1. CALL TO ORDER

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF
3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

4. COMMUNICATIONS

5. ADOPTION OF THE PLANNING ACT MINUTES
   5.1. Planning Act Minutes from the meeting held February 8, 2016 (**SCM 31/2016**)

6. PRESENTATION & DELEGATIONS (PLANNING ACT MATTERS)

7. PLANNING ACT MATTERS
        ZNG/4605 - Ward 6 (**S 50/2016**)

8. ADOPTION OF THE MINUTES
   8.1. Minutes of the Planning, Heritage & Economic Development Standing Committee meeting held February 8, 2016 (**SCM 32/2016**)

9. PRESENTATIONS AND DELEGATIONS (COMMITTEE & ADMINISTRATIVE MATTERS)
10. **HERITAGE ACT MATTERS**
   10.1. Jasperson-Appel House, 224 Sunset Avenue - Built Heritage Fund Grant for Garage Door (Ward 2) (S 53/2016)

11. **ADMINISTRATIVE ITEMS**
   11.1. Alley Closing of East/West Alley North of Grand Marais Road East from Francois Road to Ellrose Avenue SAA/4597, Ward 5 (S 48/2016)
   11.2. Request to close the east/west alley between Vanier Street and Edinborough Street, west of Remington Avenue; Ward 10; File No.: SAA/4572 - WFT Investments Ltd. (S 70/2016)
   11.3. Land Use Study of Parking Areas Within Business Improvement Areas (Wards 2, 3, 4, 5 and 6) (SCM 26/2016)
   11.4. Application for Small Business Investment Grant under the Economic Revitalization Community Improvement Plan for 2862 Kew Drive (Biwell Holdings Inc.—Ward 8) (S 51/2016)
   11.5. Amendment to Walkerville Business Improvement Area Boundary (Ward 4) (S 29/2016)
   11.6. Brownfield Redevelopment Community Improvement Plan (CIP) Application Submitted by Strathan Corporation for 804 McDougall Street (Ward 3) (S 33/2016)

12. **COMMITTEE MATTERS**

13. **QUESTION PERIOD**

14. **ADJOURNMENT**
Subject: Planning Act Minutes from the meeting held February 8, 2016
Planning Act Minutes
Planning, Heritage & Economic Development Standing Committee
City of Windsor

Monday, February 8, 2016
4:31 PM

Members Present:

Chairperson
Ward 8—Councillor Marra

Councillors
Ward 7 - Councillor Kusmierczyk
Ward 5 - Councillor Sleiman (Vice Chairperson)
Ward 9 – Councillor Payne

Planning Act Citizens
Anthony Gyemi
Dorian Moore
Barb Bjarneson

Members absent:
Ward 4 – Councillor Holt

Delegations
None

ALSO PRESENT ARE THE FOLLOWING FROM ADMINISTRATION:
Thom Hunt, Executive Director Planning, Building Services/City Planner
Don Wilson, Manager of Development Applications
Jim Abbs, Planner III
Adam Szymczak, Planner III
John Calhoun, Heritage Planner (4:39)
Adam Pillon, Engineering
John Revell, Chief Building Official
Stefan Venier, Articling Student – Legal
Anna Ciacelli, Supervisor of Council Services
Marianne Sladic, Senior Steno Clerk, Planning
1. CALL TO ORDER

The Chairperson calls the meeting of the Planning, Heritage and Economic Development Standing Committee to order at 4:31 o’clock p.m.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None Disclosed.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None Requested.

4. COMMUNICATIONS

None Presented.

5. ADOPTION OF THE PLANNING ACT MINUTES

5.1. Minutes of the Planning, Heritage & Economic Development Standing Committee meeting held December 14, 2015 (Planning Act Matters)

Moved by:  Councillor Sleiman
Seconded by:  Member Moore

5.2. Minutes of the Planning Heritage & Economic Development Standing Committee meeting held January 11, 2016 (Planning Act Matters)

Member Bjarneson requests to be noted as a regret for January’s meeting.

Moved by:  Member Gyemi
Seconded by:  Councillor Sleiman

6. PRESENTATION & DELEGATIONS (PLANNING ACT MATTERS)

Please see section 7.1
7. PLANNING ACT MATTERS


Mr. Abbs presents the item on behalf of Tom Cadman (author)

Ms. Mary Ann Keefner (agent) representing the Applicant. Advises the owner/applicant is in agreement with the conditions for the recommendations.

The Chair inquires if there is anyone in the audience to speak on this item.

Ms. Bjarneson inquires whether the pool will be opened or will remain closed? Ms. Keefner advises there was to be no changes to the pool. The Chair notes the pool has been filled in.

Ms. Bjarneson to Administration asks if a request can be made to tear down the fencing around the former pool area in order to provide more greenspace? Mr. Wilson advises the fence was part of a requirement for safety around the pool area. Since the pool is no longer, that is a possibility however, the request should be addressed to the Applicant. Ms. Bjarneson asks Ms. Keefner if the Applicant would consider removing the fence and providing more greenspace? Ms. Keefner advises there was no discussion regarding the pool fence, but may be something the Applicant will consider if the fence is not required.

Mr. Moore requests some clarification regarding the encroachment request for 564 Alan Crescent and how it affects the project. Mr. Abbs advises it does not affect the project. Mr. Abbs explains the residents at 564 Alan Cres. store their pleasure boat in the backyard and access it through the alleyway. To ensure they have access, the Applicant will provide an easement in order to allow access through their parking area.

Mr. Moore asks how the alley closing affect garbage collection. Is it collected through the alley or from the street? Mr. Abbs advises it has to be collected from the street and points to the area map to show the location of the refuse bins.

The Chair asks if there are any further questions of the Agent or of Administration.

Moved by: Councillor Sleiman
Seconded by: Member Gyemi

Decision Number: ??

I That the application of Deauville Apartments Inc. for approval of a draft plan of condominium for a property legally described as Lots 99 to 103, inclusive, Plan 1564, including the 9.144 m wide alley immediately to the north of Lots 99 to103, inclusive RP1564 (if closed and acquired), City of
Windsor known municipally as 8750 Wyandotte Street East, to permit the conversion of a 3-storey rental apartment building containing 36 residential dwelling units, to condominium tenure, as shown on the attached Map No. CDM-007/15-2, BE APPROVED subject to the following:

A. The owner shall enter into a condominium agreement to provide for the following together with all items contained in the Consultation section of this report;

B. That the draft plan approval shall lapse on ____________ (3 years from the date of approval);

C. Existing tenants shall be given a right of first-refusal to purchase the dwelling unit they presently occupy;

D. In the event that existing tenants do not exercise their option to purchase their dwelling unit, they shall be offered a life time non-transferable lease which shall be registered on title and binding on all subsequent owners. Such lease shall be satisfactory in form to the City Solicitor;

E. The owner shall agree to comply with and remedy all site/building defects and deficiencies, including submission of applicable certificates, as contained in the:

1. Building Condition Assessment report prepared by Chal!l.Eng Consulting Engineers, completed August 18, 2015, with all corrections and improvements to be cleared as completed by a Professional Engineer or Professional Architect retained by the owner; and

2. Building Department’s Order to Repair dated December 3, 2015 as included in Appendix A of this report.

All corrections and improvements shall be to the satisfaction of the Chief Building Official.

F. The owner shall agree to comply with and address any requirements identified in the Public Works Department – Engineering - Development, Projects & Right-of-Way November 9, 2015 comments (in Appendix A), as indicated below, to the satisfaction of the City Engineer or designate:

1. Submission of Site Servicing Plans for storm, sanitary and water services;

2. Installation of a sanitary sewer-sampling manhole, if one does not exist, accessible at the property line;

3. Apply for street opening permits for sewer taps, drain taps, flatworks, landscaping, curb cuts and driveway approaches prior to commencement of any construction on the public highway;

4. Gratuitous conveyance to the Corporation of a 1.8 metre wide road widening across the entire Wyandotte Street East frontage of the property;

G. The owner shall agree to remedy all safety and security deficiencies identified in the Windsor Police Services’ December 11, 2015 comments (in Appendix A), as indicated below, to the satisfaction of the Director of Planning & Physical Resources, Windsor Police Services:
1. Construction of a vestibule at the main exterior door of each of the building’s 6 sections (as indicated on page 4 of Appendix D – Building Section Plan), with the following:
   i. the interior door of each vestibule having locks installed of higher security (i.e. Medeco, Primus) with a key design that is patent protected and where unauthorized key duplication is restricted; and
   ii. a communication (i.e. intercom) and building entry system, with resident directory panel, within each vestibule, that enables residents within each of the building’s 6 separate sections to communicate with visitors prior to granting access to the building and that no resident names appear on the resident directory panel or alternatively, installation of a wireless doorbell system, with a resident directory panel (resident names should not appear on the panel), for all units in each of the building’s 6 sections, that would allow residents to respond to a visitor’s ring, go to the interior door of the vestibule and permit entry;

2. Alternatively, if no vestibule is constructed at the main exterior door of each of the building’s 6 sections (as indicated on page 4 of Appendix D – Building Section Plan), the following is acceptable:
   i. installation of locks of higher security (i.e. Medeco, Primus) with a key design that is patent protected and where unauthorized key duplication is restricted, on the 6 existing main exterior doors and that these doors be kept locked;
   ii. installation of a communication (i.e. intercom) and building entry system, with resident directory panel, that enables residents within each of these sections to communicate with visitors prior to granting access to the building and that no resident names appear on the resident directory panel or alternatively, installation of a wireless doorbell system, with a resident directory panel (resident names should not appear on the panel), for all units in each of the building’s 6 sections, that would allow residents to respond to a visitor’s ring, go to the main exterior door and permit entry;

3. Installation of locks of higher security (i.e. Medeco, Primus) with a key design that is patent protected and where unauthorized key duplication is restricted, on the existing rear exterior doors of each of the building’s 6 separate sections (as indicated on page 4 of Appendix D – Building Section Plan) and that these doors be kept locked;

4. Installation of a one-way privacy viewing port on the entry door of each residential unit within the building;

5. Provision of a certificate, prepared by a qualified lighting consultant/engineer, verifying that, as per Section 3.2.7.1 of Ontario Regulation 332/12, every exit, public corridor or corridor providing access to an exit, shall be equipped to provide illumination to an average level of not less than 50 lux (4.64 foot-candles) at floor or tread level and at all points such as angles and intersections at changes of level where there are stairs or ramps and that the minimum value of the illumination shall be not less than 10 lux (0.93 foot-candles);

6. Installation of a locking ring/and or post attached to the patio floor or adjacent wall of all residential units on the ground floor to prevent theft of items stored on the patio;
7. Removal or reconfiguration of the parking spaces abutting the rear entry doors of Sections C and D (as indicated on page 4 of Appendix D – Building Section Plan) to provide unrestricted access and installation of “No Parking” signage and/or pavement markings in front of the doors;

8. Replacement of the existing municipal address on the sign in front of the building with a minimum address number height of 3 inches for a location no greater than 25 feet (7.5m) from the curb line or edge of pavement and a minimum address number height of 6 inches for a location greater than 25 feet (7.5m) from the curb line or edge of pavement, as per By-law 196-2011; and

9. Affixing on the main door of each of the 6 sections (as indicated on page 4 of Appendix D – Building Section Plan) within the building, the range of unit numbers found in each section - i.e. ‘Section A: Units 101-302’; a minimum address number height of 3 inches is required for a location no greater than 25 (7.5m) feet from the curb line or edge of pavement, as per By-law 196-2011.

H. The owner shall agree to submit a photometric plan to the Corporation’s Landscape Architect and the Director of Planning & Physical Resources, Windsor Police Services for approval, prior to final approval and registration of the condominium plan. The photometric plan shall be prepared by a qualified lighting consultant (i.e. lighting engineer, landscape architect, etc.) in accordance with the City Guidelines found in CR228/2005 Lighting Intensity Standards Study, showing all anticipated lighting improvements, including replacement of existing fixtures that are not of “Full Cut-Off” type. The photometric plan shall include any manufacturer product data sheets and verification that any proposed fixtures are ‘Full Cut-Off’, with the following minimum and maximum illumination levels measured in foot-candles (fc):

a. uncovered parking areas - 0.5 min./4.0 max;
b. walkways - 0.5 min./2.0 max;
c. building entrances - 3.5 min./8.0 max;
d. loading and outdoor garbage storage areas - 1.0 min./2.5 max.; and
e. after hours lighting (11:00pm to 5:00am) - 0.5min./2.0max.

I. The owner shall agree to address the requirements identified in the comments from the Corporation’s Landscape Architect’s November 23, 2015 comments (in Appendix ‘A’), as indicated below, to the satisfaction of the Corporation’s Landscape Architect:

1. Provision of visual screening with tall evergreen shrubs in the planting bed along the south fence line of the pool enclosure to provide more privacy.

J. The owner shall agree to address the requirements identified in the Diversity and Accessibility Officer’s December 24, 2015 comments (in Appendix ‘A’), as indicated below, to the satisfaction of the Diversity and Accessibility Officer and the Chief Building Official:

1. Installation of a ramp in compliance with all applicable legislation and regulations including the AODA and Ontario Building Code, that meets the specifications as set out in the Integrated Accessibility Standards (s. 80.23) under the AODA, to provide access to
the 6 main doors located on the lower level of the building (as indicated on page 4 of Appendix D – Building Section Plan); and

2. Construction of a slip resistant walkway in compliance with all applicable legislation and regulations including the AODA and Ontario Building Code, that meets the specifications as set out in the Integrated Accessibility Standards (s. 80.23) under the AODA, from the parking area to the ramp described in the previous condition.

K. The owner shall agree to provide 1 Type ‘A’ (3.5m x 5.5m) and 1 Type ‘B’ (2.5m x 5.5m) accessible parking space, as per By-law 8600, as close as possible to the main entrance or secondary entrance, designated with appropriate signage and access aisles that meet the specifications as set out in the Integrated Accessibility Standards (s. 80.23) under the AODA, 7 visitor parking spaces designated with appropriate signage and a bicycle rack facility accommodating a minimum of 4 bicycles at a visible and safe location near an entrance to the building. All improvements are to be to the satisfaction of the City Engineer, Diversity and Accessibility Officer and Chief Building Official;

L. The owner shall agree to provide adequate storage space for appropriate and approved garbage, recycling and yard waste containers, in compliance with municipal by-laws, to the satisfaction of the Manager of Environmental Services and Chief Building Official. The owner is advised that they will be entitled to once a week collection from the City and if further collections are needed, there is a fee;

II That the owner shall acquire the alley at the rear of the property in order to provide adequate room for maneuvering and parking spaces within the alley, to the satisfaction of the City Engineer and Chief Building Official;

III That the owner shall either remove the parking spaces, encroaching on to the Wyandotte Street East right-of-way, on the east and west side of the building or enter into an Encroachment Agreement with the Corporation in order to provide for the existing parking spaces, to the satisfaction of the City Engineer, and Chief Building Official;

IV That the owner shall grant an easement in favor of the property owner of 564 Alan Crescent for access to the rear of their property from Wyandotte Street East;

V Final approval of the plan of condominium shall not be considered until all of the required works or undertakings identified in the ‘Recommendations’ of this report have been completed to the satisfaction of the respective agencies and departments, and a Condominium Agreement has been registered against the subject lands.

Carried, Unanimously
There being no further business, the meeting of the Planning, Heritage and Economic Development Standing Committee is adjourned at 4:41 o’clock p.m.

Ward 8 Councillor Marra
(Chairperson)

Don Wilson
Secretary
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”

RECOMMENDATION:

THAT an amendment to Zoning By-law 8600 BE APPROVED changing the zoning of Part of Lot 108, Part of Closed Alley and Lots 165, 166 and 167, Registered Plan 1164 (PIN 01070-0148; 01070-0128), known municipally as 7400 and 7448 Wyandotte Street East, situated at the northeast corner of Wyandotte Street East and Fairview Boulevard, from Residential District 1.2 (RD1.2), Residential District 3.1 (RD3.1) and site specific provision 20(1)87 to RD3.1 and deleting S.20(1)87.

EXECUTIVE SUMMARY:

N/A
BACKGROUND:

KEY MAP OF SUBJECT LANDS

APPLICATION INFORMATION

LOCATION: 7400 & 7448 Wyandotte Street East; Northeast corner at Fairview Boulevard

WARD: 6  PLANNING DISTRICT: 19 - Riverside  ZDM: 10

APPLICANT/OWNER: A.D.E Development & Leasing Corp

AGENT: Shibley Righton LLP – Mary-Ann Keefner
PROPOSAL: The applicant is requesting an amendment to Zoning By-law 8600 to amend the zoning from RD1.2, RD3.1 and 20(1)87 to RD3.1 to allow the construction of a three-storey 15-unit multiple dwelling with a parking area with a total of 20 parking spaces, including one accessible parking space, and one loading space. Access to the parking area is off Fairview Boulevard. No vehicular access is proposed to Wyandotte Street East.

A conceptual site plan and elevations are attached as Appendix B.

SITE INFORMATION

<table>
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<tr>
<th>OFFICIAL PLAN</th>
<th>ZONING</th>
<th>CURRENT USE</th>
<th>PREVIOUS USE</th>
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<tbody>
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<td>7400: Vacant Land</td>
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<td>7448: RD1.2</td>
<td>7448: Single Unit Dwelling (1951)</td>
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<td>43.9 m</td>
<td>1,882.8 sq. m</td>
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<td>140.03 ft</td>
<td>144.29 ft</td>
<td>20,226.2 sq. ft</td>
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Note: All measurements are approximate and are based on information provided by the Applicant.
NEIGHBOURHOOD CHARACTERISTICS

The surrounding area is predominantly residential consisting of single unit dwellings with several multiple dwellings along Wyandotte Street East. A church (Pentecostals of Windsor) is located across Fairview, west of the subject parcel at 7380 Wyandotte Street (northwest corner of Wyandotte and Fairview). Neighbourhood commercial uses, including a grocery store and a drug store, are located 500 metres to the west at St. Rose Avenue and 400 metres to the east at Lauzon Road.

Wyandotte Street is a major east-west road and is designated a Class II Arterial road. It has a four-lane cross section with a median and left turn lanes. Sidewalks are located on both sides of Wyandotte. Fairview Boulevard is designated a Local Road. There are no sidewalks on either side of Fairview in the vicinity of the subject parcel.

Transit Windsor operates the Crosstown 2 bus route. This route connects the west side of Windsor including the University of Windsor, the downtown, and the east side of Windsor including Tecumseh Mall. A bus stop for the westbound bus is located adjacent to the subject parcel.

Access to a multi-use trail, the Ganatchio Trail, is located about 140 metres north of the subject parcel on Fairview Blvd.

HISTORICAL

7400 Wyandotte Street East was zoned R3.17 in Zoning By-law 3072. This zone permitted a multiple dwelling with a maximum of 6 dwelling units. In 1998, a rezoning application (Z-021/98) was submitted for 7400 Wyandotte Street East to allow a multiple dwelling with more than 6 dwelling units. Council denied the application.

It appears that during the consolidation of Zoning By-law 3072 and 8600, that 7400 Wyandotte Street East was given a site specific exception (S.20(1)87) that permits 8 dwelling units within a multiple dwelling.

7448 Wyandotte Street East is occupied by a single unit dwelling and is zoned RD1.3. It did NOT form part of the rezoning application in 1998 and is not part of site specific exception S.20(1)87.

DISCUSSION:

PROVINCIAL POLICY STATEMENT 2014

The proposed zoning amendment promotes an efficient development and land use pattern (1.1.1a), accommodates an appropriate range and mix of residential (1.1.1b), avoids development and land use patterns which may cause environmental or public health and safety concerns (1.1.1c) and promotes a cost-effective development pattern that minimizes land consumption and servicing costs (1.1.1e).
The parcel is located with the Settlement area for the City of Windsor (1.1.3.1). The proposed development efficiently uses land and resources (1.1.3.2a 1), is appropriate for, and efficiently uses infrastructure and public service facilities (1.1.3.2a 2) and supports active transportation and is transit supportive (1.1.3.2a 4 and 5).

The proposed amendment provides an opportunity for intensification and redevelopment (1.1.3.2b). The parcel is an appropriate location for intensification and redevelopment since it is located on a major road at a corner location and has access to active transportation and public transit facilities.

The density of the proposed development supports current and future use of transit and active transportation (1.6.7.4).

The proposed amendment is consistent with the Provincial Policy Statement 2014.

OFFICIAL PLAN

The parcel is within the Riverside Planning District and is not within any special policy area or secondary plan per Schedule A: Planning Districts & Policy Areas.

This portion of Wyandotte Street is identified as a Proposed Recreationway on Schedule B: Greenway System. The Greenway system is a “planned network of natural environment and recreational elements” (5.3.2.1). The Ganatchio Trail, an existing multi-use trail, is located about 150 metres north of the parcel. A signed north-south bike trail exists on Matthew Brady Boulevard, three blocks to the east.

The lands are located within a Shoreline and Floodprone Area identified on Schedule C: Development Constraint. The applicant must contact the Essex Region Conservation Authority (ERCA) to confirm that they are located within the Regulated Area and to determine what their ERCAs requirements are.

The proposed development is located within an area of Low Archaeological Potential per Schedule C.1: Development Constraint.

The subject parcel is designated Residential on Schedule D: Land Use in the City of Windsor Official Plan. Relevant objectives of the Residential designation include:

- Supporting a complementary range of housing forms and tenures in all neighbourhoods (6.3.1.1);
- Promoting compact neighbourhoods which encourage a balanced transportation system (6.3.1.2);
- Promoting selective residential redevelopment, infill and intensification initiatives (6.3.1.3)
In a predominantly residential area consisting of single unit dwellings with several multiple dwellings along Wyandotte Street East, the proposed condominium multiple dwelling represents a complementary form and tenure of housing. This conforms to Section 6.3.1.1.

The neighbourhood will have a balanced transportation system between regular transit service on Wyandotte Street (a bus stop is located in front of the proposed development), a proposed bike lane on Wyandotte Street, sidewalks for pedestrians and an arterial roadway for vehicles. This conforms to Section 6.3.1.2.

A multiple dwelling at a corner location along a major arterial road represents selective residential development and promotes infill and intensification initiatives. This conforms to Section 6.3.1.3.

Permitted uses include Low, Medium and High Profile dwelling units (6.3.2.1). Low Profile housing development are further classified as small scale forms consisting of single detached, semi-detached, duplex and row and multiple dwellings with up to 8 units and large scale forms consisting of buildings with more than 8 units (6.3.2.3). The proposed development is classified as a large scale form of a Low Profile housing development.

Residential development shall be located where there is access to collector or arterial road, full municipal services can be provided, adequate community services and open spaces are available or are planned and public transportation can be provided (6.3.2.4).

The proposed development is located on an arterial road and can be provided with full municipal services. No deficiency in community services and open spaces has been identified. Public transit is available on Wyandotte Street. Several elementary schools, a secondary school, a fire station and a library are within 1.5 km of the subject parcel. The requirements of Section 6.3.2.4 have been satisfied.

The Official Plan contains evaluation criteria (6.3.2.5) for a proposed residential development in an area with a Neighbourhood development pattern - an area that exhibits a characteristic lotting and/or development profile.

The proposed development is feasible subject to ERCA requirements, is not adjacent to any sources of nuisance or any heritage resources and is not within a site of potential or known contamination. Traffic generation and distribution has not been identified as a provincial or municipal concern. The proposed development is consistent with Section 6.3.2.5 (a).
The proposed development is a large scale form of a Low Profile housing development, complies with the requirements of the RD3.1 zoning and the parking area will be at the rear of the site with no vehicular access from Wyandotte Street East. There are several other three-storey multiple dwellings in the vicinity (7365 Wyandotte - southwest corner at Fairview; 7525 and 7555 Wyandotte, south side of Wyandotte between Belle Isle View Blvd and Eastlawn Ave).

Therefore, the proposed development is compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas and conforms to Section 6.3.2.5(c).

Zoning By-law 8600 requires 19 parking spaces including one accessible parking space and one loading space for a 15-unit multiple dwelling development. That applicant proposes to provide 20 parking spaces including one accessible parking space and one loading space. At least three parking spaces must be identified as visitor parking spaces. The development is provided with adequate off-street parking and conforms to Section 6.3.2.5(d).

Subject to a gratuitous land conveyance along Wyandotte Street and a sidewalk along Fairview Blvd, no other deficiencies in municipal physical services and emergency services have been identified. The proposed amendment conforms to Section 6.3.2.5(e).

Chapter 7 of the Official Plan provides policy direction on Infrastructure matters. The proposed development is consistent with Section 7.2.1.5 in that it promotes a land use pattern and density that reduces vehicle trips and supports alternative transportation modes including public transit.

The existing driveway at 7448 Wyandotte Street East will be removed and there will be no direct vehicular access from Wyandotte Street to the proposed development. This confirms to Sections 7.2.1.12 and 7.2.6.5 (viii). The applicant's site plan shows a total of three off-street bicycle parking spaces. This satisfies the requirement of Zoning By-law 8600 and conforms to Section 7.2.2.17 of the Official Plan.

The proposed development provides barrier free, convenient and direct walking conditions. A bus stop is located directly in front of the site providing access to public transit. No part of the development impedes on the walking environment. The proposed development conforms to Section 7.2.3.1.

Wyandotte Street is designated as a Class II Arterial Road and as proposed bikeway and Fairview Blvd is designated as a Local Road on Schedule F: Roads and Bikeways. A gratuitous land conveyance is required for right-of-way widening purposes on Wyandotte Street and for a daylight corner at Wyandotte and Fairview.

The proposed amendment conforms to the Official Plan.
ZONING

Excerpts from Zoning By-law 8600 are attached as Appendix D.

The proposed Residential District 3.1 (RD3.1) zoning promotes a range of low profile residential development from a semi-detached dwelling to a multiple dwelling. A multiple dwelling is a permitted use.

The parcel has a minimum lot frontage of 42.6 metres along Wyandotte Street East. This exceeds the minimum lot frontage requirement of 18 metres of RD3.1

Based on 15 dwelling units, the minimum lot area required is 1,485 sq. metres (550 square metres for the first 4 units and 85 square metres for each additional dwelling unit = 550 sq. m + 11 units x 85 sq. m = 1,485 sq. m). The applicant indicates the lot area as 1,882.8 sq. m. The parcel exceeds the minimum lot area requirement.

The parcel is located on a corner and each exterior lot line exceeds 30 metres in length (42.6 metres along Wyandotte and 43.9 metres along Fairview), therefore, the maximum building height is 14 metres. The applicant’s site plan indicates a building height of 11 metres, which is less than the maximum.

The maximum lot coverage is 35% of the lot area. The applicant indicates a lot coverage of 31.4%, which is less than the maximum allowed. The minimum landscaped open space yard is 35% of the lot area. The applicant indicates a landscaped open space yard of 38.3%, exceeding the minimum requirement.

The required minimum side yard width is 30% of the building height which equals 3.3 metres. The applicant proposes a minimum side yard of 3.3 metres adjacent to 7460 Wyandotte Street East and along Fairview Boulevard.

The proposed development complies with the minimum front yard depth requirement of 6 metres and the minimum rear yard depth requirement of 7.5 metres.

The parking area appears to comply or exceed in terms of setbacks, number of parking spaces, accessible parking spaces, bicycle spaces and loading spaces. A 1.8 metre screening fence is proposed along the rear lot line and the interior side lot line.

The proposed development appears to comply with the requirements of Zoning By-law 8600 and no site specific provisions are required. The RD3.1 zoning is an appropriate zoning category.

SITE PLAN CONTROL

The proposed development will be subject to site plan control. The comments of the various municipal departments and external agencies, such as the location of refuse containers, gratuitous land conveyances and any other requirements or suggestions, will be handled through the Site Plan review process and Site Plan Agreement.
PLAN OF CONDOMINIUM

The Applicant has not submitted an application for a Plan of Condominium. All Plans of Condominium are subject to the requirements of the Planning Act and Official Plan, to review by the Planning, Heritage and Economic Development Standing Committee and to approval by City Council.

RISK ANALYSIS:

N/A

FINANCIAL MATTERS:

N/A

CONSULTATIONS:

DEPARTMENTS AND AGENCIES

Comments from municipal departments and external agencies are in Appendix A. No objections were received from Enwin – Hydro Engineering, Enwin – Water Engineering, Planning and Building Services – Site Plan Approval Officer, Union Gas and Windsor Fire & Rescue Services.

PUBLIC NOTICE

Notice as required by the Planning Act was advertised in the Windsor Star on February 26, 2016. A courtesy notice was mailed to all property owners and tenants within 120 metres of the subject parcel.

PUBLIC INFORMATION CENTRE

The applicant held a Public Information Centre (PIC) on March 2, 2016 from 4 pm to 7 pm at the Riverside Public Library. The format was an informal walk through. Representatives of the applicant were available to answer questions and to receive feedback. Adam Szymczak and Don Wilson of Planning and Building Services attended as observers.

CONCLUSION:

The RD3.1 zoning district promotes a medium-density form of residential development in an appropriate location along an arterial road with access to public transit. The proposed development is compatible with the surrounding area, is consistent with the Provincial Policy Statement 2014, conforms to the Official Plan and represents good planning.
PLANNING ACT MATTERS:

Adam Szymczak, MCIP, RPP  
Senior Planner

I concur with the above comments and opinion of the Registered Professional Planner.

Don Wilson, Manager of Development Applications

Thom Hunt, City Planner / Executive Director, Planning and Building Services

I am not a registered Planner and have reviewed as a Corporate Team Leader

SAH

HR

APPROVALS:

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adam Szymczak</td>
<td>Senior Planner</td>
</tr>
<tr>
<td>Don Wilson</td>
<td>Manager of Development Applications</td>
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<tr>
<td>Thom Hunt</td>
<td>City Planner / Executive Director</td>
</tr>
<tr>
<td>Shelby Askin-Hager</td>
<td>City Solicitor and Corporate Leader</td>
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<td></td>
<td>Economic Development and Public Safety</td>
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<tr>
<td>Helga Reidel</td>
<td>Chief Administrative Officer</td>
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</tbody>
</table>
NOTIFICATIONS:

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Email</th>
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<tbody>
<tr>
<td>Property Owners &amp; Tenants within 120m of subject parcel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Councillor Gignac</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shibley Righton LLP – Mary-Ann Keefner</td>
<td>2510 Ouellette Ave, Suite 301</td>
<td><a href="mailto:mary-ann.keefner@shibleyrighton.com">mary-ann.keefner@shibleyrighton.com</a></td>
</tr>
<tr>
<td>ADE Development &amp; Leasing Corp</td>
<td>7350 Riverside Dr E</td>
<td></td>
</tr>
</tbody>
</table>

APPENDICES:

Appendix A – Comments from Municipal Departments & External Agencies
Appendix B – Applicant Site Plan and Elevations
Appendix C – Google Street View Images and Administrative Site Pictures
Appendix D – Excerpts from Zoning By-law 8600
Appendix E – Draft Amending By-law
Essex Region Conservation Authority – 5 February 2016

The following is provided for your information and consideration as a result of our review of the above referenced Zoning By-Law Amendment Z-019-15. We understand that this amendment will allow for the construction of a multi-residential condominium building with 15 units.

Section 28 Conservation Authorities Act

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulations under the Conservation Authorities Act, (Ontario Regulation No. 158/06). The subject parcel falls within the regulated area of the Detroit River. The property owner will be required to obtain a Permit from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by the regulations.

Water Resources Management

We recommend that the municipality ensure that the release rate for this development is controlled to the capacity available in the existing storm sewers/drains, and that the stormwater quality and quantity concerns are addressed up to and including the 1:100 year storm event.

We further recommend that the stormwater management analysis be completed to the satisfaction of the Municipality.

We do not require further consultation on this file with respect to stormwater management.

Natural Heritage Policies, Provincial Policy Statement, 2014

We note that the subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance under the Provincial Policy Statement (PPS). Based on our review, we have no objections to the applications with respect to natural heritage policies.

If you should have any questions or require any additional information, please do not hesitate to contact the ERCA Watershed Planner, Michael Nelson by phone at 519-776-5209 ext. 347 or by e-mail at mnelson@erca.org.

Michael Nelson, Watershed Planner
This Department has reviewed the servicing requirements for the subject lands pertinent to this zoning amendment application. Currently, 7400 Wyandotte St E is vacant and is zoned RD3.1 and S.20 (1)87. A single dwelling unit presently occupies 7448 Wyandotte St E and is zoned RD1.2. The subject lands are located on the north east corner of Fairview Blvd and Wyandotte St E.

The applicant is requesting approval of a Rezoning that would create a multi-residential condominium building with fifteen (15) dwelling units. Please note the following comments have been based on the application for Rezoning (Z-019/15) for the subject lands.

**Sewers**
The site may be serviced by a 250mm diameter PVC sanitary sewer and a 300mm diameter PVC storm sewer on Fairview Blvd. Prior to connection to any Municipal sewer, it will be the responsibility of the Developer to provide an Engineer’s report confirming capacity of the existing sewer system. If possible, existing connections should be utilized in order to minimize work within the right-of-way.

The applicant will be required to submit storm detention calculations for approvals, in order to limit post-development flow from the subject property to pre-development levels for the 1:2 year frequency storm. A sampling manhole is to be provided at the property line. Furthermore, the applicant will be required to provide a lot grading plan and site servicing drawings.

**Right-of-Way**
The City of Windsor Official Plan classifies Fairview Blvd as a local Road requiring a right-of-way width of 20.1m. The current right-of-way width on Fairview Blvd is 21.9m, therefore land conveyance will not be required. Schedule X classifies Wyandotte St E as a Class II Arterial road which requires a right-of-way width of 28.0m. The current right-of-way width is 24.4m therefore requiring a 1.8m land conveyance.

A gratuitous land conveyance for a 4.6m x 4.6m (15’ x 15’) corner cut-off is required at the intersection of Wyandotte St E and Fairview Blvd as per the Official Plan. The Bicycle Master Plan (Bump) states this section of Wyandotte St E is designated to have bike lanes.

The driveway approach will be constructed as per City of Windsor Standard Engineer Drawing AS-204. A Street Opening permit will be required for the proposed driveway approaches. The driveway is to be constructed with straight flares and no raised curbs.

In summary, we have no objections to the proposed Rezoning application, subject to the following requirements:

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

**Corner Cut-Off** – The owner agrees, prior to the issuance of a construction permit, to gratuitously convey a 4.5m x 4.5m (15’ x 15’), corner cut-off at the intersection of Wyandotte St E and Fairview Blvd in accordance with City of Windsor Standard Drawing AS-230.

**Land Conveyance** – Prior to the issuance of a building permit, the owner shall agree to gratuitously convey the corporation, land sufficient to create a 28.0m wide right-of-way on Wyandotte St. E. The current right-of-way width is 24.4m, requiring a 1.8m conveyance.

**Sewer Connections**– The owner will be required to obtain a permit from the Engineering Department to connect to existing sanitary and storm sewer connections. Existing connections are
to be utilized wherever possible at the entire risk and cost of the owner. If an existing connection is not utilized, it shall be capped and abandoned to the satisfaction of the City Engineer. If a new connection is required, it shall be installed by trenchless method under the existing pavement from the sewer main tap pit, except when specific consent is given by the City Engineer.

**Amendment to General Condition G-4 Storm Detention** – That general condition G-4 be modified such that in addition to the City’s requirements, the storm detention plan include design for the 100 year flood event, design using an allowable runoff coefficient of C=0.2, design restricting the post development 100 year storm event to the 2 year pre-developed flow, stormwater quality provisions to the satisfaction of the City Engineer and the Essex Region Conservation Authority.

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

**Servicing Study** - The owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall review the proposed impact and recommend mitigating measures and implementation of those measures.

**Street Opening Permits** – The owner agrees to obtain street opening permits for sewer taps, drain taps, curb cuts and driveway approaches from the City Engineer, prior to commencement of any construction on the public highway.

**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 subject lands. The owner further agrees to have the approved elevations as per the lot grading plan on each lot verified by an Ontario Land Surveyor at the following stages of construction:

   a. Prior to the pouring of footings (top of forms elevation); 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, the owner shall either submit a new lot grading plan to the satisfaction of the Chief Building Official, the City Engineer and ERCA or re-grade the lands to the elevations indicated on the original lot grading plan.

**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.

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

Adam Pillon, Right-of-Way Supervisor
I don’t have any concerns per se in the request to change the zoning. I am however concerned with the application being for condominium. The drawings do not indicate where garbage/recycling would be stored and where they intent to place the front end loader bin. As a condominium, they are entitled to once a week collection from the City (they can get more collections at a cost), so if it is their intent to have us collect, I would like the opportunity to discuss bin location prior to the construction of the new building.

Anne-Marie Albidone, Manager, Environmental Services  
519-974-2277 ext. 3123

Office of the City Engineer – Transportation Planning – 29 January 2016

After review of the subject lands pertinent to the subject application, Transportation Planning has the following comments:

- Schedule X of the Official Plan classifies Wyandotte Street East as a Class II Arterial road which requires a right-of-way width of 28 metres. The current right-of-way width is 24.4 metres. A 1.8 metre land conveyance is required.

- The Official Plan classifies Fairview Boulevard as a Local Road with a required right-of-way width of 20.1 metres. The current right-of-way width is 21.9 metres therefore a land conveyance is not required.

- A gratuitous land conveyance for a 4.6m x 4.6m corner cut-off at the intersection of Wyandotte Street East and Fairview Boulevard is required, as per the Official Plan.

- The Bicycle Use Master Plan (BUMP) states that this section of Wyandotte Street East is designated to have bike lanes.

- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings (AS-203 and AS-204).

- No sidewalks are currently provided on Fairview Boulevard in the vicinity of the subject lands. As a condition of this application, the owner shall agree that a sidewalk shall be constructed, at the owner’s expense, on Fairview Boulevard from the northerly property limit of the subject lands to the existing sidewalk on Wyandotte Street to provide pedestrian access to and from the subject lands.

Janelle Bastien, EIT  
Transportation Planner
Pursuant to the application for a zoning amendment (Z 019/15) to permit the construction of a multi-residential condominium building (multiple dwelling) with 15 dwelling units on the subject, please note no objections to the application for the proposed use. The application will require Site Plan Review. Please also note the following comments to be addressed for the Site Plan process:

Zoning Provisions for Parking Setback:
The proposed site plan (to be considered in detail at Site Plan Review) demonstrates a landscape setback from the parking lot and the abutting residential property lines of 3 ft (0.91m). Though compliant with the minimum standards of Zoning By-Law 8600 SECTION 25, it is recommended that a larger setback of 4.9ft (1.5m) be considered by the applicant to ensure that a privacy landscape buffer would be installed between the development and the existing residential property to the northeast (468 Fairview Blvd). Furthermore, fencing and/or hedge planting along the north property boundary may be required in order to provide privacy for the abutting residence given the scale of the proposed development. Details of such landscaping would be addressed during Site Plan Review for this property.

Tree Preservation:
N/A

Parkland Dedication:
Fulfillment of Parkland Development as per the Planning Act Section 42 (1) at a rate of 2% for Commercial and Industrial uses and 5% for all other uses. As per the Planning Act Section 42 (6), Payment in the form of cash-in-lieu may be acceptable where land is not required by the City for parks or other recreational purposes (i.e. public greenspace, bikeways, trails, streetscape development etc.) to be determined at the time of issuance of a permit by the Building Department.

Stefan Fediuk, OALA, CSLA
Landscape Architect

Windsor Police Service – 26 January 2016

The proposed redevelopment for this site represents a reasonably significant change to what previously existed and also what exists now in the immediate area (single family residential land uses). However given the site’s frontage on Wyandotte Street, we do not object in principle to the 15 unit dwelling being requested. The presence of another (albeit smaller) multi-unit residential dwelling nearby on the southwest corner of Wyandotte Street East and Fairview Boulevard lends support to the subject application representing an acceptable “transitional” land use for the neighbourhood.

There would however need to be a number of measures taken by the applicant to ensure it will be compatible with the neighbourhood once constructed, from a public safety perspective. These site-specific measures can be dealt with during the site plan review and approval stage of the overall process.

On the issue of whether the tenure of the building will end up being a condominium, it is the position of the Windsor Police Service that the typical safety and security measures required of similar applications should be required here as a condition of the application’s approval. This will ensure consistency in the established municipal process when dealing with applications for plans of condominium that will ensure the safety and security of the inhabitants of the building, visitors, and surrounding neighbours.

Barry Horrobin, CLEP, CMM-III, Director of Planning & Physical Resources
APPENDIX “B”
Applicant Site Plan and Elevations – Conceptual – For Information Only

FAIRVIEW BLVD.

SOUTH ELEVATION
### SITE DATA - SITE ZONING RD3.1 (BYLAW 8600)

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<thead>
<tr>
<th>Item</th>
<th>REQUIRED</th>
<th>PROPOSED</th>
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<tr>
<td>a. LOT AREA</td>
<td>MIN. 1,230.0 m²</td>
<td>1,882.8 m²</td>
</tr>
<tr>
<td>b. LOT FRONTAGE</td>
<td>MIN. 18.0 m</td>
<td>86.6 m</td>
</tr>
<tr>
<td>c. BUILDING AREA</td>
<td></td>
<td>591.8 m²</td>
</tr>
<tr>
<td>d. BUILDING LOT COVERAGE (%)</td>
<td>MAX. 35.0 %</td>
<td>31.4 %</td>
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<tr>
<td>e. BUILDING GROSS FLOOR AREA</td>
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<td>1,775.4 m²</td>
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<tr>
<td>f. BUILDING HEIGHT</td>
<td>MAX. 14 m</td>
<td>11.0 m</td>
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<tr>
<td>g. NO. OF PARKING SPACES</td>
<td>1.25 SPACE PER DWELLING (15 TOTAL)</td>
<td>19 SPACES</td>
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<tr>
<td>h. BUILDING SETBACKS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FRONT - SOUTH</td>
<td>6.0 m</td>
<td>6.0 m</td>
</tr>
<tr>
<td>REAR - NORTH</td>
<td>7.5 m</td>
<td>22.6 m</td>
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<tr>
<td>SIDE - WEST (NON HABITABLE WINDOW)</td>
<td>3.3 m</td>
<td>3.3 m</td>
</tr>
<tr>
<td>SIDE - EAST (NON HABITABLE WINDOW)</td>
<td>3.3 m</td>
<td>3.3 m</td>
</tr>
<tr>
<td>i. PAVED AREA</td>
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<td>560.4 m²</td>
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<tr>
<td>COVERAGE</td>
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<td>29.8 %</td>
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<td>j. LANDSCAPED AREA</td>
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<td></td>
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<tr>
<td>HARD</td>
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<td>129.8 m²</td>
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<tr>
<td>SOFT</td>
<td></td>
<td>591.5 m²</td>
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<td>TOTAL</td>
<td></td>
<td>721.3 m²</td>
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<tr>
<td>COVERAGE</td>
<td>MIN. 35.0 %</td>
<td>38.3 %</td>
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<tr>
<td>k. LINEAR CONCRETE CURB</td>
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<td>98.7 m</td>
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### LEGEND
- SOFT SURFACE
- HARD SURFACE
- LANDSCAPED AREA
APPENDIX “C”
Google Street View and Administrative Photographs

Google Street View – Looking Northeast – Fairview on left, Wyandotte on right

Looking East on Fairview – 468 Fairview on the left (north) – January 21, 2016

Looking West on Wyandotte – Bus Stop and Fairview Blvd Intersection January 21, 2016
Looking Southwest to Wyandotte and Fairview – Multiple Dwelling at 7365 Wyandotte E
January 21, 2016

Looking Southeast to Wyandotte and Belle Isle View
Multiple Dwellings at 7525 and 7555 Wyandotte E
January 21, 2016
APPENDIX “D”
Excerpts from Zoning By-law 8600

Section 7 – Definitions

(15) "Building" means a structure, consisting of a wall, roof and floor, or any one (1) or more of them, or a structural system serving the function thereof, including all the works, fixtures and service systems appurtenant thereto, but does not include the following: patio; fences; parking, loading and access areas; parking spaces; driveways; signs as defined by the City of Windsor Sign By-law Number 7750 as the same may be amended from time to time.

(17) "Building Height" means:

(a) For any building or part of any building with a flat roof or a roof having a slope of less than 20.0 degrees, the vertical distance between the grade and the highest point of the roof;

(b) For a main building or that part of a main building with any other roof, the vertical distance between the grade and the mid-point between the lowest eaves and the highest point of the roof;

(c) For an accessory building or that part of an accessory building with any other roof, the vertical distance between the grade and the highest point of the roof. [ZNG/4249]

(35) "Convent or Monastery" means a dwelling used for the accommodation, without profit or gain, of members of a religious community or religious association and may include a church provided that the church is accessory to the convent or monastery.

(40) "Double Duplex Dwelling" means one (1) dwelling divided into four (4) dwelling units by vertically attaching two (2) duplex dwellings.

(42) "Duplex Dwelling" means one (1) dwelling divided horizontally into two (2) dwelling units.

(43) "Dwelling" means a building or structure or part of a building or structure that is occupied, in whole or in part, for the purpose of human habitation, but does not include a hotel or motel.

(44) "Dwelling Unit" means a room or suite of rooms used by or designed to be used by one (1) or more individuals as an independent and separate housekeeping unit.

(57) "Frontage" means the distance measured on a horizontal plane between the side lot lines, such distance being measured at a right angle to the line joining the middle of the front lot line with either the middle of the rear lot line or the apex of the triangle formed by the side lot lines, and at a point thereon six (6) metres distance from the front lot line.

(67) "Habitable Room Window" means the window of any one (1) or more of the following rooms within a dwelling or dwelling unit: dining room; living room; family room; bedroom; den; study; recreation room.

(78) "Landscaped Open Space" means an area open to the sky and maintained with any one (1) or more of the following ground covers: grass; flowers; shrubs; trees; ornamental stone, block or brick, but not including construction grade aggregate; wood chips; bark; water feature. Outdoor recreational facilities accessory to a dwelling or dwelling unit may also form landscaped open space.

(79) "Landscaped Open Space Yard" means a yard used for landscaped open space, patios, terraces, decks and pedestrian walkways, unless otherwise provided in this by-law.

(81) "Loading Space" means a parking space used for the temporary parking of a motor vehicle while goods are loaded thereon or unloaded therefrom.
(82) “Lodging House” means a dwelling in which a minimum of four (4) persons, not including staff, are provided with lodging for hire, with or without meals, but does not include a place of detention or correction, residential care facility, group home, hotel or motel, private home day care.

(85) “Lot Coverage” means:

(a) the percentage of lot area covered by all buildings at grade, combined with

(b) the percentage of lot area covered by the vertical downward projection of all roofs, cantilevered building walls and other projecting features exclusive of the following: balconies; chimney breasts; cornices; decks; eaves; fire escapes; steps and ramps; a swimming pool open to the sky; the first 15 square metres of a sunroom.

(100) “Multiple Dwelling” means one (1) dwelling, other than a double duplex dwelling or townhome dwelling, containing a minimum of three (3) dwelling units.

(125) “Residential Care Facility” means a dwelling that is:

1. For the accommodation of eleven or more persons, exclusive of staff;

2. For persons requiring supervised or assisted living arrangements; and

3. Licensed or funded by the Federal, Provincial or Municipal government.

A group home or a lodging house is not a residential care facility.

(131) “Semi-detached Dwelling” means one (1) dwelling divided vertically into two (2) dwelling units by a common interior wall having a minimum area above grade of ten (10) square metres.

(135) “Side Lot Line” means any exterior or interior lot line other than a front or rear lot line.

(136) “Side Yard” means a yard extending from the front yard to the rear yard between the side lot line and the nearest wall of the main building on such lot.

(144b) “Townhome Dwelling” means one (1) dwelling vertically divided into a row of three (3) or more dwelling units attached by common interior walls, each wall having a minimum area above grade of ten (10) square metres.
(2) Residential District 1.2 (RD1.2)

(a) Permitted Uses

(i) One single-unit dwelling;
(ii) An existing duplex dwelling or existing semi-detached dwelling;
(iii) Any use accessory to the foregoing uses.

(b) Regulations

(i) Minimum lot width - 12 metres
(ii) Minimum lot area - 370 square metres
(iii) Maximum lot coverage
   - One storey main building - 35% of the lot area
   - Two storey main building - 30% of the lot area
   - All Accessory Buildings - 10% of the lot area
   For the purpose of this clause, lot coverage shall not include bonus rooms above a garage forming part of the main building.
(iv) Maximum building height
   - Main Building - 2 storeys
(v) Minimum front yard depth - 6 metres
(vi) Minimum rear yard depth - 7.5 metres
(vii) Minimum side yard width - 1.2 metres on one side and 2.5 metres on the other side; provided, however, that, where there is an attached garage or carport or where there is an exterior side yard, the minimum side yard width on each side shall be 1.2 metres.
(viii) Notwithstanding the provisions of sub-paragraphs (i) to (vii) inclusive, of this paragraph, any additions to an existing duplex, dwelling or an existing semi-detached dwelling shall be in accordance with the provisions of paragraph (b) of subsection (1), of Section 11, RD2.1 District, of this by-law, applicable thereto.
(ix) Prior to the issuance of a building permit to construct a new dwelling on a lot, a municipal sanitary sewer, an approved storm water outlet, municipal hydro and water services and a paved road shall be available to service the subject lot.
(x) Supplementary Regulations:
   - See Section
   21 re: Supplementary Use Regulations
   22 re: Supplementary Lot Regulations
   23 re: Supplementary Building Regulations
   24 re: Parking Space Regulations
SECTION 12 - RESIDENTIAL DISTRICTS 3. (RD3.)

(1) Residential District 3.1 (RD3.1)

(a) Permitted Uses

(i) A double duplex dwelling; multiple dwelling; residential care facility; lodging house; convent; monastery;

(ii) A townhome dwelling; semi-detached dwelling; duplex dwelling.

(iii) Any existing single unit dwelling.

(iv) Any use accessory to the foregoing uses.

(v) Notwithstanding the provisions of clause (a) of subsection (i) of Section 12 of By-law 8600, for the lands comprising Lots 187 and 188, Registered Plan 548, situated on the north side of Brock Street, west of Bloomfield Road, a maximum of six dwelling units shall be permitted.

(b) Regulations

(i) Minimum lot frontage - 18 metres

(ii) Minimum lot area - 550 square metres for the first 4 dwelling units; 85 square metres for each additional dwelling unit.

(iii) Notwithstanding the provisions of sub-paragraph (ii) of this paragraph, on a corner lot having a minimum frontage of 30 metres on each of the exterior lot lines, the maximum number of permitted dwelling units may be increased by 25%.

(iv) Maximum main building height

Interior Lot - 9 metres

Corner Lot - 9 metres, where any exterior lot line is less than 30 metres in length; or 14 metres, where each exterior lot line is a minimum of 30 metres in length.

(v) Maximum lot coverage - 35% of the lot area

(vi) Minimum landscaped open space yard - 35% of the lot area.

(vii) (DELETED by B/L 162-1998, June 24, 1998)

(viii) The minimum side yard width on each side shall be equal to 30% of the building height except:

1. Where a habitable room window of any dwelling unit faces a side lot line, the minimum side yard width on that side shall be 6.0 metres;
2. Where an access area is provided between a building wall having no habitable room windows and a side lot line, the minimum side yard width shall be the greater of 3.0 metres or 30% of the building height.

(ix) Minimum front yard depth - 6 metres

(x) Minimum rear yard depth - 7.5 metres

(xi) Notwithstanding the provisions of sub-paragraphs (i) to (x) inclusive of this paragraph, SEMI-DETACHED OR DUPLEX DWELLING, A MULTIPLE DWELLING having a maximum of 4 dwelling units, double duplex dwelling or TOWNHOME DWELLINGS and any use accessory thereto shall be in accordance with the provisions of paragraph (b) of subsection (2), of Section 11, RD2.2 DISTRICT, of this by-law applicable thereto.

(xii) Notwithstanding the provisions of sub-paragraph (i) to (x) inclusive of this paragraph, any building used for a LODGING HOUSE for the accommodation of a maximum of ten (10) persons and any use accessory thereto shall be in accordance with the provisions of paragraph (b), of subsection (l), of Section 10, RD1.1 DISTRICT, of this by-law applicable thereto; provided, further, that the whole of the building shall be used for a lodging house and may also include any use accessory thereto.

(xiii) Notwithstanding the provisions of sub-paragraphs (i) to (x) inclusive of this paragraph, any additions to an EXISTING SINGLE-UNIT DWELLING, EXISTING DUPLEX DWELLING, EXISTING SEMI-DETACHED DWELLING and any use accessory to the foregoing uses shall be in accordance with the provisions of paragraph (b), of subsection (2), of Section 11, RD2.2 DISTRICT, of this by-law applicable thereto.

(xiv) Supplementary Regulations:
- See Section
  21 re: Supplementary Use Regulations
  22 re: Supplementary Lot Regulations
  23 re: Supplementary Building Regulations
  24 re: Parking Space Regulations
  25 re: Parking Area Regulations

SECTION 20 - SPECIFIC ZONING EXCEPTIONS IN CERTAIN AREAS

(1) SITE SPECIFIC PROVISIONS

Certain parcels of land on the zoning district maps (ZDM) are delineated by a broken orange line and identified by a zoning district symbol and a paragraph(s) of this subsection. Any parcel so identified shall be considered as being within the zoning district symbol and shall be subject to the provisions of that zoning district, the identified paragraph(s) of this subsection and any other applicable provisions of this by-law. In the event of a conflict between the provisions of this Section and the provisions of the zoning district, the provisions of this Section shall apply. Where an additional main use is permitted under this subsection, any use accessory thereto, not including an outdoor storage yard except where permitted within the zoning district, shall also be permitted subject to the provisions of the zoning district and any other provisions of this by-law applicable to such accessory use.

87. For the lands comprising Lots 165 and 166, Part Lot 108 and Part Closed Alley, Registered Plan 1164, situated on the northeast corner of Wyandotte Street East and Fairview Avenue, 8 dwelling units within a multiple dwelling shall be permitted. (ZDM 10; ZNG/1062) (AMENDED by B/L 132-2011, August 5, 2011);
APPENDIX “E”
Draft Amending By-law


A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600
CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the day of , 2016.

WHEREAS it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

THEREFORE the Council of The Corporation of the City of Windsor enacts as follows:

1. By-law Number 8600 is further amended by changing the District Maps or parts thereof referred to in Section 3, of the by-law and made part thereof, so that the zoning district symbol of the lands described in Column 3 shall be changed from that shown in Column 5 to that shown in Column 6:

<table>
<thead>
<tr>
<th>Item Number</th>
<th>Zoning District Map</th>
<th>Part</th>
<th>Lands Affected</th>
<th>Official Plan Amendment Number</th>
<th>Zoning Symbol</th>
<th>New Zoning Symbol</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>10</td>
<td></td>
<td>Part of Lot 108, Part of Closed Alley and Lots 165, 166 and 167, Registered Plan 1164 (PIN 01070-0148; 01070-0128) (northeast corner of Wyandotte Street East and Fairview Blvd)</td>
<td>--</td>
<td>RD1.2</td>
<td>RD3.1</td>
</tr>
</tbody>
</table>

2. That Section 20(1) of said by-law is amended by deleting paragraph 87.

DREW DILKENS, MAYOR

CLERK

First Reading - , 2016
Second Reading - , 2016
Third Reading - , 2016
SCHEDULE 2

1. By-law _________ has the following purpose and effect:

To amend the zoning of Part of Closed Alley, Part of Lot 108 and Lots 165, 166 and 167, Registered Plan 1164, known municipally as 7400 and 7448 Wyandotte Street East, situated at the northeast corner of Wyandotte Street East and Fairview Boulevard, from Residential District 1.2 (RD1.2), Residential District 3.1 (RD3.1) and site specific provision 20(1)87 to RD3.1 to allow a multiple dwelling as a permitted use.

2. Key map showing the location of the lands to which By-law ________ applies.
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”

<table>
<thead>
<tr>
<th>REPORT #: S 47/2016</th>
<th>Report Date: 2/16/2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Author’s Contact:</td>
<td>Date to Council: March 21, 2016</td>
</tr>
<tr>
<td>Samantha Leger</td>
<td>Clerk’s File #: ZB/12420</td>
</tr>
<tr>
<td>Development Section Research Assistant</td>
<td></td>
</tr>
<tr>
<td>519-255-6543 ex. 6438 <a href="mailto:sleger@citywindsor.ca">sleger@citywindsor.ca</a></td>
<td></td>
</tr>
<tr>
<td>Adam Szymczak</td>
<td></td>
</tr>
<tr>
<td>Planner III- Zoning</td>
<td></td>
</tr>
<tr>
<td>519-255-6543 ext. 6250 <a href="mailto:aszymczak@citywindsor.ca">aszymczak@citywindsor.ca</a></td>
<td></td>
</tr>
</tbody>
</table>

To: Mayor and Members of City Council


**RECOMMENDATION:**

THAT an amendment to Zoning By-law 8600 BE APPROVED changing the zoning of Part of Lot 96 and 97, Concession 1 designated as Parts 2, 3, 4, 5 and 6, Plan 12R-21005, PIN 01128-0277(LT) and Part of Lot 97, Concession 1 designated as Part 1, Plan 12R-21005, PIN 01128-0202(LT) and Part of Lot 97, Concession 1 (being the former Chesapeake and Ohio railway right of way) PIN 01128-0213(LT) as defined in the included zoning map by deleting Section 20(1)261 and replacing it with the following paragraph:

261  (a). For the lands comprising of Part of Lots 96 and 97, Concession 1 designated as Parts 2, 3, 4, 5 and 6, Plan 12R-21005 situated on the east side of Walker Road between Seminole Street and Seneca Street, a Public Hall, a Place of Entertainment and Recreation and a Motor Vehicle Dealership shall be additional permitted uses

(b). For the lands comprising of Part of Lot 97, Concession 1 designated as Part 1, Plan 12R-21005 and Part of Lot 97
Concession 1 (being the former Chesapeake and Ohio Railway right of way) excluding the portion zoned RD1.3 and GD1.1 situated on the west side of St. Luke Road south of Seminole Street, a Motor Vehicle Dealership shall be an additional permitted use (ZDM 7; ZNG/4606).

EXECUTIVE SUMMARY:

N/A

BACKGROUND:

1. APPLICATION INFORMATION

LOCATION: 1508 Walker Road

WARD: 5  PLANNING DISTRICT: 14- South Walkerville/ 04- East Windsor

APPLICANT: 1508 Walker (Canada) Ltd.  ZDM: 7

APPLICATION ACCEPTED AS COMPLETE ON: December 21 2015

PROPOSAL:

The applicant proposes a U-Haul Moving and Storage store on 1508 Walker Road, Windsor, ON. The desired function is a “U-Haul one stop shop” including: RV storage, commercial sale of packing and boxing supplies, indoor heated storage, showroom and truck and trailer leasing. Currently all proposed uses are permitted on the subject lands except truck and trailer leasing. As such, the applicant is applying for rezoning to allow for an additional permitted use to the existing zoning for the rental and leasing of vehicles over 3000 kilograms. No new buildings or structures are proposed as part of this application.

The subject parcel of land is located on the south eastern corner of Walker Road and Seminole Street. The lots have a total area of 5.82 Ha combined.

The site is currently designated Industrial in the City of Windsor Official Plan and Part of Lot 96 and Lot 97, Concession 1 designated as Parts 2, 3, 4, 5
and 6 Plan 12R-21005 is zoned MD2.1 with site specific provision S.20(1).261, Part of Lot 97, Concession 1 designated as Part 1, Plan 12R-21005 is zoned MD 1.1 and Part of Lot 97, Concession 1, being the former Chesapeake and Ohio railway right of way is zoned MD2.1, MD1.1 and MD1.2 in By-law 8600. The site was most recently used as a public exhibition hall and indoor paintball facility as per By Law 31-2010. It has on-site parking in two lots which hold a combined 435 parking spaces. The existing building on the site is 30,865 m$^2$.

Currently, the applicant is operating on site as a storage facility which is permitted by the existing zoning.

**MAP OF SUBJECT LOCATION**

![Map of Subject Location](image)

**KEY MAP - Z-020/15**

- SUBJECT LAND
### 3. SITE INFORMATION

#### WALKER ROAD PARCEL

**(Part of Lot 96 and 97, Concession 1 Designated as Parts 2,3,4,5,6, Plan 12R-21005)**

<table>
<thead>
<tr>
<th>Official Plan</th>
<th>Zoning</th>
<th>Current Use</th>
<th>Previous Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industrial</td>
<td>MD2.1</td>
<td>Vacant Building &amp; Storage Facility</td>
<td>Industrial</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Frontage</th>
<th>Depth</th>
<th>Area</th>
<th>Shape</th>
</tr>
</thead>
<tbody>
<tr>
<td>511.3 m</td>
<td>85.9 m</td>
<td>4.28 hectares</td>
<td>Rectangular</td>
</tr>
</tbody>
</table>

All measurements are approximate

#### ST. LUKE ROAD PARCEL

**(Part of Lot 97, Concession 1, Designated as Part 1, Plan 12R-21005)**

<table>
<thead>
<tr>
<th>Official Plan</th>
<th>Zoning</th>
<th>Current Use</th>
<th>Previous Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industrial</td>
<td>MD1.1</td>
<td>Parking Lot</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Frontage</th>
<th>Depth</th>
<th>Area</th>
<th>Shape</th>
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<tbody>
<tr>
<td>77.99 m</td>
<td>119.39 m</td>
<td>0.93 hectares</td>
<td>Rectangular</td>
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</tbody>
</table>

All measurements are approximate

#### FORMER CHESAPEAKE AND OHIO RAILWAY RIGHT OF WAY

***(Part of Lot 97 Concession 1)***

<table>
<thead>
<tr>
<th>Official Plan</th>
<th>Zoning</th>
<th>Current Use</th>
<th>Previous Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industrial</td>
<td>MD.1.1 MD 1.2 MD 2.1</td>
<td>Vacant Land</td>
<td>Railway Line</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Frontage</th>
<th>Depth</th>
<th>Area</th>
<th>Shape</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.20 m</td>
<td>344.31 m</td>
<td>0.61 hectares</td>
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</tr>
</tbody>
</table>

All measurements are approximate
4. NEIGHBOURHOOD CHARACTERISTICS

NEIGHBOURHOOD MAP

Surrounding Land use:

The area is designated industrial as per the Official Plan and predominantly zoned Manufacturing District 1.1 (MD1.1) or Manufacturing District 2.1 (MD2.1) as per by-law 8600. It is located on the border of planning district 14-South Walkerville (Walker Road Parcel) and planning district 04- East Windsor (St. Luke Parking Parcel). There are residential dwellings zoned
Residential District 1.3 (RD1.3) which allows for single dwelling unit or existing duplex directly to the east of the applicant properties. Commercial uses flank the site both North and South with the Ottawa Street Market further North on Walker Road and a motor vehicle dealership further south on Walker Road at Tecumseh Road East.

Traffic, Access and Parking:

Walker Road is a Class II Arterial Road and a Civic Way with a four lane cross-section. Seminole Street is a Class I Collector Road with a four-lane cross-section; St. Luke Road is a Local Road. There is no on street parking on Walker Road and Seminole Street. There is on street parking on St. Luke Road.

There are a total of 435 parking spaces on site; a portion of these spaces are on the part of the site which fronts St. Luke Road (Part of Lot 97 Concession 1 Designated as Part 1, Plan 12R-21005), the rest are on site on the southern end of the Walker Road parcel.

Municipal Infrastructure/ Services:

The building is fully serviced. Transit Windsor operates the Ottawa 4 bus that travels on Walker Road and Seminole Street. The Central 3 bus route is 400 metres to east on Drouillard Road and the Transway IC bus route is approximately 525 metres to the south on Tecumseh Road East. There is a municipally proposed bike lane on St. Luke Road and Seminole Street as per the Bicycle Use Master Plan (BUMP). The area is also sidewalk accessible with sidewalks flanking both sides of Walker Road and Seminole Street and the eastern side of St. Luke Road.

DISCUSSION:

5. PLANNING ANALYSIS

Provincial Policy Statement (PPS):

The proposed zoning amendment is consistent with the goals and objectives of the PPS.
As this application proposes the adaptive reuse of an existing building it is in accordance with the 1.1.3.3 goal of the PPS to promote intensification and redevelopment in existing building stock areas.

The application is also consistent with the goals of the “Employment Areas” Section of the PPS (1.3) in which the proposed application provides an appropriate mix of employment uses (1.3.1 a) and diversifies the economic base of the area by widening the economic activities and ancillary uses of the subject neighbourhood. (1.3.1 b)

**Official Plan:**

The proposed truck and trailer/equipment rental use for this building is in compliance with the Official Plan Employment Lands’ goals and objectives. Specifically, the proposed uses:

- To accommodate a full range of employment activities in Windsor. (6.4.1.4)
- To ensure sufficient and convenient access to modes of transportation including public transit (6.4.1.6)
- To encourage businesses and industries to locate and expand in Windsor (6.4.2.2)
- To potentially support the redevelopment of older and/or abandoned Industrial areas to other land uses (6.4.2.7)

The application is also aligned with the general goals for land use:

- Goals of land use
  - Environmentally sustainable urban development (6.1.2)

As defined in the City of Windsor Official Plan, Industrial uses are typically large in size and have large production volumes and have frequent or continuous shipment (6.4.3.1). The proposed Moving and Storage Store complies with these desired characteristics. The proposed use will also expand the employment potential for this area by introducing customer service representatives and general management as well as providing a publically engaging operation.
Further, the industrial designation allows additional ancillary uses for industrial areas including motor vehicle sales (6.4.3.2.d). As such, a motor vehicle dealership is an appropriate use per the City of Windsor Official Plan for this industrial land.

Zoning:

Currently, the main Walker Road Parcel is zoned Manufacturing District 2.1 (MD2.1) with site specific provision S.20(1).261 to allow a public hall or place of entertainment. MD2.1 zoning allows for a range of industrial uses which are defined as:

“any main use involving any one (1) or more of the following activities; assembling communications; industrial research; industrial training facility; manufacturing; power generation; processing; repairing; servicing; and maintaining of motor vehicles, industrial, agricultural, commercial, consumer or scientific equipment and products; shipping and storing; transporting; warehousing and wholesale.”

MD2.1 restricts heavy industrial uses such as chemical manufacturing or general salvage operations.

A site specific provision to allow a motor vehicle dealership is appropriate for this parcel of land and compliments the existing and permitted uses in MD2.1 zoning districts. As per By-law 8600 a motor vehicle dealership is defined as:

“A lot and building or part thereof used for any one (1) or more of the following: the sale, lease or rental of motor vehicles and may also include any one (1) or more of the following accessory uses: an outdoor storage yard exclusively for the storage of motor vehicles; a heavy repair shop exclusively for the maintenance and repair of motor vehicles.”

This zoning amendment would allow for the applicant’s proposed use of a U-Haul Moving and Store centre truck, trailer and equipment rentals.

The St. Luke Road parking parcel is zoned Manufacturing District 1.1 (MD1.1) with no site specific provisions. The permitted uses already include a wide arrange of manufacturing and light commercial uses including an automobile sales lot which permits the sale of motor vehicles less than 3000 kilograms. As such, including a motor vehicle dealership, which permits the sale and lease of all automobiles and motor vehicles including those larger than 3000 kilograms as an additional permitted use is consistent with the existing permitted uses for the parcel of land.
The former Chesapeake and Ohio railway right of way is zoned Manufacturing District 1.1 (MD1.1), Manufacturing District 1.2 (MD1.2), Manufacturing District 2.1 (MD2.1), Residential District 1.3 (RD1.3) and Green District 1.1 (GD 1.1). The section of this lot zoned MD1.1, MD1.2 and MD2.1 shall be included in this recommendation for rezoning per the zoning map. The Southern end of this parcel that is zoned RD1.3 and GD1.1 is not recommended for rezoning as to maintain the characteristic uses of residential and green district zoning. Currently no manufacturing uses are allowed to operate or are operating on this portion of the lot and allowing for a sole use of motor vehicle dealership is inconsistent with the permitted uses of these zoning categories. As such, the area of the former Chesapeake and Ohio railway right of way zoned RD1.3 and GD1.1 is not recommended as a provision in this rezoning

Site Plan Control:

There are no proposed changes or additions to the exterior of the building at this time.

If any new parking is developed, there will be a process of Site Plan Control to address landscaped open space and other issues.

RISK ANALYSIS:

N/A

FINANCIAL MATTERS:

N/A

CONSULTATIONS:

Comments from municipal departments and external agencies have been
attached in Appendix A of this report. There are no objections to this application. Below are some notable comments taken from Appendix A:

Transportation planning has requested the following:

After review of the subject lands pertinent to the subject application, Transportation Planning has the following comments:

- Schedule X of the Official Plan classifies Walker Road as a Class II Arterial road requiring a right-of-way width of 28 metres. The current right-of-way width is 23.6 metres. It should be noted that the approved design for the Walker Road Environmental Assessment does not require any additional land acquisition; therefore a land conveyance will not be required.

- Schedule X of the Official Plan classifies Seminole Street as a Class I Collector road with a required right-of-way width of 20.1 metres. The current right-of-way width is 20.1 metres therefore a land conveyance is not required.

- The Bicycle Use Master Plan (BUMP) states that this section of Seminole Street is designated to have bike lanes.

- As part of the Walker Road Environmental Assessment, cycling opportunities within the Walker Road Study Area were reviewed, however, it was decided bicycle facilities would not be located directly along Walker Road, but through paralleling roadways. As a result, the EA proposed a multi-use trail connecting from Alice Street to the Walker Road and Seneca Street intersection, as shown in figure 12. This multi-use trail is required to abut the southern limits of the subject property; therefore, Transportation Planning requires a 10m (30ft) wide strip of land to accommodate a future multi-use trail.

In response to the comment received by Transportation Planning, the Planning Department cannot recommend this request for a 10 metre land conveyance as part of this application. Due to the long standing arrangement for the hydro station on site there is a lack of immediate connection for the proposed multi-use trail. Further, the relevant policy documents do not adequately provide justification for this request and the Bicycle Use Master Plan (BUMP) will need to be updated. Given these circumstances, this is a long term request which is not appropriate for this application time frame. Further, there is opportunity noted in BUMP for bicycle lanes on Seminole
Street and St. Luke Road, which would provide a better short term solution for addressing active transportation needs in this area.

PUBLIC NOTICE:

A newspaper notice will be included in the Windsor Star as mandated by the Planning Act. A courtesy notice was mailed to all property owners and tenants within 120 metres of the subject parcels.

CONCLUSION:

This proposed development will revitalize a vacant industrial site and provide an appropriate economic development opportunity in a mature industrial area.

The proposed amendment is consistent with the Provincial Policy Statement (2014) and the policy direction of the City of Windsor Official Plan, is compatible with existing and permitted uses in the surrounding neighbourhood and constitutes good planning.
PLANNING ACT MATTERS:

Samantha Leger
Development Section Research Assistant

Adam Szymczak, MCIP, RPP
Senior Planner

I concur with the above comments and opinion of the Development Section Research Assistant and Registered Professional Planner.

Don Wilson, MCIP, RPP         Thom Hunt, MCIP, RPP
Manager of Development Applications      City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

SAH     HR

APPROVALS:

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Don Wilson</td>
<td>Manager of Development Applications</td>
</tr>
<tr>
<td>Thom Hunt</td>
<td>City Planner</td>
</tr>
<tr>
<td>Shelby Askin-Hager</td>
<td>City Solicitor and Corporate Leader Economic Development and Public Safety</td>
</tr>
<tr>
<td>Helga Reidel</td>
<td>Chief Administrative Officer</td>
</tr>
</tbody>
</table>
NOTIFICATIONS:

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>All property owners and tenants within 120m of the subject parcels</td>
<td></td>
<td></td>
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<tr>
<td>Councilor Sleiman</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

APPENDICES:

1. Appendix “A”: Comments from External Agencies and Municipal Departments
2. Appendix “B”: Excerpts from the Zoning By-Law
3. Appendix "C": Conceptual Site Plan
4. Appendix "D": Site Photos
5. Draft Amending By-Law
APPENDIX “A”: COMMENTS FROM EXTERNAL AGENCIES AND MUNICIPAL DEPARTMENTS

Public Works - Engineering Development and Geomatics

Sewers

The site may be serviced by the following available sewers:

- Sanitary Sewer – 675mm vitrified clay

We encourage the applicant to use existing connections wherever possible to minimize the amount of work within the right-of-way. No new buildings or structures are proposed for the site, and no change in surface/ground material has been proposed (no site plan submitted). As a result, no storm water detention calculations are needed.

Right-of-Way

The City of Windsor’s official plan classifies Walker Road as a class II Arterial road requiring this segment to have a right-of-way width of 28m. The current right-of-way width at the subject property is 23.6m. The Walker Road corridor environmental assessment does not require land acquisition from the East or West side. Seminole Street is classified as a Class I collector requiring this segment to have a right-of-way width of 20.1m. The current right-of-way width at the subject property is 20.1m. Therefore no land conveyance is required.

We have no objections to this zoning amendment application.

I trust that the above is satisfactory; however, should you have any questions or concerns, please contact Matt McCulloch of this office at (519) 255-6257 ext. 6231

Matt McCulloch, Technologist I

Windsor Fire

No concerns with this rezoning application.

John Lee

Windsor Police Service

The Windsor Police Service has no objections with the proposed application in principle. The nature of the proposed land use for this site is not significantly dissimilar to what existed previously in terms of its impact/influence on public safety and security. The only question that arises is the potential traffic impact to adjacent roadways, particularly with respect to volume of
vehicles and their size as they enter and exit the site. The large parking lot on the east side of the site that immediately abuts the low density residential neighbourhood just south of it will also need to have appropriate screening measures provided to mitigate any potential incompatibility. These and other site-specific safety requirements will be addressed in detail during the site plan review and approval stage of the application.

*Barry Horrobin*

**Enwin Utilities**

WATER ENGINEERING- Has no Objections  
HYDRO ENGINEERING - No objection to re-zoning

*Bruce Ogg*

**Environmental Services**

No concerns from environmental services

*Anne Marie Albidone, Manager of Environmental Services*

**Transportation Planning**

The applicant is requesting an amendment to Zoning By-law 8600 to add a site specific provision that would permit a Motor Vehicle Dealership that would allow the site to be used for a Truck Trailer, Equipment Rental and Leasing Facility.

After review of the subject lands pertinent to the subject application, Transportation Planning has the following comments:

- Schedule X of the Official Plan classifies Walker Road as a Class II Arterial road requiring a right-of-way width of 28 metres. The current right-of-way width is 23.6 metres. A 2.2 metre land conveyance is required. It should be noted that the approved design for the Walker Road Environmental Assessment does not require any additional land acquisition; therefore a land conveyance will not be required.

- Schedule X of the Official Plan classifies Seminole Street as a Class I Collector road with a required right-of-way width of 20.1 metres. The current right-of-way width is 20.1 metres therefore a land conveyance is not required.
The Bicycle Use Master Plan (BUMP) states that this section of Seminole Street is designated to have bike lanes.

As part of the Walker Road Environmental Assessment, cycling opportunities within the Walker Road Study Area were reviewed, however, it was decided bicycle facilities would not be located directly along Walker Road, but through paralleling roadways. As a result, the EA proposed a multi-use trail connecting from Alice Street to the Walker Road and Seneca Street intersection, as shown in figure 12. This multi-use trail is required to abut the southern limits of the subject property; therefore, Transportation Planning requires a 10m (3ft) wide strip of land to accommodate a future multi-use trail.

All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings (AS-203 and AS-204).

_Janelle Bastien, Transportation Planner_

**Essex Region Conversation Authority**

The following is provided for your information and consideration as a result of our review of the above referenced Zoning By-Law Amendment ZNG-4606. It is our understanding that this zoning amendment will permit an additional site specific use allowing a motor vehicle dealership (truck, trailer, equipment rental and leasing) within the existing structure.

**SECTION 28 CONSERVATION AUTHORITIES ACT**

We have reviewed our floodline mapping for this area and it has been determined this site is not located within a regulated area that is under the jurisdiction of the ERCA (Section 28 of the Conservation Authorities Act). As a result, a permit is not required from ERCA for issues related to Section 28 of the Conservation Authorities Act, Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulations under the Conservation Authorities Act, (Ontario Regulation No. 158/06).

**WATER RESOURCES MANAGEMENT**

Our office has reviewed the proposal and has no concerns relating to stormwater management.

**NATURAL HERITAGE POLICIES OF THE PPS, 2014**

We note that the subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance under the Provincial Policy Statement (PPS). Based on our review, we have no objections to the applications with respect to natural heritage policies.

If you should have any questions or require any additional information, please do not hesitate to contact the ERCA Watershed Planner, Michael Nelson by phone at (519) 776-5209 ext. 347 or by e-mail at mnelson@erca.org.

_Michael Nelson, Watershed Planner_
APPENDIX A: EXCERPTS FROM ZONING BY-LAW 8600

(1) MANUFACTURING DISTRICT 1.1 (MD1.1)

(a) Permitted Uses

(i) In this sub-section, any product described as small shall not exceed a maximum weight of 50 kilograms and a maximum volume of one cubic metre;

(ii) Any one (l) or more of the following industrial uses:

<table>
<thead>
<tr>
<th>Industry</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food and Beverage Industries</td>
<td>1. A food catering service; preparation packaging and processing of food products, including a bakery, but not including any of the following activities: rendering of fats or oils; slaughtering or processing of poultry, fish or meat products; processing of sauerkraut, vinegar, or yeast; flour milling;</td>
</tr>
<tr>
<td>Secondary Manufacturing</td>
<td>2. Manufacturing from any of the following materials: textiles; fur; glass; leather; paper; plastics; wood; yarns; tobacco; rubber and rubberized products;</td>
</tr>
<tr>
<td>Pharmaceutical Products</td>
<td>3. Manufacture of cosmetics, drugs, pharmaceutical products, toiletries;</td>
</tr>
<tr>
<td>Electrical Appliances</td>
<td>4. Construction of electrical products, the manufacture of small parts therefore.</td>
</tr>
<tr>
<td>(AMENDED by B/L 8614, June 23/86)</td>
<td></td>
</tr>
<tr>
<td>Motor Vehicle Parts</td>
<td>5. Manufacture of small parts for motor vehicles;</td>
</tr>
<tr>
<td>(AMENDED by B/L 8614, June 23, 1986)</td>
<td></td>
</tr>
<tr>
<td>Scientific and Industrial Professional Equipment</td>
<td>6. Construction of scientific or professional equipment the construction of industrial equipment;</td>
</tr>
<tr>
<td>(AMENDED by B/L 8614, June 23/86)</td>
<td></td>
</tr>
</tbody>
</table>
Signs

7. Construction or repair of electrical or other signs, billboards or other commercial advertising structures;

Tool and Die

8. Manufacture of moulds, dies, patterns; machine tools, jigs, fixtures; (AMENDED by B/L 8614, June 23/86)

Miscellaneous

9. Manufacture of musical instruments, ceramics, manufacturing jewellery, toys, cutlery, or other small metal products; manufacture and application of protective coatings;

Warehousing

10. Warehouse; storage tanks; self-storage facility;

Repairs/

11. A light repair shop, a heavy repair shop;

Motor Vehicle Repair

Welding

12. A welding shop for the welding of small metal products;

(iii) The operation of a water transportation facilities including a public or private dock. Truck transportation facilities are not permitted except as an accessory use to an industrial use permitted under sub-paragraph (ii), of this paragraph

(iv) Dry cleaning, dyeing, laundry;

(v) Commercial printing, engraving, stereotyping, publishing; photographic processing;
(vi) A contractor's office; towing service, exclusive of an outdoor storage yard for the storage of motor vehicles; building materials recycling centre;

(vii) Veterinary clinic;

(viii) A wholesale store; machinery, tool or equipment rental agency; gas bar; automobile sales lot; a retail store for the sale of any one (l) or more of the following: building supplies, tools, machinery and machine parts, home and garden maintenance and repair equipment, motor vehicle parts; a coin operated car wash; automatic car wash; take-out food outlet; micro-brewery; existing club;

(ix) A public parking area; ambulance service;

(x) Any use accessory to the foregoing uses, which may include the following: a caretaker's residence; an outdoor storage yard, provided that there is no outdoor storage of sand or other aggregates; incidental millwork related to the retail sale of lumber.

(1) MANUFACTURING DISTRICT 2.1 (MD2.1)
(a) Permitted Uses
(i) Any industrial use except the following uses:

| Food/Leather | 1. | Slaughtering; the processing of poultry leather tannery; |
| Wood/Paper | 2. | Sawmill; veneer and plywood mill; pulp and paper mill; wood distillation plant; |
| Metals | 3. | Iron and steel mill; blast furnace; smelting or refining of metals or ores; boiler and plate works; railroad rolling stock manufacture; |
| Minerals/Extractive | 4. | Pits and quarries; the manufacture of cement, lime, gypsum products, concrete or concrete products, clay and clay products, plaster of Paris; brick refractory; mineral wool manufacturer; concrete or asphalt batching plant; asbestos products manufacturer; abrasives manufacturer; |
| Petroleum/Chemical | 5. | The manufacturing of explosives, ammunition, acid, alkalies, asphalt, fertilizer, plastics, resins, |
Coal

soap or other cleaning compounds; petroleum refineries; coke oven; coal or tar distillation;

Salvage Yards

6. A general salvage operation.

(Amended by B/L 142-2006, Aug. 24, 2006)

(ii) A material transfer centre; a motor vehicle salvage operation;

(AMENDED by B/L 11096, July 20, 1992 AND B/L 142-2006, Aug. 24, 2006)

(iii) An ambulance service; a towing service; building materials recycling centre;


(iv) Any use accessory to the foregoing uses, which may include the residence of a caretaker.


(b) Regulations

(i) Minimum front yard depth - 6 metres [ZNG.4046]

(AMENDED by B/L 48-2014, April 15/2014)

(ii) Minimum side yard width:

from an exterior lot line - 3 metres;
from a dwelling - 6 metres;

(iii) Minimum landscaped open space yard

- 15% of the lot area;

(iv) The required yards shall be maintained exclusively as landscaped open space yards, except that an access area may cross a required yard.

(v) Supplementary Regulations:

See Section
21 re: Supplementary Use Regulations
22 re: Supplementary Lot Regulations
23 re: Supplementary Building 4 re: Parking Space Regulations
25 re: Parking Area Regulations
ATTACHMENT “B” CONCEPTUAL SITE PLAN
APPENDIX C: SITE PHOTOS

South Eastern view of main building.

North Western corner of main building

Southern view of the adjacent parking lot

View from Seminole St. looking south down former rail line

View down Walker Line from South portion of Site.

View of St. Luke Parking Parcel east of the Main building site.
DATE: March 1, 2016

TO: City Solicitor

FROM: Manager of Development Applications

RE: ZONING AMENDMENT BY-LAW FOR COUNCIL CONSIDERATION AT SAME TIME AS THEIR REVIEW OF THE APPLICATION

APPLICANT: 1508 Walker (Canada) Ltd. Phone:
Address: 2727 N. Central Avenue, Suite 500; Phoenix AZ

AGENT: Phone:
Address:

OWNER: Same as Applicant
Address:

ASSESSMENT ROLL NO: 020-240-00100-0000; 010-310-13700-0000; 020-430-10700-0000

LOCATION: 1508 Walker Road, Windsor ON

COUNCIL APPROVAL DATE: CR

ENCLOSURES:
☒ Schedule 1 - Draft Zoning Amendment
☒ Schedule 2 - Purpose and effect of the By-law and, if applicable, a Key Map

After approval, forward all schedules to City Clerk for submission to Council and public notification.

REQUIREMENTS PRIOR TO BY-LAW ENACTMENT AND NOTIFICATION:

1. Official Plan Amendment By-law Enactment: ☒ NO ☐ YES: Amendment No. XXX (attached)

2. Executed Servicing Agreement: ☒ NO ☐ YES

3. Other:

SIGNED __________________________

DW:ms
A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the day of , 2016.

WHEREAS it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

THEREFORE the Council of The Corporation of the City of Windsor enacts as follows:

1. That Section 20(1)261 is deleted and replaced with the following:

   “261(a). For the lands comprising of Parts of Lots 96 and 97 designated as Parts 2, 3, 4, 5 and 6, Plan 12R-21005 situated on the east side of Walker Road between Seminole Street and Seneca Street, a Public Hall, a Place of Entertainment and Recreation and a Motor Vehicle Dealership shall be additional permitted uses

   (b). For the lands comprising of Part of Lot 97 Concession 1 (being the former Chesapeake and Ohio Railway right of way) excluding the portion zoned RD1.3 and GD1.1 and Part of Lot 97 designated as Part 1, Plan 12R 21005 situated on the west side of St. Luke Road south of Seminole Street, a Motor Vehicle Dealership shall be an additional permitted use

   (ZDM 7; ZNG/4606).”

3. The said by-law is further amended by changing the District Maps or parts thereof referred to in Section 3, of said by-law and made part thereof, so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 5:

<table>
<thead>
<tr>
<th>Item Number</th>
<th>Zoning District Map Part</th>
<th>Lands Affected</th>
<th>Official Plan Amendment Number</th>
<th>Zoning Symbol</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>7</td>
<td>Parts 1, 2, 3, 4, 5 and 6, Plan 12R-21005 and Part of Lot 97, Concession 1 (being the former Chesapeake and Ohio Railway right of way, excluding the portion zoned RD1.3 and GD1.1). (Situated on the east side of Walker Road, the east side of St. Luke Road, and the south side of Seminole Street)</td>
<td>N/A</td>
<td>S.20(1)261</td>
</tr>
</tbody>
</table>

DREW DILKENS, MAYOR

CLERK
SCHEDULE 2

1. By-law _________ has the following purpose and effect:

To amend the zoning of Part of Lots 96-97 Designated as Parts 1, 2, 3, 4, 5 and 6 Plan 12R-21005 and Part of Lot 97, Concession 1 (being the former Chesapeake and Ohio Railway, excluding the portion zoned RD1.3 and GD1.1) to allow an additional permitted use of a motor vehicle dealership. The amendment will allow for the site to operate as a “U-Haul one stop shop” including: RV storage, commercial sale of packing and boxing supplies, indoor heated storage, showroom and truck and trailer leasing. Currently all proposed uses are permitted on the subject lands except truck and trailer leasing. As such, this amendment will allow for an additional permitted use to the existing zoning for the rental and leasing of vehicles over 3000 kilograms.

2. Key map showing the location of the lands to which By-law _________ applies.
Subject: Minutes of the Planning, Heritage & Economic Development Standing Committee meeting held February 8, 2016
Members Present:

Chairperson
Ward 8—Councillor Marra

Councillors
Ward 7 - Councillor Kusmierczyk
Ward 9 - Councillor Payne
Ward 5 - Councillor Sleiman

Councillors-Absent
Ward 4 - Councillor Holt—City Business

Planning Act Citizens
Member Bjarnesond
Member Gyemi
Member Moore

Heritage Act Citizens
Member Baker
Member DiMaio
Member Foot
Member Miller

Heritage Act Citizens-Regrets
Member Chamely

Delegations
Mary-Ann Keefner, Solicitor representing applicant (Item 7.1)
ALSO PRESENT ARE THE FOLLOWING FROM ADMINISTRATION:

Thom Hunt, Executive Director Planning, Building Services/City Planner
Don Wilson, Manager of Development Applications
John Revell, Chief Building Official
Jim Abbs, Planner III Subdivisions
Adam Pillon, Right of Way Supervisor
Adam Szymczak, Planner III Zoning
Justina Nwaesei, Planner II Development Review
John Calhoun, Heritage Planner
Anna Ciacelli, Supervisor of Council Services
Marianne Sladic, Steno Clerk Senior
Stefan Venier, Articling Student-Legal

1. CALL TO ORDER

The chairperson calls the meeting of the Planning, Heritage & Economic Development Standing Committee was call to order at 4:31 o'clock p.m.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

4. COMMUNICATIONS

See item 10.3 below.

5. ADOPTION OF THE PLANNING ACT MINUTES
5.1. Minutes of the Planning, Heritage & Economic Development Standing Committee Meeting (Planning Act Matters) held December 14, 2015

Moved by: Councillor Sleiman
Seconded by: Member Moore

That the minutes of the Planning, Heritage and Economic Development Standing Committee (Planning Act Matters) held December 14, 2015 BE ADOPTED as presented. Carried.

Agenda Item: SCM 20/2016

5.2. Minutes of the Planning Heritage & Economic Development Standing Committee meeting (Planning Act Matters) held January 11, 2016

Moved by: Member Gyemi
Seconded by: Councillor Sleiman

That the minutes of the Planning, Heritage and Economic Development Standing Committee (Planning Act Matters) held January 11, 2016 BE ADOPTED as amended to indicate Ms. Bjarneson provided regrets. Carried.

Agenda Item: SCM 22/2016

6. PRESENTATION & DELEGATIONS (PLANNING ACT MATTERS)

None Presented.

7. PLANNING ACT MATTERS

7.1. Deauville Apartments Inc. – 8750 Wyandotte Street East - Condominium Conversion Ward 6

Moved by: Councillor Sleiman
Seconded by: Member Gyemi

Decision Number: PHED 352

That the application of Deauville Apartments Inc. for approval of a draft plan of condominium for a property legally described as Lots 99 to 103, inclusive, Plan 1564, including the 9.144 m wide alley immediately to the north of Lots 99 to 103, inclusive RP1564 (if closed and acquired), City of
Windsor known municipally as 8750 Wyandotte Street East, to permit the conversion of a 3-storey rental apartment building containing 36 residential dwelling units, to condominium tenure, as shown on the attached Map No. CDM-007/15-2, BE APPROVED subject to the following:

A. The owner shall enter into a condominium agreement to provide for the following together with all items contained in the Consultation section of this report;

B. That the draft plan approval shall lapse on ____________ (3 years from the date of approval);

C. Existing tenants shall be given a right of first-refusal to purchase the dwelling unit they presently occupy;

D. In the event that existing tenants do not exercise their option to purchase their dwelling unit, they shall be offered a life time non-transferable lease which shall be registered on title and binding on all subsequent owners. Such lease shall be satisfactory in form to the City Solicitor;

E. The owner shall agree to comply with and remedy all site/building defects and deficiencies, including submission of applicable certificates, as contained in the:
   1. Building Condition Assessment report prepared by Chall.Eng Consulting Engineers, completed August 18, 2015, with all corrections and improvements to be cleared as completed by a Professional Engineer or Professional Architect retained by the owner; and
   2. Building Department’s Order to Repair dated December 3, 2015 as included in Appendix A of this report.

All corrections and improvements shall be to the satisfaction of the Chief Building Official.

F. The owner shall agree to comply with and address any requirements identified in the Public Works Department – Engineering - Development, Projects & Right-of-Way November 9, 2015 comments (in Appendix A), as indicated below, to the satisfaction of the City Engineer or designate:
   1. Submission of Site Servicing Plans for storm, sanitary and water services;
   2. Installation of a sanitary sewer-sampling manhole, if one does not exist, accessible at the property line;
   3. Apply for street opening permits for sewer taps, drain taps, flatworks, landscaping, curb cuts and driveway approaches prior to commencement of any construction on the public highway;
   4. Gratuitous conveyance to the Corporation of a 1.8 metre wide road widening across the entire Wyandotte Street East frontage of the property;

G. The owner shall agree to remedy all safety and security deficiencies identified in the Windsor Police Services’ December 11, 2015 comments (in Appendix A), as indicated below, to the satisfaction of the Director of Planning & Physical Resources, Windsor Police Services:
1. Construction of a vestibule at the main exterior door of each of the building’s 6 sections (as indicated on page 4 of Appendix D – Building Section Plan), with the following:
   i. the interior door of each vestibule having locks installed of higher security (i.e. Medeco, Primus) with a key design that is patent protected and where unauthorized key duplication is restricted; and
   ii. a communication (i.e. intercom) and building entry system, with resident directory panel, within each vestibule, that enables residents within each of the building’s 6 separate sections to communicate with visitors prior to granting access to the building and that no resident names appear on the resident directory panel or alternatively, installation of a wireless doorbell system, with a resident directory panel (resident names should not appear on the panel), for all units in each of the building’s 6 sections, that would allow residents to respond to a visitor’s ring, go to the interior door of the vestibule and permit entry;

2. Alternatively, if no vestibule is constructed at the main exterior door of each of the building’s 6 sections (as indicated on page 4 of Appendix D – Building Section Plan), the following is acceptable:
   i. installation of locks of higher security (i.e. Medeco, Primus) with a key design that is patent protected and where unauthorized key duplication is restricted, on the 6 existing main exterior doors and that these doors be kept locked;
   ii. installation of a communication (i.e. intercom) and building entry system, with resident directory panel, that enables residents within each of these sections to communicate with visitors prior to granting access to the building and that no resident names appear on the resident directory panel or alternatively, installation of a wireless doorbell system, with a resident directory panel (resident names should not appear on the panel), for all units in each of the building’s 6 sections, that would allow residents to respond to a visitor’s ring, go to the main exterior door and permit entry;

3. Installation of locks of higher security (i.e. Medeco, Primus) with a key design that is patent protected and where unauthorized key duplication is restricted, on the existing rear exterior doors of each of the building’s 6 separate sections (as indicated on page 4 of Appendix D – Building Section Plan) and that these doors be kept locked;

4. Installation of a one-way privacy viewing port on the entry door of each residential unit within the building;

5. Provision of a certificate, prepared by a qualified lighting consultant/engineer, verifying that, as per Section 3.2.7.1 of Ontario Regulation 332/12, every exit, public corridor or corridor providing access to an exit, shall be equipped to provide illumination to an average level of not less than 50 lux (4.64 foot-candles) at floor or tread level and at all points such as angles and intersections at changes of level where there are stairs or ramps and that the minimum value of the illumination shall be not less than 10 lux (0.93 foot-candles);

6. Installation of a locking ring/and or post attached to the patio floor or adjacent wall of all residential units on the ground floor to prevent theft of items stored on the patio;
7. Removal or reconfiguration of the parking spaces abutting the rear entry doors of Sections C and D (as indicated on page 4 of Appendix D – Building Section Plan) to provide unrestricted access and installation of “No Parking” signage and/or pavement markings in front of the doors;

8. Replacement of the existing municipal address on the sign in front of the building with a minimum address number height of 3 inches for a location no greater than 25 feet (7.5m) from the curb line or edge of pavement and a minimum address number height of 6 inches for a location greater than 25 feet (7.5m) from the curb line or edge of pavement, as per By-law 196-2011; and

9. Affixing on the main door of each of the 6 sections (as indicated on page 4 of Appendix D – Building Section Plan) within the building, the range of unit numbers found in each section - i.e. ‘Section A: Units 101-302'; a minimum address number height of 3 inches is required for a location no greater than 25 (7.5m) feet from the curb line or edge of pavement, as per By-law 196-2011.

H. The owner shall agree to submit a photometric plan to the Corporation’s Landscape Architect and the Director of Planning & Physical Resources, Windsor Police Services for approval, prior to final approval and registration of the condominium plan. The photometric plan shall be prepared by a qualified lighting consultant (i.e. lighting engineer, landscape architect, etc.) in accordance with the City Guidelines found in CR228/2005 Lighting Intensity Standards Study, showing all anticipated lighting improvements, including replacement of existing fixtures that are not of “Full Cut-Off” type. The photometric plan shall include any manufacturer product data sheets and verification that any proposed fixtures are ‘Full Cut-Off’, with the following minimum and maximum illumination levels measured in foot-candles (fc):
   a. uncovered parking areas - 0.5 min./4.0 max;
   b. walkways - 0.5 min./2.0 max;
   c. building entrances - 3.5 min./8.0 max;
   d. loading and outdoor garbage storage areas - 1.0 min./2.5 max.; and
   e. after hours lighting (11:00pm to 5:00am) - 0.5min./2.0max.

I. The owner shall agree to address the requirements identified in the comments from the Corporation’s Landscape Architect’s November 23, 2015 comments (in Appendix ‘A’), as indicated below, to the satisfaction of the Corporation’s Landscape Architect:
   1. Provision of visual screening with tall evergreen shrubs in the planting bed along the south fence line of the pool enclosure to provide more privacy.

J. The owner shall agree to address the requirements identified in the Diversity and Accessibility Officer’s December 24, 2015 comments (in Appendix ‘A’), as indicated below, to the satisfaction of the Diversity and Accessibility Officer and the Chief Building Official:
   1. Installation of a ramp in compliance with all applicable legislation and regulations including the AODA and Ontario Building Code, that meets the specifications as set out in the Integrated Accessibility Standards (s. 80.23) under the AODA, to provide access to
the 6 main doors located on the lower level of the building (as indicated on page 4 of Appendix D – Building Section Plan); and

2. Construction of a slip resistant walkway in compliance with all applicable legislation and regulations including the AODA and Ontario Building Code, that meets the specifications as set out in the Integrated Accessibility Standards (s. 80.23) under the AODA, from the parking area to the ramp described in the previous condition.

K. The owner shall agree to provide 1 Type ‘A’ (3.5m x 5.5m) and 1 Type ‘B’ (2.5m x 5.5m) accessible parking space, as per By-law 8600, as close as possible to the main entrance or secondary entrance, designated with appropriate signage and access aisles that meet the specifications as set out in the Integrated Accessibility Standards (s. 80.23) under the AODA, 7 visitor parking spaces designated with appropriate signage and a bicycle rack facility accommodating a minimum of 4 bicycles at a visible and safe location near an entrance to the building. All improvements are to be to the satisfaction of the City Engineer, Diversity and Accessibility Officer and Chief Building Official;

L. The owner shall agree to provide adequate storage space for appropriate and approved garbage, recycling and yard waste containers, in compliance with municipal by-laws, to the satisfaction of the Manager of Environmental Services and Chief Building Official. The owner is advised that they will be entitled to once a week collection from the City and if further collections are needed, there is a fee;

II That the owner shall acquire the alley at the rear of the property in order to provide adequate room for maneuvering and parking spaces within the alley, to the satisfaction of the City Engineer and Chief Building Official;

III That the owner shall either remove the parking spaces, encroaching onto the Wyandotte Street East right-of-way, on the east and west side of the building or enter into an Encroachment Agreement with the Corporation in order to provide for the existing parking spaces, to the satisfaction of the City Engineer, and Chief Building Official;

IV That the owner shall grant an easement in favor of the property owner of 564 Alan Crescent for access to the rear of their property from Wyandotte Street East;

V Final approval of the plan of condominium shall not be considered until all of the required works or undertakings identified in the ‘Recommendations’ of this report have been completed to the satisfaction of the respective agencies and departments, and a Condominium Agreement has been registered against the subject lands.

Carried.

Agenda Item: S 6/2016
Clerk’s File: ZP/12354
8. ADOPTION OF THE MINUTES

8.1. Minutes of the Planning, Heritage & Economic Development Standing Committee meeting held December 14, 2015

Moved by: Councillor Kusmierczyk
Seconded by: Member Foot

That the minutes of the Planning, Heritage and Economic Development Standing Committee held December 14, 2015 BE ADOPTED as presented.
Carried.
John Miller was absent when the vote was taken on this matter.

Agenda Item: SCM 19/2016

8.2. Minutes of the Planning, Heritage & Economic Development Standing Committee meeting held January 11, 2016

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Sleiman

That the minutes of the Planning, Heritage and Economic Development Standing Committee held January 11, 2016 BE ADOPTED as presented.
Carried.
John Miller was absent when the vote was taken on this matter.

Agenda Item: SCM 21/2016

9. PRESENTATIONS AND DELEGATIONS (COMMITTEE & ADMINISTRATIVE MATTERS)

None presented.

10. HERITAGE ACT MATTERS

John Calhoun, Heritage Planner, appears before the Planning, Heritage & Economic Development Standing Committee and provides a brief outline of the Built Heritage Awards and the other recognition awards. He concludes by adding that once a choice of the award recipients is determined at the Council level a presentation would be prepared for a future Council Meeting. It is at Council's discretion to choose all of the administrative recommended options or none of them.

Moved by: Councillor Kusmierczyk
Seconded by: Member Baker

Decision Number: PHED 353
THAT the Built Heritage Awards for 2016 BE APPROVED for the owners of 167-181 Ferry Street, 1291-1293 Victoria Avenue, 793 Devonshire Road and 1241-1247 Wyandotte Street East; and THAT the owners of these four properties and of one recently designated property (the Montreuil-Buckland-Vichos House at 4187 Riverside Drive East) BE RECOGNIZED for their contributions to the City of Windsor. Carried.

10.2. Willistead Park, 1899 Niagara Street - Benches
Ward 2

John Calhoun, Heritage Planner, provides a brief outline of the report regarding Willistead Park, 1899 Niagara Street—Benches and indicates benches can be currently found in the park. Some that don't fit the prescribed model highlighted in the administrative report will be removed and replaced by the new benches.

Councillor Sleiman requests clarification on the difference between regular benches and these specific benches. Administration explains the difference including reference to the Heritage designation of the park and certain landscape elements which must be included.

Councillor Sleiman inquires as to the cost difference between regular benches and these specific benches. Thom Hunt, City Planner, appears before the Planning, Heritage and Economic Development Standing Committee and explains that the budget for the upgrades to the Park which were previously approved include these benches. In addition to the benches future work to the gateways will also be considered as a part of this budget. Mr. Hunt adds that some other parks in the Sandwich area are also using these benches.
Councillor Sleiman inquires as to whether the Ford City area could be considered for these benches. Administration indicates they may be a candidate for future consideration.

Moved by: Member Foot
Seconded by: Councillor Sleiman

Decision Number: **PHED 354**
That the benches and litter bins selected for Willistead Park (per Appendix ‘B’) **BE APPROVED**. Carried.

10.3. **Ontario Heritage Conference Niagara-on-the-Lake April 30 – May 3, 2015**

John Calhoun, Heritage Planner, provides a brief outline of the conference that was held last year, and advises the committee of the upcoming conference which will take place in May 2016. He requests that members who may be interested in attending the upcoming conference contact him so that the registration process can begin. He indicates that there is funding for 1(one) member to attend the conference.

Moved by: Member Foot
Seconded by: Member DiMaio

Decision Number: **PHED 355**

Mr. Calhoun explains that a copy of the Quarterly Publication of Community Heritage Ontario news has been distributed to all members for their information.

There being no further business, the Heritage Act Matters portion of the Planning, Heritage & Economic Development Standing Committee meeting is adjourned at 4:54 o’clock p.m.

The chair calls the Administrative items portion of the Planning, Heritage & Economic Development Standing Committee meeting to order @4:55 o’clock p.m.

11. **ADMINISTRATIVE ITEMS**
11.1. Conveyance of part of closed alley between Walker Road and Turner Road abutting 3527 Walker Road (to be consolidated with 3511 Walker Road) - SAA/4586
Ward 9

Don Wilson, Manager of Development Applications provides a brief history of the property and the alley closing conveyance request.

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Sleiman

Decision Number: PHED 356

I. That City of Windsor By-law 187-2000 registered on title June 16, 2000 as Instrument Number LT274866 BE AMENDED as follows:

2.(i) alley lands abutting properties zoned CD3.3 on Walker Road being conveyed at the price of $11.00 per square foot without easements or $5.50 per square foot with easements, proportionate share of survey cost and deed preparation in addition.

II. That the City Solicitor BE DIRECTED to prepare an amending by-law for Council’s consideration; and further, the Chief Administrative Officer and City Clerk BE AUTHORIZED to sign all necessary documents approved as to form and content satisfactory to the City Solicitor, and any subsequent transactions BE COMPLETED electronically pursuant to By-law Number 366-2003.

Carried.

Agenda Item: S 73/2015
Clerk’s File: SAA2016


Councillor Payne requests clarification regarding the fees charged at the time of the initial report and the current fees that are charged. Mr. Wilson explains the process involved. In 2008 the development fees were reviewed by a consultant, the hourly rates of administration, Council’s time and Planning Board time were taken into consideration and the fees were increased. Just recently the fees were reviewed again and increased by approximately 10%.

Moved by: Councillor Payne
Seconded by: Councillor Sleiman

Decision Number: PHED 357

THAT the report of the Senior Planner entitled “Removal of Holding Symbol Application Fee Review-City Wide –M76-2015” dated January 20, 2016 BE NOTED AND FILED.

Carried.

Agenda Item: S 25/2016
Clerk’s File: Z2016
11.3. Ward 6 - Request to close the east/west alley north of Wyandotte St. E., west of Westchester Dr., abutting 8750 & 8850 Wyandotte St. E.; File No.: SAA/4480

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Sleiman

Decision Number: PHED 358

I. That the 9.14 metres (30 feet) wide east/west alley located north of Wyandotte Street East, west of Westchester Drive, abutting the north lot lines of the properties known as 8750 and 8850 Wyandotte Street East, and shown as Parts 1 and 2 on Drawing No. CC-1683 attached hereto as Appendix “A”, BE ASSUMED for subsequent closure;

II. That the 9.14 metres (30 feet) wide east/west alley located north of Wyandotte Street East, west of Westchester Drive, abutting the north lot line of the property known as 8750 Wyandotte Street East, and shown as Part 1 on Drawing No. CC-1683 attached hereto as Appendix “A”, BE CLOSED AND CONVEYED entirely to the abutting property owner fronting on Wyandotte Street East (i.e. owner of 8750 Wyandotte Street East), subject to easements as noted in Recommendation IV & V below;

III. That the 9.14 metres (30 feet) wide east/west alley located north of Wyandotte Street East, west of Westchester Drive, abutting the north lot line of the property known as 8850 Wyandotte Street East, and shown as Part 2 on Drawing No. CC-1683 attached hereto as Appendix “A”, BE CLOSED AND CONVEYED to the abutting property owners, subject to easements as noted in Recommendation IV below;

IV. That the closures noted above in Recommendations II and III be implemented subject to the following:

a. Easements, subject to their being accepted in the City’s standard form and in accordance with the City’s standard practice, be granted to:

   i. Bell Canada, Cogeco Cable Canada LP, & Enwin Utilities Ltd.

V. That the closure noted above in Recommendation II be implemented subject to the following:

   a. A temporary easement for access only be granted to the current owners of 564 Alan Crescent as long as they remain the owners of 564 Alan Crescent.

VI. Conveyance Cost BE SET as follows:

   a. For land abutting properties zoned RD1.1: $1.00 plus deed preparation fee and proportionate share of the survey cost as invoiced to the Corporation by an Ontario Land Surveyor.

   b. For land abutting properties zoned RD3.4: $53.82 per square metre ($5.00 per square foot) without easements or $26.91 per square metre ($2.50 per square foot) with easements. Survey cost & deed preparation fee included.
VII. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1683, *attached* hereto as **Appendix “A”**;

VIII. That The City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice;

IX. That The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s);

X. That The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and

XI. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003. Carried.

**Agenda Item: S 2/2015**
Clerk’s File: SAA2015

11.4. **Additional Information for S 2/2015 - Request to close the east/west alley north of Wyandotte St. E., west of Westchester Dr., abutting 8750 & 8850 Wyandotte St. E.**

See item 11.4 for final disposition of this matter.

**Agenda Item: SCM 11/2016**

12. **COMMITTEE MATTERS**

None Presented.

13. **QUESTION PERIOD**

None.

14. **ADJOURNMENT**

There being no further business the meeting of the Planning, Heritage and Economic Development Standing Committee is adjourned at 5:03 o’clock p.m.

Ward 8—Councillor Marra
(Chairperson)

Supervisor of Council 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.”

To: Mayor and Members of City Council

Subject: Jasperson-Appel House, 224 Sunset Avenue - Built Heritage Fund Grant for Garage Door (Ward 2)

RECOMMENDATION:
THAT the owners of the Jasperson-Appel House at 224 Sunset Avenue BE GRANTED an upset amount of $1,122 from the Built Heritage Fund (Reserve Fund 155) for a replica replacement door on the detached garage, provided that the City Planner and the Chief Building Official determine that the work is completed in a good workmanlike manner.

EXECUTIVE SUMMARY:
N/A (photo Google)

BACKGROUND:
The Jasperson-Appel House was individually designated with By-Law No. 12689, passed by Council on September 30, 1996. The “Reasons for Designation” of the by-law are attached (Appendix ‘A’). The owners (same then as now) have received grants and loans from the Community Heritage Fund; all loans have been repaid in full.
The detached garage at the right rear is not mentioned in the designation by-law. It is believed to be contemporary with the house, since its design is shown on the drawings by architects Nichols, Sheppard & Masson. A north-south alley was platted on the block, but its ownership has transferred to the adjacent owners. The garage was designed with garage doors facing both the alley and the street. The alley-facing door is original but not operational. The street-facing door was replaced several decades ago and functions poorly.

On February 17, 2016, the owners submitted a drawing of a new street-facing garage door (attached, Appendix ‘B’), matching the appearance of the original rear door. They are requesting funding of 15% of the cost from the Built Heritage Fund.

**DISCUSSION:**
Both the Built Heritage Fund (155) and Community Heritage Fund (157) are City reserve funds; expenditures require applications which are reviewed by the heritage part of the Planning, Heritage & Economic Development Standing Committee and approved by City Council. The Community Heritage Fund has a list of guidelines and procedures on the City’s website.

The Built Heritage Fund is available for special heritage projects. The only limitations are the fund balance and if spent for private property it has to be heritage designated.

The Community Heritage Fund guidelines provide for grants of up to 15% for repairs to identified features in designation by-laws. Since the garage is not included in the designation features, it is ineligible. The owners are asking for the same 15% from the Built Heritage Fund as a special project for the garage door, which is visible from the street.

Community Heritage Fund guidelines provide for a minimum of two bona-fide bids for consideration. In this case the owners were unsuccessful in gaining more than the one submitted bid.

The owners have already stabilized the garage structure, making the walls plumb, replacing the roof, and repointing the pillars next to the garage door. Because the garage is not included in the designation by-law, its modification does not require a heritage alteration permit.

**RISK ANALYSIS:**
The unlikely risk would be the removal of this improvement after installation. The City has a conservation easement on the property because of previous heritage grants and loans. The installation will be reviewed by Building and Planning staff before funding is approved.

**FINANCIAL MATTERS:**
The requested $1,122 would be taken from the fund that has an available balance of about $114,000 net of other obligations. City Council has transferred $18,600 from the general fund for each of the last several years.
CONSULTATIONS:
The owners met with the heritage planner to discuss design and funding options.

CONCLUSION:
The funding of $1,122 for the street-facing garage door matching the original at 224 Sunset Avenue should be approved from the Built Heritage Fund as a special heritage project. The owners have gone well beyond minimum requirements to conserve this part of the heritage resource, and this funding is partial support for their efforts.

APPROVALS:

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>John R. Calhoun</td>
<td>Heritage Planner</td>
</tr>
<tr>
<td>Thom Hunt</td>
<td>City Planner / Executive Director Planning &amp; Building</td>
</tr>
<tr>
<td>Shelby Askin Hager</td>
<td>City Solicitor and Corporate Leader Economic Development &amp; Public Safety</td>
</tr>
<tr>
<td></td>
<td>Chief Administrative Officer</td>
</tr>
</tbody>
</table>

NOTIFICATIONS:

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Donna &amp; Mike Appel</td>
<td>224 Sunset Ave</td>
<td><a href="mailto:kdappel@me.com">kdappel@me.com</a></td>
</tr>
<tr>
<td></td>
<td>Windsor ON N9B 3A7</td>
<td><a href="mailto:rmappel@mnsi.net">rmappel@mnsi.net</a></td>
</tr>
</tbody>
</table>

APPENDICES:
‘A’ – Heritage Designation By-Law – Reasons for Designation
‘B’ – Proposed garage door design
REASONS FOR DESIGNATION

Architectural Value or Interest

- Built in 1926-27
- Picturesque Tudoresque Arts & Crafts design in textured red brick with quasi half-timbering and ornamental copper, iron and terra cotta architectural details
- Designed by George Y. Masson of Sheppard & Masson Architect
- Found by the Conservation Review Board of Ontario to be of architectural significance and worthy of designation and recommended thereby for designation due to its architectural interest

Historical Value or Interest

- Former residence of Lt. Col. Frederick K. Jasperson, Essex Scottish
- Found by the Conservation Review Board of Ontario to be of historical significance and worthy of designation and recommended thereby for designation due to its historical interest
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”

<table>
<thead>
<tr>
<th>REPORT #: S 48/2016</th>
<th>Report Date: 2/17/2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Author’s Contact:</td>
<td>Date to Council: March 21, 2016</td>
</tr>
<tr>
<td>Samantha Leger</td>
<td>Clerk’s File #: SAA2016, SAA/4597</td>
</tr>
<tr>
<td>Development Section Research Assistant</td>
<td></td>
</tr>
<tr>
<td>Phone: 519-255-6543 ext. 6438</td>
<td></td>
</tr>
<tr>
<td>email: <a href="mailto:sleger@citywindsor.ca">sleger@citywindsor.ca</a></td>
<td></td>
</tr>
</tbody>
</table>

To: Mayor and Members of City Council

Subject: Alley Closing of East/West Alley North of Grand Marais Road East from Francois Road to Ellrose Avenue SAA/4597, Ward 5

RECOMMENDATION:

I. That the 5.5 metre (18 feet) wide east/west alley, located north of Grand Marais Road East from Francois Road to Ellrose Avenue, as shown on Drawing No. CC-1685 attached hereto as Appendix “A”, BE ASSUMED for subsequent closure;

II. That the 5.5 metre (18 feet) wide east/west alley, located north of Grand Marais Road East from Francois Road to Ellrose Avenue, as shown on Drawing No. CC-1685 attached hereto as Appendix “A”, BE CLOSED AND CONVEYED to the abutting property owners, such that the centre line of the alley becomes the common boundary line between the two property owners subject to the following:

   i. Easements, subject to their being accepted in the City’s standard form and in accordance with the City’s standard practice, be granted to:

      • Bell Canada, Cogeco Cable Canada LP, & Enwin Utilities Ltd.

   ii. THAT Conveyance Cost BE SET as follows:

      • For properties zoned RD1.2 - $1.00 plus deed preparation fee and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
III. THAT The City Planner BE REQUESTED to supply the appropriate legal description, in accordance with Drawing Number. CC-1685, attached hereto as Appendix “A”.

IV. THAT The City Planner, or designate, BE AUTHORIZED to publish the required legal notice.

V. THAT The City Solicitor BE REQUESTED to prepare the necessary by-law(s).

VI. THAT The Chief Administrative Officer and City Clerk BE AUTHORIZED to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.

VII. THAT the matter BE COMPLETED electronically pursuant to By-law Number 366-2003.

EXECUTIVE SUMMARY:

N/A

BACKGROUND:

Richard Couture of 4482 Grand Marais Road East, Windsor, Ontario, applied to close the 5.5 metre (18 feet) wide east/west alley located north of Grand Marais Road East from Francois Road to Ellrose Avenue, as shown on Drawing No. CC-1685 attached hereto as Appendix “A”, and also shown on the aerial photo attached hereto as Appendix “B”

The applicant provided the following reason for requesting the closure of the subject alley:

“Alley is not used, no utilities, neighbours have fenced”
DISCUSSION:

Planning and Building Department’s analysis of the requested alley closure

The first test is to determine whether the subject alley is dispensable or not. To make such a determination the guideline attached here to as Appendix “E” would be relevant as shown below;

a. *Does the subject alley serve commercial properties or serve properties fronting on heavily traveled streets i.e. major arterial routes?* The answer is NO. Grand Marais Road East is classified as class II collector road, and the subject alley does not serve any of the properties fronting Grand Marais Road East. The subject alley is also untraveled due to many encroachments.

b. *Does the subject alley contain sewers, and must the alley remain accessible for servicing?* The answer is NO.

c. *Does the subject alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?* The answer is NO.

d. *Does the subject alley contain Fire Department connections that are deemed to be necessary for firefighting access?* The answer is NO.

e. *Does the subject alley have some usefulness?* NO. The alley is untraveled, comprised of grass, with no municipal sewers. There are many existing encroachments including sheds, fences and decks, rendering it incapable of vehicular or pedestrian movement. There also is one wooden hydro pole with guy wires on the west side of the subject alley.

f. *Does the alley have no useful purpose?* Based on the primary intent of the alley system, the subject alley has no useful purpose. Note: “Alleys that serve no useful purpose should be closed, if at all possible, and in fact, the owners abutting thereon should be encouraged to accept conveyance.” (Excerpt from Appendix “E” attached).

g. *Is the subject alley lying in holding zones and other similar undeveloped areas where the alley system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new
area plans are prepared and development is imminent? The answer is NO.

Easement is required by three external agencies: Bell Canada, Cogeco Cable Canada LP, and Enwin Utilities Ltd.

The Planning & Building Department supports the requested alley closure as shown on Drawing No. CC-1685, attached hereto as Appendix “A”

RISK ANALYSIS:

In the event that the entire length of the closed alley is not purchased by the abutting property owners, the City could be held liable for any incidents on the remnant pieces and will still bear the responsibility for maintenance of those remnant pieces.

FINANCIAL MATTERS:

Abutting properties zoned RD1.2 - $1.00 plus deed preparation fee and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

CONSULTATIONS:

Consultations were held with City Administrative Departments and Utility Companies, which resulted in the information outlined in attached Appendix “C”.

There were no objections from the municipal departments and external agencies contacted. Easements are required by three of the external agencies, as discussed in this report.
CONCLUSION:

The Planning and Building Department has considered all the comments received and recommends that the subject alley as shown in attached Appendix “A” be closed and conveyed to the abutting property owners, subject to easements and conveyance costs.

APPROVALS:

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Don Wilson</td>
<td>Manager of Development Applications</td>
</tr>
<tr>
<td>Thom Hunt</td>
<td>City Planner</td>
</tr>
</tbody>
</table>

NOTIFICATIONS:

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Councillor Sleiman</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Richard Couture [Applicant]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R. Craig Stevenson [Agent]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All Abutting Property Owners</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
APPENDICES:

1. Appendix "A" CC Drawing
2. Appendix "B": Aerial Map
3. Appendix "C": Consultations from Municipal Departments and External Agencies
4. Appendix "D" Site Photos
5. Appendix "E": Classifications of Alleys and Suitability for Closure
APPENDIX “B”: AERIAL MAP OF SUBJECT LOCATION

STREET AND ALLEY CLOSING
APPENDIX ‘B’

APPLICANT: R. Couture.

SCALE: 1:500

DATE: DECEMBER, 2015
FILE NO: SAA/4597
MAP NO: 2

SUBJECT LAND

PLANNING & BUILDING DEPARTMENT - PLANNING DIVISION
<table>
<thead>
<tr>
<th>Agency</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning – Development</td>
<td>No objections</td>
</tr>
<tr>
<td>Parks - Landscape Architect</td>
<td>No objections from a Parks perspective.</td>
</tr>
<tr>
<td>Parks &amp; Facilities</td>
<td>No objections from a Parks perspective.</td>
</tr>
<tr>
<td>Fire and Rescue Services</td>
<td>No concerns with the alley closure.</td>
</tr>
<tr>
<td>Windsor Police Services</td>
<td>The Windsor Police Service has no concerns or objections with this closure request. The subject alley has not been the source of any problems and closure will not create any adverse neighbourhood impact.</td>
</tr>
<tr>
<td>Public Works – Engineering</td>
<td>The subject alley is approximately 5.48m (18ft) wide, is composed of grass and appears to be untraveled. There is a curb cut at the Francois Road entrance into the alley, but no driveway approach. There are no municipal sewers in the alley but there are storm and sanitary sewers available on Grand Marais Road East, Francois Road and on the Ellrose Avenue right-of-way. There is a wooden hydro pole with guy wires on the west side of the alley, adjacent to 2570 Francois Road. There appears to be fences and sheds encroaching into the alley making it impossible to travel through. There appears to be a shed encroaching at 4482 Grand Marais road e. and a deck encroaching at 2570 Francois Road. There does not appear to be any garage access into the subject alley. This alley appears to serve no useful purpose by CR146/2005; therefore we have no objections to the closure of this alley.</td>
</tr>
<tr>
<td>Public Works – Environmental</td>
<td>No concerns.</td>
</tr>
<tr>
<td>Public Works – Transportation</td>
<td>No vehicular access required. No objections.</td>
</tr>
<tr>
<td>Transit Windsor</td>
<td>No comment</td>
</tr>
<tr>
<td>Enwin Utilities – Hydro</td>
<td>No objection to alley closing, however, an easement named to Enwin Utilities Ltd. will be required to accommodate the existing secondary pole, 120/240v secondary services and guy wires.</td>
</tr>
<tr>
<td>Windsor Utilities – Water</td>
<td>No objections. Easement not required.</td>
</tr>
<tr>
<td>Bell Canada</td>
<td>Bell Canada requires easement protection.</td>
</tr>
<tr>
<td>Cogeco Cable Systems Inc.</td>
<td>Cogeco will require an easement for the entire portion of the application.</td>
</tr>
<tr>
<td>MNSi</td>
<td>MNSi has no plant in the area in question and as such has no issued with this application. MNSi does not require any easements at this time.</td>
</tr>
<tr>
<td>Rogers</td>
<td>Rogers Communications has no concern.</td>
</tr>
<tr>
<td>Telus</td>
<td>Telus has no structure in the area. Easement not required.</td>
</tr>
<tr>
<td>Union Gas</td>
<td>Union Gas has no issues with this application.</td>
</tr>
<tr>
<td>Legal Department</td>
<td>For land abutting properties zoned RD1.2-$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Winsor by an Ontario Land Surveyor.</td>
</tr>
</tbody>
</table>
Figure 1: South West View of Alleyway from Ellrose Avenue

Figure 2: North East View of Alleyway from Francois Road featuring Hydro pole

Figure 3: close-up of hydro pole in the alley way looking from North-East off Francois Road
Classification of Public Rights-of-Ways:

Currently streets and alleys fall into four classifications on the basis of their usefulness:

1. **Indispensable** alleys. These would be alleys serving commercial properties and properties fronting on heavily traveled streets i.e. major arterial routes and alleys which contain sewers and must remain accessible for servicing; alleys or streets which serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive; and, alleys which contain Fire Department connections that are deemed to be necessary for firefighting access.

2. **Have some usefulness**, are nevertheless dispensable and may or may not be a complete liability.

3. **No useful purpose** alleys, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.

4. **Clearly obsolete** alleys lying in Holding zones and other similar undeveloped areas where the alley system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

Suitability for Closing:

Following are the criteria and suitability for closing alleys in each of the above classifications.

- Indispensable alleys should **not be closed**, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof. They are essential from the viewpoint of fire protection, police protection, emergency services (i.e. ambulance) and loading or unloading of goods, refuse collection, servicing of blocked sewers and utility services. Without such alleys, the above noted services would at least be more costly if not impossible to complete or adequately access; and would noticeably interfere with street traffic, thereby reducing the access capacity of the adjacent arterial, collector, or street for business.
- Alleys having some usefulness should **be considered for closing** only upon request of abutting owners rather than by encouragement of the City.
- Alleys that serve no useful purpose should **be closed** if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- Alleys that are clearly obsolete should **not be closed** unless there is a municipal need or specific development proposals acceptable to the City are submitted.
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”

REPORT #: S 70/2015
Report Date: 12/16/2015

Author’s Contact:
Justina Nwaesei
Planner II - Development Review
519-255-6543 ext 6165
jnwaesei@citywindsor.ca

Date to Council: March 21, 2016
Clerk’s File #: SAA2016, SAA/4572

To: Mayor and Members of City Council

Subject: Request to close the east/west alley between Vanier Street and Edinborough Street, west of Remington Avenue; Ward 10; File No.: SAA/4572 - WFT Investments Ltd.

RECOMMENDATION:

I. That the 16ft (4.9m) wide east/west alley between Vanier Street and Edinborough Street, west of Remington Avenue, abutting the properties municipally known as 526, 534, 542, 566, 574, 582 & 590 Vanier Street, and 527, 535, 551, 567, 581 & 591 Edinborough Street, shown on Drawing No. CC-1684 attached hereto as Appendix “A”, BE ASSUMED for subsequent closure;

II. That the 16ft (4.9m) wide east/west alley between Vanier Street and Edinborough Street, west of Remington Avenue, abutting the properties municipally known as 526, 534, 542, 566, 574, 582 & 590 Vanier Street, and 527, 535, 551, 567, 581 & 591 Edinborough Street, shown on Drawing No. CC-1684 attached hereto as Appendix “A”, BE CLOSED AND CONVEYED to the abutting property owners, subject to the following:

   a. Easements, subject to their being accepted in the City’s standard form and in accordance with the City’s standard practice, be granted to:

      • Bell Canada, Cogeco Cable Canada LP, & Enwin Utilities Ltd.;

III. Conveyance Cost BE SET as follows:

   Abutting properties zoned RD1.3: $1.00 plus deed preparation fee and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
IV. That the City Planner be requested to supply the appropriate legal description, in accordance with Drawing Number. CC-1684, attached hereto as Appendix “A”; 

V. That the City Planner, or designate, be authorized to publish the required legal notice; 

VI. That the City Solicitor be requested to prepare the necessary by-law(s); 

VII. That the Chief Administrative Officer and City Clerk be authorized to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and 

VIII. That the matter be completed electronically pursuant to By-law Number 366-2003. 

EXECUTIVE SUMMARY: 
N/A 

BACKGROUND: 

WFT Investments Ltd., owner of the property known as 526 Vanier Street, applied to close the 16ft (4.9m) wide east/west alley between Vanier Street and Edinborough Street, west of Remington Avenue, abutting the properties municipally known as 526, 534, 542, 566, 574, 582, & 590 Vanier Street, and 527, 535, 551, 567, 581, & 591 Edinborough Street, shown on Drawing No. CC-1684 attached hereto as Appendix “A”, and also shown on the aerial photo attached hereto as Appendix “B”. 

The applicant provided the following reason for requesting the closure: 

- Required for Site Plan Approval 

There are sheds, fences, and driveway encroachments within the subject alley. The City’s records show that owners of the properties containing encroachments into the subject alley have been issued work orders by the City. 

The subject alley is untraveled, and is comprised of grass. There are no sewers or manholes located in the alley. Wooden hydro poles, guy wires, and overhead wires are located on the north side of the subject alley. 

DISCUSSION: 

Planning Department’s analysis of the requested alley closure: 

Page 2 of 4
The first test is to determine whether the subject alley is dispensable or not. To make such determination the guideline attached herein as Appendix “E” would be relevant as shown below.

a. Does the subject alley serve commercial properties? The answer is NO.

b. Does the subject alley serve properties fronting on heavily traveled streets i.e. major arterial routes? The answer is NO.

c. Does the subject alley contain sewers, and must the alley remain accessible for servicing? The answer is NO.

d. Does the subject alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive? The answer is NO.

e. Does the subject alley contain Fire Department connections that are deemed to be necessary for fire fighting access? The answer is NO. Appendix “C” also shows the Fire Department has no concerns with the requested closure.

The Planning Department deems the entire length and width of the subject alley “dispensable”, and supports the requested closure of the said alley.

**RISK ANALYSIS:**

The recommended closure will facilitate the purchase of the abutting lands and minimize liabilities to the City. However, if the entire length of the closed alley is not acquired after closure, the City could be held liable for any incidents on the remnant parts of the closed alley.

**FINANCIAL MATTERS:**

For land abutting properties zoned RD1.3: $1.00 plus deed preparation fee and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

**CONSULTATIONS:**

Consultations were held with City Administrative Departments and Utility Companies, which resulted in the information outlined in attached Appendix “C”.

There were no objections from the municipal departments and external agencies contacted. Easements are required by three of the external agencies, as discussed in this report.
CONCLUSION:
The Planning Department has considered all the comments received and recommends that the subject alley as shown in attached Appendix “A” be closed and conveyed to the abutting property owners, subject to easements and conveyance costs.

NOTIFICATION
Councillor Borrelli, Ward Councillor
WFT Investments Ltd., c/o Jim Marsh
(Applicant and Owner)
Abutting properties

APPROVALS
Don Wilson, Manager of Development Applications
Thom Hunt, City Planner
Shelby Askin-Hager, City Solicitor
Helga Reidel, Chief Administrative Officer

APPENDICES:
1. Appendix "A" Drawing #CC-1684
2. Appendix "B" - Aerial Map
3. Appendix "C" - Comments from Municipal Departments & External Agencies
4. APPENDIX "D" - Site Photos
5. Appendix "E" - Excerpt from Alley Closing Policy
Requested Alley Closure of the East / West Alley between Vanier Street and Edinborough Street, West of Remington Avenue

Marian Drouillard, Manager of Geomatics

THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT

SCALE: 1:750
DATE: FEB. 2016
DWG. NO. CC-1684
STREET AND ALLEY CLOSING
APPENDIX 'B'

APPLICANT: WFT Investments Ltd.
<table>
<thead>
<tr>
<th>Agency</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bell Canada</td>
<td>Bell Canada will require a transfer of easement over the above lands in order to protect our existing aerial installations.</td>
</tr>
<tr>
<td>Planning – Landscape Architect</td>
<td>No objections from Parks and Landscape perspective</td>
</tr>
<tr>
<td>Parks &amp; Facilities</td>
<td>No objections from Parks and Landscape perspective</td>
</tr>
<tr>
<td>Cogeco Cable Systems Inc.</td>
<td>Cogeco requires an easement as it has plant attached to the pole line along the north side of the alley.</td>
</tr>
<tr>
<td>Fire and Rescue Services</td>
<td>No concerns with closure.</td>
</tr>
<tr>
<td>EnWin Utilities – Hydro</td>
<td>No objection to closing, however, an easement named to Enwin Utilities Ltd. will be required upon closing for the entire alley to accommodate existing 120/240 volt overhead hydro distribution conductors and poles.</td>
</tr>
<tr>
<td>Windsor Utilities – Water</td>
<td>Water Engineering has no objections.</td>
</tr>
<tr>
<td>Public Works – Engineering</td>
<td>The subject alley closure is approximately 4.88m (16ft) wide, appears to be untraveled and is composed of grass. There are no municipal sewers or manholes located in the alley, though storm sewers are available on Edinborough St. Vanier St. and Remington Ave. Sanitary sewers are available on Edinborough St. and Vanier St. There are wooden hydro poles, guy wires, and overhead wires located on the north side of the subject alley. There appears to be fences and sheds encroaching into the alley making it impossible to travel through. There appears to be shed encroachments at 535 Edinborouh St., 582 Vanier St., 574 Vanier St. and 566 Vanier St. There appears to be fences encroaching at 551 Edinborough St., and 591 Edinborough St. There appears to be a driveway and fence encroaching at 590 Vanier St. and a swing set/tree house encroaching at 542 Vanier St. There does not appear to be any garage access into the subject alley. This alley appears to serve no useful purpose by CR146/2005; therefore we have no objections to the closure of this alley.</td>
</tr>
<tr>
<td>Public Works – Environmental</td>
<td>No concerns from Environmental. All waste is collected curbside.</td>
</tr>
<tr>
<td>Public Works – Transportation</td>
<td>This is an existing grass alley, physically closed with fencing at the east and west ends, along with fencing at the properties within this block. No vehicular access is required.</td>
</tr>
<tr>
<td>Transit Windsor</td>
<td></td>
</tr>
<tr>
<td>Union Gas</td>
<td>Union Gas has no issue with this closure.</td>
</tr>
<tr>
<td>Windsor Police Services</td>
<td>The Windsor Police Service supports the requested closure. We have been involved in the site plan review application that relates to this request for closure and support it as a component of the redevelopment that is forthcoming within this immediate area.</td>
</tr>
<tr>
<td>Legal Department</td>
<td>For land abutting properties zoned RD1.3: $1.00 plus deed preparation fee and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.</td>
</tr>
</tbody>
</table>
Pictures of the subject east/west alley taken from the abutting north/south alley next west

Picture of the subject east/west alley taken from Remington Avenue
APPENDIX “E”  Classification of Alleys and Suitability for Closure  SAA 4572

(1) Alleys that are **indispensable**. These would be alleys serving commercial properties and properties fronting on heavily traveled streets i.e. major arterial routes and alleys which contain sewers and must remain accessible for servicing; alleys or streets which serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive; and, alleys which contain Fire Department connections that are deemed to be necessary for fire fighting access.

(2) Alleys that, **have some usefulness**, are nevertheless dispensable and may or may not be a complete liability.

(3) Alleys that appear to serve **no useful purpose**, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.

(4) Alleys lying in Holding zones and other similar undeveloped areas where the alley system is **clearly obsolete** and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

**Suitability for Closing:**

Following are the criteria and suitability for closing alleys in each of the above classifications.

- Indispensable alleys should **not be closed**, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof. They are essential from the viewpoint of fire protection, police protection, emergency services (i.e. ambulance) and loading or unloading of goods, refuse collection, servicing of blocked sewers and utility services. Without such alleys, the above noted services would at least be more costly if not impossible to complete or adequately access; and would noticeably interfere with street traffic, thereby reducing the access capacity of the adjacent arterial, collector, or street for business.
- Alleys having some usefulness should **be considered for closing** only upon request of abutting owners rather than by encouragement of the City.
- Alleys that serve no useful purpose should **be closed** if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- Alleys that are clearly obsolete should **not be closed** unless there is a municipal need or specific development proposals acceptable to the City are submitted.
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”

REPORT #: SCM 26/2016
Report Date: 23/02/2016
Author’s Contact: Greg Atkinson, Senior Planner
519-255-6543 Ext. 6582
gatkinson@citywindsor.ca
Date to Council: March 21, 2016
Clerk’s File #: MI2016

To: Mayor and Members of City Council
Subject: Land Use Study of Parking Areas Within Business Improvement Areas (Wards 2, 3, 4, 5 and 6)

RECOMMENDATION:

THAT Council ENDORSE the terms of reference for undertaking of a land use study of parking areas within the City’s Business Improvement Areas; and

THAT Council DIRECT Administration to report back with study recommendations or a recommendation to extend Interim Control By-laws 126-2015, 127-2015, and 142-2015 prior to October 5, 2016.

EXECUTIVE SUMMARY:

N/A

BACKGROUND:

Section 38 of the Planning Act permits a municipality to pass an interim control by-law prohibiting the use of land, buildings or structures for such purposes as set out in the by-law (i.e. effectively ‘freezing’ certain types of development) for up to a year with the ability to extend the by-law for a further year. In order to enact such a by-law, a municipality must direct that a review or study be undertaken in respect of land use policies in the municipality or a defined part of the municipality.

Council adopted a set of interim control by-laws (i.e. By-laws 126-2015, 127-2015, and 142-2015) on September 8, 2015 prohibiting any new off-street parking areas from
being established within the City’s nine Business Improvement Areas (BIAs). The by-laws took effect on October 5th, 2015 and will remain in effect for one year with an option to extend for an additional year. The by-laws do not prohibit the continued use of existing off-street parking areas within BIAs. New and expanded parking areas may be permitted by Council on a case-by-case basis through amendments to the interim control by-laws where the creation of a new parking area would not conflict with the general purpose and intent of the by-laws.

**DISCUSSION:**

The City Planner has been authorized to undertake a study and review of Zoning By-law 8600 with respect to the provision and regulations related to all parking areas within BIAs. The ultimate goal of the study is to preserve and enhance the unique built form (e.g. buildings close to the street) and ‘main street’ character of Windsor’s BIAs, which is essential to their success. Because the most frequent motivation for removing existing buildings is for the creation of surface parking lots—the study will focus on the location and regulation of off-street parking areas.

**Study Scope**

The study will examine existing zoning regulations pertaining to off-street parking and make recommendations related to the use of parking areas within BIAs. More specifically, the study will involve:

a) An overview of Official Plan policy that provides direction with respect to off-street parking within BIAs;

b) A review of current Zoning By-law regulations and requirements for parking within BIAs;

c) Field work to examine parking areas and ‘main street’ built form with each of the City’s BIAs;

d) Consultation with BIAs; and

e) A report to Council containing an analysis of options and recommendations related to off-street parking areas.

**Timeline for Reporting to Council**

Because the interim control by-laws will expire on October 5, 2016—Administration must provide study recommendations or a recommendation to extend the interim control by-laws to the Planning, Heritage and Economic Development Standing Committee for consideration at its September 12th, 2016 meeting. The study will commence in April, 2016 and—assuming adequate administrative resources are available to dedicate to the study over the next five months—will conclude in September 2016.
**RISK ANALYSIS:**

The interim control by-laws will prohibit the creation of new parking areas in all BIA’s until the study is completed. The *Planning Act* does provide City Council the authority to grant exceptions to the by-laws while the study is being completed. There is a moderate risk that property owners could be faced with a delay to create new parking areas while the study is being completed. Failing to complete the study would potentially risk the loss of buildings within the City’s BIAs in favour of surface parking lots, which potentially could have a negative effect on the walkability and ‘main street’ character of the areas.

**FINANCIAL MATTERS:**

The required interim control study will be prepared using in-house staff resources which will have negligible impact on the departmental budget.

**CONSULTATIONS:**

This report was prepared in consultation with the Legal Department. The Windsor BIA Advisory Committee and the general public will be consulted as part of the study process.

**CONCLUSION:**

Administration is recommending that Council endorse the terms of reference and timing for undertaking of a land use study of parking areas within the City’s BIAs.

**APPROVALS:**

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
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<tbody>
<tr>
<td>Thom Hunt</td>
<td>City Planner</td>
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<tr>
<td>Shelby Askin Hager</td>
<td>City Solicitor</td>
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<tr>
<td>Helga Reidel</td>
<td>Chief Administrative Officer</td>
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## NOTIFICATIONS:

<table>
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<tr>
<th>Name</th>
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<tbody>
<tr>
<td>Olde Sandwich Towne BIA</td>
<td></td>
<td><a href="mailto:macuderman@hotmail.com">macuderman@hotmail.com</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td><a href="mailto:mrssanta@mnsi.net">mrssanta@mnsi.net</a></td>
</tr>
<tr>
<td>Downtown Windsor BIA</td>
<td></td>
<td><a href="mailto:debi@downtownwindsor.ca">debi@downtownwindsor.ca</a></td>
</tr>
<tr>
<td>Wyandotte Town Centre BIA</td>
<td></td>
<td><a href="mailto:caroline.postma@hotmail.com">caroline.postma@hotmail.com</a></td>
</tr>
<tr>
<td>Walkerville BIA</td>
<td></td>
<td><a href="mailto:info@walkervilledistrict.com">info@walkervilledistrict.com</a></td>
</tr>
<tr>
<td>Via Italia/Erie Street BIA</td>
<td></td>
<td><a href="mailto:tmancini@gmail.com">tmancini@gmail.com</a></td>
</tr>
<tr>
<td>Ottawa Street BIA</td>
<td></td>
<td><a href="mailto:ottawastreetbia@cogeco.ca">ottawastreetbia@cogeco.ca</a></td>
</tr>
<tr>
<td>Ford City BIA</td>
<td></td>
<td><a href="mailto:info@fordcity.ca">info@fordcity.ca</a></td>
</tr>
<tr>
<td></td>
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<td></td>
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<td><a href="mailto:fordcitybia@gmail.com">fordcitybia@gmail.com</a></td>
</tr>
<tr>
<td>Pillette Village BIA</td>
<td></td>
<td><a href="mailto:bscheuerman@cogeco.ca">bscheuerman@cogeco.ca</a></td>
</tr>
<tr>
<td>Olde Riverside BIA</td>
<td></td>
<td><a href="mailto:bscheuerman@cogeco.ca">bscheuerman@cogeco.ca</a></td>
</tr>
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</table>

## APPENDICES:

- Appendix A: BIA Maps
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”

REPORT #: S 51/2016
Report Date: 19/02/2016

Author’s Contact:
Greg Atkinson, Senior Planner
519-255-6543 ext. 6582
gatkinson@citywindsor.ca

Date to Council: March 23, 2016
Clerk’s File #: SPL/10759

To: Mayor and Members of City Council

Subject: Application for Small Business Investment Grant under the Economic Revitalization Community Improvement Plan for 2862 Kew Drive (Biwell Holdings Inc.—Ward 8)

RECOMMENDATION:

THAT the request made by Biwell Holdings Inc. to participate in the Small Business Investment Grant Program BE APPROVED for the property located at 2862 Kew Drive pursuant to the City of Windsor Economic Revitalization Community Improvement Plan; and

THAT, Administration BE DIRECTED to prepare an agreement to implement the Small Business Investment Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Economic Revitalization Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and

THAT, the CAO and City Clerk BE AUTHORIZED to sign the Small Business Investment Grant Agreement.

EXECUTIVE SUMMARY:

N/A
BACKGROUND:

City Council approved the Economic Revitalization Community Improvement Plan (CIP) at its January 31, 2011 meeting via CR 50/2011. The adopting By-law 30-2011 was passed by Council at its February 14, 2011 meeting.

The Economic Revitalization CIP provides financial incentives to encourage new investment in targeted economic sectors for the purposes of diversifying the local economy and creating/retaining jobs. The CIP allows the City to take a variety of measures to further the objectives of the Economic Revitalization CIP that would otherwise be prohibited by Ontario’s Municipal Act. This includes the acquisition and preparation of land; construction, repair, rehabilitation or improvement of buildings; the sale, lease or disposal of land and buildings; and the provision of grants to owners or tenants of land—all of which must conform with the objectives and policies contained within the CIP.

To date, City Council has approved 15 applications made under the CIP representing a range of targeted economic sectors including manufacturing, research and development, creative industries, logistics, health & life sciences, and tourism. Biwell Holdings Inc. has applied for financial incentives under the Small Business Investment Grant Program. Biwell Holdings Inc. owns the property located at 2862 Kew Drive (see Map 1) and the business located there—Stratus Plastics International (SPI). SPI is a tier-two injection mold company founded in 2005 and supplies several tier-one manufacturers with automotive parts (e.g. A.P. Plasman, Flex-N-Gate, and Magna). SPI also produces non-automotive parts and serves a number of clients in the United States.

The subject property is 0.96 hectares in size (2.37 acres) and contains a 2,415 square metre (25,995 square foot) industrial building. The property is designated ‘Industrial’ in the City’s Official Plan and zoned Manufacturing District (MD 1.2), which permits a range of light manufacturing and service commercial uses.

DISCUSSION:

Small Business Investment Grant Program

Biwell Holdings Inc. has applied for financial incentives under the Small Business Investment Grant Program, which is intended to stimulate investment in targeted economic sectors for the purpose of creating jobs and diversifying the local economy. Manufacturing businesses with less than 50 employees fall under the Small Business...
Investment Grant Program. There is no minimum job creation threshold under the program, rather the investment must result in a minimum $25,000 increase in assessed property value after the eligible work has been completed and the property is reassessed by the Municipal Property Assessment Corporation (MPAC).

Successful applicants are eligible to receive an annual grant for up to 100% of the municipal property tax increase created by an investment in development or redevelopment of a building or property—provided it conforms with the Economic Revitalization CIP. The annual grants may continue for up to 10 years or until up to 100% of the eligible investment costs are repaid.

Eligible Sector
SPI is eligible for incentives under the manufacturing sector, which is defined in the CIP as:

“Companies engaged in the fabricating, processing, assembling, packaging, producing or making goods or commodities, including ancillary repair, storage, wholesaling or office uses.”

Employment
According to the CIP application, SPI currently has 15 full time employees, which would be retained as a result of the proposed expansion. SPI would also add 3 full time positions as a result of new work related to the expansion.

Proposed Construction
Biwell Holdings Inc. proposes to construct a 786 square metre (8,460 square foot) addition to its existing industrial building. The prefabricated building addition would serve as warehouse space for the expanding business and construction would include dock upgrades, floor preparation, new lighting, and new work area. The total cost of the addition if estimated to be $446,000. The company also plans to invest $700,000 in new injection molding equipment.

Based on a preliminary assessment the current property assessment value will likely increase by $223,000. The construction of the addition would require site plan approval prior to building permit issuance.

CIP Objectives
The proposed development and recommended Small Business Investment Grant supports the following CIP objectives:

Page 3 of 7
• Encourage investment that results in the productive use of lands and/or buildings for
  the purposes of establishing or maintaining a business enterprise, or the expansion
  of existing businesses to realize more effective use of the land’s potential;

• Encourage capital investments that create new and/or maintain existing permanent
  jobs, as well as short-term construction jobs that contribute to the reduction of the
  unemployment rate;

• Provide financial incentive programs that are attractive to potential investors and
  corporate decision-makers, but are balanced with expectations of City taxpayers and
  the City’s ability to fund the financial incentive programs;

• Facilitate the development of the City’s vacant employment lands and other areas
  that have the potential to be new employment areas; and

• Support investment and development that results in an increase in property
  assessment and grows the non-residential municipal tax base over the long-term.

RISK ANALYSIS:

There is little risk associated with the approval of the CIP application. Staff resources
are required for the upfront administration of the grant program and finalization of the
legal agreement. Limited staff resources related to on-going monitoring of the
employment use and issuance of annual grants will also be required over the next ten
years.

Should Council refuse the CIP request, SPI may reconsider its expansion plans and/or
consider expanding in Michigan, which would put some of the existing jobs in jeopardy.
A decision not to expand in Windsor would also preclude the planned construction,
related increase in assessed property value, and the 3 new jobs.

FINANCIAL MATTERS:

Small Business Investment Grant Program

The tax increment portion of the Small Business Investment Grant is not calculated or
paid out until all eligible work is completed and the property is reassessed. Reassessment of the property must result in an increase in at least $25,000 in
assessment value. The grant amount is recalculated annually based on the actual
assessed property value, tax class, and municipal tax rate.
Summary of Potential Financial Incentives

While the applicant proposes to spend approximately $446,000 on new construction and property improvements, some components of the proposed work (e.g. floor preparation, site improvements, etc.) are not expected to increase the assessed property value. Based on a preliminary review administration estimates the assessed property value to increase by $223,000 as a result of the investment.

Planning and Finance staff have prepared pro-forma calculations (Figure 1) to provide an understanding of the potential grant magnitude. The estimated annual increase in municipal tax levy would be $8,525—which would yield a total grant value of $85,246 over the 10 year lifespan of the program. This would represent 19% of the eligible investment in the property made by Biwell Holdings Inc.

Figure 1

<table>
<thead>
<tr>
<th>Year of Grant</th>
<th>Pre Development Municipal Taxes</th>
<th>Estimated Post Development Municipal Taxes</th>
<th>Estimated Value of Grant</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$27,868</td>
<td>$36,392</td>
<td>$8,525</td>
</tr>
<tr>
<td>2</td>
<td>$27,868</td>
<td>$36,392</td>
<td>$8,525</td>
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<tr>
<td>10</td>
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</tr>
<tr>
<td>Total</td>
<td>$278,676</td>
<td>$363,922</td>
<td>$85,246</td>
</tr>
</tbody>
</table>

Assumptions

- Current Property Value Assessment $729,000
- Current Industrial Tax Rate (municipal portion) 0.03822713
- Current Municipal Tax Levy $27,868
- Estimated Eligible Investment Costs $446,000
- Estimated Post-Redevelopment Property Value Assessment $952,000
- Estimated Post-Redevelopment Municipal Tax Levy $36,392
- Percentage of Eligible Investment Costs Rebated 19%

Because the Small Business Investment Grant Program does not cancel taxes, the applicant must pay the full amount of property taxes annually and will subsequently receive a grant for the difference between the pre and post-development municipal taxes. The City will retain the amount of pre-development (base) municipal taxes throughout the lifespan of the grant program, however will be foregoing any incremental
property taxes which could otherwise be used to offset future budget pressures over the next ten years.

**CONSULTATIONS:**

The Economic Revitalization CIP was subject to extensive stakeholder and public consultation as part of the approval process, including two public open houses, a statutory public meeting of Council and circulation among internal City staff and the Province. Planning staff have consulted with the applicant prior to accepting the application for the Small Business Investment Grant Program. Staff from the Planning, Finance, and Legal departments were consulted in the preparation of this report.

**CONCLUSION:**

Administration recommends that Council approve the request from Biwell Holdings Inc. to participate in the Small Business Investment Grant Program. Specifically, that 100% of the municipal portion of the tax increment resulting from the proposed development located at 2862 Kew Drive be provided as an annual grant for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization CIP.

The planned expansion of the building and parking area conforms with the Economic Revitalization CIP, assists the City in the achievement of a number of the CIP objectives, and exemplifies the intent of the Small Business Investment Grant Program.

**APPROVALS:**

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
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<tbody>
<tr>
<td>Thom Hunt</td>
<td>City Planner</td>
</tr>
<tr>
<td>Shelby Askin Hager</td>
<td>City Solicitor</td>
</tr>
<tr>
<td>Onorio Colucci</td>
<td>Chief Financial Officer</td>
</tr>
<tr>
<td>Helga Reidel</td>
<td>Chief Administrative Officer</td>
</tr>
</tbody>
</table>
NOTIFICATIONS:

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colby Wu</td>
<td>2862 Kew Drive, Windsor, ON N8T 3C6</td>
<td><a href="mailto:colbywu@stratusplastics.com">colbywu@stratusplastics.com</a></td>
</tr>
</tbody>
</table>

APPENDICES:

Map 1: Location
Appendix A: Business Plan Summary
Stratus Plastics

BUSINESS OVERVIEW

February 2016

[Text continues with details about the company's history, product line, and operations.]
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”

REPORT #: S 29/2016  
Report Date: 28/01/2016

To: Mayor and Members of City Council

Subject: Amendment to Walkerville Business Improvement Area Boundary (Ward 4)

RECOMMENDATION:

THAT the request from the Walkerville Business Improvement Association to expand the boundary of the Walkerville Business Improvement Area (BIA) to include 543 and 553 Lincoln Road BE APPROVED;

THAT Administration BE DIRECTED to circulate notice of the draft amending by-law to all property owners and tenants within the existing and proposed BIA boundary; and

THAT Council PASS the amending by-law provided that at least one third of the total number of persons entitled to notice of this by-law have not filed objections to this by-law with the Clerk within 60 days after the mailing thereof.

EXECUTIVE SUMMARY:

N/A
BACKGROUND:

The City of Windsor received a letter from the Walkerville Business Improvement Association (BIA) in November 2015 requesting a change to the BIA boundary (see Appendix A). The process for amending a BIA boundary is set out in the Municipal Act. Council may alter the boundaries of a business improvement area by passing a by-law. Prior to passing the by-law, a notice must be sent to the Board of the BIA, every commercial property owner, and tenant within the existing and proposed BIA boundaries. Landowners and tenants will have 60 days to object to the proposed boundary change.

That is, Council may not pass the by-law if objections have been raised by at least one-third of the total number of persons notified and those persons are responsible for at least one-third of the taxes levied within the BIA.

DISCUSSION:

The Walkerville BIA has requested its boundary to be amended to include two properties located at 543 and 553 Lincoln Road (see Map 1). The City Cyclery (553 Lincoln Road) and the Little White Kitchen Baking Co. (543 Lincoln Road) are new businesses in the Walkerville neighbourhood. The properties are zoned for commercial use and fall just outside of the current BIA boundary. The addition of the properties to the BIA is logical as they are contiguous to the existing BIA. Inclusion in the BIA is particularly important for The Little White Baking Co. as the property cannot accommodate the number of parking spaces required by the City’s Zoning By-law. Minimum required parking spaces are reduced within BIAs to recognize the main street urban form in older commercial areas (e.g. buildings are located close to the street and in some cases cover the entire property).

A draft by-law to amend the Walkerville BIA boundary (see Appendix B) has been prepared for circulation, should Council approve the recommendations. The draft by-law would be sent to property owners and tenants within the current and proposed BIA area and recipients would be given sixty days to register any objections with the Clerk’s Department. If less than thirty percent of landowners and tenants object—the amendment will be implemented by Council through passage of the by-law.
**RISK ANALYSIS:**

There is very little risk associated with the circulation and passage the draft by-law since this matter was initiated by the Walkerville BIA and the affected properties are in agreement with this process.

**FINANCIAL MATTERS:**

The cost of mailing would be paid out of the BIA Assistance Program capital account #7069002. The business and land owners at 543 and 553 Lincoln Road have both requested inclusion in BIA and agreed to pay the levy.

**CONSULTATIONS:**

The Legal, Finance, and Clerk’s Departments as well as the Walkerville BIA has been consulted in the preparation of this report.

**CONCLUSION:**

The minor boundary amendment requested by the Walkerville BIA would formalize the membership of two businesses that currently participate in the BIA. Administration recommends Council approve the request from the Walkerville BIA to expand its boundary to include 543 and 553 Lincoln Road. Further it is recommended that the draft by-law shown in Appendix C be circulated to landowners and tenants within the BIA.
**APPROVALS:**

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**NOTIFICATIONS:**

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<thead>
<tr>
<th>Name</th>
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<tbody>
<tr>
<td>Jake Rondot</td>
<td>553 Lincoln Rd., Windsor, ON N8Y 2G6</td>
<td><a href="mailto:jaker@hkcanada.com">jaker@hkcanada.com</a></td>
</tr>
<tr>
<td>Veronica Samek</td>
<td>543 Lincoln Rd., Windsor, ON N8Y 2G6</td>
<td><a href="mailto:info@walkervilledistrict.com">info@walkervilledistrict.com</a></td>
</tr>
<tr>
<td>1890884 Ontario Inc.</td>
<td>553 Lincoln Rd., Windsor, ON N8Y 2G6</td>
<td></td>
</tr>
<tr>
<td>The Little White Kitchen</td>
<td>543 Lincoln Rd., Windsor, ON N8Y 2G6</td>
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<tr>
<td>1924923 Ontario Inc.</td>
<td>291 Lakewood Dr., Amherstburg, ON N9V 2Y8</td>
<td></td>
</tr>
</tbody>
</table>

**APPENDICES:**

- Map 1: Location
- Appendix A: Request to Amend Boundary from Walkerville BIA
- Appendix B: Draft By-law to Amend Walkerville BIA Boundaries
November 11, 2015

Greg Atkinson
Senior Planner, Local Economic Development
City of Windsor

400 City Hall Square East, Suite 404
Windsor, ON N9A 7K6

Dear Mr. Atkinson,
Please consider this communication an official request of the Walkerville Business Improvement Area (WBIA) that the boundary of the WBIA be expanded to include two commercial properties on Lincoln Road which directly abut the current northern boundary at Lincoln and Wyandotte. The property addresses are 543 and 553 Lincoln Road. The business and land owners at these locations have both requested inclusion in the tax-levied WBIA area.

The WBIA is in the final year of its first 5-year strategic plan (2011-2015), and has already begun building the next iteration of this document (2016-2020) which will be central to guiding our goals and growth strategies in the coming 5 years. One of those growth strategies will be boundary expansion on a larger scale, reviewing commercial properties on all sides of our current boundaries which are interested in becoming a WBIA member. We expect to work closely with the city to engage that process beginning as early as 2016.

We are asking for this immediate and smaller update to the boundary in advance of the larger review in order to accommodate the two members at these locations (City Cyclery, and especially The Little White Kitchen Baking Co.) who require this change to access WBIA parking for customers.

Thank you in advance for your assistance and consideration.

Best Regards,

Jake Rondot
Chair, Walkerville BIA
WHEREAS Section 204 of the Municipal Act, 2001, S.O. 2001, c.25 provides that a local municipality may designate an area as an improvement area and may establish a board of management to oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally and to promote the area as a business or shopping area;

AND WHEREAS Section 209 of the Municipal Act, 2001 provides that the municipality may alter the boundaries of an improvement area and the board of management for that improvement area is continued as the board of management for the altered area;

AND WHEREAS By-law Number 8024, passed the 29th day of October, 1984, designated an Improvement Area along parts of Wyandotte Streets East and Devonshire Road in the City of Windsor pursuant to the Municipal Act;

AND WHEREAS By-law Number 380-2000, passed the 11th day of December, 2000, amended By-law Number 8024 to add properties to the Improvement Area;

AND WHEREAS the Walkerville Business Improvement Association has requested that the boundaries of the Improvement Area be amended to include properties located at 543-545 Lincoln Road and 553 Lincoln Road;

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

1. Section 1 of By-law Number 8024 is amended by adding thereto clause (f) attached hereto as Schedule “A”.

2. This by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKINS, MAYOR

CITY CLERK

First Reading - , 2016
Second Reading - , 2016
Third Reading - , 2016
Schedule “A”

To By-law Number ______________

(f)

1. 020-020-07900-0000
   PLAN 359; LOT 135
   543-545 LINCOLN RD

2. 020-020-08000-0000
   PLAN 359; LOT 134
   553 LINCOLN RD
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”

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<tr>
<th>REPORT #: S 33/2016</th>
<th>Report Date: 2/2/2016</th>
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<tbody>
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To: Mayor and Members of City Council

Subject: Brownfield Redevelopment Community Improvement Plan (CIP) Application Submitted by Strathan Corporation for 804 McDougall Street (Ward 3)

RECOMMENDATION:

THAT the request made by Strathan Corporation to participate in the Feasibility Study Grant Program BE APPROVED for the proposed feasibility study at 804 McDougall Street pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan;

THAT the request made by Strathan Corporation to participate in the Environmental Study Grant Program BE APPROVED for the proposed Phase II Environmental Site Assessment Study and Designated Substances Survey at 804 McDougall Street pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and

THAT the City Treasurer BE AUTHORIZED to issue payment upon the completion and submission of a Feasibility Study and/or Phase II Environmental Site Assessment Study in a form acceptable to the City Planner and City Solicitor.

EXECUTIVE SUMMARY:

N/A
BACKGROUND:

Brownfield Redevelopment Community Improvement Plan

Brownfield sites are properties that may be contaminated due to previous industrial or commercial uses such as a manufacturing facility or gas station. City Council approved a Brownfield Redevelopment CIP at its April 19, 2010 meeting for the purpose of encouraging the study, clean-up, and redevelopment of contaminated properties.

The approval of the CIP was the result of nearly five years of study and consultation, which began in October 2005. The Brownfield Redevelopment CIP contains a number of financial incentive programs that encourage the study, clean up, and redevelopment of brownfield sites. The applications submitted by Strathan Corporation are the seventh request the City has received for incentives under the Brownfield Redevelopment CIP.

Importance of Brownfield Redevelopment

In 2009 the City's Planning Department identified 137 brownfield properties (i.e. 226 hectares or 559 acres) that are available for redevelopment. While the inventory is not exhaustive, it illustrates the significance of Windsor's brownfield stock and the need to work with land owners to put these properties back into productive use.

Historically, there has been little interest in redeveloping brownfield sites due to the uncertainty surrounding the extent of contamination and the potential cost of clean-up. The Brownfield CIP provides financial incentives to undertake the necessary studies and remedial work necessary to redevelop brownfield sites and reduce the potential negative impacts to the City's environment and neighbourhoods.

The benefits associated with brownfield redevelopment go far beyond the boundaries of the property. For example, they are often strategically located within existing built up areas of the City where services and other infrastructure, such as roads, schools, community facilities and public transit are already available, therefore additional infrastructure costs are not incurred to service these areas. The redevelopment of these sites also remove the negative stigma often associated with some brownfield properties, which increases the value of the subject property and adjacent properties.

Brownfield sites also represent a significant underutilization of the land base. According to the National Round Table on the Environment and the Economy (2003), every hectare redeveloped through a brownfield project saves up to an estimated 4.5 hectares of greenfield land from being developed (i.e. agricultural land on the edge of the City); and for every dollar invested in a brownfield redevelopment, it is estimated that $3.80 is invested in the economy.
Site Background

The building at the corner of McDougall and Elliot Streets was originally constructed in 1920 for the Detroit-based Burroughs Adding Machine Co., which later became Burroughs Business Machines. Designed by Detroit architect Albert Kahn, the U-shaped brick building is an excellent example of early 20th Century industrial architecture. Most of the original facade has been covered with sheet metal.

Figure 1: Burroughs Adding Machine Factory

Burroughs occupied the site until 1970. After several years of multiple tenant occupancy the building was acquired in the mid 1970s by Rustshield Plating Limited—a Windsor-based company that nickel-chrome plated automobile bumpers. Rustshield, which was purchased in 1998 and renamed Chromeshield Plating Limited, continued chrome plating activities until 2008. The property was purchased by Strathan Corporation in 2008 and has sat vacant since that time. A warehouse building was added on the southwest side of the original building in 1980 and a waste treatment building was added on to the southeast corner of the facility in the mid 1980s.

Environmental investigations have previously been undertaken at the site—most recently in December 2013. Additional investigation is required to determine the full impacts of contamination. There are also a number of substances within the building, which need to be identified and removed prior to any redevelopment taking place.

The site is located on the south east corner of McDougall Street and Elliott Street East (Map 1). The property is designated ‘Business Park’ in the City’s Official Plan and zoned MD 1.4 (Manufacturing District), which permits a range of light industrial, office, and service commercial uses.
**DISCUSSION:**

**Feasibility Grant Program**

The Feasibility Study Grant program offers a matching grant to property owners of brownfield sites to conduct studies on the feasibility of reusing, rehabilitating, retrofitting and constructing buildings on these sites. The program offers 50% of the cost of an eligible feasibility study up to a maximum grant of $7,500.

A study of the former Burroughs/Chromeshield property is proposed to assess the feasibility of new uses for these buildings. The applicant has indicated the study will focus on market research, economic feasibility, and assessing the capacity of the site to accommodate cultural, tourist, and educational activities. Identifying a feasible reuse for any brownfield site is the first step in crafting an economically viable redevelopment plan.

**Environmental Study Grant Program**

The Environmental Study Grant program offers a matching grant to property owners of brownfield sites to conduct environmental studies that provide information on the type and extent of contamination and potential remediation costs. The program offers 50% of the cost of up to two eligible studies (i.e. per property/project) up to a total maximum grant value of $25,000.

Strathan Corporation proposes to undertake two eligible studies:

1. A Phase II Environmental Site Assessment (ESA) study is required to further characterize the site and delineate the extent of contamination. The study will also assess the potential for soil vapour intrusion in the building. Previous Phase II ESA work was completed by Golders Associates on behalf of Strathan Corporation in December 2013. A Phase I ESA was completed in 1998 on behalf of a previous property owner.

2. A Designated Substances Survey (DSS) is required prior to any redevelopment or demolition of the building. The DSS will identify any substances regulated by Ontario’s Ministry of Labour (e.g. asbestos, lead, mercury, PCBs, etc.).

Clearly identifying the type and delineating the extent of contamination as well as identifying potential hazardous substances are essential steps in moving toward cleanup and redevelopment of the site. Upon completion the City would retain a copy of the final studies.
CIP Goals

City staff is supportive of the application as it meets all of the eligibility requirements specified within the Brownfield Redevelopment CIP. The proposed study of 804 McDougall Street supports the following CIP goals:

- To promote the remediation, rehabilitation, adaptive re-use and redevelopment of brownfield sites throughout the City of Windsor in a fiscally responsible and sustainable manner over the long term;
- Improve the physical and visual quality of brownfield sites;
- Improve environmental health and public safety;
- Provide opportunities for new housing, employment uses, and commercial uses;
- Increase tax assessment and property tax revenues;
- Promote Smart Growth, including the reduction of urban sprawl and its related costs, energy efficiency through the construction of buildings that meet Leadership in Energy and Environmental Design (LEED) standards, and green planning and building practices;
- Improving the land use compatibility of potential brownfield sites with surrounding land uses;
- Increase community awareness of the economic, environmental and social benefits of brownfield redevelopment; and
- Utilize public sector investment to leverage significant private sector investment in brownfield remediation, rehabilitation, adaptive re-use, and redevelopment.

Policy Support

The study of brownfield sites to support clean up and redevelopment is supported by numerous policies within the 2014 Provincial Policy Statement, the City’s Official Plan, the City’s Environmental Master Plan, and Community Strategic Plan.

RISK ANALYSIS:

As with all brownfield sites, there is a high degree of risk associated with the property remaining contaminated and vacant. Uncertainly related to the feasibility of building reuse, the extent of contamination, and presence of hazardous materials in the building will continue to act as a barrier to redevelopment if not addressed. If the site remains contaminated and vacant it will continue to have a negative effect on the surrounding area—which includes residential uses to the west, north and east of the property.
The proposed studies will assist in mitigating the above noted risks by establishing next steps in the remediation process. As already indicated, should remediation not be pursued, the City would have on record, copies of the studies for future reference.

**FINANCIAL MATTERS:**

The cost estimates (excluding HST) for completing the proposed studies are as follows:

- Phase II ESA $39,000
- DSS $29,000
- Feasibility Study $15,000

If approved the requested grant programs would provide a total of $32,500 toward the completion of the three studies (i.e. $15,000 toward the Phase II ESA & $10,000 toward the DSS—maximum of $25,000; and $7,500 toward the feasibility study). The grants would be paid out of the Brownfield Strategy/Remediation Account, which has a current balance of $1,188,103.

**CONSULTATIONS:**

The development and approval of the Brownfield Redevelopment CIP was subject to extensive stakeholder and public consultation, which sought input from a wide range of stakeholders and internal City departments.

Planning staff have consulted with the applicant prior to accepting the application for the Feasibility Study and Environmental Study Grant programs. Staff from the Planning, Finance, and Legal Departments were consulted in the preparation of this report.

**CONCLUSION:**

City Staff recommend Council approve the request from Strathan Corporation to participate in the Feasibility Study and Environmental Study Grant Programs. In the opinion of planning staff, the proposed study of this brownfield site conforms to the Brownfield Redevelopment CIP, assists the City in the achievement of a number of the CIP goals, and exemplifies the intent of the both study grant programs.
**APPROVALS:**

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<td>Shelby Askin Hager</td>
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<td>Onorio Colucci</td>
<td>Chief Financial Officer</td>
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<td>Helga Reidel</td>
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**NOTIFICATIONS:**

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**APPENDICES:**

Map 1: Location
LOCATION MAP - 804 MCDougall STREET

SUBJECT PROPERTY