

Development & Heritage Standing Committee Meeting

Date: Tuesday, September 2, 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 Joseph Fratangeli

Member Robert Polewski

Member Khassan Saka

Member William Tape

Members Regrets

Member Daniel Grenier

Member John Miller

Member Charles Pidgeon

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, Deputy Chief Administrative Officer / Commissioner, Economic Development

Neil Robertson, City Planner

Greg Atkinson, Deputy City Planner – Development

Jason Campigotto, Deputy City Planner – Growth

Aaron Farough, Senior Legal Counsel

Minutes

Development & Heritage Standing Committee Tuesday, September 2, 2025

Page 2 of 17

Sahar Jamshidi, Manager, Road Safety
Patrick Winters, Manager, Development
Laura Diotte, Manager, Planning
Emilie Dunnigan, Manager Development Revenue & Financial Administration
Elara Mehrilou, Supervisor, Corridor Maintenance
Brian Nagata, Planner III – Development
Justina Nwaesei, Planner III – Development
Tracy Tang, Planner III – Heritage
Simona Simion, Planner III – Economic Development
Natasha McMullin, Clerk Steno Senior
Anna Ciacelli, Deputy City Clerk

Delegations—participating via video conference

Item 7.2 & 7.4 - Tracey Pillon-Abbs, Principal Planner, Pillon Abbs Inc.
Item 11.5 - Dawne Martens, Property Manager, 2424718 Ontario Limited
Item 11.6 - Patrick Clark, CLP Law, Agent on behalf of 1912944 Ontario Ltd.

Delegations—participating in person

Item 7.1 - Jerry Kavanaugh, Agent for the Applicant & Senior Directing Partner, Architectural Design Associates Inc.
Item 7.3 - 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
Item 11.6 - Jeffrey Nanson, Mousseau, Deluca, McPherson, Prince LLP, on behalf of the Applicant Vito Maggio Holdings Inc.
Item 11.6 - Elizabeth Fisk, Area Resident
Item 11.6 - Kevin Kavanaugh, Kinart, Inc.

1. CALL TO ORDER

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

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

Minutes

Development & Heritage Standing Committee Tuesday, September 2, 2025

Page 3 of 17

4. COMMUNICATIONS

None presented.

8. ADOPTION OF THE MINUTES

8.1. Adoption of the Development & Heritage Standing Committee minutes of its meeting held July 7, 2025

Moved by: Member William Tape

Seconded by: Member Joseph Fratangeli

THAT the minutes of the Development & Heritage Standing Committee meeting held July 7, 2025 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 215/2025

8.2. Adoption of the Development & Heritage Standing Committee minutes of its meeting held August 5, 2025

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

THAT the minutes of the Development & Heritage Standing Committee meeting held August 5, 2025 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 252/2025

9. PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)

10. HERITAGE ACT MATTERS

10.1. Request to Extend MRLA's Consulting Services to Stage 2 of the Walkerville HCD - Ward 4

Councillor Mark McKenzie inquires as to why consulting services would be hired in this instance, and if the consultations could be done in-house instead. Tracy Tang, Planner III – Heritage (Acting) appears before the Development and Heritage Standing Committee regarding the administrative report dated August 8, 2025, entitled “Request to Extend MRLA's Consulting Services to Stage 2 of the Walkerville HCD - Ward 4” and replies that Stage Two of the project will require public open

Minutes

Development & Heritage Standing Committee Tuesday, September 2, 2025

Page 4 of 17

houses, and the creation of the policy document and urban design guidelines, all of which would benefit from the consultants' experience.

Member William Tape inquires whether consulting elements could be priced out differently to ensure optimum pricing. Ms. Tang replies that Stage One of the project could not fully predict what would be necessary for Stage Two, which is why each stage was packaged and priced individually.

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 763**

- I. THAT Council **APPROVE** the request to extend the sole source award to M. R. Letourneau and Associates Inc. for Stage 2 of the Walkerville Heritage Conservation District (HCD) Plan & Guidelines for the sum of \$120,000 (excluding HST); and,
- II. THAT the Purchasing Manager **BE AUTHORIZED** to amend Contract P.O. CO7042 to M. R. Letourneau and Associates Inc. for an additional \$120,000 (excluding HST) to a revised upset limit of \$208,400 for the provision of undertaking the Walkerville Heritage Conservation District (HCD) Plan & Guidelines; satisfactory in financial content to the City Treasurer, and in technical content to the Deputy CAO/Commissioner of Economic Development.

Carried.

Report Number: S 104/2025
Clerk's File: MBA/1700

There being no further business the meeting of the Development & Heritage Standing Committee (*Heritage Act* Matters) portion is adjourned at 4:38 o'clock p.m.

The Chairperson calls the *Planning Act* Matters portion of the Development & Heritage Standing Committee meeting to order at 4:40 o'clock p.m.

5. ADOPTION OF THE *PLANNING ACT* MINUTES

5.1. Adoption of the Development & Heritage Standing Committee minutes (*Planning Act*) of its meeting held August 5, 2025

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Mark McKenzie

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held August 5, 2025 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 258/2025

Minutes

Development & Heritage Standing Committee
Tuesday, September 2, 2025

Page 5 of 17

6. PRESENTATION DELEGATIONS (*PLANNING ACT MATTERS*)

See items 7.1 through 7.4

7. *PLANNING ACT MATTERS*

7.1. Zoning By-law Amendment Application for 7900 Anchor Drive & 8100 Twin Oaks Drive, Z-016/25 [ZNG-7310], Ward 9

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 759**

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Parts 1 to 4, Plan 12R-22845 (PIN 01408-2002 & 01408-2003) known municipally as 7900 Anchor Drive and 8100 Twin Oaks Drive (Roll No. 070-650-01014 & 070-650-01012), situated at the northeast corner of Anchor Drive and Twin Oaks Drive, by deleting and replacing Section 20(1)209 as follows:

209. NORTHEAST CORNER OF ANCHOR DRIVE AND TWIN OAKS DRIVE

For the lands comprising Parts 1 to 4, Plan 12R-22845 (PIN 01408-2002 & 01408-2003), the following additional provisions shall apply:

- a) Notwithstanding Section 24.20.5, for a *Medical Office* having a *maximum gross floor area* of 3,300.0 m², a *minimum* of 102 *parking spaces* shall be provided.

[ZDM 15; ZNG/7310]; and,

- II. THAT, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer, the following **BE SUBMITTED** with an application for Site Plan Approval:
 - a. Parking Study, prepared by R.C. Spencer Associates Inc. Consulting Engineers, dated January 2025; and,
- III. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, subject to any updated information, into an approved site plan and executed and registered site plan agreement:
 - a. Prior to the issuance of a construction permit, the Owner agrees to submit application for and execute an agreement with the Corporation for the proposed encroachments into the right-of-way (encroaching sign on Anchor Drive) to the satisfaction of the City Engineer.

Minutes

Development & Heritage Standing Committee Tuesday, September 2, 2025

Page 6 of 17

- b. Prior to the issuance of a construction permit, the Owner shall include the City of Windsor within the sewer easement agreement of Part 3 and Part 4 in Plan 12R-22845 to convey to the Corporation this easement for the purposes of construction and/or maintenance of the existing sewer; and,

IV. THAT the Site Plan Approval Officer **CONSIDER** the following matter in an approved site plan and/or executed and registered site plan agreement:

- a. Prior to the issuance of a construction permit, the Owner agrees to follow all drainage and flood proofing recommendations that the Essex Region Conservation Authority (ERCA) may have with respect to the subject land, based on final approval by the City Engineer. If applicable, the Owner will obtain all necessary permits from ERCA with respect to the drainage works on the subject lands.

Carried.

Report Number: S 98/2025
Clerk's File: ZB/15010

7.2. Zoning By-law Amendment Application for 0 & 1841 Longfellow Avenue, Z-017/25 [ZNG-7312], Ward 10

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

Decision Number: **DHSC 760**

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:

5. WEST SIDE OF LONGFELLOW AVENUE BETWEEN ARCADIA STREET AND CALUMET STREET

For the lands comprising of Part of Lot 138, Lots 139 & 140, and Part of Closed Alley, Plan 557 (PIN 01313-1596 LT & 01313-1597 LT), a *Semi-Detached Dwelling* shall be an additional permitted *main use* and shall be subject to the *Semi-Detached Dwelling* provisions of Section 10.1.5, save and except that the *maximum gross floor area* shall be 410 m².

[ZDM 4, 7 & 8; ZNG/7312]; and,

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Part of Lot 138, Lots 139 & 140, and Part of Closed Alley, Plan 557 (PIN 01313-1596 LT & PIN 01313-1597 LT), situated at the west side of Longfellow Avenue between Arcadia Street and Calumet Street from RD1.1 to RD1.1x(5).

Carried.

Minutes

Development & Heritage Standing Committee Tuesday, September 2, 2025

Page 7 of 17

Report Number: S 99/2025

Clerk's File: ZB/15011

7.3. ZBA Application for 0 Salter Avenue, Z-009/25 [ZNG-7298], Ward 3

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 761**

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:

6. WEST SIDE OF SALTER AVENUE, NORTH OF UNIVERSITY AVENUE WEST

For the lands comprising Lots 7 & 8, Plan 380 (PIN 01196-0469), a *Multiple Dwelling* shall be subject to the following additional provisions:

- a) *Front Yard Depth: minimum 5.50 m*
- b) *Side Yard Width: minimum 1.80 m*
- c) *Dwelling Units: maximum 8*
- d) Notwithstanding clause .6 of Table 25.5.20.1, the *minimum* separation of a *parking area* 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 3.75 m.

[ZDM 3; ZNG/7298]; and,

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lots 7 & 8, Plan 380 (PIN 01196-0469), situated on the west side of Salter Avenue, north of University Avenue West, from RD2.2 to RD3.1x(6).

Carried.

Report Number: S 100/2025

Clerk's File: ZB/15012

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

Moved by: Councillor Angelo Marignani

Seconded by: Member Anthony Arbour

Minutes

Development & Heritage Standing Committee

Tuesday, September 2, 2025

Page 8 of 17

Decision Number: **DHSC 762**

THAT the application of Atwan Development Inc. for an exemption under Section 9(3) of The *Condominium Act* for approval of a plan of condominium (Standard Condominium), comprised of a total of 41 industrial units within three new structures under construction as shown on the attached Map Nos. CDM-001/25-1, CDM-001/25-2, CDM-001/25-3, and CDM-001/25-4, on a parcel legally described as Part of Lot 108, Concession 2, (PIN 01562-1055 LT), located on the north side of North Service Road East ROW, west of Pillette Road, **BE APPROVED** for a period of three (3) years.

Carried.

Report Number: S 97/2025

Clerk's File: ZP/15007

There being no further business the meeting of the Development & Heritage Standing Committee (*Heritage Act* Matters) portion is adjourned at 4:58 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 4:58 o'clock p.m.

11. ADMINISTRATIVE ITEMS

11.5. Downtown CIP - 423-437 Ouellette Ave - Ward 3

Dawne Martens, Property Manager, 2424718 Ontario Limited

Dawne Martens, Property Manager, 2424718 Ontario Limited, appears before the Development and Heritage Standing Committee regarding the administrative report dated August 1, 2025, entitled "Downtown CIP – 423-437 Ouellette Ave – Ward 3", and is available for questions.

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 768**

- I. THAT the request made by 2424718 Ontario Limited (Owner) for the proposed development at 423-437 Ouellette Avenue to participate in:
 - a. The Upper Storey Residential Conversion Grant Program **BE APPROVED** for \$5,000 for every new residential unit created on the upper storey of an existing mixed-use building (8 new dwelling units to be created), up to a maximum of \$40,000 towards eligible costs pursuant to the Downtown Windsor Enhancement Strategy and Community Improvement Plan; and,
 - b. The Commercial/Mixed Use Building Facade Improvement Grant Program **BE APPROVED** for a 50% matching grant to a maximum of \$20,000 towards eligible costs for the façade improvements as shown and described in Appendix B to Report

Minutes

Development & Heritage Standing Committee

Tuesday, September 2, 2025

Page 9 of 17

S 102/2025 pursuant to the Downtown Windsor Enhancement Strategy and Community Improvement Plan; and,

- c. The Building/Property Improvement Tax Increment Grant Program **BE APPROVED** for the lesser of 100% of the municipal portion of the tax increment resulting from the proposed development for five (5) years in accordance with the Downtown Windsor Enhancement Strategy and Community Improvement Plan, or eligible costs; and,

- II. THAT Administration **BE DIRECTED** to prepare the Grant Agreement(s) between the City of Windsor and 2424718 Ontario Limited (Owner) to implement all grant programs in accordance with all applicable policies, requirements, and provisions contained within the Downtown Windsor Enhancement Strategy and Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implications; and,
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Grant Agreement(s) in content satisfactory to the City Planner, in financial content to the satisfaction of the City Treasurer and in form satisfactory to the City Solicitor; and,
- IV. THAT Grant funds up to \$40,000 under the Upper Storey Residential Conversion Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to the Downtown Windsor Enhancement Strategy and Community Improvement Plan Project 7011022 when work is completed to the satisfaction of the City Planner; and,
- V. THAT Grant funds up to \$20,000 under the Commercial/Mixed Use Building Facade Improvement Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to the Downtown Windsor Enhancement Strategy and Community Improvement Plan Project 7011022 when work is completed to the satisfaction of the City Planner; and,
- VI. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to \$60,000 for grants from the Downtown Windsor Enhancement Strategy and Community Improvement Plan Project 7011022 for 257 Wyandotte St E to 2424718 Ontario Limited (Owner) upon completion subject to the satisfaction of the City Planner and Chief Building Official; and,
- VII. THAT the approval to participate in the Building/Property Improvement Tax Increment Grant Program **EXPIRE** if the grant agreement is not signed by applicant within one (1) year following Council approval. The City Planner may extend the deadline for up to one (1) year upon request from the applicant; and,
- VIII. THAT the Upper Storey Residential Conversion Grant and the Commercial/Mixed Use Building Facade Improvement Grant 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.

Minutes

Development & Heritage Standing Committee Tuesday, September 2, 2025

Page 10 of 17

Report Number: S 102/2025
Clerk's File: Z/15021

11.6. Part Closure of north/south alley located between Brant Street and Wyandotte Street East, Ward 4, SAA-7198

Jeffrey Nanson, Mousseau, Deluca, McPherson, Prince LLP, on behalf of Applicant Vito Maggio Holdings Inc.

Jeffrey Nanson, Mousseau, Deluca, McPherson, Prince LLP, on behalf of Applicant Vito Maggio Holdings Inc., appears before the Development and Heritage Standing Committee regarding the administrative report dated May 8, 2025, entitled "Part Closure of north/south alley located between Brant Street and Wyandotte Street East, Ward 4" to explain his client's position and expresses his concern regarding this matter being brought to committee again; and concludes by indicating that his client has already begun the process of amending the property in question.

Patrick Clark, CLP Law, Agent on behalf of 1912944 Ontario Ltd.

Patrick Clark, CLP Law, Agent on behalf of 1912944 Ontario Ltd., appears before the Development and Heritage Standing Committee regarding the administrative report dated May 8, 2025, entitled "Part Closure of north/south alley located between Brant Street and Wyandotte Street East, Ward 4" speaking on behalf of his client, the owner of the neighbouring property abutting the alley, and indicates that his client and other neighbouring property owners did not receive proper notice of the alley closure and were not given the opportunity to make their objections known, nor was his client given the option to purchase part of the alley abutting her property.

Elizabeth Fisk, Area Resident

Elizabeth Fisk, Area Resident, appears before the Development and Heritage Standing Committee regarding the administrative report dated May 8, 2025, entitled "Part Closure of north/south alley located between Brant Street and Wyandotte Street East, Ward 4", representing herself and other area residents to express their opposition to the alley closure. She states that area residents were not notified of the proposed closure anytime in the many months that it had been under consideration. Neighbours' concerns include access to their properties, reduced access for deliveries and emergency vehicles, noise, and rodents from garbage; and conclude by requesting that the decision to close the alley be reconsidered.

Kevin Kavanaugh, Kinart, Inc.

Kevin Kavanaugh, Kinart, Inc., appears before the Development and Heritage Standing Committee regarding the administrative report dated May 8, 2025, entitled "Part Closure of north/south alley located between Brant Street and Wyandotte Street East, Ward 4" to express his concerns as a neighbouring property owner; and concludes by indicating that the proposed closure will create a sharp angle at the end of the alley which will make it difficult for residents' vehicles or emergency vehicles to access properties.

Minutes

Development & Heritage Standing Committee Tuesday, September 2, 2025

Page 11 of 17

Councillor Mark McKenzie asks Kevin Kavanaugh if the Walkerville BIA is aware of residents' concerns regarding the property owner requesting the alley closure. Mr. Kavanaugh replies that neighbouring property owners have complained to by-law enforcement about the property's garbage bins and fencing obstructing the right-of-way.

Councillor Mark McKenzie asks Elizabeth Fisk to elaborate on her concerns. Ms. Fisk feels that the closure of the throughway to Wyandotte Street will create more foot traffic in the alley directly abutting her property, with increased noise, garbage, and potential for property damage. She also feels changing the alley structure is not consistent with the Walkerville Heritage District designation.

Councillor Mark McKenzie asks Jeffrey Nanson if his client has considered how garbage pickup and deliveries will be handled with part of the alley closed. Mr. Nanson states that his client's intention is to make the area cleaner and safer by closing off the garbage and delivery area so the fencing will no longer obstruct the right-of-way. His client feels that the patio will decrease foot traffic in the alley as there will no longer be a throughway to Wyandotte Street.

Councillor Kieran McKenzie asks Patrick Clark what his client intends to do with the property should she be permitted to purchase her half of the alley in question. Mr. Clark replies that his client is in the planning process of rebuilding on the property, as the previous building was destroyed by fire. Councillor Kieran McKenzie points out that there is a hydro pole on her property line that could inhibit Mr. Clark's client's plans unless it is relocated.

Councillor Angelo Marignani asks Jeffrey Nanson for clarification on his client's plan for garbage disposal, especially considering residents' concerns about rodents in the alley and on their properties. Mr. Nanson replies that his client is more than willing to work with the Committee and Council to ensure that garbage pickup and garbage storage will be handled to their satisfaction.

Councillor Mark McKenzie inquires whether garbage pickup for the property could be moved to the front of the building rather than off the alley/parking lot. Administration indicates that garbage pickup will eventually be moved to the front of the building in BIA's.

Councillor Kieran McKenzie asks Administration to explain why the neighbouring properties were not notified about the prior meetings where this subject was discussed. Neil Robertson, City Planner, appears before the Development and Heritage Standing Committee regarding the administrative report dated May 8, 2025, entitled "Part Closure of north/south alley located between Brant Street and Wyandotte Street East, Ward 4" to explain that it was a clerical error and the public notifications were not carried over into the report.

Councillor Kieran McKenzie then asks a question about procedure, since this matter had already been decided by Council. He asks what would happen should the Committee recommend changing the decision. Neil Robertson replies that after consulting with the City Clerk, the neighbours' concerns were considered new information and would need to be brought back to Committee.

Minutes

Development & Heritage Standing Committee Tuesday, September 2, 2025

Page 12 of 17

Councillor Kieran McKenzie asks if this exposes the city to legal risk. Aaron Farough, Senior Legal Council, appears before the Development and Heritage Standing Committee regarding the administrative report dated May 8, 2025, entitled “Part Closure of north/south alley located between Brant Street and Wyandotte Street East, Ward 4” to explain that because there has not yet been a by-law passed to close the alley in question, there is still leeway to revisit the decision.

Councillor Kieran McKenzie asks Administration about the hydro pole located on the west side of the alley, abutting the neighbouring property owner’s lot. He believes that the location of the pole limits the property owner’s ability to build up to, or extend onto the alley in question, should she be allowed to purchase half of it. Brian Nagata, Planner III – Development, appears before the Development and Heritage Standing Committee regarding the administrative report dated May 8, 2025, entitled “Part Closure of north/south alley located between Brant Street and Wyandotte Street East, Ward 4” and indicates that the Ontario Building Code requires a minimum of 3 to 5 meters of set back between a hydro pole and a building, depending on the voltage of the lines.

Councillor Kieran McKenzie asks how wide the alley is, and Mr. Nagata replies it is approximately 4.27 meters wide. Councillor Kieran McKenzie asks if there is enough space for the proponent to build the patio considering the proximity to the hydro pole. Mr. Nagata replies that only buildings and structures are subject to the 3 to 5 meter set back.

Councillor Angelo Marignani asks about alley access for emergency vehicles, and if the proposed closure of one end of the alley would be a concern. Mr. Nagata replies that he would have to get confirmation from Fire Services.

Councillor Angelo Marignani asks about a similar scenario down the street from the proponent’s location, where an alley was closed to allow for a patio. Mr. Nagata replies that in that situation, the alley closure was granted on condition of an easement, and with the understanding that the patio may have to be moved to allow for work on the sewer lines beneath it.

Councillor Angelo Marignani asks if any restrictions were put on the patio structure to allow for access to hydro lines above. Mr. Nagata replies that a blanket easement was likely a condition to allow for utility access, but he would have to check the report to verify.

Councillor Angelo Marignani inquires about the property abutting the alley in question that was destroyed in a fire. He asks to confirm if a new build on that property would no longer be grandfathered to allow construction up to the hydro pole. Brian Nagata confirms this is correct, and any new build would now be subject to the 3 to 5 meter set back.

Councillor Fred Francis asks Administration if the new information received today would change the recommendation of the report. Mr. Robertson replies that the recommendation brought forward today takes this new information into account.

Councillor Fred Francis inquires as to why the recommendation would be the same after these concerns were presented. Mr. Robertson explains that the viability of the adjacent property was examined. The recommendation does not impede the redevelopment of that site in any way, and

Minutes

Development & Heritage Standing Committee

Tuesday, September 2, 2025

Page 13 of 17

Building Code requirements would in fact push any new build further away from the alley in question.

Councillor Fred Francis then asks, should the recommendation move forward, and the patio be built, what recourse do the neighbouring residents have should their concerns prove true or grow worse in addition to how the city could address these concerns at that point, with respect to by-law, licensing, or enforcement. Mr. Robertson replies that any or all of the mentioned avenues could be pursued should neighbours choose.

Councillor Angelo Marignani asks Administration to address the fact that residents in the area were not notified of the original meeting. Mr. Nagata replies that the Notice of Application was distributed, but the notification of the DHSC meeting was not. Mr. Robertson adds that steps are being taken to prevent a similar occurrence from happening again.

Councillor Marignani requests that the Clerk's Office speak to the matter. Anna Ciacelli, Deputy City Clerk, appears before the Development and Heritage Standing Committee regarding the administrative report dated May 8, 2025, entitled "Part Closure of north/south alley located between Brant Street and Wyandotte Street East, Ward 4" and explains the process of notification and the clerk's office intention to review current notification procedures including what information can be published on reports in line with Privacy Concerns, moving forward, a new system will be put in place to allow for checks and balances when reports are received to ensure such oversights do not happen in the future.

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 769** CR286/2025 DHSC 744

- I. That the 33.83 metre portion of the 4.57-metre-wide north/south alley located between Brant Street and Wyandotte Street East, and shown on Drawing No. CC-1855 (attached hereto as Appendix "A"), and hereinafter referred to as the "Subject Alley", **BE ASSUMED** for subsequent closure; and,
- II. That the Subject Alley **BE CLOSED AND CONVEYED** in as is condition to the owner (the "Owner") of the abutting property known municipally as 1850 & 1862 Wyandotte Street East, legally described as Part of Lots 4 & 5 and Block E, Plan 211, and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
 - i. Bell Canada to accommodate existing infrastructure;
 - ii. Enbridge Gas Inc. to accommodate existing underground infrastructure;
 - iii. ENWIN Utilities Ltd. to accommodate existing pole, anchors and overhead plant;

Minutes

Development & Heritage Standing Committee Tuesday, September 2, 2025

Page 14 of 17

- iv. Managed Network System Inc. (MNSi.) to accommodate existing aerial infrastructure; and
 - v. The Corporation of the City of Windsor to accommodate existing 1,125.0 millimetre brick combined sewer with catch basin.
 - b. Payment of the survey cost associated with the closure of the Subject Alley by the Owner; and,
- III. That Conveyance Cost **BE SET** as follows:
- a. For alley conveyed to abutting lands zoned CD2.1 at \$10.00 per square foot with easements plus HST (if applicable); and,
- IV. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1855; and,
- V. That The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s); and,
- VI. That The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and,
- VII. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
Carried.
Councillor Angelo Marignani voting nay.

Report Number: SCM 190/2025, S 70/2025, AI 16/2025 & AI 21/2025
Clerk's File: SAA2025

11.1. Response to CQ 28-2024 – Downtown Residential Parking Requirements

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

Decision Number: **DHSC 764**

THAT the report of the Senior Planner – Development dated May 28, 2025 entitled “Response to CQ 28-2024 – Downtown Residential Parking Requirements” **BE RECEIVED** for information.
Carried.

Report Number: C 85/2025
Clerk's File: ST2025

11.2. Brownfield CIP Application - 844 Bridge Ave - Ward 2

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

Minutes

Development & Heritage Standing Committee Tuesday, September 2, 2025

Page 15 of 17

Decision Number: **DHSC 765**

- I. THAT the request made by 15847796 Canada Inc. to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study and Remediation Work Plan for the property located at 844 Bridge Ave pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,
- II. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$14,377.50 based upon the completion and submission of a Phase II Environmental Site Assessment Study completed in a form acceptable to the City Planner and City Solicitor; and,
- III. THAT the grant funds in the amount of \$14,377.50 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (Project #7069003) when the eligible work is completed to the satisfaction of the City Planner; and,
- IV. THAT should the proposed Phase II Environmental Site Assessment Study and Remedial Work Plan not be completed within two (2) years of Council approval, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.

Carried.

Report Number: S 94/2025

Clerk's File: Z/15019

11.3. Demolition Application subject to Demolition Control - 1968 George Ave - Ward 5

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 766**

- I. THAT the Chief Building Official **BE AUTHORIZED** to issue a demolition permit for the residential dwelling located at 1968 George Ave to facilitate redevelopment of the property; and,
- II. THAT the Chief Building Official **BE DIRECTED** to require, as a condition of the demolition permit, that:
 - a. Redevelopment be substantially complete within two years of demolition permit issuance; and,
 - b. If redevelopment, including construction of a new building, is not substantially complete within two years of the commencement of demolition the maximum fee (\$20,000) shall be entered on the collectors roll of the property; and,

Minutes

Development & Heritage Standing Committee Tuesday, September 2, 2025

Page 16 of 17

- III. THAT the City Solicitor **BE DIRECTED** to register a notice of Condition II of this report in the land registry office against the property.

Carried.

Report Number: S 95/2025

Clerk's File: SW2025

11.4. Downtown CIP - 257 Wyandotte St E - Ward 3

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 767**

- I. THAT the request made by Ali Seblini (applicant and owner) for Yasmeen Properties Inc. for the proposed development at 257 Wyandotte St E. to participate in:
- a) The Commercial/Mixed Use Building Facade Improvement Program **BE APPROVED** for 50% of the eligible costs of the facade improvements, to a maximum of \$30,000; and,
 - b) The Retail Investment Grant Program **BE APPROVED** for 50% of the eligible costs per retail unit to a maximum of \$15,000; and,
 - c) The Building/Property Improvement Tax Increment Grant Program **BE APPROVED** for the lesser of 100% of the municipal portion of the tax increment resulting from the proposed development for five (5) years, plus an additional five (5) years as a Catalyst Project, or eligible costs, in accordance with the Downtown Windsor Enhancement Strategy and Community Improvement Plan to the satisfaction of the City Planner; and,
- II. THAT Administration **BE DIRECTED** to prepare the Grant Agreement(s) between the City of Windsor and Yasmeen Properties Inc. to implement all grant programs in accordance with all applicable policies, requirements, and provisions contained within the Downtown Windsor Enhancement Strategy and Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implications; and,
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Grant Agreement(s) in content satisfactory to the City Planner, in financial content to the satisfaction of the City Treasurer and in form satisfactory to the City Solicitor; and,
- IV. THAT the approval to participate in the Building/Property Improvement Tax Increment Grant Program **EXPIRE** if the grant agreement is not signed by applicant within one (1) year following Council approval. The City Planner may extend the deadline for up to one (1) year upon request from the applicant; and,

Minutes

Development & Heritage Standing Committee

Tuesday, September 2, 2025

Page 17 of 17

- V. THAT Grant funds up to \$45,000 under the Downtown Windsor Enhancement Strategy and Community Improvement Plan **BE TRANSFERRED** from the CIP Reserve Fund 226 to the Downtown Windsor Enhancement Strategy and Community Improvement Plan Project 7011022 when work is completed to the satisfaction of the City Planner; and,
- VI. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to \$45,000 for grants from the Downtown Windsor Enhancement Strategy and Community Improvement Plan Project 7011022 for 257 Wyandotte St E to Yasmeen Properties Inc. upon completion of facade and retail improvements subject to the satisfaction of the City Planner and Chief Building Official; and,
- VII. THAT for the Commercial/Mixed Use Building Facade Improvement and Retail Investment grants that have lapsed, that all funds **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; and,
- VIII. THAT any unused portion of the CIP grants **BE RETURNED** to the CIP Reserve Fund 226.
Carried.

Report Number: S 101/2025
Clerk's File: Z/15020

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 Items) is adjourned at 5:59 o'clock p.m. The next meeting of the Development & Heritage Standing Committee will be held on October 6, 2025.
Carried.

Ward 10 – Councillor Jim Morrison
(Chairperson)

Deputy City Clerk / Supervisor of
Council Services

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

Date: Tuesday, September 2, 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 Joseph Fratangeli

Member Robert Polewski

Member Khassan Saka

Member William Tape

Members Regrets

Member Daniel Grenier

Member John Miller

Member Charles Pidgeon

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, Deputy Chief Administrative Officer / Commissioner, Economic Development

Neil Robertson, City Planner

Greg Atkinson, Deputy City Planner – Development

Jason Campigotto, Deputy City Planner – Growth

Aaron Farough, Senior Legal Counsel

Minutes

Development & Heritage Standing Committee Tuesday, September 3, 2024

Page 2 of 8

Sahar Jamshidi, Manager, Road Safety
Patrick Winters, Manager, Development
Laura Diotte, Manager, Planning
Emilie Dunnigan, Manager Development Revenue & Financial Administration
Elara Mehrilou, Supervisor, Corridor Maintenance
Brian Nagata, Planner III – Development
Justina Nwaesei, Planner III – Development
Tracy Tang, Planner III – Heritage
Simona Simion, Planner III – Economic Development
Natasha McMullin, Clerk Steno Senior
Anna Ciacelli, Deputy City Clerk

Delegations—participating via video conference

Item 7.2 & 7.4 - Tracey Pillon-Abbs, Principal Planner, Pillon Abbs Inc.
Item 11.5 - Dawne Martens, Property Manager, 2424718 Ontario Limited
Item 11.6 - Patrick Clark, CLP Law, Agent on behalf of 1912944 Ontario Ltd.

Delegations—participating in person

Item 7.1 - Jerry Kavanaugh, Agent for the Applicant & Senior Directing Partner, Architectural Design Associates Inc.
Item 7.3 - 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
Item 11.6 - Jeffrey Nanson, Mousseau, Deluca, McPherson, Prince LLP, on behalf of the Applicant Vito Maggio Holdings Inc.
Item 11.6 - Elizabeth Fisk, Area Resident
Item 11.6 - Kevin Kavanaugh, Kinart, Inc.

1. CALL TO ORDER

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

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

Minutes

Development & Heritage Standing Committee Tuesday, September 3, 2024

Page 3 of 8

4. COMMUNICATIONS

None presented.

5. ADOPTION OF THE *PLANNING ACT* MINUTES

5.1. Adoption of the Development & Heritage Standing Committee minutes (*Planning Act*) of its meeting held August 5, 2025

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Mark McKenzie

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held August 5, 2025 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 258/2025

7. *PLANNING ACT* MATTERS

7.1. Zoning By-law Amendment Application for 7900 Anchor Drive & 8100 Twin Oaks Drive, Z-016/25 [ZNG-7310], Ward 9

Brian Nagata (author), Planner III - Development Review, is available for questions.

Jerry Kavanaugh (agent) is available for questions.

Councillor Kieran McKenzie inquires about language in the report as it relates to active transportation, public transit and sidewalks. Patrick Winters states that a consultant has been hired to investigate emergency ingress and egress on Twin Oaks Drive, and an active transportation assignment is underway with a report coming back in the Fall for Administration to review the recommendations.

Councillor Kieran McKenzie inquires if there has been a delay in hiring a consultant or engineering firm to undertake the work. Mr. Winters states that the report will be submitted by the consultant in October and shortly after will be presented to City Council after recommendations are reviewed by Administration.

Councillor Kieran McKenzie states it is concerning that there is a lack of public transit services in the area and the language in the report suggests that there is no need for public transit infrastructure and sidewalks and inquires why. Mr. Winters states that action has been taken to address the concern for public transit. The tender has closed, and construction will start as early as this week to improve the transit route and infrastructure.

Moved by: Councillor Kieran McKenzie

Minutes

Development & Heritage Standing Committee Tuesday, September 3, 2024

Page 4 of 8

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 759**

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Parts 1 to 4, Plan 12R-22845 (PIN 01408-2002 & 01408-2003) known municipally as 7900 Anchor Drive and 8100 Twin Oaks Drive (Roll No. 070-650-01014 & 070-650-01012), situated at the northeast corner of Anchor Drive and Twin Oaks Drive, by deleting and replacing Section 20(1)209 as follows:

209. NORTHEAST CORNER OF ANCHOR DRIVE AND TWIN OAKS DRIVE

For the lands comprising Parts 1 to 4, Plan 12R-22845 (PIN 01408-2002 & 01408-2003), the following additional provisions shall apply:

- a) Notwithstanding Section 24.20.5, for a *Medical Office* having a *maximum gross floor area* of 3,300.0 m², a *minimum* of 102 *parking spaces* shall be provided.

[ZDM 15; ZNG/7310]; and,

- II. THAT, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer, the following **BE SUBMITTED** with an application for Site Plan Approval:
 - a. Parking Study, prepared by R.C. Spencer Associates Inc. Consulting Engineers, dated January 2025; and,
- III. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, subject to any updated information, into an approved site plan and executed and registered site plan agreement:
 - a. Prior to the issuance of a construction permit, the Owner agrees to submit application for and execute an agreement with the Corporation for the proposed encroachments into the right-of-way (encroaching sign on Anchor Drive) to the satisfaction of the City Engineer.
 - b. Prior to the issuance of a construction permit, the Owner shall include the City of Windsor within the sewer easement agreement of Part 3 and Part 4 in Plan 12R-22845 to convey to the Corporation this easement for the purposes of construction and/or maintenance of the existing sewer; and,
- IV. THAT the Site Plan Approval Officer **CONSIDER** the following matter in an approved site plan and/or executed and registered site plan agreement:
 - a. Prior to the issuance of a construction permit, the Owner agrees to follow all drainage and flood proofing recommendations that the Essex Region Conservation Authority

Minutes

Development & Heritage Standing Committee Tuesday, September 3, 2024

Page 5 of 8

(ERCA) may have with respect to the subject land, based on final approval by the City Engineer. If applicable, the Owner will obtain all necessary permits from ERCA with respect to the drainage works on the subject lands.

Carried.

Report Number: S 98/2025

Clerk's File: ZB/15010

7.2. Zoning By-law Amendment Application for 0 & 1841 Longfellow Avenue, Z-017/25 [ZNG-7312], Ward 10

Brian Nagata (author), Planner III - Development Review, is available for questions.

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

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 760**

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:

5. WEST SIDE OF LONGFELLOW AVENUE BETWEEN ARCADIA STREET AND CALUMET STREET

For the lands comprising of Part of Lot 138, Lots 139 & 140, and Part of Closed Alley, Plan 557 (PIN 01313-1596 LT & 01313-1597 LT), a *Semi-Detached Dwelling* shall be an additional permitted *main use* and shall be subject to the *Semi-Detached Dwelling* provisions of Section 10.1.5, save and except that the *maximum gross floor area* shall be 410 m².

[ZDM 4, 7 & 8; ZNG/7312]; and,

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Part of Lot 138, Lots 139 & 140, and Part of Closed Alley, Plan 557 (PIN 01313-1596 LT & PIN 01313-1597 LT), situated at the west side of Longfellow Avenue between Arcadia Street and Calumet Street from RD1.1 to RD1.1x(5).

Carried.

Report Number: S 99/2025

Clerk's File: ZB/15011

7.3. ZBA Application for 0 Salter Avenue, Z-009/25 [ZNG-7298], Ward 3

Brian Nagata (author), Planner III - Development Review, is available for questions.

Minutes

Development & Heritage Standing Committee Tuesday, September 3, 20245

Page 6 of 8

Hal Kersey (agent) and Alawi Altahhan (applicant) are available for questions.

Councillor Kieran McKenzie inquires about the internal discussion around the original proposal for the orientation of the parking lot and why the initial proposal had changed. Brian Nagata states that the original proposal showed that the parking area was to the rear of the dwelling with access off the alley. Mr. Nagata states that the proposal was in the first stage where the density was higher, comments showed concern with access off the alley. Mr. Nagata states that in the final stage of the application the parking proposal shows parking in the front with access off Salter Avenue, which created concerns beside the existing neighbouring dwelling and compatibility. After comments from Administration, the applicant embraced the change to move the parking to the rear of the property which reduced front yard depth, minimum parking separation from a habitable room window and side yard setbacks.

Councillor Kieran McKenzie inquires about the tree replacement policy and whether there would be a requirement to replace the trees on a 1:1 ratio by the Forestry Department or will there be a discussion regarding the appropriate replacement. Mr. Nagata states that there is no by-law in place to deal with trees on private properties, where trees within the right-of-way are required to pay a tree fee associated with the building permit application. Mr. Nagata states that a tree replacement discussion is independent between the proponent and the Forestry Department.

Councillor Kieran McKenzie inquires with the proponent whether trees will be planted after the development has been built as a neighbouring property is concerned about privacy. Alawi Altahhan states that no trees will be replaced or planted as there is no room on the property but there is a line of trees which will remain between the development and the neighbour. Mr. Altahhan states that the only tree that will be removed is in the centre of the property.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 761**

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:

6. WEST SIDE OF SALTER AVENUE, NORTH OF UNIVERSITY AVENUE WEST

For the lands comprising Lots 7 & 8, Plan 380 (PIN 01196-0469), a *Multiple Dwelling* shall be subject to the following additional provisions:

- a) *Front Yard Depth: minimum 5.50 m*
- b) *Side Yard Width: minimum 1.80 m*
- c) *Dwelling Units: maximum 8*

Minutes

Development & Heritage Standing Committee Tuesday, September 3, 2024

Page 7 of 8

- d) Notwithstanding clause .6 of Table 25.5.20.1, the *minimum* separation of a *parking area* 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 3.75 m.

[ZDM 3; ZNG/7298]; and,

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lots 7 & 8, Plan 380 (PIN 01196-0469), situated on the west side of Salter Avenue, north of University Avenue West, from RD2.2 to RD3.1x(6).

Carried.

Report Number: S 100/2025
Clerk's File: ZB/15012

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

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

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

Moved by: Councillor Angelo Marignani

Seconded by: Member Anthony Arbour

Decision Number: **DHSC 762**

THAT the application of Atwan Development Inc. for an exemption under Section 9(3) of The *Condominium Act* for approval of a plan of condominium (Standard Condominium), comprised of a total of 41 industrial units within three new structures under construction as shown on the attached Map Nos. CDM-001/25-1, CDM-001/25-2, CDM-001/25-3, and CDM-001/25-4, on a parcel legally described as Part of Lot 108, Concession 2, (PIN 01562-1055 LT), located on the north side of North Service Road East ROW, west of Pillette Road, **BE APPROVED** for a period of three (3) years.

Carried.

Report Number: S 97/2025
Clerk's File: ZP/15007

8. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 4:58 o'clock p.m.

Minutes

Development & Heritage Standing Committee

Tuesday, September 3, 2024

Page 8 of 8

Ward 10 – Councillor Jim Morrison
(Chairperson)

Deputy City Clerk / Supervisor of Council
Services