



THE TOWN OF WINDSOR
DEPARTMENT OF PLANNING & DEVELOPMENT

STAFF REPORT

TO – TOWN COUNCIL

FROM – DEPARTMENT OF PLANNING & DEVELOPMENT

SUBJECT – WATERFRONT REDEVELOPMENT - PLAN AMENDMENTS

DATE – May 28, 2019 (1st Reading consideration)

ORIGIN

Staff have been moving forward with direction provided by Council regarding redevelopment of the Windsor Wear Factory Outlet Site at 6 Water Street (PID 45059839) and surrounding lands (see Figure 1 – in Attachment 1) through strategic plan amendments to enable an investment-ready area on the Windsor Waterfront.

Direction from Council in the Spring of 2018 included:

1. To direct Staff to begin necessary Municipal Planning Strategy and Land Use By-law amendments to create an investment-ready Windsor waterfront area.

On April 17, 2019 a Public Participation Meeting was held on the amendments and after discussion, the Planning Advisory Committee moved the amendments on to Council for consideration of 1st Reading.

This report builds on the work-to-date and specifically provides further information and updates to the amendments based on issues raised at the Public Participation Meeting. An updated amendment package is included as Attachment 1.

RECOMMENDATION

That Council give first reading to the Municipal Planning Strategy and Land Use By-law amendments and advertise for a Public Hearing, subject to:

- Non-substantive, administrative edits, and formatting (consistent with the current Windsor Planning documents) take place and that this version be advertised for the Public Hearing;
- Consultation take place with the West Hants Planning department; and
- Any other changes or interim steps, as directed by Council.

PLAN AMENDMENT PROCESS TO-DATE AND NEXT STEPS

1. February 13, 2019 – **Plan Amendment Initiation/Introduction** and Feedback from PAC

- Staff and a Planning Consultant outlined potential Amendment approaches and received initial feedback from the PAC and Council.
- 2. March 6, 2019 – **PAC discussion on draft amendments**
 - Discussion held with the PAC on a draft version of the amendments with direction provided by PAC to further refine the amendments and proceed with a Public Participation meeting.
- 3. April 17, 2019 – **Public Participation Meeting and Consideration by the PAC to Council**
 - The PAC hosted a Public Participation Meeting to receive input on the draft amendments
 - PAC to made a recommendation on to Council that the issues raised in at the PPM
- 4. May 28, 2019 – **1st Reading by Council**
 - Council would consider the amendments and give First Reading to the proposed amendments. Advertising would then be placed for a Public Hearing.
 - o If Council wants additional changes to the amendments or other interim steps taken before a Public Hearing is held, direction can be provided to do so.
- 5. Date TBD - **Public Hearing**
 - A Public Hearing would be held where stakeholders, residents, etc could address Council directly on the proposed amendments
- 6. Date TBD - **2nd Reading/Adoption of Amendments**
 - Amendments would be approved and forwarded for Provincial/Ministerial approval and inclusion in the Town’s planning documents.

It is important to note that this process started in 2016 with the initiation of the Expressions of Interest for the town-owned waterfront development parcel (6 Water Street - PID 45059839). Plan amendments to better enable development on this site/wider area have been a focus of this work from the beginning. The attachments to this report provide additional background and context.

BACKGROUND

Proposed Amendments (see Attachment 1)

Staff and Ekistics Planning + Design (consultant) have now held 3 sessions with the Town’s Planning Advisory Committee and held a Public Participation meeting. The amendments included as Attachment 1 are a reflection of this discussion and guidance from the Town’s PAC.

Key Issues from Public Participation Meeting

Since the Public Participation Meeting, Staff have met with both Parsons Green Developments and another Developer interested in the Dufferin Building property.

Issue	Further Information
Access to the Dufferin Property	Concern was raised over ownership to the former rail line parcel that runs in front of the Dufferin Building and has been used as a portion of Water Street for many years. The updated amendments address this issue on page 13 of Attachment 1 (Figure 8 and Policy 16(13)). The triangle portion

	<p>of land has been identified as an urban park and could act as a dedicated downtown gateway.</p>
Addressing the potential sale of the Dufferin Building	<p>The primary issue was access and frontage. A Developer has begun due diligence on the site and Staff met with them to discuss building height, commercial requirements, parking and access.</p>
Viewplanes from Fort Edward	<p>The frontage along Upper Water Street is approximately 14m and drops off to 6m (above sea level) in the area next to the Dufferin Building and 6 Water Street. This is the highest possible elevation of a building where 1-2 stories would be into the slope along Upper Water Street (underground parking) and the remainder 3-4 stories fronting Upper Water Street at a higher elevation.</p> <p>Fort Edward is at approximately 28m above sea level. This is a 46' (14m) difference in elevation.</p> <p>Council may want to consider an overall max building elevation, above sea level for the buildings being considered along the higher portion of Upper Water Street. The remainder of the site should pose no issue to the views from Fort Edward given the lower elevation.</p>
Farmer's Market Comments	<p>A representative from the Farmer's Market spoke at the meeting and wondered if a place exists for them in this area.</p> <p>Council may want to consider the Farmer's Market in the Coach House building as a complementary use to an active waterfront.</p>
Clarifying the boundary of the amendments	<p>Figure 1 (page 4) in Attachment 1 has reconciled the boundary of the amendment area for the Waterfront Development District. All other Figures should now be consistent with this.</p>
Requests for extending the boundary of the amendments	<p>2 adjacent property owners (Issam Kadray and Lisa's Café) showed interest in the proposed WDD zoning being applied to their lands.</p> <p>Mr. Kadray's property is across Upper Water Street and is disjointed from the proposed amendment area. Staff would not recommend a 1-off for this site that has development rights that enable a wide range of uses in the Town Centre Zone.</p>

	The Lisa's Café property could be considered, as the discretion of Council.
Bonusing Criteria	Staff have updated the bonusing criteria – see page 9 of Attachment 1. Council may want to consider A defined criteria around Affordable Housing for a single additional storey and allow for consideration by Development Agreement, and a negotiation of public benefit, if the full 6 storeys is being sought.
Commercial Requirement	Commercial Requirements have been updated – see page 8, Figure 5 of Attachment 1.
Parking Requirements	The requirement for underground parking has been amended – see page 12 and 13, Figure 7 of Attachment 1. Surface parking has been enabled for the area based on discussions with potential Developers and comments at the Public Participation meeting.
Canoe Club Open Space / waterfront area	Development has been restricted in this area based on a required setback from the water. The Town also owns all of this property and would have to consent to any development activity.
Open Space and Trails	Page 13, Figure 8 of Attachment 1 has addressed trail connectivity

CONCLUSION

Change is a process. Continuing to work toward an enhanced waterfront in the Town is a tremendous opportunity to:

- Action and further refine the Waterfront Action Plan and work of the former Waterfront Committee
- Support aspirations pertaining to the downtown and waterfront in Council's Strategic Plan
- Support recommendations of the ICSP
- Create an investment-ready climate to support needed residential development that can support downtown business, walkability and overall vibrancy.

REFERENCES AND ATTACHMENTS

1. Draft Municipal Planning Strategy and Land Use By-law Amendments
2. April 17, 2019 PAC Staff Report

3. April 18, 2018 PAC Staff Report and Attachments:
 - a. Waterfront Expressions of Interest
 - b. Executed Memorandum of Understanding
 - i. Proposal from Parsons Green Developments Ltd.
 - c. Windsor Waterfront Action Plan
 - d. January 18, 2018 Recommendation Report outlining work-to-date by PGD