

Development & Heritage Standing Committee Meeting

Date: Monday, November 6, 2023

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

Location: Council Chambers, 1st Floor, Windsor City Hall

All members will have the option of participating in person in Council Chambers or electronically and will be counted towards quorum in accordance with Procedure By-law 98-2011 as amended, which allows for electronic meetings. The minutes will reflect this accordingly. Any delegations have the option to participate in person or electronically.

MEMBERS:

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)

Anthony Arbour

Joseph Fratangeli

Daniel Grenier

John Miller

Charles Pidgeon

Robert Polewski

Khassan Saka

William Tape

ORDER OF BUSINESS

Item # Item Description
1. **CALL TO ORDER**

READING OF LAND ACKNOWLEDGEMENT

We [] would like to begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations, which includes the Ojibwa, the Odawa, and the Potawatomi. The City of Windsor honours all First Nations, Inuit and Métis peoples and their valuable past and present contributions to this land.

2. **DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

3. **REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS**

- 3.1. Closure of part of north half of Lillian Street right-of-way, between Vimy Avenue and Memorial Drive, Ward 4, SAS-6629 (**S 41/2023**)
Clerk's Note: Administration is requesting that this matter **BE WITHDRAWN** due to a number of concerns being identified.

4. **COMMUNICATIONS**

5. **ADOPTION OF THE *PLANNING ACT* MINUTES**

- 5.1. Adoption of the Development & Heritage Standing Committee (Planning Act Matters) meeting minutes held October 3, 2023 (**SCM 275/2023**)

6. **PRESENTATION DELEGATIONS (*PLANNING ACT* MATTERS)**

7. ***PLANNING ACT* MATTERS**

- 7.1. OPA & Rezoning – Passa Architects - 1235 Huron Church Road - OPA 166 OPA/6902 Z-039/22 ZNG/6901 – Ward 2 (**S 124/2023**)
- 7.2. Zoning By-law Amendment Application for the north part of the property known as 870 Wyandotte Street East; Applicant: Adiammu Real Estate Inc.; File No. Z-014-23, ZNG/7001; Ward 4. (**S 136/2023**)

- 7.3. Official Plan Amendment and Zoning By-law Amendment - City of Windsor - Airport Employment Lands - OPA 177 [OPA-7118] Z 027-23 [ZNG-7117] - Ward 9 (**S 115/2023**)
- 7.4. Zoning By-Law Amendment Z028-23(ZNG/7140) - 185 Randolph Place (**S 135/2023**)
- 7.5. Official Plan & Zoning Bylaw Amendments Z 022-23 [ZNG-7067] & OPA 173 [OPA-7070] 1027458 Ontario Inc. Banwell & Leathorne (North A) Multiple Dwelling Development - Ward 7 (**S 137/2023**)
- 7.6. Official Plan & Zoning Bylaw Amendments Z 023-23 [ZNG-7068] & OPA 174 [OPA-7071] 1027458 Ontario Inc. Banwell South of Leathorne (North B) Multiple Dwelling Development - Ward 7 (**S 138/2023**)

8. **ADOPTION OF THE MINUTES**

9. **PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)**

10. ***HERITAGE ACT MATTERS***

11. **ADMINISTRATIVE ITEMS**

12. **COMMITTEE MATTERS**
- 12.1. Minutes of the International Relations Committee of its meeting held July 31, 2023 (**SCM 258/2023**)

13. **QUESTION PERIOD**

14. **ADJOURNMENT**



Subject: Closure of part of north half of Lillian Street right-of-way between Vimy Avenue and Memorial Drive, Ward 4, SAS-6629

Reference:

Date to Council: October 3, 2023
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: August 22, 2023
Clerk's File #: SAA2023

To: Mayor and Members of City Council

Recommendation:

- I. THAT the 12.19 metre by 30.48 metre portion of the 20.12-metre-wide Lillian Street right-of-way located between Vimy Avenue and Memorial Drive, abutting the property known municipally as 605 Vimy Avenue to the west (legally described as Lot 282 & Part of Lot 283, Plan 1229), and shown on Drawing No. CC-1804 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject property", **BE ASSUMED** for subsequent closure.
- II. THAT the subject property **BE CLOSED AND SOLD AS A BUILDABLE LOT**, subject to the following:
 - a. 3.0-metre-wide easement, measured 1.50 metres from either side of the following utility infrastructure, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - i. ENWIN Utilities Ltd. to accommodate existing 16kV overhead high voltage pole line running east/west through the subject property.
- III. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1804, *attached* hereto as Appendix "A".
- IV. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- V. 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.

VI. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Executive Summary:

N/A

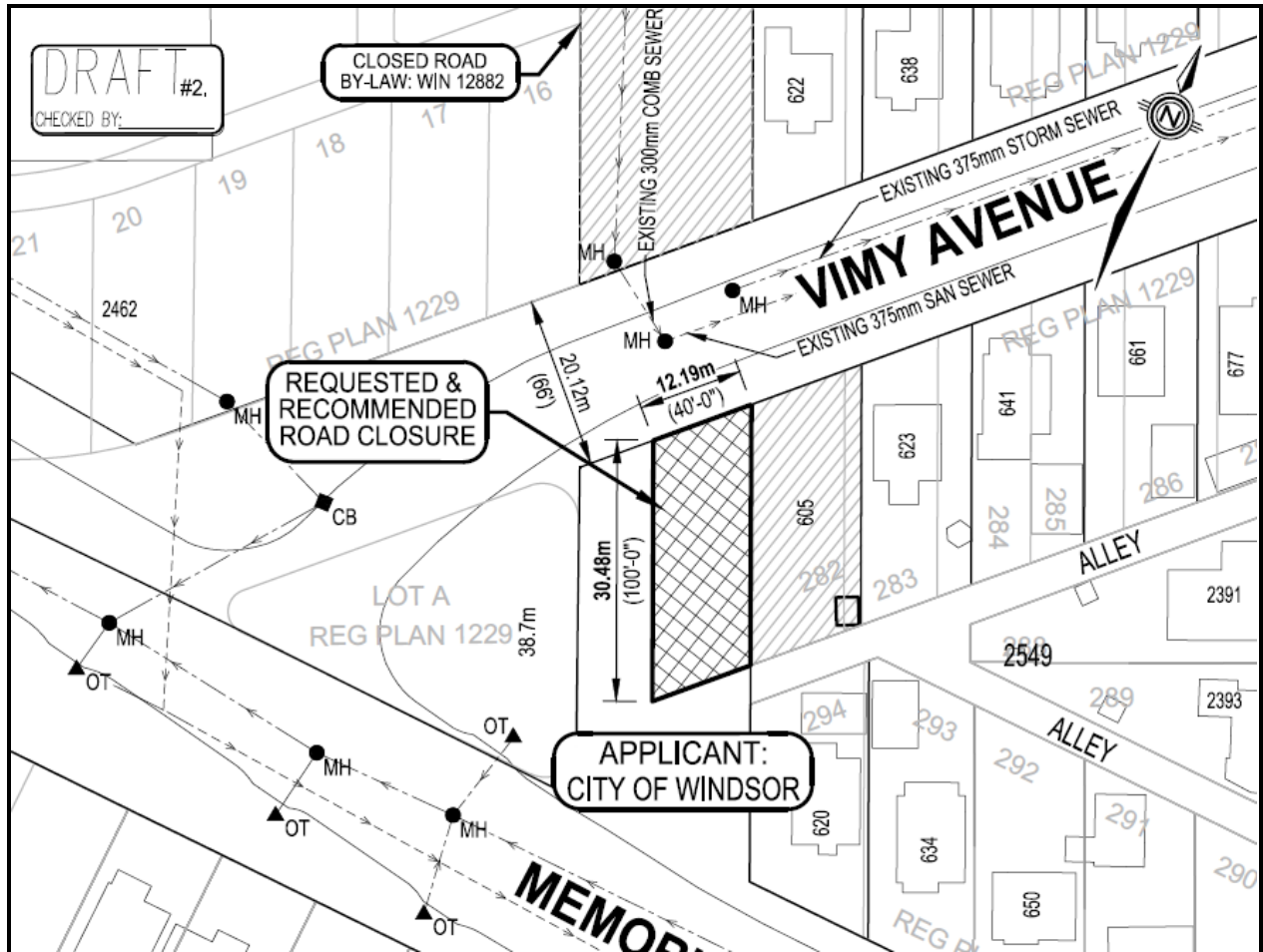


Figure 1 - Location Map

Background:

The applicant, Bruno Mantovan, owner of the property known municipally as 605 Vimy Avenue (the subject property), applied to close a 12.19 metre by 30.48 metre portion of the Lillian Street right-of-way that abuts the subject property to the west (the right-of-way), and shown on Drawing No. CC-1804 *attached* hereto as Appendix “A”, and also shown on the aerial photo *attached* hereto as Appendix “B”.

The right-of-way is unmaintained and composed primarily of manicured lawn cared for by the City. The right-of-way contains eight saplings (three conifers and five deciduous) and part of a wood privacy fence and hedge row belonging to the subject property. There are no Encroachment Agreements on record for the use of the right-of-way.

The remaining portion of the Lillian Street right-of-way includes an asphalt driveway serving as the only vehicular means of access to a rear parking area and garage at the subject property and 620 Memorial Drive respectively. The remaining portion of the Lillian Street right-of-way also includes a concrete sidewalk connecting those sidewalks located on Vimy Avenue and Memorial Drive.

The applicant wished to close the right-of-way for the purpose of enlarging his property to accommodate a new detached garage with driveway off of the remaining portion of the Lillian Street right-of-way.

The Planning Department, via December 5, 2022 email, advised the applicant that the conveyance price for the right-of-way would be \$176,848.00. The method for establishing the conveyance price is detailed in the table below. The applicant, via January 11, 2023 phone conversation, informed the Planning Department that he is withdrawing his application due to the high conveyance price.

Item	Price
Conveyance Rate: \$4,000.00 per front foot (based on fair market value) (40 front feet x \$4,000.00)	\$160,000.00
Tree Replacement Fee for City owned trees in the right-of-way: \$520.00 per tree, where one tree is equal to 5.0 centimetres Diameter at breast height (DBH) 162.0 centimetres (existing trees total DBH*) / 5.0 centimetres = 32.4 trees x \$520.00 *Includes three (3) trees previously removed without permission from the City	\$16,848.00
Total:	\$176,848.00

The Real Estate Services Department, via January 18, 2023 email, confirmed that they will be reviving the application for the purpose of selling the right-of-way as a buildable lot. The Real Estate Services Department submitted a formal application on March 5, 2023.

Discussion:

The decision to recommend closure of a right-of-way is derived from the City’s *Classification of Alleys and Suitability for Closure* guideline document (the document), **attached** hereto as **Appendix “E”**. The document details four classifications of right-of-ways based on their usefulness, and provides corresponding criteria for determining suitability for closure.

Classification of Public Right-of-Ways

The initial step is to determine if the right-of-way is indispensable. This is achieved through the evaluation of the following criteria set forth in Section 1 of the document.

Right-of-Way:

1. *Does the right-of-way serve commercial properties?*
 - a. The right-of-way does not serve any commercial properties.
2. *Does the right-of-way serve properties fronting on heavily traveled streets i.e. major arterial routes?*
 - a. The right-of-way does not serve properties that front on heavily traveled streets.
3. *Does the right-of-way contain sewers, and must the right-of-way remain accessible for servicing?*
 - a. The right-of-way does not contain any sewers.
4. *Does the right-of-way serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?*
 - a. The right-of-way does not provide vehicular access to any rear parking areas or garages.
5. *Does the right-of-way contain Fire Department connections that are deemed to be necessary for firefighting access?*
 - a. The right-of-way does not contain any fire department connections.
6. *Does the right-of-way lie within a Holding zone or other similar undeveloped areas where the right-of-way system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent?*
 - a. The right-of-way does not lie within a Holding zone or other similar undeveloped areas.

Based on the above, the Planning Department deems the right-of-way “dispensable”, and supports the requested closure.

It is our recommendation that, upon closure, the right-of-way be sold in the manner described in the Recommendation section herein. Hence the recommendation is to close and sell the right-of-way, which is contrary to the standard manner of conveyance of offering abutting property owners first right to purchase their half of the right-of-way. In this case, the owner of the subject property confirmed that he is not interested in purchasing the right-of-way due to the high conveyance price.

Risk Analysis:

The recommended closure will divest the City of associated liability risks and maintenance costs. The recommended closure poses no known risk to City.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The right-of-way is to be sold at a value to be determined by Real Estate Services Department.

The tree replacement fee will be transferred to the Parks Department from the Real Estate Services Department upon the sale of the right-of-way.

Consultations:

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in *attached* hereto as Appendix "C".

Notice of this application was issued to property owners abutting the right-of-way by regular mail, with no objections being received as of the date of writing this report.

Notice of Development & Heritage Standing Committee meeting and Council meeting are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

Conclusion:

The Planning Department recommends closure of the right-of-way shown on *attached* Appendix "A", subject to the easement as in Recommendation II of this report, in favour of ENWIN Utilities Ltd.

The closed right-of-way is to be sold at a value to be determined by the Real Estate Services Department, as in Recommendation II of this report.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Greg Atkinson, MCIP, RPP
Manager of Development

Neil Robertson, MCIP, RPP
Acting City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP

JM

Approvals:

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	Acting City Planner / Executive Director, Planning & Development Services
Stephanie Santos	Coordinator of Real Estate Services
Kate Tracey	Senior Legal Council, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

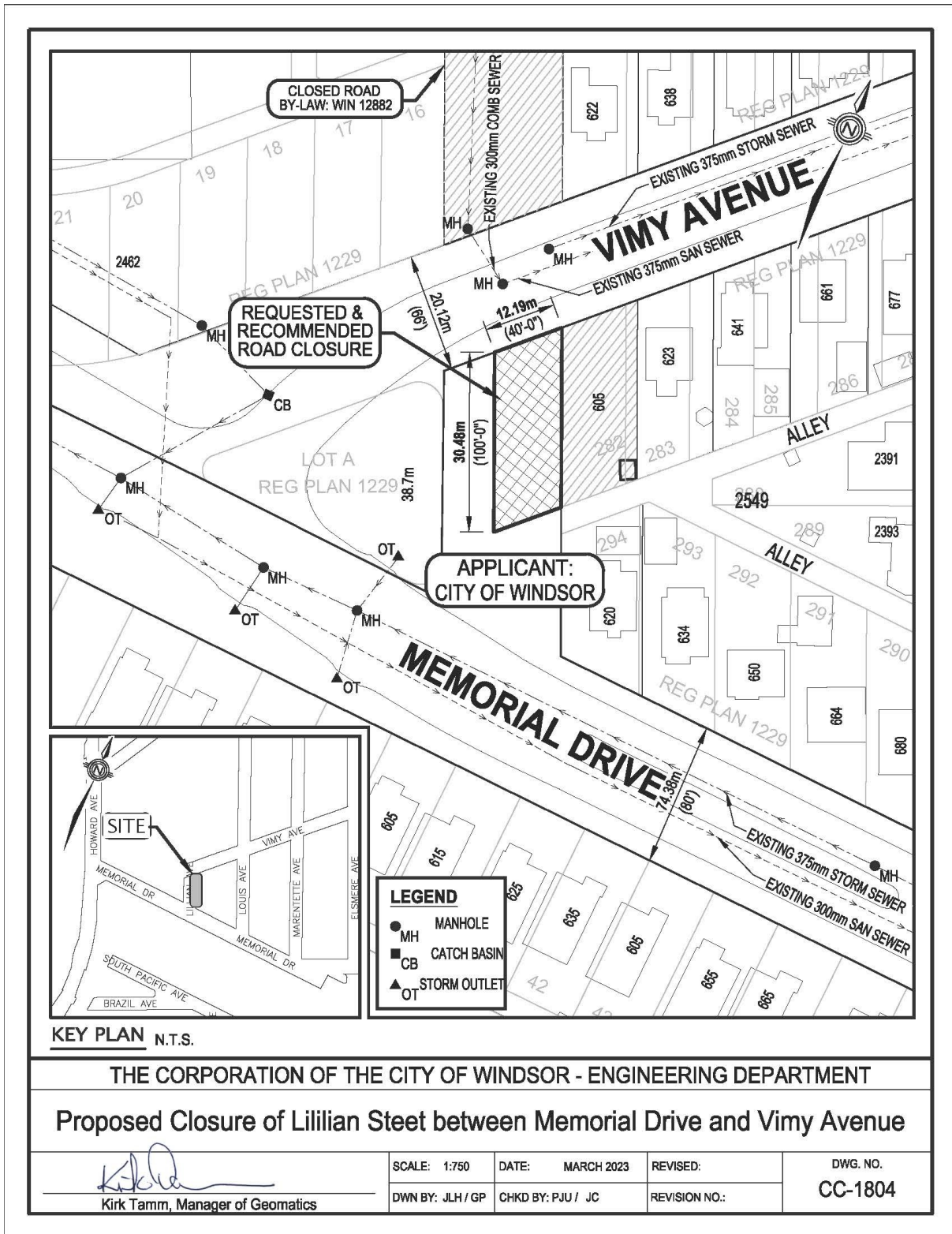
Notifications:

Name	Address	Email
Councillor Mark McKenzie	350 City Hall Square West, Suite 220 Windsor, ON N9A 6S1	MMcKenzie@citywindsor.ca
List of mailing labels for property owners abutting right-of-way issued to Clerks office		

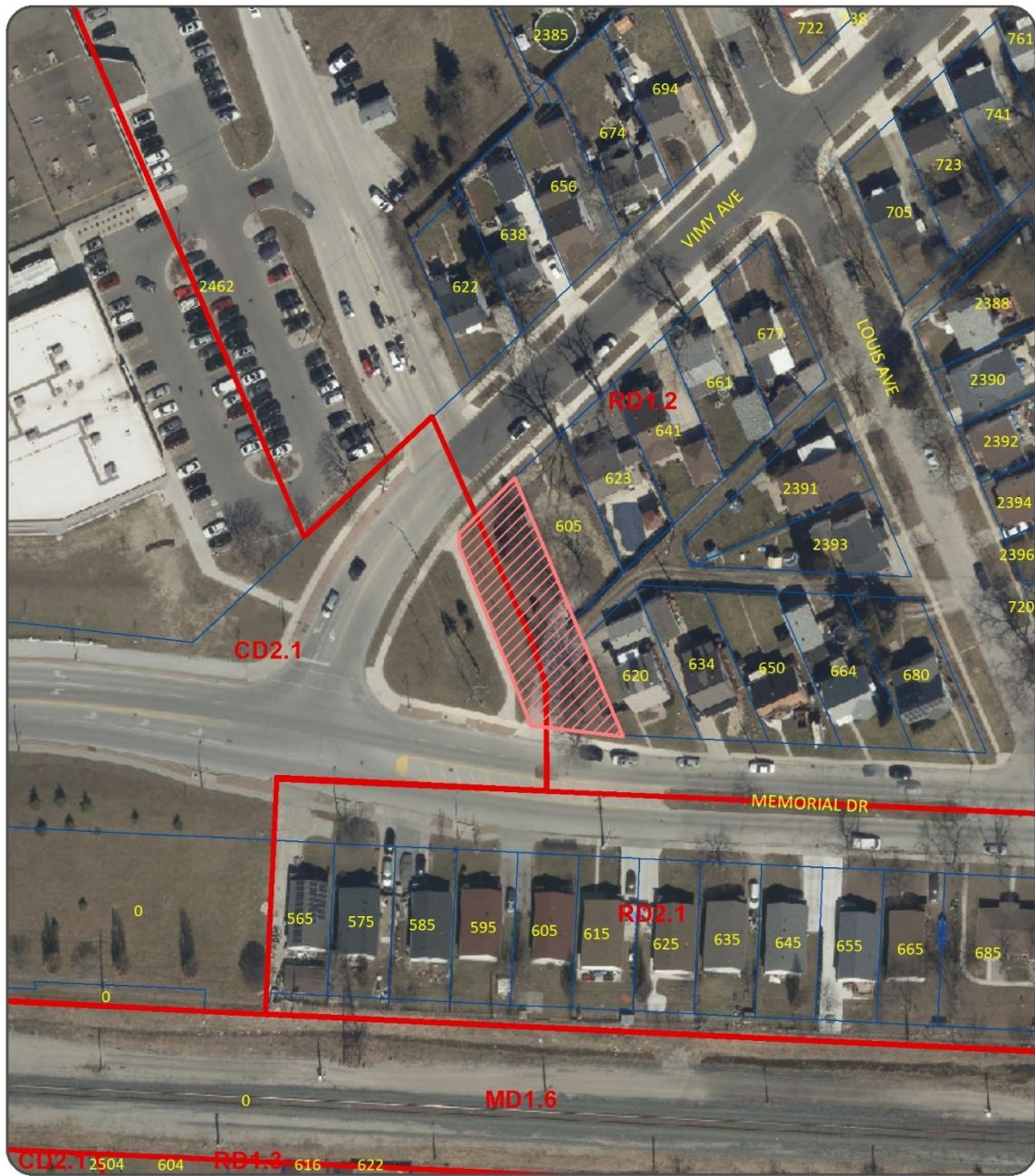
Appendices:

- 1 Appendix A - Drawing No. CC-1804
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations with Municipal Departments and Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure

APPENDIX "A" Drawing No. CC-1804



APPENDIX "B" EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/6629)

1:1,000

APPLICANT : BRUNO MANTOVAN

 SUBJECT LANDS

PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: NOVEMBER, 2021



APPENDIX “C”

Consultations with Municipal Departments and Utility Companies

BELL CANADA WSP

Bell Canada has no requirements for this closure.

[Charleyne Hall, Bell Canada External Liaison - Right-of-Way]

CANADA POST

No comments provided

COGECO CABLE SYSTEMS INC.

No comments provided

ENVIRONMENTAL SERVICES

No concerns from Environmental Services.

[Anne-Marie Albidone, Manager, Environmental Services]

ENWIN UTILITIES - HYDRO

October 27, 2022

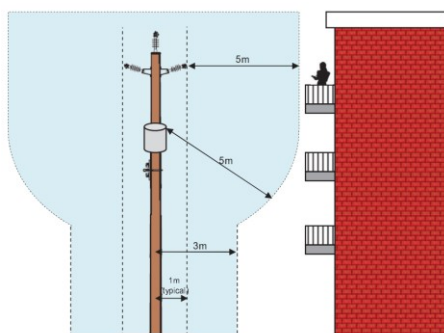
There is an existing 16kV high voltage pole line in the E/W alley right along the rear lot line.

We ask that the southern edge of the proposed pool stay at least 2.0m from the pole line.

Also, the height of the proposed garage may be an issue (what is the height)?...There is an existing three phase 27.6kV pole line along the west boundary of the site.

Certain clearances may be required depending on distance & height (see attached):

Easements named to ENWIN Utilities Ltd. may be required where applicable.



December 8, 2021

Objection, based on the subject lands identified in the Liaison sheet SAS/6629.

Please note, EnWin has existing 16kV high voltage distribution that crosses over the subject lands.

City of Windsor streetlight conductors cross over the subject lands.

In addition, EnWin has existing 27.6kV overhead hydro distribution along the west perimeter of the subject lands.

Prior to working in these areas, we would suggest referring to the Occupational Health and Safety Act and Regulations for Construction Projects to confirm clearance requirements during construction.

Also, we suggest referring to the Ontario Building Code for permanent required clearances for any New Building Construction.

[Jerry Raniwsky, Hydro Engineering Technologist]

ENWIN UTILITIES - WATER

Water Engineering has no objections.

[Bruce Ogg, Water Project Review Officer]

LEGAL DEPARTMENT

For lands abutting CD2.1, \$18 per sq/ft without easements and \$9 per sq/ft with easements.
For lands abutting RD1.2,

\$1.00 plus deed preparation fee and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

Depending on the responses from other departments we may need to review it again. As previously discussed we think it will be a building lot especially once Transportation Planning looks at setbacks from the trail. However if other departments comment about it being a building lot let me know and I'll discuss with Frank.

[Chris Carpenter, Coordinator of Real Estate Services]

MNSi

MNSi does not require an easement through these subject lands.

[Dave Hartleib, Outside Plant Manager]

PARKS & FACILITIES

Parks Design and Development has a concern pertaining this SAS/6629 LIAISON as the subject lands are seems to be public open space that contains an existing mature trees. So, this Trees shall be evaluated and priced and reported as well. May be it can be transplanted or need to be replaced with a new trees.

More details/studies are required to be provided for the work performed in the subject right-of-way described above.

[Sherif Barsom, Landscape Architect]

PLANNING DEPARTMENT

No comments provided

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

The subject property has been maintained by City Staff including several improvements made through the Parks Department including recent tree planting. The City forester has been consulted and has identified the following:

The 2019 City tree inventory indicates there are 14 City owned trees on this lot. These trees range in size/age but are all well established in a fairly good, open green space location. Planting for the majority of smaller trees occurred about 2011/12. Their future prospects for growth and development are good. These trees are not exceptional or individually significant.

- Honey locust 16 cm*
- Norway maple 46 cm*
- Freeman maple 11 cm
- Colorado spruce 8 cm
- White spruce 9 cm
- Red maple 30 cm*
- Freeman maple 11 cm
- Honey locust 8 cm
- Norway maple 46 cm*
- White spruce 5 cm
- Freeman maple 8 cm
- White spruce 8 cm
- Freeman maple 13 cm
- Freeman maple 9 cm

A 'functional' replacement, diameter for diameter, approach should be completed on the assumption that these trees would be lost to the City if approval is granted for this request. The 14 trees listed above would require a replacement of 228 cm of diameter. Our standard tree planting operations use 50mm (5cm) stock; therefore 45 replacement trees would be required. In 2021 the City's planting/establishment cost for new trees was determined to be approximately \$600 per tree. This includes purchase, planting and tending for 2 seasons.

It may be possible to consider transplanting of the smaller trees by means of a tree spade. The City is not currently equipped to undertake this operation. Contractor quotes would be needed and subsequent transplant and tending costs covered in lieu of tree replacements. Four (4) trees identified above * are too large to be transplanted by spade with reasonable expectation of success. 28 new trees would be required just to replace the function of these four (4) larger 'lost' trees.

A pre-operation site inspection by qualified City arborists would be required to confirm inventory data and current tree conditions before proceeding with transplants and/or replacements.

[Stefan Fediuk - Landscape Architect]

PUBLIC WORKS - ENGINEERING

October 26, 2022

The proposed street closure is approximately 40ft and composed of grass and asphalt. There are no municipal sewers and manholes within the alley. There are guy-wires, a wooden hydro pole and overhead wires located within the alley, an easement would be required for utilities. There is a driveway approach that provides garage access for 620 Memorial Dr. and access to the rest of the alley. If the proposed street closure is approved, 620 Memorial may require a permit to construct a new driveway approach. There appears to be a fence encroachments at 620 Memorial and 605 Vimy. The property owners will be required to remove the encroaching fence if the street closure is approved. If the closure is not approved the property owners will be required to remove the fence or enter into an encroachment agreement for their fence. Public Works has no objections to the closure, subject to an easement and the removal of the fence encroachments or encroachment agreements.

[Alison (Lodge) Pound | Technologist I]

December 21, 2021

The proposed street closure is approximately 40ft and composed of grass and asphalt. There are no municipal sewers and manholes within the alley. There are guy-wires, a wooden hydro pole and overhead wires located within the alley, an easement would be required for utilities. There is a driveway approach that provides garage access for 620 Memorial Dr. and access to the rest of the alley. If the proposed street closure is approved, 620 Memorial may require a permit to construct a new driveway approach. There appears to be a fence encroachments at 620 Memorial and 605 Vimy. The property owners will be required to remove the encroaching fence if the street closure is approved. If the closure is not approved the property owners will be required to remove the fence or enter into an encroachment agreement for their fence. Public Works has no objections to the closure, subject to an easement and the removal of the fence encroachments or encroachment agreements.

[Adam Pillon - Manager Right-of-Way]

PUBLIC WORKS - TRAFFIC

The portion of alley coming from Memorial Dr is used for access to the garage of 620 Memorial Drive. Other properties are also using the alley system, however they will still have access from the south leg of the alley from Louis Street. Would recommend closing only to the south side of 605 Vimy.

Due to the size of the proposed closure, recommend that the City investigate the potential to make the lot available for purchase by the public.

[Mike Spagnuolo, Signal Systems Analyst]

ROGERS COMMUNICATIONS

No comments provided

TELUS COMMUNICATIONS

TELUS has no underground infrastructure in the area of your proposed work.

[Meghna Patel, Permit Coordinator]

TRANSPORTATION PLANNING

October 21, 2022

Sorry for any delay, I did a sight line review with the driveway location as proposed in the attachment from Brian. According to this sketch (rough estimate) there are no sight-line issues with this proposal and it appears to be at a sufficient distance from the intersection.

However, I'm not certain on how many accesses would be allowed or if they need to be limited to one per any by-laws/regulations.

The OP does have some language about limiting the accesses of properties, ideally we would not want to allow multiple driveways. OP Section 7.2.1.12 – Protect Roadways from Driveway Proliferations; To restrict driveway access based on road classification and minimize the number of driveway access points. Vimy is however a local road, and the alley does not appear to be maintained so it wouldn't be a major concern from our point of view if they were allowed the additional access.

Engineering might have restrictions based on driveway permits and requirements.

December 20, 2021

It appears that 620 Memorial Drive and 605 Vimy Ave use this alley in order to access the parking and garage for their properties. This alley portion is not recommended for closure unless the owners of both properties using it are in support of the closure. A portion of the alley to the south of 605 Vimy Avenue's driveway access may be closed.

[Rania Toufelli, Policy Analyst]

TRANSIT WINDSOR

No comments provided

UNION GAS

We may require an easement at this location as our main runs into the alley on the south end at Memorial Dr. See attached GIS as-built.

After reviewing the provided drawing at 605 Vimy Ave. and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the proposed area. A PDF drawing has been attached for reference.

Please Note:

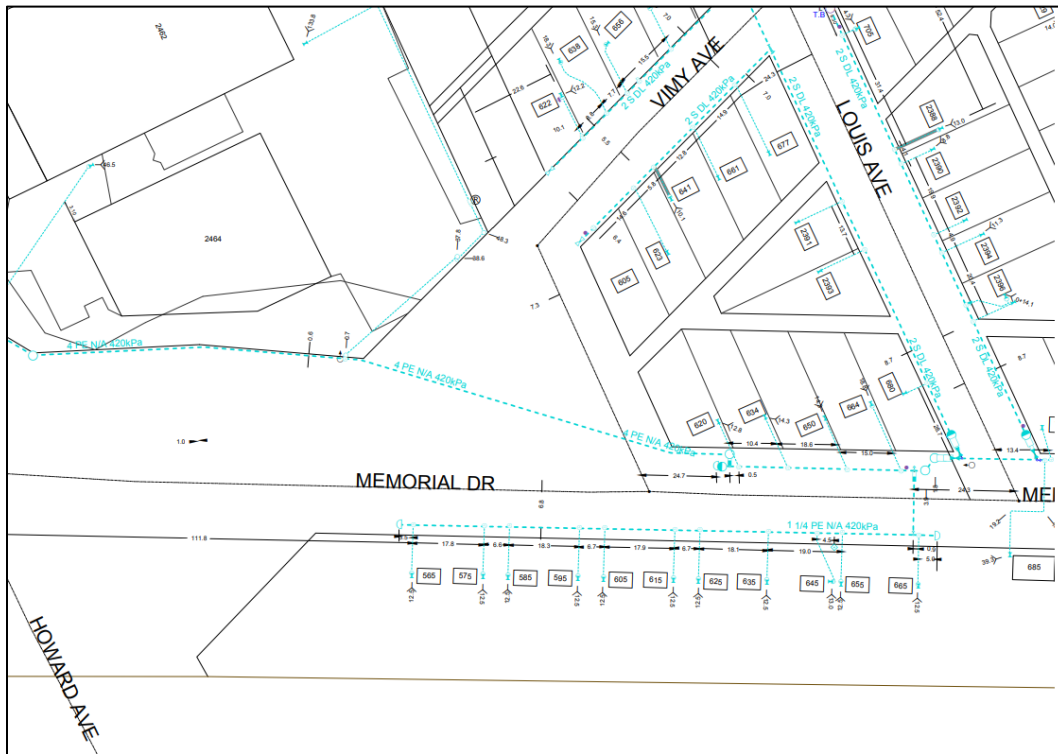
1. The shown piping locations are approximate and for information purposes only
2. The drawings are not to scale
3. This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc

Enbridge Gas requires a minimum separation of 0.6m horizontal and 0.3m vertical from all of our plant less than NPS 16 and a minimum separation 1.0m horizontal and 0.6m vertical between any CER-regulated and vital pipelines. For all pipelines (including vital pipelines), when drilling parallel to the pipeline, a minimum horizontal clearance measured from the edge of the pipeline to the edge of the final bore hole of 1 m (3.3 ft) is required. Please ensure that this minimum separation requirement is maintained, and that the contractor obtains locates prior to performing any work and utilizes safe excavation practices while performing any work in the vicinity.

Also, please note the following should you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live
- If during the course of any job, any pipe is found that is not on the locate sheet and is in conflict with your work, please call our emergency number (1-877-969-0999), and one of our Union Gas representatives will respond to determine if that plant is in fact live or dead
- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly

[Gord Joynson, Drafter Estimator]



WINDSOR FIRE

No comments provided

WINDSOR POLICE

The Windsor Police Service has no concerns or objections with this closure request. The outcome from this is anticipated to be very minor, with no impact (negatively speaking) on the ability of the police to carry out patrol and incident response activities for any affected/abutting properties.

[Barry Horrobin, Director of Planning & Physical Resources]

APPENDIX “D”
Site Photos (June 28, 2022)



Figure 1 - Looking south towards Lillian Street right-of-way from Vimy Avenue



Figure 2 - Looking east towards Lillian Street right-of-way from Vimy Avenue



Figure 3 - Looking north towards Lillian Street right-of-way from Memorial Drive



Figure 4 - Looking south towards Lillian Street right-of-way from north side of Vimy Avenue

APPENDIX “E”

Classification of Alleys and Suitability for Closure

Classification of Public Rights-of-Ways:

Currently streets and alleys fall into four classifications on the basis of their usefulness:

- 1) Alleys that are **indispensable**. These would be alleys serving commercial properties and properties fronting on heavily traveled streets i.e. major arterial routes and alleys which contain sewers and must remain accessible for servicing; alleys or streets which serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive; and, alleys which contain Fire Department connections that are deemed to be necessary for firefighting access.
- 2) Alleys that, **have some usefulness**, are nevertheless dispensable and may or may not be a complete liability.
- 3) Alleys that appear to serve **no useful purpose**, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
- 4) Alleys lying in Holding zones and other similar undeveloped areas where the alley system is **clearly obsolete** and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

Suitability for Closing:

Following are the criteria and suitability for closing alleys in each of the above classifications.

- 1) Indispensable alleys should **not be closed**, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof. They are essential from the viewpoint of fire protection, police protection, emergency services (i.e. ambulance) and loading or unloading of goods, refuse collection, servicing of blocked sewers and utility services. Without such alleys, the above noted services would at least be more costly if not impossible to complete or adequately access; and would noticeably interfere with street traffic, thereby reducing the access capacity of the adjacent arterial, collector, or street for business.
- 2) Alleys having some usefulness should **be considered for closing** only upon request of abutting owners rather than by encouragement of the City.
- 3) Alleys that serve no useful purpose should **be closed** if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- 4) Alleys that are clearly obsolete should **not be closed** unless there is a municipal need or specific development proposals acceptable to the City are submitted.

Item No. 5.1



Committee Matters: SCM 275/2023

Subject: Adoption of the Development & Heritage Standing Committee (*Planning Act Matters*) meeting minutes held October 3, 2023

Development & Heritage Standing Committee Meeting

Date: Tuesday, October 03, 2023

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 Robert Polewski

Member Regrets

Member Daniel Grenier

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Sandra Gebauer, Council Assistant

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Jelena Payne, Commissioner, Economic Development & Innovation

Wira Vendrasco, Deputy City Solicitor

Neil Robertson, Acting City Planner

Jim Abbs, Planner III – Subdivisions

Shawna Boakes, Executive Director Operations / Deputy City Engineer

Patrick Winters, Manager Development

Robert Perissinotti, Development Engineer

Brian Nagata, Planner II – Development Review

Justina Nwaesei, Planner III - Subdivisions

MINUTES

Development & Heritage Standing Committee Tuesday, October 03, 2023

Page 2 of 6

Delegations—participating in person

Item 7.2 – Karl Tanner, agent, Dillon Consulting

Item 7.2 – Joan Ennis, area resident

Item 7.2 – Kate Benedet, area resident

Item 7.2 – Robert Faher, area resident

Item 7.3 – Melanie Muir, MCIP RPP, Dillon Consulting Limited

Delegations—participating via video conference

Item 7.2 – Jeff Benedet, area resident

Item 11.2 – David Tran and Keng Mouy Tran, applicant

Item 11.2 – Jacky Ng, Project & Architectural Designer, Avant Group

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

None disclosed.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

See Item 7.1, Item 11.3, and Item 11.4.

4. COMMUNICATIONS

4.1. Additional information regarding Public Communications

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 558**

That the memo from the Commissioner, Economic Development & Innovation dated September 25, 2023 entitled "Additional Information Regarding Public Communications" **BE RECEIVED** for information.

Carried.

Report Number: SCM 266/2023

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5. ADOPTION OF THE *PLANNING ACT* MINUTES

5.1. Minutes of the September 11, 2023 Development & Heritage Standing Committee meeting (*Planning Act* Matters)

Moved by: Member Anthony Arbour

Seconded by: Councillor Angelo Marignani

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held September 11, 2023 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 257/2023

7. *PLANNING ACT* MATTERS

7.1 Official Plan Amendment and Zoning By-law Amendment for the vacant land located on the southwest corner of Wyandotte St. E. and Florence Ave. intersection; Applicant: Ganatchio Gardens Inc.; File Nos. OPA 162 [OPA/6731]; Z-026/22 [ZNG/6730]; Ward 7

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

THAT the report of the Senior Planner, Subdivisions dated September 14, 2023 entitled, "Official Plan Amendment and Zoning By-law Amendment for the vacant land located on the southwest corner of Wyandotte St. E. and Florence Ave. intersection; Applicant: Ganatchio Gardens Inc.; File Nos. OPA 162 [OPA/6731]; Z-026/22 [ZNG/6730]; Ward 7" **BE DEFERRED** to a future meeting of the Development & Heritage Standing Committee to allow for further discussions between administration and the proponent to take place.

Carried.

Report Number: S 122/2023
Clerk's File: Z/14606 & Z/14602

7.2. Official Plan & Zoning Bylaw Amendments Z 024-23 [ZNG-7069] & OPA 175 [OPA-7072] 1027458 Ontario Inc. Multiple Dwelling Development Banwell & McHugh (South) - Ward 7

Jim Abbs, Author makes note of a minor change in the report, MD1.2 should read MD1.4 and states that it does not impact the recommendation from the Planning Department.

Karl Tanner and Theresa O'Neil, agents, Dillon Consulting are available for questions.

Joan Ennis, area resident (2044 Questa Drive) - has various concerns with the proposal such as; flooding, removal of the berm, parking, traffic, height of the building and harm to the environment.

Jeff Benedet (via zoom), area resident –mentions an error on the website showing an incorrect shadow study. Mr. Benedet has various questions such as; tree removal, landfill being within 800

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meters, EV charging stations and construction fencing. Mr. Benedet also has concerns with the height of the building.

Kate Benedet, area resident (Questa Drive) – Mrs. Benedet reads an email from an area resident that has concerns with parking and traffic. Mrs. Benedet has concerns with traffic and voices safety concerns at the Banwell and McHugh intersection.

Robert Berret, area resident (1964 Questa Drive) – has concerns with flooding, traffic and removal of the berm.

Councillor Francis asks Mr. Tanner if the height can be reduced. Mr. Tanner answers that the preference is 10-storeys (35 meters) at this time.

Councillor Francis asks Ms. Ennis if the height of the building was reduced would the residents be comfortable with the proposal. Ms. Ennis agrees.

Councillor Marignani asks Mr. Tanner will the development have EV parking spots. Mr. Tanner answers that will be looked at in the Site Plan Control process. Councillor Marignani asks if there will be a convenience store at the development. Mr. Tanner answers that it can be looked into. Councillor Marignani asks if the developers would be opposed to an egress to relieve pressure from the intersection at Banwell and McHugh. Mr. Tanner states that it can be reviewed during Site Plan Control. Councillor Marignani asks if temporary construction screen can be put in place to protect the properties from construction debris. Mr. Tanner answers that it could be implemented immediately.

Councillor Kieran Mackenzie asks Mr. Tanner to speak about the raised flooding concerns. Mr. Tanner states that studies were done in the past on the Blue Heron Pond and that it was adequately sized for future developments, so it would have no negative impacts on neighbourhood.

Councillor Marignani asks Mr. Perissinotti if the building will add any additional strain on the neighbourhood in terms of flooding. Mr. Perissinotti answers that they do not have any concerns.

Councillor Marignani asks if there are any concerns with waste management. Mr. Abbs answers that there were not any concerns identified in the circulation.

Councillor Kieran Mackenzie asks for clarity on the updated TIS. Mr. Abbs answers that the study will reflect an increase of 200 units and what mitigation measures will be needed (if any).

Councillor Kieran Mackenzie asks what impact this development will have on traffic. Mrs. Boakes answers that the updated TIS will show what the impact will be with existing conditions and some forecasting for when the development is complete.

Councillor Kieran Mackenzie asks if removing the berm but adding the parking lot will control flooding issues. Mr. Winters answers that it will be determined during Site Plan Control.

Councillor Marignani asks if there are any concerns with residents having permit parking. Mrs. Boakes answers that a call would have to come in through 311 and a neighbourhood analysis would have to be done in the entire area. The next step would be a neighbourhood petition.

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

Decision Number: **DHSC 559**

THAT the City of Windsor Official Plan Volume II – East Riverside Secondary Plan Schedule ER-2 **BE AMENDED** by changing the land use designation of Block 8, Plan 12M-425, City of Windsor from Business Park to “Banwell Road Mixed Use Corridor”; and,

THAT the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:

1.# **SOUTH WEST CORNER OF BANWELL ROAD AND MCHUGH STREET**

1.#.1 The property described as Block 8, Plan 12M-425, in the City of Windsor, known municipally as 0 McHugh Street, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.#.2 Notwithstanding Section 2.7.5.5 of the Official Plan, Volume II:

- a) Medium Profile Residential Buildings shall be permitted on the subject property; and
- b) High Profile Residential Buildings shall be permitted within 30 metres of Banwell Road on the subject property; and,

THAT the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Block 8, Plan 12M-425 from MD1.4 to HCD2.7; and,

THAT the hold prefix **BE REMOVED** when the applicant/owner submits an application to remove the holding prefix and the following condition is satisfied:

- a) an updated Transportation Impact Study is prepared and submitted to the satisfaction of the City Engineer; and,

THAT subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Block 8, Plan 12M-425 by adding site specific regulations as follow:

4xx. **SOUTH WEST CORNER OF BANWELL ROAD AND MCHUGH STREET**

For the lands described as Block 8, Plan 12M-425, the following shall be additional permitted uses:

- i. residential care facility;
- ii. multiple dwelling; subject to the regulations in Section 12.2.5, and,
Building height – Maximum – within 30m of Banwell Road - 30m maximum
Building height – Maximum – remainder of site - 26 m
(ZDM 15; ZNG/7069); and,

THAT the site plan control officer **BE REQUESTED** to explore the possibility of a vehicle access area to Banwell Road.

Report Number: S 121/2023

7.3. Draft Plan of Condominium with Exemption under Section 9(3) of the Condominium Act –CDM 008-23 [CDM-7134] Lankor Horizons Development Inc. 3290, 3320, 3340, 3370 STELLA CRESCENT Ward 7

Moved by: Councillor Kieran McKenzie

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Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 560**

THAT the application of Lankor Horizons Development Inc. for an exemption under Section 9(3) of the *Condominium Act* for approval of a plan of condominium (Standard Condominium), comprised of a total of 199 dwelling units as shown on the attached Map No. CDM-008/23-1 and CDM-008/23-2 on a parcel legally described as; Part of Lot127, Concession 2, City of Windsor, Part 1 to 3 (inclusive), 12R-16010, located at 3290, 3320, 3340, 3370 STELLA CRESCENT **BE APPROVED** for a period of three (3) years.

Carried.

Report Number: S 117/2023

Clerk's File: Z/14663

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 6:23 o'clock p.m.

8. ADJOURNMENT

There being no further business, the meeting of the Development & Heritage Standing Committee is adjourned at 6:25 o'clock.

Ward 10 – Councillor
Jim Morrison (Chairperson)

Deputy City Clerk / Supervisor of Council
Services

**Subject: OPA & Rezoning – Passa Architects - 1235 Huron Church Road
- OPA 166 OPA/6902 Z-039/22 ZNG/6901 – Ward 2**

Reference:

Date to Council: November 6, 2023
 Author: Adam Szymczak, MCIP, RPP
 Senior Planner
 519-255-6543 x6250
 aszymczak@citywindsor.ca
 Planning & Building Services
 Report Date: September 19, 2023
 Clerk’s File #: Z/14671 & Z/14672

To: Mayor and Members of City Council

Recommendation:

1. THAT Schedule “A” of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating Lots 82 to 93, Plan 1046 Town of Sandwich (PIN 01240-0366; 1235 Huron Church Road; Roll No. 050-380-03000), situated on the west side of Huron Church Road, as a Special Policy Area.
2. THAT Chapter 1 in Volume II: Secondary Plans and Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a new Special Policy Area as follows:

1.X 1235 Huron Church Road

<i>LOCATION</i>	1.X.1	The property described as Lots 82 to 93, Plan 1046 Town of Sandwich (PIN 01240-0366), known municipally as 1235 Huron Church Road, situated on the west side of Huron Church Road, south of Girardot Street, is designated on Schedule A: Planning Districts and Policy Areas in Volume I - The Primary Plan.
<i>PERMITTED USES</i>	1.X.2	Notwithstanding the “Open Space” designation of these lands on Schedule D: Land Use in Volume I – The Primary Plan, the following shall be additional permitted main uses: business office, child care centre, commercial school, hotel, medical appliance facility, medical office, multiple dwelling, personal service shop, place of entertainment and recreation, place of worship, professional studio, repair shop – light, retail store, workshop. Further, an automobile repair garage shall be permitted as an accessory use.

<i>PROHIBITED USES</i>	1.X.3	The following uses are prohibited: car wash automatic, car wash coin-operated, and outdoor storage yard.
<i>LANDSCAPED SETBACK REQUIREMENTS</i>	1.X.4	Notwithstanding Special Policy Area 1.2 Huron Church Road Corridor in Chapter 1 of Volume II of the City of Windsor Official Plan, the minimum landscaped setback from the Huron Church Road right-of-way shall be 3.0 m for a non-residential building and 4.5 m for a residential building.
<i>DIRECT ACCESS TO HURON CHURCH ROAD</i>	1.X.5	Notwithstanding Section 7.2.6.4 (iv) in Volume I of the City of Windsor Official Plan, direct access to Huron Church Road is permitted, subject to approval of the City Engineer.

3. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 82 to 93, Plan 1046 Town of Sandwich (PIN 01240-0366; 1235 Huron Church Road; Roll No. 050-380-03000), situated on the west side of Huron Church Road, south of Girardot Street, from Green District 1.1 (GD1.1) to a new zoning district as follows:

16.11 COMMERCIAL DISTRICT 3.11 (CD3.11)
[ZNG/6901]

16.11.1 PERMITTED MAIN USES

<i>Business Office</i>	<i>Place of Entertainment and Recreation</i>
<i>Child Care Centre</i>	<i>Place of Worship</i>
<i>Commercial School</i>	<i>Professional Studio</i>
<i>Hotel</i>	<i>Repair Shop - Light</i>
<i>Medical Appliance Facility</i>	<i>Retail Store</i>
<i>Medical Office</i>	<i>Workshop</i>
<i>Multiple Dwelling</i>	
<i>Personal Service Shop</i>	

16.11.2 PERMITTED ACCESSORY USES

Any use accessory to a permitted main use, including an *Automobile Repair Garage*

16.11.3 PROHIBITED USES

- Car Wash Automatic*
- Car Wash Coin-operated*
- Outdoor Storage Yard*

16.11.5 PROVISIONS

.1	Lot Frontage – minimum	15.0 m
.4	Building Height	
	a) For a <i>multiple dwelling</i> – minimum	14.0 m
	b) For any non-residential <i>building</i> – minimum	9.0 m
.8	Landscaped Open Space Yard – minimum	30% of <i>lot area</i>

- .17 Exposed flat concrete block walls or exposed flat concrete walls, whether painted or unpainted, are prohibited.
- .20 Building Setback
 - a) For a *Multiple Dwelling* from a:

Front Lot Line - minimum	4.50 m
Side Lot Line - minimum	0.90 m
Rear Lot Line - minimum	5.40 m
 - b) For any non-residential *building* from a:

Front Lot Line - minimum	3.00 m
Side Lot Line - minimum	0.90 m
Rear Lot Line - minimum	1.90 m
- .50 Section 20(1)278 shall not apply and the area forming the building setback from the *front lot line* shall be a *landscaped open space yard*.
- .55 For a *Multiple Dwelling*, required parking shall be 1 parking space per *dwelling unit* and Section 24.22.1 shall not apply.
- .60 Notwithstanding Clause .1 in Table 25.5.20.1 in Section 25.5.20, the minimum separation of a *loading space, parking area, or parking space* from Huron Church Road shall be 3.0 m.
- .65 Notwithstanding Clause .6 in Table 25.5.20.1 in Section 25.5.20, for a *Multiple Dwelling*, no separation is required between a *building wall* containing a *habitable room window* or containing both a main pedestrian entrance and a *habitable room window* and a *parking area, parking space or loading area*.

4. 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, those documents submitted in support of the applications for amendments to the Official Plan and Zoning By-law 8600 **BE UPDATED** to reflect the site plan for which approval is being sought.
- B. The Site Plan Approval Officer **BE DIRECTED** to incorporate the following, subject to any updated information, into an approved site plan attached to an executed and registered site plan agreement:
 - i) Noise control measures identified in Tables 3, 4 and 5 in the Acoustic Assessment Report, prepared by Akoustik Engineering Limited, dated March 29, 2022, subject to the approval of the City Planner, Deputy City Planner, or Site Plan Approval Officer.
 - ii) Requirements of the City of Windsor – Engineering and City of Windsor – Transportation Planning contained in Appendix G of Report S 124/2023, subject to the approval of the City Engineer.
- C. The Site Plan Approval Officer **CONSIDER** all remaining comments contained in Appendix G of Report S 124/2023.

Executive Summary:

N/A

Background:

Location: 1235 Huron Church Road; Lots 82 to 93, Plan 1046 Town of Sandwich;
West side of Huron Church Road, south of Girardot Street;
PIN 01240-0366; Roll No. 050-380-03000

Ward: 2 **Planning District:** Sandwich **Zoning District Map:** 4

Applicant: Passa Associates Architects (Joseph Passa)

Owner: 1256567 Ontario Ltd. (Jay Abdoullrahman)

Agent: Lassaline Planning Consultants (Jackie Lassaline)

Proposal: Applicant is requesting amendments to Official Plan Schedule D: Land Use from Open Space to Mixed Use and modifying Special Policy Area 1.2 and to Zoning By-law 8600 from Green District 1.1 (GD1.1) & S.20(1)278 to a new Commercial District zoning and/or a new site specific exception to allow the construction of a Multiple Dwelling with a building height of 13.25 m consisting of 37 dwelling units over four storeys, the construction of a single storey building with a GFA of 270.8 m² to be used as a workshop/repair garage, a reduction in required parking for the multiple dwelling, and reduction in the required setback from Huron Church Road.

A total of 51 parking spaces comprising of 37 spaces for the multiple dwelling (at a rate of 1.0 space per dwelling unit) and 14 spaces for the commercial use and 2 loading spaces. The development is required to comply with all other zoning provisions.

The parcel is designated Open Space on Schedule D in the Official Plan, zoned GD1.1 and S.2(1)278 by Zoning By-law 8600, has an area of 4,137 m², a frontage of 151 m, and is occupied by a one-storey commercial building with a GFA of 345.1 m² that will remain. Vehicular access is limited to right-in/right-out via southbound Huron Church Road. All plans, drawings and elevations are conceptual and subject to change. The development as proposed is subject to site plan control.

Submitted Materials: Attached to Report S 124/2023 as an Appendix:

Appendix A - Planning Rationale Report Revised (PRR)

Appendix B - Conceptual Site Plan

Appendix C - Elevations

Appendix D - Floor Plan First Floor and Typical

Appendix E - Floor Plan Fourth Floor and Perspective Renderings

Not attached to this report but available [online](#) or via [email](#):

Acoustic Assessment Report & Acoustic Assessment Report Addendum

Application for Official Plan Amendment; Application for Zoning By-law Amendment

Archaeological Assessment Stage 1 and 2

Tree Inventory

All documents are available online via the Current Development Applications [page](#) (click on Z-039/22) or via email at aszymczak@citywindsor.ca

Site Information:

OFFICIAL PLAN	ZONING - 8600	CURRENT USE	PREVIOUS USE
Open Space (Sch. D) Special Policy 1.2	Green District 1.1 (GD1.1) & S.20(1)278	Taxi Service	Ontario Travel Information Centre
LOT FRONTAGE HURON CHURCH ROAD	LOT DEPTH	LOT AREA	LOT SHAPE
150.6 m	27.3 m	4,112 m ²	Rectangular
495.4 ft	89.77 ft	44,368 ft ²	
<i>All measurements are provided by the applicant and are approximate.</i>			

Neighbourhood:

Site images are provided in Appendix F. Sections 1.2, 1.3 and 1.4 in the PRR provide additional site and neighbourhood details.

To the northeast is the University of Windsor Alumni Field and other facilities, Windsor Fire Station 4 and Assumption College Catholic High School and the offices of the Windsor-Essex Catholic District School Board (WECDSB). Further east are low profile residential dwellings.

To the south at the intersection of Huron Church Road and Tecumseh Road West are a mix of commercial uses. To the west is a low profile residential area.

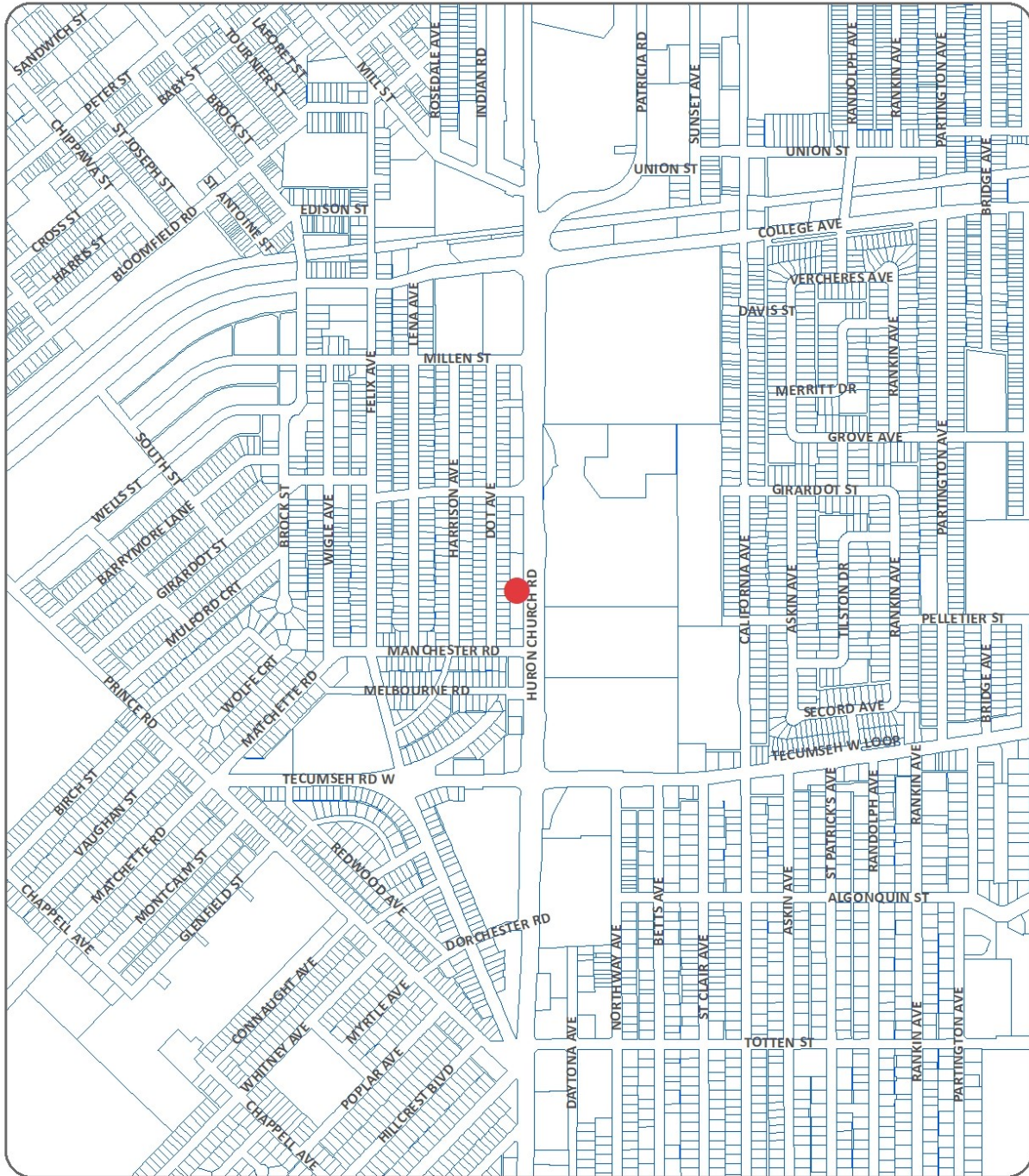
Per Schedule F: Roads and Bikeways in the City of Windsor Official Plan, Huron Church Road is classified as a Class I Arterial Road, having a minimum of three travel lanes in each direction with a raised median and sidewalks on both sides, and provides access to the Ambassador Bridge to the USA, EC Row Expressway and Highway 401.

Girardot Street is classified as a Local Road with two travel lanes, curbs and sidewalks. A pedestrian bridge across Huron Church Road is located just north of Girardot Street.

Public transit is available via the Central 3 bus route with several stops within 400 m of the subject parcel. The Transit Master Plan will maintain similar transit service.

The site may be serviced by a 375mm PVC sanitary sewer and a 1200mm RCP storm sewer located within Huron Church right-of-way. Enwin – Water Engineering notes there is no active watermain near the proposed apartment and that the applicant will have to install water service to the site from an existing source.

Figure 1: Key Map



KEY MAP - Z-039/22, ZNG-6901, OPA 166, OPA-6902



● SUBJECT LANDS

Figure 2: Subject Parcel – Official Plan Amendment

SCHEDULE A

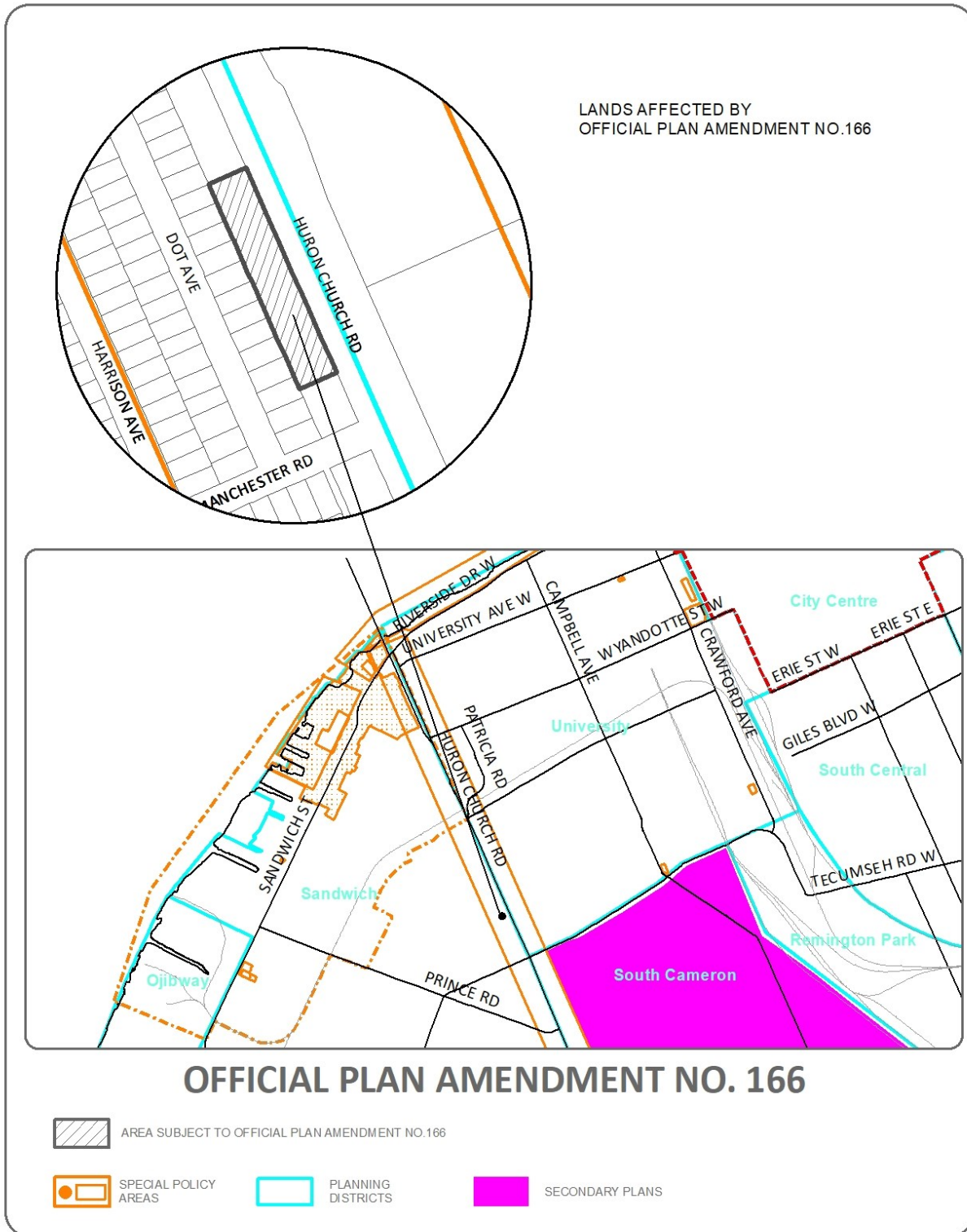
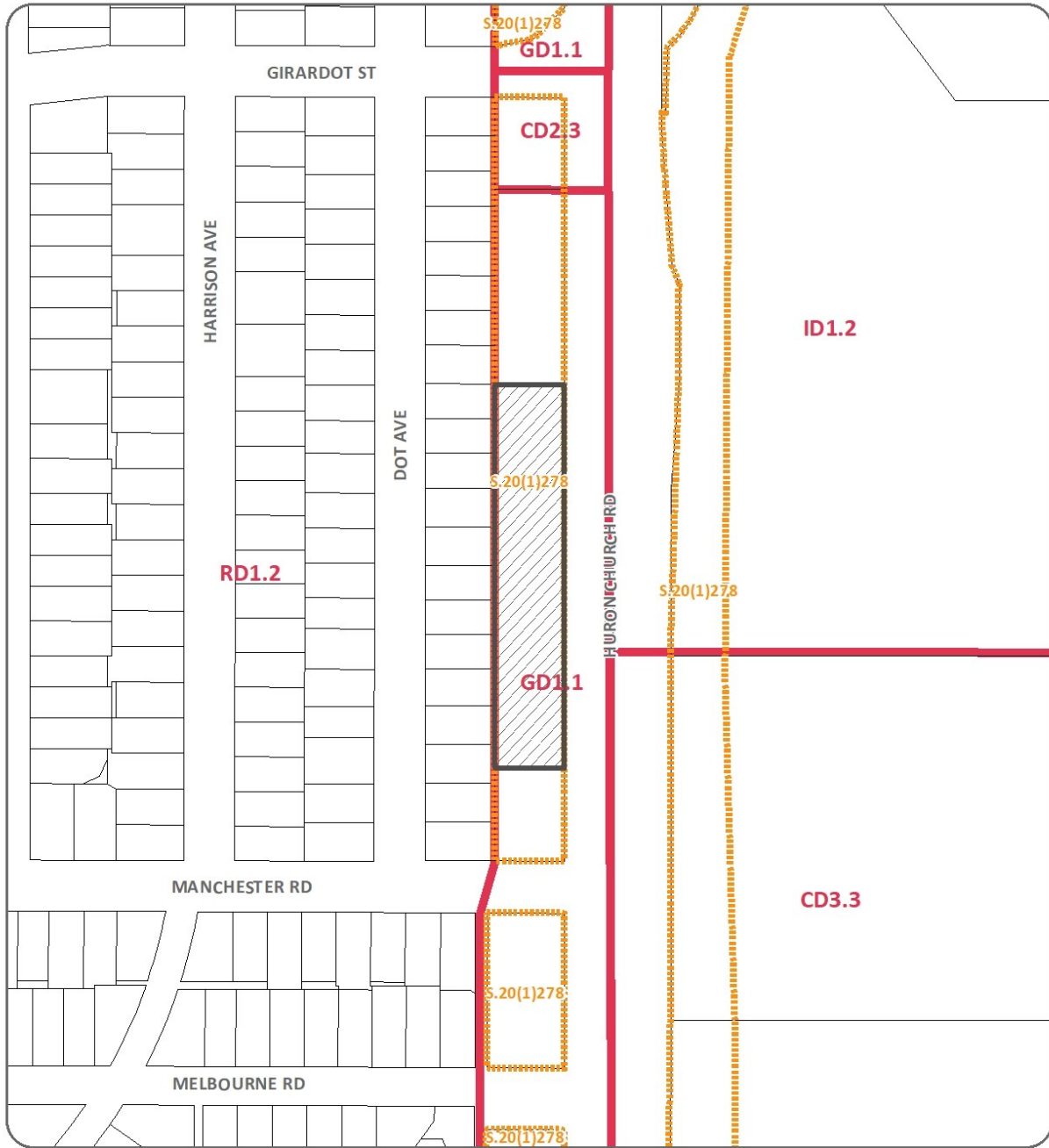


Figure 3: Subject Parcel - Rezoning



PART OF ZONING DISTRICT MAP 4

REZONING

Applicant: Passa Architects



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT

N.T.S.



DATE : JUNE, 2023
FILE NO. : Z-039/22, ZNG/6901

Figure 4: Neighborhood Map



NEIGHBOURHOOD MAP - Z-039/22, ZNG-6901,
OPA 166, OPA-6902



SUBJECT LANDS

Discussion:

Stage 1 and 2 Archaeological Assessment (Timmins Martelle Heritage Consultants Inc., 2012 November)

No archaeological resources were identified during the Stage 2 assessment. The report recommends that the *“subject property may be considered free of any further archaeological concern and no further archaeological assessment work is recommended.”*

The City of Windsor Heritage Planner has requested confirmation that the Archaeological Assessment has been reviewed by the Ministry of Heritage, Sport, Tourism, and Culture Industries (MHSTCI) and that it has been entered into the “Ontario Public Register of Archaeological Reports”. The Heritage Planner requires a final GIS shape file of the subject area for municipal records.

Acoustic Assessment Report (AAR) (Akoustik Engineering Limited, 2022 March 29) & Acoustic Assessment Report Addendum (2023 March 22)

The report concludes that the *“noise impact on the proposed development has been shown in this report to exceed the limits set by the Ontario Ministry of the Environment, Conservation and Parks. However, given that the noise impacts can be mitigated through appropriate building material design (STC), the installation of central air conditioning and warning clauses, it is recommended that the development be given approval with the understanding that the stated noise control measures are implemented.”*

The report notes the following minimum requirements for noise control measures in north, east, and south facing dwelling units:

- a) Installation of air conditioning units;
- b) Type D warning clause be implemented in all development agreements, offers to Purchase, and agreements of Purchase or Sale or Lease; and
- c) Comply with the minimum STC Rating for the building components identified in Table 5 of the Acoustic Assessment Report.

Recommendation 3 in Report S /2023 directs, among other matters, that the Site Plan Approval Officer include the noise control measures identified in the AAR.

The Planning Department requested confirmation that the *“rooftop HVAC system on the existing building (former tourism centre) and that the proposed uses (workshop and repair garage) in the new commercial building were considered as potential noise sources and they were found to not be a significant source of noise which may impact the residential development”*. The AAR Addendum confirms that the *“nearby HVAC has no significant impact on the proposed development”*.

Concerning noise levels from the proposed workshop and repair garage, the AAR Addendum notes that if the proposed uses produce *“noise emissions that impact beyond the property line of the workshop, it will be the responsibility of the operators to apply and receive an Environmental Compliance Approval (ECA) from the Ministry of the Environment, Conservation and Parks that demonstrates that they are operating in compliance to the noise levels given in the MECP document NPC-300”*.

Parking Study (RC Spencer Associates Inc., 2023 February)

The study states that the *“proposed parking supply will sufficiently accommodate peak parking demand. Furthermore, the proposed development is close to existing active transportation facilities and transit, and as such, it is anticipated that the proposed development’s modal split may further reduce the peak parking demand”*. City of Windsor Transportation Planning states that the study is satisfactory.

Planning Rationale Report Revised (Lassaline Planning Consultants Inc., 2023 June 15)

The Planning Rationale Report (PRR) notes that the *“proposed OPA will provide for a policy framework that will allow for residential and commercial uses appropriate and compatible with the site and the neighbourhood”*. The PRR states that an exemption from Special Policy 1.2 is required to allow the proposed multiple dwelling be located closer than the 30 metre setback required in Special Policy 1.2 because the subject parcel is less than 30 metres in depth.

The PRR states the *“site-specific zoning bylaw amendment will establish a regulatory framework to support the development and the future use of the subject lands. The ZBA is not required to authorize the land use that is permitted, rather, it is designed to recognize the legal non-complying regulations associated with the existing building and the proposed change of use”*.

The PRR concludes that the *“as an adaptive re-use of an existing building, plus intensifying the site with a mix of residential and commercial uses in an area within close walking distance of a wide variety of amenities and public services is good planning”* and that the proposed amendments provide *“a good solution for the provision of needed alternative residential accommodation, small commercial uses as adaptive reuse of existing infrastructure, and is a compatible development with an existing adjacent neighbourhood, while supporting a diversity of housing tenures and styles within the municipality”*.

Provincial Policy Statement (PPS) 2020:

The PPS provides direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario. The review of the PPS 2020 applies to both the Official Plan Amendment and the Zoning By-law amendment.

The proposed amendments are consistent with Policy 1.1.1 of the PPS. They will allow the proposed uses of a multiple dwelling, workshop and repair garage to make use of existing services and infrastructure. The development represents an efficient development and land use pattern that will have no adverse impact on the financial well-being of the City of Windsor, promotes intensification, achieves a cost-effective development pattern & minimizes land consumption and servicing costs.

The amendments are consistent with PPS Policies 1.1.3.1, 1.1.3.2, and 1.1.3.3. The subject parcel is located within the settlement area. The requested amendments promote a land use that makes efficient use of land and existing infrastructure. Active transportation options and transit services are located/ planned adjacent to, or near, the parcel. The subject land represents an appropriate location for intensification.

The amendments are consistent with PPS Policy 1.4. The proposed development is a form of intensification that will expand the range and mix of housing options in the surrounding area. It will facilitate the municipality's ability to accommodate residential growth through intensification, will provide a form of housing that is appropriate in terms of range and mix, and will meet the social, health and well being of current and future residents. Appropriate levels of infrastructure, active transportation, and transit are available or will be available.

The amendments are consistent with PPS Policy 1.2.6 regarding Land Use Compatibility.

The amendments to allow the proposed development are consistent with the overall policy direction of the PPS.

City of Windsor Official Plan:

The subject parcel is designated Open Space on Schedule D: Land Use in Volume I: The Primary Plan and is located within the Huron Church Road Corridor identified in Section 1.2 of Volume II: Secondary Plans and Special Areas.

The applicant is requesting an amendment by changing the land use designation from "Open Space" to "Mixed Use Node" and adding an exception to Special Policy Area 1.2 to allow the proposed uses and development on the subject parcel.

Chapter 6 – Land Use supports a complementary range of housing forms and tenures in all neighbourhood, seeks to promote compact neighbourhoods and balanced transportation systems and seeks to promote selective residential redevelopment, infill and intensification initiatives.

Section 6.1 in the Land Use chapter provides a list of land uses goals. Goal 6.1.1 is to achieve safe, caring and diverse neighbourhoods. Goal 6.1.2 seeks environmentally sustainable urban development. Goal 6.1.3 promotes housing suited to the needs of Windsor's residents. Goal 6.1.4 directs residential intensification to areas of the City where transportation, municipal services and community facilities are readily available.

The proposed development will create a diverse neighbourhood that represents an environmentally sustainable development and that will provide housing that is in demand. The addition of residential uses will create a pedestrian orientated cluster of residential, commercial and employment uses. The proposed development represents a complementary and compact form of housing and intensification that is near different types of transportation.

The locational criteria for a residential development require access to an arterial road, be provided with public transit, and that adequate community services and open spaces are available or planned. The parcel has access to Huron Church Road and transit, parks and schools are located within walking distance.

The Acoustic Assessment Report and Addendum concludes that *"noise impacts can be mitigated through appropriate building material design (STC), the installation of central air conditioning and warning clauses, it is recommended that the development be given approval with the understanding that the stated noise control measures are implemented."*

The creation of a new Mixed Use Node at this location is not in keeping with the general policy direction of the Official Plan. However, the subject parcel is unique in that it is partially developed and provides a selective opportunity for residential intensification. The Planning Department recommends that a new Special Policy Area be created that maintains the Open Space designation but permits a limited range of commercial and residential uses and reduces the landscaped setback from Huron Church Road. The agent indicates that this is acceptable to the applicant.

Notwithstanding that Section 7.2.6.4 (iv) prohibits direct property access to Huron Church Road (a Class I Arterial Road), the subject parcel currently has direct access to Huron Church Road. The design and location of the access areas, including sightlines, will be reviewed during Site Plan Control.

Should Official Plan Amendment 166 be approved, the requested zoning amendment will conform to the Zoning Amendment Policies, Section 11.6.3.1 and 11.6.3.3, of the Official Plan and conform to the general direction of the Official Plan.

Zoning By-Law 8600:

The parcel is zoned Green District 1.1 (GD1.1) which permits a Child Care Centre and a Public Park as main uses and S.20(1)278 which requires a landscaped open space yard with a minimum depth of 10 m along Huron Church Road.

The applicant is requesting an amendment to Zoning By-law 8600 changing the zoning from GD1.1 to Commercial District 3.2 (CD3.2) and adding a site specific exception to allow the uses and development proposed by the applicant. The CD3.2 zoning permits several uses such as Car Wash Automatic, Car Wash Coin-Operated, Food Outlet – Take Out, Micro-Brewery, Public Hall, Restaurant that may create noise, light and odour issues with the adjacent residential uses. The Applicant confirms that the proposed Automobile Repair Garage is an accessory use to the existing taxi service.

As proposed, the development requires several site specific provisions in setbacks from lot lines (the parcel is wide but shallow), reduction in parking area separation of 10 m to 3.0 m along Huron Church Road due to shallow lot depth, a reduction in required parking from 1.25 parking spaces to 1 parking space per dwelling unit, and relief from parking area separations from the residential building due to the placement of parking at grade underneath the second floor of the multiple dwelling.

The Planning Department recommends a new Commercial District 3.11 (CD3.11) zoning district that blends the requested CD3.2 zoning and site specific provisions, as listed in Recommendation 3 in this report. The CD3.11 permits specific uses, allows an Automobile Repair Garage only as an accessory use, and prohibits specific uses. Building height for both the multiple dwelling and non-residential buildings are also restricted. The applicant concurs with the proposed CD3.11 zoning.

The proposed development complies with all other applicable zoning provisions.

Site Plan Control:

Site Plan Control will be the primary planning tool to implement the direction of the PPS and the Official Plan, the provisions of Zoning By-law 8600, and the requirements and recommendations of municipal departments and external agencies. Recommendation 4 provides direction and guidance for the site plan control process.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

In general, intensification and a broader mix of uses will minimize the impacts on community greenhouse gas emissions as these developments create complete communities and neighbourhoods while using currently available infrastructure and facilities such as schools, sewers, sidewalks, and public transit.

Climate Change Adaptation:

The proposed development will provide opportunities to increase resiliency for the development and surrounding area, including stormwater management.

Financial Matters:

N/A

Consultations:

Comments received from municipal departments and external agencies are attached as Appendix G. Recommendation 4 directs the Site Plan Approval Officer to incorporate specific mitigation measures and municipal requirements, and to consider remaining comments, during the Site Plan review process. Statutory notice was advertised in the Windsor Star, a local newspaper. A courtesy notice was mailed to property owners and tenants within 120 m of the subject parcel. Submitted documents were posted on the City of Windsor [website](#).

Conclusion:

The applications have been evaluated for consistency with the Provincial Policy Statement 2020 and conformity with the general policy direction of the Official Plan.

Based on the information presented in this report, and the Planning Rationale Report submitted by the Applicant, it is my opinion that the requested amendment to the City of Windsor Official Plan adding a new Special Policy Area to provide specific policy direction regarding permitted uses, prohibited uses and landscaped setback requirement is consistent with the PPS 2020 and is in general conformity with the Official Plan. The requested amendment to Zoning By-law is consistent with the PPS 2020 and will be in conformity with the Official Plan when OPA 166 is approved.

The proposed amendment will provide modern housing and a limited range of commercial uses subject to additional provisions. Site plan control is an appropriate tool to incorporate the requirements, and consider the comments, of municipal departments and external agencies. The recommendations to amend the Official Plan and Zoning By-law 8600 constitute good planning.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Greg Atkinson, MCIP, RPP
Manager of Development

Thom Hunt, MCIP, RPP
City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP

JM

Approvals:

Name	Title
Greg Atkinson	Manager of Development / Deputy City Planner
Neil Robertson	City Planner / Executive Director, Planning & Development Services (A)
Wira Vendrasco	Deputy City Solicitor, Legal & Real Estate Services
Jelena Payne	Commissioner, Economic Development & Innovation
Janice Guthrie for	Chief Administrative Officer

Notifications:

Name	Address	Email
Joseph Passa Passa Architects		joseph@passa.ca
Jay Abdoullrahman 1256567 Ontario Ltd.	1235 Huron Church Road, Windsor ON N9E 2K6	p5192547777@hotmail.com
Lassaline Planning Consultants (Jackie Lassaline)	PO Box 52 1632 County Road 31 St. Joachim ON N0R 1S0	jackie@lassalineplan.ca
Councillor Costante (Ward 2)		fcostante@citywindsor.ca
Property owners and tenants within 120 m of the subject lands		

Appendices:

- 1 Appendix A - Planning Rationale Report Revised 2023 Jun 16
- 2 Appendix B - Conceptual Site Plan Revised 2023 Sep
- 3 Appendix C - Elevations
- 4 Appendix D - Floor Plan First Floor and Typical
- 5 Appendix E - Floor Plan Fourth Floor and Perspective Renderings
- 6 Appendix F - Site Images
- 7 Appendix G - Comments



LASSALINE
PLANNING CONSULTANTS INC.

REPORT: **PLANNING RATIONALE REPORT (PRR)**
MUNICIPALITY: CITY OF WINDSOR
MUNICIPAL ADDRESS: 1235 HURON CHURCH RD
DEVELOPMENT: OPA and ZBA
DATE: JUNE 15, 2023 (REV)

1632 County Road 31
St. Joachim, ON · NOR 1S0
C 519-563-8814 · E jackie@lassalineplan.ca

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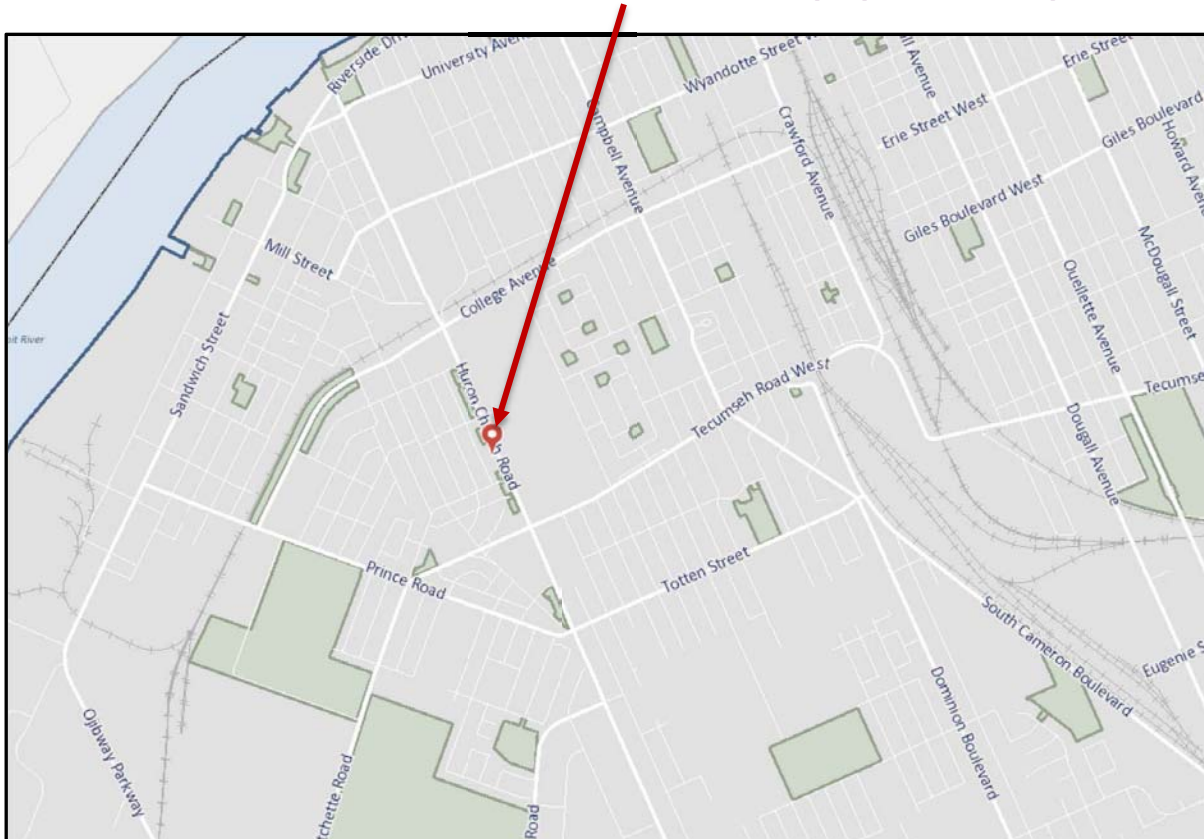
APPENDIX A	CD3.2 ZONING
APPENDIX B	DRAFT SITE PLAN

1.0 INTRODUCTION

Lassaline Planning Consultants (LPC) has been retained to undertake a Planning Rationale Report (PRR) regarding the feasibility of an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) for the construction of a new 4-storey residential apartment building with 35 residential units and the inclusion of commercial uses on site to create a mixed use development. The proposed commercial uses include a new workshop at the south end of the property and the recognition of an existing commercial building for office space on site (former Tourism Ontario building).

A pre-consultation was held with Planning staff at the City of Windsor. A number of accompanying documents and studies were identified to be submitted as part of this OPA and ZBA application. These include a Conceptual Site Plan, a Transportation Impact Study, a Stage 1 Archaeological Assessment, a Noise Study, a Detailed Tree Inventory and Preservation Plan as well as a Planning Rationale Report. Jackie Lassaline, BA MCIP RPP has prepared this PRR to support, explain and justify the requested OPA and ZBA application.

FIGURE 1 - LOCATIONAL MAP 1235 HURON CHURCH RD proposed development site:



1.1 PURPOSE OF THE REPORT

The property is presently designated 'Open Space' on Schedule D of the Official Plan and zoned 'Green District (GD1.1)' in Comprehensive Zoning By-law (CZB) 8600 for the City of Windsor. The existing Open Space policies and the 'Green District (GD1.1)' recognize the existing tourism bureau and passive green use of the property without potential for development.

The subject property consists of the former Ontario Tourism building and parking for the travelling public until it was made redundant and sold by the Province. There is an existing facility on site that was converted to a taxi service and auto repair facility. The current designation and zoning for the land does not properly reflect the existing commercial use of the property.

The owner is proposing the addition of a 4-storey, 35-unit apartment building and associated parking on the west half of the subject property. At the east half, distance separated on the long, narrow property, the owner is proposing auto repair shop as well as providing for office use through an adaptive reuse for the existing commercial building on site.

An Official Plan Amendment (OPA) is being requested to change the policy framework for the property from the present open space 'Green District' to 'Mixed Use' in the Official Plan to support the proposed mixed use residential use and commercial development. The Official Plan Amendment will provide a policy framework for both the residential and the commercial uses to co-exist on the same property.

A Zoning Bylaw Amendment (ZBA) from Bylaw 8600 is also being requested to establish a new mixed use regulatory framework for the parcel. Commercial Zone regulations tailored on a site specific application will reflect the mix of commercial and residential uses proposed for the site.

This PRR will evaluate the requested amendments in the context of Provincial Policy Statements and the City of Windsor Official Plan policy direction. This PRR will demonstrate the consistency of the proposal with the Provincial Policy Statement (PPS) 2020 and illustrate how the development is consistent with housing policies, provides for healthy community initiatives, provides for healthy, transit-supportive, walkable community policies of the province. This PRR will also highlight and establish the Bylaw regulatory framework to be applied to the property.

1.2 1235 HURON CHURCH STREET

The subject lands are owned by '1256567 Ontario Ltd' c/o Jay Abdoullrahman. The subject site has a municipal address of 1235 Huron Church Road (Roll No. 3739-050-380-03000-0000) in Windsor, Ontario.

The site is located within the urban settlement area of the City of Windsor. It is on the west side of Huron Church Road, approximately 500 metres south of College Avenue and approximately 250 metres north of Tecumseh Road West.

The site consists of a parcel with 151 m frontage on Huron Church Road with a total of 4,137 m² (44,513 ft²) lot area in a rectangular shape. The lot configuration is wide shallow allowing for distance separation of the mix of uses proposed for the subject site.

FIGURE 2 – AERIAL PHOTOGRAPH OF 1235 HURON CHURCH



The lot currently has an existing 345 m² (3,715 ft²) building (the former Tourism Ontario building) being used for office purposes. The existing building and site is proposed to be re-purposed and adapted to a new commercial use consisting of office space. The owner is also proposing the utilization for a portion of the far eastern part of the property for an auto repair shop. The far west of the property will be the location of the residential apartment building. The utilization of all three uses on the property fully utilizes the capacity of the property for a supportive, mix of uses.

FIGURE 3 - EXISTING SITE – 1235 HURON CHURCH

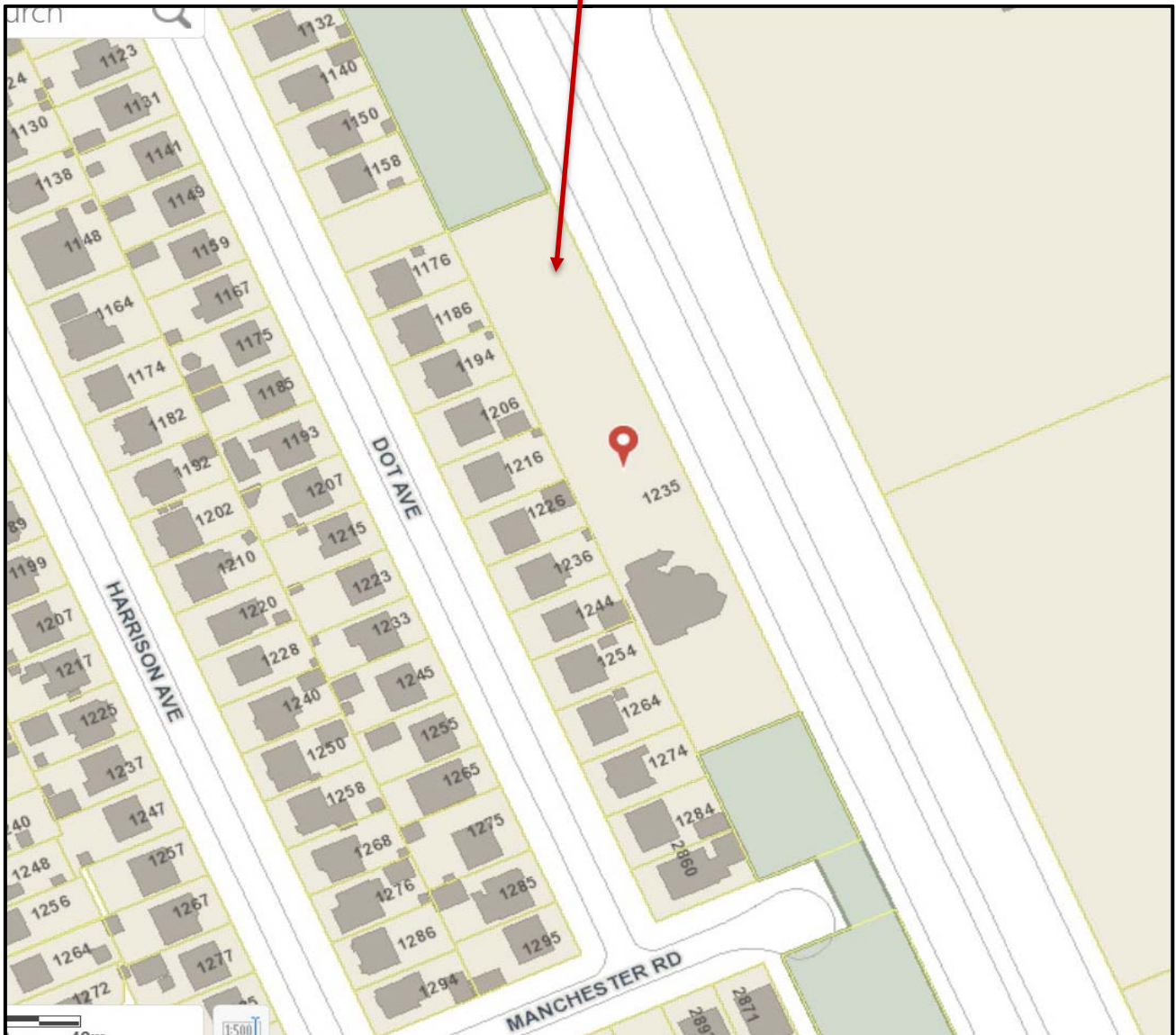


FIGURE 4 - EXISTING BUILDING (FORMER TOURIST BUREAU)



1.3 PROPOSED DEVELOPMENT

The proposed development includes a 390m² (4,205 ft²), 4-storey, 35-unit apartment building that will be located at the northern portion of the parcel with a large frontage on Huron Church Road. The southern portion will include a new 270 m² (2,915 ft²) building for a workshop and autobody repair shop while the existing one storey, 345 m² (3,715 ft²) building that is currently vacant will be re-adapted to attract tenancy for office and commercial space.

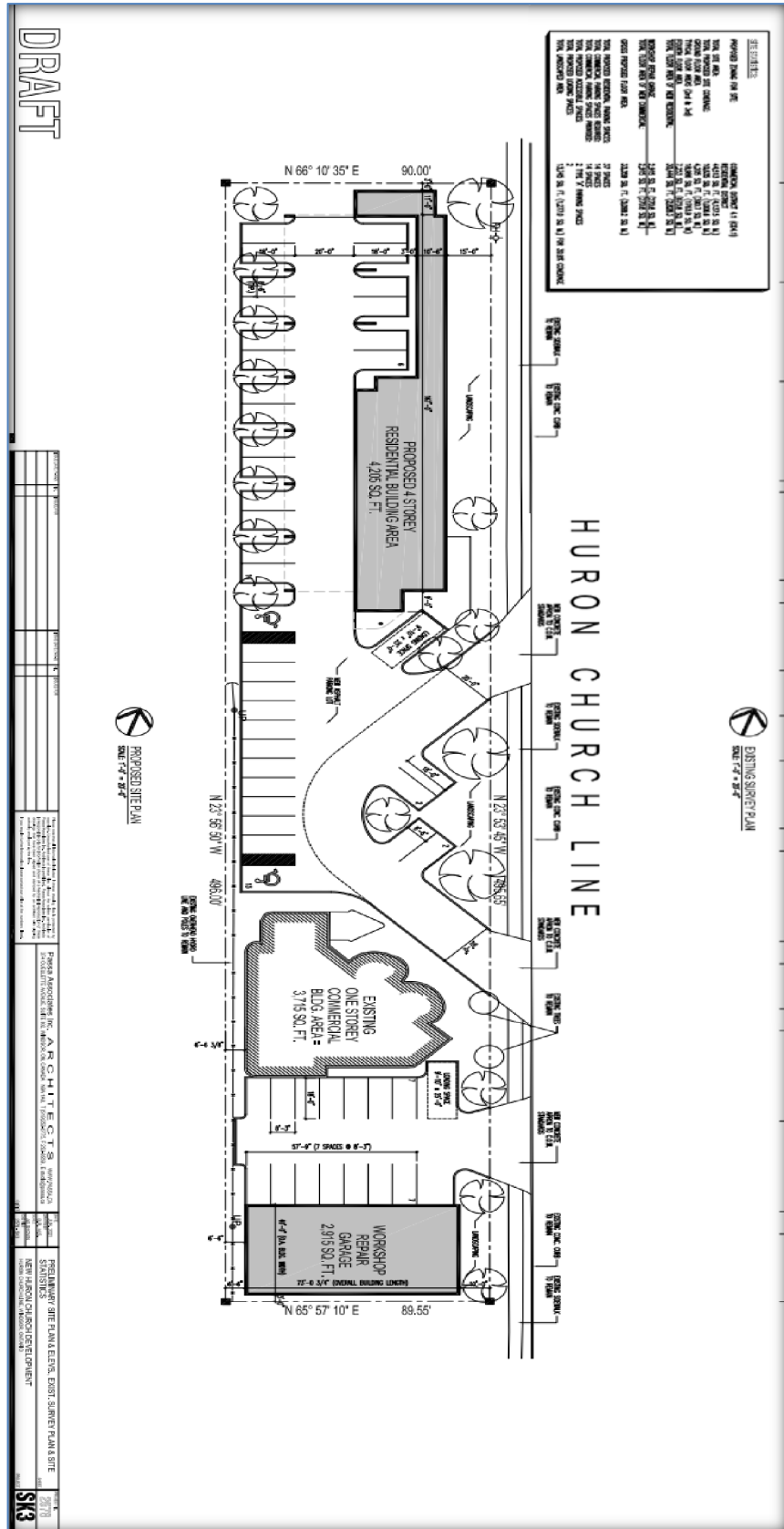
The apartment buildings orientation, height and massing, as shown on Figures 5 and 6, below are fronting on Huron Church Road with terraces and parking at the rear. There will be a total of 37 parking spaces provided for the apartment residents at a slightly reduced parking rate detailed further in this PRR. The parking spaces are located toward the rear of the property screened almost entirely by the proposed apartment building. There will also be 14 commercial parking spaces on the southern half of the property to accommodate the commercial uses. Fourteen spaces for the commercial uses meets the minimum requirements.

The proposed development will utilize existing sidewalks but also be constructing new portions of sidewalk to City of Windsor standards to make appropriate and safe pedestrian connections alongside the property, supporting the healthy, walkable communities.

All vehicle access to Huron Church Road will consist of driveway approaches with right-in/right out controlled access to utilize existing entrances. This approach will support the collector nature of Huron Church while providing for a design with pedestrian safety as a priority. The controlled access will also support the minimal traffic flow to the residential parking areas by separating traffic flow between the residential and the commercial land uses.

The area of the parcel and the proposed orientation of both the existing building and the proposed building will be accommodated with appropriate separation of uses while balancing with the mixed of uses. The requested OPA and ZBA will provide for a compact urban form with an adaptive reuse element and intensification of an existing lot. The location takes advantage of multiple bus routes and has nearby shopping and multiple education facilities within walking distance.

FIGURE 5 – SITE PLAN:

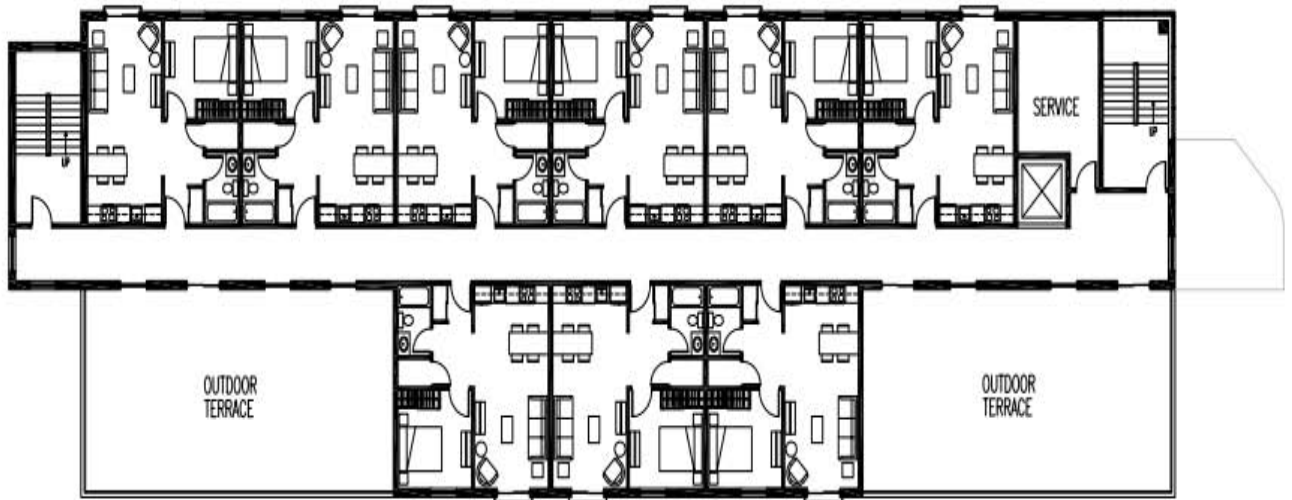


DRAFT

NO.	DATE	DESCRIPTION
1	2023.11.06	INITIAL DESIGN
2	2023.11.06	REVISIONS
3	2023.11.06	REVISIONS
4	2023.11.06	REVISIONS
5	2023.11.06	REVISIONS

PREPARED BY: ENGINEER/ARCHITECT/PLANNER/DESIGNER		
DATE: 2023.11.06		
SCALE:	AS SHOWN	
PROJECT:	1235 HURON CHURCH RD, EAST TAMM, SIE	
CLIENT:	MIRIAM HURON CHURCH DEVELOPMENT	
DRAWN BY:	S.K.	
CHECKED BY:	S.K.	
DATE:	2023.11.06	
SCALE:	AS SHOWN	
PROJECT:	1235 HURON CHURCH RD, EAST TAMM, SIE	
CLIENT:	MIRIAM HURON CHURCH DEVELOPMENT	
DRAWN BY:	S.K.	
CHECKED BY:	S.K.	
DATE:	2023.11.06	
SCALE:	AS SHOWN	
PROJECT:	1235 HURON CHURCH RD, EAST TAMM, SIE	
CLIENT:	MIRIAM HURON CHURCH DEVELOPMENT	

FIGURE 6 – BUILDING ELEVATIONS



PROPOSED FOURTH FLOOR PLAN
SCALE 1/8" = 1'-0"



PROPOSED BUILDING PERSPECTIVE
SCALE 1/8" = 1'-0"



PROPOSED BUILDING PERSPECTIVE
SCALE 1/8" = 1'-0"

1.4 NEIGHBOURHOOD LAND USES TO THE SUBJECT PROPERTY:

Please refer below to **FIGURE 7: NEIGHBOURHOOD MAP:**

- a) **North – Institutional and Commercial:** Lebel Building, University of Windsor.
- b) **East – Institutional and Mixed Use:** Catholic Education Center, Assumption Catholic Middle School and High School; University of Windsor Football Stadium; Food Basics; BMO; Shoppers Drug Mart; Canadian Tire.
- c) **South – Commercial:** Popeyes Louisiana Kitchen.
- d) **West – Residential:** Residential neighbourhoods.

FIGURE 7: NEIGHBOURHOOD AERIAL – SUBJECT LANDS

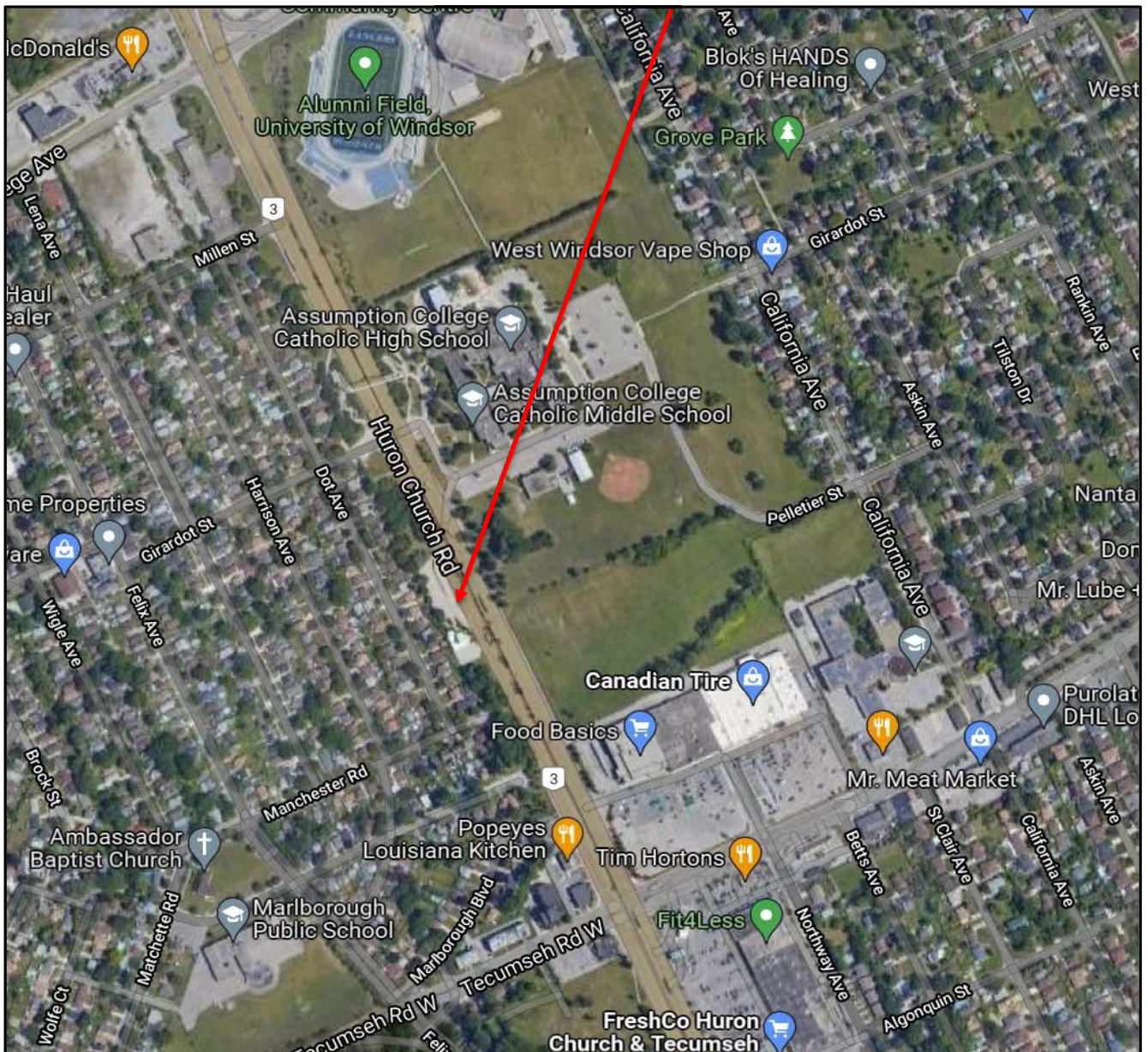


FIGURE 8: OFFICIAL PLAN SCHEDULE D: 1235 HURON CHURCH



	RESIDENTIAL		WATERFRONT RESIDENTIAL		MIXED USE
	OPEN SPACE		WATERFRONT RECREATION		NATURAL HERITAGE
	BUSINESS PARK		WATERFRONT PORT		INDUSTRIAL
	MAJOR INSTITUTIONAL		COMMERCIAL CENTRE		COMMERCIAL CORRIDOR
	FUTURE URBAN AREA		FUTURE EMPLOYMENT AREA		AIRPORT
	MINOR INSTITUTIONAL		PRIVATE RECREATION		

1.5 SUMMARY OF STUDIES

ARCHEALOGICAL REPORT:

TMHC Inc., 1108 Dundas Street, Unit 105, London ON NSW 3A7, is a qualified, licensed archaeological firm with extensive experience and local knowledge, undertook a Stage 1-2 Archaeological Assessment of the subject property. File 2012-100 dated November 2012 has been registered with the Ministry of Heritage, Sport, Tourism and Culture. The following summary was a component of the registered report:

“Through visual inspection and photo-documentation, the Stage 2 assessment confirmed that 76.9% of the property was extensively disturbed and did not warrant field survey due to its now low potential for housing intact archaeological deposits. The remaining 23.1% of the property was grassed and subject to test pitting at five metre intervals. The grassed areas were also found to contained disturbed soils. Therefore 100% of the subject property has been disturbed by the construction of the Ontario Travel Information Centre. No cultural resources were identified during the archaeological assessment. It is therefore recommended that no further investigation be undertaken and the subject property be considered free of any further archaeological concern, subject to Ministry of Tourism, Culture and Sport approval and the conditions cited in Section 5.0.”

NOISE ASSESSMENT

Akoustic Engineering, 138 Angstrom Cres, Amherstburg ON, is a qualified, licensed acoustical engineering firm with extensive experience and local knowledge, undertook a Noise Assessment of the subject property with the following conclusion:

“The noise impact on the proposed development has been shown in this report to exceed the limits set by the Ontario Ministry of the Environment, Conservation and Parks. However, given that the noise impacts can be mitigated through appropriate building material design (STC), the installation of central air conditioning and warning clauses, it is recommended that the development be given approval with the understanding that the stated noise control measures are implemented.”

2. PROVINCIAL POLICY STATEMENT (PPS 2020)

When reviewing a planning application to determine if the requested Official Plan Amendment (OPA) and Zoning Bylaw Amendment (ZBA) makes sound planning, it is imperative that the proposed development is consistent with the Provincial Policy Statements (PPS): "The Provincial Policy Statement provides policy direction for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. It (PPS) recognizes that the wise management of development may involve directing, promoting or sustaining growth. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns."

"Section 1.1.1 Healthy, liveable and safe communities are sustained by:

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*

COMMENT:

The proposed development is revitalizing and intensifying an existing lot predominately vacant lands on full municipal services. A mix of residential and commercial uses will contribute to the financial well being of the City of Windsor and Province of Ontario. The development will contribute residential and commercial vibrancy on a parcel currently underutilized. The proposed development supports a healthy community.

- b) *accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs.*

COMMENT:

Proposed is a residential, 4-storey apartment building providing alternative housing as rental apartments in a municipality with extremely low vacancy rates. The residential apartments are located on a municipal bus route and have both commercial and institutional amenities within walking distance. Both residents and commercial employees will be able to access other commercial activities in close proximity. The residents are within a short walking distance to churches, Middle School, Highschool or University. The proposal supports the healthy, walking, community while providing for alternative housing tenures and styles.

- c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*

COMMENT:

There are no environmental or safety concerns with the subject site. The proposal will be further developing a partially developed site. There are no natural features or environmental issues associated with the property.

- e) *promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*

COMMENT:

In my professional opinion, the proposal is a sound intensification of an existing site that will provide for needed rental residential apartments. Further, by creating a mixed use development, the proponent will create a work live environment between the residential apartments and the office building. The development being proposed is a great example of a cost-effective intensification and the utilization of existing infrastructure. The 4-storey apartment building will allow residents to easily access a wide range of existing services, including public transit, supportive institutional and commercial amenities.

- f) *improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*

COMMENT:

The proposed development will follow AODA guidelines during the Site Plan process. The draft Site Plan accompanying this OPA and ZBA application has considered the on-site pedestrian access for persons with disabilities and older persons by addressing land use barriers like curbs, denoted walkways and well marked and well-placed handicap parking spaces.

- g) *ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*

COMMENT:

According to the Rental Market Survey (RMS) of October 2019, the vacancy rate in the Windsor Census Metropolitan Area (CMA) held steady at **2.9%**. The proposed rental apartment building will provide for an alternative housing tenure in the City that is presently needed and will accommodate future needs. The apartment building will be located on a bus route and within walking distance to the University, providing for apartments for all age categories within the municipality.

h) promoting development and land use patterns that conserve biodiversity; and

COMMENT:

The intensification of the parcel and use of a well-serviced area with a bus route nearby will reduce the need for development outside the Settlement Area and on or near sensitive environmental lands, therefore helping conserve biodiversity.

i) Preparing for the regional and local impacts of a changing climate.

COMMENT:

By utilizing a well serviced parcel with a vacant commercial building on it the proposed development will be making services more efficient by placing development where existing infrastructure and walkable community amenities already exist, lessening the burden of new infrastructure on the environment.

“Section 1.1.3.2 Land use patterns within settlement areas shall be based on:

a) densities and a mix of land uses which:

- 1. efficiently use land and resources;*
- 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- 3. minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- 4. prepare for the impacts of a changing climate;*
- 5. support active transportation;*
- 6. are transit-supportive, where transit is planned, exists or may be developed;*
and
- 7. are freight-supportive; and*

b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.”

COMMENT:

The proposed development is appropriate for and efficiently uses existing infrastructure and public service facilities. The site is fully serviced in a highly accessible and well-travelled area that is supported by walking distance shopping, public transit and nearby schools of all academic levels.

In my professional opinion, the proposal provides opportunity for residents to have accommodation without the need for a vehicle fully utilizing municipal bus services; is walking supportive; supports active transportation in and around the area for local amenities. The location, transit supportive and work/live orientation of the development effectively reduces the negative impacts of climate change by taking advantage of land in an already built-up area and not expanding into areas that require long vehicle trips.

The intensification of the site, in my professional opinion, can be considered good planning and will contribute well to the local community and economy.

“Section 1.1.3.3 Settlement Areas

Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.”

COMMENT:

The subject lands are centrally located and are appropriate for the designed intensification on existing infrastructure including municipal transit, sidewalks, and full services. The mixed use development will be located within a neighbourhood of mixed and similar uses including supportive institutional uses. In my professional opinion, the tenure and style of housing that is proposed to be supplied will assist in supplying needed alternative rental apartments in the City of Windsor. It is my professional opinion that the proposed mixed use development and adaptive re-use of the existing building will provide an efficient and effective intensification and redevelopment of the site.

“Section 1.1.3.4 Settlement Areas

Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.”

COMMENT:

The proposed development will provide for a new residential apartment building, an adaptive re-use of an existing building for office uses and an addition of a new auto service use. The mixed use development will allow for an appropriate intensification of uses that are supportive to each other while providing needed alternative housing and a live/work scenario. The site is located within walking distance to amenities and services and in my professional opinion can be considered an appropriate re-development of an existing site.

“Section 1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development and community investment-readiness;*
- b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;*
- c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;*
- e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;*

COMMENT:

In my professional opinion that the requested OPA and ZBA is consistent with the 2020 PPS policies by supporting the sound and efficient adaptive re-use and intensification of an existing underutilized parcel with the inclusion of residential and commercial land uses for a mixed use development. The OPA and ZBA will provide for alternative housing within walking distance to local institutional and commercial amenities. The commercial component will provide for employment opportunities and will provide for a live-work scenario.

3. CITY OF WINDSOR OFFICIAL PLAN:

The subject lands are presently designated 'Open Space' on Schedule D of the Official Plan for the City of Windsor. Requested is an Official Plan Amendment (OPA) to adaptively re-use a previously existing Ontario Tourism facility and property to a mixed use development including residential use and commercial use that is to be located on a major arterial road within the city.

Proposed is the construction of a new 4-storey residential apartment building with 35 residential units and the inclusion of commercial uses on site to create a mixed use development. The proposed commercial uses include a new workshop at the south end of the property and the recognition of an existing commercial building for office space on site (former Tourism Ontario building).

Recently the City of Windsor underwent an extensive residential policy review. The following Official Plan review will provide for a review of the Open Space policies and then place the proposed development in context of the newly amended Mixed Use Node policies.

Section 4.0 of this PRR provides site specific OPA policies that are presently applicable and recommended as carry forward into a new site specific 'Mixed Use Node' policy.

3.1 OPEN SPACE POLICY REVIEW:

The subject lands are presently designated 'Open Space' in the City of Windsor Official Plan. The Open Space policies of the City's Official Plan allow only for recreational and leisure areas and facilities. The existing commercial use is not recognized in the Official Plan and would be considered legal non-conforming.

“Section 6.7 Open Space

The lands designated as “Open Space” on Schedule D: Land Use provide the main locations for recreation and leisure activities and facilities. In order to recognize the important role that Open Space plays in improving the quality of life of residents and enhancing Windsor’s image, Open Space land uses are divided into two categories: Public Open Space and Private Open Space.”

COMMENT:

Open Space designation is an appropriate policy framework for the previous use of Ontario Tourism Travel facility. The site was deemed redundant and was sold for an adaption to a different use.

An OPA is required to redesignate the site to a Mixed Use Node in order to apply a policy framework that allows for an alternative use than the present tourism bureau.

The proposed OPA will provide for a policy framework that will allow for residential and commercial uses appropriate and compatible with the site and the neighbourhood.

3.2 MIX USE POLICY REVIEW:

In June 2022, City of Windsor considered a new policy framework known as ‘Official Plan Amendment No. 159 that implement new policies respecting residential and mixed use developments within the City. The new residential and mix use policies will held build stronger, more complete neighbourhoods within the City. Residential policies include intensification of residential uses; allowance for multiple residential buildings within the City’s corridors and nodes; commercial uses to be located where they can be accessed by residents without impacting the character of the area; directing intensification of residences to the major corridors to reduce reliance on the automobile and support municipal transit and support healthier communities.

In order to change the land designation of the subject property from the previous use of Open Space, an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) is required to allow for the construction of a new 4-storey residential apartment building with 35 residential units and the inclusion of commercial uses on site to create a mixed use development. The proposed commercial uses include a new workshop at the south end of the property and the recognition of an existing commercial building for office space on site (former Tourism Ontario building).

The proposed development seeks to change the designation in the City’s Official Plan from ‘Open Space’ to ‘Mixed Use’ as it will allow for a mix of residential and commercial uses as proposed.

‘Section 6.1 of the City’s Official Plan directs that Residential Intensification:

6.1.14 *To direct residential intensification to those areas of the City where transportation, municipal services, community facilities and goods and services are readily available.”*

COMMENT:

Fronting on Huron Church meets all the criteria to satisfy an appropriate location for intensification. Huron Church as a major arterial road provides for municipal transit, walkability, and supportive commercial and institutional uses within close proximity, an ideal location for residential intensification.

‘Section 6.9 Mixed Use

The lands designated as “Mixed Use” on Schedule D: Land Use provide the main locations for compact clusters of commercial, office, institutional, open space and residential uses. These areas are intended to serve as the focal point for the surrounding neighbourhoods, community or region. As such, they will be designed with a pedestrian orientation and foster a distinctive and attractive area identity.’

COMMENT:

The subject site plan will provide for both residential and commercial uses. With the redesignation of these lands to ‘Mixed Use’ and the Mixed Use designation across the street, the OPA will effectively be clustering like and similar uses together to create the Mixed Use Node. In my professional opinion, the OPA will provide conformity for the proposed use with the intent of the Official Plan policies.

‘Section 6.9 of the City’s Official Plan lists the objectives of the Mixed Use designation;

6.9.1.1 *To encourage multi-functional areas which integrate compatible commercial, institutional, open space and residential uses.*

- 6.9.1.2** *To encourage a compact form of mixed use development.*
- 6.9.1.3** *To provide opportunities to create and maintain special area identities and focal points within Windsor.*
- 6.9.1.4** *To identify strategic location which are highly visible and accessible for mixed use development.*
- 6.9.1.7** *To increase the use of walking, cycling and public transportation within the designated Mixed Use area by fostering a strong live-work-shopping-recreation relationship.*

COMMENT:

The proposed development is a great example of implementing the intentions of the Mixed Use Official Plan designation. It is a mixture of medium density residential with commercial uses at a location that is walking distance shopping amenities as well as transit options.

The development also promotes the use of walking and public transportation. The nearest bus stop is only a couple hundred metres away and there is shopping across the street. Students and teachers could walk a short distance to the University if they were to rent a unit, fostering a strong live-work-shopping-recreation relationship. Ojibway parkway is a short bike ride away as is Mic Mac Park and the City's beautiful waterfront.

In my professional opinion the proposed development, through the OPA, will provide an opportunity to create a healthy, walkable development in conformity with the OP policies of the Mixed Use designation.

“6.9.2.1 PERMITTED USES

Uses permitted in the Mixed Use land use designation include retail and service commercial establishments, offices, cultural, recreation and entertainment uses, and institutional, open space and residential uses, exclusive of small scale Low Profile residential development.”

COMMENT:

In my professional opinion, the OPA conforms with the intent of the 'Mixed Use' designation recognizing the permitted uses are consistent with the proposed uses of the site.

“6.9.2.2. FORM OF MIXED USE AREAS

For the purpose of this Plan, Mixed Use development is further classified as follows:

- (a) Mixed Use Corridors which occupy linear street frontages with commercial, institutional and open space uses located immediately adjacent to the public right-of-way and residential uses located above grade; and*
- (b) Mixed Use Centres which are large sites developed according to a comprehensive development plan or nodal developments at the intersection of Controlled Access Highways and/or Arterial roads. This type of Mixed Use development provides a regional, community or neighbourhood focal point with a pedestrian oriented design.”*

COMMENT:

The proposed development is a mix use development that will provide both residential and commercial uses for a local market. The mix use development will provide for a live work scenario and for the ability for the residents and neighbours to walk to commercial functions. Also, the development is in close proximity to commercial uses that fosters use of the municipal transit and the walkable, healthy community. It is my professional opinion that the OPA conforms with the mixed use designation.

“6.9.2.3 Mixed Use development shall be located where:

- (a) there is access to a Controlled Access Highway, Class I or Class II Arterial Roads or Class I Collector Road;*
- (b) full municipal physical services can be provided;*
- (c) public transportation services can be provided; and*
- (d) the surrounding development pattern is compatible with Mixed Use development.”*

COMMENT:

The development is on a Class I Arterial Roadway with full municipal services and nearby public transportation. The surrounding development pattern is that of residential, commercial, institutional uses making it ideal for Mixed Use designation. There is also an area directly across the street (slightly to the southeast) which is currently designated Mixed Use in the Official Plan.

The existing Mixed Use area has several businesses including a bank, a grocery store and large retail store (Canadian Tire). It does not have a residential component. The Mixed Use nature of the proposed development will include a large residential element and be indicative of the purpose of a Mixed Use designation.

“6.9.2.4 Evaluation Criteria

At the time of submission, the proponent shall demonstrate to the satisfaction of Municipality that a proposed Mixed Use development is:

- (a) Feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:*
- i. Within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;*
 - ii. Within a site of potential or known contamination;*
 - iii. Where traffic generation and distribution is a provincial or municipal concern;*
and
 - iv. Adjacent to sensitive land uses and/or heritage resources.*

COMMENT:

The pre-consultation process has identified the site as requiring a Noise Study and Transportation Impact Study to address the feasibility of the development. Those studies have been submitted as part of this OPA and ZBA application.

(b) In keeping with the goals objectives and policies of any secondary plan or guideline plan affecting the surrounding area;

COMMENT:

The property is listed as #2 Huron Church Road Corridor on *Schedule A: Planning Districts and Policy Areas* of the City's Official Plan. The policies for the Huron Church Road Corridor extend from the Ambassador Bridge to Highway #3.

The landscaped setback requirements of Section 1.2.2 of the Special Policy Areas chapter of the Official Plan is for a minimum landscaped setback of ten (10) metres parallel to the road for buildings intended for commercial use.

The landscaped setback for residential development adjacent to Huron Church Road is 30 metres.

As the depth of the property is only slightly less than 30 metres the proposed development is requesting an exemption from the provisions of the Huron Church Road Corridor Special Policy Area.

(c) Capable of being provided with full municipal physical services and emergency services;

COMMENT:

The site is fully serviced and will have full access available for emergency services.

(d) Provided adequate off-street parking;

COMMENT:

There will be 37 parking spaces provided for the 35 residential units. The Site Specific ZBA will permit a slightly reduced parking rate from the current 1.25 per dwelling units at 1.06 per dwelling units. Residential uses in Mixed Use designations are intended to provide residents access to amenities without the need to drive, therefore reduced parking requirements are appropriate. There is also a total of 14 commercial parking spaces. There will be ample parking provided mostly at the rear of the parcel hidden away from the highly visible corridor.

(e) Pedestrian oriented;

COMMENT:

The proposed development is linked by existing sidewalks to shopping areas and transit stops. It will utilize transit services and existing infrastructure that is within walking distance of the proposed development site. The design of the internal and external pathway system for pedestrians has been taken into careful consideration when designing the development.

(f) Compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas; and

COMMENT:

The proposed development will suit the area with appropriate intensification along a busy corridor. The massing of the buildings has been purposely designed to take into account the visibility from Huron Church Road. The setback constraints were taken into consideration and the height and orientation of the buildings will suit the well-developed area and high visibility of Huron Church Road. The proposal is considered compact urban form for the unique parcel area.

(g) Acceptable in terms of the proposal's market impacts on other commercial areas (see Procedures chapter)

COMMENT:

The economy will see benefit from the proposed development and market impacts will be positive. The site currently has a vacant building that is expected to have tenancy with the upgraded and intensified site development.

COMMENT:

The Official Plan Amendment (OPA) to designate the subject lands to a site specific 'Mixed Use' designation is appropriate land use to reflect the residential and commercial land uses.

It is my professional opinion that the proposed development will conform with the Official Plan policies through the adoption of the OPA.

4.0 SITE SPECIFIC OFFICIAL PLAN AMENDMENT

HURON CHURCH ROAD CORRIDOR

As identified above, the property is listed as #2 *Huron Church Road Corridor* on *Schedule A: Planning Districts and Policy Areas* of the City's Official Plan. The policies for the *Huron Church Road Corridor* extend from the Ambassador Bridge to Highway #3.

The landscaped setback requirements of Section 1.2.2 of the Special Policy Areas chapter of the Official Plan is for a minimum landscaped setback of ten (10) metres parallel to the road for buildings intended for commercial use.

The landscaped setback for residential development adjacent to Huron Church Road is 30 metres.

As the depth of the property is only slightly less than 30 metres (the depth is 90 feet), the proposed development is requesting an exemption from the provisions of the Huron Church Road Corridor Special Policy Area.

Allowing for a site specific Mixed Use policy framework applied to the site makes good planning and conforms with City's Official Plan. This type of residential use is in short supply and this OPA and ZBA will help the City meet its growing demands. The standalone residential use will better suit the subject site given the redevelopment with existing accesses element of the proposal.

5.0 ZONING BY-LAW REGULATIONS

The subject lands are zoned 'Green District (GD) 1.1' in the Comprehensive Zoning By-law 8600 for the City of Windsor. Green Districts 1.1 are for public parks and childcare centres only. The current zoning is outdated as it does not reflect the existing commercial use on the property.

Proposed Zoning – Commercial District 3.10 - Huron Church Corridor Special Policy Area

The author is of the professional opinion that the most appropriate zoning for the proposed development would be a Special Policy Area Commercial District zone that identifies Mixed Use permitted uses, similar to Commercial Districts 3.2 and 3.5, "Mixed Use – Ouellette Avenue Corridor" but with emphasis on permitting multiple dwelling standalone residential uses.

"MULTIPLE DWELLING means one dwelling containing a minimum of three dwelling units. A double duplex dwelling, semi-detached dwelling, stacked dwelling, or townhome dwelling is not a multiple dwelling."

The CD3.2 permitted uses include a wide variety of commercial uses including office, retail store and restaurant while only allowing for dwelling units in a combined building with any of the commercial units. The Site-Specific Zoning for 1235 Huron Church Road will allow for standalone residential uses and could encourage ground floor commercial for future intensifying and redevelopment of the site.

The applicant is seeking to change from 'Green District 1.1' to site specific zone, 'Commercial District 3.10', within Section 16 of the Comprehensive Zoning Bylaw.

Single family, semi-detached and townhome dwelling units would not be permitted as they would not fit the intensification goals of the Provincial and municipal policies and would also not fit the characteristics of the neighbourhood in such a prominent and visible spot along the corridor. Future intensification with further medium to high density residential would be desirable along with a wide variety of commercial uses that would have minimal parking and traffic impacts.

The new site-specific zone will also address the site constraints on achieving large setbacks from the roadway and will have provisions for encouraging high design standards along the Huron Church Road Corridor. Currently the existing Special Policy Area provisions call for a 30m setback for residential uses which is the approximate total depth of the site.

The requested ZBA is also proposing to provide site specific regulations to recognize the existing structure on site and compact built urban form of the proposed development.

Please refer to **APPENDIX A – ‘Commercial District 3.2’ ZONE PROVISIONS.**

PROVISION	REQUIRED IN CD3.2	SUBJECT SITE
LOT AREA	For non-residential uses 400m ²	For non-residential uses 270m ²
LOT FRONTAGE	Minimum 15m	151m
# UNITS/DENSITY	On lots with frontage of 60m or more = maximum of 330 per hectare	35 units / 0.413 hectares
PARKING	1.25 sp/dwelling unit; 1 sp/45m ² of GFA for auto repair/business office	1.06 sp/dwelling unit 1 sp/45m ² of GFA for auto repair/business office
FRONT YARD SETBACK	6.0m	4.5m
INTERIOR SIDE YARD	3.0m, 6.0m	1m
LANDSCAPED OPEN SPACE	30% of lot area	30.9% lot coverage
LOADING SPACES	N/A	2

COMMENT:

The site-specific zoning bylaw amendment will establish a regulatory framework to support the development and the future use of the subject lands. The ZBA is not required to authorize the land use that is permitted, rather, it is designed to recognize the legal non-complying regulations associated with the existing building and the proposed change of use.

COMMENT:

In my professional opinion, the requested OPA and ZBA will provide a new site-specific regulatory framework to allow for an appropriate land use for the subject site. As an adaptive re-use of an existing building, plus intensifying the site with a mix of residential and commercial uses in an area within close walking distance of a wide variety of amenities and public services is good planning.

The compact form and mixed use nature of the proposal on lands that have already been built upon fits in well with the provinces policies to build on existing infrastructure and reduce the impacts of new development on the environment as well as municipal and provincial expenditures.

This OPA and ZBA will support the City of Windsor's policy initiatives to supply alternative housing through the use of these lands and the design of the development for rental housing. The initiative also supports the municipality's initiative to provide for a healthy, walkable community.

6.0 SUMMARY AND CONCLUSIONS

Given the foregoing assessment and my evaluation of the proposal in relation to the PPS 2020, the City of Windsor Official Plan and the Comprehensive Zoning By-law 8600, in my professional opinion the proposed Official Plan Amendment (OPA) and site specific By-law Amendment (ZBA) is consistent with polices of the PPS, OP, and the regulations found in the Zoning By-law.

In addition, it is my professional opinion that the proposed Official Plan Amendment (OPA) and site-specific Zoning By-law Amendment (ZBA) is appropriate and desirable within this policy framework as it will facilitate development of site while also implementing the proposals included in this Planning Justification Report dated June 15, 2023.

In summation, the proposal conforms with Official Plan by providing for appropriate uses for the site and complies with the Zoning Bylaw Amendment (ZBA) that will appropriately establish a site-specific regulatory framework under the 'Commercial Residential District 2.2 (CD2.2)' zone. The OPA and ZBA provides a good solution for the provision of needed alternative residential accommodation, small commercial uses as adaptive reuse of existing infrastructure, and is a compatible development with an existing adjacent neighbourhood, while supporting a diversity of housing tenures and styles within the municipality.

In my professional opinion the requested OPA and ZBA:

- 1) is consistent with the policies of the 2020 Provincial Policy Statements;
- 2) maintains the intent of the relevant policies of the City of Windsor Official Plan;
- 3) maintains the intent of City of Windsor CZB 8600 and when the ZBA is passed, it will establish the regulatory framework required for the development to comply with the CZB;
- 4) makes sound planning.

I hereby certify that this report was prepared by Jackie Lassaline RPP MCIP, a Registered Professional Planner within the meaning of the Ontario Professional Planners Institute Act, 1994.

its Inc.

Jackie Lassaline
Jackie Lassaline BA MCIP RPP
Principal Planner

APPENDIX A – MIXED USE – OUELLETTE AVE CORRIDOR (CD3.2)

16.2 COMMERCIAL DISTRICT 3.2 (CD3.2)

16.2.1 PERMITTED USES

- | | |
|---|--|
| <i>Business Office</i> | <i>Personal Service Shop</i> |
| <i>Child Care Centre</i> | <i>Place of Entertainment and Recreation</i> |
| <i>Commercial School</i> | <i>Place of Worship</i> |
| <i>Food Outlet - Take-Out</i> | <i>Professional Studio</i> |
| <i>Hotel</i> | <i>Public Hall</i> |
| <i>Medical Office</i> | <i>Repair Shop - Light</i> |
| <i>Medical Appliance Facility</i> | <i>Restaurant</i> |
| <i>Micro-Brewery</i> | <i>Retail Store</i> |
| <i>Dwelling Units in a Combined Use Building with any one or more of the above uses</i> | |
| <i>Double Duplex Dwelling</i> | <i>Residential Care Facility</i> |
| <i>Duplex Dwelling</i> | <i>Semi-Detached Dwelling</i> |
| <i>Lodging House</i> | <i>Townhome Dwelling</i> |
| <i>Multiple Dwelling</i> | |
| <i>Existing Funeral Establishment</i> | |
| <i>Existing Gas Bar</i> | |
| <i>Existing Service Station</i> | |
- Any use accessory to any of the above, including a *Caretaker's Residence*. An *Outdoor Storage Yard* is prohibited.

16.2.5 PROVISIONS

- | | | |
|-----|--|---|
| .1 | Lot Frontage – minimum | 15.0 m |
| .2 | Lot Area – minimum | |
| | For a <i>building</i> containing only non-residential uses: | 400.0 m ² |
| .4 | Building Height – maximum | |
| | a) For the block bounded by Ouellette Avenue, Erie Street, Goyeau Street and Elliott Street: | 55.0 m |
| | b) For any other area: | Equal to the length of the longest <i>exterior lot line</i> |
| .8 | Landscaped Open Space Yard – minimum | 30.0% of <i>lot area</i> |
| .10 | Gross Floor Area – Total – maximum | |
| | Within the same <i>building</i> , for a <i>Retail Store</i> , <i>Personal Service Shop</i> , <i>Repair Shop – Light</i> , or any combination thereof | 250.0 m ² |
| .11 | Gross Floor Area Ratio – maximum | 4.5 |
| .15 | For a <i>Combined Use Building</i> , all <i>dwelling units</i> , not including entrances thereto and a <i>Caretaker's Residence</i> , shall be located above the non-residential uses. | |
| .17 | Exposed flat concrete block walls or exposed flat concrete walls, whether painted or unpainted, are prohibited. | |

Commercial District 3.2 (CD3.2) continued on next page

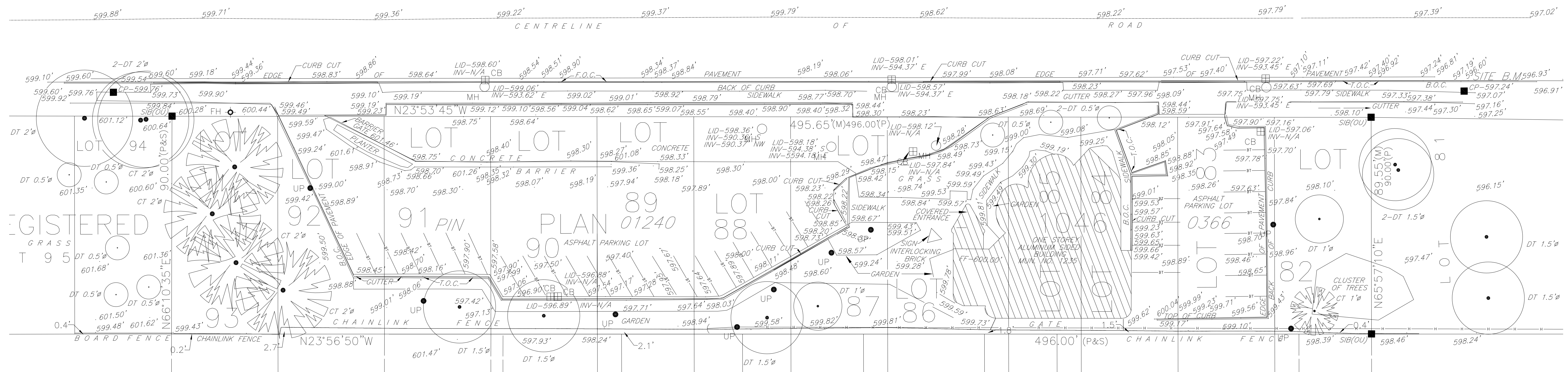
16.2 COMMERCIAL DISTRICT 3.2 (CD3.2) – continued**16.2.5 PROVISIONS (continued)**

- .20 Building Setback – minimum –
- | | |
|--|--------------------------|
| a) From an <i>exterior lot line</i> : | 6.0 m |
| b) From an <i>exterior lot line</i> abutting Pelissier Street or Dufferin Place for that part of the building having a <i>building height</i> of more than 12.0 m: | 18.0 m |
| c) From an <i>interior lot line</i> where a habitable room window faces the <i>interior lot line</i> for that part of the <i>building</i> having a <i>building height</i> of 12.0 m or less: | 6.0 m |
| d) From an <i>interior lot line</i> where a habitable room window faces the <i>interior lot line</i> for that part of the <i>building</i> having a <i>building height</i> of more than 12.0 m: | 11.0 m |
| e) From an <i>interior lot line</i> where a habitable room window does not face the <i>interior lot line</i> for that part of the <i>building</i> having a <i>building height</i> of 12.0 m or less: | 3.0 m |
| f) From an <i>interior lot line</i> where a habitable room window does not face the <i>interior lot line</i> for that part of the <i>building</i> having a <i>building height</i> of more than 12.0 m: | 25.0% of building height |
- .50 Any new *building* or *structure* shall be erected on a *through lot*, except that where a *lot* is not a *through lot*, one *accessory building* or one *accessory structure* having a maximum *gross floor area* of 40.0 m² may be erected on such lot.
- .60 Dwelling Unit Density - maximum *dwelling units* per hectare:
- | | |
|---|-----|
| a) <i>Lot Frontage</i> of less than 30.0 m: | 100 |
| b) <i>Lot Frontage</i> of 30.0 m or more but less than 45.0 m: | 230 |
| c) <i>Lot Frontage</i> of 45.0 m or more but less than 60.0 m: | 280 |
| d) <i>Lot Frontage</i> of 60.0 m or more: | 330 |
| e) Where both the <i>landscaped open space yard</i> is greater than 40% of the <i>lot area</i> and the <i>lot frontage</i> is more than 30.0 metres, the maximum <i>dwelling units</i> per hectare may be increased by 15%. | |
- .70 Notwithstanding Sections 16.2.5.1 to 16.2.5.60, a *Double Duplex Dwelling*, *Duplex Dwelling*, *Semi-Detached Dwelling* or *Townhome Dwelling* shall comply with the appropriate provisions of Section 11.2.5.

HURON

CHURCH

LINE

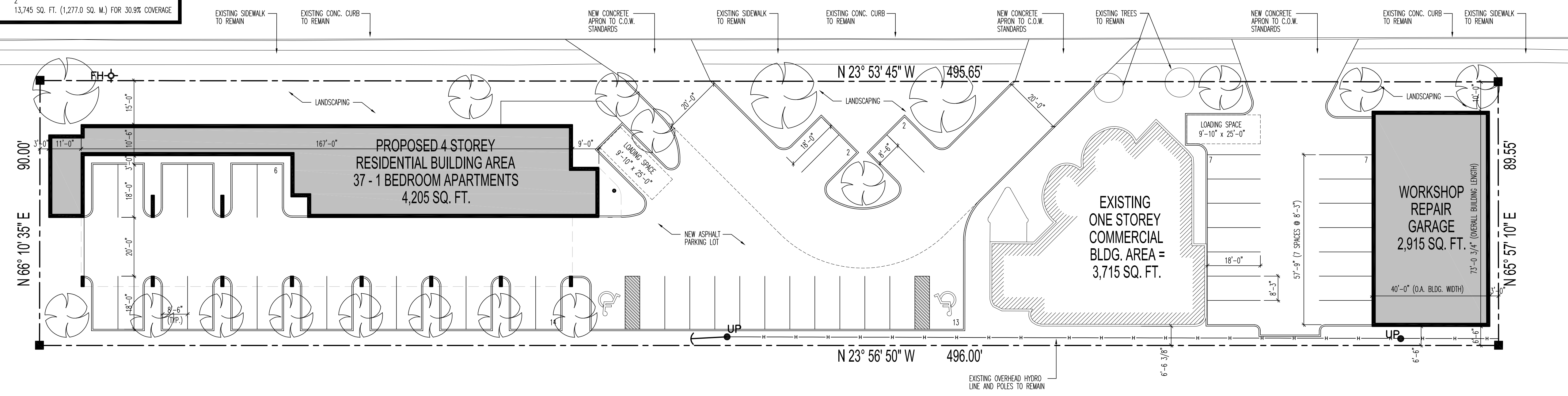


EXISTING SURVEY PLAN SCALE: 1"=0' = 20'-0"

SITE STATISTICS:

PROPOSED ZONING FOR SITE:	COMMERCIAL DISTRICT 4.1 (CD4.1) RESIDENTIAL DISTRICT
TOTAL SITE AREA:	44,513 SQ. FT. (4,137.5 SQ. M.)
TOTAL PROPOSED SITE COVERAGE:	10,835 SQ. FT. (1,006.6 SQ. M.)
GROUND FLOOR AREA:	4,205 SQ. FT. (390.7 SQ. M.)
TYPICAL FLOOR AREAS (2nd & 3rd):	18,986 SQ. FT. (1,763.9 SQ. M.)
FOURTH FLOOR AREA:	7,253 SQ. FT. (673.8 SQ. M.)
TOTAL FLOOR AREA OF NEW RESIDENTIAL:	30,444 SQ. FT. (2,828.3 SQ. M.)
WORKSHOP REPAIR GARAGE:	2,915 SQ. FT. (270.8 SQ. M.)
TOTAL FLOOR AREA OF NEW COMMERCIAL:	2,915 SQ. FT. (270.8 SQ. M.)
GROSS PROPOSED FLOOR AREA:	33,359 SQ. FT. (3,099.2 SQ. M.)
TOTAL PROPOSED RESIDENTIAL PARKING SPACES:	37 SPACES - 1 PER APARTMENT UNIT
TOTAL COMMERCIAL PARKING SPACES REQUIRED:	14 SPACES
TOTAL COMMERCIAL PARKING SPACES PROVIDED:	14 SPACES
TOTAL PROPOSED ACCESSIBLE SPACES:	2 TYPE 'A' PARKING SPACES
TOTAL PROPOSED LOADING SPACES:	2
TOTAL LANDSCAPED AREA:	13,745 SQ. FT. (1,277.0 SQ. M.) FOR 30.9% COVERAGE

HURON CHURCH LINE



PROPOSED SITE PLAN SCALE: 1"=0' = 20'-0"

ISSUE DATE (YEAR)	NO.	ISSUED FOR	ISSUE DATE (YEAR)	NO.	ISSUED FOR

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DATE: NOV. 2021
DRAWN BY: S.M.S.
SCALE: AS SHOWN
CASTLE: 2578-SK3

PRELIMINARY SITE PLAN & ELEV., EXIST. SURVEY PLAN & SITE STATISTICS

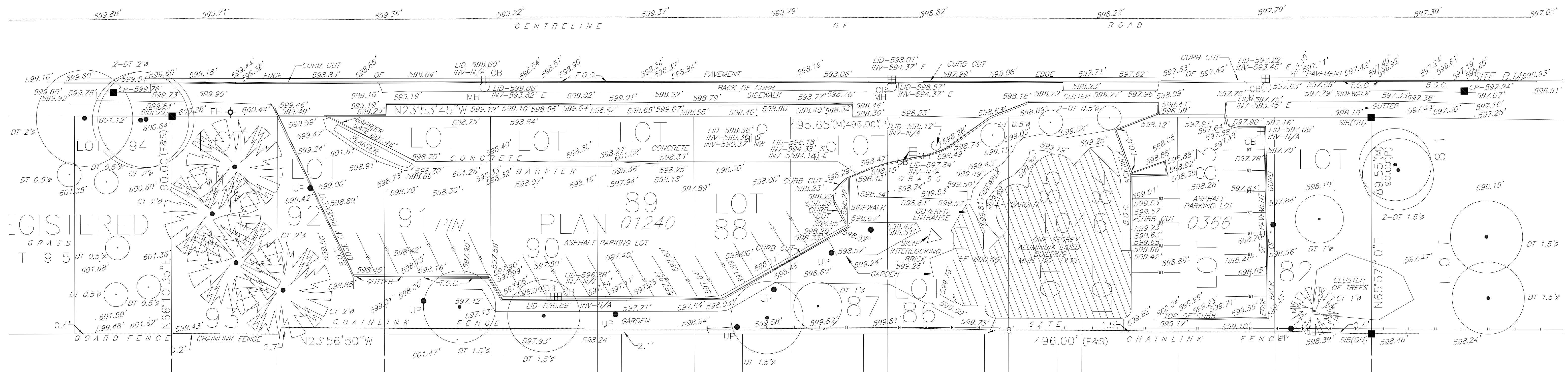
NEW HURON CHURCH DEVELOPMENT
HURON CHURCH LINE, WINDSOR, ONTARIO

PROJECT: **SK3**

HURON

CHURCH

LINE

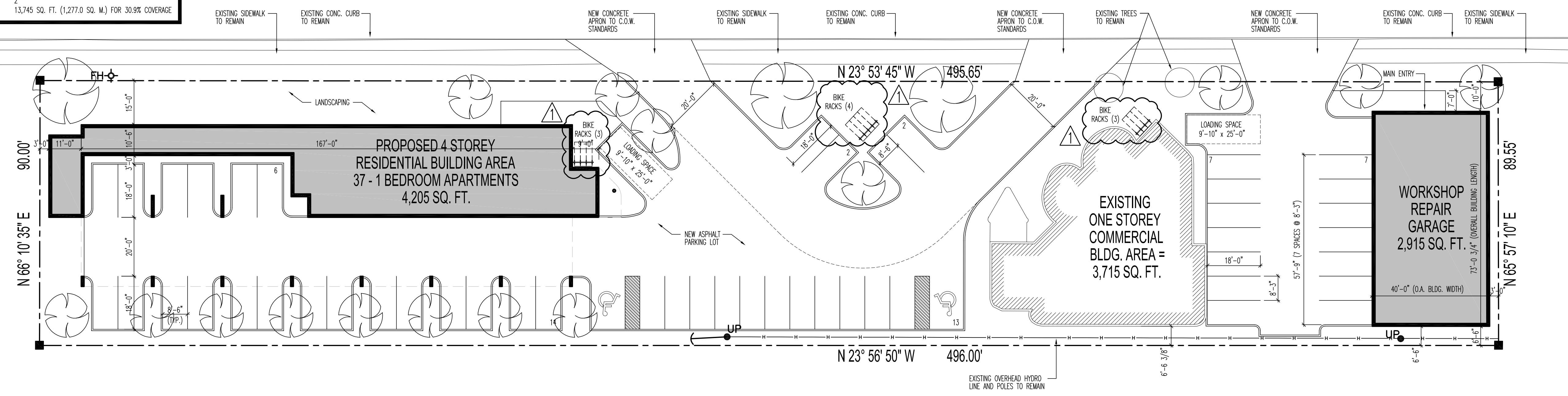


EXISTING SURVEY PLAN
SCALE: 1"=0' = 20'-0"

SITE STATISTICS:

PROPOSED ZONING FOR SITE:	COMMERCIAL DISTRICT 4.1 (CD4.1) RESIDENTIAL DISTRICT
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TOTAL FLOOR AREA OF NEW COMMERCIAL:	2,915 SQ. FT. (270.8 SQ. M.)
GRASS PROPOSED FLOOR AREA:	33,359 SQ. FT. (3,099.2 SQ. M.)
TOTAL PROPOSED BIKE RACKS:	10
TOTAL PROPOSED RESIDENTIAL PARKING SPACES:	37 SPACES - 1 PER APARTMENT UNIT
TOTAL COMMERCIAL PARKING SPACES REQUIRED:	14 SPACES
TOTAL COMMERCIAL PARKING SPACES PROVIDED:	14 SPACES
TOTAL PROPOSED ACCESSIBLE SPACES:	2 TYPE 'A' PARKING SPACES
TOTAL PROPOSED LOADING SPACES:	2
TOTAL LANDSCAPED AREA:	13,745 SQ. FT. (1,277.0 SQ. M.) FOR 30.9% COVERAGE

HURON CHURCH LINE



PROPOSED SITE PLAN
SCALE: 1"=0' = 20'-0"

ISSUE DATE (YEAR)	ISSUED FOR	ISSUE DATE (YEAR)	ISSUED FOR

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DATE: SEPT. 2023
DRAWN BY: S.S.-M.S.
SCALE: AS SHOWN
CASTLE: 2578-SK3-1
CLIENT:

PRELIMINARY SITE PLAN & ELEVS., EXIST. SURVEY PLAN & SITE STATISTICS

NEW HURON CHURCH DEVELOPMENT
HURON CHURCH LINE, WINDSOR, ONTARIO

PROJECT: **SK3-1**



PROPOSED SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

PROPOSED EAST ELEVATION
SCALE: 1/8" = 1'-0"



PROPOSED NORTH ELEVATION
SCALE: 1/8" = 1'-0"

PROPOSED WEST ELEVATION
SCALE: 1/8" = 1'-0"

ISSUE DATE (Y/MD)	NO.	ISSUED FOR	ISSUE DATE (Y/MD)	NO.	ISSUED FOR

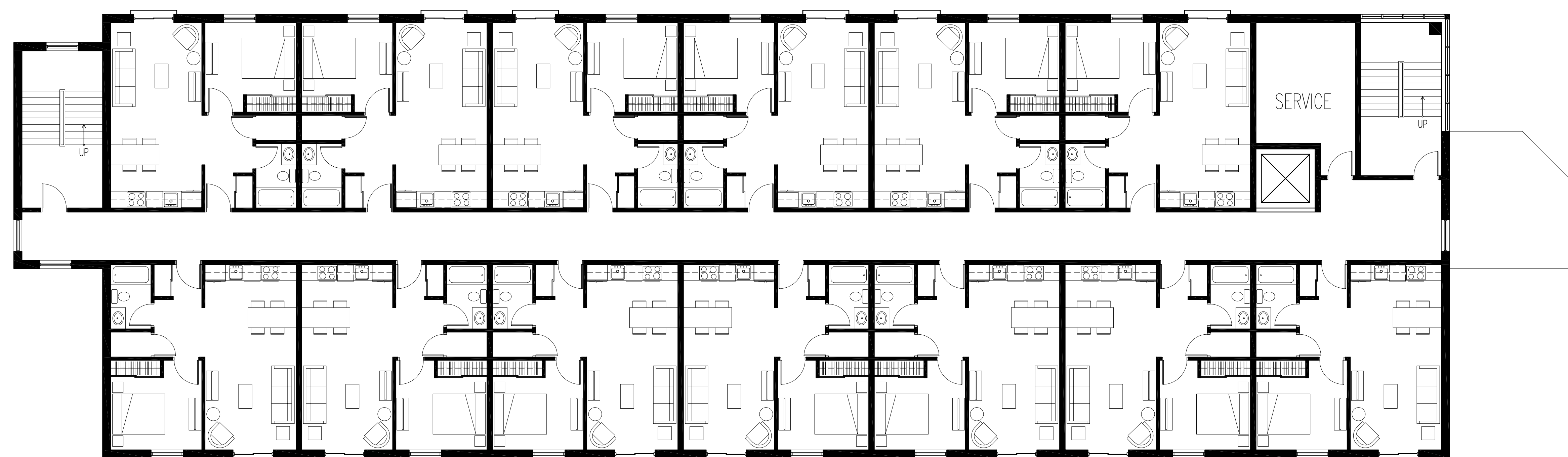
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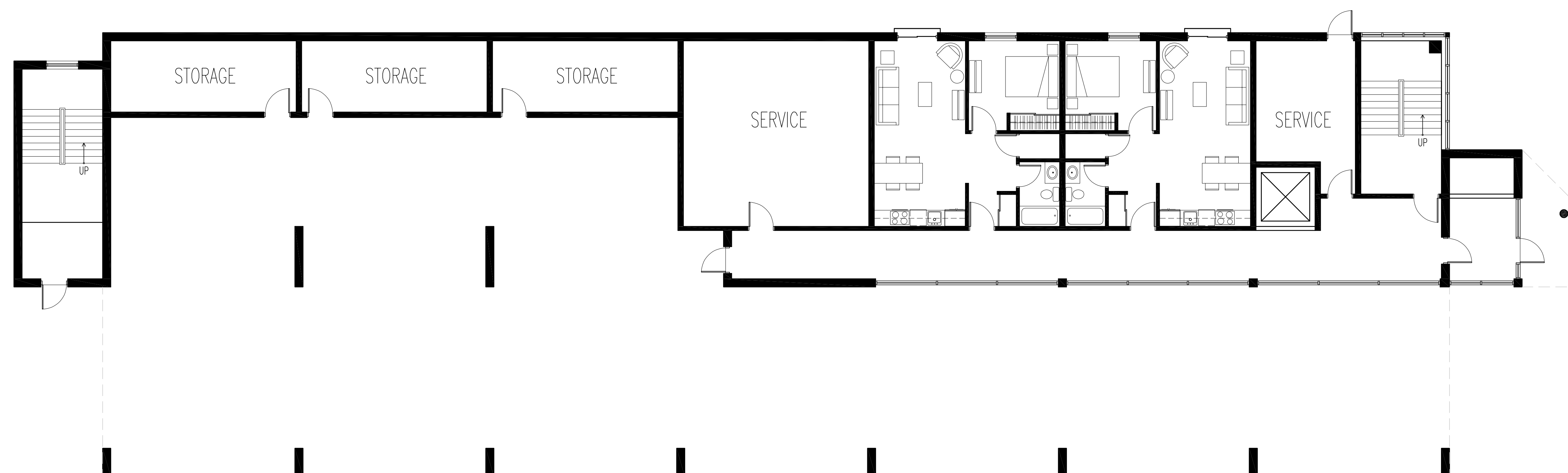
DATE: NOV. 2021
DRAWN BY:
M.S.
SCALE:
CASTLE
2578-SK6
CHECK:

EXTERIOR ELEVATIONS
NEW HURON CHURCH DEVELOPMENT
HURON CHURCH LINE, WINDSOR, ONTARIO

PROJECT NO. 2578
SHEET SK6



 PROPOSED TYPICAL FLOOR PLAN - 13 - 1 BEDROOM APARTMENTS
SCALE: 1/8" = 1'-0"



 PROPOSED FIRST FLOOR - 2 - 1 BEDROOM APARTMENTS
SCALE: 1/8" = 1'-0"

ISSUE DATE (Y/MD)	NO.	ISSUED FOR	ISSUE DATE (Y/MD)	NO.	ISSUED FOR

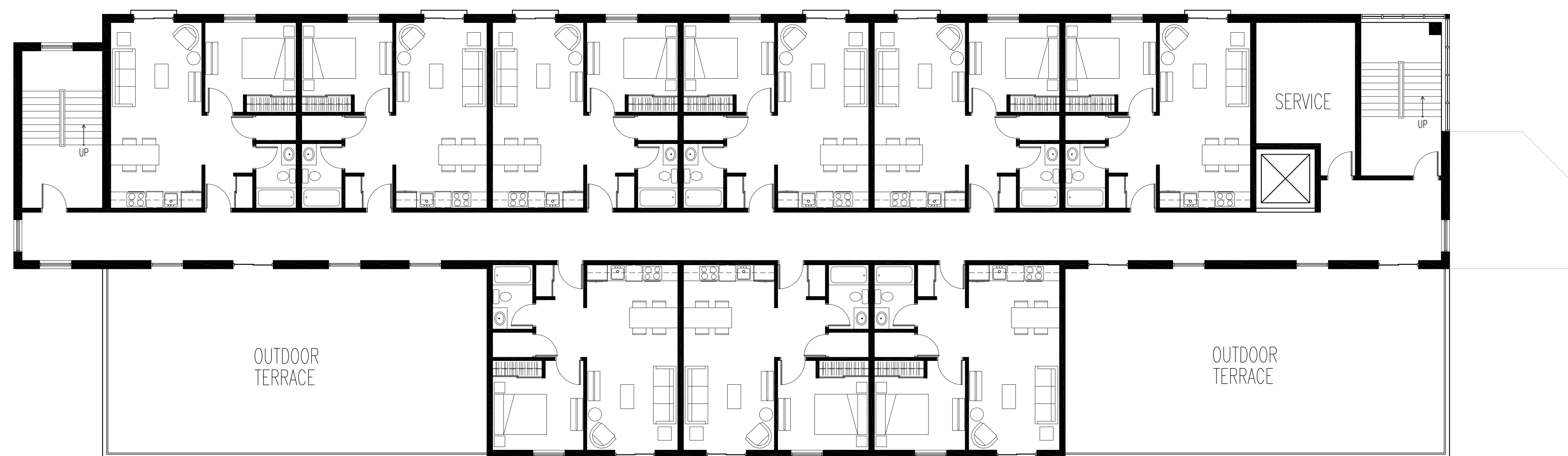
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DATE NOV. 2021
DRAWN BY M.S.
SCALE AS SHOWN
CASTLE
CLIENT 2578 - SK4

PROPOSED FLOOR PLANS
NEW HURON CHURCH DEVELOPMENT
HURON CHURCH LINE, WINDSOR, ONTARIO

PROJECT NO. 2578
SHEET SK4



 **PROPOSED FOURTH FLOOR PLAN - 9 - 1 BEDROOM APARTMENTS**
SCALE: 1/8" = 1'-0"



PROPOSED BUILDING PERSPECTIVE
SCALE: N.T.S.



PROPOSED BUILDING PERSPECTIVE
SCALE: N.T.S.

ISSUE DATE (Y2021)	NO.	ISSUED FOR	ISSUE DATE (Y2021)	NO.	ISSUED FOR

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DATE: NOV. 2021
DRAWN BY: M.S.
SCALE: AS SHOWN
CASTLE: 2578-SK5
CLIENT:

PROPOSED FOURTH FLOOR PLAN & BUILDING PERSPECTIVES
NEW HURON CHURCH DEVELOPMENT
HURON CHURCH LINE, WINDSOR, ONTARIO

PROJECT NO. **2578**
SHEET **SK5**

S 124/2023 - APPENDIX F - SITE IMAGES

IMAGE 1



Subject Parcel — Looking North on Huron Church Road

IMAGE 2



Looking West on Huron Church Road

S 124/2023 - APPENDIX F - SITE IMAGES

IMAGE 3



Looking South on Huron Church Road towards Tecumseh Road West

IMAGE 4



Looking South on Huron Church Road towards Tecumseh Road West

S 124/2023 - APPENDIX G - COMMENTS

CANADA POST - BRUNO DESANDO

This development, as described, falls within our centralized mail policy. I will specify the condition which I request to be added for Canada Post Corporation's purposes.

- a) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service. If you have any questions or concerns regarding these conditions, please contact me. I appreciate the opportunity to comment on this project.

Lock-Box Assembly Requirements - The complete Canada Post Standards Manual for Builders & Developers can be downloaded at:

https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf

Compartments Size

- Horizontal lock-box models used in mailrooms must have the following minimums:
 - o Residential compartments must be at least 12.5 x 13.5 cm
 - o Commercial compartments at least 13.5 x 30.5 cm
 - o Parcel compartments at least 30.5 x 30.5 cm
- Vertical lock-box models must have min comp size of 25 x 12.5 cm. (Most models are 40 x 12.7 cm)

Heights - All lock-box assemblies must be installed in a manner that will not require the delivery employee to reach higher than 170cm or lower than 45cm when delivering to the equipment. With respect to horizontal lock-boxes, the limits above will likely mean that maximum number of compartments that can be included in each column of residential compartments would be eight

Rear-loading Lock-boxes

- Projects with more than 100 units are required to be serviced via a rear-loading lock-box assembly.
- There must be a width of at least 100cm of working space from the back of the boxes to the wall.
- A ledge under the bottom row of boxes is also recommended in rear-loading designs. This ledge is to be directly under the bottom row of boxes (no space between ledge and bottom of boxes) and must stick out at least 20cm from the back of the boxes.
- Mailroom door is required to provide a minimum 81cm opening
- Lighting should be at least 100 lux (measured 75 cm from floor)

Access

- All buildings where the lock-boxes are required to be serviced from inside the building are required to install a Canada Post Crown lock in the building intercom. The intercom is pre-fabricated with an internal housing for the lock. The lock can be obtained from the local deliver supervisor.
- If the building has more than 100 units, a rear-loading lock-box assembly will be installed. The door to the Canada Post delivery area must be fitted with a specific model of deadbolt. This is because Canada Post will supply a key cylinder made specifically for the Canada Post key that will fit inside the deadbolt purchased by the developer.

Numbering - Compartments should be numbered vertically and left to right on the delivery side of the boxes

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Grade-level Components - If the development includes grade level retail or residential units, please take note that door-to-door delivery will not be provided to these units. Canada Post is happy to install a Community Mailbox to provide service to these units. Please coordinate a location with the Canada Post Delivery Planner for the area. If there is no room on the property for the Community Mailbox, service can be provided via another Community Mailbox in the area. Options to service the units from the tower (lobby) lock-boxes or via a front-loading lock box erected on the outside of the building can also be discussed with the Delivery Planner.

CITY OF WINDSOR - BUILDING DEPARTMENT – BARBARA RUSAN

The Building Code Act, Section 8.(1) requires that a building permit be issued by the Chief Building Official for construction or demolition of a building. The building permit review process occurs after a development application receives approval and once a building permit application has been submitted to the Building Department and deemed a complete application.

Due to the limited Ontario Building Code related information received, review of the proposed project for compliance to the Ontario Building Code has not yet been conducted.

The owner and/or applicant should contact the Building Department to determine building permit needs for the proposed project prior to building permit submission. The Building Department can be reached at 519-255-6267 or buildingdept@citywindsor.ca

CITY OF WINDSOR - ENGINEERING – AMY KUREK

We have reviewed the subject Rezoning application and have the following comments:

Sewers - The site may be serviced by a 375mm PVC sanitary sewer and a 1200mm RCP storm sewer located within Huron Church right-of-way. If possible existing connections should be utilized. Any redundant connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3.

A sanitary sewer servicing study is required to demonstrate there is adequate capacity in the municipal sewer network and the impact based on the proposed development. A sanitary sampling manhole is required on any sanitary connection at the property line to the satisfaction of the City Engineer, if one does not already exist.

Right-of-Way - Huron Church Road is classified as a Class 1 Arterial Road according to the Official Plan requiring a right-of-way width of 46 meters; the current right-of-way is 42 meters, however a conveyance is not required at this time.

The proposed two (2) accesses to the site have not been approved by Transportation Planning therefore only one access shall be permitted. Any redundant curb cuts are to be restored to City standards. Approaches must be constructed as per AS-204, complete with straight flares and no raised curbs within the right-of-way. Redundant curb cuts shall be removed and restored in accordance with City Standards to the satisfaction of the City Engineer. Right-of-Way permit is required for any work in the right-of-way.

Additional Notes to the Applicant - At the time of SPC the following will be required:

The applicant will be required to submit site servicing drawings and storm detention calculations restricting storm water runoff to pre-development levels, as per the Windsor Essex Regional Stormwater Management Standards Manual:

<https://essexregionconservation.ca/wp-content/uploads/2018/12/WE-Region-SWM-Standards-Manual.pdf>

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In summary we have no objection to the proposed development, subject to the following requirements:

Servicing Study – The owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer system, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall analyze the flow from the proposed development and recommend mitigation measures and implementation of those measures.

If you have any further questions or concerns, please contact Amy Kurek, of this department at akurek@citywindsor.ca

CITY OF WINDSOR - ENVIRONMENTAL SERVICES - ANNE-MARIE ALBIDONE

No concerns from Environmental Services.

CITY OF WINDSOR – PLANNING DEPARTMENT - HERITAGE PLANNING – TRACEY TANG

Tracy Tang, Planner II on behalf of Kristina Tang, Heritage Planner

The subject property is located within an area of high archaeological potential with special interest, factors including within the Original Huron Reserve area. Accordingly, a Stage 1 archaeological assessment was requested during pre-submission stage.

The Applicant's Planning Rationale Report includes mention that a Stage 1-2 Archaeological Assessment (File 2012-100 dated November 2012) was conducted on the subject property and registered with the Ministry. The recommendation of the study was cited:

"It is therefore recommended that no further investigation be undertaken and the subject property be considered free of any further archaeological concern, subject to Ministry of Tourism, Culture and Sport approval and the conditions cited in Section 5.0."

Please provide a final copy of this archaeological report along with the Ministry Letter of Entry into Public Register of Archaeological Reports.

CITY OF WINDSOR – PLANNING DEPARTMENT - SITE PLAN CONTROL

The development proposal is subject to Site Plan Control pursuant to the Planning Act and City of Windsor By-law 1-2004. Where preceding development applications are required, inclusive of Official Plan and Zoning By-law Amendments, request for Site Plan Control Pre-Consultation may be made following completion of the requisite Development and Heritage Standing Committee meeting at <https://ca.cloudpermit.com/login>.

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CITY OF WINDSOR – PLANNING DEPARTMENT - URBAN DESIGNER & LANDSCAPE ARCHITECT – STEFAN FEDIUK

Pursuant to the application for a zoning amendment (**Z 039/22**) to permit Mixed Use development with Commercial and Multiple Dwelling Residential on the subject, please also note the following comments:

Official Plan & Zoning Provisions Setbacks: The proposed development falls within the Huron Church Road Corridor (HCRC) (O.P. V2, Sect 1.2) which prescribes that the minimum distance for development along this area be 10m (30ft) from the right-of-way. The applicant is proposing 5m (15ft) from the residential component at the northern end of the property, but only 3m (10ft) from the commercial component at the southern end of the property. The intent of the HCRC was to establish a green gateway to and from the Ambassador Bridge to Hwy 3 (now Hwy 401 and the Herb Grey Parkway). It is recognized that the existing building, formerly the Ontario Tourist Information Centre, at its extreme point is roughly in line with the proposed residential component at 5m (15ft).

It is therefore recommended that all components of the proposed development including, residential, commercial and parking, be required to be setback a minimum of 5m (15ft) as a site specific special provision to the zoning bylaw and Official Plan.

Tree Preservation & Climate Change: As the HCRC's intent was to provide a green gateway along Huron Church, the original development as a Tourist Information Centre had provided trees to provide refuge for travelers. These trees are now mature and the intensity of the proposed development proposes for the removal of all these trees. This loss to urban tree canopy will be significant especially along a heavily travelled corridor with international traffic including semi-trucks.

The Planning Rationale references PPS 2020 Section 1.1.1 healthy, liveable and safe communities. Part c expresses no environmental or safety concerns, and indicates that there are no natural features associated with the site. As mentioned above the site is treed with mature vegetation which helps to provide storm water runoff protection and carbon sequestering from pollutants which are health and safety issues. By removing the existing tree cover, there will be environmental and health and safety impacts without mitigation through the development. It is therefore required that the applicant at the time of site plan control, provide a landscape plan that improves the urban tree canopy that is being lost by the proposed development, and sustains the vision of the HCRC as a green gateway.

Urban Design: Schedule A of the Official Plan (O.P.) identified the site as part of the HCRC. Huron Church Road is also identified in the O.P. as a Civic Way (Schedule G) and defined in O.P. Subsection 8.11.2.12 to promote and present an attractive and unifying image of the city, especially for travelers. HCRC is a green corridor along this section and development proposed should support that long-term vision. Proposed facade materials should be sustainable and support an enhanced character of a gateway not just to at the municipal level but the international level as this is the busiest land connection between Canada and the USA.

Parkland Dedication: All requirements will be determined at the time a Site Plan application is received.

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CITY OF WINDSOR – PLANNING DEPARTMENT - ZONING COORDINATOR – ZAID ZWAYYED

Below is the zoning review for the proposed development:

- Current Zoning Designation: GD1.1 & S.20(1)278
- Proposed Zoning Designation: CD4.1
- Proposed Use:
 - Four storey Multiple dwelling with 37 units, Automobile Repair Garage, and permitting the existing building for commercial use
- Zoning Provisions (17.1):
 - Minimum lot Frontage:
 - 30.0 m (Required)
 - 151.18 m (Provided)
 - **Maximum Main Building Height:**
 - **20.0 m (Required)**
 - **The Applicant must confirm the proposed height (Provided)**
 - Maximum Gross Floor Area- Workshop:
 - 1,100.0 m² (Required)
 - 270.80 m² (Provided)
 - **Minimum Landscaped Open Space Yard Along Huron Church Road (S.20(1)278):**
 - **10.0 m (Required)**
 - **4.57 m (Provided - Multiple Dwelling) | 3.04 m (Provided - Repair Shop)**
- Section 24 - Parking, Loading and Stacking Provisions
 - **Required Number of Parking Spaces:**
 - **52 spaces (Required)**
 - **51 spaces (Provided)**
 - **Number of Parking Spaces Calculation:**
 - **Multiple Dwelling with 37 units (Proposed rate of 1.06 per unit): 39 spaces**
 - Automobile Repair Garage (1 per 45 m²): 6 Spaces
 - Existing Business Office (Cab Service) (1 per 45 m²): 7 Spaces
 - **Required Number of Visitor Parking Spaces:**
 - **7 spaces (Required)**
 - **0 Spaces (Provided) (Designated visitor spaces must be shown)**
 - Required Number of Type A Accessible Parking Spaces:
 - 1 space (Required)
 - 1 space (Provided)

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- Required Number of Type B Accessible Parking Spaces:
 - 1 space (Required)
 - 1 space (Provided)
- **Curb cuts or ramps for accessible spaces: Must be shown on the submission.**
- **Required Number of Bicycle Spaces:**
 - **3 spaces (Required)**
 - **0 spaces (Provided)**
- Required Loading Spaces:
 - 2 spaces (Required)
 - 2 spaces (Provided)

Note: The submission shows four parking spaces and two loading spaces located within the required landscaped open space yard along Huron Church Road, which is prohibited per section 24.26.5.

- **Section 25 – Parking Area Provisions**

- **Parking Area Separation from a building wall containing a main pedestrian entrance facing the parking area (25.5.20.1.5) (Automobile Repair Garage):**
 - **2.0 m (Required)**
 - **0.0 m (Provided)**
- **Parking Area Separation from a building wall containing a habitable room window or containing both a main pedestrian entrance and a habitable room window facing the parking area where the building is located on the same lot as the parking area (25.5.20.1.6) (Multiple Dwelling):**
 - **4.50 m (Required)**
 - **0.0 m (Provided along the west building wall)**

CITY OF WINDSOR - TRANSPORTATION PLANNING – CLARE AMICARELLI

- Huron Church Rd is classified as a Class I Arterial with a required right-of-way width of 46 metres per Schedule X. The existing right-of-way along the frontage of the subject property is not sufficient; however, a conveyance is not required at this time.
- Transportation Planning has reviewed the Parking Study titled, “1235 Huron Church Road Residential Development Windsor, ON” conducted by RC Spencer Associates Inc. in February 2023. Transportation Planning has provided the following comments through a previous email correspondence:
 - The report states that the proposed on-site parking supply will adequately accommodate the anticipated peak parking demand for the site. The report is satisfactory.
 - Bicycle parking must comply with ZBL 8600 and be clearly indicated on revised site plan
 - Accessible parking must comply with ZBL 8600; site plan is deficient 1 Type A accessible space

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- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
 - Due to the increased traffic that will be generated from this site, as well as sight line concerns with the orientation of the driveways as shown on the site plan, Transportation Planning does not approve of the proposed two access points onto Huron Church Rd. The accesses should be combined into one access only. Please note, with this revision to the accesses, the current number of parking spaces must be maintained.
 - All proposed driveways must be 7-9 metres total at the property line (minimum 3.5m/lane, maximum 4.5m/lane).
- All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

ENBRIDGE

After reviewing the provided drawing at 1235 Huron Church Rd and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the proposed area.

Please Note:

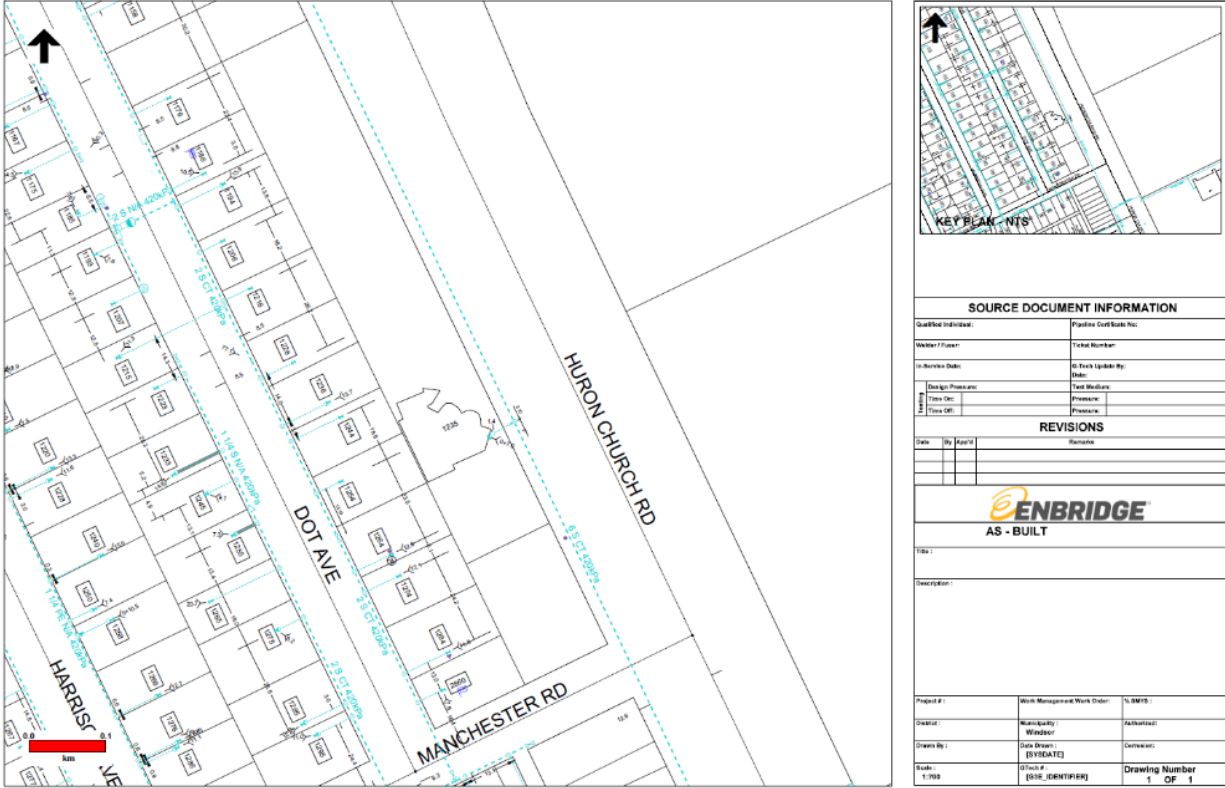
1. The shown piping locations are approximate and for information purposes only
2. The drawings are not to scale
3. This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc

Enbridge Gas requires a minimum separation of 0.6m horizontal and 0.3m vertical from all of our plant less than NPS 16 and a minimum separation 1.0m horizontal and 0.6m vertical between any CER-regulated and vital pipelines. For all pipelines (including vital pipelines), when drilling parallel to the pipeline, a minimum horizontal clearance measured from the edge of the pipeline to the edge of the final bore hole of 1 m (3.3 ft) is required. Please ensure that this minimum separation requirement is maintained, and that the contractor obtains locates prior to performing any work and utilizes safe excavation practices while performing any work in the vicinity.

Also, please note the following should you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live
- If during the course of any job, any pipe is found that is not on the locate sheet and is in conflict with your work, please call our emergency number (1-877-969-0999), and one of our Union Gas representatives will respond to determine if that plant is in fact live or dead
- Please note that an Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly

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ENWIN

Hydro Engineering:

No Objection, provided adequate clearances are achieved and maintained. Please note the following.

- 1- ENWIN has 120/208V overhead secondary conductors from the southwest corner of the property along the pole line to the existing building.

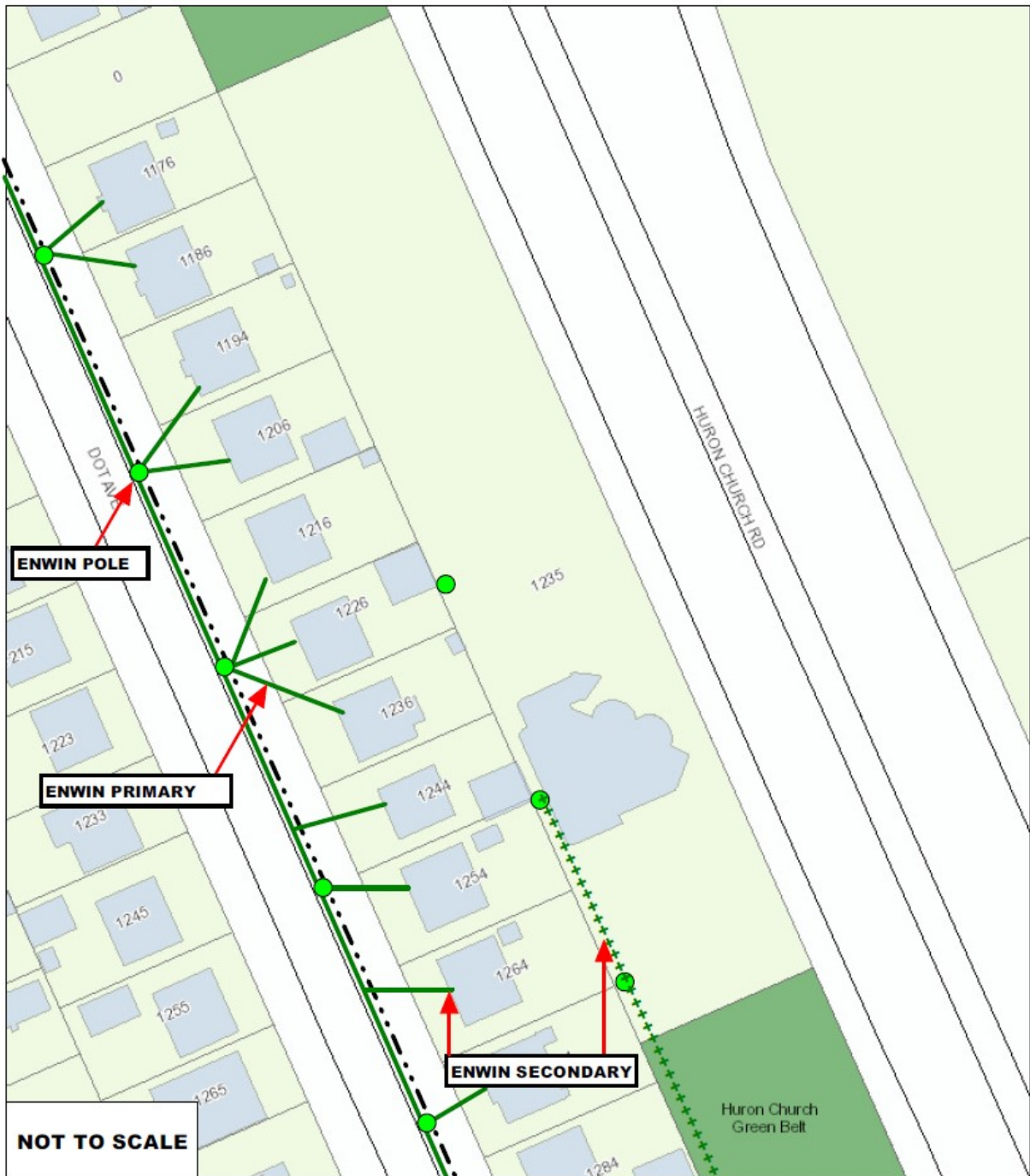
Prior to working in these areas, we would suggest notifying your contractor and referring to the Occupational Health and Safety Act and Regulations for Construction Projects to confirm clearance requirements during construction.

Water Engineering:

Water Engineering has no objections. There is no active watermain near where the proposed apartment is planned to go. The developer will have to install water to the site from an existing

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source.



TRANSIT WINDSOR - JASON SCOTT

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Central 3. The closest existing bus stops to this property are either on Tecumseh Huron Church Northwest Corner or Felix at Manchester Southeast Corner. Both bus stops are approximately 380 metres from this property falling within our 400 metre walking distance guidelines to a bus stop. This will be further enhanced with our City Council approved Transit Master Plan with the proposed addition of another secondary route.



Subject: Zoning By-law Amendment Application for the north part of the property known as 870 Wyandotte Street East; Applicant: Adiammu Real Estate Inc.; File No. Z-014-23, ZNG/7001; Ward 4.

Reference:

Date to Council: November 6, 2023
Author: Justina Nwaesei, MCIP, RPP
Senior Planner - Subdivisions
519-255-6543, ext. 6165
jnwaesei@citywindsor.ca

Planning & Building Services
Report Date: October 19, 2023
Clerk’s File #: Z/14601

To: Mayor and Members of City Council

Recommendation:

- I. That Zoning By-law 8600 **BE AMENDED** for the northerly 1166.8m² portion of the lands located on the north side of Wyandotte Street East, west side of Parent Avenue, and south of Brant Street, described as Part of Lots 62 to 68 (incl.), Registered Plan 145, also designated as PART 2 on Reference Plan12R-18708, by adding a site specific zoning provision to permit “One *Multiple Dwelling* containing 11 or more *dwelling units*” as an additional permitted use, subject to additional regulations;

“491. WEST SIDE OF PARENT AVENUE, SOUTH OF BRANT STREET

For the northerly 1166.8m² portion of the lands comprising PART 2 on Reference Plan12R-18708, the following shall apply to a *Multiple Dwelling* containing 11 or more *dwelling units*:

- 1. The provisions in Section 11.2.5.4, save and except for section 11.2.5.4.2 and section 11.2.5.4.4
- 2. Lot Area – minimum 96.0 m² per dwelling unit
- 3. Main Building Height - maximum 10.0 m
- 4. The provisions set out in section 24.40.1.5 and section 25.5.20.1.6 of By-law 8600 shall be implemented as noted below,
 - a) loading space – minimum 0.0 space
 - b) Parking Area separation from a building wall containing a habitable room window or containing both a main pedestrian entrance and a

habitable room window facing the parking area where the building is located on the same lot as the parking area – minimum 3.6 m [ZDM 6; ZNG/7001]”

- II. That the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, as required, in the Site Plan Approval and the Site Plan Agreement for the proposed development on the subject land:
- a) Alley Paving – The owner shall agree to obtain a Right-of-Way permit to drain and pave at the owner’s entire expense, any alley abutting the subject lands which is to remain open. All work shall be to the satisfaction of the City Engineer.
 - b) Servicing Study – The owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall review the proposed impact and recommend mitigating measures and implementation of those measures;
 - c) Parkland dedication of 5% (cash-in-lieu) of the subject vacant parcel;
 - d) Tree preservation for the site;
 - e) Enbridge Gas minimum separation requirements; and
 - f) Canada Post multi-unit policy.

Executive Summary:

N/A.

Background:

1. KEY MAP



2. APPLICATION INFORMATION

LOCATION: 870 Wyandotte Street East (north side of Wyandotte Street East, west side of Parent Avenue, and south of Brant Street)

APPLICANT: ADIAMMU REAL ESTATE INC., c/o Aditiya Soma

AGENT: PILLON-ABBS INC., c/o Tracey Pillon-Abbs

REGISTERED OWNER: SAME AS APPLICANT

PROPOSAL: The applicant is requesting a site-specific amendment to By-Law 8600 to permit one *multiple dwelling* with 5 or more *dwelling units* as additional permitted use on the portion of land shown as PART 1 on the applicant's draft reference plan. PART 1 on the draft reference plan is designated RESIDENTIAL and zoned RD 2.2.

The applicant is also requesting relief from the following zoning by-law provisions:

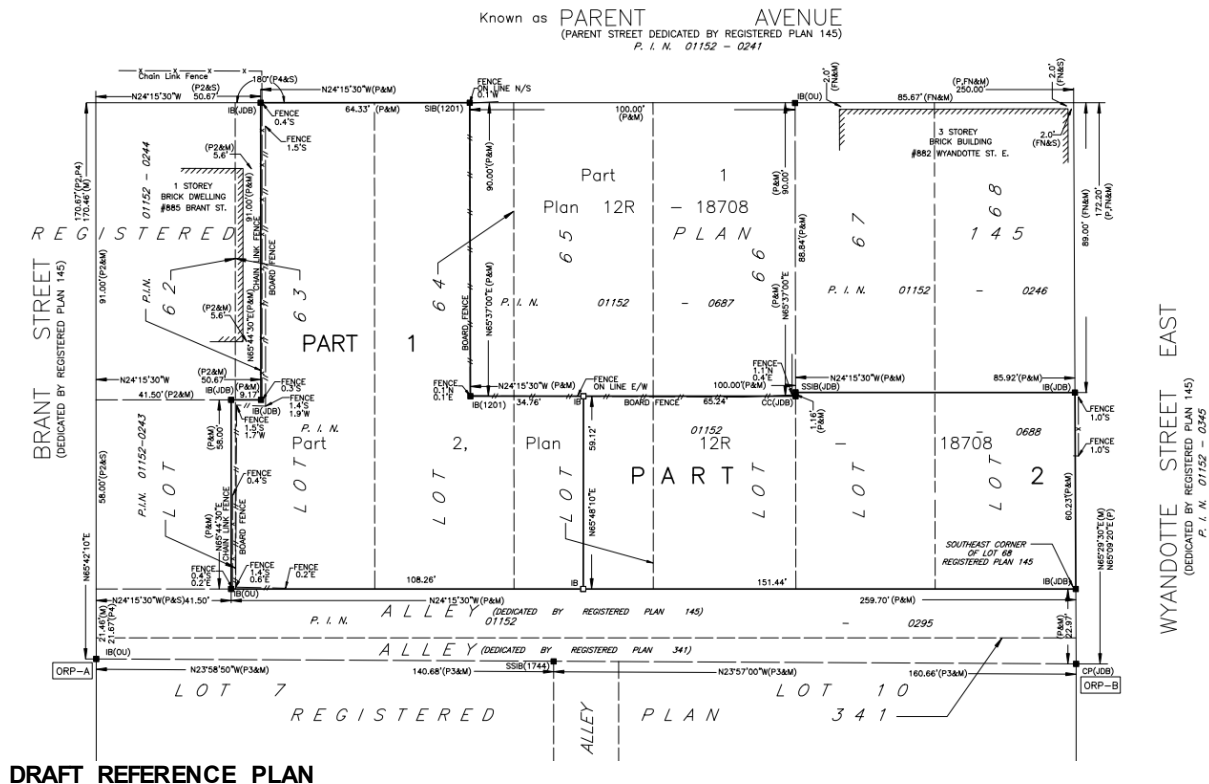
- a) Section 11.2.5.4.4, Main Building Height – maximum - 9.0m; proposed - 10m
- b) Section 25.5.20.1.6, Parking area separation from a habitable room window – minimum – 4.50 m; proposed 3.6 m; and
- c) Section 24.40.1.5, Loading space requirement – minimum – 1, proposed 0.

SUBMISSIONS BY APPLICANT:

- Zoning By-law Amendment Application form;
- Property Deed;
- Concept Site Plan;
- Concept Floor plans;
- Renderings;
- Planning Rationale Report dated July 25, 2023, prepared by Pillon Abbs Inc.;
- Topographic Survey;
- Plan of Survey; and
- Draft Reference Plan.

To review the above materials, copy this link:

<https://www.citywindsor.ca/residents/planning/Land-Development/Development-Applications/current-development-applications/Pages/870-Wyandotte-Street-East.aspx>



3. SITE INFORMATION

a. Subject land - Land fronting on Parent Avenue, PART 1 on Draft Reference Plan

OFFICIAL PLAN	ZONING & ZDM	CURRENT USE(S)	PREVIOUS USE(S)
RESIDENTIAL - Land Use, Schedule D, OP Vol. 1	RESIDENTIAL DISTRICT 2.2 (RD2.2); ZDM 6	Parking	Residential dwellings (<i>demolished or moved out of the site</i>)
FRONTAGE	DEPTH	AREA	SHAPE
30.4 m	irregular	1166.8 m ²	irregular
Note: All measurements are approximate			

b. Land fronting on Wyandotte Street East, PART 2 on Draft Reference Plan

OFFICIAL PLAN	ZONING & ZDM	CURRENT USE(S)	PREVIOUS USE(S)
MIXED USE CORRIDOR & RESIDENTIAL - Land Use, Schedule D, OP Vol. 1	COMMERCIAL DISTRICT 2.2 (CD2.2) and RESIDENTIAL DISTRICT 2.2 (RD2.2); ZDM 6	Combined Use Building (Commercial and Residential) plus Parking	Commercial and Parking
FRONTAGE	DEPTH	AREA	SHAPE
18.36 m	46.159 m	1639.34 m ²	rectangle
Note: Wyandotte Town Centre BIA; All measurements are approximate			

4. REZONING MAP



PART OF ZONING DISTRICT MAP 6

N.T.S.

REZONING

Applicant: Adiammu Real Estate Inc.



SITE BOUNDARY



SUBJECT AREA

PLANNING & BUILDING DEPARTMENT



DATE : JUNE 2023
FILE NO. : Z-014/23, ZNG/7001

5. NEIGHBOURHOOD CHARACTERISTICS



NEIGHBOURHOOD CHARACTERISTICS & SURROUNDING LAND USE

The subject neighbourhood contains a mix of residential, commercial, institutional, and open spaces uses. The neighbourhood is part of the Wyandotte Towne Centre Business Improvement Area (BIA). Mixed use developments (residential and commercial uses) are mainly located south of the subject land, along Wyandotte Street Corridor, within the BIA. Commercial uses in the BIA are mostly at street level. Along Parent Avenue, north of Wyandotte Street East, there are different housing options such as single unit dwelling, semi-detached dwelling, duplex dwelling, double duplex dwelling, and multiple dwelling. The neighbourhood contains some vacant buildings and lots.

University Public Park at 1075 University Avenue, Frank W. Begley Public Elementary School at 1093 Assumption Street, and Holy Chaldean Catholic Church at 821 Wyandotte Street East & 686 Marentette Street, are all within walking distance (approximately 400m distance) from the land being rezoned.

North of the subject area of rezoning:

Single unit dwellings (867 and 885 Brant) fronting on Brant Street.

South of the subject area of rezoning:

- Combined use building (south part of 870 Wyandotte Street East);
- 10-unit Apartment building (561 Parent Avenue) on the Municipal Heritage Register; and
- 3-sty combined use building – 892 Wyandotte St. E. on the Municipal Heritage Register.

West and southwest of the subject area of rezoning:

- 7.2 m wide paved north/south Alley;
- Vacant residential land fronting on Brant Street;
- Semi-detached dwelling (835 and 849 Brant Street); and
- 4-storey combined use building with 4 commercial units and 24 residential units (new building at 840 Wyandotte Street East, southwest of the subject land).

East of the subject area of rezoning:

- Double Duplex dwelling (909, 911 Brant Street);
- Single unit dwelling (532 Parent Avenue);
- 2-unit dwelling (552 Parent Avenue); and
- Duplex Dwelling (566 Parent Avenue);

Attached as **Appendix B** to this report, are Site Photos taken October 18, 2023.

MUNICIPAL INFRASTRUCTURE

- The City's records show that the site may be serviced by a 1500 mm diameter brick combined sewer located within Parent Avenue right-of-way.
- Municipal watermains, fire hydrants, hydro poles and LED streetlights are available to service the subject area.
- There are concrete sidewalks, curbs and gutters along both sides of Wyandotte St. E., Parent Avenue, and Brant Street ROWs. Bike lanes exist within Wyandotte St. E. road pavement.

- Transit Windsor buses (Crosstown 2) run westbound and eastbound along Wyandotte St. E. servicing the subject area. There are bus stops along Wyandotte St. E., within walking distance to the proposed development.
- The City of Windsor Official Plan classifies Wyandotte St. E. as a Class II Arterial Road, Parent Avenue as Class II Collector Road, and Brant Street as Local Road.

Discussion:

PLANNING ANALYSIS:

1. PROVINCIAL POLICY STATEMENT (PPS) 2020

Provincial Policy Statement (PPS) 2020 was issued under section 3 of the Planning Act and came into effect May 1, 2020. PPS 2020 replaces the Provincial Policy Statement issued April 30, 2014 and provides policy direction on matters of provincial interest related to land use planning and development. PPS 2020 sets the policy foundation for regulating the development and use of land in Ontario.

The following policies of PPS 2020 are considered relevant in discussing provincial interests related to this amendment:

1.1.1 Healthy, liveable and safe communities are sustained by:

b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

This amendment will accommodate a 3-storey, 12-unit multiple dwelling, which is appropriate and will add to the range and mix of residential dwelling types in the subject neighbourhood. The subject amendment is consistent with the above policies (1.1.1.b) of the PPS.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

This amendment will facilitate the development of a housing option (3-storey multiple dwelling) similar to some of the existing building stock in the subject area. The recommended amendment will result in an increase in the number of residential units on the subject land. Therefore, this amendment promotes residential intensification. The recommended amendment will support the use of existing sidewalks and bike lanes and facilitate the use of available public transit in the area. The proposed development is within a built-up area of the city and there is existing municipal infrastructure to service the subject development. The subject amendment is consistent with policy 1.1.3.3 of the PPS.

1.4 Housing

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

b) permitting and facilitating:

1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, ...; and

2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;

c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;

This amendment will permit and facilitate the development of a 12-unit multiple dwelling in a neighbourhood that is serviced by a Business Improvement Area located along a busy city corridor (Wyandotte Street East.) This housing option currently exists in the neighbourhood and there is the social and economic need for more multiple dwellings in the subject area. Approval of the recommended amendment will help the city to meet the social, health, economic and well-being requirements of current and future residents.

This amendment will

- create an opportunity for a higher density, more compact development, in an established residential area containing mostly low-density developments;
- facilitate a net increase in residential units or accommodation;
- result in intensification of the subject site and area;
- facilitate the municipality's ability to accommodate residential growth through intensification;
- provide a form of housing that is appropriate in terms of range and mix, and
- meet the social, health and well-being of current and future residents.

Appropriate levels of infrastructure, public service facilities, active transportation and transit services are available or will be available in the subject area to support projected and current needs. This amendment is consistent with policy 1.4 of the PPS.

1.6 Infrastructure and Public Service Facilities

1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

The subject land is within an area that is serviced by municipal sewage services and municipal water services. The recommended zoning by-law amendment is consistent with policy 1.6.6.2 of the PPS.

In summary, the above planning analysis demonstrates that the recommended zoning by-law amendment is consistent with the relevant Policies of PPS 2020. The applicant's Planning Rationale Report dated July 25, 2023, also demonstrates that the subject zoning by-law amendment is consistent with PPS 2020.

2. OFFICIAL PLAN (OP)

In 2022, the Planning Department completed a city-wide Multi-Unit Residential Interim Control By-law Study resulting in the recommendations for city-wide Official Plan Amendment (OPA 159) and the accompanying zoning by-law amendment (Z-019/22). On June 13, 2022, council adopted OPA 159 and approved zoning amendment file Z-019-22, by CR264/2022. On July 11, 2022, Council passed By-law 100-2022, which adopted OPA 159, and passed By-law 101-2022 for Z-019/22.

The purpose of OPA 159 is to implement policies that will encourage the production of affordable and attainable housing within the City of Windsor. OPA 159 directs intensification to areas within the city where present and future residents will be in proximity to goods and services, public transportation and employment areas.

The following objectives and policies in OPA 159 help to direct residential intensification in the City of Windsor:

6.1.14, RESIDENTIAL INTENSIFICATION - To direct residential intensification to those areas of the city where transportation, municipal services, community facilities and goods and services are readily available.

6.3.1.3, INTENSIFICATION, INFILL & REDEVELOPMENT - To promote residential redevelopment, infill and intensification initiatives in appropriate locations in the city.

6.3.2.4, LOCATIONAL CRITERIA - Residential intensification shall be directed to the Mixed-Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up 4 storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas. *New residential development and intensification shall be located where:*

- a) there is access to a collector or arterial road;
- b) full municipal physical services can be provided;
- c) adequate community services and open spaces are available or are planned; and
- d) public transportation service can be provided.

LAND USE DESIGNATION - The site being rezoned is designated “RESIDENTIAL” in the Land Use Schedule D of City of Windsor Official Plan.

The objectives and policies of the Residential land use designation establish the framework for development decisions in Residential areas within the City of Windsor.

The Official Plan supports a complementary range of housing forms and tenures in all neighbourhoods (s.6.3.1.1); promotes compact neighbourhoods which encourage a balanced transportation system (s.6.3.1.2); and promotes residential redevelopment, infill and intensification initiatives in appropriate locations in the City of Windsor (s.6.3.1.3).

The above noted objectives of the OP are satisfied by the Recommended Zoning By-law Amendment (Recommended ZBLA), which will permit the proposed development of a 3-storey, 12-unit multiple dwelling on the subject land. The Recommended ZBLA will result in an infill development which, by its very nature, promotes a compact neighbourhood.

OPA 159 deleted the existing s.6.3.2.1 and replaced it with the following:

PERMITTED USES (S. 6.3.2.1) – “Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile and Medium Profile dwelling units.

High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors.”

The proposed development is permitted in the Residential Land Use designation.

As noted already in this report under s.6.3.2.4, new residential development and intensification shall be located where:

- a) *there is access to a collector or arterial road;*

The proposed development is on a property with access to a collector road (Parent Avenue) and an arterial road (Wyandotte Street East).

b) *full municipal physical services can be provided;*

As stated already in this report, there are existing full municipal physical services available to service the subject land.

c) *adequate community services and open spaces are available or are planned; and*

Existing community services, open spaces and public transportation are already in, or near, the neighbourhood and can service the new development.

d) *public transportation service can be provided.*

As noted already in this report, public transportation service is provided in the subject neighbourhood by Crosstown 2 transit buses, which travel eastbound and westbound through Wyandotte Street East near the subject land.

The proposed development satisfies the locational criteria (s.6.3.2.4) of OP Vol. 1. The recommended intensification in this report is supported by the permitted uses in s.6.3.2.1 of the Residential land use designation.

Evaluation criteria for neighbourhood development pattern, s.6.3.2.5 of OP Vol. 1. With respect to the proposed development on the subject land, the following evaluation criteria are applicable:

- s.6.3.2.5 (c) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas;
- (d) provided with adequate off street parking;
- (e) capable of being provided with full municipal physical services and emergency services;

The recommended amendment will result in a residential development that can be designed to achieve compatibility with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas. The Concept plan, hereto attached as **Appendix A**, shows adequate off-street parking for the proposed development.

The subject land is within an established (built-up) residential neighbourhood where municipal infrastructure and services are available; therefore, the proposed development is capable of being provided with full municipal physical services and emergency services per s.6.3.2.5 (e).

The applicant's planning consultant concludes in the Planning Rationale Report dated July 25, 2023, that *the proposed development is suitable intensification of affordable residential, is consistent with the PPS, conforms with the intent and purpose of the City of Windsor OP and represents good planning*. This conclusion is supported by the planning analysis in this report.

3. ZONING

The land being rezoned is zoned Residential District 2.2 (RD2.2) in the City of Windsor Zoning By-law 8600. PERMITTED USES in the RD2.2 zoning district are:

- *One Double Duplex Dwelling*
- *One Duplex Dwelling*
- *One Multiple Dwelling containing a maximum of four dwelling units*
- *One Semi-Detached Dwelling*
- *One Single Unit Dwelling*
- *Townhome Dwelling*
- *Any use accessory to any of the preceding uses.*

The proposed 12-unit multiple dwelling is not permitted in the R2.2 zoning. Therefore, the applicant submitted this rezoning application.

The applicant's request for zoning by-law amendment has been considered and supported in this report. As noted already, the applicant is also requesting relief from the following zoning by-law provisions:

- a) Section 11.2.5.4.4, Main Building Height – maximum - 9.0m; proposed - 10m
- b) Section 25.5.20.1.6, Parking area separation from a habitable room window – minimum – 4.50 m; proposed 3.6 m; and
- c) Section 24.40.1.5, Loading space requirement – minimum – 1, proposed 0.

A 10m maximum building height was permitted in the RD2.2 zoning district until July 11, 2022, when Council passed By-law 101-2022. The applicant's request for a 10m maximum building height will have no adverse impact on existing building stock in the neighbourhood; therefore, Planning staff support the applicant's request.

A review of the concept site plan and floor plans shows that the request for reduction in parking area separation from a habitable room window is necessary in order to facilitate the proposed development on the subject land. Therefore, Planning staff support the applicant's request for a 3.6m parking area separation from a habitable room window.

For a multiple dwelling with 9 or more dwelling units, By-law 8600 requires 1 loading space when the gross floor area (GFA) is over 1000m² to 7500 m² and 0 (zero) loading space when the GFA is 1000m² or less. The proposed development is approximately 1036m² in GFA. The requested loading reduction from 1 to 0 can be supported based on the fact that the GFA of the development is not much greater than 1,000 m². Furthermore, it is very unlikely that the 12 dwelling units would generate frequent loading needs. Lastly, the rear parking area will provide safe temporary loading zone when needed.

This report contains recommendation for site-specific building area provision of 96m² per dwelling unit. The site-specific minimum area recommendation is necessary because the RD2.2 minimum area provision of 540m² for a multiple dwelling is intended for a multiple dwelling with a maximum of four dwelling units. At the current rate of 540m² for a maximum of 4 dwelling units, the density is 74 dwelling units per hectare (that is, 135m² per dwelling unit). Note that the recommended minimum area of 96m² per dwelling unit increases the density on the subject land to 104 dwelling units per hectare. The recommended minimum lot area of 96 m² per dwelling unit will accommodate the proposed development.

The 12 dwelling units require a minimum of 15 parking spaces at the rate of 1.25 spaces per dwelling unit. The applicant proposes 15 parking spaces (one of which is Type A accessible parking) with access through the rear paved alley. Registered Plan 341 shows the alley as 23'-8" wide (7.2m wide).

A **DRAFT BY-LAW** is attached as **Appendix D** to this report.

4. SITE PLAN

The proposed development is subject to Site Plan Control pursuant to the Planning Act and City of Windsor By-law 1-2004. Request for Site Plan Control Pre-Consultation may be made at <https://ca.cloudpermit.com/login> following completion of the statutory Public meeting at the Development and Heritage Standing Committee meeting.

The following requirements and other municipal and agency requirements found in the **Appendix C** hereto attached are to be considered at Site Plan Control and incorporated, as deemed appropriate, in the Site Plan Agreement.

- a) Alley Paving – The owner shall agree to obtain a Right-of-Way permit to drain and pave at the owner’s entire expense, any alley abutting the subject lands which is to remain open. All work shall be to the satisfaction of the City Engineer.
- b) Servicing Study – The owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall review the proposed impact and recommend mitigating measures and implementation of those measures;
- c) Parkland dedication of 5% (cash-in-lieu) of the subject vacant parcel;
- d) Tree preservation for the site;
- e) Enbridge Gas minimum separation requirements; and
- f) Canada Post multi-unit policy.

Risk Analysis:

Climate Change Mitigation:

Residential intensification minimizes the impact on the community greenhouse gas emissions. Development within existing communities and neighbourhoods use available infrastructure such as sewers, sidewalks, and public transit and, as such, help to mitigate development impact. The proposed residential intensification on the subject land will encourage the use of existing and planned transit and active transportation in the neighbourhood, which will help to minimize the City’s carbon footprint.

Climate Change Adaptation:

The proposed construction of a multi-unit residential development on the subject land provides an opportunity to increase resiliency for the nearby Business Improvement Area and the surrounding area. Trees and other landscaping features help create better living conditions and support climate change adaptation. Implementation of the lot-grading plan for this proposed development would help mitigate adverse impacts on climate change.

Financial Matters: N/A

Consultations:

1. DEPARTMENT AND AGENCIES: **Appendix C**, attached to this report, contains comments from municipal departments and external agencies that were consulted. There are no objections to the requested amendment. However, take note that some municipal departments and external agencies have conditions/requirements for approval of the zoning amendment. Detailed comments can be found in **Appendix C** hereto attached.
2. PUBLIC NOTICE: The City advertised the official notice in the local Newspaper (the Windsor Star Newspaper) in accordance with the Planning Act.

The City will also mail courtesy notice to all properties within 120m (400 feet) of the subject parcel, prior to the Development & Heritage Standing Committee (DHSC) meeting.

Conclusion:

Based on my review of the (i) Planning Rationale Report and other materials submitted by the applicant, (ii) relevant policies of the Provincial Policy Statement 2020 and the City of Windsor Official Plan, and (iii) comments from municipal departments and external agencies, it is my opinion that the recommended zoning by-law amendment is consistent with the Provincial Policy Statement 2020 and maintains conformity with the Official Plan.

This amendment constitutes good planning. Staff recommends approval of the recommended zoning by-law amendment.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Greg Atkinson, MCIP, RPP
 Manager of Development / Deputy City Planner

Neil Robertson, MCIP, RPP
 Acting City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP, Commissioner of Economic Development & Innovation **JM**, Chief Administrative Officer

Approvals:

Name	Title
Greg Atkinson, MCIP, RPP	Manager of Development / Deputy City Planner
Neil Robertson, MCIP, RPP	Acting City Planner
Wira Vendrasco	Deputy City Solicitor
Jelena Payne	Commissioner of Economic Development & Innovation
Janice Guthrie for	Chief Administrative Officer

Notifications:

Name	Address	Email
Abutting property owners, tenants/ occupants within 120 m (400 ft) radius of the subject land		
Applicant & Owner: Adiammu Real Estate Inc., c/o Aditiya Soma	1680 Campbell Avenue, Windsor Ontario, N9B 2K6	aditya.reddy59@gmail.com
Agent: Pillon-Abbs Inc., c/o Tracey Pillon-Abbs	23669 Prince Albert Road, Chatham, Ontario N7M 5J7	tracey@pillonabbs.ca
Councillor Mark McKenzie	350 City Hall Square W., Suite 510, Windsor, Ontario, N9A 6S1	MMcKenzie@citywindsor.ca

Appendices:

- 1 Appendix A, Concept Site Plan and Floor Plans
- 2 Appendix A-1, Renderings
- 3 Appendix B, Site Photos
- 4 Appendix C, Consultations (Comments from Municipal Departments and External Agencies)
- 5 Appendix D, Draft By-law for Z-014-23



EXTERIOR FINISH SCHEDULE	
IDEN. NO.	FINISH DESCRIPTION
①	BRICK
②	HARDIE SIDING
③	HARDIE TRIM
④	CONCRETE KEYSTONE
⑤	PRECAST SILL
⑥	H.M. DOORS & FRAMES
⑦	DOOR & WINDOW GLAZING SYSTEM
⑧	VINYL WINDOWS
⑨	ALUMINUM / GLASS BALCONY DOOR
⑩	MAGIC-PAK
⑪	METAL GUARDRAIL
⑫	CONCRETE PATIO SLAB
⑬	ASPHALT ROOFING SHINGLES
⑭	ALUMINUM FASCIA

MULTI-UNIT DWELLING PROPOSAL
5XX PARENT AVE.
 WINDSOR, ONT.

A architectural | 1670 Mercer St.
 Windsor | Ontario
 N8X 3P7
D design
A associates
 inc. architect
 Tel 519-254-3430
 Fax 519-254-3642
www.ada-architect.ca



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APPENDIX B - SITE PHOTOS – October 18, 2023 site visit File No.: Z-014/23; ZNG/7001

Parent Avenue view of the vacant land being rezoned

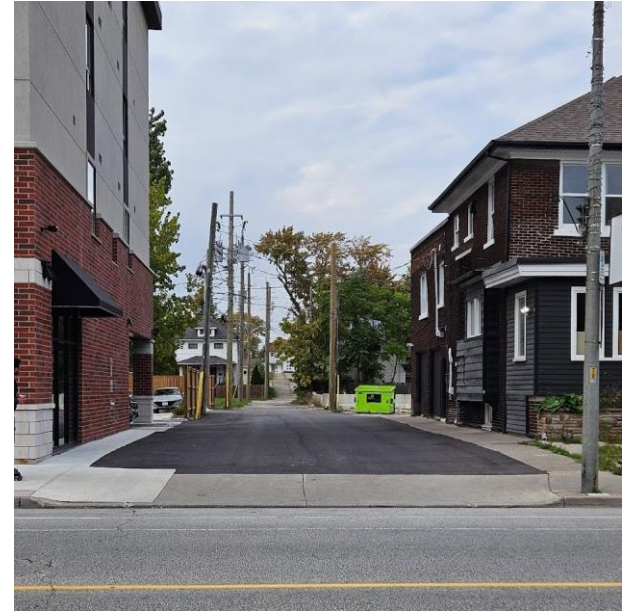


Alley view of the vacant land being rezoned

APPENDIX B - SITE PHOTOS – October 18, 2023 site visit File No.: Z-014/23; ZNG/7001



View of the combined use building at 870 Wyandotte St. E., 840 Wyandotte St. E. to the west and south wall of 561 Parent Avenue to the east



View of abutting n/s alley looking north from Wyandotte St. E.

View of the combined use building at 870 Wyandotte St. E. and west wall of 892 Wyandotte St. E.



View of abutting n/s alley from the middle of the alley looking south

APPENDIX B - SITE PHOTOS – October 18, 2023 site visit File No.: Z-014/23; ZNG/7001

View of Wyandotte St. E. looking west from Parent Avenue



View of Wyandotte St. E. looking east from Parent Avenue



APPENDIX B - SITE PHOTOS – October 18, 2023 site visit File No.: Z-014/23; ZNG/7001

View of vacant land being rezoned, looking south from Parent Avenue at Brant Street

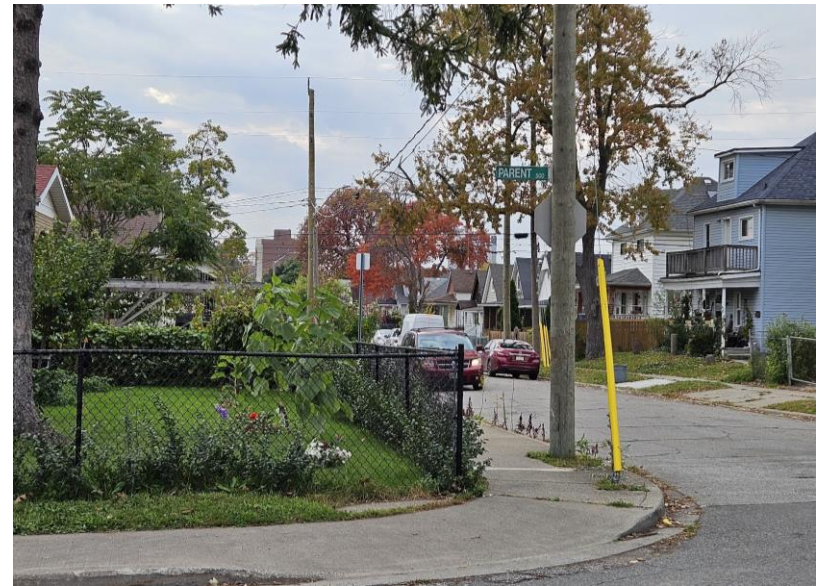


View of Parent Avenue looking north from 561 Parent

Front view of 561 Parent Avenue, looking west from Parent Avenue



View of Parent Avenue and Wyandotte St. intersection looking south from 561 Parent



View of Brant Street, looking west from Parent Avenue intersection.

APPENDIX D, CONSULTATIONS

(Comments from Municipal Departments and External Agencies)

ENVIROMENTAL SERVICES – ANNE MARIE ALBIDONE

No concerns from Environmental Services for the rezoning. However, the applicant should be aware that as a multi-residential property with more than 6 units, they are not entitled to City provided waste collection services. They should seek input from a private collection company for comments on the location of the waste bins.

ENBRIDGE

After reviewing the provided drawing at 870 Wyandotte St E. and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the proposed area. A PDF drawing has been attached for reference.

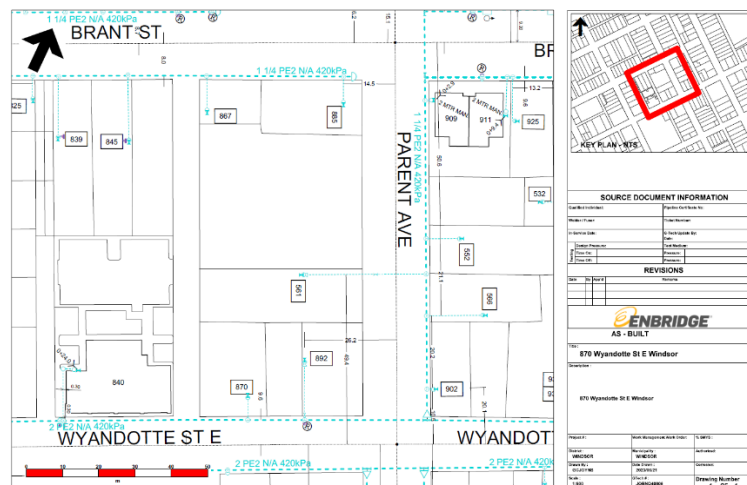
Please Note:

1. The shown piping locations are approximate and for information purposes only
2. The drawings are not to scale
3. This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc

Enbridge Gas requires a minimum separation of 0.6m horizontal and 0.3m vertical from all of our plant less than NPS 16 and a minimum separation 1.0m horizontal and 0.6m vertical between any CER-regulated and vital pipelines. For all pipelines (including vital pipelines), when drilling parallel to the pipeline, a minimum horizontal clearance measured from the edge of the pipeline to the edge of the final bore hole of 1 m (3.3 ft) is required. Please ensure that this minimum separation requirement is maintained, and that the contractor obtains locates prior to performing any work and utilizes safe excavation practices while performing any work in the vicinity.

Also, please note the following should you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live
- If during the course of any job, any pipe is found that is not on the locate sheet and is in conflict with your work, please call our emergency number (1-877-969-0999), and one of our Union Gas representatives will respond to determine if that plant is in fact live or dead
- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly



ASSESSMENT MANAGEMENT – JOSE MEJALLI

No objection to the zoning amendment and additional site-specific zoning provisions as indicated as per attached.

CANADA POST – BRUNO DESANDO

This development, as described, falls within our centralized mail policy.

I will specify the condition which I request to be added for Canada Post Corporation's purposes.

- a) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding these conditions, please contact me. I appreciate the opportunity to comment on this project.

Lock-Box Assembly Requirements

The complete Canada Post Standards Manual for Builders & Developers can be downloaded at: https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf

Compartments Size

- Horizontal lock-box models used in mailrooms must have the following minimums:
 - o Residential compartments must be at least 12.5 x 13.5 cm
 - o Commercial compartments at least 13.5 x 30.5 cm
 - o Parcel compartments at least 30.5 x 30.5 cm
- Vertical lock-box models must have min comp size of 25 x 12.5 cm. (Most models are 40 x 12.7 cm)

Heights

- All lock-box assemblies must be installed in a manner that will not require the delivery employee to reach higher than 170cm or lower than 45cm when delivering to the equipment. With respect to horizontal lock-boxes, the limits above will likely mean that maximum number of compartments that can be included in each column of residential compartments would be eight

Rear-loading Lock-boxes

- Projects with more than 100 units are required to be serviced via a rear-loading lock-box assembly.
- There must be a width of at least 100cm of working space from the back of the boxes to the wall.
- A ledge under the bottom row of boxes is also recommended in rear-loading designs. This ledge is to be directly under the bottom row of boxes (no space between ledge and bottom of boxes) and must stick out at least 20cm from the back of the boxes.
- Mailroom door is required to provide a minimum 81cm opening
- Lighting should be at least 100 lux (measured 75 cm from floor)

Access

- All buildings where the lock-boxes are required to be serviced from inside the building are required to install a Canada Post Crown lock in the building intercom. The intercom is pre-fabricated with an internal housing for the lock. The lock can be obtained from the local deliver supervisor.
- If the building has more than 100 units, a rear-loading lock-box assembly will be installed. The door to the Canada Post delivery area must be fitted with a specific model of deadbolt. This is because Canada Post will

supply a key cylinder made specifically for the Canada Post key that will fit inside the deadbolt purchased by the developer.

Numbering

- Compartments should be numbered vertically and left to right on the delivery side of the boxes

Grade-level Components

- If the development includes grade level retail or residential units, please take note that door-to-door delivery will not be provided to these units. Canada Post is happy to install a Community Mailbox to provide service to these units. Please coordinate a location with the Canada Post Delivery Planner for the area. If there is no room on the property for the Community Mailbox, service can be provided via another Community Mailbox in the area. Options to service the units from the tower (lobby) lock-boxes or via a front-loading lock box erected on the outside of the building can also be discussed with the Delivery Planner.

TRANSIT – JASON SCOTT

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Crosstown 2. The closest existing bus stop to this property is located on Wyandotte at Langlois Northwest Corner. This bus stop is approximately 170 metres from this development falling within our 400 metre walking distance guideline to a bus stop. This will be maintained with our City Council approved Transit Master Plan.

SITE PLAN CONTROL – JACQUELINE CABRAL

The development proposal is subject to Site Plan Control pursuant to the Planning Act and City of Windsor By-law 1-2004. Where preceding development applications are required, inclusive of Official Plan and Zoning By-law Amendments, request for Site Plan Control Pre-Consultation may be made following completion of the requisite Development and Heritage Standing Committee meeting at <https://ca.cloudpermit.com/login>. Consultation.

LANDSCAPE & URBAN DESIGN – STEFAN FEDIUK

Pursuant to the application for a zoning amendment (Z 014/23) to permit the development of a 3-storey apartment building, with site-specific zoning provisions on the subject, please note no objections. Please also note the following comments:

Urban Design:

The applicant indicates that the proposed 3-storey residential building is to house 10 units, yet the drawings indicate 12 units. The development will be required to be reviewed through Site Plan Control.

Zoning Provisions for Parking Setback:

The proposed height with 3-storeys is characteristic of the existing developments immediately south of the subject proposed development.

The proposed setbacks from Parent appear to consider the abutting low profile residence to the north. Therefore the height and front yard setback can be supported from an Urban design perspective.

Climate Change & Tree Preservation:

There are two municipal trees on the right-of-way on Parent which are to be preserved both during and after construction. Any proposed removal of these trees will require consultation with the City Forester with respect to replacement and/or compensation to the loss to the urban forest canopy.

With exception to requested relief from front and side yard setbacks, the proposed development does not appear to reduce the overall amount of greenspace to be provided on the subject property. Through Site Plan Control it is highly recommended that the proposed green area to the south of the parking lot be maintained and enhanced with large canopy tree cover to reduce urban heat island effect from the expanse of hard surfacing.

Parkland Dedication:

Require a parkland dedication representing 5% of the subject lands, to the satisfaction of the Executive Director of Parks, as per By-law 12780 and the Planning Act.
All requirements will be determined at the time a Site Plan application is received.

PARKS – SHERIF BARSOM

From Karen and me as for Parks D&D and Natural Areas there are no issues with this Liaison.

From Yemi - He concurs with Stefan's note about trees in this attached comment.

BUILDING DEPARTMENT – BARBARA RUSAN

The Building Code Act, Section 8.(1) requires that a building permit be issued by the Chief Building Official for construction or demolition of a building.
The building permit review process occurs after a development application receives approval and once a building permit application has been submitted to the Building Department and deemed a complete application.

Due to the limited Ontario Building Code related information received, review of the proposed project for compliance to the Ontario Building Code has not yet been conducted.
It is strongly recommended that the owner and/or applicant contact the Building Department to determine building permit needs for the proposed project prior to building permit submission.

ENWIN

No Objection, provided adequate clearances are achieved and maintained.
Please note the following.

- 1- ENWIN has 120/208V overhead secondary conductors in the alley on the west side of the property.
- 2- ENWIN has 120/240V overhead secondary conductors in the alley on the west side of the property.
- 3- ENWIN has 27.6kV overhead Primary conductors in the alley on the west side of the property.
- 4- ENWIN has a 300KVA, 27.6kV-120/208V three phase overhead transformer bank in the alley.
- 5- ENWIN has a 100KVA, 16kV-120/240V single phase overhead transformer in the alley.

Prior to working in these areas, we would suggest notifying your contractor and referring to the Occupational Health and Safety Act and Regulations for Construction Projects to confirm clearance requirements during construction.

WATER ENGINEERING:

Water Engineering has no objections.

ENGINEERING – AMY KUREK

We have reviewed the subject Rezoning application and have the following comments:

Sewers

The site may be serviced by a combined sewer located within Parent Avenue right-of-way. If possible existing connections should be utilized. Any redundant connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3.

A sewer servicing study is required to demonstrate there is adequate capacity in the municipal network and the impact based on the proposed development. The applicant will also be required to submit site servicing drawings and storm detention calculations restricting storm water runoff to pre-development levels. The total allowable release rate for both storm and sanitary flows into the combined sewer, shall not exceed the predevelopment release rate. All calculations shall be complete as per Windsor Essex Regional Stormwater Management Standards Manual and a complete checklist (linked below) is required with the submission prior to review;

<https://essexregionconservation.ca/wp-content/uploads/2018/12/WE-Region-SWM-Standards-Manual.pdf>.

<https://www.citywindsor.ca/business/buildersanddevelopers/Documents/Checklist-Rational-Method.pdf>

Right-of-Way

Wyandotte St E is classified as a Class II Arterial Road with a required width of 22 meters. The current right-of-way width is not sufficient; however, a conveyance is not required at this time due to the existing building being at the property line. Parent Avenue is classified as Class II Collector with a required width of 18.3 meters. The current right-of-way width is sufficient; therefore a conveyance is not required. Approaches must be constructed as per AS-204, complete with straight flares and no raised curbs within the right-of-way. Redundant curb cuts shall be removed and restored in accordance with City Standards to the satisfaction of the City Engineer. Right-of-Way permit is required for any work in the right-of-way.

In summary we have no objection to the proposed development, subject to the following requirements:

Alley Paving – The owner shall agree to obtain a Right-of-Way permit to drain and pave at the owner’s entire expense, any alley abutting the subject lands which is to remain open. All work shall be to the satisfaction of the City Engineer.

Servicing Study – The owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall review the proposed impact and recommend mitigating measures and implementation of those measures.

If you have any further questions or concerns, please contact Amy Kurek, of this department at akurek@citywindsor.ca

TRANSPORTATION PLANNING – CLARE AMICARELLI

- Wyandotte St E is classified as a Class II Arterial with a required right-of-way width of 22 meters. The current right-of-way width is not sufficient; however, a conveyance is not

required as the existing building is directly at the property line.

- Parent Ave is classified as a Class II Collector with a required right-of-way width of 18.3 meters. The current right-of-way width is sufficient; therefore, no conveyance is required.
- All parking must comply with Zoning By-Law 8600, otherwise, a Parking Study may be required.
 - o Site plan is deficient 1 type A accessible space and 2 bicycle spaces. Requirement is for 15 total spaces (including 1 type A accessible space) and 2 bicycle spaces.
- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
- All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

HERITAGE PLANNING – TRACEY TANG

Heritage

The property is located adjacent and in close vicinity to heritage resources recognized by Council on the Windsor Municipal Heritage Register, including:

- 892 Wyandotte St E — Wyandotte Tavern —1909 — Commercial —Core
- 561 Parent Ave — Lee-Ann Apartments — c1927 — Symmetrical, flared entry hood — Core

Heritage Planning Staff and Urban Design Staff worked together with the Applicant and Architect to ensure that the proposal meets the City of Windsor Intensification Urban Design Guidelines for new development in Stable and Mature Neighbourhoods and considers the heritage context. The design is sympathetic to adjacent heritage resources by having compatible height, massing, scale, setback and architectural style to the area. The new building also proposes compatible building type, colours, and material palettes.

Archaeology

The subject property is located in an area of low archaeological potential. Nevertheless, the Applicant should be notified of the following archaeological precaution.

1. Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
2. In the event that human remains are encountered during grading, construction or soil removal activities, 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 a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

Contacts:

Windsor Planning & Building Department:

519-255-6543 x6179, ktang@citywindsor.ca, planningdept@citywindsor.ca

Windsor Manager of Culture and Events (A):

Michelle Staaedegaard, (O) 519-253-2300x2726, (C) 519-816-0711,
mstaaedegaard@citywindsor.ca

Ontario Ministry of Citizenship and Multiculturalism

Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca

Windsor Police: 911

Ontario Ministry of Government & Consumer Services

A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures,
1-416-212-7499, Crystal.Forrest@ontario.ca

Main Streets Community Improvement Plan

The subject property is located within the Wyandotte Towne Centre Main Street area. Based on the design of the building, which appears to fit with the context of the area in terms of height, massing, scale, portions, and materials, the application is eligible for the Building/ Property Improvement Tax Increment Grant Program – which provides an annual grant equal to 100% of the increase in municipal property taxes for ten (10) years, after the project is completed and reassessed to help offset the costs of rehabilitating and redeveloping properties, as long as such development, redevelopment or rehabilitation results in an increase in municipal property taxes.

*An application for any financial incentive program must be submitted to the City prior to the commencement of any works to which the financial incentive program will apply and prior to application for building permit.

The applicant applied for grants through the Main Street CIP in February 2023. Please contact Kevin Alexander at kalexander@citywindsor.ca for more details.

REAL ESTATE SERVICES – DENISE WRIGHT

No comments from Real Estate Services.

APPENDIX D – DRAFT BY-LAW AMENDMENT

BY - L A W N U M B E R -2023
A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600
CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the day of , 2023.

WHEREAS it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

THEREFORE the Council of The Corporation of the City of Windsor enacts as follows:

1. That subsection 1 of Section 20, of said by-law, is amended by adding the following paragraph:

“491. WEST SIDE OF PARENT AVENUE, AND SOUTH OF BRANT STREET

For the northerly 1166.8m² portion of the lands comprising PART 2 on Reference Plan12R-18708, the following shall apply to a *Multiple Dwelling* containing 11 or more *dwelling units*:

- 1. The provisions in Section 11.2.5.4, save and except for section 11.2.5.4.2 and section 11.2.5.4.4
- 2. Lot Area – minimum 96.0 m² per dwelling unit
- 3. Main Building Height - maximum 10.0 m
- 4. The provisions set out in section 24.40.1.5 and section 25.5.20.1.6 of By-law 8600 shall be implemented as noted below,
 - a) loading space – minimum 0.0 space
 - b) Parking Area separation from a building wall containing a habitable room window or containing both a main pedestrian entrance and a habitable room window facing the parking area where the building is located on the same lot as the parking area – minimum 3.6 m

[ZDM 6; ZNG/7001]”

2. The said by-law is further amended by changing the Zoning District Maps or parts thereof referred to in Column 2, of said by-law and made part thereof, so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 5:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol
1	6	Northerly 1166.8m ² portion of PART 2 on Reference Plan12R-18708 (located on the north side of Wyandotte Street East, west side of Parent Avenue, and south of Brant Street).	-	S.20(1)491

DREW DILKENS, MAYOR

CLERK

First Reading - , 2023
Second Reading - , 2023
Third Reading - , 2023

SCHEDULE 2

1. By-law _____ has the following purpose and effect:

To amend the zoning of the northerly 1166.8m² portion of the lands located on the north side of Wyandotte Street East, west side of Parent Avenue, and south of Brant Street, described as PART 2 on Reference Plan12R-18708, so as to permit the development of a 12-unit multiple dwelling on the subject land.

The amending by-law maintains the RD2.2 zoning on the subject land and adds a special zoning provision permitting the construction of a multiple dwelling with 11 or more dwelling units. This amendment will result in the removal of the existing parking area on the northerly portion and enhance the street view along Parent Avenue.

2. Key map showing the location of the lands to which By-law _____ applies.



PART OF ZONING DISTRICT MAP 6

N.T.S.

SCHEDULE 2

Applicant: Adiammu Real Estate Inc.



SITE BOUNDARY



SUBJECT AREA



PLANNING & BUILDING DEPARTMENT

DATE : JUNE 2023
FILE NO. : Z-014/23, ZNG/7001

Subject: Official Plan Amendment and Zoning By-law Amendment - City of Windsor - Airport Employment Lands - OPA 177 [OPA-7118] Z 027-23 [ZNG-7117] – Ward 9

Reference:

Date to Council: November 6, 2023
Author: Greg Atkinson MCIP, RPP
Manager, Development / Deputy City Planner
Planning & Building Services
Report Date: September 2, 2023
Clerk's File #: Z/14649 & Z14650

To: Mayor and Members of City Council

Recommendation:

1. THAT the portion of the Windsor International Airport lands subject of this report (hereafter referenced as the 'subject lands') **BE IDENTIFIED** as the lands defined in Figures 1-4 within report # S115/2023 being located on the north side of County Road 42 between the 8th and 9th Concession Roads.
2. THAT Schedule D - Lands Use of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by changing the land use designations of the subject lands from 'Future Employment Area', 'Airport', and 'Open Space' to 'Industrial' and 'Business Park' as shown on Appendix D.
3. THAT Schedule B – Greenway System and Schedule J – Urban Structure Plan of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** as shown on Appendix D.
4. THAT Schedule 'A' of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating the subject lands as a Special Policy Area.
5. THAT Chapter 1 of Volume 2: Secondary Plans & Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a Special Policy Area as follows:
 - 1.XX **North Side of County Road 42 within the vicinity of the 8th Concession Road and 9th Concession Road**

- 1.XX.1 The property located on the north side of County Road 42 within the vicinity of the 8th Concession Road and 9th Concession Road, which includes portions of 3200 County Road 42, 0 County Road 42, and 0 Jefferson Boulevard is designated on Schedule A: Planning Districts and Policy Areas in Volume I: The Primary Plan.
- 1.XX.2 All development proposed within the airport employment lands shall consult with the Windsor International Airport and demonstrate compliance with the following requirements:
 - a) Building and structure height limits (to be derived from the Airport Zoning Regulations);
 - b) Transitional surface height restrictions;
 - c) Building and structure height limitations within the vicinity of existing solar panels;
 - d) Stormwater Management requirements for dry ponds; and
 - e) Requirements or limitations from Nav Canada to avoid or mitigate technological interference.
- 1.XX.3 Compliance with Ontario's D-6 Guidelines shall be required regarding minimum distance separation between industrial facilities and the Major Institutional land use designation shown in the County Road 42 Secondary Plan, to the satisfaction of the City Planner.
- 1.XX.4 Any outdoor storage area shall be located a minimum of 100 metres from County Road 42 and shall not be visible from County Road 42.

6. THAT Zoning By-law 85-18 **BE REPEALED** for the subject lands.
7. THAT Zoning By-law 8600 **BE AMENDED** by deleting S.20(1)321.
8. THAT Zoning By-law 8600 **BE AMENDED** by applying a Manufacturing District 2.2 (MD2.2), H-Manufacturing District 2.2 (HMD2.2), Manufacturing District 1.4 (MD1.4), and Green District 1.4 (GD1.4) to the subject lands as shown on Appendix E.
9. THAT the holding symbol be removed when the applicant submits an application to remove the holding prefix and the following condition is satisfied:
 - a. Submission of an Environmental Evaluation Report to the satisfaction of the City Planner for any land within 120 m of any land with a Natural Heritage designation as shown on Schedule C: Development Constraints in the City of Windsor Official Plan.

Executive Summary:

Report # S115/2023 recommends approval of Official Plan and Zoning By-law amendments initiated by the City of Windsor for lands located near the Windsor International Airport. The amendments would permit a wide range of employment uses on the lands, which have been designated as 'Future Employment Area' in the Official Plan since 2007. No objections were identified within comments received from municipal departments and external agencies. Approval of the amendments would facilitate the development investment-ready employment lands with a range of site sizes and configurations.

Background:

Application Information

Location: North side of County Road 42 within the vicinity of the 8th Concession and 9th Concession Roads.

The subject lands are identified on Figures 1-4 within this report (i.e. # S115/2023).

Ward: 9 **Planning District:** Sandwich South **Zoning District Map:** 7

Applicant: City of Windsor

Agent: Amy Farkas, Dillon Consulting

Proposal

The City of Windsor has initiated amendments to the Official Plan and Zoning By-laws 85-18 and 8600 to permit employment uses on the lands subject of this report. The lands comprise 196.38 hectares and are located within the vicinity of the Windsor International Airport. The application requests a change to Official Plan Schedule D: Land Use from 'Future Employment Area,' 'Airport,' and 'Open Space' to 'Industrial' and 'Business Park'. It is important to note that the 'Natural Heritage' designation of the Provincially Significant Wetland, as identified on Schedule D: Lands Use will remain unchanged.

The application also requests removal of the subject lands from Zoning By-law 85-18, which are currently zoned Institutional (I), and the amendment of Zoning By-law 8600 to apply a Manufacturing District 2.2 (MD2.2) and Manufacturing District 1.4 (MD1.4) to Phase 1 and H-Manufacturing District 2.2 (HMD2.2) and Green District 1.4 (GD1.4) to Phase 2. (See Conceptual Development Plan in Appendix A dated October 11, 2023.)

The requested amendments would permit a wide range of employment uses (e.g. manufacturing, warehouse, office, and service commercial). The proposed amendments would also establish a special policy area to address development constraints and requirements related to airport operations (e.g. building and structure height limits, stormwater management requirements for dry ponds, requirements from Nav Canada, etc.). The special policies also address minimum separation distance between industrial uses and the planned acute care hospital site as well as the location of outdoor storage areas.

A Conceptual Development Plan (see Appendix A), Planning Rationale Report (excerpt attached as appendix B), Transportation Impact Brief, Functional Servicing Report, Stormwater Management Servicing Strategy, Species at Risk (SAR) Considerations Memo, and Stage 1 Archeological Assessment have been submitted as part of the application package. Minor changes to the conceptual development plan have been made as a result of comments received (see Addendum Memo attached as Appendix A). The changes to the conceptual development plan do not impact the recommendations in the supporting studies.

All documents are available online via the [Current Development Applications](#) webpage (see File OPA 177 & Z-027/23) or via email at gatkinson@citywindsor.ca.

Site Information

Official Plan	Zoning	Current Use	Previous Use
<ul style="list-style-type: none"> Airport Industrial Future Employment Area 	<ul style="list-style-type: none"> Institutional (85-18) Manufacturing District MD2.2 (8600) 	<ul style="list-style-type: none"> Agricultural Solar Panels 	Agricultural
Lot Frontage	Depth	Area	Shape
2,300 m	950 m	Irregular	Rectangular
<i>All measurements are approximate</i>			

Site Background

The subject lands are located north of County Road 42 generally between the 8th and 9th Concession Roads. In 1998 ownership of the subject lands was transferred from Transport Canada to the City of Windsor. The transfer included the airport operations area along with a significant area of surplus land. In 2003 the lands and surrounding area were transferred from the Town of Tecumseh to the City of Windsor.

In 2007, Council approved Official Plan Amendment # 60, which incorporated this area

into the City of Windsor Official Plan. The airport operating area was designated 'Airport' on Schedule D: Land Use and the majority of the surplus lands were designated as 'Future Employment Area'. Three woodlots were designated 'Natural Heritage' and the land surrounding the woodlots was designated 'Open Space'.

The subject lands are zoned 'Institutional' in By-law 85-18, which was established when the area was in the former Township of Sandwich South. In 2015 the City amended the Official Plan land use designation of approximately 18 hectares to 'Industrial' and the zoning of the same 18 hectares Manufacturing District (MD2.2) in anticipation of an employment use that did not materialize.

The majority of the site is currently used for agricultural purposes. The north portion of the site contains ground mounted solar panels and a 13 hectare woodlot. The solar panels are subject to a land lease until at least 2036.

Neighbourhood Characteristics

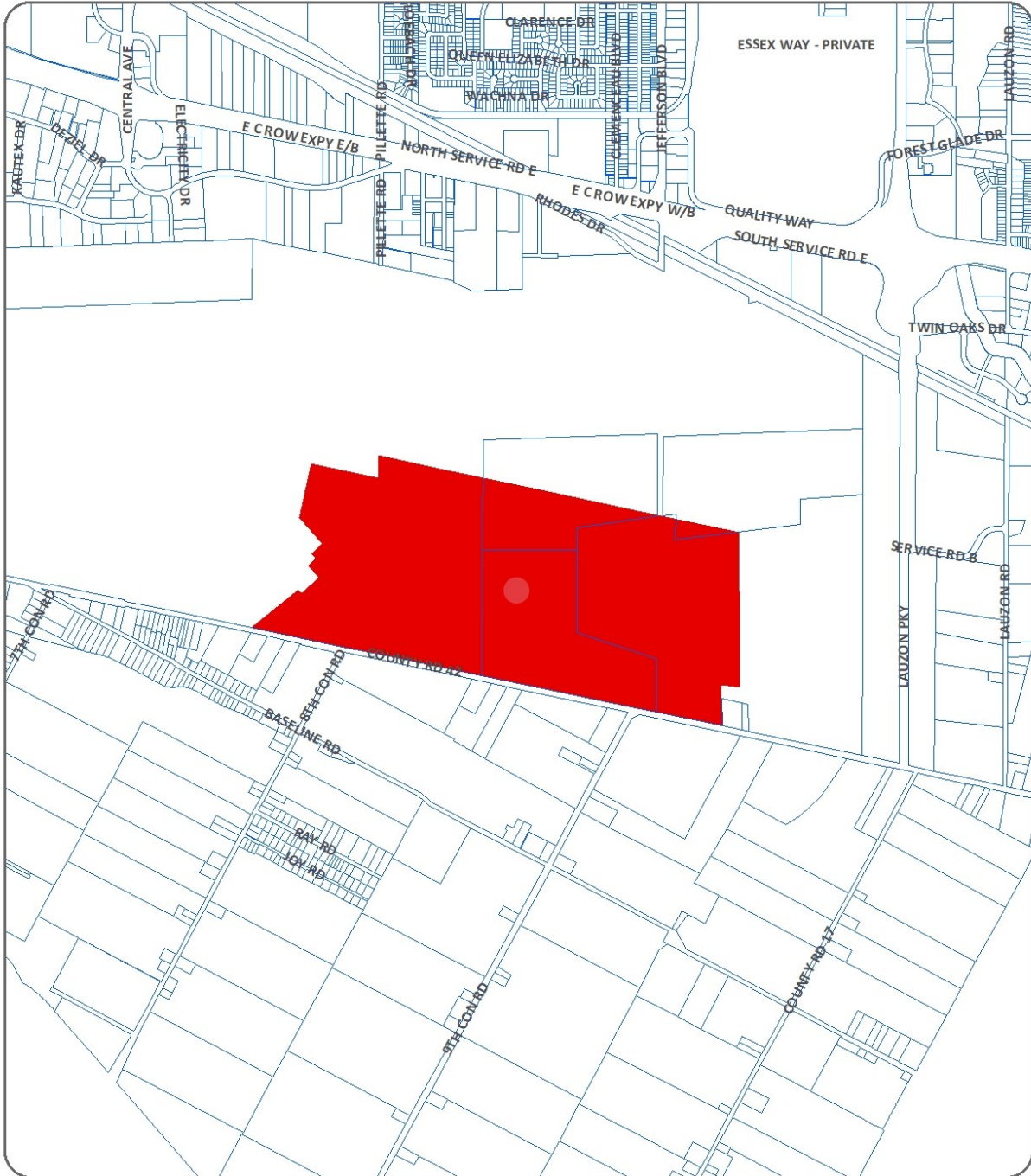
The surrounding land uses consist of a mix of commercial, light industrial, agricultural, residential, and airport operations.

- To the north are ground mounted solar panels, airport operations (main runway approach), industrial uses, CP Rail Corridor, Hydro One transmission corridor, and the EC ROW Expressway.
- To the east are agricultural uses, provincially significant wetlands, and Lauzon Parkway.
- To the south are existing commercial uses, agricultural uses, rural residential dwellings, and the planned site for the new Windsor-Essex Acute Care Hospital.
- To the west is the Windsor International Airport and AAR aircraft maintenance hangar.

Official Plan Schedule F: 'Roads & Bikeways' classifies County Road 42 as a Class 2 Arterial Road. An Environmental Assessment Study was approved in 2014 for this section of County Road 42, which plans for a future four-lane road with pedestrian and multi-use trail facilities as well as roundabout intersections at the 8th and 9th Concession Roads.

Transit Windsor route Walkerville 8 provides service to the airport terminal building, which is located approximately one kilometre west of the subject lands.

Figure 1: Key Map



KEY MAP - Z-027/23, ZNG-7117, OPA 177, OPA-7118



● SUBJECT LANDS

Figure 2: Subject Lands – Existing Land Use Designations on Schedule D: Land Use

SUBJECT LANDS

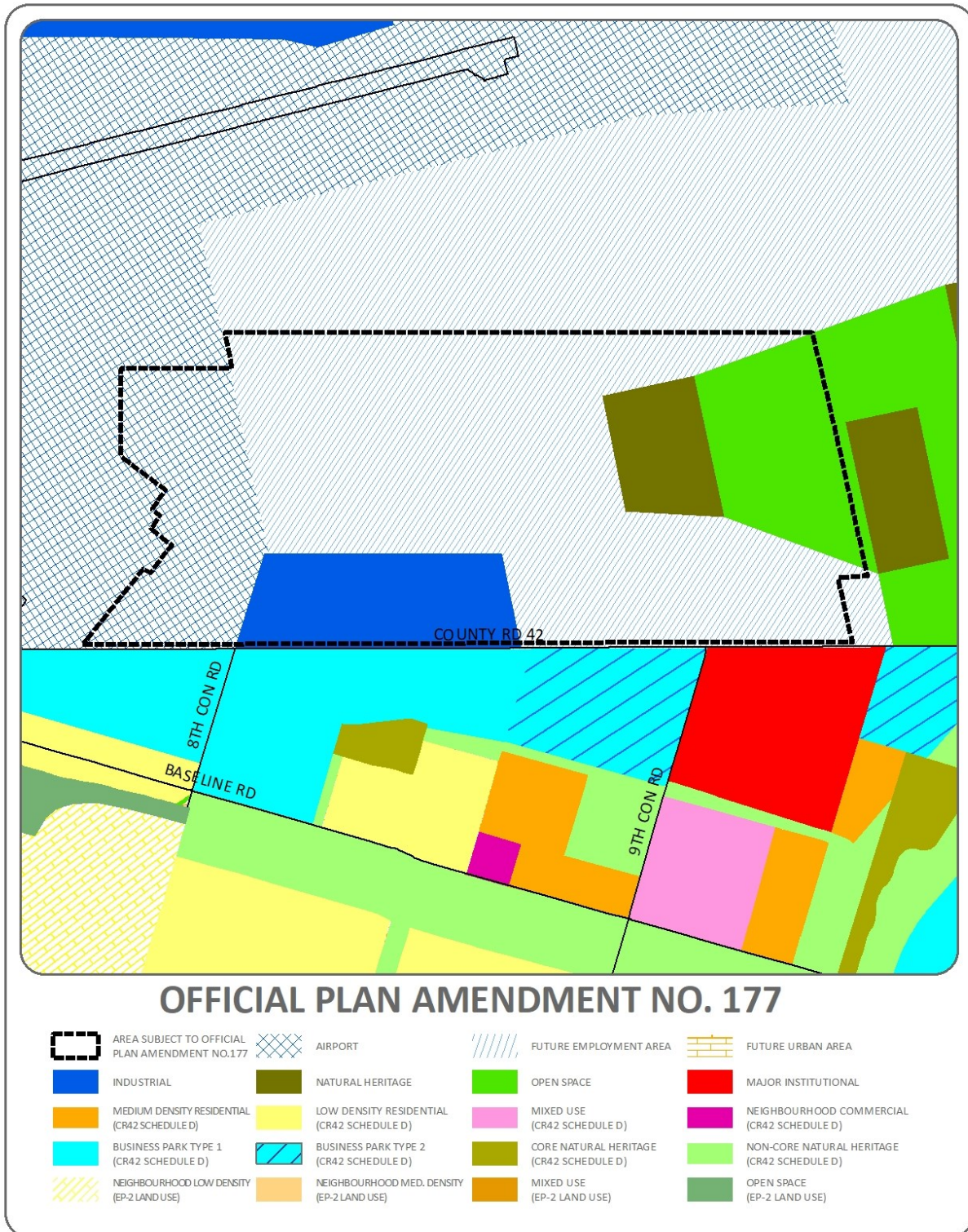
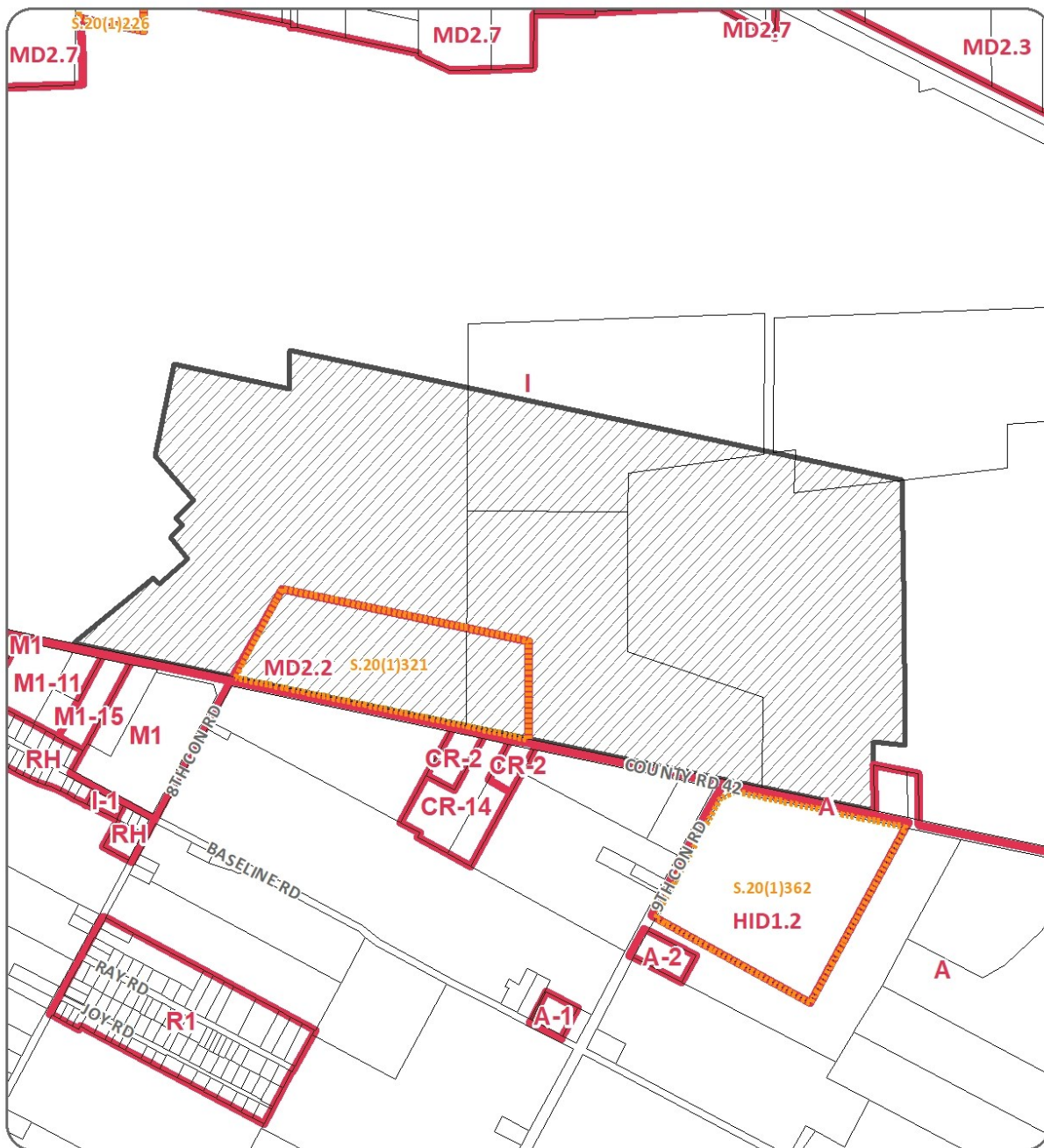


Figure 3: Subject Lands – Existing Zoning



PART OF ZONING DISTRICT MAP 12 & 16

N.T.S.

REZONING

Applicant: City of Windsor



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : AUGUST, 2023
FILE NO. : Z-027/23, ZNG/7117

Figure 4: Neighbourhood Map



NEIGHBOURHOOD MAP - Z-027/23, ZNG-7117
& OPA 177, OPA-7118



SUBJECT LANDS

Discussion:

Provincial Policy Statement 2020

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. In respect of the exercise of any authority that affects a planning matter, section 3(5) of the *Planning Act* requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the *Act*.

The Planning Rationale Report prepared by Dillon Consulting (dated August 2023) provides an analysis of relevant PPS policies (see excerpt in Appendix B). The following is an analysis regarding consistency of the requested zoning amendment with the PPS.

Efficient and Resilient Development and Land Use Patterns

Promotion of efficient development and land patterns that sustain the financial well-being of the municipalities and avoid environmental or public health and safety concerns are overarching policy directions within the PPS. This is articulated in section 1.1, which is entitled: Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns.

Section 1.1.2 requires sufficient land to be made available to accommodate projected needs (i.e. including employment lands) for a time horizon of up to 25 years. Further, section 1.1.3.1 indicates that settlement areas shall be the focus of growth and development.

Section 1.1.3.2 directs land use patterns to use land, infrastructure, and public service facilities efficiently. Section 1.1.3.7 directs planning authorities to establish and implement phasing policies to ensure orderly progression of development the timely provision of infrastructure and public service facilities.

The proposed amendments are consistent with the above policies as the subject lands are within the settlement boundary. The subject land was transferred to the City of Windsor in 2003 for the purpose of providing employment lands over the planning horizon on the Official Plan. Official Plan Amendment #60 was adopted by Council in 2007 and applied the current land use designations, which identify the lands for future employment use. The proposed Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) establish two development phases and provide the necessary framework to ensure orderly development of the subject lands.

Land Use Compatibility

Section 1.2.6.1 requires that major facilities (e.g. airports, manufacturing uses, etc.) and sensitive land uses be planned to avoid or minimize adverse effects, minimize risk to public health or safety, and ensure the long-term operational and economic viability of major facilities.

The proposed amendments and development concept include a 300 metre buffer between industrial uses and the planned acute care hospital, which will be located on the south side of County Road 42. The OPA also contains site specific policies aimed at avoiding conflict with airport operations and ensuring the long-term viability of the airport.

Employment

Section 1.3.1 indicates that economic development and competitiveness shall be promoted by providing opportunities for a range of economic uses and identifying strategic sites for investment. The surplus airport lands have been identified for future employment use in the Official Plan since 2007. Phase 1 of the subject lands has access to municipal services and transportation infrastructure. It also provides options for larger, serviced employment sites that are lacking in the regional market area.

Section 1.3.2 requires appropriate transition to adjacent non-employment uses, which is reflected in the development concept showing 'Business Park' use at the eastern limit of the subject lands near the intersection of County Road 42 and the 9th Concession Road.

Optimizing Use of Existing Infrastructure

The PPS encourages intensification and redevelopment within areas that have existing services and infrastructure. In this regard, sections 1.6.6.1 and 1.6.6.2 encourages the optimization of existing municipal sewage and water services. The OPA and ZBA will assist in optimizing the use of existing infrastructure and public services facilities within the surrounding area.

Airports

Section 1.6.9 indicates that planning for land uses within the vicinity of airports should protect their long-term operation and should be buffered from sensitive land uses. Land uses which may cause a potential aviation hazard should also be discouraged.

Long-Term Economic Prosperity

Section 1.7 encourages economic prosperity by promoting opportunities for investment-readiness and optimizing the long-term availability and use of land. The impetus for the OPA and ZBA is to ensure Windsor has a supply of investment-ready sites to accommodate a range of employment uses and larger employment sites.

Energy Conservation, Air Quality, and Climate Change

Section 1.8.1 indicates that planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions and prepare for the impacts of a changing climate by focussing freight-intensive land uses to areas well served by major highways, airports, rail facilities, and marine facilities. The subject lands are well positioned with respect to existing and planned access to Highway 401, airport facilities, truck routes, as well as existing and planned international border crossings.

Natural Heritage

Section 2.1 requires natural features and areas to be protected for the long-term. The subject lands contain a woodlot identified as a Provincial Significant Wetland in Phase 2 of the development plan. The current Natural Heritage land use designation will remain and any development within 120 metres of the feature will require an Environmental Evaluation Report (EER) in accordance with section 2.1.8 of the PPS. A holding prefix is recommended for the zoning of the Phase 2 area to ensure the EER report is complete prior to any development adjacent to the wetlands.

Cultural Heritage and Archaeology

Policy 2.6.2 prohibits development on lands containing archeological resources or areas of archaeological potential unless significant archaeological are conserved. A Stage 1 Archaeological Assessment has been completed for the entire subject lands and further assessment will be completed and entered into the Ontario Public Register of Archaeological Reports prior to any land disturbance.

Official Plan

The subject lands are located within the Sandwich South Planning District and is designated Airport, Industrial, Future Employment Area, Natural Heritage, and Open Space on Schedule D: Land Use of the City of Windsor Official Plan. Section 24 (1) of the *Planning Act* requires that any by-law passed by a municipal Council must conform

with the Official Plan. The following is an analysis regarding conformity with the Official Plan.

Chapter 3: Development Strategy

The subject lands fall within a Regional Employment Centre shown on Official Plan Schedule J: Urban Structure. This is a type of Major Activity Centre where a large number of jobs are located. This type of node typically serves as a location for the large scale manufacturing or distribution of goods. Additionally, retail, office and personal service uses may be established as ancillary uses. It is recommended that Schedule 'J' be amended to reflect the changes to Schedule D – Land Use.

Chapter 4: Healthy Community

Chapter 4 promotes a wide range of economic opportunities at appropriate locations throughout the City.

Chapter 6: Land Use

The subject lands are comprised of a number of land use designations shown on Schedule D: Land Use.

Future Employment Area

This land use designation was added in 2007 via OPA # 60 to meet long-term employment needs over the planning horizon of the Official Plan. The designation is intended to accommodate future Industrial and Business Park designations. Redesignation or development of Future Employment Areas generally require the completion of a secondary plan and other appropriate studies.

Section 6.13.4.3 provides an exception for large-scale, single use development where all studies related to physical servicing, transportation, environmental evaluation and other required studies have been completed and where the absence of a secondary plan will not jeopardize the orderly planning and development the site or surrounding lands. In the opinion of Planning Staff the absence of a secondary plan will not jeopardize the orderly planning and development of the site or surrounding lands.

Section 6.13.4.5 requires Future Development Areas to develop on full municipal services, which are available along County Road 42 to service Phase 1 of the development plan and must be made available prior to development of Phase 2.

Industrial

There is approximately 18 hectares of land currently designated for industrial use, which is not proposed to change.

Airport

The airport land use designation was also introduced via OPA # 60 and permits airport and related uses, employment uses (as described in section 6.4) provided they don't conflict with aircraft operations, hotels and related commercial uses, and other uses in accordance with the Windsor Airport Master Plan.

Natural Heritage

The western most woodlot on the airport lands is included in the subject lands. This woodlot is identified as a Provincially Significant Wetland. The Natural Heritage designation does not permit development and requires an EER for any development proposed on the adjacent lands, which is defined as 120 metres in this case.

No change is proposed to the Natural Heritage land use designation. Any development proposed within 120 metres of the natural heritage feature, as part of Phase 2 of the development plan, will complete an EER to define the required buffer area. A holding prefix is recommended for the zoning of the Phase 2 area to ensure the EER report is complete prior to any development on the adjacent lands.

Open Space

The area in between the woodlots on the airport property is designated Open Space on Schedule D: Land Use. This is reflected on Schedule B – Greenway System. It is recommended that Schedule 'B' be amended to reflect the changes to Schedule D – Land Use.

The OPA proposes to redesignate the majority of the subject lands Industrial, which permits a wide range of industrial uses (e.g. manufacturing), which because of their physical and operational characteristics are more appropriately clustered together and separated from sensitive land uses.

The area adjacent to Major Institutional land use designation shown in the County Road 42 Secondary Plan is proposed to be designated Business Park, which permits select industrial uses that do not create nuisances such as noise, dust, vibration or odour; confine operations within a building; and do not require outdoor storage. Office and service commercial uses are also permitted within the Business

Park designation. Related amendments are also proposed to Schedule B – Greenway System and Schedule J – Urban Structure Plan. See Appendix D for details of the OPA.

Chapter 7: Infrastructure

County Road 42 is classified as a Class II Arterial Road on Schedule F: Roads and Bikeways. The policies in Chapter 7 are reflected in the approved Environmental Assessment and proposed development plan, which shows roundabout intersections at the 8th and 9th Concession Roads and no direct property access on the north side of County Road 42. The Transportation Brief outlines how much land can be developed in advance of County Rd 42 being reconstructed and widened. This includes all of the industrial land and 7.5 hectares of business park land within Phase 1 shown on the July 21, 2023 conceptual development plan.

Section 7.2.10 indicates that the airport shall be protected from incompatible development including sensitive land uses and land uses which may cause a potential aviation hazard. The proposed OPA contains policies specific to the subject lands that require consultation with the airport and compliance with development standards that are meant to minimize impacts to airport operations.

Section 7.3.2.3 requires all new development to have full municipal infrastructure available. The site has access to an existing sanitary trunk sewer and a watermain located on the north side of County Road 42. Natural gas service is available along County Rd 42 for the west half of the subject lands. Hydro One power lines are located within the immediate vicinity of the subject lands. A regional stormwater facility will be constructed to the east of the subject lands and will service Phase 1 of the development.

Some of the above noted municipal services must be extended to individual parcels within the airport lands. The cost of this servicing is significant and will likely be phased to service clusters of parcels based on development interest and viability. Development proceeding in advance of the stormwater management solution (pond and storm sewer) will require on site stormwater management and will discharge to the existing Rivard and McGill municipal drains in the interim until such time as access to a municipal storm sewer is available.

Chapter 9: Heritage Conservation

Chapter 9 requires that development on lands containing potential archaeological resources avoid the destruction or alteration of these resources. Where avoidance is not possible, resources shall be conserved through documentation and removal prior to any land disturbance. A Stage 1 Archeological Assessment has been

completed for the subject lands and further assessment work will be completed and entered into the Ontario Public Register of Archaeological Reports prior to any land disturbance.

Zoning By-law 8600

The applicant proposes to remove the subject lands from Zoning By-law 85-18, which are currently zoned Institutional (I), and amend Zoning By-law 8600 to apply a Manufacturing District 2.2 (MD2.2) and Manufacturing District 1.4 (MD1.4) to Phase 1 and H-Manufacturing District 2.2 (HMD2.2) and Green District 1.4 (GD1.4) to Phase 2 of the development plan. Site specific zoning provision S.20(1)321, which permits a retail store as an accessory use within the area currently zoned MD2.2 is proposed to be deleted. See Appendix E for details of the ZBA.

General Industrial

The MD2.2. district permit a wide range of manufacturing uses, including heavy manufacturing, warehouse, and outdoor storage. There is approximately 18 hectares of land currently zoned MD2.2 immediately north of County Road 42 and east of the 8th Concession Road. An additional 80 hectares of land is proposed to be zoned MD2.2 as part of Phase 1 of the development plan. While this zoning district is wide ranging, the City may further restrict uses that may be in conflict with airport operations through land leases.

Light Industrial

The area surrounding the intersection of County Road 42 and the 9th Concession Road is proposed to be zoned MD 1.4, which is a wide ranging business park/light industrial district. This district permits light manufacturing, research & development, office, warehouse, and service commercial uses. It does not permit heavy industrial or outdoor storage. This zoning assists with the transition toward the new acute care hospital site, which is located south east of County Road 42 and the 9th Concession Road. In particular it recognizes the Provincial D-6 guidelines that recommend a minimum separation distance of 300 metres between sensitive land uses and Class III industrial uses (e.g. heavy manufacturing).

Green District

The GD1.4 district permits a natural heritage area or accessory use to a natural heritage area. Building and structures not accessory to the natural heritage area are prohibited. This zoning district implements and conforms to the existing Natural Heritage land use designation shown on Schedule D: Land Use in Volume I of the Official Plan.

Site Plan Control

Proposed development within the subject lands will be subject to site plan control.

Planning Rationale Report

A Planning Rationale Report prepared by Dillon Consulting, dated August 2023 has been prepared in support of the proposed OPA and ZBA (an excerpt of the report is attached as Appendix B). An Addendum Memo to the Planning Rationale Report is attached as Appendix A). Staff have reviewed and concur with the conclusions and recommendations of the Planning Rationale Report and Addendum Memo.

Risk Analysis:

The proposed OPA and ZBA will provide a range of investment-ready employment lands with a range of site sizes and configurations. Serviced employment land is in short supply regionally and is needed to accommodate supply chain manufacturing business related to the NextStar EV Battery Facility, which is currently under construction. Failure to plan for zoned and serviced employment land will risk losing economic development investment and related employment.

Climate Change Risks

Climate Change Mitigation:

Facilitating supply chain businesses for the NextStar EV Battery Facility implements Community Energy Plan Transportation Strategy 11, which seeks to increase the adoption of electric vehicles and alternate fuel vehicles.

The construction and operation of the proposed employment uses will result in an increase in the community greenhouse gas emissions, however, it is important to highlight that attracting supply chain businesses to support the NextStar EV Battery Facility will in turn support the national/international transition to EV vehicles as a priority mitigation strategy to move away from fossil fuels.

Climate Change Adaptation:

The new buildings may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process. The site would also be required to incorporate storm water management best practices. The site plan control application will be reviewed for opportunities to enhance resiliency.

Financial Matters:

Development of the airport employment lands for the purposes of attracting investment will increase the property value assessment and therefore related municipal taxes. The City will also receive land lease revenues. However, development of the airport employment lands will also require future site servicing which includes roads, sewers, watermain, street lighting, and stormwater management. Strategies are being considered to phase the development of the property to focus on opening up clusters of parcels for development which will also incorporate timelines for site servicing. Administration will bring forward a holistic funding strategy which will be presented to City Council at a later date.

Consultations:

Comments received from municipal departments and external agencies are attached as Appendix C. No objections were received.

Informal comments were received from Windsor International Airport indicating that the proposed road network must be amended to provide access to a future terminal building within the airport operating area. The change is outlined in the Addendum Memo attached as Appendix A. Both original and revised conceptual development plans are also contained within Appendix A.

The subject lands fall within the area regulated by the Essex Region Conservation Authority (ERCA) and approval will be required prior to site alteration taking place within the area of the Lappan Drain, McGill Drain, Rivard Drain, and North Townline Drain.

The City's Environmental and Sustainability Coordinator recommends maintaining natural and recreational linkages across Site D between the woodlots. This area falls within Phase 2 of the development plan and will be subject to a holding prefix until an environmental evaluation study is completed, which will examine opportunities to maintain linkages between the natural heritage features. Amendments to Official Plan Schedule B – Greenway System are recommended to show a linkage between the woodlots.

Required notice of the statutory public meeting was advertised in the Windsor Star, on October 13, 2023. A courtesy notice was mailed to property owners and tenants within 120 metres of the subject lands.

Specific design issues or requirements from municipal departments or external agencies will be considered as part of the Site Plan Control process.

Conclusion:

Section 3(5) of the *Planning Act* requires that a decision of Council in respect of the exercise of any authority that affects a planning matter, ‘shall be consistent with’ the Provincial Policy Statement. Section 24(1) of the *Planning Act* requires zoning by-laws passed by Council to conform with the Official Plan.

The requested OPA and ZBA have been evaluated for consistency with the Provincial Policy Statement 2020 and conformity with the City of Windsor Official Plan (as proposed to be amended). Based on the information presented in this report, it is my professional opinion that the requested amendments are consistent with the Provincial Policy Statement 2020, conform with the City of Windsor Official Plan (as recommended for amendment), and represent good planning.

Staff recommend approval of the requested amendments to the Official Plan (Volume I and II) and also Zoning By-law 85-18 and Zoning By-law 8600.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Neil Roberson, MCIP, RPP
Acting City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP

JM

Approvals:

Name	Title
Wira Vendrasco	Deputy City Solicitor
Neil Robertson	City Planner (Acting)
Jelena Payne	Commissioner, Economic Development & Innovation
Janice Guthrie for	Chief Administrative Officer

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Appendices:

- 1 Appendix A – Addendum and Conceptual Development Plan
- 2 Appendix B – Planning Rationale Report (excerpts)
- 3 Appendix C - Consultations
- 4 Appendix D – Official Plan Amendment
- 5 Appendix E - Draft Amending By-law

TO: Greg Atkinson, Manager of Development, Deputy City Planner
FROM: Karl Tanner, Dillon Consulting Limited
DATE: October 24, 2023
SUBJECT: Official Plan and Zoning By-law Amendments – Surplus Airport Lands Addendum
OUR FILE: 23-5796

This Addendum has been prepared as a supplement to the existing Planning Justification Report (PJR) prepared by Dillon Consulting Limited (dated August 2023) and background documents associated with the Official Plan and Zoning Bylaw Amendments (OPA and ZBA, respectfully) to create opportunities for increased investment on approximately 195 hectares (482 acres) of the available 300 hectares (741 acres) at YQG.

The lands which are subject to these applications front County Road 42 between 8th and 9th Concession Roads, have been identified in the Windsor International Airport Master Plan (2010) for future employment type land uses, sit outside the operational areas of YQG, and are not required to meet the long term needs of the airport.

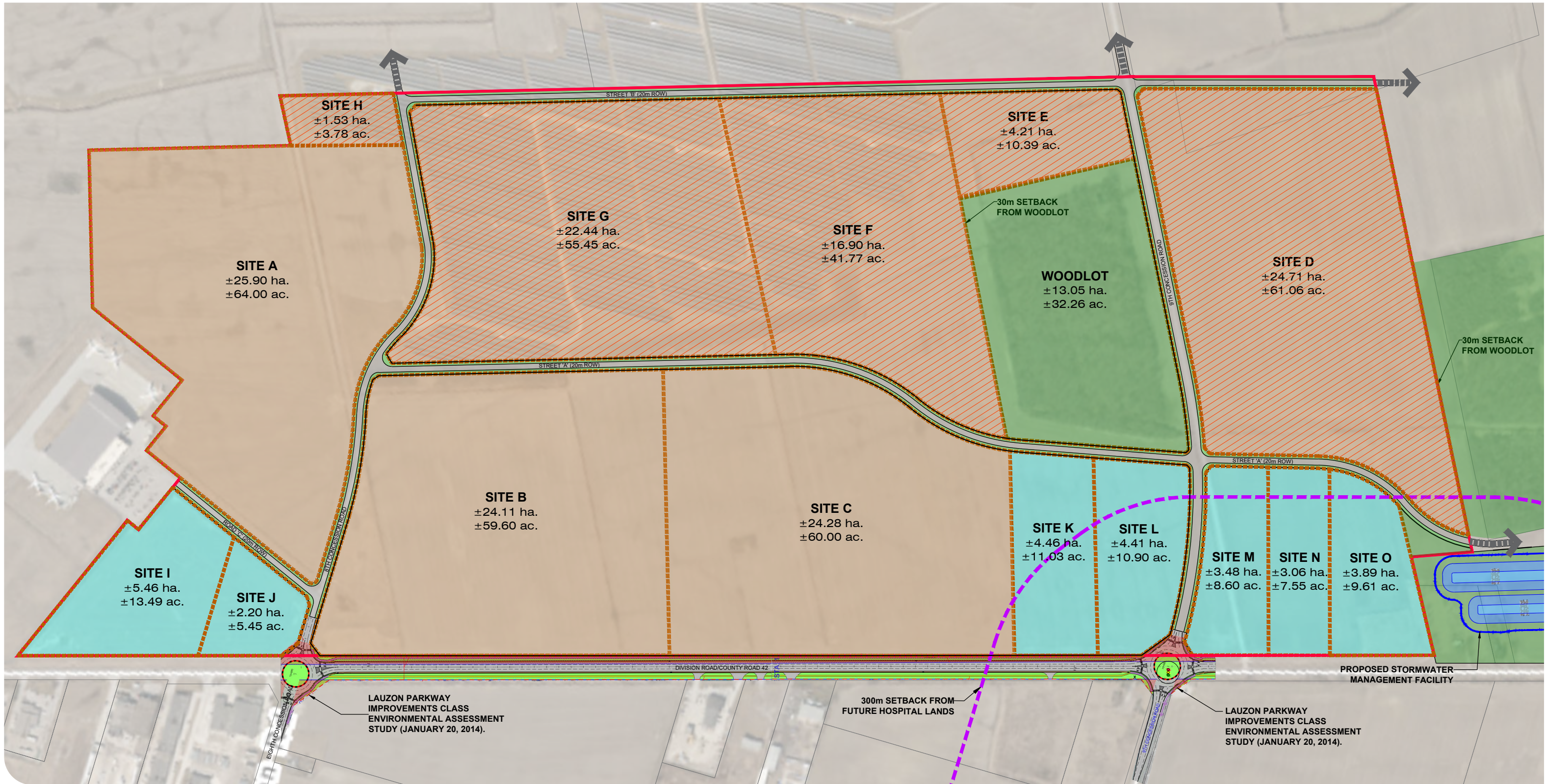
While the surplus airport lands are being prepared for future development, the schedule of investments will be event-driven. As such, there remains the potential for the development of the surplus airport lands to be undertaken holistically and by using a phased approach which will allow for the efficient coordination and utilization of resources.

A conceptual development plan was prepared for the subject lands and circulated to the appropriate municipal departments and agencies (refer to **Figure 1.0 – Proposed Conceptual Development Plan, July 21, 2023**). Based on comments we received, and in keeping with the Windsor International Airport Master Plan (2010), the plan was amended to accommodate and maintain future access, allowing for the future expansion of airport facilities, a reconfiguration of the industrial land uses for Sites I and J (refer to **Figure 2.0 – Proposed Conceptual Development Plan, October 2023**) and orderly development potential on the balance of the lands.

We can confirm that the changes do not impact the recommendations contained in the supporting studies.




Karl Tanner, MCIP RPP





**THE CORPORATION OF THE CITY OF WINDSOR
FUTURE AIRPORT LAND DEVELOPMENT**

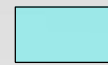
CONCEPTUAL DEVELOPMENT PLAN

FIGURE 1.0
JULY 21, 2023

 PROPOSED SUBJECT AREA
(±187.74 ha / 463.93 acre)

 PHASE 1 PROPOSED INDUSTRIAL SITES
(±74.30 ha / 183.60 ac)

 PHASE 2 PROPOSED INDUSTRIAL SITES
(±69.79 ha / 172.45 ac)

 PHASE 1 PROPOSED BUSINESS PARK SITES
(±26.96 ha / 66.63 ac)

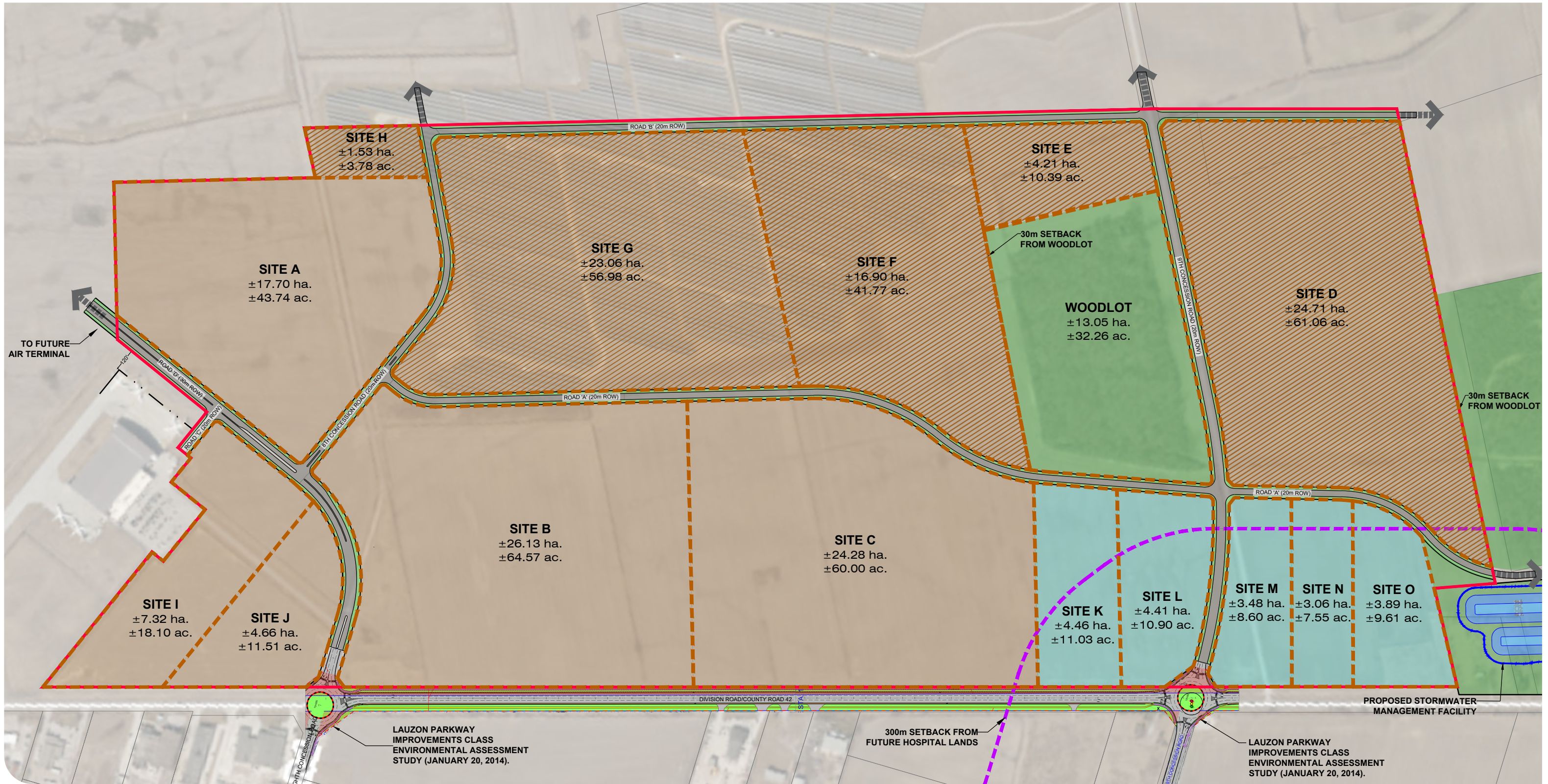
 PROPOSED SWM PONDS

File Location:
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August, 02, 2023 4:45 PM

MAP/DRAWING INFORMATION
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THE CORPORATION OF THE CITY OF WINDSOR
WINDSOR AIRPORT MASTER PLAN

CONCEPTUAL DEVELOPMENT PLAN
 OCTOBER 11, 2023

 PROPOSED SUBJECT AREA (±196.38 ha / 485.27 acre)	 PHASE 1 PROPOSED INDUSTRIAL SITES (±80.09 ha / 197.92 ac)	 PHASE 1 PROPOSED BUSINESS PARK SITES (±26.96 ha / 66.63 ac)	 PROPOSED SWM PONDS
	 PHASE 2 PROPOSED INDUSTRIAL SITES (±70.41 ha / 173.98 ac)		

File Location:
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 CREATED BY: MRU
 CHECKED BY: KBT
 DESIGNED BY: KBT/AMM/ESG

Development & Heritage Standing Committee - Monday, November 6, 2023
 Page 145 of 464

SCALE: 1:6000 (11x17)



PROJECT: 23-5796
 STATUS: FINAL
 DATE: 10/11/2023



CORPORATION OF THE CITY OF WINDSOR

Planning Justification Report

Official Plan and Zoning By-Law Amendments

Surplus Airport Lands, City of Windsor

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- B City of Windsor Official Plan Policies
- C City of Windsor Zoning By-law
- D Windsor International Airport Master Plan (2010)
- E Windsor Airport Zoning Regulations
- F Aviation: Land Use in Vicinity of Aerodromes (TP 1247)
- G D6 Guidelines
- H Restrictions and Constraints

1.0 Introduction

1.1 Purpose

Dillon Consulting Limited (Dillon) has been retained by the City of Windsor to assist in obtaining the necessary planning approvals to allow for a mix of employment uses, including business park and industrial land uses, to be developed on the surplus airport lands in the City of Windsor. The Windsor International Airport Master Plan (2010) found that given current and projected aircraft movement volumes, the Airport capacity is expected to continue to meet the needs of the Airport for the planning horizon. As such, an area of surplus lands has been identified as available for potential development.

The Windsor International Airport is owned by the City of Windsor, with the airport lands located within the Sandwich South Planning District. The Sandwich South Planning District is a major land area which will play a key role in accommodating the future population and employment growth needs of the City of Windsor. It is estimated that the City requires approximately 500 to 625 gross hectares of employment lands to accommodate the projected employment needs by 2026 (EDP Consulting, 2008). Only a portion of this land area requirement has been realized. The need for available land for employment uses is expected to continue with the development of the Stellantis LG NextStar plant as feeder plants and other supportive development are anticipated to occur in the Sandwich South Planning District.

As identified in the Windsor International Airport Master Plan (2010), the Windsor International Airport property is approximately 813 hectares in size with over 250 hectares of surplus lands located to the east of the operating airport designated as “Future Employment Area” within the Official Plan. The area of lands that is the subject of this report is approximately 187.74 hectares in size and is roughly bounded by the AAR Aircraft Services Windsor ULC to the west, the naturalized areas to the east, County Road 42 to the south, and extending approximately 460.5 metres from County Road 42 to the north (the “subject land”). These surplus airport lands in particular have the opportunity to be a driver of economic activity and support non-airport related businesses and industries. In order to attract increased economic opportunities, there is a need to provide additional capacity in terms of land available for development with appropriate access and municipal services.

This report is intended to facilitate the implementation of the necessary planning amendments to support the preparation of the surplus airport lands for employment land uses. The following report supports the following:

- City of Windsor Official Plan Amendment (OPA); and
- City of Windsor Zoning By-law Amendment (ZBA) applications.

In order to be positioned to support the investment and facilitate the timely development of the large area of employment land uses, the City is in the process of preparing the subject lands, with the land intended to be wholly owned by the City of Windsor and leased to potential proponents. Given the size of the subject lands, there is the potential for these lands to be developed using a phased approach. Details on potential phasing options will be investigated further along in the planning process.

To facilitate the development of the subject lands, an amendment to both the Official Plan and Zoning By-law will be required to recognize the ultimate use of the subject lands for various employment land uses. The rationale and justification required to change the land use designation and zoning category to accommodate the proposed use is included in this report.

The terminology used in the different sections of this report is intended to be reflective of the respective policy definitions in their respective policy documents.

1.2 Description of Site

The subject lands are located on a portion of the surplus airport lands, north of County Road 42 in the Sandwich South Planning District. The Sandwich South Planning District is situated at the eastern limits of the City, approximately 8 km south of the Windsor Downtown area. The Planning District covers approximately 2,530 hectares and will be a major factor in accommodating the future population and employment growth in the City of Windsor.

The subject lands cover approximately 187.74 hectares of land north of County Road 42. To the east of the subject lands are two (2) naturalized areas, to the west of the subject lands is the AAR Aircraft Services Windsor ULC. The subject lands currently extend approximately 460.5 metres north of County Road 42 (refer to **Figure 1.0 - Location Map**).

The subject lands have frontage along County Road 42 and with the extension of Eight Concession Road and Ninth Concession Road towards the north being proposed. The surplus airport lands are well supported by the existing and planned transportation network with access to transportation facilities including the International border crossings, the Windsor Port, the VIA Rail station, the Windsor Transit Terminal, and Provincial Highways 401 and 3.

The naturalized areas to the east of the subject lands are identified as the Airport Woodlots and are not part of this development application. Appropriate setbacks are recommended to allow for further study.

1.3 Proposed Development & Amendments

1.3.1 Proposed Development

The intent of the proposed Official Plan and Zoning By-law Amendments is to facilitate the preparation of an area of the surplus airport lands to create additional capacity in terms of land available for future employment use development. The surplus airport lands present an opportunity for a wide range of employment land uses including light industrial, warehouse, office, service commercial, business park, and heavy industrial uses. The development of these surplus airport lands may include Airport related and non-Airport related uses, with the potential to create synergies between proposed employment uses and local industry. This potential will allow for increased and diversified employment land uses and attract business to the Sandwich South Planning District while facilitating the Airport as a key economic driver in the City.

The Windsor International Airport Master Plan (2010) identifies approximately 300 hectares of potentially available land within the infield area of the airport property from major business and employment land uses. The proposed subject lands occupy approximately 187.74 hectares of these infield lands. While the surplus airport lands are being prepared for future development, the schedule of investments will be event-driven. There is a benefit to remaining flexible in the proposed land uses, and the accompanying parcel sizes to be leased, as the City evaluates interest from potential proponents and considers the infrastructure requirements and development needs required to facilitate any future development. As such, there remains the potential for the development of the surplus airport lands to be undertaken using a phased approach which will allow for the efficient coordination and utilization of resources. To accommodate for this, the current proposed development plan of the subject lands includes parcels of land varying in size from approximately 2 hectares (5 ac) to 26 hectares (64 ac) (refer to **Figure 2.0 – Proposed Conceptual Development Plan**).

All proposed land uses on the Airport property must respect the requirements of Transport Canada's TP 312 – Aerodrome Standards and Recommended Practices (2015). The standards and recommendations outlined in TP 312 place various restrictions necessary within the Airport land area and include specific criteria for building structures on the property. Protective areas of varying degrees are required around each Airport operations related facility, depending on the equipment. Future developments must consider these protective requirements. All proposed infield development projects shall be subject to review by Airport management and Navigation Canada.

1.3.2 Proposed Official Plan Volume I Amendment

The subject lands are currently designated as Airport, Industrial, and Future Employment Area in the City of Windsor Official Plan. The portion of the subject lands along County Road 42 designated as Industrial were previously subject to a City-initiated Official Plan and Zoning By-law Amendment given the need for additional employment lands in Windsor. The Industrial land use designation is to remain as it relates

to the subject lands and will adhere to the policies as set out by **Section 6.4.3 – Industrial of the Official Plan**.

The lands designated as Airport permit a variety of land uses including uses permitted in Employment Areas (as described in Section 6.4 of the Official Plan, provided that they do not conflict with aircraft operations), hotels and related commercial uses, and other uses in accordance with the Windsor Airport Master Plan, Land Use and Reserve Land Plan (as amended from time to time). As such, a variety of future employment land uses are permitted under this designation. The Airport land use designation is to remain as it relates to the subject lands and will adhere to the policies as set out by **Section 6.12 – Windsor Airport of the Official Plan**.

The lands designated as Future Employment Area represent an area intended for future development to accommodate the projected growth within the City. Council may redesignate the Future Employment Area to an alternative land use designation by amendment to the Official Plan. The current Future Employment Area land use designation on a portion of the subject lands does not permit the development of the lands for employment land uses.

The proposed City of Windsor Official Plan Amendment (OPA) will be brought forward to City Council for consideration to redesignate the portion of the subject lands from Future Employment Area to the Industrial or Business Park land use designations. The final configuration of the land use designation boundaries is to be determined. The proposed OPA will facilitate the availability of suitable lands appropriate for large scale employment uses in the City of Windsor.

1.3.3 Proposed Official Plan Volume II Amendment

In addition to the changes proposed for the subject lands through Volume I, the proposed Official Plan Amendment will include special policies under Volume II of the Official Plan to address potential conflicts surrounding the Airport through its operation and any additional adverse effects. Specifically, the OPA will consider the following:

- Building Height Limits (to be derived from the Airport Zoning Regulations);
- Transitional surface height restrictions;
- Height Limitations for solar panels and solar farms;
- Stormwater Management requirements for dry ponds;
- Design objectives to be in line with a future institutional (Hospital) use and the County Road 42 Secondary Plan;
- Requirements from Navigation Canada to mitigate technological interference; and
- Limitations on the sale of land and dedication of public highways stemming from the transfer agreement with Transport Canada.

Please refer to **Appendix H – Restrictions and Constraints**.

Guidelines for Volume II will be further discussed with the City of Windsor and YQG, with considerations made to the recommendations outlined by Transportation Canada. These can be found in **Appendix F – Aviation: Land Use in Vicinity of Aerodromes (TP 1247)**.

The proposed OPA is supportive and in general alignment with the City of Windsor Official Plan (OP) principles and policies regarding employment uses, economic development, and the Windsor Airport (OP, 1.1.3, 4.2.6, 6.12). Further information on the OP policies can be found in **Section 4.2** of this report.

1.3.4 Proposed Zoning By-law Amendment

The subject lands have multiple zoning categories including Manufacturing District 2.2 (MD2.2) in the City of Windsor Zoning By-law 8600 and Institutional (I) in the Sandwich South Zoning By-law 85-18. The current zoning categories do not permit the development of employment uses on the entirety of the proposed subject lands. The proposed Zoning By-law Amendment (ZBA) to repeal the zoning category under the Sandwich South Zoning By-law 85-18 and to amend the zoning category under the City of Windsor's Zoning By-law 8600 will be brought forward to the City Council for consideration. The proposed rezoning is for the subject lands to be zoned similar to the Manufacturing District 1.4 (MD1.4) and Manufacturing District 2.2 (MD2.2) categories. The final configuration of the zoning category boundaries is to be determined. The proposed ZBA will facilitate the availability of a large area of land suitable for the development of employment land uses in the City of Windsor.

Further information on the Windsor's Zoning By-law 8600 can be found in **Section 4.3** of this report.

Further to the provisions outlined in the City of Windsor Zoning By-law 8600, registered zoning is currently in place for the Windsor International Airport. The registered zoning is entitled *Windsor Airport Zoning Regulations* and are pursuant to Section 5.4 of the Aeronautics Act of Canada. The zoning regulations found within this section include:

- Preventing lands adjacent to or in the vicinity of an Airport site from being used or developed in a manner that is incompatible with the safe operation of an aerodrome or aircraft; and
- Preventing land uses that would cause interference with signals or communications to and from aircraft from locating adjacent to or in the vicinity of equipment of facilities used to provide services relating to aeronautics.

Further, protective regulations are established around certain Airport facilities, components, and stations to protect the safety and security of aircraft operations. These requirements include physical zoning around the Airport, including off-Airport lands, electronic zoning, and noise projections. TP 312 (Transport Canada's Aerodrome Standards and Recommended Practices) and TP 1247 (Land Use in the Vicinity of Aerodromes) identify the relevant zoning criteria in detail.

2.0 Existing Conditions

2.1 Subject Lands

The total subject land area is approximately 187.74 hectares (463.93 ac) with approximately 2,309.5 metres of frontage along County Road 42. The subject land is designated accordingly in the City of Windsor Official Plan and Zoning By-law 8600 and the Sandwich South Zoning By-law 85-18 as follows:

City of Windsor Official Plan – Schedule A: Planning Districts & Policy Areas

(refer to *Figure 3.0 – City of Windsor Planning Districts & Policy Areas*)

- Sandwich South Planning District

City of Windsor Official Plan – Schedule C: Development Constraint Areas

(refer to *Figure 4.0 – City of Windsor Development Constraint Areas*)

- Airport Operating Area
- Noise Exposure Forecast

City of Windsor Official Plan – Schedule D: Land Use

(refer to *Figure 5.0 – City of Windsor Existing Official Plan Designations*)

- Airport
- Industrial
- Future Employment Area

City of Windsor Official Plan – Schedule H: Baseplan Development Phasing

(refer to *Figure 6.0 – City of Windsor Baseplan Development Phasing*)

- As required

City of Windsor Official Plan – Schedule J: Urban Structure Plan

(refer to *Figure 7.0 – City of Windsor Urban Structure Plan*)

- Regional Employment Centre

City of Windsor Zoning By-law 8600 – Zoning District Map 12 & 16

(refer to *Figure 8.0 – City of Windsor Zoning By-law*)

- Manufacturing District 2.2 (MD2.2), S.20(1)321

Sandwich South Zoning By-law 85-18 – Zoning District Map 1 & 2

(refer to *Figure 9.0 – Sandwich South Zoning By-law*)

- Institutional (I)

The physical attributes of the subject lands are as follows:

- An irregular to rectangular shaped area;
- The subject lands are currently made up of a number of individual parcels, consolidated under two (2) PINs;
- The parcels are generally flat with no discernable changes in grade;
- There are two (2) municipal drains traversing the parcels, draining the lands to the east; and
- There is limited tree vegetation on the subject lands.

3.0 Surrounding Land Use

There is a variety of existing municipal infrastructure, roads, and utilities located nearby the subject lands. These features support the suitability of the subject lands for employment land uses. The surrounding land uses are varied and are described as follows:

North

- **Existing Uses:** Solar Fields, Canadian Pacific Railway, EC Row Expressway
- **Official Plan Designation(s):** Future Employment Area, Airport
- **Zoning By-law Zone(s):** Institutional (I) (*Sandwich South Zoning By-law 85-18*)

East

- **Existing Uses:** Open Space, Agricultural
- **Official Plan Designation(s):** Open Space, Natural Heritage
- **Zoning By-law Zone(s):** Institutional (I), Agricultural (A) (*Sandwich South Zoning By-law 85-18*)

South

- **Existing Uses:** Commercial (PCR Contractors, Herc Rentals, EMCO Waterworks Windsor, United Rentals), proposed location of the new hospital, agricultural
- **Official Plan Designation(s):** Future Employment Area, Future Urban Area (*County Road 42 Planning Area*)
- **Zoning By-law Zone(s):** Industrial (I), Commercial (C), Agricultural (A) (*Sandwich South Zoning By-law 85-18*)

West

- **Existing Uses:** Windsor International Airport
- **Official Plan Designation(s):** Airport
- **Zoning By-law Zone(s):** Institutional (I) (*Sandwich South Zoning By-law 85-18*)

3.1 Employment Context

3.1.1 Provincial

The 2008/2009 economic recession hit Ontario relatively hard, with significant declines in manufacturing output particularly in the auto sector and in construction. While the Ontario economy has experienced a rebound in economic activity since the 2008/2009 downturn, the Province's recovery has been relatively slow to materialize. The economic rebound has been partially driven by a gradual recovery in the

manufacturing sector, fueled by a lower-valued Canadian dollar (relative to the years directly following the 2008/2009 global financial crisis) and the gradual strengthening of the U.S. economy.¹

Over the previous decade, Ontario's economy has been transitioning from goods to services production. The trend towards more knowledge-intensive and creative forms of economic activity is evident across many sectors within both the broader national, provincial, and regional economies. This trend includes growth in financial services, information technology, business services, health care and social services, government, advanced manufacturing, energy, information and cultural industries, education, training and research, agri-business and tourism.

Despite this shift in the economic structure of Ontario, manufacturing remains vitally important to the provincial economy with respect to jobs and economic output. In fact, the manufacturing sector continues to be among Ontario's largest sources of employment.² The highly competitive nature of the manufacturing sector will require production to be increasingly cost effective and value-added oriented, which bodes well for firms that are specialized and capital/technology intensive.

While the recent performance of the Ontario economy has remained relatively strong over the past several years through to early 2020, the COVID-19 pandemic posed a significant challenge to the national and provincial economies in Canada. Due to the COVID-19 pandemic, which resulted in the Provincial Government mandating varying degrees of lockdowns starting in March 2020 and into early 2022, the economy has been negatively impacted. By mid-2022, the province lifted many of the restrictions that had been in place over the previous two years. At present, the economic impacts from the COVID-19 pandemic shutdowns on the Ontario manufacturing sector and the broader economy continue to be felt and are anticipated to linger over the years to come.

While the performance of the Ontario economy is anticipated to remain relatively strong over the near terms, there are potential risks to the national and provincial economies which are important to recognize. These risks include changes to the North American Free Trade Agreement (NAFTA), the adoption of protectionist trade measures in the U.S., and other various changes to the U.S. fiscal and industrial policies. These policies have the potential to create negative consequences to the integrated supply chain associated with manufacturing.

3.1.2 Regional

Invest WindsorEssex, which is the organization responsible for advancing economic development in the region, published the Five Year Strategic Plan for 2018-2022. The Strategic Plan identifies Advanced Health & Life Sciences, Logistics, Warehousing & Cross-Border Activities, and Advanced Manufacturing as Targeted Industry Alignment (Investment Focus) as these industries are deemed to hold opportunity

¹ Valued at approximately \$0.73 U.S. as of March 2023.

² Derived from EMSI Data, 2006-2016 Watson & Associates Economists.

for the Windsor-Essex Region.³ Further, these target industry sectors are sectors that are growing at a faster rate than the overall local economy and have been identified as Growth and Emerging Industries. Invest WindsorEssex aims to concentrate on growing and emerging industries that will drive diversification throughout the Region and will support a strong and sustainable economic plan.

The Ministry of Economic Development, Job Creation and Trade (MEDJCT) has identified several industries that have high potential for new business investment and growth. The federal government has also indicated priority sectors that are promoted globally for investment into Canada. It is of key consideration, where possible, for the City of Windsor and surrounding region to be aligned with federal and provincial governments to leverage the significant economic development resources and programs offered to support efforts to diversify the economy.

While the subject lands are located within the City of Windsor, it is important to note the existing supply of employment lands within the context of surrounding municipalities. The *County of Essex Employment Land Needs Analysis* (Jones Consulting Group Ltd., 2011) provides the most recent analysis of the employment lands supply for the entire County. The County of Essex, comprised of seven lower-tier municipalities, underwent the process of developing an Official Plan which was approved in 2014. As part of the Official Plan review process, Jones Consulting Group Ltd. completed a Foundation Report in 2011 which provided a summary of the future projection for the supply of Commercial and Employment lands within the County of Essex for the planning period of 2006 to 2031. A summary of the findings of this report is presented below in **Table 1-1: Existing Estimated Excess Supply of Non-Residential Land, County of Essex.**

³ Five Year Strategic Plan. Invest WindsorEssex. 2018

Table 1-1: Existing Estimated Excess Supply of Non-Residential Land, County of Essex, 2011

Municipality	Commercial Land	Employment Land
Kingsville	36 - 40 ha (89 - 99 ac)	- 2.4 - 8.5 ha (- 6 – 21 ac)
Lakeshore	246 – 255 ha (608 - 630 ac)	300 – 331 ha (742 – 818 ac)
Amherstburg	0 – 5 ha (0 - 12 ac)	399 – 405 ha (986 - 1,001 ac)
Leamington	193 – 202 ha (479 - 499 ac)	101 – 113 ha (252 – 279 ac)
LaSalle	18 – 28 ha (45 - 70 ac)	21 – 32 ha (51 -78 ac)
Tecumseh	81 – 93 ha (201 - 230 ac)	24 – 69 ha (58 – 170 ac)
Town of Essex	4 – 7 ha (10 - 17 ac)	- 13 – 17 ha (- 31 – 43 ac)
County of Essex	579 – 630 ha (1,431 – 1,557 ac)	821 – 935 ha (2,030 – 2,310 ac)

Source: NBLC, Foundation Report – Essex County Official Plan Review, August 2011

The report found that there is an over-supply of employment lands of between 821 ha (2,030 acres) to 935 ha (2,310 acres) across these seven municipalities of Essex County, which are in close proximity to the City of Windsor. Although the analysis illustrated that an over-supply of employment lands in Essex County, **much of the employment lands have constraints that make their development challenging.** Constraints include parcels that are small in size, have poor locational attributes in relation to the Highway 401 corridor, are not planned for municipal servicing within the immediate planning horizon, or are disbursed across the County in a manner that does not support singular sites that can accommodate large scale industrial and production facilities. As such, the availability of large areas of land suitable for employment use is a critical factor to meet economic development objectives in the City of Windsor.

Currently, the region is experiencing economic growth and activity as the NextStar Energy plant is being constructed at the boundary of the City of Windsor and Town of Tecumseh. The Nextstar Energy plant is anticipated to provide increased employment opportunities and generate regional competitiveness. The preparation of the surplus airport lands for the development of employment uses is supportive of this type of economic investment and intensification in the region. By having suitable large scale employment lands available, the City of Windsor will position itself to generate economic diversification and allow for synergistic development between development occurring on and outside of the subject lands.

3.1.3 Local

In 2021, Windsor City Council adopted an economic development report called *Windsor Works - An Economic Development Strategy for the City's Future Growth*. The report summarizes that Windsor

continues to grow its population and attract new investments, creating a diverse economy that leverages infrastructure investments, exploits new economic trends, and attracts skilled people to drive future growth.

Similar to the current Regional availability of employment lands, the City of Windsor's supply faces constraints. As summarized in the *2018 Background Report: County Road 42 Secondary Plan* by MHBC, the City of Windsor retained EDP Consulting to prepare a *Study of the Need for Employment Lands* in 2008. The assessment found that there would be a demand for 9,445 jobs located on employment lands by 2026. To support this number of new jobs, EDP Consulting estimated that there would need to be employment lands in the range of 536 to 661 gross hectares. When this study was conducted in 2007, it was determined there were 100 net hectares of usable, vacant employment lands in the City of Windsor. A *Land Needs Analysis Report*, including a focus on an employment land needs assessment, was completed by Dillon Consulting Limited for the City of Windsor in 2009. Through this study, it was determined that there was a potential supply of 384 gross hectares of vacant employment lands in the City. However, after excluding unsuitable lands, including those containing natural heritage features and hazards or parcels less than 1.0 hectare in size, the supply of available employment lands in the City was calculated to be 275.2 hectares. This represents the total of available lands in Windsor for employment uses, which is comprised primarily of parcels that are 2.5 to 20.0 hectares and parcels that are 20.0 hectares or more. There is a continued need for larger-scale sites to be available for employment uses.

In considering both the noted need for employment and economic development opportunities in the City, region and Province, as well as the limited employment lands suited for large-scale development in each of these areas, there is a demonstrated need for additional employment use designated land to support the proposed development and investment. At present there is very little, if any, lands available for immediate development of employment land uses.

4.0 Planning Evaluation

4.1 Provincial Policy Statement, 2020

The Provincial Policy Statement 2020 (PPS) promotes the development of ‘Strong, Healthy Communities’ through the redevelopment of lands for an appropriate mix of uses, which includes employment uses such as industrial and commercial uses. The proposed uses must be “consistent with” the Provincial Policy Statement and as a broad and general document. Through an analysis of the policies, it must be demonstrated how the proposed land use is appropriate and advances the Province’s interests. There are a number of sections of the Provincial Policy Statement that apply to the proposed development.

Policy 1.1.1, relating to healthy, liveable and safe communities;

Policy 1.1.3, relating to settlement areas;

Policy 1.2.6, relating to land use compatibility;

Policy 1.3, relating to employment;

Policy 1.6, relating to infrastructure and public service facilities;

Policy 1.6.6, relating to sewage, water and stormwater facilities;

Policy 1.6.7, relating to transportation systems;

Policy 1.7, relating to long-term economic prosperity;

Policy 1.8, relating to energy conservation, air quality and climate change;

Policy 2.1, relating to Natural Heritage; and

Policy 2.6, relating to Cultural Heritage and Archaeology.

Our analysis suggests that the following policies of the Provincial Policy Statement are relevant to the proposed Official Plan and Zoning By-law Amendments. These policies are included in **Appendix A – Provincial Policy Statement 2020 Policies** and will be referenced throughout the remainder of this report. Our analysis concludes that the proposed employment land use on the surplus airport lands is consistent with the above policies of the Provincial Policy Statement.

Policy 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns; and*
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.*

The configuration and location of the subject lands accommodates the need for larger-scale employment land uses in the City to meet long-term economic development needs. The land use pattern proposed through this Official Plan and Zoning By-law amendment will promote an efficient development to sustain the financial well-being of the Province and the City with infrastructure and servicing facilities that will be available to meet the projected needs. Public health and safety concerns are not anticipated to arise from the proposed employment use of the subject lands provided that all standards and regulations are adhered to as it relates to the Windsor International Airport operations and development on airport lands.

Policy 1.1.3 Settlement Area

1.1.3.1 Settlement areas shall be the focus of growth and development.

The proposed large scale employment use for the development of light industrial, warehouse, office, service commercial, business park, and heavy industrial uses (refer to **Figure 1.0 – Location Map**) is located within the City’s Settlement Area boundary. The proposed employment uses will be contiguous to the existing and planned built up area. The proposed development of the surplus airport lands is of Provincial interest and will provide a focused area for growth and development in the City.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*

- b) *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) *minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) *prepare for the impacts of a changing climate;*
- e) *support active transportation;*
- f) *are transit-supportive, where transit is planned, exists or may be developed; and*
- g) *are freight-supportive.*

The subject lands are located nearby to the existing and planned commercial and industrial areas and are well served with existing infrastructure, resulting in the efficient use of land and resources in the City. The proposed employment land uses are not intended to have any negative impacts to air quality and climate change and will consider and promote energy efficiency. The physical attributes of the subject lands and surrounding infrastructure supports freight-supportive commercial and industrial development and promotes the feasibility of transit service expansion to the Sandwich South Planning District.

1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The proposed large scale employment uses development is located nearby to existing industrial, office, service commercial, and business park land uses. The proposed development of the surplus airport lands intensifies vacant land that is well served with existing infrastructure and provides for additional employment uses at an appropriate density in support of the development of the Sandwich South Planning District and the general employment needs of the City. The development of this land will result in the efficient use of land.

Policy 1.2.6 Land Use Compatibility

1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

The subject lands are located adjacent to the Windsor International Airport, with a mix of service commercial and industrial uses to the south along County Road 42. To the north and east of the subject lands is currently vacant. Any planned land uses on the Windsor International Airport property must respect the requirements of Transport Canada's TP 312. The aerodrome standards and recommendations of TP 312 place various restrictions necessary within the airport land area and include

specific criteria for building structures on the property. These standards will be adhered to as the subject lands are developed. The proposed mix of employment land uses on the subject lands are located within an acceptable distance from the planned sensitive land uses within the County Road 42

Planning Area including residential, institutional, and commercial uses. The distance between the planned land uses is appropriate to minimize and mitigate any potential adverse effects from odour, noise, and other contaminants as a result of any of the proposed employment uses on the subject lands. The subject lands shall be planned to minimize any risk to public safety and to ensure the long-term operational and economic viability in accordance with provincial guidelines, standards, and procedures with consideration given for any additional requirements as it relates to the airport land use.

Policy 1.3 Employment

1.3.1 Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment; and*
- e) ensuring the necessary infrastructure is provided to support current and projected needs.*

The subject lands present a strategic opportunity for economic investment, being located close to existing transportation infrastructure (E C. Row Expressway, Canadian Pacific Railway, Highway 401) that will support the projected needs of the employment land uses. The subject lands are also located within the Sandwich South Planning District, an area that represents a large supply of lands suitable for new residential and employment uses. The development of the surplus airport lands for employment uses represents an opportunity for large scale and diversified economic activities to meet the needs of the planned development within the Sandwich South Planning District, as well as the City of Windsor as a whole. There is existing suitable infrastructure available to the subject lands with additional servicing planned to be extended into the Sandwich South area.

Policy 1.3.2 Employment Areas

1.3.2.1 Planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs.

The development of the surplus airport lands for the purpose of employment uses supports the need for approximately 500 to 625 gross hectares of employment lands required to accommodate the projected need by 2026 (EDP Consulting, 2008). The proposed employment land uses are appropriate for the subject lands given the location adjacent to the Windsor International Airport, which is considered a major facility. The subject lands are supported by the necessary infrastructure, with a number of planned infrastructure improvements and additions.

1.3.2.3 Within employment areas planned for industrial or manufacturing uses, planning authorities shall prohibit residential uses and prohibit or limit other sensitive land uses that are not ancillary to the primary employment uses in order to maintain land use compatibility. Employment areas planned for industrial or manufacturing uses should include an appropriate transition to adjacent non-employment areas.

The proposed Official Plan and Zoning By-law Amendments do not permit residential uses. The proposed development of the subject lands for a mix of employment land uses will provide for an appropriate transition between the land uses with various levels of sensitivity. Further, the subject lands are of substantial size with the ability to provide on-site mitigation through spatial separation adjacent to any planned employment uses.

1.3.2.6 Planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations.

The proposed development of the surplus airport lands protects existing lands suitable for employment uses which are well supported by existing major goods movement facilities. The subject lands are located close to major goods movement facilities and corridors including the Windsor International Airport, the Canadian Pacific Railway, and a number of primary transportation corridors used for the movement of goods including Highway 401.

1.3.2.7 Planning authorities may plan beyond 25 years for the long-term protection of employment areas provided lands are not designated beyond the planning horizon identified in policy 1.1.2.

The proposed development will provide a range and mix of employment opportunities, suitable to meet the existing and projected needs of the City of Windsor. The subject lands are expected to be developed over the course of a number of years and the lands shall not be designated beyond the identified planning horizon. There is a need for lands suitable in size to accommodate a range and mix of employment land uses, including large scale developments, within the City of Windsor. The development of these lands within the Sandwich South Planning District will help support the projected employment growth identified over the planning horizon (EDP Consulting, 2008).

Policy 1.6 Infrastructure and Public Service Facilities

1.6.3 Before consideration is given to developing new infrastructure and public service facilities:

- a) the use of existing infrastructure and public service facilities should be optimized; and*
- b) opportunities for adaptive re-use should be considered, wherever feasible.*

The existing infrastructure will be used to the maximum extent possible with the additional infrastructure being constructed for use by, and providing benefit to, the surrounding area.

Policy 1.6.6 Sewage, Water and Stormwater

1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

Being located within the settlement area, the use of existing municipal sewage services and municipal water services will be optimized, along with updates anticipated within the planning horizon, to support the activities of the proposed employment land uses.

1.6.6.7 planning for stormwater management shall:

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;*
- b) minimize, or, where possible, prevent increases in contaminant loads;*
- c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;*
- d) mitigate risks to human health, safety, property and the environment;*
- e) maximize the extent and function of vegetative and pervious surfaces; and*
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.*

Any development of the subject lands will promote stormwater management best practices and will include facilities to address stormwater runoff and any impacts on the water quality of receiving watercourses, as determined through the required technical reports. A stormwater management plan will be undertaken as part of the Site Plan Control Application process and will be reviewed and approved in consultation with the Essex Region Conservation Authority as part of Site Plan Control Approval relating to any individual proposed employment use development.

Policy 1.6.7 Transportation Systems

1.6.7.2 Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.

The subject lands are easily accessible from the major roadway network and transportation facilities, including International border crossings, the Windsor Port, the VIA Rail station, and Provincial Highways 401 and 3. The existing road network and related road improvements position the subject lands to meet the transportation needs of future development. As the proposed employment land uses are likely to involve the frequent movement of people and goods, the surrounding road network including County Road 42, Lauzon Parkway, Walker Road, E.C. Row Expressway, and Highways 401 and 3 will be used efficiently with any infrastructure upgrades carried out in a manner to facilitate increased transportation network demand.

Policy 1.7 Long-Term Economic Prosperity

1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development and community investment-readiness;*
- c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;*
- g) providing for an efficient, cost-effective, reliable multimodal transportation system that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people; and*
- l) encouraging efficient and coordinated communications and telecommunications infrastructure.*

The development of the surplus airport lands represents a considerable opportunity for economic development and will facilitate the community's investment-readiness through the establishment and designation of the subject lands for employment land uses. The availability of suitable, high quality services business parks/employment lands is one of several factors that potential investors may consider in site selection decisions for investment. These lands within the Sandwich South Planning District are particularly important for the City of Windsor to move forward with preparing for development in an effort to accommodate the project needs of the City.

The Windsor International Airport Master Plan (2010) identifies the surplus airport lands are being strategically located for the potential development of a multi-modal transportation hub as there is the availability to efficiently use the existing networks including roads, rail, ports, airports, inter-modal facilities, and border crossings. These existing facilities can accommodate the projected needs to support the movement of goods and people. Further, the existing communications and telecommunications infrastructure is suitable as Bell Canada and Cogeco Cable have indicated that they can readily accommodate the servicing requirements for future development on the airport lands

(Windsor International Airport Master Plan 2010). Overall, the development of the surplus airport lands will lead to the long-term economic success and prosperity of the City of Windsor.

Policy 1.8 Energy Conservation, Air Quality and Climate Change

1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:

- c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future; and*
- d) focus freight-intensive land uses to areas well served by major highways, airports, rail facilities and marine facilities.*

The development of the surplus airport lands for a mix of employment uses will support the intensification of the area in a manner that will make the most effective use of infrastructure and be transit supportive. Future development of the subject lands will be able to take advantage of the area's strong transportation connections as the lands are located in a high-profile area adjacent to major facilities and corridors. The proposed employment uses will be well serviced by the nearby Provincial Highways 401 and 3, the future improved County Road 42 and Lauzon Parkway, the Windsor International Airport, and the Canadian Pacific Railway. The existing supportive transportation network provides an opportunity for energy conservation and efficiency, improved air quality, and reduced greenhouse gas emissions.

Policy 2.1 Natural Heritage

2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

2.1.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

At the eastern boundary of the subject lands are two areas identified as the Airport Woodlots, which are considered significant by the Province, City of Windsor, and Essex Region Conservation Authority. The long-term ecological function and biodiversity of these natural heritage features will be further

investigated to determine the best strategies for maintaining and/or improving their function. Any future development on the subject lands will adhere to all Provincial and Municipal policies and recommendations as it relates to the Natural Heritage features. The required studies and, if necessary, approvals will be completed/obtained in accordance with Policy 2.1.8.

Policy 2.6 Cultural Heritage and Archaeology

2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

A Stage 1 Archaeological Assessment was completed by Lincoln Environmental Consulting Corp., dated May 2023. The Stage 1 Archaeological Assessment recommends a Stage 2 Assessment for the entirety of the subject lands. Preliminary results indicated nothing of significance was discovered. Reports are currently being finalized and submitted to the MHSTCI for review and entry into the Ontario Public Register of Archeological Reports.

4.1.2 Policy Analysis Conclusion

We are of the opinion the development of the surplus airport lands for employment land uses is consistent with the Provincial Policy Statement, 2020 as demonstrated through the above analysis of applicable policies. The Provincial Policy Statement policies are included in **Appendix A – Provincial Policy Statement 2020 Policies**.

4.2 City of Windsor Official Plan

Similar to the Provincial Policy Statement, the City of Windsor Official Plan (OP) supports the direction of growth and development with consideration towards social, environmental, and economic matters. Land use designations in the Official Plan are intended to promote a compact pattern of development with compatible development directed to appropriate locations in existing and future neighbourhoods. In the Essex Region, the City of Windsor is the main employment, population, and cultural centre. The subject lands are currently designated as Airport, Industrial, and Future Employment Area in Schedule D – Land Use Plan of the City of Windsor Official Plan. The current land use designations do not permit the development of employment uses on the entirety of the proposed subject lands. The current Airport and Industrial land use designations are to remain. The proposed City of Windsor Official Plan Amendment (OPA) will be brought forward to City Council for consideration to redesignate the portion of the subject lands designated as Future Employment Area to the Industrial or Business Park land use designations. The final configuration of the land use designation boundaries is to be determined. The proposed OPA will facilitate the availability of suitable lands appropriate for large scale employment uses in the City of Windsor.

The Airport, Industrial, and Business Park land use designations permit a broad range of employment uses. Due to the characteristics of the built form and operations of such uses, various employment land uses are more appropriately clustered together and separated from sensitive land uses (OP, 6.4.3). Our analysis suggests that the proposed development of the surplus airport lands, subject to the approval of the Official Plan and Zoning By-law Amendments, will be in conformity with the applicable policies of the Official Plan, which include the following:

- Section 3.2.2, relating to a vibrant economy;
- Section 3.2.3, relating to a sustainable, healthy environment;
- Section 3.3, relating to the urban structure plan;
- Section 4.2.6., relating to objectives for economic opportunity for a healthy community;
- Section 5.4.5, relating to noise and vibration policies;
- Section 6.1, relating to goals for land use designations and associated policies;
- Section 6.4, relating to employment policies;
- Section 6.4.3, relating to the Industrial land use designation policies;
- Section 6.4.4, relating to the Business Park land use designation policies;
- Section 6.12, relating to Windsor Airport;
- Section 6.13.4, relating to Future Employment Area policies;
- Section 7.2.2, relating to the transportation system;
- Section 7.2.3, relating to pedestrian network policies;
- Section 7.2.4, relating to the cycling network;
- Section 7.2.5, relating to public transportation;
- Section 7.2.6, relating to road network policies;
- Section 7.2.10, relating to air transportation policies;
- Section 7.3.2, relating to general policies for infrastructure;
- Section 7.3.3, relating to infrastructure provision policies;
- Section 7.3.4, relating to sewage and stormwater management works
- Section 7.3.5, relating to solid waste management;
- Section 7.3.6, relating to utilities and other infrastructure policies;
- Section 8.2.2, relating to urban design for the image of Windsor;
- Section 8.3.2, relating to design for people;

Section 8.4.2, relating to pedestrian access;

Section 8.7, relating to built form;

Section 8.12, relating to safety;

Section 8.13, relating to lighting;

Section 9.3.2, relating to identification of heritage resources; and

Section 11.6.3, relating to zoning by-law amendments.

4.2.1 Policy Analysis

Section 3.2.2.1 Employment Centres

Windsor's economy will be stimulated by active employment centres that serve the larger Census Metropolitan Area. These centres will cluster appropriate large-scale employment, shopping and entertainment uses together to create exciting areas for employment and investment. With convenient access to major transportation routes, these centres will be transit friendly and poised to take advantage of Windsor's role as an international gateway.

The proposed change in land use designation will support economic investment in the City of Windsor by providing a large area of lands suitable for employment land uses. The employment land uses shall be clustered together to create efficient employment and investment opportunities. The subject lands are adjacent to a major facility and have convenient access to major transportation routes. As the Sandwich South Planning District develops, the intensification provided by the proposed development of the surplus airport lands will encourage the development of transit infrastructure.

The Windsor International Airport Master Plan (2010) identified the opportunity for trans border business between Detroit/Windsor, the Windsor International Airport, and the Sandwich South Planning District. The proposed employment lands have the potential to serve as a primary business gateway and a major logistics cluster. The development of the subject lands presents a strategic market opportunity given that the lands are located in close proximity to the Windsor-Detroit gateway and Highway 401, providing convenient access to major transportation networks.

Section 3.2.3.1 Transportation System

Windsor will work toward achieving a sustainable transportation system where all modes of transportation can play a more balanced role. The creation of mixed use and employment centres will allow businesses and services to be closer to homes and allow greater opportunities for walking, cycling and transit.

The subject lands are located north of the County Road 42 Planning Area. The County Road 42 Planning Area supports a range and mix of land uses including residential, commercial, institutional, business park, and mixed use. The proposed employment land uses on the surplus airport lands will be appropriately located and planned for to account for these sensitive land uses within the County Road 42 Planning Area. The close proximity to planned residential and commercial service land uses will promote opportunities for walking, cycling, and transit infrastructure within the community. The location of the subject lands nearby to major transportation networks will facilitate efficient use of the multi-modal transportation system.

Section 3.3.1.2 Major Activity Centres

Major Activity Centres are second in the hierarchy of nodes in Windsor. The following comprise Windsor's Major Activity Centres:

- (a) Regional Commercial Centres;*
- (b) Regional Institutional Centres;*
- (c) Regional Employment Centres; and*
- (d) Regional Open Space System.*

These types of nodes are considered to be sub-regional in the context of Windsor and were originally planned as single-use facilities that have evolved into multi-use urban areas with a variety of densities.

(c) Regional Employment Centres

Regional Employment Centres are a type of Major Activity Centre where a large number of jobs are located. This type of node typically serves as a location for the large-scale manufacturing or distribution of goods. Additionally, retail, office and personal service uses may be established as ancillary uses.

According to Schedule "J" – Urban Structure Plan of the City's Official Plan, the subject lands are designated as a Regional Employment Centre.

The Regional Employment Centre is intended to be an area where a larger number of jobs are located. Regional Employment Centres exist to serve as the location for clusters of manufacturing and commercial land uses. The proposed development of the subject lands for employment land uses is consistent with the objectives of the Regional Employment Centre and will act as a hub of economic activity within the Sandwich South Planning District.

The subject lands are located directly north of an area identified as a Regional Institutional Centre. There is potential for the less intensive employment uses to develop nearby to the Regional Institutional Centre, taking advantage of possible synergies and unique market opportunities to promote investment and economic growth within the Sandwich South Planning District.

Section 4.2.6.1 Employment Opportunities

To provide for a wide range of employment opportunities at appropriate locations throughout Windsor.

The proposed development of the subject lands for employment uses including light industrial, warehouse, office, service commercial, business park, and heavy industrial uses adds to the range of employment options available. The location of the subject lands is appropriate given the anticipated economic and population growth patterns within the City and the development plan for the Sandwich South Planning District. The subject lands are well serviced by the existing and planned infrastructure and represent the opportunity to provide large scale lands suitable and available for investment. The development of the subject lands for employment uses accommodates the projected employment land requirements for the City.

Section 4.2.6.2 Economic Development

To encourage a range of economic development opportunities to reach full employment.

The proposed development is supportive of economic development opportunities for the City of Windsor that will provide additional employment options for residents. The proposed development of the surplus airport lands for employment land uses is consistent with the desire to attract increased economic activity to the airport lands and position the Sandwich South Planning District as a primary business gateway and major multi-modal hub (Windsor International Airport Master Plan, 2010).

Section 5.4.5.1 Regard for Noise & Vibration

Council shall require the proponent of development in proximity to existing or proposed sources of noise and vibration, or the proponent of development that may be a source of noise or vibration, to evaluate the potential negative impacts of such noise and vibration on the proposed future land use. In determining the exact distances for the application of this policy, the Municipality shall have regard to provincial legislation, policies and appropriate guidelines (Amended by OPA 43 – 06/13/2006 – OMB Order 1695)

Airport operations may be the source of significant noise and vibration impacts. To estimate the potential noise impacts on areas in the vicinity of airport operations, Noise Exposure Forecast contours (NEF) are used to measure the likely level of community response to airport noise. In 2009, a noise exposure forecast was prepared for the Windsor International Airport. The NEF around the airport was forecasted at 25 and 30. TP1247 – Land Use in the Vicinity of Airports (Transport Canada) outlines land uses that are compatible from a noise perspective. Given the NEF values of 25 and 30, TP1247 indicates that the proposed land uses for employment uses represents compatible land use planning with minimal noise conflicts. The proposed land uses may act as a source of noise and vibration. Any development

shall consider implementing noise control actions, especially as development approaches the planned sensitive land uses to the south of County Road 42.

Section 5.4.5.2 Require Study

If a proposed development is expected to be subject to noise or vibration, or to cause noise or vibration, the proponent shall be required to complete a noise and/or vibration study to the satisfaction of the Municipality to support the feasibility of the proposal in accordance with the Procedures chapter of this Plan. (Amended by OPA 43 – 06/13/2006 – OMB Order 1695)

The development of the surplus airport lands for employment land uses may create noise and vibration impacts. As such, any new development shall evaluate any potential negative impacts from noise and vibration in order to support the feasibility of the proposed development. Given the size of the subject lands, and the variety of potential development options, there is considerable opportunity for abatement measures. Any new development with expected noise and vibration impacts shall complete the required studies as per any municipal, provincial, or federal requirements. Special consideration should be given to any proposed land uses directly adjacent to airport operations. Transport Canada's TP1247 should be consulted to ensure safe and compatible development as it relates to noise and vibration impacts.

Section 5.4.5.3 Abatement Measures

Abatement measures may include one or more of the following, depending on the physical characteristics of the specific location and the source of the noise and/or vibration:

- (a) increased setbacks from the noise or vibration source;*
- (b) sound barriers such as landscaped berms, walls, buildings, and fences;*
- (c) building design, including specific attention to height, massing, internal layout and fenestration;*
- (d) building construction, including materials for acoustical and/or vibration insulation, glaze or ventilation;*
- (e) registered notice on title of possible excessive noise and/or vibration; and*
- (f) any other appropriate attenuation measures.*

Future development of the surplus airport lands for light industrial, warehouse, office, service commercial, business park, and heavy industrial land uses shall consider the appropriate abatement measures based on any expected noise and vibration impacts either as a result of the adjacent airport operations or as a result of the proposed use. The final consideration and detail of the appropriate abatement measures will be determined at the detailed design stage of any individual future development proposal.

Section 5.4.5.4 Implementation

Council shall require that appropriate noise and/or vibration abatement measures be implemented by the proponent as a condition of development approval.

Should a noise and vibration study be required for any individual development proposal, said proposal shall consider the appropriate abatement measures to be implemented at the detailed design stage as a condition of development approval.

Section 6.1.4 Employment

The retention and expansion of Windsor's employment base.

The proposed development of the surplus airport lands for large scale employment land uses will contribute to the goal of expansion of Windsor's employment base, especially in the Sandwich South Planning District. Given the longevity and scale that the development of these lands will provide, there is the potential to generate a large number of new jobs and economic activity. The use of the surplus airport lands for a diverse set of employment uses will support, expand, and retain the employment base within the City and the surrounding region.

Section 6.1.12 Airport

Protection and enhancement of Windsor Airport's role in serving passenger and cargo needs. (added by OPA #60-05/07/07-B/L85-2007-OMB Decision/Order No.2667, 10/05/2007)

The development of the surplus airport lands for employment land uses has the potential to enhance the Windsor Airport's role in serving passenger and cargo needs as it will generate an increase in economic activity and will support businesses and industries that rely on air transportation. Special consideration and adherence to all applicable legislation will ensure that no incompatible land uses are proposed within the Airport Operating Area.

Section 6.1.13 Future Growth Areas

The provision of sufficient land in appropriate locations to accommodate future population and employment growth in Windsor. (added by OPA #60-05/07/07-B/L85-2007-OMB Decision/Order No.2667, 10/05/2007)

The proposed Official Plan and Zoning By-law Amendments will facilitate the logical development of the surplus airport lands for employment land uses, which will ensure a sufficient supply of land to accommodate new commercial and industrial activity. The development of the subject lands will make use of appropriately located lands based on the intent of the Sandwich South Planning District and the City's development phasing plan.

Section 6.4.1 Employment Lands Objectives

The following objectives establish the framework for development decisions in Employment areas:

(6.4.1.1) to ensure Windsor continues to be an attractive place to establish businesses and locate employees;

(6.4.1.3) to ensure that employment uses are developed in a manner which are compatible with other lands uses;

(6.4.1.4) to accommodate a full range of employment activities in Windsor;

(6.4.1.5) to enhance the quality of employment areas by providing complementary services and amenities;

(6.4.1.6) to locate employment activities in areas which have sufficient and convenient access to all modes of transportation; and

(6.4.1.11) to promote comprehensively planned employment areas.

The use of the surplus airport lands for employment land uses satisfies a number of objectives set out for the employment land use within the City of Windsor. By providing appropriately designated and zoned lands of a large scale, the City will be able to attract and support a range and mix of economic investment opportunities. The subject lands will develop comprehensively in a manner which promote compatibility between individual proposals and takes advantage of any potential synergies between industries. The subject lands are suitably located with convenient access to a variety of transportation modes including air, vehicular, and rail.

Section 6.4.2.1 Sufficient Supply

Council shall designate a sufficient supply of appropriately located Industrial and Business Park lands to meet the projected 20-year employment demands.

The development of the surplus airport lands for employment land uses will add to the supply of lands suitable for a range and mix of development options in support of the current need for the City to supply designated and appropriately zoned employment lands to meet the employment demands.

Section 6.4.2.2 Attract Business

Council shall encourage businesses and industries to locate and expand in Windsor.

The surplus airport lands have the potential to be a driver of economic activity and contribute significantly to the expansion of new and existing industries in the City. The availability of the subject lands for a range and mix of employment uses will build on Windsor's manufacturing strength while diversifying via building up adjacent sectors. The development of the subject lands will support the

desire to attract new investments, leverage infrastructure investments, and exploit economic trends to drive growth.

Section 6.4.2.3 City Participation

Council shall facilitate economic investment by:

- (a) planning and developing Industrial and Business Park areas;*
- (b) participating in the development or redevelopment of strategic areas of Windsor;*
- (c) fostering public-private partnerships to facilitate economic development; and*
- (d) other measures as may be appropriate.*

The surplus airport lands represent an opportunity for appropriately located commercial and industrial development. The subject lands are strategically located in an area of the City that is expected to experience significant growth, while being well supported by the existing infrastructure network. This significant opportunity for economic development will attract new investment interest and may generate public-private partnerships to facilitate growth within the City. The development of the subject lands will require Council's participation in appropriately designating and zoning the lands to facilitate the suitable development of employment land uses.

Section 6.4.2.4 Site Plan Control

Council shall require all development within areas designated as Industrial and Business Park to be subject to site plan control, with the exception of Public Open Space uses.

Any individual development proposal within the subject lands will be subject to Site Plan Control Approval prior to the issuance of any building permits.

Section 6.4.3.1 Permitted Uses in the Industrial Land Use Designation

Uses permitted in the Industrial land use designation identified on Schedule D: Land Use include establishments which may exhibit any or all of the following characteristics:

- (a) large physical size of site or facilities;*
- (b) outdoor storage of materials or products;*
- (c) large production volumes or large product size;*
- (d) frequent or continuous shipment of products and/or materials;*
- (e) long hours of production and shift operations;*
- (f) likelihood of nuisances, such as noise, odour, dust or vibration;*
- (g) multi-modal transportation facilities;*
- (h) is dependent upon, serves or otherwise complements the industrial function of the area; and (amended by OPA #22 – 07/16/02); and*
- (i) service and repair facilities. (amended by OPA #22 – 07/16/02).*

The Official Plan Amendment to designate a portion of the subject lands as Industrial will provide the opportunity for a range and mix of uses to accommodate the employment land needs of the City and generate diverse economic investment. While the specific uses of the subject lands have not yet been identified, there is a desire to prepare a large area of lands to accommodate the employment demands that the City is expecting. Any future individual proposals within the Industrial land use designation shall adhere to the permitted uses as identified in the Official Plan.

Section 6.4.3.3. Locational Criteria

Industrial development shall be located where:

- (a) the industrial use can be sufficiently separated and/or buffered from sensitive land uses;*
- (b) there is access to an arterial road;*
- (c) full municipal physical services can be provided;*
- (d) industry related traffic can be directed away from residential areas;*
- (e) peak period public transportation service can be provided; and*
- (f) there is access to designated truck routes.*

The subject lands are sufficiently separated away from nearby sensitive land uses, with the intent that the more intensive industrial uses be located adjacent to the airport operations and the less intensive uses be located closer to County Road 42 and the 9th Concession Road. The subject lands have direct access to County Road 42 which is designated as a Class I arterial road and provides connection to designated truck routes and the greater transportation network including Provincial Highways 401 and 3. The industry related traffic will be directed away from nearby residential areas. While no public transportation service is currently available in the area, there is the planned expansion of transit services to the Sandwich South Planning District. Full municipal services are available to the subject lands with planned improvements.

Section 6.4.3.4 Evaluation Criteria

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed industrial development is:

- (a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:*
 - (i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;*
 - (ii) within a site of potential or known contamination;*
 - (iii) where traffic generation and distribution is a provincial or municipal concern; and*
 - (iv) adjacent to sensitive land uses and/or heritage resources.*
- (b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;*

- (c) capable of being provided with full municipal physical services and emergency services;*
- (d) provided with adequate off-street parking; and*
- (e) compatible with the surrounding area in terms of siting, orientation, setbacks, parking and landscaped areas.*

The development of the surplus airport lands is feasible based on the provisions of the Official Plan, provincial legislation, and other legislation and policies as it relates to the Windsor International Airport and the development of airport lands / vicinity lands. The development of these lands for employment land uses is in keeping with the goals of the Sandwich South Planning District and the Windsor International Airport Master Plan, along with the Official Plan and other applicable policies and guidelines. There is available municipal services and emergency services readily available to the subject lands, as well as a suitable transportation network to support the needs of the industrial uses. Development on the subject lands will occur in a manner that is compatible with each individual proposed use and will provide the appropriate transition from the airport operations to the planned land uses within the County Road 42 Planning Area.

Section 6.4.3.5 Design Guidelines

The following guidelines shall be considered when evaluating the proposed design of an Industrial development:

- (a) the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan;*
- (b) the provision of appropriate landscaping or other buffers to enhance:

 - (i) all parking lots, and outdoor loading, storage and service areas; and*
 - (ii) the separation between the industrial use and adjacent sensitive uses, where appropriate.**
- (c) motorized vehicle access is oriented in such a manner that industry related traffic will be discouraged from using Local Roads where other options are available;*
- (d) pedestrian and cycling access is accommodated in a manner that is distinguishable from the access provided to motorized vehicles and is safe and convenient;*
- (e) loading bays and service areas are located to avoid conflict between pedestrian circulation, service vehicles and movement along the public right-of-way; and*
- (f) the design of the development encourages and/or accommodates public transportation services.*
- (g) the design of the development encourages the retention and integration of existing woodlots, vegetation and drainage corridors where feasible to provide amenity areas for employees and to create a positive visual image of industry in Windsor. (added by OPA #60-05/07/07-B/L85-2007-OMB Decision/Order No.2667, 10/05/2007)*

The design of any individual industrial development proposal shall adhere to the design guidelines as set out by the Official Plan. Design review through the Site Plan Control Approval process per each development proposal will ensure that the development of the subject lands occurs in a manner that will contribute to the positive visual image of industry in Windsor.

Section 6.4.4.1 Permitted Uses in the Business Park Land Use Designation

Uses permitted in the Business Park land use designation include:

- (a) establishments devoted to research, development and information processing, offices, services, industrial research and/or training facilities, communication, production uses, printing and publishing; and*
- (b) selected industrial uses which:*
 - (i) do not create nuisances such as noise, dust, vibration or odour;*
 - (ii) confine industrial operations within a building and/or structure; and*
 - (iii) do not require outside storage.*

The Official Plan Amendment to designate a portion of the subject lands as Business Park will provide the opportunity for a range and mix of uses to accommodate the employment land needs of the City and generate diverse economic investment. While the specific uses of the subject lands have not yet been identified, there is a desire to prepare a large area of lands to accommodate the employment demands that the City is expecting. Any future individual proposals within the Business Park land use designation shall adhere to the permitted uses as identified in the Official Plan.

Section 6.4.4.3. Locational Criteria

Business Park development shall be located where:

- (a) the business park uses can be sufficiently separated and/or buffered from sensitive land uses;*
- (b) the site will be accessible and highly visible from Controlled Access Highway of a Class I or Class II Arterial Road;*
- (c) full municipal physical services can be provided;*
- (d) business park related traffic can be directed away from residential areas;*
- (e) public transportation service can be provided; and*
- (f) there is access to designated truck routes.*

The subject lands are sufficiently separated from the existing and planned nearby sensitive lands uses. Development of the subject lands will feature the less intensive and intrusive employment uses along County Road 42. The employment uses along County Road 42 shall be well buffered from the planned land uses within the County Road 42 Planning Area. The subject lands have direct access to County Road 42 which is designated as a Class I arterial road and provides access to the existing transportation network which will direct the employment related traffic away from any residential areas and provide access to designated truck routes. The development of the surplus airport lands will support the planned expansion of public transit services to the Sandwich South Planning Area. The subject lands are supported by full municipal services with access to emergency services.

Section 6.4.4.4 Evaluation Criteria

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed industrial development is:

- (a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:
 - (i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;*
 - (ii) within a site of potential or known contamination;*
 - (iii) where traffic generation and distribution is a provincial or municipal concern; and*
 - (iv) adjacent to sensitive land uses and/or heritage resources.**
- (b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;*
- (c) capable of being provided with full municipal physical services and emergency services;*
- (d) provided with adequate off-street parking; and*
- (e) compatible with the surrounding area in terms of siting, orientation, setbacks, parking and landscaped areas.*

The development of the surplus airport lands is feasible based on the provisions of the Official Plan, provincial legislation, and other legislation and policies as it relates to the Windsor International Airport and the development of airport lands / vicinity lands. The development of these lands for employment land uses is in keeping with the goals of the Sandwich South Planning District and the Windsor International Airport Master Plan, along with the Official Plan and other applicable policies and guidelines. There is available municipal services and emergency services readily available to the subject lands, as well as a suitable transportation network to support the needs of the business park uses. Development on the subject lands will occur in a manner that is compatible with each individual proposed use and will provide the appropriate transition between the airport operations and the planned land uses within the County Road 42 Planning Area.

Section 6.4.4.5 Design Guidelines

The following guidelines shall be considered when evaluating the proposed design of a Business Park development:

- (a) the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan;*
- (b) the massing and scale of buildings, and the extent of which their orientation, form and siting help to enhance the well landscaped setting of the business park;*
- (c) the provision of functional and attractive signage;*
- (d) the provision of appropriate landscaping or other buffers to enhance:
 - (i) all parking lots, and outdoor loading and service areas; and*
 - (ii) the separation between the use and adjacent sensitive uses, where appropriate.**

- (e) motorized vehicle access is orientated in such a manner that business park related traffic will be discouraged from using Local Roads where other options are available;*
- (f) loading bays and service areas are located to avoid conflict between pedestrian circulation, service vehicles and movement along the public right-of-way;*
- (g) pedestrian and cycling access is accommodated in a manner which is distinguishable from the access provided to motorized vehicles and is safe and convenient;*
- (h) the design of the development encourages and/or accommodates public transportation services; and*
- (i) the design of the development encourages the retention and integration of existing woodlots, vegetation and drainage corridors where feasible to provide amenity areas for employees and to create a positive visual image of industry in Windsor. (added by OPA #60-05/07/07-B/L85-2007-OMB Decision/Order No.2667, 10/05/2007)*

The design of any individual business park development proposal shall adhere to the design guidelines as set out by the Official Plan. Design review through the Site Plan Control Approval process per each development proposal will ensure that the development of the subject lands occurs in a manner that will contribute to the positive visual image of industry in Windsor.

Section 6.12.1 Windsor Airport Objectives

- (6.12.1.1) to recognize and strengthen the airport's role in the City of Windsor as an important component of the transportation system;*
- (6.12.1.2) to provide for suitable groundside and airside uses and services; and*
- (6.12.1.3) to minimize the potential for conflicting or incompatible land uses.*

The development of the surplus airport lands for employment land uses will strengthen the airport's role in the City and will take advantage of the transportation system. The employment land uses proposed for the subject lands have the potential to maximize the availability of the airport for the movement of goods and people. Groundside employment includes public or private concerns not requiring direct airside access including airport and non-airport uses. Airside employment includes general aviation facilities and functions requiring airside access. Less intensive employment land uses shall be focused away from the airport operations and closer to County Road 42. No land uses that create conflict with airport operations shall be considered within the subject lands.

Section 6.12.2 Windsor Airport Policies

Uses permitted in the Airport land use designation identified on Schedule 'D': Land Use are as follows:

- (a) civilian or military airport;*
- (b) airport terminal facilities and communications structures;*
- (c) uses permitted in Employment Areas, as described by Section 6.4, provided that they do no conflict with aircraft operations;*

- (d) hotels and related commercial uses; and*
- (e) other uses in accordance with the Windsor Airport Master Plan, Land Use and Reserve Land Plan, as amended from time to time.*

A portion of the subject lands are currently designated as Airport. This land use designation is to remain on these lands and will not be considered as part of the Official Plan Amendment. Development occurring on the portion of lands designated as Airport shall be required to conform to the above noted permitted uses. Land uses on the airport property must further respect the requirements of Transport Canada's TP 312 and TP 1247.

Section 6.13.4 Future Employment Area Policies

(6.13.4.1) the Future Employment Area designation is intended to accommodate future Industrial and Business Park designations;

(6.13.4.3) Council may consider site-specific Official Plan Amendments for a Future Employment Area without requiring a Secondary Plan provided the proposed development is of a large-scale, single use nature such as a multi-modal transportation facility or large manufacturing plant. Site specific exemptions will only be considered where all studies relation to physical servicing, transportation, environmental evaluation or others as requires by this Plan are completed as part of an alternative planning process and where the absence of a Secondary Plan will not jeopardize the orderly planning and development of the site or surrounding lands; and

(6.13.4.4) Future Employment Areas shall develop on full municipal physical services in accordance with the policies contained in Section 7.3 of this Plan.

The portion of the subject lands designated as Future Employment Area are intended to be redesignated to Industrial and Business Park land use designations. The final configuration of the land use designations is to be determined based on projected employment needs. The development of the subject lands is intended for large-scale industrial and business park investment. As of the date of this report studies related to physical servicing, transportation, and environmental evaluation have been completed by Dillon Consulting Limited in support of the proposed Official Plan and Zoning By-law Amendments. While there is no secondary plan complete for the subject lands, there is no anticipated negative impact to the orderly planning of the subject lands given that the property will be owned by the City of Windsor and leased to future proponents of development. There is no negative impact to the surrounding lands anticipated as there is a secondary plan in place for the lands to the south known as the County Road 42 Planning Area. Full municipal services are expected to be available to the subject lands as indicated in the supporting studies.

Section 7.2.2.5 Alternative Development Patterns

Council shall promote development patterns that support an increase in walking, cycling and public transportation in accordance with the Land Use and Urban Design chapters of this Plan.

The subject lands represent an opportunity to comprehensively development a large area with increase employment density. The development pattern planned for the subject lands supports the expansion of transit services to the Sandwich South Planning District and may encourage the increase in active transportation methods as the County Road 42 Planning Area develops and a range and mix of land uses become available nearby. There is long-term opportunity for the thoughtful integration of a multi-modal transportation network in the area though the implementation of alterative development patterns.

Section 7.2.2.9 Truck Route System

Council shall establish and manage a truck route system to minimize the intrusion of trucks into sensitive areas while providing acceptable access to business and industries.

The subject lands have direct access from County Road 42 which is designated as a Class I arterial road and as a truck route. County Road 42 provides access to Walker Road and Lauzon Road. Walker Road provides direct access to Provincial Highways 401 and 3 with Lauzon Road providing future access to Highway 401. Trucks will have sufficient access from the subject lands to the existing major roadway network and transportation facilities. The existing road network and related road improvements position the subject lands well to meet the transportation needs of future development. The subject lands are easily accessed from the International border crossings, the Windsor Port, the VIA Rail station, E.C Row Expressway, and Provincial Highways 401 and 3. The suitability of the existing truck route system to support the proposed development of the subject lands for employment use is to be confirmed through the applicable technical studies and reports.

Section 7.2.2.10 Truck Access

Council recognizes that while truck access is necessary for some properties, the adverse effects of truck traffic shall be minimized by:

- (a) Discouraging truck traffic in residential and pedestrian oriented areas;*
- (b) Directing land uses which generate substantial truck traffic to appropriate areas in accordance with the Land Use chapter of this Plan;*
- (c) Ensuring the proper design of roads intended to carry truck traffic; and*
- (d) Implementing other measures as may be appropriate and necessary.*

Any negative impacts anticipated from future truck traffic related to the development of the surplus airport lands will be minimized as the subject lands are not located within a residential area, or an area that is predominantly pedestrian-oriented. The proposed employment land uses are appropriate given the subject lands meet the locational criteria outlined in the Official Plan for Industrial and Business Park land uses. As such, any impacts from the substantial truck traffic anticipated will be minimized based on direction provided through additional technical studies and reports.

Section 7.2.2.11 Hazardous Goods

Council shall restrict the movement of hazardous goods to transportation routes which avoid high risk areas and provide safe and direct access to their intended destination.

The potential for movement of hazardous goods related to operations of the proposed employment land uses are appropriately restricted to transportation routes with direct access to intended destinations, avoiding high risk areas.

Section 7.2.2.12 Parking & Loading Facilities

Council shall require adequate off-street parking and loading facilities as a condition of development approval in accordance with the Land Use chapter of this Plan.

Any individual development proposals shall contain ample off-street parking areas with loading facilities located on-site.

Section 7.2.2.18 Land Use and Transportation

Council shall recognize the link between land use and transportation systems by:

- (a) Focusing office development and high-density employment and high density residential in areas which have access to transit and pedestrian amenities;*
- (b) Encouraging commercial and employment uses within 400 metres to 800 metres of residential areas to promote the use of active transportation and to promote transit service.*

The development of the subject lands represents the opportunity for the development of high-density employment and supports the planned expansion of transit services to the Sandwich South Planning District. The development of the subject lands will include the appropriate pedestrian amenities such as sidewalks and bicycle parking. The subject lands are located adjacent to the County Road 42 Planning Area which will feature a mix of residential densities, including high density residential options, in support of a multi-modal transportation network.

Section 7.2.2.20 Transit Supportive Development

Council shall support transit by planning for compact mixed-use, higher density residential, commercial and employment development within concentrated nodes and corridors that are adjacent to higher order transit corridors.

The development of the surplus airport lands will support the expansion and use of transit in the Sandwich South Planning District. The high-density employment use is located within a Regional Employment Centre and adjacent to a Regional Institutional Centre. These areas have the potential to act as nodes for transit services and be focal areas within the City.

Section 7.2.2.21 Minimizing Vehicle Trips and Travel Distances

Council shall implement land use patterns that promote sustainable travel by locating land uses within reasonable walking or cycling distance by:

- (a) Encouraging development that include an appropriate mix of residential, commercial and employment lands within reasonable walking distance of each other;*
- (b) Planning higher density developments in areas along major transportation corridors and nodes;*
- and*
- (c) Integrating land use and transportation planning decisions by ensuring each fit the context of each other's specific needs.*

The development of the subject lands for higher density employment uses is appropriate given the location along the County Road 42 transportation corridor with connections to other major transportation corridors including E.C Row Expressway and Provincial Highways 401 and 3. Planned improvements to the existing transportation networks including work to County Road 42 and the extension of Lauzon Road to Highway 401 will further support the development of the subject lands. The subject lands are located at an appropriate distance from the County Road 42 Planning Area planned land uses, including a mix of institutional, residential, and commercial development, to facilitate the use of active transportation and minimize the number of vehicle trips. The expansion of transit services to the Sandwich South Planning District will be supported through the development of high-density employment uses on the subject lands. The combination of these existing and planned elements will work holistically to reduce the number of vehicle trips required.

Section 7.2.2.25 Transit Supportive Design

Council shall support transit friendly design by:

- (a) Planning for compact, higher density developments along nodes and corridors;*
- (e) Promoting urban design that encourages walking and cycling; and*
- (f) Requiring entranceways proximate to the public right of way to reduce walking distances for pedestrians, particularly those who are mobility impaired.*

The subject lands are located within a Regional Employment Centre and adjacent to a Regional Institutional Centre. These areas have the potential to be important destinations within the regional public transit network. The subject lands are located along the County Road 42 corridor which provides access to a number of significant transportation facilities. As individual development proposals are brought forth, they shall consider the site layout so as to support walking and cycling access from the public rights-of-ways.

Section 7.2.3.1 Pedestrian Movement

Council shall require all proposed developments and infrastructure undertakings to provide facilities for pedestrian movements wherever appropriate by:

- (a) Requiring safe, barrier free, convenient and direct walking conditions for persons of all ages and abilities;*
- (b) Ensuring that all residents have access to basic community amenities and services and public transit facilities without dependence on car ownership; and*
- (c) Providing a walking environment within public rights-of-ways that encourages people to walk to work or school, for travel, exercise, recreation and social interaction.*

The development pattern of the subject lands shall provide adequate walking conditions for all people to facilitate pedestrian movement throughout the subject site. Any development on the subject lands shall consider providing amenities for employees which are accessible without a car and will encourage exercise and social interaction. Where possible, connections to development within the County Road 42 Planning Area shall be considered to allow people to walk between work, home, and their other daily needs. Detailed pedestrian facilities shall be determined during the detailed design phase of any individual development proposal.

Section 7.2.4.1 Cycling

Council shall require all proposed developments and infrastructure undertakings to provide facilities for cycling movement and parking wherever appropriate.

The development pattern of the subject lands shall provide adequate cycling facilities such as bicycle lanes and parking where appropriate. Detailed bicycle facilities shall be determined during the Site Plan Control Approval stage of any individual development proposal.

Section 7.2.5.1 Public Transportation

Council shall require all proposed developments and infrastructure undertakings to provide facilities for public transportation wherever appropriate.

While no public transit service currently exists in the area, there is the planned expansion of transit services to the County Road 42 Planning Area. The development of the surplus airport lands represents intensification that is supportive of the expansion of transit services to the area. Transit facilities shall be planned throughout the subject lands where appropriate to facilitate potential connections between the subject lands, to the Windsor International Airport, the County Road 42 Planning Area, and the City Centre.

Section 7.2.5.2 Improve Public Transportation

Council shall require that the design of development proposals and infrastructure undertakings facilitate easy access to public transportation. In this regard, Council shall:

- (a) Ensure that all new development patterns are supportive of public transportation in accordance with the land use and transportation policies in this Plan;*
- (b) Require that the street pattern in new developments allows for the extension of public transportation services;*
- (c) Require that sidewalks and other pedestrian facilities connect major traffic generators to public transportation services;*
- (d) Encourage the provision of benches, lighting, rest areas and climate shelters for the safety, comfort and convenience of public transportation users;*
- (e) Support the coordination and integration of local public transportation services and facilities with inter-regional, regional and international services and facilities;*
- (f) Ensure that the design of roads accommodate the requirements of public transportation; and*
- (g) Encourage transit routes to be within new major employment areas.*

The development pattern of the subject lands shall be supportive of public transportation services and facilities in support of the integration of public transit to the Sandwich South Planning Area. Transit routes shall be considered within the Regional Employment Centre, with connections to other growth centres within the City. Site features to facilitate the use of public transportation will be determined further into the detailed design stage of planning infrastructure throughout the subject lands.

Section 7.2.6.1 Road Classification

The road network within Windsor is classified as follows:

- (ii) Expressways;*
- (iv) Class II Arterial Roads; and*
- (v) Class I Collector Roads.*

The subject lands have frontage along County Road 42 which is designated as a Class I Arterial Road.

Section 7.2.6.3 Expressways

Council shall provide for Expressways as follows:

- (a) Expressways are designated on Schedule F, as controlled access highways and are to be designated in any secondary plan or master plan where appropriate.*

(b) Operational and design characteristics:

- (i) Expressways shall be designed on as a Controlled Access Highway and have a minimum right-of-way width of 100 metres;*
- (ii) Expressways shall be designed to carry high volumes of traffic;*
- (iii) On street parking shall not be permitted on Expressways;*
- (iv) Access to Expressways shall only be facilitated through interchanges or partial interchanges;*
- (v) New interchanges shall only be permitted with Class I Arterial Roads and Class II Arterial Roads, Expressways or Provincial Highways;*
- (vi) Direct property access shall not be permitted; and*
- (vii) Cycling facilities shall not be permitted on Expressways.*

E.C Row Expressway is located north of the subject lands. While not directly bounded by the Expressway, the development of the subject lands for employment uses is anticipated to have an effect on the traffic volumes of the Expressway. The development of the subject lands shall be consistent with the Expressway policies. County Road 42 will provide access to both Walker Road and Lauzon Road, both of which have interchanges along the Expressway. Development occurring within the subject lands will make efficient use of the high volume of traffic carrying capacity that the expressway provides.

Section 7.2.6.4 Class I Arterial Roads

Council shall provide for Class I Arterial Roads as follows:

(a) Class I Arterial Roads shall be designated on Schedule 'F' and in any secondary plan or master plan where appropriate;

(b) Operational and design characteristics:

- (i) Class I Arterial Roads shall be designed on as Controlled Access Highways and have a minimum right-of-way width of 46 metres;*
- (ii) Class I Arterial Roads shall be designed to carry high volumes of traffic;*
- (iii) New intersections shall only be permitted with Provincial Highways, Expressways, Class I Arterial Roads, Class II Arterial Roads or Class I Collector Roads;*
- (iv) Direct property access shall not be permitted to Class I Arterial Roads;*
- (v) Cycling facilities may be permitted on Class I Arterial Roads; and*
- (vi) On street parking shall not be permitted on Class I Arterial Roads.*

The subject lands are bounded by County Road 42 to the south. County Road 42 is designated as a Class I Arterial Road and is designed to carry high volumes of traffic. There is no direct property access proposed along County Road 42. Any access to the proposed employment uses shall be facilitated through the new proposed rights-of-ways within the subject lands. There are no cycling facilities or on street parking proposed along County Road 42.

Section 7.2.6.19 New Development

All proponents of development may be required to complete a Traffic Impact Study to support the feasibility of a proposal, and if feasible, identify appropriate traffic management measures, in accordance with the Procedures chapter of this Plan.

A Traffic Impact Study (TIS) has been undertaken by Dillon Consulting Limited in support of the feasibility of the development of the surplus airport lands for employment land uses. The TIS will identify the appropriate traffic management measures required to facilitate the proposed development on the subject lands. Recommendations in the TIS can be considered through the Site Plan Control Approval process and then implemented through the Site Plan Agreement.

Section 7.2.10.1 Economic Benefits

Council shall maximize the economic development potential provided by the Windsor Airport by promoting the development of Commercial and Employment uses, including multi-modal facilities in the vicinity of the airport.

The development of the subject lands for a range and mix of employment uses including light industrial, warehouse, office, service commercial, business park, and heavy industrial uses is in keeping with the intent to utilize the airport as a driver of economic activity. The proposed Official Plan and Zoning By-law Amendments will facilitate the need to provide additional lands suitable for development of employment uses. The subject lands represent large scale land available for a wide range of employment land uses both airport related and non-airport related. The development of the subject lands will attract diverse businesses and industries to the Sandwich South Planning District.

Section 7.2.10.2 Development Within the Airport Operating Area

Council shall protect the Windsor Airport from incompatible development. Accordingly, all proponents of development within the Airport Operating Area designated on Schedule 'C': Development Constraint Areas shall be subject to the following:

- (a) new sensitive land uses shall not be permitted in areas above 30 NEP/NEF as set out on maps approved by Transport Canada;*
- (b) redevelopment of existing sensitive land uses may only be considered above 30 NEF/NEP provided the proponent successfully completes a noise study to:
 - i. support the feasibility of the proposal;*
 - ii. identify and implement appropriate mitigation measures (refer to Procedures chapter);**
- (c) redevelopment of existing residential uses and other sensitive land use in areas above 30 NEF/NEP may only be considered if it has been demonstrated that there will be no negative impacts on the long-term function of the airport;*
- (d) land uses which may cause a potential aviation safety hazard are discouraged; and*

(e) other land uses may be permitted within the Airport Operating Area provided the proponent completes a noise study to support the feasibility of the proposal and, if feasible, identify and implement appropriate mitigation measures.

The proposed employment land uses are appropriate for the subject site as outlined in Transport Canada's TP1247. There are no residential land uses proposed within the subject site. All individual development proposals will need to be considered for potential aviation safety hazards. Noise studies may be required per individual development proposal to ensure compatibility.

Section 7.2.10.3 Noise and Vibration Abatement

Council shall ensure that new development in the vicinity of the Windsor Airport includes appropriate noise and vibration abatement measures in accordance with established off-airport land use planning practices.

Any development occurring within the subject lands will be required to include the appropriate noise and vibration abatement measures. Noise and vibration abatement measure details shall be considered at the detailed design stage of individual development proposals.

Section 7.3.2.3 New Development

Council shall require all new developments to have full municipal infrastructure available, or agreements in place to provide such infrastructure, as a condition of approving a development proposal.

Full municipal infrastructure is presently available to support the development of the subject lands for employment land uses.

Section 7.3.3.1 Infilling Given Priority

Council shall encourage the development of existing serviced, underutilized or undeveloped lands within Windsor prior to the extension of municipally owned and/or operated infrastructure to vacant areas within Windsor.

The development of the surplus airport lands represents an opportunity to develop lands that will not require the extension of municipal infrastructure and are currently underutilized. The subject lands are supported by appropriate access and municipal services to facilitate the development of employment land uses in support of attracting increased economic activity to the airport lands.

Section 7.3.3.6 Consolidation of Infrastructure

Council shall require the consolidation of infrastructure within rights-of-ways.

All proposed infrastructure to support the development of the surplus airport lands shall be consolidated within the proposed rights-of-ways to help minimize any negative effects on the development pattern quality or the natural environment.

Section 7.3.3.7 Integrate with Development Pattern

Council shall encourage the coordinated planning of future physical service routes, easements and corridors in cooperation with other physical service providers to ensure their integration within the established or anticipated pattern of development.

The development of the subject lands will require the coordinated planning of all services and service-related infrastructure through the integration of a thoughtful development pattern. The development pattern of the subject lands will be in keeping with the goals and objectives of the employment land uses, will be provided with full municipal services and emergency services, and will be feasible having regard for the Official Plan and other relevant legislation and guidelines.

Section 7.3.4.3 Implement Measures

Council shall provide for the implementation of preventative measures that reduce demands on the sewerage system by:

- (a) Promoting the disconnection of roof drainage systems, weeping tiles, where appropriate, and other sources of inflow or infiltration into the sewerage system;*
- (b) Requiring that new development be constructed with devices to assist in the prevention of potential surcharging and basement flooding;*
- (c) Separating road drainage from combined systems and directing road drainage to new storm sewers or storm relief sewers; and*
- (d) Other measures as may be appropriate.*

Development occurring within the subject lands will consider the implementation of preventative measures to reduce demands on the municipal sewerage system. Consideration of the above criteria will be determined at the detailed design stage of individual development proposals.

Section 7.3.4.6 Stormwater Management for Proposed Development

Council, in consultation with appropriate public agencies may require a proponent of development to submit studies of stormwater runoff and its impact on the water quality and quantity of receiving watercourse based on the Ministry of Environment's current provincial guideline manual for stormwater management design.

Development occurring within the subject lands will include facilities to address stormwater runoff and any impacts on the water quality of receiving watercourses. These studies will be forthcoming as individual development proposals are brought forth. All studies will be required to adhere to the Ministry of Environment's current guidelines.

Section 7.3.4.7 Development Proposals

Council shall require proponents of development that require stormwater management systems to:

- (a) Use stormwater management measures to manage the storage and controlled flow of water to receiving watercourses;*
- (b) Use stormwater management measures which prevent siltation and erosion and do not negatively impact the water quality of receiving watercourses;*
- (c) Consider, where appropriate, enhancing the vegetation, wildlife habitats and corridors in and along the stormwater management system and the receiving watercourse; and*
- (d) Consider, where appropriate, providing public access to and along the stormwater management system and receiving watercourses for recreation.*

The proposed development will include systems to manage stormwater runoff and prevent negative impacts on the water quality of receiving watercourses, as determined through the required technical reports. The subject lands are currently assessed to the existing Rivard Drain, which flows east into the Little River Drain and is then conveyed into the Detroit River. A Functional Servicing Report has been completed by Dillon Consulting Limited (2023) outlining the proposed stormwater management servicing. It is noted that there is also ongoing work with the Sandwich South Master Servicing Plan to determine a comprehensive stormwater management solution for the Sandwich South Planning District. All stormwater management solutions relating to the development of the subject lands shall consider the above noted criteria as outlined in the Official Plan.

Section 7.3.4.8 Best Available Methods

Council, in consultation with appropriate public agencies shall require proponents of development to employ the best available methods in the planning, construction and eventual use of storm water management systems.

The proposed development will employ the best available methods in the planning, construction and eventual use of the stormwater management systems to support the proposed employment uses on the subject lands, as determined through the required technical reports.

Section 7.3.6.6 Major Water Users

Council shall encourage uses requiring large volumes of water to:

(a) Locate in areas of Windsor where there is sufficient capacity in the water distribution network to accommodate such uses; and

The subject lands are not currently connected to a municipal watermain service. A Functional Servicing Report has been completed by Dillon Consulting Limited (2023) outlining the proposed servicing of the subject lands. The report determined that the adjacent services have been found to be sufficient for the proposed development of the subject lands. The design of the proposed internal services will be finalized during detailed design. Pressure testing of the existing watermain on County Road 42 may be required to confirm that there is sufficient pressure / flow.

Section 8.2.2.5 Gateways

Council will promote gateways at the major entry points into Windsor identified on Schedule G: Civic Image and at other strategic locations within Windsor as appropriate. Such gateways will be designed to:

(a) provide a sense of welcome and arrival;

(b) assist in orientation;

(c) create a memorable image; and

(d) contribute to the social, cultural, historic or thematic character of the area being defined.

A Gateway is identified just west of the subject lands at the Walker Road and County Road 42 intersection. The subject lands are conveniently located nearby to a major entry point into the City and will contribute to the sense of arrival as it relates to employment uses. Lauzon Road is also planned to extend to Highway 401 and may provide the potential for another gateway opportunity into the City. In this case, the subject lands would be located directly between two gateways and will contribute to the character of the Sandwich South Planning District and Windsor International Airport as a primary business gateway and major logistics cluster. The Windsor International Airport also functions as a major gateway into the City and will provide convenient access to the subject lands for the movement of both people and goods. The development of the subject lands for a range and mix of employment uses will create a memorable image for those entering the City as this investment is demonstrative of Windsor's heritage as a manufacturing hub and representative of the future of industry within the City including investments to the service sector and a more light and advanced manufacturing in a knowledge based economy.

Section 8.2.2.7 Development or Infrastructure Evaluation

Council will ensure that a proposed development or infrastructure undertaking enhances the image of Windsor, its districts and/or its neighbourhoods by complementing and contributing to:

- (a) the activity of the area together with the character, scale, appearance and design features of existing buildings (Added by OPA #66–11/05/07-B/L209-2007)*
- (b) the landmarks in the area;*
- (c) the consistency and continuity of the area with its surroundings;*
- (d) the edges of the area;*
- (e) linkages within, to and from the area; and*
- (f) sustainable design and maintenance. (Added by OPA #66–11/05/07-B/L209-2007).*

The development of the surplus airport lands will enhance the image of Windsor by contributing to the overall development activity expected to occur in the area. The subject lands are located within the Regional Employment Centre and adjacent to the Regional Institutional Centre. These areas are planned as community nodes and will function as destination points within the City. With the Windsor International Airport acting as a hub, and a strong transportation network, the subject lands have the potential to develop as a primary business gateway and a major logistics cluster for International business. The development of the subject lands for employment uses will define the edge of the County Road 42 Planning Area and the Sandwich South Planning District. Linkage between the proposed employment lands and other areas of industry and major business routes is provided through the existing transportation network including E.C Row Expressway and Provincial Highways 401 and 3.

Section 8.3.2.2 Pedestrian Scale

Council will encourage buildings and spaces that establish a pedestrian scale by promoting:

- (a) the placement of continuous horizontal features on the first two storeys adjacent to the road;*
- (b) the repetition of landscaping elements, such as trees, shrubs or paving modules; and*
- (c) the use of familiar sized architectural elements such as doorways and windows.*

Given the size and scale of the proposed development of the surplus airport lands, it is important to maintain a comfortable pedestrian environment. Development on the subject lands will consider the pedestrian scale by implementing horizontal features adjacent to the road such as windows and other architectural elements. Development designs should also consider pedestrian access to each individual site and the complete pedestrian network. The appropriate use of trees and other landscaping elements should be emphasized to maintain the pedestrian scale and elevate the attractiveness of the employment lands.

Section 8.12.2.3 Civic Responsibility

Council will promote designs which provide a sense of public ownership and civic responsibility by:

- (a) reinforcing existing natural surveillance and access control strategies with additional symbolic or social cues such as signs or barriers;*

- (b) minimizing the creation of ambiguous spaces;*
- (c) allowing for the continued use of the space in keeping with its intended purpose; and*
- (d) ensuring that the lighting of the area is appropriate for its intended use.*

The development pattern of the subject lands shall make use of access control strategies and signs or barriers to ensure safety for both vehicular and pedestrian traffic. The development pattern shall be clearly delineated using design measures to ensure that spaces are used with purpose and intention. The subject lands shall be appropriately lit and will need to ensure that there is a comprehensive development plan for providing lighting to both public and private spaces.

Section 8.12.2.4 Emergency Access

Council shall promote the design of circulation systems which ensure prompt access to adjacent buildings and properties for effective emergency services.

The subject lands shall be planned to provide safe and efficient emergency access to all areas. Individual development proposals will consider site layout design as it relates to the adjacent development proposals. Given the high-density employment use proposed and the location adjacent next to a major facility it is critical that emergency access be a priority as the subject lands develop.

Section 8.13.2.1 Transportation System

Council will promote lighting that improves safe movement along the transportation system.

Any transportation networks or facilities proposed on the subject lands will provide adequate lighting to facilitate the safe movement of goods and people and allow for safe access to the proposed employment uses during all hours of operation.

Section 9.3.2.1 Archeological Master Plan

(a) Maintaining and updating the inventory of registered archaeological sites or lands of archaeological potential, as identified in the Windsor Archaeological Master Plan and Schedule 'C-1': Development Constraint Areas – Archaeological Potential; (added by OPA 55 – 07/24/2006).

The subject lands are identified on *Schedule C-1: Development Constraint Areas – Archaeological Potential* as containing High Potential throughout the site. At the time of this report, a Stage 1 Archaeological Assessment has been undertaken for the entirety of the subject lands and recommends a Stage 2 be undertaken for all the lands.

Section 11.6.3.1 Zoning By-law Amendments Must Conform

All amendments to the Zoning By-law(s) shall conform with this Plan. The Municipality will, on each occasion of approval of a change to the zoning by-law(s), specify that conformity with the Official Plan

is maintained or that the change will be in conformity upon the coming into effect of an amendment to the Official Plan.

The proposed Zoning By-law Amendment for the subject lands to be zoned similar to the Manufacturing District 1.4 (MD1.4) and Manufacturing District 2.2 (MD2.2) categories will be in conformity with the Official Plan Business Park and Industrial land use designations, subject to the proposed amendment to the Official Plan receiving approval from Council. The final configuration of the zoning category boundaries is to be determined.

4.2.2 Policy Analysis Conclusions

Based on this analysis, we are of the opinion that the proposed development of the surplus airport lands for a range and mix of employment uses conforming with the Airport, Industrial, and Business Park land use designations conforms with and is supported by the above Official Plan policies – as proposed to be amended. The portion of the subject lands designated as Airport and Industrial are to remain as currently designated. The OPA to redesignate the portion of the subject lands designated as Future Employment Area to an Industrial or Business Park land use designation is intended to meet the objectives and align with the policies of the applicable designation. The final configuration of the land use designation boundaries is to be determined. There are a number of goals, objectives, and policies in the Official Plan that support economic investment and growth of the employment sector. The proposed employment land uses are aligned with the economic investment and growth goals of the Sandwich South Planning District and City of Windsor.

The Official Plan policies are included in ***Appendix B – City of Windsor Official Plan Policies***.

4.3 City of Windsor Zoning By-law

The City of Windsor Zoning By-law 8600 implements the policies of the City of Windsor Official Plan by regulating built form and land uses throughout Windsor.

The subject lands have multiple zoning categories including Manufacturing District 2.2 (MD2.2) in the City of Windsor Zoning By-law 8600 and Institutional (I) in the Sandwich South Zoning By-law 85-18. The current zoning categories do not permit the development of employment uses on the entirety of the proposed subject lands. The proposed Zoning By-law Amendment (ZBA) to repeal the zoning category under the Sandwich South Zoning By-law 85-18 and to amend the zoning category under the City of Windsor's Zoning By-law 8600 will be brought forward to the City Council for consideration. The proposed rezoning is for the subject lands to be zoned similarly to the Manufacturing District 1.4 (MD1.4) and Manufacturing District 2.2 (MD2.2) categories. The final configuration of the zoning category boundaries is to be determined. The proposed ZBA will facilitate the availability of a large area of land suitable for the development of employment land uses in the City of Windsor.

Further to the provisions outlined in the City of Windsor Zoning By-law 8600, registered zoning is currently in place for the Windsor International Airport. The registered zoning is entitled *Windsor Airport Zoning Regulations* and are pursuant to Section 5.4 of the Aeronautics Act of Canada. The zoning regulations found within this section include the following:

- Preventing lands adjacent to or in the vicinity of an Airport site from being used or developed in a manner that is incompatible with the safe operation of an aerodrome or aircraft; and
- Preventing land uses that would cause interference with signals or communications to and from aircraft from locating adjacent to or in the vicinity of equipment of facilities used to provide services relating to aeronautics.

Further, protective regulations are established around certain Airport facilities, components, and stations to protect the safety and security of aircraft operations. These requirements include physical zoning around the Airport, including off-Airport lands, electronic zoning, and noise projections. TP 312 (Transport Canada's Aerodrome Standards and Recommended Practices) and TP 1247 (Land Use in the Vicinity of Aerodromes) identify the relevant zoning criteria in detail.

A copy of the permitted uses and regulations under the Manufacturing District 1.4 (MD1.4) and Manufacturing District 2.2 (MD2.2) zone are included in ***Appendix C – City of Windsor Zoning By-law Policies***.

Further consideration will be given at the Site Plan Control stage to ensure design details are considered and the proposed use is compatible.

4.4 Other Legislation

In addition to fulfilling the requirements under the Planning Act, approval may be required under the following legislation:

- Windsor International Airport Master Plan (2010);
- Windsor Airport Zoning Regulations;
- Transport Canada – Aerodrome Standards and Recommended Practices (TP312);
- Transport Canada – Aviation: Land Use in Vicinity of Aerodromes (TP1247); and
- Compliance with D6 Guidelines.

4.4.1 Windsor International Airport Master Plan (2010)

The Windsor International Airport Master Plan is the overall planning document used to guide development of the Airport and assist the City and private sector in making land use decisions involving the surrounding lands. The Master Plan is to be used to facilitate long range planning and development on the lands surrounding the airport in an effort to support the City's investment in the airport and stimulate cost effective development.

The Master Plan identified approximately 250 hectares of land on the Windsor International Airport property which are currently designated as “Future Employment Area” in the City of Windsor Official Plan. The report recommends that these lands are suitable for future development and should be redesignated to accommodate the development of employment uses. The land on the airport property is appropriate for a range of employment uses including airport and non-airport related uses, with recommendations for potential synergies to be developed between the proposed uses on the airport property and local industry.

The Master Plan includes a recommended Land Use Plan to address short-, medium- and long-term development potential of the airport lands. The intent of the Land Use Plan is to provide maximum flexibility in the use of the airport lands to allow for event-driven development that reacts to the evolving employment needs of the City. A key objective of the Land Use Plan is to ensure that any future development is compatible and safe with all airport related operations and that development occurs in a logical and efficient manner.

Majority of the subject lands are designated as Employment Lands in the recommended Land Use Plan. These lands are intended for airport and non-airport uses, either private or public, which do not require direct airside access and are accessible to the general public. A portion of the subject lands, west of the Concession Road 8 extension, are designated as Airport Employment. Airside Employment includes general aviation facilities and aviation support functions on land requiring airside access and are not accessible to the general public. While these lands are generally intended for employment uses requiring airside access, the City of Windsor Official Plan does allow for uses permitted in Employment Areas, provided that they do not conflict with aircraft operations, to be developed on lands designed as Airport / Airside Employment.

The overall intent of developing the surplus airport lands is to create a primary business gateway with the potential to serve as a major multi-modal hub and logistics cluster. The proposed Official Plan and Zoning By-law Amendments are intended to facilitate the goal of attracting economic activity to the airport lands by providing additional lands available for development with the appropriate access and municipal services.

Appendix D – Windsor International Airport Master Plan (2010).

4.4.2 Windsor Airport Zoning Regulations

The Windsor Airport Zoning Regulations provide further guidance on development on and in the vicinity of airport lands. The zoning regulations include regulations to prevent development that is incompatible with the operation of the airport, the safe operation of an aircraft, and the operation of signals and communications to and from aircraft or to and from airport facilities. The zoning regulations apply to all the lands, including public road allowances, adjacent to or in the vicinity of an airport; the specific lands are described in Part II of the Windsor Airport Zoning Regulations. Any new development should consult

the zoning regulations to ensure compatibility.

Appendix E – Windsor Airport Zoning Regulations.

4.4.3 Transport Canada – Aerodrome Standards and Recommended Practices (TP 312)

The Aerodrome Standards and Recommended Practices (TP 312) serves as the authoritative document for airport specifications, including physical characteristics, obstacle limitation surfaces, lighting, markers, marking and signs. The standards outlined in TP 312 are considered to have a direct impact on the safety of flight. The recommended practices outlined in TP 312 are considered to effect only operational efficiency. Particular consideration should be given to obstacle limitation surfaces, where the erection of structures which violate any of the defined plane surfaces is prohibited.

The standards and recommended practices included in this document will help guide development of the surplus airport lands to ensure the safe operation of both airport and non-airport activities.

4.4.4 Transport Canada – Aviation: Land Use in Vicinity of Aerodromes (TP 1247)

The Aviation: Land Use in Vicinity of Aerodromes serves to assist planners and legislators on planning considerations related to land use in the vicinity of aerodromes. Land use around aerodromes can have significant impacts on safety and can negatively impact the operation viability of the aerodrome. Compatible land use planning should be the focus development on lands in the vicinity of aerodromes. The document includes guidance relating to telecommunications and electric systems, bird hazards and wildlife, aircraft noise, and restrictions to visibility.

Appendix F – Aviation: Land Use in Vicinity of Aerodromes (TP 1247).

4.4.5 D6 Guidelines

The Ministry of Environment provides guidelines to ensure land use compatibility between employment uses which are adjacent to sensitive land uses. The Guidelines recommend separation distances and other control measures for land use planning proposals to prevent or minimize adverse effects from the encroachment of incompatible land uses where a facility either exists or is proposed. This guideline is intended to be applied in the land use planning process to prevent or minimize future land use problems due to the encroachment of sensitive land uses and industrial land uses on one another. The separation distance should be sufficient to permit the functioning of the two incompatible land uses without an 'adverse effect' occurring. Separation of incompatible land uses should not result in freezing or denying usage of the intervening land. The distance shall be based on a facility's potential influence area or actual influence area if it is known.

Through case studies and past experience, the Ministry has categorized three industrial classifications to prevent or minimize the adverse effect from incompatible land uses. Based on the classifications, the

Ministry provides the potential influence area and recommended minimum in which incompatible development should not normally take place. These guidelines are as follows:

- Class I: 70 metre potential influence area, 20 metre recommended minimum in which incompatible development should not normally take place;
- Class II: 300 metre potential influence area, 70 metre recommended minimum in which incompatible development should not normally take place; and
- Class III: 1000 metre potential influence area, 300 metre recommended minimum in which incompatible development should not normally take place.

The conceptual development for the subject area designates lands for Industrial and Business Park development. Additionally, a hospital has been planned to be developed adjacent to the subject area. With potential for future conflicts in land use, the D6 guidelines will be referenced to relieve the conflicting land uses. This includes the recommended 300 metre minimum buffer for Class III industrial use (refer to **Figure 2.0 – Proposed Conceptual Development Plan**). Future development proponents will be further considered under the D6 Guidelines to prevent incompatible development.

Appendix G – D6 Guidelines.

5.0 Additional Studies

To facilitate the establishment of the proposed land use, there are a number of additional supporting studies required to address specific details associated with the servicing and upgrading of infrastructure in the general area. The following technical reports are presently underway:

- Functional Servicing Report;
- Stormwater Management Memorandum;
- Spices at Risk (SAR) Considerations Memorandum;
- Traffic Impact Memorandum; and
- Archaeological Stage 1 Assessment.

During Site Plan Control Approval additional studies may be requested to ensure compatibility with the surrounding land uses.

6.0 Justification Overview

In Ontario, municipalities are required under Section 3 of the *Planning Act* to ensure that planning matters and decisions are consistent with the Provincial Policy Statement (PPS). The Provincial Policy Statement includes policies designed to build strong and healthy communities and are intended to direct efficient and resilient development and land use patterns. According to the PPS, healthy, livable and safe communities are sustained by: promoting efficient development and land use patterns, accommodating a range and mix of housing, avoiding development and land use patterns which cause environmental or public health and safety concerns, and promote cost effective development patterns to minimize land consumption and servicing costs (PPS, 1.1.1 (a)(b)(c)(e)).

The proposed employment land uses are supported by the proposed Zoning By-law Amendment and Official Plan Amendment. The development of the subject lands is intended to be compatible with airport operations and the existing and planned surrounding land uses. The proposed employment land uses will provide significant employment opportunities within the Sandwich South Planning District to accommodate the project needs of the City. Further, the proposed development will lend to the efficient use of nearby major roads and highways for a land use that is freight-intensive.

6.1.1 Location

With respect to settlement areas, the PPS recognizes that the vitality of these areas is critical to the long-term economic prosperity of communities. According to the PPS, settlement areas should be the focus of growth and development and that their regeneration shall be promoted (PPS, 1.1.3.1). The subject lands are fully within the settlement area boundary of Windsor and are to be the focus of substantial development.

The subject lands are surrounded by Industrial, Business Park, Airport, and Future Employment Area designated lands. The Industrial lands to the far north of the subject lands have been developed for a mix of employment uses such as freight and cargo facilities, manufacturing, and warehousing. Approximately 105 hectares (260 ac.) of lands directly north of the subject lands are currently occupied by the Windsor Solar energy project. The Business Park lands at the southwest intersection of County Road 42 and Eight Concession Road are currently developed and include uses such as storage facilities, truck serve centres, and contractor's offices. The lands south of County Road 42 remain undeveloped and largely vacant. These lands are subject to the County Road 42 Secondary Plan and are intended to be developed as an Urban Area.

The proposed Business Park and Industrial land uses are not intended to jeopardize the orderly planning and development of the subject lands or the greater Sandwich South Planning Area. The subject lands are located in an area that has historically been intended for employment land uses and are currently designated as Future Employment Area. As previously noted, a portion of the subject lands along County

Road 42 were previously subject to a City-initiated Official Plan and Zoning By-law Amendment to redesignate the lands as Industrial given the need for additional employment lands in Windsor. The proposed Official Plan and Zoning By-law Amendments to bring the entirety of the subject lands under the Business Park / Industrial designation is consistent with the development objectives of the area and the City.

The subject lands are suitably located to support the development of large-scale employment land uses given the existing multi-modal transportation infrastructure (PPS, 1.6.7). The subject lands have access to air, road, rail, and port networks to facilitate the movement of goods and people. Directly adjacent to the subject lands is the Windsor International Airport. Just north of the subject lands, abutting the airport property, is the Canadian Pacific (CP) Railway and the CP Railway's Windsor Subdivision. The CP Railway Windsor Subdivision has direct access to the CP's international rail tunnel for rail cargo traffic. The airport lands also abut the Canadian National (CN) Railway's Pelton Spur line along the west property line, providing a rail link between the CP and CN rail lines including the Essex Terminal Railway further to the north. The Port of Windsor provides a connection to sea and Great Lakes shipping lanes. Access to the Port of Windsor is currently possible by road with potential access via rail pending improvements to the existing rail facilities. The surrounding road network including County Road 42, Lauzon Parkway, Walker Road, E.C. Row Expressway, and Highways 401 and 3 will be used efficiently by the proposed development with a number of planned upgrades to accommodate the increased transportation network demand. The subject lands are uniquely located to allow for investment opportunities which require multi-modal and international transportation facilities (PPS, 1.6.7.3).

To the south of the subject lands is the County Road 42 Planning Area. There are a number of land uses proposed within this area including employment, commercial, institutional, and residential. The proposed employment, commercial, and institutional land uses are planned along County Road 42, with the more sensitive residential uses located towards the south of the planning area and away from the subject lands. There are no compatibility issues anticipated as the development of the subject lands includes the less intensive business park land uses along County Road 42. As such, the more intensive industrial uses are intended to be isolated away from the County Road 42 Planning Area. Any potential impacts to the surrounding uses including noise, vibration, and pollution shall be considered as proponents of development come forth and will require mitigation measures.

Given the location and size of the subject lands, there presents a unique opportunity to accommodate the large-scale employment uses for both business park and industrial uses. There are no other locations within the City that would be able to accommodate the scale and size of development desired to accommodate the employment needs of the City of Windsor.

6.1.2 Land Use

The proposed land use pattern, along with infrastructure and municipal servicing, will promote development that will sustain the financial well-being of the Province and municipalities (PPS, 1.1.1).

The proposed employment use development on the subject lands will minimize and mitigate any potential adverse effects stemming from operations at the facilities, minimizing any risk to public health and safety while maintaining the long-term economic viability of the employment use development (PPS, 1.3.2.2). The development of the subject lands will include the appropriate transition and separation from the nearby non-employment uses to ensure compatibility with any nearby sensitive land uses (PPS, 1.3.2.3 & OP, 6.4).

The subject lands are currently split designated as designated as Airport, Industrial, and Future Employment Area in the City of Windsor Official Plan. The proposed Official Plan Amendment will maintain the Airport and Industrial designations, while redesignating the Future Employment Area to a split Business Park and Industrial designation. The proposed employment land uses, including Business Park and Industrial, are compatible with existing and planned land uses in the surrounding area. The subject lands are capable of supporting the suggested employment land uses in accordance with the Official Plan policies. At present, much of the surrounding lands remain vacant although they are designated as Future Employment Area and Future Urban Area. Given the proposed employment land uses, separation from any existing and planned sensitive uses will be pertinent to maintain as this area in the City of Windsor develops.

The proposed Business Park and Industrial land use designations are intended to accommodate a range of employment uses based on the operational characteristics and scale of the use (OP, 6.2, 6.4.3 & 6.4.4). The Zoning By-law Amendment proposes to rezone the subject lands to zones similar to the Manufacturing District 1.4 (MD1.4) and Manufacturing District 2.2 (MD2.2) categories. The proposed development of the subject lands will be appropriately clustered within other nearby employment land uses with adequate separation or buffers from sensitive land uses (PPS, 1.2.6).

6.1.3 Economic Prosperity

The PPS speaks to providing for an appropriate mix and range of employment uses to meet long-term needs (PPS, 1.3.1a). The proposed development of the subject lands will provide for an employment use on the lands proposed to be designated Business Park and Industrial.

The proposed development provides an opportunity for economic development on the subject lands and is a means to expand Windsor's employment base (OP, 3.2.2, 6.1). The subject lands are located adjacent to other existing and planned employment uses which contribute to the use of the land as an active, compatible employment landscape. The configuration of the subject lands will accommodate the need for larger-scale employment uses in the City to assist in meeting long-term economic development needs (PPS, 1.1.1 & 1.7.1).

Being located in close proximity to transportation infrastructure, the subject lands are a strategic site for economic investment that will support the current and projected needs of employment uses (PPS, 1.3.1). The employment land use development represents an opportunity for significant job creation for

the City of Windsor and residents within the County of Essex (OP, 4.2.6).

6.1.4 Infrastructure

The PPS encourages development that promotes a dense land use pattern which minimizes the length and number of vehicle trips, and encourages the use of transit and active transportation methods (PPS, 1.6.7.4 & 1.8.1 (b)). The subject lands are well serviced by the existing multi-modal transportation system and are transit supportive as the intensification of the subject lands will promote the expansion of transit services to the Sandwich South Planning Area (OP, 7.2.5.2). The close proximity to the existing road network, such as E.C. Row Expressway and Highways 401 and 3, will help to reduce the length of trips taken by both passenger and freight vehicles from the subject lands and may facilitate the use of other means of travel to and from the area (OP, 7.2.2).

Due to the operational characteristics of the proposed employment land uses at a large scale, the surrounding road network will be efficiently used to support the anticipated frequent movement of goods (PPS, 1.6.7.2). Any future infrastructure upgrades will be carried out in a manner to optimize the continued use of the roadways to support any increased demand on the transportation network (PPS, 1.6.3). The existing roadway network in proximity or with direct access to the subject lands are appropriately classified through the Official Plan to support the proposed development and anticipated traffic volumes associated with the large-scale manufacturing facility (OP, 7.2.6). All statements regarding the capacity of infrastructure to support the proposed development will be confirmed once the necessary technical reports are completed.

The proposed development makes efficient use of the existing municipal services, including water and sanitary sewers (OP, 7.3.3 & 7.3.2). The subject lands will be supported by stormwater management facilities, which will be determined through the Site Plan Control Application process (OP, 7.3.4). In addition, the proposed development will incorporate appropriate waste facilities and have adequate access to all other necessary utilities for operations at the facility (OP, 7.3.5 & 7.3.6). All statements regarding the capacity of infrastructure and necessary facilities to support the proposed development will be confirmed once the required technical reports are completed.

Given the close proximity to a major transportation route (E C. Row Expressway), along with the integration of this transportation route with adjacent systems (Highway 401) and in other jurisdictions, the proposed development is appropriately located and supports the movement of goods and people (PPS, 1.7.1 & OP, 7.2.6). A Traffic Impact Study will be completed to the satisfaction of the City of Windsor to ensure that safe efficient vehicular access is provided as well as appropriate connections to the wider transportation network.

6.1.5 Sustainability

The proposed land use and development promotes energy conservation and efficiency as the freight-intensive use will be well-served by the existing transportation network and connections to major highways (PPS, 1.8.1). Future development of the subject lands will be able to take advantage of the area's strong transportation connections as the lands are located in a high-profile area adjacent to major facilities and corridors. The proposed employment uses will be well serviced by the nearby Provincial Highways 401 and 3, the future improved County Road 42 and Lauzon Parkway, the Windsor International Airport, and the Canadian Pacific Railway. The existing supportive transportation network provides an opportunity for energy conservation and efficiency, improved air quality, and reduced greenhouse gas emissions. The development contributes to sustainability as it promotes a compact form and creation of corridors through the continuation of an employment use in an area that contains a variety of employment uses (PPS 1.8.1(a) & OP, 3.2.3).

Conclusions

Based on an extensive review of the technical planning and policy related issues, the proposed Official Plan and Zoning By-law Amendments to facilitate the preparation of lands available for employment uses are appropriate for the subject lands and consistent with good planning principles. We recommend that the City Official Plan and Zoning By-Law Amendments applications, as submitted, be approved for the following reasons:

1. The proposed development is consistent with the Provincial Policy Statement;
2. The proposed development conforms with the policies of the City of Windsor Official Plan as recommended for amendment;
3. The proposed development can be compatible with the surrounding land uses in the surrounding area, which is to be confirmed once all technical reports are completed;
4. The proposed Official Plan Amendment for the subject lands will establish a mix of Business Park and Industrial designations which will support the City's goal of attracting economic development opportunities and expanding the employment base;
5. The proposed Zoning By-law Amendment will implement zoning districts similar to the Manufacturing District 1.4 (MD1.4) and Manufacturing District 2.2 (MD2.2) categories. The final configuration of the zoning category boundaries is to be determined;
6. The proposed development of the subject lands will utilize existing and planned municipal infrastructure. The subject lands location near major transportation routes and international borders makes it an ideal hub for business opportunities as the movement of goods and supply chain efficiencies are enhanced;
7. The proposed development may contribute to economic diversification by attracting businesses and industries. The subject lands are located just a few kilometers from the Canada-US border to facilitate cross-border trade and business travel;
8. The subject lands are located near the Windsor-Detroit metropolitan area which provides convenient access to a large population base, making it an attractive location for businesses;
9. The proposed development provides the opportunity for synergistic development with the surrounding land uses and the existing airport uses; and
10. The proposed Official Plan and Zoning By-law Amendments represent "good" planning.



Karl Tanner, MCIP RPP

APPENDIX C – CONSULTATION

ENBRIDGE

After reviewing the provided drawing at the Airport Lands and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.

Also, please note the following should you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live
- If during the course of any job, any pipe is found that is not on the locate sheet and is in conflict with your work, please call our emergency number (1-877-969-0999), and one of our Union Gas representatives will respond to determine if that plant is in fact live or dead
- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly

Please contact me if you have any further questions or concerns.



MICHAEL COSTE – WINDSOR FIRE

Fire Route into the area. Hydrants. Distances to primary entrances. Fire Route 6m Wide

ANNE MARIE ALBIDONE – ENVIROMENTAL SERVICES

No concerns from Environmental Services.

JASON SCOTT - TRANSIT WINDSOR

Transit Windsor has no objections to this development. There are currently no existing transit services in this area that are within 400 metres of the sites. Our City Council approved Transit Master Plan had this area being serviced by 4 new routes. Two of those routes were extensions to existing routes, and the other two were new routes, one being an express and the other being a new local route. This area was also planned to be an on demand area as part of the Transit Master Plan. The Sandwich South Master Servicing Plan also calls for another 4 new routes to service this area with development of those lands. All of these new routes would be subject to City Council budget approval.

ALICIA GOOD – ERCA

The City of Windsor is proposing Official Plan Amendment OPA 177 and Zoning By-Law Amendment Z- 027-23 to permit employment uses on 187.74 ha of land located within the vicinity of the Windsor International Airport. Our office understands that the application requests a change to Official Plan Schedule D: Land Use from 'Future Employment Area', 'Airport', and 'Open Space' to 'Industrial' and 'Business Park.'

The application also requests removal of the subject lands from Zoning By-law 85-18, which are currently zoned Institutional (I) and the amendment of Zoning By-law 8600 to apply a Manufacturing District 2.2 (MD2.2) and Manufacturing District 1.4 (MD1.4) to Phase 1 and H-Manufacturing District 2.2 (HMD2.2) to Phase 2.

Our office understands that the requested amendments would permit a wide range of employment uses. The proposed amendments would also establish a special policy area to address development constraints related to airport operations.

The following is provided as a result of our review of Application for Official Plan Amendment OPA 177 & Z-027-23.

NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT, O. REG 686/21, PPS

The following comments reflect ERCA's role in protecting people and property from the threats of natural hazards and regulating development hazards lands under Section 28 of the *Conservation Authorities Act*.

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the Lappan Drain, McGill Drain, Rivard Drain AND North Townline Drain.

The property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

FINAL RECOMMENDATION

Our office has no objection to OPA 177 and Z-027-23. Please continue to circulate our office regarding developments proposed for these lands, as we may have further comments to offer at the time of application for Site Plan Control.

If you have any questions or require any additional information, please contact the undersigned.

BUILDING – MUSTAPHA MOUSLMANI

The Building Code Act, Section 8.(1) requires that a building permit be issued by the Chief Building Official for construction or demolition of a building. The building permit review process occurs after a development application receives approval and once a building permit application has been submitted to the Building Department and deemed a complete application.

Due to the limited Ontario Building Code related information received, review of the proposed project for compliance to the Ontario Building Code has not yet been conducted. It is strongly recommended that the owner and/or applicant contact the Building Department to determine building permit needs for the proposed project prior to building permit submission.

In addition to the above please note: A Record of Site Condition will be required if the proposed land use changes to a more sensitive land use (for example: changing from an existing industrial or commercial use to a residential use).

The City of Windsor Building Department can be reached by phoning 519-255-6267 or, through email at buildingdept@citywindsor.ca

ENWIN

HYDRO ENGINEERING:

No Objection, this particular area is not serviced (HYDRO) by ENWIN Utilities Ltd.. I would suggest contacting Hydro One for comments.

WATER ENGINEERING:

Water Engineering has no objections.

SITE PLAN CONTROL

Site Plan to be determined as per any future development proposals, pursuant to the Planning Act and City of Windsor By-law 1-2004.

CANADA POST – BRUNO DESANDO

Thank you for contacting Canada Post regarding plans for a new development in the City of Windsor. Please see Canada Post's feedback regarding the proposal, below.

Service type and location

1. Canada Post will provide mail delivery service to the development through centralized Community Mail Boxes (CMBs).
2. If the development includes plans for (a) multi-unit building(s) with a common indoor entrance, the developer must supply, install and maintain the mail delivery equipment within these buildings to Canada Post's specifications.

Municipal requirements

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this development application be approved, please provide notification of the new civic addresses as soon as possible.

Developer timeline and installation

1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the CMB(s).

Please see Appendix A for any additional requirements for this developer.

Appendix A

Additional Developer Requirements:

- *The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.*
- *The developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.*
- *The developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.*
- *The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.*
- *The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:*
 - Any required walkway across the boulevard, per municipal standards*
 - Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications)*
 - A Community Mailbox concrete base pad per Canada Post specifications*

BARBARA LAMOURE – ENVIRONMENTAL SUSTAINABILITY

Liaison Z 027/23 & OPA 177 - CoW - 3200 & 0 COUNTY RD 42 & 0 JEFFERSON BLVD seeks to amend the Official Plan from Future Employment Area to Industrial or Business Park as well as amending Zoning By-laws 85-18 and 8600 to Manufacturing District (MD1.4 and MD2.2).

Currently, the Official Plan under Schedule B highlights this area as a community and regional park(land) with natural heritage blocks. The Official Plan also includes a number of objectives that speak to the importance of maintaining natural heritage features and greenspace including: Objective 5.3.1.2 which aims to protect, conserve and improve the quality and quantity of Windsor's natural features and functions and Objective 6.1.9 which aims to protect and conserve environmentally significant and sensitive natural heritage features and functions.

Official Plan and Zoning By-law amendments should ensure that development is compatible with environmental functions and features as per Objective 5.1.4 of the City's Official Plan.

The ESCC team strongly recommends that the woodlots located in this area continue to be protected and that the extension of the 9th Concession Rd does impact the buffer setback of the woodlot and an appropriate buffer zone around the woodlots shall be preserved.

We recommend that a natural and recreational linkage across Site D is created and maintained between the woodlots as such meeting objective 5.3.1.7 in the Official Plan. Linkages are essential for species movement and integral to maintaining biodiversity. In the aerial photo, an agricultural drain is visible. We encourage this drain to remain as a natural corridor or that a corridor of undeveloped land (green space) be created along "Street 'A'" at a minimum to minimize fragmentation of the woodlot benefits.

Greenspaces provide many benefits including: flood mitigation, improved air quality, preservation of biodiversity, human health benefits and more. Opportunities exist to allow for the creation of the Industrial/Business Park while protecting and enhancing the greenspace currently located in this area.

KRISTINA TANG - HERITAGE

The subject property is located within an area of high archaeological potential. A Stage 1 archaeological assessment and any further recommended assessments are required to be entered into the Ontario Public Register of Archaeological Reports to the satisfaction of the City of Windsor and the Ontario Ministry of Citizenship and Multiculturalism, prior to any additional land disturbances. A final copy of these relevant archaeological reports and GIS study area must be submitted to the City of Windsor.

ROB PERISSINOTTI – ENGINEERING

We have reviewed the subject Rezoning application and have the following comments:

Sewers

The site may be serviced by a 1200mm sanitary sewer located within County Rd 42 right-of-way. The current stormwater outlets for this site are the Rivard and McGill municipal drains; ultimately, the stormwater outlet is the future pond P8 as illustrated in the Sandwich South Master Servicing Plan.

This department has completed a review on the functional servicing study provided. Comments from this review can be found in the attached document. Based on the above information, the servicing study is satisfactory to move this application into the next phase, however, additional information and report revisions will be required.

The applicant of any future lot development within the proposed rezoning area will be

required to submit site servicing drawings and storm detention calculations restricting storm water runoff to a level approved by the City Engineer, as per the Windsor Essex Regional Stormwater Management Standards Manual:

<https://essexregionconservation.ca/wp-content/uploads/2018/12/WE-Region-SWMStandards-Manual.pdf>.

Right-of-Way

The Lauzon Parkway Improvements Class Environmental Assessment Study identifies transportation infrastructure and property needs along County Road 42 from Walker Road to the east Windsor city limits, which will service the needs and growth of the City and County through a staged program of improvements over the next 20 years. Property acquisitions along County Road 42 are noted in the Lauzon Parkway EA Study Report in Exhibit E-5 and Plates 3 to 6. Land conveyance along the County Road 42 frontage will be in accordance with this study. Any proposed accesses to the site from County Road 42 shall be located in accordance with the Lauzon Parkway EA Study, unless otherwise approved by Transportation Planning, and shall conform to City of Windsor standards.

In summary we have no objection to the proposed development, subject to the following requirements:

ERCA Requirements – The owner further agrees to follow all drainage and flood proofing recommendations of the Essex Region Conservation Authority (ERCA) may have with respect to the subject land, based on final approval will obtain all necessary permits from ERCA with respect to the drainage works on the subject lands.

Land Conveyance – Prior to the issuance of a construction permit, the owner (s) shall agree to gratuitously convey to the Corporation land required as identified in the Lauzon Parkway Improvements Class Environmental Assessment Study, along the entire County Rd 42 frontage.

Servicing Study – The owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall review the proposed impact and recommend mitigating measures and implementation of those measures.

If you have any further questions or concerns, please contact Rob Perissinotti, of this department at rperissinotti@citywindsor.ca

SIDDHARTH DHIMAN - TRANSPORTATION PLANNING

Based on Engineering timelines for upgrades the CR 42, the road will remain in the current conditions for 5-10 years. There is no room for expansion to include additional lanes until such time that the roundabouts are built at Concession 8 and 9. As such, any TIS must address the following;

1. Existing conditions including all potential background future developments. This study will provide insights into the current traffic patterns and how they may be influenced by forthcoming changes in the area.
2. Recommendations may include whether or not a temporary signal is warranted on CR42 with the existing lane configuration.
3. Show future conditions should include the roundabouts with future volumes.

AMENDMENT NO. 177

TO THE

OFFICIAL PLAN

CITY OF WINDSOR

Part D (Details of the Amendment) of the following text, and attached maps of the City of Windsor Official Plan constitute Amendment No. 177.

Also included, but not constituting part of the Amendment, are explanations of Purpose, Location, Background and Implementation of the Amendment, Appendix 1 (Results of Public Involvement).

A. PURPOSE:

The purpose of this amendment is to permit employment uses on lands located within the vicinity of the Windsor International Airport. The amendment changes land use designations in Volume 1 of the City of Windsor Official Plan Schedule D - Land Use from 'Future Employment Area', 'Airport', and 'Open Space' to 'Industrial' and 'Business Park'. It also amends Schedules B: Greenway System and Schedule J – Urban Structure Plan to reflect changes to Schedule D.

The amendment also establishes a special policy area in Volume II of the Official Plan to address development constraints related to airport employment lands and compatibility with the County Road 42 Secondary Plan.

B. LOCATION:

The amendment applies to the land located on the north side of County Road 42 within the vicinity of the 8th Concession and 9th Concession Roads. The subject site is 196.38 hectares in size and includes portions of 3200 County Road 42, 0 County Road 42, and 0 Jefferson Boulevard (see Figure 1).

Ward: 9

Planning District: Sandwich South

ZDM: 7

C. BACKGROUND:

In 1998 ownership of the subject lands was transferred from Transport Canada to the City of Windsor. The transfer included the airport operations area along with a significant area of surplus land. In 2003 the lands and surrounding area were transferred from the Town of Tecumseh to the City of Windsor.

In 2007, Council approved Official Plan Amendment # 60, which incorporated this area into the City of Windsor Official Plan. The airport operating area was designated 'Airport' on Schedule D - Land Use and the majority of the surplus lands were designated as 'Future Employment Area'. Three woodlots were designated 'Natural Heritage' and the land surrounding the woodlots was designated 'Open Space'.

The City of Windsor has initiated amendments to the Official Plan to permit employment uses on the subject lands. The application requests a change to Official Plan Schedule D: Land Use from 'Future Employment Area,' 'Airport,' and 'Open Space' to 'Industrial' and 'Business Park'. It is important to note that the 'Natural Heritage' designation of the Provincially Significant Wetland, as identified on Schedule D: Lands Use will remain unchanged.

Schedule A: Planning Districts and Special Policy Areas is also amended to identify the subject lands as a special policy area. Special policies are added to Volume II of the City of Windsor Official Plan to address development constraints and requirements related to airport operations (e.g. building and structure height limits, stormwater management requirements for dry ponds, requirements from Nav Canada, etc.). The special policies also address compatibility with the County Road 42 Secondary Plan.

D. DETAILS OF THE AMENDMENT:

- (1) THAT the portion of the Windsor International Airport lands subject of this amendment (hereafter referenced as the 'subject lands') **BE IDENTIFIED** as the lands defined in Figure 1 being located on the north side of County Road 42 between the 8th and 9th Concession Roads.
- (2) THAT Schedule D – Land Use of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by changing the land use designations of the subject lands from 'Future Employment Area', 'Airport', and 'Open Space' to 'Industrial' and 'Business Park' as shown on Figure 2.
- (3) THAT Schedule B – Greenway System of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** as shown on Figure 3.
- (4) THAT Schedule J – Urban Structure Plan of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** as shown on Figure 4.
- (5) THAT Schedule A: Planning Districts and Policy Areas in Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** to designate the subject lands as a Special Policy Area as shown in Figure 5.
- (6) That Chapter 1: Special Policy Areas in Volume 2: Secondary Plans & Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding the following Special Policy Area:

1.XX North Side of County Road 42 within the vicinity of the 8th and 9th Concession Roads

Location	1.XX.1 The property located on the north side of County Road 42 within the vicinity of the 8th Concession Road and 9th Concession Road, which includes portions of 3200 County Road 42, 0 County Road 42, and 0 Jefferson Boulevard are designated on Schedule A: Planning Districts and Policy Areas in Volume I: The Primary Plan.
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- | | | |
|-----------------------------------|--------|--|
| Airport
Employment
Lands | 1.XX.2 | <p>All development proposed within the airport employment lands shall consult with the Windsor International Airport and demonstrate compliance with the following requirements:</p> <ul style="list-style-type: none"> a) Building and structure height limits (to be derived from the Airport Zoning Regulations); b) Transitional surface height restrictions; c) Building and structure height limitations within the vicinity of existing solar panels; d) Stormwater Management requirements for dry ponds; and e) Requirements or limitations from Nav Canada to avoid or mitigate technological interference. |
| Minimum
Distance
Separation | 1.XX.3 | <p>Compliance with Ontario's D-6 Guidelines shall be required regarding minimum distance separation between industrial facilities and the Major Institutional land use designation shown in the County Road 42 Secondary Plan, to the satisfaction of the City Planner.</p> |
| Outdoor
Storage | 1.XX.4 | <p>Any outdoor storage area shall be located a minimum of 100 metres from County Road 42 and shall not be visible from County Road 42.</p> |

Figure 1: Subject Lands

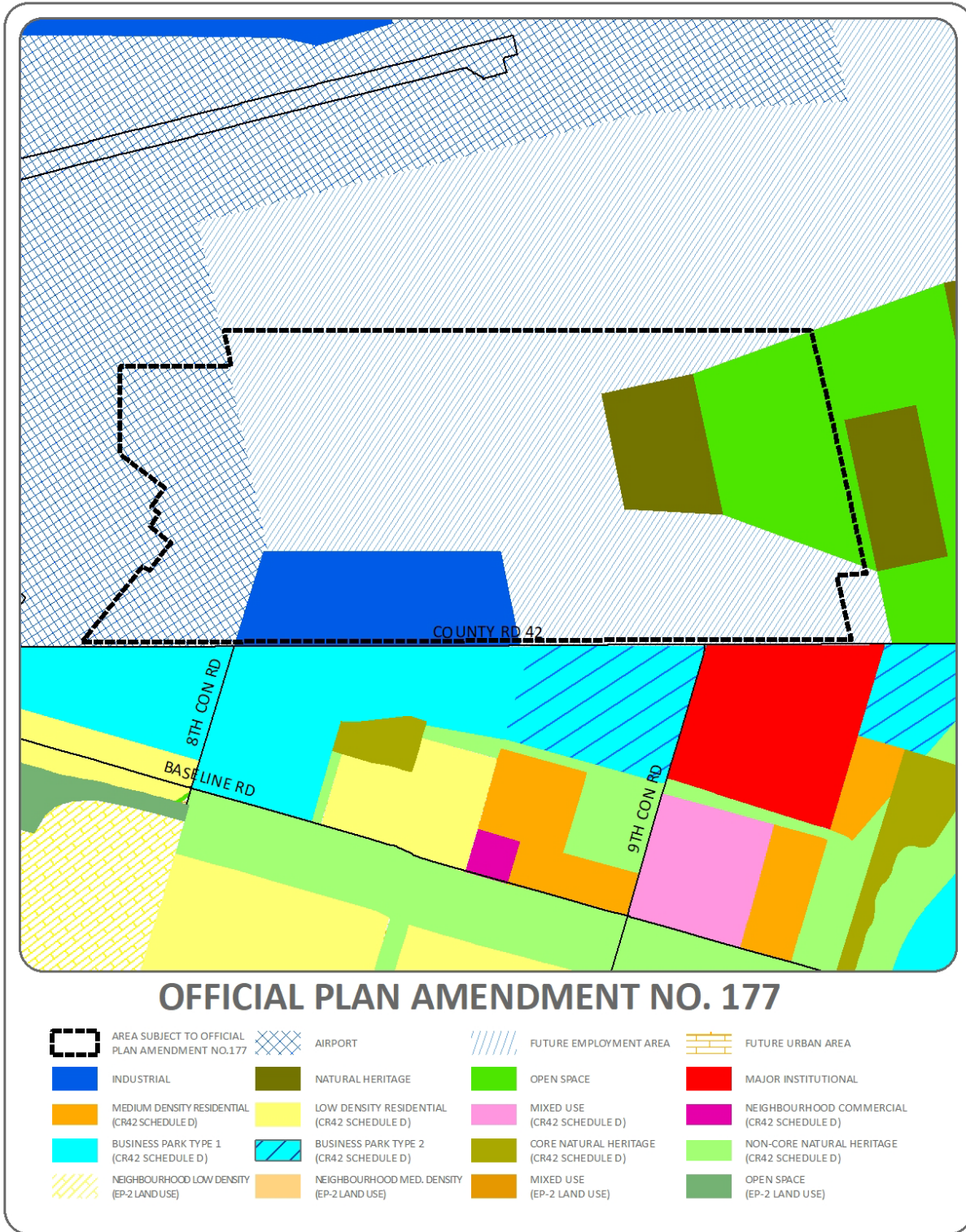


Figure 2: Amendments to Schedule D – Land Use

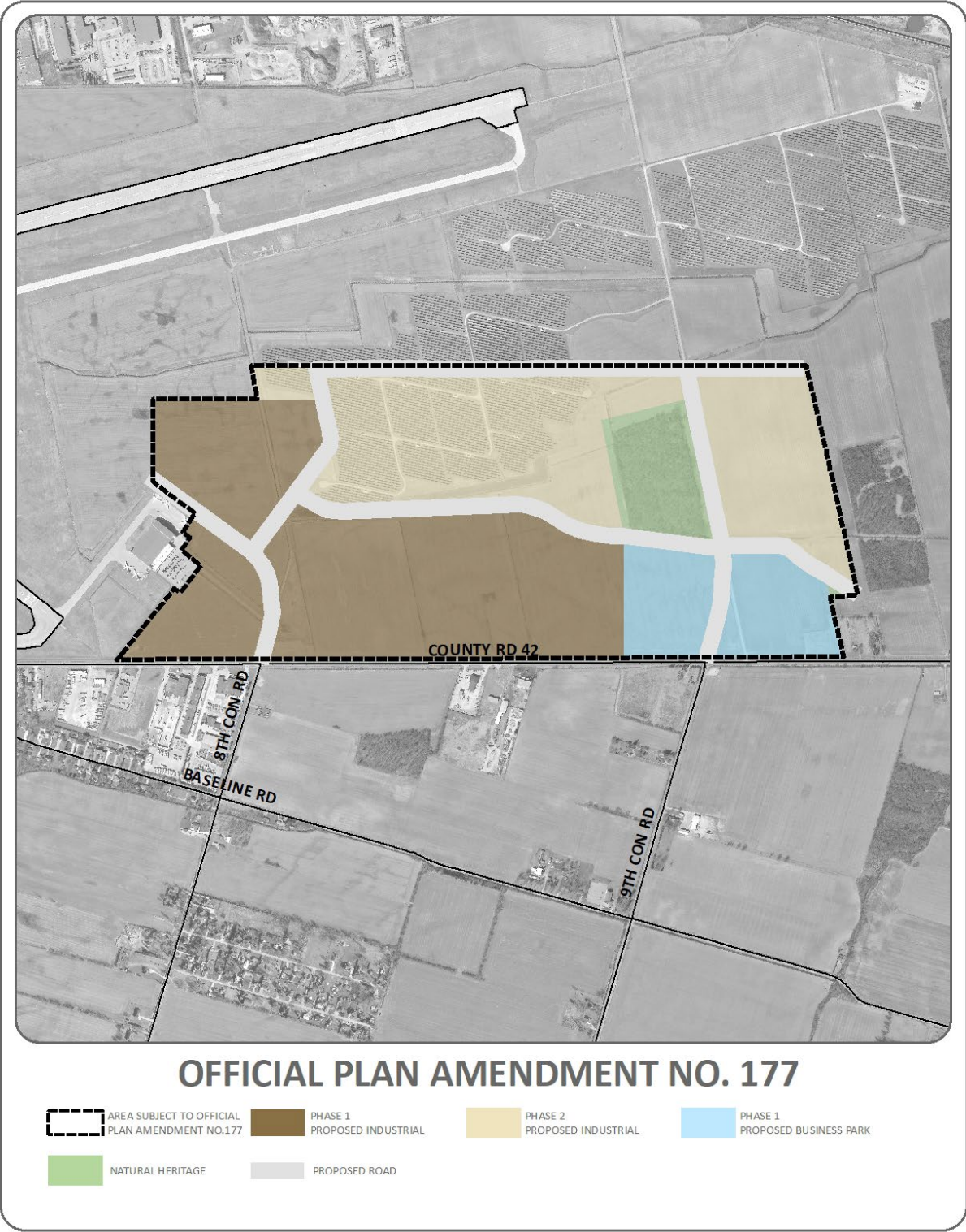


Figure 3: Amendments to Schedule B – Greenway System

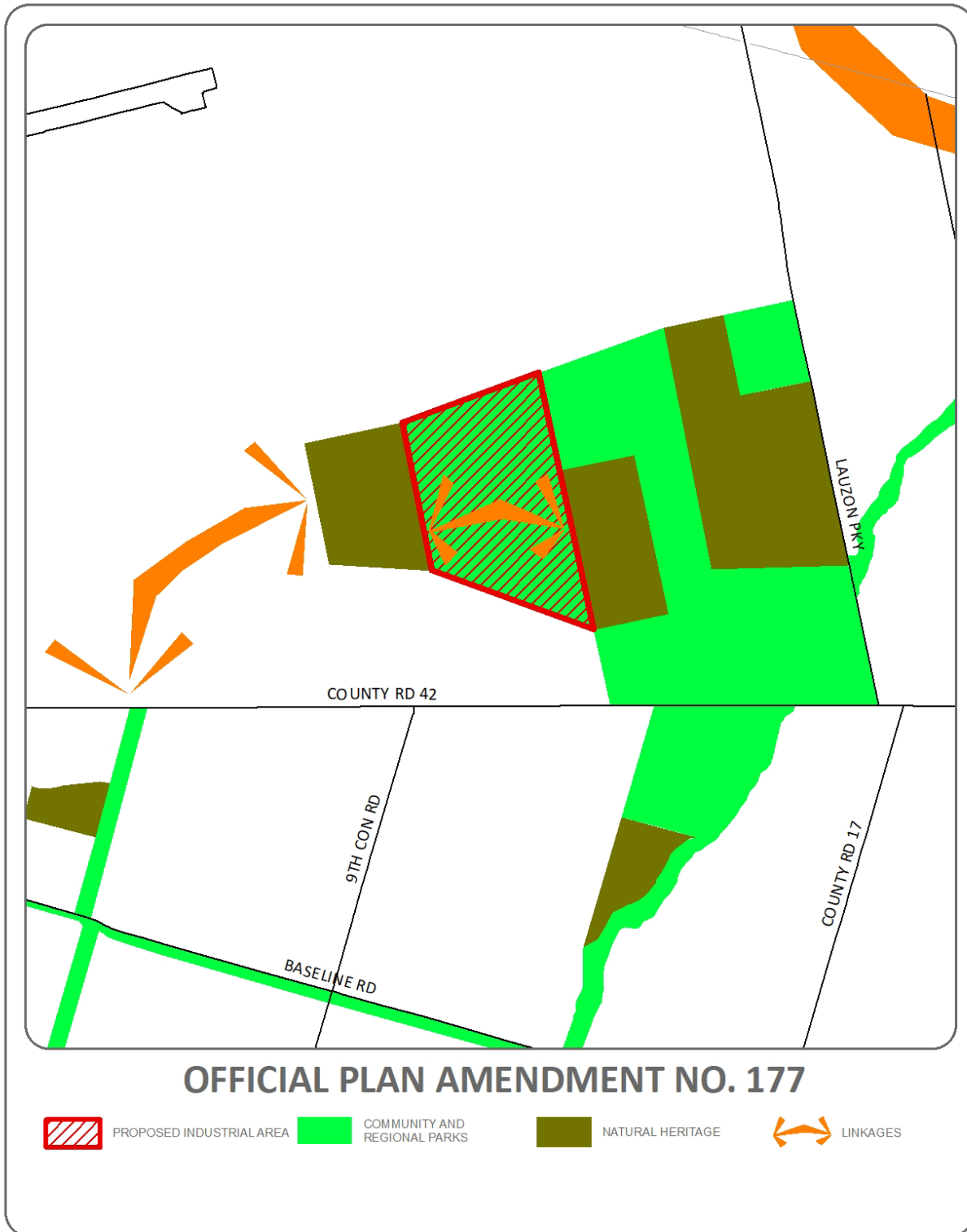


Figure 4: Amendments to Schedule J – Urban Structure Plan

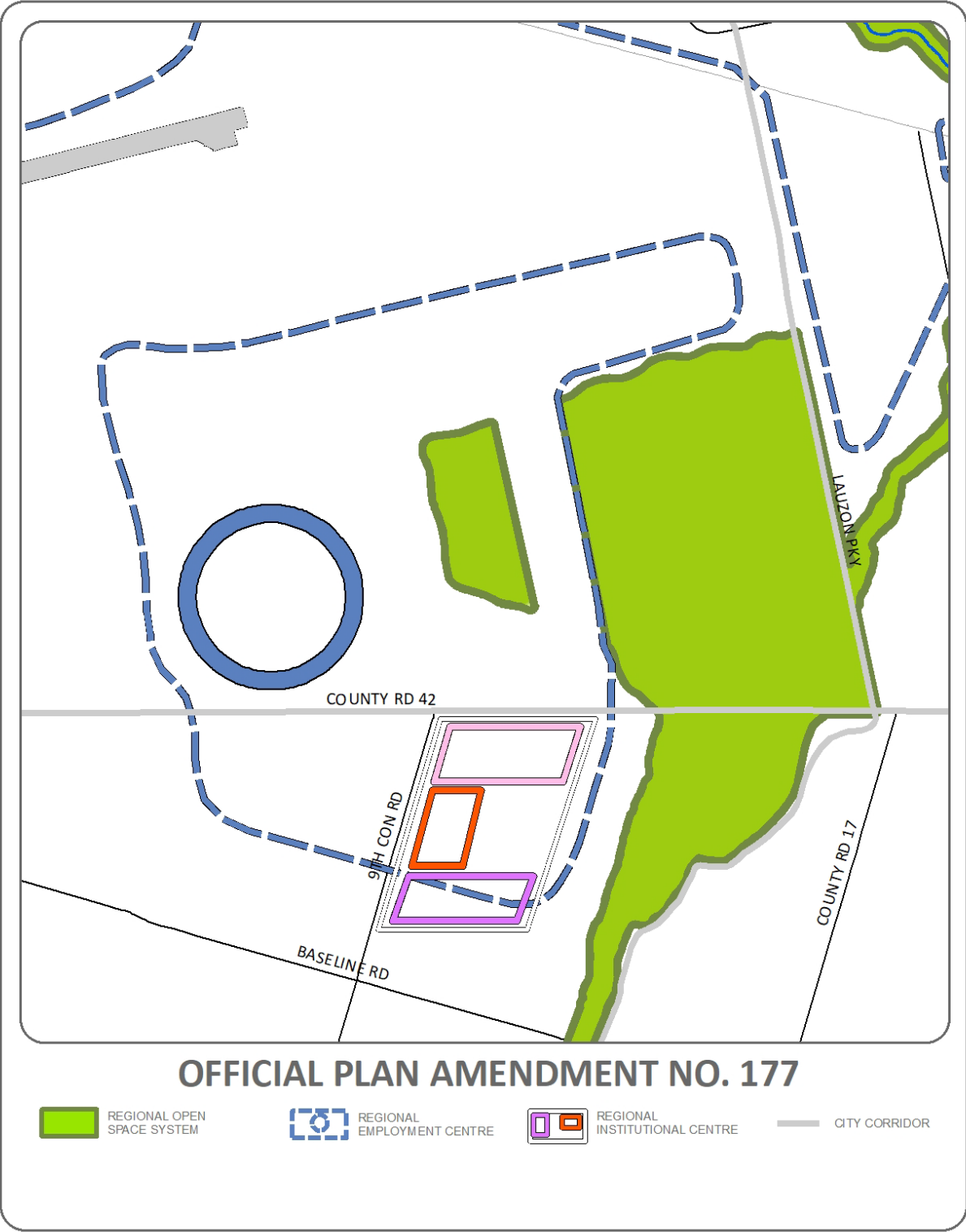
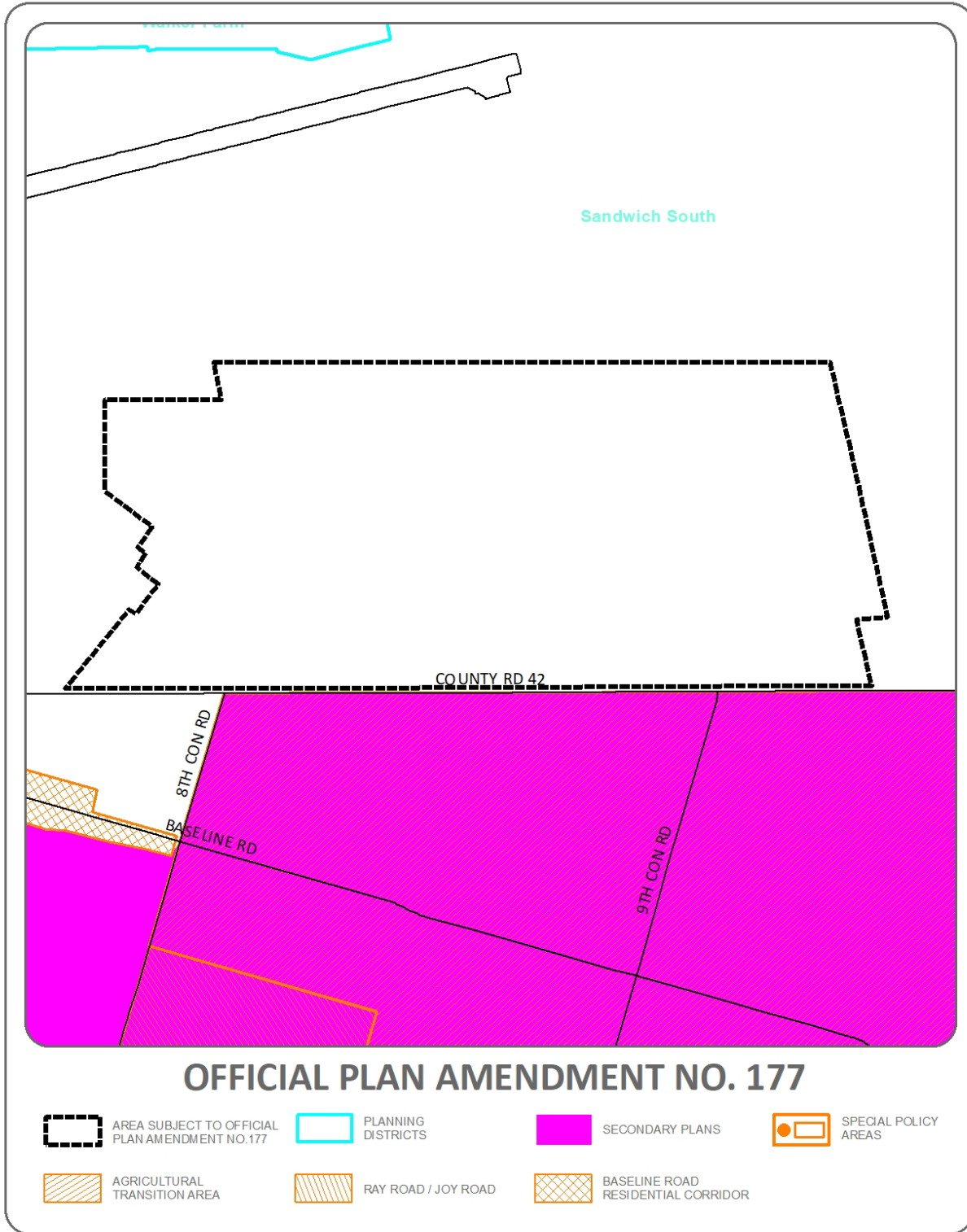


Figure 5: Location of Special Policy Area



E. IMPLEMENTATION:

- i. This amendment is to be implemented by an amendment to Zoning By-law 8600 as recommended in Report Number # S115/2023 (Z-027/23; ZNG/7117).
- ii. Proposed development on the subject lands is deemed a development per Section 41 (1) of the Planning Act and therefore, Site Plan Control shall be an additional tool for the implementation of this amendment.

APPENDIX A

The following are the results of public notification of the amendments and the outcome of public meetings. Comments relate to the Official Plan amendment and the associated rezoning.

A meeting of the Development and Heritage Standing Committee, the statutory public meeting, was held on November 6, 2023. Below is an extract from the minutes of that meeting.

COUNCIL MEETING – November xx, 2023:

A meeting of City Council was held on Monday, November xx, 2023, at which time the application was considered and OPA #177 was adopted.

B Y - L A W N U M B E R -2023

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600
CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the day of , 2023.

WHEREAS it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

THEREFORE the Council of The Corporation of the City of Windsor enacts as follows:

1. That By-law Number 85-18 cited as the “Township of Sandwich Comprehensive Zoning By-law” is **REPEALED** for the land located on the north side of County Road 42 between the 8th and 9th Concession Roads shown in Schedule A.
2. By-law Number 8600 is further **AMENDED** by changing Zoning District Maps 12 & 16 or parts thereof to delete the broken line identified as S.20(1)321 as shown on Schedule A.
3. Subsection 1 of Section 20 of By-law Number 8600 is further **AMENDED** by deleting paragraph 321.
4. By-law Number 8600 is further **AMENDED** by changing the Zoning District Maps or parts thereof referred to in Section 1 of the by-law, and made part thereof, so that the zoning district symbol of the lands described in Column 3 shall be changed from that shown in Column 5 to that shown in Column 6 and illustrated on Schedule B:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol	6. New Zoning Symbol
1	12 & 16	North side of County Road 42 within the vicinity of the 8th and 9th Concession Roads, delineated by a heavy black line on Schedule A.	177	MD2.2 (in part)	MD1.4 MD2.2 HMD2.2 GD1.4

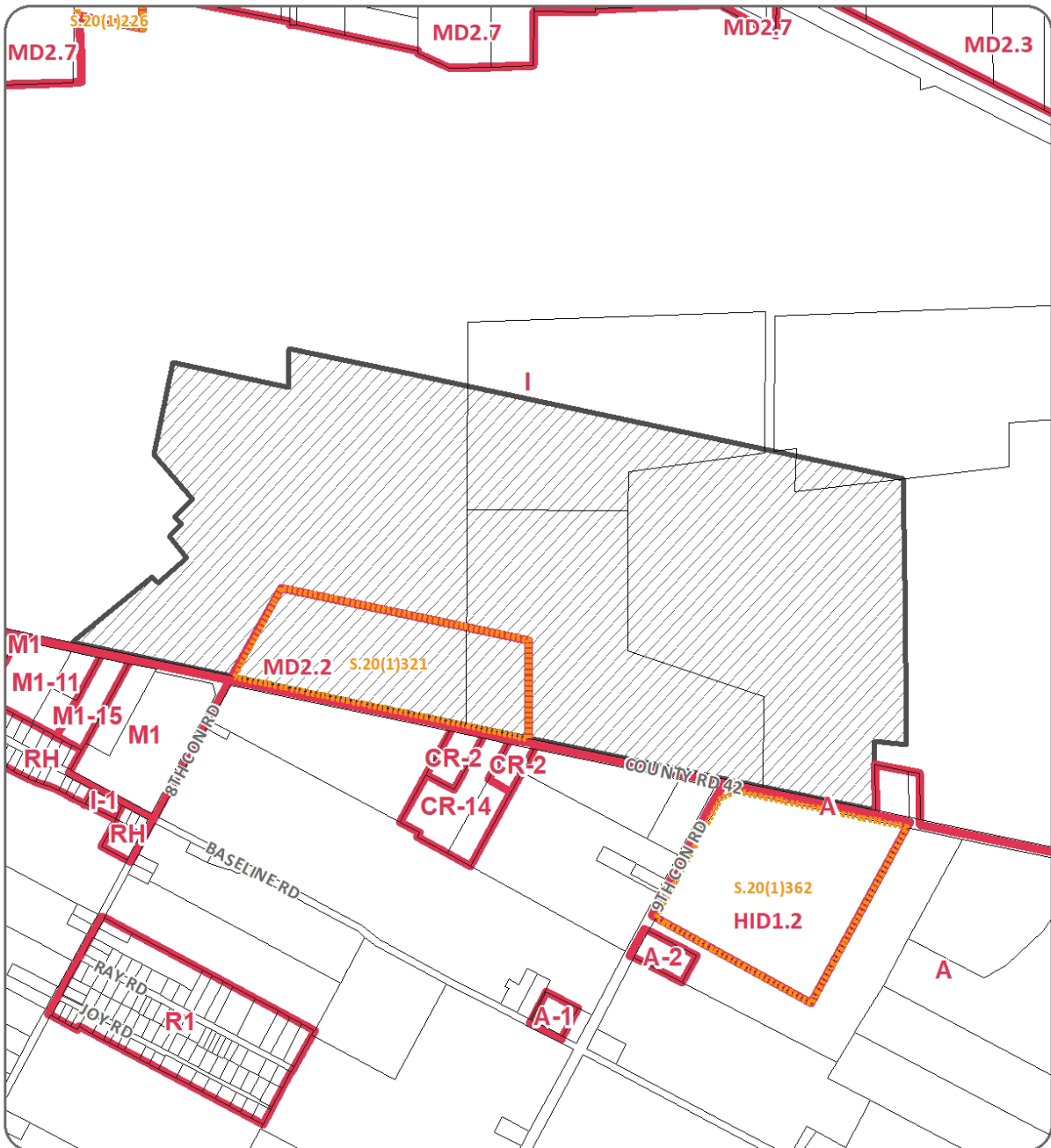
5. THAT the holding symbol be removed when the applicant submits an application to remove the holding prefix and the following condition is satisfied:
 - a) Submission of an Environmental Evaluation Report to the satisfaction of the City Planner for any land within 120 m of any land with a Natural Heritage designation as shown on Schedule C: Development Constraints in the City of Windsor Official Plan.
6. That ‘Schedule A’ and ‘Schedule B’ attached hereto is declared to form part of this amending by-law,

DREW DILKENS, MAYOR

CLERK

First Reading - , 2023
Second Reading - , 2023
Third Reading - , 2023

SCHEDULE A



PART OF ZONING DISTRICT MAP 12 & 16

N.T.S.

REZONING

Applicant: City of Windsor



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



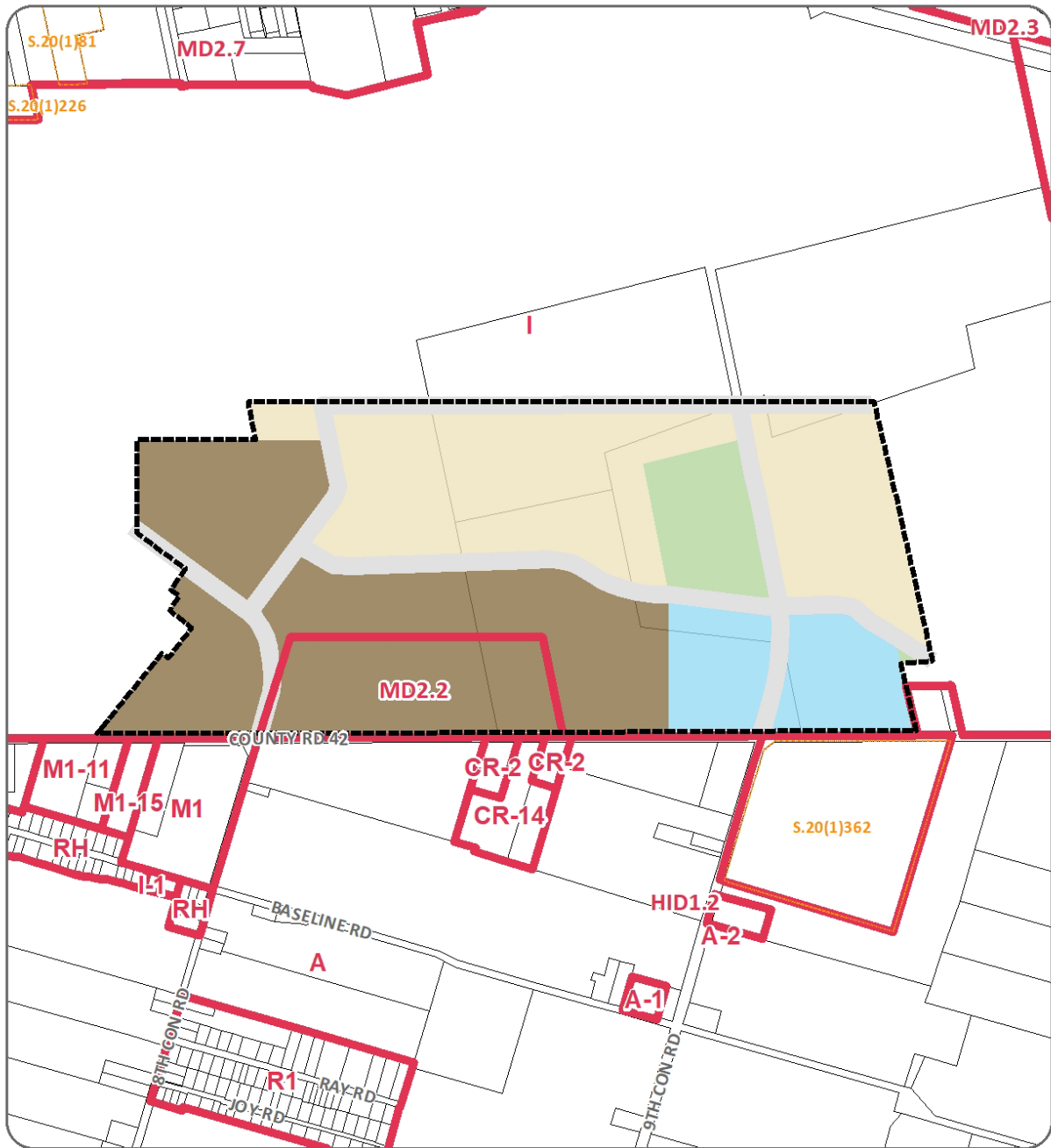
DATE : AUGUST, 2023
FILE NO. : Z-027/23, ZNG/7117

SCHEDULE A forms part of By-law _____

Clerk

Mayor

SCHEDULE B



PART OF ZONING DISTRICT MAP 12 & 16

N.T.S.

REZONING

Applicant: City of Windsor

- | | | | |
|--|---|--|--|
|  SUBJECT LANDS |  CURRENT ZONING |  CURRENT SITE SPECIFIC ZONING |  PROPOSED MD1.4 |
|  PROPOSED MD2.2 |  PROPOSED HMD2.2 |  PROPOSED GD1.4 | |

PLANNING & BUILDING DEPARTMENT

DATE : OCTOBER, 2023
FILE NO. : Z-027/23, ZNG/7117

SCHEDULE B forms part of By-law _____

Clerk

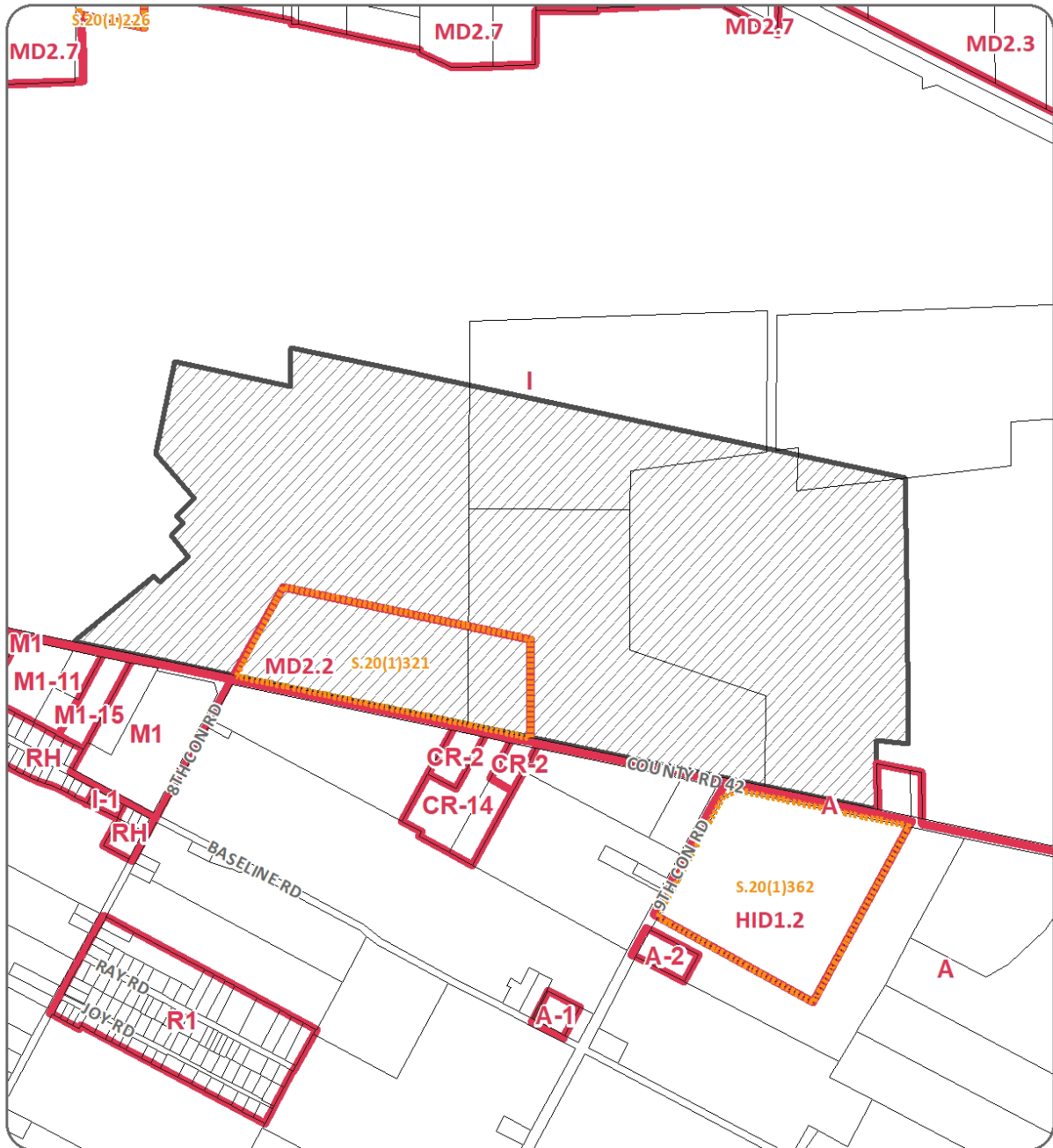
Mayor

SCHEDULE 2

1. By-law _____ has the following purpose and effect:

To amend Zoning By-laws 85-18 and 8600 to permit employment uses on lands located within the vicinity of the Windsor International Airport. The amendments would permit a wide range of employment uses (e.g. manufacturing, warehouse, office, and service commercial).

2. Key map showing the location of the lands to which By-law _____ applies.



PART OF ZONING DISTRICT MAP 12 & 16

N.T.S.

SCHEDULE 2

Applicant: City of Windsor



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : AUGUST, 2023
FILE NO. : Z-027/23, ZNG/7117

**Subject: Zoning By-Law Amendment Z028-23(ZNG/7140) - 185
Randolph Place**

Reference:

Date to Council: November 6, 2023

Author: Frank Garardo, MCIP, RPP
Senior Planner
Corporation of the City of Windsor
Planning and Building Services
350 City Hall Square West, Suite 210
Windsor, Ontario N9A 6S1
T. (519) 255-6543 x 6446
F. (519) 255-6544
E. fgarardo@citywindsor.ca

Report Date: October 17, 2023
Clerk's File #: Z/14670

To: Mayor and Members of City Council

Recommendation:

I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning on the lands of Lot 11 Plan 766 Town of Sandwich; Lot 12 Plan 766 Town of Sandwich situated on the west side of Randolph Place, and known municipally as 185 Randolph Place by adding a site specific exception to Section 20(1) as follows:

**X. WEST SIDE OF RANDOLPH PLACE BETWEEN RIVERSIDE DRIVE EAST
AND UNIVERSITY AVENUE**

For the 1173.0 m² lands comprising of Lot 11 Plan 766 Town of Sandwich; Lot 12 Plan 766 Town of Sandwich; a *multiple dwelling* with 11 or more units shall be an additional permitted use subject to the following provisions:

- .1 Lot Area – minimum 97.0 m² per dwelling unit
- .2 Lot Frontage – minimum – 27.0 m
- .3 Lot Coverage – maximum – 45.0 %
- .4 Main Building Height – maximum – 10.0 m
- .5 Building Setback:
 - a) *front yard depth* - minimum 6.0m

- b) *rear yard depth* - minimum 7.5 m
- c) *side yard width* - minimum 2.0 m on one side, and 3.4 m on the other side

6. Parking:

- a) *Parking spaces* – minimum 7 spaces
- b) *Bicycle Parking Spaces* –minimum 15 spaces
- c) A *parking space* is prohibited in any required *front yard*
- d) *Parking aisle width* – as existing

7. Exterior walls shall be covered in facebrick on a minimum of 3.0 m from above grade on the North, East, and South elevations.

8. For the purpose of this provision any roof other than 4.5/12 is prohibited.

II. That the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, as required, in the site plan approval and site plan agreement:

- a) The requirements and recommendations of municipal departments and agencies as noted in this report and detailed in Appendix I attached.

Executive Summary:

N/A

Background:

Application Information

Location: 185 Randolph Place

Ward: 2 **Planning District:** Riverwest **Zoning District Map:** 3

Applicant: Tilcap Randolph Inc.

Owner: Same as Applicant

Agent: Pillon Abbs Inc.; c/o Tracey Pillon-Abbs, MCIP, RPP

Submitted Documents

Application Form, Conceptual Plans (attached as Appendix A), Planning Rationale Report (attached as Appendix C), Parking Study (attached as Appendix D), Urban Design Brief and shadow study (attached as Appendix E), Topographic survey.

Proposal:

The applicant is requesting an amendment to Zoning By-law 8600 by changing the zoning on the lands to facilitate construction of a multi-unit residential building with a total of 12 dwelling units. The proposed multi-unit residential will include (7) vehicular

parking spaces, including one (1) barrier free spot, and fifteen (15) bicycle parking spaces.

The subject lands are designated as Residential on Schedule D: Land Use in the Official Plan and currently Zoned as Residential District 2.2 (RD2.2) in the Zoning by-law 8600. The RD2.2 zoning permits townhome dwellings and one multiple dwelling containing a maximum of four dwelling units.

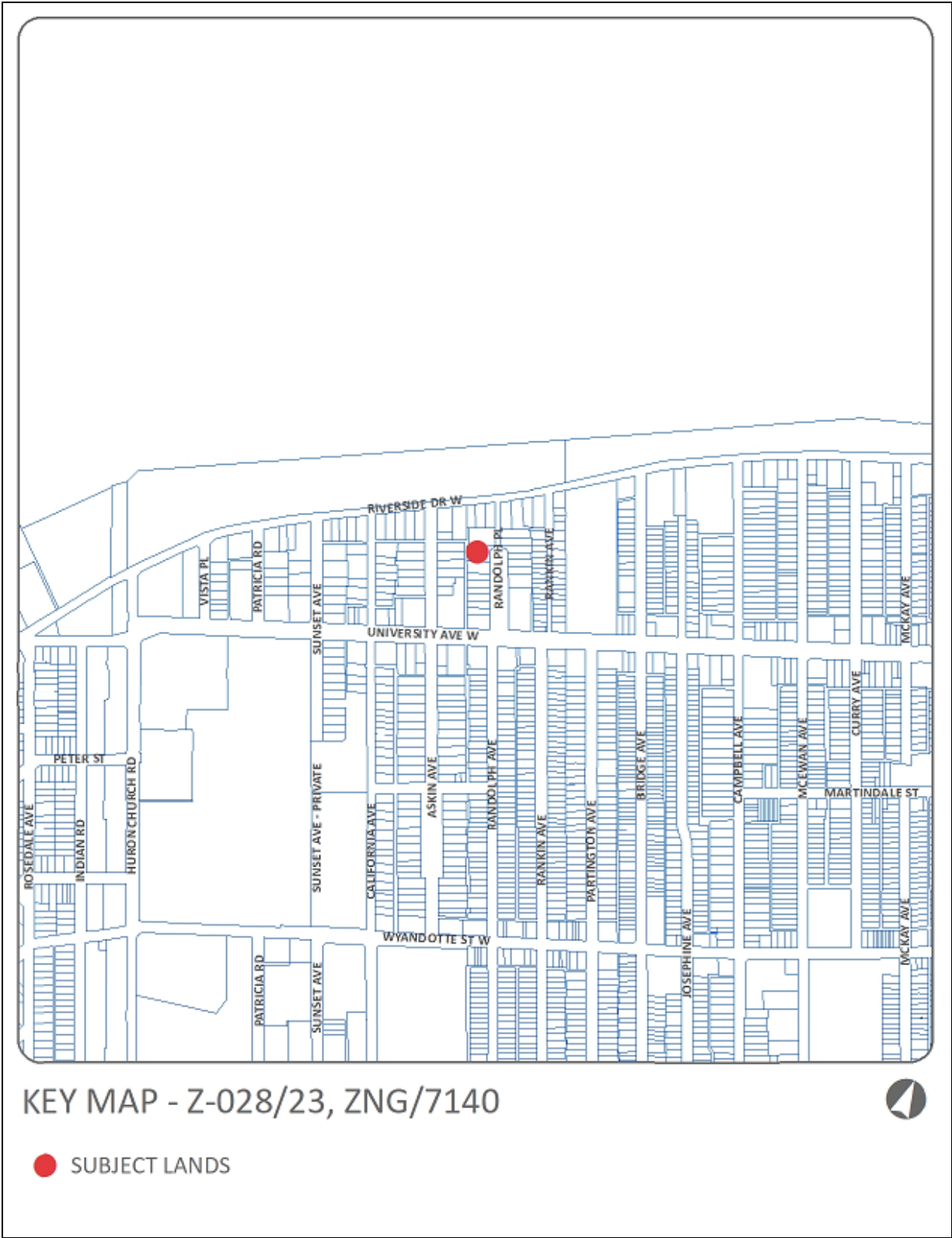
The applicant has proposed to change the zoning to a site specific Residential District (RD2.2) zone to permit a multi-unit dwelling with five or more units on the subject lands.

The proposed development is subject to site plan control.

Site Information

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Residential	Residential District 2.2 (RD2.2)	Vacant lands (previous detached dwelling)	Unknown
LOT FRONTAGE	LOT DEPTH	LOT AREA	LOT SHAPE
27.64 m	40.82 m	1173 m ²	Irregular
90.68 ft	133.9 ft	12615 sq. ft	
<i>All measurements are provided by the applicant and are approximate.</i>			

Figure 1: Key Map



Neighbourhood Description:

The subject parcel is located on the west side of Randolph Place; north of University Avenue West, South of Riverside Drive West. The subject lands are located in the Riverwest Planning Area and located in close proximity to the University of Windsor.

Site images are provided in Appendix B. The Planning Rational Report (PRR) attached as Appendix C also contains site images.

SURROUNDING LAND USE:

North: Residential uses – low profile dwellings, Riverside Drive West, Riverfront parks, Riverfront trail, and further north, the Detroit River.

East: Residential uses – low profile dwellings.

West: Residential uses – low profile dwellings, and further west, the University of Windsor Campus.

South, South-East: Residential land uses, including multi-unit residential.

Riverside Drive West in this neighbourhood serves as the dividing line between the Central Riverfront park system on the north side and the developed area to the south.

Randolph Place is designated as a Mature Neighbourhood on Schedule A-1: Special Policy Areas of the City of Windsor Official Plan. Heritage properties are located within close proximity to the subject site at 205, 235, 257, 150, 166, and 218 Randolph Place.

University of Windsor and various commercial uses, are located less than 500m to the west.

Public transit is currently available via the Transway 1C bus route located on University Avenue West. The closest bus stop is located within less than 140 m at the intersection of University Avenue West and Randolph Place. The nearest bicycle network facilities are located on the Riverfront Trail System.

MUNICIPAL INFRASTRUCTURE:

- The City's records show that there are municipal storm and sanitary sewers within the abutting roadways, available to service the subject land,
- The closest fire hydrant is located on the centre median on Randolph Place less than 40 metres from subject site,
- Street lights are located on Randolph Place,
- There are sidewalks located on both sides of Randolph Place,
- The nearest bicycle network facilities are located on the Riverfront Trail System,
- ENWIN has overhead power distribution wires in the subject area. ENWIN has provided further information on further requirements during site plan control and

construction of the proposal, including potential easements and relocation of existing services,

- The closest existing transit route to this property is the Transway 1C. Bus stop is located at the intersection of Randolph Place and University Ave West,
- Randolph Place is designated as a local road,
- Riverside Drive East is classified as a Scenic Drive in the Official Plan,
- University Avenue is designated as a Class II Arterial. (approx. 100 m south of the subject lands).

Figure 2: Subject Parcel – Rezoning

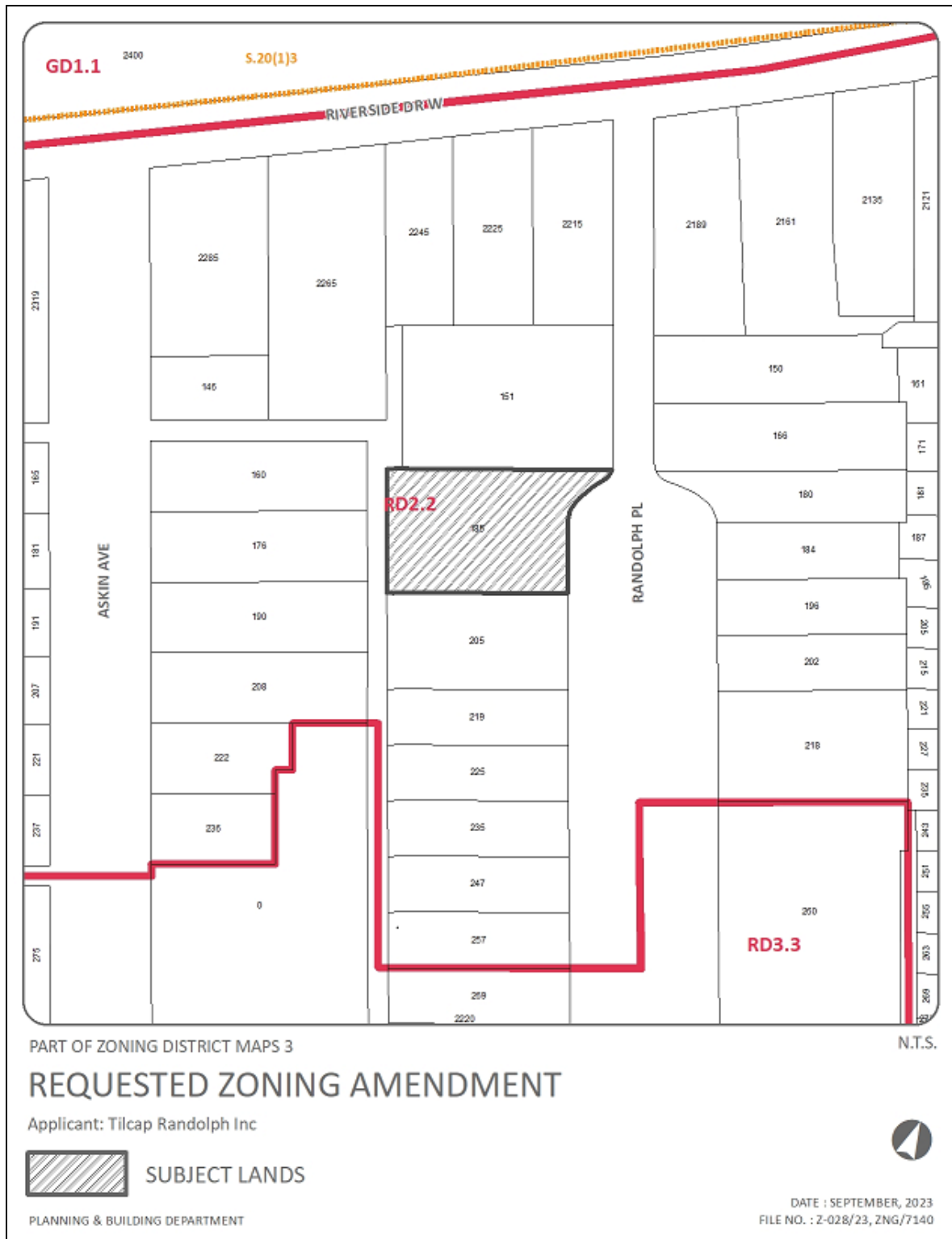


Figure 3: Neighbourhood Map



Discussion:

PROVINCIAL POLICY STATEMENT (PPS) 2020

The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario. The zoning bylaw amendment promotes residential intensification and infill and would result in a development on a site which is currently vacant. This is consistent with the Provincial Policy Statement in that the development within a settlement area promotes the efficient use of existing land, promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. Related to this direction, the PPS states:

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;

g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;

i) preparing for the regional and local impacts of a changing climate.

With respect to 1.1.1(a) – The requested multiple dwelling development promotes cost-effective development by redeveloping a recently vacant site. The amendment will introduce an increase in residential units; thereby, resulting in an efficient use of land, municipal services and infrastructure. Furthermore, the amendment will promote efficient development and land use pattern that will positively impact the financial well-being of the City of Windsor.

With respect to 1.1.1(b) - The recommended amendment will bring about the accommodation of a new *multi-unit*, purpose built rental housing type that will constitute an appropriate market-based range and mix of residential types.

With respect to 1.1.1(c) – There are no known environmental or public health and safety concerns.

With respect to 1.1.1(f) - Sidewalks improve *accessibility for persons with disabilities and older persons*. As noted already in this report, there are existing concrete sidewalks on both sides of Randolph Place. The concept plan shows proposed on-site sidewalks, which connect to the public sidewalks.

With respect to 1.1.1(g) – The subject land is in an area of the city that is built-up and serviced by necessary infrastructure and public utilities.

With respect to 1.1.1(i) –The proposed development with 12 dwelling units will support the use of public transit and help to reduce carbon foot-print, causing a positive impact on climate change. The impacts of climate change can be further addressed at the time of site plan approval when the lot-grading provisions, stormwater management measures, servicing study, landscaping requirements and much more, will be discussed in details and incorporated in the site plan approval and site plan agreement.

In summary, the recommended zoning by-law amendment will facilitate an efficient development on the subject land and sustain a healthy, liveable and safe community. The recommended zoning by-law amendment is consistent with policy 1.1.1 of the PPS.

Policy 1.1.3.1 and Policy 1.1.3.2 state:

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

a) efficiently use land and resources;

b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

c) minimize negative impacts to air quality and climate change, and promote energy efficiency;

d) prepare for the impacts of a changing climate;

e) support active transportation;

f) are transit-supportive, where transit is planned, exists or may be developed; and ...

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned

infrastructure and public service facilities required to accommodate projected needs.

This amendment creates an opportunity for growth and development within the City of Windsor settlement area. This amendment will facilitate the development of a low profile housing option, which is an infill development and promotes residential intensification. The amendment will facilitate a transit-supportive multi-unit residential development that will efficiently use land, resources, and existing infrastructure. The subject amendment is consistent with policies 1.1.3.1 and 1.1.3.2 of the PPS.

Policy 1.4 Housing states:

1.4 Housing

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

b) permitting and facilitating:

1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, ...; and

2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;

c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;

The proposed zoning by-law amendment would provide a form of housing that is appropriate in terms of range and mix. In terms of supporting active transportation and transit, the site of the proposed zoning amendment is served directly by Transit Windsor. The subject amendment is consistent with policies 1.4.3 of the PPS.

1.6 Infrastructure and Public Service Facilities

1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

The subject land is within an area that is serviced by municipal sewage services and municipal water services. The recommended zoning by-law amendment is consistent with policy 1.6.6.2 of the PPS.

1.6.6.7 Planning for stormwater management shall:

e) maximize the extent and function of vegetative and pervious surfaces; and

f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

The Site Plan Review process will further address storm water management and landscaping features. The recommended amendment is consistent with policy 1.6.6.7 (f) of the PPS.

1.7 Long-Term Economic Prosperity

1.7.1 Long-term economic prosperity should be supported by:

b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;

c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities.

This amendment encourages residential intensification which provides additional housing supply to the city. This amendment, therefore, represents an appropriate response to the housing needs in the City of Windsor. The proposed development of a 12-unit multiple dwelling will optimize the availability and use of land, infrastructure and public service facilities. The amendment is consistent with policy 1.7.1 of the PPS.

1.8 Energy Conservation, Air Quality and Climate Change

1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:

a) promote compact form and a structure of nodes and corridors;

b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas; and

g) maximize vegetation within settlement areas, where feasible.

The amendment promotes a compact development that is transit-supportive, in an area that promotes active transportation and connectivity through the existing and planned sidewalks and multi-use trails. The recommended amendment contains zoning provisions (building setbacks, lot coverage) within the subject site and enhance air quality and positively impact storm management design for the site. The developer will be required to submit a landscaping plan during the Site Plan review process.

OFFICIAL PLAN (OP)

A **safe, caring and diverse community** encourages a range of housing types to ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. “As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands.” S. 3.2.1.2 (Neighbourhood Housing variety), OP Vol. 1.

Land Use Designation: The site is designated “Residential” in Schedule D of City of Windsor Official Plan. The objectives and policies of the Residential land use designation establish the framework for development decisions in Residential areas within the City of Windsor.

Permitted Uses: s. 6.3.2.1, OP Vol. 1. “*Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile and Medium Profile dwelling units.*”

S. 6.2.1.2 of the Official Plan defines low profile developments as *6.2.1.2 (a) Low Profile developments are buildings or structures generally no greater than three (3) storeys in height*; The proposed amendment conforms to the Residential land use designation.

S 6.3.2.3 of the Official plan further defines low profile developments as small scale forms: single detached, semi-detached, duplex and row and multiplexes with up to 8 units; and large scale forms: buildings with more than 8 units. The applicant’s concept plan identifies a 2.5 storey multi-unit residential dwelling. Site specific provisions and urban design principles have been provided for further context on land use compatibility and built-form.

Residential Land Use (chapter 6, OP Vol): The Official Plan’s objectives are to support a complementary range of housing forms, promote compact residential form for new developments and promote selective residential redevelopment, infill and intensification initiatives in the City of Windsor. Objective 6.1.1 is to achieve safe, caring and diverse neighbourhoods. Objective 6.1.2 seeks environmentally sustainable urban development. Objective 6.1.3 promotes housing suited to the needs of Windsor’s residents.

Objective 6.3.1.1 supports a complementary range of housing forms and tenures in all neighbourhoods. Objective 6.3.1.2 seeks to promote compact neighbourhoods and balanced transportation systems. Objective 6.3.1.3 seeks to promote residential redevelopment, infill and intensification initiatives in appropriate locations in the City.

The proposed development will help to support a diverse neighbourhood that represents a sustainable community and will provide housing that is in demand. The proposed development will help to encourage residential uses on vacant and under-utilized lots. The proposed residential development represents a complementary and compact form of housing and intensification that is near sources of transportation.

Objective 6.3.2.4 of the Official Plan outlines the locational criteria for residential development to be located in areas with access to collector or arterials roads, full

municipal services can be provided, adequate community services and open spaces are available or are planned for, and public transportation service can be provided. The subject lands can be serviced by full municipal physical services and existing community services, open spaces and public transportation are available or planned for in the neighbourhood. Administration is satisfied the proposed amendment meets the evaluation criteria of the Official Plan. 6.3.2.4.

Objective 6.3.2.5 of the Official Plan outlines the evaluation criteria for a neighbourhood development pattern for zoning amendments to be:

(a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:

(i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;

(ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust;

(iii) within a site of potential or known contamination;

(iv) where traffic generation and distribution is a provincial or municipal concern; and

(v) adjacent to heritage resources.

(b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;

(c) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas;

(d) provided with adequate off street parking;

(e) capable of being provided with full municipal physical services and emergency services; and

(f) facilitating a gradual transition from Low Profile residential development to Medium and/or High profile development and vice versa, where appropriate.

Mature Neighbourhood (Schedule A-1: Special Policy Areas): The City of Windsor Official Plan (S1.52.2 of VII) identifies Mature Neighbourhoods in the City. These areas are not designated as Heritage Areas or Heritage Conservation Districts. However, the areas reflect the cultural heritage of the City that should be considered. When considering the development of these areas, the below policies should be applied:

1.52 Mature Neighbourhoods as Heritage Resources *(added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022)*

1.52.1 *Schedule A-1 identifies Mature Neighbourhoods in the City. These areas are not designated as Heritage Areas or Heritage Conservation Districts. However, the areas reflect the cultural heritage of the City and should be protected. When considering the development of these areas, the policies of Section 9.3.7(d) shall be applied.*

1.52.2 *Infill and intensification within Mature Neighbourhoods, shown on Schedule A-1, shall be consistent with the built form, height, massing, architectural and landscape of the area. Council will adopt Design Guidelines to assist in the design and review of development in these areas.*

The applicant has provided a conceptual layout and design brief (attached as Appendix E). The layout includes consideration for the proposals impact with adjacent structures in terms of size, profile, character, respect for local heritage buildings, width and setback patterns, and the preservation of natural and landscaped elements that contribute to their identity.

City of Windsor Intensification Guidelines: The City of Windsor intensification Guidelines provide further direction for infill and intensification within existing neighbourhood patterns and designated “Mature Neighbourhoods”.

*“It is the intent of the Urban Design Guidelines to ensure that intensification in the **Mature Neighbourhoods** reflects a consistency of style. Within a locality of consistent character there are usually predominant building materials, textures, and ranges of colour, particularly in detail and decoration. Good infill buildings should recognise characteristic materials, textures, and colours used locally and in adjacent buildings. These should be re-interpreted and incorporated as part of the new building.*

General Guidelines (s2.2): *“Low Profile development in the Stable and Mature Neighbourhoods includes single-detached, semi-detached, duplex, townhouses, and apartments that are generally no greater than three (3) storeys in height”.*

The applicant has provided a Design Brief to provide further architectural context on the proposed low profile building in a designated mature neighbourhood. The Design Brief also provides recommendations to consider for future approval processes, such as site plan control which will help align the development with the goals, objectives and policies of the City.

Energy Conservation, s.8.5.2.8 of OP Vol. 1: The proposed infill redevelopment is a compact, transit-oriented development with increased density, making transit service a viable investment for the City, per s.8.5.2.8(b), OP Vol. 1. Landscaping can further assist in reducing heating and cooling requirements. The recommended amendment is structured to conform with s.8.5.2.8(c), OP Vol. 1.

Infill Development, s.8.7.2.3 of OP Vol. 1: The proposed infill residential development on the subject land is capable of being designed to function as an integral and complementary part of the existing residential development pattern. The requirements under s.8.7.2.3 can be more appropriately addressed at the time of Site Plan Approval. If Council approves the recommended zoning by-law amendment, the next step in the development process is for the proponent to submit an application for site plan review and approval, which will ensure that the proposed residential development is in keeping with the Official Plan built form policy for infill developments as in section 8.7.2.3, OP Vol. 1.

Amendments Must Conform, s. 11.6.3.1 of OP Vol. 1: *“All amendments to the Zoning By-law(s) shall conform with this Plan”.* Based on the analysis provided in this report,

the recommended zoning by-law amendment maintains conformity with the Official Plan.

Zoning By-Law:

The subject site is currently zoned Residential (RD2.2) in the City of Windsor Zoning By-law 8600. The current zoning permits townhome dwellings units with additional dwelling units. The subject parcel has an existing lot frontage of 27.64 metres in width and an area of 1173 square meters and could accommodate multiple townhome dwelling units with additional dwelling units. (total of twelve). The applicant has requested to combine the townhome dwelling units and erect a multiple dwelling. The Planning department would be able to utilize Planning Act tools and include site plan control principles.

The applicants have proposed a multi-unit dwelling with twelve (12) dwelling units; as such the proposed development requires a Zoning By-law amendment to include “multiple dwelling” as an additional permitted use. The applicant’s requests for a zoning change would permit a multiple dwelling with site specific provisions in regards to parking, bicycle parking spaces, maximum height, and setbacks.

The Planning department recommends that if the multiple dwelling is approved, then site specific provisions be included to implement site plan control principles. Relevant excerpts from Zoning By-law 8600 are attached as Appendix G.

The recommendations include:

- No parking in the front yard.
- Minimum of 15 bicycle parking spaces.
- Maximum main building height of 10 m.
- Maximum lot coverage of 45 percent.

DRAFT BY-LAW: A draft by-law is attached as Appendix J.

The following items were taken into consideration in drafting of a recommended site specific zoning by-law provision.

Zoning Regulations:

Minimum Lot Area and Dwelling units: The recommended zoning provision would permit a maximum of twelve (12) dwelling units on the subject parcel.

Lot Coverage/Landscaped Open Space: The applicant’s proposal identifies the development will maintain the current permitted maximum forty-five percent (45%) lot coverage.

Lane Access: The applicant’s concept plan identifies parking will be located at the rear of the building with vehicular access through the alley at the rear. Administration is recommending no vehicular parking area shall be located in the front yard. This will assist with a landscaping area fronting on Randolph Place.

Parking Provisions: The applicants have provided a parking study which will provide a minimum of seven (7) parking spaces, including one (1) barrier free spot, and fifteen (15 bicycle parking spaces) for the twelve dwelling units, which is slightly below the required 1.25 spaces/unit or 15 required spaces in the current provisions of the Zoning by-law.

The development will include fifteen (15) bicycle parking spaces, which exceeds the minimum requirements; encouraging a more sustainable mode of transportation. The proposed reduction in parking spaces combined with the inclusion of bicycle parking functions to support active transportation.

It is worth mentioning that a Bus stop is located within 140 m from the subject parcel, a multi-use trail (Riverside trails) is located within 100 m of the subject parcel; and the site is located within a short walking distance to the University of Windsor Campus.

Setbacks: Administration is recommending maintaining similar setbacks as adjacent parcels to assist with the separation from the adjacent low profile developments. Furthermore, to assist with landscaping, massing, building separations, and the context of any future buildings on the subject lands, administration is recommending the following setbacks to be included in the zoning by-law amendment:

- minimum rear yard width setback - 7.5 m
- minimum front yard width setback - 6.0 m
- minimum side yard width setback - 2.0 m on one side, and 3.4 m on the other side

Building Height: The applicant has requested a site specific 10 metre maximum height which slightly exceeds the maximum permitted 9 metre height. The proposal includes a low roof pitch angle (4.5/12) which generally results in a lower peak height between the grade and highest point of the roof. The proposed increase in building height does not result in more gross floor area but rather supports a structure that is more compatible with adjacent properties.

Site Plan Control: The proposed development will be subject to site plan control. The requirements and concerns of municipal departments will be considered during the site plan control process. Recommendation II provides additional direction to include departmental comments concerning the circulation of any SPC application, including the enhancing of landscaping features.

Consultations:

Comments received from municipal departments and external agencies are attached as Appendix I. Municipal departments have noted no objection to the proposed amendment subject to some requirements, which could be addressed at the time of site plan approval.

Public Notice: Statutory notice was advertised in the Windsor Star, a local daily newspaper. A courtesy notice was mailed to property owners and tenants within 120m of the subject lands.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

In general, residential infill minimizes the impact on the Community greenhouse gas emissions as these developments create complete communities and neighbourhoods while using currently available infrastructure such as sewers, sidewalks, and public transit.

Climate Change Adaptation:

The development proposal incorporates landscaping and building design elements to improve energy efficiency and increase resiliency of the development and surrounding area.

Financial Matters:

N/A

Planner's Opinion:

The *Planning Act* requires that a decision of Council in respect of the exercise of any authority that affects a planning matter, “*shall be consistent with*” Provincial Policy Statement 2020. The requested zoning amendment has been evaluated for consistency with the Provincial Policy Statement 2020 and conformity with the policies of the City of Windsor Official Plan.

The proposed Multiple Dwelling represents a compact form of low profile density development that meets the requirements of current and future residents. Furthermore, it represents a form of residential intensification, is set in a location with access to infrastructure, public service facilities, and is close to municipal amenities.

Based on the information presented in this report, it is my opinion that the proposed zoning by-law amendment is consistent the PPS, with the policy direction of the City of Windsor Official Plan, is compatible with existing and permitted uses in the surrounding neighbourhood and constitutes good planning.

Conclusion:

Staff recommend approval of an amendment to Zoning By-law 8600, changing the zoning on the lands to permit a multiple dwelling unit. Direction is also provided to the Site Plan Approval Officer in Recommendation II for matters raised from consultations with municipal departments and external agencies.

Planning Act Matters:

Frank Garardo MCIP, RPP

Senior Planner

I concur with the above comments and opinion of the Registered Professional Planner.

Neil Robertson, MCIP, RPP

City Planner (A)

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP JM

Approvals:

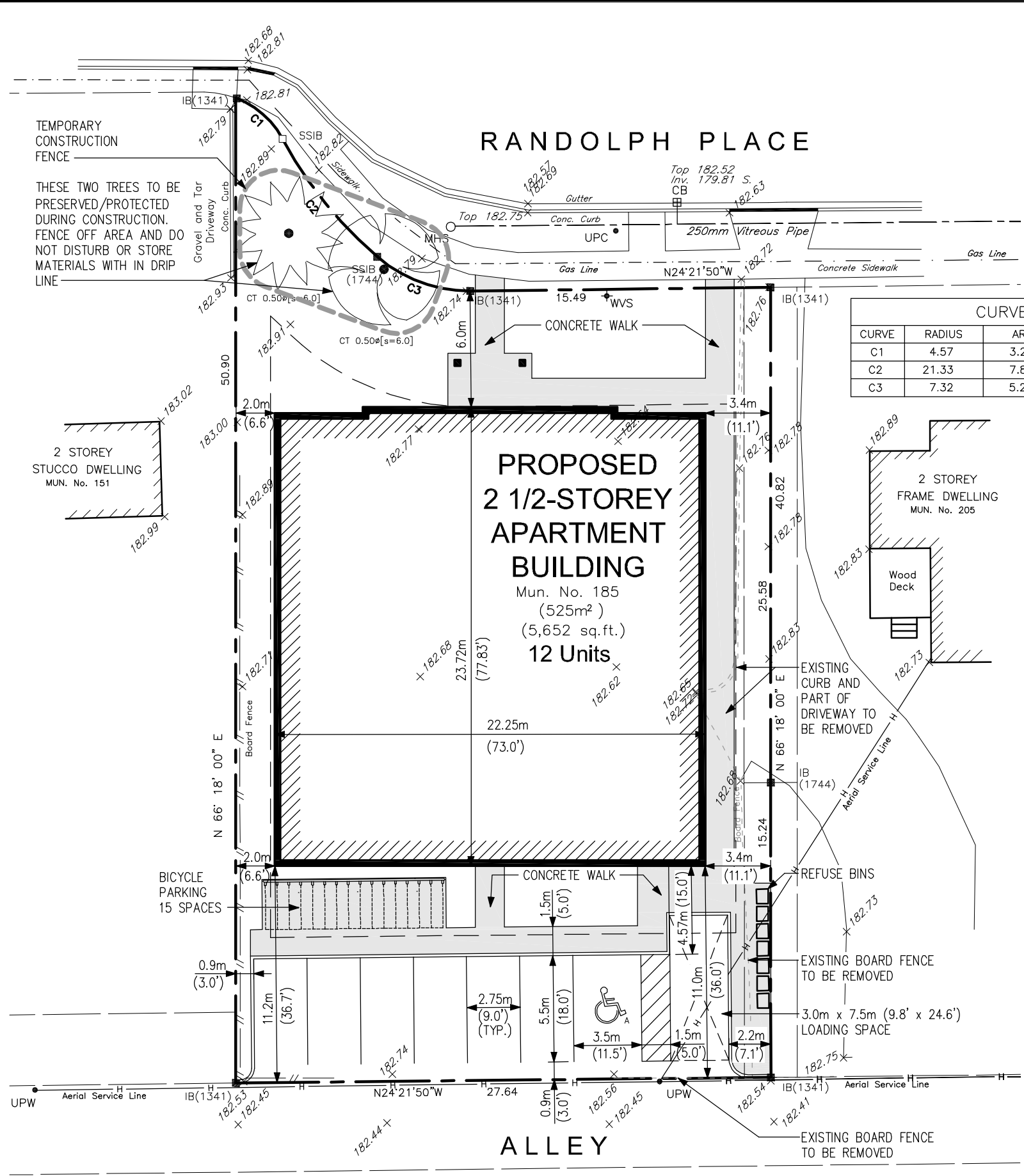
Name	Title
Neil Robertson, MCIP, RPP	Manager of Planning / Deputy City Planner
Neil Robertson, MCIP, RPP	Acting City Planner
Wira Vendrasco	Deputy City Solicitor
Jelena Payne	Commissioner of Economic Development & Innovation
Janice Guthrie for	Chief Administrative Officer

Notifications:

Name	Address	Email
Tracey Pillon-Abbs Pillon Abbs Inc.	23699 Prince Albert Road Chatham, ON N7M 5J7	tpillonabbs@gmail.com
Property owners and tenants within 120 m of the subject lands		

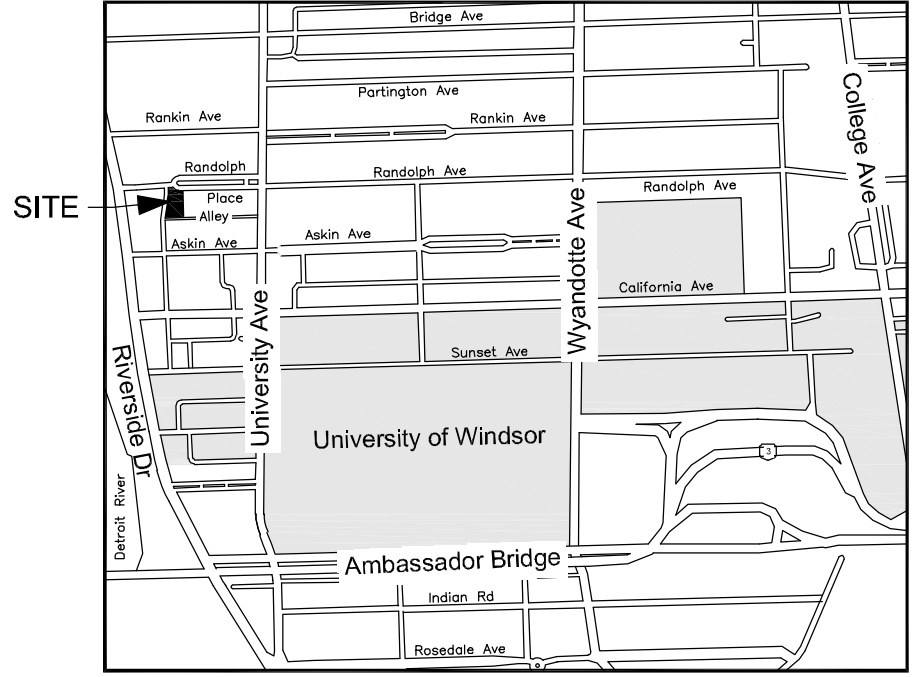
Appendices:

- 1 Appendix A, Conceptual Plans
- 2 Appendix B, Site Images
- 3 Appendix C, Planning Rationale Report
- 4 Appendix D, Parking Study
- 5 Appendix E, Urban Design Brief
- 6 Appendix F, Excerpts from Official Plan
- 2 Appendix G, Excerpts from Zoning By-Law
- 3 Appendix H, Excerpt from PPS 2020
- 4 Appendix I, Consultations
- 5 Appendix J, Draft Amending By-Law



CURVE SCHEDULE

CURVE	RADIUS	ARC	CHORD	CHORD BEARING
C1	4.57	3.28	3.21	N17°34'00"E
C2	21.33	7.86	7.82	N27°33'40"E
C3	7.32	5.24	5.13	N03°31'20"W



Location Map

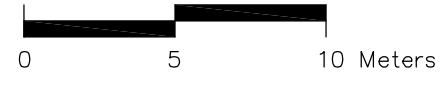
SCALE: 1:250

DETAILS OF DEVELOPMENT

ZONING – RESIDENTIAL DISTRICT RD 2.2	REQUIRED	PROVIDED	VARIANCE REQUIRED
LOT WIDTH (MINIMUM)	18.0m	27.64m (90.68')	
LOT AREA (MINIMUM)	540 m ²	1,173.2m ² (12,628.2 sq.ft.) (0.29 Acres)	
LOT COVERAGE (MAXIMUM)	45%	44.7%	
BUILDING HEIGHT	9.0m	9.93m (32.58')	✓
FRONT YARD (MINIMUM)	6.0m	6.0m (19.7')	
REAR YARD (MINIMUM)	7.5m	11.0m/11.2m (36.0')/(36.7')	
SIDE YARD (MINIMUM)	1.8m	2.0m/3.4m (6.6')/(11.1')	
DWELLING UNITS (MAXIMUM)	4	12	✓
PARKING SPACES = 12x1.25	15	7	✓
LOADING SPACE	1	1	
BICYCLE SPACES	2	15	
PARKING SEPARATION			
• INTERIOR LOT/ALLEY (MINIMUM)	0.9m	0.9m (3.0')	
• HABITABLE WINDOW	4.5m	4.87m (16.0')	
ACCESS AREA INGRESS/EGRESS TO PARKING FROM ALLEY SHALL BE BY WAY OF ACCESS AREA			✓
BUILDING AREA	-	525m ² (5,652 sq.ft.)	

Site Plan

SCALE: 1:250



LEGAL DESCRIPTION:

LOTS 11 AND 12, PART OF LOT 10,
REGISTERED PLAN 766,
In The
CITY OF WINDSOR,
COUNTY OF ESSEX, ONTARIO

ISSUED FOR:

MEO & ASSOCIATES INC.
Architectural & Engineering Consultants
www.meogroup.net

825 Kingsway Drive, Burlington, Ontario, Canada, L7T 3H8
Tel. 905-632-6952; Fax 905-632-8870; mpskovk@meoassociates.com
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CLIENT:
TILCAP RANDOLPH INC.

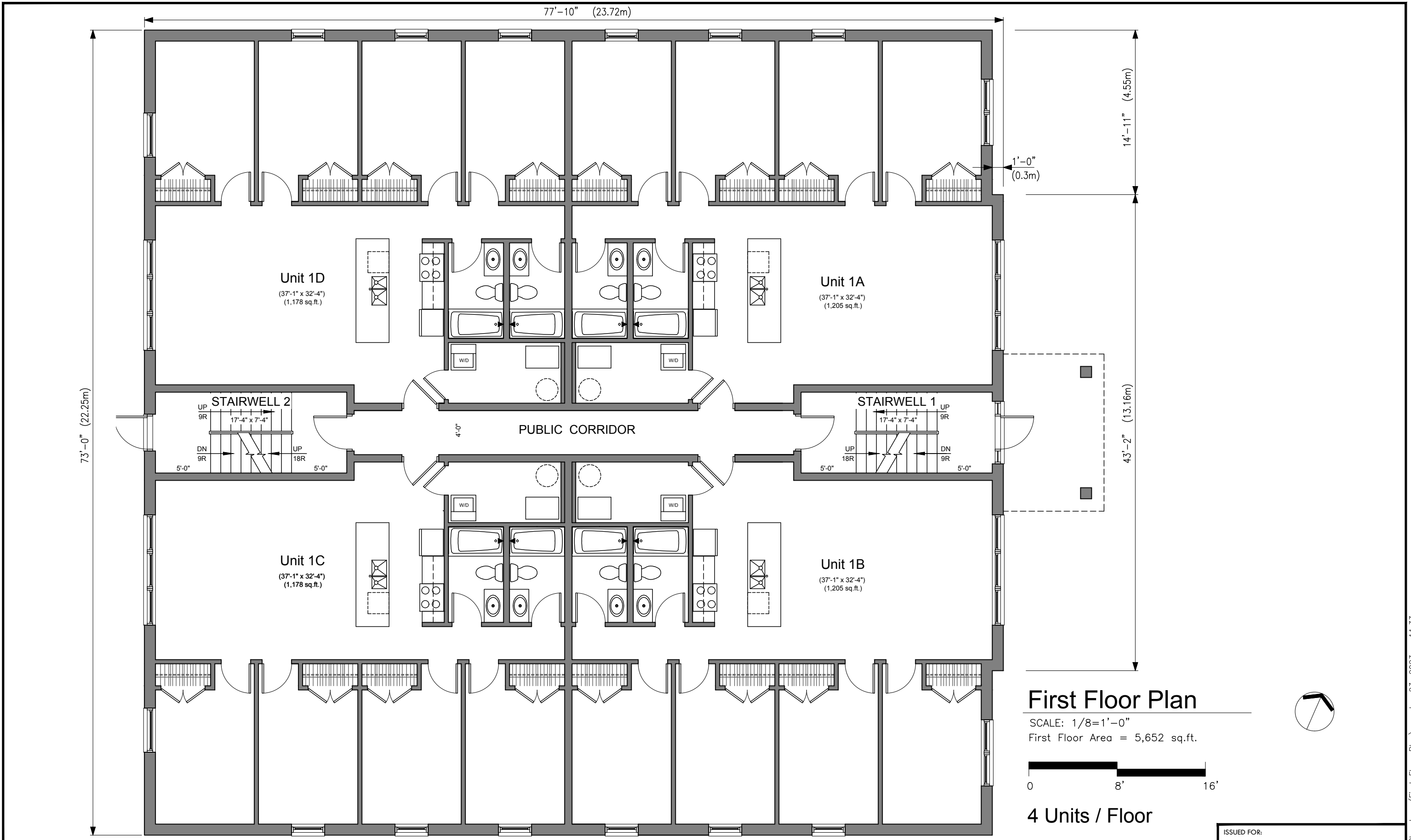
PROJECT:
RANDOLPH PLACE APARTMENTS
185 Randolph Place Windsor, Ontario

DRAWING TITLE:
PRELIMINARY SITE PLAN
SCALE: **1:250**

DATE:
AUGUST 1, 2023
DRAWN BY:
I.A.Z.

PROJECT NUMBER:
4754

SHEET NUMBER:
P1



First Floor Plan

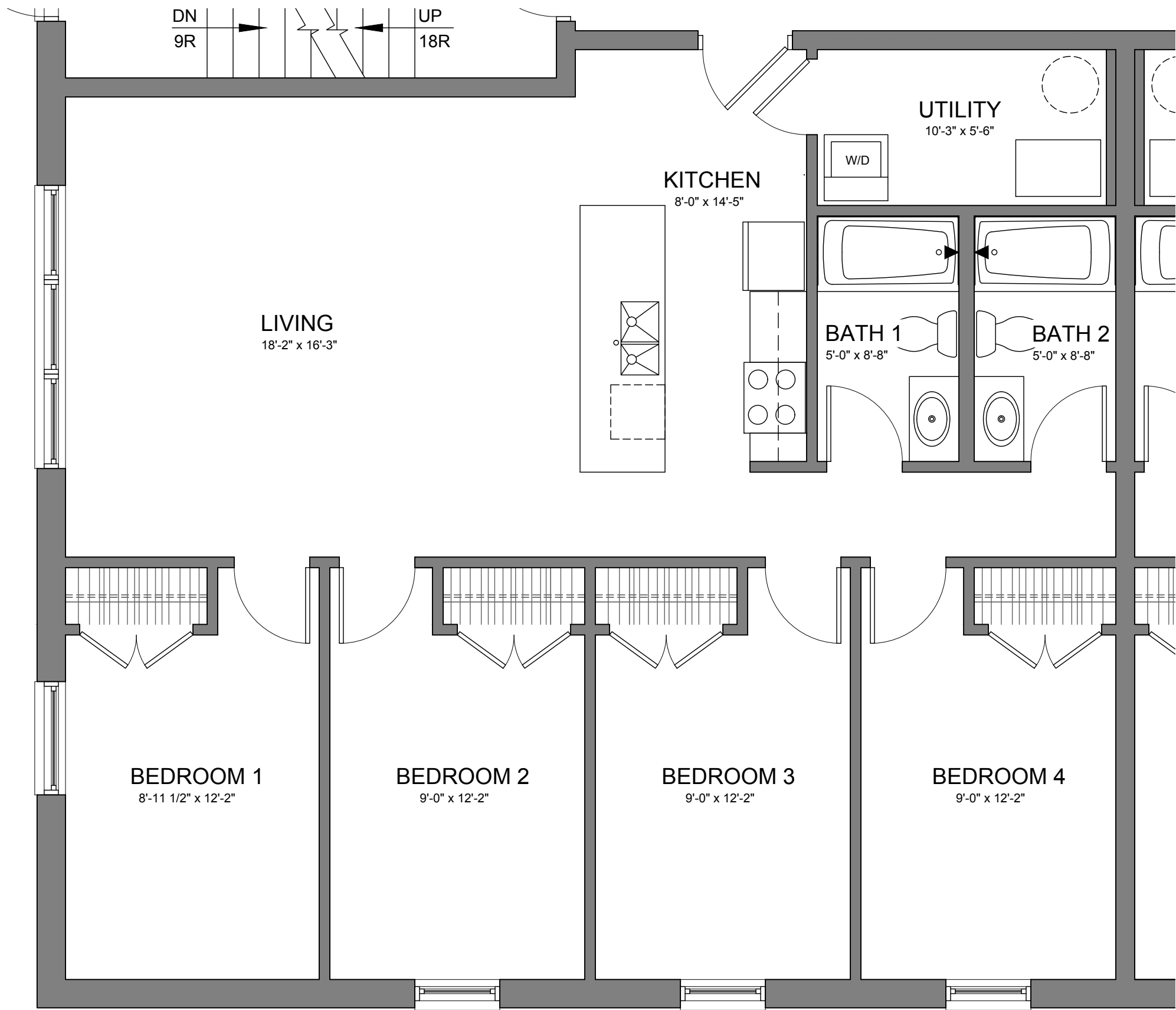
SCALE: 1/8"=1'-0"
 First Floor Area = 5,652 sq.ft.



4 Units / Floor

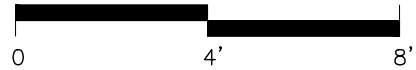


MEO & ASSOCIATES INC. Architectural & Engineering Consultants www.meogroup.net	825 Kingsway Drive, Burlington, Ontario, Canada, L7T 3H8 Tel. 905-632-6952; Fax 905-632-8870; mpiskovic@meoassociates.com 3600 Seven Lakes Dr., Suite 200, LaSalle, Ontario, Canada, N9H 0E5 Tel. 519-250-8088; Fax 519-250-8070; rmeo@meoassociates.com	CLIENT: TILCAP RANDOLPH INC.	PROJECT: RANDOLPH PLACE APARTMENTS	DRAWING TITLE: FIRST FLOOR PLAN	DATE: JUNE 22, 2023	PROJECT NUMBER: 4754	SHEET NUMBER: P2
		Development & Heritage Standing Committee Monday, November 16, 2023	SCALE: 1/8" = 1'-0"	ACAD REFERENCE: 4746 -P2- FI Plan	DRAWN BY: I.A.Z.	ISSUED FOR:	



Typical Unit Plan

SCALE: 1/4" = 1'-0"
 Typical Floor Area = 1,187 sq.ft.



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 Tel. 519-250-8088; Fax 519-250-8070; rmeo@meoassociates.com

CLIENT:
TILCAP RANDOLPH INC.

PROJECT:
RANDOLPH PLACE APARTMENTS

DRAWING TITLE:
TYPICAL UNIT PLAN

DATE:
JUNE 22, 2023

PROJECT NUMBER:
4754

SHEET NUMBER:
P3

SCALE:
1/4" = 1'-0"

ACAD REFERENCE:
4746 -P2- Fl Plan

DRAWN BY:
I.A.Z.

4754 -P2- Fl Plan.dwg, (Typical Floor Plan) Jun 23, 2023 - 11:35am



East Elevation

SCALE: 1/8" = 1'-0"

Exterior Colour Schedule	
Material	Colour
FACEBRICK	RED
HARDIEPLANK HORIZONTAL SIDING	TAUPE
TRIM, BRACKETS	GREEN
ASPHALT SHINGLES	GREEN
WINDOWS	BLACK
METAL FASCIA, GUTTERS	BLACK
STONE SILL	GREY

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CLIENT:
TILCAP RANDOLPH INC.

PROJECT:
RANDOLPH PLACE APARTMENTS

DRAWING TITLE:
EAST ELEVATION

DATE:
JULY 27, 2023

PROJECT NUMBER:
4754

SHEET NUMBER:
P4

SCALE:
1/8" = 1'-0"

ACAD REFERENCE:
4746 -P4- Elev

DRAWN BY:
IA.Z.



South Elevation

SCALE: 1/8" = 1'-0"

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CLIENT:
TILCAP RANDOLPH INC.

PROJECT:
RANDOLPH PLACE APARTMENTS

DRAWING TITLE:
SOUTH ELEVATION

DATE:
JULY 13, 2023

PROJECT NUMBER:
4754

SHEET NUMBER:
P5

SCALE:
1/8" = 1'-0"

ACAD REFERENCE:
4746 -P4- Elev

DRAWN BY:
I.A.Z.

ASPHALT SHINGLES

HARDIEPLANK
HORIZONTAL SIDING



West Elevation

SCALE: 1/8" = 1'-0"

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CLIENT:
TILCAP RANDOLPH INC.

PROJECT:
RANDOLPH PLACE APARTMENTS

DRAWING TITLE:
WEST ELEVATION

DATE:
JULY 13, 2023

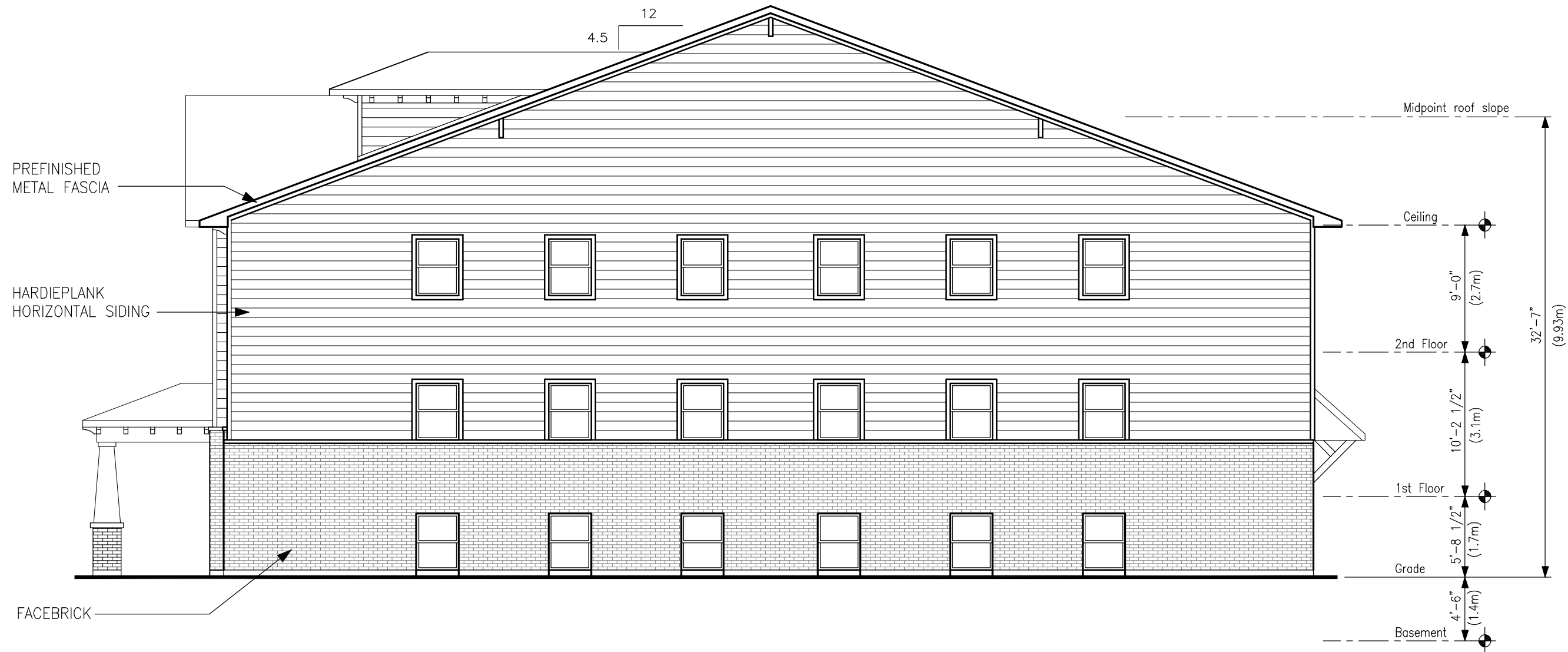
PROJECT NUMBER:
4754

SHEET NUMBER:
P6

SCALE:
1/8" = 1'-0"

ACAD REFERENCE:
4746 -P4- Elev

DRAWN BY:
I.A.Z.



North Elevation

SCALE: 1/8"=1'-0"

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CLIENT:
TILCAP RANDOLPH INC.

PROJECT:
RANDOLPH PLACE APARTMENTS

DRAWING TITLE:
NORTH ELEVATION

DATE:
JUNE 22, 2023

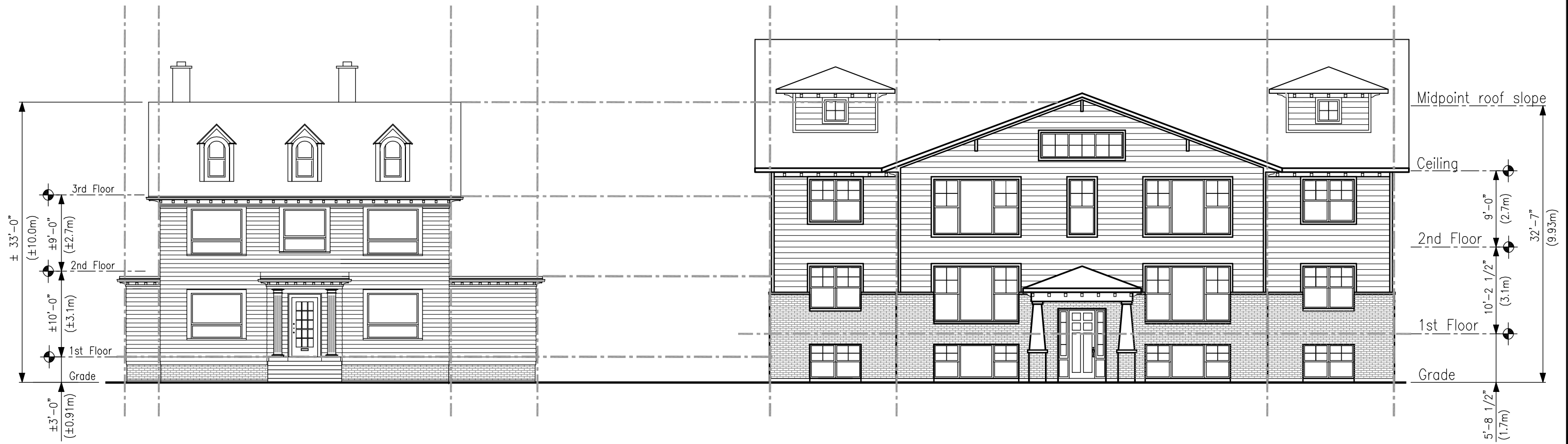
PROJECT NUMBER:
4754

SHEET NUMBER:
P7

SCALE:
1/8" = 1'-0"

ACAD REFERENCE:
4746 -P4- Elev

DRAWN BY:
I.A.Z.



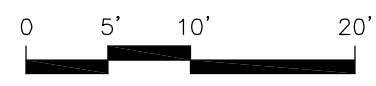
205 RANDOLPH PLACE

EXISTING HERITAGE PROPERTY

185 RANDOLPH PLACE

PROPOSED BUILDING

STREET VIEW ELEVATIONS



MEO & ASSOCIATES INC.
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Tel. 519-250-8088; Fax 519-250-8070; rmeo@meoassociates.com

CLIENT:
TILCAP RANDOLPH INC.

PROJECT:
RANDOLPH PLACE APARTMENTS

DRAWING TITLE:
STREET VIEW ELEVATIONS

DATE:
JULY 13, 202

PROJECT NUMBER:
4754

SHEET NUMBER:
P8

Development & Heritage Standing Committee - Monday, November 6, 2023
185 Randolph Place, Windsor, Ontario
Page 258 of 464

SCALE: **Not to Scale**
ACAD REFERENCE: **4746 -P4- Elev**

DRAWN BY:
I.A.Z.

4754 -P4- Elev.dwg, (Elevations) Jul 13, 2023 - 11:23am

**APPENDIX “B”
Site Images**



Image 1- Subject Parcel 185 Randolph Place



Image 2- Subject Parcel 185 Randolph Place (vacant lands)



Image 3 – Subject Parcel (looking West on Randolph Place)



Image 4- Subject Parcel 185 Randolph Place (looking South on Randolph Place)



Image 5 – Subject Parcel (looking North on Randolph Place)



Image 6 – Subject Parcel (looking East from parcel)



Image 7 - Subject parcel (looking East from back alley)

PLANNING RATIONALE REPORT

ZONING BY-LAW AMENDMENT PROPOSED RESIDENTIAL DEVELOPMENT

**185 Randolph Place
Windsor, Ontario**

August 2, 2023

Prepared by:



Tracey Pillon-Abbs, RPP
Principal Planner
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1.0 INTRODUCTION

I have been retained by Tilcap Randolph Inc. (herein the "Applicant"), to provide a land use Planning Rationale Report (PRR) in support of a proposed development located at 185 Randolph Place (herein the "Site") in the City of Windsor, Province of Ontario.

The Site is currently a vacant parcel of land in Ward 2, in the Riverwest Planning District and was previously used for residential.

It is proposed to construct a 2.5 storey multiple dwelling with a total of 12 residential units. The units are proposed to be rental.

Parking, bicycle storage and a loading area are provided on-site. Access to the parking area will be from an existing alley.

The Site has access to full municipal services.

The Site will provide for a new housing choice in an existing built-up area, which is an example of "Missing Middle", while respecting the existing built heritage resources and built form in the area.

The target market is intended for students.

An application for Zoning By-law Amendment (ZBA) is required.

Once the ZBA has been approved, the Applicant will proceed with a Site Plan Control (SPC) application in order to complete the detailed design requirements. A building permit will also be required prior to any construction or site alterations.

Pre-submission was completed by the Applicant (City File #PS-10/23). Comments dated March 21, 2023, were received and have been incorporated into this PRR.

The purpose of this report is to review the relevant land use documents, including the Provincial Policy Statement (PPS) 2020, the City of Windsor Official Plan (OP) and the City of Windsor Zoning By-law (ZBL).

This PRR will show that the proposed development is suitable intensification of residential, is consistent with the PPS, conforms to the intent and purpose of the City of Windsor OP and represents good planning.

2.0 SITE AND SURROUNDING LAND USES

2.1 Description of Site and Ownership

The Site has been owned by Tilcap Randolph Inc. since January 2023 and is made up of one (1) irregularly shaped parcel of land located on the west side of Randolph Place north of University Avenue West and south of Riverside Drive West (see the area in blue on Figure 1a – Site Location).



Figure 1a – Site Location (Source: City of Windsor GIS)

The Site is locally known as 185 Randolph Place and is legally described as Lot 11 Plan 766 Town of Sandwich; Lot 12 Plan 766 Town of Sandwich; Part Lot 10 Plan 766 Town of Sandwich, Parts 1, 2 and 3 Plan 12R25736; S/T & T/W R1353907; Windsor (ARN 3739-050-100-05300-0000).

2.2 Physical Features of the Site

2.2.1 Size and Site Dimension

The Site, subject to the proposed development, consists of a total area of 1,173.2 m², with a lot width of 27.64 m along Randolph Place and an irregular lot depth.

2.2.2 Existing Structures and Previous Use

The Site is currently vacant (see Figure 1b – Site Street View).



Figure 1b – Site Street View (Source: Pillon Abbs Inc.)

The previous use of the Site was for residential. A single detached dwelling has been demolished.

2.2.3 Vegetation

The Site has an open grassed area.

There are some mature trees located on the municipal Right of Way (R-O-W) and along the alley.

2.2.4 Topography, Drainage and Soil

The Site is flat and is outside the regulated area of the Essex Region Conservation Authority (ERCA).

The Site is part of the Windsor Area Drainage.

The Site is not impacted by Source Water Protection areas.

The soil is made up of Brookston Clay Loan (Bcl).

2.2.5 Other Physical Features

There is an existing driveway and fencing along a portion of the Site.

The Site backs onto an alley on the west side.

2.2.6 Municipal Services

The property has access to municipal water, storm and sanitary services.

Randolph Place is a north / south local residential road with parking on both sides of the roadway.

Streetlights and sidewalks are located on both sides of Randolph Place. There is a boulevard down the centre of the roadway with mature trees.

The closest fire hydrant is located south of the Site on the boulevard.

The Site has access to transit with the closest bus stop located at the corner of Randolph Place and University Avenue West, Stop ID: 1084 (Bus #1C).

The Site is in close proximity to major transportation corridors, including Riverside Drive West, University Ave West and Huron Church Road.

2.2.7 Nearby Amenities

There are several schools nearby, including the University of Windsor and West Gate Public School.

There are many parks and recreation opportunities in close proximity to the Site, including Riverfront Trail, Ernest Atkinson Park, Windsor Sculpture Park, Assumption Park and Centennial Park.

The nearest library is Leddy Library.

There is nearby shopping in the form of plazas and malls, as well as employment, places of worship and local amenities.

2.3 Surrounding Land Uses

Overall, the Site is located in an existing built up area in Ward 2 and within the Riverwest Planning District.

The surrounding area is primarily residential, consisting of single detached homes, converted dwellings, a four-storey apartment building and 2 three-storey apartment buildings in close proximity to the Site.

A site visit was undertaken on June 10, 2023. Photos were taken by Pillon Abbs Inc.

North – The lands directly north of the Site are used for residential with access from Randolph Place (see Photos 1 - North).



Photos 1 – North

South – The lands directly south of the Site are used for residential with access from Randolph Place. Beyond the properties directly south are the Randolph Manor Executive Apartments and Randal Court Apartments, Skyline Living (see Photos 2 - South).



Photos 2 – South

East – The lands east of the Site, beyond the median, are used for residential with access from Randolph Place (see Photos 3 - East).



Photos 3 – East

West – The lands west of the Site, beyond the alley, are used for residential with access from Askin Avenue (see Photo 4 - West).



Photo 4 – West

3.0 PROPOSAL AND CONSULTATION

3.1 Development Proposal

It is proposed to develop the Site for residential and construct a new multiple dwelling.

A Concept Plan has been prepared by MEO & Associates Inc., dated August 1, 2023 (see Figure 2a – Concept Plan).

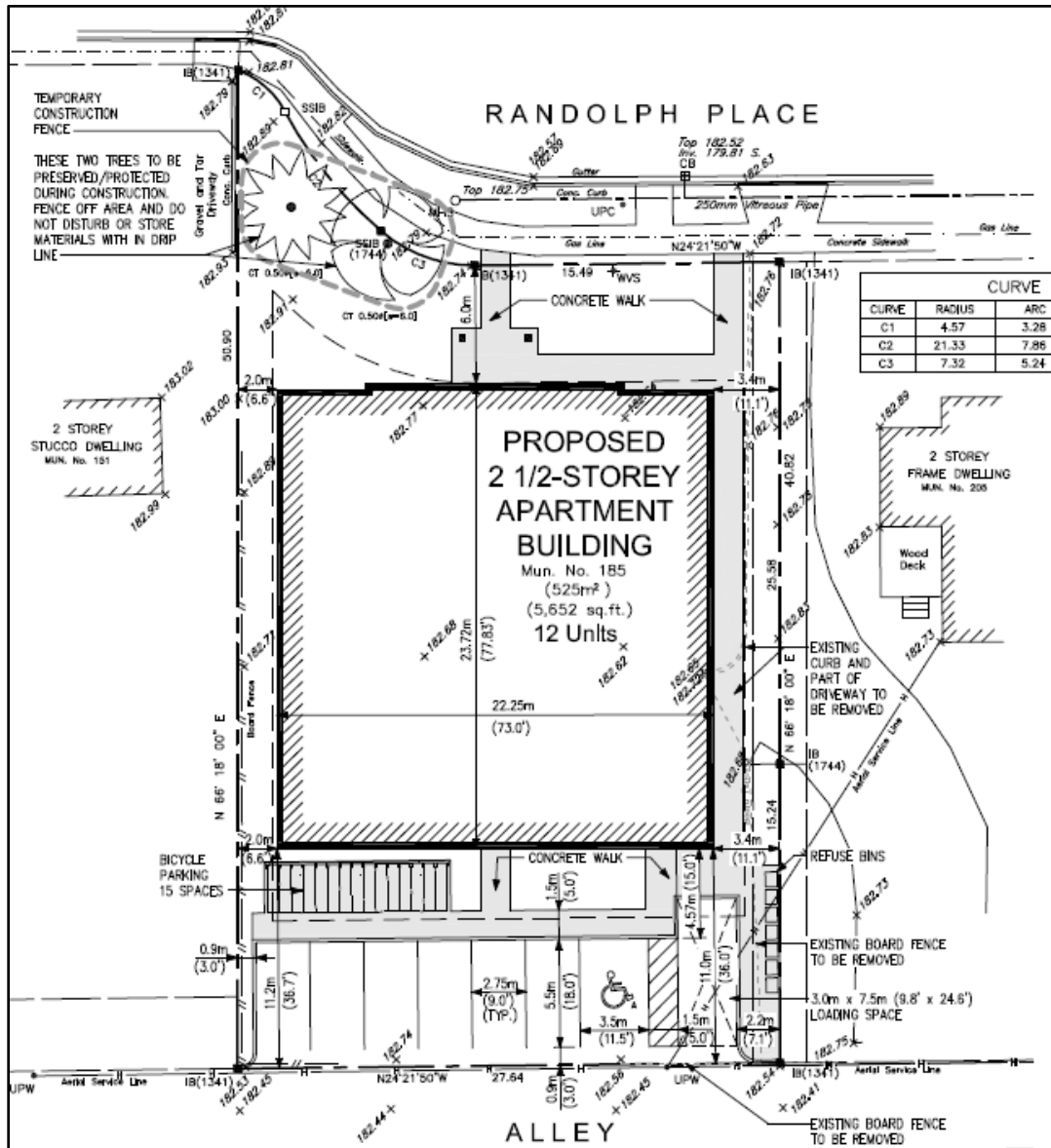


Figure 2a – Concept Plan

The concept plan illustrates a preliminary proposal.

The proposed development takes inspiration from the cultural heritage of the surrounding neighbourhood for the design aesthetic, specifically, the brick, horizontal siding, fenestration, and architectural details used on the exterior.

The intent is to incorporate a similar brick and siding style, which is complementary to the neighbouring heritage building to the south.

A total of 12 residential units are proposed. The target market is intended for students.

There are similar types of development in the area, such as the three-storey building at 269 Randolph Place (Randolph Manor).

The proposed built form is a harmonious blend of modern and traditional aesthetics.

The building features a sloped roof, enhancing the residential character and complementing the surrounding structures. A decorative dormer enriches the roofline, enhancing the visual interest of the building and incorporating architectural features found within the surrounding neighbourhood.

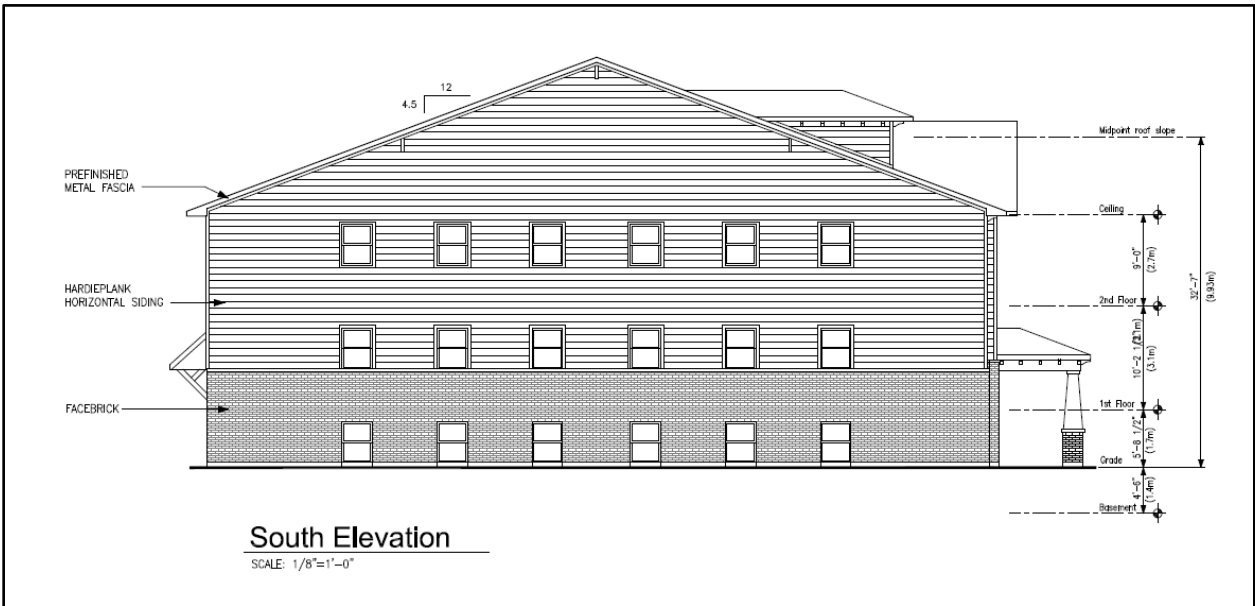
The proposed multiple dwelling will be 2.5 storey (9.93 m) in height.

The total building area is proposed to be 525 m² in size, which will result in a total lot coverage of 44.7%.

Based on the size of the Site (0.117 ha), the proposed gross density will be 102.56 units per hectare (uph).

The units are proposed to be rental.

The building will face Randolph Place with a primary pedestrian entrance (see Figure 2b – Elevations).



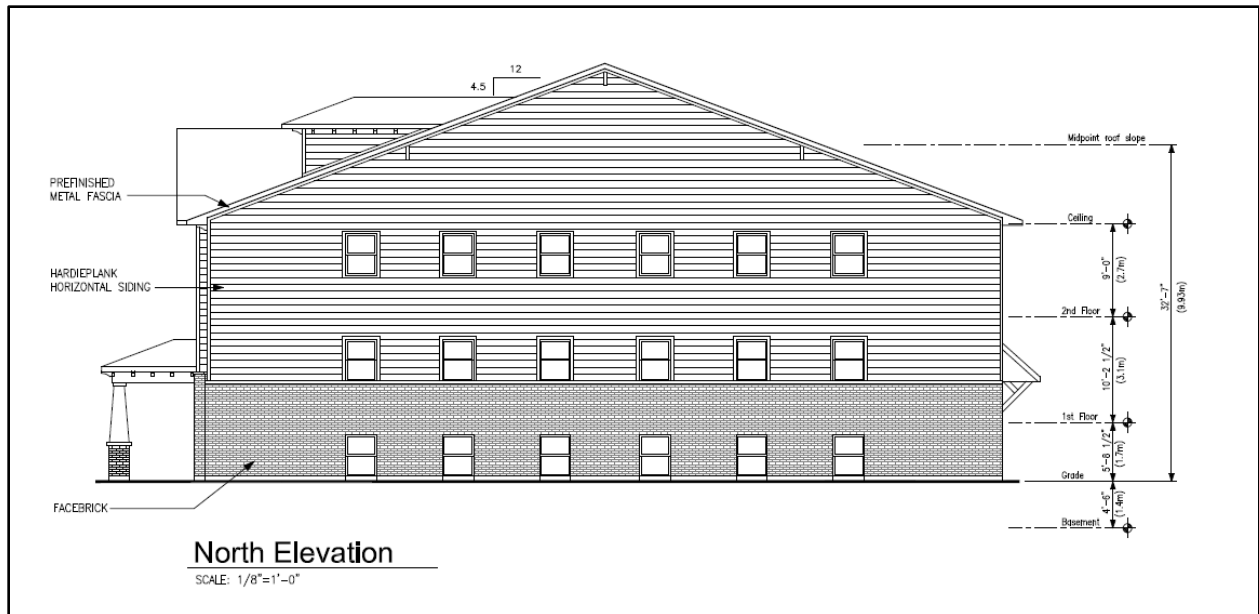
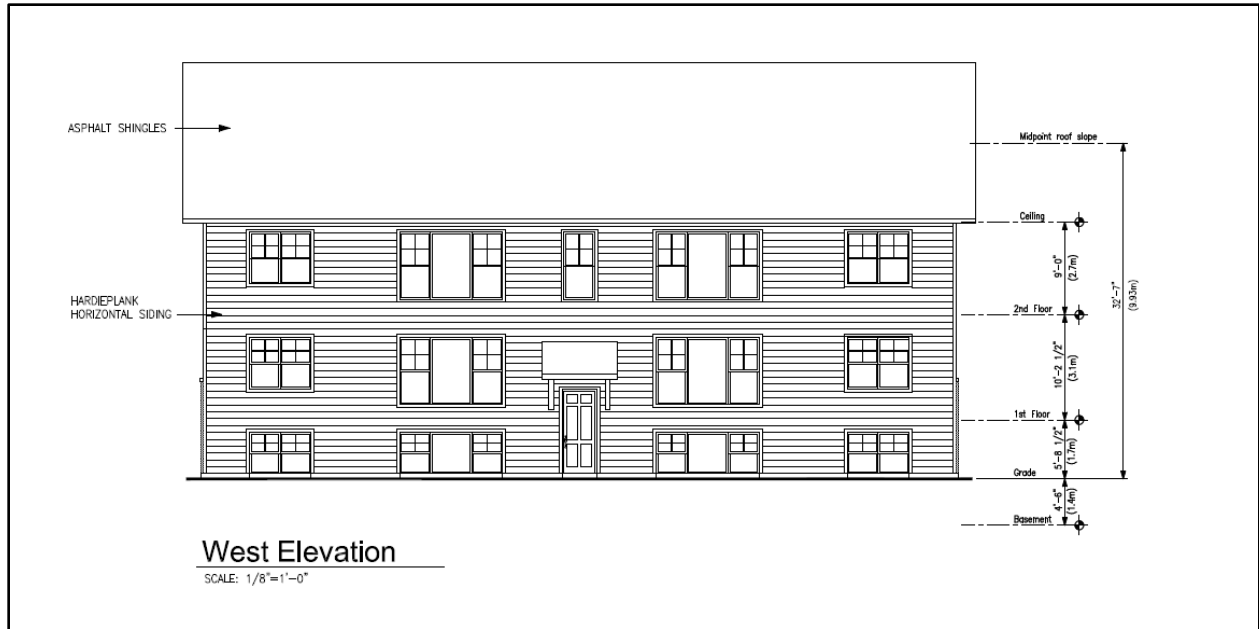


Figure 2b – Elevations

A secondary building entrance is located on the west side of the building adjacent to the surface parking area accessed from the alley.

Units will be 109.44 m² in size with 4 bedrooms each (see Figure 2c – Floor Plan).

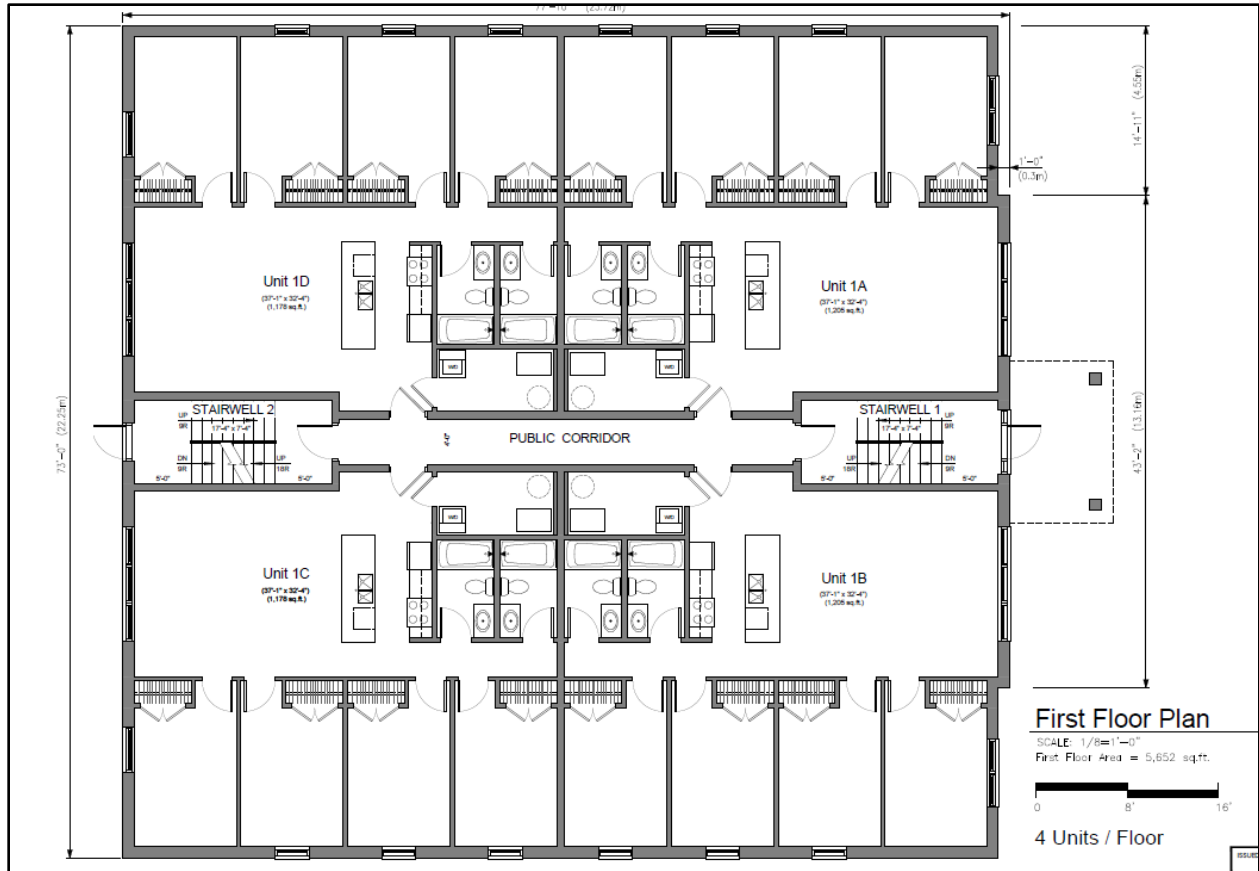


Figure 2c – Floor Plan

A total of 48 bedrooms are proposed within the 12 dwelling units.

Parking for 7 spaces are proposed to be located at the rear of the dwelling with vehicle access from the alley on the west side of the Site.

Parking includes visitor and barrier free spaces.

Bicycle parking with 15 spaces and 1 loading area are provided on-site.

The main outdoor amenity space proposed is the area at the northeast corner of the building and in front of the main entrance on the east elevation, adjacent to Randolph Place. In addition, there is amenity space available at the rear of the building, adjacent to the west elevation.

The Site has access to full municipal services, including water, storm and sewers.

All sidewalks will be paved.

Landscaping will be provided. Two existing trees at the front corner of the Site will be preserved.

A landscaped buffer as well as board fencing will be installed between the north and south-facing exterior of the building and the neighbours.

Waste management is handled with outdoor refuse bins positioned alongside the loading area.

3.2 Public Consultation Strategy

In addition to the statutory public meeting, the *Planning Act* requires that the Applicant submit a proposed strategy for public consultation with respect to an application as part of the complete application requirements.

At this time, the required public meeting will be sufficient as the proposed development is small scale.

No informal public open house is proposed to be held.

4.0 APPLICATIONS AND STUDIES

Pre-submission was completed by the Applicant (City File #PS-10/23). Comments dated March 21, 2023 were received and have been incorporated into this PRR.

The proposed development requires an application for Zoning By-law Amendment (ZBA) along with required support studies.

The following explains the application and other required approvals as well as the required support studies.

4.1 Zoning By-Law Amendment

A site specific Zoning By-law Amendment (ZBA) is required to permit the proposed development of a multiple dwelling with 5 or more dwelling units as an additional permitted use.

The zoning for the Site is proposed to be changed from Residential District 2.2 (RD2.2) category to a site specific Residential District 2.2 (RD2.2 - S.20(1)(XXX)) category as shown on Map 3 of the City of Windsor Zoning By-Law (ZBL).

In addition to the change in zoning for the permitted use of a multiple dwellings with 5 or more dwelling units as an additional permitted use, the proposed development will comply with all zone provisions set out in the RD2.2 Zone, except relief is required from certain provisions.

The ZBA is detailed, and the justification is set out in Section 5.1.3 of this PRR.

4.2 Other Application

Once the ZBA has been approved, the Applicant will proceed with a Site Plan Control (SPC) application in order to complete the detailed design requirements.

A building permit will also be required prior to any construction or site alterations.

4.3 Supporting Studies

The following studies have been prepared to support the application.

4.3.1 Urban Design

An Urban Design Brief (UDB) was prepared by Dillon Consulting, dated August 2023.

The purpose of the report was to assess the design features of the proposed development based on the City of Windsor's urban design policies, including the Intensification Guidelines.

A shadow assessment was also conducted as part of the UDB.

The UDB also provides recommendations to consider for future approval processes, such as SPC which will help align the development with the goals, objectives and policies of the City.

Recommendations include such design elements as;

- Building massing and material (ie main entrance to be clearly defined),
- Public / Private amenity space (ie appealing, accessible and connected),
- Heritage integration,
- Pedestrian Accessible Amenities, and
- Landscaping (ie strategic).

The report concluded that, with the recommendations, the proposed development will align with the City's guidelines and will not have any adverse effects on the neighbourhood.

4.3.2 Parking

A Parking Study was prepared by RC Spencer Associates Inc. Consulting Engineers, dated July 2023.

The report was prepared to examine the impacts on reducing the required parking for the proposed development.

As the intended market for the units will be for students, the report used the required bedrooms as part of the assessment.

On street parking is available, the Site is walkable, there is extra bicycle parking, and there is access to transit.

It was concluded that the proposed parking is in keeping with current sustainable policies and that 7 parking spaces could adequately accommodate the proposed development.

5.0 PLANNING ANALYSIS

5.1 Policy and Regulatory Overview

5.1.1 Provincial Policy Statement

The Provincial Policy Statement, 2020 (PPS) provides policy direction on matters of provincial interest related to land use planning and development providing for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environments.

The PPS is issued under Section 3 of the Planning Act and came into effect on May 1, 2020. It applies to all land use planning matters considered after this date.

The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The following provides a summary of the key policy considerations of the PPS as it relates to the proposed development.

PPS Policy #	Policy	Response
1.0Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns.....	Windsor has directed growth where the Site is located which will contribute positively to promoting efficient land use and development patterns. Residential use on the Site represents an efficient development pattern that optimizes the use of land.
1.1.1	Healthy, liveable and safe communities are sustained by: a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term; b) accommodating an appropriate affordable and	The proposed development is consistent with the policy to build strong healthy, and livable communities as it provides for a development where people can live, work and play. The proposed development offers a new housing choice.

PPS Policy #	Policy	Response
	<p>market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs;</p> <p>c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;</p> <p>d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;</p> <p>e) promoting.....cost-effective development patterns and standards to minimize land consumption and servicing costs;</p> <p>f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;</p> <p>h) promoting development and land use patterns that conserve biodiversity.</p>	<p>There are similar types of development in the area.</p> <p>There are no anticipated environmental or public health and safety concerns as the area is established.</p> <p>The development pattern does not require expansion of the settlement area as it is considered infilling and intensification.</p> <p>The proposed development will not change lotting or street patterns in the area.</p> <p>The Site has access to full municipal services and is close to existing local parks, places of worship, and schools.</p> <p>Accessibility of units will be addressed at the time of the building permit.</p> <p>Public service facilities are available, such as local schools.</p> <p>The development pattern is proposed to be an efficient use of the Site.</p>
1.1.2	Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years.	The proposed development will help the City of Windsor meet the full range of current and future residential needs through intensification.

PPS Policy #	Policy	Response
	Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.	The Site will provide for residential infilling within an existing settlement area.
1.1.3.1	Settlement areas shall be the focus of growth and development.	<p>The proposal enhances the vitality of the municipality, as the proposal is within an existing settlement area.</p> <p>There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal infilling opportunity.</p>
1.1.3.2	<p>Land use patterns within settlement areas shall be based on densities and a mix of land uses which:</p> <ul style="list-style-type: none"> a) efficiently use land and resources; b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; c) minimize negative impacts to air quality and climate change, and promote energy efficiency; d) prepare for the impacts of a changing climate; 	<p>The Site will provide for a new housing choice in an existing built-up area, which is an example of "Missing Middle", while respecting the existing built heritage resources and built form in the area.</p> <p>The total density of the proposed development is considered appropriate as most of the surrounding area has a mix of densities.</p> <p>The Site provides for an infilling opportunity allowing a transition within an existing established neighbourhood.</p> <p>The Site offers an opportunity for intensification by creating a new housing choice for students.</p>

PPS Policy #	Policy	Response
	<p>e) support active transportation;</p> <p>f) are transit-supportive, where transit is planned, exists or may be developed; and</p> <p>g) are freight-supportive.</p>	<p>The design and style of building will blend well with the scale and massing of the existing surrounding neighbourhood.</p> <p>Residents will have immediate access to local amenities, shopping, employment, recreational areas, and institutional uses.</p> <p>Transit is available for the area.</p> <p>The Site is pedestrian friendly.</p> <p>The Site is located close to major transportation corridors.</p>
1.1.3.3	<p>Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.</p>	<p>The proposed development is located on a Site that is physically suitable.</p> <p>The Site is generally level which is conducive to easy vehicular movements.</p> <p>The intensification can be accommodated for the proposed development as it is an appropriate use of the Site.</p> <p>Parking will be provided on-site, including space for tenants and visitors.</p> <p>Extra bicycle parking will be provided.</p>
1.1.3.4	<p>Appropriate development standards should be promoted</p>	<p>The proposed residential building will be built with a</p>

PPS Policy #	Policy	Response
	which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.	<p>high standard of construction allowing a seamless integration with the existing neighbourhood.</p> <p>There will be no risks to the public as identified in the support studies.</p> <p>The Site is outside of the ERCA regulated area.</p>
1.1.3.5	Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.	The City has established targets for intensification and redevelopment. The proposed development will assist in meeting those targets as the Site is located in an existing built-up area.
1.1.3.6	New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.	<p>The proposed development does have a compact built form.</p> <p>The proposed building size will allow for the efficient use of land, pedestrian and vehicle access, infrastructure and public services.</p>
1.4.1 - Housing	<p>To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:</p> <p>a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through</p>	<p>The proposed development will provide for an infill and intensification opportunity in the existing built-up area.</p> <p>The Site offers an opportunity for intensification in an area with a mix of densities.</p> <p>Municipal services are available.</p>

PPS Policy #	Policy	Response
	<p>residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and</p> <p>b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.</p>	
1.4.3	<p>Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area.</p>	<p>The proposed density is compatible with the surrounding area and will provide an appropriate transition between buildings.</p> <p>The Site is close to local amenities and the University of Windsor.</p> <p>There is suitable infrastructure, including transit.</p>
1.6.1 - Infrastructure	<p>Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.</p>	<p>The development can proceed on full municipal services.</p> <p>Electrical distribution will be determined through detailed design.</p> <p>Access to public transit is available.</p>

PPS Policy #	Policy	Response
1.6.6.2 - Sewage, Water and Stormwater	Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.	The proposed development will be serviced by municipal sewer, water and storm, which is the preferred form of serving for settlement areas.
1.6.6.7 - Stormwater	<p>Planning for stormwater management shall:</p> <ul style="list-style-type: none"> a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term; b) minimize, or, where possible, prevent increases in contaminant loads; c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure; d) mitigate risks to human health, safety, property and the environment; 	<p>There will be no anticipated impacts on the municipal system and will not add to the capacity in a significant way.</p> <p>There will be no risk to health and safety.</p>

PPS Policy #	Policy	Response
	<p>e) maximize the extent and function of vegetative and pervious surfaces; and</p> <p>f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.</p>	
1.6.7.1 - Transportation	Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.	The Site is in close proximity to major transportation corridors and has access to transit.
1.6.7.2	Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.	The proposed development contributes to the City's requirements for development within an existing built-up area.
1.6.7.4	A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.	<p>The proposed development contributes to the City's requirement for infilling and intensification within an existing settlement area.</p> <p>The proposed density, scale, and building height will blend with the existing land use pattern.</p> <p>The height of the proposed development is keeping in context with the surrounding area and with the adjacent</p>

PPS Policy #	Policy	Response
		heritage recognized property.
2.1.1 - Natural Heritage	Natural features and areas shall be protected for the long term.	There are no natural features that apply to this Site.
2.2.1 - Water	Planning authorities shall protect, improve or restore the quality and quantity of water.	The required support studies have been prepared in support of the proposed development as it pertains to stormwater management. The Site is outside the regulated area of ERCA.
2.6.1 - Heritage	Significant built heritage resources and significant cultural heritage landscapes shall be conserved.	The Site is adjacent to a heritage property. The UDB has assess how the proposed development can be integrated.
3.0 - Health and Safety	Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.	There are no natural or human-made hazards. The Site is outside the regulated area of ERCA.

Therefore, the proposed development is consistent with the PPS and the Province's vision for long-term prosperity and social well-being.

5.1.2 Official Plan

The City of Windsor Official Plan (OP) was adopted by Council on October 25, 1999, approved in part by the Ministry of Municipal Affairs and Housing (MMAH) on March 28, 2000 and the remainder approved by the Ontario Municipal Board (OMB) on November 1, 2002. Office consolidation version is dated September 7, 2012.

The OP implements the PPS and establishes a policy framework to guide land use planning decisions related to development and the provision of infrastructure and community services throughout the City.

The lands are designated "Residential" according to Schedule "D" Land Use attached to the OP for the City of Windsor (see Figure 3 –OP).

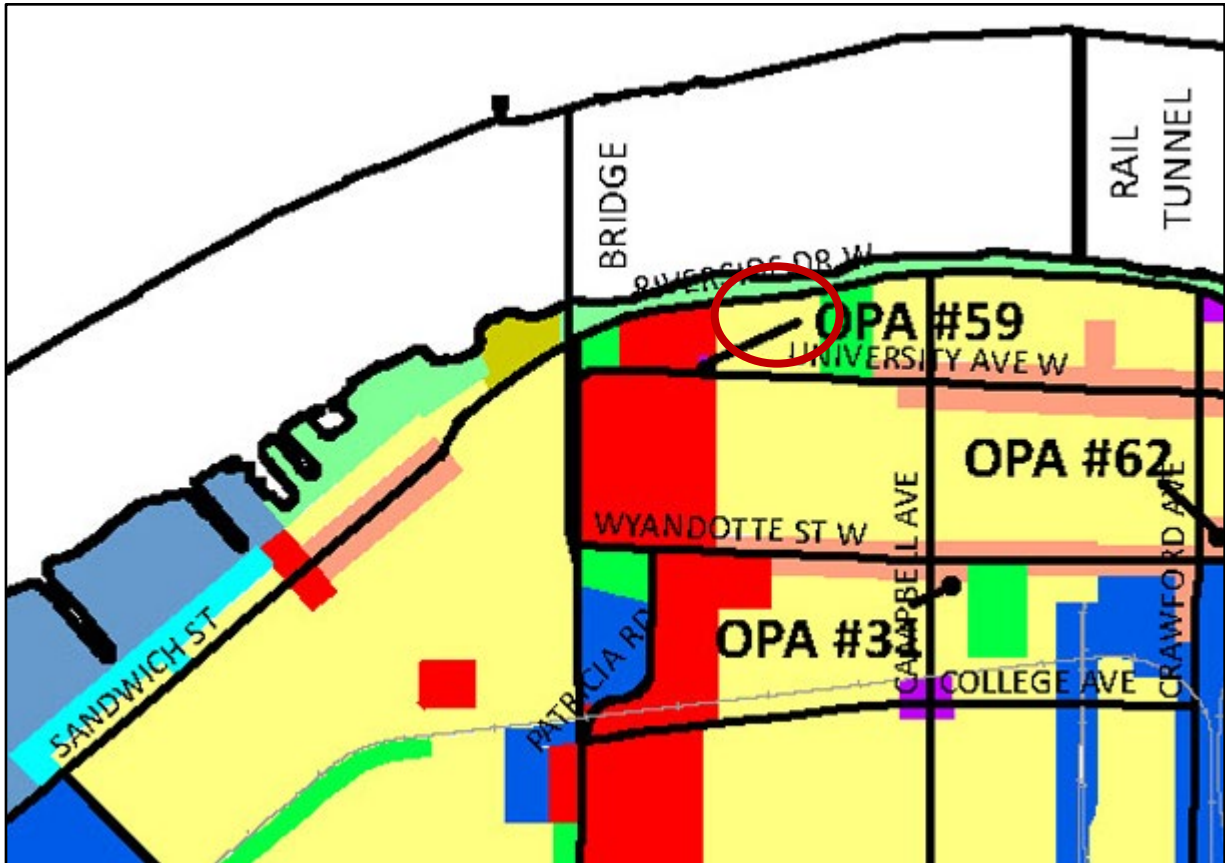


Figure 3 –OP

The proposed use is permitted in the "Residential" designation.

The Site is also located within a "Mature Neighbourhood" according to Schedule "A-1" attached to the OP.

The following provides a summary of the key policy considerations of the OP as it relates to the proposed development.

OP Policy #	Policy	Response
3.1	The planning of Windsor's future is guided by the following vision taken from	The proposed development will support the City's vision by providing residential in an

OP Policy #	Policy	Response
	Dream Dare Do – The City of Windsor Community Strategic Plan.	<p>existing built-up area where citizens can live, work and play.</p> <p>The proposed development should incorporate design features to protect, maintain and improve the quality of life for present and future generations by integrating the principles of sustainability and place making.</p>
3.2.1.2 – Growth Concept, Neighbourhood Housing Variety	Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives.	<p>The proposed development supports one of the City's overall development strategies of providing for a range of housing types.</p> <p>The Site will provide for a new housing choice in an existing built-up area, which is an example of "Missing Middle" while respecting the existing built heritage resources and built form in the area.</p> <p>There are similar types of development in the area.</p>
3.2.1.3 – Growth Concept, Distinctive Neighbourhood Character	Windsor will keep much of what gives its existing neighbourhoods their character – trees and greenery, heritage structures and spaces, distinctive area identities, parks, and generally low profile development outside the City Centre. Around the neighbourhood centres, the existing character of the neighbourhood will be retained and enhanced.	<p>The Site will provide for a new housing choice in an existing built-up area, which is an example of "Missing Middle", while respecting the existing built heritage resources and built form in the area.</p> <p>The proposed built form is a harmonious blend of modern and traditional aesthetics.</p>
4.0 - Healthy Community	The implementing healthy community policies are interwoven throughout the	The proposed development will support the City's goal of promoting a healthy community.

OP Policy #	Policy	Response
	remainder of the Plan, particularly within the Environment, Land Use, Infrastructure and Urban Design chapters, to ensure their consideration and application as a part of the planning process.	The proposed development is close to nearby transit, employment, shopping, local/regional amenities and parks.
6.0 - Preamble	A healthy and livable city is one in which people can enjoy a vibrant economy and a sustainable healthy environment in safe, caring and diverse neighbourhoods. In order to ensure that Windsor is such a city, Council will manage development through an approach which balances environmental, social and economic considerations.	The proposed development supports the policy set out in the OP as it is suited for the residential needs of the City.
6.1 - Goals	<p>In keeping with the Strategic Directions, Council's land use goals are to achieve:</p> <p>6.1.1 Safe, caring and diverse neighbourhoods.</p> <p>6.1.3 Housing suited to the needs of Windsor's residents.</p> <p>6.1.10 Pedestrian oriented clusters of residential, commercial, employment and institutional uses.</p>	<p>The proposed development supports the goals set out in the OP as it provides for the intensification of residential offering a new housing choice.</p> <p>The target market is intended for students.</p> <p>Care in the design of the proposed multiple dwelling has taken into consideration the existing heritage resources and built form in the area.</p> <p>The Site provides for an infilling opportunity allowing a transition between existing buildings.</p>
6.1.14 – Residential Intensification	To direct residential intensification to those areas of the City where transportation, municipal	The Site has access to transportation, full municipal services and local amenities.

OP Policy #	Policy	Response
	services, community facilities and goods and services are readily available.	
6.2.1.2 – General Policies, Type of Development Profile	<p>For the purpose of this Plan, Development Profile refers to the height of a building or structure. Accordingly, the following Development Profiles apply to all land use designations on Schedule D: Land Use unless specifically provided elsewhere in this Plan:</p> <p>(a) Low Profile developments are buildings or structures generally no greater than three (3) storeys in height;</p> <p>(b) Medium Profile developments are buildings or structures generally no greater than six (6) storeys in height; and</p> <p>(c) High Profile developments are buildings or structures generally no greater than fourteen (14) storeys in height.</p>	<p>The proposed development is considered a low profile development as it is proposed to have 2.5 storeys constructed on the Site.</p> <p>The building is considered small in scale.</p> <p>The proposed development is in keeping with the neighbouring heights and densities found along Randolph Place.</p> <p>Many of the residential dwellings along this stretch of Randolph Place have similar setbacks and heights.</p>
6.3.1.1 – Range of Forms & Tenures	To support a complementary range of housing forms and tenures in all neighbourhoods	<p>It is proposed to construct a 2.5 storey building with 12 residential rental units.</p> <p>The proposed development will offer a new housing choice which will complement the existing neighbourhood.</p>
6.3.1.2 - Neighbourhoods	To promote compact neighbourhoods which encourage a balanced transportation system.	<p>The proposed development takes advantage of the entire Site.</p> <p>The Site will be pedestrian friendly, with paved sidewalks</p>

OP Policy #	Policy	Response
		<p>connection to the roadway, alley and parking area.</p> <p>The Site has access to transit and is in close proximity to major transportation corridors.</p>
6.3.1.3 – Intensification, Infill & Redevelopment	To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.	<p>The proposed development is considered infill and intensification.</p> <p>The parcel of land is vacant and appropriate for redevelopment.</p>
6.3.2.1 – Permitted Uses	Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile , and Medium Profile dwelling units. High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors.	The proposed development is a permitted use in the OP as it is considered a low profile development.
6.3.2.4 – Location Criteria	<p>Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up 4 storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas.</p> <p>New residential development and intensification shall be located where: a) there is access to a collector or arterial road; b) full municipal physical services can be provided; c) adequate community services</p>	<p>The Site is located near major transportation corridors.</p> <p>Full services are available.</p> <p>Local amenities are close by.</p> <p>The proposed development is located close to transit.</p>

OP Policy #	Policy	Response
	and open spaces are available or are planned; and d) public transportation service can be provided.	
6.3.2.5 – Evaluation for a Neighbourhood	<p>At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is:</p> <p>(a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:</p> <p>(i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;</p> <p>(ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust;</p> <p>(iii) within a site of potential or known contamination;</p> <p>(iv) where traffic generation and distribution is a provincial or municipal concern; and</p> <p>(v) adjacent to heritage resources.</p> <p>(b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;</p> <p>(c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation,</p>	<p>This PRR has undertaken the required evaluation of provincial legislation.</p> <p>There are no constraint areas that impact this Site.</p> <p>The Site will provide for a new housing choice in an existing built-up area, which is an example of "Missing Middle".</p> <p>No anticipated traffic concerns.</p> <p>An UDB has been prepared to assess how the existing built heritage resources and built form in the area can be respected.</p> <p>A Parking Study has been prepared to confirm that the requirement can be reduced.</p> <p>The proposed development will be strategically located to provide efficient ease of the proposed new access into the parking area from the alley.</p> <p>The Site is capable of accommodating the proposed development in terms of scale, massing, height and siting.</p> <p>Full municipal services can be provided.</p> <p>The setbacks and the design features incorporated into the</p>

OP Policy #	Policy	Response
	<p>setbacks, parking and amenity areas. In Mature Neighbourhoods as shown on Schedule A-1, compatible with the surrounding area, as noted above, and consistent with the streetscape, architectural style and materials, landscape character and setback between the buildings and streets;</p> <p>(d) provided with adequate off street parking;</p> <p>(e) capable of being provided with full municipal physical services and emergency services; and</p> <p>(f) facilitating a gradual transition from Low Profile residential development to Medium and/or High Profile development and vice versa, where appropriate, in accordance with Design Guidelines approved by Council.</p>	<p>proposed development provide for a transition between the low-rise multiple dwelling building and the low-rise single detached dwellings along Randolph Place.</p> <p>The City's design guidelines can be followed.</p>
7.0 - Infrastructure	<p>The provision of proper infrastructure provides a safe, healthy and efficient living environment. In order to accommodate transportation and physical service needs in Windsor, Council is committed to ensuring that infrastructure is provided in a sustainable, orderly and coordinated fashion.</p>	<p>The proposed development is close to nearby transit, off a major transportation corridor and has access to full municipal services.</p>
8.7.2.3 – Built Form, Infill Development	<p>Council will ensure that proposed development within an established neighbourhood is designed to function as an integral and complementary part of that area's existing</p>	<p>The Site provides for an infilling opportunity allowing a transition between buildings.</p> <p>Massing – The proposed development, a two and a half storey residential building, fits</p>

OP Policy #	Policy	Response
	<p>development pattern by having regard for:</p> <ul style="list-style-type: none"> (a) massing; (b) building height; (c) architectural proportion; (d) volumes of defined space; (e) lot size; (f) position relative to the road; (g) building area to site area ratios; (h) the pattern, scale and character of existing development; and (i) exterior building appearance, (j) Council adopted Design Guidelines that will assist in the design and review of applications for development in accordance with the policies noted above 	<p>well into this block pattern, contributing to the overall architectural diversity in the area.</p> <p>The height is what is proposed if the development were a single detached dwelling.</p> <p>Building height – the height of the proposed development is keeping in context with the surrounding area and with the adjacent heritage property.</p> <p>The proposed building height exceeds the existing permitted height by 0.93m, and this slight increase does not undermine the existing building context.</p> <p>Architectural proportion – The proposed development embraces the local architectural vernacular, showcasing face brickwork on its façades that mirrors the traditional brick structures in the surrounding area.</p> <p>Volume of defined space – The proposed building maintains an active street frontage with a prominent pedestrian entrance that adds to the walkability and human scale of the neighborhood.</p> <p>Lot size – This design approach strengthens the continuity and cohesive identity of the block.</p>

OP Policy #	Policy	Response
		<p>Building area – The design considerations of the proposed development demonstrate a balance between fitting into the existing context and adding a unique architectural contribution to the block.</p> <p>Pattern, scale and character – The Site is capable of accommodating the proposed development in terms of scale, massing, height and siting.</p> <p>Exterior building appearance – The proposed 2.5 storey residential development takes inspiration from the cultural heritage of the surrounding neighbourhood for the design aesthetic, specifically, the brick, horizontal siding, fenestration, and architectural details used on the exterior.</p>
9.3.1.1 – Cultural Heritage Resources Definition	For the purpose of this Plan, heritage resources include built heritage resources and cultural heritage landscapes that Council has identified as being important to the community.	<p>The Site does not contain cultural heritage resources.</p> <p>The Site is within the vicinity of a heritage property listed on the City of Windsor Municipal Heritage Register.</p> <p>Historical elements will be incorporated into the design of the proposed multiple dwelling.</p>
9.3.3.1 – Heritage Properties	Council will recognize Windsor's heritage resources.....	An UDB has been completed and has determined the impact that the proposed development may have on the area.

OP Policy #	Policy	Response
		<p>The proposed 2.5 storey residential development takes inspiration from the cultural heritage of the surrounding neighbourhood for the design aesthetic, specifically, the brick, horizontal siding, fenestration, and architectural details used on the exterior.</p>
10.2.20.1 – Design Brief	<p>The Urban Design Brief should provide a description and analysis of the site and surrounding context. Photographs and a context map showing the subject site in relation to the existing neighbourhood should be included.</p>	<p>An UDB has been completed.</p> <p>The UDB has provided recommendations, such as landscaping.</p> <p>The UDB has taken into account that the Site is within a mature neighbourhood and near properties with heritage values.</p>
10.2.20.2	<p>The Urban Design Brief should provide an analysis of the design rationale for the building, landscape, and site design elements of the proposed development and explain why the proposed development represents the optimum design solution. Discussion should consider the following: i) How the design of the proposed development meets the intent of the City's applicable urban design guidelines and policies; ii) How the design addresses existing site conditions and constraints such as lot size, grading, or natural heritage features; iii) How the design of the proposed development integrates with the existing neighbourhood and enhances its function and aesthetics;</p>	<p>Recommendations are set out in the UDB.</p> <p>The design considerations of the proposed development demonstrate a balance between fitting into the existing context and adding a unique architectural contribution to the block.</p> <p>A shadow assessment was also conducted as part of the UDB.</p> <p>No impacts on the surrounding properties are anticipated.</p>

OP Policy #	Policy	Response
	and, iv) How the design of the proposed development will influence and integrate with future development in the neighbourhood.	

Therefore, the proposed development will conform to the City of Windsor OP.

5.1.3 Zoning By-law

The City of Windsor Zoning By-Law (ZBL) #8600 was passed by Council on July 8, 2002, and then a further Ontario Municipal Board (OMB) decision was issued on January 14, 2003.

A ZBL implements the PPS and the City OP by regulating the specific use of property and provide for its day-to-day administration.

According to Map 3 attached to the ZBL the Site is currently zoned Residential District 2.2 (RD2.2) category (see Figure 4 – Zoning).

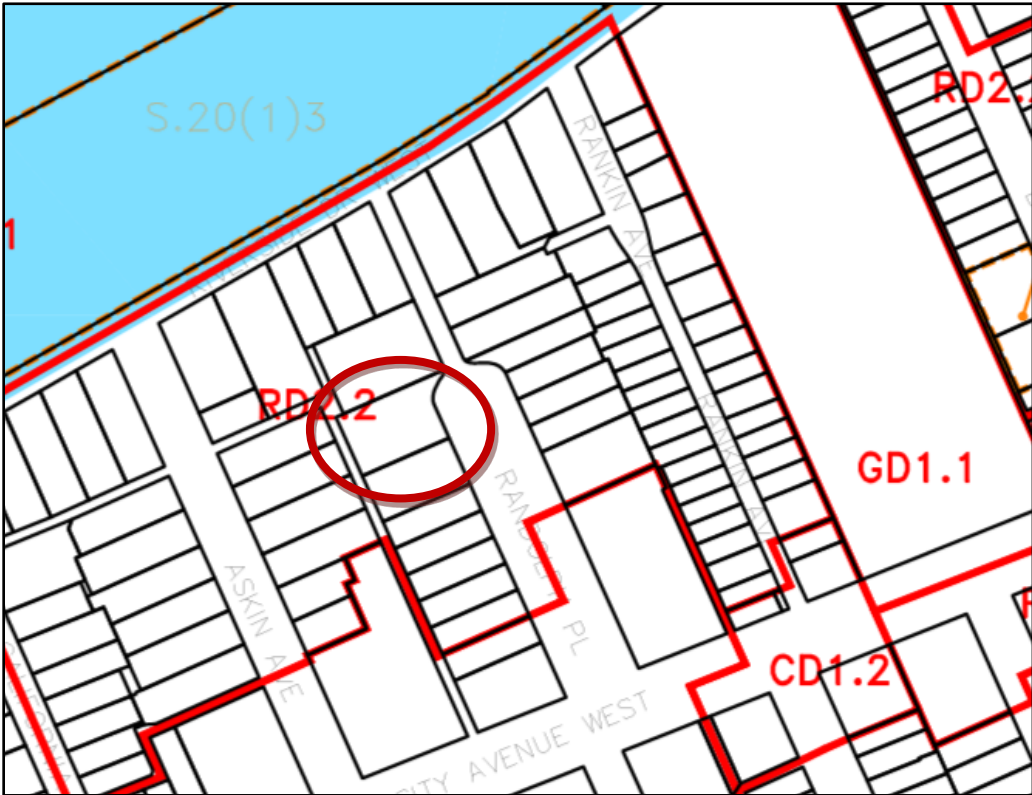


Figure 4 –Zoning

The zoning for the Site is proposed to be changed to a site specific Residential District 2.2 (RD2.2 - S.20(1)(XXX)) category as shown on Map 3 of the City of Windsor Zoning By-Law (ZBL) in order to permit a multiple dwellings with 5 or more dwelling units as an additional permitted use.

MULTIPLE DWELLING means one dwelling containing a minimum of three dwelling units. A double duplex dwelling, semi-detached dwelling, stacked dwelling, or townhome dwelling is not a multiple dwelling

A review of the RD2.2 zone provisions, as set out in Section 11.2.5.4 of the ZBL is as follows:

Zone Regulations	Required RD 2.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
Permitted Uses	Multiple Dwelling containing a max of four dwelling units	Multiple dwellings with 5 or more dwelling units	A zoning amendment is required to permit the proposed development as an additional permitted use.
Min Lot Width	18.0 m	27.64 m	Complies
Min Lot Area	540.0 m ²	1,173.2 m ²	Complies
Max Lot Coverage	45.0 %	44.7 %	Complies
Max Building Height	9.0 m	9.93 m	<p>Relief required.</p> <p>The request is to increase the height by 0.93 m.</p> <p>This will allow the proposed building to be built similar to the buildings located on the abutting lands.</p> <p>The request is minor.</p> <p>An UDB has been completed/</p> <p>The height of the proposed development is keeping in context with the surrounding area and with the adjacent heritage property.</p>
Min Front Yard Depth	6.0 m	6.0 m	Complies

Zone Regulations	Required RD 2.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
Min Rear Yard Depth	7.50 m	11.0 m	Complies
Min Side Yard	1.80 m	2.0 m / 3.4 m	Complies
Parking Spaces Required (Table 24.20.20.5.1)	<p>Multiple Dwelling containing a minimum of 5 dwelling units:</p> <p>1.25 parking spaces required for each dwelling unit</p> <p>12 x 1.25 = 15 space</p>	7	<p>Relief required.</p> <p>The request is to decrease the required parking space by 8.</p> <p>A Parking Study has been completed.</p> <p>On street parking is available, the site is walkable, there is extra bicycle parking and there is access to transit.</p>
Visitor Parking (24.22.10)	<p>15 percent of parking spaces marked</p> <p>= 2 (rounded down)</p>	2	Complies
Accessible Parking Spaces Required (Table 24.24.1)	<p>For 1 to 24 total number of Parking Spaces</p> <p>Type A – 1 parking spaces</p> <p>Total B - 0 parking spaces</p> <p>= 1 parking spaces</p>	1	Complies
Bicycle Parking (24.30.1)	<p>10 to 19 parking spaces in parking area:</p> <p>= 2 spaces required</p>	15	<p>Complies</p> <p>Extra provided.</p>
Loading	1,000 m ² or less	1	Complies

Zone Regulations	Required RD 2.2 Zone	Proposed	Compliance and/or Relief Requested with Justification
(Table 24.40.1.5)	= 0 1 required (based on proposed building size 711.4 m ²)		
Parking Area Separation (Table 25.5.20.1.3)	An interior lot line or alley - 0.90 m	0.9 m	Complies
Parking Area Separation (Table 25.5.20.1.6)	A building wall containing a habitable room window or containing both a main pedestrian entrance and a habitable room window facing the parking area where the building is located on the same lot as the parking area – 4.50 m	4.57 m	Complies

Therefore, in addition to the change in zoning for the permitted use of a multiple dwelling with 5 or more dwelling units, the proposed development will comply with all zone provisions set out in the RD2.2 Zone except for the following, which requires site specific relief:

1. *increase the maximum height from 9.0 m to 9.93 m, and*
2. *decrease the minimum parking space requirement from 15 to 7.*

6.0 SUMMARY AND CONCLUSION

6.1 Context and Site Suitability Summary

6.1.1 Site Suitability

The Site is ideally suited for residential development for the following reasons:

- The land area is sufficient to accommodate the proposed development with adequate transition from abutting land uses,
- The Site is generally level which is conducive to easy vehicular movements,
- The Site will be able to accommodate municipal water, storm and sewer systems,
- There are no anticipated traffic concerns,
- There are no natural heritage concerns,
- There are no cultural heritage concerns,
- There are no hazards, and
- The location of the proposed development is appropriate.

6.1.2 Compatibility of Design

The proposed development has been designed to be compatible with the existing built-up area, including the low profile residential uses in the area.

The proposed development is a low profile form of development which incorporates sufficient setbacks to allow for appropriate landscaping and buffering.

The building has been designed to address compatibility within a mature neighbourhood and near heritage resources.

The proposed development will be strategically located to provide efficient ease of the proposed new access into the parking area from the alley.

The Site is capable of accommodating the proposed development in terms of scale, massing, height and siting.

The proposed development will not obstruct the heritage resources.

6.1.3 Good Planning

The proposal represents good planning as it addresses the need for the City to provide infilling, which contributes to a new housing choice and intensification requirements set out in the PPS and the OP.

Residential use on the Site represents an efficient development pattern that optimizes the use of land.

The proposed development will not change lotting or street patterns in the area and will not result in the isolation of any of the heritage resources.

There are similar types of development in the area.

6.1.4 Natural Environment Impacts

The proposal does not have any negative natural environmental impacts.

6.1.5 Municipal Services Impacts

Full municipal services are available, which is the preferred form for development.

6.1.6 Social and/or Economic Conditions

The proposed development does not negatively affect the social environment as the Site is in close proximity to major transportation corridors, transit, open space and community amenities.

Infilling in an existing built-up area of the City contributes toward the goal of 'live, work and play' where citizens share a strong sense of belonging and a collective pride of place.

The proposal does not cause any public health and safety concerns. The proposal represents a cost effective development pattern that minimizes land consumption and servicing costs.

Based on the Site area, the proposed development will result in a total net density, which is appropriate for the area.

There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal infilling opportunity.

6.2 Conclusion

In summary, it would be appropriate for Council for the City of Windsor to approve the ZBA to permit the proposed development on the Site as it is appropriate for infilling and will offer residential in an area of mixed densities.

The Site will provide for a new housing choice for students, which is an example of "Missing Middle", while respecting the existing built heritage resources and built form in the area.

This PRR has shown that the proposed development is consistent with the PPS, conforms with the intent and purpose of the City of Windsor OP and represents good planning.

The report components for this PRR have set out the following, as required under the City of Windsor OP:

10.2.13.2 Where a Planning Rationale Report is required, such a study should:

- (a) Include a description of the proposal and the approvals required;*
- (b) Describe the site's previous development approval history;*
- (c) Describe major physical features or attributes of the site including current land uses(s) and surrounding land uses, built form and contextual considerations;*
- (d) Describe whether the proposal is consistent with the provincial policy statements issued under the Planning Act;*
- (e) Describe the way in which relevant Official Plan policies will be addressed, including both general policies and site-specific land use designations and policies;*
- (f) Describe whether the proposal addresses the Community Strategic Plan;*
- (g) Describe the suitability of the site and indicate reasons why the proposal is appropriate for this site and will function well to meet the needs of the intended future users;*
- (h) Provide an analysis of the compatibility of the design and massing of the proposed developments and land use designations;*
- (i) Provide an analysis and opinion as to why the proposal represents good planning, including the details of any methods that are used to mitigate potential negative impacts;*
- (j) Describe the impact on the natural environment;*
- (k) Describe the impact on municipal services;*
- (l) Describe how the proposal will affect the social and/or economic conditions using demographic information and current trends; and,*
- (m) Describe areas of compliance and non-compliance with the Zoning By-law.*

Planner's Certificate:

I hereby certify that this report was prepared by Tracey Pillon-Abbs, a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.



**Tracey Pillon-Abbs, RPP
Principal Planner**



**STUDENT HOUSING DEVELOPMENT
185 RANDOLPH PLACE, WINDSOR, ON**

PARKING STUDY

Prepared by:



RC SPENCER ASSOCIATES INC.
Consulting Engineers

Windsor: 800 University Avenue W. - Windsor ON N9A 5R9
Leamington: 18 Talbot Street W. - Leamington ON N8H 1M4
Chatham-Kent: 49 Raleigh Street - Chatham ON N7M 2M6

File No.: 23-1461

July 2023

**STUDENT HOUSING DEVELOPMENT, 185 RANDOLPH PLACE, WINDSOR, ON
PARKING STUDY (JULY 2023)**

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 - Per Dwelling Unit
 - Per Bedroom

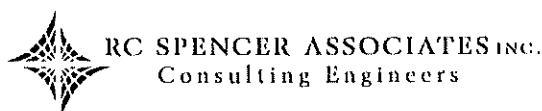
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The City's zoning bylaw requires 1.25 parking spaces per dwelling unit for a residential low-rise building; however, the bylaw also suggests (in Table 24.20.5.1) that a minimum of one parking space per four beds will provide sufficient parking for a university student residence building. The bylaw, therefore, requires 12 spaces for the proposed 48-bedroom student residence. Accordingly, a variance is required to address the shortfall of 5 parking spaces. Therefore, the purpose of this study is to evaluate the anticipated peak parking demand (generated by the subject redevelopment proposal) with respect to the proposed on-site parking supply.

ITE PARKING GENERATION MANUAL VS. WINDSOR BYLAW REQUIREMENTS

The Institute of Transportation Engineers (ITE) Parking Generation Manual (5th Edition) reports parking demand studies and statistics from various land uses across North America. Since there is no specific land use code for student housing, multifamily low-rise residential development (Land Use Code 220) is the most appropriate for the subject development proposal. As referenced in Appendix B, the ITE's fitted curve equation (per dwelling unit) suggests that a minimum parking supply of 14 parking spaces should sufficiently accommodate the anticipated demand, whereas the ITE's average rate equation (per bedroom) suggests a minimum of 32 parking spaces. Therefore, it can be concluded that the City of Windsor's by-law requirements and the ITE Parking Generation Manual's peak parking demand estimates both require more parking spaces than the amount currently provided on-site. Accordingly, a further study of the site-specific peak parking supply / demand was undertaken.



On-street parking is permitted on Randolph Place; however, a residential permit is required between the hours of 8:00am and 8:00pm, as denoted by the “No Parking” sign located directly in front of the subject residence:



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Currently, Windsor Transit provides two Route 1C stops on University Avenue West, less than 200m from the Randolph Place residence. Additional transit routes are provided along University Avenue and the surrounding area, including four within 400m of the site access. The following graphic shows the Windsor Transit routes located within the area.

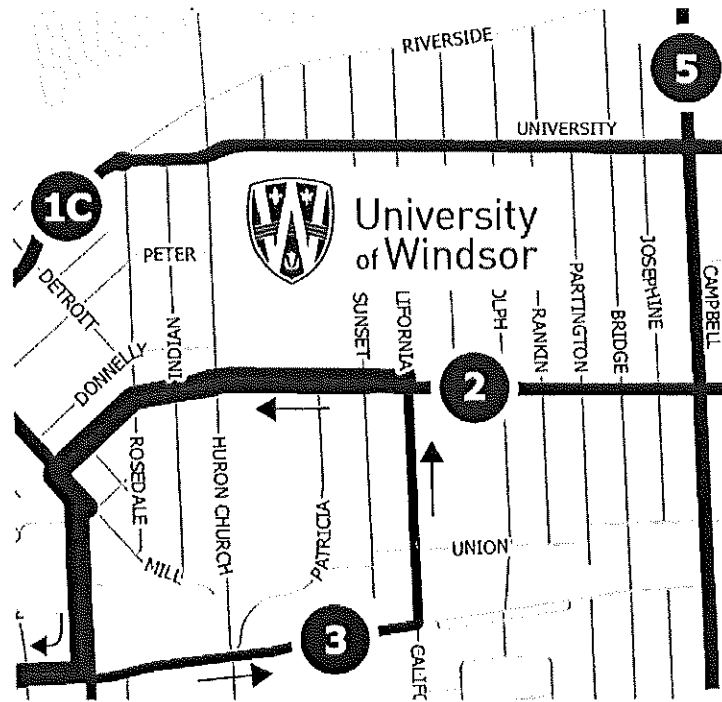


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Active transportation facilities are also provided within the study area; sidewalks are provided on both sides of Randolph Place and University Avenue West, and several destinations are within walking distance of the development (like food venues, commercial establishments, etc.). The Riverfront Trail is provided on the north side of Riverside Drive West (with parks and activity areas readily available for recreation), while University Avenue West currently offers on-street bicycle lanes to facilitate active transportation connectivity to / from the east and west. In August 2022, a Municipal Class Environmental Assessment was completed for University Avenue; the study considered opportunities to optimize the right-of-way to achieve safe, efficient, comfortable, and convenient travel for roadway users of all ages, abilities, and modes within the study corridors for a 20-year study horizon. Per the City of Windsor's Active Transportation Master Plan (page 35), modal split for the site could be approximately 16% within a ten-year horizon and 22% by the year 2041. Accordingly, it is the engineers' opinion that this anticipated modal split trend could result in a further lowering of the site's peak parking demand.

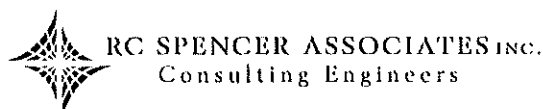
Realistically, the proposed parking supply is in keeping with current sustainability policies intended to encourage non-auto modes of travel, particularly within built-out and mature neighbourhoods. Furthermore, by limiting the availability of on-site vehicle parking and offsetting this through the provision of 15 bicycle spaces (13 more than the City's requirement of 2 bicycle spaces), the developer is being proactive in encouraging an increased modal split for the subject area. Therefore, due to the anticipated increased modal split for the area, it is the engineers' opinion that the proposed on-site parking supply (and available on-street parking supply options) could adequately accommodate the redevelopment's peak parking demand.

SUMMARY AND CONCLUSIONS

A student housing development is proposed for an existing residential property located at 185 Randolph Place, in Windsor, Ontario. The subject property is located between Riverside Drive West and University Avenue West; it fronts Randolph Place on the east and backs onto an alley on the west. The site is located less than 1/2 km from the University of Windsor and is intended to exclusively house students attending the university. The developer is proposing a 2½-storey student apartment building comprised of 48 bedrooms (within 12 dwelling units). The proposed residential redevelopment is to be serviced by seven parking spaces (including one accessible space), a loading space, and 15 bicycle parking spaces. The parking spaces are to be accessed from the alley located to the west of the site.

The City's zoning bylaw requires 12 spaces for the subject residential redevelopment, so a variance will be required. The ITE Parking Generation Manual (5th Edition) references suggest that a minimum parking supply of 14 spaces could accommodate the subject development's 48 bedrooms (within 12 units). On-street residential parking is available on Randolph Place (for a limit of two residential parking permit holders), resulting in a theoretical parking shortfall of three spaces for the subject redevelopment proposal; however, the subject site is within close proximity of existing active transportation facilities and reliable transit options. Accordingly, it is anticipated that the site's increased modal split will reduce auto-reliance for students dwelling within the proposed residences.


The proposed parking supply is in keeping with current sustainability policies intended to encourage non-auto modes of travel, particularly within built-out and mature neighbourhoods. Furthermore, by limiting the availability of on-site vehicle parking and by providing 15 bicycle spaces (13 more than the City's requirement of 2 bicycle spaces), it is the engineers' opinion that the current site plan proactively encourages an increased modal split for the subject area.



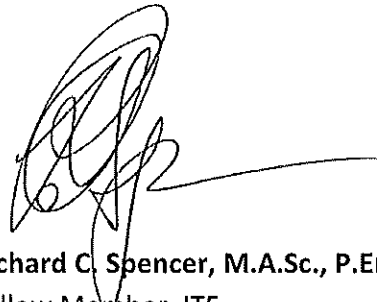
Therefore, it is the engineers' opinion that the proposed on-site parking supply of 7 parking spaces could adequately accommodate the anticipated peak parking demand for the subject 48-bedroom student housing development proposal.

All of which is respectfully submitted,

RC Spencer Associates Inc.



Aaron D. Blata, M.Eng., P.Eng., PTOE
Professional Traffic Operations Engineer
Associate / Leamington Office Manager

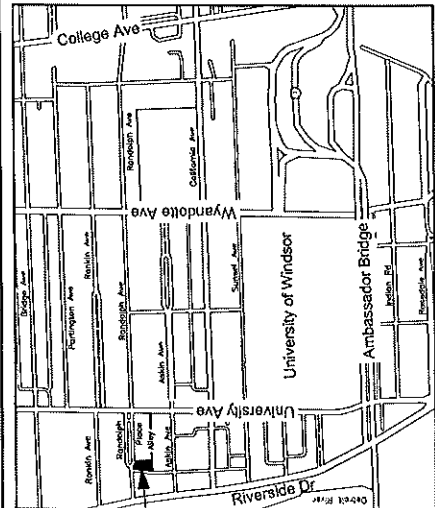
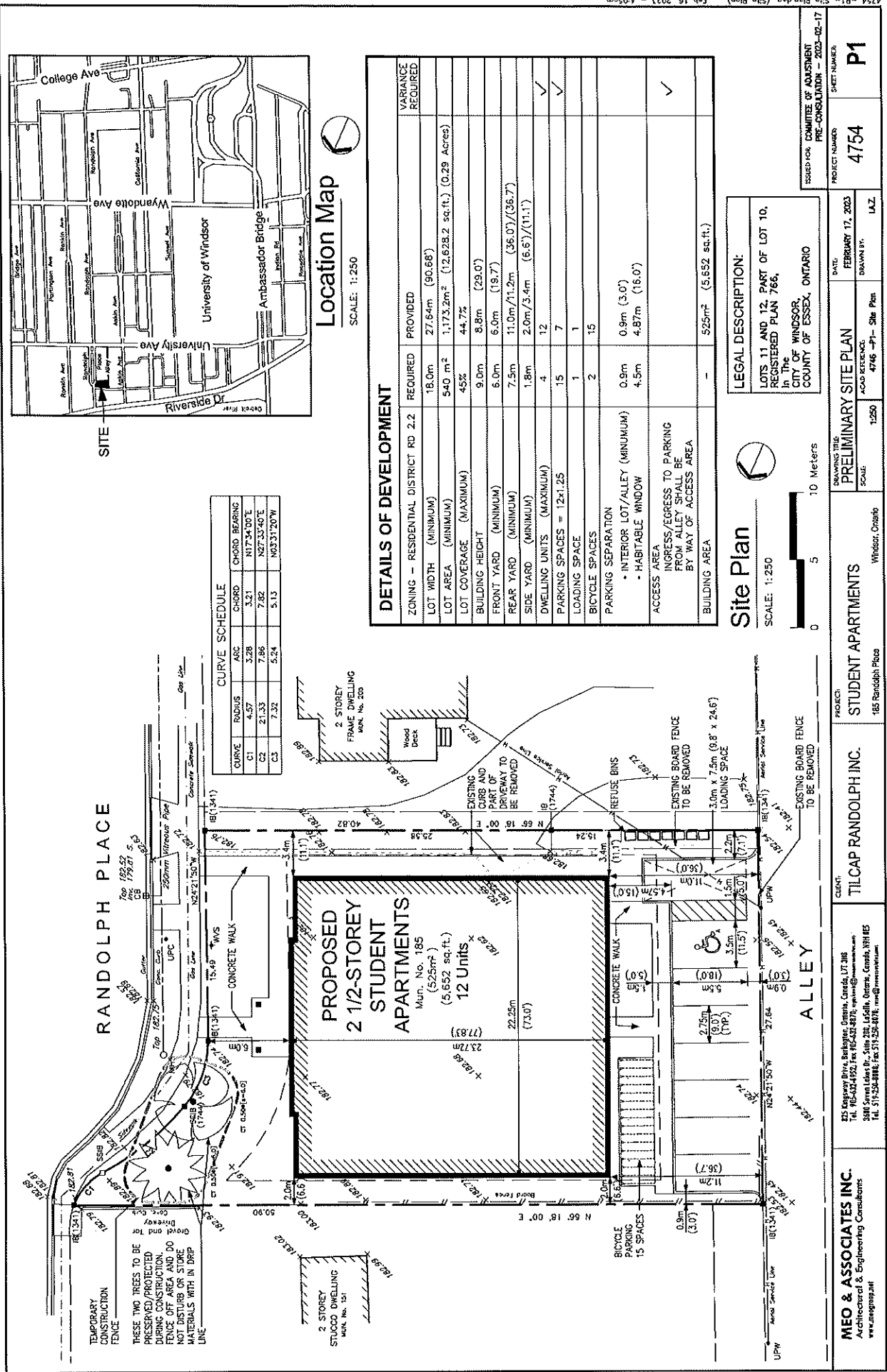


Richard C. Spencer, M.A.Sc., P.Eng., PE
Fellow Member, ITE
President / Windsor Office Manager



Appendix A

SITE PLAN



Location Map
SCALE: 1:250

CURVE SCHEDULE

CURVE	RADIUS	ARC	CHORD	CHORD BEARING
C1	4.57	3.28	3.21	N17°34'00"E
C2	21.33	7.86	7.82	N27°32'40"E
C3	7.32	5.24	5.13	N03°31'20"W

DETAILS OF DEVELOPMENT

ZONING - RESIDENTIAL DISTRICT RD 2.2	REQUIRED	PROVIDED	VARIANCE REQUIRED
LOT WIDTH (MINIMUM)	18.0m	27.84m (90.66')	
LOT AREA (MINIMUM)	540 m ²	1,173.2m ² (12,628.2 sq.ft.) (0.29 Acres)	
LOT COVERAGE (MAXIMUM)	45%	44.7%	
BUILDING HEIGHT	9.0m	8.8m (29.0')	
FRONT YARD (MINIMUM)	6.0m	6.0m (19.7')	
REAR YARD (MINIMUM)	7.5m	11.0m/11.2m (36.0')/(36.7')	
SIDE YARD (MINIMUM)	1.8m	2.0m/3.4m (6.6')/(11.1')	
DWELLING UNITS (MAXIMUM)	4	12	
PARKING SPACES = 12x1.25	15	7	
LOADING SPACE	1	1	
BICYCLE SPACES	2	15	
PARKING SEPARATION			
- INTERIOR LOT/ALLEY (MINIMUM)	0.9m	0.9m (3.0')	
- HABITABLE WINDOW	4.5m	4.87m (16.0')	
ACCESS AREA INGRESS/EGRESS TO PARKING FROM ALLEY SHALL BE BY WAY OF ACCESS AREA			
BUILDING AREA	-	525m ² (5,652 sq.ft.)	✓

LEGAL DESCRIPTION:
LOTS 11 AND 12, PART OF LOT 10,
REGISTERED PLAN 766,
IN THE
CITY OF WINDSOR,
COUNTY OF ESSEX, ONTARIO

Site Plan
SCALE: 1:250
0 5 10 Meters

ISSUED FOR: COMMITTEE OF ADJUSTMENT PRE-CONSULTATION - 2023-02-17	PROJECT NUMBER: 4754	SHEET NUMBER: P1
DRAWING TITLE: PRELIMINARY SITE PLAN	DATE: FEBRUARY 17, 2023	DRAWN BY: LAZ
SCALE: 1:250	ACD REFERENCE: 4746 - 7 - Site Plan	
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Appendix B

ITE PARKING GENERATION REFERENCES

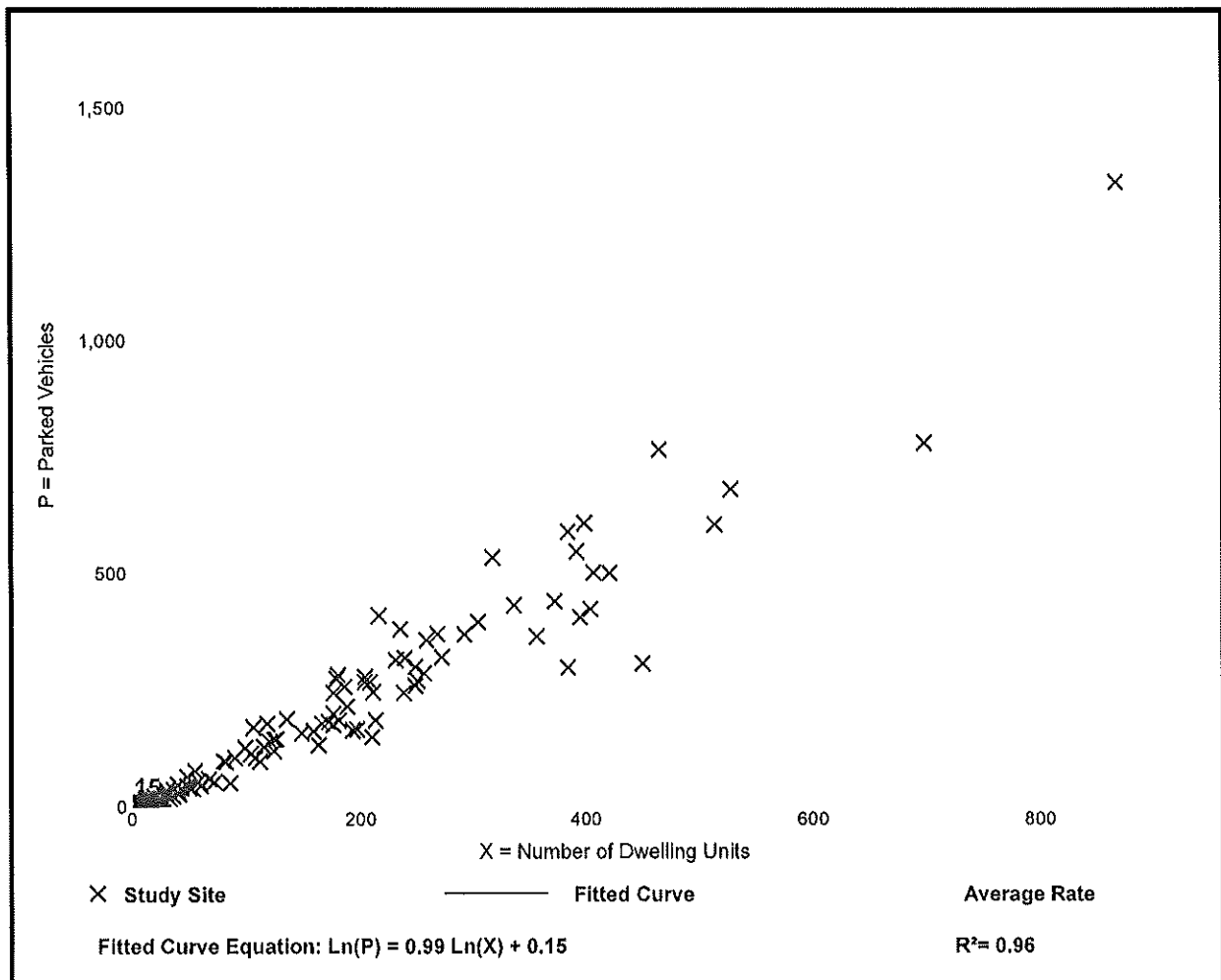
Multifamily Housing (Low-Rise) (220)

Peak Period Parking Demand vs: Dwelling Units
On a: Weekday (Monday - Friday)
Setting/Location: General Urban/Suburban (no nearby rail transit)
Peak Period of Parking Demand: 11:00 p.m. - 6:00 a.m.
Number of Studies: 119
Avg. Num. of Dwelling Units: 156

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.21	0.58 - 2.50	1.03 / 1.52	1.16 - 1.26	0.27 (22%)

Data Plot and Equation



Parking Generation Manual, 5th Edition • Institute of Transportation Engineers

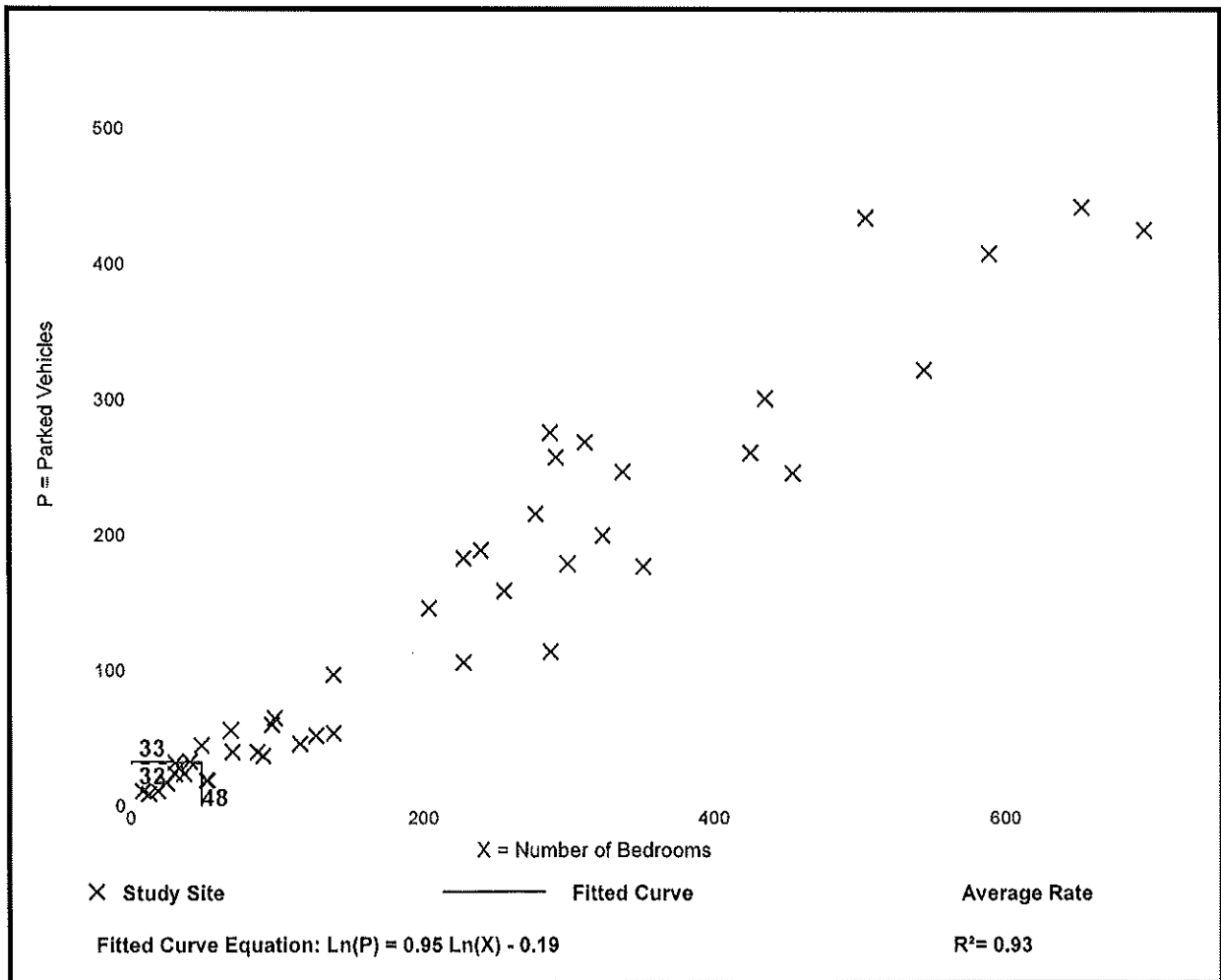
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Peak Period Parking Demand vs: Bedrooms
On a: Weekday (Monday - Friday)
Setting/Location: General Urban/Suburban (no nearby rail transit)
Peak Period of Parking Demand: 11:00 p.m. - 6:00 a.m.
 Number of Studies: 45
 Avg. Num. of Bedrooms: 215

Peak Period Parking Demand per Bedroom

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.66	0.37 - 1.38	0.61 / 0.86	0.62 - 0.70	0.15 (23%)

Data Plot and Equation



Parking Generation Manual, 5th Edition • Institute of Transportation Engineers

**STUDENT HOUSING DEVELOPMENT
185 RANDOLPH PLACE, WINDSOR, ON**

PARKING STUDY

Prepared by:



RC SPENCER ASSOCIATES INC.
Consulting Engineers

Windsor: 800 University Avenue W. - Windsor ON N9A 5R9
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File No.: 23-1461

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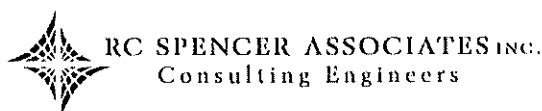
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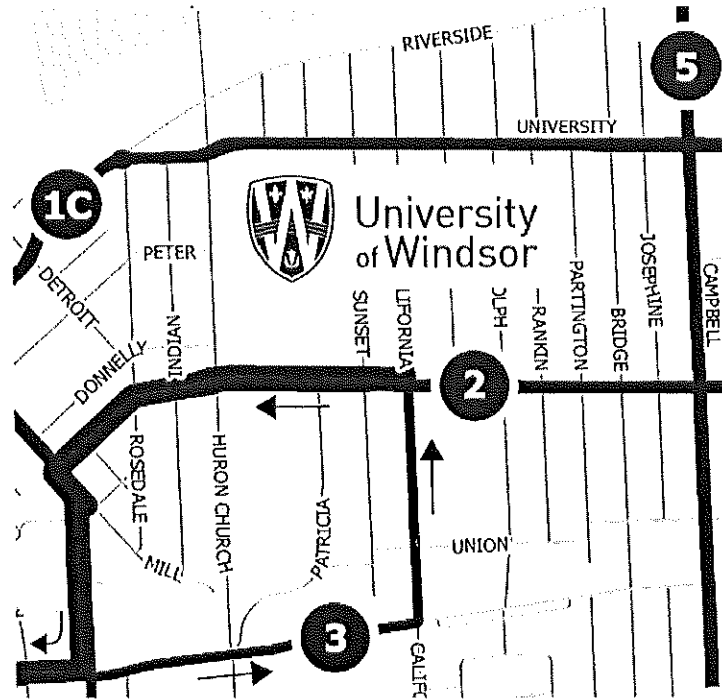


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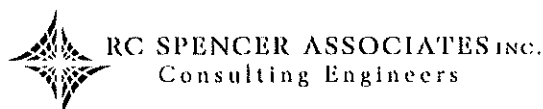
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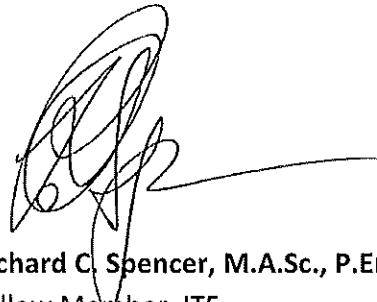
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RC Spencer Associates Inc.



Aaron D. Blata, M.Eng., P.Eng., PTOE
Professional Traffic Operations Engineer
Associate / Leamington Office Manager

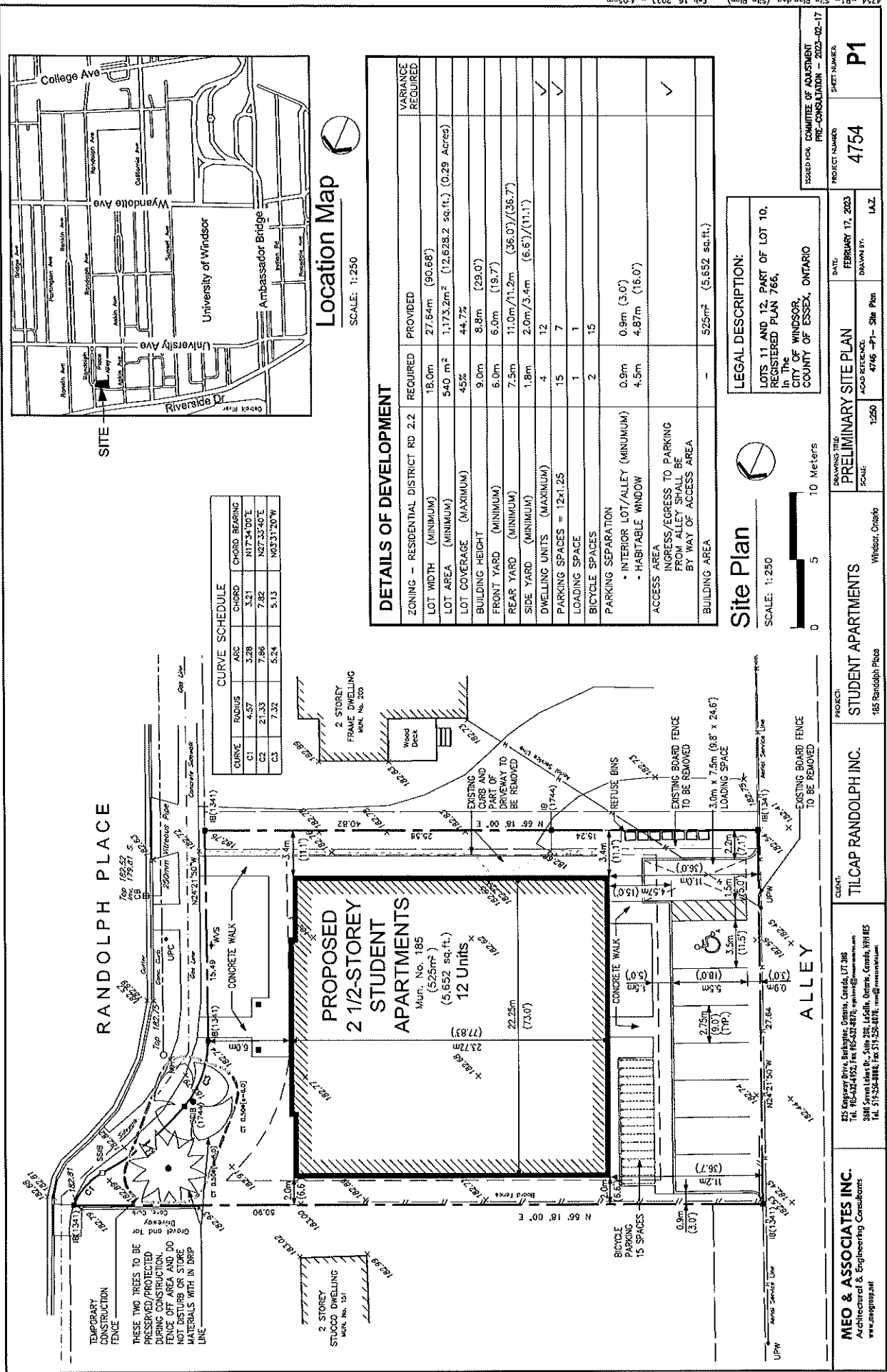


Richard C. Spencer, M.A.Sc., P.Eng., PE
Fellow Member, ITE
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Appendix A

SITE PLAN



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 In The
 CITY OF WINDSOR,
 COUNTY OF ESSEX, ONTARIO

Site Plan
 SCALE: 1:250
 0 5 10 Meters

ISSUED FOR: COMMITTEE OF ADJUSTMENT PRE-CONSULTATION - 2023-02-17	PROJECT NUMBER: 4754	SHEET NUMBER: P1
DRAWING TITLE: PRELIMINARY SITE PLAN	DATE: FEBRUARY 17, 2023	DRAWN BY: LAZ
SCALE: 1:250	ACD REFERENCE: 4746 -> 1 - Site Plan	
CLIENT: TILCAP RANDOLPH INC. 187 Randolph Place Windsor, Ontario	PROJECT: STUDENT APARTMENTS	
425 Highway Drive, Burlington, Ontario, Canada, L7T 3J8 Tel: 905-332-4592, Fax: 905-332-4876, info@meo.ca 3800 Seven Lakes Dr., Suite 202, LeSalle, Ontario, Canada, N9H 1E5 Tel: 519-326-8818, Fax: 519-326-4876, meo@meoconsultants.com	MEO & ASSOCIATES INC. Architectural & Engineering Consultants www.meo.ca	

Appendix B

ITE PARKING GENERATION REFERENCES

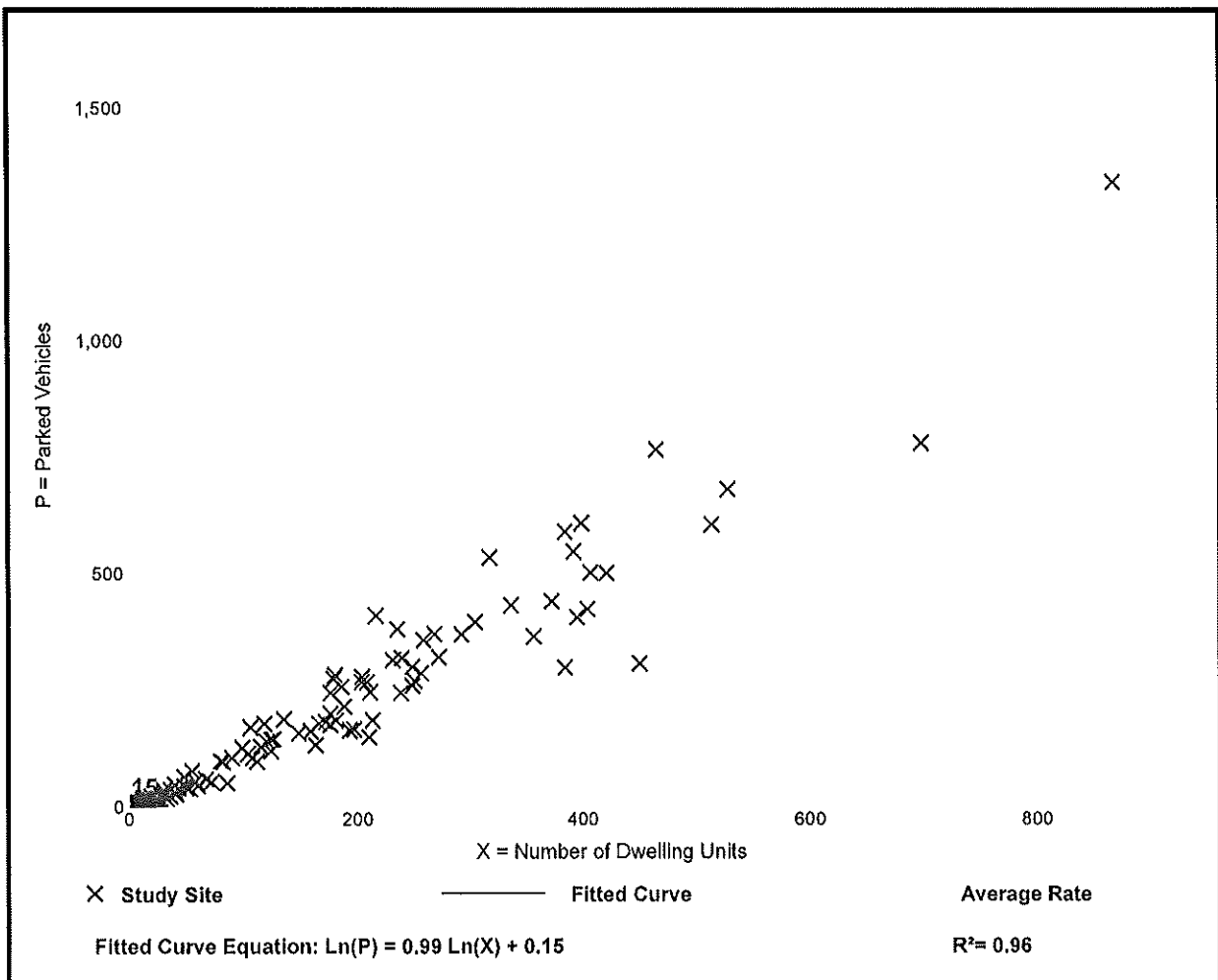
Multifamily Housing (Low-Rise) (220)

Peak Period Parking Demand vs: Dwelling Units
On a: Weekday (Monday - Friday)
Setting/Location: General Urban/Suburban (no nearby rail transit)
Peak Period of Parking Demand: 11:00 p.m. - 6:00 a.m.
 Number of Studies: 119
 Avg. Num. of Dwelling Units: 156

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.21	0.58 - 2.50	1.03 / 1.52	1.16 - 1.26	0.27 (22%)

Data Plot and Equation



Parking Generation Manual, 5th Edition • Institute of Transportation Engineers

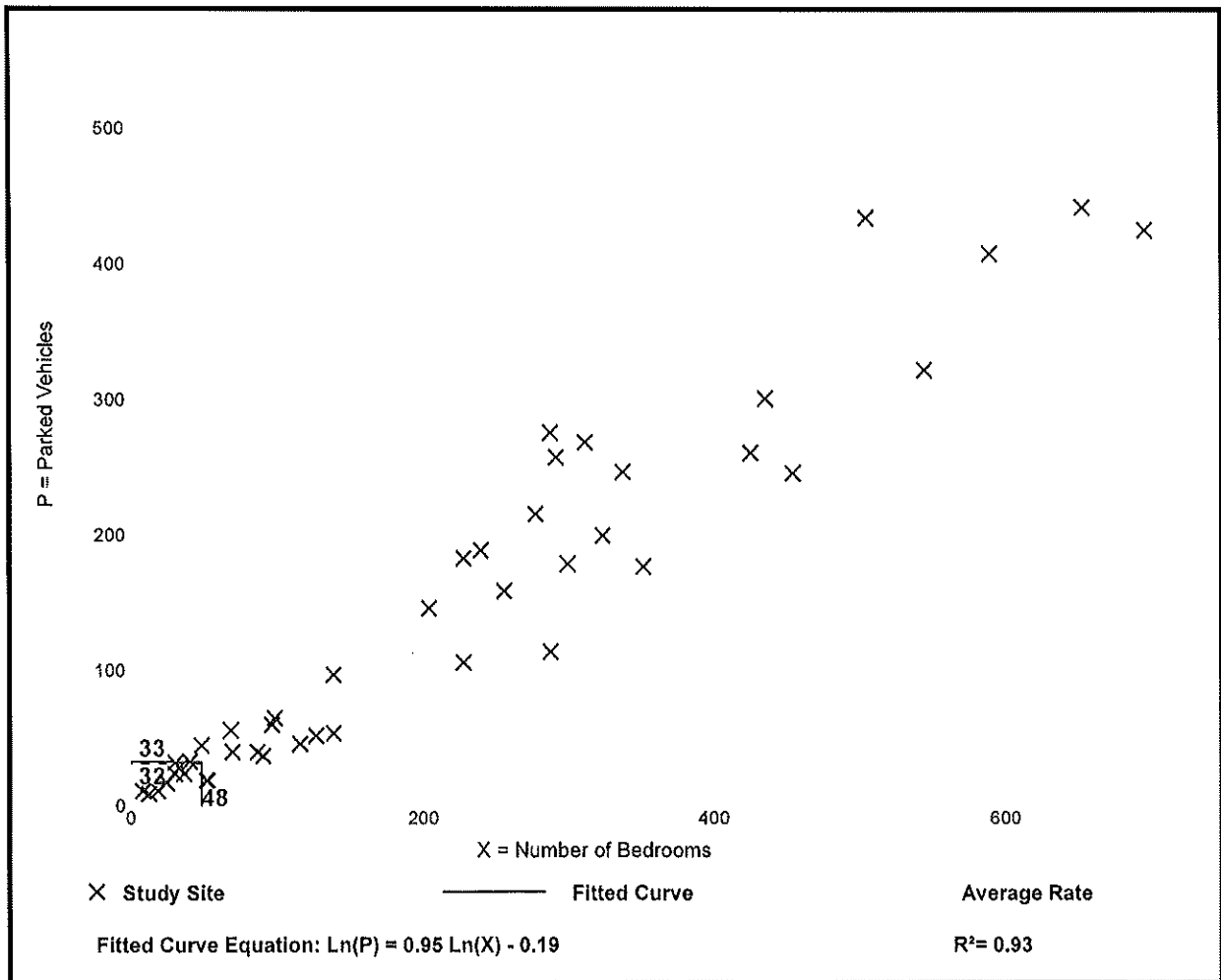
Multifamily Housing (Low-Rise) (220)

Peak Period Parking Demand vs: Bedrooms
On a: Weekday (Monday - Friday)
Setting/Location: General Urban/Suburban (no nearby rail transit)
Peak Period of Parking Demand: 11:00 p.m. - 6:00 a.m.
 Number of Studies: 45
 Avg. Num. of Bedrooms: 215

Peak Period Parking Demand per Bedroom

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.66	0.37 - 1.38	0.61 / 0.86	0.62 - 0.70	0.15 (23%)

Data Plot and Equation



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DILLON
CONSULTING

TILCAP RANDOLPH INC.

Zoning By-Law Amendment

Urban Design Brief
185 Randolph Place

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1.0 Background

1.1 Purpose

Dillon Consulting Limited (Dillon) has been retained by Tilcap Randolph Inc. (the “Developer”), to provide an Urban Design Brief to assist in obtaining the necessary planning approvals associated with the proposed two and a half (2.5) storey, 12-unit multiple dwelling residential development with associated parking area located at 185 Randolph Place (the “Subject Site”) in the City of Windsor. This Urban Design Brief follows the requirements as specified in the Pre-Submission Letter dated March 21, 2023, highlighting the design features of the proposed development that exemplify the City’s urban design policies. In addition, the Urban Design Brief provides recommendations for the Developer to consider for future approvals processes (i.e., Site Plan Control), which will help further align the proposed development with the goals, objectives, and policies found in the City of Windsor Official Plan.

1.1 Description of Site

1.1.1 Existing Area Character

The Subject Site is located in the Riverwest Planning District on the west side of Randolph Place between Riverside Drive West and University Avenue West. The eastern property line abuts Randolph Place and the western property line is adjacent to an alley, which both provide vehicular access to the site. Both the northern and southern property lines are adjacent to low density dwellings. The site is currently vacant. The site is 0.11 hectares (0.29 acres) in area, with 27.6 meters (90.6 feet) of frontage on Randolph Place. **Figure 1 – Location Map** identifies the Subject Site.

Figure 1 - Location Map



The surrounding area is primarily residential, with low rise developments consisting of single detached homes, converted dwellings, a four-storey apartment building (Randal Court Apartments), and two, three-storey apartment buildings (Randolph Manor Executive Apartments and 2220 University Ave West). Further south, at the intersection of Randolph Place and University Avenue West, there are three apartment buildings including a nine-storey apartment building (University Towers), a six-storey apartment building (Carleton Tower Apartments), and a four-storey apartment building (308 Randolph Avenue). In close proximity to the site are open spaces, namely the Riverfront Trail to the north, Ernest Atkinson Park to the east, and the Windsor Sculpture Park. Beyond the immediate area of the Subject Site, there is a range of commercial, residential, and institutional uses, including the University of Windsor.

Figure 2 - View of Surrounding Neighbourhood (Looking southeast from Subject Site)



Randolph Place is a local neighbourhood street cross section with one lane of traffic travelling in either direction with a wide tree-lined boulevard, as shown on **Figure 2 – View of Surrounding Neighbourhood (Looking southeast from Subject Site)** and **Figure 3 – View of Randolph Place Right-of-Way Looking North**.

Figure 3 - View of Randolph Place Right-of-Way Looking North



The Subject Site contains limited vegetation consisting of two trees located in the north eastern corner of the property.

There are sidewalks running along Randolph Place as well as the surrounding streets (Riverside Drive West and University Avenue West), which provide connections into the larger pedestrian sidewalk network running throughout Riverwest and the rest of the city. Painted bike lanes are in place along both sides of Riverside Drive West and University Avenue West that provides cyclists with connections throughout the city.

1.1.2 Vision for Area Character

Urban Design policies detailed in the City of Windsor Official Plan apply to the Subject Site. City Council is committed to enhancing the enjoyment and image of Windsor, along with its people, through urban design principles. It is stated that a memorable, attractive and liveable city is one where people feel comfortable and are inspired by their surroundings. As such, development should incorporate design features to protect, maintain and improve the quality of life for present and future generations by integrating the principles of sustainability and place making.

The Subject Site is located within a Mature Neighbourhood, as indicated on Schedule A-1 in the City of Windsor Official Plan. Within the City of Windsor, lands identified as Mature Neighbourhood are not designated as Heritage Areas or Heritage Conservation Districts. However, the areas identified as Mature Neighbourhoods reflect the cultural heritage of the City and are intended to be protected. The City provides additional policies through the Official Plan to guide consideration for development in these areas. Through planning approval processes, including Zoning By-law Amendments and Site Plan Control, the City intends to facilitate the retention of heritage resources, and to ensure any proposed development is compatible with heritage resources.

The Subject Site is adjacent to a heritage property (205 Randolph Place) that is recognized on the Heritage Register. Along the extent of Randolph Place between Riverside Drive West and University Avenue West, there are other properties recognized on the Heritage Register in close proximity to the Subject Site. The objectives for heritage conservation management in Windsor include preserving the City's heritage resources in a manner that respects their architectural, historical, and contextual significance while ensuring their functional future. This involves integrating heritage conservation into comprehensive urban design plans, setting an example through the proper management of municipally-owned heritage properties, and promoting public awareness and participation in conserving the City's heritage.

As contemplated in Section 9 of the Official Plan, when evaluating planning applications, it's essential to consider the proposed development's harmony with adjacent structures in terms of size, profile, character, respect for local heritage buildings, width and setback patterns, and the preservation of natural and landscaped elements that contribute to their identity. The maintenance, enhancement, or creation of views and vistas towards heritage resources is an additional consideration encouraged through the City's Official Plan. Lastly, the City intends to minimize shadow impacts on adjacent heritage properties from proposed developments, especially on landscaped open spaces and outdoor amenity areas.

As depicted on **Figure 4 – Streetscape Surrounding Subject Site**, the height of the proposed development is keeping in context with the surrounding area and with the adjacent heritage recognized property. The proposed building height exceeds the existing permitted height by 0.93m, and this slight increase does not undermine the existing building context. Further, it maintains the number of stories compatible within the neighbourhood, such as the three-storey building at 269 Randolph Place (Randolph Manor). There are several examples where height exceeds the height limits of the Residential District 2.2 Zone as well as the proposed height of the proposed development. South of the Subject Site, along University Avenue West, there are a number of residential buildings exceeding the height and density of the proposed development, namely the four-storey apartment building (Randal Court Apartments) and the nine-storey (9) apartment building (University Towers).

The proposed two and a half storey residential development takes inspiration from the cultural heritage of the surrounding neighbourhood for the design aesthetic, specifically, the brick, horizontal siding, fenestration, and architectural details used on the exterior. The intent is to incorporate a similar brick and siding style which is complimentary to the neighbouring heritage recognized building to the south.

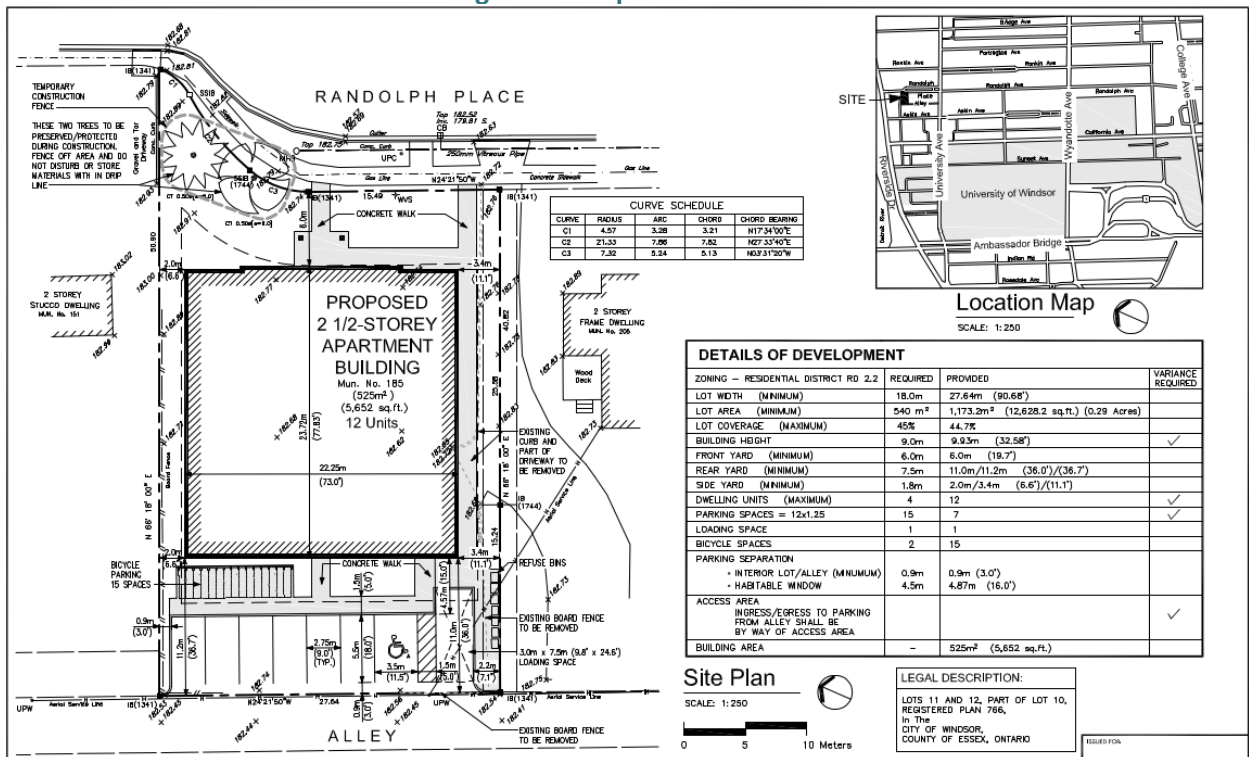
Figure 4 - Streetscape Surrounding Subject Site



1.2 Proposed Residential Development & Site Design

The proposed development includes the construction of a two and a half (2.5) storey residential building, with 12 apartment style units containing 4 bedrooms in each unit. The proposed development requires 15 standard parking spaces, one accessible parking space (Type A), and one loading space for a total of 16 spaces. Seven parking spaces are proposed, to be accessed from the rear yard via the alley, along with one loading space and 15 bicycle parking spaces. All vehicular access is proposed from the alley whereas Randolph Place will only provide pedestrian access to the Subject Site. Refer to **Figure 5 – Proposed Site Plan**.

Figure 5 - Proposed Site Plan



1.2.1 Street and Block Pattern

The development is situated within a well-connected neighborhood characterized by a mix of residential structures ranging from two to four-storey residential buildings. The existing street pattern includes a local neighbourhood street and alleyway that provides adequate access to each building. Randolph Place, which is the primary pedestrian access for the proposed development, is a part of this efficient street network.

The block on which the development is proposed accommodates a range of building heights that vary from two storeys along Randolph Place to High Profile developments of nine-storeys along University Avenue West. The proposed development, a two and a half storey residential building, fits well into this block pattern, contributing to the overall architectural diversity in the area. Its slight height deviation,



which exceeds the permitted maximum by 0.93m, is minimal and does not disrupt the existing rhythm of building heights in the neighborhood.

With regard to the location of the proposed development, it respects the local norms. It maintains an active street frontage with a prominent pedestrian entrance that adds to the walkability and human scale of the neighborhood. The vehicular access and parking are located at the rear of the building, from the alleyway, which prioritizes pedestrian movement along Randolph Place. This positioning of vehicular and pedestrian access is in keeping with the site's block pattern and contributes to a clean and pedestrian-friendly streetscape.

The proposed development embraces the local architectural vernacular, showcasing face brickwork on its façades that mirrors the traditional brick structures in the surrounding area. This design approach strengthens the continuity and cohesive identity of the block. The design considerations of the proposed development demonstrate a balance between fitting into the existing context and adding a unique architectural contribution to the block. The proposed development's respect for pedestrian accessibility and integration of heritage-inspired elements into the design align with the neighbourhood's character, enhancing its overall urban fabric.

1.2.2 Building Orientation, Site Layout and Landscaping

The proposed development is strategically designed and has an orientation to maximize solar exposure. The proposed building will have its longest facade (23.7m) face north and south to capture the most sun exposure.

The site layout adheres to the permitted maximum lot coverage utilizing 44.7% of the available site area to construct the building while ensuring adequate space for landscaping and outdoor amenities. The main entrance, positioned for clear access from the primary right of way, provides an inviting approach to the building. A parking area with seven parking spaces is proposed at the rear of the site to accommodate vehicle parking. An ample supply of fifteen bicycle parking spaces far exceeds the minimum requirement of two, encouraging a more sustainable mode of transportation. The proposed reduction in parking spaces provided combined with the inclusion of bicycle parking in excess of the required minimum functions to support active transportation. Further, the reduction in parking spaces results in a decreased surface area required for parking on the Subject Site. With a limited surface parking area and adequate space for landscaping proposed, the heat island effect on the Subject Site is minimized.

Thoughtful setbacks from the property lines — 2.0m from the north property line (interior side yard), 3.4m from the south property line (interior side yard), 11.0m from the west property line (rear yard), and 6.0m from the east property line (front yard) — ensure the building complements its surroundings while offering privacy for existing residents. A Shadow Impact Study, prepared by Meo & Associates Inc.,

is provided under separate cover and details the anticipated shadow impacts from the proposed development to confirm that adjacent properties will not be negatively impacted.

Waste management is handled effectively with outdoor refuse bins positioned alongside the loading area, keeping them conveniently located for waste management and minimizing the visual disruption for residents and visitors.

Two existing trees at the front corner of the site will be preserved, enhancing the natural aesthetics of the development and contributing to local biodiversity. Lastly, concrete walkways are designed to guide residents and visitors from the main entrance to the rear of the property, ensuring seamless circulation around the site.

1.2.3 Built Form

The proposed built form is a harmonious blend of modern and traditional aesthetics. Proposed to stand at a height of 9.93m, the architectural merit of the building profile adds a touch of distinctiveness to the neighborhood's architectural language. The building features a sloped roof, enhancing the residential character and complementing the surrounding structures. A decorative dormer enriches the roofline, enhancing the visual interest of the building and incorporating architectural features found within the surrounding neighbourhood. Refer to **Figure 6 – Rendering of Proposed Development**.

Figure 6 - Rendering of Proposed Development



The primary building entrance is located on the east side of the building fronting onto Randolph Place. An inviting entrance is designed in harmony with the façades found along Randolph Place. A secondary building entrance is located on the west side of the building adjacent to the surface parking area accessed from the alley way. Refer to **Figure 7 – East Elevation (Randolph Place)**, **Figure 8 – South Elevation**, **Figure 9 – West Elevation (Alley)**, and **Figure 10 – North Elevation**.

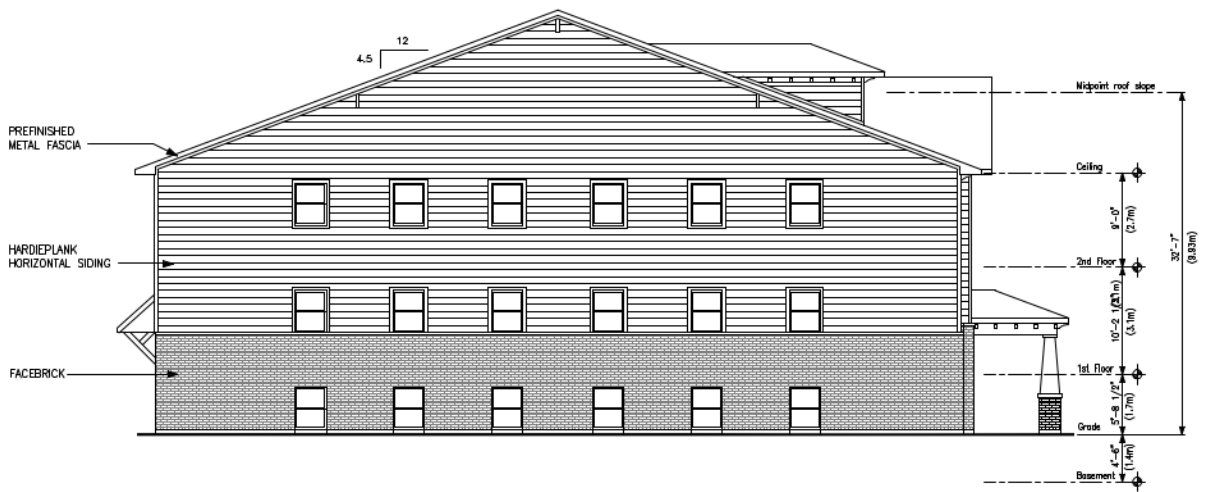
Figure 7 - East Elevation (Randolph Place)



East Elevation
SCALE: 1/8"=1'-0"

Exterior Colour Schedule	
Material	Colour
FACEBRICK	RED
HARDIEPLANK HORIZONTAL SIDING	TALPE
TRIM, BRACKETS	GREEN
ASPHALT SHINGLES	GREEN
WINDOWS	BLACK
METAL FASCIA, GUTTERS	BLACK
STONE SILL	GREY

Figure 8 - South Elevation



South Elevation
SCALE: 1/8"=1'-0"

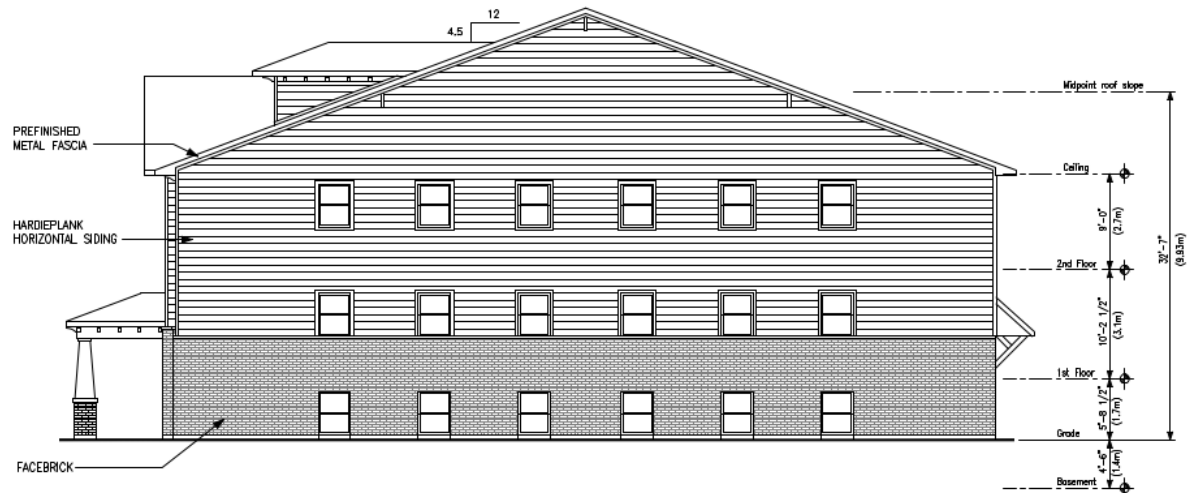
Figure 9 - West Elevation (Alley)



West Elevation

SCALE: 1/8"=1'-0"

Figure 10 - North Elevation

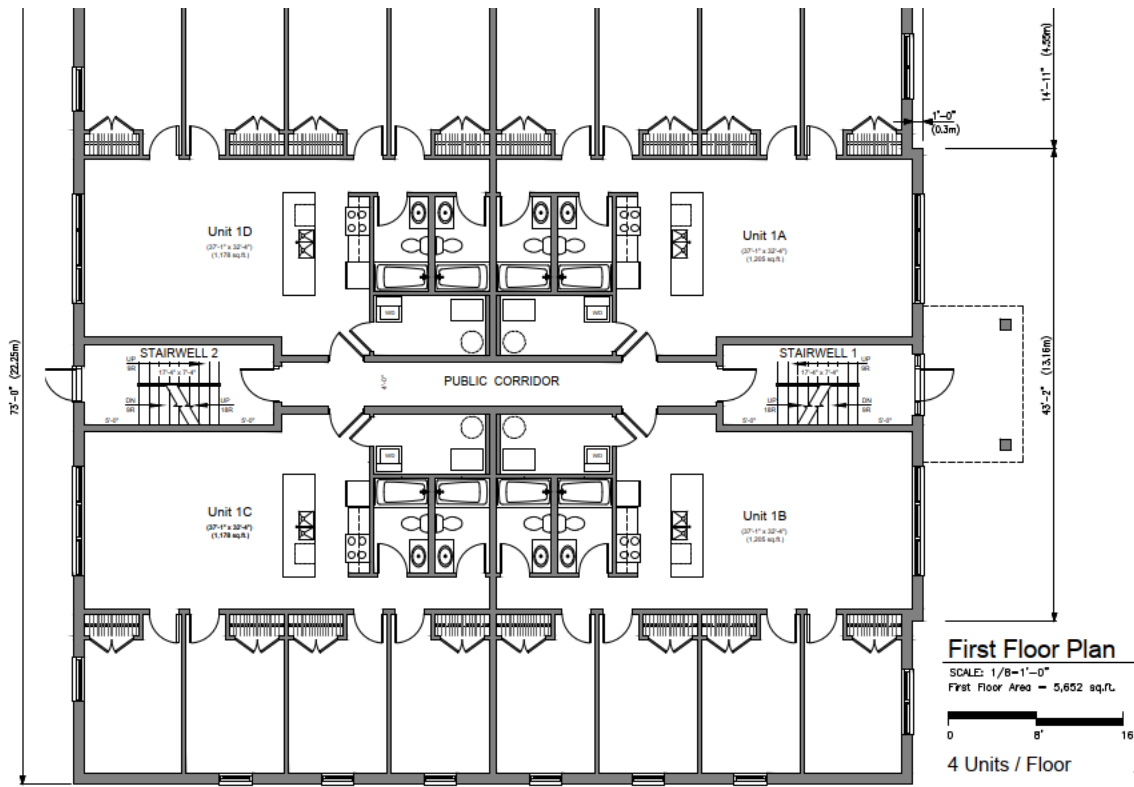


North Elevation

SCALE: 1/8"=1'-0"

The floor plan for the three (3) residential floors is shown in **Figure 11 – Floor Plan**.

Figure 11 - Floor Plan



1.2.4 Transportation

The development is supported with excellent connectivity to the larger city, contributing to its appeal and functionality. Future residents will enjoy unencumbered access to transit options, facilitating hassle-free commuting. For cyclists, Riverside Drive West and the University Avenue West boast dedicated bike lanes, encouraging sustainable and active transportation. Further, pedestrian-friendly sidewalks extend from the Subject Site onto the surrounding streets and to the Riverfront Trail, linking residents directly to a host of amenities and the vibrant city life beyond the residential premises.



2.0 Urban Design Evaluation

To determine appropriateness of the proposed development, an evaluation of the site context, building massing, and site/landscape treatment has been undertaken. The planning rationale for the project addresses the various policies and criteria in the Official Plan and identifies and evaluates the potential issues associated with the proposed development. The urban design evaluation assesses how well the proposal integrates with the context and whether the design is appropriate within its setting.

2.1 Context and Orientation

The City of Windsor Official Plan and the Provincial Policy Statement (PPS) promote the development of 'Strong, Healthy Communities' which include a provision of a variety of types and densities of housing forms. This diversity in the residential housing stock allows for a wider range of opportunities for residents of Windsor to live and to allow them to age in place. Both documents also outline the importance of providing pedestrian scale neighbourhoods. This particular site sits within the Riverwest Planning District.

The Subject Site, which is located on the west side of Randolph Place between Riverside Drive West and University Avenue West, is nestled within an existing residential area in close proximity to the Detroit River. Adjacent land uses are primarily residential, comprised of single detached homes and converted dwellings. Beyond the immediate area of the site, there is a range of commercial, residential uses - including four to nine-storey residential apartment buildings, and institutional uses - including the University of Windsor within walking distance from the site. The height, massing and scale of the existing residential developments surrounding the Subject Site provide a context for the proposed development. Refer to **Figure 4 – Streetscape Surrounding Subject Site** for a comparison between existing developments in the area and the proposed development. The proposed development is in keeping with the context of the existing neighbourhood in terms of height and residential use.

A Site Specific Zoning By-Law Amendment is being sought for the Subject Site to permit the development. The Residential District 2.2 Zone will be used as the base for the amendment. The proposed development is in keeping with the neighbouring heights and densities found along Randolph Place. Many of the residential dwellings along this stretch of Randolph Place have similar setbacks and heights. The proposed development intends to maintain a front yard setback of 5.0m from Randolph Place to remain in harmony with the adjacent existing residential dwellings.

The setbacks and the design features incorporated into the proposed development provide for a transition between the low-rise multiple dwelling building and the low-rise single detached dwellings along Randolph Place. All of which maintains the existing context of the surrounding neighbourhood.

2.2 Public Realm and Streetscape

The proposed development features human-scale architectural elements that contribute to the aesthetic character of the neighborhood and enhance the pedestrian experience. The building's design prioritizes the public realm by orienting the main façade towards the right-of-way, which makes the building visually accessible to the public and enhances the streetscape. Familiar sized architectural elements, such as doorways and windows are incorporated into the proposed development in a manner that promotes a pedestrian scale along Randolph Place. In addition, the placement of continuous horizontal hardieplank siding and facebrick on the first two storeys adjacent to the road helps to break up the front-facing façade and enhances the pedestrian scale of the streetscape. Locating the façade and main entrance as accessible from the right-of-way fosters a sense of community, interaction, and engagement by providing visual interest to passersby and integrating the building into the pedestrian experience.

Parking is strategically proposed on the rear of the property, avoiding large expanses of surface parking area fronting the road. This helps to preserve the aesthetic character of the residential neighborhood. The location of the parking area also ensures unrestricted pedestrian movement and the protection of the existing trees on the Subject Site. Paved pedestrian walkways are proposed throughout the development site with a clear continuation of sidewalk patterns and visible indication as to where access is encouraged or restricted. Access is carefully designed to provide a sense of direction, offer flexibility in movement, and complement observation opportunities.

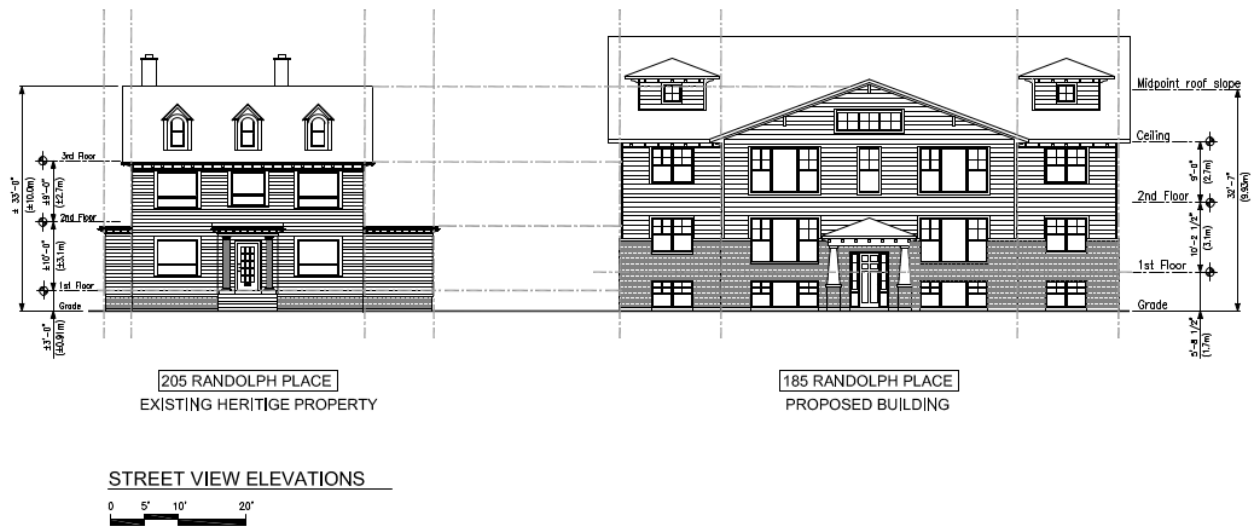
Pedestrian access to the property is achieved with sidewalks connecting to the front and rear entrances as well as Randolph Place and the rear alley. Walkways extending from the development to University Avenue and Riverside Drive West will directly connect residents to a range of amenities. The development's location near University Avenue (Main Street) and Riverside Drive West (Civic Way) also reinforces integration with Windsor's civic identity and the urban fabric. By acknowledging these designations in the design and function, the development contributes to the strengthening of the City's image and the experience of its public spaces.

The proposed development supports Windsor's image as an attractive, livable city by creating an interconnected landscape that complements existing development patterns. The Windsor Sculpture Park and the Riverfront Trail are located approximately 300 metres from the Subject Site, which provides outdoor recreational spaces for future residents. Ernest Atkinson Park, a lively recreational hub equipped with a soccer field, an outdoor swimming pool, and a skateboard park, is a five minute walk from the Subject Site. This facility fosters an energetic, active community atmosphere and will be further supported by the proposed intensification of the Subject Site.

2.3 Built Form and Massing

The proposed 2.5-storey residential building with 12 dwelling units has a height of 9.93m, which is similar to the context of the surrounding area. Given that the proposed development is 9.93m in height and includes 12 dwelling units, a site specific Zoning By-law Amendment is required to permit the proposed built form. The proposed development is located in an area of Windsor with several existing multi-unit residential buildings that range in height between four to nine-storeys and is adjacent to residential dwellings of a similar height and design. Refer to **Figure 12 – Street View Elevations**.

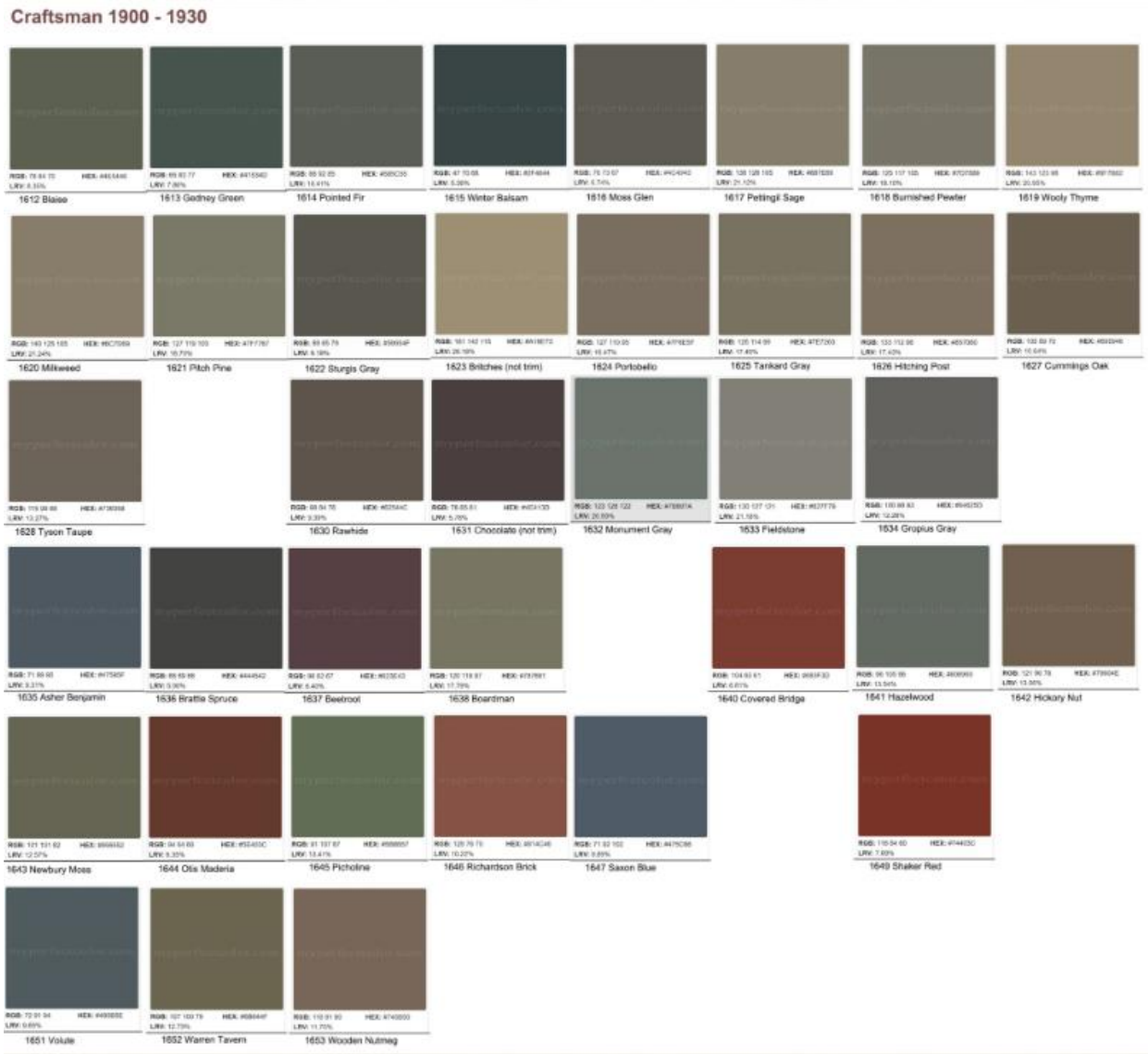
Figure 12 - Street View Elevations



A Shadow Study, prepared by Meo & Associates Inc., demonstrates that the proposed development will have no major impacts on the surrounding properties. Overall, the development is appropriate for the site and within the context of the surrounding built form.

The materials proposed for the façades are complementary to the existing neighbourhood, which consists of brick and siding building faces. Design inspiration for this development is drawn primarily from the 'Prairie' and 'Arts and Crafts' architectural styles of the surrounding neighbourhood, with particular design cues taken from the adjacent property located south of the site (205 Randolph Place). Refer to **Figure 12 – Street View Elevations**. The colour scheme selected for the proposed development is based on the 'Craftsman' colour palette, as suggested through consultation with the City. Refer to **Figure 13 – Craftsman Colour Palette**.

Figure 13 - Craftsman Colour Palette



The development employs the use of decorative dormers, brackets along the roofline, hardieplank siding, and a face brick foundation, which echo the architectural detailing of neighboring buildings. Through consultation with the City, extended Prairie-style eaves and overhangs with exposed rafter bars are included in the proposed development. The gables and dormers are utilized to achieve height and reflect the architectural style found in the neighbourhood. This enhances the human scale of the development and contributes to the existing character, scale, and appearance of the existing built forms.

The proposed development is designed to function as an integral part of the area's existing development pattern. The building's massing, height, architectural proportion, volumes of defined spaces, lot size,

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position relative to the road, and building area to site area ratio are well aligned with the existing neighborhood. The decorative elements not only add visual interest to the building but also compliment the historic architectural image of Windsor, thereby contributing to the sense of place. Overall, the proposed development enhances the character of the neighborhood through the compact built form, respecting the existing urban design evolution, and surrounding built forms.

The development reduces the visual dominance of front-drive garages by locating the parking and servicing to the rear of the property, enhancing the residential streetscape. With large windows facing the street and a main entrance with decorative columns, the proposed development creates visually interesting façades. Non-public functions such as loading spaces are avoided directly facing the street. The main entrance to the building is street oriented and clearly visible from principal pedestrian approaches.

The street-facing façades of the building showcase facebrick, similar to that found in the existing neighbourhood. Enhancing the entrance, columns have been incorporated at the front, forming a welcoming porch. Asphalt singles will be used for the sloped roof, adding to the overall traditional feel of the architecture. The building features durable hardieplank horizontal siding, lending a touch of modern resilience while seamlessly fitting into the heritage-inspired design. The design considerations such as the columned-entryway, decorative dormer, pitched roof, and large street-facing windows, respect the local architectural style while adding fresh visual interest to the street. The development's pitched roof, decorative brackets, and other architectural elements are design features reminiscent of architectural features found in the surrounding neighbourhood. Refer to **Figure 6 – Rendering of Proposed Development**. Incorporating these elements will serve to respect the City's architectural heritage, and maintains the heritage character of the area. These elements complement the character, scale, appearance, and design features of the existing buildings in the area.

2.4 Development in a Mature Neighbourhood

The City of Windsor is experiencing a growing trend where older houses are demolished and replaced with larger contemporary houses, and where existing dwellings are significantly expanded or renovated. The character of Windsor's Stable and Mature Neighbourhoods is largely determined by architectural style consistency, heritage and landscaping, amongst many other considerations. While it's not required to strictly follow a specific architectural style, certain design elements are intended to be maintained in the neighbourhood for compatibility. The preservation of heritage buildings and context-specific designs for new developments contribute greatly to the area character.

The proposed development's height, which maintains a scale similar to surrounding buildings, architectural style and materials, including the use of decorative dormers and hardieplank siding, demonstrate consistency with the existing streetscape and neighbouring built form and aesthetics. Refer to **Figure 12 – Street View Elevations**. The building design elements, specifically the pitched roof, decorative brackets, and large windows, suggest a sensitivity towards the retention of architectural

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significance in the neighbourhood. Through policy, the City contemplates that intensification in the Mature Neighbourhoods reflect a consistency of style. The development aims to be sensitive to the cultural heritage of the City by integrating architectural styles, materials, and design elements that reflect the existing neighborhood character. Setbacks are provided that play a role in shaping the relationship between the building and the street, offering visual separation between existing and proposed buildings. The proposed setbacks, the maintenance of mature street trees, and the incorporation of context-specific architectural design features helps to preserve the character of the neighbourhood.

3.0

Recommendations

Through this urban design evaluation, a number of recommendations have been developed to help further align the proposed development with the City's vision for the area. The recommendations pertain to the building materiality and massing, public connections, landscape and visual aspects of the proposed development. The aim should be to lessen the impact of the higher density development on the adjacent lower density neighbourhood as well as complement and enhance the public realm right of way along Randolph Place.

The following recommendations include design considerations that should be incorporated into the proposed development during future stages of the planning approvals process, such as the Site Plan Control Approval. By incorporating these additional design considerations, the proposed development can more closely align with the City's policies to enhance the future physical form, development pattern and character of the area. The recommendations are outlined below.

3.1

Building Massing and Materiality Recommendations

The main entrance should be clearly defined to avoid confusion, especially for visitors. To achieve this, visually prominent and welcoming features to the entrances on both sides of the building should be added. Elements could include a change in material such as glazing/glass or architectural elements to provide distinction.

The proposed development incorporates prominent features to the entrances of the building. Refer to **Figure 12 – Street View Elevations**. The main pedestrian entrance is located at the front of the building, fronting onto Randolph Place. This entrance includes glazing details along with architectural features that play homage to the important history of the area. Both entrances are proposed in a location that clearly defines the intended access for future users. Above the basement level units, there is a change in materials that visually breaks up the façade of the development.

To better integrate into the surrounding area and to create a more aesthetically interesting development, proposed intensification should include interventions pertaining to the massing of the building to be in harmony with the neighbouring development. The proposed development does not appear to have a major impact on the adjacent properties and fits with the character of the Randolph Place streetscape. Refer to **Figure 6 – Rendering of Proposed Development**. The introduction of materiality changes along Randolph Place as well as the north and south elevations break up the appearance of a monotonous wall and is complimentary to the existing neighbourhood.

Figure 14 - Example of Comparable Design Features (205 Randolph Place – Adjacent Property)



The side walls of the building, especially the façades on the ends of development which face the adjacent residential neighbourhood have brickwork and other features that provide interest and harmonize with the balance of the neighbourhood. This similarity is demonstrated in the adjacent building at 205 Randolph Place. Refer to **Figure 14 - Example of Comparable Design Features (205 Randolph Place – Adjacent Property)**. By having similar treatments as the east façade, the entirety of the building maintains visual interest.

Figure 15 - Example of Neighbourhood Design Aesthetic (184 Randolph Place)



To respect the privacy and scale of the neighbouring dwellings, the north and south elevations containing habitable windows are limited in number and size. The elevations adjacent to existing dwelling units that containing habitable windows and are setback 2.0m (north elevation) and 3.4m (south elevation), which is well beyond the City's minimum requirement of 1.8m. Further, the proposed height is in keeping with the existing building heights found along Randolph Place. Refer to **Figure 15 - Example of Neighbourhood Design Aesthetic (184 Randolph Place)**.

Figure 16 - Example of Intensification on West Side of Randolph Place (2220 University Avenue West, 269 Randolph Place, and 237/257 Randolph Place)



The proposed development fits into the existing character of the neighbourhood and there are similar examples of intensification found along Randolph Place, which incorporate design aesthetics and play homage to the important history of the area. Refer to **Figure 15 - Example of Neighbourhood Design Aesthetic (184 Randolph Place)** and **Figure 16 - Example of Intensification on West Side of Randolph Place (2220 University Avenue West, 269 Randolph Place, and 237/257 Randolph Place)**.

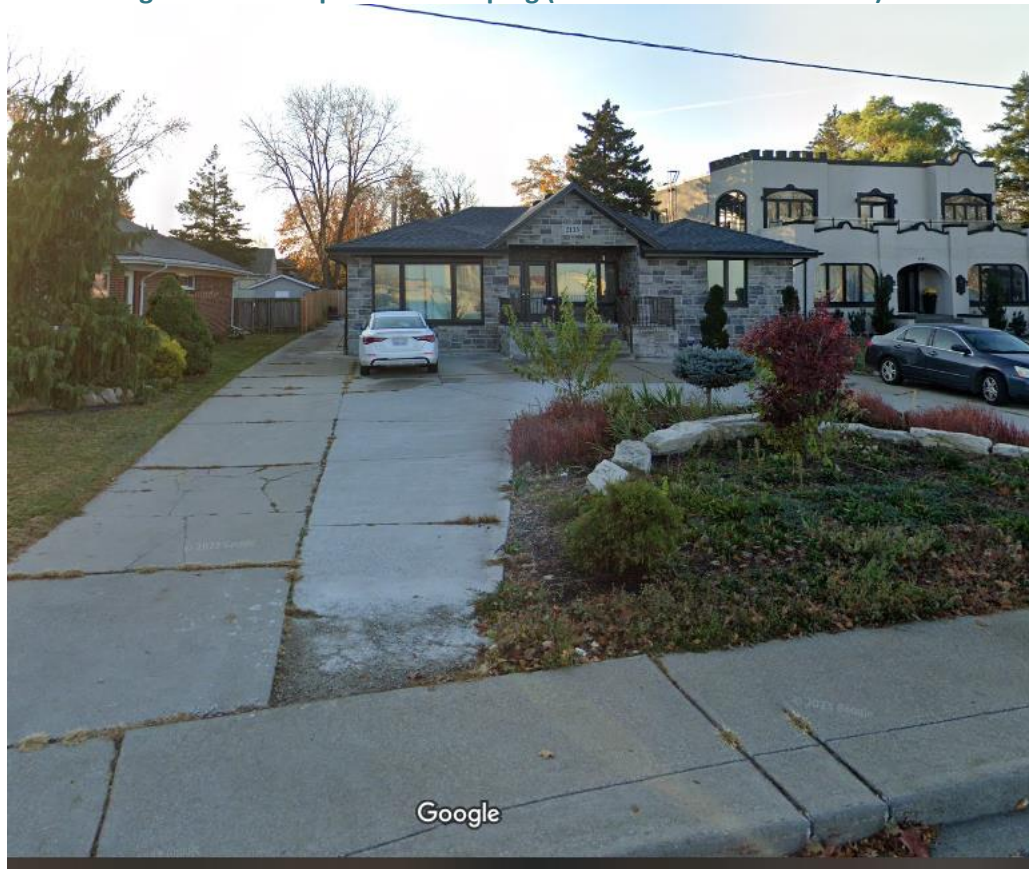
3.2 Public / Private Amenity Space Recommendations

The main outdoor amenity space proposed is the area at the northeast corner of the building and in front of the main entrance on the east elevation, adjacent to Randolph Place. In addition, there is amenity space available at the rear of the building, adjacent to the west elevation. This space adds to the amenity space available for future residents. Amenity space is important for future residents of the development as well as the surrounding community as it adds to the sense of place. The amenity area should be appealing and provide a connection from the public right-of-way. Internal circulation, such as sidewalks and pedestrian thoroughfares, are also important outdoor amenities. There are many examples of public/private amenity space provided on existing sites within the neighbourhood where intensification has occurred. Refer to **Figure 17 - Example of Accessible Outdoor Amenity Space (260 & 262 Randolph Place)** and **Figure 18 - Example of landscaping (2135 Riverside Drive West)**.

Figure 17 - Example of Accessible Outdoor Amenity Space (260 & 262 Randolph Place)



Figure 18 - Example of landscaping (2135 Riverside Drive West)



Amenity spaces should be visually or physically accessible from the public right-of-way for safety purposes and to maximize use. This can be done with changes in materials, pedestrian paths, landscaping, lighting and other public realm features which would invite users into the space. Refer to **Figure 19 – Example of landscaping and lighting to invite users into the space (2225 University Avenue West)**. We recommend that seating, landscaping, and lighting be provided throughout the site in the final design, creating multiple viewpoints in both shade and sunny locations for four season use by future residents. Refer to **Figure 17 - Example of Accessible Outdoor Amenity Space (260 & 262 Randolph Place)**, **Figure 18 - Example of landscaping (2135 Riverside Drive West)**, and **Figure 19 – Example of landscaping and lighting to invite users into the space (2225 University Avenue West)**.

Figure 19 - Example of landscaping and lighting to invite users into the space (2225 University Avenue West)



Efforts should be made to incorporate aspects of sustainability and climate change proactivity within the development. The outdoor amenity spaces can become sustainable as well. This can be accomplished by efforts such as choosing sustainable materials and strategically creating a comfortable micro-climate, as well as incorporating only local materials and planting.

3.3 Landscaping Recommendations

The site has potential to incorporate trees and vegetation within the property's boundaries, contributing to the existing urban tree canopy in the vicinity. The concept plan showcases some areas which can be treated with strategic landscaping which would improve the aesthetic for the amenity area for residents and to soften the transition for residents and pedestrians in the adjacent neighbourhood. Areas for planting are provided along the north elevation, west elevation, and east elevation adjacent to the public realm.

A landscaped buffer as well as board fencing will be installed between the north and south-facing exterior of the building and the neighbours. Landscaping can be accommodated along the north and south portions of the site as well as the possibility for plantings to be included in the non-paved areas of the front and rear yard of the site. Landscaping features can be incorporated along the frontage of the development facing Randolph Place in a manner that is complementary to the existing neighbourhood. Refer to **Figure 20 – Example of Landscaping Features (166 Randolph Place)**. This will improve the pedestrian environment for future residents as well as neighbouring properties that use the sidewalks.

Figure 20 - Example of Landscaping Features (166 Randolph Place)



The Developer should consider adding screening vegetation to lessen the visual impact of the surface parking area from the adjacent parcels. Refer to **Figure 20 – Example of Landscaping Features (166 Randolph Place)**. In addition to views from outside the site, there is also opportunity to provide additional planting around the parking area for improved aesthetics. The Developer should also consider organized landscape plantings to add aesthetic quality the space in between the building and property lines where the informal and formal amenity spaces are being proposed.

A Landscape Plan should be completed for the Subject Site as part of Site Plan Control approval.

3.4 Surrounding Context

Given the location of the Subject Site, there is an opportunity to incorporate design elements that enhance both the proposed development as well as benefit the surrounding area.

3.4.1 Windsor Intensification Guidelines

The site is located within a Mature Neighbourhood boundary. The City’s objective for these evolving and historic neighbourhoods is to promote new construction that recognizes and enhances the neighbourhood’s unique character as it is defined based on elements of urban design, streetscape, architecture, and landscape which contribute positively to their evolving image.

As such, the building design incorporates elements from the City of Windsor Intensification Guidelines and the relevant heritage policies in the Official Plan. As per the Guidelines and Official Plan, the scale of the building is consistent with heights, mass, widths, and proportions of the existing neighbourhood. This is evidenced in **Figure 4 – Streetscape Surrounding Subject Site**, which shows the proposed residential development compared with other existing developments in the area. The building is orientated towards the right-of-way and promotes a contextual design approach that considers the adjacent and surrounding development and fosters pedestrian scaled/oriented streetscapes. Refer to **Figure 12 – Street View Elevations**. The materials and colours are proposed to be in a palate and of a quality that is compatible with the existing buildings in the neighbourhood.

3.4.2 Pedestrian Accessible Amenities

There is an excellent opportunity to utilize the parkland which is located within 550m of the proposed development to the east. Ernest Atkinson Park is located on the south side of Riverside Drive East and north side of University Avenue West, providing users with access to the riverfront. The park provides for additional amenity space as it includes an expansive grassy area with a number of mature trees that provide shade during the spring and summer months. Throughout Ernest Atkinson Park there are paved trails and seating available along with the Ryan Barron Memorial Skate Park and Atkinson Pool.

North of the Subject Site is the Riverfront Trail and Windsor Sculpture Park, located on the northern side of Riverside Drive, along the full expanse of Windsor's riverfront. The Riverfront Trail includes many dedicated park areas, such as the Windsor Sculpture Park, which is approximately 600m from the Subject Site. The Subject Site is strategically located near the City's Greenway System (Schedule B of the Official Plan). It is located amidst multiple 'Recreation-ways' that connect all parkland across the City of Windsor. Further, the Riverfront Trail includes linkages to additional parks elsewhere in Windsor. The proposed residential development will provide residents in close proximity to the existing continuous trail and parkland network, promote its use and would be a definite benefit and commodity for residents in the future units.

The proposed residential development will provide pedestrian connections from the site directly into the existing sidewalk networks along Randolph Place. This public sidewalk network provides direct pedestrian connection between the proposed development and the nearby parklands. Providing these connections will achieve the goal for the area of providing a pedestrian focused environment. It will allow the public as well as residents to access the parkland easily. In addition, the proposed connections to the existing sidewalk network will support access to the amenities and commercial uses located along University Avenue West and on the University of Windsor campus.

The Developer should ensure that the walkway connections from the site to the existing sidewalk network facilitate easy and safe pedestrian navigation. Providing pedestrian scale lighting along the interior pathways would improve the experience for users.

Conclusions

Based on our review of the proposed development, and in consideration of the presented urban design opportunities and recommendations for subsequent development approvals, we have concluded:

1. The proposed development aligns with the overall vision for the area as outlined in the Official Plan, and with adjustments to some design elements during future planning approvals processes, the site can further align with the character as outlined by the City of Windsor policies.
2. The proposed development does not adversely affect the neighbouring properties as it is similar in scale, mass and design to many of the buildings in the area. The existing low-rise development in the area is already surrounded by medium and higher profile residential, commercial, and institutional uses and exist in harmony with these structures.
3. The proposed development respects the close proximity to the lower profile buildings and has been positioned on the site with appropriate setbacks to reduce the potential for privacy issues by limiting the number of habitable windows along the north and south side of the building.
4. The proposed development acknowledges, through design, the nearby heritage properties recognized of the Heritage Register. The development promotes a compatible design that does not deviate substantially from an established pattern. Proposed design features integrate with the existing context and co-exists in harmony with no undue physical or functional adverse impact on existing or proposed development in the area.
5. The proposed development has opportunities to provide landscaping and planting of vegetation along Randolph Place, softening the interface along the property lines and to provide internal planting to improve the aesthetic appeal of the site.
6. The proposed development should implement the design considerations as presented in the Recommendations section for this development (including pathways, planting, and pedestrian-scale lighting).

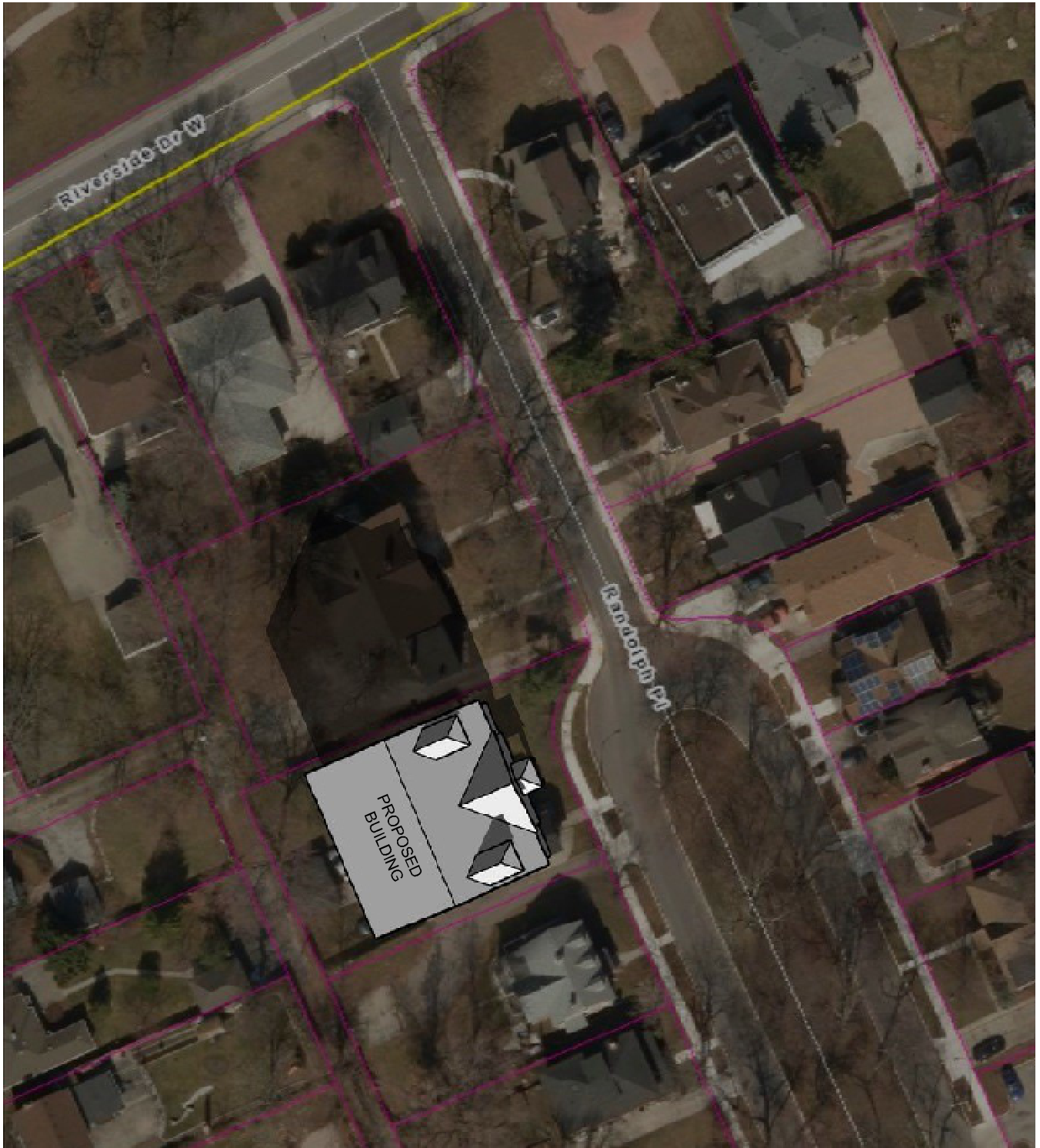


December 21

9:00am



MEO & ASSOCIATES INC. Architectural & Engineering Consultants www.meogroup.net	PROJECT: RANDOLPH PLACE APARTMENTS 185 Randolph Place Windsor, Ontario	DRAWING TITLE: Shadow Study	PROJECT No: 4754
		SCALE: AS NOTED	DRAWN BY: M.J.P.



December 21

11:00am



MEO & ASSOCIATES INC. Architectural & Engineering Consultants www.meogroup.net	PROJECT: RANDOLPH PLACE APARTMENTS 185 Randolph Place Windsor, Ontario	DRAWING TITLE: Shadow Study	PROJECT No: 4754
		SCALE: AS NOTED	DRAWN BY: M.J.P.



December 21

1:00pm



MEO & ASSOCIATES INC. Architectural & Engineering Consultants www.meogroup.net	PROJECT: RANDOLPH PLACE APARTMENTS 185 Randolph Place Windsor, Ontario	DRAWING TITLE: Shadow Study	PROJECT No: 4754
		SCALE: AS NOTED	DRAWN BY: M.J.P.
			SHEET No: SS4-3 OF 5



December 21

3:00pm



MEO & ASSOCIATES INC. Architectural & Engineering Consultants www.meogroup.net	PROJECT: RANDOLPH PLACE APARTMENTS 185 Randolph Place Windsor, Ontario	DRAWING TITLE: Shadow Study	PROJECT No: 4754
		SCALE: AS NOTED	DRAWN BY: M.J.P.



December 21

4:00pm



MEO & ASSOCIATES INC. Architectural & Engineering Consultants www.meogroup.net	PROJECT: RANDOLPH PLACE APARTMENTS 185 Randolph Place Windsor, Ontario	DRAWING TITLE: Shadow Study	PROJECT No: 4754
		SCALE: AS NOTED	DRAWN BY: M.J.P.

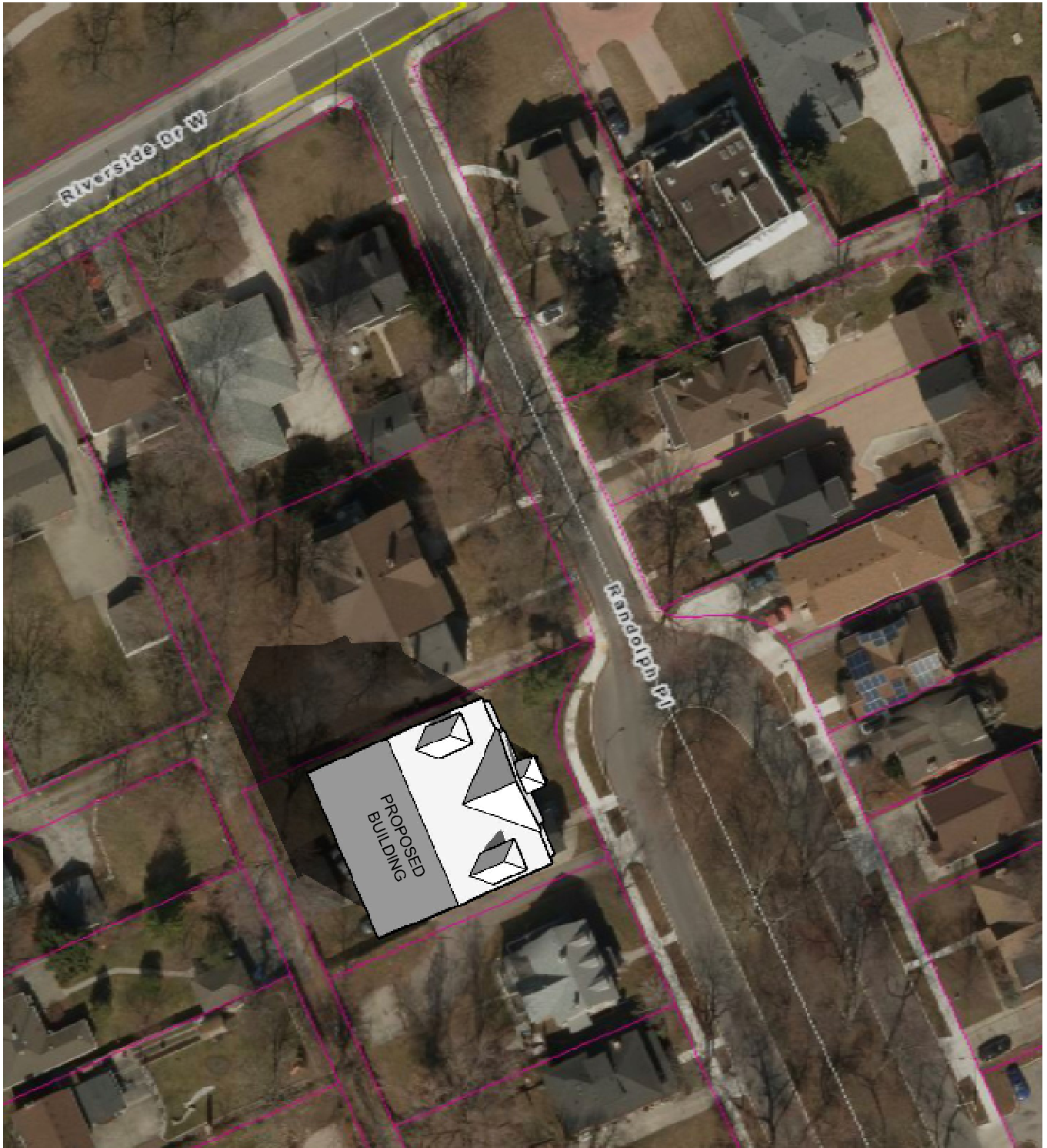


September 21

8:00am



MEO & ASSOCIATES INC. Architectural & Engineering Consultants www.meogroup.net	PROJECT: RANDOLPH PLACE APARTMENTS 185 Randolph Place Windsor, Ontario	DRAWING TITLE: Shadow Study	PROJECT No: 4754
		SCALE: AS NOTED	DRAWN BY: M.J.P.



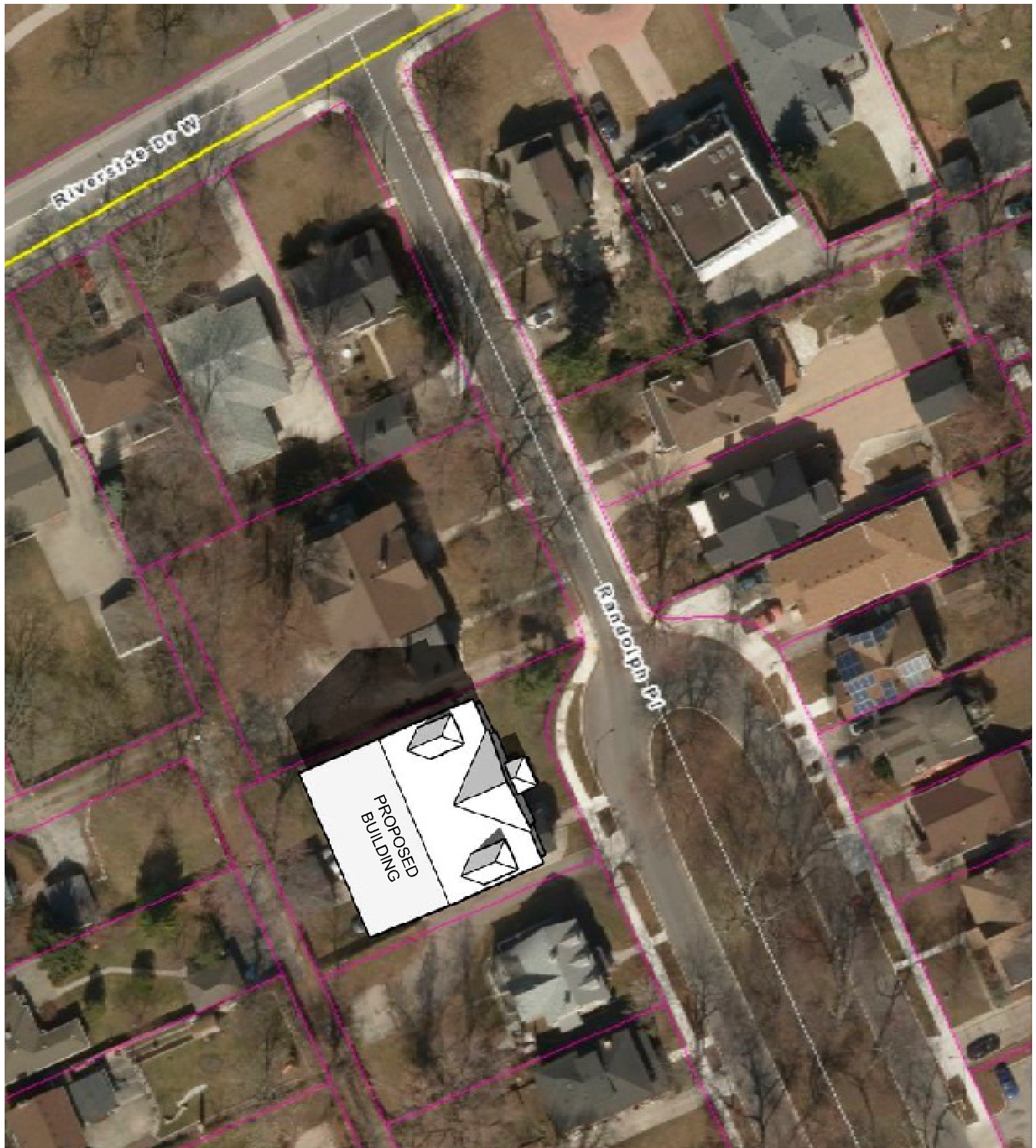
September 21

10:00am



MEO & ASSOCIATES INC. Architectural & Engineering Consultants www.meogroup.net	PROJECT: RANDOLPH PLACE APARTMENTS 185 Randolph Place Windsor, Ontario	DRAWING TITLE: Shadow Study	PROJECT No: 4754
		SCALE: AS NOTED	DRAWN BY: M.J.P.

SHEET No:
SS3-2 OF 6

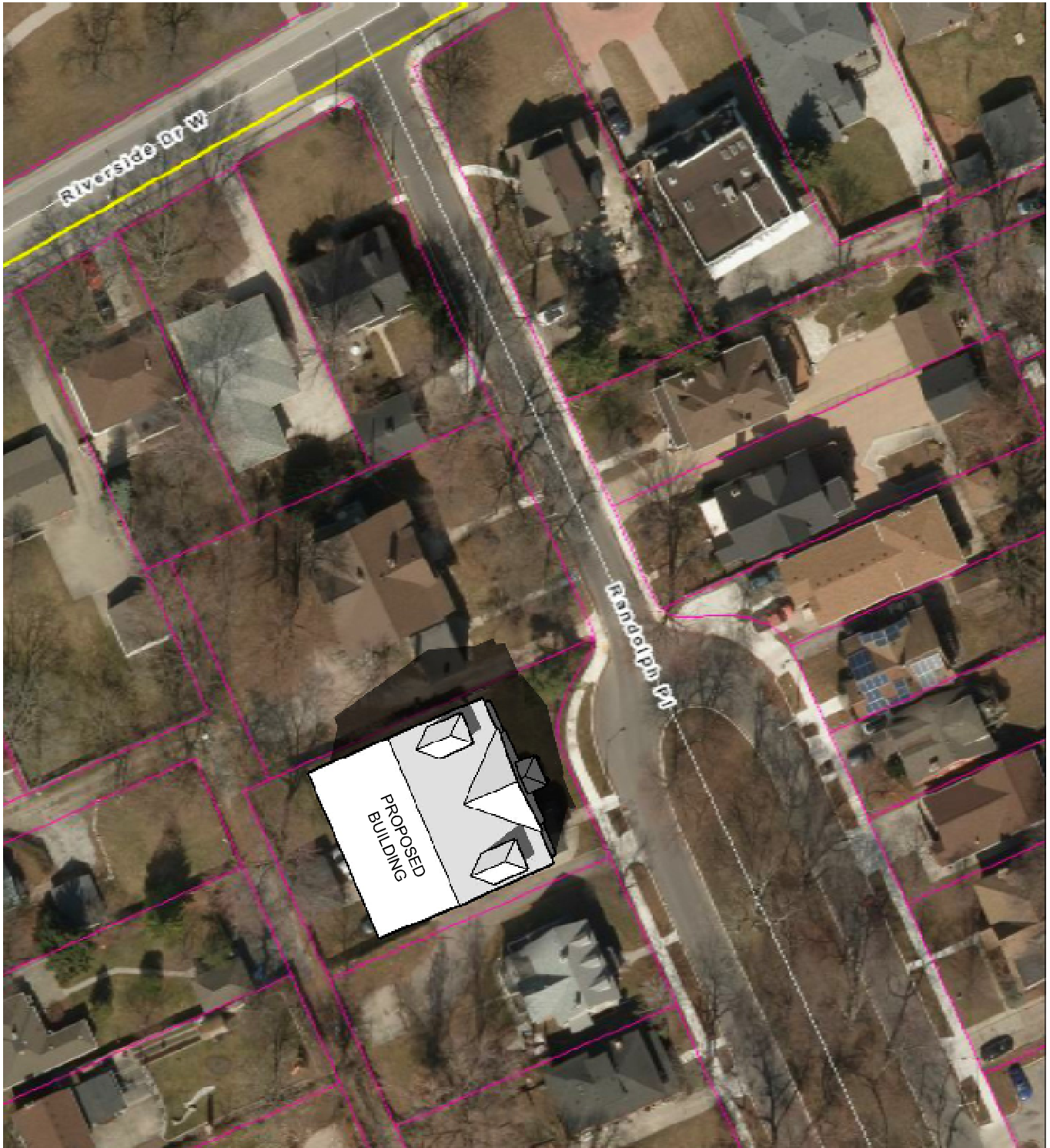


September 21

12:00pm



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		SCALE: AS NOTED	DRAWN BY: M.J.P.

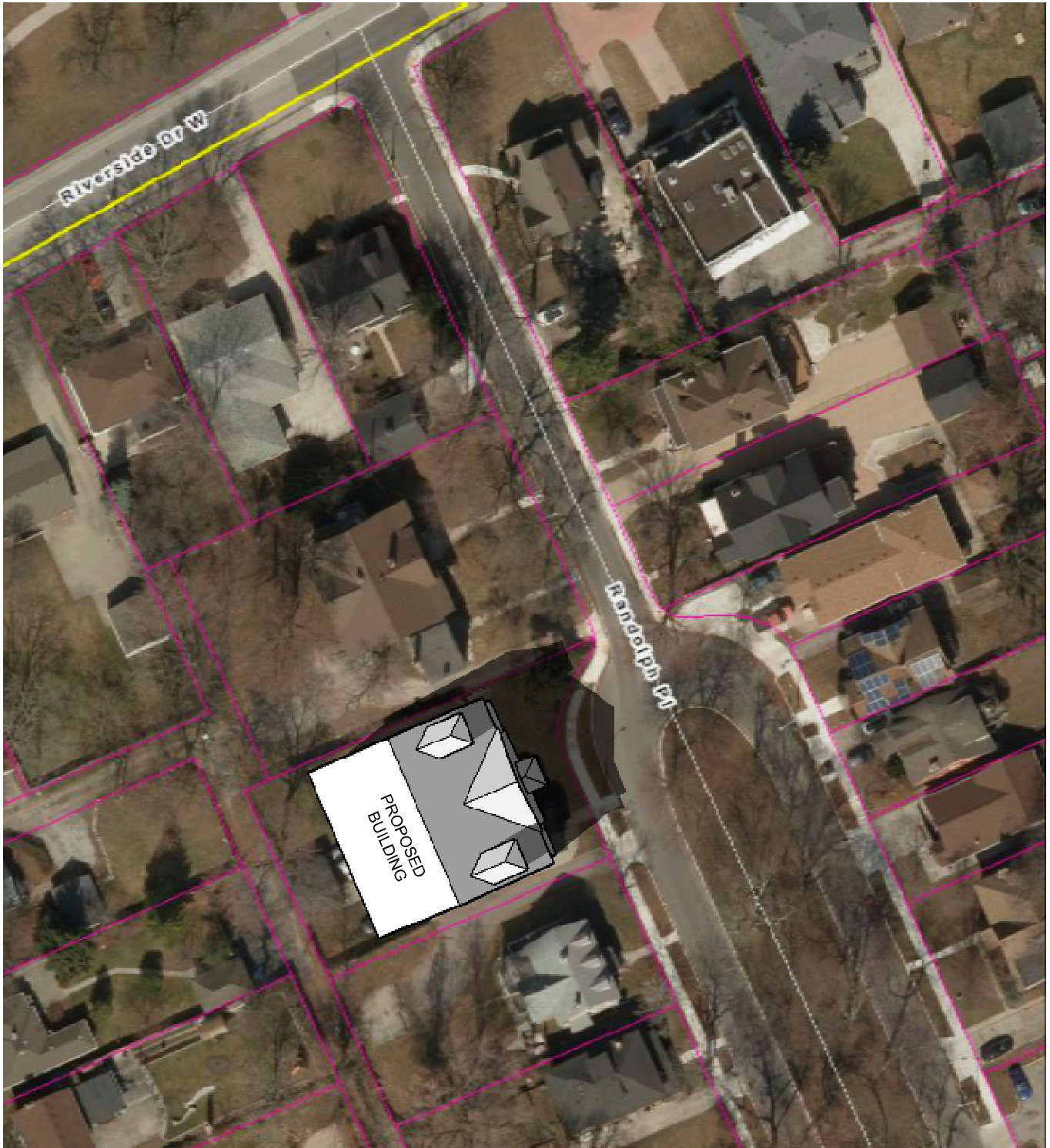


September 21

2:00pm



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		SCALE: AS NOTED	DRAWN BY: M.J.P.
			SHEET No: SS3-4 OF 6



September 21

4:00pm



MEO & ASSOCIATES INC. Architectural & Engineering Consultants www.meogroup.net	PROJECT: RANDOLPH PLACE APARTMENTS 185 Randolph Place Windsor, Ontario	DRAWING TITLE: Shadow Study	PROJECT No: 4754
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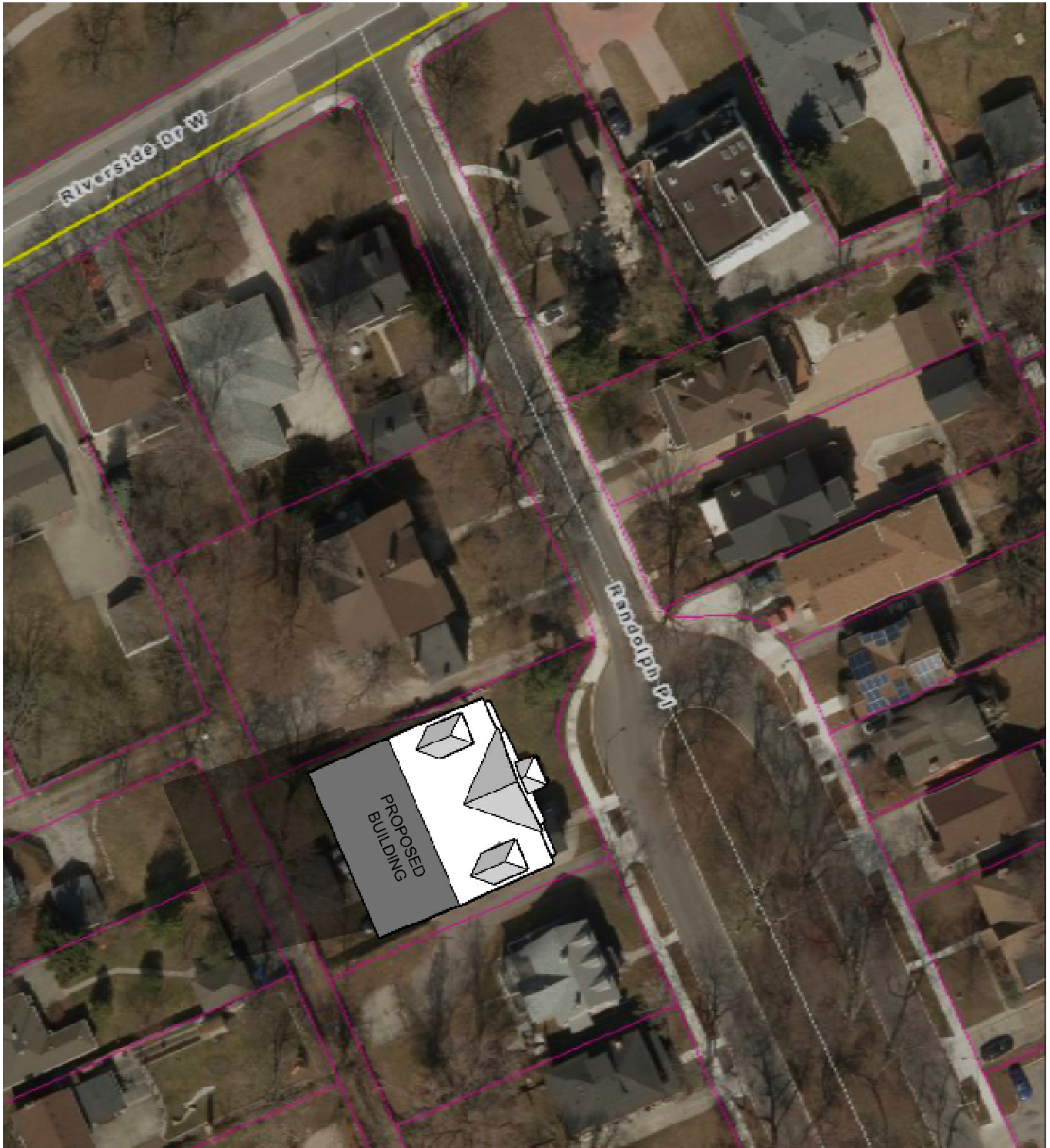


September 21

6:00pm



MEO & ASSOCIATES INC. Architectural & Engineering Consultants www.meogroup.net	PROJECT: RANDOLPH PLACE APARTMENTS 185 Randolph Place Windsor, Ontario	DRAWING TITLE: Shadow Study	PROJECT No: 4754
		SCALE: AS NOTED	DRAWN BY: M.J.P.

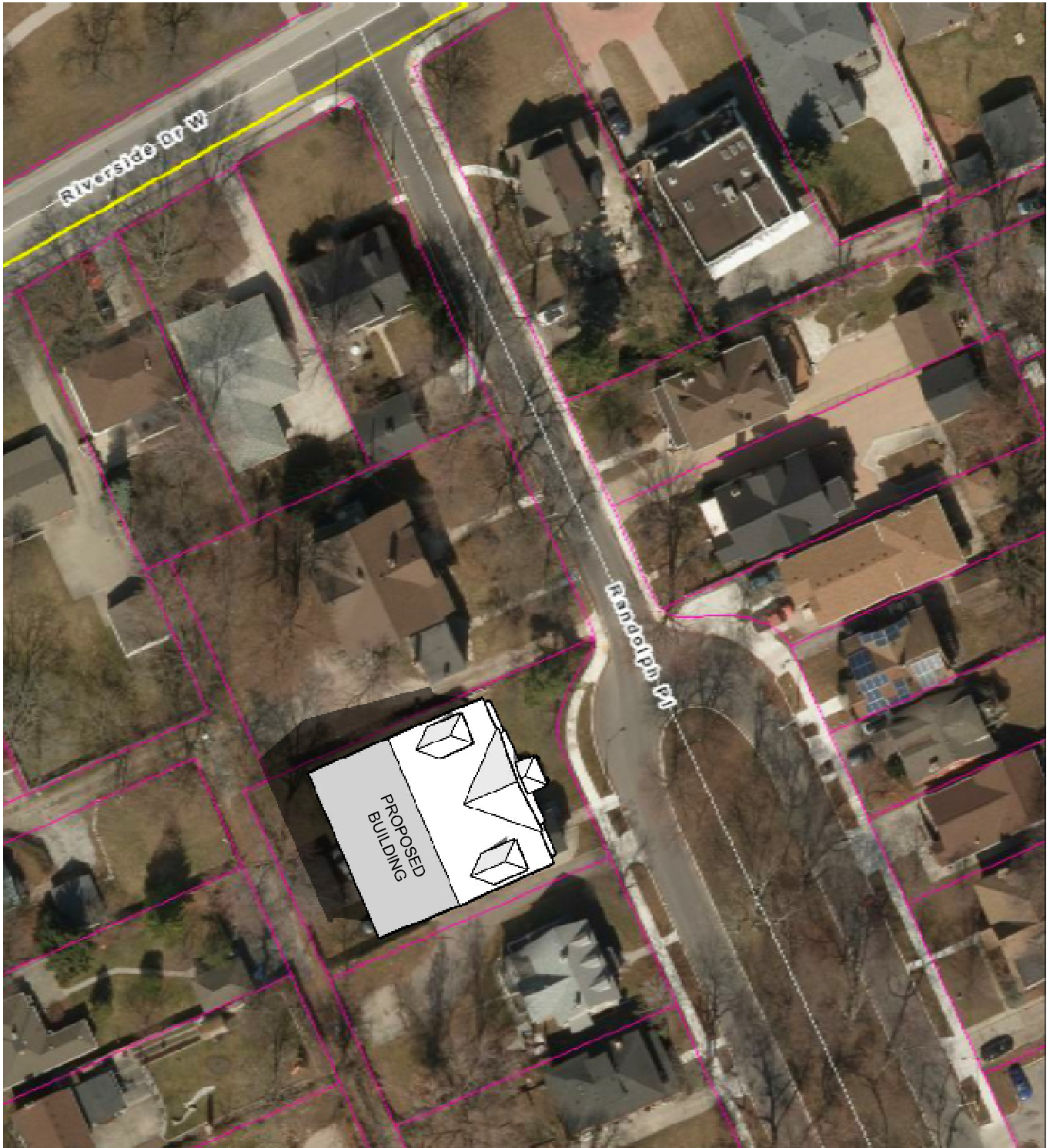


June 21

8:00am



MEO & ASSOCIATES INC. Architectural & Engineering Consultants www.meogroup.net	PROJECT: RANDOLPH PLACE APARTMENTS 185 Randolph Place Windsor, Ontario	DRAWING TITLE: Shadow Study	PROJECT No: 4754
		SCALE: AS NOTED	DRAWN BY: M.J.P.

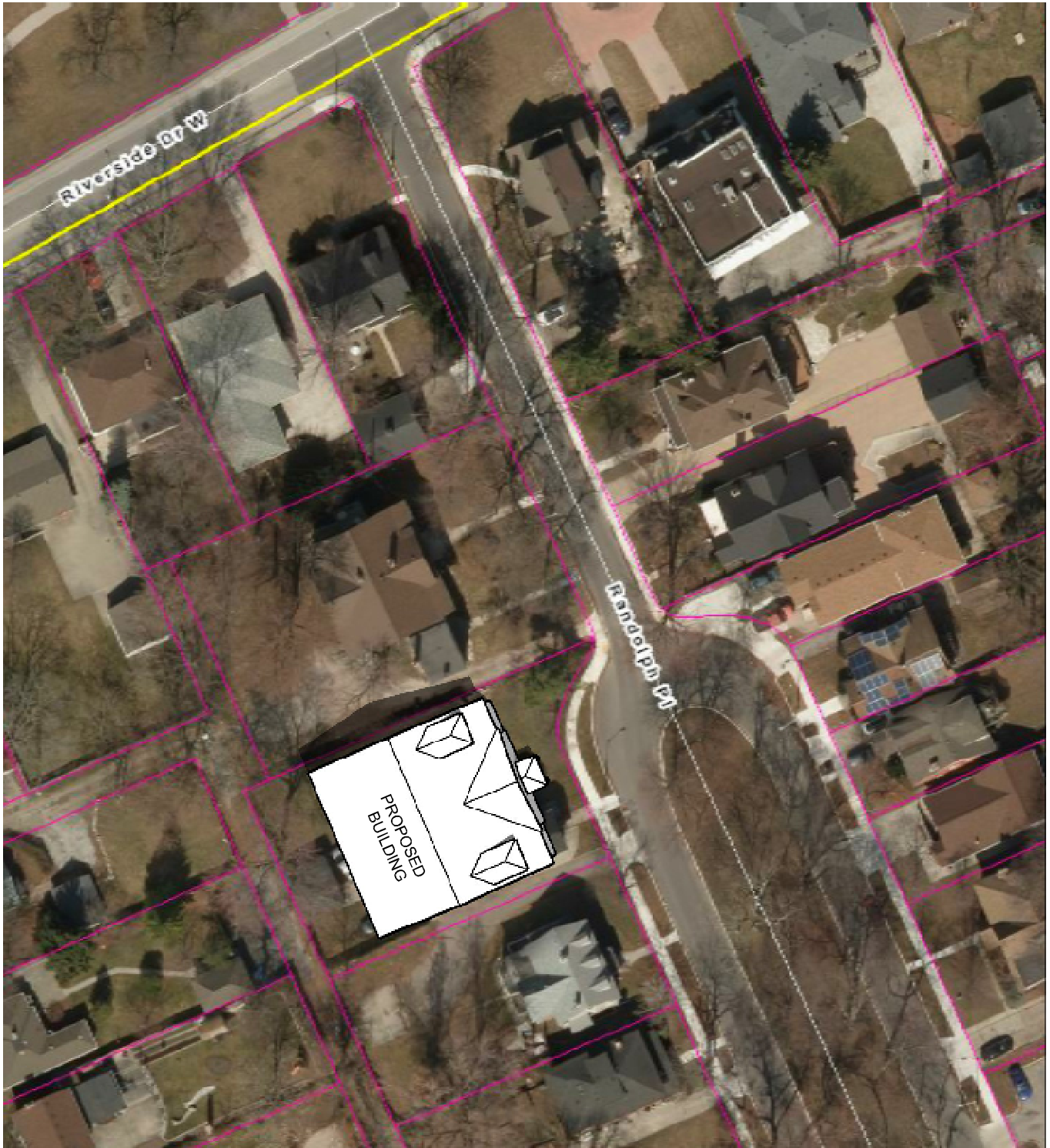


June 21

10:00am



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		SCALE: AS NOTED	DRAWN BY: M.J.P.
			SHEET No: SS2-2 OF 6



June 21

12:00pm



MEO & ASSOCIATES INC. Architectural & Engineering Consultants www.meogroup.net	PROJECT: RANDOLPH PLACE APARTMENTS 185 Randolph Place Windsor, Ontario	DRAWING TITLE: Shadow Study	PROJECT No: 4754
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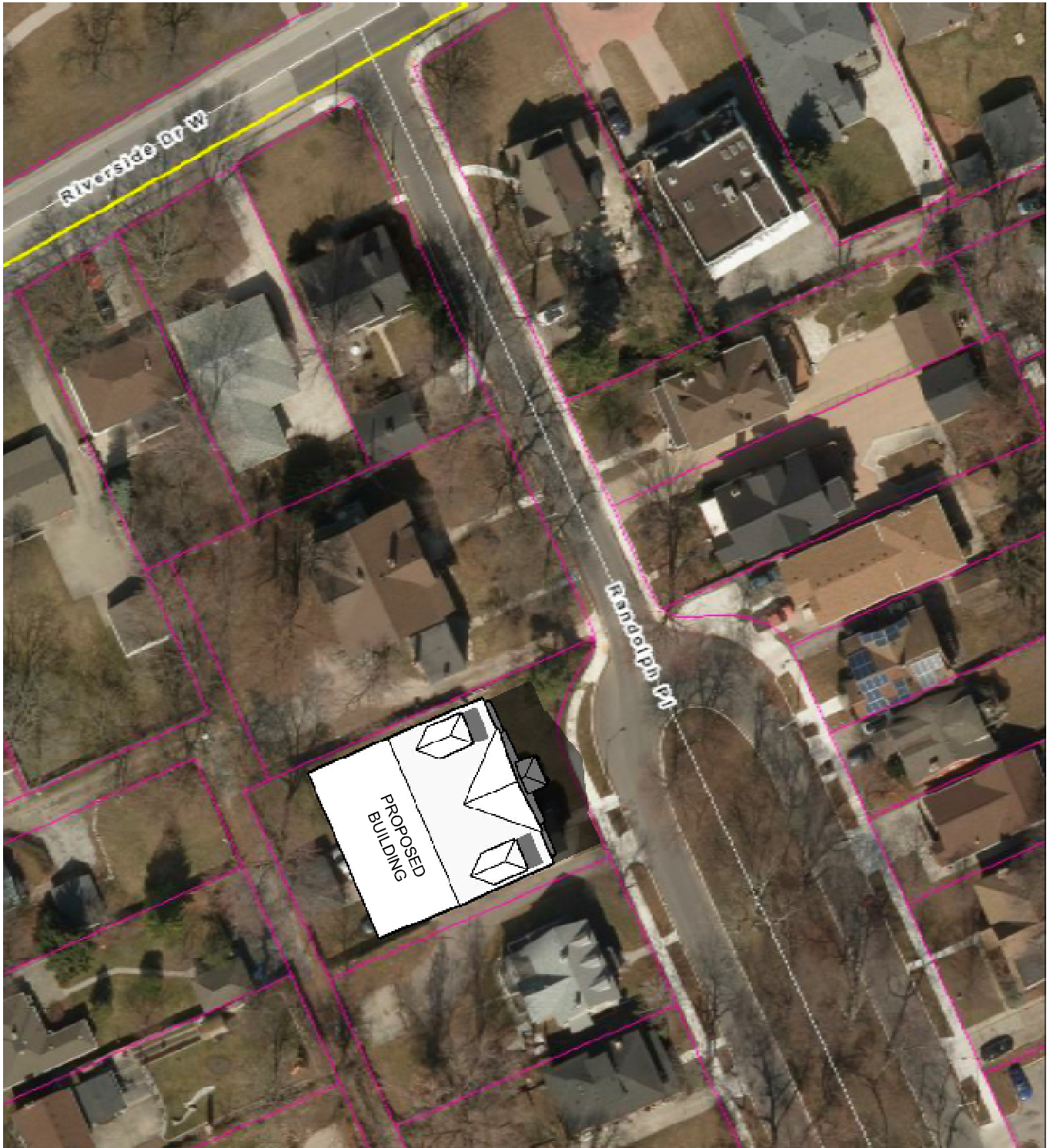


June 21

2:00pm



MEO & ASSOCIATES INC. Architectural & Engineering Consultants www.meogroup.net	PROJECT: RANDOLPH PLACE APARTMENTS 185 Randolph Place Windsor, Ontario	DRAWING TITLE: Shadow Study	PROJECT No: 4754
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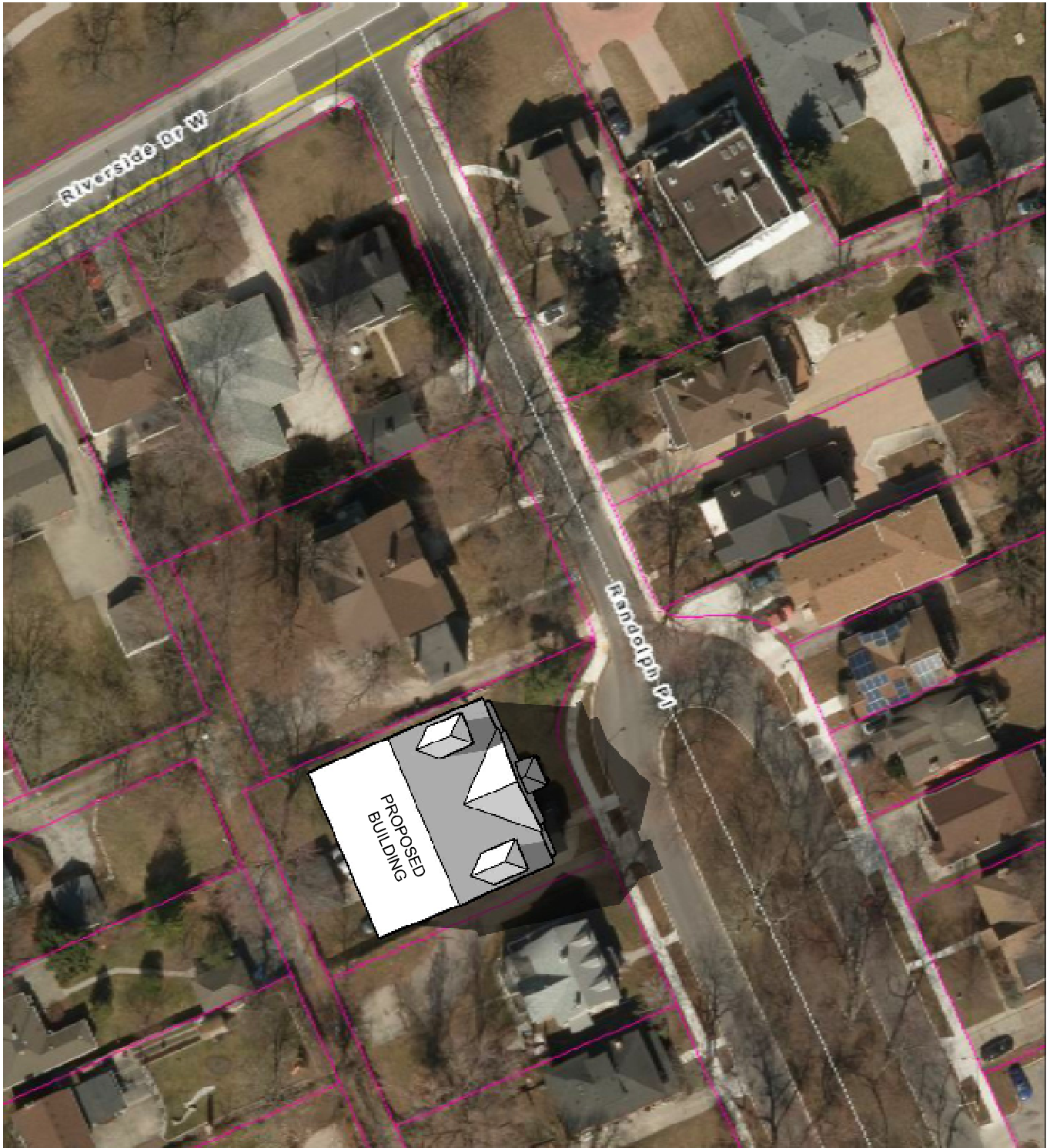


June 21

4:00pm



MEO & ASSOCIATES INC. Architectural & Engineering Consultants www.meogroup.net	PROJECT: RANDOLPH PLACE APARTMENTS 185 Randolph Place Windsor, Ontario	DRAWING TITLE: Shadow Study	PROJECT No: 4754
		SCALE: AS NOTED	DRAWN BY: M.J.P.
			SHEET No: SS2-5 OF 6



June 21

6:00pm



MEO & ASSOCIATES INC. Architectural & Engineering Consultants www.meogroup.net	PROJECT: RANDOLPH PLACE APARTMENTS 185 Randolph Place Windsor, Ontario	DRAWING TITLE: Shadow Study	PROJECT No: 4754
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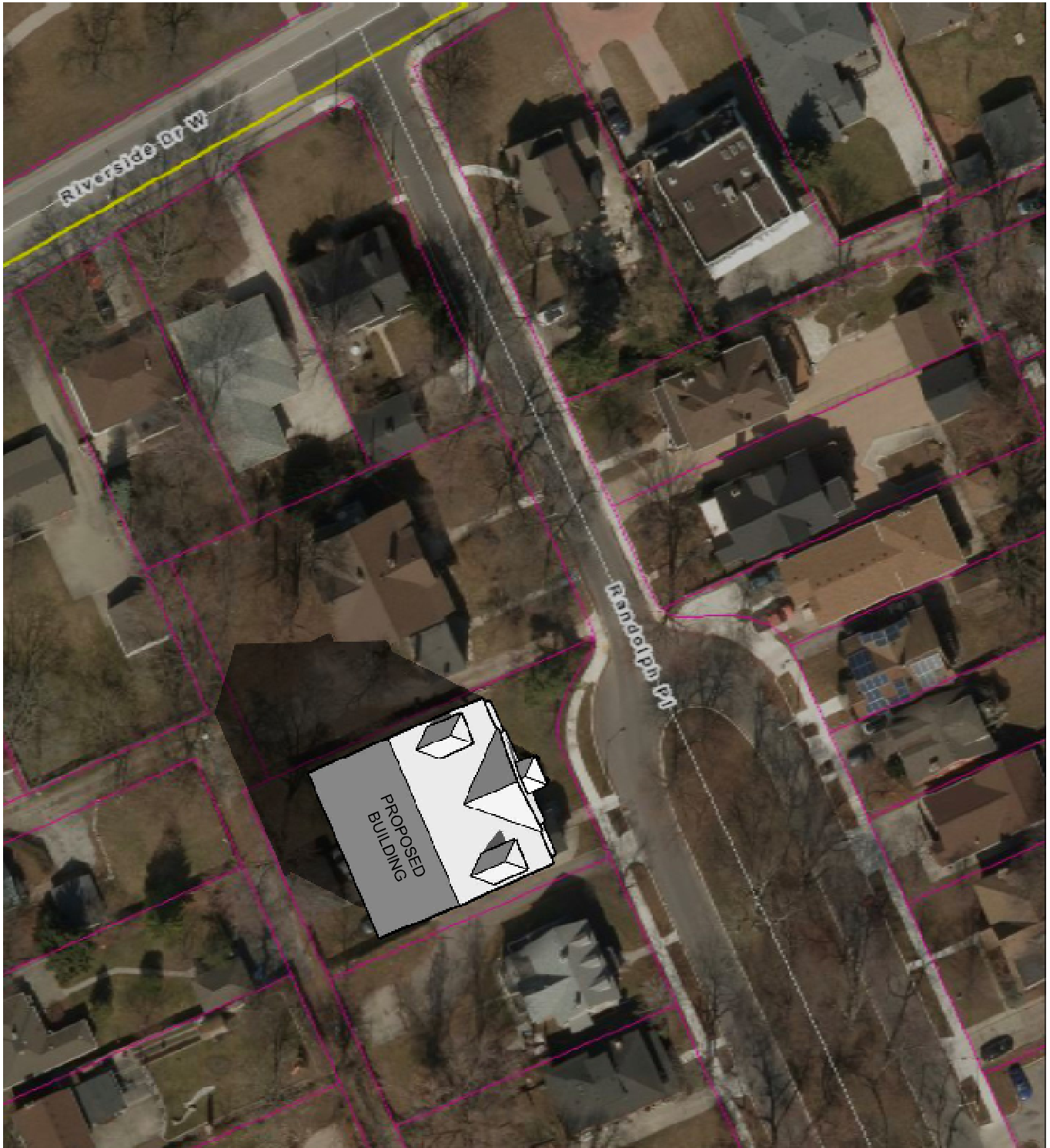


March 21

8:00am



MEO & ASSOCIATES INC. Architectural & Engineering Consultants www.meogroup.net	PROJECT: RANDOLPH PLACE APARTMENTS 185 Randolph Place Windsor, Ontario	DRAWING TITLE: Shadow Study	PROJECT No: 4754
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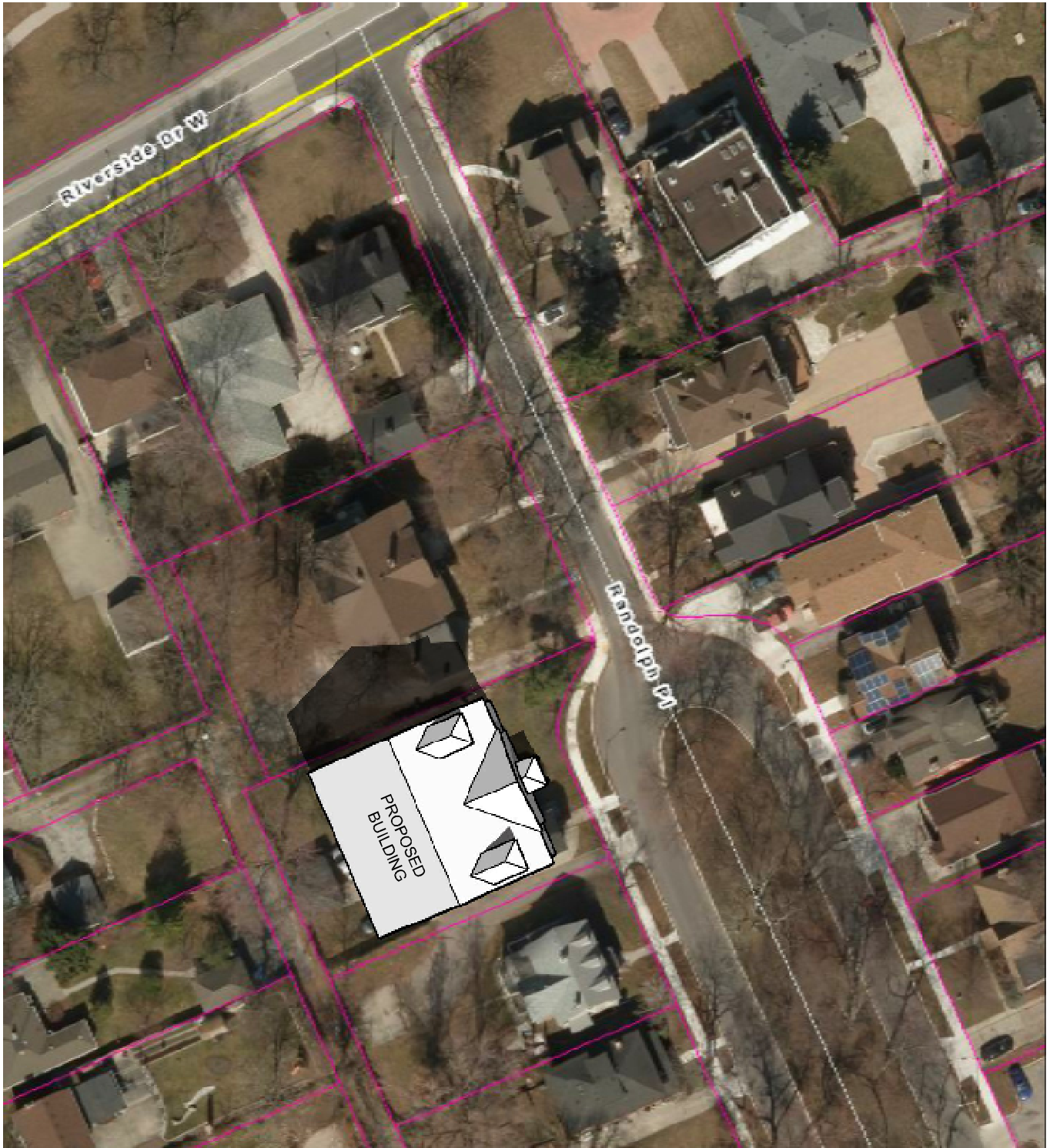


March 21

10:00am



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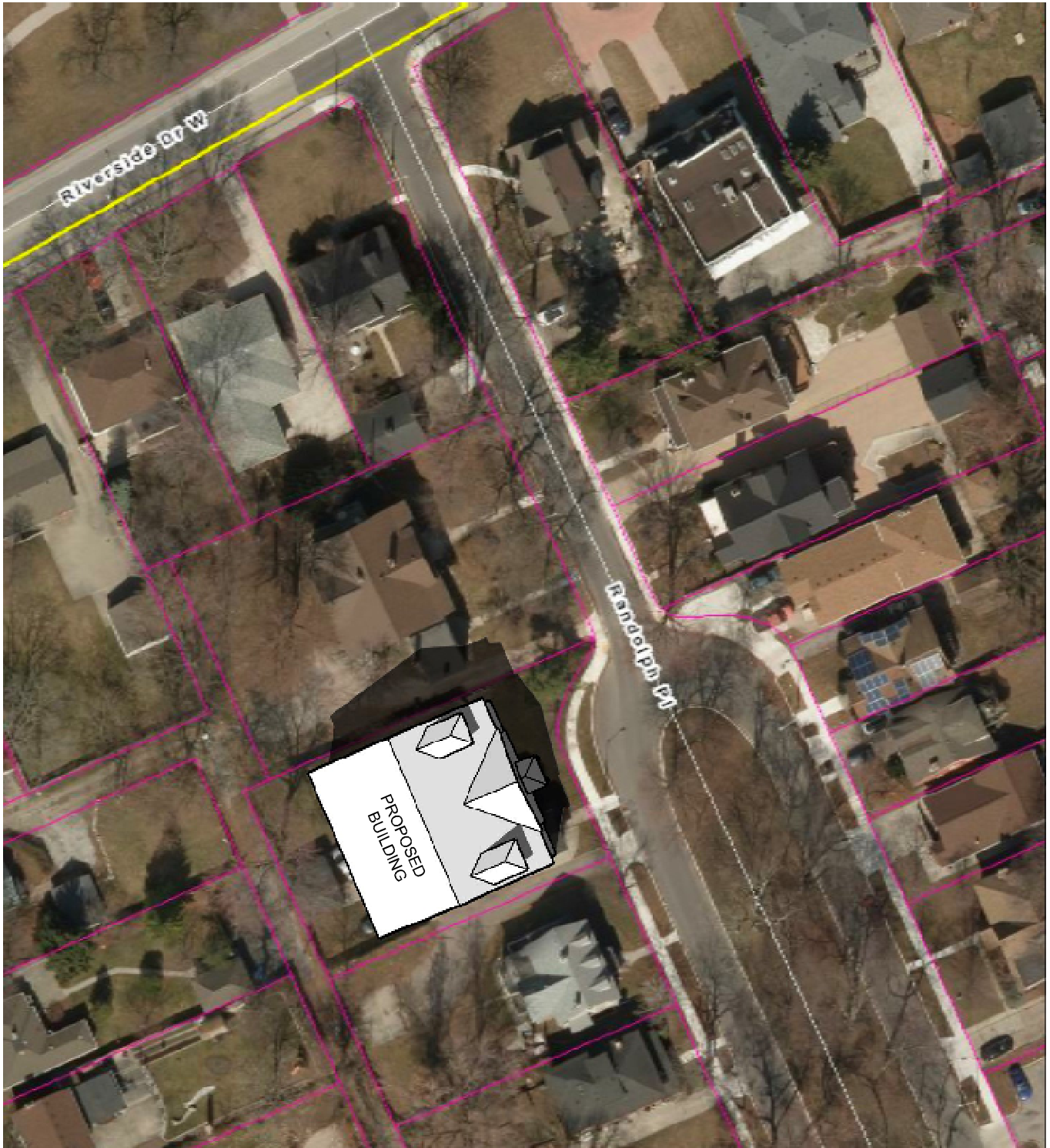


March 21

12:00pm



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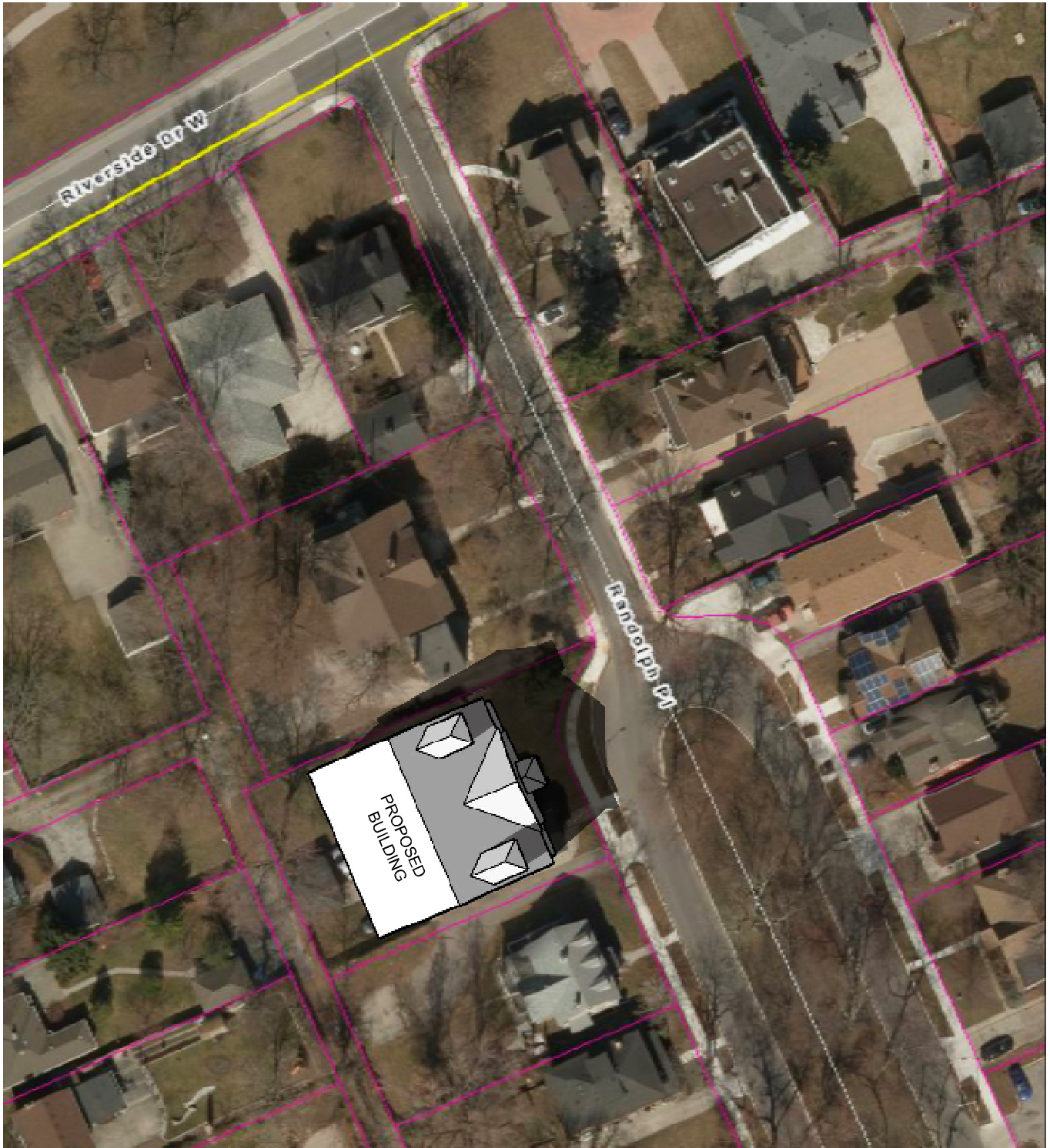


March 21

2:00pm



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			SHEET No: SS1-4 OF 6



March 21

4:00pm



MEO & ASSOCIATES INC. Architectural & Engineering Consultants www.meogroup.net	PROJECT: RANDOLPH PLACE APARTMENTS 185 Randolph Place Windsor, Ontario	DRAWING TITLE: Shadow Study	PROJECT No: 4754
		SCALE: AS NOTED	DRAWN BY: M.J.P.



March 21

6:00pm



MEO & ASSOCIATES INC. Architectural & Engineering Consultants www.meogroup.net	PROJECT: RANDOLPH PLACE APARTMENTS 185 Randolph Place Windsor, Ontario	DRAWING TITLE: Shadow Study	PROJECT No: 4754
		SCALE: AS NOTED	DRAWN BY: M.J.P.

APPENDIX “F” Excerpts from Official Plan

6 Residential

The lands designated as “Residential” on Schedule D: Land Use provide the main locations for housing in Windsor . In order to develop safe, caring and diverse neighbourhoods, opportunities for a broad range of housing types and complementary services and amenities are provided.

PERMITTED USES 6.3.2.1 Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile and Medium Profile dwelling units.

6.1 Goals

In keeping with the Strategic Directions, Council’s land use goals are to achieve:

- | | | |
|--|-------|---|
| <i>NEIGHBOURHOODS</i> | 6.1.1 | Safe, caring and diverse neighbourhoods. |
| <i>ENVIRONMENTALLY
SUSTAINABLE</i> | 6.1.2 | Environmentally sustainable urban development. |
| <i>RESIDENTIAL</i> | 6.1.3 | Housing suited to the needs of Windsor’s residents. |

6.3.1 Objectives

- | | | |
|---|--------------------|---|
| <i>RANGE OF
FORMS &
TENURES</i> | 6.3.1.1 | To support a complementary range of housing forms and tenures in all neighbourhoods. |
| <i>NEIGHBOURHOODS</i> | 6.3.1.2 | To promote compact neighbourhoods which encourage a balanced transportation system. |
| <i>INTENSIFICATION,
INFILL &
REDEVELOPMENT</i> | 6.3.1.3 | To promote selective residential redevelopment, infill and intensification initiatives. (Deleted by OPA #159 – APPROVED July 11, 2022, B/L #100-2022) |
| <i>INTENSIFICATION,
INFILL &
REDEVELOPMENT</i> | 6.3.1.3 | To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan. (Added by OPA159 - APPROVED July 11, 2022, B/L#100-2022) |
| <i>MAINTENANCE &
REHABILITATION</i> | 6.3.1.4 | To ensure that the existing housing stock is maintained and rehabilitated. |
| <i>SERVICE &
AMENITIES</i> | 6.3.1.5 | To provide for complementary services and amenities which enhance the quality of residential areas. |
| <i>HOME BASED
OCCUPATIONS</i> | 6.3.1.6 | To accommodate home based occupations. |

SUFFICIENT LAND SUPPLY 6.3.1.7 To ensure that a sufficient land supply for residential and ancillary land uses is available to accommodate market demands over the 20 year period of this Plan.

LOCATIONAL CRITERIA 6.3.2.4 Residential development shall be located where:

- a) there is access to a collector or arterial road;
- b) full municipal physical services can be provided;
- c) adequate community services and open spaces are available or are planned; and
- d) public transportation service can be provided.

1.52 Mature Neighbourhoods as Heritage Resources

(added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022)

MATURE NEIGHBOURHOODS AS HERITAGE RESOURCES 1.52.1 Schedule A-1 identifies Mature Neighbourhoods in the City. These areas are not designated as Heritage Areas or Heritage Conservation Districts. However, the areas reflect the cultural heritage of the City and should be protected. When considering the development of these areas, the policies of Section 9.3.7(d) shall be applied.

HERITAGE CONSERVATION 1.52.2 Infill and intensification within Mature Neighbourhoods, shown on Schedule A-1, shall be consistent with the built form, height, massing, architectural and landscape of the area. Council will adopt Design Guidelines to assist in the design and review of development in these areas.

9.3.7 Heritage Resources and Planning Initiatives

9.3.7.1 Council will integrate heritage conservation into the development and infrastructure approval process by:

APPROVAL PROCESS (d) Utilizing the planning approval process (subdivisions / condominiums, official plan amendments, zoning amendments, site plan control, consent, minor variance, demolition control) to facilitate the retention of heritage resources, and to ensure any proposed development is compatible with heritage resources;

8.7.1 Objectives

- VARIED DEVELOPMENT PATTERN COMPLEMENTARY DESIGN* 8.7.1.1 To achieve a varied development pattern which supports and enhances the urban experience.
- VARIED DEVELOPMENT PATTERN COMPLEMENTARY DESIGN* 8.7.1.2 To achieve a complementary design relationship between new and existing development, while accommodating an evolution of urban design styles.
- VISUAL INTEREST* 8.7.1.3 To maximize the variety and visual appeal of building architecture.
- ART AND LANDSCAPING* 8.7.1.4 To integrate art and landscaping with the built form.
- UNIQUE CHARACTER* 8.7.1.5 To enhance the unique character of a district, neighbourhood, prominent building or grouping of buildings.
- SIGNS* 8.7.1.6 To ensure that signs respect and enhance the character of the area in which they are located.
- 8.7.1.7 To achieve external building designs that reflect high standards of character, appearance, design and sustainable design features.
(Added by OPA #66–11/05/07-B/L209-2007)

8.7.2 Policies

- NEW DEVELOPMENT* 8.7.2.1 ~~Council will ensure that the design of new development:~~
(Deleted by OPA #66–11/05/07-B/L209-2007)
- NEW DEVELOPMENT* 8.7.2.1 Council will ensure that the design of new development:
(Added by OPA #66–11/05/07-B/L209-2007)
- ~~(a) is complementary to adjacent development in terms of its overall massing, orientation and setback;~~
(Deleted by OPA #66–11/05/07-B/L209-2007)
 - (a) is complementary to adjacent development in terms of its overall massing, orientation, setback and exterior design, particularly character, scale and appearance;
(Added by OPA #66–11/05/07-B/L209-2007)
 - (b) provides links with pedestrian, cycle, public transportation and road networks; and
 - (c) maintains and enhances valued heritage resources and natural area features and functions.
 - (d) Encourages the creation of attractive residential streetscapes through architectural design that reduces the visual dominance of front drive garages, consideration of rear lanes where appropriate, planting of street trees and incorporation of pedestrian scale amenities. **(added by OPA #60–05/07/07-B/L85-2007–OMB Decision/Order No.2667, 10/05/2007)**

*REDEVELOPMENT
AREAS* 8.7.2.2

Council will ensure that the design of extensive areas of redevelopment achieves the following:

- (a) provides a development pattern that support a range of uses and profiles;
- (b) defines the perimeter of such an area by a distinct edge which may be formed by roads, elements of the Greenway System or other linear elements;
- (c) contains activity centres or nodes which are designed to serve the area and which may be identified by one or more landmarks;
- (d) provides transportation links to adjacent areas; and
- (e) maintains and enhances valued historic development patterns or heritage resources.
- (f) is complementary to adjacent development in terms of overall massing, orientation, setback and exterior design, particularly character, scale and appearance.

(Added by OPA #66-11/05/07-B/L209-2007)

*INFILL
DEVELOPMENT* 8.7.2.3

Council will ensure that proposed development within an established neighbourhood is designed to function as an integral and complementary part of that area's existing development pattern by having regard for:

- (a) massing;
- (b) building height;
- (c) architectural proportion;
- (d) volumes of defined space;
- (e) lot size;
- (f) position relative to the road; and
- (g) building area to site area ratios.
- (h) the pattern, scale and character of existing development; and,

(Added by OPA #66-11/05/07-B/L209-2007)

- (i) exterior building appearance
(Added by OPA #66-11/05/07-B/L209-2007)

(j) Council adopted Design Guidelines that will assist in the design and review of applications for development in accordance with the policies noted above

*TRANSITION IN
BUILDING
HEIGHTS* 8.7.2.4

Council will ensure a transition among Very High, High, Medium and Low Profile developments through the application of such urban design measures as incremental changes in building height, massing, space separation or landscape buffer.

CONTINUOUS BUILDING FACADES 8.7.2.5 Council will require new development to support the creation of continuous building facades along Mainstreets through the street level presence of:

- (a) community facilities, retail shops, and other frequently visited uses; and
- (b) architectural features and elements which can be experienced by pedestrians.

APPEALING STREET FACADES 8.7.2.6 Council will encourage the buildings facades to be visually interesting through extensive use of street level entrances and windows. Functions which do not directly serve the public, such as loading bays and blank walls, should not be located directly facing the street.

11.6.3 Zoning By-law Amendment Policies

AMENDMENTS MUST CONFORM 11.6.3.1 All amendments to the Zoning By-law(s) shall conform with this Plan. The Municipality will, on each occasion of approval of a change to the zoning by-law(s), specify that conformity with the Official Plan is maintained or that the change will be in conformity upon the coming into effect of an amendment to the Official Plan.

APPENDIX “G”
Excerpts from Zoning By-law 8600

11.2 RESIDENTIAL DISTRICT 2.2 (RD2.2)

11.2.1 PERMITTED USES

- One Double Duplex Dwelling
- One Duplex Dwelling
- One *Multiple Dwelling* containing a maximum of four *dwelling units*
- One *Semi-Detached Dwelling*
- One Single Unit Dwelling
- Townhome Dwelling*
- Any use accessory to any of the preceding uses

11.2.5 Provisions

.1 Duplex Dwelling

- .1 Lot Width – minimum 12.0 m
- .2 Lot Area – minimum 360.0 m²
- .3 Lot Coverage – maximum 45.0%
- .4 Main Building Height – maximum 9.0 m
- .5 Front Yard Depth – minimum 6.0 m
- .6 Rear Yard Depth – minimum 7.50 m
- .7 Side Yard Width – minimum 1.20 m
- .10 Gross Floor Area – Main Building – maximum 400 m²

.2 Semi-Detached Dwelling

- .1 Lot Width – minimum 15.0 m
- .2 Lot Area – minimum 450.0 m²
- .3 Lot Coverage – maximum 45.0%
- .4 Main Building Height – maximum 9.0 m
- .5 Front Yard Depth – minimum 6.0 m
- .6 Rear Yard Depth – minimum 7.50 m
- .7 Side Yard Width – minimum 1.20 m
- .10 Gross Floor Area – Main Building– maximum 400 m²

.3 Single Unit Dwelling

- .1 Lot Width – minimum 9.0 m
- .2 Lot Area – minimum 270.0 m²
- .3 Lot Coverage – maximum 45.0%
- .4 Main Building Height – maximum 9.0 m
- .5 Front Yard Depth – minimum 6.0 m
- .6 Rear Yard Depth – minimum 7.50 m
- .7 Side Yard Width – minimum 1.20 m
- .10 Gross Floor Area – Main Building– maximum 400 m²

.4 Double Duplex Dwelling or Multiple Dwelling

- .1 Lot Width – minimum 18.0 m
- .2 Lot Area – minimum 540.0 m²
- .3 Lot Coverage – maximum 45.0%
- .4 Main Building Height – maximum 9.0 m
- .5 Front Yard Depth – minimum 6.0 m

- .6 Rear Yard Depth – minimum 7.50 m
- .7 Side Yard Width – minimum 1.80 m

.5 Townhome Dwelling

- .1 Lot Width – minimum 20.0 m
- .2 Lot Area – per *dwelling unit* – minimum 200.0 m²
- .3 Lot Coverage – maximum 45.0%
- .4 Main Building Height – maximum 9.0 m
- .5 Front Yard Depth – minimum 6.0 m
- .6 Rear Yard Depth – minimum 7.50 m
- .7 Side Yard Width – minimum 1.50 m

(AMENDED by B/L 101-2022, July 11, 2022)

Appendix “H”

Excerpts from the Provincial Policy Statement (PPS) 2020

Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario’s settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;

Appendix “H”

Excerpts from the Provincial Policy Statement (PPS) 2020

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the impacts of a changing climate;
- e) support active transportation;
- f) are transit-supportive, where transit is planned, exists or may be developed; and
- g) are freight-supportive.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

APPENDIX “I” Consultations

SITE PLAN CONTROL

The development proposal is subject to Site Plan Control pursuant to the Planning Act and City of Windsor By-law 1-2004. Where preceding development applications are required, inclusive of Official Plan and Zoning By-law Amendments, request for Site Plan Control Pre-Consultation may be made following completion of the requisite Development and Heritage Standing Committee meeting at <https://ca.cloudpermit.com/login>.

HERITAGE PLANNING - TRACY TANG

No supporting information required.

Built Heritage

The subject property is located directly adjacent to a heritage property recognized on the Heritage Register and is in proximity to a number of other heritage properties.

Heritage Planning staff have worked closely with the applicants to ensure the proposed multi-residential building is designed to be visually compatible with the style of the adjacent heritage property, in consideration of the Windsor Intensification Guidelines for Stable and Mature Neighbourhoods 2.2.2, and in consideration of heritage neighbourhood infill best practices and principles.

Heritage Planning staff are pleased with the design of the multi-residential building as proposed.

Archaeology

The subject property is located within an area of high archaeological potential. However, the subject property is a standard sized residential lot and the proposed development will occur on lands that have been previously disturbed. Thus, an archaeological assessment is not requested at this time. Nevertheless, the Applicant should be notified of the following archaeological precaution.

1. Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
2. In the event that human remains are encountered during grading, construction or soil removal activities, 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 a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

Contacts:

Windsor Planning & Building Department:
519-255-6543 x6179, ktang@citywindsor.ca, planningdept@citywindsor.ca
Windsor Manager of Culture and Events (A):
Michelle Staaedegaard, (O) 519-253-2300x2726, (C) 519-816-0711,
mstaadegaard@citywindsor.ca

Ontario Ministry of Citizenship and Multiculturalism
Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca
Windsor Police: 911
Ontario Ministry of Government & Consumer Services
A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery
Closures, 1-416-212-7499, Crystal.Forrest@ontario.ca

LANDSCAPE ARCHITECT & URBAN DESIGN – STEFAN FEDIUK

In consultation with the City Heritage Planner and the applicant, the heritage character of the neighbourhood was discussed and the applicant has responded by addressing the Arts & Crafts design period through various architectural details, datum lines, overall height, and colour palette as found in the Urban Design Brief prepared by Dillon Consulting. While there are some variance to the current Zoning bylaw, the applicant has provided sound rationale and detailing, as well as addressing the public realm and streetscape of the neighbourhood.

There are no further studies required at this time from a landscape architectural or urban design perspective, however, some detailed comments may be required through the Site Plan Control process.

PARKS – SHERIF BARSOM

No comments from Natural Areas and Parks D&D while Forestry has below comments:

There is a City owned Crimson King Norway Maple tree, about 50cm diameter, at this address. Tree preservation is recommended. Replacement will be required if there are tree damages/removals.

The City will require that the developer is notified, in advance, of the City's tree replacement procedure: City Forestry follows the 'equivalent diameter' replacement methodology - for every unit diameter of tree removed (e.g. due to damages), a similar amount of new trees must be planted.

ENGINEERING – ANDREW BOROSKI

We have reviewed the subject Pre-Consultation application and have the following comments:

Sewers

The site may be serviced by a 250mm Vitrified Clay combined sewer within the Randolph PI right-of-way. If possible existing connections should be utilized. Any redundant connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3.

The applicant will be required to submit site servicing drawings and storm detention calculations restricting storm water runoff to the 2 year storm pre-development levels while taking into consideration any proposed sanitary flows. The calculations are to be completed as per the Windsor Essex Regional Stormwater Management Standards Manual and checklist found on the City's website:

<https://essexregionconservation.ca/wp-content/uploads/2018/12/WE-Region-SWM-Standards-Manual.pdf>.

All stormwater must be contained on property and cannot drain to the alley to the west of the subject property.

Right-of-Way

Randolph PI is classified as a Local Road according to the Official Plan with a required right-of-way width of 20 meters. The current width is sufficient therefore, a conveyance is not required.

In summary we have no objection to the proposed development, subject to the following requirements:

Sanitary Servicing Study – The owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer system, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall analyze the sanitary flow from the proposed development and recommend mitigation measures and implementation of those measures.

Driveway Approaches- Remove redundant lead walk from sidewalk to curb and restore to City standards and any redundant curb cuts are to be removed and restored to City standards. Applicant to determine if reciprocal access agreement is in place with 205 Randolph PI. for shared driveway.

Alley Contribution- The owner agrees, prior to the issuance of a Building Permit, to contribute \$250 per linear meter payable to the City of Windsor and deposited in the General Fund intended for the upkeep of alleys within the City of Windsor.

If you have any further questions or concerns, please contact Andrew Boroski, of this department at aboroski@citywindsor.ca

TRANSIT WINDSOR – JASON SCOTT

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Transway 1C. The closest existing bus stop to this property is located on University at Randolph. This bus stop is approximately 140 metres from this property falling well within our 400 metre walking distance guidelines to a bus stop. This will be maintained with our City Council approved Transit Master Plan.

CANADA POST – BRUNO DESANDO

This development, as described, falls within our centralized mail policy.

I will specify the condition which I request to be added for Canada Post Corporation's purposes.

- a) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding these conditions, please contact me. I appreciate the opportunity to comment on this project.

ASSESSMENT MANAGEMENT – JOSE MEJALLI

No objection to the proposed indicated amendments:

(Amendment to Zoning By-law 8600 to add a site specific provision to the subject property to allow for the construction of a Multi-Unit Dwelling with twelve (12) dwelling units with additional parking)

TRANSPORTATION PLANNING – Siddharth Dhiman

- Transportation planning has looked at the parking study, and have no concerns with the deficiency in parking spaces.
- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
- All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).
- For Randolph Pl. every resident is allowed to have 3 on-street parking spaces (2 resident + 1 visitor), for which they have to apply for a resident parking pass under 'AREA 3', any vehicle without resident parking pass would be ticketed.
- A cautionary advice from Transportation planning; increased number of parking spaces in the back of the property can cause a sight line issue at the corner of the alley while making a turn from the alley to askin ave. or vice versa.

ENVIRONMENTAL SERVICES – ANNE-MARIE ALBIDONE

I have no concerns with the zoning amendment, however the builder should ensure the final design allows for By-Law 2-2006 requirements for waste containers and storage in multi-residential buildings.

**APPENDIX “J”
Draft Amending By-law**

B Y - L A W N U M B E R -2023

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600
CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the day of , 2023.

WHEREAS it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

THEREFORE the Council of The Corporation of the City of Windsor enacts as follows:

1. That subsection 1 of Section 20, of said by-law, is amended by adding the following clause:
- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning on the lands of Lot 11 Plan 766 Town of Sandwich; Lot 12 Plan 766 Town of Sandwich situated on the west side of Randolph Place, and known municipally as 185 Randolph Place by adding a site specific exception to Section 20(1) as follows:

492. WEST SIDE OF RANDOLPH PLACE BETWEEN RIVERSIDE DRIVE EAST AND UNIVERSITY AVENUE

For the 1173.0 m² lands comprising of Lot 11 Plan 766 Town of Sandwich; Lot 12 Plan 766 Town of Sandwich; a *multiple dwelling* with 11 or more units shall be an additional permitted use subject to the following provisions:

- .1 Lot Area – minimum 97.0 m² per dwelling unit
- .2 Lot Frontage – minimum – 27.0 m
- .3 Lot Coverage – maximum – 45.0 %
- .4 Main Building Height – maximum – 10.0 m
- .5 Building Setback:
 - a) *front yard depth* - minimum 6.0m
 - b) *rear yard depth* - minimum 7.5 m
 - c) *side yard width* - minimum 2.0 m on one side, and 3.4 m on the other side
6. Parking:
 - a) *Parking spaces* – minimum 7 spaces
 - b) *Bicycle Parking Spaces* –minimum 15 spaces
 - c) A *parking space* is prohibited in any required *front yard*
 - d) *Parking aisle width* – as existing

7. Exterior walls shall be covered in facebrick on a minimum of 3.0 m from above grade on the North, East, and South elevations.

8. For the purpose of this provision any roof other than 4.5/12 is prohibited.

[ZDM 3, ZNG/7140]

2 The said by-law is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of said by-law and made part thereof, so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 5:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol
1	3	Lot 11 Plan 766 Town of Sandwich; Lot 12 Plan 766 Town of Sandwich; (known municipally as 185 Randolph Place; Roll No: 37-39-050-100- 05300-0000)		S.20(1)492

DREW DILKENS, MAYOR

CLERK

First Reading - , 2023

Second Reading - , 2023

Third Reading - , 2023

SCHEDULE 2

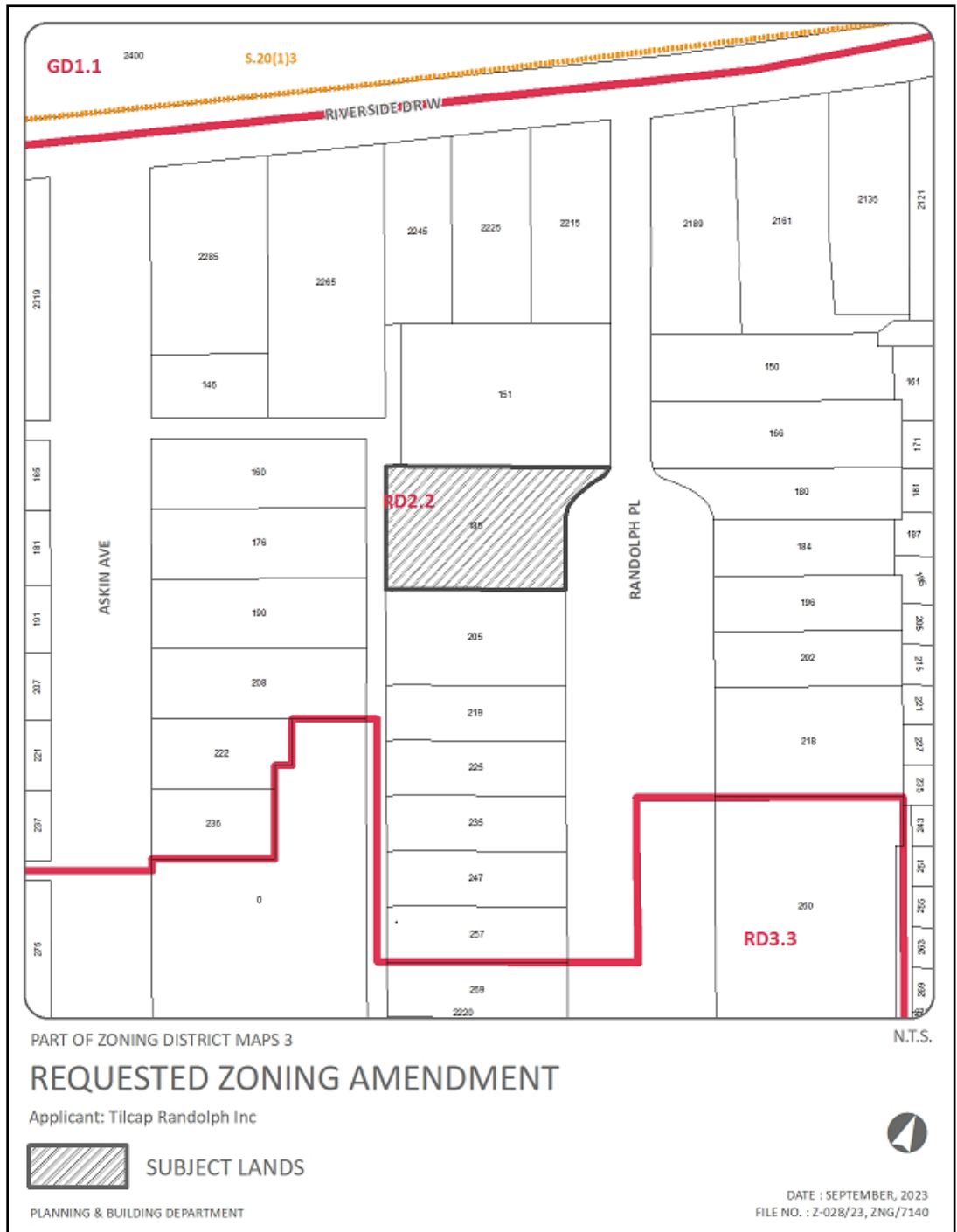
1. By-law _____ has the following purpose and effect:
- II. To amend the zoning on the lands of Lot 11 Plan 766 Town of Sandwich; Lot 12 Plan 766 Town of Sandwich situated on the west side of Randolph Place, and known municipally as 185 Randolph Place by adding a site specific exception to Section 20(1) as follows:

492. WEST SIDE OF RANDOLPH PLACE BETWEEN RIVERSIDE DRIVE EAST AND UNIVERSITY AVENUE

For the 1173.0 m² lands comprising of Lot 11 Plan 766 Town of Sandwich; Lot 12 Plan 766 Town of Sandwich; a *multiple dwelling* with 11 or more units shall be an additional permitted use subject to the following provisions:

- .1 Lot Area – minimum 97.0 m² per dwelling unit
- .2 Lot Frontage – minimum – 27.0 m
- .3 Lot Coverage – maximum – 45.0 %
- .4 Main Building Height – maximum – 10.0 m
- .5 Building Setback:
 - d) *front yard depth* - minimum 6.0m
 - e) *rear yard depth* - minimum 7.5 m
 - f) *side yard width* - minimum 2.0 m on one side, and 3.4 m on the other side
6. Parking:
 - e) *Parking spaces* – minimum 7 spaces
 - f) *Bicycle Parking Spaces* –minimum 15 spaces
 - g) A *parking space* is prohibited in any required *front yard*
 - h) *Parking aisle width* – as existing
7. Exterior walls shall be covered in facebrick on a minimum of 3.0 m from above grade on the North, East, and South elevations.
8. For the purpose of this provision any roof other than 4.5/12 is prohibited.

2. Key map showing the location of the lands to which By-law _____ applies.





Subject: Official Plan & Zoning Bylaw Amendments Z 022-23 [ZNG-7067] & OPA 173 [OPA-7070] 1027458 Ontario Inc. Banwell & Leathorne (North A) Multiple Dwelling Development - Ward 7

Reference:

Date to Council: November 6, 2023

Author: Jim Abbs

Senior Planner

519-255-6543 x6317

jabbs@citywindsor.ca

Planning & Building Services

Report Date: October 19, 2023

Clerk's File #: Z/14652 & Z/14653

To: Mayor and Members of City Council

Recommendation:

THAT the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:

1.# WEST SIDE BANWELL ROAD SOUTH OF FIRGROVE DRIVE

1.#.1 The property described as Part of Block 1, Plan 12M-425, in the City of Windsor, known municipally as 0 Questa Drive, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.#.2 Notwithstanding Section 2.7.5.5 of the Official Plan, Volume II:

- a) Medium Profile Residential Buildings up to 24 m in height shall be permitted on the subject property within 30m of Banwell Road

THAT the hold prefix **BE APPLIED** to the existing CD2.7 zone at Part of Block 1, Plan 12M-425, in the City of Windsor, known municipally as 0 Questa Drive the hold prefix may be removed when the applicant/owner submits an application to remove the holding prefix and the following conditions are satisfied:

- a) an updated Transportation Impact Study is prepared and submitted to the satisfaction of the City Engineer; and
- b) The applicant receives a development permit for the construction of the extension of Leathorne Street onto Block 19, 12M-425

THAT subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Part of Block 1, Plan 12M-425 by adding site specific regulations as follow:

4xx. WEST SIDE BANWELL ROAD SOUTH OF FIRGROVE DRIVE

For the lands described as Part of Block 1, Plan 12M-425, in the City of Windsor, known municipally as 0 Questa Drive, the following shall be additional permitted uses:

- i. multiple dwelling;

subject to the regulations in Section 12.2.5, and,

Building height within 30m of Banwell Road – Maximum –24 m
Landscaped Open Space – Minimum 30%

(ZDM 14; ZNG/7067)

Executive Summary:

N/A.

Background:

The subject site is part of the East Riverside Secondary Plan area. That plan designated a large area of agricultural land within the City of Windsor for various forms of urban development. Over time, the majority of the area has developed, seeing the creation of primarily low profile residential areas interspersed with institutional, recreation and multiple dwelling uses.

One of the uses contemplated in the East Riverside Secondary Plan included an area set aside for mixed use development. The site of this development is subject to the Banwell Road Mixed Use Corridor designation. This designation was intended to form a mixed commercial/residential center for the secondary plan area.

Since the approval of the East Riverside Secondary Plan, commercial uses locating at the intersection of Banwell Road and Tecumseh Road East has taken on much of the commercial role anticipated for the intersection of Banwell and McHugh/McNorton.

Other notable developments within the immediate area include a Mixed Use development on the Northeast corner of Banwell and McNorton (*ELM Windsor Inc, Z-013/17 approx 100 units*) and a Multiple Dwelling development immediately south of the Banwell Community Church (*Maple Leaf Homes Z-010/22 approx 130 units*). Both have been approved by City Council through Site Specific Zoning By-law amendments, but have not yet commenced construction.

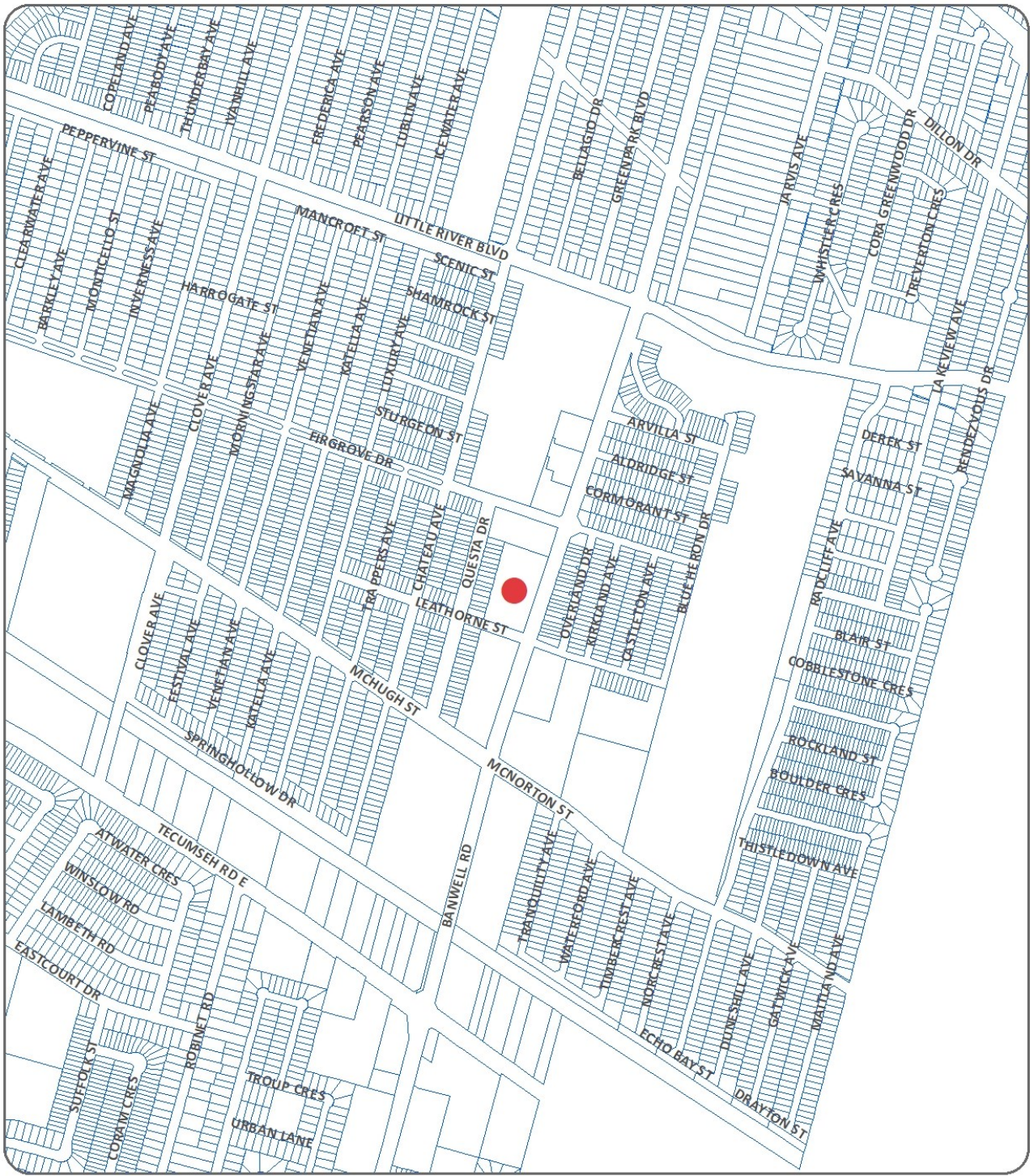
Application Information:

Location: Part of Block 1, Plan 12M-425, known municipally as 0 Questa Drive

Ward: 7 **Planning District:** East Riverside **ZDM:** 14

Registered Owner\Applicant: 1027458 Ontario Inc.

Agent: Dillon Consulting (Theresa O'Neil)



KEY MAP - Z-022/23, ZNG-7067, OPA 173, OPA-7070



● SUBJECT LANDS

Figure 1: Location Map



NEIGHBOURHOOD MAP - Z-022/23, ZNG-7067
& OPA 173, OPA-7070



SUBJECT LANDS

Proposal:

This application is one of three by the same developer along the West Side of Banwell Road between the Via Rail line and Firgrove Street. (see Appendix 1: Concept Plan) This phase of the development includes two (2) six (6)-storey multiple dwelling residential building with 78 units each (total 156 units).

The site is proposed to have driveway access from Leathorne Street and will include a surface parking area with 227 parking spaces for the residential dwellings; No reduction in parking is being requested for this development.

The applicant requested a site specific policy area to permit Medium Profile development (greater than 4 storeys) on the site. The concept plan for the site indicated that a Medium Profile development is proposed for this site. This is discussed further in the Official Plan and Zoning sections of this report.

The applicant is requesting a Zoning By-law amendment that would add “Multiple Dwelling” subject to the regulations of the RD3.2 zone” as a permitted use. As well, the applicant is requesting an increase in the permitted height to 24m and a reduction in landscaped open space from 35% as required in the RD3.2 zone to 24.5%.

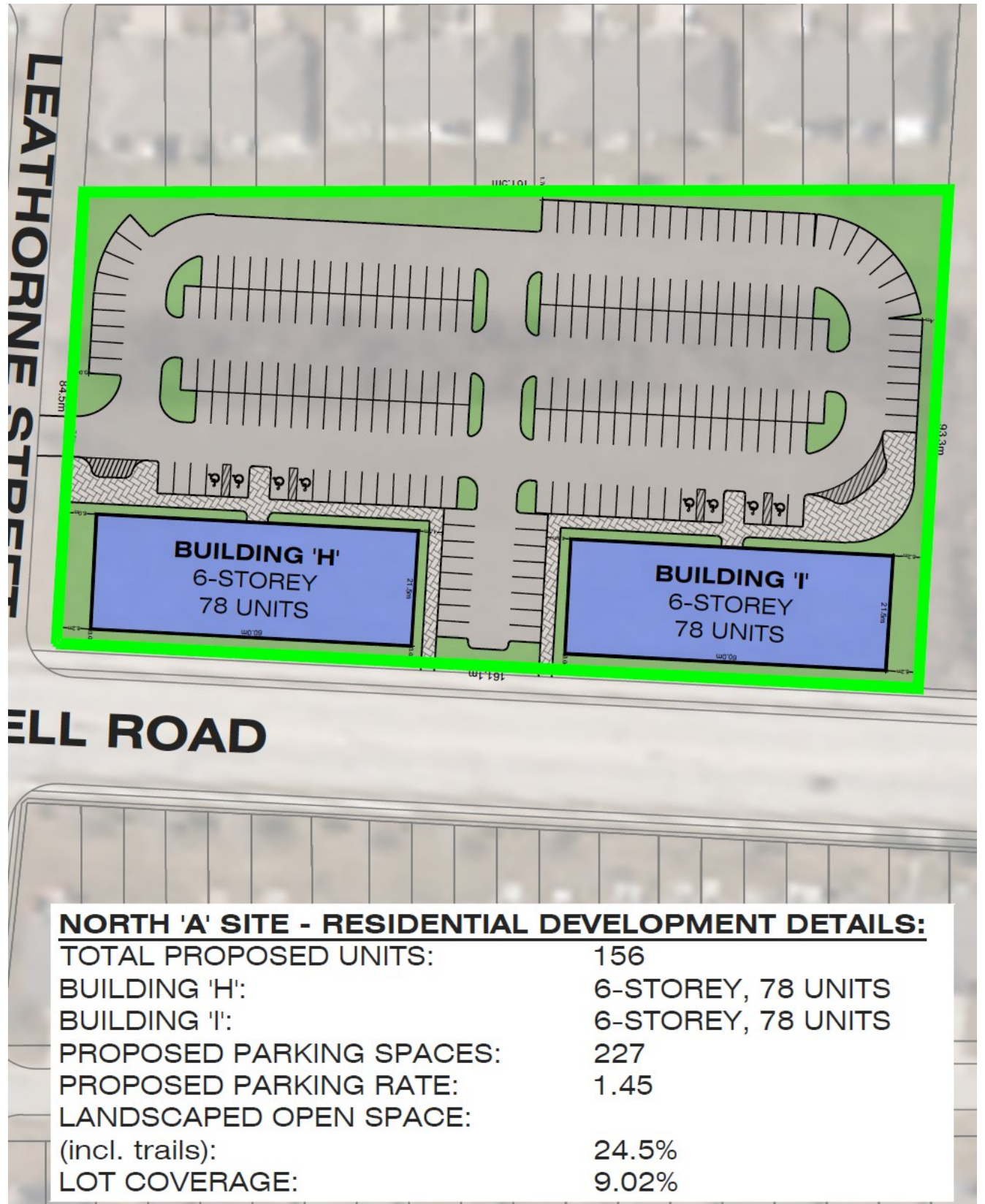


Figure 2: Concept Plan

Site Information:

Official Plan	Zoning	Current Use	Previous Use
Mixed Use Node Schedule D – Land Use, (OPA#159) Banwell Road Mixed Use Corridor Schedule ER-2: Land Use Plan, Secondary Plan East Riverside Planning Area	CD2.7 and S.20(1)218	Vacant	Vacant
Width	Depth	Area	Shape
+/-85 m	+/-161 m	1.4 ha	irregular
All measurements are approximate.			

Neighbourhood Characteristics:

This proposed development is located at 0 Questa Drive at the Northwest corner of Banwell Road and (future) Leathorne Street. The site is currently vacant and is bounded as follows:

North – Business Office of a non-profit or charitable organization (Our Daily Bread Ministries Canada), Multiple dwelling buildings

East – Townhome and Semi detached Dwellings;

South – Vacant land subject to development application Z023-23 [ZNG7067] Townhome dwellings;

West – Townhome dwellings

Discussion:

Provincial Policy Statement 2020 (PPS):

The Multiple Dwelling development is an infill development (a development on underutilized or vacant land within the context of an existing urban or built up area) consistent with the Provincial Policy Statement (PPS) in that the development promotes the efficient use of existing land, promotes cost-effective development patterns and

standards to minimize land consumption and servicing costs. Related to this direction, the PPS states:

“1.1.1 b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs”

e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;”

The requested Official Plan and zoning bylaw amendments promotes cost-effective development by redeveloping an under-utilized vacant site. Allowing the proposed multiple dwelling development in this location contributes to minimizing land consumption and servicing costs by using a site that already has available trunk infrastructure in the immediate area.

The PPS also states:

“1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years.”

The PPS requires that land be available to diversify developments to meet the future needs of the community. Subsequent to the proposed Official Plan Amendment, the multiple dwelling development will be consistent with that requirement by accommodating new residential construction on lands designated for that purpose.

The PPS also states:

“1.4.1 To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a. maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and*
- b. maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.”*

The proposed multiple dwelling development is consistent with the PPS by developing as part of a planned residential neighbourhood. This development will help to provide additional residential inventory within the City of Windsor.

The PPS also states:

“1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

a. permitting and facilitating:

- 1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and*
- 2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;*

b. directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

c. promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and”

Approving the Official Plan Amendment and Zoning By-law Amendment would support residential development using the infrastructure that is already in place, instead of requiring more expenditure on new trunk infrastructure in an unplanned area. In terms of supporting active transportation and transit, the proposed development is in close proximity to Transit Windsor service, and in close proximity to an extensive trail system.

Official Plan:

Section 3.3.2.2 of the Urban Structure Plan contained in the City of Windsor Official Plan identifies Barwell Road as a City Corridor. Residential development on a City Corridor may include high profile (26 to 58 metres in height), medium profile (14 to 26 metres in height) and residential over retail at street, as well as row housing and lofts. The proposed development conforms with this policy.

The site is designated “Mixed Use Node” in the City of Windsor Official Plan, the Mixed Use Node designation indicates that Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up 4 storeys in height shall be permitted.

This site is identified as “Banwell Road Mixed Use Corridor” in the East Riverside Secondary Plan. The proposed Multiple Dwellings would not be permitted in this designation, however Dwelling Units in a Combined Use Building would be permitted.

To clarify the apparent conflict between the inconsistent sections of the Official Plan related to the height or profile of the development, the Planning Department recommends that a Site Specific policy area be applied to confirm that Medium Profile buildings are permitted on this site within 30 metres of Banwell Road. The site specific policy area would be implemented through a site specific zone (see Zoning Section).

Zoning:

The site is currently zoned CD2.7 with a site specific provision that permits a residential Care Facility and applies specific regulations related to that use. (S.20(1)218)

The applicant is requesting that a multiple dwelling be added as a permitted use on this site. Residential uses are already contemplated on the site, when included as part of a combined use building. The provision of a multiple dwelling is compatible with uses contemplated in the Official Plan designations in both the Volume 1 of the Official Plan as well as the East Riverside Secondary Plan.

The application of the regulations contained in the RD3.2 zone is appropriate because those regulations are designed for the Multiple Dwelling use and the forms that those uses take. The regulations of the RD3.2 zone are generally designed to ensure that Multiple dwelling(s) are located on sites that are sized appropriately for the number of units proposed for the development.

Building Heights

The Planning Department is able to support the request for increased height on the site because the Urban Structure Plan designates Banwell Road as a City Corridor. Residential development on a City Corridor may include high profile (26 to 58 metres in height), medium profile (14 to 26 metres in height) on roads designated as City Corridors. Medium profile residential buildings (up to a maximum height of 24 metres) are supported closer to Banwell Road. The height limit of 24 m would effectively limit the building to a 6 storey structure, as depicted in the applicant’s Concept Plan.

Request for reduction of landscaped open space

The Planning Department does not support the request for reduced landscaped open space from 35% to 24.5%. The applicant is requesting a reduction in the total landscape area to 24.5% (a reduction of 10.5%) approximately 2/3 of the required landscape area.

Recognising that the plan submitted as part of the application represents a concept depicting one possible form of development, a review of that concept reveals an overprovision of parking, that, if removed along with the associated driveway areas and

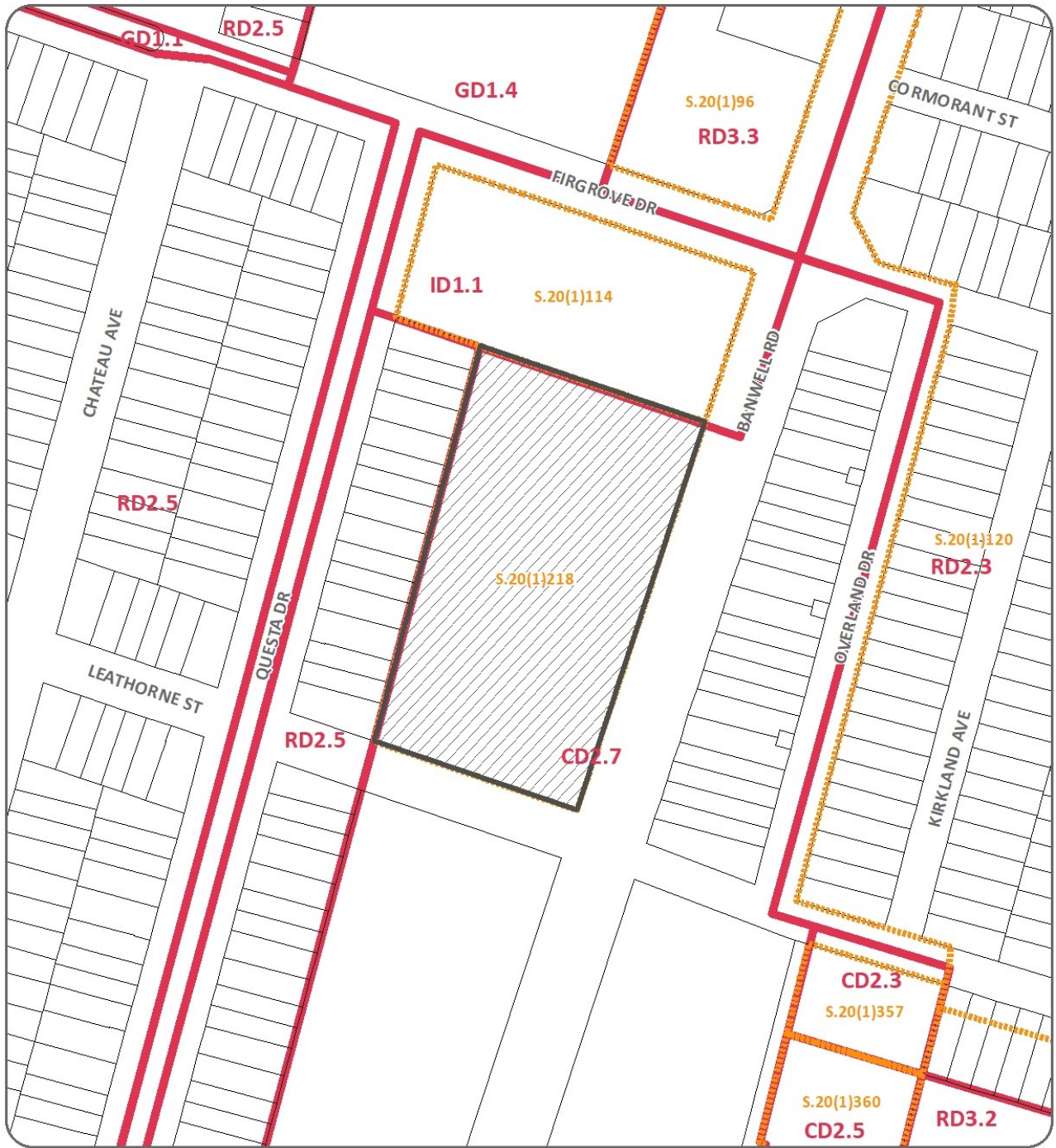
a more judicious use of hard surfacing could result in additional landscaping area being available.

Removal of the excess parking spaces and associated access areas could provide an additional 5% land area for landscaped open space, therefore the Planning department can recommend the provision of 30% landscaped open space rather than the 35% required in the RD3.2 zone.

Application of Hold Prefix

Transportation Planning indicates that the Transportation Impact Statement requires further refinement, as it is unclear whether the TIS fully accounted for the proposed residential units permitted within the ELM Windsor development on the northeast corner of the Banwell/ McNorton intersection. While this update could be completed as part of the Site Plan Control process where mitigation of any transportation issues will be included as conditions within a site plan control agreement, it is important that a revised TIS be part of the zoning to ensure that the revised TIS is completed before the issuance of a building permit for the Multiple Dwelling portion of the site.

The development also requires the applicant to construct an extension of Leathorne Street from Questa Drive to Banwell Road to support the proposal. Accordingly, a holding prefix is recommended that would be removed when a revised TIS is submitted to the satisfaction of the City Engineer and a development permit for the construction of Leathorne Street on to Block 19 12M-425, is obtained.



PART OF ZONING DISTRICT MAP 14

N.T.S.

REZONING

Applicant: 1027458 Ontario Inc.



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : JULY, 2023
FILE NO. : Z-022/23, ZNG/7067

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

The site will be subject to a site plan control agreement and will release storm water to the municipal system at a rate determined by a storm water management plan and development servicing plan that will be reviewed and approved by the City's Public Works department.

Climate Change Adaptation:

The development on the site is close to existing bus routes and also community recreational opportunities. This will encourage the use of public transit and walking as modes of transportation, thereby helping to minimize the City's carbon footprint.

Financial Matters:

N/A

Consultations:

A Public Information Centre (PIC) was held by the developer's consultant on April 19, 2023. The approximately 150 residents attended.

As required in the Planning Act, notice was provided by advertisement in the Windsor Star. In addition, a courtesy notice to all property owners and tenants within 120 metres (400 feet) of the subject parcel were sent by mail.

The applications and relevant supporting studies were circulated to commenting agencies. Those responses are included as Appendix 1 – Agency Comments.

Conclusion:

The proposed use of this site as a development containing Multiple Dwelling structures containing 158 units represents an efficient development that will have no adverse impact on the well-being of the City of Windsor. The proposed development represents an appropriate residential use, adds to the range and mix of uses and will not cause any environmental or public health and safety concerns. This development is consistent with the Provincial Policy Statement.

The proposed Multiple Dwelling represents a housing type and density that meets the requirements of current and future residents, that meets the social, health and well-being of current and future residents, represents a form of residential intensification, is set in a location with access to infrastructure, public service facilities, and is close to commercial land uses.

The proposed Multiple Dwelling is located within a growing area that contains other Multiple Dwelling buildings in various stages of development of similar form and is compatible within its context.

The proposed Official Plan and zoning by-law amendments are consistent the PPS, conform with the policy direction of the City of Windsor Official Plan (as recommended for amendment), are compatible with existing and permitted uses in the surrounding neighbourhood, and constitute good planning.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Greg Atkinson, MCIP, RPP Manager of Development/Deputy City Planner

Neil Robertson, MCIP, RPP Acting City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP JM

Approvals:

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	Acting City Planner
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner of Economic Development & Innovation
Janice Guthrie for	Chief Administrative Officer

Notifications:

Name	Address	Email
1027458 Ontario Inc.	949 Wilson Ave, Toronto ON M3K 1G2	jcoco@cocogroup.com
Dillon Consulting Limited (Theresa O’Niell)	3200 Dezeil Drive, Suite 608, Windsor ON N8W 5K8	toneill@dillon.ca

Appendices:

- 1 Liaison Comments
- 2 Concept Plan

APPENDIX D – CONSULTATION

ENVIROMENTAL – ANNE MARIE ALBIDONE

No concerns from Environmental Services.

ENBRIDGE

After reviewing the provided drawing at **Banwell Rd & McHugh St (North 'A' Site, North 'B' Site, South Site)** and consulting our mapping system, please note that Enbridge Gas has active infrastructure around the proposed area. A PDF drawing has been attached for reference.

Please Note:

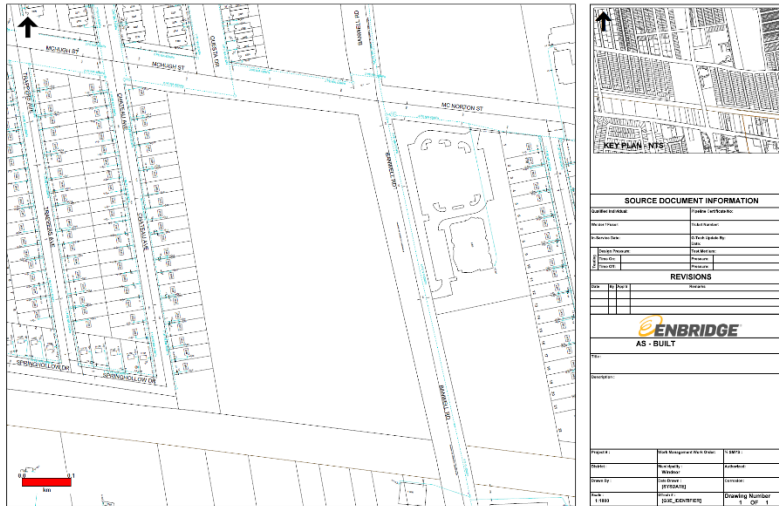
- 1. The shown piping locations are approximate and for information purposes only**
- 2. The drawings are not to scale**
- 3. This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc**

Enbridge Gas requires a minimum separation of 0.6m horizontal and 0.3m vertical from all of our plant less than NPS 16 and a minimum separation 1.0m horizontal and 0.6m vertical between any CER-regulated and vital pipelines. For all pipelines (including vital pipelines), when drilling parallel to the pipeline, a minimum horizontal clearance measured from the edge of the pipeline to the edge of the final bore hole of 1 m (3.3 ft) is required. Please ensure that this minimum separation requirement is maintained, and that the contractor obtains locates prior to performing any work and utilizes safe excavation practices while performing any work in the vicinity.

Also, please note the following should you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live
- If during the course of any job, any pipe is found that is not on the locate sheet and is in conflict with your work, please call our emergency number (1-877-969-0999), and one of our Union Gas representatives will respond to determine if that plant is in fact live or dead
- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly

Please contact me if you have any further questions or concerns.



CANADA POST – BRUNO DESANDO

This development, as described, falls within our centralized mail policy.

I will specify the condition which I request to be added for Canada Post Corporation's purposes.

- a) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding these conditions, please contact me. I appreciate the opportunity to comment on this project.

Lock-Box Assembly Requirements

The complete Canada Post Standards Manual for Builders & Developers can be downloaded at:
https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf

Compartment Size

- Horizontal lock-box models used in mailrooms must have the following minimums:
 - o Residential compartments must be at least 12.5 x 13.5 cm
 - o Commercial compartments at least 13.5 x 30.5 cm
 - o Parcel compartments at least 30.5 x 30.5 cm
- Vertical lock-box models must have min comp size of 25 x 12.5 cm. (Most models are 40 x 12.7 cm)

Heights

- All lock-box assemblies must be installed in a manner that will not require the delivery employee to reach higher than 170cm or lower than 45cm when delivering to the equipment. With respect to horizontal lock-boxes, the limits above will likely mean that maximum number of compartments that can be included in each column of residential compartments would be eight

Rear-loading Lock-boxes

- Projects with more than 100 units are required to be serviced via a rear-loading lock-box assembly.
- There must be a width of at least 100cm of working space from the back of the boxes to the wall.
- A ledge under the bottom row of boxes is also recommended in rear-loading designs. This ledge is to be directly under the bottom row of boxes (no space between ledge and bottom of boxes) and must stick out at least 20cm from the back of the boxes.
 - Mailroom door is required to provide a minimum 81cm opening
 - Lighting should be at least 100 lux (measured 75 cm from floor)

Access

- All buildings where the lock-boxes are required to be serviced from inside the building are required to install a Canada Post Crown lock in the building intercom. The intercom is pre-fabricated with an internal housing for the lock. The lock can be obtained from the local deliver supervisor.
- If the building has more than 100 units, a rear-loading lock-box assembly will be installed. The door to the Canada Post delivery area must be fitted with a specific model of deadbolt. This is because Canada Post will supply a key cylinder made specifically for the Canada Post key that will fit inside the deadbolt purchased by the developer.

Numbering

- Compartments should be numbered vertically and left to right on the delivery side of the boxes

Grade-level Components

- If the development includes grade level retail or residential units, please take note that door-to-door delivery will not be provided to these units. Canada Post is happy to install a Community Mailbox to provide service to these units. Please coordinate a location with the Canada Post Delivery Planner for the area. If there is no room on the property for the Community Mailbox, service can be provided via another Community Mailbox in the area. Options to service the units from the tower (lobby) lock-boxes or via a front-loading lock box erected on the outside of the building can also be discussed with the Delivery Planner.

ENVIRONMENTAL SUSTAINABILITY & CLIMATE CHANGE - KARINA RICHTERS

Pursuant to the application for a zoning amendment (**Z-022/23**) and Official Plan Amendment **OPA 173** for the proposed development along the West Side of Banwell Road between the Via Rail line and Firgrove Street – Banwell and McHugh North ‘A’ Site, please note the following comments:

Energy Conservation, Air Quality and Climate Change:

Energy Efficiency

In order to maximize energy efficiency and conservation an energy strategy is required. The City’s energy strategy terms of reference are available for review.

The installation of EV chargers is highly encouraged, as electric vehicles continue to penetrate the personal car and truck market, and supported by federal targets for EV production. Access to home charging will continue to be the preferred charge point.

Climate Change Impact Risk Reduction

Reduction of the Urban Heat

To mitigate the effects of the urban heat caused by the increase in hard surfaces, it is recommended that landscaping efforts be maximized and include the planting of trees. To promote tree growth near parking lots, engineered systems (e.g. Silva Cells or equivalent) are recommended. These comments should be considered in addition to any comments received by the City’s Landscape Architect.

Flood Risk Reduction

The [City's Sewer and Coastal Flood Protection Master Plan](#) notes this area at risk of basement flooding for an approximate 1:25 year storm event. Efforts shall be taken to address risk to any below grade areas.

ERCA – ALICIA GOOD

The City of Windsor has received an Application for an Official Plan Amendment and a Zoning By-Law Amendment to support the construction of a Mixed-Use development with multiple High-Profile buildings on the subject lands.

The following is provided as a result of our review of Zoning By-Law Amendment ZBA-022-23, and Official Plan Amendment OPA 173.

NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT, O. REG 686/21, PPS

The following comments reflect ERCA's role in protecting people and property from the threats of natural hazards and regulating development hazards lands under Section 28 of the *Conservation Authorities Act*.

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the Parent Outlet Drain and Lake St. Clair. The property owner will be required to obtain a Permit from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

FINAL RECOMMENDATION

Our office has no objection to the proposed OPA 173 and ZBA-022-23. We request continued circulation for this development as we may have further comment regarding the Stormwater Management Plan at the time of Site Plan Control Application. As noted above, the property owner will be required to obtain a Permit from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

LANDSCAPE ARCHITECT & URBAN DESIGN STEFAN FEDIUK

Pursuant to the application for a zoning amendment (**Z 022/23**) to permit a High profile development (greater than 4 storeys) along Banwell Road with Multiple Dwelling with an excess height of 35m and reduced landscape open space to 24.5% on the subject, please also note the following comments:

Zoning Provisions for Parking Setback:

With exception to North 'A' Site (north of Leathorne Street), the minimum landscape requirements are able to be met within the proposed development. North 'A' is requesting a reduction in the total landscape area to 24.5% (a reduction of 10.5%) approximately 2/3 of the required landscape area.

- Required 35% Landscape area – 5,012.88sm
- Proposed 24.5% Landscape area – 3,509.02sm
- Deficient 10.5% Landscape area – 1,503.86sm

Per the Zoning Bylaw 8600, Section 24 – Parking, Loading and Stacking Provisions, specifically 24.20.5 Table 24.20.5.1 Requires Parking Spaces for Multiple dwelling containing a minimum of 5 dwelling Units, the rate is 1.25 parking spaces for each dwelling unit. North 'A' Site proposes 1.45 parking spaces per unit. This represents an excess of 32 parking spaces than what is required.

While it is not entirely possible to meet the minimum landscape requirements with the current proposed development of two 78 unit buildings, there are amendments that can be made to reduce the amount of deficient landscape area as per the climate change requirements of the Official Plan. These include but not limited to:

- Removing the 16 parking spaces situated between Buildings 'H' and 'I'.
- Removing parking spaces found around the periphery of the parking area.
- Reducing the excessive hard surfacing surrounding the loading zones (Note: that sidewalks for direct access and egress to the proposed building or parking areas, and hard surface associated with loading zone areas are not to be included in the landscape area calculations).
- Reducing the number of units/height to ensure compliance with the zoning for RD3.2.

Therefore, the proposed reduction of landscape area to 24.5% is not supported.

Tree Preservation:

The applicant has provided a Tree Inventory and Preservation Study (March 2023) for the entire three parcel development, prepared by Dillon Consulting, which documented 310 trees (27 on the property immediately north of the proposed development). A majority of the trees (84%) were identified as native species, including 20 Kentucky Coffeetree near the southern development parcel which are classified as an S2 Threatened SAR being very rare and imperiled. The study indicates that the Kentucky Coffeetrees will be preserved.

The remnant hedgerow of trees and scrub undergrowth running north-south through the middle of the North 'A' site, is dominated by Eastern Cottonwood, American Elm, American Basswood and Oak Species. None of these are identified as SARs. As per Section 5.3 of the TIP report it is recognized that a Landscape Plan will be provided with the Site Plan Approval application to ensure that the loss to urban tree canopy has been compensated at a rate of caliper-to-caliper of tree trunk DBH to the satisfaction of the City Forester and the Planning Department's Landscape Architect.

Additionally, several trees on city owned land are proposed to be removed. Applicant is to provide confirmation from the City Forester that these tree may be removed and what if any compensation to the City of Windsor is required.

In addition, several endangered SAR Bat species and Butler's Gartersnake have been identified as potentially occurring in the vicinity of the proposed development. While suitable habitat for Butler's Gartersnake is not found on the site, there are suitable roosting habitats for bats. The proposed development would see the entire hedgerow removed due to the proposed site layout. The study recommends no removal between April 1 and September 30, and additional recorded monitoring is required to ensure that there are no bat species are roosting prior to any removals.

Climate Change:

The proposed development is oriented in a north-south direction through the North 'A' site. The increased asphalt surface and removal of existing tree canopy will increase the urban heat island effect through the site and abutting residential properties to the west. The requirement for tree replacement and increased landscape area is essential to mitigate the impacts of the hard surface paving from a sustainability perspective. As recommended by the above Zoning comments, reduction of the proposed area of hard surface is necessary to increase climate change resiliency and reduce storm water runoff.

Urban Design:

While consistency is prescribed by the O.P. vol 2, Section 2.7.5, the design of the proposed Building's 'E' thru 'I', should ensure materials and details that allow for accessibility needs to help people with cognitive and visibility constraints identify different units readily.

Access to the North 'A' and North 'B' sites should be staggered to reduce the potential of cross traffic midblock between the developments at Leathorne Street. Similar configurations have resulted in parking areas being used as through streets and should be avoided.

Parkland Dedication:

All requirements will be determined at the time a Site Plan application is received.

SITE PLAN CONTROL

The development proposal is subject to Site Plan Control pursuant to the Planning Act and City of Windsor By-law 1-2004. Where preceding development applications are required, inclusive of Official Plan and Zoning By-law Amendments, request for Site Plan Control Pre-Consultation may be made following completion of the requisite Development and Heritage Standing Committee meeting at <https://ca.cloudpermit.com/login>.

VIA RAIL – JOHN WALSH

We are in receipt of your Liaison Submission dated 21 July 2023 for the above-captioned applications.

Upon our review, VIA must advise you that we are not in favour of Residential Development in such close proximity to our freight and passenger train right-of-way due to the obvious incompatibility.

Should the City still decide to progress the subject applications, the attached noise, vibration and safety mitigation measures must be addressed for any new development within 300m of VIA's Chatham Subdivision.

In addition to the aforementioned measures, it is also noted that the sight-triangle for the Banwell Road and VIA at-grade crossing could be compromised by the proposed development despite the presence of automatic protection devices at the level crossing. Please consult with Transport Canada to ensure compliance with their regulations in this regard.

Kindly keep us informed on the progress of this application.

ENWIN

HYDRO ENGINEERING:

No Objections.

WATER ENGINEERING:

Water Engineering has no objections to the rezoning.

BUILDING DEPARTMENT – BARBARA RUSAN

Comments from the City of Windsor, Building Department relating to the subject line matter are as follows:

The Building Code Act, Section 8.(1) requires that a building permit be issued by the Chief Building Official for construction or demolition of a building.

The building permit review process occurs after a development application receives approval and once a building permit application has been submitted to the Building Department and deemed a complete application.

Due to the limited Ontario Building Code related information received, review of the proposed project for compliance to the Ontario Building Code has not yet been conducted. It is strongly recommended that the owner and/or applicant contact the Building Department to determine building permit needs for the proposed project prior to building permit submission.

The City of Windsor Building Department can be reach by phoning 519-255-6267 or, through email at buildingdept@citywindsor.ca

ZONING COORDINATOR – ZAID ZWAYYED

Below is the zoning review for the proposed development:

- **Current Zoning Designation:** CD2.7 S.20(1)218
- **Proposed Zoning Designation:** RD3.2

- **Existing Use [as per historical Building Permit(s) / Planning Act Application(s)]:**
 - Vacant property

- **Proposed Use:**
 - Two multiple dwelling buildings with 156 dwelling units and a parking area.

- **Section 5 – General Provisions**
 - **Flood Protection & Natural Hazards Provisions (5.40):** The subject property is within Floodprone Area. Thus, consultation with Essex Region Conservation Authority (ERCA) is required per section 5.40.5.

- **Zoning Provisions (12.2):**
 - **Minimum lot Frontage:**
 - 30.0 m (Required)
 - 161.15 m (Provided)

 - **Minimum Lot Area:**
 - 7,621.0 m² (Required)
 - 14,322.52 m² (Provided)

- **Maximum Lot Coverage:**
 - 35.0% (Required)
 - 18.0% (Provided)
- **Maximum Main Building Height:**
 - 35.0 m (Proposed) (Required)
 - The Applicant must confirm the proposed height (Provided)
- **Minimum Landscaped Open Space Yard:**
 - 24.50% (Proposed) (Required)
 - 24.50% (Provided)
- **Maximum Dwelling Unit Density:**
 - 188 units per ha (Required)
 - 109 Units per ha (Provided)
- **Section 24 - Parking, Loading and Stacking Provisions**
 - **Required Number of Parking Spaces:**
 - 226 spaces (proposed rate 1.45 per unit) (Required)
 - 226 spaces (Provided)
 - **Required Number of Visitor Parking Spaces:**
 - 33 spaces (Required)
 - Designated visitor spaces must be shown
 - **Required Number of Type A Accessible Parking Spaces:**
 - 3 spaces (Required)
 - 4 spaces (Provided)
 - **Required Number of Type B Accessible Parking Spaces:**
 - 4 spaces (Required)
 - 4 spaces (Provided)
 - **Access Aisles and curbcuts for accessible spaces:** Must be shown on the submission.
 - **Required Number of Bicycle Spaces:**
 - 13 spaces (Required)
 - 0 spaces (Provided)
 - **Required Loading Spaces:**
 - 3 spaces (Required)
 - 2 spaces (Provided)
- **Section 25 – Parking Area Provisions**

- More information and dimensions are required to review for compliance with section 25.

TRANSIT WINDSOR – JASON SCOTT

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Lauzon 10. The closest existing bus stop is directly adjacent to this property on McHugh at Questa Northeast Corner providing direct transit access. Transit service will be greatly improved in this area with City Council's approval of Transit Windsor' 2023 operating budget and service plan as 2 new local routes will be introduced to replace the Lauzon 10. Both of these routes will be along McHugh and Banwell and will both have 2 way conventional transit service versus the existing one way loop with the Lauzon 10. This is consistent with our City Council approved Transit Master Plan.

ENGINEERING – AMY KUREK

There is a 300mm PVC sanitary sewer located within Leathorne Street right-of-way and a 475mm PVC sanitary sewer located within the Banwell Road right-of-way. There is a 975mm RCP Storm sewer located within the Banwell Road right-of-way. A complete Servicing study will be required for proposed services.

Right-of-Way

Banwell Road is classified as Class II Arterial Road according to the Official Plan requiring a right-of-way width of 30 meters; the current right-of-way is sufficient; therefore, a conveyance is not required at this time. A corner cut off of 4.6 meters x 4.6 meters is required at the corner of Banwell Rd and Leathorne St.

At the time of SPC application the following will be required:

1. Stormwater Management Report – this has been received and comments will be provided prior to SPC submission
2. Development Agreement for the construction of the extension of Leathorne Street from Questa Drive to Banwell Rd with a required right-of-way width of 20 meters, inclusive of and not limited to; roadway, sidewalk, curb and gutter, street lighting, road drainage, boulevard restoration.
3. Offsite works to alter Banwell Road if required by Transportation Planning.

In summary we have no objection to the proposed development, subject to the following requirements:

Servicing Study – The owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall review the proposed impact and recommend mitigating measures and implementation of those measures.

Corner Cut-Off – The owner(s) agrees, prior to the issuance of a construction permit, to gratuitously convey a 4.6 m x 4.6 m corner cut-off at the corner of Banwell Rd and Leathorne St.

If you have any further questions or concerns, please contact Amy Kurek, of this department at akurek@citywindsor.ca

JOHN WALSH – VIA RAIL (UPDATED COMMENT)

Reference our response of 26 July 2023 to your Liaison Submission dated 21 July 2023, please substitute this letter for the previous one issued.

Upon our review, VIA must advise you that we are not in favour of Residential Development in such close proximity to our freight and passenger train right-of-way due to the obvious incompatibility.

Should the City decide to progress the subject applications, the pertinent noise, vibration and safety mitigation measures for a Principal Mainline must be addressed for any new development within 300m of VIA's Chatham Subdivision.

Kindly keep us informed on the progress of this application.

TRANSPORTATION PLANNING – CLARE AMICARELLI

- The Official Plan classifies Banwell Road as a Class 2 Arterial with a required right-of-way width of 30 metres, as per Schedule X. The existing right-of-way width is sufficient; therefore, a conveyance is not required.
- Construction is required for the extension of Leathorne St from Questa Dr to Banwell Rd as per Engineering Right-of-Way's comments with a required right-of-way width of 20 meters.
- A corner cut-off of 4.6 metres x 4.6 metres is required at the corner of Banwell Rd and Leathorne St for a non-signalized intersection.
- Per the Official Plan, a sidewalk is required on at least one side of a Local Road. A sidewalk construction is required along the frontage of Leathorne St, as per Engineering Right-of-Way's comments.
- All parking must comply with ZBL 8600, otherwise a parking study may be required.
 - Development requires 13 bicycle spaces as per ZBL 8600. Bicycle spaces must comply with ZBL for number and dimensions of spaces and must be clearly shown on revised site plan.
 - Total GFA is required in order to determine if loading spaces proposed are sufficient according to the ZBL.
 - Aisle width must be 6 metres in order to have adequate width for turning maneuvers
- Transportation Planning has reviewed the Transportation Impact Study titled, "Banwell and McHugh Mixed Use Developments" conducted by Dillon Consulting Ltd. in March 2023. Transportation Planning has the following comments:
 - A revised TIS is required, as the TIS submitted does not include any developments along the east side of Banwell Rd. The revised TIS must account for any traffic that will be generated by the properties east of Banwell Rd, specifically at the southeast corner of Banwell Rd and Leathorne St by using estimated traffic volumes based on the existing and permitted zoning of those properties.

- All new exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).
- All new accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings AS-204.
 - All proposed driveways must be 7-9 metres total at the property line (minimum 3.5m/lane, maximum 4.5m/lane)

HERITAGE PLANNING – TRACY TANG

No supporting information required.

There is no apparent built heritage concern with this property and it is located on an area of low archaeological potential.

Nevertheless, the Applicant should be notified of the following archaeological precaution.

1. Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
2. In the event that human remains are encountered during grading, construction or soil removal activities, 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 a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

Contacts:

Windsor Planning & Building Department:

519-255-6543 x6179, ktang@citywindsor.ca, planningdept@citywindsor.ca

Windsor Manager of Culture and Events (A):

Michelle Staaedegaard, (O) 519-253-2300x2726, (C) 519-816-0711,
mstaadegaard@citywindsor.ca

Ontario Ministry of Citizenship and Multiculturalism

Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca

Windsor Police: 911

Ontario Ministry of Government & Consumer Services

A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, 1-416-212-7499, Crystal.Forrest@ontario.ca



SOUTH SITE - RESIDENTIAL DEVELOPMENT DETAILS:

TOTAL PROPOSED UNITS:	408
BUILDING 'A':	10-STOREY, 120 UNITS
BUILDING 'B':	10-STOREY, 120 UNITS
BUILDING 'C':	6-STOREY, 72 UNITS
BUILDING 'D':	8-STOREY, 96 UNITS
PROPOSED PARKING SPACES:	531
PROPOSED PARKING RATE:	1.30
LANDSCAPED OPEN SPACE:	
(incl. trails):	38.2%
LOT COVERAGE:	12.7%

SOUTH SITE - BUSINESS OFFICE DEVELOPMENT DETAILS:

GFA:	1860m ²
REQUIRED PARKING SPACES:	56
PROVIDED PARKING SPACES:	60

SOUTH SITE - RESPITE HOME DEVELOPMENT DETAILS:

GFA:	499m ²
REQUIRED PARKING SPACES:	12
PROVIDED PARKING SPACES:	12

NORTH 'B' SITE - RESIDENTIAL DEVELOPMENT DETAILS:

TOTAL PROPOSED UNITS:	180
BUILDING 'E':	6-STOREY, 24 UNITS
BUILDING 'F':	6-STOREY, 78 UNITS
BUILDING 'G':	6-STOREY, 78 UNITS
PROPOSED PARKING SPACES:	270
PROPOSED PARKING RATE:	1.50
LANDSCAPED OPEN SPACE:	
(incl. trails):	36.4%
LOT COVERAGE:	23.2%

NORTH 'A' SITE - RESIDENTIAL DEVELOPMENT DETAILS:

TOTAL PROPOSED UNITS:	156
BUILDING 'H':	6-STOREY, 78 UNITS
BUILDING 'I':	6-STOREY, 78 UNITS
PROPOSED PARKING SPACES:	227
PROPOSED PARKING RATE:	1.45
LANDSCAPED OPEN SPACE:	
(incl. trails):	24.5%
LOT COVERAGE:	9.02%

1027458 ONTARIO LTD.
BANWELL AND McHUGH - MIXED USE DEVELOPMENTS

CONCEPTUAL DEVELOPMENT PLAN
April 4, 2023

BANWELL AND McHUGH - SOUTH SITE (± 5.35 ha / 13.23 ac)	BANWELL AND McHUGH - NORTH 'A' SITE (± 1.43 ha / 3.54 ac)	BANWELL AND McHUGH - NORTH 'B' SITE (± 1.66 ha / 4.11 ac)	PROPOSED MULTI-UNIT RESIDENTIAL	PROPOSED LANDSCAPED OPEN SPACE	SOUTH SITE - PHASE 1
30m BUFFER FROM RAILWAY	EXTENT OF BERM	EXISTING BERM	PROPOSED BUSINESS OFFICES	PROPOSED RESPITE HOME	SOUTH SITE- PHASE 2

File Location:
c:\pw working directory\projects 2022\dillon_32mru\dms63328\22-5144 - banwell and mchugh - concept plan.dwg
April, 04, 2023 1:22 PM

MAP/DRAWING INFORMATION
THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE VERIFIED BY AN O.L.S PRIOR TO CONSTRUCTION.
CREATED BY: MRU
CHECKED BY: TJO
DESIGNED BY: MRU

SCALE: 1: 2000 (11X17)



PROJECT: 22-5144
STATUS: DRAFT
DATE: 04/03/2023



Subject: Official Plan & Zoning Bylaw Amendments Z 023-23 [ZNG-7068] & OPA 174 [OPA-7071] 1027458 Ontario Inc. Banwell South of Leathorne (North B) Multiple Dwelling Development - Ward 7

Reference:

Date to Council: November 6, 2023
Author: Jim Abbs
Senior Planner
519-255-6543 x6317
jabbs@citywindsor.ca

Planning & Building Services
Report Date: October 20, 2023
Clerk's File #: Z/14654 & Z/14655

To: Mayor and Members of City Council

Recommendation:

THAT the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:

1.# WEST SIDE BANWELL ROAD SOUTH OF LEATHORNE DRIVE

1.#.1 The property described as Block 7, Plan 12M-425, in the City of Windsor, known municipally as 0 Banwell Road, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.#.2 Notwithstanding Section 2.7.5.5 of the Official Plan, Volume II:

- a) Medium Profile Residential Buildings up to 24 m in height shall be permitted on the subject property within 30m of Banwell Road

THAT the hold prefix **BE APPLIED** to the existing CD2.7 zone at Block 7, Plan 12M-425, in the City of Windsor, known municipally as 0 Banwell Road, the hold prefix may be removed when the applicant/owner submits an application to remove the holding prefix and the following conditions are satisfied:

- a) an updated Transportation Impact Study is prepared and submitted to the satisfaction of the City Engineer; and
- b) The applicant receives a development permit for the construction of the extension of Leathorne Street onto Block 19, 12M-425.

THAT subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Block 7, Plan 12M-425 by adding site specific regulations as follow:

4xx. WEST SIDE BANWELL ROAD SOUTH OF FIRGROVE DRIVE

For the lands described as Block 7, Plan 12M-425, in the City of Windsor, known municipally as 0 Banwell Road, the following shall be additional permitted uses:

- i. multiple dwelling;

subject to the regulations in Section 12.2.5, and,

Building height within 30m of Banwell Road – Maximum –24 m

(ZDM 14; ZNG/7068)

Executive Summary:

N/A

Background:

This site is part of the East Riverside Secondary Plan area. That plan designated a large area of agricultural land within the City of Windsor for various forms of urban development. Over time, the majority of the area has developed, seeing the creation of primarily low profile residential areas interspersed with institutional, recreation and multiple dwelling uses.

One of the uses contemplated in the East Riverside Secondary Plan included an area set aside for mixed use development. The site of this development is subject to the Banwell Road Mixed Use Corridor designation. This designation was intended to form a mixed commercial/residential center for the secondary plan area.

Since the approval of the East Riverside Secondary Plan, commercial uses locating at the intersection of Banwell Road and Tecumseh Road East has taken on much of the commercial role anticipated for the intersection of Banwell and McHugh/McNorton.

Other notable developments within the immediate area include a Mixed Use development on the Northeast corner of Banwell and McNorton (*ELM Windsor Inc, Z-013/17 approx 100 units*) and a Multiple Dwelling development immediately south of the Banwell Community Church (*Maple Leaf Homes Z-010/22 approx 130 units*). Both have been approved by City Council through Site Specific Zoning By-law amendments, but have not yet commenced construction.

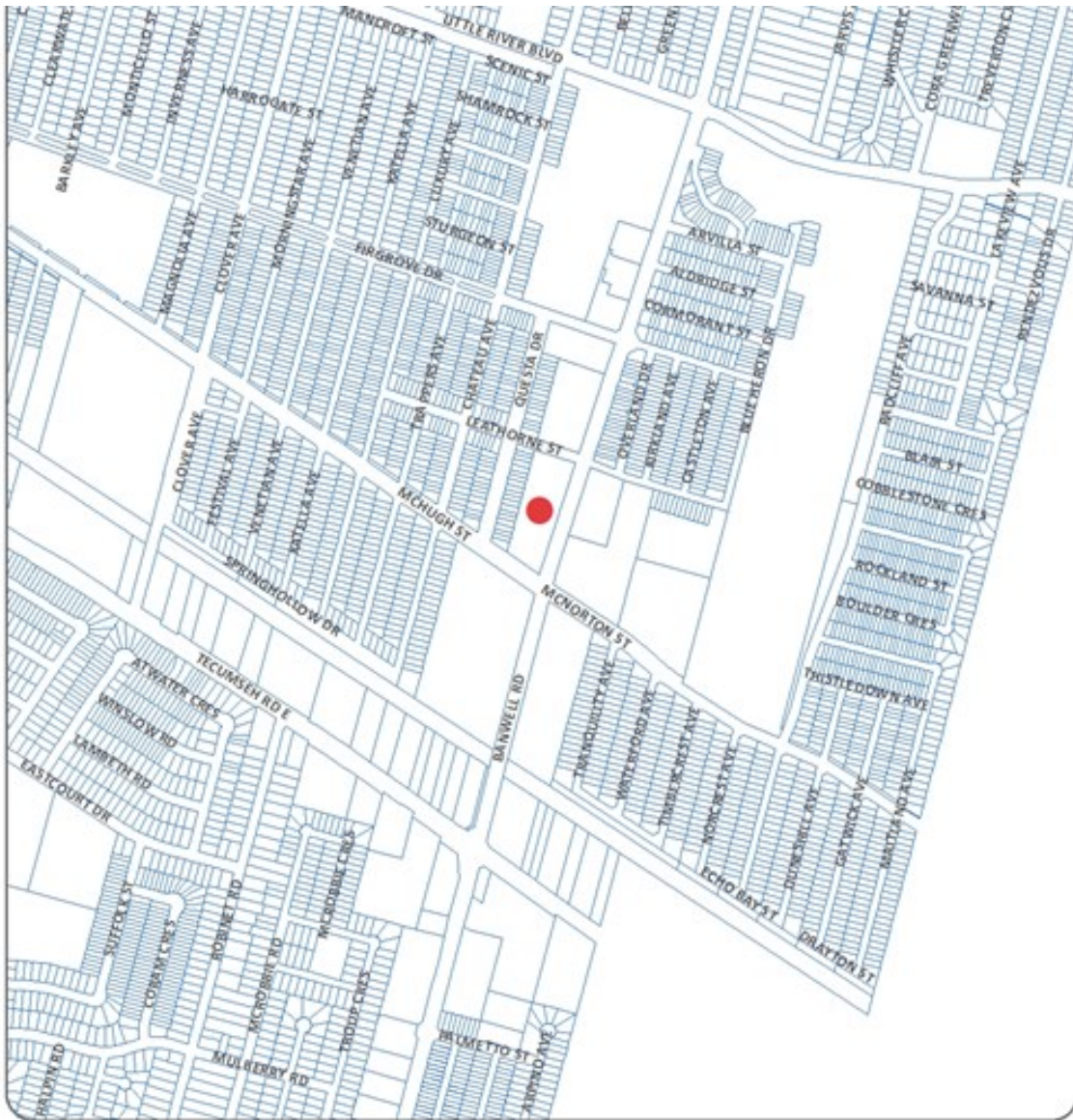
Application Information:

Location: Block 7, Plan 12M-425, known municipally as 0 Banwell Road

Ward: 7 **Planning District:** East Riverside **ZDM:** 14

Registered Owner\Applicant: 1027458 Ontario Inc.

Agent: Dillon Consulting (Theresa O'Neil)



KEY MAP - Z-023/23, ZNG-7068, OPA 174, OPA-7071



● SUBJECT LANDS



NEIGHBOURHOOD MAP - Z-023/23, ZNG-7068
& OPA 174, OPA-7071



SUBJECT LANDS

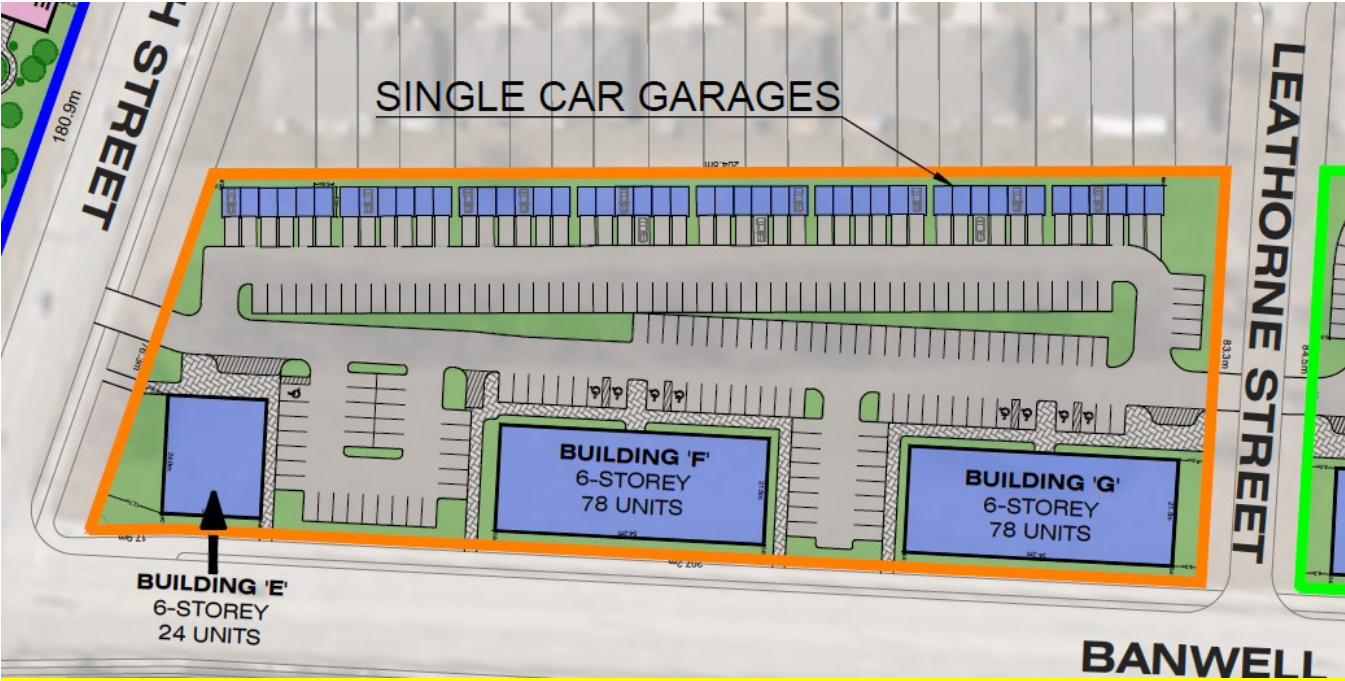
Proposal:

This application is one of three by the same developer along the West Side of Banwell Road between the Via Rail line and Firgrove Street. (see Appendix 1: Concept Plan).

The applicant’s proposal for this site includes three (3) six (6)-storey multiple dwelling residential buildings. Two (2) of the multiple dwelling buildings include 78 dwelling units and one (1) includes 24 dwelling units for a total of 180 dwelling units proposed on the site. The site is would have driveway access from the future Leathorne Street and McHugh Street. The proposed development will include a surface parking area and 47 enclosed parking spaces for a total of 270 parking spaces to accommodate on-site parking. No reduction in parking is being requested for this development.

The applicant requested a site specific policy area to permit Medium Profile development (greater than 4 storeys) on the site. The concept plan for the site indicated that a Medium Profile development is proposed for this site. This is discussed further in the Official Plan and Zoning sections of this report.

The applicant is requesting a Zoning By-law amendment that would add “Multiple Dwelling” subject to the regulations of the RD3.2 zone” as a permitted use. As well the applicant is requesting an increase in the permitted height to 24m and a reduction in landscaped open space from 35% as required in the RD3.2 zone to 24.5%.



NORTH 'B' SITE - RESIDENTIAL DEVELOPMENT DETAILS:

TOTAL PROPOSED UNITS:	180
BUILDING 'E':	6-STOREY, 24 UNITS
BUILDING 'F':	6-STOREY, 78 UNITS
BUILDING 'G':	6-STOREY, 78 UNITS
PROPOSED PARKING SPACES:	270
PROPOSED PARKING RATE:	1.50
LANDSCAPED OPEN SPACE:	
(incl. trails):	36.4%
LOT COVERAGE:	23.2%

Figure 1: Concept Plan

Site Information:

Official Plan	Zoning	Current Use	Previous Use
Mixed Use Node Schedule D – Land Use, (OPA#159) Banwell Road Mixed Use Corridor Schedule ER-2: Land Use Plan, Secondary Plan East Riverside Planning Area	CD2.7	Vacant	Vacant
Width	Depth	Area	Shape
+/-214 m	+/-77 m	1.7 ha	irregular
All measurements are approximate.			

Neighbourhood Characteristics:

This proposed development is located at 0 BANWELL RD at the Northwest corner of Banwell Road and McHugh Street. The site is currently vacant and is bounded as follows:

North – Vacant land (proposed multiple dwelling development), Townhome Dwellings

East – Townhome Dwellings;

South – Vacant land subject to development application Z023-23 [ZNG7067]
Townhome dwellings;

West – Vacant Land (approved mixed commercial and residential developments),
Townhome dwellings.

Discussion:

Provincial Policy Statement 2020 (PPS):

The Multiple Dwelling development is an infill development (a development on underutilized or vacant land within the context of an existing urban or built up area) consistent with the Provincial Policy Statement (PPS) in that the development promotes the efficient use of existing land, promotes cost-effective development patterns and

standards to minimize land consumption and servicing costs. Related to this direction, the PPS states:

“1.1.1 b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs”

e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;”

The requested Official Plan and zoning bylaw amendments promotes cost-effective development by redeveloping an under-utilized vacant site. Allowing the proposed multiple dwelling development in this location contributes to minimizing land consumption and servicing costs by using a site that already has available trunk infrastructure in the immediate area.

The PPS also states:

“1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years.”

The PPS requires that land be available to diversify developments to meet the future needs of the community. Subsequent to the proposed Official Plan Amendment, the multiple dwelling development will be consistent with that requirement by accommodating new residential construction on lands designated for that purpose.

The PPS also states:

“1.4.1 To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a. maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and*
- b. maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.”*

The proposed multiple dwelling development is consistent with the PPS by developing

as part of a planned residential neighbourhood. This development will help to provide additional residential inventory within the City of Windsor.

The PPS also states:

“1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

a. permitting and facilitating:

1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and

2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;

b. directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

c. promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and...”

Approving the Official Plan Amendment and Zoning By-law Amendment would support residential development using the infrastructure that is already in place, instead of requiring more expenditure on new trunk infrastructure in an unplanned area. In terms of supporting active transportation and transit, the proposed development is in close proximity to Transit Windsor service, and in close proximity to an extensive trail system.

Official Plan:

Section 3.3.2.2 of the Urban Structure Plan contained in the City of Windsor Official Plan identifies Banwell Road as a City Corridor. Residential development on a City Corridor may include high profile (26 to 58 metres in height), medium profile (14 to 26 metres in height) and residential over retail at street, as well as row housing and lofts. The proposed development conforms with this policy.

The site is designated “Mixed Use Node” in the City of Windsor Official Plan, the Mixed Use Node designation indicates that Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up 4 storeys in height shall be permitted.

This site is identified as “Banwell Road Mixed Use Corridor” in the East Riverside Secondary Plan. The proposed Multiple Dwellings would not be permitted in this designation, however Dwelling Units in a Combined Use Building would be permitted.

To clarify the apparent conflict between the inconsistent sections of the Official Plan related to the height or profile of the development, the Planning Department recommends that a Site Specific policy area be applied to confirm that Medium Profile buildings are permitted on this site within 30 metres of Banwell Road. The site specific policy area would be implemented through a site specific zone (see Zoning Section).

Zoning:

The site is currently zoned CD2.7.

The applicant is requesting that a multiple dwelling be added as a permitted use on this site. Residential uses are already contemplated on the site, when included as part of a combined use building. The provision of a multiple dwelling is compatible with uses contemplated in the Official Plan designations in both the Volume 1 of the Official Plan as well as the East Riverside Secondary Plan.

The application of the regulations contained in the RD3.2 zone is appropriate because those regulations are designed for the Multiple Dwelling use and the forms that those uses take. The regulations of the RD3.2 zone are generally designed to ensure that Multiple dwelling(s) are located on sites that are sized appropriately for the number of units proposed for the development.

Building Heights

The Planning Department is able to support the request for increased height on the site because the Urban Structure Plan designates Banwell Road as a City Corridor. Residential development on a City Corridor may include high profile (26 to 58 metres in height), medium profile (14 to 26 metres in height) on roads designated as City Corridors.

The Planning Department can support the construction of Medium Profile residential buildings up to a maximum height of 24 metres adjacent to Banwell Road. The height limit of 24 m would effectively limit the building to a 6 storey structure, as depicted in the applicant's Concept Plan

Request for reduction of landscaped open space

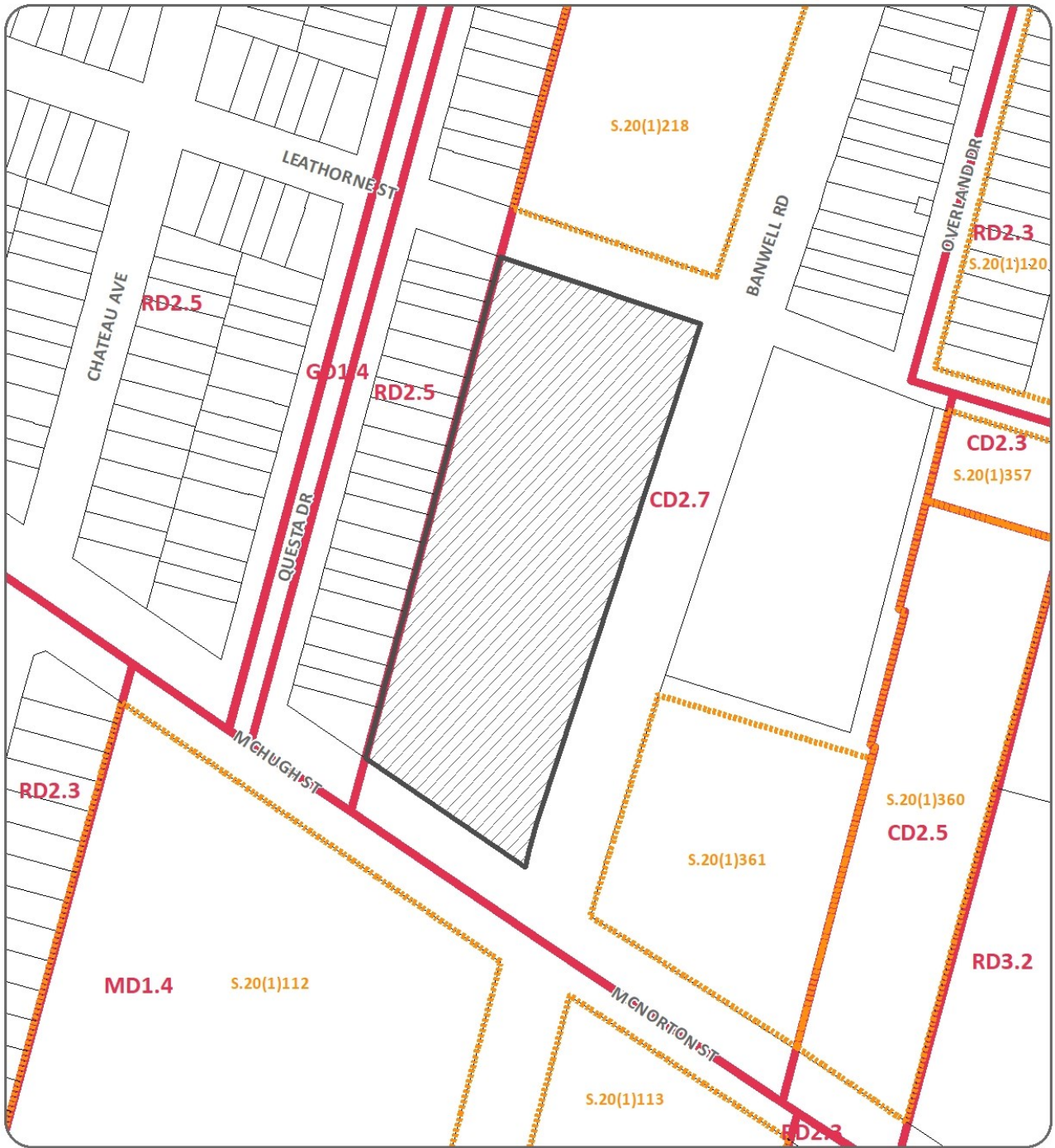
The Planning Department does not support the request for reduced landscaped open space from 35% to 24.0%. The site statistics provided for this phase of the development indicates that a landscaped open space of 36.4% is available on the site. As well the applicant is oversupplying (270 provided, 225 required) parking that could be used to enhance the Landscaped open space area if necessary.

Application of Hold Prefix

Transportation Planning indicates that the Transportation Impact Statement requires further refinement, as it is unclear whether the TIS fully accounted for the proposed

residential units permitted within the ELM Windsor development on the northeast corner of the Banwell/ McNorton intersection. While this update could be completed as part of the Site Plan Control process where mitigation of any transportation issues will be included as conditions within a site plan control agreement, it is important that a revised TIS be part of the zoning to ensure that the revised TIS is completed before the issuance of a building permit for the Multiple Dwelling portion of the site.

The development also requires the applicant to construct an extension of Leathorne Street from Questa Drive to Banwell Road onto Block 19 12M-425, to support the proposal. Accordingly, a holding prefix is recommended that would be removed when a revised TIS is submitted to the satisfaction of the City Engineer and a development permit for the construction of Leathorne Street is obtained.



PART OF ZONING DISTRICT MAP 14 & 15

REZONING

Applicant: 1027458 Ontario Inc.



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT

N.T.S.



DATE : JULY, 2023
FILE NO. : Z-023/23, ZNG/7068

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

The site will be subject to a site plan control agreement and will release storm water to the municipal system at a rate determined by a storm water management plan and development servicing plan that will be reviewed and approved by the City's Public Works department.

Climate Change Adaptation:

The development on the site is close to existing bus routes and also community recreational opportunities. This will encourage the use of public transit and walking as modes of transportation, thereby helping to minimize the City's carbon footprint

Financial Matters:

N/A

Consultations:

A Public Information Centre (PIC) was held by the developer's consultant on April 19, 2023. The approximately 150 residents attended.

As required in the Planning Act, notice was provided by advertisement in the Windsor Star. In addition, a courtesy notice to all property owners and tenants within 120 metres (400 feet) of the subject parcel were sent by mail.

The applications and relevant supporting studies were circulated to commenting agencies. Those responses are included as Appendix 2 – Agency Comments.

Conclusion:

The proposed use of this site as a development containing Multiple Dwelling structures containing 180 units represents an efficient development that will have no adverse impact on the well-being of the City of Windsor. The proposed development represents an appropriate residential use, adds to the range and mix of uses and will not cause any environmental or public health and safety concerns. This development is consistent with the Provincial Policy Statement.

The proposed Multiple Dwelling represents a housing type and density that meets the requirements of current and future residents, that meets the social, health and well-being of current and future residents, represents a form of residential intensification, is set in a location with access to infrastructure, public service facilities, and is close to commercial land uses.

The proposed Multiple Dwelling is located within a growing area that contains other Multiple Dwelling buildings in various stages of development of similar form and is compatible within its context.

The proposed Official Plan and zoning by-law amendments are consistent the PPS, conform with the policy direction of the City of Windsor Official Plan (as recommended for amendment), are compatible with existing and permitted uses in the surrounding neighbourhood, and constitute good planning.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Greg Atkinson, MCIP RPP Manager of Development/Deputy City Planner

Neil Robertson, MCIP RPP Acting City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP JM

Approvals:

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	Acting City Planner
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner of Economic Development & Innovation
Janice Guthrie for	Chief Administrative Officer

Notifications:

Name	Address	Email
1027458 Ontario Inc.	949 Wilson Ave, Toronto ON M3K 1G2	jcoco@cocogroup.com
Dillon Consulting Limited (Theresa O’Niell)	3200 Dezeil Drive, Suite 608, Windsor ON N8W 5K8	toneill@dillon.ca

Appendices:

- 1 Concept Plan
- 2 Z 023/23 Liaison Comments



SOUTH SITE - RESIDENTIAL DEVELOPMENT DETAILS:

TOTAL PROPOSED UNITS:	408
BUILDING 'A':	10-STOREY, 120 UNITS
BUILDING 'B':	10-STOREY, 120 UNITS
BUILDING 'C':	6-STOREY, 72 UNITS
BUILDING 'D':	8-STOREY, 96 UNITS
PROPOSED PARKING SPACES:	531
PROPOSED PARKING RATE:	1.30
LANDSCAPED OPEN SPACE:	
(incl. trails):	38.2%
LOT COVERAGE:	12.7%

SOUTH SITE - BUSINESS OFFICE DEVELOPMENT DETAILS:

GFA:	1860m ²
REQUIRED PARKING SPACES:	56
PROVIDED PARKING SPACES:	60

SOUTH SITE - RESPITE HOME DEVELOPMENT DETAILS:

GFA:	499m ²
REQUIRED PARKING SPACES:	12
PROVIDED PARKING SPACES:	12

NORTH 'B' SITE - RESIDENTIAL DEVELOPMENT DETAILS:

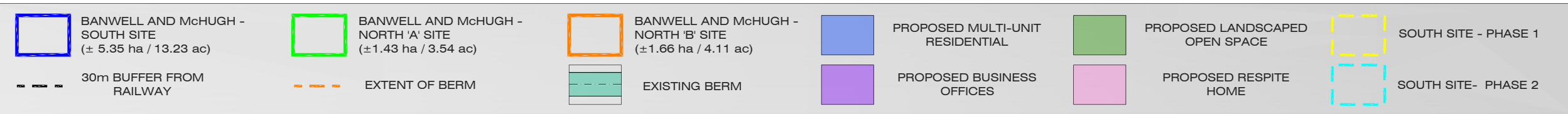
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(incl. trails):	24.5%
LOT COVERAGE:	9.02%

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BANWELL AND McHUGH - MIXED USE DEVELOPMENTS

CONCEPTUAL DEVELOPMENT PLAN
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CHECKED BY: TJO
DESIGNED BY: MRU

SCALE: 1: 2000 (11X17)



PROJECT: 22-5144
STATUS: DRAFT
DATE: 04/03/2023

APPENDIX D – CONSULTATION

ENBRIDGE

After reviewing the provided drawing at **Banwell Rd & McHugh St (North 'A' Site, North 'B' Site, South Site)** and consulting our mapping system, please note that Enbridge Gas has active infrastructure around the proposed area. A PDF drawing has been attached for reference.

Please Note:

1. **The shown piping locations are approximate and for information purposes only**
2. **The drawings are not to scale**
3. **This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc**

Enbridge Gas requires a minimum separation of 0.6m horizontal and 0.3m vertical from all of our plant less than NPS 16 and a minimum separation 1.0m horizontal and 0.6m vertical between any CER-regulated and vital pipelines. For all pipelines (including vital pipelines), when drilling parallel to the pipeline, a minimum horizontal clearance measured from the edge of the pipeline to the edge of the final bore hole of 1 m (3.3 ft) is required. Please ensure that this minimum separation requirement is maintained, and that the contractor obtains locates prior to performing any work and utilizes safe excavation practices while performing any work in the vicinity.

Also, please note the following should you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live
- If during the course of any job, any pipe is found that is not on the locate sheet and is in conflict with your work, please call our emergency number (1-877-969-0999), and one of our Union Gas representatives will respond to determine if that plant is in fact live or dead
- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly

Please contact me if you have any further questions or concerns.



LANDSCAPE & URBAN DESIGN – STEFAN FEDIUK

Pursuant to the application for a zoning amendment (**Z 023/23**) to permit a High profile development (greater than 4 storeys) along Banwell Road with Multiple Dwelling with an excess height of 35m and a Residential Care Facility as a permitted use. Please also note the following comments:

Zoning Provisions for Parking Setback:

The application also requests reduced landscape open space to 24.5% on the subject. However, the Combined Concept Plan provided by the applicant does not demonstrate the need for this reduction on the North 'B' Properties, and lists them as 36.4% landscape open space to be provided. If the intent is to reduce the landscape open space is for a particular component of the North 'B' Properties, then more detailed information is required.

Per the Zoning Bylaw 8600, Section 24 – Parking, Loading and Stacking Provisions, specifically 24.20.5 Table 24.20.5.1 Requires Parking Spaces for Multiple dwelling containing a minimum of 5 dwelling Units, the rate is 1.25 parking spaces for each dwelling unit. The North 'B' Site proposes 1.50 parking spaces per unit within the residential component. This represents an excess of 45 parking spaces than what is required.

Therefore, the proposed reduction of landscape area to 24.5% is not supported.

Tree Preservation:

The applicant has provided a Tree Inventory and Preservation Study (March 2023) for the entire three parcel development, prepared by Dillon Consulting, which documented 310 trees (27 on the property immediately north of the proposed development). A majority of the trees (84%) were identified as native species, including 20 Kentucky Coffeetree near the southern development parcel which are classified as an S2 Threatened SAR being very rare and imperiled. The study indicates that the Kentucky Coffeetrees will be preserved.

The remnant hedgerow of trees and scrub undergrowth running north-south through the middle of the North 'B' site, is dominated by Eastern Cottonwood, Hawthorne, Manitoba Maple (aka Boxelder) and White Mulberry Species. None of these are identified as SARs. As per Section 5.3 of the TIP report it is recognized that a Landscape Plan will be provided with the Site Plan Approval application to ensure that the loss to urban tree canopy has been compensated at a rate of caliper-to-caliper of tree trunk DBH to the satisfaction of the City Forester and the Planning Department's Landscape Architect.

Additionally, several trees on city owned land are proposed to be removed (trees #80thru 87). Applicant is to provide confirmation from the City Forester that these tree may be removed and what if any compensation to the City of Windsor is required.

In addition, several endangered SAR Bat species and Butler's Gartersnake have been identified as potentially occurring in the vicinity of the proposed development. While suitable habitat for Butler's Gartersnake is not found on the site, there are suitable roosting habitats for bats. The proposed development would see the entire hedgerow removed due to the proposed site layout. The study recommends no removal between April 1 and September 30, and additional recorded monitoring is required to ensure that there are no bat species are roosting prior to any removals.

Climate Change:

The proposed development is oriented in a north-south direction through the North 'B' development site. The increased asphalt surface and removal of existing tree canopy will increase the urban heat island effect through the site and abutting residential properties to the west. The requirement for tree replacement and increased landscape area is essential to mitigate the impacts of the hard surface paving from a sustainability perspective. As

recommended by the above Zoning comments, reduction of the proposed area of hard surface is necessary to increase climate change resiliency and reduce storm water runoff.

Urban Design:

While consistency is prescribed by the O.P. vol 2, Section 2.7.5, the design of the proposed Building's 'E' thru 'I', should ensure materials and details that allow for accessibility needs to help people with cognitive and visibility constraints identify different units readily.

Access to the North 'A' and North 'B' sites should be staggered to reduce the potential of cross traffic midblock between the developments at Leathorne Street. Similar configurations have resulted in parking areas being used as through streets and should be avoided.

Parkland Dedication:

All requirements will be determined at the time a Site Plan application is received.

CANADA POST – BRUNO DESANDO

This development, as described, falls within our centralized mail policy.

I will specify the condition which I request to be added for Canada Post Corporation's purposes.

- a) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding these conditions, please contact me. I appreciate the opportunity to comment on this project.

Lock-Box Assembly Requirements

*The complete Canada Post Standards Manual for Builders & Developers can be downloaded at:
https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf*

Compartments Size

- Horizontal lock-box models used in mailrooms must have the following minimums:
 - o Residential compartments must be at least 12.5 x 13.5 cm
 - o Commercial compartments at least 13.5 x 30.5 cm
 - o Parcel compartments at least 30.5 x 30.5 cm
- Vertical lock-box models must have min comp size of 25 x 12.5 cm. (Most models are 40 x 12.7 cm)

Heights

- All lock-box assemblies must be installed in a manner that will not require the delivery employee to reach higher than 170cm or lower than 45cm when delivering to the equipment. With respect to horizontal lock-boxes, the limits above will likely mean that maximum number of compartments that can be included in each column of residential compartments would be eight

Rear-loading Lock-boxes

- Projects with more than 100 units are required to be serviced via a rear-loading lock-box assembly.
- There must be a width of at least 100cm of working space from the back of the boxes to the wall.

- A ledge under the bottom row of boxes is also recommended in rear-loading designs. This ledge is to be directly under the bottom row of boxes (no space between ledge and bottom of boxes) and must stick out at least 20cm from the back of the boxes.
- Mailroom door is required to provide a minimum 81cm opening
- Lighting should be at least 100 lux (measured 75 cm from floor)

Access

- All buildings where the lock-boxes are required to be serviced from inside the building are required to install a Canada Post Crown lock in the building intercom. The intercom is pre-fabricated with an internal housing for the lock. The lock can be obtained from the local deliver supervisor.
- If the building has more than 100 units, a rear-loading lock-box assembly will be installed. The door to the Canada Post delivery area must be fitted with a specific model of deadbolt. This is because Canada Post will supply a key cylinder made specifically for the Canada Post key that will fit inside the deadbolt purchased by the developer.

Numbering

- Compartments should be numbered vertically and left to right on the delivery side of the boxes

Grade-level Components

- If the development includes grade level retail or residential units, please take note that door-to-door delivery will not be provided to these units. Canada Post is happy to install a Community Mailbox to provide service to these units. Please coordinate a location with the Canada Post Delivery Planner for the area. If there is no room on the property for the Community Mailbox, service can be provided via another Community Mailbox in the area. Options to service the units from the tower (lobby) lock-boxes or via a front-loading lock box erected on the outside of the building can also be discussed with the Delivery Planner.

BUILDING DEPARTMENT – BARBARA RUSAN

Comments from the City of Windsor, Building Department relating to the subject line matter are as follows:

The Building Code Act, Section 8.(1) requires that a building permit be issued by the Chief Building Official for construction or demolition of a building. The building permit review process occurs after a development application receives approval and once a building permit application has been submitted to the Building Department and deemed a complete application.

Due to the limited Ontario Building Code related information received, review of the proposed project for compliance to the Ontario Building Code has not yet been conducted. It is strongly recommended that the owner and/or applicant contact the Building Department to determine building permit needs for the proposed project prior to building permit submission.

The City of Windsor Building Department can be reach by phoning 519-255-6267 or, through email at buildingdept@citywindsor.ca

In addition to the above please note: a Record of Site Condition will be required if the proposed land use changes to a more sensitive land use (for example: changing from an existing industrial or commercial use to a residential use).

ERCA – ALICIA GOOD

The City of Windsor has received an Application for Official Plan Amendment 174 and Zoning By-Law Amendment 023-23 to support the construction of a Mixed-Use development with multiple High-Profile buildings on the subject lands.

The following is provided as a result of our review of Official Plan Amendment 174 and Zoning By-Law Amendment 023-23.

NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT, O. REG 686/21, PPS

The following comments reflect ERCA's role in protecting people and property from the threats of natural hazards and regulating development hazards lands under Section 28 of the *Conservation Authorities Act*.

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the Parent Outlet Drain. The property owner will be required to obtain a Permit from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

FINAL RECOMMENDATION

Our office has no objection to the proposed OPA 174 and ZBA-023-23. We request continued circulation for this development as we may have further comment regarding the Stormwater Management Plan at the time of application for Site Plan Control. As noted above, the property owner will be required to obtain a Permit from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

If you have any questions or require any additional information, please contact the undersigned.

TRANIT WINDSOR – JASON SCOTT

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Lauzon 10. The closest existing bus stop is directly adjacent to this property on McHugh at Questa Northeast Corner providing direct transit access. Transit service will be greatly improved in this are with City Council's approval of Transit Windsor' 2023 operating budget and service plan as 2 new local routes will be introduced to replace the Lauzon 10. Both of these routes will be along McHugh and Banwell and will both have 2 way conventional transit service versus the existing one way loop with the Lauzon 10. They are proposed to be implemented in early 2024. This is consistent with our City Council approved Transit Master Plan.

VIA RAIL – JOHN WALSH

We are in receipt of your Liaison Submission dated 26 July 2023 for the above-captioned applications.

Upon our review, VIA must advise you that we are not in favour of Residential Development in close proximity to our freight and passenger train right-of-way due to the obvious incompatibility.

Should the City decide to progress the subject applications, the pertinent noise, vibration and safety mitigation measures for a Principal Mainline must be addressed for any new development within 300m of VIA's Chatham Subdivision.

Kindly keep us informed on the progress of this application.

ZONING COORDINATOR – ZAID ZWAYYED

Below is the zoning review for the proposed development:

- **Current Zoning Designation:** CD2.7
- **Proposed Zoning Designation:** Site-specific to permit multiple dwelling and Residential Care Facility, subject to the provisions of RD3.2

- **Existing Use [as per historical Building Permit(s) / Planning Act Application(s)]:**
 - Vacant property

- **Proposed Use:**
 - Three Multiple Dwelling Buildings with 180 dwelling units and a parking area

- **Section 5 – General Provisions**
 - **Flood Protection & Natural Hazards Provisions (5.40):** The subject property is nearby a Floodprone Area. Thus, consultation with Essex Region Conservation Authority (ERCA) is required per section 5.40.5.

- **Zoning Provisions (12.2):**
 - **Minimum lot Frontage:**
 - 30.0 m (Required)
 - 76.29 m (Provided)

 - **Minimum Lot Area:**
 - 8,677.0 m² (Required)
 - 16,636.14 m² (Provided)

 - **Maximum Lot Coverage:**
 - 35.0% (Required)
 - 16.90% (Provided)

 - **Maximum Main Building Height:**
 - 35.0 m (Proposed) (Required)
 - The Applicant must confirm the proposed height (Provided)

 - **Minimum Landscaped Open Space Yard:**
 - 24.50% (Proposed) (Required)
 - 24.50% (Provided)

 - **Maximum Dwelling Unit Density:**
 - 188 units per ha (Required)
 - 108 Units per ha (Provided)

- **Section 24 - Parking, Loading and Stacking Provisions**

- **Required Number of Parking Spaces:**
 - 270 spaces (proposed rate 1.50 per unit) (Required)
 - 270 spaces (Provided)
- **Required Number of Visitor Parking Spaces:**
 - 40 spaces (Required)
 - Designated visitor spaces must be shown
- **Required Number of Type A Accessible Parking Spaces:**
 - 4 spaces (Required)
 - 4 spaces (Provided)
- **Required Number of Type B Accessible Parking Spaces:**
 - 4 spaces (Required)
 - 4 spaces (Provided)
- **Access Aisles and curbcuts for accessible spaces:** curbcuts must be shown on the submission.
- **Required Number of Bicycle Spaces:**
 - 15 spaces (Required)
 - 0 spaces (Provided)
- **Required Loading Spaces:**
 - 3 spaces (Required)
 - 3 spaces (Provided)

- **Section 25 – Parking Area Provisions**

- More information and dimensions are required to review for compliance with section 25.

ENWIN

HYDRO ENGINEERING:

No Objection to rezoning

Please note the following distribution and services:

- Underground 120v streetlight duplex adjacent to the South limits of the property.
- Underground 120v streetlight duplex adjacent to the East limits of the property.
- Underground 120/240v secondary triplex servicing the houses on the South side of the above noted address.
- Overhead 27.6kV primary distribution pole line and associated down guy wires/anchors across the street to the East side of the above noted address.

-Existing 27.6kV – 120/240V overhead transformer bank and distribution across the street to the East side of the above noted address.

-Overhead 120/240v secondary triplex service across the street to the East side of the above noted address.

-underground 27.6kV primary distribution across the street to the South side of the above noted address

*Proposed buildings and/or building additions must have adequate clearance requirements from all hydro distribution and services.

We recommend referring to the Occupational Health and Safety Act for minimum safe limits of approach during construction and the Ontario Building Code for adequate clearance requirements for New Buildings and/or Building Additions.

WATER ENGINEERING:

Water Engineering has no objections.

TRANSPORTATION PLANNING – CLARE AMICARELLI

- The Official Plan classifies Banwell Road as a Class 2 Arterial with a required right-of-way width of 30 metres, as per Schedule X. The existing right-of-way width is sufficient; therefore, a conveyance is not required.
- The Official Plan classifies McHugh St as a Class 2 Arterial with a required right-of-way width of 36 metres, as per Schedule X. The existing right-of-way width is sufficient; therefore, a conveyance is not required.
- Construction is required for the extension of Leathorne St from Questa Dr to Banwell Rd as per Engineering Right-of-Way's comments with a required right-of-way width of 20 meters.
- A corner cut-off of 4.6 metres x 4.6 metres is required at the corner of Banwell Rd and Leathorne St for a non-signalized intersection.
- A corner cut-off of 6.1 metres x 6.1 metres is required at the corner of Banwell Rd and McHugh St for a signalized intersection.
- Per the Official Plan, a sidewalk is required on at least one side of a Local Road. A sidewalk construction is required along the frontage of Leathorne St, as per Engineering Right-of-Way's comments.
- All parking must comply with ZBL 8600, otherwise a parking study may be required.
 - Development requires 15 bicycle spaces as per ZBL 8600. Bicycle spaces must comply with ZBL for number and dimensions of spaces and must be clearly shown on revised site plan.
 - Total GFA is required in order to determine if loading spaces proposed are sufficient according to the ZBL.
 - Aisle width must be 6 metres in order to have adequate width for turning maneuvers.
- Transportation Planning has reviewed the Transportation Impact Study titled, "Banwell and McHugh Mixed Use Developments" conducted by Dillon Consulting Ltd. in March 2023. Transportation Planning has the following comments:

- A revised TIS is required, as the TIS submitted does not include any developments along the east side of Banwell Rd. The revised TIS must account for any traffic that will be generated by the properties east of Banwell Rd, specifically at the southeast corner of Banwell Rd and Leathorne St by using estimated traffic volumes based on the existing and permitted zoning of those properties.
- All new exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).
- All new accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings AS-204.
 - All proposed driveways must be 7-9 metres total at the property line (minimum 3.5m/lane, maximum 4.5m/lane)
 - Minimum clearance required between McHugh access and cross road is 70 metres for signals at the cross road. Distance shown on conceptual plan provided shows about 45 metres; therefore, a comment is required from the Engineer. In addition, a comment is required from the Engineer regarding the queue length that will be created for the eastbound approach at the intersection of Banwell Rd and McHugh St, as well as the availability for vehicles to turn left out of the site's parking lot onto McHugh St.
 - The suggested minimum clear throat length required for the southerly driveway access onto McHugh St is 25 metres, as per TAC Guidelines.

ENVIROMENT & SUSTAINABILITY – BARBARA LAMOURE

Pursuant to the application for a zoning amendment (**Z 023/23**) to permit a High profile development (greater than 4 storeys) along Banwell Road with Multiple Dwelling with an excess height of 35m as a permitted use, please note no objections. Please also note the following comments:

Energy Conservation, Air Quality and Climate Change:

Energy Efficiency

In order to maximize energy efficiency and conservation an **energy strategy is required**. The City's energy strategy terms of reference are available for review.

The installation of **EV chargers** is highly encouraged, as electric vehicles continue to penetrate the personal car and truck market, and supported by federal targets for EV production. Access to home charging will continue to be the preferred charge point.

To promote the use of active transportation, **bike racks** should be incorporated.

Climate Change Impact Risk Reduction

Reduction of the Urban Heat

To mitigate the effects of urban heat caused by the increase in hard surfaces, it is recommended that the developer consider white colour roofs or green roofs and landscaping efforts be maximized and include the **planting of trees**. To promote tree growth near parking lots, engineered systems (e.g. Silva Cells or equivalent) are recommended. These comments should be considered in addition to any comments received by the City's Landscape Architect.

For more suggestions, please consult the following resources: LEED, Built Green Canada, and EnerGuide.

Flood Risk Reduction

The [City's Sewer and Coastal Flood Protection Master Plan](#) notes this area at risk of basement flooding for an approximate 1:25 year storm event. Efforts shall be taken to address risk to any below grade areas.

Consideration should be given, as per PPS 2020 Section 1.6.6.7 to maximize the extent and function of vegetative and pervious surfaces; and promote stormwater management best practices, including stormwater attenuation and reuse, water conservation and efficiency, and low impact development.

Low Impact Design should be considered during Site Plan Review to address quantity and quality of stormwater leaving the site. The addition of Green Infrastructure here would be beneficial. Please see <https://greeninfrastructureontario.org> for examples.

HERITAGE PLANNING – TRACY TANG

No supporting information required.

There is no apparent built heritage concern with this property and it is located on an area of low archaeological potential.

Nevertheless, the Applicant should be notified of the following archaeological precaution.

1. Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
2. In the event that human remains are encountered during grading, construction or soil removal activities, 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 a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

Contacts:

Windsor Planning & Building Department:

519-255-6543 x6179, ktang@citywindsor.ca, planningdept@citywindsor.ca

Windsor Manager of Culture and Events (A):

Michelle Staaedegaard, (O) 519-253-2300x2726, (C) 519-816-0711,

mstaaedegaard@citywindsor.ca

Ontario Ministry of Citizenship and Multiculturalism

Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca

Windsor Police: 911

Ontario Ministry of Government & Consumer Services

A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery

Closures, 1-416-212-7499, Crystal.Forrest@ontario.ca

ENGINEERING – ROB PERISINOTTI

We have reviewed the subject Rezoning application and have the following comments:

Sewers

There is a 300mm PVC sanitary sewer located within Leathorne Street right-of-way, a 475mm PVC sanitary sewer located within the Banwell Road right-of-way and a 300mm PVC sanitary sewer located in the McHugh Street right-of-way.

There is a 825mm reduced to 675mm RCP Storm sewer located within the Banwell Road right-of-way and a 375mm PVC storm sewer located within the McHugh Street right-of-way.

A complete Servicing study will be required for all proposed services inclusive of all proposed developments.

Right-of-Way

Banwell Road is classified as Class II Arterial Road according to the Official Plan requiring a right-of-way width of 30 meters; the current right-of-way is sufficient; therefore, a conveyance is not required at this time.

McHugh St is classified as a Class II Arterial Road according to the Official Plan with a required right-of-way width of 36 metres, as per Schedule X. The existing right-of-way width is sufficient; therefore, a conveyance is not required.

A corner cut off of 6.1 meters x 6.1 meters is required at the north west corner of Banwell Rd and McHugh St.

At the time of SPC application the following will be required:

1. Stormwater Management Report
 2. Development Agreement for the construction of the extension of Leathorne Street from Questa Drive to Banwell Rd with a required right-of-way width of 20 meters, inclusive of and not limited to; roadway, sidewalk, curb and gutter, street lighting, road drainage, boulevard restoration.
 3. Offsite works to alter Banwell Road if required by Transportation Planning.
- In summary we have no objection to the proposed development, subject to the following requirements:

Servicing Study – The owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall review the proposed impact and recommend mitigating measures and implementation of those measures.

Corner Cut-Off – The owner(s) agrees, prior to the issuance of a construction permit, to gratuitously convey a 4.6 m x 4.6 m corner cut-off at the corner of Banwell Rd and Leathorne St. and to convey a 6.1m x 6.1m corner cut-off at the north west corner of Banwell Rd and McHugh St.

If you have any further questions or concerns, please contact Amy Kurek, of this department at akurek@citywindsor.ca

Item No. 12.1



Committee Matters: SCM 258/2023

Subject: Minutes of the International Relations Committee of its meeting held

July 31, 2023

International Relations Committee

Meeting held July 31, 2023

A meeting of the International Relations Committee is held this day commencing at 3:30 o'clock p.m. in Room 522a, 350 City Hall Square West, there being present the following members:

Councillor Angelo Marignani, Chair
Councillor Renaldo Agostino
Councillor Fred Francis
Councillor Ed Sleiman
Lubna Barakat
Ronnie Haidar
William Ma

Regrets received from:

Jerry Barycki
L.T. Zhao

Also present are the following resource personnel:

James Chacko, Executive Director, Parks and Facilities
Sandra Gebauer, Council Assistant
Karen Kadour, Committee Coordinator

1. Call to Order

The Chair calls the meeting to order at 3:30 o'clock p.m. and the Committee considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

2. Declaration of Conflict

None disclosed.

3. Adoption of the Minutes

Moved by Councillor Fred Francis, seconded by Councillor Ed Sleiman,
That the minutes of the International Relations Committee of its meeting held May 10, 2023 **BE ADOPTED** as presented.
Carried.

4. Business Items

4.1 City Post

James Chacko, Executive Director, Parks and Facilities appears before the Committee and provides the following update regarding the City Post:

- A rendering of the Sister Cities Post is provided and is **attached** as Appendix "A".
- The IRC has approved funding for a post; approved the specific layout of each individual sign; and approved the specific style of post.
- Bringing forward a change in location as previously, four different locations within City Hall Campus were discussed and the approved location was in front of the northwest corner near the main entrance to City Hall.
- The new location for the Sisters Cities Post is between the 350 City Hall Square West and 400 City Hall Square East buildings just off of City Hall Square south.
- Requesting approval to install the Sister Cities Post in this new location.

In response to a question asked by Councillor Ed Sleiman regarding if additional cities can be added to the Post, James Chacko responds that the pole is twenty-five feet; the bottom sign will be fifteen feet off the ground which will allow for adequate space for additional Sister Cities while still maintaining clearance to discourage the public from jumping up to touch the signs.

Ronnie Haidar asks if a plaque with a brief description to acknowledge the IRC can be installed near the Post. James Chacko responds that this location lends itself to this and an interpretive panel (2 feet by 3 feet) could be installed in the shrub bed directly north of the Post.

In response to a question asked by Lubna Barakat regarding if the concept presented is final, James Chacko remarks that the pole and signage as previously approved is final. He is present to request approval to the relocation of the Post.

The Chair asks if the signs on the Post point to the actual locations. James Chacko concurs and adds that each sign will be directed towards the Sister City.

Moved by Councillor Fred Francis, seconded by Councillor Renaldo Agostino,
That **APPROVAL BE GIVEN** to relocate the Sister Cities Post to a space between the 350 City Hall Square West and the 400 City Hall Square east buildings just off of City Hall Square south.

Carried.

Councillor Fred Francis suggests that Administration provide messaging and a concept for the interpretive panel for consideration by the IRC at the next meeting. The Chair proposes that a QR code be added to the signage.

4.2 Request from the City of Gunsan, South Korea for a delegation of ten (10) including Mayor Kang to visit the City of Windsor from October 16-18, 2023

Sandra Gebauer advises that a request was received from Mayor Kang's office for a delegation of ten including Mayor Kang to visit the City of Windsor. The delegation will be arriving on the evening of October 16, 2023 and leaving the morning of October 18, 2023. They are requesting assistance with the costs associated with transfers as well as accommodations for the ten delegations. Councillor Fred Francis suggests an upset limit of \$10,000.

Moved by Councillor Renaldo Agostino, seconded by Councillor Ed Sleiman,
That **APPROVAL BE GIVEN** to an expenditure in the upset amount of \$10,000 for a delegation of ten (10) to visit the City of Windsor for October 16, 2023 to October 18, 2023 and further that, the Mayor's Office of the City of Windsor **BE REQUESTED** to send a letter of invitation to Mayor Kang.

Carried.

5. Confirm and Ratify E-mail Polls

5.1 That the following E-mail Poll sent on July 14, 2023 regarding a reception for the Misono Jogakuin students from Fujisawa, Japan **BE CONFIRMED AND RATIFIED:**

Moved by Councillor Fred Francis, seconded by Councillor Ed Sleiman,
That approval be given to an expenditure in the upset amount of \$100 for costs associated with a small reception to be held for the Misono Jogakuin School students from Fujisawa, Japan to be held on Friday, July 28, 2023 at 9:30 a.m. in the Council Chambers with light refreshments to follow in Room 204, 350 City Hall Square West.

Carried.

5.2 That the following E-mail Poll sent on May 12, 2023 regarding a request from Gunsan, South Korea to invite local craft breweries to participate in the Gunsan Brews & Blues Festival 2023 **BE CONFIRMED AND RATIFIED:**

Moved by Councillor Fred Francis, seconded by Councillor Ed Sleiman,
That the request from Gunsan, South Korea, inviting local craft breweries to participate in the Gunsan Brews and Blues Festival 2023 from June 16-18, 2023 be forwarded to local craft breweries and to Invest WindsorEssex and Tourism Windsor-Essex Pelee Island for consideration.

Carried.

6. Communications

6.1 Letter from the Mayor of the City of Khmelnytskyi (Ukraine) to establish a Sister City relationship with the City of Windsor

Sandra Gebauer indicates that the letter from the Mayor of the City of Khmelnytskyi was forwarded to Council Services by the Mayor's Office. She remarks that the Twin Cities Policy was sent to the Mayor of Khmelnytskyi and advised that a discussion regarding a Sister City relationship would be discussed at the next meeting of the IRC.

Councillor Fred Francis inquires if Administration can bring back a draft policy on "Friendship Cities" as this type of relationship is less formal and allows for building upon this relationship over time.

Moved by Councillor Fred Francis, seconded by Councillor Renaldo Agostino, That Administration **BE REQUESTED** to bring back a draft policy/framework for the establishment of a Friendship City Program.
Carried.

6.2 Support for Ukraine's Energy Infrastructure

The Chair advises that at Council's meeting held July 10, 2023, approval was given to an expenditure in the upset amount of \$5,000 to assist Ukraine in purchasing electric generators (CR274/2023).

Moved by Ronnie Haidar, seconded by Councillor Ed Sleiman, That the update regarding support for Ukraine's energy infrastructure **BE RECEIVED**.
Carried.

6.3 Polish-Canadian Business Dinner – Save the Date

Moved by Councillor Fred Francis, seconded by Ronnie Haidar, That information regarding the 26th Annual Polish-Canadian Society Business Dinner to be held on Friday, November 17, 2023 at 5:30 p.m. **BE RECEIVED**.
Carried.

6.4 Copernicus Display at Queen's Park and Windsor City Hall

Moved by Councillor Fred Francis, seconded by Ronnie Haidar, That The Jubilee Exhibition held at Queen's Park and at the City of Windsor regarding the 550th Anniversary of the Birth of Nicolaus Copernicus **BE RECEIVED**.
Carried.

Additional Updates

Sandra Gebauer advises that in speaking with Sheri Capehart, Program Director for Arlington, Texas Sister Cities she indicated that a Proposal for twinning with the City of Windsor will be provided in the fall 2023.

Sandra Gebauer states she has been in contact with the city's Recreation Department as well as a presentative from Devonshire Mall regarding the Children's Art Exhibition. She confirms that the Aquatic Centre and Devonshire Mall have agreed to host the Children's Art Exhibition at those locations. She proposes that the event be held in October 2023.

Councillor Fred Francis suggests holding the Children's Art Exhibition at the Aquatic Centre from Monday to a Thursday and at Devonshire Mall on a Friday, Saturday and Sunday.

Moved by Ronnie Haidar, seconded by Councillor Ed Sleiman,
That the update regarding the Children's Art Exhibition to be held at the Windsor International Aquatic and Training Centre and at Devonshire Mall at the end of October 2023 **BE RECEIVED.**
Carried.

7. Date of Next Meeting

8. Adjournment

There being no further business, the meeting is adjourned at 4:05 o'clock p.m.