APPENDIX D

CONSULTATIONS – Comments from Municipal Departments & External Agencies

Canada Post has no comments

WINDSOR FIRE SERVICES – John Lee, October 18, 2016
No concerns with this application.

SITE PLAN APPROVAL OFFICER – Melissa Gasic, Oct. 12, 2016
This will require site plan.

We have no objection to the proposed commercial zoning.

Has no objection.

ENWIN UTILITIES (Hydro Engineering) - Robert Spagnuolo, Oct. 18, 2016
Has no objection.

WINDSOR POLICE SERVICE - Barry Horrobin, Oct. 24, 2016
The applicant is proposing to convert an existing single family dwelling into a commercial land use (restaurant/take-out food outlet) that will also feature a residential use incorporated into the upper floor of the new building. From a public safety and security perspective, this application seems reasonable, particularly given it is in a sort of “transitional” land use zone along this section of Howard Avenue. Principally speaking, we therefore support approval of the application. While other residential uses exist on Howard, this site is in between an existing neighbourhood commercial plaza and a daycare centre – both uses being compatible, non-residential developments existing within the overall neighbourhood. We therefore do not foresee any major problems. The fact there will be a residential unit on the second floor of the new commercial building presents a stronger redevelopment, as this places activity around the clock on the subject site. Sustained site occupancy in this regard is a positive way to prevent crime and problematic behaviour.

Our lone concern is the potential impact of left hand turns into and out from the site to/from Howard Avenue. The commercial plaza where the restaurant/take-out food outlet currently exists can be more safely accessed via the commercial plaza’s site configuration on a corner of a signalized intersection. With this site being further south along Howard and away from the signalized intersection, the incidence of less controlled left hand turns presents a greater safety concern. The applicant needs to address how this concern will be mitigated.

The applicant is requesting an amendment to Zoning By-law 8600 for the lands located at 4350 Howard Avenue for the purpose of changing the RD1.4 designation to CD1.2 so as to allow a “restaurant/take-out food outlet” on the subject lands.
After review of the subject lands pertinent to the subject application, Transportation Planning has the following comments:

- Howard Avenue is a municipal roadway classified as a Class II Arterial road with an existing right-of-way width of 28.1 metres. Schedule X of the Official Plan requires a 30 metre right-of-way width; however, the intersection has been improved as per the approved Howard Avenue Environmental Assessment. The improvements extend past the subject property therefore no additional land acquisition is required.

- The Bicycle Use Master Plan (BUMP) states that Howard Avenue is designated to have bicycle lanes.

- The minimum number of bicycle parking spaces is required on the subject property and shall be shown on the site plan.

- Any additional concerns from Transportation Planning will be dealt with at the Site Plan Control stage.

**LANDSCAPE ARCHITECT – Stefan Fediuk, Oct. 24, 2016**

The property is adjacent to another commercial development which has recently been through the Site Plan Review process (SPC 013-15). In that process landscape requirements were waived as the hedge row of trees that separates the property at 4300 Howard Ave was to be retained and there was no area where landscaping could be accommodated. The description of the proposed development indicates that the site will be fully developed and the existing trees will be removed for that development. It is therefore requested that a Hold be placed on the property to ensure that no clearing or development occur on the subject property (4350 Howard) until Site Plan Approval has been granted and a Landscape Plan has been reviewed and approved to the satisfaction of the Parks Department.

**ENGINEERING & GEOMATICS – Amy Olsen & Pat Winters, Oct. 18, 2016**

This Department has reviewed the servicing requirements for the subject lands pertinent to this zoning amendment application. Currently, 4350 Howard Avenue is zoned Residential District 1.4 (RD1.4). The applicant is proposing to keep the residential designation of the land, and change the zoning of the subject land from RD1.4 to Commercial District 1.2 (CD1.2) to allow a “restaurant/take-out food outlet” on the subject property.

Please note the following comments have been based on the application for Rezoning of the subject lands.

**Sewers**

**Storm** - The site may be serviced by the existing 900mm RCP storm sewer located in the east boulevard of Howard Avenue. The capacity of the existing sewers are limited and therefore, the applicant will be required to submit storm detention calculations demonstrating post-development storm water runoff has been restricted to 1:5 year pre-development flows. All storm water storage shall be on the applicant’s property.
Sanitary – The site may be serviced by a 525mm RCP sanitary sewer that is located in the north bound lane of Howard Avenue. A sanitary sampling manhole will need to be installed on any sanitary connection, if one does not already exist, at the property line to the satisfaction of the City Engineer.

Existing storm or sanitary connections should be utilized if possible in order to minimize work within the right-of-way. Any redundant private drain connections shall be capped at the property line to the satisfaction of the City Engineer.

Right-of-Way – The City of Windsor’s Official Plan, Schedule X, classifies Howard Avenue as a Class 2 Arterial Road requiring a 30.0m right-of-way width. Land for this property has already been conveyed as per the Howard Avenue Environmental Assessment, therefore further land conveyance will not be required.

The applicant will be required to obtain a Street Opening Permit for any new work in the right-of-way. Driveways will be constructed of concrete as per City of Windsor Standard Engineering Drawings (AS-204). Driveways are to be constructed with straight flare with no raised curbs within the right-of-way. Redundant driveways resulting from the proposed development are required to be removed and the curb and boulevard restored. A minimum 1.0 meter separation is required from any vertical obstruction (i.e. hydro poles). All redundant curb cuts along Howard Avenue shall be reinstated to the satisfaction of the City Engineer.

The concrete sidewalk at the front of the property is in good condition. Any damage to the existing sidewalk resulting from construction activities shall be replaced to the satisfaction of the City Engineer.

In summary, we have no objections to the request for rezoning, subject to the following requirements:

Site Plan Control Agreement – The applicant enter into an agreement with the City of Windsor for all requirements under the General Provisions of the Site Plan Control Agreement for the Engineering Department.

Driveway Approaches – The Owner further agrees:
1. To construct driveway approaches in such width and location as approved by the City Engineer.
2. To provide straight flare driveway approaches and to terminate the raised curbs at the property line, to the satisfaction of the City Engineer. Raised curbs shall not extend into the driveway approaches, outside the subject lands.
3. Unless otherwise noted, to construct all non-residential driveway approaches of concrete in accordance with City of Windsor Standard Drawing AS-204.
4. Reinstate all redundant curb cuts, to the satisfaction of the City Engineer.

Lot Grading Plan – The owner agrees to submit to the satisfaction of the Chief Building Official, the City Engineer, The Executive Director of Parks and Facility Operations and ERCA in regulated areas throughout, a lot grading plan covering the subject lands for their approval, Prior to the issuance of any construction permits for the verified by an Ontario Land Surveyor at the following stages of construction:
   a) Prior to the Pouring of footings (top of forms elevations); and
   b) Following completion of construction.
Where the finished grade of a lot deviates from the original lot grading plan presented to and accepted by the Chief Building Official, the City Engineer and ERCA in regulated areas throughout, the owner shall either submit a new lot grading plan to the satisfaction of the Chief Building Official, the City Engineer and ERCA or regrade the lands to the elevations indicated on the original lot grading plan.

Permits – The applicant shall agree to obtain from the Public Works, Street Opening Permits for sewer taps, drain taps, curb cuts and driveways approaches as applicable.

Sanitary Sampling Manhole – The owner agrees for all non-residential uses, to install a sanitary sampling manhole accessible at the property line of the subject lands to the City Engineer at all times. The determination of the requirement or interpretation if a sampling manhole exists or exceptions to such, will be to the satisfaction of the City Engineer.

Sewer Connections – The owner will be required to obtain a permit from the Engineering Department to connect to existing sanitary and/or storm sewer connections. Existing connections are to be utilized wherever possible at the entire cost and risk of the owner. Redundant connection shall be capped and by trenchless method under the existing pavement from the sewer main tap pit, except when specific consent is given by the City Engineer.

Site Servicing Plans – The owner agrees to submit a site servicing plan for the subject land to the satisfaction of the Chief Building Official, the City Engineer and ERCA in regulated area, prior to the issuance of any construction permits for the subject lands.

Storm Detention –

a) Prior to the issuance of a construction permit, the owner shall agree to retain a Consulting Engineer for the design and preparation of drawings, satisfactory to the City Engineer and Chief Building Official, for an internal stormwater detention scheme to service the subject lands. The purposes of the said scheme will be to ensure that storm drainage being directed to the Corporation’s storm, combined sewer or ditch as the case may be, from the subject lands in their improved state, be restricted to no greater than the present flow from the subject lands.

b) Upon approval of the drawings by the City Engineer and the Chief Building Official, the owner further agrees to construct at its entire expense the said storm detention scheme, in accordance with the approved drawings and to the satisfaction of the Chief Building Official.

If you have any questions or concerns, please contact Amy Olsen, of this department at 519-255-6257, ext. 6890.

PLANNING POLICY
No comment received as of November 30, 2016

UNION GAS
No comment received as of November 30, 2016

ENVIRONMENTAL SERVICES
No comment received as of November 30, 2016