

**THE CORPORATION OF THE CITY OF WINDSOR  
Public Works - Building and Development Department**



**MISSION STATEMENT:**

*"The City of Windsor, with the involvement of its citizens, will deliver effective and responsive municipal services, and will mobilize innovative community partnerships"*

<b>LiveLink REPORT #: 13008 Z/8581</b>	<b>Report Date: August 30, 2007</b>
<b>Author's Name: Wm. Jean, P. Eng.</b>	<b>Date to Council: September 17, 2007</b>
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**TO: Mayor and Members of City Council**

**SUBJECT: 3839 Sandwich Street - Request for Exemption from Demolition Control By-law and Interim Control By-law for the Olde Sandwich Towne Community Planning Study Area**

**1. RECOMMENDATION: City Wide: \_\_\_\_\_ Ward 2**

That the request by Mr. Norm Wilson, Owner, to demolish the existing accessory garage and construct a new garage at the rear of 3839 Sandwich Street **BE DENIED.**

**EXECUTIVE SUMMARY:**

N/A

**2. BACKGROUND:**

On February 28, 2005, Windsor City Council requested the Planning Department to undertake a planning study for lands located west of the Ambassador Bridge. On October 30, 2006, Council adopted the Olde Sandwich Towne Community Planning Study as the municipality's guide for future planning, capital budgeting and community improvement efforts in Sandwich.

On January 29, 2007, Council passed Interim Control By-law 19-2007 to prohibit certain uses of land and buildings in an area in the City of Windsor as outlined in the By-law, exclusive of any lands forming part of a railway right-of-way.

Furthermore, on January 29, 2007, By-law 20-2007, a Demolition Control By-law was passed to ensure that actions are not taken within the Olde Sandwich Towne Community Planning Study Area, such as demolition of buildings, which could have the effect of

destabilizing its inherent features, the community, and the functions and characteristics of existing buildings.

### **3. DISCUSSION:**

By-law 19-2007, passed January 29, 2007, imposes interim control on uses of land located with the Olde Sandwich Towne Community Planning Study Area. While this By-law is in effect, unless Council provides an exemption, no building permits can be issued in the Study Area.

The site at 3839 Sandwich Street is currently zoned MD1.4 under Zoning Bylaw 8600. The existing homes along this block of Sandwich Street are legally non-conforming uses. Any new buildings, either a main building or an accessory building such as the one proposed will require an amendment to the Zoning Bylaw. If the owner wishes to add onto the existing garage approval thorough the City's Committee of Adjustment will be required. Therefore even if Council wished to exempt this property from the Interim Control Bylaw, further approvals would still be needed unless the owners build a building for a use permitted in the MD1.4 zoning district.

### **4. FINANCIAL MATTERS:**

N/A

### **5. COMMUNITY STRATEGIC PLAN**

CSP objectives:

to provide for the safety and protection of all residents, visitors and property;  
to enable the development of strong, cohesive and attractive neighbourhoods and  
preserve local heritage, and  
to develop a vibrant and sustainable economy

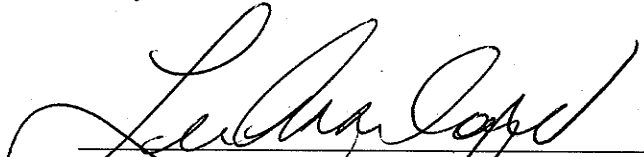
are the key objectives identified by the Community Task Force, as set out in the Olde Sandwich Towne Community Planning Study.

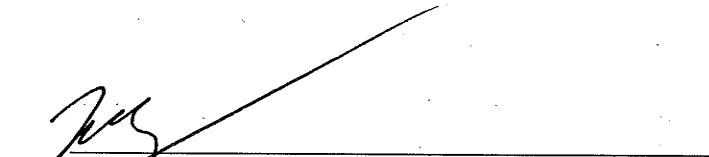
### **6. CONSULTATIONS:**


Mark Galvin, Corporate Projects  
Thom Hunt, Planning Department  
Wira Vendrasco, Legal Services  
LeeAnne Doyle, Building & Development Department

**7. CONCLUSION:**

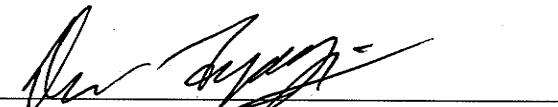
The adoption of interim control and demolition control by-laws is an important prerequisite to the completion of a viable Sandwich Community Improvement Plan. These by-laws ensure that no actions will be taken that could potentially have the negative effect of destabilizing neighbourhoods or key components and characteristics of the community. Therefore, it is recommended that the application to demolish the garage and reconstruct a new garage be denied. The owner should wait until the completion of the Community Improvement Plan and incorporate any recommendations that the plan may have.

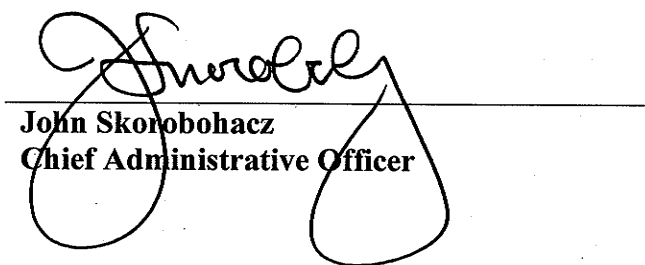
  
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**Lee Anne Doyle, MPA, MCIP, RPP**  
**Acting Executive Director**  
**Building & Development Department**

  
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**Mario Sonego, P. Eng.**  
**City Engineer/Chief Building Official**

  
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**George Wilkki, P. Eng.**  
**City Solicitor**

  
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**Thom Hunt, MCIP, RPP**  
**Acting City Planner**

  
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**Dev Tyagi, P. Eng.**  
**General Manager, Public Works**

  
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**John Skorobohacz**  
**Chief Administrative Officer**

WJ/ke

**APPENDICES:**  
N/A

**DEPARTMENTS/OTHERS CONSULTED:**  
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Name: George Wilkki, Legal Services  
Phone #: 519-255-6100 ext. 6424  
Name: Mark Galvin, Corporate Projects  
Phone #: 529-255-6100 ext 1733

**NOTIFICATION :**

Name	Address	Email Address	Telephone	FAX
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