

**ADDITIONAL INFORMATION**

- Item 7.4 Rezoning - 2811035 Ontario Inc – 1913, 1925 & 1949 Devonshire Court - Z-034/21 ZNG/6571 - Ward 4  
**Clerk's Note:** Written submissions (***attached***) have been received from the following:
- a) Paul Bondy, email dated December 9, 2021
  - b) Joanne and Michael Bashura, email dated December 10, 2021
  - c) Brian and Cherie Laughton, letter dated December 12, 2021
  - d) Jessica Green, email dated December 13, 2021 and letter dated March 4, 2022
  - e) Gary and Sharon Kelly, email dated December 23, 2021
  - f) Raymond and Charlotte Colautti, email dated February 18, 2022
  - g) Roger Bastiaan, letter dated February 24, 2022
  - h) Dr. Norman and Bev Marshall, email dated February 28, 2022
  - i) Dr. Antonio Pascual-Leone, email dated March 2, 2022
  - j) Patricia McConville, email dated March 2, 2022
  - k) Kendal McKinney, letter dated March 3, 2022
  - l) Antonio Buttice, letter with attachments dated March 3, 2022
  - m) Shane Mitchell, letter received March 4, 2022
  - n) Paula and Rod Rankin, email received March 4, 2022
  - o) John and Christine Beattie, email received March 4, 2022
  - p) William Baker, area resident
- Item 7.5 OPA & Rezoning – 1741078 Ontario Inc & 115664 Ontario Inc – 4845 Walker Road - OPA 155 OPA/6592 Z-040/21 ZNG/6591 – Ward 9
- a) Mihaela Andrica Curescu, area resident submitting the ***attached*** email dated March 2, 2022 as a written submission.
  - b) Ron and Christine McKenzie, area residents submitting the ***attached*** email dated March 3, 2022
- Item 10.1 986 Ouellette Ave, Masonic Temple - Heritage Alteration Permit, Community Heritage Fund & Commercial/Mixed Use Building Facade Improvement Program Request (Ward 3)
- a) Cameron Adamson, Border Masonic Temple Association Committee Chair submitting the ***attached*** email dated February 27, 2022 as a written submission.

## **DELEGATIONS:**

### *Planning Act Matters*

- Item 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
- a) Justina Nwaesei, Planner III (powerpoint)
  - b) Bruno Cacilhas, owner
  - c) Tracey Pillon Abbs, representing the applicant
  - d) Tony Chau, Senior Project Manager, ADA-Architect
- Item 7.2 Draft Plan of Condominium with Exemption under Section 9(3) of the Condominium Act – 531 Pelissier Limited - 531 Pelissier Street– CDM 006-20 [CDM-6637]; Ward 3
- a) Jim Abbs, Senior Planner (powerpoint)
  - b) Chris MacLeod, Applicant (available for questions)
- Item 7.3 Draft Plan of Condominium with Exemption under Section 9(3) of the Condominium Act – Farhi Holdings Corporation 8607, 8649, 8675 and 8699 McHugh Street– CDM 005-20 [CDM-6636]; Ward 6
- a) Jim Abbs, Senior Planner (powerpoint)
  - b) Karl Tanner, Dillon Consulting (available for questions)
- Item 7.4 Rezoning - 2811035 Ontario Inc – 1913, 1925 & 1949 Devonshire Court - Z-034/21 ZNG/6571 - Ward 4
- a) Adam Szymczak, Senior Planner (powerpoint)
  - b) Tony Chau, Senior Project Manager, ADA-Architect
  - c) Johanna and Nicholas Papador, area residents
  - d) David Kassab, area resident
  - e) Bushra Hanna, area resident
  - f) Roger Bastiaan and Jennifer Bastiaan, area residents
  - g) Antonio Buttice, area resident
  - h) Paula and Rod Rankin, area residents
  - i) Raymond and Charlotte Colautti, area residents
  - j) Marianne Rudy-Geleynse & Steven Geleynse, area residents
  - k) Jessica Berwick, area resident
  - l) Andrew Furlong, area resident
  - m) Andrew Smith, Realtor
  - n) Edward Zold, area resident
  - o) Patricia McConville, area resident
  - p) Beth Daly and Jeff Cohen, area residents
  - q) Cindy Wiseman, area resident
  - r) Annette Trepanier, area resident
  - s) Jessica Green, area resident
  - t) Philip Adamson, area resident

- u) Alex Denonville, area resident
- v) Shane Mitchell, area resident
- w) William Baker, area resident
- x) Dr. George Grayson, area resident
- y) Carol Lund, area resident
- z) Pat Roma, area resident
- aa) Greg Underwood and Dr. Paula Brook, area residents
- bb) Rick Haslam, area resident

- Item 7.5 OPA & Rezoning – 1741078 Ontario Inc & 115664 Ontario Inc – 4845 Walker Road - OPA 155 OPA/6592 Z-040/21 ZNG/6591 – Ward 9
- a) Adam Szymczak, Senior Planner ([powerpoint](#))
  - b) Zak Habib, Royalty Homes
  - c) Ramzy Mansour, property owner in area

***Heritage Act Matter***

- Item 10.1 986 Ouellette Ave, Masonic Temple - Heritage Alteration Permit, Community Heritage Fund & Commercial/Mixed Use Building Facade Improvement Program Request (Ward 3)
- a) Cameron Adamson, Border Masonic Temple Association Building Committee Chair

**Administrative Items**

- Item 11.1 Amendment to Sign By-law 250-04 for 1200-1220 University Avenue, File No. SGN\_002-21 - Ward #3
- a) Stefan Fediuk, Planner III, Senior Urban Designer ([pdf slides](#))
  - b) Vas Papadiamantopoulos, Senior Discipline Manager, Architectura (available for questions)

March 7, 2022  
Development & Heritage Standing Committee  
Item 7.4 – Written Submission

----- Original message -----

From: Paul Bondy  
Date: 2021-12-09 10:57 a.m. (GMT-05:00)  
To: "Hunt, Thom" <[thunt@citywindsor.ca](mailto:thunt@citywindsor.ca)>  
Subject: Re-zoning/construction application by 2811035

Dear Mr. Hunt,

Concerning the proposed construction of a 23 unit apartment building at the corner of Kildare and devonshire court.

I own and live in a home on Ottawa st. With my wife and little girl. Our home would be right across the alley and a few ft east. I would see this building out my kitchen window. I would be sharing the alley along with the many new residents.

I am vehemently opposed to this new proposal on several levels. Increased traffic in the alley, increased garbage in the alley, meaning more raccoons and rats. I am very concerned about sewage , sharing our sewage system with 23 more units is bound to be a strain on the system. I do not have any sewage problems at this point and I would like to maintain the status quo.

On a less personal level, how can anyone justify the construction of this building that would only serve to compromise the integrity of windsors most historic neighborhood.

There are many other locations that would welcome, and benefit from this type of building.

I urge you to not support this construction anywhere in walkerville. Mr. Calhoun in 2016 made a proposal that made sense and would preserve the beauty of our neighborhood, this would not be a problem as far as I am concerned. Many residents of windsor who do not live in Walkerville enjoy the quaint beauty of this neighborhood, they stroll the streets, shop the boutiques, eat in the restaurants and picnic in Williston Park. I think most of them would agree with me.

Thank you for your time,

Most sincerely ,  
Paul Bondy

**March 7, 2022**  
**Development & Heritage Standing Committee**  
**Item 7.4 – Written Submission**

From: Joanne bashura  
Date: 2021-12-10 11:25 a.m. (GMT-05:00)  
To: drew dilkens <[mayo@citywindsor.ca](mailto:mayo@citywindsor.ca)>, "Holt, Chris" <[cholt@citywindsor.ca](mailto:cholt@citywindsor.ca)>, rino bortolin <[rbotolin@citywindsor.ca](mailto:rbotolin@citywindsor.ca)>, "Hunt, Thom" <[thunt@citywindsor.ca](mailto:thunt@citywindsor.ca)>  
Subject: apartment building on Devonshire Court

My husband and I have lived at 2062 Ottawa St. since 1975. We have grave concerns about a 23 unit 4 story apartment building wanting to be built on Devonshire Court.

Walkerville is an area that values heritage. The proposed building does not ecstasically go with the neighbourhood. There aren't any large apt. buildings in this vicinity.

The proposed parking would be off the alley making traffic between Argyle and Kildare heavy as well as dangerous.

A 23 unit building would tax the sewer system beyond capacity and there are people in this vicinity who already experience. sewer backups.

The property was divided to allow 3 individual houses which was fine but not an apartment building.

There have been new builds in the area replacing town houses on Argyle and the y fit the neighbourhood.

PLEASE do not let this go forward.

Most sincerely

Joanne and Michael Bashura

December 12, 2021

To: Members of the Development & Heritage Standing Committee

**RE: Development Application for 1913, 1925 and 1949 Devonshire Court (the “Proposed Development”)**

As long-time Walkerville residents (Brian has lived here his whole life, and we have lived here together for the last 28). Years we would like to be sure that you are aware that we oppose the Proposed Development for a number of reasons, all of which impact the experience and feel of our beautiful, historical and award-winning neighbourhood. We are concerned about safety (for both pedestrians and drivers), functional infrastructure, privacy and preserving the historical integrity of the Olde Walkerville area.

The first concern I'd like to address is one of safety. Although the summary of the development ensures that “No direct access to any adjacent road is proposed”, the truth of the matter is the alley that will serve as the access point for these proposed 23 units of vehicles is an alley that exits onto Kildare only 50 feet from the intersection of Ottawa and Kildare, and within that 50 feet there are already three other access points onto Kildare, all of which see significant traffic: the two entrances/exits to Tim Hortons and the alley running between Kildare and Chilver, just to the north of Ottawa Street. With three schools in near proximity, this area sees significant foot traffic of school aged children, and the intersection at Kildare and Ottawa is already a high-incident intersection. Before rezoning such as is proposed in the Proposed Development could ever occur, there should at least be studies conducted during times where no lockdowns or shutdowns have occurred to ensure that the pedestrian and traffic patterns are understood, so that the impact of another 30 vehicles entering and exiting multiple times daily is clearly understood, and the safety of our children is protected.

The second concern is around infrastructure. Parking and stormwater management are key concerns. Parking is already an issue in this area. Adding 23 units with only 30 separate parking spots means that we are likely to have over 20-30 additional vehicles searching for parking spots on our residential streets on most days, on streets upon which there is a moratorium on the existing houses putting in driveways. What is the proposed solution to this issue. The second, and even more concerning issue, is that our wastewater infrastructure was not designed or developed to accommodate a development such as the Proposed Development. Can the members of the Development & Heritage Standing Committee ensure that the Proposed Development will not put such a strain on our infrastructure that we start to see the kinds of events happening such as are happening in newly developed neighbourhoods into which inadequate infrastructure was installed?

We are also concerned about privacy. With a building this high, towering over the surrounding buildings by two full stories, current residents would lose the privacy of their back yards. This is a significant imposition on neighbours, and if the Proposed Development is to proceed, we believe that, at a minimum, it should be reduced in height. As most of the surrounding homes are traditional two story

homes, two stories is ideal to enable it to fit into the neighbourhood and not look like someone dropped into the neighbourhood with not thought or concern to existing neighbours or how it would look in context.

Finally, we are concerned about maintaining the historical integrity of Olde Walkerville. Although we are addressing this as our final point, please do not consider that to mean that we feel this point is the least important. It is a very important point, and one we know is shared with many of our fellow Windsorites, whether they live in, or visit, the Walkerville area. The time, energy and resources currently being poured into the Walkerville Districting Plan, with its nine initiatives, improvements, projects and opportunities reflects the pride and caring that we know people feel for our neighbourhood.

We understand that there is a directive from the Province that cities do more to promote density of housing. We also know, as residents of this neighbourhood, that Walkerville already boasts density of housing that is not matched in other residential areas of the city. There are many multiple family dwellings in our neighbourhood that were once single family dwellings. And we do have apartments buildings on more major residential/commercial streets throughout the neighbourhood. Most of these are two and a half story (three story, with the basement providing the third story) and fit within the context of the street upon which they are located.

That said, we hope that you will remember that your standing committee addresses not only “development” but also “heritage”. And Walkerville’s distinct history, which has been lovingly preserved in the houses of the neighbourhood, and Willistead Park, which is not even two blocks away from the Proposed Development site, deserves the consideration and deference it has been shown for over a century, including in 2016, when this Proposed Development site was converted for development of three single family residences, from its use as a church site. At that time, considerable thought and resources went into the carefully worded recommendation from the city’s own Expert/Historical planner Mr. John Calhoun. Mr. Calhoun recommended the property be severed into three SFD residences and imposed strict design criteria on height, use of specific materials and front and rear setbacks. While it may be the case that the SFD requirement may require some different consideration now, given the provincial mandate, it is not the case that carte blanche should be given to developers to erect multi-story buildings with seven times the dwelling capacity of the recently amended zoning. To do so would allow greed to trump sound planning practices and disrespect the historical importance of Olde Walkerville to Windsor.

Thank you for your time,

Brian Laughton

Cherie Laughton

**March 7, 2022**  
**Development & Heritage Standing Committee**  
**Item 7.4 – Written Submission**

**From:** Jessica Green

**Sent:** Monday, December 13, 2021 2:56 PM

**To:** [rbortonlin@citywindsor.ca](mailto:rbortonlin@citywindsor.ca); Holt, Chris; Gill, Jeewen; Morrison, Jim; Sleiman, Ed; mayoro; Francis, Fred; Costante, Fabio; Gignac, Jo-Anne (Councillor); [gkaschack@citywindsor.ca](mailto:gkaschack@citywindsor.ca); Mckenzie, Kieran; Hunt, Thom; Szymczak, Adam

**Subject:** Application for Development of 1913, 1925 and 1949 Devonshire Ct (Proposed Development)

Good afternoon.

Please see attached a letter with my input and concerns about the Proposed Development.

Although this letter is addressed to the Members of the Development and Heritage Standing Committee I have chosen to copy each of you, as I believe we all have important roles to play in the approach to management of our heritage and its intersection with development of our city in a prudent and responsible manner that addresses the concerns of the citizens of this great city we call home.

Thank you for your time and consideration of my comments in this matter.

Regards,  
jessica green

The City of Windsor  
350 City Hall Square West,  
Windsor Ontario

December 13, 2021

To: Members of the Development & Heritage Standing Committee

**RE: Development Application for 1913, 1925 and 1949 Devonshire Court (the "Proposed Development")**

While I am in favour of development and optimal use of lands, I oppose the Proposed Development for a number of reasons. Like so many of my neighbours, who spoke eloquently and passionately about this on the call for input organized by the developer earlier this year, I am concerned about safety (for both pedestrians and drivers), functional infrastructure, privacy and preserving the historical integrity of the Olde Walkerville area. It is concerning to me that in spite of the valid and important points made on that call, it does not appear that the developer took any of them into consideration in its application.

I know that my neighbours will address the issues of safety and infrastructure (wastewater and parking in particular), so I will not repeat all of their excellent points here. I will merely say that I support all of those concerns and expect to hear from the City on how those issues are being addressed, none of which has been provided to us by the developer. The only thing I will highlight in this regard is the fact that I found it slightly misleading that the summary of the development states that "No direct access to any adjacent road is proposed". While this is technically true, it masks the challenge created by the reality of the Proposed Development's access to adjacent roads: to Kildare Road via an alley that exits onto Kildare only 50 feet from the intersection of Ottawa and Kildare. Within that 50 feet there are already three other public access points onto Kildare, all of which see significant traffic, plus a private drive. As you can imagine, with all of this going on in such a small space, this is already a safety-challenged area for pedestrians and traffic moving along Kildare. It is unclear to me that the impact of another 30 vehicles entering and exiting multiple times daily has been acknowledged or understood.

The committee should also consider the impact to privacy of the surrounding residents. With the Proposed Development towering over the surrounding buildings by two full stories, this would result in current residents losing the privacy of their own back yards. This is a significant imposition on neighbours. If the Proposed Development is allowed to proceed it should not be at its proposed height, but should be no taller than surrounding homes.

Finally, I would like to address the "heritage" part of your assessment regarding the Proposed Development and how the historical integrity of Olde Walkerville is taken into consideration. I moved to Windsor from Calgary, Alberta a few years ago. I was so pleased to be moving to a city that took pride in its history, and expended money and resources to honour and maintain historical integrity of its neighbourhoods. The time, energy and resources currently being poured into the Walkerville Districting Plan, with its nine initiatives, improvements, projects and opportunities reflects the pride and caring that I saw and admired when I chose Walkerville as my new home. This was in strong contrast with Calgary, where historical buildings were hard to find, and historical homes were so few that a few years ago someone started a "Century Homes" program to identify those few and far between historical homes that still existed in Calgary, a city of well over a million people. Whole historical neighbourhoods were essentially not to be found. This was due in large part to the drive for rapid growth that didn't

appear to follow any kind of overall planning or take heritage into consideration, but rather looked more like developers-gone-wild kind of growth. I wouldn't recommend it for Windsor.

I was informed, by a member of your committee, that the province is pushing all cities for denser development, and that while perhaps we could successfully argue for less height (it is too tall for its surrounds) this Proposed Development was in line with drive for density and was likely going to get approved and we should all just accept that reality. I hope he was wrong, and that each of the "heritage" and "development" components of the mandate of this committee are taken very seriously, and the call for density does not become for Windsor what the call for rapid growth was for Calgary, at a cost of its history and sound planning principles. If he was not wrong, and the committee exists merely to blindly implement provincial directives without considering local context, perhaps we as municipal taxpayers should start to question why we spend resources on such a committee.

It is well known that increased density and diverse neighbourhoods make for stronger cities. However, I think it is important to remember that Walkerville already boasts density of housing and diversity of inhabitants that is not matched in most other residential areas of the city. There are many multiple family dwellings in our neighbourhood that were once single family dwellings. The house immediately to the north of mine is an old home that has been beautifully converted into five units. It is dense AND it honours the historical integrity of the neighbourhood. Multiple family does not have to mean block high rises. Let's be creative in our solutions to multiple challenges. As we continue to grow we don't have to choose either/or on density and historical integrity/heritage. Both can co-exist. The Proposed Development addresses only one and it does that without considering its surrounds.

Walkerville's distinct history, which has been lovingly preserved, including at Willistead Park, which is not even two blocks away from the Proposed Development site, deserves the consideration and deference it has been shown for over a century, including as recently as 2016, when this Proposed Development site was converted for development of three single family residences, from its former use as a church site. At that time, considerable thought and resources went into the carefully worded recommendation from the city's own Expert/Historical planner Mr. John Calhoun. Mr. Calhoun also imposed strict design criteria on height, use of specific materials and front and rear setbacks. While perhaps the SFD requirement could be altered, there is no reason that the balance of the work and criteria should not still apply. Working within the provincial mandate does not mean giving carte blanche to developers to erect multi-story buildings with seven times the dwelling capacity and no deference to the design criteria of the recently amended zoning. To do so would allow greed to trump sound planning practices and would disrespect the historical importance of Olde Walkerville to the City of Windsor and the Province of Ontario.

Thank you for the opportunity to provide input on this very important matter.

Cc: Mayor Drew Dilkens, Councillor Fred Francis, Councillor Fabio Constante, Councillor Jo-Anne Gignac, Councillor Gary Kaschack, Councillor Kieran McKenzie, Thom Hunt, Adam Szymczak

March 7, 2022

**Development & Heritage Standing Committee  
Item 7.4 - Written Submission**

March 4, 2022

Development and Heritage Standing Committee  
City of Windsor  
400 City Hall Square East  
Windsor, Ontario  
N9A 7K6

**SUBMITTED VIA EMAIL**

To the members of the Development & Heritage Standing Committee,

**RE: Rezoning - 2811035 Ontario Inc. - 1913, 1925 & 1949 Devonshire Court - Z-034/21 ZNG/6571-  
Ward 4**

Thank you for the opportunity to provide input for your consideration with respect to the above noted application, including the exemptions they seek from the amended zoning, should 2811035 Ontario Inc. be successful in its application for rezoning.

I would like to start off my submission by saying that I am not opposed to a multi-family unit on this particular location. I am, however, opposed to the development currently being proposed with this application, as it is significantly misaligned key Heritage Area requirements, such as alignment with massing, setbacks and width of buildings in the surrounding area, and in particular the designated heritage buildings across both Devonshire and Kildare from the proposed location.

In the Planning Rationale Report Addendum dated February 8, 2022, the following comments from City of Windsor - Heritage on the proposed development are identified:

"Provide visual contextual analysis with surrounding Walkerville neighbourhood properties in order to demonstrate compatibility with common datum regulating lines and floor to height ratios of surrounding heritage buildings."

In response, the Owner has provided a revised Built Heritage Impact Assessment dated February 3, 2022 (the "**BHIA**"). While I do not believe that what is provided in this BHIA confirms compliance with the requirements identified by Heritage and in fact believe that what they are included shows that it does not comply. I do note that the BHIA is so confident in its assessment that this development is in compliance, that it has determined at section 6, that mitigation and alternative development options are not necessary. I find this concerning for reasons I will describe at the end of this letter.

At Table 2 of the BHIA there is an assessment of section 9.3.7 and 9.3.5 of the Official Plan: Heritage Resources and Planning Initiatives and Enhancement of Heritage Resources, respectively. I disagree with the conclusion in the BHIA that this development project is in compliance with respect to both section 9.3.7(e) and 9.3.5.1 a) ii) for the reasons outlined below.

**Section 9.3.5 Enhancement of Heritage Resources**

Section 9.3.5.1 a) ii) requires that "Council will enhance heritage resources by ensuring that within any Heritage Area or Heritage Conservation District that development be of a compatible height, massing, scale, setback and architectural style." As these lots fall within the Walkerville Heritage Area, the

assessment must be made as to whether this requirement has been met by comparing to what is found within the Walkerville Heritage Area, and, I would argue, what is found in the residential areas of the Walkerville Heritage Area.

The report claims that the proposed development meets this requirement. The report elegantly understates the facts on this point: "While the height and massing of the proposed development is not identical to surrounding properties, it is not incompatible." To say that it is not identical implies that it is close to the same, but just not exactly the same. The reality is that everything around it is of *substantially* less size and mass, and located with *significantly* larger setbacks. The only buildings that the BHIA identifies that are of a similar mass and height in the Walkerville Heritage Area were a mixed commercial residential building (Figure 27) located directly on Wyandotte, a main commercial thoroughfare, and a four story building located on Devonshire (Figure 28), which was clearly built before any consideration was given to the importance of preserving the heritage and beauty of Windsor's only neighbourhood to ever be identified outside of the City of Windsor as a world class neighbourhood.<sup>1</sup>

I hope that when you are doing your assessment, in addition to the fact that only two examples were provided to support their claim that this requirement is met, you take note that the Figure 27 building is only three stories, and while it fits well with its surrounds, it is important to acknowledge and distinguish that those surrounds are located on a main commercial thoroughfare, not at the corner of two residential streets. Also, it is important to acknowledge that the Figure 28 building, although four stories, has a garden level first story, with the first level being built half underground. In fact, a review of the multi-unit residential buildings in the Heritage Area reveals that most have such a garden view level as the "bottom" floor in the development, and that such buildings are, at most, three levels, and not four (Figure 28 is the only 4 story building that I am aware of, and I hope this is not to be held out as an example of what we should be pursuing in the Walkerville Heritage Area).

While I appreciate that the use of masonry (red brick) as the primary construction material will contribute to a common exterior aesthetic within the neighbourhood, I believe that sizing, massing and setback issues are of significant concern, and must be addressed and reduced in order for Council to have fulfilled its obligation to ensure compliance of the proposed development with section 9.3.5 Enhancement of Heritage Resources.

### **Section 9.3.7 Heritage Resources and Planning Initiatives**

Section 9.3.7(e), requires, in part, "having regard to the following when assessing planning applications which may impact heritage resources:

- (i) Respecting the massing, profile and character of adjacent buildings;
- (ii) Approximating the width and setback patterns of nearby heritage buildings...

The assessment provided in the Report states that this proposed development is in compliance with these provisions, but then goes on to acknowledge, with respect to (i) that the massing is larger than the surrounding buildings and with respect to (ii) that the proposed development is of a larger scale than the surrounding buildings. It is difficult to follow the logic of the BHIA acknowledging that it does not

<sup>1</sup> The coolest [neighbourhoods in North America \(msn.com\)](http://www.msn.com)

comply with sizing and massing of its surrounds, and then somehow concluding that the proposed development is compliant. The issue of the smaller setback is not acknowledged directly.

In response to the lack of compliance with (i) they rely on the argument that the massing of this development is similar to the massing of the church previously on the site. My first observation of this argument is that this is a moot point and distracts us from the real issues. It is difficult to understand why a previous structure built under different bylaws and zoning requirements is relevant to this assessment. However, even if you allow this argument to be made, Figures 20 and 21 and Figures 22 and 23 clearly demonstrate that the non-uniform height and slanted roof on its tallest section, and the significantly larger setbacks all around the property, mean that the previous building cannot be held out to support an argument that what was there previously was of the same mass and profile as the proposed development, nor does it provide an argument that the width and setback patterns of the proposed development are reasonable and in compliance with the requirements of section 9.3.7 of the Official Plan.

Finally, I would like to say that I lived in Calgary in the early 2000's when that city faced housing challenges similar to what we are seeing in Windsor today. We all watched development proceed hastily and with what appeared to be a lack of effective oversight and adherence to well thought out planning policies and requirements. Developers seemed to be able to proceed with whatever they proposed, in an effort to get houses up as quickly as possible. That approach resulted in significant challenges for everyone further down the road. Our designated Heritage Areas are important, and the rules around development within them are important, and should not be so easily run over as this proposed development would require.

In conclusion, I submit to you that this proposed development does not meet the massing, sizing or setback requirements required by the Official Plan of the City of Windsor. It is too tall, too wide and does not approximate the setbacks that surround it. I would encourage you to request additional changes be made to this proposed development in order to ensure both (i) that this proposed development aligns with the City's admirable intent to preserve Windsor's brilliant historically significant neighbourhoods and (ii) that other developers understand the importance that Windsor places on its heritage, and maintaining the living monuments to that heritage that are found in neighbourhoods such as Walkerville.

Thank you for your time.

Best,



Jessica Green  
Proud Walkerville Resident

CC:     Drew Dilkens, Mayor                     Jo-Anne Gignac, Councillor  
          Fred Francis, Councillor             Jeewen Gill, Councillor  
          Fabio Costante, Councillor         Gary Kaschak, Councillor  
          Rina Bortolin, Councillor         Kieran McKenzie, Councillor  
          Chris Holt, Councillor             Jim Morrison, Councillor  
          Ed Sleiman, Councillor

**March 7, 2022**  
**Development & Heritage Standing Committee**  
**Item 7.4 – Written Submission**

**From:** Gary Kelly PCB  
**Sent:** Thursday, December 23, 2021 11:32 AM  
**To:** Szymczak, Adam; Holt, Chris  
**Subject:** FW: Devonshire Court

Adam,

My wife and I live at 1141 Kildare Road and, although not in the notice area per se, we have an interest in this project.

Firstly, please understand that, due to our location, we have no NIMBY agenda.

Frankly, we feel the property should be repurposed, as the existing zoning is too restrictive for the development of large single family homes.....especially considering the commercial adjacency.

This is evident as the property remains undeveloped and a bit of an eyesore during the unprecedented building boom in Windsor. There is little doubt there is significant demand for the right property in our neighborhood.

However, this proposal calls for significant variance from city standards and makes us conclude that it is too intensive. This is evident in the following areas, as you know:

- Front yard setback
- Rear yard setback
- Green coverage (minor variance in our view)
- Height (minor variance in our view)

If we understand the data provided on the website correctly, the owner is requesting a total setback variance of over 10 meters, which is [substantial.no](#), huge.

No doubt this is needed for the surface parking, confirming the overly intense nature of the plan.

We also note that the plan calls for 23 two bedroom condominium (ultimately) units for as many as four occupants each and presumably 2 vehicles, which, from a practical viewpoint, will likely cause some parking spillage into the already crowded situation in the immediate vicinity.....although the spots provided in the plan are technically consistent with City requirements.

Moreover, although some may say that this development will help increase the affordable housing supply, time (and pricing) will dictate this unknown factor. Furthermore, this determination is the absolute right of the owner / developer and will be controlled by market factors and is not relevant in this situation, in our view.

In summary, we support a more intense use of this land and we applaud the owner's initiative and commitment. It just seems to us that this particular development is too intense for the site and should be either adjusted to conform to established reasonable city zoning requirements (with MINOR variances allowed) or should be rejected.

Gary and Sharon Kelly

Sent from my iPad

**March 7, 2022**  
**Development & Heritage Standing Committee**  
**Item 7.4 – Written Submission**

**From:** Raymond Colautti  
**Sent:** Friday, February 18, 2022 3:11 PM  
**To:** Szymczak, Adam  
**Subject:** Rezoning Application for 1913, 1925 and 1949 Devonshire Court, formerly St. George's Church lands, Walkerville Heritage District

I write this letter on behalf of myself and my wife Charlotte who live at 1924 Devonshire Court, directly across the street from the proposed development at 1913, 1925 and 1949 Devonshire Court, the former site of St. George's Church.

I understand that this matter is set to proceed before the Planning and Heritage Advisory Committee on March 4, 2022.

We are opposed to this development. Please list me as a delegation to appear before the PHAC.

**Background/ Overview:**

A 4 Storey 23 Multi-Unit Luxury Condo Development being proposed at the Southeast corner of Kildare and Devonshire Court ( i.e. former site of St. George's Anglican Church ).

In 2016, the City of Windsor's own Expert/Historical Planner ( Mr. John Calhoun ) recommended that the property be severed into separate lots so as to build 3 single family residences in keeping with the surrounding area, while also imposing strict design criteria for building height, use of specific materials, front & rear yard setbacks, etc., similar to neighbouring homes. Said recommendation represented the "best scenario" in order to preserve the overall historical integrity of the Olde Walkerville area. City Council concurred with Mr. Calhoun and subsequently voted to adopt the recommendation. Please see the Calhoun Report and City Council's resolution, attached hereto.

The present owner of the subject lands, who is seeking to develop them, acquired those lands with the full knowledge that the lands were zoned for single family dwellings, as prescribed by the said by-law.

Now, some developers want to exploit the prestige of a lovely Walkerville location for the wrong reasons. That is, they would like to see City Council's initial decision reversed, in an effort to

build a “big box” style modern condo building that provides no historical value, and simply incompatible with the surrounding architectural beauty found throughout our unique neighbourhood.

Besides the obvious negative impact from a heritage perspective, and the sheer scale of the proposed building ( 50ft. high x 160ft. wide ), the project is also fraught with numerous other issues ( i.e. significant increase in vehicular traffic crossing sidewalks & a major intersection, congested parking, loss of privacy & visual line of sight, stormwater runoff...just to name a few ) that will impact drivers, pedestrians, and residents within the vicinity.

There is plenty of vacant land elsewhere throughout Windsor that is far more appropriate for multi-storey, high intensification buildings that developers can take advantage of. As such, developers who are not interested in historic preservation should stay far away from any property found in an established Heritage Area. If we don't stop this type of proposed modern development now, we will be allowing the door to open for many more similar such projects to be built throughout our renowned Olde Walkerville...and what a travesty that would be.

Common sense clearly shows that this development does not belong in the Walkerville Historic Area and that allowing this proposed development would be a great disservice. The future of Walkerville as it has always been known, loved, AND revered depends on discouraging this kind of development. It will open the door to many other similar modern projects and present administration will be directly responsible for the eventual erosion of the Walkerville heritage that is known far and wide.

This location is close to the Paul Martin House and the Willistead Manor. If this kind of density is allowed, there will be many more requests from those who would turn old heritage properties into multiple family dwellings and condos.

Those who back this kind of intrusion cannot claim to be supportive of Heritage area values..

Simply put, this isn't an appropriate location for a large modern condo apartment building. There are plenty of other areas throughout the city better suited, and more befitting this kind of development.

Where are the varying roof elevations, steep peaks & valleys, the dormers, the distinctive arches, the large porches...the stone, stucco, timbers, the beautiful aged copper awnings, eaves & downspouts...all hallmarks and have been a fundamental part of the existing Walkerville architecture & landscape for 100+ years??

Instead of expanding upon that vision, we get a proposal for:

- A huge modern, “big box” style rectangular building with no historical appeal whatsoever!
- An entire flat roof, no changes in elevation for aesthetics;
- Virtually no front or rear setbacks, etc., while taking up every possible square foot of land with the obvious intent to maximize real estate value.
- It doesn’t exhibit the siting, massing, scale, etc. that is referenced and called for in the City’s Official Plan ( contrary to the obviously flawed & utterly preposterous Heritage Impact Study and Addenda submitted by the developer ).
- In fact, this proposal brings little to nothing in the way of historical architectural beauty or value to the area.

Moreover, it is neither respectful of nor complimentary to the neighbouring homes, and is not in keeping with the immediate/surrounding area. Respectfully, it borders on the absurd, and undoubtedly would stand out like a sore thumb. By opening the door to this type of large scale, tasteless condo development, you run the very real risk of damaging Walkerville community’s renowned reputation as “one of the coolest neighbourhoods on the planet”, and may negatively impact the City of Windsor’s overall image.

### **Issues/Concerns/Deficiencies**

Here are specific objections/ concerns on a land use/ heritage planning basis:

#### **1. Planning Rationale Report**

A. Zoning By-Law Amendment - Proposed to be changed from Residential District RD1.1 to Residential District RD3.1

In addition to zoning change, site specific relief is requested for:

1. *Increase the maximum building height from the required 14m to 15m, ( Rationale - To allow for a 4 storey building )*
2. *Decrease the minimum front yard depth from the required 6.0 m to 1.9 m, ( Rationale - Can build to edge of municipal space ).*
3. *Decrease the minimum rear yard depth from the required 7.5 m to 1.2 m, ( Rationale - Can build to edge of municipal space )*
4. *Decrease the minimum landscaped open space from required 35% to 27%. ( Rationale - Site is abutting a public open space )*

B. Parking Spaces - City of Windsor Zoning By-law requires a minimum of 1.25 parking spaces for each dwelling unit.

1. The proposed development has 28 parking spaces, including visitor & barrier free parking. ( See pg. 20 ). Accordingly, 23 units x 1.25 = **Minimum of 29 resident parking spaces**
2. What is the exact City By-Law requirement?

3. How many additional Visitor parking spaces are required? ( Pg. 51 indicates 15% of parking spaces marked =  $28 \times 15\% = 4$  )
4. How many additional Accessible parking spaces are required? ( Pg. 51 indicates For 26-100 total parking spaces = 2 )
5. According to the information provided by the Planner, the **Total MINIMUM # of spaces should be 35...NOT 28!**

### C. **Site Suitability** ( See Pg. 55 )

The Site is ideally suited for residential development for the following reasons:

- The land area is sufficient to accommodate the proposed development with adequate buffering/transition from abutting land uses, ( FALSE )
- The Site is generally level which is conducive to easy vehicular movements,
- The Site will be able to accommodate municipal water, storm and sewer systems: (WHERE ARE THE ENGINEERING STUDIES TO SUPPORT THIS?)
- There are no anticipated traffic concerns, ( FALSE AND MISLEADING )
- There are no natural heritage concerns, ( FALSE )
- There are no cultural heritage concerns, (FALSE)
- There are no hazards, and ( WRONG )
- The location of the proposed development is appropriate ( Definitely NO )

## 2. **Heritage Impact Study**

### A. Calhoun Report Recommendation - October 23/2015

#### Redevelopment:

The property would have to be rezoned from the current ID1.1 (institutional) to allow construction of three houses. The location is in the Walkerville Heritage Area, which is shown in Schedule G of the Official Plan, but is not a heritage conservation district under the Ontario Heritage Act. Most residential garages in the Walkerville Heritage Area are accessed from alleys, and new front driveways and curb cuts are very restricted. This property has a well used paved alley that should be the only drive access points for the three new houses. **The designs of the houses need to respect the siting, massing and materials of the residential properties in the Walkerville Heritage Area, and particularly those to the immediate north and west.** Regulatory language may be included in provisions for the rezoning.

### B. Comments Found Within the Heritage Report

1. The massing, although larger than the neighbouring buildings, is similar to the massing of the former St. George's Church. ( See comment Pg.25 ). (THIS IS ENTIRELY FALSE. ST. GEORGE'S CHURCH WAS NOT 4 STORIES TALL, AND WAS FAR SMALLER FROM A CUBIC FEET OF VOLUME POINT OF VIEW.

2. While the height and massing of the proposed development is not identical to surrounding properties, it is not incompatible. ( See comment Pg. 26 ) (WRONG: THIS IS A MATTER OF OPINION FROM A PAID CONSULTANT THAT CONFLCITS WITH COMMON SENSE OBSERVATION)

3. The façade of the building is consistent with surrounding property facades and other developments within the vicinity. Pg. 25 (WRONG)

4. While the height and massing of the proposed development is not identical to surrounding properties, it is not incompatible. Pg. 26 9DEMONSTARBLY FALSE AND MISLEADING)

### C. Council Approval - November 7/2016

Moved by: Councillor Marra

Seconded by: Councillor Elliott

Decision Number: CR686/2016 PHED402

THAT an amendment to Zoning By-law 8600 **BE APPROVED** changing the zoning of Lots 84-87, Registered Plan 684, situated at the southeast corner of Devonshire Court & Kildare Road, from Institutional District 1.1 (ID1.1) to Residential District 1.1 (RD1.) and by adding a new site specific provision to Section 1  $\sqrt{2}\sqrt{0}(1)$  as follows:

“332. For the lands comprising Lots 84 to 87, Registered Plan 684, situated at the southeast corner of Devonshire Court & Kildare Road, a Single Unit Dwelling shall be subject to the following additional provisions:

1. Main Building Height – minimum 7.00 m
2. Front Yard Depth – minimum 7.50 m
3. An Access area or driveway is prohibited in any front yard or exterior side yard. Access to a parking space shall be from an alley.
4. Exposed flat concrete block, untextured concrete whether painted or unpainted and vinyl siding on any exterior wall is prohibited. A minimum of fifty percent of the area of an exterior wall shall be covered in brick, textured concrete block, stucco, stone or any combination thereof.

Carried.

Councillor Holt voting nay.

Report Number: S 175/2016

Clerk's File: ZB/12611

D. A number of references made to legal documents throughout the Heritage Study including the following:

- (i) Ontario Heritage Act
- (ii) Ontario Planning Act
- (iii) O. Reg 9/06 - Heritage Impact Assessment Criteria
- (iv) Provincial Policy Statement (2020)
- (v) City of Windsor Official Plan ( Section 9 - Heritage Conservation )

3. **Shadow Study** - Very Poor/Incomplete Report ( ADA Inc. Architects )

- (a) Very poor illustrations as part of report.
- (b) Difficult to clearly see the areas affected by shadows.
- (c) There is **no supporting quantitative analysis data** as part of the report.
- (d) There is **no evaluation criteria** used to arrive at the conclusions about the shadowing results as part of the report.

4. **Vehicle Traffic Study** - Poor/Incomplete Report ( RC Spencer Associates )

- (a) Requests were made during the May 2021 Public Open House to conduct/investigate Pre-COVID, Present Time, and Post-COVID studies
- (b) Only study conducted was in July 2021 in the midst of the COVID-19 Pandemic ( i.e. Present Time )
- (c) Study submitted is NOT representative of all possible traffic scenarios ( i.e. missing Pre COVID study data ).
- (d) Both the Present and Future study data is seriously flawed as it uses/draws upon a Mid-Pandemic baseline.
- (e) Serious concerns were raised during the May 2021 Public Open House regarding pedestrian safety at key locations
- (f) Study failed to include **ANY** pedestrian traffic/activity and/or interaction at critical locations as part of a conducting a proper Risk Assessment...including where the sidewalk meets the alleyway exiting onto Kildare, Kildare/Ottawa intersection, and Kildare/Devonshire Court intersection...particularly during the times of 8-9am, 11am-1pm, 3-5pm.
- (g) Study finds that it is the engineers' opinion that existing trees and on-street parking may be problematic for motorists egressing from the alleyway

5. **On-Street Parking**

- (a) Serious concerns were raised during the May 2021 Public Open House about the negative impact the proposed development will have to on-street parking
- (b) Both Kildare Road and Devonshire Court parking is congested as is
- (c) No Parking Impact Study has been conducted nor submitted as part of the supporting documents to the Planning Department
- (d) Congested on-street parking was raised as problematic by RC Associates as part of their Traffic Study

6. **Table 1.0 on Page 26 states:**

- (a) Direct or Indirect Obstruction of Views - The proposed development will not obstruct views of the heritage resources. **Not True!** The massing, although larger than the neighbouring buildings, is similar to the massing of the former St. George's Church. ( See comment Pg.25 ). **(FALSE)**. While the height and massing of the proposed development is not identical to surrounding properties, it is not incompatible. ( See comment Pg. 26 )**(FALSE)**

(b) A Change in Land Use - The proposed development will reinforce the residential character of the area. **(FALSE:It is a monstrosity!)** The façade of the building is consistent with surrounding property facades and other developments within the vicinity. ( See comment Pg. 25 ). **(FALSE-SEE ABOVE)**

(c) Land Disturbance - The proposed development is a minimum of 20 metres from the nearest heritage resource and a maximum of 80 metres from the furthest heritage resource. There is sufficient distance between the proposed development and the heritage resources. **Not so! Proposal to reduce the front setback to the City property line will effectively allow for a 50' high x 150' wide wall to be built close to the edge of the roadway. It would give the feeling of being "crushingly" close to the homes on the North and West sides. This would also negatively impact any sense of open space and coziness.** The proposed front yard setback is similar to that of the previous (St. George's Church) structure ( See comment on Pg. 25 ): **(FALSE)**

### **Conclusion:**

Can you please ensure that these comments are included or attached to the Staff Report that you are preparing for the Committee and Council?

Yours Truly,

March 7, 2022

**Development & Heritage Standing Committee  
Item 7.4 - Written Submission**

February 24, 2022

Dear Walkerville Residents,

My name is Roger Bastiaan. I live in the 1200 block of Kildare Road. I am writing on behalf of my family and many similarly concerned neighbors. Specifically, I am writing to bring your attention to an ongoing issue regarding three properties on Devonshire Court near Kildare Road. On Monday March 7, 2022, the Development & Heritage Standing Committee of the City of Windsor will meet to consider a request to alter the zoning bylaw regarding housing lots at 1913, 1925, and 1949 Devonshire Court.

Background

These three single family housing lots were created as part of the agreement that allowed for the demolition of St George's Anglican Church in 2016. The rezoning of the church property into three single family lots was done after significant community consultation and involvement. There was a written recommendation by the City of Windsor Heritage Planning Department to create these lots and place constraints on the physical appearance of the homes, lot fill, driveways, and detached garages. In December 2016, Mayor Dilkens and the majority of City Council voted in agreement with the Heritage Planning Department recommendations. With much press coverage, the owner of the three building lots declared that "It's a personal thing for me to go in here and do something really, really nice for the neighbourhood", and he stated that he would be building three upscale homes that "coordinate with the whole neighbourhood".

In May 2021, the residents adjacent to these lots were notified that the three lots had been resold together to a new entity and that an apartment building was to be built on the combined property. The entity is known only as "Ontario 2811035". The owner, or owners, are not identified otherwise. This numbered company has applied to the City to merge the three properties into one, which would require a change to the zoning bylaws, for the purpose of building a four story 23-unit apartment building at the location. This is in direct opposition to the voted upon and accepted recommendations from December 2016. In May 2021, during a video conference presentation and virtual meeting hosted by a consultant for the numbered company, the Walkerville residents in attendance expressed extreme displeasure in the proposal. Chris Holt, the Ward 4 councilor and member of the Development & Heritage Standing Committee, was in attendance. During the meeting Mr. Holt expressed support for the apartment building proposal, and he was dismissive of the residents' concerns. Mr. Holt stated that Walkerville needs greater residential density and that this is the beginning.

The City, the Anglican Church, and many other concerned parties met with the residents of the neighborhood numerous times through the multiyear process from the time the St. George's Church was attempted to be sold, then declared unsafe, to the final agreement that it would become three residential lots post-demolition. The residents of Walkerville played by the rules and bargained in good faith throughout. In September 2017 the St. George's Church buildings were razed. After approximately 3 ½ years without any activity on the site, a surprise new proposal suddenly materialized to build an apartment building at the location. This apartment building proposal appears to come with the hearty endorsement of our Ward 4 councilor Chris Holt, who is also a member of the Development & Heritage Standing Committee that will be considering the bylaw amendments that would allow for this apartment building to be constructed.

So why does this matter to you?

This matters because the agreement struck at the end of 2016 is in the process of being swept aside. No reasons have been presented to explain why the 2016 agreement should be vacated. The rezoning of the church property into three single family lots (that happened when St. George's Church was allowed to be demolished) applies to the "new owner", just as it applied to the person who bought the church property in 2016. Given the lack of explanation, the lack of transparency, and apparent willingness of the City to quickly abandon its 2016 agreement, it appears that this was a bait and switch plan from the outset.

This matters because at the root of the apartment building proposal is the merging of 3 residential single family home lots into one for the sole purpose of shoehorning an apartment building into their place for profit. Once this pattern has been established, any residential lot or lots in Walkerville (or in the City) can be converted to apartment building use following the same scheme. It is important to note that the combined property is not large. The combined lots would be approximately 175 feet wide by 130 feet deep. There are several single properties in Walkerville that are larger. For example, there are two such single family home properties on Richmond at Kildare, with one on each side of Kildare. Those lots are approximately 185' x 125' and 195' x 130' in size. Either or both of those lots would be ideal locations for apartment buildings from the developer perspective, as they face Willistead Park and they are near schools. The current Alzheimer Society property on Richmond at Argyle is even larger, at approximately 280' x 130', and thus it would certainly be of interest to developers looking for an apartment building location. There is no limit to the ways that "residential density" can be increased once this precedent is established. Any property or series of properties can become host to an apartment building regardless of community opposition, current zoning, or previous agreements with the City.

### Walkerville is a special place

The residents in Windsor and Walkerville know it's a special place. Beautiful public spaces, our history, our people, thriving businesses, and the houses from modest to magnificent create the Walkerville that we love. It isn't just the locals that know our community. Walkerville has been featured in numerous media articles nationally and in the United States. One of the most supportive articles came from *This Old House* magazine in 2012. An article in that magazine described the architecture, parks, and rich history that make Walkerville a special place to live (<https://www.thisoldhouse.com/21018452/best-old-house-neighborhoods-2012-canada>). After Walkerville was featured in *This Old House*, the *Windsor Star* newspaper picked up the story. A short video produced by the *Windsor Star* includes a good description all the elements that come together to create a great neighborhood, not least of which is neighbor greeting neighbor as they sit on their front porches (<https://youtu.be/0VaFyBA5H44>). In a 2018 interview with the *Windsor Star*, the retiring City Heritage Planner, John Calhoun, described the importance of preserving Windsor's history, and the difficulties involved in doing so (<https://www.cbc.ca/news/canada/windsor/newly-retired-heritage-planner-john-calhoun-on-the-ups-and-downs-of-defending-windsor-s-history-1.4533580>). Please look at these articles to see if you agree with their assessments.

### Please help protect Walkerville

We are working on launching a website to collect and disseminate information about this apartment building proposal. The website will include information about how to join the fight to preserve our community. The address will be [www.protectwalkervilleheritage.org](http://www.protectwalkervilleheritage.org). The website is not live yet, but please check back to see our progress. Unlike the developers who have hired professionals to push their unacceptable plan through the various channels at City Hall, we are a collection of concerned neighbors working together after our workdays are over, for the purpose of holding the City to its agreements.

The Development & Heritage Standing Committee meeting will be held on Monday March 7, 2022. The meeting will be virtual following the City's COVID protocols. Anyone seeking to participate in the meeting must register as a delegate before noon on Friday March 4, 2022. Registration as a delegate does not obligate you to participate or speak; however, if you do not register in advance, you will be prohibited from making any comment during the meeting. We encourage everyone to register for the meeting. The City Clerk's office is handling registration. They can be contacted by email at [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca) or by phone at 519-255-6432.

We also encourage you to contact the members of the current Development & Heritage Standing Committee, the Mayor, and members of City Council to voice your concerns.

**March 7, 2022**  
**Development & Heritage Standing Committee**  
**Item 7.4 – Written Submission**

**From:** Bev Marshall

**Sent:** Monday, February 28, 2022 6:08 PM

**To:** mayoro <[mayoro@citywindsor.ca](mailto:mayoro@citywindsor.ca)>; Francis, Fred <[ffrancis@citywindsor.ca](mailto:ffrancis@citywindsor.ca)>; Costante, Fabio <[fcostante@citywindsor.ca](mailto:fcostante@citywindsor.ca)>; Bortolin, Rino <[rbortolin@citywindsor.ca](mailto:rbortolin@citywindsor.ca)>; Holt, Chris <[cholt@citywindsor.ca](mailto:cholt@citywindsor.ca)>; Sleiman, Ed <[esleiman@citywindsor.ca](mailto:esleiman@citywindsor.ca)>; Gignac, Jo-Anne (Councillor) <[joagignac@citywindsor.ca](mailto:joagignac@citywindsor.ca)>; Gill, Jeewen <[JGill@citywindsor.ca](mailto:JGill@citywindsor.ca)>; Kaschak, Gary <[gkaschak@citywindsor.ca](mailto:gkaschak@citywindsor.ca)>; Mckenzie, Kieran <[kmckenzie@citywindsor.ca](mailto:kmckenzie@citywindsor.ca)>; Morrison, Jim <[jmorrison@citywindsor.ca](mailto:jmorrison@citywindsor.ca)>

**Cc:** Bev Marshall

**Subject:** Request to rezone lots @ 1913 1925 1949 Devonshire Court Windsor

March 1, 2022

To: Development & Heritage Standing Committee of the City of Windsor

Re: Request to rezone lots at 1913, 1925 & 1949 Devonshire Ct.

Dear Mayor Dilkens, Committee Members & City Councillors,

We are writing to strongly oppose the rezoning of these 3 lots for the purpose of building a 4 storey apartment building. Walkerville does not need to increase its residential density in this manner in this location. I'm sure the last thing the neighbours across the street from these lots want to look at is an apartment building especially when they expected to see single family dwellings.

Just look to the 1200 block of Argyle where the townhouses were destroyed by fire in 2018. They are rebuilding with new townhouses that while larger at least compliment the neighbourhood.

Previous councils have dealt with similar requests before and Old Walkerville ended up with 2 white blocks of apartment buildings on Argyle Road south of the former Kelly's Funeral Home. Hardly appealing. There are other apartment buildings along Argyle & various 2 storey duplexes that at least blend with the area & have some character appeal.

Although I'm not an architect, I suspect that 3 lot block of land is a little small for the proposed apartment building. I'm sure parking will be an issue in an already tight for parking neighbourhood.

One of the many appealing aspects of Old Walkerville is the amount of open space. We've had guests from Europe & Australia visit. All the guests mentioned how "spread out" the neighbourhood feels. Many kids who grew up in Walkerville returned as adults to purchase a home here. My family has lived in Old Walkerville since the early 1920's. My grandparents, parents, my brother & I have all lived

on the same street in Old Walkerville. (although different houses). My children are the 4<sup>th</sup> generation in my family to live on the same street. We are drawn back to live in this wonderful area.

If you want to increase residential density, look along Wyandotte or Ottawa St. There are multi-storey buildings and retail already. It's a busier area & better suited to apartment style buildings. We've heard about the redevelopment of the Hiram Walker warehouses north of Wyandotte, similar to the one on the south side. I think this is a wonderful idea. It's close to but not strictly in a residential area.

We believe this rezoning request should not be approved & the lots should remain for use as single family dwellings. The Committee, Council & Ward 4 Councillor Chris Holt in particular, need to re-evaluate ideas for residential development without destroying the charm & character of Walkerville.

Respectfully,

Dr. Norman & Mrs. Beverly Marshall

**March 7, 2022**  
**Development & Heritage Standing Committee**  
**Item 7.4 – Written Submission**

**From:** Antonio Pascual-Leone  
**Sent:** March 2, 2022 1:40 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** zoning by-law, File number ZNG/6571 Z-034/21

Development & Heritage Standing Committee,

I am writing to register as a delegate and to have my comments considered in regards to the meeting about zoning by-law, File number ZNG/6571 Z-034/21

It item is about 1913, 1925, & 1949 Devonshire Court.

I will not be able to attend the meeting on March 7, however, please confirm that my comments below will be registered.

- (1) **Not in favor of amendment:** I am not in support of the amendment to zoning to allow a multi-unit building of 23 dwelling. This is a dramatic change from the original proposal for 3 homes, which was much more in keeping with the heritage of the neighborhood. Old Walkerville is a special place and celebrated center in the city. The proposed plan will also substantially impact traffic, which has not been planned for. Making this sort of amendment is a disservice to the city as a whole and to the immediate neighborhood. I urge the committee against making such dramatic exceptions to the heritage of the neighborhood.
  
- (2) **Concessions if the amendment is passed:** The argument to increase density has merit although the proposal does not adequately meet that interest for several reasons, but traffic is a main concern.
  - a. The above having been stated, if an amendment to the zoning by-law is allowed, the proposed plan will substantially increase vehicular traffic in the area. Note that Devonshire circle does not connect to Walker road, a main artery of the community. This means traffic coming from the south will enter via Richmond street, which has no stop signs for several blocks. Speeding along Richmond and not stopping for pedestrians is a common problem. If a zoning amendment is to be made it should be contingent on adding a much-needed 4-way stop sign at the corner of Devonshire Road and Richmond. That intersection is already high risk with a large number of vulnerable people who need to regularly cross Richmond. Namely, citizens cross the street often to get to Willistead Park, the Alzheimer's Society, Walkerville Highschool, and St. Anne's elementary school and there is no place to safely cross Richmond near Devonshire road. The proposed construction will substantially increase road traffic from Walker road, to Richmond, to Devonshire Road, terminating at Devonshire circle. A 4-way traffic stop at the corner of Devonshire road and Richmond is essential to safely manage the flow of traffic. Of further note, Devonshire Circle does not have any sidewalks on either side, putting pedestrians at greater risk to the increase in traffic.

- b. Secondly, the proposal is disingenuous in only planning for 30 parking spots when there are 23 intended dwellings, which is a ridiculous underestimate. This suggests that most of not all of the dwellings will be for individuals living alone. With 23 units one can reasonably expect the addition of 100 new members to the community, and the number of parking spots should be substantially higher (perhaps 60). Street parking in the area is already difficult and adding the new dwellings without a realistic requirements for parking would prove extremely short sighted of the development and heritage committee.

Thank you for seriously considering my concerns.

Please confirm receipt of this email.

Best,

Dr. Antonio Pascual-Leone

**Antonio Pascual-Leone, Ph.D., Certified Psychologist**

*Professor of Psychology, University of Windsor (Canada)*

*Honorary research professor, Psychiatry, University of Lausanne (Switzerland)*

*Certified trainer, International Society for Emotion Focused Therapy*

*For information on Pascual-Leone's research visit: [The EMOTION CHANGE LAB](#)*

Department of Psychology

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**For more information about the Clinical Psychology Program go to <http://www.uwindsor.ca/clinicalpsych>**

**March 7, 2022**  
**Development & Heritage Standing Committee**  
**Item 7.4 – Written Submission**

**From:** Patricia McConville

**Sent:** March 2, 2022 12:05 PM

**To:** Bortolin, Rino <[rbortolin@citywindsor.ca](mailto:rbortolin@citywindsor.ca)>; Holt, Chris <[cholt@citywindsor.ca](mailto:cholt@citywindsor.ca)>; [jeewengill@citywindsor.ca](mailto:jeewengill@citywindsor.ca) <[jeewengill@citywindsor.ca](mailto:jeewengill@citywindsor.ca)>; [jmorrison@citywindsor.ca](mailto:jmorrison@citywindsor.ca) <[jmorrison@citywindsor.ca](mailto:jmorrison@citywindsor.ca)>; [esleiman@citywindsor.ca](mailto:esleiman@citywindsor.ca) <[esleiman@citywindsor.ca](mailto:esleiman@citywindsor.ca)>; Antonio Buttice ; Raymond Colautti >; Paula Rankin >

**Subject:**

Re: Re-zoning of 1913, 1925 and 1949 Devonshire Crt.

I am writing as a resident of Kildare Rd., to voice my concerns re the request to your committee for the rezoning of the above-mentioned land.

The previous decision of your committee at the recommendation of Mr. Calhoun - Heritage Dept. to deem this land for single residential houses was totally in keeping with the heritage that Old Walkerville has and needs to be maintained.

The developer's information that was sent to the area residents leaves me with the following concerns:

1. The request to build on city land which would mean the bldg. would be almost right up to the city sidewalk. (approx. 4 ft. from sidewalk)
2. The building would be massive at almost 55 feet high by about 140 ft. wide. It would overpower the single family homes across the street and with the request to build so close to the sidewalk, it would feel as though the apt. bldg. was almost on top of them.
3. Stating that the foot-print is the same as St George Church is down right wrong. St. George's Church had about 30 ft. of front lawn with shrubs, flowers and grass. (Please look at pictures of St. George's church.) There is no front lawn or green space in their photo of the bldg,
4. The statement re shadowing in that it would not negatively affect the houses adjacent to the apt. bld. is very questionable. From what I've read, living in the northern hemisphere, we get most of our sun from a southern exposure. You ask any avid gardener and they look for a house where their garden has a southern exposure. This huge building would block the southern exposure from the houses adjacent and also houses on Kildare Rd.
5. I know Mr. Holt and Mr. Bortolin cringe when they hear residents complain about traffic and parking re looking at public transit and walkable areas. But as our Mayor so eloquently stated when commenting on the city's poor transit system. "Most of the residents in Windsor drive cars and use cars to go where they need to go." Hence the statement by the developers that parking would not be affected is almost ludicrous!!! There are not enough parking spaces for a bldg. with that many apartments. Most working couples have two cars!! Heaven only knows what it will be like on Devonshire and Kildare Rd. when a tenant or two have company or a family get-together. .With so few driveways in Old Walkerville, the majority of residents park on the street. This kind of development has no place on a quiet residential street.

As Mr. Holt so eloquently said in an article in the Windsor Star, "Walkerville is pretty iconic when it comes to the architecture and the streets..... It's very different from every other neighbourhood in the city" "Many of the buildings were designed by famed architect Albert

Kahn and other illustrious architects. "And not only just the look but also the way the homes, they're close to the street with the vast majority having front porches... It's a very distinct urban design in Walkerville." "The streets are narrow, cars tend to drive slower, not very many driveways so the houses are closer together. And it really has a very distinct vibe to it because of that urban design.

Having read this article with the above quotes, I can't help but question the mantra of "Urban Intensification". Walkerville has the highest urban density of any area in the city. So justifying this apt. bldg. by using the Urban Intensification rationale definitely doesn't fit Old Walkerville. This committee HAS to deny this request for a change to the already made decision re single family dwellings. This decision was made after much debate with the belief that the committee was maintaining the historic aspects of Old Walkerville. If you decide to allow this development to go forward the door will be open for other developers to buy up property and put inappropriate bldgs in the place of the old houses.

You, the committee have to stand up and fight for the residents of Old Walkerville in order to maintain the historical integrity of this area and also send a message to future developers that this kind of development is not appropriate for the Walkerville area which was a planned village by Hiram Walker and is probably one of the very very few planned villages in the whole of Ontario which should be protected at all costs.

Please VOTE NO to the developer's request to rezone these properties,

Kendal McKinney

3/March/22

VIA EMAIL ATTACHMENT  
TO: [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)  
AND TO: [cholt@citywindsor.ca](mailto:cholt@citywindsor.ca)  
AND TO: [R. Colautti](#)

Dear City of Windsor Development & Heritage Standing Committee, Counsellor Holt and Mr. Colautti:

Re-zoning Application for 1913, 1925, and 1949 Devonshire Court  
City of Windsor File Number ZNG/6571 Z-034/21

I was quite recently made aware of the above captioned application to amend the zoning of these properties. I am opposed to this application for the following reasons.

**PROCESS**

The original plan to redevelop the site of the former St. George's Anglican Church was arrived at through a process of community, City, and stakeholder communication and agreement. This is precisely the kind of process that should be used when making and amending official plans, policies, and zoning. Promoting meaningful civic engagement is more important than road paving for a community, if it aspires to become or remain a true community.

The agreement in this case should not lightly be set aside. To do so would undermine the process by which the agreement was reached, and all future consultation and engagement opportunities. People will not invest time and effort in a process when the results may well be casually thrown aside in a few years time. Such a counter-process will simply promote disengagement and cynicism.

**POSSIBLE CLAIM OF HARDSHIP REJECTED**

In this case, I believe the new owners took with notice of the agreement and have no basis to complain of any unfairness. I am also highly sceptical that the properties cannot be developed profitably within the terms of the agreement given the current robust real estate market. Ultimately the profitability or loss of a developer is not and should not be my concern, or the City's. However, should the proponent argue hardship, I cannot accept such a proposition as factual.

**SUBSTANCE**

I also have concerns with the substance of the proposal as, even with site

Kendal McKinney

planning, a 23 unit four storey building is excessive for the location. The former St. George's was nowhere near four storeys, except perhaps for the bell tower.

As a point of comparison, please consider the apartment building at 1287 Kildare, across the street from the proposed site. While I am uncertain about how many units are in the building, it is obviously not 23 units, and the building is only a raised two storey with full basement.

On the other side of the property, there is a public park. The homes across the street on Devonshire Court are three single detached houses of two storeys. Even the mixed commercial/residential units just around the corner on Ottawa Street are only two storeys. The proposal appears elephantine in comparison.

As a further point of comparison in the neighbourhood, the apartment buildings at 1920 and 1980 Tuscarora, several blocks away, appear to be each somewhat smaller than the proposed project, but each occupying what appears to be a larger site.

#### GREATER DENSITY POSSIBLE

If greater housing density in the area is deemed desirable, which is an attractive possibility, a larger and more deliberate planning process is required. Inappropriate *ad hoc* projects undermine both good community process and good neighbourhoods.

#### SUMMARY

Any discussion of adding density to the whole neighbourhood, which has merit, should be placed in a larger and more integrated community involved process.

I cannot agree that this proposal is site appropriate.

Most importantly, a community based plan was reached and should be abided by, not just for its own merits, but for the sake of reinforcing good community engagement and planning.

Please reject this proposal.

Sincerely,

Kendal McKinney

**March 7, 2022**  
**Development & Heritage Standing Committee**  
**Item 7.4 – Written Submission**

**From:** Antonio Buttice  
**Sent:** Thursday, March 03, 2022 2:43 PM  
**To:** Toldo, Beth <toldob@citywindsor.ca>  
**Subject:** Rezoning Application for 1913, 1925 and 1949 Devonshire Court, formerly St. George's Church - Written Submission

My name is Antonio Buttice. I write this letter on behalf of myself. I live at 1948 Devonshire Court, directly across the street from the proposed development at 1913, 1925 and 1949 Devonshire Court, the former site of St. George's Church.

I see that this agenda item is scheduled to go before the Development & Heritage Standing Committee on March 7, 2022.

This communication serves as my official notification that I am vehemently opposed to this development. Furthermore, I would like my written submission ( including attachments ) to made part of the public record.

Please note that I have also attached 3 files showing petition signatures that were gathered in May 2021. Everyone who signed therein is also opposed to the proposed development. A copy of said petitions were sent to Tracey Pillon-Abbs in May 2021 which were to be submitted to the Planning Department as additional documentation, along with any written email communications sent to her by the residents, the Public Open House video recording, and all comments/concerns that were voiced during said Open House.

Unfortunately, none of the aforementioned ( i.e. petition, emails, video recording ) were included as part of the Applicant documentation to be made available to the public for their review? Perhaps someone can enlighten me as why those were excluded?

Background:

I have attached a copy of the City Heritage Planner Report prepared in 2015 as the primary rationale for the current residential zoning when the City was considering the demolition of St. George's Church.

Excerpts of the Calhoun Report ( found below ), clearly indicate a proposal to "create three residential lots, similar to those across the street to the north...so as to allow for construction of three houses". Furthermore, additional criteria were recommended to ensure that the

redevelopment "designs of the houses need to respect the siting, massing and materials of the residential properties in the Walkerville Heritage Area, and particularly those to the immediate north and west".

## **1. City Heritage Planner Report ( John Calhoun ) - November 9, 2015 ( See Attached File )**

### **Proposal:**

The request is to demolish both buildings and clear the property for future development. A proposal to create three residential lots, similar to the houses across the street to the north, is under consideration. The current zoning is ID1.1 (institutional) with many special sections.

### **Redevelopment:**

The property would have to be rezoned from the current ID1.1 (institutional) to allow construction of three houses. The location is in the Walkerville Heritage Area, which is shown in Schedule G of the Official Plan, but is not a heritage conservation district under the Ontario Heritage Act. Most residential garages in the Walkerville Heritage Area are accessed from alleys, and new front driveways and curb cuts are very restricted. This property has a well used paved alley that should be the only drive access points for the three new houses. The designs of the houses need to respect the siting, massing and materials of the residential properties in the Walkerville Heritage Area, and particularly those to the immediate north and west. Regulatory language may be included in provisions for the rezoning.

### **CONCLUSION:**

The requested demolition should be approved. Although there is identifiable heritage significance to the property, both buildings would need major work for their long-term future; and such work could reduce their heritage characteristics. Redevelopment of houses on the property should respect the character of the surrounding neighbourhood.

## **2. City Council Decision - Monday November 7, 2016 ( See Attached File )**

Decision Number: CR686/2016 PHED 402

THAT an amendment to Zoning By-law 8600 BE APPROVED changing the zoning of Lots 84-87, Registered Plan 684, situated at the southeast corner of Devonshire Court & Kildare Road, from Institutional District 1.1 (ID1.1) to Residential District 1.1 (RD1.) and by adding a new site specific provision to Section 10(1) as follows:

"332. For the lands comprising Lots 84 to 87, Registered Plan 684, situated at the southeast corner of Devonshire Court & Kildare Road, a Single Unit Dwelling shall be subject to the following additional provisions:

1. Main Building Height – minimum 7.00 m
2. Front Yard Depth – minimum 7.50 m
3. An Access area or driveway is prohibited in any front yard or exterior side yard. Access to a parking space shall be from an alley.
4. Exposed flat concrete block, untextured concrete whether painted or unpainted and vinyl siding on any exterior wall is prohibited. A minimum of fifty percent of the area of an exterior wall shall be covered in brick, textured concrete block, stucco, stone or any combination thereof.

#### Carried.

The aforementioned recommendation by the City's own Heritage Planner/Expert, Mr. Calhoun, represented the "best possible outcome" in order to preserve the overall integrity of the Walkerville Historical Area. Moreover, City Council concurred with Mr. Calhoun and subsequently voted to adopt the exact recommendations to create three single family residential lots ( See excerpts above ).

In early 2021, the applicant/new owners purchased the land in question knowing full well that the property was zoned and severed to allow for three residential homes. Instead of complying with the existing zoning provisions and following through with the previously approved plan, the developers are now seeking to have City Council's decision nullified, and are proposing to build a 23-unit "big box" style modern condo building that brings nothing in the way of inspiration from a historical value perspective. It is obvious that the property was not purchased with good faith in mind!

Moreover, the construction of such a massive rectangular structure, the front of which would face Devonshire Court, would essentially represent a 150' wide x 50' high brick wall, with an entirely flat roof that would sit extremely close to the property line and roadway. This would "all but eliminate" the required minimum front yard setback of 7.5m established under the current zoning provisions, and would result in an overwhelming feeling of confinement. Meanwhile, all other homes on Devonshire Court, which comply with the required zoning setback provisions, and are all situated a distance of greater than 50' from the street. It's important to note that neither Kildare Road nor Devonshire Court are very wide streets as it is.

I therefore ask, why would any municipal department, Committee or City Council entertain the illogical notion of such an absurd attempt to cram a clearly oversized building onto an undersized piece of land, as well as allowing it to be situated so unnecessarily close to the road? Forgive the analogy, but it compares rather appropriately to an attempt at trying to fit a

huge square peg into a small round hole...it just doesn't fit! Nowhere else in the Walkerville Heritage Area do you find this very same scenario being presented amidst its residential homes!

To even consider such an imposing structure in a well-established historic residential neighbourhood that has been deliberately designed to promote 1 - 2.5 storey homes with plenty of front & rear yard space, differing roof lines, inviting front porches, and a myriad of attractive Olde World architectural features is simply unconscionable! It simply IS NOT compatible with the architectural beauty found throughout this distinctive and charming Walkerville neighbourhood.

Lastly, this overall proposal, the rationale for requesting numerous exemptions to previously established by-laws and zoning provisions ( put in place to protect building design & historical integrity from future erosion ), as well as a number of studies submitted by the applicant, are fraught with serious deficiencies and concerns ( i.e. Poor/Incomplete Traffic and Shadow Studies, No Parking Study undertaken, No Alley Risk Assessment conducted, etc. ).

For example, the Heritage Impact Study submitted by the applicant is so ludicrous that it actually states that the siting, massing, height, scale and setbacks are all comparable to the previous St. George's Church building(s) that were once existing. How can anyone with a modicum of common sense compare the photos of Figure 18 - St. George's Church ( Page 22 ) to Figure 22 - Proposed Development ( Page 28 ) of said report, and come to such a preposterous conclusion?? In fact, you don't have to be an architect or engineer to easily determine that NONE of what was once St. George's Church compares at all to the immense multi-unit complex being advocated by the applicant. The proposed building most certainly DOES NOT respect the siting, massing, height, scale, and setbacks of the former St. George's Church, nor any single family residential properties found in the Walkerville Heritage Area...particularly those to the immediate north and west, as is referenced in the Calhoun Report. Quite the contrary in fact!

So what if the door is opened to this and other similar future developments...what can one expect to see? Well, should someone be allowed to build condos on Willistead Park property...there's plenty of space there? Or what if a vacant residential double lot were to become available just a stone's throw from this site...should that be rezoned such that a 6 or 8 unit apartment structure may be built there? Where does one draw the line? We know that a number of other new condo developments have recently been constructed, are slated for redevelopment, or are being contemplated. However, the locations for these have been largely targeted for major thoroughfares and commercial/industrial districts (eg. Walker Rd, Wyandotte St, Riverside Dr, Tecumseh Rd, etc.)...which are clearly conducive to this type of condominium project.

As Development & Heritage Standing Committee members, many of you serve dual roles. That said, your primary focus in this particular matter MUST be on maintaining Walkerville's current and future historic integrity. In order to do so, your first priority must be in favour of historic preservation, and that may only be achieved by looking at this through the "Heritage" Committee lens. You cannot allow "typical" arguments for development ( eg. intensification et al ) to influence your decision in favour of this proposal, nor to let it trump the vital importance of a long-established Heritage Area. To do so will almost certainly result in irreparable harm to Walkerville's honoured distinction as one of the most admired neighbourhoods...in the World!

Ladies/Gentlemen, this matter really isn't that difficult to grasp. This proposal is significantly flawed to say the least! You know that this building is not the right thing nor best option for this location...as did Former City Heritage Planner ( Mr. John Calhoun ) and City Council 5 years ago when they voted in favour of adopting the recommendation to rezone the property to allow for 3 single family residential homes. The optimal decision as to what should occupy this parcel of land was made at that time...and there's absolutely no good reason to reverse that sound decision now!!

As such, this application should be categorically rejected. Respectfully, anyone who supports this proposal, simply cannot be regarded as a true advocate for heritage preservation.

Let us please all do our part to ensure the integrity of Walkerville's great name, prestige, character, and rich history continues to be well preserved...today, tomorrow, and for the next 100 years!

Regards,  
Antonio Buttice



## Planning & Building Services

### MISSION STATEMENT

*"Our City is built on relationships – between citizens and their government, businesses and public institutions, city and region – all interconnected, mutually supportive, and focused on the brightest future we can create together"*

<b>REPORT #: S 19/2015</b>	<b>Report Date: 10/23/2015</b>
<b>Author's Contact:</b> John Calhoun 519-255-6543, ext. 6179 jcalhoun@citywindsor.ca	<b>Date to PHEDSC: November 9, 2015</b>
	<b>Clerk's File #: MBA2015</b>

**To: Mayor and Members of City Council**

**Subject: St. George's Church & Hall, 1949 Devonshire Court –  
Demolition of Property on Windsor Municipal Heritage Register  
WARD 4**

### **RECOMMENDATION:**

- I. That the request to demolish St. George's Church and Hall, at 1949 Devonshire Court, **BE GRANTED**, according to provisions in the *Ontario Heritage Act* for properties listed on the municipal heritage register.
  
- II. That the context of the Walkerville neighbourhood **BE RECOGNIZED** in the provisions of zoning regulations for redevelopment of the property into individual residential building lots.

(photo Google)

### **EXECUTIVE SUMMARY:**

N/A

## **BACKGROUND:**

On September 11, 2015, an agent for the (Anglican) Diocese of Huron submitted a Heritage Alteration Permit requesting demolition of St. George's Church (1955) and Church Hall (1921), which are connected buildings at 1949 Devonshire Court.

Both buildings on this property had been on the former heritage inventory for several years when it was included in Windsor's initial municipal heritage register in August 2007. This list was prepared after amendments to the *Ontario Heritage Act* in 2005 that provided for register listings that were not designated.

On May 4, 2015, City Council passed (M163-2105) new provisions for filing for demolition of properties on the Windsor Municipal Heritage Register. This is the first such request to be processed under the new provisions.

## **DISCUSSION:**

### **Property Description:**

This church complex is located at the southeast corner of Kildare Road and Devonshire Court, one block north of Ottawa Street. The older building was originally constructed in 1921 on a large vacant parcel in the Town of Walkerville between a municipal park and Kildare Road. In 1955 a larger church was constructed on the remainder of the property.

### **Proposal:**

The request is to demolish both buildings and clear the property for future development. A proposal to create three residential lots, similar to the houses across the street to the north, is under consideration. The current zoning is ID1.1 (institutional) with many special sections.

### **Legal provisions:**

Demolition of a property that is listed on the Windsor Municipal Heritage Register, but not designated, requires the owner to file a notice of intent at least 60 days prior to the work, under provisions of the *Ontario Heritage Act*. During that time, City Council, after consulting with the Heritage Committee, may initiate designation of the property, which stops demolition through the process and/or through appeals including the Ontario Conservation Review Board. Council could decide that there is no objection to demolition, or take no action (which would allow demolition 60 days after application).

A notice of intent to designate must include a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property. “Cultural heritage value or interest” is to be considered according to Ontario Regulation 9/06, prescribed for the purposes of clause 29 (1) (a) of the *Ontario Heritage Act*, Part IV [underlines for emphasis]:

“A property may be designated under section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. The property has design value or physical value because it,
  - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,
  - ii. displays a high degree of craftsmanship or artistic merit, or
  - iii. demonstrates a high degree of technical or scientific achievement.
2. The property has historical value or associative value because it,
  - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
  - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
  - iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
3. The property has contextual value because it,
  - i. is important in defining, maintaining or supporting the character of an area,
  - ii. is physically, functionally, visually or historically linked to its surroundings, or
  - iii. is a landmark.”

The “heritage attributes of the property” are those features that are considered important to retain if any alterations to the property are proposed after designation.

This property has sufficient heritage attributes that make it eligible for designation, although that action is not recommended. Using the Brampton, Ontario priority scoring referenced by the City Council on February 2, 2015 (M34-2015), the earlier building scores a low B and the newer building a high B. A statement of significance is included as Appendix ‘C’.



(photos from church website)



### **Architectural Considerations:**

The older building of this church complex was originally the Memorial Hall of St. Mary's (Anglican) Church; it was constructed in 1921 with a design by Donald Smith. St. George's parish moved there in 1925 from a smaller building that remains at 909 Moy

Avenue. This building is of red brick, with a front-gabled roof, one tall storey and raised basement. The symmetrical north façade has a set of steps leading to a pair of doors with transom above. A square cupola near the front of the roof contains a bell and is topped with a simple cross. A wide concrete band is between the basement and first floor. The south side, facing the alley, includes a gothic-arch window, which is behind the original altar on the interior. (photo Google)

In 1955 a larger church was constructed on the remainder of the property; the original church became the church hall. A 1958 church brochure said that Sheppard & Masson were the architects and Ronald Brand the designer. The original Sheppard & Masson drawings are available.

The 1955 building is one tall storey, with walls dominated by floor-to-ceiling windows with colour sections, separated by slender concrete columns. The walls are mostly of red brick, with coursed rubble covering the two short wings to the north. A bell tower on the west end consists of three concrete piers tied together at the top. The roof has an east-west ridge with a gentle slope. The interior features an altar on the east end, backed with concrete block, and on the west end a mezzanine containing the organ and choir seating.

The architectural firm of Sheppard & Masson, earlier Nichols, Sheppard & Masson, designed some of Windsor's important civic buildings and fine homes. The principals were Hugh P. Sheppard (1890-1984) and George Y. Masson (1895-1982). These buildings were designed by one or both of these architects (individually designated heritage properties are in **bold**):

W.A. Watts-Emery House, 1185-93 Victoria Ave (1922)

**Masson-Deck House, 3069 Alexander Ave (1924)** (Masson's personal home)

Gordon McGregor School, 1646 Alexis Rd (1924)

Essex County Gaol, 378 Brock St (1924)

Cenotaph, 350 City Hall Sq W (1924, moved from Giles Blvd 1965)

Charles S. King House, 982 Devonshire Rd (c1924)

**Y.M.C.A., 511 Pelissier St (1925)**

Mayor R.L. Daniels House, 2020 Willistead Cres (c1925)

Ernest Zeron House, 1223 Devonshire Rd (1926)

Harold Wurster House, 1218 Devonshire Rd (c1927)

**Frank H. Joyce House, 3975 Riverside Dr E (1927)**

**Jasperson-Appel House, 224 Sunset Ave (1927)**

**John Campbell School, 1255 Tecumseh Rd E (1927)**

Church of the Ascension, 1385 University Ave W (1927 reconstruction)

C.A. Lanspeary House, 2019 Willistead Cres (c1927)

All Saints' Church, 330 City Hall Sq E (1928 addition)

St. Paul's United Church, 973 Pillette Rd (c1928)

**Dr. Charles W. Hoare Residence, 2088 Willistead Cres (1928)**

Hugh Beaton School, 2229 Chilver Rd (1929)

Purity Dairy, 1501 Howard Ave (1929)

Marlborough School, 3557 Melbourne Rd (1929)

Westminster United Church, 1680 Dougall Ave (1930)

**Federal Building (Paul Martin), 185 Ouellette Ave (1934)** (with Trace & Colthurst)

**Windsor Armouries, 353 Freedom Way (1935 addition** being mostly demolished)

Greyhound Bus Station, 44 University Ave E (1940 original design)

Colonial Tool, 1691 Walker Rd (1942)

Norman McCormick House, 6630 Riverside Dr E (1947)

St. Mary's Church Parish Hall, 1983 St. Mary's Gate (1950)

St. Aidan's Anglican Church, 5145 Wyandotte St E (1952)

Equity Chambers, 52 Chatham St W (renovations 1955)

St. George's Church, 1949 Devonshire Crt (1955 new sanctuary)

Windsor City Hall, 350 City Hall Sq W (1957)

Essex County Court House, 245 Windsor Ave (1963, altered)

The church congregation vacated the property in late June 2015, following a letter from the Rector that included: "The report of the structural engineer was far more dire than anyone had expected. To quote two paragraphs from the conclusions of his report:

Both the original circa 1925 St. George's Church House and the 1955 Church Addition exhibit evidence of serious structural deterioration and defects which pose foreseeable health and safety risks to both the building occupants and the public.

For the reasons set out in this report, I recommend that these buildings be vacated and demolished, as soon as possible, for the safety of the public. I furthermore recommend that temporary fencing and signing be installed around the buildings to restrict public access to within 30 ft. of the buildings, until the demolition work is completed."

The report by Dr. N.K. Becker, P.Eng. (Appendix 'B') details existing severe structural issues with the older building. It identifies potential failures and hazards in the newer building, including Plexiglas windows (fire hazard), laminated ceiling-roof beams (risk of structural failure), wood slats on mezzanine (fire hazard), and notes many deficiencies where water easily enters through window edges and structure. It also notes that the utility systems for the newer building are housed in the older building.

The engineer's report does not explicitly state which repairs that would be needed to preserve the buildings for long-term use, but they would likely include major reconstruction of the load-bearing brick walls for the older building, as well as a new roof, heating plant and front steps. If the older building were demolished, all the utility services for the newer building would need to move into the building or a new annex. The newer building needs replacement of the ceiling-roof beams with a proven structural element, replacement of all windows (currently plastic, not glass), better thermal insulation and a cooling system.

### **Official Plan:**

The Official Plan states that "Council will protect heritage resources by: Requiring that, prior to approval of any alteration, partial demolition, removal or change in use of a designated heritage property, the applicant demonstrate that the proposal will not adversely impact the heritage significance of the property ..." (9.3.4.1.(c)) "Encouraging the adaptive reuse of architectural and/or historically significant buildings and structures" (9.3.4.1.(g))

"9.3.6.1 Council will manage heritage resources by: ... (e) providing support and encouragement to organizations and individuals who undertake the conservation of heritage resources by private means"

### **Redevelopment:**

under the *Ontario Heritage Act*. Most residential garages in the Walkerville Heritage Area are accessed from alleys, and new front driveways and curb cuts are very restricted. This property has a well used paved alley that should be the only drive access points for the three new houses. The designs of the houses need to respect the siting, massing and materials of the residential properties in the Walkerville Heritage Area, and particularly those to the immediate north and west. Regulatory language may be included in provisions for the rezoning.

### **RISK ANALYSIS:**

The owner's engineer has identified the risk to the public of serious structural deterioration of the older building, and potential defects in the newer building. In a separate action, the owner is requesting the City's approval for a temporary fence within the adjacent park land to keep the public away from the older building.

As with any demolition of a heritage resource, there is the permanent loss of a valuable piece of the history of Windsor.

Inappropriate infill buildings could diminish the Walkerville neighbourhood's visual character.

### **FINANCIAL MATTERS:**

All costs of the work are borne by the owner.

### **CONSULTATIONS:**

The Heritage Planner consulted with the owner's representative regarding the requirements for application for demolition of a property listed (not designated) on the Windsor Municipal Heritage Register. Planning staff and three Committee members met on-site to observe details of the buildings.

### **CONCLUSION:**

The requested demolition should be approved. Although there is identifiable heritage significance to the property, both buildings would need major work for their long-term future; and such work could reduce their heritage characteristics. Redevelopment of houses on the property should respect the character of the surrounding neighbourhood.

### **APPENDICES:**

'A': Heritage Alteration Permit Application (part, with attachment)

'B': Engineering Report

'C': Heritage Statement of Significance for Heritage Designation (not recommended)

'D': Requirements and Procedures, Application for Demolition of Heritage-Listed Properties

'E': History of Property

Clerk's Note: Memo dated September 7, 2016 attached as additional information.



# OFFICE OF THE CITY CLERK COUNCIL SERVICES

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## City Council Decision Monday, November 07, 2016

Decision Number: CR686/2016 PHED 402

THAT an amendment to Zoning By-law 8600 **BE APPROVED** changing the zoning of Lots 84-87, Registered Plan 684, situated at the southeast corner of Devonshire Court & Kildare Road, from Institutional District 1.1 (ID1.1) to Residential District 1.1 (RD1.) and by adding a new site specific provision to Section 10(1) as follows:

“332. For the lands comprising Lots 84 to 87, Registered Plan 684, situated at the southeast corner of Devonshire Court & Kildare Road, a Single Unit Dwelling shall be subject to the following additional provisions:

1. Main Building Height – minimum 7.00 m
2. Front Yard Depth – minimum 7.50 m
3. An Access area or driveway is prohibited in any front yard or exterior side yard. Access to a parking space shall be from an alley.
4. Exposed flat concrete block, untextured concrete whether painted or unpainted and vinyl siding on any exterior wall is prohibited. A minimum of fifty percent of the area of an exterior wall shall be covered in brick, textured concrete block, stucco, stone or any combination thereof.

[ZDM 7; ZNG/4715]”

Carried.

Report Number: S 175/2016  
Clerk's File: ZB/12611 8.30

*Steve Vlachodimos*

Deputy City Clerk/Senior Manager of Council Services  
November 24, 2016

### Department Distribution

Terri Spizzirri	Development Applications Clerk
Don Wilson	Manager of Development Applications
Thom Hunt	City Planner / Executive Director of Planning & Building Services
Wira Vendrasco	Deputy City Solicitor

Petition

of Windsor Development & Heritage Standing Committee

Petition summary and background	<b>Opposition to Development Proposed to Standing Committee on Heritage and Planning as ? o u t i n Schedule "A" attached</b>
Action petitioned for	We, the undersigned, are concerned Walkerville residents who vehemently oppose the proposed development plan to rezone the properties described as 1913, 1925, & 1949 Devonshire Court in the City of Windsor by the owners (i.e. 2611374 Ontario Corp.), for the purpose of constructing a 4 storey multiple dwelling with 23 units. Instead, we demand that said Committee members immediately reject this proposal and/or any other proposal that does not fully comply with current zoning and the previously approved plan allowing for 3 single residential homes to be built along with the strict design requirements as stipulated by said Committee.

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Petition to City of Windsor Development & Heritage Standing Committee

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Comment

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Dear Committee Members.

My name is Shane Mitchell. I am a 13 year resident of Walkerville. I live and work in Walkerville, my children attend school at King Edward Public School. I have been in the architectural industry for over 17 years specializing in multi-family housing, urban planning and design. In addition, for over 10 years I've been active in our city advocating for good urban planning for over a decade.

Today I am writing to express my enthusiasm and support for the new condominium development on Devonshire Court. This project is the first new development of its kind in decades within our neighbourhood. I must admit, when I first heard about this project I was a little concerned. Too often multi-family infill development projects simply do not "fit" within their host neighbourhoods. That's where this project differs – not only is the development architecturally beautiful, it's clear the designers have carefully considered the urban form and provided us with a very Walkerville appropriate design.

Walkerville has today, and always had a very diverse mix of building types. As we all know, our neighbourhood is composed of a wide variety of housing types, from large single-family estates to modest bungalows and everything in between. Lofts above cafes, duplexes, townhouses, and mid-rise apartment buildings. It is in fact our density and diversity of building types that allows Walkerville be called home for people of all economic classes and walks of life. It is what makes our community one of our regions most walkable, vibrant and beautiful places to live.

This project is the appropriate evolution of our neighbourhood and this type of high-quality building is exactly what we should fight for in our neighbourhood. More often than not, new multi-family developments come in the form of stucco-clad, uninspired housing rectangles flanked by an asphalt sea of front yard parking. Instead, we've been offered something thoughtful and special. Just take a look at the architectural renderings. The façade is stunning, clad in Walkerville's iconic orange clay brick with a glass penthouse. The new condo will be built up to the street to hide the parking lot, refuse bins and all the loading entrances away from view of the street. The scale is appropriate, homes in the area are large 2 ½ storey homes, while the proposal calls for a modest 4 stories.

Some people are saying 4 stories is too high, but those people I ask, why not take a walk around our own community and see for yourself, many of the apartments buildings that we cherish as historically significant are very similar in scale to what is being proposed on Devonshire Ct. Some people think that this land should be reserved only for large single family homes, but in a housing crisis, we simply cannot afford to turn away a project that will add 23 new homes into our community. Some people feel things should stay as they are, but we only need to look around our community to see that cities need to mature, they need to grow.

So my friends and neighbours, I ask you today, don't reject this proposal, we've been offered a development that will contribute to the vibrancy and beauty of our neighbourhood. Infill projects like this means less vacancy, less blight, and less urban sprawl. Infill projects like this means more families choosing to live in our city, it means more customers for the shops and restaurants that line our amazing "main streets", and it means more tax revenue for our city which in turn means lower costs for everyone.

I support this project emphatically and I encourage everyone to do the same!

Thank you.

**March 7, 2022**  
**Development & Heritage Standing Committee**  
**Item 7.4 – Written Submission**

-----Original Message-----

From: Paula Rankin

Sent: Friday, March 04, 2022 11:13 AM

To: Toldo, Beth <toldob@citywindsor.ca>; Antonio Buttice >; Raymond Colautti <>; Mook Rankin <>; Roger <>

Subject: Beth, Can you please forward my written submission to the Development and Heritage standing committee members including the citizen members Please confirm having received this email. Thank you.

**CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

We are Rod and Paula Rankin affected by the construction of the oversized, poorly planned condominium. We really cannot believe that we are visiting this again after the exhaustive process in 2016 that brought us to the present zoning. In May of last year, there was an open house where a 100% of the neighbours impacted spoke against the rezoning and the proposed 23 unit, 2 bedroom monstrosity. At that time, Mr Chris Holt said that he would meet with the planners to address the concerns. I want to point out that Mr Holt did not meet with any of the immediate neighbours to address any concerns and when I look at what is still proposed, nothing changed in the planning. WE would ask at this time that the notes and recording of that meeting be sent to all members of the Development and Heritage Standing Committee. It is Tracey Pilon Abs that facilitated the open house and should be required to submit all information.

I know that my wonderful neighbours have submitted and will speak to the many discrepancies with regard to infrastructure, parking, shadowing and building setback to name only a few. We will not repeat but absolutely agree with their assessment and that of the Calhoun Report.

My husband and I want to address the neighbourhood. Our court is small and not prepared for 40+ new vehicles. The alley is narrow and is not suited for the addition of two way traffic that the proposed parking lot would incur. The neighbours who use the alley for access from their garages will bear the brunt of this proposal. Our Court and neighbourhood sees much pedestrian travel with nearby schools, bus stops, markets etc... The alley again where it meets Kildare and Argyle will be a pedestrian nightmare. We also speak to our three children who are legally blind and rely on their hearing to travel safely. We formally ask this committee to require a safety study from Orientation and Mobility experts on the impact that this proposed building will have on the mobility accessibility for those blind in the neighbourhood. Further to this safety study we also ask for the time to undertake Independent Impact Studies to be completed before this committee makes any decisions on rezoning.

Mr Chairperson, We believe that as current neighbours and taxpayers we deserve the results of these studies before any rezoning is considered. We put forward a motion at this time to defer any decision or vote on this rezoning until these reports can be obtained and submitted.

Sincerely,  
Rod and Paula Rankin

March 7, 2022  
Development & Heritage Standing Committee  
Item 7.4 – Written Submission

-----Original Message-----

From: John Beattie

Sent: March 4, 2022 11:18 AM

To: clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>

Subject: Item 7.4

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My wife and I are long time residents of Walkerville. We would like it noted we appose the proposed zone changes affecting the Devonshire court properties. Item 7.4

John and Christine Beattie

Sent from my iPhone

**From:** Joe Baker  
**Sent:** Friday, March 4, 2022 3:03 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Development & Heritage Submission

**The Development & Heritage Standing Committee - March 7<sup>th</sup> 2022**

**Re: Proposed change to zoning bylaw of housing lots: 1913, 1925, 1949 Devonshire Court**

**Dear members of the Committee:**

**Vehicular traffic is a big concern. With 23 units it would be fair to say that somewhere in the 35 to 40 or more vehicles would be added to the neighbourhood by those who lived in these units. Not uncommon for every eligible driver in a unit to have a vehicle. Added to that are visitors who will have to park. And that would fairly translate to a total of adding 50 or more vehicles into the neighbourhood on a daily basis that will directly go with this high density proposal. It goes without saying that such an outcome would be a real downer for the neighbourhood with parking and the increase in traffic flow. And a real downer for things to come to the small community of Walkerville if this kind of thinking is embraced.**

**Counsellor Holt is an advocate of high-density neighbourhoods – the more apartments there are, the better things will be. But without meaning to put a cannon ball through his concept, his concept, I respectfully submit, is ill-conceived.**

- **Windsor isn't Europe where most people in those cities, who live in an apartment, don't have a vehicle. They don't need one because their public transportation is superior. And if they do own a vehicle it's going to be a compact. And visitors almost never need a parking spot because they almost never drive when they visit.**
- **It not only the thing of adding 50 vehicles daily to the neighbourhood, but unlike Europe, most of our vehicles are large: Truck- and Jeep-size which you just don't have in the high density neighbourhoods of Europe.**
- **And how are these 50 more vehicles going to fit in with the traffic from Tim Hortons that already spews onto the street near the intersection that many pedestrians use?**

**High density is not the future that Walkerville should pursue for it will sadly lose its luster and become just another also-ran neighbourhood from the gem that it once was - the history that it should be. Look around, see what starts to happen when multi-unit apartments are built in an environment where public transportation is insufficient**

**and being without a vehicle is a hardship. The kind of public transport that we have wasn't made for high-density neighbourhoods - and that's the bottom the bottom line.**

**Sincerely,**

**William Baker**

**March 7, 2022**  
**Development & Heritage Standing Committee**  
**Item 7.5 – Written Submission**

-----Original Message-----

From: Mihaela Andrica

Sent: March 2, 2022 7:42 AM

To: clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>

Subject: Plan and zoning by-law 8600

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning!

We have received the notice for public meeting to consider amendments to the city of Windsor official plan and zoning by-law 8600, file numbers OPA/6592 and ZNG/6592, and we are AGAINST this project. Our neighborhood, and children lives will be impacted in a negative way.

Thank you!!!!

Mihaela Andrica Curescu

March 7, 2022  
Development & Heritage Standing Committee  
Item 7.5 – Written Submission

**From:** CMC  
**Sent:** March 3, 2022 3:38 PM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>; Szymczak, Adam <[aszymczak@citywindsor.ca](mailto:aszymczak@citywindsor.ca)>  
**Cc:** cmckenzie; Ron McKenzie  
**Subject:** File Numbers OPA/6592 and ZNG/6591 – Location: 4845 Walker Rd

RE: File Numbers OPA/6592 and ZNG/6591 – Location: 4845 Walker Rd

Development & Heritage Standing Committee

We are writing to oppose the rezoning with the site specific exception that would increase the height of the building from 14 m to 22.4 m.

There are three impacts to our enjoyment of our living space.

- Reduced privacy
- Loss of visual impact
- Increased traffic congestion

We wish to be notified of the decision of the City of Windsor in regards to the proposed amendment.

Thank you for your consideration,

Ron and Christine McKenzie

**March 7, 2022**  
**Development & Heritage Standing Committee**  
**Item 10.1 – Written Submission**

**From:** Cameron Adamson  
**Sent:** Sunday, February 27, 2022 4:28 PM  
**To:** clerks <clerks@citywindsor.ca>  
**Cc:** Toldo, Beth <toldob@citywindsor.ca>; Tang, Kristina <ktang@citywindsor.ca>  
**Subject:** RE: March 7, 2022 Development & Heritage Standing Committee meeting at 4:30 pm

To the Clerks Office;

I am requesting permission to speak at the Mar 7<sup>th</sup>, 2022 Development & Heritage Standing Committee.

Please share the excerpt below with the Heritage Committee. I understand the Heritage Department has also shared a presentation with the committee. If anything else is required, please let me know.

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In September 2021, the Grand Lodge (the Governing Body for Freemasonry in Ontario), in an [official correspondence](#), noted that “Freemasons are committed to doing what is best for Society.”

The Grand Lodge noted this in relation to federal, provincial, and municipal health and safety commitments (with which the Windsor Masonic Temple has and continues to comply). However, this commitment also relates to Masonic Buildings.

Doing what is best for society means ensuring our buildings are as environmentally friendly and energy efficient as possible. Doing what is best for society means ensuring our buildings are fully accessible. Doing what is best for society means ensuring our buildings’ heritage features (and the information contained within) are, for future generations, preserved and maintained.

To ensure all of the above, the Border Masonic Temple Association (BMTA) is engaged in a project entitled “For the Next 100 Years.”

At present, the BMTA is applying for federal, provincial, and municipal grants in relation to the above project.

The BMTA has shared with the City of Windsor Heritage Department documentation related to this project, including cost estimates ([Sealcon](#) & [Artisan](#)), [letters](#) (including from the [Mayor](#)), and applications. The heritage department also collected several photographs of the Temple (at a Feb 2022 site visit). The BMTA thanks the Heritage Department for all of its assistance thus far.

If anything else is required, please let me know and I will forward it accordingly.

Cameron Adamson  
Border Masonic Temple Association, Committee Chair  
Sent from [Mail](#) for Windows