

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"

LiveLink REPORT #: 12765 Z/8591	Report Date: March 27, 2007
Author's Name: Wm. Jean, P. Eng.	Date to Council: May 28, 2007
Author's Phone: 519 255-6267 ext. 6459	Classification #: Administrative
Author's E-mail: bjean@city.windsor.on.ca	

TO: Mayor and Members of City Council

SUBJECT: 686, 718, 738, 750, 778 and 784 Indian Road– Request 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(s): 2

That the applications by 608621 Ontario Inc., Owner, to demolish the houses at 686, 718, 738, 750, 778 and 784 Indian Road **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.

On March 19, 2007, the Building and Development Department received six applications to demolish houses at 686, 718, 738, 750, 778 and 784 Indian Road. Attached with the applications were two reports regarding the historic and architectural significance of the houses and the condition of the houses. These reports are included as Appendix A.

3. DISCUSSION:

Through Demolition Control By-law 20-2007, Council shall issue a demolition permit where a building permit has been issued to erect a new building on the site of the residential property sought to be demolished. The Bylaw further states that the new building must be completed by a date not less than two years after the issuance of the building permit. On the failure to complete the new building within the two year period, the Clerk shall be entitled to enter on the collectors roll, to be collected in a like manner as municipal taxes, the sum of \$20,000.00 for each dwelling unit contained on the residential property and such sum shall, until payment thereof, be a lien upon the land.

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 permit can be issued in the Study Area.

For these particular houses, there has been no redevelopment plan proposed. No building permit for new construction has been applied for. Section 5 of the Demolition Control By-law 20-2007 provides that before a demolition permit is issued in the Olde Sandwich Towne Community Planning Area, a building permit must be issued to erect a new building on the site of the residential property sought to be demolished.

An inspection of the homes by the Building and Development Department found that, while the houses may be in need of some repair, they do not appear to be structurally unsound or not repairable.

City Planning staff have previously reported that houses on Indian Road, given their proximity to the University of Windsor Campus and status as rental housing, play an important role in providing accommodation for university students.

On April 23, 2007 the Detroit International Bridge Company sent a letter to the City (attached as Appendix B) in which it contends that demolition of the six homes was necessary in order to comply with the landscaping plan forming part of the August 2005 Site Plan Control Agreement for the Bridge Plaza on the west side of Huron Church Road, approved by CR 29/2006 (SPC-063/04).

Administration has reviewed the Site Plan Control Agreement and can confirm that demolition of these homes on Indian Road is not part of the Site Plan application for the Plaza, as approved by CR 29/2006, nor is demolition of homes mentioned as part of, or a requirement for a landscaping plan. The only requirement is for the planting of some trees in the rear yards of the homes on Indian to buffer them from the Bridge's retaining wall and structure. The removal of these homes is not required under the terms of the approved Site Plan Control Agreement.

Administration has not received an overall landscape plan submitted by the Detroit International Bridge Company. Administration recommends that the Planning Study for the Interim Control By-Law evaluate this option, as an integral component of this Study is to examine how the character of the Sandwich Planning Area will be affected.

4. FINANCIAL MATTERS:

N/A

5. COMMUNITY STRATEGIC PLAN

CSP objectives:

- i. to provide for the safety and protection of all residents, visitors and property;
 - ii. to enable the development of strong, cohesive and attractive neighbourhoods and preserve local heritage, and
 - iii. 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:

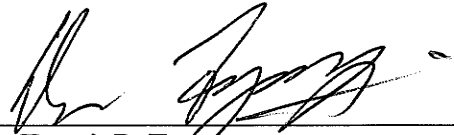
The adoption of interim control and demolition control by-laws is an important prerequisite to the completion of a viable Sandwich Community Improvement Plan. These by-laws ensure that no actions will be taken that could potentially have the negative effect of destabilizing neighbourhoods or key components and characteristics of the community. In this particular case, the demolition of the houses would have a negative impact on the neighbourhood. Therefore, it is recommended that the applications to demolish these house be denied.


Mario Sonego, P. Eng.
Chief Building Official

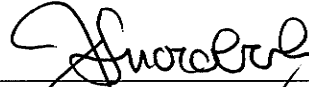

George Wilkki,
City Solicitor



Thom Hunt, MCIP RPP
Acting City Planner



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



John Skorobohacz
Chief Administrative Officer

WJ/ke

APPENDICES:

Appendix A: April 23, 2007 letter from Detroit International Bridge Company

DEPARTMENTS/OTHERS CONSULTED:

Name: Jim Yanchula, Acting City Planner

Phone #: 519-255-6543 ext. 6443

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
Gordon Wickham Danbury Property Management (Windsor) Inc.	5795 Tecumseh Road East		519-974-3003	519-974-6893
Dan Stamper Detroit International Bridge Company	PO Box 3266 Detroit Michigan 48232		(877) 680-6446	(586) 755-4899



APPENDIX A TO COUNCIL REPORT

Avalon Consulting Professionals of Ontario, LLC
48 Jarvis Street • Fort Erie, Ontario L2A 2S4 • Canada
Tel 905.991.1681 • Fax 905.991.1682 • www.avalon.ca

MEMORANDUM

RECEIVED
MAR 13 2007
BUILDING

Date: March 8, 2007

To: 608261 Ontario Inc./ Gagnon Demolition

From: Leigh Whyte, MCIP

Subject: House on Indian Road for Demolition

The following information is a summary of the research conducted on the six vacant houses that are scheduled for demolition. All of these houses are located on the east side of Indian Road between Mill Street and Wyandotte Street West. The demolition of at least six houses on the east side of Indian Road has already occurred. The City of Windsor issued permits for the demolition of the six houses without expressing concern about any possible historical or architectural significance.

The Ontario Ministry of Culture identifies real property cultural heritage resources as:

archaeological sites; buildings and structural remains of historical, architectural and contextual value; districts or landscapes of historic and scenic value in rural, village and urban contexts; places which hold significance because of sacred value or long traditional use.

We carefully analyzed the characteristics of each of these houses and concluded that no preservation was warranted nor are they eligible for designation as heritage properties. The Ontario Ministry of Culture database showed no designated heritage properties on Indian Road in the City of Windsor.

Avalon has reviewed orthophotography of the area from present dating back to the late 1960's. This photography indicates that the area was fully developed by 1970. Oblique angle aerial photography taken during the construction of the Ambassador Bridge in the late 1920s indicates that there were only three houses on the east side of Indian Road.

The architectural styles of the houses indicate that the majority are between 50 and 75 years of age. Generally, the houses are one to two story single-family homes with no architectural significance whatsoever. All of the houses scheduled for demolition are comparable to those previously removed on the east side of Indian Road. None of the houses to be demolished are associated with a historic event or warrant a historic properties designation.

The house at 686 Indian Road (Photos 1 & 2) is in a state of disrepair with some rot occurring on the wood door and window framing and the brickwork needing substantial repointing. There are no significant architectural features of a unique character or representation of a style of architecture warranting heritage properties designation.

The houses located at 718 (Photo 3), 738 (Photo 4), 750 (Photo 5), and 778 (Photo 6) are of a very common architectural style within the neighbourhood. The houses at 718, 738, and 778

"A Consortium of Professionals"

Indian Road to be demolished are architecturally similar to the former houses located at 678, 734, 638, and 630 Indian Road. The City of Windsor previously issued demolition permits for these houses (678, 734, 638, and 630 Indian Road) without raising any issues relating to their historical or architectural significance. None of these houses or any of the houses already demolished exhibit significant architectural features of a unique character or represent a style of architecture warranting heritage properties designation.

The house at 784 Indian Road (Photos 7 & 8) has some features such as exterior wood finishing and brick work that are in need of repair. This house does not exhibit significant architectural features of a unique character or representation of a style of architecture warranting heritage properties designation.

The houses subject to the demolition permits do not have any significant architectural features, nor do they have any unique characteristics, as a result the houses do not represent a style of architecture that would warrant any heritage designation.

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Copies to: File

Project No. 5049964



Photo 1: 686 Indian Road



Photo 2: 686 Indian Road

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Photo 3: 718 Indian Road



Photo 4: 738 Indian Road

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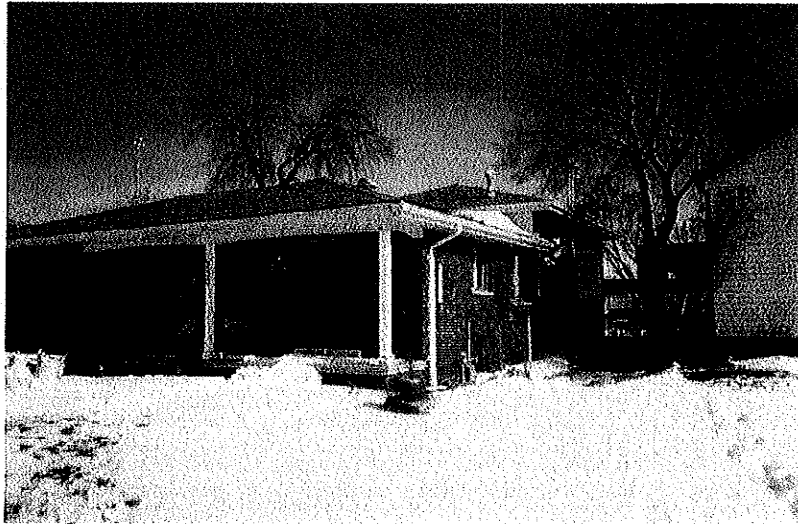


Photo 5: 750 Indian Road

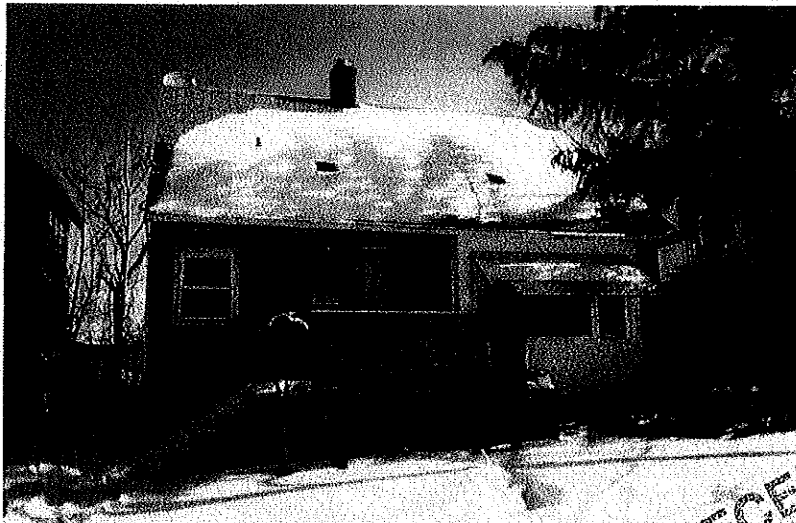


Photo 6: 778 Indian Road

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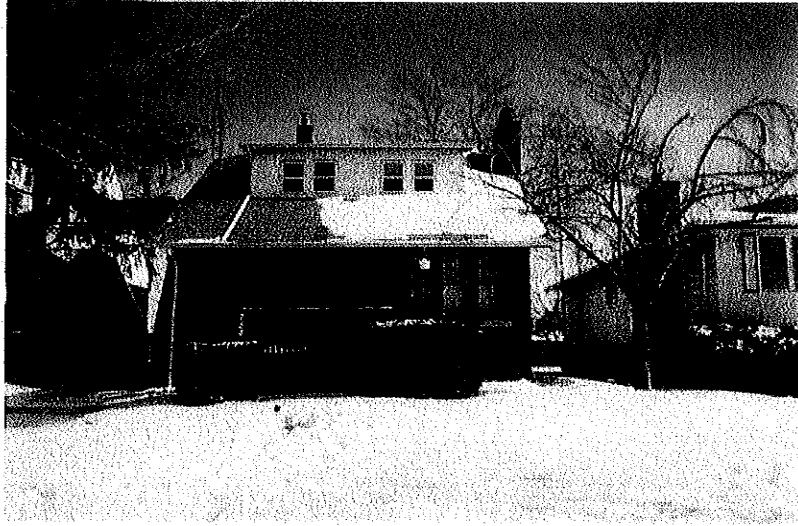


Photo 7: 784 Indian Road



Photo 8: 784 Indian Road

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MAR 19 2007
BUILDING DIVISION



DANBURY PROPERTY MANAGEMENT

5795 TECUMSEH RD. E., WINDSOR, ONTARIO N8T 1E1 P (519) 974-3003 F (519) 974-6893

dpm@telcom.net

February 20, 2007

Canadian Transit Corporation
12225 Stephens Road
Warren, MI 48089-2010

Attention: Todd White

Dear Mr. White:

**RE: DEMOLITION OF 319, 420, 440, 474, 686, 718, 738, 750, 760, 772, 778 AND 784
INDIAN ROAD**

We have been trying to lease the houses above and despite our efforts to lease these houses they are now vacant and in some cases have been vacant for more than six months.

None of the houses have had substantial work done to them over the life of their existence and as a result are in need of major repairs such as new roofs, flooring, major kitchen and bathroom work, window and sill replacement, wall repairs, furnace replacement, leakage in the basement and sewage issues. The leakage in the basement is causing mold issues and further damage to the structure. As well, each house requires plaster repairs and extensive painting throughout. The outside surface and structure of each house is also subject to numerous repairs, surface painting and re-pointing of brick work.

There are several homes with broken windows and the interiors of some of the houses have been vandalized. Copper and other materials have been removed by vandals. There are numerous windows and rotting windows sills and there is evidence of varmints within these homes.

In our opinion it is not a safe situation to allow these houses to stand empty due to their poor condition. The cost of repairing the houses would be substantial and not recoverable through rental income or resale. The houses are in a state of major disrepair. They are a negative influence on the neighbourhood and in our opinion should be demolished as soon as possible.

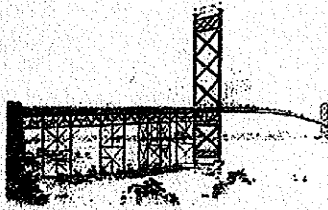
I would be pleased to discuss this situation with you and would suggest that something be done as soon as possible. With the warm weather approaching we can expect more vandalism.

Yours truly,

Gordon Wickham, General Manager
DANBURY PROPERTY MANAGEMENT (WINDSOR) INC.

Ref: im/137-rr.let

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MAR 19 2007
BUILDING DIVISION



AMBASSADOR BRIDGE

DETROIT INTERNATIONAL BRIDGE COMPANY

P. O. BOX 32666 *Detroit, Michigan 48232*

April 23, 2007

Mr. John Skorobohacz, CAO
The City of Windsor
350 City Hall Square West
P. O. Box 1607
Windsor, ON N9A 6S1

Re: Applications for Demolition Permits - Indian Road

Dear Mr. Skorobohacz:

Thank you for your letter of April 2, 2007. We provide the following information to assist Council regarding our application for demolition permits for six houses on Indian Road.

As you are aware, in August of 2005, Windsor City Council approved the building permit and the site plan control agreement for the current expansion of the Ambassador Bridge plaza to allow for the construction of six more customs booths designated solely for trucks. Among other things, that site plan control agreement provides that the Ambassador Bridge will provide landscaping along Huron Church Road, Wyandotte St. and Mill St. as part of the completion of this project. The removal of these houses is necessary for the overall landscaping plan, which will include a buffer zone and a proper security perimeter; as such, there will be no buildings erected on the site of these homes. Further, our contractor has now informed us that several of these houses need to be removed to allow the most expedient completion of this work.

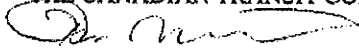
We can advise that these six houses are now vacant and in disrepair.

For your information, we have partnered with the Green Corridor at the University of Windsor to assist in our landscaping efforts to ensure that we create an environment that enhances the property that surrounds the Ambassador Bridge and improves the environment for our neighbors in the surrounding community as well as those who enter Windsor as the Gateway to Canada.

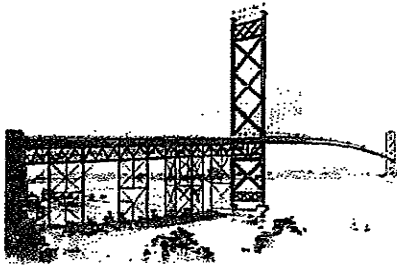
We would like to thank you in advance for a positive response to our application for these demolition permits.

Sincerely,

DETROIT INTERNATIONAL BRIDGE COMPANY
THE CANADIAN TRANSIT COMPANY



Dan Stamper
President



AMBASSADOR BRIDGE

DETROIT INTERNATIONAL BRIDGE COMPANY

P. O. BOX 32666 *Detroit, Michigan 48232*

April 23, 2007

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The City of Windsor
350 City Hall Square West
P. O. Box 1607
Windsor, ON N9A 6S1

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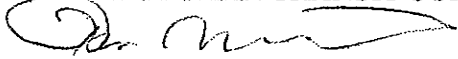
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We would like to thank you in advance for a positive response to our application for these demolition permits.

Sincerely,

DETROIT INTERNATIONAL BRIDGE COMPANY
THE CANADIAN TRANSIT COMPANY

A handwritten signature in cursive script, appearing to read "Dan Stamper", written over the company name.

Dan Stamper
President



THE CITY OF WINDSOR
OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

JSK
JOHN SKOROBOHACZ
CAO

April 26, 2007

pw
RECEIVED
7/29/07
eb

Dan Stamper
President
Detroit International Bridge Company
The Canadian Transit Company
780 Huron Church Rd. Suite 202
Windsor, ON N9C 2K2

Dear Mr. Stamper:

Re: Applications for Demolition Permits - Indian Rd.

We are in receipt of your letter dated April 23, 2007 and addressed to John Skorobohacz, Chief Administrative Officer in which you provide information to Council regarding your application for demolition permits for six houses on Indian Road.

I wish to advise you that a report containing a copy of your letter referred to above will be provided to Council at next opportunity, likely the May 21, 2007 Council meeting.

To confirm the date of the meeting, please visit our website at www.citywindsor.ca to view upcoming agendas or feel free to call my office at (519) 255-6414. I expect to be able to confirm this information by May 10th.

Respectfully,

Dev Tyagi,
General Manager of Public Works

/dr

cc. Chief Administrative Officer
Chief Building Official