

Development & Heritage Standing Committee Meeting

Date: Monday, December 1, 2025

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

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

Members Present:

Councillors

Ward 1 - Councillor Fred Francis

Ward 7 - Councillor Angelo Marignani

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison (Chairperson)

Councillor Regrets

Ward 4 - Councillor Mark McKenzie

Members

Member Anthony Arbour

Member Charles Pidgeon

Member Khassan Saka

Member William Tape

Member Regrets

Member Joseph Fratangeli

Member John Miller

Member Daniel Grenier

Member Robert Polewski

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Robert Martini, Municipal Gaming Analyst

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

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Jason Campigotto, Deputy City Planner – Growth
Aaron Farough, Senior Legal Counsel
Patrick Winters, Manager, Development
Laura Diotte, Manager, Planning
Elara Mehrilou, Supervisor, Coordinator Maintenance
Aashvi Sarvaiya, Development Review Technician
Frank Garado, Planner III – Policy & Special Studies
Adam Szymczak, Planner III - Development
Brian Nagata, Planner III - Development
Averil Parent, Planner II - Development Review
Tracy Tang, Planner III – Heritage
Natasha McMullin, Clerk Steno Senior
Anna Ciacelli, Deputy City Clerk

Delegations—participating via video conference

Item 7.2 Larry Holmes, Property Owner
Item 7.3 Jasmeen Dhillon, Applicant
Item 7.4 Esam Saeed , Area Resident
Item 7.5 Heather Howie, Area Resident

Delegations—participating in person

Item 7.1, 7.2, 7.5 Tracey Pillon-Abbs, Principal Planner, Pillon Abbs Inc
Item 7.1 Andi Shallvari and Brent Klundert, Property Owners, BK Cornerstone
Item 7.4 Davide M. Petretta, Applicant, Petcon Realty Corp.
Item 7.4 Max Song, Area Resident
Item 7.5 Daniel Grenier, Applicant
Item 7.5 Linda Lucente, Area Resident
Item 7.5 Debora Bessette, Area Resident
Item 10.1 Charlie Simpkins, University of Windsor

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.

4. COMMUNICATIONS

None presented.

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3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

11.2. Amendment to Sign By-law 250-04 for 3663 Walker Rd, File No. SGN-003/24 (BILLBOARD) - Ward 9

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

THAT the report of the Senior Planner--Special Projects dated November 7, 2025, entitled "Amendment to Sign By-law 250-04 for 3663 Walker Rd, File No. SGN-003/24 (BILLBOARD) - Ward 9" **BE DEFERRED** to a future meeting of the Development & Heritage Standing Committee to allow for further discussion between the applicant and administration to take place.

Carried.

Report Number: S 131/2025

Clerk's File: SBS2025

11. ADMINISTRATIVE ITEMS

11.1. Closure of Grand Boulevard and Joinville Avenue located east of Lloyd George Boulevard, Ward 8, SAS-7225

Councillor Kieran McKenzie inquires about encroachment agreements, offering the property for sale and if there have been additional conversations with the property owners. Brian Nagata Planner III - Development Review (Acting) appears before the Development & Heritage Standing Committee regarding the administrative report dated November 5, 2025, entitled "Closure of Grand Boulevard and Joinville Avenue located east of Lloyd George Boulevard, Ward 8, SAS-7225" and responds that the building lots to be created exclude portions of the right of ways. Administration is recommending that both streets be closed and that only a portion will become part of the building lots that the City is looking to sell so that encroachments can be dealt with outside of the street closure.

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 782**

- I. THAT the 30.48-metre-wide public highway known as Grand Boulevard, located east of Lloyd George Boulevard, and shown on Drawing No. CC-1863 (*attached* hereto as Appendix "A"), and hereinafter referred to as "Grand Boulevard", **BE ASSUMED** for subsequent closure;
- II. THAT the portion of Grand Boulevard shown as Parts 6, 9, 10 & 11 on Drawing No. CC-1863 **BE CLOSED AND CONVEYED** 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:

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- i. Bell Canada to accommodate existing overhead infrastructure (north/south pole line only);
 - ii. Cogeco Connexion Inc. to accommodate existing overhead infrastructure (north/south pole line only); and
 - iii. ENWIN Utilities Ltd. to accommodate existing overhead 16kV and 120/240 volt distribution, poles and down guy wires.
 - b. Ontario Land Surveyor be directed to create the aforesaid Parts and a 3.0-metre-wide Part for the aforesaid easements, measuring 1.5 metres from each side of the north/south and east/west pole lines.
- III. THAT the portion of Grand Boulevard shown as Parts 7 & 8 on Drawing No. CC-1863 **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 easements referenced under Section II of the Recommendation.
- IV. THAT the 20.12-metre-wide public highway known as Joinville Avenue, located east of Lloyd George Boulevard, and shown on Drawing No. CC-1863 (*attached* hereto as Appendix “A”), and hereinafter referred to as “Joinville Avenue”, **BE ASSUMED** for subsequent closure;
- V. THAT the portion of Joinville Avenue shown as Parts 1, 3, 4 & 5 on Drawing No. CC-1863 **BE CLOSED AND CONVEYED** 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 overhead infrastructure;
 - ii. Cogeco Connexion Inc. to accommodate existing overhead infrastructure; and
 - iii. ENWIN Utilities Ltd. to accommodate existing overhead 16kV and 120/240 volt distribution, poles and down guy wires.
 - b. Ontario Land Surveyor be directed to create the aforesaid Parts and a 3.0-metre-wide Part for the aforesaid easements, measuring 1.5 metres from each side of the north/south and east/west pole lines.
- VI. THAT the portion of Joinville Avenue shown as Part 2 on Drawing No. CC-1863 **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 easements referenced under Section V of the Recommendation.
- VII. THAT the Conveyance Cost **BE SET** as follows in accordance with CR106/2003, as amended by CR427/2003 & CR182/2005:
- a. For Grand Boulevard conveyed to abutting lands zoned RD1.1, market value per front foot plus HST 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 Grand Boulevard conveyed to abutting lands zoned RD2.1, \$1.00 plus HST and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

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- c. For Grand Boulevard sold as a building lot, market value plus HST and any associated legal costs.
- d. For Joinville Avenue conveyed to abutting lands zoned RD1.1 or RD2.1, \$1.00 plus HST and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- e. For Joinville Avenue sold as a building lot, market value plus HST and any associated legal costs.

VIII. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1863.

IX. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).

X. 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.

XI. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003 Carried.

Report Number: S 129/2025
Clerk's File: SAA2025

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Matters) portion is adjourned at 4:34 o'clock p.m.

The Chairperson calls the *Heritage Act* Matters of the Development & Heritage Standing Committee meeting to order at 4:35 o'clock p.m.

8. ADOPTION OF THE MINUTES

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

Moved by: Member William Tape

Seconded by: Councillor Fred Francis

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

Carried.

Report Number: SCM 338/2025

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2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Councillor Fred Francis discloses an interest and abstains from voting on Item 10.1 being "*Ontario Heritage Act* Part IV Heritage Designations of 'High' Priority Properties, University of Windsor (Ward 2)" as his wife is an employee of the University of Windsor.

10. HERITAGE ACT MATTERS

10.1. *Ontario Heritage Act* Part IV Heritage Designations of 'High' Priority Properties, University of Windsor (Ward 2)

Charlie Simpkins, University of Windsor

Charlie Simpkins, University of Windsor appears before the Development & Heritage Standing Committee regarding the administrative report dated November 13, 2025, entitled "*Ontario Heritage Act* Part IV Heritage Designations of 'High' Priority Properties, University of Windsor (Ward 2)" and is available for questions.

Councillor Kieran inquires whether the University is supportive of the recommendations. Mr. Simpkins responds that yes, they are supportive.

Councillor Jim Morrison inquires whether there are any further buildings on the property that could come up next for designation. Jason Campigotto, Deputy City Planner – Growth (Acting) appears before the Development & Heritage Standing Committee regarding the administrative report dated November 13, 2025, entitled "*Ontario Heritage Act* Part IV Heritage Designations of 'High' Priority Properties, University of Windsor (Ward 2)" and responds that there are no further buildings on the campus being contemplated for designation. Tracey Tang, Planner III – Heritage (Acting) appears before the Development & Heritage Standing Committee regarding the administrative report dated November 13, 2025, entitled "*Ontario Heritage Act* Part IV Heritage Designations of 'High' Priority Properties, University of Windsor (Ward 2)" and introduces her colleagues, Chantal Beckford and Olivia Laforet, who have worked extensively in helping to research these properties, prepare the reports and draft designation by-laws and will continue to work through the remaining listed properties within the next year towards designation. She further acknowledges Emma Grant, a master's student in the arts program at the University of Windsor for being a research partner on this project. Neil Robertson, City Planner, appears before the Development & Heritage Standing Committee regarding the administrative report dated November 13, 2025, entitled "*Ontario Heritage Act* Part IV Heritage Designations of 'High' Priority Properties, University of Windsor (Ward 2)" and acknowledges the University of Windsor as a fantastic partner in working towards designation of these buildings.

Councillor Kieran McKenzie offers congratulations to the University for their work on preserving these historical assets as heritage designated properties.

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Councillor Jim Morrison adds that these high priority properties stand out. Using a batch approach to designate the many listed properties adds efficiency for sites like the University of Windsor.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 783**

- I. THAT the City Clerk **BE AUTHORIZED** to publish a Notice of Intention to Designate the following properties hereby identified as “Batch – University of Windsor” in accordance with Part IV, Section 29 of the *Ontario Heritage Act* for the reasons within the draft Statements of Cultural Heritage Value or Interest attached in Appendix ‘B’:
 - A. 400 Huron Church Rd – “Assumption College – Hall #3 & Chapel”
 - B. 401 Sunset Ave – “Dillon Hall U of W, Former Assumption H.S.”
 - C. 401 Sunset Ave – “Memorial Hall”
 - D. 2629 Riverside Dr W – “John H. Rodd House”
 - E. 197 Sunset Ave – “John Stuart House”
 - F. 223 Sunset Ave – “Kamen House”

II. THAT the City Solicitor **PREPARE** the By-laws for Council to designate the properties.
Carried.

Councillor Fred Francis discloses an interest and abstains from voting on this matter.

Report Number: S 133/2025

Clerk’s File: MBA/14619

There being no further business the meeting of the Development & Heritage Standing Committee (*Heritage Act* Matters) portion is adjourned at 4:41 o’clock p.m.

The Chairperson calls the *Planning Act* Matters portion of the Development & Heritage Standing Committee meeting to order at 4:43 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 November 3, 2025

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

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

Report Number: SCM 355/2025

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7. PLANNING ACT MATTERS

7.1. ZBA Application - 475 Cabana Road W - Z012-2025 [ZNG/7306] -Ward 1

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 784**

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

- x. **SOUTH SIDE OF CABANA ROAD WEST, WEST OF DOUGALL AVENUE**

For the lands comprising Part Lot 3, Registered Plan 1478, a *Townhome Dwelling* shall be an additional permitted *main use* and shall be subject to the following additional provisions:

- a) For this provision a Townhome Dwelling means one *dwelling* vertically divided into a row of a maximum of three dwelling units attached by common interior walls, each wall having a *minimum* area above *grade* of 10.0 sq. m., and may include, where permitted by Section 5.99.80, additional *dwelling units*.
- b) *Lot Width: minimum* 20.0 m
- c) *Lot Width: minimum per townhome dwelling unit* 5.0 m
- d) *Lot Area: minimum* 540 m²
- e) *Lot Coverage: maximum* 35.0%
- f) *Building height: maximum* 9.0 m
- g) *Front Yard Depth: minimum / maximum* 6.0 m / 7.0 m
- h) *Rear Yard Depth: Main Building: minimum* 20.0 m
- i) *Side Yard Width: minimum* 1.20 m
- j) In any *required front yard*, a *parking space* is prohibited.
- k) Notwithstanding Section 25.5.20.1.5, the *minimum* parking area separation from a *building* wall in which is located a main pedestrian entrance facing the *parking area* shall be 1.5 m.
- l) Notwithstanding Section 25.5.20.1.6, where a *building* is located on the same *lot* as the *parking area*, for that portion of a *building* wall not containing a *habitable room window* within 4.0 m of the *ground*, the *minimum* parking area separation from that portion of the *building* wall shall be 3.0 m.
- m) A *screening fence* with a *minimum* height of 1.8 m shall be provided along the south *lot line*.
- n) A landscaped area with a minimum width of 2.0 m shall be provided abutting the south *lot line*.

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- o) A minimum of 50% of the north exterior wall elevation shall be covered in masonry, brick or any combination thereof. A minimum of 35% of east and west exterior wall elevations shall be covered in masonry, brick or any combination thereof.

[ZDM 9; ZNG/7306]

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Part Lot 3, Registered Plan 1478, situated on the south side of Cabana Road West, west of Dougall Avenue, from RD1.4 to RD1.4x(x).
- III. THAT when Site Plan Control is applicable:
 - A. Prior to the submission of an application for site plan approval, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer:
 - 1. Those documents submitted in support of the application for amendment to the Zoning By-law 8600 **BE UPDATED** to reflect the site plan for which approval is being sought, and any comments from municipal departments and external agencies included in Appendix D.

Carried.

Report Number: S 103/2025

Clerk's File: ZB/15009

7.2. Zoning By-law Amendment Application for 2525 Annie Street, Z-024/25 [ZNG-7328], Ward 8

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 785**

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

14. SOUTH SIDE OF ANNIE STREET AND EAST SIDE OF MEADOWBROOK LANE AND SYCAMORE DRIVE

For the lands comprising of Part of Rose Avenue (Closed by R844364 & R963716), Plan 1151; Part 1, Plan 12R-18901 (PIN 01380-0155 LT & PIN 01380-0077 LT), *Dwelling Units* in a *Combined Use Building* and a *Multiple Dwelling* shall be an additional permitted *main use*, and the following additional provisions shall apply:

- a) *Dwelling Units* in a *Combined Use Building* shall be permitted with any one or more of the following uses.
 - 1. *Business Office*
 - 2. *Convenience Store*
 - 3. *Personal Service Shop*
 - 4. *Professional Studio*

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b) <i>Dwelling Units: maximum</i>	13
c) <i>Building Setback - minimum</i>	3.50 m
d) <i>Amenity Area - Per Dwelling Unit - minimum</i>	12.0 m ² per unit
e) <i>Gross Floor Area - maximum</i>	
For each <i>Business Office,</i> <i>Convenience Store, Personal</i> <i>Service Shop or Professional Studio:</i>	250.0 m ²

- f) Notwithstanding clause .3 of Table 25.5.20.1, the minimum parking area separation from an interior lot line or alley shall be 0.0 metres.
- g) Notwithstanding clause .5 of Table 25.5.20.1, the minimum separation of a parking area from a building wall in which is located a main pedestrian entrance facing the parking area shall be 0.74 metres.

[ZDM 15; ZNG/7328]

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Part of Rose Avenue (Closed by R844364 & R963716), Plan 1151; Part 1, Plan 12R-18901; PIN No. 01380-0077 LT & PIN No. 01380-0155 LT), situated on the south side of Annie Street and east side of Meadowbrook Lane and Sycamore Drive from CD3.3 to CD3.3x(14).
- III. 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 Rationale Report, prepared by Pillon Abbs Inc., dated September 8, 2025.
 - b. Sanitary Sewer Analysis, prepared by Haddad Morgan & Associates Ltd.: Consulting Engineers, dated June 5, 2025.
 - c. Servicing Assessment, prepared by Haddad Morgan & Associates Ltd.: Consulting Engineers, dated February 4, 2025.
 - d. Video Inspection Report, prepared by Haddad Morgan & Associates Ltd.: Consulting Engineers, dated June 5, 2025.
- IV. 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. Approved Site Plan
 - i. 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.
 - 1. Modify drawings to include all sewer connections and water services.

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2. Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.
 - ii. Encroachment Agreement - There are existing items encroaching into the right-of-way, which require either removal or an encroachment agreement to legalize said items.
 1. Modify drawings to remove encroaching items or identify that an encroachment agreement with the City of Windsor will be required for the existing raised curbs and proposed sewers.
 - iii. Proper Agreement for Access and/or Services - If any portion of the driveway or sewer connections will be shared with the adjacent property, said items must be identified on the drawing.
 1. Modify drawings to identify shared accesses/services with adjacent property.
 - b. Site Plan Agreement
 - i. General Provisions
 1. G-14 - Driveway Approaches
 2. G-15 (1) - Street Opening Permits
 3. G-15 (2) - Site Servicing Drawings
 4. G-28 - Video Inspection
 - ii. Special Provisions
 1. Encroachment Agreement - The owner agrees to submit application for and execute an agreement with the Corporation for the proposed encroachments into the right-of-way (i.e. raised curbs along existing driveway approach) to the satisfaction of the City Engineer.
 2. Proper Agreement for Access and/or Services - The owner agrees to enter into a reciprocal agreement with the abutting property owners for access and services.
 3. Sanitary Sampling Manhole - The owner agrees for all non-residential uses, to install a sanitary sampling manhole accessible at the property line of the subject lands to the City Engineer at all times. The determination of the requirement or interpretation if a sampling manhole exists or exceptions to such, will be to the satisfaction of the City Engineer.
 4. A Record of Site Condition (RSC) be filed with the Ministry of the Environment, Conservation and Parks (MECP) in accordance with Ontario Regulation 153/04. And that written acknowledgement of the RSC filing issued by the MECP be provided prior to Building Permit issuance.

Carried.

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Report Number: S 128/2025

Clerk's File: Z/15043

7.3. ZBA Application - Z 029/25 (ZNG-7333) 3185, 3187, 3189 & 3191 McRobbie Rd. - Ward 7

Moved by: Councillor Angelo Marignani

Seconded by: Member Anthony Arbour

Decision Number: **DHSC 786**

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

13. **WEST SIDE OF MCROBBIE ROAD, BETWEEN MULBERRY ROAD AND LEISURE CRESCENT**

For the lands comprising of Part Lot 1 and Part Lot 2, Registered Plan 1597, designated as Parts 2, 3 and 5 on 12R-29955, one *Semi-Detached Dwelling* shall be an additional permitted *main use*, and the following additional provisions shall apply to a *Semi-Detached Dwelling*:

a) *Lot Width: minimum 14.2 m*

b) *Garage width: maximum 8.1 m*

[ZDM 15; ZNG/7333]

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Part Lot 1 and Part Lot 2 on Registered Plan 1597, known municipally as 3185, 3187, 3189 and 3191 McRobbie Road (Roll No. 070-890-04702 and 070-890-00114), situated on the west side of McRobbie Road between Mulberry Road and Leisure Crescent, from RD1.1 to RD1.1x(13).

Carried.

Report Number: S 125/2025

Clerk's File: Z/15051

7.4. Rezoning – 4276 Roseland Drive East – Z-030/25 ZNG/7334 – Ward 1

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 787**

1. THAT Zoning By-law 8600 **BE AMENDED** by adding the following clause to Section 91.10:

12. **ROSELAND DRIVE SOUTH AND ROSELAND DRIVE EAST, WEST OF KENNEDY DRIVE / NEAL BOULEVARD**

For the lands comprising BLK D PL 1241 SANDWICH WEST; WINDSOR (PIN 01289-1265), for any *main use* permitted in RD2.2, the following additional provisions shall apply:

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- a) Notwithstanding Section 3.10,
 - 1. **FRONT LOT LINE** means the *exterior lot line* closest to the wall of the *main building* that contains a garage door or a primary pedestrian entrance.
 - 2. Any *exterior lot line* that is not defined as a *front lot line* is deemed to be a *side lot line*.
 - 3. Where two *side lot lines* meet at the same point on a *lot*, that point is deemed to be the *rear lot line*.
- b) The *minimum lot frontage* shall equal the *minimum lot width* required for that permitted *main use*.
- c) For a *main building*, the *minimum* building setback from an *interior lot line* or a *side lot line* shall be 1.50 m.
- d) Section 5.15.1, Section 5.23.5.1, and the *lot width*, *rear yard* depth, and *side yard* width provisions in Section 11.2.5 shall not apply.

[ZDM 9; ZNG/7334]

- 2. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of BLK D PL 1241 SANDWICH WEST; WINDSOR (PIN 01289-1265), situated on Roseland Drive South and Roseland Drive East, west of Kennedy Drive East / Neal Boulevard (4276 Roseland Drive East; Roll No. 080-090-06100), from ID1.1 to RD2.2x(12).
- 3. THAT, when Site Plan Control is applicable:
 - A. The Site Plan Approval Officer **BE DIRECTED** to incorporate into an approved site plan or an executed and registered site plan agreement, additional requirements identified in Appendix D to Report S 126/2025, to the satisfaction of the municipal department or external agency requesting them.
 - B. The Site Plan Approval Officer **CONSIDER** incorporating into an approved site plan or an executed and registered site plan agreement any additional comments identified in Appendix D to Report S 126/2025, to the satisfaction of the municipal department or external agency requesting them.

Carried.

Report Number: S 126/2025
Clerk's File: Z/15052

7.5. Zoning By-law Amendment Application for 3503 Byng Road, Z-019/25 [ZNG-7317], Ward 9

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

Decision Number: **DHSC 788**

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

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14. SOUTHWEST CORNER OF BYNG ROAD AND LAPPAN AVENUE

For the lands comprising of Lots 110 & 111 and Part of Closed Alley, Plan 1215; Part 2, Plan 12R-27297 (PIN 01348-0464 LT & PIN 01348-0841 LT), a *Multiple Dwelling* shall be subject to the following additional provisions:

- a) *Lot Area: minimum* 674 m²
- b) *Building Height: Main Building: maximum* 9.0 m
- c) *Side Yard Width: minimum* 1.2 m
- d) *Dwelling Units: maximum* 6
- e) Notwithstanding Table 24.20.5.1, the *minimum* number of *required parking spaces* shall be 6.
- f) Notwithstanding clause .2 of Table 25.5.20.1, the *minimum parking area* separation from a *street* shall be 2.63 m and an ornamental *screening fence* having a height of 1.20 m shall span the length of that *parking area* separation, save and except that portion within 0.30 m of an *access area*.
- g) 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 2.25 m, and the *parking area* separation shall be maintained with *soft landscaping*, save and except any area occupied by a public walkway providing access to a main pedestrian entrance.
- h) A *screening fence* having a height of 1.83 m shall be maintained along the west *lot lines* and any portion of the south *lot line* abutting a *parking area*.
- i) A central air conditioning system shall be provided for each *dwelling unit*.

[ZDM 12; ZNG/7317]

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by deleting and replacing Section 1.7.1 as follows:

1.7.1 CITY PLANNER

The City Planner shall be responsible for administering and interpreting this By-law. Any reference to the “City Planner” in this By-law shall include a Deputy City Planner or a designate authorized by the City Planner.

The City Planner shall have the authority to execute an agreement related to the implementation of noise mitigation measures identified in a noise study, provided that the noise study is deemed satisfactory by the City Planner and all legal documentation is in a form satisfactory to the City Solicitor.

[ZNG/6277; ZNG/7317]

(B/L 52-2024 Apr 22/2024)

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- III. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following site specific holding condition clause to Section 95.20:
- (3) A noise study shall be submitted to the satisfaction of the City Planner. The City Planner shall determine and approve which mitigation measures identified in the approved noise study are to be included in an agreement. The agreement shall be in a form satisfactory to the City Solicitor and registered on title.
- [ZNG/7317]
- IV. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lots 110 & 111 and Part of Closed Alley, Plan 1215; Part 2, Plan 12R-27297 (PIN 01348-0464 LT & PIN 01348-0841 LT), situated at the southwest corner of Byng Road and Lappan Avenue from RD1.1 to H(3)RD3.1x(14).

Carried.

Councillors Fred Francis and Angelo Marignani voting nay.

Report Number: S 127/2025
Clerk's File: Z/15054

12. COMMITTEE MATTERS

None presented.

13. QUESTION PERIOD

Councillor Fred Francis asks the City Planner how the Provincial Planning Statement is meant to be interpreted, if not literally, and if a report back is required. Mr. Robertson responds that the Provincial Planning Statement is a policy statement issued under authority of section 3 of the *Planning Act*. Section 3 states that all matters affecting planning matters shall be consistent with the Provincial Planning Statement. The Provincial Planning Statement applies to all decisions with respect to exercise of authority, Council, that requires all decisions affecting planning matters shall be consistent with the minimum standards set within the Provincial Planning Statement. The policies represent minimum standards. Within the framework of the Provincial Planning Statement decision makers can go above these standards, but not below. When interpreting the Provincial Planning Statement, it is to be read in its entirety and its relevant policies to be applied to each situation. The choice of language is specific in how it is to be interpreted. The planning authorities shall provide for appropriate range and mix of housing options and densities to meet the current and projected needs of the residents. The province has given the methodology and projection model to determine our needs and there are requirements in the official plan to maintain land for future development. The planning authorities shall support general intensification and redevelopment to support the achievement of complete communities including planning for a range and mix of housing options and prioritize planning investment in the necessary infrastructure. If there is an Ontario Land Tribunal (OLT) appeal, they look at whether the amendment is consistent with the Provincial Planning Statement and if it conforms to the municipal official plan.

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Councillor Fred Francis requests that administration provide a one-page information sheet regarding the Provincial Planning Statement as a communication item at a future meeting of Council. Mr. Robertson acknowledges and will provide the information as suggested.

14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) is adjourned at 6:28 o'clock p.m. The next meeting of the Development & Heritage Standing Committee will be held on January 5, 2026.
Carried.

Ward 10 – Councillor Jim Morrison
(Chairperson)

Deputy City Clerk / Supervisor of Council
Services

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

Date: Monday, December 1, 2025

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

Members Present:

Councillors

Ward 1 - Councillor Fred Francis

Ward 7 - Councillor Angelo Marignani

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison (Chairperson)

Councillor Regrets

Ward 4 - Councillor Mark McKenzie

Members

Member Anthony Arbour

Member Charles Pidgeon

Member Khassan Saka

Member William Tape

Member Regrets

Member Joseph Fratangeli

Member John Miller

Member Daniel Grenier

Member Robert Polewski

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

Robert Martini, Municipal Gaming Analyst

**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

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Jason Campigotto, Deputy City Planner – Growth
Aaron Farough, Senior Legal Counsel
Patrick Winters, Manager, Development
Laura Diotte, Manager, Planning
Elara Mehrilou, Supervisor, Coordinator Maintenance
Aashvi Sarvaiya, Development Review Technician
Frank Garado, Planner III – Policy & Special Studies
Adam Szymczak, Planner III - Development
Brian Nagata, Planner III - Development
Averil Parent, Planner II - Development Review
Tracy Tang, Planner III – Heritage
Natasha McMullin, Clerk Steno Senior
Anna Ciacelli, Deputy City Clerk

Delegations—participating via video conference

Item 7.2 Larry Holmes, Property Owner
Item 7.3 Jasmeen Dhillon, Applicant
Item 7.4 Esam Saeed , Area Resident
Item 7.5 Heather Howie, Area Resident

Delegations—participating in person

Item 7.1, 7.2, 7.5 Tracey Pillon-Abbs, Principal Planner, Pillon Abbs Inc
Item 7.1 Andi Shallvari and Brent Klundert, Property Owners, BK Cornerstone
Item 7.4 Davide M. Petretta, Applicant, Petcon Realty Corp.
Item 7.4 Max Song, Area Resident
Item 7.5 Daniel Grenier, Applicant
Item 7.5 Linda Lucente, Area Resident
Item 7.5 Debora Bessette, Area Resident
Item 10.1 Charlie Simpkins, University of Windsor

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

11.2. Amendment to Sign By-law 250-04 for 3663 Walker Rd, File No. SGN-003/24 (BILLBOARD) - Ward 9

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Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

THAT the report of the Senior Planner--Special Projects dated November 7, 2025, entitled "Amendment to Sign By-law 250-04 for 3663 Walker Rd, File No. SGN-003/24 (BILLBOARD) - Ward 9" **BE DEFERRED** to a future meeting of the Development & Heritage Standing Committee to allow for further discussion between the applicant and administration to take place.

Carried.

Report Number: S 131/2025

Clerk's File: SBS2025

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 November 3, 2025

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

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

Carried.

Report Number: SCM 355/2025

7. *PLANNING ACT* MATTERS

7.1. ZBA Application - 475 Cabana Road W - Z012-2025 [ZNG/7306] -Ward 1

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

Tracey Pillon-Abbs (agent), is available for questions. Ms. Pillon-Abbs states that the applicant has decided to go along with the originally submitted concept plan and neighbours were in support of the original concept at the open house. Ms. Pillon-Abbs states that they are in support of the staff recommendations.

Andi Shallvari and Brent Klundert (owners), is available for questions.

Councillor Fred Francis clarifies that the original proposal is being presented for approval and inquires about the site-specific provisions. Neil Robertson agrees and defers the question to Frank

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Garardo. Mr. Garardo states that site specific provisions are unique to mitigate any concerns of residents such as requiring rear yard landscaping and fencing, with one access of Cabana Road.

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 784**

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

- x. **SOUTH SIDE OF CABANA ROAD WEST, WEST OF DOUGALL AVENUE**

For the lands comprising Part Lot 3, Registered Plan 1478, a *Townhome Dwelling* shall be an additional permitted *main use* and shall be subject to the following additional provisions:

- a) For this provision a Townhome Dwelling means one *dwelling* vertically divided into a row of a maximum of three dwelling units attached by common interior walls, each wall having a *minimum* area above *grade* of 10.0 sq. m., and may include, where permitted by Section 5.99.80, additional *dwelling units*.
- b) *Lot Width: minimum* 20.0 m
- c) *Lot Width: minimum per townhome dwelling unit* 5.0 m
- d) *Lot Area: minimum* 540 m²
- e) *Lot Coverage: maximum* 35.0%
- f) *Building height: maximum* 9.0 m
- g) *Front Yard Depth: minimum / maximum* 6.0 m / 7.0 m
- h) *Rear Yard Depth: Main Building: minimum* 20.0 m
- i) *Side Yard Width: minimum* 1.20 m
- j) In any *required front yard*, a *parking space* is prohibited.
- k) Notwithstanding Section 25.5.20.1.5, the *minimum* parking area separation from a *building* wall in which is located a main pedestrian entrance facing the *parking area* shall be 1.5 m.
- l) Notwithstanding Section 25.5.20.1.6, where a *building* is located on the same *lot* as the *parking area*, for that portion of a *building* wall not containing a *habitable room window* within 4.0 m of the *ground*, the *minimum* parking area separation from that portion of the *building* wall shall be 3.0 m.
- m) A *screening fence* with a *minimum* height of 1.8 m shall be provided along the south *lot line*.
- n) A landscaped area with a minimum width of 2.0 m shall be provided abutting the south *lot line*.

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- o) A minimum of 50% of the north exterior wall elevation shall be covered in masonry, brick or any combination thereof. A minimum of 35% of east and west exterior wall elevations shall be covered in masonry, brick or any combination thereof.

[ZDM 9; ZNG/7306]

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Part Lot 3, Registered Plan 1478, situated on the south side of Cabana Road West, west of Dougall Avenue, from RD1.4 to RD1.4x(x).
- III. THAT when Site Plan Control is applicable:
 - A. Prior to the submission of an application for site plan approval, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer:
 - 1. Those documents submitted in support of the application for amendment to the Zoning By-law 8600 **BE UPDATED** to reflect the site plan for which approval is being sought, and any comments from municipal departments and external agencies included in Appendix D.

Carried.

Report Number: S 103/2025
Clerk's File: ZB/15009

7.2. Zoning By-law Amendment Application for 2525 Annie Street, Z-024/25 [ZNG-7328], Ward 8

Brian Nagata (author), Planner III – Development, presents the application.

Tracey Pillon-Abbs (agent) is available for questions. Ms. Pillon-Abbs states that the applicant supports the staff recommendation.

Larry Holmes (owner) is available for questions.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 785**

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

14. SOUTH SIDE OF ANNIE STREET AND EAST SIDE OF MEADOWBROOK LANE AND SYCAMORE DRIVE

For the lands comprising of Part of Rose Avenue (Closed by R844364 & R963716), Plan 1151; Part 1, Plan 12R-18901 (PIN 01380-0155 LT & PIN 01380-0077 LT), *Dwelling Units* in a *Combined Use Building* and a *Multiple Dwelling* shall be an additional permitted *main use*, and the following additional provisions shall apply:

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a) *Dwelling Units in a Combined Use Building* shall be permitted with any one or more of the following uses.

1. *Business Office*
2. *Convenience Store*
3. *Personal Service Shop*
4. *Professional Studio*

b) *Dwelling Units: maximum* 13

c) *Building Setback - minimum* 3.50 m

d) *Amenity Area - Per Dwelling Unit - minimum* 12.0 m² per unit

e) *Gross Floor Area - maximum*

For each *Business Office*,
Convenience Store, *Personal*
Service Shop or Professional Studio: 250.0 m²

f) Notwithstanding clause .3 of Table 25.5.20.1, the minimum parking area separation from an interior lot line or alley shall be 0.0 metres.

g) Notwithstanding clause .5 of Table 25.5.20.1, the minimum separation of a parking area from a building wall in which is located a main pedestrian entrance facing the parking area shall be 0.74 metres.

[ZDM 15; ZNG/7328]

II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Part of Rose Avenue (Closed by R844364 & R963716), Plan 1151; Part 1, Plan 12R-18901; PIN No. 01380-0077 LT & PIN No. 01380-0155 LT), situated on the south side of Annie Street and east side of Meadowbrook Lane and Sycamore Drive from CD3.3 to CD3.3x(14).

III. 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 Rationale Report, prepared by Pilon Abbs Inc., dated September 8, 2025.
- b. Sanitary Sewer Analysis, prepared by Haddad Morgan & Associates Ltd.: Consulting Engineers, dated June 5, 2025.
- c. Servicing Assessment, prepared by Haddad Morgan & Associates Ltd.: Consulting Engineers, dated February 4, 2025.
- d. Video Inspection Report, prepared by Haddad Morgan & Associates Ltd.: Consulting Engineers, dated June 5, 2025.

IV. 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:

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a. Approved Site Plan

- i. 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.
 - 1. Modify drawings to include all sewer connections and water services.
 - 2. Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.
- ii. Encroachment Agreement - There are existing items encroaching into the right-of-way, which require either removal or an encroachment agreement to legalize said items.
 - 1. Modify drawings to remove encroaching items or identify that an encroachment agreement with the City of Windsor will be required for the existing raised curbs and proposed sewers.
- iii. Proper Agreement for Access and/or Services - If any portion of the driveway or sewer connections will be shared with the adjacent property, said items must be identified on the drawing.
 - 1. Modify drawings to identify shared accesses/services with adjacent property.

b. Site Plan Agreement

- i. General Provisions
 - 1. G-14 - Driveway Approaches
 - 2. G-15 (1) - Street Opening Permits
 - 3. G-15 (2) - Site Servicing Drawings
 - 4. G-28 - Video Inspection
- ii. Special Provisions
 - 1. Encroachment Agreement - The owner agrees to submit application for and execute an agreement with the Corporation for the proposed encroachments into the right-of-way (i.e. raised curbs along existing driveway approach) to the satisfaction of the City Engineer.
 - 2. Proper Agreement for Access and/or Services - The owner agrees to enter into a reciprocal agreement with the abutting property owners for access and services.
 - 3. Sanitary Sampling Manhole - The owner agrees for all non-residential uses, to install a sanitary sampling manhole accessible at the property line of the subject lands to the City Engineer at all times. The determination of the requirement or interpretation if a sampling manhole

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exists or exceptions to such, will be to the satisfaction of the City Engineer.

4. A Record of Site Condition (RSC) be filed with the Ministry of the Environment, Conservation and Parks (MECP) in accordance with Ontario Regulation 153/04. And that written acknowledgement of the RSC filing issued by the MECP be provided prior to Building Permit issuance.

Carried.

Report Number: S 128/2025
Clerk's File: Z/15043

7.3. ZBA Application - Z 029/25 (ZNG-7333) 3185, 3187, 3189 & 3191 McRobbie Rd. - Ward 7

Averil Parent (author), Planner II - Development Review, presents application.

Jasmeen Dhillon (applicant), is available for questions.

Councillor Angelo Marignani inquires about the reason for the request of an increased garage width and whether cars will be parked inside. Ms. Dhillon states to meet variance requirements the garage width needed to be increased to park one car in the garage and one in the driveway.

Councillor Marignani inquires about the relief of lot width. Ms. Dhillon states that relief is necessary to meet the semi-detached requirements based on the zoning residential district (RD) 2.1.

Councillor Marignani inquires if there are any plans for additional dwelling units (ADUs) or additional buildings on the lot. Ms. Dhillon states that that there are no plans for this.

Councillor Marignani inquires about the height of the proposed building and whether it will exceed the current height of the neighbourhood buildings or be equal. Ms. Dhillon states that the elevations will not exceed the zoning requirements within RD2.1.

Councillor Marignani inquires if the building will be the same height of existing residential homes. Ms. Parent states that it will not exceed the height of existing residential homes.

Councillor Marignani inquires if the façade mediums will be compatible and blend in with those existing on neighbouring homes. Ms. Parent states that the proposed designs appear similar and we cannot dictate what building materials are to be used.

Councillor Marignani inquires about the façade and whether it will be made of similar materials used on neighbouring buildings to maintain the character of the neighbouring. Ms. Dhillon states that stucco and brick are to be used which is similar to adjacent homes.

Councillor Marignani inquires if there are any concerns with parking or infrastructure features on McRobbie Street. Ms. Parent states that there are only four parking spaces required and the

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applicant is providing eight parking spaces which is more than the required. Ms. Parent states that there were no infrastructure concerns brought forward.

Councillor Marignani inquires about whether green space was decreased to provide additional parking. Ms. Parent states that a variance was not required for green space and proposed paving is under 50%.

Councillor Jim Morrison states that a semi-detached dwelling can have up to six units and asks for clarification on the number of ADUs for this development. Ms. Parent states that the maximum gross floor area would restrict the addition of two ADUs and would require approval from the Committee of Adjustment to increase the maximum gross floor area.

Moved by: Councillor Angelo Marignani

Seconded by: Member Anthony Arbour

Decision Number: **DHSC 786**

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

13. **WEST SIDE OF MCROBBIE ROAD, BETWEEN MULBERRY ROAD AND LEISURE CRESCENT**

For the lands comprising of Part Lot 1 and Part Lot 2, Registered Plan 1597, designated as Parts 2, 3 and 5 on 12R-29955, one *Semi-Detached Dwelling* shall be an additional permitted *main use*, and the following additional provisions shall apply to a *Semi-Detached Dwelling*:

a) *Lot Width: minimum 14.2 m*

b) *Garage width: maximum 8.1 m*

[ZDM 15; ZNG/7333]

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Part Lot 1 and Part Lot 2 on Registered Plan 1597, known municipally as 3185, 3187, 3189 and 3191 McRobbie Road (Roll No. 070-890-04702 and 070-890-00114), situated on the west side of McRobbie Road between Mulberry Road and Leisure Crescent, from RD1.1 to RD1.1x(13).

Carried.

Report Number: S 125/2025

Clerk's File: Z/15051

7.4. Rezoning – 4276 Roseland Drive East – Z-030/25 ZNG/7334 – Ward 1

Adam Szymczak (author), Senior Planner – Development, presents application.

Davide Petretta (applicant), states that he is a resident of Windsor and understands the significance of the church to the neighbourhood, held an open house to hear resident's concerns prior to the mandatory required meeting to engage neighbours. Mr. Petretta states that the

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development is compatible with the neighbourhood, with a moderate impact on intensification and little to no additional burden on existing infrastructure services.

Esam Saeed (area resident) states that he was not notified of an open house and states that changing to Residential District 1.4 is less of an impact than rezoning to RD2.2.

Max Song (area resident) states a concern with not receiving notice of the proposal and is opposed to the proposal as it is not compatible with the neighbourhood.

Councillor Fred Francis inquires why the developer decided to propose a smaller build than the site could potentially have built there. Mr. Petretta states that the residents would be opposed to a larger build and decided to build something with minimal impact and compatible with the neighbourhood.

Councillor Marignani inquires about the lack of consultation and how we can improve informing residents of developments. Mr. Petretta states that he conducted a pre consultation meeting for residents prior to the open house requested by Administration, and notification was provided by hand delivering over 150 flyers and mailed out notices to residents within a reasonable radius of the property.

Councillor Marignani inquires what distance was used from the radius of the property to notify residents. Mr. Petretta states that the distance notified exceeded the requirement in the Planning Act. Chair Morrison states that City provides official notice in the Windsor Star newspaper and distributes a courtesy public notice to property owners within 200 m of the subject land.

Councillor Kieran McKenzie inquires about the adaptive reuse of the church and if there will be parts of the development that will be reminiscent of the old church. Mr. Petretta states that church artifacts followed the congregation at the new site for the church.

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 787**

1. THAT Zoning By-law 8600 **BE AMENDED** by adding the following clause to Section 91.10:

12. **ROSELAND DRIVE SOUTH AND ROSELAND DRIVE EAST, WEST OF KENNEDY DRIVE / NEAL BOULEVARD**

For the lands comprising BLK D PL 1241 SANDWICH WEST; WINDSOR (PIN 01289-1265), for any *main use* permitted in RD2.2, the following additional provisions shall apply:

a) Notwithstanding Section 3.10,

1. **FRONT LOT LINE** means the *exterior lot line* closest to the wall of the *main building* that contains a garage door or a primary pedestrian entrance.
2. Any *exterior lot line* that is not defined as a *front lot line* is deemed to be a *side lot line*.

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3. Where two *side lot lines* meet at the same point on a *lot*, that point is deemed to be the *rear lot line*.

b) The *minimum lot frontage* shall equal the *minimum lot width* required for that permitted *main use*.

c) For a *main building*, the *minimum* building setback from an *interior lot line* or a *side lot line* shall be 1.50 m.

d) Section 5.15.1, Section 5.23.5.1, and the *lot width*, *rear yard* depth, and *side yard* width provisions in Section 11.2.5 shall not apply.

[ZDM 9; ZNG/7334]

2. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of BLK D PL 1241 SANDWICH WEST; WINDSOR (PIN 01289-1265), situated on Roseland Drive South and Roseland Drive East, west of Kennedy Drive East / Neal Boulevard (4276 Roseland Drive East; Roll No. 080-090-06100), from ID1.1 to RD2.2x(12).

3. THAT, when Site Plan Control is applicable:

A. The Site Plan Approval Officer **BE DIRECTED** to incorporate into an approved site plan or an executed and registered site plan agreement, additional requirements identified in Appendix D to Report S 126/2025, to the satisfaction of the municipal department or external agency requesting them.

B. The Site Plan Approval Officer **CONSIDER** incorporating into an approved site plan or an executed and registered site plan agreement any additional comments identified in Appendix D to Report S 126/2025, to the satisfaction of the municipal department or external agency requesting them.

Carried.

Report Number: S 126/2025
Clerk's File: Z/15052

7.5. Zoning By-law Amendment Application for 3503 Byng Road, Z-019/25 [ZNG-7317], Ward 9

Brian Nagata (author), Planner III – Development, presents the application.

Tracey Pillon-Abbs (agent) states she agrees with the recommendations put forward by the Administration. Ms. Pillon-Abbs addresses all written concerns raised by constituents, including infrastructure impacts, parking, traffic, sidewalk safety, airport noise, privacy, refuse, rodents, and density impacts. Ms. Pillon-Abbs is available for questions.

Daniel Grenier (applicant) states that the current concept plan helped maximize parking spaces. Mr. Grenier addresses concerns of the quality of the tenants, stormwater management, and refuse bin placement. Mr. Grenier states that the concept plan is still in the preliminary phases and can be adjusted to create a functional lot. Mr. Grenier is available for questions.

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Heather Howie (area resident) presents two letters from residents stating concerns regarding the development. Ms. Howie states worries of a lack of parking, increased traffic, and child and pedestrian safety.

Linda Lucente (area resident) states concerns of the lack of parking, maintenance of property, safety concerns for children in the neighbourhood, and the height of the building exceeds single-family homes, which is incompatible with the surrounding neighbourhood.

Debora Bessette (area resident) has concerns of the strain on infrastructure, resources and residents, narrow roads for two-way traffic, lack of parking, no sidewalks for pedestrians, increase in noise and density, lack of privacy, increase in refuse and rats, drainage, and lack of green space.

Councillor Kieran McKenzie inquires about maintenance issues with the site. Ms. Bessette states the property has been vacant for a year, the fence has fallen, and the grass height exceeds by-law standards.

Councillor Kieran McKenzie inquires if the height of the current building is two storeys. Ms. Bessette agrees and confirms that most of the houses in the area are less than two storeys.

Councillor Kieran McKenzie inquires about the parking situation. Ms. Bessette states that parking is only on the west side of Byng on the 3500 block.

Councillor Kieran McKenzie inquires about improvements of the stormwater management system since the City made them, and whether there has been any flooding. Ms. Bessette states she is unsure and that there has been no flooding.

Councillor Kieran McKenzie inquires about the reduction in the parking minimum and the justification. Elara Mehrilou states that there were no parking concerns, even with one parking spot short, given a ratio of one parking spot per unit and street parking on Byng.

Councillor Kieran McKenzie inquires about the maintenance of the yard. Mr. Grenier states that he received a letter from the By-law Department and that, in the future, someone will appropriately maintain the grass. Mr. Grenier states that he was unaware of the fallen fence and the site.

Councillor Kieran McKenzie inquires if Mr. Grenier explored a severance with the Administration. Mr. Grenier states that the parcel of land has two lots and that they conducted an in-house evaluation before approaching Administration. Once they evaluated all factors, we developed the proposed concept plan, which illustrates the most functional parking layout.

Councillor Kieran McKenzie inquires if they could achieve the parking minimum with the current design. Mr. Grenier states that the parking minimum was not achievable with the current concept plan due to the lot size and access from the side lot.

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Councillor Kieran McKenzie inquires about the number of bedrooms and the target market. Mr. Grenier states that the proposal consists of six units with two bedrooms each, which attract smaller families or young professionals.

Councillor Kieran McKenzie inquires about the stormwater management capacity and how much remains available, given the area's flooding-prone nature. Mr. Grenier defers the question to Engineering and states that they consulted Engineering to mitigate any flooding on site.

Councillor Kieran McKenzie inquires about the impact of the development on existing stormwater capacity. Patrick Winters states that stormwater management is part of the development approval process, and that this property was included in the drainage area for Byng when it was reconstructed, with standard requirements to limit post-development runoff to pre-development flow and to provide onsite storage.

Councillor Kieran McKenzie inquires about the massing and side-yard setback to address privacy. Mr. Nagata states that the recommended side-yard provisions are identical to those in RD1.1 zoning.

Councillor Kieran McKenzie inquires about the possibility of subdividing the property to create six units with reduced parking. Mr. Nagata states that the property consists of two lots on a registered plan of subdivision, both of which are transferable without City approval. Mr. Nagata further states that a Minor Variance would be required to obtain relief from the minimum lot width and lot area provisions of the RD1.1 zoning to construct a single-unit dwelling on either lot.

Councillor Kieran McKenzie inquires about the significant increase in massing and the number of units per hectare. Mr. Nagata states that the recommended minimum front yard depth, rear yard depth, side yard width and maximum building height are identical to the RD1.1 zoning provisions. Mr. Nagata further states that the density policies do not apply in this circumstance, and the only thing to go by is whether the proposed residential is low, medium, or high profile.

Councillor Kieran McKenzie inquires whether the applicant could propose the same density without requiring Council approval. Mr. Nagata agrees and states that necessary minor variances would have to be approved by the Committee of Adjustment instead.

Councillor Angelo Marignani inquires about the water mitigation onsite and an underground cistern. Mr. Grenier states that drainage would be directed to the parking lot to restrict the flow into the sewers. Mr. Grenier states that the engineers may design an underground stormwater storage system to ensure it will not impact the sewer system.

Councillor Marignani asks about sound mitigation for the airport. Mr. Grenier explains that the completed noise study provided recommendations to ensure the construction meets the development's location standards.

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Councillor Kieran McKenzie states that, based on Administration, there are no concerns regarding flooding; the applicant will take care of any maintenance concerns; and if this proposal were not to be approved, another proposal may have a larger impact on the surrounding community.

Councillor Francis states concerns of setting a precedent for future high-density developments and states he cannot support the motion.

Moved by: Councillor Kieran McKenzie

Seconded by: Member Anthony Arbour

Decision Number: **DHSC 788**

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

14. SOUTHWEST CORNER OF BYNG ROAD AND LAPPAN AVENUE

For the lands comprising of Lots 110 & 111 and Part of Closed Alley, Plan 1215; Part 2, Plan 12R-27297 (PIN 01348-0464 LT & PIN 01348-0841 LT), a *Multiple Dwelling* shall be subject to the following additional provisions:

- a) *Lot Area: minimum* 674 m²
- b) *Building Height: Main Building: maximum* 9.0 m
- c) *Side Yard Width: minimum* 1.2 m
- d) *Dwelling Units: maximum* 6
- e) Notwithstanding Table 24.20.5.1, the *minimum* number of *required parking spaces* shall be 6.
- f) Notwithstanding clause .2 of Table 25.5.20.1, the *minimum parking area* separation from a *street* shall be 2.63 m and an ornamental *screening fence* having a height of 1.20 m shall span the length of that *parking area* separation, save and except that portion within 0.30 m of an *access area*.
- g) 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 2.25 m, and the *parking area* separation shall be maintained with *soft landscaping*, save and except any area occupied by a public walkway providing access to a main pedestrian entrance.
- h) A *screening fence* having a height of 1.83 m shall be maintained along the west *lot lines* and any portion of the south *lot line* abutting a *parking area*.
- i) A central air conditioning system shall be provided for each *dwelling unit*.

[ZDM 12; ZNG/7317]

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- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by deleting and replacing Section 1.7.1 as follows:

1.7.1 CITY PLANNER

The City Planner shall be responsible for administering and interpreting this By-law. Any reference to the "City Planner" in this By-law shall include a Deputy City Planner or a designate authorized by the City Planner.

The City Planner shall have the authority to execute an agreement related to the implementation of noise mitigation measures identified in a noise study, provided that the noise study is deemed satisfactory by the City Planner and all legal documentation is in a form satisfactory to the City Solicitor.

[ZNG/6277; ZNG/7317]

(B/L 52-2024 Apr 22/2024)

- III. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following site specific holding condition clause to Section 95.20:
- (3) A noise study shall be submitted to the satisfaction of the City Planner. The City Planner shall determine and approve which mitigation measures identified in the approved noise study are to be included in an agreement. The agreement shall be in a form satisfactory to the City Solicitor and registered on title.
- [ZNG/7317]
- IV. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lots 110 & 111 and Part of Closed Alley, Plan 1215; Part 2, Plan 12R-27297 (PIN 01348-0464 LT & PIN 01348-0841 LT), situated at the southwest corner of Byng Road and Lappan Avenue from RD1.1 to H(3)RD3.1x(14).

Carried.

Councillors Fred Francis and Angelo Marignani voting nay.

Report Number: S 127/2025

Clerk's File: Z/15054

8. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 6:28 o'clock p.m.

Ward 10 – Councillor Jim Morrison
(Chairperson)

Deputy City Clerk / Supervisor of Council
Services