 2025, Mr. Nagata advised that 1840 Wyandotte St. E. had historically not had access to the alley, which is also incorrect.

Finally, in the Council Report dated May 8, 2025, Mr. Nagata states that the cost of purchasing the alley would be approximately \$5,073, at the rate of \$10.00 per square foot with easements, plus HST if applicable. It is unclear how this estimated cost was calculated, as the portion of the alley to be conveyed has been described as being 4.57 metres by 33.83 metres, or approximately 111 feet by 15 feet, resulting in an area of approximately 1,665 square feet, and therefore the cost should be approximately \$16,650.00 excluding HST.

Given the above inaccuracies and the acknowledged failure to provide my client with Notice, it is my client's position that Council Decision CR286/2025 should be amended to allow my client an opportunity to purchase the west half of the subject alley, as is the standard manner of conveyance.

In the alternative, my client takes the position that the alley should remain open.

Please contact the undersigned to arrange for 1912944 Ontario Limited to purchase its half of the subject alley based on the valuation already set at \$10.00 per square foot.

If any further steps are taken to enact this by-law and/or convey this part of the alley to Vito Maggio Holdings Inc., we will take immediate action to quash same and seek full costs for so doing.

I ask that this letter be put on the Agenda for the Development & Heritage Standing Committee Meeting scheduled for September 2, 2025.

Yours very truly,

Patrick Clark

Patrick Clark
Electronically signed for writer
patrick@clplaw.net

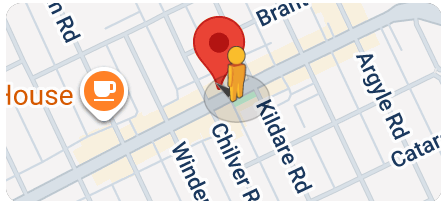
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Windsor, Ontario

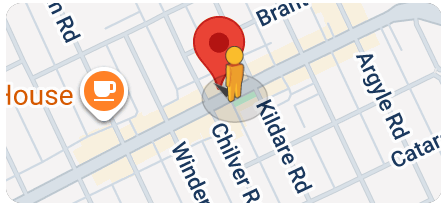


Google Street View

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Windsor, Ontario

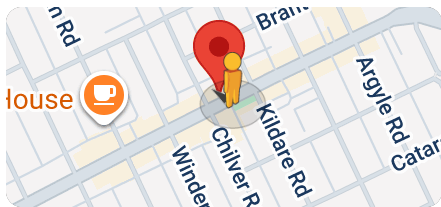
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Windsor, Ontario

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