

Development & Heritage Standing Committee Meeting

Date: Monday, January 5, 2026

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

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

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 Robert Polewski

Member Regrets

Member Daniel Grenier

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Robert Martini, Municipal Gaming Analyst

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

Patrick Winters, Manager, Development

Laura Diotte, Manager, Planning

Joe Baker, Manager, Land Development and Growth

Elara Mehrilou, Supervisor, Coordinator Maintenance

Adam Szymczak, Planner III - Development

Kevin Alexander, Planner III - Special Projects
Justina Nwaesei, Planner III - Development
Brian Nagata, 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 7.1, 7.2, 7.4 Tracey Pillon-Abbs, Principal Planner, Pillon Abbs Inc
Item 11.1 Theresa O'Neill, Agent, Dillon Consulting Limited
Item 11.2 Gary Spencer, Applicant

Delegations—participating in person

Item 7.1 Marko Agbaba, Property Owner, President, Agbaba Holdings Corporation
Item 7.2 Eamon McGrath, Area Resident
Item 7.2 Sheila Roberts, Area Resident
Item 7.3 Jackie Lassaline, Lassaline Planning Consultants
Item 7.3 Jennifer Coutts, Registered Owner, Peltier Developments Inc.
Item 7.3 Brad & Niki Blair, Area Residents
Item 7.4 Jacob McCourt, Area Resident

1. CALL TO ORDER

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

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

4. COMMUNICATIONS

None presented.

5. ADOPTION OF THE *PLANNING ACT* MINUTES

5.1. Adoption of the Development & Heritage Standing Committee minutes (*Planning Act*) of its meeting held December 1, 2025

Moved by: Member Anthony Arbour

Seconded by: Councillor Fred Francis

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held December 1, 2025, **BE ADOPTED** as presented.

Carried.

Report Number: SCM 382/2025

7. PLANNING ACT MATTERS

7.1. Rezoning – 1913, 1925 & 1949 Devonshire Court – Z-027/25 ZNG/7331 – Ward 4

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 789**

1. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Parts 1 to 4, Plan 12R-27198 (known municipally as 1913, 1925 & 1949 Devonshire Court; Roll No. 020-220-03903, 020-220-03906, 020-220-03901), situated at the southeast corner of Devonshire Court and Kildare Road, by deleting and replacing Section 20(1)340 with the following:

340. SOUTHEAST CORNER OF DEVONSHIRE COURT AND KILDARE ROAD

For the lands comprising Parts 1 to 4, Plan 12R-27198, the following additional provisions shall apply:

1. Additional permitted *main uses*:

Double Duplex Dwelling

Duplex Dwelling

Multiple Dwelling

Semi-Detached Dwelling

Townhome Dwelling

2. Any *use* accessory to an additional permitted *main use*.

3. For any *dwelling*, the following additional provisions shall apply:

a) An *access area* or driveway in any *front yard* or any *exterior side yard* is prohibited. Access to a *parking space* shall be from an *alley*.

b) Exposed flat concrete block, untextured concrete whether painted or unpainted and vinyl siding on any exterior wall is prohibited. A minimum of 50 per cent of the area of any exterior wall shall be covered in brick, textured concrete block, stucco, stone or any combination thereof.

4. For a *Single Unit Dwelling*, the following additional provisions shall apply:

a) *Building Height: Main Building: minimum 7.00 m*

b) *Front Yard Depth: minimum 7.50 m*

5. For a *Double Duplex Dwelling*, *Duplex Dwelling*, *Semi-Detached Dwelling*, or *Townhome Dwelling*, the following additional provisions shall apply:

- a) *Lot Width: minimum:*
 - 1. *Double Duplex Dwelling:* 12.0 m
 - 2. *Duplex Dwelling:* 9.0 m
 - 3. *Semi-Detached Dwelling:* 15.0 m
 - 4. *Townhome Dwelling:* 20.0 m
 - b) *Lot Area: minimum:*
 - 1. *Double Duplex Dwelling:* 530.0 m²
 - 2. *Duplex Dwelling:* 350.0 m²
 - 3. *Semi-Detached Dwelling:* 425.0 m²
 - 4. *Townhome Dwelling:* per Townhome Dwelling Unit: 250.0 m²
 - c) *Lot Coverage: maximum 52%*
 - d) *Building Height: Main Building: maximum 12.0 m*
 - e) The *Front Yard Depth, Rear Yard Depth, Side Yard Width* provisions in Section 10.1.5 shall not apply
 - f) *Building Setback: Any Building: minimum*
 - 1. From the *lot line* abutting Kildare Road: 1.20 m
 - 2. From the *lot line* abutting Devonshire Court: 3.39 m
 - 3. From the midpoint of the 20ft radius of Lot 87 RP 684: 1.70 m
 - 4. From an *interior lot line:* 1.20 m
 - g) For a *Duplex Dwelling* and *Semi-Detached Dwelling*, the *maximum gross floor area* of the *main building* shall be 400 m²
 - h) For a *Townhome Dwelling*, a *minimum* of 2 *parking spaces* per *townhome dwelling unit* shall be provided
 - i) Required Number of *Visitor Parking Spaces:* 0
6. For a *Multiple Dwelling*, the following provisions shall apply:
- a) *Lot Width: minimum 35.0 m*
 - b) *Lot Area: minimum 2,145.0 m²*
 - c) *Lot Coverage: maximum 35.0%*
 - d) *Building Height: Main Building: maximum 15.0 m*
 - e) *Building Setback: minimum*
 - 1. From the *lot line* abutting Kildare Road: 2.62 m
 - 2. From the *lot line* abutting Devonshire Court: 3.39 m
 - 3. From the midpoint of the 20ft radius of Lot 87 RP 684: 1.89 m
 - 4. From an *interior lot line:* 1.20 m
 - f) *Landscaped Area: minimum 27.5% of lot area*
 - g) *Dwelling Units: maximum 23*

[ZDM 7; ZNG/4715; ZNG/6571; ZNG/7331]

2. THAT the Site Plan Approval Officer **BE DIRECTED** to consider the comments from municipal departments and external agencies in Appendix C to Report S 136/2025.

Carried.

Report Number: S 136/2025
Clerk's File: Z/15049

7.2. Zoning By-law Amendment Application for 3025 Rivard Avenue, Z-032/25 [ZNG-7337], Ward 8

Moved by: Councillor Fred Francis

Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 790**

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

16. WEST SIDE OF RIVARD AVENUE BETWEEN GRAND BOULEVARD AND QUEEN ELIZABETH DRIVE

For the lands comprising of Part of Block E, Plan 1636, Parts 1 & 2, Plan 12R-17820, Part 1, Plan 12R-21843 (PIN 01378-0475 LT & 01378-0476 LT), the following additional provisions shall apply:

- a) A *Stacked Dwelling* shall be an additional permitted *main use*.
- b) Notwithstanding clause .10 of Table 5.30.10, the *maximum* encroachment of a balcony into a *required side yard* shall be 1.63 m.
- c) Notwithstanding clause .60 of Table 5.30.10, the *minimum* separation of a *porch* from a *side lot line* shall be 3.80 m.
- d) *Building Height: Main Building: maximum* 9.0 m
- e) *Side Yard Width: minimum:*
 1. From the north *side lot line*: 1.80 m
 2. From the south *side lot line*: 5.40 m
- f) Notwithstanding Table 24.20.5.1, the *minimum* number of required *parking spaces* for a *Multiple Dwelling* shall be 9.
- g) An ornamental *screening fence* having a height of 1.20 m shall span the length of a parking area separation from Rivard Avenue, save and except that portion within 0.30 m of an *access area*.
- h) An ornamental *screening fence* having a height of 1.20 m shall span the length of a parking area separation from the north *lot line*.
- i) An ornamental *screening fence* having a height of 1.20 m shall span the length of a parking area separation from the south *lot line*.

- j) A *main building* wall facing Rivard Avenue shall have at least one main pedestrian entrance.

[ZDM 11; ZNG/7337]

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Part of Block E, Plan 1636, Parts 1 & 2, Plan 12R-17820, Part 1, Plan 12R-21843 (PIN 01378-0475 LT & 01378-0476 LT), situated on the west side of Rivard Avenue between Grand Boulevard and Queen Elizabeth Drive, from RD1.1 to RD3.1x(16).

Carried.

Report Number: S 137/2025

Clerk's File: Z/15057

7.3. Zoning By-law Amendment for the property known as 1744 Norman Rd; Applicant: Lassaline Planning Consultants Inc.; File No. Z-028/25 [ZNG/7332]; Ward 8

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 791**

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

15 EAST SIDE OF NORMAN ROAD, BETWEEN MILLOY STREET AND ALICE STREET

For the land comprising Lots 2, 3, 108, and 109, Pt closed Alley and Pt Princess Avenue closed on Plan 1360, PIN 01113-0449 LT, the following provisions shall apply:

- a) One *Multiple Dwelling* with a maximum of 8 *dwelling units* shall be an additional permitted use subject to the following additional regulation:
1. *Lot Width: minimum 20.0 m*
 2. *Lot Area: Per dwelling unit: minimum 200.0 m²*
 3. Notwithstanding Section 25.5.20.1.6, the *minimum* parking area separation from a *building* wall containing a *habitable room window* or containing both a main pedestrian entrance and a *habitable room window* facing the *parking area* where the *building* is located on the same lot as the *parking area* shall be 1.80 m; and
 4. *Landscaped Open Space Yard: minimum 35.0% of the lot area*
- b) A *Multiple Dwelling* containing 9 or more *dwelling units* is prohibited.

[ZDM 11; ZNG/7332]

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lots 2, 3, 108, and 109 on Plan 1360, Ford City; Pt closed Alley and Pt Princess Avenue closed, Plan 1360, situated on the east side of Norman Road, between Milloy Street and Alice Street (municipally known as 1744 Norman Road; Roll Number 010-450-13500) from RD1.2 to RD1.2x(15).
- III. THAT the City Engineer **BE DIRECTED** to require the following prior to issuing a street opening permit for the subject property
- a) the owner upgrades the existing water service, entirely at their cost, to accommodate the proposed development on the subject land to the satisfaction of ENWIN Water Engineering; and,
 - b) the owner submits a clearance letter from ENWIN Water Engineering to confirm that the upgrade is satisfactory.

Carried.

Councillors Fred Francis, Mark McKenzie and Member Anthony Arbour voting nay.

Report Number: S 138/2025
Clerk's File: Z/15050

7.4. Zoning By-law Amendment Application for 3220 Church Street, Z-022/25 [ZNG-7326], Ward 1

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

Decision Number: **DHSC 792**

- I. THAT the application of Deniz Orak to amend Zoning By-law 8600 by adding a zoning exception to allow for the creation of a lot with a reduced minimum lot width and lot area at 3220 Church Street for the construction of a new Single Unit Dwelling **BE DENIED** due to not being in full conformity to the policy direction of the City of Windsor Official Plan.

Carried.

Report Number: S 135/2025
Clerk's File: Z/15055

7.5. Official Plan Review Outline - City Wide

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

Decision Number: **DHSC 793**

- I. THAT the Planning Department's Official Plan Review Report (S141/2025) **BE RECEIVED** for information.

- II. THAT **APPROVAL** be given to the initiation of an Official Plan Review and that the City's Development Heritage Standing Committee **BE APPOINTED** as the Steering Committee for the Official Plan Review.
- III. THAT a further report **BE PREPARED** for the Development Heritage Standing Committee, identifying the scope, structure, work program, and a terms of reference for consulting services, and further, that regular updates **BE PREPARED** for the Development Heritage Standing Committee.

Carried

Report Number: S 141/2025
Clerk's File: Z/15071

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 6:33 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 6:33 o'clock p.m.

8. ADOPTION OF THE MINUTES

None presented.

9. PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)

None presented.

10. HERITAGE ACT MATTERS

None presented.

11. ADMINISTRATIVE ITEMS

11.1. Downtown Community Improvement Plan Application - 629 Riverside Dr W - Ward 3

Theresa O'Neill, Agent, Dillon Consulting Limited

Theresa O'Neill, Agent, Dillon Consulting Limited appears before the Development & Heritage Standing Committee regarding the administrative report dated December 1, 2025, entitled "Downtown Community Improvement Plan Application - 629 Riverside Dr W - Ward 3" and is available for questions.

Councillor Kieran McKenzie asks about the timeline for the project. Ms. O'Neill responds that the final stages of site plan control approval and the building permit for foundation are under way and the project is likely to begin in the spring of 2026.

Councillor Kieran McKenzie inquires as to when the CIP provisions timeline will commence. Simona Simion, Planner III Economic Development appears before the Development & Heritage Standing Committee regarding the administrative report dated December 1, 2025, entitled "Downtown Community Improvement Plan Application - 629 Riverside Dr W - Ward 3" and responds that the clock starts ticking when Council approves the grant. Neil Robertson, City Planner appears before the Development & Heritage Standing Committee regarding the administrative report dated December 1, 2025, entitled "Downtown Community Improvement Plan Application - 629 Riverside Dr W - Ward 3" and adds that the 10-year tax grant begins upon the completion of the project and MPAC reassesses the property. There is a 2-year deadline to begin the project from the date of approval of the CIP.

Councillor Jim Morrison asks if the timelines and types of CIP grants are consistent with other City policies. Ms. Simion confirms that is correct.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 794**

- I. THAT the request made by Richmond Block London Corporation c/o Shmuel Farhi (owner) for the proposed development at 629 Riverside Dr. W to participate in:
 - a) The New Residential Development Grant Program **BE APPROVED** for \$2,500 per new residential unit, up to a maximum of \$50,000 per property;
 - b) 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.
- II. THAT Administration **BE DIRECTED** to prepare the Grant Agreement(s) between the City of Windsor and Richmond Block London Corporation c/o Shmuel Farhi 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.
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Grant Agreement(s) in content satisfactory to the City Planner, in financial content to the satisfaction of the City Treasurer and in form satisfactory to the City Solicitor.
- IV. THAT 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.

- V. THAT Grant funds up to \$50,000 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.
- VI. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to \$50,000 for grants from the Downtown Windsor Enhancement Strategy and Community Improvement Plan Project 7011022 for 629 Riverside Dr. W to Richmond Block London Corporation c/o Shmuel Farhi upon completion of New Residential Development, subject to the satisfaction of the City Planner and Chief Building Official.
- VII. THAT funds committed for the New Residential Development Grant **BE UNCOMMITTED** and returned to CIP Reserve Fund 226 if the applicant has not completed the work and fulfilled the conditions within 5 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 139/2025
Clerk's File: Z/12916

11.2. Ford City CIP/ Main Street CIP Application, 1009 Drouillard Road, Owners: Gary Gordon and Ruth Rebekah Spencer - Ward 5

Gary Spencer, Applicant

Gary Spencer, applicant appears before the Development & Heritage Standing Committee regarding the administrative report dated December 4, 2025, entitled "Ford City CIP/ Main Street CIP Application, 1009 Drouillard Road, Owners: Gary Gordon and Ruth Rebekah Spencer - Ward 5" and is available for questions.

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 795**

- I. THAT subject to completion and review satisfactory to the City Planner the request for incentives under the *Ford City CIP* Financial Incentive Programs made by Gary Gordon and Ruth Rebekah Spencer ("The Owners"), the owners of the property located at 1009 Drouillard Road **BE APPROVED**, for the following incentive programs:
 - a. *Retail Investment Grant* totalling a maximum amount of \$30,000 per property for two (2) ground floor retail units to be paid out in two (2) phases;

b. *Building/Property Improvement Tax Increment Grant Program* for the lesser of 100% of the municipal tax increment for up to 10 years or the eligible costs. The estimated annual amount of the grant is +/- \$4,638;

c. *Municipal Development Fees Grant Program* to a maximum amount of \$20,000;

- II. THAT subject to completion and review satisfactory to the City Planner the request for incentives under the *Main Streets CIP Building Facade Improvement Program* made by the Owners of the property located at 1009 Drouillard Road **BE APPROVED** for grants totalling a maximum amount of \$60,000 to be paid in four (4) phases;
- III. THAT Administration **BE AUTHORIZED** to prepare the agreement between the City and the Owners to implement the *Building/Property Improvement Tax Increment Grant Program* (only) in accordance with all applicable policies, requirements to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications;
- IV. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Grant Agreement(s) in content satisfactory to the City Planner, in financial content to the satisfaction of the City Treasurer and in form satisfactory to the City Solicitor;
- V. THAT funds in the maximum amount of \$30,000 under the Retail Investment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund to the Ford City CIP Project (Project #7181046) as the work for each phase is completed;
- VI. THAT funds in the maximum amount of \$20,000 under the *Municipal Development Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund to the Ford City CIP Project (Project #7181046) once the work is completed;
- VII. THAT funds in the maximum amount of \$60,000 under the Main Streets CIP **BE TRANSFERRED** from the CIP Reserve Fund to the Main Streets CIP project (Project #7219018) as the work for each phase is completed;
- VIII. THAT grants **BE PAID** to the Owners upon completion of improvements to the interior/exterior of the property located at 1009 Drouillard Road, through the Ford City CIP (Project #7181046) and facade improvements through the Main Streets CIP (Project #7219018) to the satisfaction of the City Planner and Chief Building Official; and,
- IX. THAT grants approved **SHALL LAPSE** and **BE UNCOMMITTED** and returned to CIP Reserve Fund 226 if the applicant has not completed the work and fulfilled the conditions within 3 years of the approval date.

Carried.

Report Number: S 143/2025
Clerk's File: SPL2025

12. COMMITTEE MATTERS

12.1. Minutes of the International Relations Committee of its meeting held December 17, 2025

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 796**

THAT the minutes of the International Relations Committee meeting held December 17, 2025 **BE RECEIVED** as presented.

Carried.

Report Number: SCM 399/2025

13. QUESTION PERIOD

None registered.

14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Matters) is adjourned at 6.41 o'clock p.m. The next meeting of the Development & Heritage Standing Committee will be held on February 2, 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, January 5, 2026

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

Members Present:

Councillors

Ward 1 - Councillor Fred Francis

Ward 4 - Councillor Mark McKenzie

Ward 7 - Councillor Angelo Marignani

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison (Chairperson)

Members

Member Anthony Arbour

Member Daniel Grenier

Member Robert Polewski

Member Regrets

Member Daniel Grenier

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

Jason Campigotto, Deputy City Planner – Growth

Aaron Farough, Senior Legal Counsel

Patrick Winters, Manager, Development

Laura Diotte, Manager, Planning

Elara Mehrilou, Supervisor, Coordinator Maintenance

Adam Szymczak, Planner III - Development

Kevin Alexander, Planner III - Special Projects
Justina Nwaesei, Planner III - Development
Brian Nagata, Planner III - Development
Tracy Tang, Planner III – Heritage
Simona Simion, Planner III – Economic Development
Juan Paramo, Development Engineer
Natasha McMullin, Clerk Steno Senior
Aashvi Sarvaiya, Development Review Technician
Anna Ciacelli, Deputy City Clerk

Delegations—participating via video conference

Item 7.1, 7.2, 7.4 Tracey Pillon-Abbs, Principal Planner, Pillon Abbs Inc
Item 11.1 Theresa O'Neill, Agent, Dillon Consulting Limited
Item 11.2 Gary Spencer, Applicant

Delegations—participating in person

Item 7.1 Marko Agbaba, Property Owner, President, Agbaba Holdings Corporation
Item 7.2 Eamon McGrath, Area Resident
Item 7.2 Sheila Roberts, Area Resident
Item 7.3 Jackie Lassaline, Lassaline Planning Consultants
Item 7.3 Jennifer Coutts, Registered Owner, Peltier Developments Inc.
Item 7.3 Brad & Niki Blair, Area Residents
Item 7.4 Jacob McCourt, Area Resident

1. CALL TO ORDER

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

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

4. COMMUNICATIONS

None presented.

5. ADOPTION OF THE *PLANNING ACT* MINUTES

5.1. Adoption of the Development & Heritage Standing Committee minutes (*Planning Act*) of its meeting held December 1, 2025

Moved by: Member Anthony Arbour

Seconded by: Councillor Fred Francis

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held December 1, 2025, **BE ADOPTED** as presented.

Carried.

Report Number: SCM 382/2025

7. *PLANNING ACT* MATTERS

7.1. Rezoning – 1913, 1925 & 1949 Devonshire Court – Z-027/25 ZNG/7331 – Ward 4

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

Tracey Pillon-Abbs (agent), states that staff recommendation is supported and the previous proposal was adjusted to suit the neighbours desires and final designs will be discussed during the Site Plan Control process. Ms. Pillon-Abbs is available for questions.

Marko Agbaba (owner), is available for questions.

Councillor Mark McKenzie thanks Mr. Agbaba for listening to the neighbours concerns regarding the development to fit with the surrounding community. Chair Morrison agrees.

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 789**

1. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Parts 1 to 4, Plan 12R-27198 (known municipally as 1913, 1925 & 1949 Devonshire Court; Roll No. 020-220-03903, 020-220-03906, 020-220-03901), situated at the southeast corner of Devonshire Court and Kildare Road, by deleting and replacing Section 20(1)340 with the following:

340. **SOUTHEAST CORNER OF DEVONSHIRE COURT AND KILDARE ROAD**

For the lands comprising Parts 1 to 4, Plan 12R-27198, the following additional provisions shall apply:

7. Additional permitted *main uses*:

Double Duplex Dwelling

Duplex Dwelling

Multiple Dwelling

Semi-Detached Dwelling

Townhome Dwelling

8. Any *use* accessory to an additional permitted *main use*.
9. For any *dwelling*, the following additional provisions shall apply:
 - a) An *access area* or driveway in any *front yard* or any *exterior side yard* is prohibited. Access to a *parking space* shall be from an *alley*.
 - b) Exposed flat concrete block, untextured concrete whether painted or unpainted and vinyl siding on any exterior wall is prohibited. A minimum of 50 per cent of the area of any exterior wall shall be covered in brick, textured concrete block, stucco, stone or any combination thereof.
10. For a *Single Unit Dwelling*, the following additional provisions shall apply:
 - a) *Building Height: Main Building: minimum 7.00 m*
 - b) *Front Yard Depth: minimum 7.50 m*
11. For a *Double Duplex Dwelling, Duplex Dwelling, Semi-Detached Dwelling, or Townhome Dwelling*, the following additional provisions shall apply:
 - j) *Lot Width: minimum:*
 5. *Double Duplex Dwelling: 12.0 m*
 6. *Duplex Dwelling: 9.0 m*
 7. *Semi-Detached Dwelling: 15.0 m*
 8. *Townhome Dwelling: 20.0 m*
 - k) *Lot Area: minimum:*
 5. *Double Duplex Dwelling: 530.0 m²*
 6. *Duplex Dwelling: 350.0 m²*
 7. *Semi-Detached Dwelling: 425.0 m²*
 8. *Townhome Dwelling: per Townhome Dwelling Unit: 250.0 m²*
 - l) *Lot Coverage: maximum 52%*
 - m) *Building Height: Main Building: maximum 12.0 m*
 - n) The *Front Yard Depth, Rear Yard Depth, Side Yard Width* provisions in Section 10.1.5 shall not apply
 - o) *Building Setback: Any Building: minimum*
 1. From the *lot line* abutting Kildare Road: 1.20 m
 2. From the *lot line* abutting Devonshire Court: 3.39 m
 3. From the midpoint of the 20ft radius of Lot 87 RP 684: 1.70 m
 4. From an *interior lot line*: 1.20 m
 - p) For a *Duplex Dwelling and Semi-Detached Dwelling*, the *maximum gross floor area* of the *main building* shall be 400 m²
 - q) For a *Townhome Dwelling*, a *minimum of 2 parking spaces per townhome dwelling unit* shall be provided
 - r) *Required Number of Visitor Parking Spaces: 0*
12. For a *Multiple Dwelling*, the following provisions shall apply:

- a) *Lot Width: minimum 35.0 m*
- b) *Lot Area: minimum 2,145.0 m²*
- c) *Lot Coverage: maximum 35.0%*
- d) *Building Height: Main Building: maximum 15.0 m*
- e) *Building Setback: minimum*
 - 1. From the *lot line* abutting Kildare Road: 2.62 m
 - 2. From the *lot line* abutting Devonshire Court: 3.39 m
 - 3. From the midpoint of the 20ft radius of Lot 87 RP 684: 1.89 m
 - 4. From an *interior lot line*: 1.20 m
- f) *Landscaped Area: minimum 27.5% of lot area*
- g) *Dwelling Units: maximum 23*

[ZDM 7; ZNG/4715; ZNG/6571; ZNG/7331]

2. THAT the Site Plan Approval Officer **BE DIRECTED** to consider the comments from municipal departments and external agencies in Appendix C to Report S 136/2025.

Carried.

Report Number: S 136/2025
Clerk's File: Z/15049

7.2. Zoning By-law Amendment Application for 3025 Rivard Avenue, Z-032/25 [ZNG-7337], Ward 8

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

Tracey Pillon-Abbs (agent) supports the staff recommendation and requests minor relief to ensure the building is appropriately located on the site and complies with other zone provisions. Ms. Pillon-Abbs provides context for residents' concerns, such as parking and privacy for neighbouring properties. Ms. Pillon-Abbs is available for questions.

Eamon McGrath (area resident) resides at 2997 Rivard Avenue and has concerns about noise, traffic, congestion, infrastructure, and services that will cause flooding; loss of green space; pedestrian safety for children and seniors; and that any amendments made have done nothing to improve traffic during school hours. Mr. McGrath states that the development does not follow the four areas of the Provincial Planning Statement.

Sheila Roberts (area resident) reads a letter from a resident that raises concerns about traffic during peak hours, a lack of greenspace for pedestrians to travel, a lack of sidewalks, vehicular speeding, a lack of parking, and vehicular congestion.

Councillor Fred Francis inquires about the sale of the excess church property. Ms. Roberts states that residents and the church understood that the property would be sold as a single-family dwelling unit and that the community may not have received adequate information. Councillor

Francis states that there is still time to advise the community before the matter is presented to Council.

Councillor Francis inquires about the main concerns, and whether, if mitigated, they would solve public concern. Ms. Roberts states that it's noise, congestion and traffic. Mr. McGrath states that the community is not opposed to housing, that it does not provide a benefit to the surrounding community as a whole, and that the units are not low-income housing, as stated.

Councillor Angelo Marignani inquires about the decrease in parking, where residents currently have guests park, and whether this has been a concern in the past. Mr. McGrath states that visitors park on the street, take transit, or take cabs. Ms. Roberts states that the church has been gracious enough to allow the neighbourhood to park in their parking lot.

Councillor Kieran McKenzie asks how to address these concerns. Ms. Pillon-Abbs explains that the church severed the green space and that the applicant purchased and merged the existing lot. She states that the applicant reduced the number of units and the building height to better fit within the community. Ms. Pillon-Abbs notes that the project did not require a traffic impact study or a tree inventory and preservation plan due to its minimal impact, and that other studies have identified no concerns. She adds that the units would be geared toward smaller families and would include one barrier-free parking space.

Councillor Kieran McKenzie asks about the unit floor space. Councillor Kieran McKenzie asks about the unit floor space. Ms. Pillon-Abbs explains that the concept plan is preliminary, that it does not include floor plans, and that the applicant will provide floor plans during the building permit process. She adds that the proposal consists of two-storey units designed as stacked townhouses.

Councillor Kieran McKenzie inquires about the target market. Ms. Pillon-Abbs states that the applicant would not target a specific type of renter, but the unit's size would be ideal for new homeowners or those who want to downsize, and it is suitable for transitional living.

Councillor Kieran McKenzie inquires about the threshold requirement for a traffic impact assessment (TIA). Ms. Pillon-Abbs defers the question to the Administration. Elara Mehilou states that the guideline considers 100 trips generated by a development, and that this would not trigger a TIA.

Councillor Kieran McKenzie asks the residents if that provides any reassurance. Mr. McGarth states that he has concerns about each unit having only one car and about the safety of senior pedestrians who travel through the property. Councillor McKenzie states that developing the property will eliminate this.

Councillor Marignani inquires about the parking reduction and whether there is a difference in parking ratios between a townhouse and a stacked townhouse. Mr. Nagata states that the ratio for a stacked dwelling is 1:1, whereas the ratio for a multiple dwelling is 1:1.25.

Councillor Marignani inquires about the building height and encroachment allowance. Mr. Nagata states that the development's maximum building height matches that of Residential District 1.1.

Councillor Marignani inquires about the height of the surrounding homes within the neighbourhood. Mr. Nagata states that he is unsure without undertaking an in-depth analysis.

Councillor Marignani inquires whether the number of units would create an issue with on-street parking in the area. Mr. Nagata defers the question to Transportation Planning. Ms. Mehrilou states that a parking study was conducted and complied with the by-law.

Councillor Kieran McKenzie inquires about traffic volumes on Rivard Avenue and how this development would affect traffic congestion. Ms. Mehrilou states that she requires a few minutes to obtain the traffic counts for Rivard Avenue.

Councillor Kieran McKenzie inquires about the road's classification. Patrick Winters states that the road is a Class II Collector Road.

Councillor Marignani inquires about the physical parking count, which staff found invalid due to missing information. Ms. Mehrilou states that although they disagreed with the consulting traffic engineer's methodology in the parking study, the reduction of one required parking space does not pose any concerns.

Moved by: Councillor Fred Francis

Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 790**

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

16. **WEST SIDE OF RIVARD AVENUE BETWEEN GRAND BOULEVARD AND QUEEN ELIZABETH DRIVE**

For the lands comprising of Part of Block E, Plan 1636, Parts 1 & 2, Plan 12R-17820, Part 1, Plan 12R-21843 (PIN 01378-0475 LT & 01378-0476 LT), the following additional provisions shall apply:

- k) A *Stacked Dwelling* shall be an additional permitted *main use*.
- l) Notwithstanding clause .10 of Table 5.30.10, the *maximum* encroachment of a balcony into a *required side yard* shall be 1.63 m.
- m) Notwithstanding clause .60 of Table 5.30.10, the *minimum* separation of a *porch* from a *side lot line* shall be 3.80 m.
- n) *Building Height: Main Building: maximum* 9.0 m
- o) *Side Yard Width: minimum:*
 - 3. From the north *side lot line*: 1.80 m
 - 4. From the south *side lot line*: 5.40 m
- p) Notwithstanding Table 24.20.5.1, the *minimum* number of required *parking spaces* for a *Multiple Dwelling* shall be 9.
- q) An ornamental *screening fence* having a height of 1.20 m shall span the length of a parking area separation from Rivard Avenue, save and except that portion within 0.30 m of an *access area*.

- r) An ornamental *screening fence* having a height of 1.20 m shall span the length of a parking area separation from the north *lot line*.
- s) An ornamental *screening fence* having a height of 1.20 m shall span the length of a parking area separation from the south *lot line*.
- t) A *main building* wall facing Rivard Avenue shall have at least one main pedestrian entrance.

[ZDM 11; ZNG/7337]

- IV. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Part of Block E, Plan 1636, Parts 1 & 2, Plan 12R-17820, Part 1, Plan 12R-21843 (PIN 01378-0475 LT & 01378-0476 LT), situated on the west side of Rivard Avenue between Grand Boulevard and Queen Elizabeth Drive, from RD1.1 to RD3.1x(16).

Carried.

Report Number: S 137/2025
Clerk's File: Z/15057

7.3. Zoning By-law Amendment for the property known as 1744 Norman Rd; Applicant: Lassaline Planning Consultants Inc.; File No. Z-028/25 [ZNG/7332]; Ward 8

Justina Nwaesei (author), Senior Planner – Development, presents application.

Jackie Lassaline (agent), presents a powerpoint. Ms. Lassaline requests that front yard set back, nine units for the building, and a reduction in set back from the parking area to be added to the recommendation. Ms. Lassaline is available for questions.

Jennifer Coutts (owner), is available for questions. Ms. Coutts states that the development would help the aging population find appropriate housing and the neighbouring properties are in agreement with the development.

Brad and Niki Blair (area residents) have concerns with the proposed development. Mr. Blair claimed that there are misleading pictures and inconsistent information in the presentations made by the planners. Mr. Blair questioned the idea of Polonia Park being shown as part of their neighbourhood. With respect to the proposed development, Mr. Blair had issues with increase in traffic and on-street parking demand. Mr. Blair had concerns also with rental properties and proposed development being, in his opinion, inconsistent with surrounding properties. He talked about increased safety risk, and decreased property value. Niki Blair concurred with Brad.

Councillor Marignani inquires about the past proposals and length of application for this development. Ms. Nwaesei states that the consultation process had started in 2023 with a different concept plan than presented that did not fit with the surrounding neighbourhood. Additionally, since then changes to departmental and provincial requirements have taken place extending the length of the process.

Councillor Marignani inquires whether parking provided for the development is appropriate based on delegate concerns. Ms. Nwaesei states that the parking proposed exceeds zoning requirements. The 8 dwelling units require 10 parking spaces, and the concept plan shows 12 proposed parking spaces.

Councillor Marignani inquires whether the trees indicated on the site plan, located between the parking lot and park, are existing or will be planted in the future. Ms. Nwaesei states that the topographic plan will provide the information about which trees are existing, as the landscape plan can change. Chair Morrison confirms that the owner states the trees will remain on the lot.

Councillor Marignani inquires whether the set back requirement was changed to allow for the trees to remain on the lot. Ms. Nwaesei states the parking area separation does not impact the trees on the back of the lot.

Councillor Kieran McKenzie inquires whether tree removal would create greater opportunities for intensification. Councillor Kieran McKenzie also asks for clarification with respect to the two areas of discrepancies (front yard set back and 8 versus 9 units) between what is recommended in the Planning Report and what the applicant is requesting. Ms. Nwaesei states more units could be added on the subject land without the removal of the trees in the rear of the subject land, but additional parking could be added with tree removal. However, she reminds the committee that the Provincial Planning Statement requires the preservation of vegetative surfaces.

Ms. Nwaesei states that nine or more units would not be allowed through the Committee of Adjustment and would require a rezoning. Ms. Nwaesei further states that multiple dwelling is recommended as an additional permitted use to the current zoning district and there are no opportunities for townhouse construction unless a proponent requests rezoning of the property.

Councillor Kieran McKenzie asks if there is any possibility of further intensification that could be of greater concern to the area residents. Councillor Kieran McKenzie wants some reassurance that the recommended development is at the top limit of what is likely to be proposed on the subject land and asks if there are other potential development options that could warrant consideration on the subject land. Councillor Kieran McKenzie inquires about the front yard set back discrepancy. Ms. Nwaesei states the subject land is a large lot, and although it is zoned residential district 1.2, it will be a disservice to the PPS (Provincial Planning Statement) to encourage a single unit dwelling on the subject land. She also states that the Provisions recommended in the planning report allow for moderate intensification that is aligned with the subject area (in terms of setbacks). A density comparison was included within the report. In terms of what can be proposed on the subject land, a townhome development could be considered with three units but then allows for 9 units with only 6 parking spaces being required. Therefore, in terms of what was heard about the neighbourhood, parking-wise, any other concept that allows ADUs (Additional Dwelling Units) would be detrimental to the neighbourhood in regard to their parking concerns. However, the multiple dwelling allows the city to encourage a development that requires much higher parking. Since parking is the concern, the multiple dwelling allows for more parking than the other concepts like semis, singles or townhomes.

Councillor Kieran McKenzie inquires about the specific limit of eight units versus nine, and confirming if for any intensification beyond what's being proposed, the developer would have to

come back to the City to do any different level of intensification, no matter what it might be as opposed to something elsewhere they might have as a townhome development, by right provision to be able to just go forward with anything they wanted as long as it fit within the current legislation. Ms. Nwaesei states this is correct. Note, Ms. Nwaesei earlier clarified that townhome on the subject land would also require rezoning approval.

Councillor Marignani inquires about additional concerns Mr. Blair may have. Mr. Blair states concerns of transforming large lots into multiple unit dwellings where single family homes would have been more appropriate.

Chair Morrison inquires about the amendments presented by the agent today. Ms. Nwaesei states that the three additional items requested to be added to the planning recommendations are already requested as part of this rezoning application and are discussed in the planning report. Ms. Nwaesei states that the parking area separation has been included in the planning recommendation, and the other two items (9-unit multiple dwelling and reduced front yard) were rejected in the planning report. Ms. Nwaesei further states that the requests (for additional recommendations) made by the agent at the meeting do not change the recommendations by administration as presented today.

Councillor Marignani inquires whether an elevator is presented within the design proposed. Ms. Coutts states yes.

Councillor Kieran McKenzie states that Administration / Ms. Nwaesei has found a balance between what the developer wants versus the impact and concerns of the neighbourhood where other developments would have a larger impact for intensification.

Councillor Mark McKenzie states he will not be supporting the application as it will change the intensification of the neighbourhood and setting precedence for future developments.

Councillor Francis states he will also not be supporting the development as it will set precedence and change the character of the neighbourhood.

Councillor Marignani states that the elevator built in the design allows for the accessibility for the aging population that would like to remain in the neighbourhood.

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

Decision Number: **DHSC 791**

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

15 EAST SIDE OF NORMAN ROAD, BETWEEN MILLOY STREET AND ALICE STREET

For the land comprising Lots 2, 3, 108, and 109, Pt closed Alley and Pt Princess Avenue closed on Plan 1360, PIN 01113-0449 LT, the following provisions shall apply:

c) One *Multiple Dwelling* with a maximum of 8 *dwelling units* shall be an additional permitted use subject to the following additional regulation:

5. *Lot Width: minimum 20.0 m*

6. *Lot Area: Per dwelling unit: minimum 200.0 m²*

7. Notwithstanding Section 25.5.20.1.6, the *minimum* parking area separation from a *building* wall containing a *habitable room window* or containing both a main pedestrian entrance and a *habitable room window* facing the *parking area* where the *building* is located on the same lot as the *parking area* shall be 1.80 m; and

8. *Landscaped Open Space Yard: minimum 35.0% of the lot area*

d) A *Multiple Dwelling* containing 9 or more *dwelling units* is prohibited.

[ZDM 11; ZNG/7332]

V. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lots 2, 3, 108, and 109 on Plan 1360, Ford City; Pt closed Alley and Pt Princess Avenue closed, Plan 1360, situated on the east side of Norman Road, between Milloy Street and Alice Street (municipally known as 1744 Norman Road; Roll Number 010-450-13500) from RD1.2 to RD1.2x(15).

VI. THAT the City Engineer **BE DIRECTED** to require the following prior to issuing a street opening permit for the subject property

c) the owner upgrades the existing water service, entirely at their cost, to accommodate the proposed development on the subject land to the satisfaction of ENWIN Water Engineering; and,

d) the owner submits a clearance letter from ENWIN Water Engineering to confirm that the upgrade is satisfactory.

Carried.

Councillors Fred Francis, Mark McKenzie and Member Anthony Arbour voting nay.

Report Number: S 138/2025
Clerk's File: Z/15050

7.4. Zoning By-law Amendment Application for 3220 Church Street, Z-022/25 [ZNG-7326], Ward 1

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

Tracey Pillon-Abbs (agent) states that the applicant does not support the Administration's recommendation to deny the proposal. Ms. Pillon-Abbs states that the issue with the development

is that the proposed single-detached dwelling is to be constructed in accordance with the current zoning, with site-specific relief to reduce lot width and lot area due to an irregularly shaped lot. Ms. Pillon-Abbs confirms that the development will comply with parking requirements, that the building maintains low lot coverage, and that it will not alter the neighbourhood. Ms. Pillon-Abbs is available for questions.

Jacob McCourt (area resident) raises several concerns about the proposed development, including its fit with the neighbourhood character and overall cohesion, safety issues, and the small lot area and frontage relative to the proposal. He notes that the severed and retained parcels do not comply with zoning or the Provincial Planning Statement, that the lot shape is unsuitable for the intended use, and that the building's proximity to the lot line may limit pedestrian routes. He also highlights safety concerns regarding the driveway's proximity to the stop sign and anticipates that the development could increase traffic incidence rates.

Councillor Fred Francis inquires whether the delegate supports the recommendation to deny the application.

Chair Morrison inquires if there is a requirement to sever the property. Mr. Nagata states that the owner must sever the property to create a new lot.

Chair Morrison inquires whether, if a severance does not occur, there would be potential to create an ADU as it exists. Mr. Nagata agrees that, as existing, the development could have two ADUs as of right, subject to compliance with Zoning By-law 8600 and the Ontario Building Code.

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 792**

- II. THAT the application of Deniz Orak to amend Zoning By-law 8600 by adding a zoning exception to allow for the creation of a lot with a reduced minimum lot width and lot area at 3220 Church Street for the construction of a new Single Unit Dwelling **BE DENIED** due to not being in full conformity to the policy direction of the City of Windsor Official Plan.

Carried.

Report Number: S 135/2025

Clerk's File: Z/15055

7.5. Official Plan Review Outline - City Wide

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

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 793**

- IV. THAT the Planning Department's Official Plan Review Report (S141/2025) **BE RECEIVED** for information.

- V. THAT **APPROVAL** be given to the initiation of an Official Plan Review and that the City's Development Heritage Standing Committee **BE APPOINTED** as the Steering Committee for the Official Plan Review.
- VI. THAT a further report **BE PREPARED** for the Development Heritage Standing Committee, identifying the scope, structure, work program, and a terms of reference for consulting services, and further, that regular updates **BE PREPARED** for the Development Heritage Standing Committee.

Carried

Report Number: S 141/2025
Clerk's File: Z/15071

8. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 6:33 o'clock p.m.

Ward 10 – Councillor Jim Morrison
(Chairperson)

Deputy City Clerk / Supervisor of Council
Services