

Development & Heritage Standing Committee Meeting

Date: Monday, June 1, 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 10 - Councillor Jim Morrison (Chairperson)

Councillor Regrets

Ward 9 - Councillor Kieran McKenzie

Members

Member Anthony Arbour

Member Charles Pidgeon

Member William Tape

Member Regrets

Member Joseph Fratangeli

Member John Miller

Member Robert Polewski

Member Khassan Saka

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Sandra Gebauer, Council Assistant

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Jelena Payne, Deputy Chief Administrative Officer / Commissioner, Economic Development

Neil Robertson, City Planner

Greg Atkinson, Deputy City Planner – Development

Stacey McGuire, Executive Director Operations / Deputy City Engineer

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Colleen Middaugh, Deputy City Engineer / Executive Director Engineering
Aaron Farough, Senior Legal Counsel
Matthew Johnson, Executive Director, Economic Development
Ian Day, Senior Manager, Transportation
David Deluzio, General Manager, Roseland Golf Club
Patrick Winters, Manager, Development
Matt Paya, Manager, Road Safety
Denise Wright, Manager Real Estate Services
Laura Diotte, Manager, Planning
Joe Baker, Manager, Land Development and Growth
Elara Mehrilou, Supervisor, Coordinator Maintenance
Adam Szymczak, Planner III - Development
Averil Parent, Planner II - Development Review
Simona Simion, Planner III – Economic Development
Tracy Tang, Planner III – Heritage
Josie Liburdi, Project Coordinator
Sonia Bajaj, Project Administrator
Aashvi Sarvaiya, Development Review Technician
Natasha McMullin, Clerk Steno Senior
Anna Ciacelli, Deputy City Clerk

Delegations—participating via video conference

Item 7.1, 7.2 Tracey Pillon-Abbs, Principal Planner, Pillon Abbs Inc
Item 7.3 Mohammad Alhammoud, Applicant

Delegations—participating in person

Item 7.2 John Bondy, Area Resident
Item 7.2 Aman Khan Burki, Area Resident
Item 7.3 Joey Wright, Area Resident
Item 7.4, 7.5 Karl Tanner, Dillon Consulting Limited
Item 7.4 David Mady, Agent for the applicant, Vice President of Real Estate Development, Fortis Construction Group Inc
Item 7.4 Josh Burns, Agent for the applicant, Development Manager, Fortis Construction Group Inc.
Item 7.4 Joelle Saad, Area Resident
Item 7.5 Karl Tanner, Dillon Consulting Limited
Item 7.5 Peter Valente, President, Valente Development Corporation
Item 7.5 Daniel Soleski, Design Principal, Architectura
Item 7.5 Albert Schepers Area Resident
Item 7.5 James Demers, Area Resident
Item 11.2 Denise Qaqish, Abutting Property Owner
Item 11.2 Pauline Leblanc, Abutting Property Owner
Item 11.5 John Miceli, Property Owner

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1. CALL TO ORDER

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:32 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.

8. ADOPTION OF THE MINUTES

8.1. Adoption of the Development & Heritage Standing Committee minutes of its meeting held April 7, 2026

Moved by: Member William Tape
Seconded by: Member Charles Pidgeon

THAT the minutes of the Development & Heritage Standing Committee of its meeting held April 7, 2026 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 117/2026

8.2. Adoption of the Development & Heritage Standing Committee minutes of its meeting held May 4, 2026

Moved by: Councillor Angelo Marignani
Seconded by: Councillor Fred Francis

THAT the minutes of the Development & Heritage Standing Committee of its meeting held May 4, 2026 **BE ADOPTED** as presented.

Carried.

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Report Number: SCM 159/2026

10. HERITAGE ACT MATTERS

10.1. 825 Riverside Drive West, CBC/CKLW Building – Heritage Designation Report (Ward 4)

Councillor Fred Francis inquires as to why the request is coming after the property has already been purchased. Neil Robertson, City Planner appears before the Development & Heritage Standing Committee regarding the administrative report dated May 11, 2026, entitled “825 Riverside Drive West, CBC/CKLW Building – Heritage Designation Report (Ward 4)” and indicates that it is being brought forward at this time as there is a prescribed event that triggered a 90 day review window to either issue a notice of designation or for the property to fall off the heritage register where it will have no heritage protection. The recommendation for designation is based on the developer’s consultant’s report. This is the only mechanism the City has to ensure that the developer’s proposal will be done. If City Council decides not to designate the property all heritage protections will fall off and can proceed to a demolition prior to salvaging and reincorporating a number of the design features into the future development.

Councillor Fred Francis inquires whether the City is looking to add anything to the developer’s proposed plan or this is simply a provision to ensure that the developer follows through with their plan. Mr. Robertson responds that due to the changes in the *Planning Act* that trigger the designation at the application, this is the only mechanism that the City has to hold the developer to the plan that they put forward.

Councillor Mark McKenzie inquires as to why this building is of heritage significance. Tracy Tang, Planner III - Special Projects appears before the Development & Heritage Standing Committee regarding the administrative report dated May 11, 2026, entitled “825 Riverside Drive West, CBC/CKLW Building – Heritage Designation Report (Ward 4)” and responds that the heritage evaluation against the merits under the *Ontario Heritage Act* regulation 906 there are 9 criteria that are considered or heritage designation. The property must meet two of the nine criteria. Administration is in agreement with the developer’s consultant’s report that this property meets two or more criteria. The physical and architectural attributes contribute to the property’s designation. Mr. Robertson adds that this property has been listed on the heritage register prior to this owner purchasing it. The City is reacting to their documentation of heritage significance in addition to our own research as part of the OPA and Zoning amendment process.

Councillor Mark McKenzie asks what the financial impact will be to City once this property is designated and if the property owner will be eligible for related grant funding. Mr. Robertson responds that there are programs available to people restoring heritage properties, which will come before City Council for discussion and approval. Generally, those programs are aimed at properties that remain in place and are matters of restoring or repairing.

Councillor Angelo Marignani inquires whether the property’s setback is the primary reason that the developer wants this not to be moving forward so that they can utilize the land better. Mr.

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Robertson responds that the developer's consultant acknowledges that the location of the building is problematic for the development of the site.

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 820**

- I. THAT the City Clerk **BE AUTHORIZED** to publish a Notice of Intention to Designate the property municipally known as 825 Riverside Drive West in accordance with Part IV of the Ontario *Heritage Act* according to the Statement of Cultural Heritage Value or Interest attached as Appendix "A"; and,
- II. THAT the City Solicitor **PREPARE** the by-law to designate the property; and,
- III. THAT the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the integration of key heritage attributes into the future redevelopment.

Carried.

Report Number: S 50/2026
Clerk's File: MBA/15167

There being no further business the meeting of the Development & Heritage Standing Committee (*Heritage Act* Matters) portion is adjourned at 4:48 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 4:50 o'clock p.m.

9. PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)

11. ADMINISTRATIVE ITEMS

11.2. Closure of two north-south alleys and Part Closure of intersecting east-west alley, all located north of Cecile Street and west of Lauzon Road, Ward 6, SAA-7346

Denise Qaqish, Abutting Property Owner

Denise Qaqish, Abutting Property Owner appears before the Development & Heritage Standing Committee regarding the administrative report dated April 14, 2026, entitled "Closure of two north-south alleys and Part Closure of intersecting east-west alley, all located north of Cecile Street and west of Lauzon Road, Ward 6, SAA-7346" and expresses interest in purchasing the alley and asks

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for administrative direction related to process and cites concerns with maintenance, redevelopment, and continued access to the rear of the property.

Pauline Leblanc, Abutting Property Owner

Pauline Leblanc, Abutting Property Owner appears before the Development & Heritage Standing Committee regarding the administrative report dated April 14, 2026, entitled "Closure of two north-south alleys and Part Closure of intersecting east-west alley, all located north of Cecile Street and west of Lauzon Road, Ward 6, SAA-7346" and expresses interest in purchasing the alley and asks for administrative direction related to process and cites concerns with maintenance, waste debris, and access to the rear of the property.

Councillor Fred Francis requests that administration provide guidelines and expectations with respect to each abutting landowner. Laura Diotte, Manager – Planning appears before the Development & Heritage Standing Committee regarding the administrative report dated April 14, 2026, entitled "Closure of two north-south alleys and Part Closure of intersecting east-west alley, all located north of Cecile Street and west of Lauzon Road, Ward 6, SAA-7346" and responds that an external surveyor will need to survey the property prior to any transfer of land. This may be completed within 6 months, with no guarantee on that timeline. With respect to property maintenance, responsibility would depend if trees were on private property. As far as construction is concerned, the property owner cannot complete construction without a zoning by-law amendment application. The City has 90 days to process the application, then the developer can start construction once approved. Further, once the alley is closed and the property is transferred, fences can be placed but would be at the expense of each property owner. Fencing is not part of the alley closure process.

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 827**

- I. THAT the ≈ 14.0 metre portion of the 4.27-metre-wide east-west alley, located west of Lauzon Road, shown as Part 4 on Drawing No. CC-1878 (attached hereto as Appendix "A"), and hereinafter referred to as "Part 4", **BE DENIED** for subsequent closure;
- II. THAT the 4.27-metre-wide north-south alley, located north of Cecile Street, shown as Part 1 on Drawing No. CC-1878, and hereinafter referred to as "Part 1", **BE ASSUMED** for subsequent closure;
- III. THAT the 4.27-metre-wide north-south alley, located north of Cecile Street, shown as Part 5 on Drawing No. CC-1878, and hereinafter referred to as "Part 5", **BE ASSUMED** for subsequent closure;

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- IV. THAT the ≈ 121.0 metre portion of the 4.27-metre-wide east-west alley, located between Part 1 and Part 4, shown as Part 2 and Part 3 on Drawing No. CC-1878, and hereinafter referred to as "Part 2" and "Part 3", **BE ASSUMED** for subsequent closure;
- V. THAT Part 1 and Part 2 **BE CLOSED AND CONVEYED** in as-is condition to the abutting property owners and, as necessary, in a manner deemed appropriate by the City Solicitor, subject to the following:
- a. The City Solicitor shall, upon the availability of funding, engage an Ontario Land Surveyor to prepare a survey plan for the purpose of describing Part 1 and Part 2.
- VI. THAT Part 3 and Part 5 **BE CLOSED AND CONVEYED** in as-is condition to the Owner of the abutting property known municipally as 227-239 Lauzon Road, legally described as Lot 1, Registered Plan 1104, and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
- b. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, are being granted to:
 - i. ENWIN Utilities Ltd. to accommodate existing overhead 120/240 volt hydro distribution; and
 - ii. Managed Network System Inc. (MNSi) to accommodate existing overhead infrastructure.
 - c. Payment of the survey costs associated with the closure of Part 3 and Part 5 by the Owner.
 - d. Title to the abutting properties municipally known as 0 Lauzon Road (legally described as Lots 2 to 6, Registered Plan 1104), 227-239 Lauzon Road (legally described as Lot 1, Registered Plan 1104), and 0 and 7860 Cecile Street (legally described as Lots 23 and 24, Registered Plan 1104) shall be taken in one name to ensure consolidation of those parcels with Parts 3 and 5.
- VII. THAT Conveyance Cost **BE SET** as follows in accordance with CR106/2003, as amended by CR427/2003 & CR182/2005:
- e. For Part 1 and Part 2 conveyed to abutting lands zoned RD1.1 and RD1.2, \$1.00 plus HST, deed preparation fee, and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
 - f. For Part 3 and Part 5, conveyed to abutting lands zoned RD3.2, \$25.00 per square foot (\$269.10 per square metre) without easements plus HST, and \$12.50 per square foot (\$134.55 per square metre) with easements plus HST.
- VIII. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1878.
- IX. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).

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- 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 39/2026

Clerk's File: SPL/10759

11.5. Part Closure of north/south alley located between Highland Avenue and Howard Avenue, south of Shepherd Street East, SAA-7270 - Ward 3

John Miceli, Property Owner

John Miceli, Property Owner appears before the Development & Heritage Standing Committee regarding the administrative report dated May 15, 2026, entitled "Part Closure of North/South Alley Located Between Highland Avenue and Howard Avenue, South of Shepherd Street East, SAA-7270 – Ward 3" and asks for clarification of the width of the alley either 3.66m or 4.27m. He adds that as part of the alley closure application, he consulted with neighbours related to their interest in purchasing their portion of the alley, one neighbour forfeits their right to purchase, and two neighbours have not responded. Mr. Miceli concludes by expressing his intention is to purchase his portion of the alley in order to make application to construct three ADUs on the property and is willing to pay for the survey of the property to recognize what portion of the alley he will own.

Councillor Angelo Marignani asks about the notification delivery timeline. Anna Ciacelli, Deputy City Clerk appears before the Development & Heritage Standing Committee regarding the administrative report dated May 15, 2026, entitled "Part Closure of North/South Alley Located Between Highland Avenue and Howard Avenue, South of Shepherd Street East, SAA-7270 – Ward 3" and responds that notifications are sent via regular addressed mail through Canada Post to the delegate list where email is not available. Notifications are sent 10 days prior to the meeting and notes the City has no jurisdiction over Canada Post delivery timelines.

Councillor Mark McKenzie asks Administration if they can confirm if parking is accessed to these properties through the alley. Greg Atkinson, Deputy City Planner – Development appears before the Development & Heritage Standing Committee regarding the administrative report dated May 15, 2026, entitled "Part Closure of North/South Alley Located Between Highland Avenue and Howard Avenue, South of Shepherd Street East, SAA-7270 – Ward 3" and responds that staff review whether a parking space or garage is being accessed from the alley. There is currently no parking or garage access. It was used at one time for access and property owners may want to use it again.

Councillor Mark McKenzie asks Administration if waste collection is at the street or in the alley at this location. Laura Diotte responds that Environmental Services has indicated that this application does not affect their services.

Moved by: Councillor Fred Francis

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Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 830**

- I. THAT a 27.43 metre length of the 3.66 metre-wide north/south alley, located east of Highland Avenue, south of Shepherd Street East and west of Howard Avenue, and shown on Drawing No. CC-1868 (attached hereto as Appendix "A"), and hereinafter referred to as the "Subject Alley", **BE ASSUMED** for subsequent closure;
- II. THAT the Subject Alley **BE CLOSED AND CONVEYED** in as is condition in two equal halves along the centre to the abutting property owners as necessary, in a manner deemed appropriate by the City Solicitor, 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. Cogeco Connexion Inc. to accommodate existing aerial infrastructure;
 - ii. ENWIN Utilities Ltd. to accommodate existing 120/240V secondary distributions pole and lines;
 - iii. Managed Network System Inc. (MNSi.) to accommodate existing aerial infrastructure.
 - b. Ontario Land Surveyor be directed to use existing encroachments for determining the boundaries of the lands to be conveyed to each abutting property owner.
- III. THAT Conveyance Cost **BE SET** as follows in accordance with CR106/2003, as amended by CR427/2003 & CR182/2005:
 - a. For alley conveyed to abutting lands zoned MD1.2, \$12.00 per square foot without easements plus HST, deed preparation fees and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor, and \$6.00 per square foot with easements plus HST, deed preparation fees and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. THAT the City Solicitor **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1868.
- V. THAT the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT the Chief Administrative Officer and City Clerk **EXECUTE** all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003 Carried.
Councillor Mark McKenzie voting nay.

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Report Number: S 52/2026

Clerk's File: SAA2026

11.1. Economic Revitalization CIP 2862 Kew Dr - Biwell Holdings Inc. - Ward 8

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 826**

- I. THAT the request made by BiWell Holdings Inc. (owner William Wu) to participate in the Small Business Investment Grant Program **BE APPROVED** for the property located at 2862 Kew Drive for the lesser of 100% of the municipal tax increment for a period of five (5) years or the eligible costs pursuant to the City of Windsor Economic Revitalization Community Improvement Plan; and,
- II. THAT Administration **BE DIRECTED** to prepare an agreement between BiWell Holdings Inc. and the City in accordance with all applicable policies, requirements, and provisions contained within the Economic Revitalization Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implications; and,
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the agreement to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implications; and,
- IV. THAT the approval to participate in the Small Business Investment Grant program **BE RESCINDED** if the applicant has not completed the eligible work and fulfilled the completeness and payment requirements (refer to Appendix D: Grant Completeness and Payment) within five (5) years of the City Council approval date to the satisfaction of City Planner. The City Planner may extend the deadline one (1) year only if requested by the applicant.

Carried.

Report Number: S 38/2026

Clerk's File: SPL/10759

11.3. Economic Revitalization CIP - 9455 Anchor Dr -Ward 9

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 828**

- I. THAT the request made by 2823351 Ontario Ltd Inc. (owner Mike Hamelin) to participate in the Small Business Investment Grant Program **BE APPROVED** for the property located at 9455 Anchor Drive for the lesser of 100% of the municipal tax increment for a period of five (5) years or total the eligible costs pursuant to the City of Windsor

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Economic Revitalization Community Improvement Plan; and,

- II. THAT Administration **BE DIRECTED** to prepare an agreement between 2823351 Ontario Ltd Inc. and the City in accordance with all applicable policies, requirements, and provisions contained within the Economic Revitalization Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implications; and,
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the agreement to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implications; and,
- IV. THAT the approval to participate in the Small Business Investment Grant program **BE RESCINDED** if the applicant has not completed the eligible work and fulfilled the completeness and payment requirements (refer to Appendix D: Grant Completeness and Payment) within five (5) years of the City Council approval date to the satisfaction of City Planner. The City Planner may extend the deadline one (1) year only if requested by the applicant.

Carried.

Report Number: S 41/2026

Clerk's File: SPL/10759

11.4. Memorandum of Understanding Between the Electrical Safety Authority and the City of Windsor - City Wide

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 829**

THAT Council **AUTHORIZE** the City to enter into a Memorandum of Understanding with the Electrical Safety Authority satisfactory in form to the City Solicitor as to legal content, and satisfactory in form to the Chief Building Official as to technical content; and,

THAT Council **AUTHORIZE** the City Clerk and Chief Administrative Officer to sign the Memorandum of Understanding on behalf of the City.

Carried.

Report Number: C 58/2026

Clerk's File: SB2026

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Matters) portion is adjourned at 5:10 o'clock p.m.

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The Chairperson calls the *Planning Act* Matters of the Development & Heritage Standing Committee meeting to order at 5:11 o'clock p.m.

5. ADOPTION OF THE *PLANNING ACT* MINUTES

5.1. Adoption of the Development & Heritage Standing Committee (*Planning Act*) minutes of its meeting held May 04, 2026

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Fred Francis

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee of its meeting held May 04, 2026 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 160/2026

6. PRESENTATION DELEGATIONS (*PLANNING ACT* MATTERS)

7. *PLANNING ACT* MATTERS

7.1. Zoning By-law Amendment Application for 1044 & 1054 Howard Avenue, Z-006/26 [ZNG-7364], Ward 4

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 821**

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

28. **EAST SIDE OF HOWARD AVENUE BETWEEN ERIE STREET EAST AND GILES BOULEVARD EAST**

For the lands comprising Lots 6 & 7 and Part of Lot 8, Plan 131 (PIN 01165-0522 LT), one *Multiple Dwelling* with a *maximum* of 6 *dwelling units* shall be an additional permitted *main use*, and the following additional provisions shall apply:

- a) Notwithstanding Section 3.10, for the purpose of this zoning exception, the *ground cover* definition shall not include decorative or ornamental block, brick, edging, paver, pebble, slab, or stone for the purpose of complying with Clause f) 1. below.
- b) Notwithstanding Section 25.5.10.3, a poured-in-place concrete curb shall not be required to bound the south and west limits of a *parking area*.

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- c) Notwithstanding Section 25.5.10.5, precast concrete curbing that is not continuous shall be permitted along the west limit of a *parking area*.
- d) Notwithstanding Section .3 of Table 25.5.20.1, the *minimum* separation for a *parking area* from the north *interior lot line* shall be 2.00 m.
- e) Notwithstanding Section .3 of Table 25.5.20.1, the *minimum* separation for a *parking area* from the south *interior lot line* shall be 0.00 m.
- f) *Landscaped Area: minimum: 35.0% of the lot area*
 - 1. *Minimum 20.0% of the lot area shall consist of soft landscaping.*

[ZDM 7; ZNG/7364]

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lots 6 & 7 and Part of Lot 8, Plan 131 (PIN 01165-0522 LT), situated on the east side of Howard Avenue between Erie Street East and Giles Boulevard East from RD2.2 to RD2.2x(28).

Carried.

Report Number: S 46/2026

Clerk's File: Z/15144

7.2. Zoning By-Law Amendment - Z 007-26 (ZNG-7366) 687 Bridge Avenue - Ward 2

Moved by: Councillor Fred Francis

Seconded by: Member Anthony Arbour

Decision Number: **DHSC 822**

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

27. **WEST SIDE OF BRIDGE AVENUE, BETWEEN WYANDOTTE STREET WEST AND ROONEY STREET**

For the lands comprising of Lot 245, North Part Lot 244 and Part closed alley, Registered Plan 369, a *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 13.1 m*
- b) *Lot Area: minimum 425.0 m²*
- c) *Lot Coverage: maximum 47%*
- d) *Front Yard Depth: maximum 6.8 m*
- e) *Gross Floor Area: maximum 425 m²*

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f) *Section 5.65.1.1* shall not apply.

[ZDM 3; ZNG/7366]

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lot 245, North Part Lot 244 and Part closed alley, Registered Plan 369, known municipally as 687 Bridge Avenue (Roll No. 050-280-11300), situated on the west side of Bridge Avenue between Wyandotte Street West and Rooney Street from RD1.3 to RD1.3x(27); and,
- III. THAT Administration **BE DIRECTED** to provide information regarding legislative challenges that exist and outlines what the City is doing to resolve issues related to parking, including steps towards resolving those issues such as public consultation and zoning changes, for City Council's consideration.

Carried.

Report Number: S 33/2026
Clerk's File: Z/15145

7.3. Zoning By-Law Amendment Z 008-26 (ZNG-7368) 825 Cabana Rd East - Ward 9

Moved by: Councillor Fred Francis
Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 823**

- I. THAT the application of 1000593576 Ontario Inc. to amend Zoning Bylaw 8600 by adding a zoning exception to allow for the creation of a lot with a reduced minimum lot width, lot area, and rear yard depth as well as increased hard surface area within a front yard at 825 Cabana Road East to facilitate the construction of a new Single Unit Dwelling **BE DENIED** due to not being in full conformity with the policy direction of the City of Windsor Official Plan.

Carried.

Report Number: S 34/2026
Clerk's File: Z/15146

7.4. OPA & Rezoning – 3771, 3783, 3793 Howard Avenue – OPA/7343 OPA 198 ZNG/7342 Z-034/25 – Ward 9

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

Decision Number: **DHSC 824**

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1. THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating S PT Lot 24, Lots 25 & 26, Plan 1431 (PIN 01299-0330, 01299-0025, 01299-0026) known municipally as 3771, 3783, 3793 Howard Avenue (Roll No. 080-033-01800, 080-033-01900, 080-033-02000), situated on the west side of Howard Avenue between Holburn Street and Sandison Street, as a Special Policy Area.
2. THAT Chapter 1 in Volume II: Secondary Plans and Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a new Special Policy Area as below, and that 'X' be replaced with the next available Special Policy Area number:

1.X 3771, 3783, 3793 HOWARD AVENUE

LOCATION 1.X.1 The property described as Plan 1431, S PT Lot 24, Lots 25 & 26, Plan 431 (PIN 01299-0330, 01299-0025, 01299-0026), situated on the west side of Howard Avenue between Holburn Street and Sandison Street, is designated on Schedule A: Planning Districts and Policy Areas in Volume I: The Primary Plan.

ADDITIONAL PERMITTED MAIN USES 1.X.2 Notwithstanding the Mixed Use Corridor designation of these lands on Schedule D: Land Use in Volume I: The Primary Plan, Low Profile residential uses consisting of Stacked Dwelling and Townhome Dwelling shall be additional permitted main uses.

3. THAT Zoning By-law 8600 **BE AMENDED** by adding a zoning exception to Section 91.10 as follows:

23. WEST SIDE OF HOWARD AVENUE BETWEEN HOLBURN STREET AND SANDISON STREET

For the lands consisting of S PT Lot 24, Lots 25 & 26, Plan 1431 (PIN 01299-0330, 01299-0025, 01299-0026), the following additional provisions shall apply:

- a) Additional permitted *Main Uses*:

Stacked Dwelling

Townhome Dwelling

- b) *Landscaped Area: minimum: 33% of lot area*
- c) Notwithstanding clauses .5 and .6 in Table 25.5.20.1, the *minimum parking area* separation from a *building* wall shall be 2.0 m
- d) For a *Multiple Dwelling* or *Residential Care Facility*, the following additional provisions shall apply:
 1. *Building Height: Main Building: maximum: 20.0 m*
 2. *Building Setback*:
 - a) From a *rear lot line: minimum: 67.0 m*
 - b) From a *side lot line: minimum: 5.70 m*

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e) For any other *dwelling*, the following additional provisions shall apply:

1. *Building Setback*: from any *lot line*: *minimum*: 6.0 m

(ZDM 9; ZNG/7342)

4. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of S PT Lot 24, Lots 25 & 26, Plan 1431 (PIN 01299-0330, 01299-0025, 01299-0026) known municipally as 3771, 3783, 3793 Howard Avenue (Roll No. 080-033-01800, 080-033-01900, 080-033-02000), situated on the west side of Howard Avenue between Holburn Street and Sandison Street, from RD1.1 and HRD1.1 to RD3.2x(23).

5. THAT, when Site Plan Control is applicable:

The following additional materials **BE SUBMITTED** with an application for site plan approval:

- a) A Stage 1 Archaeological Assessment and any further recommended assessments are required to be entered into the Ontario Public Register of Archaeological Reports to the satisfaction of the City of Windsor and the Ontario Ministry of Citizenship and Multiculturalism, prior to any additional land disturbances. A final copy of these archaeological reports and the GIS study area must be submitted to the City of Windsor.
- b) Any other documents, materials, or studies identified in Appendix C to Report S 30/2026, to the satisfaction of the municipal department or external agency requesting them.

The Site Plan Approval Officer **BE DIRECTED** to incorporate any requirements identified in Appendix C to Report S 30/2026, to the satisfaction of the municipal department or external agency requiring them, into an approved site plan and an executed and registered site plan agreement.

The Site Plan Approval Officer **CONSIDER** any recommendations identified in Appendix C to Report S 30/2026, to the satisfaction of the municipal department or external agency recommending them, in an approved site plan and an executed and registered site plan agreement.

Carried.

Councillor Fred Francis voting nay.

Report Number: S 30/2026
Clerk's File: Z/15068 & Z/15125

7.4. OPA & Rezoning – 3771, 3783, 3793 Howard Avenue – OPA/7343 OPA 198 ZNG/7342 Z-034/25 – Ward 9 – Additional Information Request

Moved by: Councillor Mark McKenzie

Seconded by: Member Anthony Arbour

Decision Number: **DHSC 831**

THAT Administration **BE DIRECTED** to report back to a future meeting of City Council outlining plans and high-level costs regarding infrastructure capacity concerns within the Howard Avenue corridor for Council's consideration.

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Carried.

Report Number: S 30/2026
Clerk's File: Z/15068 & Z/15125

7.5. OPA & Rezoning – 455 Kennedy Drive West – OPA 201 OPA/736 Z-005/26 ZNG/7361 – Ward 1

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

THAT the report of the Senior Planner dated April 7, 2026, entitled “OPA & Rezoning – 455 Kennedy Drive West – OPA 201 OPA/736 Z-005/26 ZNG/7361 – Ward 1” BE DENIED.

The motion is **put** and is **lost**.

Nay votes: Councillors Mark McKenzie, Jim Morrison and Member Anthony Arbour

Moved by: Councillor Mark McKenzie

Seconded by: Member Anthony Arbour

Decision Number: **DHSC 825**

- I. THAT Schedule “D” of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by changing the land use designation of Part of Block E, Plan 1241, further identified as Part of Part 1, Plan 12R-30034 (Part of PIN 01289-2151), known municipally as 455 Kennedy Drive West, (Roll No. 080-090-03200), and situated on the south side of Kennedy Drive West at McGregor Boulevard from “Open Space” to “Residential”.
- II. THAT Zoning By-law 8600 **BE AMENDED** by adding a zoning exception to Section 91.10 as follows:

26. **SOUTH SIDE OF KENNEDY DRIVE WEST AT MCGREGOR BOULEVARD**

For the lands consisting of Part of Block E, Plan 1241, further identified as Part of Part 1, Plan 12R-30034 (Part of PIN 01289-2151), the following additional provisions shall apply:

- a) *Building Height: Main Building: maximum: 17 m*
- b) *Building Setback:*
 1. *From a front lot line: minimum 12.0 m*
 2. *From any other lot line: minimum 1.50 m*
 3. *The building setback shall not apply to a parking garage located entirely below grade, including an access ramp and a staircase or emergency exit from the parking garage.*

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- c) *Landscaped Area: minimum: 33% of lot area*
- d) Sections 24.26.5 and 24.26.8 shall not apply.
- e) Notwithstanding Section 25.5.20.1.2, the *minimum* separation of a *parking area* from a *street* shall be 0.7 m.
- f) An ornamental screening fence having a height of 1.20 m shall span the length of the *parking area* such that any *parking spaces* located in the *front yard* are partially screened from Kennedy Drive.
- g) Notwithstanding Section 25.5.20.1.3, the *minimum* separation of a *parking area*, *access area*, *collector aisle*, or driveway from an *interior lot line* shall be 0.0 m.
- h) Notwithstanding Section 25.5.20.1.6, the *minimum* separation of a *parking area* from a *building wall* shall be 1.80 m. For that part of the *parking area* being used as a drop-off area, the *minimum* separation between the *building wall* and the drop-off area shall be 0.0 m.

(ZDM 9; ZNG/7361)

III. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Part of Block E, Plan 1241, further identified as Part of Part 1, Plan 12R-30034 (Part of PIN 01289-2151), known municipally as 455 Kennedy Drive West, (Roll No. 080-090-03200), and situated on the south side of Kennedy Drive West at McGregor Boulevard from GD1.2 to RD3.2x(26).

IV. THAT, when Site Plan Control is applicable:

At the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer, the following additional materials **BE SUBMITTED** with an application for site plan approval:

- c) A Stage 1 Archaeological Assessment and any further recommended assessments are required to be entered into the Ontario Public Register of Archaeological Reports to the satisfaction of the City of Windsor and the Ontario Ministry of Citizenship and Multiculturalism, prior to any additional land disturbances. A final copy of the archaeological reports and the GIS study area must be submitted to the City of Windsor.
 - d) Any documents, materials, or studies identified in Appendix A to Report S 31/2026, all updated to be consistent with the site plan for which approval is being sought, to the satisfaction of the municipal department or external agency requiring their submission.
- V. The Site Plan Approval Officer **BE DIRECTED** to incorporate, subject to any updates or revisions, any requirements identified in Appendix A to Report S 31/2026 and any documents submitted with a Site Plan Control application into an approved site plan and an executed and registered site plan agreement, to the satisfaction of the department or agency requesting them.
- VI. The Site Plan Approval Officer **CONSIDER** any recommendations identified in Appendix A to Report S 31/2026 and in the documents submitted in support of the applications for amendments to the Official Plan and Zoning By-law 8600 in an approved site plan and an executed and registered site plan agreement, to the satisfaction of the department or agency recommending them.

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Carried.

Councillors Fred Francis and Angelo Marignani voting nay.

Report Number: S 31/2026
Clerk's File: Z/15159&Z/15160

12. COMMITTEE MATTERS

None presented.

13. QUESTION PERIOD

None registered.

14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (*The Planning Act*) is adjourned at 6:52 o'clock p.m. The next meeting of the Development & Heritage Standing Committee will be held on July 6, 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, June 1, 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 10 - Councillor Jim Morrison (Chairperson)

Councillor Regrets

Ward 9 - Councillor Kieran McKenzie

Members

Member Anthony Arbour

Member Charles Pidgeon

Member William Tape

Member Regrets

Member Joseph Fratangeli

Member John Miller

Member Robert Polewski

Member Khassan Saka

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

Sandra Gebauer, Council Assistant

**ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM
ADMINISTRATION:**

Jelena Payne, Deputy Chief Administrative Officer / Commissioner, Economic Development

Neil Robertson, City Planner

Greg Atkinson, Deputy City Planner – Development

Stacey McGuire, Executive Director Operations / Deputy City Engineer

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Colleen Middaugh, Deputy City Engineer / Executive Director Engineering
Aaron Farough, Senior Legal Counsel
Matthew Johnson, Executive Director, Economic Development
Ian Day, Senior Manager, Transportation
David Deluzio, General Manager, Roseland Golf Club
Patrick Winters, Manager, Development
Matt Paya, Manager, Road Safety
Denise Wright, Manager Real Estate Services
Laura Diotte, Manager, Planning
Joe Baker, Manager, Land Development and Growth
Elara Mehrilou, Supervisor, Coordinator Maintenance
Adam Szymczak, Planner III - Development
Averil Parent, Planner II - Development Review
Simona Simion, Planner III – Economic Development
Tracy Tang, Planner III – Heritage
Josie Liburdi, Project Coordinator
Sonia Bajaj, Project Administrator
Aashvi Sarvaiya, Development Review Technician
Natasha McMullin, Clerk Steno Senior
Anna Ciacelli, Deputy City Clerk

Delegations—participating via video conference

Item 7.1, 7.2 Tracey Pillon-Abbs, Principal Planner, Pillon Abbs Inc
Item 7.3 Mohammad Alhammoud, Applicant

Delegations—participating in person

Item 7.2 John Bondy, Area Resident
Item 7.2 Aman Khan Burki, Area Resident
Item 7.3 Joey Wright, Area Resident
Item 7.4, 7.5 Karl Tanner, Dillon Consulting Limited
Item 7.4 David Mady, Agent for the applicant, Vice President of Real Estate Development, Fortis Construction Group Inc
Item 7.4 Josh Burns, Agent for the applicant, Development Manager, Fortis Construction Group Inc.
Item 7.4 Joelle Saad, Area Resident
Item 7.5 Karl Tanner, Dillon Consulting Limited
Item 7.5 Peter Valente, President, Valente Development Corporation
Item 7.5 Daniel Soleski, Design Principal, Architectura
Item 7.5 Albert Schepers Area Resident
Item 7.5 James Demers, Area Resident
Item 11.2 Denise Qaqish, Abutting Property Owner
Item 11.2 Pauline Leblanc, Abutting Property Owner
Item 11.5 John Miceli, Property Owner

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1. CALL TO ORDER

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:32 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 May 04, 2026

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Fred Francis

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee of its meeting held May 04, 2026 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 160/2026

7. *PLANNING ACT* MATTERS

7.1. Zoning By-law Amendment Application for 1044 & 1054 Howard Avenue, Z-006/26 [ZNG-7364], Ward 4

Greg Atkinson, Deputy City Planner – Development, is available for questions.

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

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

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Decision Number: **DHSC 821**

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

28. EAST SIDE OF HOWARD AVENUE BETWEEN ERIE STREET EAST AND GILES BOULEVARD EAST

For the lands comprising Lots 6 & 7 and Part of Lot 8, Plan 131 (PIN 01165-0522 LT), one *Multiple Dwelling* with a *maximum* of 6 *dwelling units* shall be an additional permitted *main use*, and the following additional provisions shall apply:

- a) Notwithstanding Section 3.10, for the purpose of this zoning exception, the *ground cover* definition shall not include decorative or ornamental block, brick, edging, paver, pebble, slab, or stone for the purpose of complying with Clause f) 1. below.
- b) Notwithstanding Section 25.5.10.3, a poured-in-place concrete curb shall not be required to bound the south and west limits of a *parking area*.
- c) Notwithstanding Section 25.5.10.5, precast concrete curbing that is not continuous shall be permitted along the west limit of a *parking area*.
- d) Notwithstanding Section .3 of Table 25.5.20.1, the *minimum* separation for a *parking area* from the north *interior lot line* shall be 2.00 m.
- e) Notwithstanding Section .3 of Table 25.5.20.1, the *minimum* separation for a *parking area* from the south *interior lot line* shall be 0.00 m.
- f) *Landscaped Area: minimum: 35.0% of the lot area*
 1. *Minimum 20.0% of the lot area shall consist of soft landscaping.*

[ZDM 7; ZNG/7364]

II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lots 6 & 7 and Part of Lot 8, Plan 131 (PIN 01165-0522 LT), situated on the east side of Howard Avenue between Erie Street East and Giles Boulevard East from RD2.2 to RD2.2x(28).

Carried.

Report Number: S 46/2026

Clerk's File: Z/15144

7.2. Zoning By-Law Amendment - Z 007-26 (ZNG-7366) 687 Bridge Avenue - Ward 2

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

Tracey Pillon-Abbs (agent) states that the applicant supports staff recommendations with revised site-specific requirements and is available for questions.

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John Bondy (area resident) states that several buildings have been constructed in the neighbourhood and causes concern for lack of parking for residents and visitors, dust, noise, debris in sewers, and damage to properties in the neighbourhood.

Councillor Marignani inquires about the one-to-one ration of parking to units and whether there is a possibility of increasing parking onsite. Ms. Parent states that as per the zoning by-law, the proposed development complies with parking.

Mr. Bondy states that neighbours are wanting more parking in front, but it is not allowed by the City. Ms. Parent states that there is a provision to limit the percentage of pavement in the front yard and balance the amount of parking spaces. Ms. Parent states that this development is limited in space for parking.

Chair Morrison inquires whether there is parking on one side or both sides of the road. Stacey McGuire states that there is only parking on one side.

Councillor Marignani inquires about the parking at the adjacent house and whether it's possible for permeable driveways to increase parking surface and mitigate flood management. Patrick Winters states that they are able to choose a permeable material but there is no way to enforce the type of pavement and currently, there is nothing in our standards that require them to do so.

Councillor Marignani inquiries if permeable materials were used for the driveway could parking be increased. Ms. Parent states that four vehicles would cause issues with Engineering's driveway standards and would cause one hundred percent hard surface and would not align with the character of the neighbourhood.

Councillor Fred Francis inquires about how to address parking issues and recommendations to alleviate parking concerns in the neighbourhood. Neil Robertson states that limiting zoning for single semi-detached dwellings where you can increase unit numbers to six and parking provision only requires two parking spaces. Mr. Robertson states that with larger developments you are able to address the number of parking spaces.

Councillor Francis inquires if a memorandum can be provided alongside the staff recommendations to explain the challenges and resolutions to resolve this issue. Mr. Robertson states the department can provide information.

Chair Morrison inquires if the street is suitable for implementing parking permits. Mr. Bondy states that permit parking were used in the past.

Chair Morrison inquires what the parking percentage is and whether two cars can fit in the driveway. Ms. Parent states that the provision is no more than 50% paving and would only be able to hold one car.

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Councillor Marignani inquires whether subterranean parking would be an option for the development. Mr. Robertson states that the development complies with parking requirements and would be very costly for the developer to increase parking.

Moved by: Councillor Fred Francis
Seconded by: Member Anthony Arbour

Decision Number: **DHSC 822**

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

27. **WEST SIDE OF BRIDGE AVENUE, BETWEEN WYANDOTTE STREET WEST AND ROONEY STREET**

For the lands comprising of Lot 245, North Part Lot 244 and Part closed alley, Registered Plan 369, a *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 13.1 m*
- b) *Lot Area: minimum 425.0 m²*
- c) *Lot Coverage: maximum 47%*
- d) *Front Yard Depth: maximum 6.8 m*
- e) *Gross Floor Area: maximum 425 m²*
- f) *Section 5.65.1.1 shall not apply.*

[ZDM 3; ZNG/7366]

II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lot 245, North Part Lot 244 and Part closed alley, Registered Plan 369, known municipally as 687 Bridge Avenue (Roll No. 050-280-11300), situated on the west side of Bridge Avenue between Wyandotte Street West and Rooney Street from RD1.3 to RD1.3x(27); and,

III. THAT Administration **BE DIRECTED** to provide information regarding legislative challenges that exist and outlines what the City is doing to resolve issues related to parking, including steps towards resolving those issues such as public consultation and zoning changes, for City Council's consideration.

Carried.

Report Number: S 33/2026
Clerk's File: Z/15145

7.3. Zoning By-Law Amendment Z 008-26 (ZNG-7368) 825 Cabana Rd East - Ward 9

Averil Parent (author), Planner II - Development Review, is available for questions.

Mohammad Alhammoud (applicant) is available for questions.

Councillor Francis clarifies that the recommendation is to deny the application. Ms. Parent agrees.

Joey Wright (area resident) states concern that this development is not a minor amendment, the application is contrary to the concept site plan indicating a triplex multi-residential building not an additional dwelling unit being introduced into a single-family home neighbourhood. Mr. Wright states the application misrepresents its true density. Mr. Wright continues to state concern that the requested relief for the proposed five variances are not minor in nature, and this development sets precedence and that the established zoning by-law is optional. Mr. Wright states concerns for change of character for the neighbourhood to multi-residential rental properties, additionally causing strain on waste collection, stormwater drainage, street parking, and emergency access. Mr. Wright states concerns of lack of privacy.

Chair Morrison inquires if there is another concept plan to put two other additional dwelling units on the property. Ms. Parent states that Administration is not opposed to redeveloping the site, rather they are opposed to severing the lot into a smaller parcel. The applicant may propose another concept that would comply with the Official Plan and it may be supported.

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 823**

- I. THAT the application of 1000593576 Ontario Inc. to amend Zoning Bylaw 8600 by adding a zoning exception to allow for the creation of a lot with a reduced minimum lot width, lot area, and rear yard depth as well as increased hard surface area within a front yard at 825 Cabana Road East to facilitate the construction of a new Single Unit Dwelling **BE DENIED** due to not being in full conformity with the policy direction of the City of Windsor Official Plan.

Carried.

Report Number: S 34/2026

Clerk's File: Z/15146

7.4. OPA & Rezoning – 3771, 3783, 3793 Howard Avenue – OPA/7343 OPA 198 ZNG/7342 Z-034/25 – Ward 9

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

Karl Tanner (agent) states that he is in support of Administration recommendations and available for questions.

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David Mady (agent) and Josh Burns (agent) is available for questions.

Joelle Saad (area resident) states that Council has a responsibility to ensure that growth is sustainable and does not cause any undue pressure on existing municipal services. Ms. Saad states concerns of increased vehicular and pedestrian traffic, reduction of privacy with the development having direct site lines into properties due to the height of the building, sanitary sewer capacity, risk of sewer surcharging, flooding, causing increased capital costs, and the completion of an environmental assessment.

Councillor Marignani inquires about the fencing for the development. Mr. Tanner states that fencing and landscaping will be dealt with at the Site Plan Control and if there are additional recommendations inform us so it can be added to the plan.

Councillor Marignani inquires whether building height limit can be limited. Mr. Szymczak states that the Committee can recommend a different height limit and a screening fence adjacent to the parking lot is a requirement of the zoning by-law.

Councillor Marignani inquires if the height can be adjusted after approval. Mr. Szymczak states that if the Committee recommends approval, the the proposed height is also being recommended for approval.

Councillor Fred Francis inquires whether this development brings the sewers to its maximum capacity. Mr. Winters states that this development along with prior approved developments will leave the sewers at 90% capacity,.

Councillor Francis inquires when will updates to the infrastructure capacity for the Howard Corridor be slated to meet area development needs. Colleen Middaugh states some funding within the Capital Budget can be committed towards a 400-metre section of the sanitary sewer and advance the design and construction ahead of the remainder of the corridor, all subject to Council approval.

Councillor Francis inquires why this would not be part of the recommendation to mitigate flooding. Mr. Winters states that current capacity will accommodate all approved developments. Mr. Winters states that the issue with capacity is limited to a minor segment of sanitary within the corridor.

Councillor Francis inquires if only the 400 m segment of Howard Avenue can be completed separately or if the whole corridor must be upgraded.. Mr. Winters states the this section of sanitary can be upgraded prior to any upgrades to the entire corridor. Ms. Middaugh discusses the timeline and cost of the project and states that there is enough budget dollars to pre-commit for designing the project.

Chair Morrison inquires about the plan and timeline for implementing the development. Mr. Tanner states that should the application move forward, Site Plan Control approval will likely take until the end of the year with construction starting early next year. Mr. Tanner states that the overall construction to completion would take three to four years.

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Ms. Saad inquires about the orientation of the development. Mr. Tanner states that the two buildings will be perpendicular to Howard Avenue.

Councillor Francis states that he cannot support this based on his concerns for infrastructure development and sewer capacity.

Councillor Mark McKenzie inquires if Administration can draft a separate report for plans and high-level costs to address capacity concerns.

Chair Morrison states that he supports the development knowing that the sewer segment of Howard Avenue can be upgraded to support capacity within the section of the corridor.

Moved by: Member Anthony Arbour

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 824**

1. THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating S PT Lot 24, Lots 25 & 26, Plan 1431 (PIN 01299-0330, 01299-0025, 01299-0026) known municipally as 3771, 3783, 3793 Howard Avenue (Roll No. 080-033-01800, 080-033-01900, 080-033-02000), situated on the west side of Howard Avenue between Holburn Street and Sandison Street, as a Special Policy Area.
2. THAT Chapter 1 in Volume II: Secondary Plans and Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a new Special Policy Area as below, and that 'X' be replaced with the next available Special Policy Area number:

1.X 3771, 3783, 3793 HOWARD AVENUE

LOCATION 1.X.1 The property described as Plan 1431, S PT Lot 24, Lots 25 & 26, Plan 431 (PIN 01299-0330, 01299-0025, 01299-0026), situated on the west side of Howard Avenue between Holburn Street and Sandison Street, is designated on Schedule A: Planning Districts and Policy Areas in Volume I: The Primary Plan.

ADDITIONAL PERMITTED MAIN USES 1.X.2 Notwithstanding the Mixed Use Corridor designation of these lands on Schedule D: Land Use in Volume I: The Primary Plan, Low Profile residential uses consisting of Stacked Dwelling and Townhome Dwelling shall be additional permitted main uses.

3. THAT Zoning By-law 8600 **BE AMENDED** by adding a zoning exception to Section 91.10 as follows:

23. WEST SIDE OF HOWARD AVENUE BETWEEN HOLBURN STREET AND SANDISON STREET

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For the lands consisting of S PT Lot 24, Lots 25 & 26, Plan 1431 (PIN 01299-0330, 01299-0025, 01299-0026), the following additional provisions shall apply:

a) Additional permitted *Main Uses*:

Stacked Dwelling

Townhome Dwelling

b) *Landscaped Area: minimum: 33% of lot area*

c) Notwithstanding clauses .5 and .6 in Table 25.5.20.1, the *minimum parking area* separation from a *building wall* shall be 2.0 m

d) For a *Multiple Dwelling* or *Residential Care Facility*, the following additional provisions shall apply:

1. *Building Height: Main Building: maximum: 20.0 m*

2. *Building Setback:*

a) *From a rear lot line: minimum: 67.0 m*

b) *From a side lot line: minimum: 5.70 m*

e) For any other *dwelling*, the following additional provisions shall apply:

1. *Building Setback: from any lot line: minimum: 6.0 m*

(ZDM 9; ZNG/7342)

4. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of S PT Lot 24, Lots 25 & 26, Plan 1431 (PIN 01299-0330, 01299-0025, 01299-0026) known municipally as 3771, 3783, 3793 Howard Avenue (Roll No. 080-033-01800, 080-033-01900, 080-033-02000), situated on the west side of Howard Avenue between Holburn Street and Sandison Street, from RD1.1 and HRD1.1 to RD3.2x(23).

5. THAT, when Site Plan Control is applicable:

The following additional materials **BE SUBMITTED** with an application for site plan approval:

a) A Stage 1 Archaeological Assessment and any further recommended assessments are required to be entered into the Ontario Public Register of Archaeological Reports to the satisfaction of the City of Windsor and the Ontario Ministry of Citizenship and Multiculturalism, prior to any additional land disturbances. A final copy of these archaeological reports and the GIS study area must be submitted to the City of Windsor.

b) Any other documents, materials, or studies identified in Appendix C to Report S 30/2026, to the satisfaction of the municipal department or external agency requesting them.

The Site Plan Approval Officer **BE DIRECTED** to incorporate any requirements identified in Appendix C to Report S 30/2026, to the satisfaction of the municipal department or external agency requiring them, into an approved site plan and an executed and registered site plan agreement.

The Site Plan Approval Officer **CONSIDER** any recommendations identified in Appendix C to Report S 30/2026, to the satisfaction of the municipal department or external agency

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recommending them, in an approved site plan and an executed and registered site plan agreement.

Carried.

Councillor Fred Francis voting nay.

Report Number: S 30/2026

Clerk's File: Z/15068 & Z/15125

7.4. OPA & Rezoning – 3771, 3783, 3793 Howard Avenue – OPA/7343 OPA 198 ZNG/7342 Z-034/25 – Ward 9 – Additional Information Request

Moved by: Councillor Mark McKenzie

Seconded by: Member Anthony Arbour

Decision Number: **DHSC 831**

THAT Administration **BE DIRECTED** to report back to a future meeting of City Council outlining plans and high-level costs regarding infrastructure capacity concerns within the Howard Avenue corridor for Council's consideration.

Carried.

Report Number: S 30/2026

Clerk's File: Z/15068 & Z/15125

7.5. OPA & Rezoning – 455 Kennedy Drive West – OPA 201 OPA/736 Z-005/26 ZNG/7361 – Ward 1

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

Karl Tanner (agent), Peter Valente (developer) and Daniel Soleski (architect) is available for questions.

Albert Schepers (area resident) states concerns of lack of transparency for details on the property, prior public consultations and ward meeting have been ignored, inadequate storm water storage per the county storm water management requirements, lack of neighbourhood outdoor amenity space, several zoning concessions for the development that will set a precedence for other projects. Mr. Schepers states additional concerns of the sale of the property not matching market value, how will development related costs be recovered to taxpayers, how will this development contribute to the cost of infrastructure to support it. Mr. Schepers states concerns for setting precedence for future developments, inappropriate tax use for future private and public development, and were other sites such as Little River Golf Course considered prior to this one.

James Demers (area resident) states concerns of the loss of a community centre for curling, tax dollars spent taking down a community centre that could have been repurposed for other activities, affect sewers, decreased greenspace to absorb water runoff, increased traffic and traffic light timing.

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Councillor Francis inquires about the process of rezoning and why the Committee is being asked to support this development, when pre-emptive announcements have already been made about the project. Mr. Robertson states that the rezoning is a Planning Act requirement.

Councillor Francis quotes the comment provided by ERCA regarding excess run-off and conditions and inquires should ERCA not approve, will the development not move forward. Mr. Robertson states that the ERCA permit is a condition of Planning Act approval.

Councillor Francis inquires if the subject land has already been sold. Jelena Payne defers the question to Joe Baker. Mr. Baker states that land price is included in a Development Agreement with the developer that has conditions that must be met before closing. Rezoning is one of the conditions to be met to finalize the sale of the property.

Councillor Francis inquires if the ERCA requirements are part of the Development Agreement. Mr. Baker states that it is not and is part of the Site Plan Control process.

Councillor Francis inquires if rezoning is the last requirement to complete to close the sale. Mr. Farough states that he is not aware of the nature of the agreement and that it would need to be reviewed and if there are any confidentiality provisions. Mr. Farough states that the City still owns the lands.

Councillor Francis inquires about the appraisal of the subject land. Mr. Baker states that a commercial real estate services company was hired to provide advice regarding the value of the land; however, the City did not use the results provided as the comparable properties differed from the subject land (e.g. none included underground parking). Ms. Payne confirms that, at the direction of Council and as part of the broader Expression of Interest for the Housing Solutions Made for Windsor process, an appraiser was not retained.

Councillor Francis inquires if we followed the City of Windsor policy as to the sale of this land. Ms. Payne states that Legal Counsel has advised there is a policy and Council sets and amends policies as necessary.

Councillor Francis inquires about ERCA flooding concerns and whether Administration believes that there is an increased risk of flooding or negative affects on the London Drain. Mr. Winters states that comments submitted by ERCA are standard with no objection to the rezoning with appropriate approval will need to be completed such as ERCA permits and clearance and covered under Site Plan Control.

Councillor Francis inquires if this development would cause no concern for flooding in the area. Mr. Winters states that Storm Water Management approval and compliance with the City of Windsor standards will be required. Mr. Winters states that the applicant must meet all standards and approvals needed to proceed with development, and the Engineering Department would approve the development.

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Councillor Francis inquires about the height of the building and whether this exceeds four storeys. Mr. Szymczak states that the building height cannot exceed seventeen metres.

Councillor Francis inquires about the Green District zoning and what use does it permit. Mr. Szymczak states that it is only open space.

Councillor Francis inquires about other Residential District 3.2. Mr. Szymczak states that it allows for higher density residential housing.

Councillor Francis inquires about Official Plan Amendment 159 and the restrictions to height on Cabana Road versus Kennedy. Mr. Robertson states that an evaluation of the Official Plan was conducted and this development falls outside of the Cabana Road corridor height limits.

Councillor Francis inquires if this development would not be approved on Cabana Road due to the height restrictions. Mr. Robertson agrees and states that it would not be approved as it exceeds three stories.

Councillor Francis inquires if this development is allowed to move forward would Administration allow a similar build with the right circumstances. Mr. Szymczak states that Staff, DHSC and Council do not create precedent and that he will not respond to the hypothetical situation.

Councillor Francis inquires about the Provincial Policy Statement (PPS) and affordable housing. Mr. Robertson states that the PPS refers to a mix of housing within a neighbourhood and the expectation for this location will not be affordable.

Councillor Francis inquires about the comments provided by residents at the public open houses and when they would be provided as he understood that they would be brought forward at the rezoning phase. Mr. Baker states the results of the open house are available for the public to view online at the Housing Solutions Made for Windsor website and appended to at the Expression of Interest open house as well.

Councillor Francis inquires if the survey results and comments could be provided to City Council when this application is heard. Mr. Baker states that they can be provided.

Councillor Francis puts forward a motion to deny the recommendations. Councillor Francis states concern with not having a proper land appraisal and knowing the value of the land prior to selling public lands and adhering the City policies.

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

THAT the report of the Senior Planner dated April 7, 2026, entitled "OPA & Rezoning – 455 Kennedy Drive West – OPA 201 OPA/736 Z-005/26 ZNG/7361 – Ward 1" BE DENIED.

The motion is **put** and is **lost**.

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Nay votes: Councillors Mark McKenzie, Jim Morrison and Member Anthony Arbour

Moved by: Councillor Mark McKenzie

Seconded by: Member Anthony Arbour

Decision Number: **DHSC 825**

- I. THAT Schedule “D” of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by changing the land use designation of Part of Block E, Plan 1241, further identified as Part of Part 1, Plan 12R-30034 (Part of PIN 01289-2151), known municipally as 455 Kennedy Drive West, (Roll No. 080-090-03200), and situated on the south side of Kennedy Drive West at McGregor Boulevard from “Open Space” to “Residential”.
- II. THAT Zoning By-law 8600 **BE AMENDED** by adding a zoning exception to Section 91.10 as follows:

26. **SOUTH SIDE OF KENNEDY DRIVE WEST AT MCGREGOR BOULEVARD**

For the lands consisting of Part of Block E, Plan 1241, further identified as Part of Part 1, Plan 12R-30034 (Part of PIN 01289-2151), the following additional provisions shall apply:

- a) *Building Height: Main Building: maximum: 17 m*
- b) *Building Setback:*
 1. From a *front lot line: minimum 12.0 m*
 2. From any other *lot line: minimum 1.50 m*
 3. The *building* setback shall not apply to a *parking garage* located entirely *below grade*, including an *access ramp* and a staircase or emergency exit from the *parking garage*.
- c) *Landscaped Area: minimum: 33% of lot area*
- d) Sections 24.26.5 and 24.26.8 shall not apply.
- e) Notwithstanding Section 25.5.20.1.2, the *minimum* separation of a *parking area* from a *street* shall be 0.7 m.
- f) An ornamental screening fence having a height of 1.20 m shall span the length of the *parking area* such that any *parking spaces* located in the *front yard* are partially screened from Kennedy Drive.
- g) Notwithstanding Section 25.5.20.1.3, the *minimum* separation of a *parking area*, *access area*, *collector aisle*, or driveway from an *interior lot line* shall be 0.0 m.
- h) Notwithstanding Section 25.5.20.1.6, the *minimum* separation of a *parking area* from a *building wall* shall be 1.80 m. For that part of the *parking area* being used as a drop-off area, the *minimum* separation between the *building wall* and the drop-off area shall be 0.0 m.

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(ZDM 9; ZNG/7361)

III. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Part of Block E, Plan 1241, further identified as Part of Part 1, Plan 12R-30034 (Part of PIN 01289-2151), known municipally as 455 Kennedy Drive West, (Roll No. 080-090-03200), and situated on the south side of Kennedy Drive West at McGregor Boulevard from GD1.2 to RD3.2x(26).

IV. THAT, when Site Plan Control is applicable:

At the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer, the following additional materials **BE SUBMITTED** with an application for site plan approval:

c) A Stage 1 Archaeological Assessment and any further recommended assessments are required to be entered into the Ontario Public Register of Archaeological Reports to the satisfaction of the City of Windsor and the Ontario Ministry of Citizenship and Multiculturalism, prior to any additional land disturbances. A final copy of the archaeological reports and the GIS study area must be submitted to the City of Windsor.

d) Any documents, materials, or studies identified in Appendix A to Report S 31/2026, all updated to be consistent with the site plan for which approval is being sought, to the satisfaction of the municipal department or external agency requiring their submission.

V. The Site Plan Approval Officer **BE DIRECTED** to incorporate, subject to any updates or revisions, any requirements identified in Appendix A to Report S 31/2026 and any documents submitted with a Site Plan Control application into an approved site plan and an executed and registered site plan agreement, to the satisfaction of the department or agency requesting them.

VI. The Site Plan Approval Officer **CONSIDER** any recommendations identified in Appendix A to Report S 31/2026 and in the documents submitted in support of the applications for amendments to the Official Plan and Zoning By-law 8600 in an approved site plan and an executed and registered site plan agreement, to the satisfaction of the department or agency recommending them.

Carried.

Councillors Fred Francis and Angelo Marignani voting nay.

Report Number: S 31/2026
Clerk's File: Z/15159&Z/15160

8. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 6:52 o'clock p.m.

Ward 10 – Councillor Jim Morrison
(Chairperson)

Deputy City Clerk / Supervisor of Council
Services