CITY OF WINDSOR MINUTES 02/07/2022

Development & Heritage Standing Committee Meeting

Date: Monday, February 7, 2022
Time: 4:30 o'clock p.m.

Members Present:

Councillors
Ward 3 - Councillor Bortolin (Chairperson)
Ward 4 - Councillor Holt
Ward 5 - Councillor Sleiman
Ward 7 - Councillor Gill
Ward 10 - Councillor Morrison

Members
Member Gyemi
Member Moore
Member Rondot

Clerk's Note: Members participated via video conference, in accordance with Procedure By-law 98-2011 as amended, which allows for electronic participation during a declared emergency.

ALSO PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Jason Reynar, Chief Administrative Officer
Shelby Askin Hager, Commissioner of Legal & Legislative Services
Jelena Payne, Commissioner of Human & Health Services
Thom Hunt, City Planner
Wira Vendrasco, Deputy City Solicitor – Legal & Real Estate
James Chacko, Senior Manager of Parks
Gaspar Horvath, City Forester / Manager of Forestry & Natural Areas
Neil Robertson, Deputy City Planner / Manager of Urban Design
Barbara Rusan, Manager of Policy & Regulatory Services
Patrick Winters, Development Engineer
Stefan Fediuk, Landscape Architect
Justina Nwaesei, Planner III – Subdivisions
Adam Szymczak, Planner III – Zoning
Rania Toufeili, Policy Analyst

Marianne Sladic, Clerk Steno Senior
Lauren Robinet, Order of Business Coordinator
Sandra Gebauer, Council Assistant
Anna Ciacelli, Deputy City Clerk / Supervisor of Council Services

Delegations—participating via video conference

Item 7.1	Tony Chau, Senior Project Manager, ADA-Architect
Items 7.1, 7.3 & 7.4	Tracey Pillon-Abbs, Planning Consultant representing Applicant
Item 7.2	Zoe Sotirakos, Dillon Consulting
Item 7.3	David Impens, Area Resident
Item 7.4	Cheryl Colborne, Area Resident
Item 7.4	Neil Valmassoi, Area Resident
Item 11.1	Bridget Scheuerman, Pillette Village BIA

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

See Item 7.1.

4. COMMUNICATIONS

None presented.

5. ADOPTION OF THE *PLANNING ACT* MINUTES

5.1. Minutes of the Development & Heritage Standing Committee Meeting (*Planning Act* Matters) held January 10, 2022

Moved by: Member Gyemi
Seconded by: Councillor Gill

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held January 10, 2022 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 14/2022

7. *PLANNING ACT* MATTERS

7.1. Official Plan Amendment and Zoning By-law Amendment for 11646 Tecumseh Rd. E.; Applicant: Maple Leaf Homes Ltd.; File Nos. OPA 143 [OPA/6324]; Z-005/21 [ZNG/6323]; Ward 7

Moved by: Councillor Sleiman
Seconded by: Councillor Holt

THAT the report of the Senior Planner – Subdivisions dated January 14, 2022 entitled "Official Plan Amendment and Zoning By-law Amendment for 11646 Tecumseh Rd. E.; Applicant: Maple Leaf Homes Ltd.; File Nos. OPA 143 [OPA/6324]; Z-005/21 [ZNG/6323]; Ward 7" **BE REFERRED** back to Administration to allow for Administration to provide clarification related to changes requested by the applicant; and further,

THAT this information **BE BROUGHT FORWARD** to the March 7, 2022 meeting of the Development & Heritage Standing Committee.
Carried.

Report Number: S 2/2022
Clerk's File: ZB/14064 & ZO/14063

7.2. RICBL Exemption 2021-4 - Dillon Consulting Limited - 0 Tecumseh Road East - Ward 7

Moved by: Councillor Gill
Seconded by: Councillor Sleiman

Decision Number: **DHSC 366**

1) THAT Council **APPROVE** the request of Dillon Consulting Limited, on behalf of Sfera Architectural Associated Inc. / The D'Amore Group, for an exemption from the provisions of

Interim Control By-law 103-2020 for the property known municipally as 0 Tecumseh Road East (Roll No. 070-880-00200; southwest corner of Tecumseh Road East and Robinet Road).

2) THAT Council **AMEND** Interim Control By-law 103-2020 by adding to Section 5 the following clause using the next sequential clause number:

(?) **0 Tecumseh Road East (southwest corner of Tecumseh Road East and Robinet Road)**

N Part Lot 5, Registered Plan 62; Roll No. 070-880-00200

Carried.

Report Number: S 3/2022
Clerk's File: Z/14231

7.3. Rezoning - 2776557 Ontario Ltd - 1153-1159 Riverside Drive East - Z-037/21 ZNG/6588 - Ward 4

Moved by: Councillor Holt
Seconded by: Councillor Sleiman

Decision Number: **DHSC 367**

I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 1, Plan 433 (Roll No: 030-020-10200), situated on the south side of Riverside Drive East, west of Pierre Avenue and known municipally as 1153-1159 Riverside Drive East by adding a site specific exception to Section 20(1) as follows:

434. SOUTH SIDE OF RIVERSIDE DRIVE EAST, WEST OF PIERRE AVENUE

For the lands comprising of Lot 1, Registered Plan 433, a *multiple dwelling* containing a maximum of 8 *dwelling units* shall be an additional permitted *main use* and shall be subject to the following additional provisions:

a)	Lot Width – minimum	15.0 m
b)	Lot Coverage – maximum	52.5 %
c)	Side Yard Width – minimum	1.50 m
d)	Required Parking – minimum	1 space per *dwelling unit*
e)	Required Visitor Parking – minimum	0
f)	Parking Area Separation – minimum	
	From an *interior lot line* or alley	0.60 m

[ZDM 6; ZNG/6588]

II. THAT the Site Plan Approval Officer **BE DIRECTED** to:

a) Circulate any application to the Essex Region Conservation Authority for their review and comment;

b) Enhance the landscaped area along the Riverside Drive frontage per the comments of the Landscape Architect; and

c) Consider maximizing the number of bicycle parking spaces to mitigate the reduction in motor vehicle parking spaces.

Carried.

Report Number: S 5/2022
Clerk's File: ZB/14253

7.4. Rezoning - 2156567 Ontario Ltd. – 1092-1096 Dougall Avenue - Z-041/21 ZNG/6624 - Ward 3

Moved by: Councillor Holt
Seconded by: Councillor Sleiman

Decision Number: **DHSC 368**
THAT the application of 2156567 Ontario Ltd. for an amendment to Zoning By-law 8600 for Lot 328 and Part Lot 327, Registered Plan 581, (known municipally as 1092-1096 Dougall Avenue; Roll No. 040-370-07800; PIN 00187-0245), situated at the northeast corner at Dougall Avenue and Pine Street, to allow a multiple dwelling containing a maximum of five dwelling units as an additional permitted use subject to additional provisions **BE DENIED**; and,

THAT the request for an exemption from Interim Control By-law 103-2020 **BE DENIED**.
Carried.
Member Rondot voting nay.

Report Number: S 6/2022
Clerk's File: ZB/14265

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 5:50 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 5:50 o'clock p.m.

9. PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)

See Item 11.1.

10. *HERITAGE ACT* MATTERS

None presented.

11. ADMINISTRATIVE ITEMS

11.1. Pillette Village BIA Streetscape Improvements - Funding Proposal

Bridget Scheuerman, Pillette Village BIA

Bridget Scheuerman, Pillette Village BIA, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report "Pillette Village BIA Streetscape Improvements - Funding Proposal" and is available for questions.

Councillor Holt refers to a similar project for the Wyandotte Town Centre BIA that was initially approved by Council but was later cancelled and asks administration if there is a plan in place for the Pillette Village BIA and whether there are competing priorities or obligations that would prevent this plan from being carried out.

Stefan Fediuk, Landscape Architect, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report "Pillette Village BIA Streetscape Improvements – Funding Proposal" and explains that different types of projects indicate different processes. He clarifies that the Wyandotte Town Centre BIA project went through a design competition, performed by the BIA itself, and was not vetted through all of the City departments. Mr. Fediuk indicates that the Pillette Village BIA Streetscape improvement project has been vetted through the various City departments, including Enwin, and will not receive the same kind of resistance.

Councillor Sleiman inquires about improvements that can be undertaken by the City, such as the replacement of the garbage receptacles.

Stefan Fediuk indicates that new trash and recycle bins along Wyandotte Street East were already installed a few years ago due to special funding through the Association of Municipalities of Ontario (AMO) and additional receptacles will be required along Pillette Avenue; however, the City of Windsor does not have funds designated for any improvements on Pillette Avenue at this time.

Moved by: Councillor Sleiman
Seconded by: Councillor Holt

Decision Number: **DHSC 369**

I. THAT the proposed streetscape modifications for Pillette Village BIA as shown in Appendix B as prepared by the Pillette Village BIA Association in collaboration with the Planning & Building Department **BE APPROVED**;

II. THAT the request of the Pillette Village BIA Association for consideration of a 50/50 cost sharing arrangement subject to the following terms **BE APPROVED:**
   a. THAT the Pillette Village BIA Association be provided with a 10-year interest free loan in the amount of $160,000;

b. THAT prior to commencement of the project, an amount of $54,000 representing funds that have been collected from the Pillette Village BIA Association membership for purposes of this project be remitted to the City and deducted from the initial loan amount; and,
c. THAT commencing in 2023, an annual amount of $10,600 be included in the Pillette Village BIA Association's budget and remitted directly to the City.

III. THAT a capital project in the amount of $320,000 **BE ESTABLISHED** with funding as follows:
a) THAT funding in the amount of a $160,000 representing the City's share of the estimated costs be transferred from the BIA Assistance Program project 7069002 to the capital project; and,
b) THAT funding in the amount of $160,000 be set up as a long-term receivable from the Pillette Village BIA Association.

IV. THAT the CAO and the City Clerk **BE AUTHORIZED** to sign an Agreement with the Pillette Village BIA Association with regards to the loan, satisfactory in form to the City Solicitor, in financial content to the Chief Financial Officer and City Treasurer, and in technical content to the City Planner.

V. THAT the CAO and City Clerk **BE AUTHORIZED** to execute any other agreements that may be required as a result of the proposed capital works satisfactory in form to the City Solicitor, in financial content to the Chief Financial Officer and City Treasurer, and in technical content to the City Planner.

Carried.

Report Number: C 21/2020
Clerk's File: Z/13002

11.2. Response to CQ 32-2020: Tree Protection and Replacement Policies Related to Development – City Wide

Councillor Morrison speaks to the importance of tree protection and inquires about the status of the revision of the Landscape Manual for Development document, which was last updated in 1997.

Stefan Fediuk, Landscape Architect, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report "Response to CQ 32-2020: Tree Protection and Replacement Policies Related to Development – City Wide" and indicates that the process of updating this document is currently underway and will come before Council before the end of the year.

Councillor Morrison inquires about a developer's ability to clear-cut a property prior to submitting an application for development. Mr. Fediuk confirms that without any kind of tree by-law protection in place, this is the case in any municipality due to the way that the *Provincial Act* and *Municipal Act* are written. Mr. Fediuk also indicates that once a development application is submitted there are numerous mechanisms that will help identify what is on the site as well as if any of that plant material or vegetation is required from a species at risk perspective. Further, he indicates that the

City has added a climate change adaptation plan, which cites numerous aspects of how trees contribute to the well being of a city.

Councillor Morrison refers to several developments in Ward 10, some of which have been clear-cut, and is concerned that developers will continue to use the loophole and remove the trees prior to submitting an application.

James Chacko, Senior Manager of Parks, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report “Response to CQ 32-2020: Tree Protection and Replacement Policies Related to Development – City Wide” and indicates that the Urban Forest Management Plan that will be brought to Council later this year will identify a potential Private Tree By-law. The plan will also include a number of other measures that Council will be able to review and approve as it sees fit. Mr. Chacko indicates that the City Forester is currently responsible for and only has the power to deal with trees that are on municipal property.

Moved by: Councillor Morrison
Seconded by: Councillor Holt

Decision Number: **DHSC 370**
THAT the report of the Landscape Architect dated September 23, 2021 entitled "Response to CQ 32-2020: Tree Protection and Replacement Policies Related to Development – City Wide" **BE RECEIVED** for information.
Carried.

Report Number: C 142/2021
Clerk’s File: SRT2022

12. COMMITTEE MATTERS

None presented.

13. QUESTION PERIOD

None registered.

14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Matters) is adjourned at 6:22 o'clock p.m.
Carried.

Ward 3 - Councillor Bortolin
(Chairperson)

Deputy City Clerk / Supervisor
of Council Services

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

Date: Monday, February 7, 2022
Time: 4:30 pm

MEMBERS PRESENT:

Councillors:

Ward 3 - Councillor Bortolin (Chair)
Ward 4 - Councillor Holt
Ward 5 - Councillor Sleiman
Ward 7 - Councillor Gill
Ward 10 - Councillor Morrison

Members:

Member Gyemi
Member Moore
Member Rondot

Clerk's NOTE: Members participated via video conference, in accordance with Procedure By-law 98-2011 as amended, which allows for electronic participation during a declared emergency.

ALSO PRESENT ARE THE FOLLOWING FROM ADMINISTRATION:

Jason Reynar, Chief Administrative Officer
Shelby Askin Hager, Commissioner of Legal & Legislative Services
Jelena Payne, Commissioner of Human & Health Services
Thom Hunt, City Planner
Wira Vendrasco, Deputy City Solicitor – Legal & Real Estate
James Chacko, Senior Manager of Parks
Gaspar Horvath, City Forester / Manager of Forestry & Natural Areas
Neil Robertson, Deputy City Planner / Manager of Urban Design
Barbara Rusan, Manager of Policy & Regulatory Services
Patrick Winters, Development Engineer
Stefan Fediuk, Landscape Architect
Justina Nwaesei, Planner III – Subdivisions
Adam Szymczak, Planner III – Zoning
Rania Toufeili, Policy Analyst
Marianne Sladic, Clerk Steno Senior
Lauren Robinet, Order of Business Coordinator
Sandra Gebauer, Council Assistant

Anna Ciacelli, Deputy City Clerk / Supervisor of Council Services

1. CALL TO ORDER

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

2. DISCLOURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None

4. COMMUNICATIONS

None

5. ADOPTION OF THE PLANNING ACT MINUTES

5.1 Minutes of the Development & Heritage Standing Committee (*Planning Act Matters*) minutes held January 10, 2022.

Moved by: Member Gyemi
Seconded by: Councillor Gill

THAT the Minutes of the Development & Heritage Standing Committee meeting (*Planning Act Matters*) meeting held January 10, 2022 **BE ADOPTED** as presented.

CARRIED, UNANIMOUSLY.

Report Number: SCM 14/2022

6. PRESENTATION & DELEGATIONS (*PLANNING ACT MATTERS*)

Item 7.1 Tony Chau, Senior Project Manager, ADA-Architect
Items 7.1, 7.3 & 7.4 Tracey Pillon-Abbs, Planning Consultant representing Applicant
Item 7.2 Zoe Sotirakos, Dillon Consulting
Item 7.3 David Impens, Area Resident
Item 7.4 Cheryl Colborne, Area Resident
Item 7.4 Neil Valmassoi, Area Resident

7. PLANNING ACT MATTERS

7.1 Z-005/21 [ZNG/6323] & OPA 143 [OPA/6324] – Maple Leaf Homes 11676 Tecumseh Rd E – Rezoning & Official Plan Amendment Ward 7

Justina Nwaesei (author), Planner III – Subdivisions

THAT the report of the Senior Planner – Subdivisions dated January 14, 2022 entitled "Official Plan Amendment and Zoning By-law Amendment for 11646 Tecumseh Rd. E.; Applicant: Maple Leaf Homes Ltd.; File Nos. OPA 143 [OPA/6324]; Z-005/21 [ZNG/6323]; Ward 7" **BE REFERRED** back to Administration to allow for Administration to provide clarification related to changes requested by the applicant; and further,

THAT this information **BE BROUGHT FORWARD** to the March 7, 2022 meeting of the Development & Heritage Standing Committee.

Motion CARRIED

Report Number: S 2/2022
Clerk's File: ZB/14064 & ZO/14063

7.2 RICBL Exemption 2021-4 – Sfera Architectural Assoc Inc/D'Amore Group 0 Tecumseh Rd E and Robinet Lane N – Rezoning Ward 7

Adam Szymczak (author), Planner III – Zoning

Mr Szymczak gives a brief presentation of the application.

Zoe Sotirakos – Dillon Consulting Ltd (agent) – available for questions.

Councillor Gil inquires status of the Interim By-law. Thom Hunt provides possible date of June.

Moved by: Councillor Gill
Seconded by: Councillor Sleiman

Decision Number: **DHSC 366**

RECOMMENDATIONS

1) THAT Council **APPROVE** the request of Dillon Consulting Limited, on behalf of Sfera Architectural Associated Inc. / The D'Amore Group, for an exemption from the provisions of Interim Control By-law 103-2020 for the property known municipally as 0 Tecumseh Road East (Roll No. 070-880-00200; southwest corner of Tecumseh Road East and Robinet Road).

2) THAT Council **AMEND** Interim Control By-law 103-2020 by adding to Section 5 the following clause using the next sequential clause number:

   (?) **0 Tecumseh Road East (southwest corner of Tecumseh Road East and Robinet Road)**

   N Part Lot 5, Registered Plan 62; Roll No. 070-880-00200

Motion CARRIED, UNANIMOUSLY

Report Number: S 3/2022
Clerk's File: ZB/14231

7.3 Z-037/21 [ZNG/6588] – 2776557 Ontario Ltd 1153-1159 Riverside Dr E – Rezoning Ward 4

Adam Szymczak (author) – Planner III, Zoning

Mr Szymczak provides a brief presentation of the application.

Tracey Pillon-Abbs – Pillon Abbs Inc (agent) – on behalf of the applicant, is in support of the recommendations and requirements. Ms. Pillon-Abbs is available for questions.

David Impens (resident) – notes concerns over:
- maximum coverage relief
- parking relief and subsequent snow removal – saturation onto his property (drainage)
- impede view of waterfront

Moved by: Councillor Holt
Seconded by: Councillor Sleiman

Decision Number: **DHSC 367**

RECOMMENDATIONS

I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 1, Plan 433 (Roll No: 030-020-10200), situated on the south side of Riverside Drive East, west of Pierre Avenue and known municipally as 1153-1159 Riverside Drive East by adding a site specific exception to Section 20(1) as follows:

434. SOUTH SIDE OF RIVERSIDE DRIVE EAST, WEST OF PIERRE AVENUE

For the lands comprising of Lot 1, Registered Plan 433, a *multiple dwelling* containing a maximum of 8 *dwelling units* shall be an additional permitted *main use* and shall be subject to the following additional provisions:

a)	Lot Width – minimum	15.0 m
b)	Lot Coverage – maximum	52.5 %
c)	Side Yard Width – minimum	1.50 m
d)	Required Parking – minimum	1 space per *dwelling unit*
e)	Required Visitor Parking – minimum	0
f)	Parking Area Separation – minimum	
	From an *interior lot line* or alley	0.60 m

[ZDM 6; ZNG/6588]

II. THAT the Site Plan Approval Officer **BE DIRECTED** to:
a) Circulate any application to the Essex Region Conservation Authority for their review and comment;
b) Enhance the landscaped area along the Riverside Drive frontage per the comments of the Landscape Architect; and
c) Consider maximizing the number of bicycle parking spaces to mitigate the reduction in motor vehicle parking spaces.

Motion CARRIED, UNANIMOUSLY

Report Number: S 5/2022
Clerk's File: ZB/14253

7.4 Z-041/21 [ZNG/6624] – 2156567 Ontario Ltd 1092 Dougall Ave – Rezoning Ward 3

Adam Szymczak (author), Planner III – Zoning

Mr Szymczak provides a brief presentation of the application.

Tracey Pillon-Abbs – Pillon Abbs Inc (agent) – defends the position that there will be no impact to the neighbourhood for the additional unit proposed. There will be no changes to the exterior.

Area residents Cheryl Colborne and Neil Vamassoi note there have been no tenants for over four (4) years. Concern over parking once tenants do enter as well as poor alley conditions to worsen if the alley is closed off. Have issues with loitering in the area.

Moved by: Councillor Holt
Seconded by: Councillor Sleiman

Decision Number: **DHSC 368**

RECOMMENDATIONS

THAT the application of 2156567 Ontario Ltd. for an amendment to Zoning By-law 8600 for Lot 328 and Part Lot 327, Registered Plan 581, (known municipally as 1092-1096 Dougall Avenue; Roll No. 040-370-07800; PIN 00187-0245), situated at the northeast corner at Dougall Avenue and Pine Street, to allow a multiple dwelling containing a maximum of five dwelling units as an additional permitted use subject to additional provisions **BE DENIED**; and,

THAT the request for an exemption from Interim Control By-law 103-2020 **BE DENIED**.

Motion CARRIED.
Member Rondot voting nay

Report Number: S 6/2022
Clerk's File: ZB/14265

8. ADJOURNMENT

There being no further business, the meeting of the Development & Heritage Standing Committee (Planning Act Matters) is adjourned at 5:50 p.m.

Ward 3 – Councillor Bortolin (Chairperson)	Thom Hunt (Secretary)