



Development & Heritage Standing Committee Meeting

Date: Monday, October 7, 2024

Time: 4:30 o'clock p.m.

Members Present:

Councillors

Ward 1 - Councillor Fred Francis

Ward 4 - Councillor Mark McKenzie

Ward 7 - Councillor Angelo Marignani

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison (Chairperson)

Members

Member Anthony Arbour

Member Daniel Grenier

Member Robert Polewski

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Rob Martini, Council Services

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Jelena Payne, Commissioner, Economic Development

Neil Robertson, City Planner

Greg Atkinson, Deputy City Planner – Development

Jason Campigotto, Deputy City Planner – Growth

Aaron Farough, Senior Legal Council

Emilie Dunnigan, Manager, Development Reserve & Financial Administration

Kevin Alexander, Planner III – Special Projects

Simona Simion, Planner III – Economic Development

Tracy Tang, Planner III – Economic Development

Brian Nagata, Planner II – Development Review

Elara Mehrilou, Transportation Planner I

Robert Perissinotti, Development Engineer

Natasha McMullin, Clerk Steno Senior

Anna Ciacelli, Deputy City Clerk

Minutes

Development & Heritage Standing Committee Monday, October 7, 2024

Page 2 of 14

Delegations—participating via video conference

Item 7.1 – Tracey Pillon-Abbs, RPP Principal Planner
Item 7.2 – Lana Talbot, area resident

Delegations—participating in person

Item 7.2 – Jackie Lassaline, Lassaline Planning Consultants
Item 7.2 – Mariusz Buchcic, Alta Nota Construction
Item 11.2 – Stuart Miller, Consultant for applicant
Item 11.8 – Scott Stover & Nathan Jankowski, Pattison Outdoor Advertising

1. CALL TO ORDER

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:30 o'clock p.m.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Member Daniel Grenier discloses an interest and abstains from voting on Item 7.1 being “Zoning By-law Amendment Application for 4461 Wyandotte Street East, Z-023/24 [ZNG-7221]], Ward 5” as his company has hired the planner on record for the application for one of their projects.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

4. COMMUNICATIONS

None presented.

5. ADOPTION OF THE PLANNING ACT MINUTES

5.1. Adoption of the Development & Heritage Standing Committee minutes (*Planning Act*) of its meeting held September 3, 2024

Moved by: Councillor Angelo Marignani

Minutes

Development & Heritage Standing Committee

Monday, October 7, 2024

Page 3 of 14

Seconded by: Councillor Mark McKenzie

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held September 3, 2024 **BE ADOPTED** as presented.

Carried

Report Number: SCM 289/2024

6. PRESENTATION DELEGATIONS (PLANNING ACT MATTERS)

See *Planning Act* Minutes.

7. PLANNING ACT MATTERS

7.1. Zoning By-law Amendment Application for 4461 Wyandotte Street East, Z-023/24 [ZNG-7221], Ward 5

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 658**

- I. THAT Zoning By-law 8600 **BE AMENDED** for the lands located on the south side of Wyandotte Street East between Jos Janisse Avenue and Ellrose Avenue, described as Lot 27, Plan 1492, PIN No. 01097-1316 LT, by adding a site specific provision to permit *One Semi-Detached Dwelling*, subject to the following additional regulations:

513. SOUTH SIDE OF WYANDOTTE STREET EAST BETWEEN JOS JANISSE AVENUE AND ELLROSE AVENUE

- (1) For the lands comprising of Lot 27, Plan 1492, PIN No. 01097-1316 LT, a *Semi-Detached Dwelling* shall be subject to the following additional provisions:

1. Notwithstanding Section 11.2.5.2.1, the minimum lot width shall be 13.7 metres.
2. Notwithstanding Section 11.2.5.2.10, the maximum gross floor area for a main building shall be 851.6 m².
[ZDM 10; ZNG/7221]

- II. THAT the holding (H) symbol **SHALL APPLY** to the lands located on the south side of Wyandotte Street East between Jos Janisse Avenue and Ellrose Avenue, described as Lot 27, Plan 1492, PIN No. 01097-1316 LT and that Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following clause to Section 95.20:

Minutes

Development & Heritage Standing Committee

Monday, October 7, 2024

Page 4 of 14

- (11) a) Gratuitously convey to the Corporation of the City of Windsor, a 1.50-metre-wide strip of land along the Wyandotte Street East frontage of the subject lands to the satisfaction of the City Engineer.
- b) Submission of a Revised Stormwater Management Plan in accordance with the Windsor Essex Region Stormwater Management Standards Manual to the satisfaction of the City Engineer.
[ZDM 10; ZNG/7221]

Carried.

Member Daniel Grenier discloses an interest and abstains from voting on this matter.

Report Number: S 113/2024

Clerk's File: Z/14832

7.2. Zoning By-Law Amendment Z001-24 (ZNG/7164) - Alta Nota Construction – 0 Windsor Ave & 1140 Goyeau St, Ward 3

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 659**

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 46 to 51, Plan 447 (identified as Lot 1A on Appendix A to Report S 131/2024 and known municipally as 0 Windsor Avenue) from Commercial District 1.5 (CD1.5) to Commercial District 1.7 (CD1.7).
- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lot 183 and Part of Lot 182, Plan 1303 (identified as Lot 1B on Appendix A to Report S 131/2024 and known municipally as 1140 Goyeau Street) from Commercial District 1.5 (CD1.5) to Residential District 3.3 (RD3.3).
- III. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by deleting and replacing Section 20(1)52 as follows:

52. **EAST SIDE OF GOYEAU STREET AND WEST SIDE OF WINDSOR AVENUE, NORTH OF GILES BOULEVARD EAST**

- A. For the lands comprising of LOT 46 TO LOT 51, PLAN 447 for an existing parking area, the following additional provisions shall apply:
- 1) Section 25.5.10.3 shall not apply.
 - 2) Section 25.5.20 shall not apply.

Minutes

Development & Heritage Standing Committee

Monday, October 7, 2024

Page 5 of 14

- 3) Section 25.5.40.6 and 25.5.40.7 shall not apply.
 - 4) Notwithstanding Section 25.5.50, the minimum *parking aisle* width shall be as existing.
- B. For the lands comprising of LOT 183 & PT LOT 182, PLAN 1303, the following additional provisions shall apply:
- 1) Lot Area – minimum 1,728 m²
 - 2) Lot Coverage – maximum 43.5%
 - 3) Main Building height – maximum 24.0 m
 - 4) Landscaped Open Space Yard – minimum 28%
 - 5) Section 12.3.5.13 shall not apply
 - 6) All required *parking spaces* (excluding accessible parking spaces and *loading spaces*) shall be located entirely on LOT 46 TO LOT 51, PLAN 447.
 - 7) Notwithstanding Section 25.5.20.1.6, where a *building* is located on the same *lot* as the *parking area*, for that portion of a *building* wall not containing a *habitable room window* within 4.0 m of the *ground*, the minimum parking area separation from that portion of the *building* wall shall be 3.1 m.

(ZDM 7)

IV. THAT, when Site Plan Control is applicable:

- A. Prior to the submission of an application for site plan approval, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer:
 - 1) Those documents submitted in support of the application for amendment to the Zoning By-law 8600 **BE UPDATED** to reflect the site plan for which approval is being sought, and any comments from municipal departments and external agencies included in Appendix E to Report S 131/2024.
- B. The Site Plan Approval Officer **BE DIRECTED** to incorporate the following, subject to any updated information, into an approved site plan and an executed and registered site plan agreement:
 - 1) Vibration Impact Assessment as requested by the City of Windsor Heritage Planner in Appendix E to Report S 131/2024.

Minutes

Development & Heritage Standing Committee

Monday, October 7, 2024

Page 6 of 14

2) Requirements of the City of Windsor – Engineering Department (subject to the approval of the City Engineer), City of Windsor – Parks Development, in Appendix E of Report S 131/2024.

C. The Site Plan Approval Officer **CONSIDER** all other comments contained in Appendix E of Report S 131/2024 and all recommendations in the documents submitted in support of the application for an amendment to Zoning By-law 8600.

Carried.

Report Number: S 131/2024

Clerk's File: Z/14850

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 4:57 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 4:57 o'clock p.m.

8. ADOPTION OF THE MINUTES

None presented.

9. PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)

None presented.

10. HERITAGE ACT MATTERS

None presented.

11. ADMINISTRATIVE ITEMS

11.2. Economic Revitalization Community Improvement Plan (CIP) application submitted by Agri-Box Inc. for 3324 Marentette Avenue (Ward 9)

Stuart Miller, Consultant for applicant

Stuart Miller, Consultant for Applicant, appears before the Development & Heritage Standing Committee regarding the Administrative report dated September 12, 2024, entitled "Economic Revitalization Community Improvement Plan (CIP) application submitted by Agri-Box Inc. for 3324 Marentette Avenue (Ward 9)" and is available for questions.

Minutes

Development & Heritage Standing Committee

Monday, October 7, 2024

Page 7 of 14

Councillor Kieran McKenzie asks Mr. Miller how far along in the construction process they are and when the proposed operation will be launched. Mr. Miller indicates that the exterior portion of the building is in the permit stage, additional parking requests are ongoing and interior areas are moving along.

Councillor Kieran McKenzie asks Mr. Miller to comment on the mitigation of the existing drainage issues. Mr. Miller responds that sewer blockages have been mitigated and the consultants are in the process of seeking other recommendations for further mitigation as required.

Councillor Kieran McKenzie asks Mr. Miller to identify what type of processing will be done in the facility. Mr. Miller responds that there will be no food production done on site, it is just packaging and putting into containers.

Councillor Kieran McKenzie asks Mr. Miller to comment on possible challenges due to proximity to a residential area. Mr. Miller responds that they don't foresee any noise issues, as the operation is entirely inside the building aside from truck loading/unloading on Marentette.

Councillor Kieran McKenzie inquires whether there will be an opportunity to tour the facility upon completion. Mr. Miller will pass along the information to the owner.

Councillor Kieran McKenzie asks administration if there have been any concerns identified with respect to its proximity to sensitive land use. Greg Atkinson, Deputy City Planner – Development appears before the Development & Heritage Standing Committee regarding the Administrative report dated September 12, 2024, entitled "Economic Revitalization Community Improvement Plan (CIP) application submitted by Agri-Box Inc. for 3324 Marentette Avenue (Ward 9)" and indicates that the proposed use complies with the zoning by-law and that there are no identified concerns.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 661**

- I. THAT the request made by Agri-Box Inc. to participate in the Small Business Investment Grant Program **BE APPROVED** for 100% of the municipal portion of the tax increment resulting from the proposed development of eligible uses located at 3324 Marentette Avenue for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization Community Improvement Plan.
- II. THAT Administration **BE DIRECTED** to prepare an agreement between the City and Agri-Box Inc. 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 for content, the City Solicitor as to form, and the City Treasurer as to financial content.
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Small Business Investment Grant Agreement.

Minutes

Development & Heritage Standing Committee

Monday, October 7, 2024

Page 8 of 14

- IV. THAT the approval to participate in the Small Business Investment Grant Program **EXPIRE** if the grant agreement is not signed by the applicant within two years following Council approval.

Carried.

Report Number: S 124/2024

Clerk's File: SPL2024

11.8. Amendment to Sign By-law 250-04 for 9250 Tecumseh Rd E, File No. SGN-002/24 (BILLBOARD) - Ward #7

Scott Stover & Nathan Jankowski, Leasing Representatives, Pattison Outdoor Advertising

Scott Stover and Nathan Jankowski, Leasing Representatives for Pattison Outdoor Advertising, appear before Council regarding the administrative report dated August 27, 2024, entitled, "Amendment to Sign By-law 250-04 for 9250 Tecumseh Rd E, File No. SGN-002/24 (BILLBOARD) – Ward #7" and are available for questions.

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 667**

- I. THAT the application for a Site Specific Amendment to By-law 250-2004 (the "Sign By-law"), to allow for the installation of an Electronic Changing Copy Ground Sign at 9250 Tecumseh Road East, **BE APPROVED**;
- II. THAT Schedule "E" – "Special Provisions for Individual Signs" of the Sign By-law **BE AMENDED** by adding the following as a new section E. 23:

E. 23 Despite the provisions of this By-law, that an Electronic Changing Copy Sign, may be constructed at 9250 Tecumseh Road East situated on the north side of Tecumseh Road East, and immediately south of the Little River Corridor, subject to the following conditions:

- a. That the sign does not include flashing illumination, and that changing of the advertisement does not occur at intervals of less than 10 seconds;
- b. That the manufacturer of the sign confirm compliance with the lighting restrictions in accordance with Section 3 for Electronic Changing Copy Signs;
- c. That the sign does not have any animation including scrolling letters, television or video message, or any moving sign message objects;
- d. That the owner complies with the illumination regulations in subsection 3.3.1.(c) of this By-law, and that the brightness of the sign be automatically controlled with an ambient light photo-sensor; and
- e. That the sign may only be illuminated between the hours of 7am and 11pm.

Minutes

Development & Heritage Standing Committee

Monday, October 7, 2024

Page 9 of 14

- III. THAT the Chief Building Official **BE DIRECTED** to require, as a condition of approval of the installation of an Electronic Changing Copy Ground Sign at 9250 Tecumseh Road East, Pattison Outdoor Advertising apply for a Permit for Demolition to remove an existing quad-faced billboard ground sign located at 3124 Jefferson Avenue.; and,
- IV. THAT the City Solicitor **BE DIRECTED** to prepare the by-law to amend the Sign By-law.

Carried.

Report Number: S 111/2024
Clerk's File: SPL2024

11.1. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Farhi Holdings Corporation for 0 Riverside Drive West at Janette Avenue (Ward 3)

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 660**

- I. THAT the request made by Farhi Holdings Corporation to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a Phase II Environmental Site Assessment Study and Remedial Work Plan for the property located at 0 Riverside Drive West at Janette Avenue pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,
- II. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$17,100 based upon the completion and submission of a Phase II Environmental Site Assessment Study and Remedial Work Plan completed in a form acceptable to the City Planner and City Solicitor; and,
- III. THAT the grant funds in the amount of \$17,100 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003) when the eligible work is completed to the satisfaction of the City Planner; and,
- IV. THAT should the Phase II Environmental Site Assessment Study and Remedial Work Plan not be completed within two (2) years of Council approval, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.

Carried.

Report Number: S 123/2024
Clerk's File: Z/14427

Minutes

Development & Heritage Standing Committee
Monday, October 7, 2024

Page 10 of 14

11.3. Amendment to CR58/2021, as amended by CR285/2023 for Closure of east/west alley located between Matthew Brady Boulevard and east limit of 7730 St. Rose Avenue, Ward 6, SAA-5947

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 662**

- I. THAT CR58/2021, adopted on February 1, 2021, as amended by CR285/2023, adopted on July 10, 2023, **BE AMENDED** as follows:

By **DELETING** the following from Resolution IV in its entirety:

“, subject to the following:

- a. Easement, subject to there being accepted in the City’s standard form and in accordance with the City’s standard practice, be granted to:
 - i. Owner of the property known municipally as 7720 St. Rose Avenue (legally described as Lot 50, Plan 1181) to enter, construct, maintain, inspect, alter, repair, remove, replace, reconstruct and enlarge the existing private sanitary sewer; and
 - ii. Owner of the property known municipally as 7730 St. Rose Avenue (legally described as Lot 49, Plan 1181) to enter, construct, maintain, inspect, alter, repair, remove, replace, reconstruct and enlarge the existing private sanitary sewer.”

Carried.

Report Number: S 117/2024

Clerk’s File: SAA2024

11.4. Amendment to CR419/2023 for Closure of east/west alley between Dieppe Street and Genevieve Avenue, Ward 6, SAA-6844

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Kieran McKenzie

Minutes

Development & Heritage Standing Committee Monday, October 7, 2024

Page 11 of 14

Decision Number: **DHSC 663**

- I. THAT CR419/2023, adopted on October 16, 2023, **BE AMENDED** as follows:

By **DELETING** the following from Resolution V:

“, subject to the following:

- a. Easement over that portion of the subject east/west alley abutting 8415 Riverside Drive East, subject to there being accepted in the City’s standard form and in accordance with the City’s standard practice, be granted to:
 - i. The owner of 8415 Riverside Drive East for access to maintain their hedgerow bordering the said portion of the subject east/west alley.”

Carried.

Report Number: S 118/2024
Clerk’s File: SAA2024

11.5. Amendment to CR437/2023 for Closure of north/south alley located between Taylor Avenue and 1124-1224 Campbell Avenue, Ward 2, SAA-6848

Moved by: Councillor Mark McKenzie
Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 664**

- I. THAT CR437/2023, adopted on October 30, 2023, **BE AMENDED** by **DELETING** subsection b) of Resolution II in its entirety.

Carried.

Report Number: S 119/2024
Clerk’s File: SAA2024

11.6. Amendment to CR26/2024 for Conveyance of north/south alley located between Closed Manitoba Street right-of-way and 1954 Huron Church Road, Ward 10, Closed by Judge’s Order No. 2970/87

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

Decision Number: **DHSC 665**

- I. THAT CR26/2024, adopted on January 15, 2024, **BE AMENDED** by **DELETING** subparagraphs ii), iii) and iv) under subsection a) of Resolution I in their entirety.

Minutes

Development & Heritage Standing Committee Monday, October 7, 2024

Page 12 of 14

Carried.

Report Number: S 120/2024
Clerk's File: SAA2024

11.10. Amendment to CR372/2023 for Closure of north/south alley located between Algonquin Street and 1429 Randolph Avenue, Ward 10, SAA-7025

Moved by: Councillor Mark McKenzie
Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 669**

- I. THAT CR372/2023, adopted on September 5, 2023, **BE AMENDED** by **DELETING** subsection b) of Resolution II in its entirety.

Carried.

Report Number: S 132/2024
Clerk's File: SAA2024

11.7. Closure of east/west alley located between Alexis Road and Chandler Road, Ward 5, SAA-7197

Moved by: Councillor Fred Francis
Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 666**

- I. THAT the 5.59-metre-wide east/west alley located between Alexis Road and Chandler Road, and shown on Drawing No. CC-1851 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure.
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in **as is condition** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
 - i. Bell Canada to accommodate existing aboveground infrastructure;
 - ii. Cogeco Connexion Inc. to accommodate existing aboveground infrastructure;
 - iii. ENWIN Utilities Ltd. to accommodate the existing overhead hydro distribution;
 - iv. Managed Network System Inc. (MNSi.) to accommodate existing aboveground infrastructure;
 - v. The Corporation of the City of Windsor to accommodate existing 250-millimetre PVC sanitary sewer.

Minutes

Development & Heritage Standing Committee

Monday, October 7, 2024

Page 13 of 14

-
- III. THAT Conveyance Cost **BE SET** as follows:
- a. For alley conveyed to abutting lands zoned CD2.1, \$20.00 per square foot without easements plus HST (if applicable) and \$10.00 per square foot with easements plus HST (if applicable).
 - b. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable) and deed preparation fee.
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1851.
- 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 Carried.

Report Number: S 121/2024
Clerk's File: SAA2024

11.9. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Rykka Care Centres LP for 0 Hanna St (Ward 3)

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 668**

- I. THAT the request made by Rykka Care Centres LP to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study and Remedial Work Plan for the property located at 0 Hanna St E (north of 600 Tecumseh Rd E) pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan.
- II. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$25,000 based upon the completion and submission of a Phase II Environmental Site Assessment Study and Remedial Work Plan completed in a form acceptable to the City Planner and City Solicitor.
- III. THAT the grant funds in the amount of \$25,000 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003) when the eligible work is completed to the satisfaction of the City Planner.

Minutes

Development & Heritage Standing Committee

Monday, October 7, 2024

Page 14 of 14

IV. THAT should the proposed Phase II Environmental Site Assessment Study and Remedial Work Plan not be completed within two (2) years of Council approval, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.

Carried.

Report Number: S 129/2024

Clerk's File: SPL2024

12. COMMITTEE MATTERS

None presented.

13. QUESTION PERIOD

None registered.

14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Matters) is adjourned at 5:09 o'clock p.m. The next meeting of the Development & Heritage Standing Committee will be held on November 4, 2024.

Carried.

Ward 10 – Councillor Jim Morrison
(Chairperson)

Deputy City Clerk / Supervisor of
Council Services



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

Date: Monday, October 7, 2024

Time: 4:30 o'clock p.m.

Members Present:

Councillors

Ward 1 - Councillor Fred Francis
Ward 4 - Councillor Mark McKenzie
Ward 7 - Councillor Angelo Marignani
Ward 9 - Councillor Kieran McKenzie
Ward 10 - Councillor Jim Morrison (Chairperson)

Members

Member Anthony Arbour
Member Daniel Grenier
Member Robert Polewski

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Rob Martini, Council Services

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Jelena Payne, Commissioner, Economic Development
Neil Robertson, City Planner
Greg Atkinson, Deputy City Planner – Development
Jason Campigotto, Deputy City Planner – Growth
Aaron Farough, Senior Legal Council
Emilie Dunnigan, Manager, Development Reserve & Financial Administration
Kevin Alexander, Planner III – Special Projects
Simona Simion, Planner III – Economic Development
Tracy Tang, Planner III – Economic Development
Brian Nagata, Planner II – Development Review
Elara Mehrilou, Transportation Planner I
Robert Perissinotti, Development Engineer

Minutes

Development & Heritage Standing Committee Monday, October 7, 2024

Page 2 of 8

Natasha McMullin, Clerk Steno Senior
Anna Ciacelli, Deputy City Clerk

Delegations—participating via video conference

Item 7.1 – Tracey Pillon-Abbs, RPP Principal Planner
Item 7.2 – Lana Talbot, area resident

Delegations—participating in person

Item 7.2 – Jackie Lassaline, Lassaline Planning Consultants
Item 7.2 – Mariusz Buchcic, Alta Nota Construction
Item 11.2 – Stuart Miller, Consultant for applicant
Item 11.8 – Scott Stover & Nathan Jankowski, Pattison Outdoor Advertising

1. CALL TO ORDER

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:30 o'clock p.m.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Member Daniel Grenier discloses an interest and abstains from voting on Item 7.1 being “Zoning By-law Amendment Application for 4461 Wyandotte Street East, Z-023/24 [ZNG-7221]], Ward 5” as his company has hired the planner on record for the application for one of their projects.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

4. COMMUNICATIONS

None presented.

5. ADOPTION OF THE *PLANNING ACT* MINUTES

5.1. Adoption of the Development & Heritage Standing Committee minutes (*Planning Act*) of its meeting held September 3, 2024

Moved by: Councillor Angelo Marignani
Seconded by: Councillor Mark McKenzie

Minutes

Development & Heritage Standing Committee

Monday, October 7, 2024

Page 3 of 8

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held September 3, 2024 **BE ADOPTED** as presented.

Carried

Report Number: SCM 289/2024

7. PLANNING ACT MATTERS

7.1. Zoning By-law Amendment Application for 4461 Wyandotte Street East, Z-023/24 [ZNG-7221], Ward 5

Brian Nagata (author), Planner II – Development Review, is available for questions.

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

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 658**

- I. THAT Zoning By-law 8600 **BE AMENDED** for the lands located on the south side of Wyandotte Street East between Jos Janisse Avenue and Ellrose Avenue, described as Lot 27, Plan 1492, PIN No. 01097-1316 LT, by adding a site specific provision to permit *One Semi-Detached Dwelling*, subject to the following additional regulations:

513. SOUTH SIDE OF WYANDOTTE STREET EAST BETWEEN JOS JANISSE AVENUE AND ELLROSE AVENUE

- (1) For the lands comprising of Lot 27, Plan 1492, PIN No. 01097-1316 LT, a *Semi-Detached Dwelling* shall be subject to the following additional provisions:

1. Notwithstanding Section 11.2.5.2.1, the minimum lot width shall be 13.7 metres.
2. Notwithstanding Section 11.2.5.2.10, the maximum gross floor area for a main building shall be 851.6 m².
[ZDM 10; ZNG/7221]

- II. THAT the holding (H) symbol **SHALL APPLY** to the lands located on the south side of Wyandotte Street East between Jos Janisse Avenue and Ellrose Avenue, described as Lot 27, Plan 1492, PIN No. 01097-1316 LT and that Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following clause to Section 95.20:

- (11) a) Gratuitously convey to the Corporation of the City of Windsor, a 1.50-metre-wide strip of land along the Wyandotte Street East frontage of the subject lands to the satisfaction of the City Engineer.

Minutes

Development & Heritage Standing Committee

Monday, October 7, 2024

Page 4 of 8

-
- b) Submission of a Revised Stormwater Management Plan in accordance with the Windsor Essex Region Stormwater Management Standards Manual to the satisfaction of the City Engineer.

[ZDM 10; ZNG/7221]

Carried.

Member Daniel Grenier discloses an interest and abstains from voting on this matter.

Report Number: S 113/2024

Clerk's File: Z/14832

7.2. Zoning By-Law Amendment Z001-24 (ZNG/7164) - Alta Nota Construction – 0 Windsor Ave & 1140 Goyeau St, Ward 3

Diana Radulescu (author), Planner II – Development Review, presents application.

Jackie Lassaline (agent) and Mariusz Buchcic (applicant) are available for questions.

Lana Talbot (area resident) has concerns of increased traffic, limited parking availability on Windsor Avenue and the location of an apartment building within an area of single family homes.

Councillor Marignani inquires about other parking facilities in the area to accommodate parking for the hospital which is being reduced by this development. Jackie Lassaline states that the private parking lot is rented by the hospital and typically empty but is not associated with the hospital. Ms. Lassaline states that there is no access from Windsor Avenue from the parking lot and will not be any added traffic to the street.

Councillor Marignani inquires with Administration if there are any City parking lots in the area besides the City right-of-way on the road or if the hospital has their own parking lots. Chris Gerardi states that the hospital does have its own parking areas and parking garage and is unaware of any City of Windsor parking in the area. Diana Radulescu states that the development is proposing additional parking above what is required from the by-law.

Councillor Marignani inquires if there are any areas for parking surrounding the development within 100-200 meters that can take the overflow of vehicles for what normally would have parked in the existing parking lot. Mr. Gerardi states that he believes that there are some privately owned paid-parking lots for public use in the area and cannot comment on the capacity during peak times but the proponent has stated that the subject lots are not widely used.

Councillor Marginani inquires about plans for infrastructure of electric vehicle charging stations within the parking plan. Ms. Lassaline states that accommodation for electric vehicle charging stations will be examined.

Minutes

Development & Heritage Standing Committee

Monday, October 7, 2024

Page 5 of 8

Councillor Kieran McKenzie inquires whether the two lots will remain two separate addresses. Ms. Radulescu states that is correct.

Councillor McKenzie inquires whether this is common and if it creates a logistical challenge to combine the lots into one or what is the rationale behind keeping the lots separate. Greg Atkinson states the properties are two distinct parcels and would retain separate addresses due to the public alley bisecting the properties being used by area residents for access and cannot be closed. Mr. Atkinson states that this is common and no different than other developments that have offsite parking which have been presented to the Committee in the past.

Councillor Kieran McKenzie inquires whether the alley will be refurbished and funded by the developer. Rob Perissinotti states this is correct and that the Public Works Department has requested for the alley to be repaved along the frontage of the two properties, and during the Site Plan Control process safety measures will be reviewed for pedestrian and vehicle crossings.

Councillor Kieran McKenzie inquires whether there will be ingress/egress off the alley from both sides. Mr. Perissinotti states that the alley continues from Giles Boulevard to Erie Street and the bulk of traffic will likely come from Giles Boulevard.

Councillor McKenzie inquires if the entire alley will be paved. Mr. Perissinotti states that only paving along the property frontage can be requested and the alley has been recently repaved during 2017-2020 and currently is in great condition. Councillor McKenzie inquires if once repaved would it return to being a City responsibility. Mr. Perissinotti agrees and states that any damage incurred by the Developer during construction will also be their responsibility to repair.

Councillor McKenzie inquires whether the access to the parking lot will come from the alley. Mr. Gerardi states that the Site Plan indicates access from Windsor Avenue and the alley. Councillor McKenzie asks for additional clarification about vehicular access. Mr. Gerardi states that the final layout will be determined during Site Plan Control and the current recommendation is to give access onto Windsor Avenue from a traffic management and flow perspective.

Councillor McKenzie inquires whether the analysis of the impact on Windsor Avenue is sufficient to handle the anticipated traffic volume from this development. Mr. Gerardi states that the anticipated traffic impact would be minimal.

Councillor McKenzie inquires about ingress/egress access from the alley on both the North and South sides of the parking lot. Mr. Gerardi states that this is what is indicated in the Site Plan and will be subject to Site Plan Control approval for further alterations.

Member Daniel Grenier clarifies if there will be access from Windsor Avenue. Ms. Lassaline states that she was not aware that the development would be given access from Windsor Avenue and that access would come from the alley.

Minutes

Development & Heritage Standing Committee

Monday, October 7, 2024

Page 6 of 8

Member Grenier inquires what will be proposed to create a barrier on Windsor Avenue. Ms. Lassaline states that landscaping and a six-foot-high fence will be installed and designed in the Site Plan Control process.

Chair Jim Morrison states that this is a good infill project on a long-time vacant property, and the excess parking proposed by the applicant should not create overflow parking onto the streets and neighbourhood.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 659**

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 46 to 51, Plan 447 (identified as Lot 1A on Appendix A to Report S 131/2024 and known municipally as 0 Windsor Avenue) from Commercial District 1.5 (CD1.5) to Commercial District 1.7 (CD1.7).
- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lot 183 and Part of Lot 182, Plan 1303 (identified as Lot 1B on Appendix A to Report S 131/2024 and known municipally as 1140 Goyeau Street) from Commercial District 1.5 (CD1.5) to Residential District 3.3 (RD3.3).
- III. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by deleting and replacing Section 20(1)52 as follows:

52. **EAST SIDE OF GOYEAU STREET AND WEST SIDE OF WINDSOR AVENUE, NORTH OF GILES BOULEVARD EAST**

- A. For the lands comprising of LOT 46 TO LOT 51, PLAN 447 for an existing parking area, the following additional provisions shall apply:
 - 1) Section 25.5.10.3 shall not apply.
 - 2) Section 25.5.20 shall not apply.
 - 3) Section 25.5.40.6 and 25.5.40.7 shall not apply.
 - 4) Notwithstanding Section 25.5.50, the minimum *parking aisle* width shall be as existing.
- B. For the lands comprising of LOT 183 & PT LOT 182, PLAN 1303, the following additional provisions shall apply:
 - 1) Lot Area – minimum 1,728 m²
 - 2) Lot Coverage – maximum 43.5%

Minutes

Development & Heritage Standing Committee

Monday, October 7, 2024

Page 7 of 8

- 3) Main Building height – maximum 24.0 m
- 4) Landscaped Open Space Yard – minimum 28%
- 5) Section 12.3.5.13 shall not apply
- 6) All required *parking spaces* (excluding accessible parking spaces and *loading spaces*) shall be located entirely on LOT 46 TO LOT 51, PLAN 447.
- 7) Notwithstanding Section 25.5.20.1.6, where a *building* is located on the same *lot* as the *parking area*, for that portion of a *building* wall not containing a *habitable room window* within 4.0 m of the *ground*, the minimum parking area separation from that portion of the *building* wall shall be 3.1 m.

(ZDM 7)

IV. THAT, when Site Plan Control is applicable:

- A. Prior to the submission of an application for site plan approval, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer:
 - 1) Those documents submitted in support of the application for amendment to the Zoning By-law 8600 **BE UPDATED** to reflect the site plan for which approval is being sought, and any comments from municipal departments and external agencies included in Appendix E to Report S 131/2024.
- B. The Site Plan Approval Officer **BE DIRECTED** to incorporate the following, subject to any updated information, into an approved site plan and an executed and registered site plan agreement:
 - 1) Vibration Impact Assessment as requested by the City of Windsor Heritage Planner in Appendix E to Report S 131/2024.
 - 2) Requirements of the City of Windsor – Engineering Department (subject to the approval of the City Engineer), City of Windsor – Parks Development, in Appendix E of Report S 131/2024.
- C. The Site Plan Approval Officer **CONSIDER** all other comments contained in Appendix E of Report S 131/2024 and all recommendations in the documents submitted in support of the application for an amendment to Zoning By-law 8600.

Carried.

Report Number: S 131/2024
Clerk's File: Z/14850

Minutes

Development & Heritage Standing Committee

Monday, October 7, 2024

Page 8 of 8

8. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 4:57 o'clock p.m.

Ward 10 – Councillor Jim Morrison
(Chairperson)

Deputy City Clerk / Supervisor of Council
Services