

# THE CORPORATION OF THE CITY OF WINDSOR COMMUNITY AND PROTECTIVE SERVICES -Planning

**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 #: 13888 ZS/10256</b>	<b>Report Date: January 7, 2008</b>
<b>Author's Name: Adam Szymczak</b>	<b>Date to Council: January 19, 2009</b>
<b>Author's Phone: 519 255-6267 ext. 6447</b>	<b>Classification #:</b>
<b>Author's E-mail: aszymczak@city.windsor.on.ca</b>	

**TO: Mayor and Members of City Council**

**SUBJECT: SPC-032/08 – Petretta Construction Inc./2177314 Ontario Limited  
Southeast corner of Ouellette Avenue and Pitt Street West**

**1. RECOMMENDATIONS: City Wide: \_\_\_\_\_ Ward(s): 1**

I That the application by **PETRETTA CONSTRUCTION INC. / 2177314 ONTARIO LIMITED (File No.: SPC-032/08)** permitting development in accordance with Map Nos. SPC-032/08-1D (Administrative Site Plan), SPC-032/08-1B (Site Data), SPC-032/08-2A (Parking Level Plan), SPC-032/08-3A (North and South Elevations), SPC-032/08-3B (Enlarged Partial North Elevation), SPC-032/08-3C (East Elevation) and SPC-032/08-3D (West Elevation), including the provision of a daylight corner on the drawings **BE APPROVED CONDITIONAL ON** approval by the Committee of Adjustment of minor variances listed in Recommendation III.

II That the Owner **ENTER INTO** a site plan control agreement with the Corporation, providing for the following at the expense of the owner, prior to the issuance of a construction permit:

- (a) Basic Provisions
- (b) General Provisions
- (c) Special Provisions:

1. Bonding:

Landscaping	\$	TBD	(Onsite/Offsite landscaping \$20,000; Streetscape \$ TBD)
Curbing	\$	4,200.00	(Subject to revision)
Brick Wall	\$	TBD	(Applicant to provide estimate)
Screening	\$	1,000.00	(Refuse Enclosure Only)
Lighting	\$	6,500.00	
Total	\$	TBD	

2. **Alley Paving** - The Owner further agrees to drain and pave at the owner's expense, the alley abutting the subject lands. The minimum acceptable cross-section will be 9" Granular "A" and 3" surface course asphalt in accordance with Standard City of Windsor

Specifications, Selected Granular Base Course (S4) and Hot Mix, Hot Laid Asphaltic Concrete (S-10). The geometrics of the pavement shall comply with Standard Drawing AS-201. All work shall be to the satisfaction of the City Engineer.

3. **Surveys and Land Descriptions** – The Owner further agrees to provide at the their expense all surveys and land plans or descriptions.
4. **Backwater Valve** - The Owner further agrees to install backwater valve or similar apparatus on any connection to municipal combined sewer, as precaution and to mitigate possible damage from surcharge of the sewer.
5. **Consulting Engineer** – The Owner further agrees to retain a Consulting Engineer for the design, construction, and reinstatement of existing services required in this development.
6. **Municipal Address** – The Owner further agrees to submit an application to the Planning Department for consolidation of the municipal addresses assigned to the subject land.
7. **Structural Engineering Constraints – Detroit/Windsor Tunnel** – Prior to issuance of a construction permit, the Owner shall successfully complete a geotechnical study, prepared by a qualified professional, to confirm that the development will be compatible with the Detroit/Windsor Tunnel. Furthermore, the qualified professional who completed the required geotechnical investigation shall ensure the structural integrity of the Detroit/Windsor Tunnel will remain intact and proper supervision will be provided during construction and shall:
  - a. Sign and submit a statement to the City Planner and City Engineer confirming that the site is suitable for the proposed development; and
  - b. Submit, prior to the issuance of a construction permit, all documentation to the City Planner and City Engineer regarding the geotechnical investigation for review and concurrence by an independent peer reviewer.
8. **Independent Peer Review** – Prior to the issuance of a construction permit, all documentation to be submitted to the City Planner and City Engineer regarding the geotechnical investigation and requiring review and concurrence by an independent peer reviewer shall be at the expense of the Owner.
9. **Archaeological Resources** – The Owner further agrees to the following requirements:
  - a. Should archaeological deposits be found during construction activities, all work in the area must stop immediately and the City of Windsor Heritage Planner and the Ontario Ministry of Culture must be notified and clearance be given the Ministry of Culture.
  - b. In the event human remains are encountered during construction, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human and whether the remains constitute part of a crime scene. The Heritage Operations Unit of the Ontario Ministry of Culture and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Commercial Relations must then be notified and clearance be given by the Ministry of Culture.

**10. Parking Area Screening Wall and Planter**

- a. The Owner shall provide a detailed section, elevation and layout drawings for a parking area screening wall with a planter along the Pitt Street frontage, to the satisfaction of the City Planner, City Engineer, Chief Building Official, and the Director of Planning & Physical Resources (Windsor Police Service).
- b. The Owner further agrees to install said parking area screening wall with planter at the owners expense and to the satisfaction of the City Planner, City Engineer and Chief Building Official.

**11. Bell Canada**

- a. The Owner is hereby advised that prior to commencing any work within the Plan, the Owner must confirm that sufficient wire-line communication/ telecommunication infrastructure is currently available within the proposed development to provide communication/ telecommunication service to the proposed development. In the event that such infrastructure is not available, the Owner is hereby advised that the Owner may be required to pay for the connection to and/or extension of the existing communication/ telecommunication infrastructure. If the Owner elects not to pay for such connection to and/or extension of the existing communication/ telecommunication infrastructure, the Owner shall be required to demonstrate to the municipality that sufficient alternative communication/ telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/ telecommunication services for emergency management services.
- b. Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.
- c. The conduit should be placed to the back alley where Bell Canada has a manhole to serve this new building.

**12. Encroachments** – The Owner further agrees to enter into an encroachment agreement for all encroachments in the municipal right-of-way.

**13. Offsite Landscape and Streetscape Requirements** – The Owner further agrees to submit a plan showing all landscape and streetscape improvements in the Pitt Street right-of-way to the satisfaction of the Landscape Architect, the Manager of Urban Design and Community Development, and City Engineer. All landscape and streetscape improvements shall be to existing municipal standards and shall be installed by the owner at the owner's expense.

**14. Corner Cut-off** - The Owner further agrees to gratuitously convey to the City of Windsor a 4.6 metre by 4.6 metre corner cut-off at the intersection of Ouellette Avenue and Pitt Street East.

- III That the Committee of Adjustment **BE NOTIFIED** of City Council's support of an application to the Committee of Adjustment on the following basis:
- a) Reduction in required loading spaces from 2 loading spaces to 1 loading space [Section 24 (9) (a) (ii)]; and
  - b) Reduction in the parking area separation from 3.0 to 1.5m [Section 25 (6) (a) (i)]; and
  - c) Full compliance with all remaining zoning provisions.
- IV That approval of any minor changes to approved drawings **BE DELEGATED** to administration.

## **2. BACKGROUND:**

The subject property is located within the Downtown Windsor Business Improvement Area on the southeast corner of the intersection of Pitt Street and Ouellette Avenue, and is within the Downtown Business Improvement Area. There is an existing surface parking lot on the east side of the property containing 37 motor vehicle parking spaces. It is our understanding that this facility will replace existing financial facilities in the downtown.

Report No. 252 of the Windsor Heritage Committee recommended that "*166 Ouellette Avenue (the former Manning House Hotel) BE NOT DESIGNATED and, further, that the developer BE ENCOURAGED to utilize the T.D. Bank Façade, currently in storage, in the design of the redevelopment at the corner of Pitt Street East and Ouellette Avenue.*" On September 2, 2008, Windsor Council moved the recommendation of the Windsor Heritage Committee.

Demolition permits were obtained on August 7<sup>th</sup>, 2008, for the demolition of the existing buildings at 156, 166, and 170 Ouellette Avenue, and 25 Pitt Street East. These properties are subject to demolition control. The buildings were demolished in mid-December 2008.

## **3. DISCUSSION:**

### **Proposal**

The applicant proposes to construct a three-storey office building (professional banking centre). The proposed building will contain a mechanical penthouse. The gross floor area of building is 2,929.2 sq. m. (excludes mechanical penthouse and parking level).

A total of 80 parking spaces (including two handicapped spaces) will be provided. 51 spaces will be located in a single-floor underground parking area. The surface parking area will accommodate 29 parking spaces, one loading space, five bicycle parking spaces and a ramp and staircase to the underground parking level. Zoning By-law 8600 does not require any motor vehicle parking spaces for an office in the downtown area.

A relocated single access driveway to Pitt Street and two access points to the existing alley are proposed. The existing fence along the southerly property line (along the existing parking area) will be removed to allow for vehicular access to and from the alley.

## **Planning Department Alternate Site Plan Discussion**

On December 9, 2008, Planning Department staff met with Mr. Davide Petretta and Mr. John Lott, representing Petretta Construction and Mr. Steve Berril, architect to review an alternate surface-parking layout proposed by the Planning Department.

The recommended alternate site plan included a single access driveway to Pitt Street, a reduced landscaped parking area separation with additional landscaping in the boulevard sidewalk area, a parking lot screening wall along Pitt Street and a landscaped island at the northwest of the parking area that included bicycle parking spaces. The proposed change resulted in the loss of two surface parking spaces and a slight relocation of the emergency staircase from the underground parking garage.

In general, Mr. Petretta stated that the alternate site plan appeared to resolve administrative concerns with the lack of landscaping and the desire to have one access driveway to Pitt Street. He stated that he would direct the architect to revise the site plan accordingly.

Next, Mr. Petretta noted his opposition to the provision of the daylight corner. His client is adamant that it requires the number of offices shown on the floor plan. He pointed out that the window glazing would be clear, allowing people to see through the building, Mr. Petretta noted that the sidewalk area at the southeast corner of Ouellette and Pitt has a large area and is more than adequate to accommodate pedestrian traffic.

Staff appreciate Mr. Petretta's position, however, the purpose of the daylight corner provisions is to provide improved sightlines to motor vehicle operators, to improve pedestrian flow at intersections and to encourage developers to locate a main entrance that faces the intersection instead of the street. The daylight corner required by the Zoning By-law is not to be confused with the requirement for a corner cut-off land conveyance.

Also the daylight corner provision only applies to the first 2.2 metres (7.21 feet) and allows one support column with a maximum outside diameter of 1.0 metre within the daylight corner. Precedents adhering to this provision include the Scotiabank building at the northeast corner of Ouellette and Park or the Palace Cinemas building at the southwest corner of Ouellette and University.

Note that though the term "corner" is used, this does not mean that a portion of a building wall has to be at an angle to the intersection. That is a design choice not a requirement. For example, One Riverside Drive West is setback from Ouellette Street and thereby satisfies the zoning requirement of a daylight corner.

The complete elimination of the daylight corner – apart from its adverse impact in accommodating pedestrian congregation and flow in a relatively tight urban location and its effect on present and future vehicular traffic sight lines – does not "encourage the height, form, massing and articulation of new buildings at prominent locations to reflect their street position within the context of the overall block" (Official Plan 8.7.2.11).

It is the position of the Planning Department that the building as proposed by the applicant does not comply with the Official Plan.

## **Site Plan Review Committee Meeting**

The Site Plan Review Committee met with Mr. Lott and Mr. Berril on December 11, 2008 to review the site plan and discuss all outstanding issues.

Mr. Berril presented a revised site plan at that meeting that incorporated the alternate site plan proposed by the Planning Department and satisfied many staff concerns. The applicants revised site plan still showed the elimination of the daylight corner.

Surface parking was reduced by two spaces while two spaces were gained in the underground parking garage. A portion of the building adjacent to the alley and proposed loading area was revised to provide access to the rear of 176 Ouellette (Shanfield's).

Access to the underground parking garage will be via an access card. No gates are proposed for the surface parking area. The applicant is studying the possibility of offering parking free to bank customers (first hour free) and charging all other customer.

Urban Design and Community Development suggested that in lieu of bicycle parking spaces in the parking area, the applicant provide post rings along Pitt Street. This would improve access to the spaces and would allow anyone to use the spaces.

Administration requires a cost estimate of the parking area screening wall/planter for bonding purposes.

Mr. Berril noted that a transformer maybe required. He is working with Enwin to determine the best location. This change can be handled as a red line or minor change to the approved site plan. Administration recommends that it handle all minor changes to an approved site plan.

## **Streetscape Improvements**

Developments will support the function and enhance the appearance of the streetscape, enhance the unique character of a neighbourhood, achieve a quality of streetscape design which reflects the evolving character of the neighbourhood, and provide streetscape amenities of high quality design, variety and function.

Since most buildings in the downtown are built right up to the lot line, there is very little onsite space to provide landscaped areas as are commonly found in suburban developments. To that end, developments and redevelopments in the downtown are required to improve the public realm (sidewalks, curbs, street furniture and so on) in lieu of onsite landscaping.

One Riverside Drive West (Chrysler Canada head office), the RBC at Ouellette and Chatham and the Burger King under construction at Goyeau and University East are examples of recent developments where the public realm was or will be improved at the owner's expense.

Mr. Petretta submitted a letter dated December 9, 2008 (attached as Appendix A), requesting that the City contribute towards Pitt Street landscape and streetscape improvements. He prefers that the Pitt Street streetscape match the Ouellette streetscape – and Administration agrees with that preference. However, he reasons that the City should financially contribute to the Pitt Street improvements on the basis that if no development were to occur on the subject site, the City would be responsible for these costs.

Section 41(4) of the Planning Act allows a municipality to approve a site plan drawing that includes, among other things:

*"the sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities"*

This allows approval to extend beyond the confines of the subject property and include design elements on a road or street.

Further, section 41(7) permits as a condition of approval the provision of, among other things:

*Walls, fences, hedges, trees, shrubs or other groundcover or facilities for the landscaping of the lands or the protection of adjoining lands.*

Site Plan Control is, too a point, a process of negotiation. The desired result is to reach an agreement that is acceptable to all parties.

Council has three options regarding Mr. Petretta's request for a financial contribution towards right-of-way streetscape improvements:

1. Contribute, either fully or partially, to the reconstruction of the sidewalk and curbs and the provision of street furniture to downtown streetscape standards. The exact cost is unknown at this time and would be subject to clarification of the work to be carried out. This would set a precedent where other property owners will ask that the City to make a financial contribution to improvements in the right-of-way; or
2. Require the owner to pay the full expense of streetscape improvements. The \$20,000 landscaping bond proposed by the Landscape Architect represents a miniscule investment in the enhancement of the public realm.
3. Do nothing. The owner is required to repair any damage in the right-of-way to municipal standard as per the Site Plan Approval Agreement.

**It is the Planning Department's position that all landscape (on-site and off-site) and streetscape improvements are at the expense of the owner.**

#### **Committee of Adjustment - Minor Variances**

The development as proposed by the applicant requires three variances. The Committee of Adjustment will consider the minor variance application on January 28, 2009.

##### **A. Reduction in required loading spaces from 2 loading spaces to 1 loading space**

**Administration does not oppose the reduction in required loading spaces.** A single tenant is to occupy the building and at least one loading space is being provided. The applicant noted the tenant does not expect a high level of truck traffic to the site. Administration does not foresee any adverse impact on adjacent properties.

## **B. Parking Area Separation along Pitt Street**

The alternate surface-parking layout proposed by the Planning Department is acceptable to the applicant. Accordingly, the minimum parking area separation (identified as "landscape buffer" on the site plan) will be 1.5 metres/ 5 feet from the lot line not zero metres as initially proposed by the applicant.

**Administration supports a reduction in the parking separation.** It allows one access driveway to the parking area. This improves pedestrian flow and safety on Pitt Street. The extension of the landscaped area into the Pitt Street right-of-way creates a landscaped area having a depth of some 9 feet and represents an appropriate solution in this urban location.

**All landscaping (on-site and off-site) will be installed and paid by the owner and shall be to Ouellette/Downtown streetscape standards.**

## **C. Elimination of Daylight Corner**

**Administration opposes the complete elimination of the daylight corner.** The purpose of the daylight corner is to improve sightlines to motor vehicle operators, to improve pedestrian flow at intersections and to encourage an owner to locate the main entrance to face the intersection instead of the street.

The issue of visibility for motor vehicle operators is not of a great concern. Motor vehicles generally drive slower in the downtown and a constant stream of pedestrians will further slow down traffic, especially those turning. In a downtown environment, pedestrian flow and urban design require more attention.

A poor example of pedestrian flow at an intersection is at the northeast corner of Ouellette and Wyandotte Street (the location of the existing TD Canada Trust branch). During busy times it is very difficult for pedestrians, especially those in wheelchairs or with strollers to maneuver around the intersection, possible forcing pedestrians into the roadway thereby creating an unsafe situation.

The applicant raises a valid point in that the sidewalk area at the southeast corner of Ouellette Avenue and Pitt Street has a large area that currently allows adequate pedestrian movement. At its widest point, the sidewalk is about 20 feet wide on Ouellette Avenue and about 12 feet on Pitt Street.

While there is currently sufficient area for pedestrian movement, roads, sidewalks and intersections are subject to change. There may be an increase in traffic volume and a right turn lane may be required to facilitate traffic movements. The provision of a daylight corner would allow the City to alter the intersection with little to no impact on pedestrian flow and would implement the urban design intent of Section 8.7.2.11 of the Official Plan.

**Administration has been consistent in requiring the provision of the daylight corner.** The recently approved Burger King (SPC-022/07) at Goyeau and University includes two daylight corners. The RBC building at the southwest corner of Ouellette and Chatham, the former CIBC at the northwest corner of Ouellette and Wyandotte and the Shoppers Drug Mart at the southeast corner of Ouellette and Wyandotte are other precedents of buildings in downtown Windsor that comply with the zoning provisions for daylight corners.

**The Planning Department can support a reduction in the daylight corner from 6 by 6 metres (20 by 20 ft) to 3 by 3 metres (10 by 10 ft) provided the owner agrees to install and pay for streetscape improvements (sidewalk, curbs and street furniture only – does not include infrastructure such as street lighting, tree vaults, irrigation, etc) to Pitt Street.**

#### **Geotechnical Study**

A geotechnical investigation report (dated October 22, 2008) was completed by C.T. Soil & Materials Testing Inc.

The Official Plan requires that Administration conduct a peer review of the geotechnical study to ensure no impact on the tunnel. The cost of the peer review is to be borne by the property owner and is included as a condition of the Site Plan Approval Agreement. No peer review has been conducted.

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

The applicant has requested that the City contribute towards improvements in the Pitt Street right-of-way. No east-west streets in the downtown are in the Capital Budget five-year forecast. Public Works is not aware of any infrastructure considerations for this section of Pitt Street. The pavement is not in the Now Deficient category.

The projected cost of a total reconstruction (including watermain) of Pitt Street East between Ouellette and Goyeau to Ouellette Avenue standards is approximately \$2 million. This figure does not include a contingency for any Detroit-Windsor Tunnel issues. There are no funds to reconstruct this section of Pitt Street. Any changes to the Capital Budget will require removing an already approved project and will require Council approval.

Since the nature of the streetscape improvements (sidewalk, curbs and street furniture) is unknown at this time, the exact cost of streetscape improvements adjacent to the property would be subject to further refinement and negotiation with the applicant.

#### **5. CONSULTATIONS:**

This application was circulated to members of the Site Plan Review Committee and several external agencies on July 30, 2008. The Site Plan Review Committee met with the applicant on August 28, 2008.

#### **6. CONCLUSION:**

**The Planning Department supports the proposed development save and except for the complete elimination of the daylight corner.** The applicant's willingness to incorporate the alternate site plan proposed by the Planning Department is appreciated.

The provision of a parking area screening wall and extending the landscaping into the sidewalk area is consistent with other developments in the downtown including the recently approved Burger King at Goyeau and University East and the screening wall and landscaping on the north side of Pitt Street East across from the subject development. All landscaping is to be installed at the owners expense and to the satisfaction of the City.

Planning staff have been consistent in requiring a daylight corner for all development throughout the City. The applicant raises a valid point about the size of the corner area, and on that basis, we could support a reduced daylight corner of 3m by 3m (10 ft by 10 ft) on the condition that the applicant pay for streetscape improvements on Pitt Street.

Regarding Mr. Petretta's request for a financial contribution from the City towards streetscape and landscape improvements within the municipal right-of-way, the installation of landscaping (on-site and off-site) in the parking area separation – including tree vaults and planter – are separate from the streetscape improvements on Pitt Street. The landscape improvements are a condition of site plan approval (Recommendation II (c) 10) and are at the owner's expense.

All streetscape improvements in the Pitt Street right-of-way shall be to downtown streetscape standards and shall be at the owner's expense (see Recommendation II (c) 13)

**Should Council decide to financially contribute to any landscaping and/or streetscape improvements, Recommendation II (c) 13 must be revised to reflect the amount of the contribution.**

**Should City Council decide to approve the development as proposed by the applicant – including the reduction or elimination of the daylight corner (the exact amount must be indicated) - then the following changes to the administrative recommendations are suggested:**

A. Replace Administrative Recommendation I with the following Recommendation:

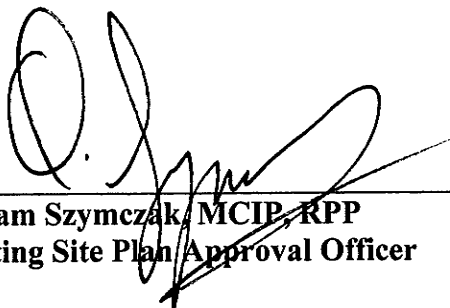
I That the application by **PETRETTA CONSTRUCTION INC. (File No.: SPC-032/08)** permitting development in accordance with Map Nos. SPC-032/08-1A (Site Plan), SPC-032/08-1B (Site Data), SPC-032/08-2A (Parking Level Plan), SPC-032/08-3A (North and South Elevations), SPC-032/08-3B (Enlarged Partial North Elevation), SPC-032/08-3C (East Elevation) and SPC-032/08-3D (West Elevation) **BE APPROVED CONDITIONAL ON** approval by the Committee of Adjustment of any minor variances.

B. Delete Clause 14 Corner Cut-off from Recommendation II

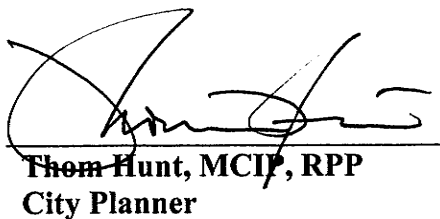
C. Replace Administrative Recommendation III with the following Recommendation:

III That the Committee of Adjustment **BE NOTIFIED** of City Council's support of an application to the Committee of Adjustment on the following basis:

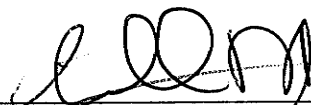
- a) Reduction in that part of a building from the intersection of any two streets from 6.0 m to \_\_\_\_\_ m [(Section 22 (3) (b))]; and
- b) Reduction in required loading spaces from 2 loading spaces to 1 loading space [Section 24 (9) (a) (ii)]; and
- c) Reduction in the parking area separation from 3.0m to 1.5m [Section 25 (6) (a) (i)]; and
- d) Full compliance with all remaining zoning provisions.




**Adam Szymczak, MCIP, RPP**  
**Acting Site Plan Approval Officer**



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



**Michael Duben**  
**General Manager - Community and**  
**Protective Services**



AS/as

**APPENDICES:**

**Appendix A – Letter From Davide Petretta**

**DRAWINGS:**

**Location Map - SPC-032/08**

**Site Plan SPC-032/08-1A**

**Site Data - SPC-032/08-1B**

*Demo Site Plan – SPC-032/08-1C*

**Administrative Site Plan – SPC-032/08-1D**

**Parking Level Plan - SPC-032/08-2A**

*First Floor Plan – SPC-032/08-2B*

*Second Floor Plan – SPC-032/08-2C*

*Third Floor Plan – SPC-032/08-2D*

**North and South Elevations - SPC-032/08-3A**

**Enlarged Partial North Elevation – SPC-032/-083B**

**East Elevation - SPC-032/08-3C**

**West Elevation - SPC-032/08-3D**

**Only Bolded drawings are subject to approval. All other drawings are for information purposes only.**

**DEPARTMENTS/OTHERS CONSULTED:**

**Name: Don Wilson, Acting Manager of Development, Planning Department**  
**Phone #: 519-255-6267 ext. 6392**

**Name: Jim Yanchula, Manager of Urban Design & Community Development, Planning Department**  
**Phone #: 519-255-6543 ext. 6443**

**Name: Noushy Tavassoli, Senior Urban Designer, Planning Department**  
**Phone #: 519-255-6543 ext. 6396**

**Name: Wes Hicks, P. Eng., Manager of Engineering, Public Works – Engineering & Corporate Projects**  
**Phone #: 519-255-6351 ext. 6490**

**Name: Wadah Al-Yassiri, Project Administrator, Public Works – Engineering & Corporate Projects**  
**Phone #: 519-255-6100 ext. 6494**

**NOTIFICATION :**

Name	Address	Email Address	Telephone	FAX
Davide Petretta	2504 Binder Crescent Oldcastle ON N0R 1L0	<a href="mailto:info@petcon.net">info@petcon.net</a>	519-737-1292	519-737-7007
	13275 Tecumseh Rd Windsor ON N8N 3T4			
Mikhail Holdings	100 Ouellette Ave Suite 1201 Windsor ON N8W 5H8	<a href="mailto:mikhailholdings@cogeco.net">mikhailholdings@cogeco.net</a>		

## APPENDIX A – LETTER FROM APPLICANT

### 2177314 Ontario Limited

2504 Binder Crescent Oldcastle, Ontario NOR 1L0  
Phone: (519)737-1282 Fax: (519)737-7007 email: [info@petcon.net](mailto:info@petcon.net)

December 09, 2008

City of Windsor  
Planning Department  
Suite 404B, 400 City Hall Square East  
Windsor, Ontario N9A 7K6

Att: Mr. Don Wilson, MCIP, RPP

Re: SPC-032/08 – TD Ouellette

Further to our ongoing conversations regarding the above noted Site Plan Control application, I am writing to formally request the City's assistance in the development of our project. Understanding that we are placing a sizeable investment in the City's downtown core, I respectfully request that the City contribute the following Pitt Street streetscaping improvements for the boundaries of our property:

1. Improvements of the City right-of-way on the south side of Pitt Street to include new curbs & sidewalks consistent with the new improvements undertaken on Ouellette Avenue
2. Design & construction of landscape planter vaults in City ROW
3. Supply & installation of landscape material within City ROW

I trust that you will forward this request to the whatever departments you may deem appropriate for their consideration.

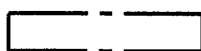
Yours very truly,



Davide M. Petretta, P.Eng.  
2177314 Ontario Limited

cc. Mr. Thom Hunt, MCIP, RPP  
Mr. Jim Yanchula, MCIP, RPP

DP/po



**SUBJECT LANDS**

## LOCATION MAP

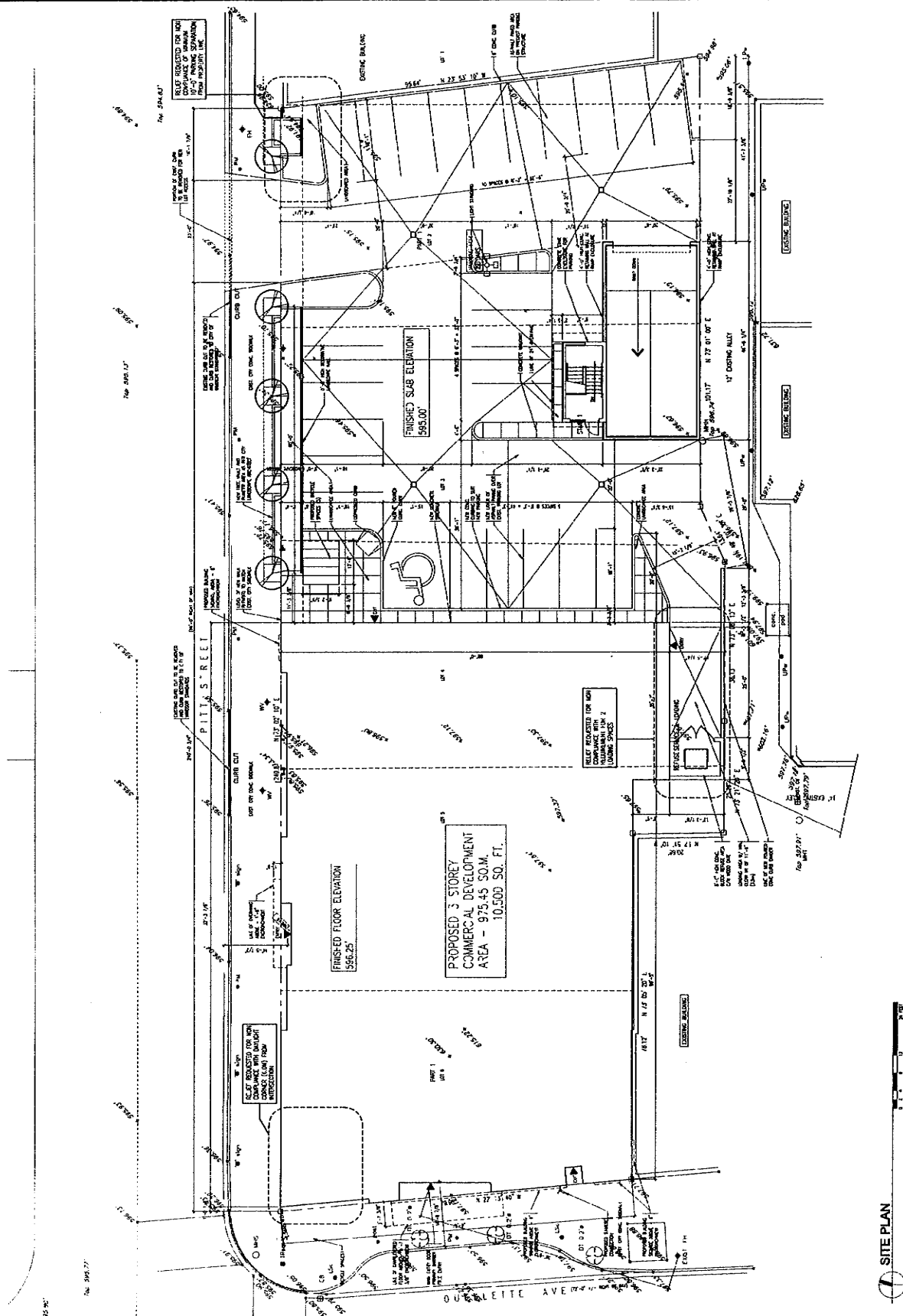
**FILE NO: SPC-032/08**

**APPLICANT : Petretta Construction Inc./2177314 Ontario Limited**

**Planning Department - Development Division**



**DATE: January, 2009**  
**SCALE: N.T.S.**



# **SITE PLAN CONTROL AGREEMENT**

**FILE NO: SPC-032/08-1A (Site Plan)**

**APPLICANT : Petretta Construction Inc./2177314 Ontario Limited**

**Planning Department - Development Division**



**DATE: January, 2009  
SCALE: N.T.S.**

SITE DATA									
TD CANADA TRUST BUILDING - ZONING CD3.1									
		REQUIREMENT	PROPOSED			REQUIREMENT	PROPOSED		
a.	TOTAL LOT AREA	N/A SQ. FT.	22,974.1 SQ. FT.	f.	BUILDING SETBACKS				
b.	TOTAL BUILDING AREA	N/A SQ. FT.	10,500 SQ. FT.		NORTH		N/A		0
c.	PROPOSED % OF BUILDING LOT COVERAGE	MAX.	45.7 %		SOUTH		N/A		0
d.	PROPOSED BUILDING HEIGHT TOP OF STRUCTURE HEIGHT TYPICAL PARAPET				EAST		N/A		0
					WEST		N/A		0
e.	NO. OF PARKING SPACES CBD COMMERCIAL	NIL		g.	PAVED AREA		N/A	9,113.06 SQ. FT.	39.66 %
				h.	LANDSCAPED AREA (HARD & SOFT)		N/A	1,677.62 SQ. FT.	7.30 %
				m.	LINEAR CONCRETE CURB		N/A	429.88 LN. FT.	
				n.	LINEAR FENCING		N/A	0 LN. FT.	
	BUILDING STATISTICS								
	PARKING LEVEL								
	FIRST FLOOR		22,955.5 SQ. FT.						
	SECOND FLOOR		10,510 SQ. FT.						
	THIRD FLOOR		10,741 SQ. FT.						
	PENTHOUSE		10,686 SQ. FT.						
			10,741 SQ. FT.						

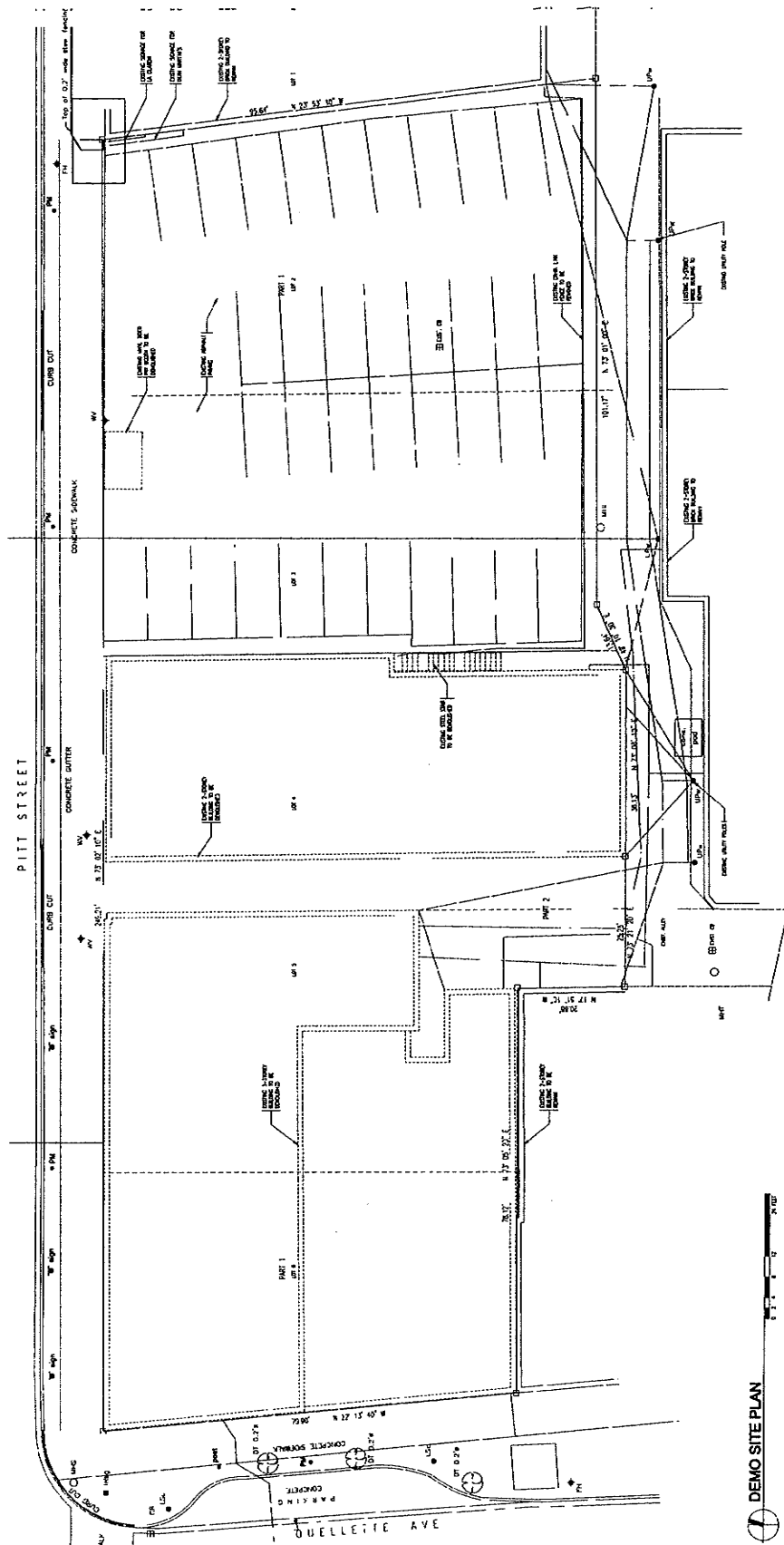
# SITE PLAN CONTROL AGREEMENT

FILE NO: SPC-032/08-1B (Site Data)

APPLICANT : Petretta Construction Inc./2177314 Ontario Limited

Planning Department - Development Division

DATE: January, 2009  
SCALE: N.T.S.



# **SITE PLAN CONTROL AGREEMENT**

**FILE NO: SPC-032/08-1C (Demo Site Plan - For Information Only)**

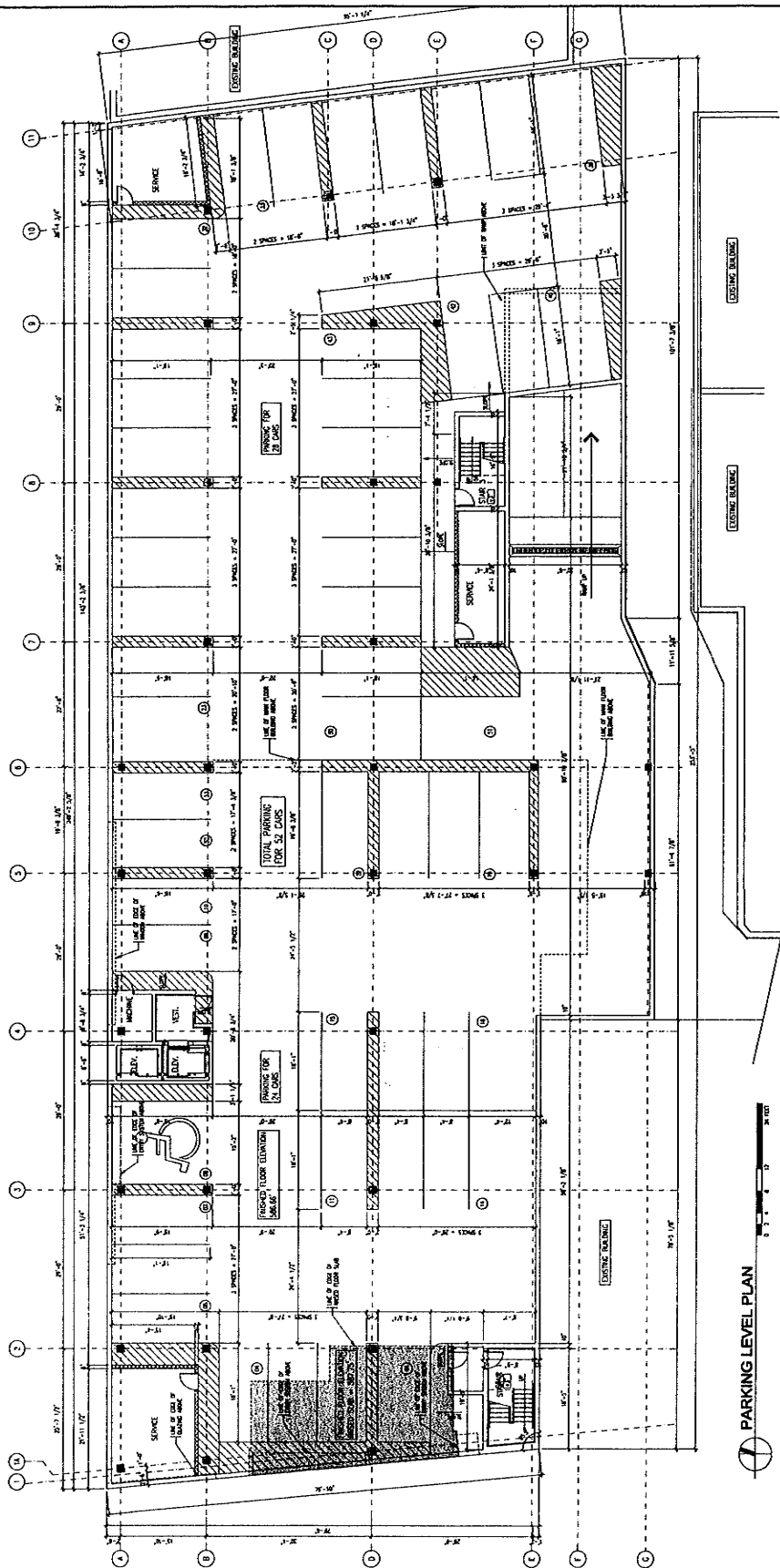
**APPLICANT : Petretta Construction Inc./2177314 Ontario Limited**

**Planning Department - Development Division**



**DATE: January, 2009**  
**SCALE: N.T.S.**





# SITE PLAN CONTROL AGREEMENT

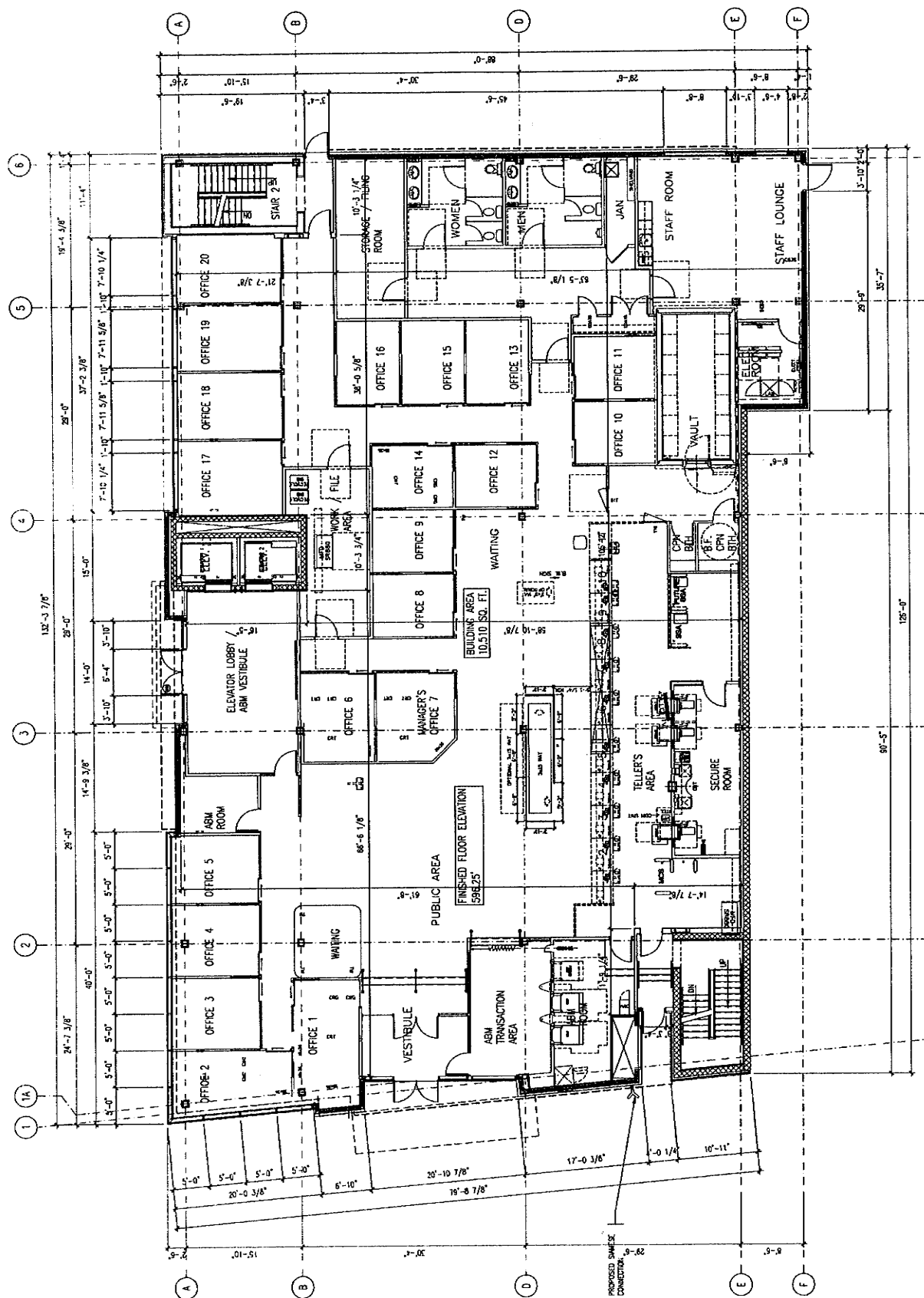
FILE NO: SPC-032/08-2A (Parking Level Plan)

APPLICANT : Petretta Construction Inc./2177314 Ontario Limited

Planning Department - Development Division



DATE: January, 2009  
SCALE: N.T.S.



# **SITE PLAN CONTROL AGREEMENT**

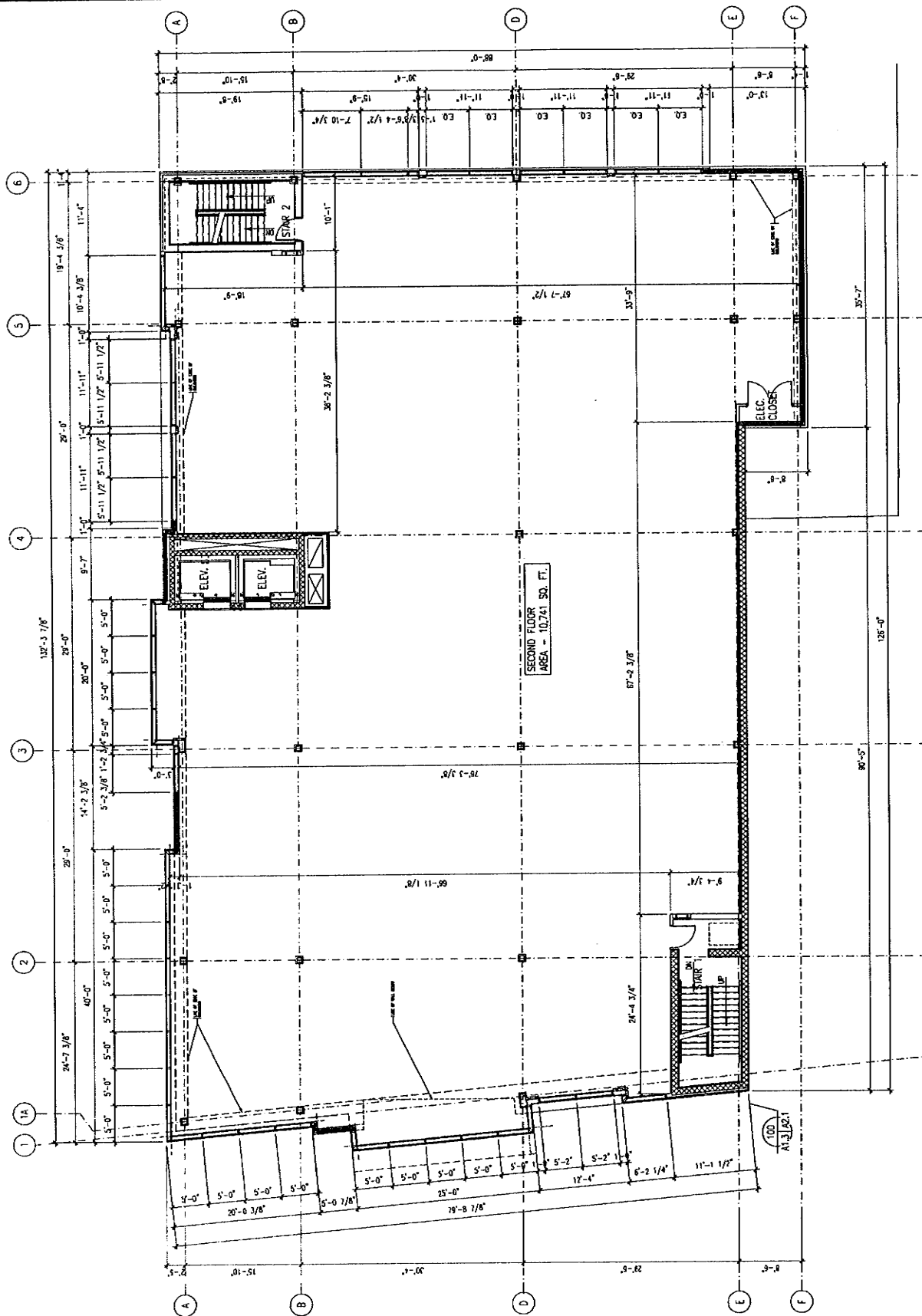
**FILE NO: SPC-032/08-2B (First Floor Plan)**

**APPLICANT : Petretta Construction Inc./2177314 Ontario Limited**

**Planning Department - Development Division**



**DATE: January, 2009**  
**SCALE: N.T.S.**



SECOND FLOOR PLAN

# SITE PLAN CONTROL AGREEMENT

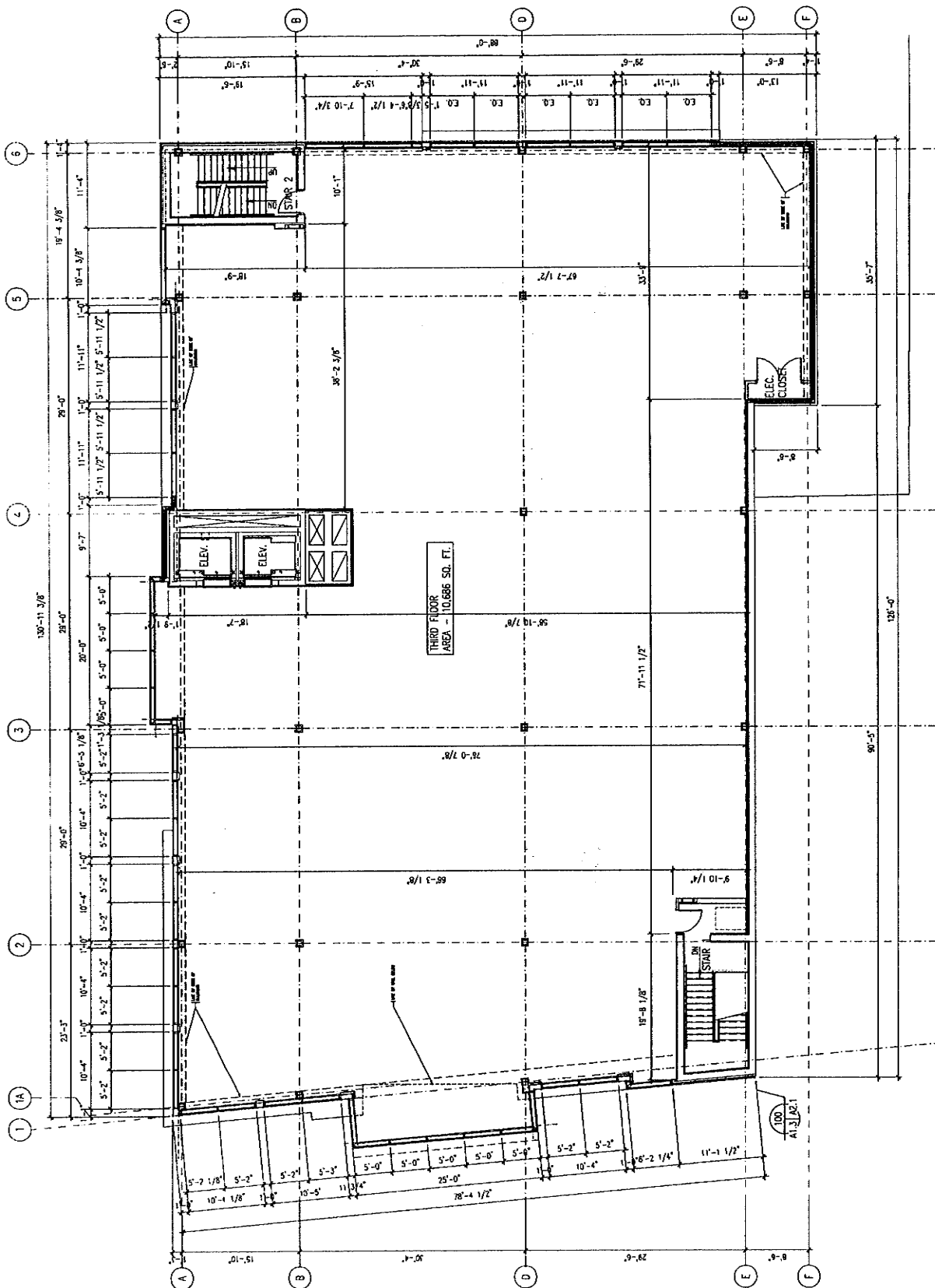
FILE NO: SPC-032/08-2C (Second Floor Plan)

APPLICANT : Petretta Construction Inc./2177314 Ontario Limited

Planning Department - Development Division



DATE: January, 2009  
SCALE: N.T.S.



THIRD FLOOR PLAN

# **SITE PLAN CONTROL AGREEMENT**

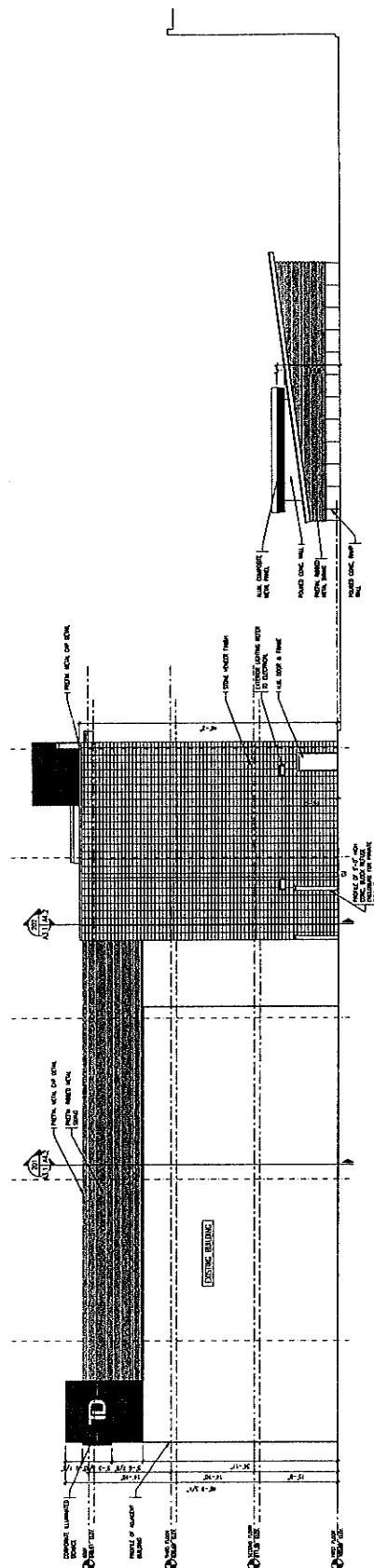
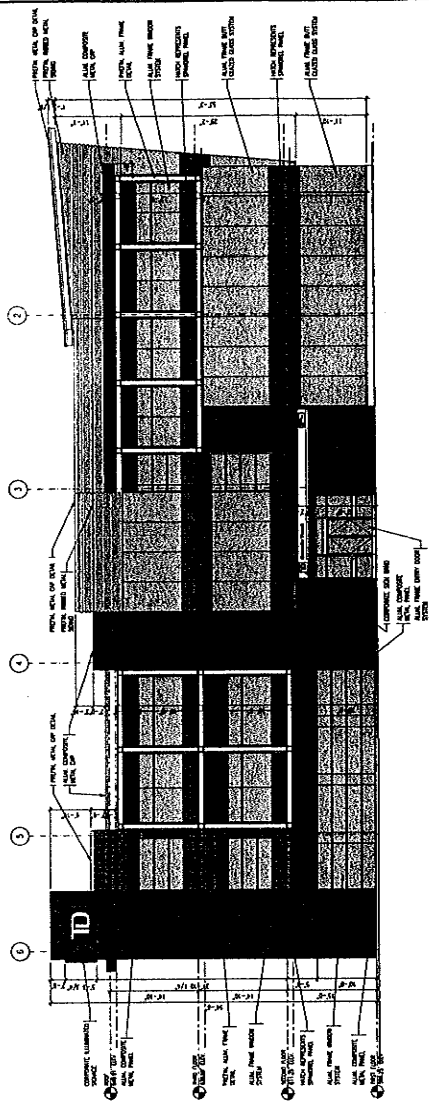
**FILE NO: SPC-032/08-2D (Third Floor Plan)**

**APPLICANT : Petretta Construction Inc./2177314 Ontario Limited**

**Planning Department - Development Division**

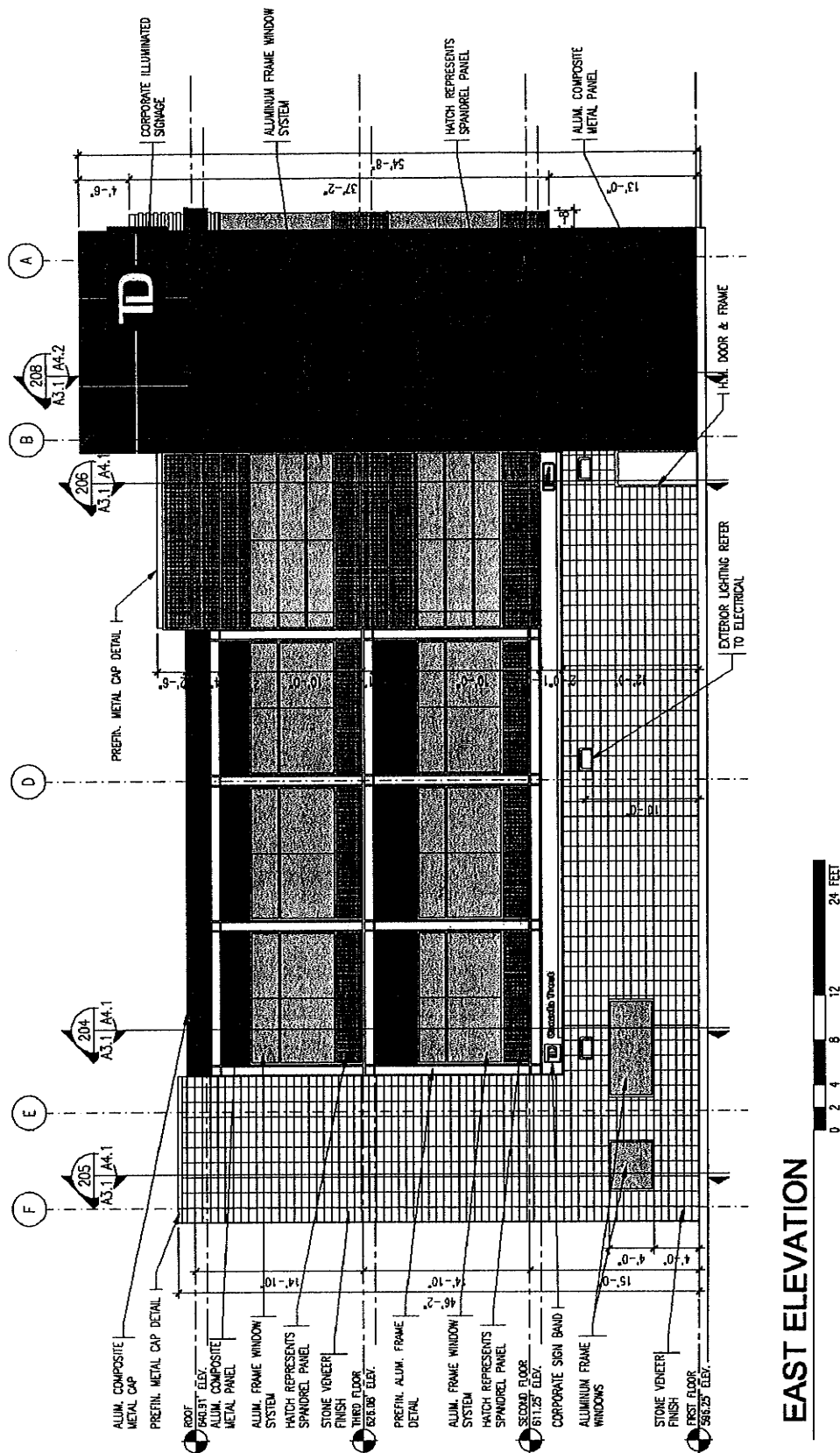


**DATE: January, 2009**  
**SCALE: N.T.S.**



**DATE: January, 2009**  
**SCALE: N.T.S.**





EAST ELEVATION

# SITE PLAN CONTROL AGREEMENT

FILE NO: SPC-032/08-3C (East Elevation)

APPLICANT : Petretta Construction Inc./2177314 Ontario Limited

Planning Department - Development Division

DATE: January, 2009  
SCALE: N.T.S.



**DATE: January, 2009**  
**SCALE: N.T.S.**