

Development & Heritage Standing Committee Meeting Agenda

Date: Monday, January 6, 2025

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)

Member Anthony Arbour

Member Joseph Fratangeli

Member Daniel Grenier

Member John Miller

Member Charles Pidgeon

Member Robert Polewski

Member Khassan Saka

Member William Tape

ORDER OF BUSINESS

Item #	Item Description
1.	CALL TO ORDER

READING OF LAND ACKNOWLEDGMENT

We [I] 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
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3.	REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS
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4.	COMMUNICATIONS
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5.	ADOPTION OF THE <i>PLANNING ACT</i> MINUTES
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5.1.	Adoption of the Development & Heritage Standing Committee (<i>Planning Act</i>) minutes of its meeting held December 2, 2024 (SCM 391/2024)
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6.	PRESENTATION DELEGATIONS (<i>PLANNING ACT</i> MATTERS)
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7.	<i>PLANNING ACT</i> MATTERS
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7.1.	Rezoning – Rafco Property Trust Ltd – 0 Howard Ave - Z-032/24 ZNG/7237 - Ward 1 (S 148/2024)
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7.2.	Zoning By-Law Amendment – Z036-24 (ZNG/7248) - Andi Shallvari – 552 Florence Avenue, Ward 7 (S 170/2024)
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7.3.	Zoning By-law Amendment Application for 2275 Wellesley Avenue, Z-026/24 [ZNG-7229], Ward 4 (S 171/2024)
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- 7.4. Zoning By-law Amendment Application for 0 Janette Avenue, Z-037/24 [ZNG-7249], Ward 3 (**S 172/2024**)
- 7.5. Provincial Planning Statement (2024) Update (**S 177/2024**)
- 8. **ADOPTION OF THE MINUTES**
 - 8.1. Adoption of the Development & Heritage Standing Committee minutes of its meeting held December 2, 2024 (**SCM 376/2024**)
- 9. **PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)**
- 10. **HERITAGE ACT MATTERS**
 - 10.1. Amendment to Heritage Designation By-law No. 281-2003 – 455 Kennedy Drive West, Roseland Golf Course (Ward 1) (**S 161/2024**)
- 11. **ADMINISTRATIVE ITEMS**
 - 11.1. Part Closure of north/south alley located between Seminole Street and Reginald Street, Ward 5, SAA-7231 (**S 173/2024**)
 - 11.2. Amendment to CR399/2024 for Closure of west half of north/south alley located between Montrose Street and Tecumseh Boulevard West, Ward 3, SAA-4133 (**S 174/2024**)
 - 11.3. Ford City/Building Facade Improvement CIP Application for 1024 to 1026 Drouillard Road. Owner: 1000568826 ONTARIO INC. (c/o: Brian McGinty and Trinamargos)- Ward 5 (**S 175/2024**)
- 12. **COMMITTEE MATTERS**
 - 12.1. Minutes of the Property Standards Committee of its meeting held October 24, 2024 (**SCM 353/2024**)
 - 12.2. Minutes of the International Relations Committee of its meeting held November 7, 2024 (**SCM 392/2024**)
 - 12.3. Report No. 54 of the International Relations Committee (**SCM 393/2024**)

13. QUESTION PERIOD

14. ADJOURNMENT



Committee Matters: SCM 391/2024

Subject: Adoption of the Development & Heritage Standing Committee (*Planning Act*) minutes of its meeting held December 2, 2024

**Development & Heritage Standing Committee Meeting
(*Planning Act* Matters)**

Date: Monday, December 2, 2024

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 Daniel Grenier

Member Robert Polewski

**PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM
ADMINISTRATION:**

Tracy Tang – Planner III, Heritage

Sandra Gebauer, Council Assistant

**ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM
ADMINISTRATION:**

Jelena Payne, Commissioner, Economic Development

Neil Robertson, City Planner

Greg Atkinson, Deputy City Planner – Development

Jason Campigotto, Deputy City Planner – Growth

Adam Szymczak, Acting Deputy City Planner – Development

Aaron Farough, Senior Legal Council

Emilie Dunnigan, Manager, Development Revenue & Financial Administration

Patrick Winters, Manager, Development

Simona Simion, Planner III, Economic Development

James Abbs, Planner III - Development

Diana Radulescu, Planner II, Development Review

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Elara Mehrilou, Transportation Planner I
Anna Ciacelli, Deputy City Clerk

Delegations—participating via video conference

Item 7.3 – Sil D'Andrea, Area Resident
Item 7.4 – Tuseef Rehman, Area Resident
Item 7.5 – Tracey Pillon-Abbs, RPP Principal Planner
Item 7.5 – Sarah Jarvis, Area Resident
Item 7.5 – Paul & Helen Berry, Area Resident
Item 7.5 – Rick & Livia Lobzun, Area Resident

Delegations—participating in person

Item 7.1 – Amy Farkas, Dillon Consulting Limited
Item 7.2 – Amy Farkas, Dillon Consulting Limited
Item 7.2 – Terry Rafih, Applicant
Item 7.3 – Anthony Palermo, Applicant
Item 7.4 – Jackie Lassaline, Lassaline Planning Consultants
Item 7.4 – Muhammad Siddiqui, Area Resident
Item 7.4 – Abdul Naboulsi, Area Resident
Item 7.4 – Dr. Suzanne De Froy, Area Resident
Item 7.4 – Brian Kukhta, Area Resident
Item 7.6 – Jackie Lassaline, Lassaline Planning Consultants
Item 7.6 – Mark Agbaba, Property Owner

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

Member Daniel Grenier discloses an interest and abstains from voting on Item 7.5 being “Rezoning – Baker Investments Ltd.- 0 Wyandotte Street East - Z-035/24 ZNG/7243 - Ward 6” as his company has hired the planner on record for the application for one of their projects.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

4. COMMUNICATIONS

None presented.

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5. ADOPTION OF THE *PLANNING ACT* MINUTES

5.1. Adoption of the Development & Heritage Standing Committee minutes (*Planning Act*) of its meeting held November 4, 2024

Moved by: Councillor Angelo Marignani

Seconded by: Member Anthony Arbour

That the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held November 4, 2024 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 346/2024

7. *PLANNING ACT* MATTERS

7.1. Zoning Bylaw Amendment Z 020-24 [ZNG-7216] Farhi Holdings Corporation 8565 McHugh Street – Combined Use Building Development – Ward 6

Jim Abbs, Planner III, Development (author), is available for questions.

Amy Farkas, Dillon Consulting Limited (agent), is available for questions.

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 676**

That subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for Block 43, Plan 12M-678; in the City of Windsor, known municipally as 8565 McHugh Street by adding site specific regulations as follow:

516. SOUTHWEST CORNER DARFIELD ROAD AND MCHUGH STREET

For the lands described as for Block 43, Plan 12M-678, in the City of Windsor, known municipally as 8565 McHugh Street, the following regulations shall apply:

a) Notwithstanding Section 15.2.5.15 of Zoning Bylaw 8600, dwelling units on a ground floor in a combined use building shall be an additional permitted use.

b) Building Height – Maximum – 28.0 m;

c) Building setback from an interior lot line abutting a Residential District (RD) 1.1 zone - 24m.
Carried.

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Report Number: S 152/2024
Clerk's File #: Z/14848

7.2. Zoning Bylaw Amendments - Z 033-24 [ZNG-7238] 1495754 Ontario Inc. 0 Esplanade Dr– Multiple Dwelling Building Development – Ward 7

Jim Abbs, Planner III, Development (author), is available for questions.

Amy Farkas, Dillon Consulting Limited (agent), is available for questions.

Terry Rafih, 1495754 Ontario Inc. (applicant), is available for questions.

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 677**

- I. That Zoning By-law 8600 **BE AMENDED** changing the zoning of PT LOT 133 CON 2, PARTS 9 TO 11, RP 12R-21168 in the City of Windsor, known municipally as 0 Esplanade Dr., from Holding Residential District (HRD) 2.3 and Commercial District 4.2.to Residential District (RD) 3.1
- II. That subsection 1 of Section 20 of Zoning By-law 8600 **BE AMENDED** for PT LOT 133 CON 2, PARTS 9 TO 11, RP 12R-21168; in the City of Windsor, known municipally as 0 Esplanade Dr. by adding site specific regulation as follows:

517. ESPLANADE DRIVE, EAST OF GANATCHIO TRAIL
For the lands described as for PT LOT 133 CON 2, PARTS 9 TO 11, RP 12R-21168; in the City of Windsor, known municipally as 0 Esplanade Dr., the following regulations shall apply:
Building Height – Maximum – 14.0 m
[ZNG/7238]
- III. That the Site Plan Control Officer include the completion of an Archeological Assessment as a condition of the Site Plan Control Agreement.
Carried.

Report Number: S 153/2024
Clerk's File #: Z/14874

7.3. Zoning By-Law Amendment – Z034/24 (ZNG/7241) - Anthony Palermo – 5172 Joy Rd, Ward 9

Diana Radulescu (author), Planner II – Development, presents application.

Anthony Palermo (applicant), is available for questions.

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Sil D'Andrea (area resident) expresses concerns of the size, scale and type of structure proposed in the application, and asks that the by-law not be changed so that an acceptable regular sized normal residential garage be built instead of a pole barn. Mr. D'Andrea states concerns of lot coverage and height being similar to a house, where the height exceeds the maximum allowable height and is not proportional to surrounding houses. Mr. D'Andrea states that the proposed development of a pole barn is not compatible or consistent within a residential zone, as it has an agricultural or industrial appearance. Mr. D'Andrea continues to state concerns of setting a precedent within the area and the potential for future business operations within a residential zone. Mr. D'Andrea has concerns of hardscaping leading to more surface runoff and flooding on Ray Road, in an area with poor drainage and a high-water table.

Councillor Kieran McKenzie inquires regarding the intended use of the barn. Anthony Palermo states he will use the barn for personal storage.

Councillor Kieran McKenzie inquires if the barn requires two storeys to accommodate the equipment. Mr. Palermo states to fit his snowmobile trailer, he requires a minimum of twelve feet.

Councillor Kieran McKenzie asks if there is a way to scale down the proposed barn. Mr. Palermo states that a ten-foot height would not accommodate his needs and would require twelve to fourteen feet in height.

Councillor Kieran McKenzie inquires if different exterior materials would be considered to have a less industrial look. Mr. Palermo states that the current choice is based on cost, and that brick and block is very costly.

Councillor Kieran McKenzie asks Mr. Palermo to be mindful of the structure's appearance. Mr. Palermo states that he was initially informed that the barn would not be an issue to construct on the property, and that other similar structures exist within the neighbourhood.

Councillor Kieran McKenzie inquires whether there is intention to use the barn for commercial purposes. Mr. Palermo states he has no intention to use it for his business rather for personal storage.

Mr. D'Andrea states the best compromise is the size of a normal garage that is proportionate with the neighbourhood, where a pole barn does not match the surrounding neighbourhood. Councillor McKenzie states that Mr. Palermo has addressed the reasoning for the height and that his intention is for personal storage and asks if that alleviates some concerns. Mr. D'Andrea agrees but states his concern with the scale of the structure and fitting with the surrounding residential area.

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Councillor Kieran McKenzie inquires if the proposed height of the barn is not allowed would Mr. Palermo still build the barn. Mr. Palermo agrees that for the purpose of barn he needs the height requested.

Councillor Kieran McKenzie inquires if the Zoning By-law 8600 were to be in effect instead of the current by-law, would the proposed barn be accepted under the by-law 8600. Ms. Radulescu states that is correct, and that under the general provisions for accessory structures in Zoning By-law 8600, the barn would be allowed, and no variances would be required, given that the total lot coverage for all accessory buildings would be contained within the 10%. Ms. Radulescu states that the proposed height and prohibited materials this led to rezoning.

Councillor Kieran McKenzie inquires about future changes to the zoning designation for this area. Ms. Radulescu states there is no timeline associated with that change but that it would be communicated to Council when this would happen as part of a housekeeping amendment in the future.

Councillor Kieran McKenzie inquires when larger structures were permitted throughout that the area, when By-law 85-18 changed, and the rationale behind the change. Ms. Radulescu states that the by-law passed in 1986. Mr. Szymczak states the City inherited by-law 8518 when the Sandwich South lands were transferred to the City of Windsor, and the zoning bylaw that we inherited for those lands and was already in place.

Councillor Kieran McKenzie inquires if the by-law prohibits any commercial activity within the proposed building. Ms. Radulescu states that this subject land is within the residential zone one category and one home occupation is permitted in this zone, and it could be located within accessory garage. Ms. Radulescu states that the By-law contains a list of permitted occupations and those that are not permitted in this zone, and she is unable to comment on the applicant's commercial business.

Councillor Kieran McKenzie inquires what type of business Mr. Palermo has. Mr. Palermo states that he owns a plumbing business.

Councillor Kieran McKenzie inquires if this would be prohibited. Ms. Radulescu defers to another colleague. Mr. Szymczak states that a plumber would be a general contractor, and this is permitted for a general office or trade contractor.

Councillor Kieran McKenzie inquires if storage of equipment and supplies and activities related to plumbing would be allowed within the office. Mr. Szymczak states that he would expect there to be

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some accessory nature to the office use that would allow it, such as storage and you may be able to do general repairs.

Councillor Kieran McKenzie inquires if Mr. Palermo is proposing to use the barn for office use. Mr. Palermo states that is not the case and would use it for storage.

Councillor Kieran McKenzie inquires what the maximum allowable height is under the current by-law. Ms. Radulescu states that 3.7 metres are allowed for an accessory structure.

Councillor Kieran McKenzie inquires if the proposed height is 4.3 meters. Ms. Radulescu states that this is correct.

Chair Jim Morrison inquires if Joy and Ray Road are both slated for sanitary sewers as there are concerns about drainage and flooding and would that be alleviated through the process. Mr. Patrick Winters states that if the local improvement is successful, a storm sewer would be installed on the street which would provide adequate drainage, with a stormwater outlet available to the properties. Mr. Winters states that internal drainage work would be the responsibility of the homeowner once the connection is provided.

It would be on them to do their own internal drainage work, to get out to the connection once provided.

Chair Morrison inquires if that is forthcoming. Mr. Winters states that it is going through the appeals process, and administration still intends to move forward with it.

Chair Morrison inquires if the pole barn on Ray Road is similar in height. Councillor Kieran McKenzie states that it is a similar height.

Councillor Kieran McKenzie inquires if the proposed building would put any additional pressure on the existing drainage capacity. Mr. Winters states that there is not a system under existing conditions, and currently relying on water infiltrating into the ground. Mr. Winters continues that the building department and the building permit that is issued will undergo a review and determine whether it will cause a problem for the neighbors with where the structure and downspouts go.

Councillor Kieran McKenzie inquires if there is any analysis undertaken for a structure this size, to address concerns with stormwater management, and what would be the potential impact of this construction. Mr. Winters states that the lots are fairly large with less than 10% lot coverage with a minimal impact, as long as downspouts are pointed away from neighbouring yards.

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Councillor Kieran McKenzie states he would like to move the recommendation and supports it in hopes that the residents have had some of their concerns alleviated. Councillor McKenzie also states that there are buildings with a similar height and lot coverage, and that future by-laws will move toward permitting this type of structure within the neighbourhood.

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 678**

- I. That Zoning By-law 85-18 **BE AMENDED** by changing the zoning of CON 8 PT LOT 15 RP 12R10850 PARTS 7 & 14, situated on the north side of Joy Road and east of 8th Concession Road, known municipally as 5172 Joy Road, by adding a defined area as follows:

6.3.17 Defined area R1-17 as shown on schedule “A”, Map 3 of this by-law.

- a) Maximum lot coverage for all accessory structures 193 m²
- b) Maximum height of all accessory structures 4.3 m
- c) Materials
 - i. A barn or accessory structure may be constructed with post, beam, or galvanized steel materials

Carried.

Report Number: S 157/2024

Clerk's File #: Z/14861

7.4. OPA & Rezoning – 1722912 Ontario – 4088-4096 6th Concession Rd – OPA 188 OPA/7218 Z-021/24 ZNG/7217 - Ward 9

Adam Szymczak (author), Senior Planner – Development, presents application.

Jackie Lassaline, Lassaline Planning Consultants (agent) is available for questions.

Muhammad Siddiqui, (area resident) presents a petition with more than 200 homeowners and residents in opposition to the proposed development.

Councillor Kieren McKenzie raises a Point of Order which is acknowledged by Chair Morrison. Mr. Siddiqui states that the scale and character of the proposed development will impact the quality of life especially for seniors, environmental impact to the local ecosystem, lack of green space, increased noise, pollution, and accidents due to high traffic, and safety concerns with a large ditch and no sidewalks. Mr. Siddiqui states that resident safety should be the priority. Mr. Siddiqui notes that Talbot Trail Public School is at capacity.

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Abdul Naboulsi (area resident) has concerns that the Committee is approving everything and that development of large apartment buildings or three storey townhomes is not what residents want. Mr. Naboulsi states that the developments are either in alignment with the Official Plan or they are not. Mr. Naboulsi inquires whether these developments are affordable or attainable and what price the homes or apartments will be sold for. Mr. Naboulsi states that residents do not support intensification in the area.

Chair Morrison states that the Developer is responsible for pricing of units with no indication of whether the housing will be affordable or not.

Dr. Suzanne De Froy (area resident) states that she is committed to building a healthy and community and realizes that the provincial and federal government has offered monetary incentives to reach targets. Ms. De Froy has concerns that the provincial targets for affordable housing has created an urgent demand, and changing by-laws will not be a problem in favour of developers and not the concerned resident. Ms. De Froy states safety concerns on Sixth Concession for drivers, pedestrians and bikers along a narrow gravel side and ditches. Ms. De Froy states development along the road is not inline with the City's plan for promoting densification along major thoroughfares and transit corridors. Ms. De Froy states that the City's Official Plan states that owners, neighbourhoods and the community are protected from inappropriate developments and that the proposal is not comparable with existing residences and normalizes a form of urban sprawl that is alarming and precedent setting.

Tuseef Rehman (area resident) has concerns with overcrowded schools, pedestrian safety due to lack of sidewalks and increased traffic. Mr. Rehman states he has no opposition to the development, but they should provide amenities such as schools, parking and police.

Chair Morrison refers Mr. Rehman to speak with School Board Trustees about schooling needs in the neighbourhood as the City does not have any jurisdiction over schools.

Brian Kukhta (area resident) states that the development will set a precedent and change the neighborhood which the residents do not want. Mr. Kukhta states this development is not consistent with the surrounding neighbourhood and has concerns with the lack of green space, flooding, garbage and recycling, and first responders. Mr. Kukhta states the traffic studies are flawed and that by-laws are meant to maintain the integrity of the subdivisions.

Councillor Kieran McKenzie inquires about Sixth Concession being designated as a recreation way. Mr. Szymczak states that the recreation way designation means that Sixth Concession will have facilities for bikes and pedestrians.

Councillor Kieran McKenzie asks when that was passed. Mr. Szymczak states over 20 years ago. Councillor McKenzie states that is enough for him to say no to the development.

Councillor Kieran McKenzie inquires if there have been internal discussions regarding funding to implement the 6th Concession Road/North Talbot Road environmental assessment (EA). Neil Robertson defers the question to the Public Works. Patrick Winters states that there are no funds

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allocated in the ten-year capital plan for Sixth Concession but are looking at opportunities to fund some of the work.

Councillor Kieran McKenzie inquires if Administration prioritizes funding prior to releasing the budget, and if there has ever been an administration recommendation for the Sixth Concession if it is not in the ten-year capital plan. Mr. Winters states that he is not involved in those discussions, but is aware of conflicting priorities for upgrading roads that have a completed EA and are ready with a detailed design and funding,

Councillor Kieran McKenzie inquires why some of the EA has been implemented but there is no plan to implement the remainder of the EA. Mr. Winters states that, per the EA Act, you have ten years to implement a phase that was identified in the EA, and this EA is active.

Councillor Kieran McKenzie inquires about the stormwater management report and the impact on existing infrastructure. Juan Paramo states that this development will be required to provide a storm water management plan during the site plan control process.

Councillor Kieran McKenzie inquires if this development is characterised as infill. Mr. Robertson states that it is considered infill because infrastructure and transit are present.

Councillor Marignani inquires if there are any concerns with the deficiencies such as parking spaces or parking area separation from the building wall containing room windows. Mr. Szymczak states that the building and parking area were designed to maximize setbacks from existing dwellings and that he has no concerns with those deficiencies.

Councillor Kieran McKenzie states he will oppose the proposal due to the condition of the road, the lack of infrastructure, the road is insufficient to promote a suitable amount of safety for pedestrians and cyclists, and the lack of active transportation infrastructure.

Councillor Francis states he supports that motion. Councillor Francis disagrees with the opinion that the project is sensitively integrated within the surrounding neighbourhood when it's the first development proposed like this.

Member Grenier inquires if by not supporting the motion will it push for improvements to the roads, as additional developments will create more issues. Councillor Marignani states that it is important in reviewing the developments that we look at what the City is responsible for and that warrants further discussion before going forward with this project.

Chair Morrison states that this is a compatible development and will not be supporting the motion to deny, and that Council can express their concerns for infrastructure improvements if they believe something is a priority.

Councillor Kieran McKenzie clarifies his comments around investment decisions with respect to Sixth Concession, and notwithstanding his opposition to the development, that there is tremendous amount of diligence, analysis and professional expertise from Administration.

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Chair Morrison states that the application will go forward to City Council later.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 679**

That the application for “OPA & Rezoning – 1722912 Ontario – 4088-4096 6th Concession Rd – OPA 188 OPA/7218 Z-021/24 ZNG/7217 - Ward 9” **BE DENIED**.

Carried.

Councillors Jim Morrison voting nay.

Report Number: S 141/2024
Clerk's File #: Z/14862 & Z/14863

7.5. Rezoning – Baker Investments Ltd.- 0 Wyandotte Street East - Z-035/24 ZNG/7243 - Ward 6

Adam Szymczak (author), Senior Planner – Development, presents application.

Tracey Pillon-Abbs, RPP Principal Planner, Pillon Abbs Inc. (agent), is available for questions. Ms. Pillon-Abbs states that she supports the staff recommendation to amend the zoning bylaw from CD 2.2 to RD 3.2, which is like the development to the east.

Sarah Jarvis (area resident), is available for questions and that she is not a board member of the neighbouring building, but that board members and building management are aware of her submitted letter prior to the meeting.

Paul and Helen Berry (area residents) have concerns about traffic at Wyandotte and Watson, whether the development will have affordable units, and whether sidewalks will be addressed to help pedestrians in the area.

Rick and Livia Lobzun (area residents) have concerns of additional traffic as the area is already busy.

Councillor Marignani inquires about traffic concerns at Wyandotte and Watson suggesting a dedicated left turning lane and about plans for the intersection. Mr. Sayyadi states that if there is a safety concern, a safety audit will be conducted and based off traffic volume, whether it warrants changes and budget will be considered.

Councillor Marignani inquires about the ingress and egress on Wyandotte and whether the entrance and exit will be on Watson. Mr. Szymczak states that there will be two access ways, a new access on Watson, and sharing the existing access with the plaza to Wyandotte. Mr. Szymczak states that the development will be connected to the parking area of the commercial plaza to the east.

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Councillor Marignani inquires if there are any plans to improve the roadway. Gholamreza (Ray) Sayyadi states he is not aware of any plans.

Councillor Marignani inquires if a Traffic Impact Study (TIS) has been completed for the intersection. Chris Gerardi states that a TIS was not requested as the initial review of traffic volume was low with the number of trips per minute during peak hour being close to half of the threshold that triggers a TIS.

Councillor Marignani inquires what the differences between the current and proposed zoning. Mr. Szymczak states that the current zoning is commercial and permits a range of commercial uses and the proposed is residential to permit a multiple dwelling.

Moved by: Councillor Fred Francis

Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 680**

1. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part of Block "A", Registered Plan 1628 except for Part 1, Plan 12R-11541, identified as PIN 01066-0197, situated at the northeast corner of Wyandotte Street East and Watson Avenue, and known municipally as 0 Wyandotte Street East (Roll No: 060-330-00100) from Commercial District 2.1 (CD2.1) to Residential District 3.2 (RD3.2).

Carried.

Member Daniel Grenier discloses an interest and abstains from voting on this matter.

Report Number: S 154/2024

Clerk's File #: Z/14875

7.6. Zoning Bylaw Amendment Z 031-24 [ZNG-7236] 1066 California Ave Ward 2

Simona Simion (author), Planner III Economic Development, is available for questions.

Jackie Lassaline (agent), Lassaline Planning Consultants and Marko Agbaba (applicant), Property Owner is available for questions.

Ms. Lassaline states that this development is an infilling development of a scale that is low profile and low density development based on the bylaw. Ms. Lassaline continues to state that the lot width and rear yard set back variances requested are very small, and the lot coverage is comparable to other developments. Ms. Lassaline states that the additional dwelling unit (ADU) allowance under provision E of the by-law, shall not apply in respect to the future severance of the building.

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Councillor Marginani inquires if the plan is to develop this structure but not include the ADU possibility or not create another ADU behind or beside the structure. Ms. Lassaline states the intent of the proposal is for the three main severable principal units with two ADUs in each building on three separate parcels.

Councillor Kieran McKenzie inquires about the capacity of California Avenue as it relates to the neighbourhood with the recent amount of significant intensification on the road, and whether threshold is analyzed with each proposal. Ms. Simion states that the subject properties located within a neighborhood that consist of low profile development, less than 14 meters in height, small scale form and that means we have single, duplex and semi detached units and multiplexes up to 8 units. Ms. Simion states that the proposal is consistent with this neighbourhood and it is a good addition for California Avenue.

Marko Agbaba states that the submitted planning rationale reports submitted state this is a nine unit development unit with the appropriate amount of density for the location and dimensions that comply with the Provincial Planning Statement (PPS). Mr. Agbaba states that the development requests to reduce the size of the development by 70% and what is proposed is essential. Mr. Agbaba states that this development is consistent with the PPS in that it conforms with the neighbourhood and is similar to the three adjacent properties, and that there are multiple different ways to achieve nine units of density and this does so in a way that is consistent with the density of the neighbourhood.

Chair Morrison seeks clarification regarding the property to qualify for nine ADUs. Mr. Robertson states that the land must first be severed to be considered an urban parcel of land or individual parcel to be entitled to three ADUs, and this process has been consistent with semi detached and townhomes.

Moved by: Councillor Fred Francis

Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 681**

I. That Zoning By-law 8600 **BE AMENDED** by adding the following clause to Section 20(1):

518. EAST SIDE OF CALIFORNIA AVENUE, SOUTH OF DAVIS ST AND NORTH OF GIRARDOT ST

For the lands comprising of PLAN 50 BLOCK D LOTS 53 & 54 PT LOT 55 (PIN 01220-0251) for a *townhome dwelling*, the following additional provisions shall apply:

- a) *Lot Width* – minimum 19.8 m
- b) *Lot Coverage* – maximum 54% of lot area
- c) *Front Yard Depth* – minimum 5.4 m
- d) *Rear Yard Depth* – minimum 6.31 m
- e) Section 5.99.80.1.1.b) shall not apply

[ZDM 4; ZNG/7236]

Minutes

Development & Heritage Standing Committee

Monday, December 2, 2024

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- II. That Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following clause to Section 95.20:
- (13) a) Pursuant to Section 9.3.7.1(a) of Volume I: The Primary Plan of the City of Windsor Official Plan, submission of Stage 1 Archaeological Assessment and any further recommended assessments be entered into the Ontario Public Register of Archaeological Reports to the satisfaction of the City Planner.
- b) Alley Contribution to the satisfaction of the City Engineer.
- c) Stormwater Management Plan to the satisfaction of the City Engineer.
- [ZNG/7236]
- III. That Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of PLAN 50 BLOCK D LOTS 53 & 54 PT LOT 55 (PIN 01220-0251), situated on the east side of California Avenue between Davis Street and Girardot Street, and known municipally as 1066 California Avenue (Roll No. 050-37-03500), from Residential District 1.3 (RD1.3) to Residential District 2.2 (RD2.2) and S.20(1)H(13)518.
- IV. That the Committee of Adjustment **CONSIDER** comments contained in Appendix E of Report S 147/2024 as part of any consent application to sever the proposed townhome dwelling units.

Carried.

Report Number: S 147/2024

Clerk's File #: Z/14876

7.7. OPA 190 Source water policies

Frank Garardo (author), Senior Planner – Policy & Special Studies, presents application.

Dr. Katie Stammeler, Risk Management Officer, ERCA, is available for questions.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 682**

1. That Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by adopting Official Plan Amendment (OPA) 190 attached hereto as Appendix 1, and summarized as follows:
 - a) Chapter 2, Glossary; is hereby amended by adding definitions
 - b) Chapter 5, Environment is hereby amended by adding section 5.39 Source Water Protection Policies
2. That Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by adopting Schedule K: Sourcewater Protection Areas as shown in Appendix 1.

Minutes

Development & Heritage Standing Committee

Monday, December 2, 2024

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Carried.

Report Number: S 159/2024

Clerk's File #: Z/14881

8. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 6:42 o'clock p.m.

Ward 10 – Councillor Jim Morrison
(Chairperson)

Deputy City Clerk / Supervisor of Council
Services



Council Report: S 148/2024

Subject: Rezoning – Rafco Property Trust Ltd – 0 Howard Ave - Z-032/24 ZNG/7237 - Ward 1

Reference:

Date to Council: January 6, 2025
Author: Adam Szymczak, MCIP, RPP
Senior Planner - Development
519-255-6543 x 6250
aszymczak@citywindsor.ca
Planning & Building Services
Report Date: October 24, 2024
Clerk's File #: Z/14877

To: Mayor and Members of City Council

Recommendation:

1. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of PT LT 107 PL 1489, AS PT 1 ON PL 12R11254 EXCEPT PT 2 ON PL 12R23861 (PIN 01573-0748), bounded by Howard Avenue, Tuson Way and Howard Place and known municipally as 0 Howard Avenue (Roll No: 080-060-01100) from Commercial District 1.1 (CD1.1) to Residential District 3.3 (RD3.3) and by deleting and replacing S.20(1)272 with the following:

272. HOWARD AVENUE, TUSON WAY AND HOWARD PLACE

For the lands comprising Part of Lot 107, Registered Plan 1489, described as Part 1, Plan 12R11254 except Part 2, Plan 12R23861, and identified as PIN 01573-0748, for a *Multiple Dwelling*, the following additional provisions shall apply:

- a) *Lot Area* – minimum – 1,825.0 m²
- b) *Building Height – Main Building* – maximum – 10 m
- c) Notwithstanding Section 25.5.20.1.2, the minimum *parking area* separation from any *street* shall be 1.50 m.
- d) Notwithstanding Section 25.5.20.1.6, the minimum *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* shall be 2.60 m.

[ZDM 9; ZNG/7237]

2. THAT, when Site Plan Control is applicable:
 - A. The Site Plan Approval Officer **BE DIRECTED** to incorporate the following, subject to any updated information, into an approved site plan and an executed and registered site plan agreement:
 - 1) Noise mitigation measures identified in Section 6 in the Road Traffic and Stationary Noise Impact Study prepared by JJ Acoustic Engineering Ltd., dated October 23, 2023, subject to the approval of the City Planner, Deputy City Planner, or Site Plan Approval Officer.
 - 2) Requirements of the City of Windsor – Engineering and City of Windsor – Transportation Planning contained in Appendix B of Report S 148/2024, subject to the approval of the City Engineer.
 - 3) Requirements of the City of Windsor – Forestry, City of Windsor – Natural Areas, and City of Windsor – Planning & Development – Landscape & Urban Design, contained in Appendix B of Report S 148/2024, subject to the approval of the City Forester and City Planner.
 - B. The Site Plan Approval Officer **CONSIDER** all other comments contained in Appendix B of Report S 148/2024 and recommendations in the documents submitted in support of the application for an amendment to Zoning By-law 8600.

Executive Summary:

N/A

Background:

Application Information

Location: 0 Howard Avenue (PT LT 107 PL 1489, AS PT 1 ON PL 12R11254 EXCEPT PT 2 ON PL 12R23861; WINDSOR; PIN 01573-0748; Howard Avenue / Tuson Way / Howard Place; Roll No: 080-060-01100)

Ward: 1 **Planning District:** Roseland **Zoning District Map:** 9

Applicant: RAFCO Property Trust Ltd (Zeyad Rafih)

Owner: RAFCO Property Trust Ltd

Agent: ADA Inc., Architect (Olivia Byrne)

Proposal: The Applicant is requesting an amendment to Zoning By-law 8600, changing the zoning from Commercial District 1.1 (CD1.1) to a residential zoning to permit the development of 3 six-unit multiple dwellings with a height of 7.8 m over three storeys, 22 total parking spaces including two accessible parking spaces, 3 bicycle spaces, and one loading space. Vehicular access is from Howard Place.

Submissions:

Attached to Report S 148/2024 as an Appendix:

Appendix A - Conceptual Architectural Package

Not attached to Report S 148/2024:

[Application Zoning By-law Amendment](#)

[Noise Impact Study](#)

[Open House Report](#)

[Sanitary Sewer Study](#)

All documents are available [online](#) or via email at aszymczak@citywindsor.ca.

Site Information

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Residential	Commercial District 1.1 (CD1.1) & S.20(1)272	Vacant	Service Station
LOT FRONTAGE (HOWARD AVE)	LOT FRONTAGE (TUSON WAY)	LOT AREA	LOT SHAPE
104.5 m	52.9 m	2,760.8 m ²	Triangular
342.8 ft	173.5 ft	29,717.0 ft ²	
All measurements are approximate.			

Figure 1: Key Map



KEY MAP - Z-032/24, ZNG/7237



 SUBJECT LANDS

Figure 2: Subject Parcel - Rezoning



PART OF ZONING DISTRICT MAP 9

N.T.S.

REQUESTED ZONING AMENDMENT

Applicant: Rafco Property Trust Ltd.



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : OCTOBER, 2024
FILE NO. : Z-032/24, ZNG/7237

Figure 3: Neighborhood Map



NEIGHBOURHOOD MAP - Z-032/24, ZNG/7237



SUBJECT LANDS

Neighbourhood:

Residential uses are located to the north, east, south, and west. Roseland Golf and Curling Club is located 500 m to the west. Parks within 1 km of the subject parcel include Dynasty Park, Goldenwood Park, Lake Como Park, Lake Trail Park, Matthew Rodzik Park, and Holburn Park. Nearby schools include Académie Ste-Cécile International School, First Lutheran Christian Academy, Our Lady of Mount Carmel Catholic Elementary School, St. Gabriel Catholic Elementary School, Southwood Public School, Talbot Trail Public School, and Roseland Public School.

Commercial uses are located at Howard Avenue and North Talbot Road, Dougall Avenue and Cabana Road West, and Howard Avenue and Cabana Road East.

Howard Avenue is a Class II Arterial Road with a four-lane cross section and sidewalks on both sides. Tuson Way is a Local Road with a two-lane cross section and curbs, but no sidewalks. Howard Place is a Local Road with a two-lane rural cross section with no curbs or sidewalks. North Talbot Road is a Class I Collector Road. Dougall Parkway is an Expressway. Howard Avenue, North Talbot Road and Neal Boulevard are identified as Proposed Recreationway on Schedule B: Greenway System. Tuson Way and Howard Place provide access to Dougall Parkway and Highway 401.

Public Transit is available via the Dougall 6 bus. The Dougall 6 has a weekday peak frequency of 40 minutes. The closest bus stop to this property is located on Howard at North Talbot southeast corner. This bus stop is approximately 150 metres away from this property falling within Transit Windsor's 400 metre walking distance guidelines to a bus stop. The Transit Master Plan maintains this arrangement.

A sanitary sewer is available to service the subject lands.

Discussion:

Road Traffic and Stationary Noise Impact Study (JJ Acoustic Engineering Ltd. October 23, 2023)

The study concludes *"potential environmental impact from road traffic sources is significant. Mitigation measures will be required including ventilation requirements, special building components and noise warning clauses for each unit."* Site Plan Control is the proper tool to implement the mitigation measures found in Section 6.

Sanitary Sewer Study (Aleo Associates Inc. – October 3, 2023)

The study states that the existing 250 mm diameter sanitary sewer along Howard Place *"currently provides drainage solely for the fourteen (14) single family dwellings along Howard Place"* and that the *"peak sewage flow rate from these existing dwellings to the municipal sewer is approximately 1.4 L/s based on a population density of 3.5 persons per household."* The proposed development will have a peak sewage rate of 0.8 L/s, for a total peak sewage flow rate of 2.2 L/s for existing and proposed dwellings.

The report concludes that the *"existing municipal sanitary sewer has a capacity of 38 L/s and will therefore only have 6% of its capacity utilized...The assessed municipal sanitary sewer has substantial capacity available to support the proposed development."* Engineering Development considers the study acceptable. Storm water management will be considered during the Site Plan Control process.

Provincial Planning Statement 2024 (PPS 2024):

The PPS 2024 provides policy direction on matters of provincial interest related to land use planning in Ontario. All municipal decisions, as well as advice, comments and submissions shall be consistent with the PPS 2024.

Policy 2.1.6 states that “*complete communities*” shall be supported by “*accommodating an appropriate range and mix of land uses, housing options ... and other uses to meet long-term needs*”, “*improving accessibility for people of all ages and abilities*”, and “*improving social equity and overall quality of life for people of all ages, abilities, and incomes*”. The proposed multiple dwellings are a suitable housing option that will meet long-term needs, and improves accessibility, social equity & overall quality of people of all ages, abilities, & incomes. The proposed amendment is consistent with Policy 2.1.6.

Policy 2.2 requires that an “*appropriate range and mix of housing options and densities*” be provided by “*permitting and facilitating...all housing options required to meet the social, health, economic and well-being requirements of current and future residents...and all types of residential intensification ... development and introduction of new housing options within previously developed areas*”. Densities should promote the efficient use of land and infrastructure and support the use of active transportation.

Policy 2.3.1 provides general policies for settlement areas. Growth should focus in the settlement area. Land use patterns should be based on the efficient use of land and resources, optimizing existing and planned infrastructure, support active transportation, and be transit supportive. The proposed multiple dwellings are a housing option that will meet the requirements of current and future residents, is a type of residential intensification, and promotes the efficient use of land, resources, and infrastructure, and supports active transportation and transit. The proposed amendments are consistent with Policy 2.2 and Policy 2.3.1.

Policy 2.9 requires that the impacts of a changing climate and reduction in greenhouse gas emissions shall be supported with compact, transit-supportive, and complete communities, consider stormwater management systems, and promote active transportation. The proposed development is compact with access to existing and planned transit and active transportation. Stormwater management will be considered during site plan control. The amendments are consistent with Policy 2.9.

The proposed amendment to Zoning By-law 8600 is consistent with the PPS 2024.

Official Plan:

The subject parcel has a designation of Residential on Schedule D: Land Use in the City of Windsor Official Plan. Land use goals (Section 6.1) include safe, caring, and diverse neighbourhoods, environmentally sustainable urban development, housing suited to the needs of Windsor’s residents, and directing residential intensification to those areas of the city where transportation, municipal services, community facilities, and goods and services are readily available.

The proposed development will create a diverse neighbourhood, is an environmentally sustainable urban development, and provides housing suited to the needs of residents. The area is ideal for residential intensification as transportation, infrastructure, and community facilities are readily available. The proposed amendment achieves the goals of Section 6.1.

Objectives (Section 6.3.1) of the Residential land use designation include a range of housing forms and tenures in all neighbourhoods, promoting compact neighbourhoods that encourage a balanced transportation system, and promoting residential infill and intensification initiatives. The proposed development expands the housing form and tenure in a neighbourhood that is predominantly single-detached housing, is a compact development that will have access to existing and planned transportation modes and is an infill and intensification initiative.

Having a height of 3 stories, the proposed multiple dwelling development is a “Low Profile Development” per Section 6.2.1.2. The proposed multiple dwellings are a permitted use per Section 6.3.2.1 and are a small scale form of low profile housing per Section 6.3.2.3.

The parcel has access to a collector road and an arterial road, full municipal services can be provided, and public transport is available. There are no deficiencies in community services and open spaces. The proposed multiple dwellings satisfy the locational criteria in Section 6.3.2.4.

In planning terms, the definition of “compatible” most often referred to can be found in *Motisi v. Bernardi*, 1987 CarswellOnt 3719, (1987) O.M.B.D. No. 2, 20 O.M.B.R. 129:

“Being compatible with is not the same thing as being the same as. Being compatible with is not even the same thing as being similar to. Being similar to implies having a resemblance to another thing; they are like one another, but not completely identical. Being Compatible with implies nothing more than being capable of existing together in harmony.”

The proposed development is compatible, and will coexist, with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking, and amenity area. The amendment satisfies the evaluation criteria of Section 6.3.2.5. The proposed amendment to Zoning By-law 8600 conforms to the policy direction of the Official Plan.

City of Windsor Intensification Guidelines:

The intent of the Intensification Guidelines is to guide new development to become distinctive, while relating harmoniously to the use, scale, architecture, streetscapes, and neighbourhoods of Windsor, as well as meeting the needs of its citizens and visitors.

The parcel is in an established neighbourhood area but not in a Mature Neighbourhood or a Mixed-Use Corridor. The general guidelines state that low profile development includes apartments that are generally no greater than three storeys in height and should be compatible and sensitively integrated with residential buildings in the surrounding neighbourhood. The proposed multiple dwelling is three storeys in height and is sensitively integrated in the surrounding neighbourhood. The proposed amendment is consistent with the Intensification Guidelines.

Zoning By-Law:

The parcel is zoned Commercial District 1.2 (CD1.1), a neighbourhood commercial zoning district that allows a limited range of commercial uses that are to serve the day-to-day needs of the surrounding neighbourhood. Site specific exception 20(1)272 allows a veterinary office as an additional permitted use subject to further provisions. The Applicant is requesting a change to a suitable residential zoning district or a site-specific

exception to allow the development as proposed in the conceptual drawings. The Residential District 3.3 (RD3.3) along with a revised 20(1)272 is a suitable solution.

Staff recommend replacing the existing 20(1)272 with new provisions that clarifies the minimum lot area, restricts the maximum building height to 10 m, and allows a reduction in the minimum parking separation from a street from 3.0 m to 1.50 m and a reduction in parking area separation from a building wall from 4.50 m to 2.60 m. Due to the triangular shape of the parcel, a reduction in parking area separations is necessary to allow efficient development of the parcel. These reductions will have no adverse impact on the use and enjoyment of the proposed dwelling units. The RD3.3 zoning has no yard setbacks, therefore, it is not necessary to deem the parcel as a corner lot. The lot line next to Tuson Way is the shortest exterior lot line making it the front lot line, and the lot lines next to Howard Avenue and Howard Place are side lot lines.

The Zoning By-law requires three visitor parking spaces. This will be a requirement of Site Plan Control. The proposed development must comply with all other applicable zoning provisions.

Site Plan Control:

The proposed development is subject to Site Plan Control. Recommendation 2 directs the Site Plan Approval Officer to review the comments in Appendix B to this report.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

Residential intensification minimizes the impact on community greenhouse gas emissions as these developments create complete communities and neighbourhoods while using available infrastructure such as sewers, sidewalks, and public transit.

Climate Change Adaptation:

The proposed construction of three multiple dwellings offers an opportunity to increase resiliency for the development and surrounding area by supporting a complementary and compact form of housing, redevelopment, and intensification that is near existing and future transit and active transportation options.

Financial Matters:

N/A

Consultations:

An Open House was held on April 8, 2024, from 4:30 pm to 6:30 pm at 4350 Howard Avenue. Display boards showing the site plan, renderings and elevations, and floor plans were available. The Open House Report summarizes comments received at the public open house. Comments received from municipal departments and external agencies are attached as Appendix B. Per the Planning Act, statutory notice was advertised in the Windsor Star, a local daily newspaper. A courtesy notice was mailed to property owners within 200 m of the subject lands.

Conclusion:

Based on the documents submitted by the Applicant and the analysis in this report, it is our opinion that the recommend amendment to Zoning By-law 8600 is consistent with the PPS 2024, is in conformity with the Official Plan, and constitutes good planning. Site plan control is the proper tool to incorporate the requirements and comments of departments and agencies. Staff recommend approval.

Planning Act Matters:

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

Greg Atkinson, MCIP, RPP
Deputy City Planner - Development

Neil Robertson, MCIP, RPP
City Planner

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

JP

JM

Approvals:

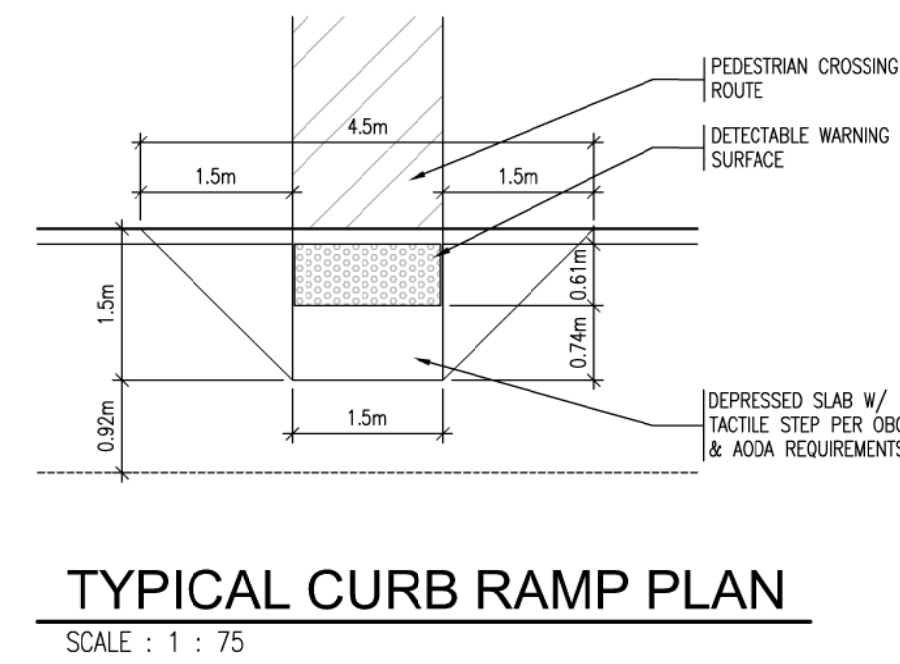
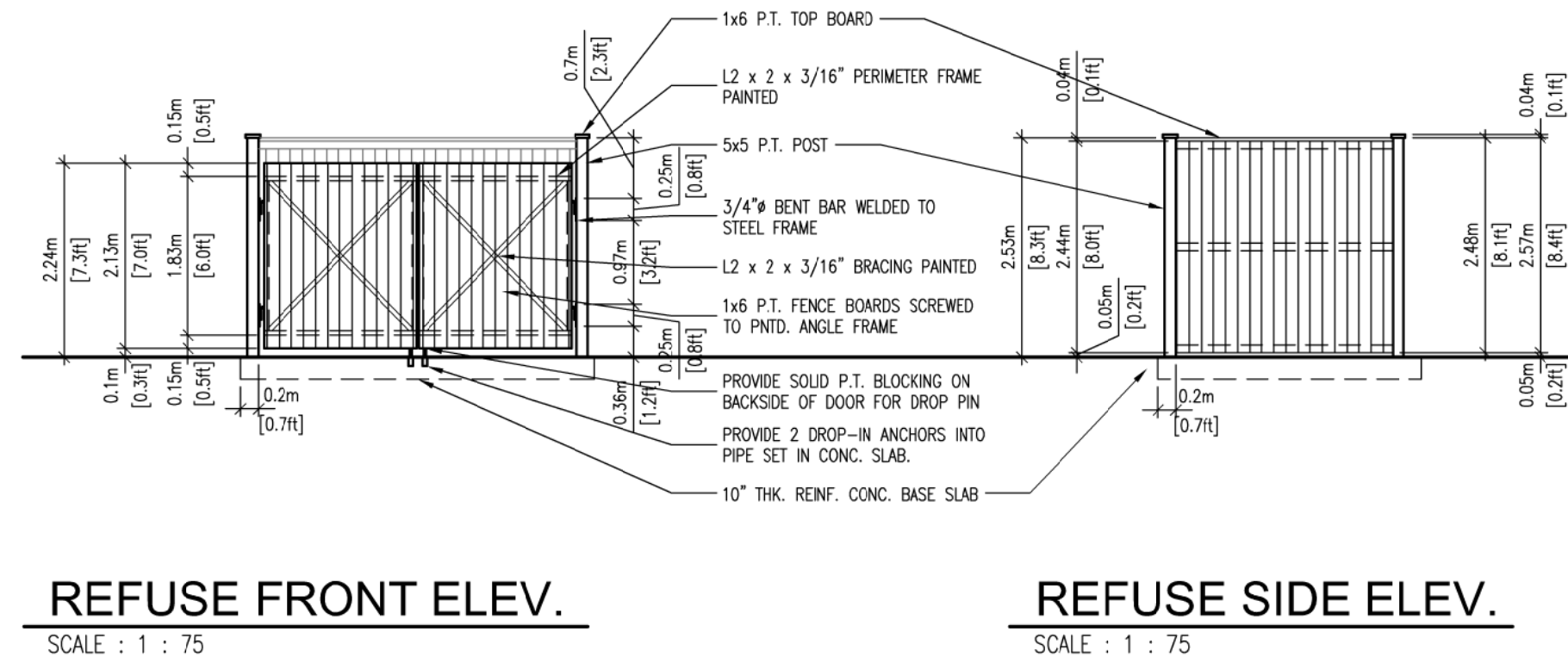
Name	Title
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	City Planner
Aaron Farough	Senior Legal Counsel
John Revell acting for Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
Zeyad Rafih Rafoo Property Trust Ltd		
ADA Architect Inc. c/o Olivia Byrne		
Councillor Fred Francis		
Property owners within 200 m of the subject parcel		

Appendices:

- 1 Appendix A - Conceptual Architectural Package
- 2 Appendix B - Circulation Comments



ITEM	SITE DATA MATRIX			OBC REFERENCE
1	PROJECT DESCRIPTION NEW RESIDENTIAL DEVELOPMENT 0 HOWARD AVENUE			<input type="checkbox"/> PART 3 <input checked="" type="checkbox"/> PART 9 <input type="checkbox"/> PART 11
2	ZONING DESIGNATION:	RESIDENTIAL DISTRICT – SPECIFIC ZONING TBD		
3	EXISTING LAND USE:	VACANT		
4	MAJOR OCCUPANCY(S):	GROUP C – MULTI RESIDENTIAL		
5	BUILDING CLASSIFICATION:	3.2.2.47 – GROUP C		
6	SITE AREA	BUILDING AREA	GROSS AREA	
	EXISTING: 2,706.76 m ²	EXISTING: 0.0 m ²	EXISTING:	0.0 m ²
	PROPOSED: 0.0 m ²	PROPOSED: 0.0 m ²	PROPOSED:	0.0 m ²
	TOTAL: 2,706.76 m ²	TOTAL: 1667.7 m ²	TOTAL:	+2,003.1m ²
7	LOT COVERAGE	MINIMUM LOT WIDTH	BUILDING HEIGHT	
	MAXIMUM: N/A %	REQUIRED: N/A m	MAXIMUM:	N/A m
	PROVIDED: 24.8 %	PROVIDED: X.X m	PROVIDED:	±7.8 m
	MINIMUM FRONT YARD DEPTH	MINIMUM REAR YARD DEPTH	MINIMUM SIDE YARD DEPTH	
8	REQUIRED: X.X m	REQUIRED: X.X m	REQUIRED:	X.X m
	PROVIDED: X.X m	PROVIDED: X.X m	PROVIDED:	X.X m
	PARKING			
	USE CLASSIFICATION:			
9	VEHICLES SPACES (2.5m x 5.5m)	BICYCLE SPACES (0.6m x 2.5m)	LOADING SPACES (3.0m x 7.5m)	
	EXISTING: – SPACES	EXISTING: – SPACES	EXISTING:	– SPACES
	PROPOSED: 22 SPACES	PROPOSED: 3 SPACES	PROPOSED:	1 SPACES
	REQUIRED: 22 SPACES	REQUIRED: 3 SPACES	REQUIRED:	1 SPACES
	TOTAL: 22 SPACES (INCLUDING ACCESSIBLE)	TOTAL: 3 SPACES	TOTAL:	1 SPACES
	ACCESSIBLE TYPE A 3.5m (3.5m x 5.5m)	ACCESSIBLE TYPE B (2.5m x 5.5m)		
	EXISTING: – SPACES	EXISTING: – SPACES		
	PROPOSED: 1 SPACES	PROPOSED: 1 SPACES		
	REQUIRED: 1 SPACES	REQUIRED: 0 SPACES		
	TOTAL: 1 SPACES	TOTAL: 1 SPACES		
	LANDSCAPED AREA	CURBING LENGTH	SCREENING FENCE LENGTH	
10	EXISTING: – m ²	EXISTING: – m	EXISTING:	0.0 m
	PROPOSED: 1,225.21 m ²	PROPOSED: 177.7 m	PROPOSED:	0.0 m
	REQUIRED: N/A %	TOTAL: 177.7 m	TOTAL:	0.0 m
	TOTAL: 1,225.21 m ²			

2024/09/12 | ZBA

2024/05/03 | PC2 SUBMISSION

date (yyyy/mm/dd): issued for:

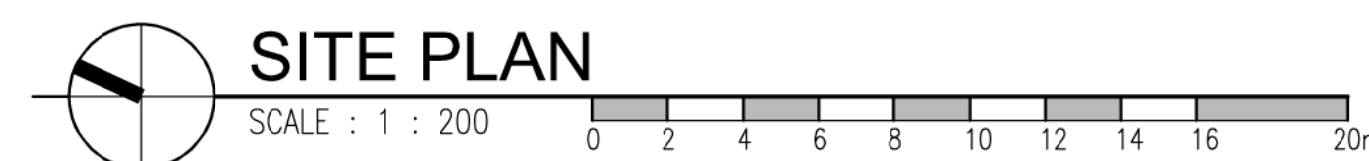
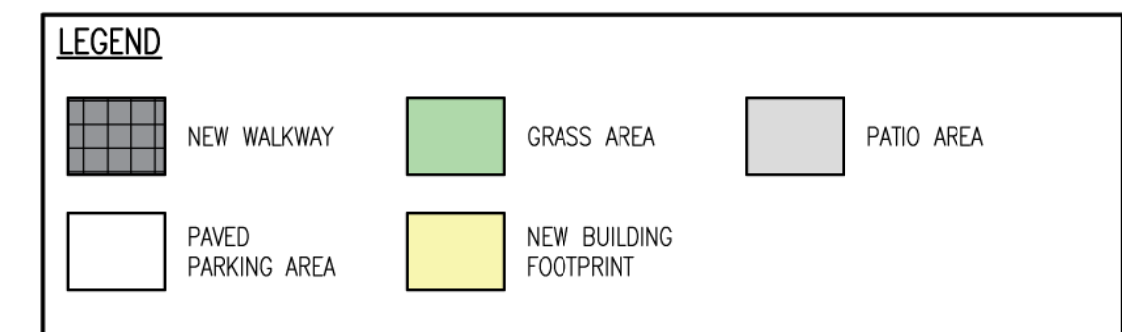
general notes:

general notes:

1. THIS PRINT IS AN INSTRUMENT OF SERVICE ONLY AND IS THE PROPERTY OF THE ARCHITECT.
2. DRAWINGS SHALL NOT BE SCALED.
3. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE MUST BE NOTIFIED OF ANY VARIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS.

4. ATTENTION IS DIRECTED TO PROVISIONS IN THE GENERAL CONDITIONS REGARDING CONTRACTOR'S RESPONSIBILITIES IN REGARD TO SUBMISSION OF SHOP DRAWINGS.
5. IN THE EVENT THE ARCHITECT IS RETAINED TO REVIEW SHOP DRAWINGS, SUCH REVIEW IS ONLY TO CHECK FOR CONFORMANCE WITH DESIGN CONCEPT AND WITH THE INFORMATION GIVEN IN THE CONTRACT DOCUMENTS.
6. CONTRACTORS SHALL PROMPTLY NOTIFY THE ARCHITECT IN WRITING OF THE EXISTENCE OF ANY OBSERVED VARIATIONS BETWEEN THE CONTRACT DOCUMENTS AND ANY APPLICABLE CODES OR BY-LAWS.
7. THE ARCHITECT IS NOT RESPONSIBLE FOR THE CONTRACTOR'S MEANS, METHODS AND OR TECHNIQUES IN THE CONSTRUCTION OF THIS FACILITY.

stamp:



project:

0 HOWARD AVE
NEW MULTI-RESIDENTIAL
DEVELOPMENT

client:

RAFCO PROPERTY TRUST
LTD.

title:

SITE PLAN ZONING MATRIX

scale: AS SHOWN

drawn by: OB

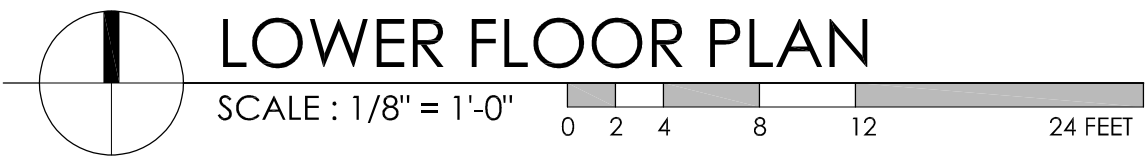
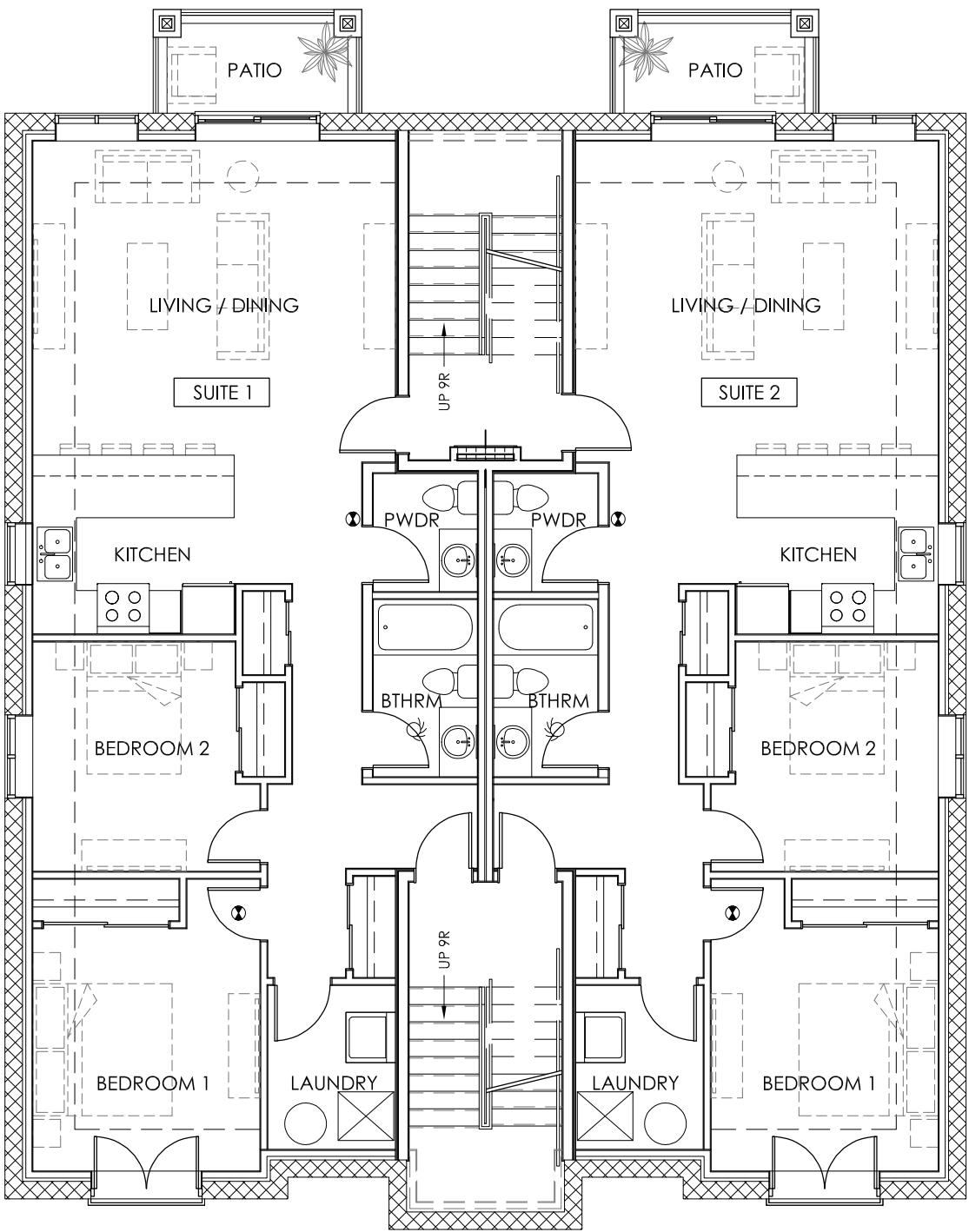
checked by: **JBK**

date: MAY 2024

comm. no.: 2021-057

sheet no.:

SPC-1.0



LOWER FLOOR PLAN



1670 Mercer Street
Windsor Ontario Canada N8X 3P7
519.254.3430
info@ada-architect.ca
ada-architect.ca

project:
PROPOSED MULTI-RESIDENTIAL DEVELOPMENT
0 HOWARD AVENUE

client:
RAFCO PROPERTY TRUST LTD.

title:
LOWER FLOOR PLAN

drawn by: OB

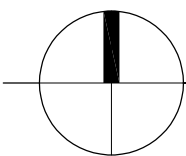
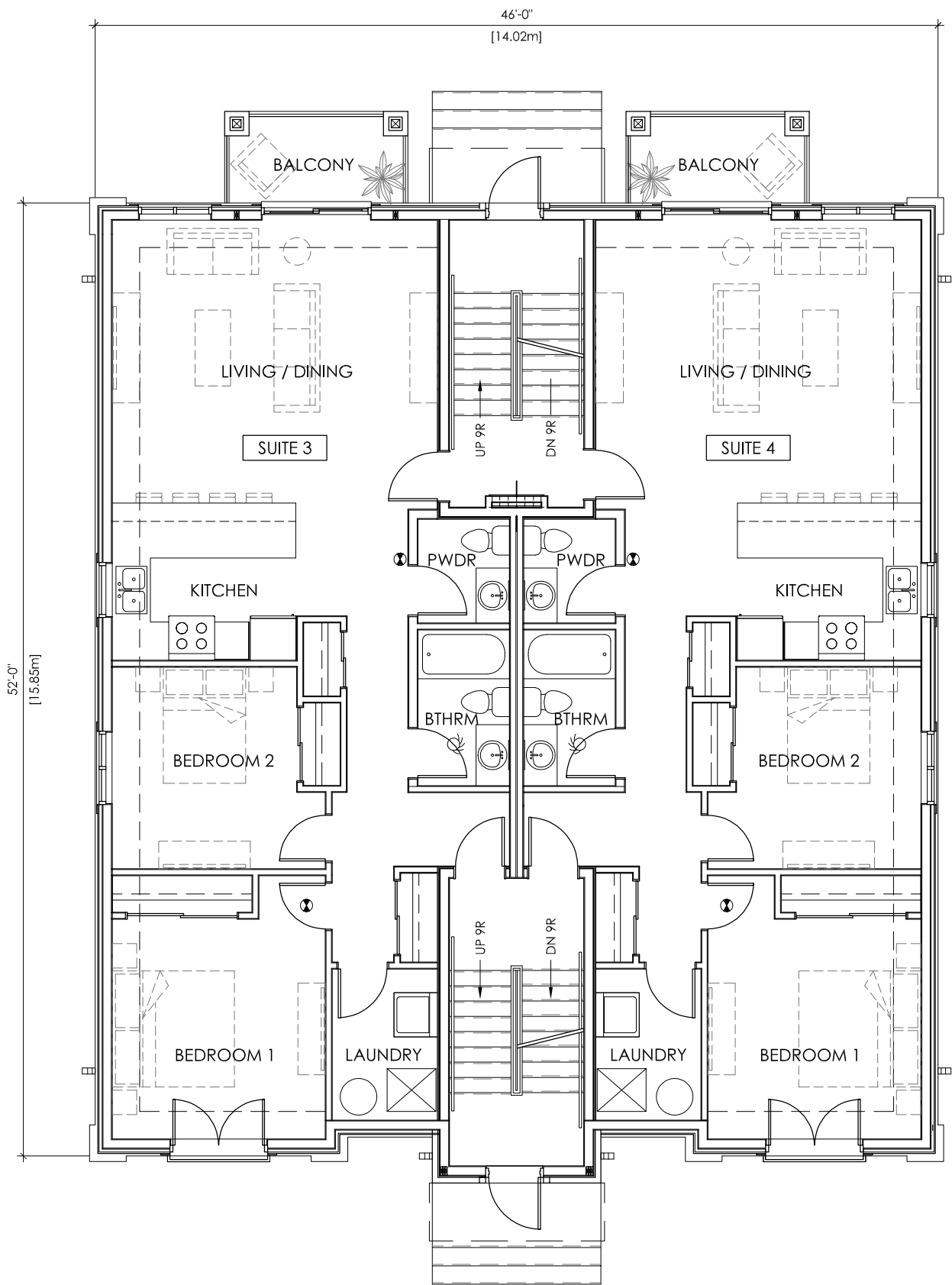
checked by: JBK

date: APR 2024

comm. no.: 2021-057

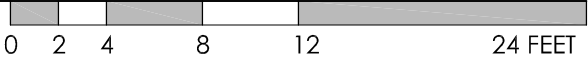
dwg. no.:

SK-1



FIRST FLOOR PLAN

SCALE : 1/8" = 1'-0"

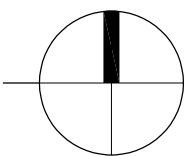
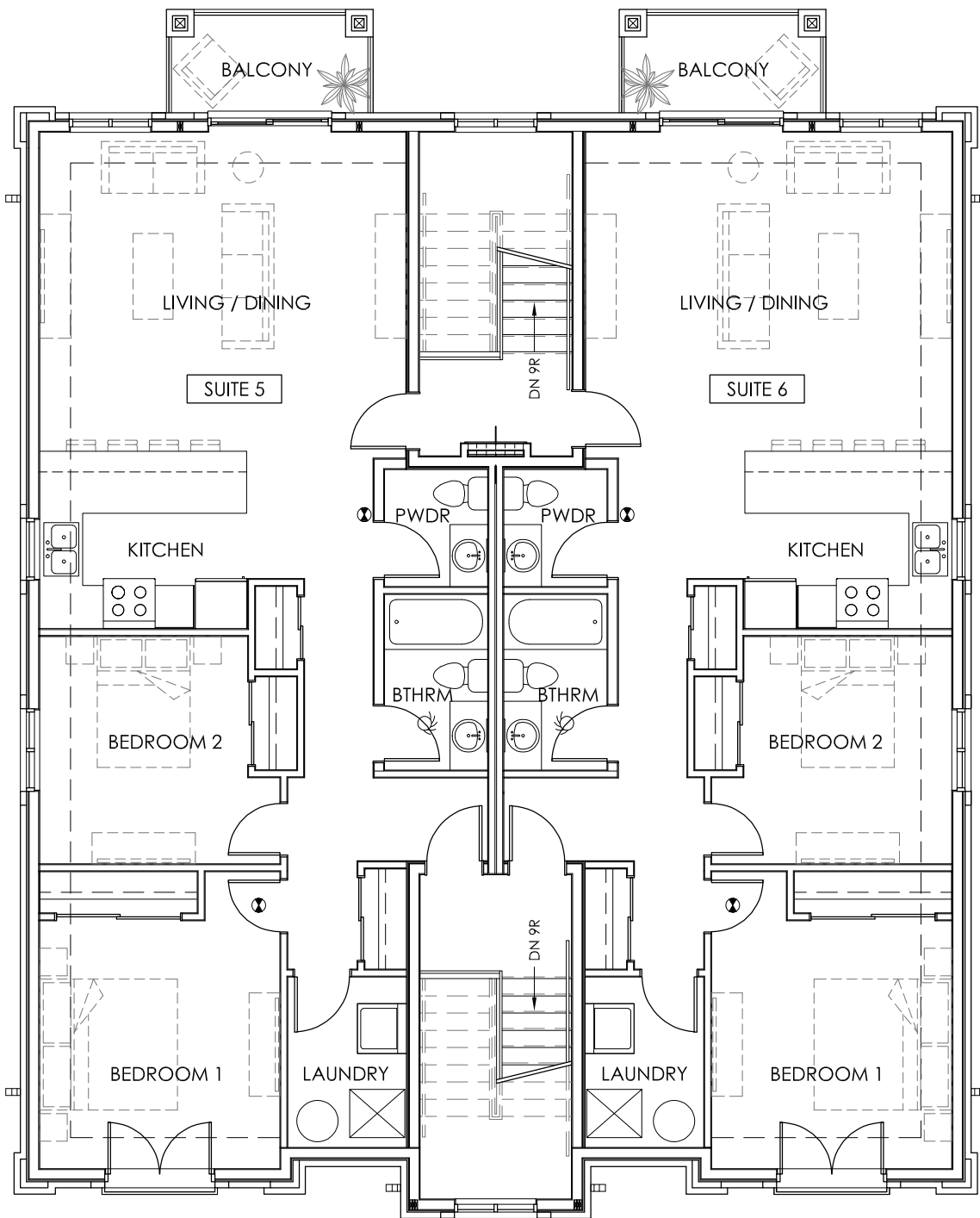


1670 Mercer Street
Windsor Ontario Canada N8X 3P7
519.254.3430
info@ada-architect.ca
ada-architect.ca

project:
PROPOSED MULTI-RESIDENTIAL DEVELOPMENT
0 HOWARD AVENUE
client:
RAFCO PROPERTY TRUST LTD.

title:
FIRST FLOOR PLAN
drawn by: OB
checked by: JBK

date: APR 2024
comm. no.: 2021-057
dwg. no.: SK-2



SECOND FLOOR PLAN

SCALE : 1/8" = 1'-0" 0 2 4 8 12 24 FEET



1670 Mercer Street
Windsor Ontario Canada N8X 3P7
519.254.3430
info@ada-architect.ca
ada-architect.ca

project:
PROPOSED MULTI-RESIDENTIAL DEVELOPMENT
0 HOWARD AVENUE

client:
RAFCO PROPERTY TRUST LTD.

title:
SECOND FLOOR PLAN

drawn by: OB

checked by: JBK

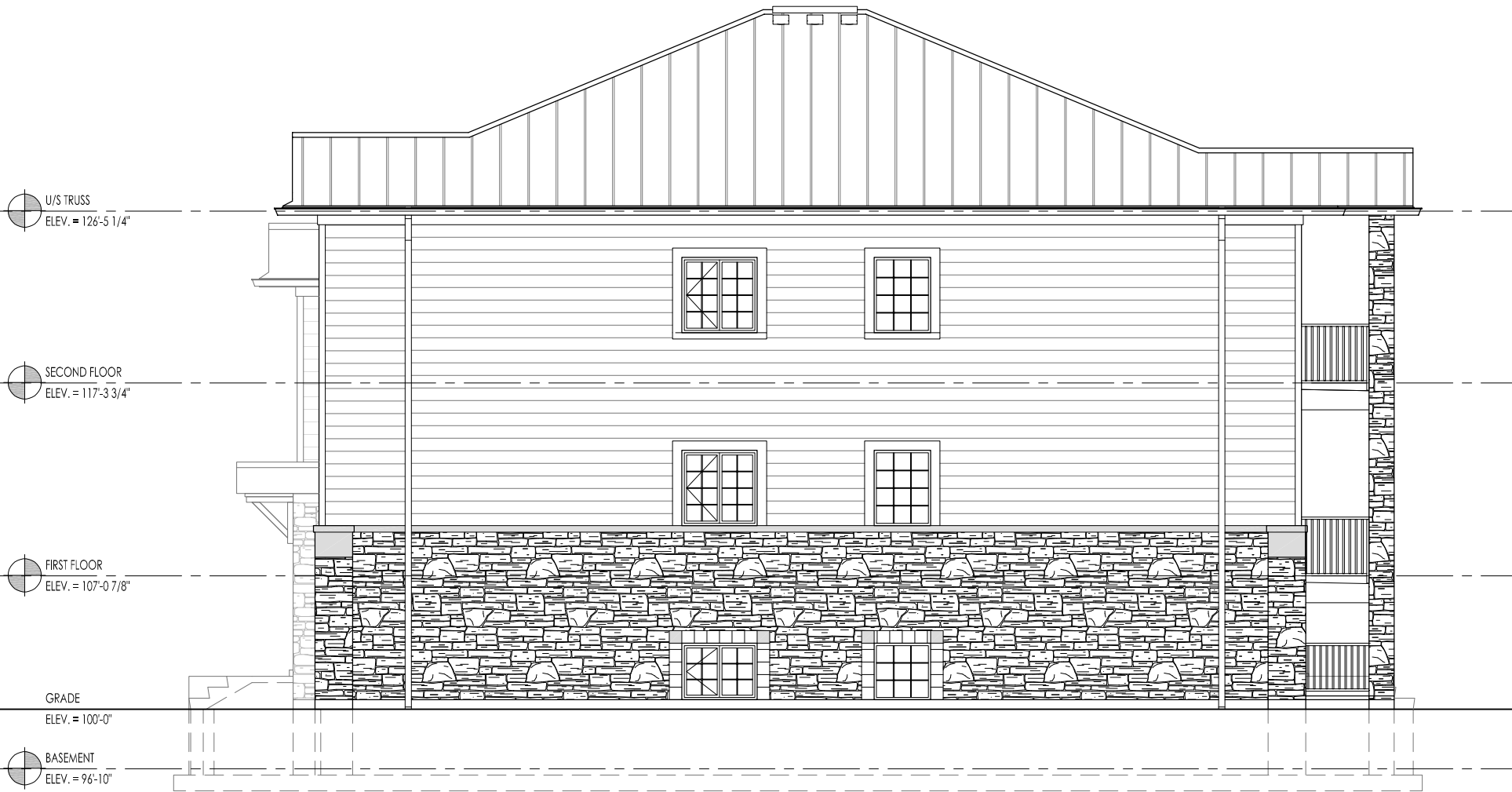
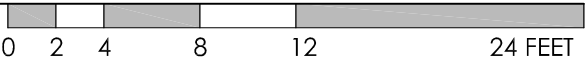
date: APR 2024
comm. no.: 2021-057

dwg. no.: SK-3



FRONT ELEVATION

SCALE : 1/8" = 1'-0"



SIDE ELEVATION

SCALE : 1/8" = 1'-0"



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project:
PROPOSED MULTI-RESIDENTIAL DEVELOPMENT
0 HOWARD AVENUE

client:
RAFCO PROPERTY TRUST LTD.

title:
FRONT ELEVATION
SIDE ELEVATION

drawn by: OB

checked by: JBK

date: APR 2024

comm. no.: 2021-057

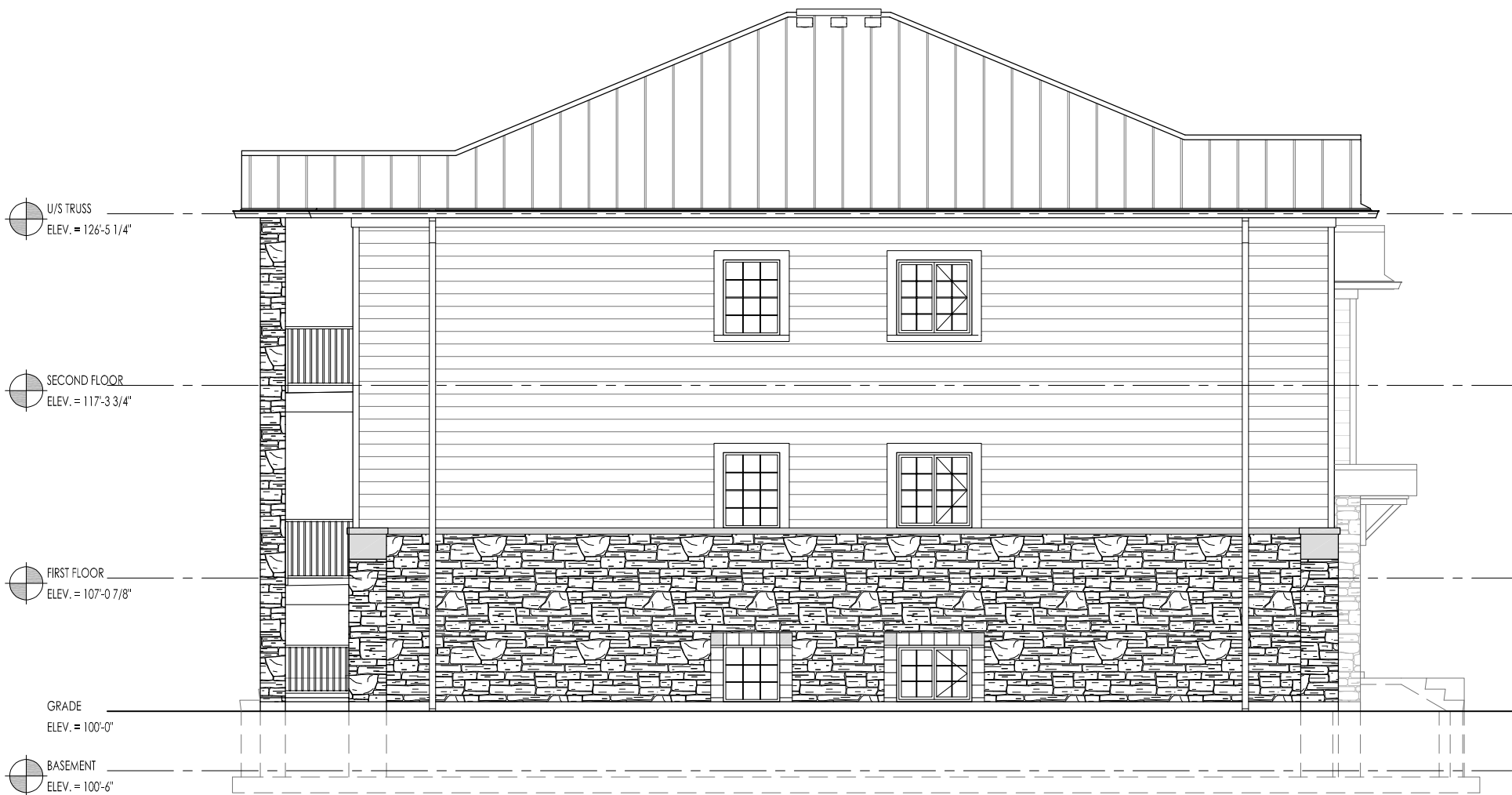
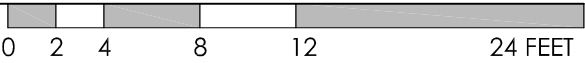
dwg. no.:

SK-4



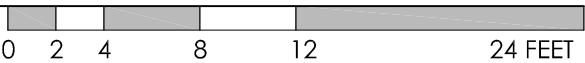
REAR ELEVATION

SCALE : 1/8" = 1'-0"



SIDE ELEVATION

SCALE : 1/8" = 1'-0"



1670 Mercer Street
Windsor Ontario Canada N8X 3P7
519.254.3430
info@ada-architect.ca
ada-architect.ca

project:
PROPOSED MULTI-RESIDENTIAL DEVELOPMENT
0 HOWARD AVENUE

client:
RAFCO PROPERTY TRUST LTD.

title:
REAR ELEVATION
SIDE ELEVATION

drawn by: OB

checked by: JBK

date: APR 2024

comm. no.: 2021-057

dwg. no.:

SK-5

APPENDIX B – CONSULTATION

BELL CANADA

The information that municipalities provide to Bell Canada is instrumental to the provisioning of telecommunications infrastructure and we appreciate the opportunity to be proactively engaged in development applications and infrastructure and policy initiatives.

Bell Canada will provide a response should any comments / input be required on the information included in the circulation received. Bell Canada kindly requests that even if a specific comment is not provided at this time that you continue to circulate us at circulations@wsp.com on any future materials related to this development project or infrastructure / policy initiative so that we can continue to monitor its progress and are informed of future opportunities for engagement.

1) Bell Canada Responses to Pre-Consultation & Complete Development Application Circulations:

Pre-consultation Circulations - Bell Canada does NOT generally comment on pre-consultation circulations unless the information provided identifies that a future draft plan of subdivision, draft plan of condominium and/or site plan control application will be required to advance the development proposal.

Complete Application Circulations & Recirculations - Bell Canada does NOT generally comment on the following development applications - official plan and zoning by-law amendments, part lot control, temporary use and interim control by-laws. However, Bell Canada does generally comment on site plan approval, draft plans of subdivision and draft plan of condominium applications.

Bell Canada will generally comment on recirculations where the change modifies the proposed residential dwelling unit count and/or non-residential gross floor area in a draft plan of subdivision, draft plan of condominium and/or site plan control application.

2) Bell Canada Responses to Infrastructure and Policy Initiative Circulations:

If required, a follow-up email will be provided by Bell Canada to outline any input to be considered on the infrastructure / policy initiative circulation received at this time.

Concluding Remarks: If you have any other specific questions, please contact planninganddevelopment@bell.ca directly.

We note that WSP operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. **However, all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP.** WSP is not responsible for the provision of comments or other responses.

CANADA POST – BRUNO DESANDO

This development falls within our centralized mail policy. 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 to assess

APPENDIX B – CONSULTATION

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 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.

APPENDIX B – CONSULTATION

CITY OF WINDSOR – DEVELOPMENT ENGINEERING – JUAN PARAMO

Sewers: The site may be serviced by a 250mm sanitary sewer and a 750mm storm sewer located within the Howard Place 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 and Storm Sewer Study, dated October 2023 by Aleo Associates Inc., has been received and reviewed. The applicant's consultant has confirmed that the existing 250mm PVC sanitary sewer on Howard Place will effectively accommodate the site's sewer servicing needs. The study demonstrates that the municipal sanitary sewer has adequate capacity, and no adverse impacts are expected on the surrounding areas because of the proposed development. The Sanitary Sewer Study has been deemed acceptable, and the proposed sanitary servicing strategy is supported by Engineering Development.

The applicant will be required to submit, prior to the issuance of building permits, a stormwater management plan in accordance with Windsor Essex Region Stormwater Management Standards Manual, restricting stormwater runoff to pre development levels. This will include, at a minimum:

- Submission of stormwater management review fee,
- Stormwater management report stamped by a professional engineer
- Site servicing drawings stamped by a professional engineer
- Stormwater management check list (see link below)

Please visit the [City of Windsor website](#) and the [ERCA website](#) for additional information on stormwater management requirements.

Right of Way: Howard Avenue is classified as Class II Arterial Road and Tucson Way as a Local Road according to the Official Plan. Both Right-of-ways have sufficient right-of-way width as outlined in the approved Howard Avenue Environmental Study Report. Howard Place is also classified as a Local Road and meets the right-of-way width requirements outlined in the City of Windsor Official Plan.

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

Curbs and Gutters - The Owner agrees to pay the Corporation, at the discretion of the City Engineer, a contribution of \$60.00 per linear metre. This payment shall be made prior to the issuance of Building Permits and represents the Owner's contribution toward the future construction of concrete curb and gutter along the Howard Place frontage of the subject property.

Sidewalks - The Owner agrees to:

1. Construct at their expense and according to City of Windsor Standard Specifications, a concrete sidewalk along the entire Tucson Way frontage of the subject lands. All work to be to the satisfaction of the City Engineer.
2. Pay to the Corporation a contribution of \$115.00 per linear metre. This payment shall be made prior to the issuance of Building Permits and represents the Owner's contribution

APPENDIX B – CONSULTATION

toward the future construction of concrete sidewalks along the Howard Place frontage of the subject property.

If you have any further questions or concerns, please contact Juan Paramo, of this department at jparamo@citywindsor.ca

CITY OF WINDSOR – FORESTRY – YEMI ADEYEYE

There are over 25 city owned trees on this property along Tuson Way and Howard Place. Also there private trees located on this property.

The owner/developer is requested to provide a detailed tree inventory for all live trees over 10cm DBH on the lot, both city and privately owned. The inventory should identify ownership and provide sub-meter accuracy GPS location, species, diameter (DBH) and condition for each tree. For trees in proximity to a roadway, less than 10m, GPS location should be taken on the nearest road-side of the tree. Indication should be made for each tree if it is to be preserved & protected or removed during development. A qualified, Arborist, Urban Forester or Landscape Architect should conduct the tree survey.

Forestry will require detailed site plans prior to construction that shows adequate Tree Root protection zones for each individual tree if they are to be preserved on-site through the development process. Details regarding the protection area required and type of fencing for Tree Root protection zones can be provided by Forestry. If the trees are NOT to be preserved through the development process, and a request is made that specific trees be removed, the Removal & Canopy Replacement cost will be calculated based on a Diameter-for-Diameter replacement ratio for both City and Private trees.

Forestry requests the opportunity to review landscaping plans to provide comment and suggestion that would maximize future on-site Tree Canopy and Tree Canopy Resilience. Please let us know if you have any further questions regarding Tree Protection and Replacement issues. Forestry will continue to monitor the progress of this construction work.

CITY OF WINDSOR – NATURAL AREAS – KAREN ALEXANDER

The parcel is within Source Water Protection Zone 3, ERCA Permit may be required. No harming active bird nests (Migratory Bird Act).

CITY OF WINDSOR – PLANNING & DEVELOPMENT SERVICES – LANDSCAPE & URBAN DESIGN – HODA KAMELI

No additional comments. The following comment to be addressed as part of the Site Plan Control application.

- Tree Inventory & Preservation Study (SPC) – This document was not submitted with the Stage 2 Planning Consultation application. The study must be prepared by a certified Arborist (ISA) or Forester (OFA) to help assess the loss to the urban canopy be submitted with a Site Plan Control application. The study will be used to assess the tree and/or compensation requirements as per consultation with the City Forester.
- Establish a pedestrian connection to the municipal sidewalk on Howard Ave.

APPENDIX B – CONSULTATION

CITY OF WINDSOR – PLANNING & DEVELOPMENT SERVICES – 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 Stage 1 may be made following completion of the requisite Development and Heritage Standing Committee meeting at <https://ca.cloudpermit.com/login>.

CITY OF WINDSOR – PLANNING & DEVELOPMENT SERVICES – ZONING COORDINATOR – STEFAN PAVLICA

Current Zoning Designation: Commercial District 1.1 (CD1.1)

Proposed Zoning Designation: Residential District 3.3 (RD3.3) / TBD

Existing Use [Building Permit / Planning Act Applications]: Vacant lot

Proposed Use:

- Three (3) *Multiple Dwelling* buildings; with 6 *dwelling units* in each: Permitted

Section 5 – General Provisions: Complies

Section 12.3.5 – Multiple Dwelling:

- Minimum Lot Frontage [12.3.5.1]: Required - 45.0m
Provided - 104.5m along Howard Avenue
Provided - 103.9m along Howard Place
Provided - 52.9m along Tuson Way
- Minimum Lot Area [12.3.5.2]: Required – 1,825.0m² Provided – 2,760.8 m²
 - i) For a corner lot having a minimum lot frontage of 45.0m on each of the exterior lot lines: Required - 1,825.0m² Provided - 2,760.8m²
 - ii) For any other lot: Required - 1,825.0m² Provided - 2,760.8m²
- Maximum Lot Coverage [12.3.5.3]: Required - 35.0% Provided - 24.2%
- Maximum Main Building Height [12.3.5.4]:
 - i) Corner Lot: Required - 30.0m Provided - 9.7m
 - ii) Interior Lot: Required - 24.0m Provided - 9.7m
- Minimum Landscaped Open Space Yard [12.3.5.8]:
Required - 35.0% Provided - 46.6%
- Maximum Dwelling Unit Density – dwelling units per hectare [12.3.5.13]:
 - i) For a corner lot having a minimum lot frontage of 45.0m on each of the exterior lot lines: Required – 60 Provided - 18
 - ii) For any other lot: Required – 48 Provided - 18

APPENDIX B – CONSULTATION

Section 24 – Parking, Loading, and Stacking Provisions:

- Required Number of Visitor Parking Spaces [24.22.1.1]: Required – 3; **Provided - 0**

Section 25 – Parking Area Regulations - Construction and Maintenance of Parking Area:

- [25.5.20.1.2] Parking Area Separation from a street:
Required - 3.0m **Provided - 1.54m – Does not comply**
- [25.5.20.1.6] 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:
Required - 4.50m **Provided - 2.65m – Does not comply**

CITY OF WINDSOR – RIGHT OF WAY – MARK SCHAFFHAUSER

Required Drawing Revisions:

Sewer Connections – All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains.

- Modify drawings to include all sewer connections and water services.
- Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.

Special Provisions (to be included in Site Plan Control Agreement)

The following special provisions will be required prior to submitting a building permit application:

Site Plan Control Agreement – The applicant enter into an agreement with the City of Windsor for all requirements under the General Provisions of the Site Plan Control Agreement for the Engineering Department.

Sidewalks - The Owner agrees to:

1. Construct at their expense and according to City of Windsor Standard Specifications, a concrete sidewalk along the entire Tuson Way frontage of the subject lands. All work to be to the satisfaction of the City Engineer; or
2. Pay to the Corporation a contribution of \$115.00 per linear metre. This payment shall be made prior to the issuance of Building Permits and represents the Owner's contribution toward the future construction of concrete sidewalks along the Howard Place frontage of the subject property.

If you have any questions, contact Dan Perissinotti at dperisisnotti@citywindsor.ca

CITY OF WINDSOR – TRANSIT WINDSOR – JASON SCOTT

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Dougall 6. The Dougall 6 has an existing weekday peak frequency of 40 minutes. The closest existing bus stop to this property is located on Howard at North Talbot Southeast Corner. This bus stop is approximately 150 metres away from this property

APPENDIX B – CONSULTATION

falling within Transit Windsor's 400 metre walking distance guidelines to a bus stop. This will be maintained with Transit Windsor's City Council approved Transit Master Plan.

CITY OF WINDSOR – TRANSPORTATION PLANNING – ELARA MEHRILLOU

A land conveyance as identified under Plate 5 of the Howard Ave (Grand Marais to Highway 3) Environmental Assessment is required.

Per the approved Howard Ave (Grand Marais to Hwy 3) Environmental Assessment sidewalk on both sides of Tuscon Way is required. Sidewalk contribution per Engineering Right-of-Way requirements is required along the property fronting on Tuson Way.

All parking must comply with ZBL 8600. 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).

ENBRIDGE – SANDRO AVERSA

After reviewing the provided drawing, 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. Note the following if you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live
- If during any job if 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.



APPENDIX B – CONSULTATION

ENWIN – HYDRO ENGINEERING – Tia McCloskey

No Objection to rezoning. Note the following distribution and services at 0 Howard:

- Overhead 27.6kV Primary distribution pole line and associated down guy wires/ anchors, adjacent to the East limit of the above noted property.
- Overhead 120V streetlight duplex, adjacent to the East limit of the above noted property.
- Overhead 120/240V secondary triplex distribution, adjacent to the East limit of the above noted property.
- Underground 120V streetlight duplex, adjacent to the North and West limit of the above noted property.
- Overhead 120/240V triplex servicing multiple properties across the street to the East of the above noted property.
- Overhead 600/347V secondary quadruplex distribution, adjacent to the South limit of the above noted property and serving the above noted address.
- Overhead 600/347V transformer, adjacent to the South limit of the above noted property.

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.

ENWIN – WATER ENGINEERING – Bruce Ogg

ENWIN Water has no objections.



Council Report: S 170/2024

Subject: Zoning By-Law Amendment – Z036-24 (ZNG/7248) - Andi Shallvari – 552 Florence Avenue, Ward 7

Reference:

Date to Council: January 6, 2025
Author: Author: Diana Radulescu
Planner II – Development Review
T. (519) 255-6543 x 6918
E. dradulescu@citywindsor.ca
Planning & Building Services
Report Date: December 3, 2024
Clerk's File #: Z/14891

To: Mayor and Members of City Council

Recommendation:

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of PART LOTS 36 AND 37 PLAN 1094 RIVERSIDE, PART 1, 12R29488 and PART BLOCK B PLAN 1094 (PART ALLEY CLOSED BY R421154), PART 2, 12R29488 situated on the east side of Florence Avenue between Riverside Drive East and Wyandotte Street E, known municipally as 552 Florence Avenue, by adding a site-specific exception to Section 20(1) as follows:

522. EAST SIDE OF FLORENCE AVENUE, NORTH OF WYANDOTTE ST E

For the lands comprising of PART LOTS 36 AND 37 PLAN 1094 RIVERSIDE, PART 1, 12R29488 and PART BLOCK B PLAN 1094 (PART ALLEY CLOSED BY R421154), PART 2, 12R29488; one *Semi-detached Dwelling* is an additional permitted *main use*.

(ZDM 14)

Executive Summary:

N/A

Background:

Application Information

Municipal Address: 552 Florence Avenue

Ward: 7 **Planning District:** East Riverside **Zoning District Map:** 14

Applicant/Agent: Tracey Pillon-Abbs (Pillon-Abbs Inc.)

Owner: Andi Shallvari

Submitted Materials: Attached to Report S 170/2024 as an Appendix:

Appendix A - Conceptual Site Plan
Appendix B - Conceptual Elevations
Appendix C - Conceptual Floor Plans
Appendix D - Planning Rationale Report
Appendix E – Site Photos
Appendix F – Consultation Comments

Proposal:

The applicant is requesting a rezoning to permit one new (two-storey) semi-detached dwelling as an additional permitted use within the current RD1.2 zone. Two parking spaces are proposed from Florence Avenue. No other relief from provisions of ZBL 8600 is requested. The applicant intends to sever in the future. The subject land is currently vacant.

The development as proposed is not subject to Site Plan Control. All plans, elevations and renderings are conceptual and subject to change.

Site Information

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Residential	Residential District 1.2 (RD1.2)	Vacant land	Vacant land
LOT FRONTAGE	LOT DEPTH	LOT AREA	LOT SHAPE
15.2 m	54.3 m	799.7 m ²	Rectangular
<i>All measurements are provided by the applicant and are approximate.</i>			

Figure 1: Key Map



KEY MAP - Z-036/24, ZNG/7248

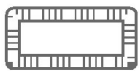


● SUBJECT LANDS

Figure 2: Neighbourhood Map



NEIGHBOURHOOD MAP - Z-036/24, ZNG/7248



SUBJECT LANDS

Neighbourhood:

Site images are provided in Appendix E.

The subject parcel is located within a primarily low profile residential neighbourhood, with a few neighbourhood commercial uses. There are swaths of vacant lands and parkland located to the north, southwest and further southeast.

To the north is Riverside Drive West and the Detroit River. The Calvary Baptist Church is located immediately to the north of the subject parcel.

There are several parks and recreational opportunities nearby including the Ganatchio trail system 290 m to the west, Sandpoint Beach and Ganatchio Park 360 m to the north, East End Park 310 m to the east and the Riverside Sportsmen Club 380 m to the east. The Little River Corridor is further southwest.

The nearest library is the Windsor Public Library's Riverside Branch 3.0 km to the west.

The Via Rail corridor is located approximately 2.1 km to the south.

Florence Avenue is classified as a Class II Collector per *Schedule F: Roads and Bikeways* and has two travel lanes with curbs on both sides and sidewalks on the west side with on-street parking.

Active transportation infrastructure in the form of bikes lanes is available on both sides of Wyandotte Street East. [The City of Windsor Active Transportation Master Plan](#) identifies Florence Avenue as low priority on the "Sidewalk Improvements Required" map and Riverside Drive East as low priority on the "Proposed Bicycle Network" map.

Public transit is available via the Lauzon 10 route along Wyandotte Street East. This route has a peak weekday frequency of 35 minutes. The closest existing bus stop to this property is located at the northwest corner of Florence Avenue and Wyandotte Street East. This bus stop is approximately 180 metres from this property falling within Transit Windsor's walking distance guidelines of 400 metres to a bus stop. Transit Windsor's City Council-approved 2023 Service Plan has a new local route replacing the Lauzon 10 in this area that will travel along Florence Avenue. This will provide enhanced service through two-way conventional transit service in comparison to the existing one way loop. The bus stop on Wyandotte Street East will be relocated to the northeast corner at Florence Avenue, thereby reducing the walking distance to this property to approximately 130 metres. This new local route will have a peak weekday frequency of 25 minutes. This route is proposed to be implemented sometime in 2025. This is consistent with Transit Windsor's City Council-approved Transit Master Plan.

The site is serviced by a 250mm sanitary sewer and a 675mm storm sewer located within the Florence Avenue right-of-way.

Figure 3: Subject Parcel – Rezoning



PART OF ZONING DISTRICT MAP 14

N.T.S.

REQUESTED ZONING AMENDMENT

Applicant: Andi Shallvari



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : OCTOBER, 2024
FILE NO. : Z-036/24, ZNG/7248

Discussion:

Planning Rationale Report (Pillon Abbs Inc. – October 15, 2024)

The Planning Rationale Report (PRR), attached as Appendix D to Report S 170/2024, notes that *“a 2 storey semi-detached dwelling will maintain the same max height as a single detached dwelling, which makes it very compatible with the neighbourhood.”* and that *“the proposal represents a cost-effective development pattern that minimizes land consumption and servicing costs.”* The PRR further notes that *“the proposal represents good planning as it addresses the need for the development of a parcel of land, which contributes to affordability and intensification requirements.”*

The PRR concludes that *“that the proposed development is consistent with the PPS, conforms with the intent and purpose of the OP and ZBL and represents good planning.”* The Planning Department generally concurs with the PRR.

Provincial Planning Statement (2024)

The Provincial Planning 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.

Policy 2.1.6 states that *“complete communities”* shall be supported by *“accommodating an appropriate range and mix of land uses, housing options, ...and other uses to meet long-term needs”*, *“improving accessibility for people of all ages and abilities”*, and *“improving social equity and overall quality of life for people of all ages, abilities, and incomes”*.

The proposed semi-detached dwelling will provide a form of housing that is appropriate in terms of the range and mix of the surrounding neighbourhood context. It represents an appropriate housing option that will meet long-term needs, and improves accessibility, social equity & overall quality of people of all ages, abilities, & incomes. The proposed amendment is consistent with Policy 2.1.6 of the PPS.

Policy 2.2 requires that an *“appropriate range and mix of housing options and densities”* be provided by *“permitting and facilitating...all housing options required to meet the social, health, economic and well-being requirements of current and future residents...and all types of residential intensification ... development and introduction of new housing options within previously developed areas”*. Densities should promote the efficient use of land and infrastructure and support the use of active transportation.

Policy 2.3.1 provides general policies for settlement areas. Growth should be focused in the settlement area. Land use patterns should be based on the efficient use of land and resources, optimizing existing and planned infrastructure, support active transportation, and be transit supportive.

The proposed semi-detached dwelling represents a housing option that will meet the various requirements of current and future residents, is a type of residential intensification, and promotes the efficient use of land, resources, and infrastructure, and supports active transportation. Transit and active transportation are available and are planned to be enhanced in the future. The proposed amendment is consistent with Policy 2.2 and Policy 2.3.1.

Policy 2.9 requires that the impacts of a changing climate and reduction in greenhouse gas emissions shall be supported with compact, transit-supportive, and complete communities, consider stormwater management systems, and promote active transportation.

The proposed semi-detached dwelling is a residential infill and intensification project, thereby not requiring settlement area expansion. It is a compact development with access to existing and planned transit and active transportation and is located within an area that is serviced by municipal sewage and water services. The proposed amendment is consistent with Policy 2.9.

The proposed development of semi-detached dwelling represents an efficient development and land use pattern that will have no adverse impact on the financial well-being of the City of Windsor, land consumption and servicing costs, accommodates an appropriate range of residential uses, and optimizes existing investments in transit and infrastructure. There are no anticipated environmental or public health and safety concerns with the proposed use of land.

The agent indicates that the objectives of the PPS 2024 have been considered and have informed their professional planning opinion and concept design for the project site. These objectives are discussed in the Planning Rationale Report (Appendix D). Planning & Development Services generally concurs with this and is of the opinion that the proposed amendment to Zoning Bylaw 8600 is consistent with the PPS 2024.

City of Windsor Official Plan

The subject property is located within the East Riverside Planning District in *Schedule A – Planning Districts & Policy Areas* of Volume I, but outside the boundary of the East Riverside Planning Area as per Chapter 2, Volume II of the Official Plan.

The subject parcel has a Residential land use designation in *Schedule D – Land Use Plan*. Section 6.3.2.1 stipulates that low profile and medium profile dwelling units are permitted within the Residential land use designation. The proposed development of a semi-detached dwelling is classified as a Low Profile development under Section 6.2.1.2 (a) and is compatible and complementary with the surrounding land uses (Section 6.3.2.5 (c)). The development is of a scale that is compatible with the profile and uses of the surrounding neighbourhood. No deficiencies in municipal physical and emergency services have been identified (Section 6.3.2.5 (e)). The proposed rezoning conforms to the policies in Sections 6.3.2 of the Official Plan.

The Official Plan has policies that encourage redevelopment and intensification. 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 selective residential redevelopment, infill and intensification initiatives. The proposed low profile semi-detached dwelling represents a complementary and compact form of housing, redevelopment, and intensification that is located near active and public transportation. The proposed rezoning satisfies the objectives set out in Section 6.3.1 of the Official Plan.

The subject property is located within a Shoreline and Floodprone area in *Schedule C-1: Development Constraint Areas*. Section 5.4.7.2 of the Official Plan outlines that

development within such areas may be permitted as long as coordination occurs with the Essex Region Conservation Authority (ERCA) on ensuring adequate flood-proofing measures and setbacks are incorporated into the development. ERCA has reviewed the proposed development and has noted no objections. The Applicant will be required to obtain a permit from ERCA prior to any construction or site alteration, which will satisfy the policy direction in Section 5.4.7.2. Additionally, Windsor Fire and Rescue Services have confirmed that it is possible to safely mitigate an emergency at the subject property should such a need arise.

The proposed amendment to Zoning By-law 8600 will conform to the general policy direction of the Official Plan. Planning and Development Services generally concurs with the Official Plan analysis in Section 5.1.2 of the PRR submitted by the Applicant (Appendix D).

Zoning By-Law 8600

The subject land is zoned Residential District 1.2 (RD1.2) which only permits an existing semi-detached dwelling (along with other permitted main uses). The applicant is requesting a rezoning to permit one new semi-detached dwelling as an additional permitted use.

The Applicant's request for a change in zoning with site-specific provisions is supported in principle. Section 5.1.3 of the Planning Rationale Report (Appendix D) outlines that the proposed development complies with all other applicable zoning provisions. Planning and Development Services is of the opinion that there are no adverse impacts as a result of the proposed development.

Site Plan Control

The proposed semi-detached dwelling is not subject to Site Plan Control.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

The subject land is located within an existing neighbourhood on existing municipal services, therefore reducing the impacts of climate change by locating within the existing built-up area. In general, residential intensification minimizes the impact on community greenhouse gas emissions as these developments create complete communities and neighbourhoods while using available infrastructure such as sewers, sidewalks, and public transit.

Climate Change Adaptation:

The new building 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 proposed development of a low-profile semi-detached dwelling provides an

opportunity to increase resiliency for the development and surrounding area through supporting a complementary and compact form of housing, redevelopment, and intensification that is near existing and future transit and active transportation options.

Financial Matters:

N/A

Consultations:

A virtual Open House was held on August 27, 2024. Notification of this meeting was distributed to residents and property owners within 200m of the subject site. In addition to the Applicant, applicant representatives, Ward Councillor and City Staff, 1 resident attended the open house. Details of the Open House are summarized in Section 3.2 of the PRR (Appendix D).

Comments received from municipal departments and external agencies are attached as Appendix F. Statutory notice was advertised in the Windsor Star. A courtesy notice was mailed to property owners within 200m of the subject lands. Submitted documents were posted on the City of Windsor [website](#).

Conclusion:

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 Planning Statement 2024. Based on the supporting documents submitted by the Applicant and the analysis in this report, it is my opinion that the requested amendment to Zoning By-law 8600 is consistent with the PPS 2024 and is in conformity with the City of Windsor Official Plan.

The proposed amendment permits a semi-detached dwelling with two units which is compatible with existing uses in the surrounding neighbourhood. The proposed development represents an incremental increase in density and provides an opportunity for residential intensification, while also supporting a complementary form of housing located near multimodal transportation options.

The recommendation to amend Zoning By-law 8600 constitutes good planning. Staff recommend approval.

Planning Act Matters:

Diana Radulescu

Planner II – Development Review

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

Greg Atkinson, MCIP, RPP

Neil Robertson, MCIP, RPP

Deputy City Planner - Development

City Planner

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

JP JM

Approvals:

Name	Title
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	City Planner
Aaron Farough	Senior Legal Counsel
John Revell acting for Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
Andi Shallvari		
Pillon Abbs Inc. Attn: Tracey Pillon-Abbs		
Councillor Angelo Marignani (Ward 7)		
Property owners and tenants within 200 m of the subject lands		

Appendices:

Appendix A - Conceptual Site Plan
 Appendix B - Conceptual Elevations
 Appendix C - Conceptual Floor Plans
 Appendix D - Planning Rationale Report
 Appendix E – Site Photos
 Appendix F – Consultation Comments

552 Florence Ave.

Part of Lots 36 & 37 Florence Ave.,
Windsor, ON, N8P 1R7

ARCHITECTURAL SHEETS

A001 COVER SHEET
A100 FLOOR PLAN
A101 ELEVATIONS

ARCHITECTURAL LEGEND

Room name

101 ROOM NUMBER
101 DOOR NUMBER
12 WINDOW TYPE
W13 WALL TYPE

No SHEET No EXTERIOR BUILDING ELEVATION INDICATOR
No SHEET No INTERIOR BUILDING ELEVATION INDICATOR
No SHEET No MILLWORK ELEVATION INDICATOR
No SHEET No SECTION INDICATOR

STANDARD CURB & GUTTER

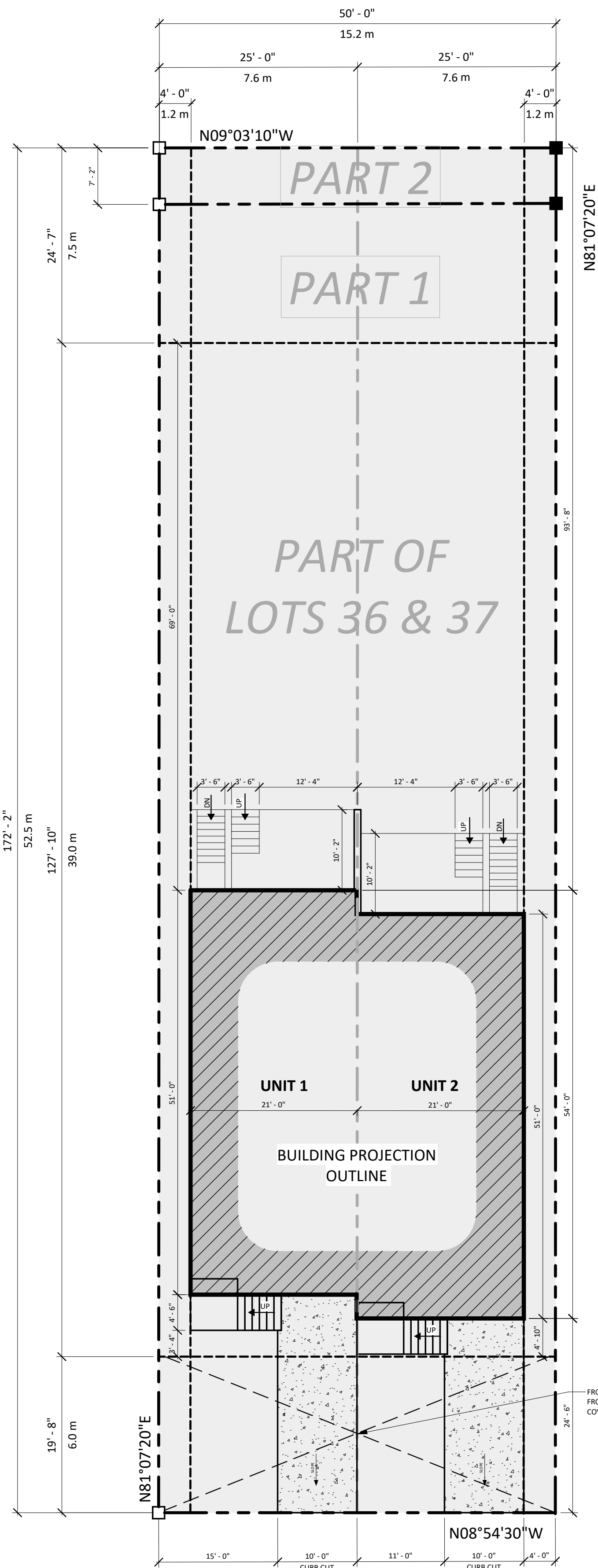
SUPERELEVATED CURB & GUTTER

GENERAL NOTES:

- FILLER MATERIAL SHALL BE 12-20mm THICK PIECE OF FULL DEPTH AND WIDTH OF JOINT MEETING OPSS 1308 (EXCLUDING CORK FILLER)
- MAXIMUM SPACING OF JOINTS:
3m ON CIRCULAR SECTION WITH RADIUS LESS THAN 9m; 4.9m ELSEWHERE.
- CONTRACTION JOINTS FOR ASPHALT SURFACES TO BE SPACED 5m AND COINCIDE WITH THE CONTRACTION JOINTS FOR CONCRETE PAVEMENTS.
- CROSS FALL OF GUTTER SHALL CONFORM TO PAVEMENT CROSS FALL AT CATCH BASIN.
- ALL WORK SHALL CONFORM TO CITY OF WINDSOR SPEC. S-5

CITY OF WINDSOR
ENGINEERING DEPARTMENT
STANDARD & SUPERELEVATED CURB & GUTTER FOR RESIDENTIAL ROADS
DYN BY: E.T., P.R. DATE: MARCH 2017
REVISION: FEBRUARY 2018 CHKD BY: M.C.
CHKD BY: M.C. PASSED BY: M.C.
CITY ENGINEER AS-208

Semi-Detached



FLORENCE AVE.

1 Site Plan
3/32" = 1'-0"

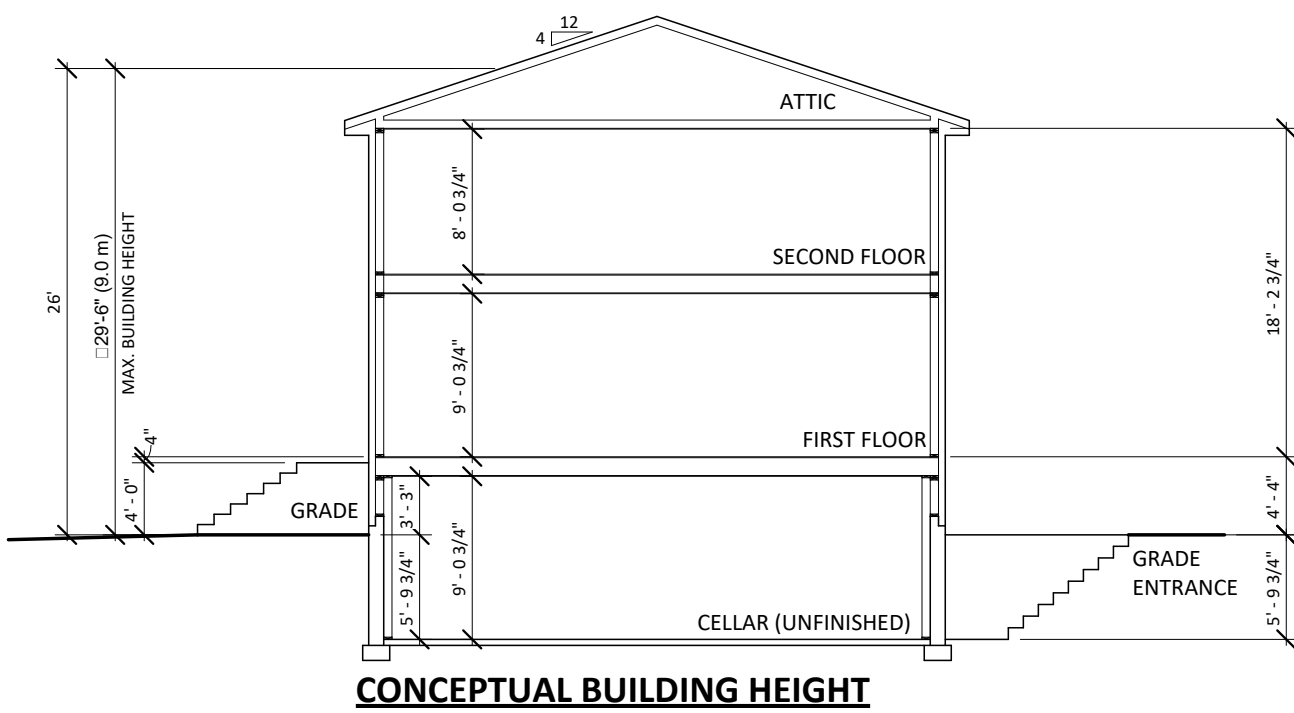
SITE PLAN DRAWING LEGEND

--- PROPERTY BOUNDARY LINE
--- BUILDING SETBACK LINE
X X CHAINLINK FENCE
W DOMESTIC WATER SERVICE
S STORM SERVICE
SAN SANITARY SERVICE

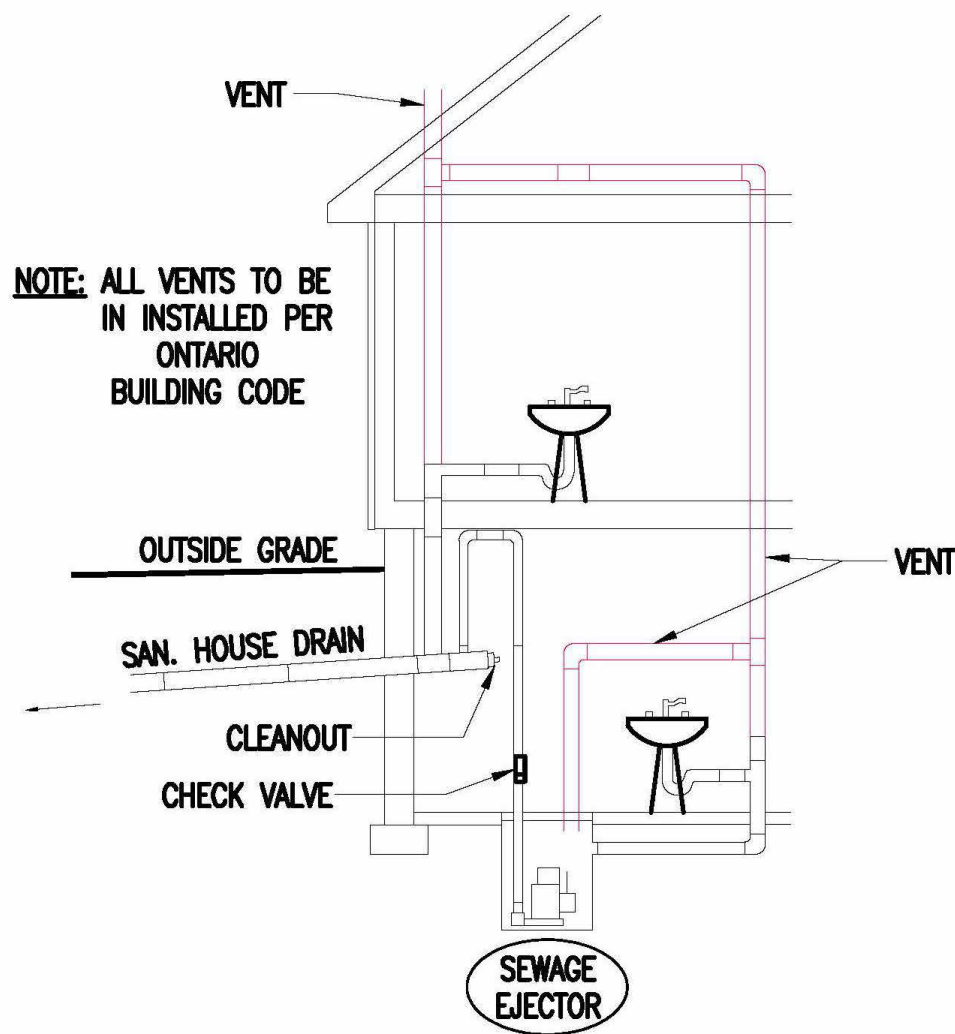
NEW CONCRETE
NEW ASPHALT
H.P. HYDRO POLE



CONCEPTUAL BUILDING MASSING
FINAL BUILDING FORM MAY DEVIATE SLIGHTLY



CONCEPTUAL BUILDING HEIGHT



NOTE: ALL VENTS TO BE
IN INSTALLED PER
ONTARIO
BUILDING CODE

OUTSIDE GRADE
SAN. HOUSE DRAIN
CLEANOUT
CHECK VALVE
SEWAGE
EJECTOR

INSTALL SANITARY SEWER
EJECTOR IN ALL
BASEMENTS

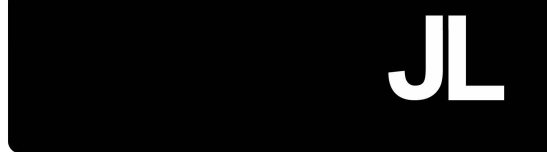
SANITARY EJECTOR PUMP SYSTEM
OPTION

SITEPLAN MATRIX:

PROPOSED ZONING: RD2.1	REQUIRED	PROVIDED
1. LOT WIDTH:	49'-3" (15.0 m)	50'-0" (15.2 m)
2. LOT DEPTH:	-	172'-2" (52.5 m)
3. LOT AREA:	4843.8 sq.ft. (450.0 sm)	8,608 sq.ft. (799.7 sm)
4. BUILDING AREA:	-	2,142 sq.ft. (199.0 sm)
5. LOT COVERAGE:	45%	24.9%
6. MAIN BUILDING HEIGHT:	29'-6" (9.0 m)	26'-8" (8.1 m)
7. FRONT YARD DEPTH:	19'-8" (6.0 m)	24'-6" (7.5 m)
8. REAR YARD DEPTH:	24'-7" (7.5 m)	93'-8" (28.5 m)
9. SIDE YARD WIDTH:	3'-11" (1.2 m)	3'-11" (1.2 m)
10. GROSS FLOOR AREA:	4,306 sq.ft. (400 sm)	4,284 sq.ft. (398.0 sm)

SITEPLAN NOTES:

- SITE INFORMATION & EXISTING OUTLINES SHOWN FOR REFERENCE ONLY. PROPERTY LINES ARE APPROXIMATED BASED ON GOOGLE AERIAL IMAGERY.
- CONTRACTOR RESPONSIBLE FOR CONFIRMING ALL SITE DIMENSIONS & DATUMS, PROVIDING UP TO DATE SURVEY, AND LOCATING ALL UNDERGROUND UTILITIES PRIOR TO COMMENCEMENT OF WORK.
- NEW CONCRETE DRIVEWAYS & CURB CUTS TO BE AS PER TYPICAL CITY OF WINDSOR STANDARDS, REFER TO DETAILS.



JL Design
306-209-3039
info@johnplucente.com
www.johnplucente.com

MASOTTI
CONSTRUCTION INC.

519-737-6929
masotti@masotticonstruction.com

John Pasqualino Lucente

FIRM BCIN: 109257

Issued For:

Description	Date
Review 1	31may24
Review 2	04jun24
Review 3	09jun24

Revision No.:

Date

No. Description

COVER SHEET

552 Florence Ave.
Semi-Detached

Part of Lots 36 & 37 Florence Ave.,
Windsor, ON, N8P 1R7

Project number: 2410

Drawn by: Author
Checked by: Checker

Sheet:

A001

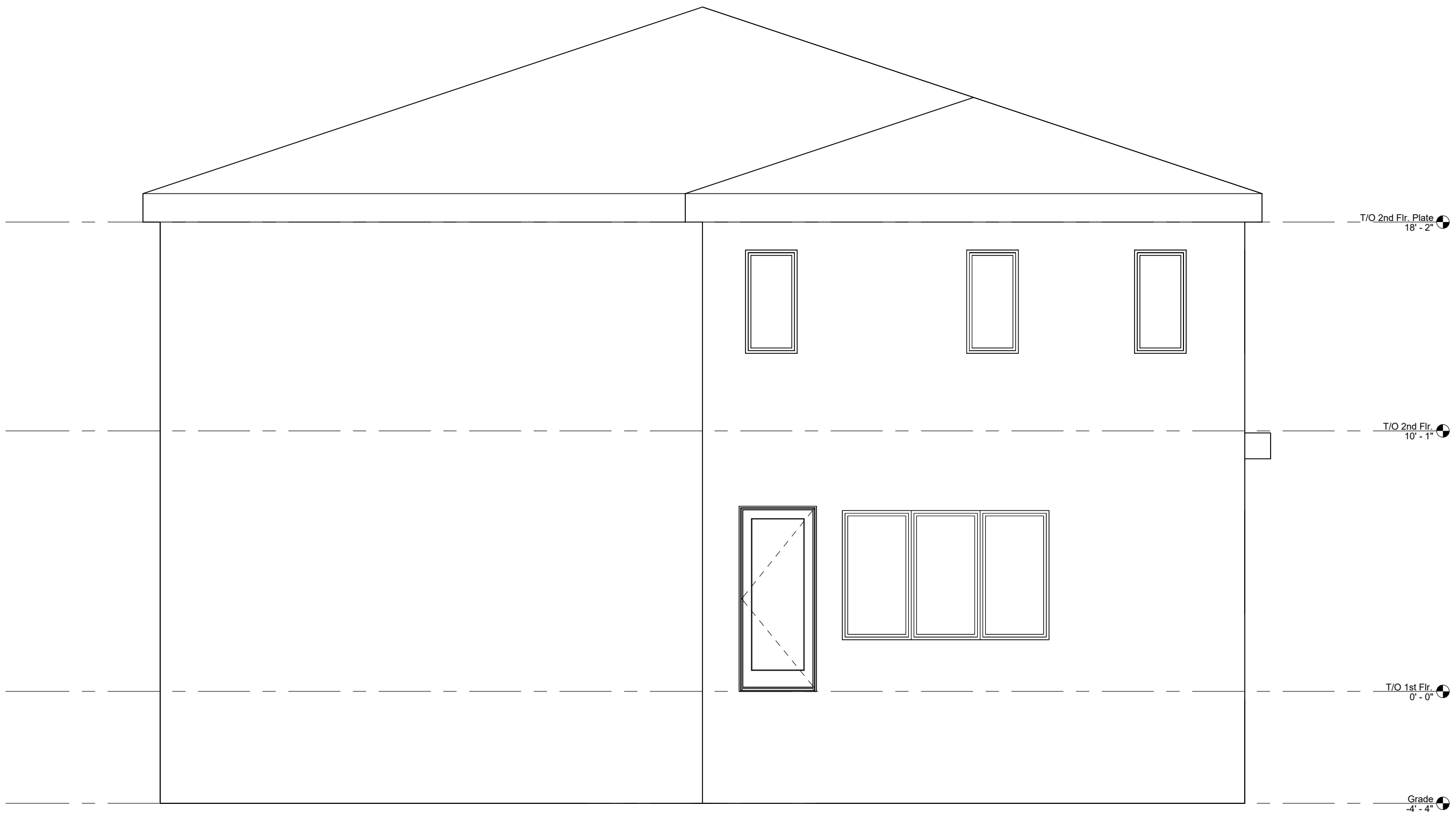
Scale:

As indicated

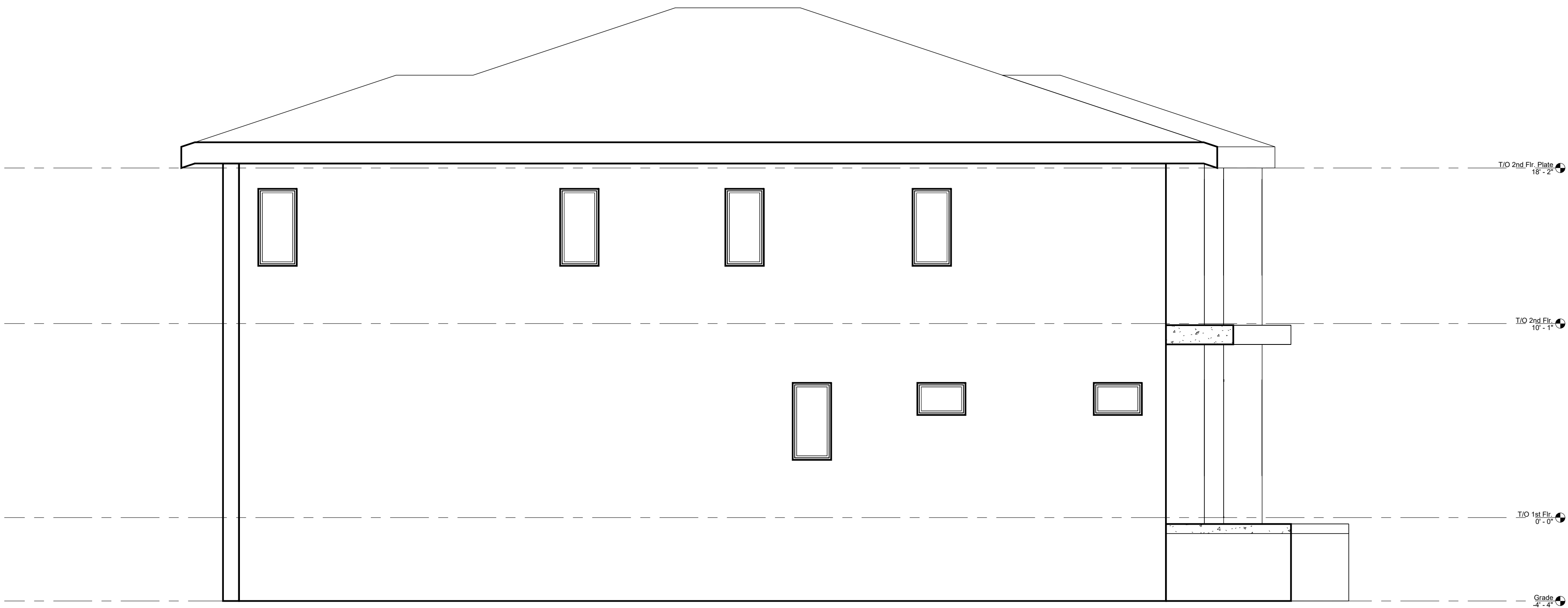
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① Elevation 1 - a
1/4" = 1'-0"



② Elevation 1 - d
1/4" = 1'-0"



③ Elevation 2 - a
1/4" = 1'-0"

GENERAL NOTE:
BUILDING ELEVATIONS SHOWN ARE OF A
CONCEPTUAL BUILDING FORM AND MAY
DEVIATE FROM FINAL APPLICATION.

John Pasqualino Lucente
FIRM BCIN: 109257

Issued For:	
Description	Date
Review 1	31may24
Review 3	09jun24

Revision No.:

Date
23may24

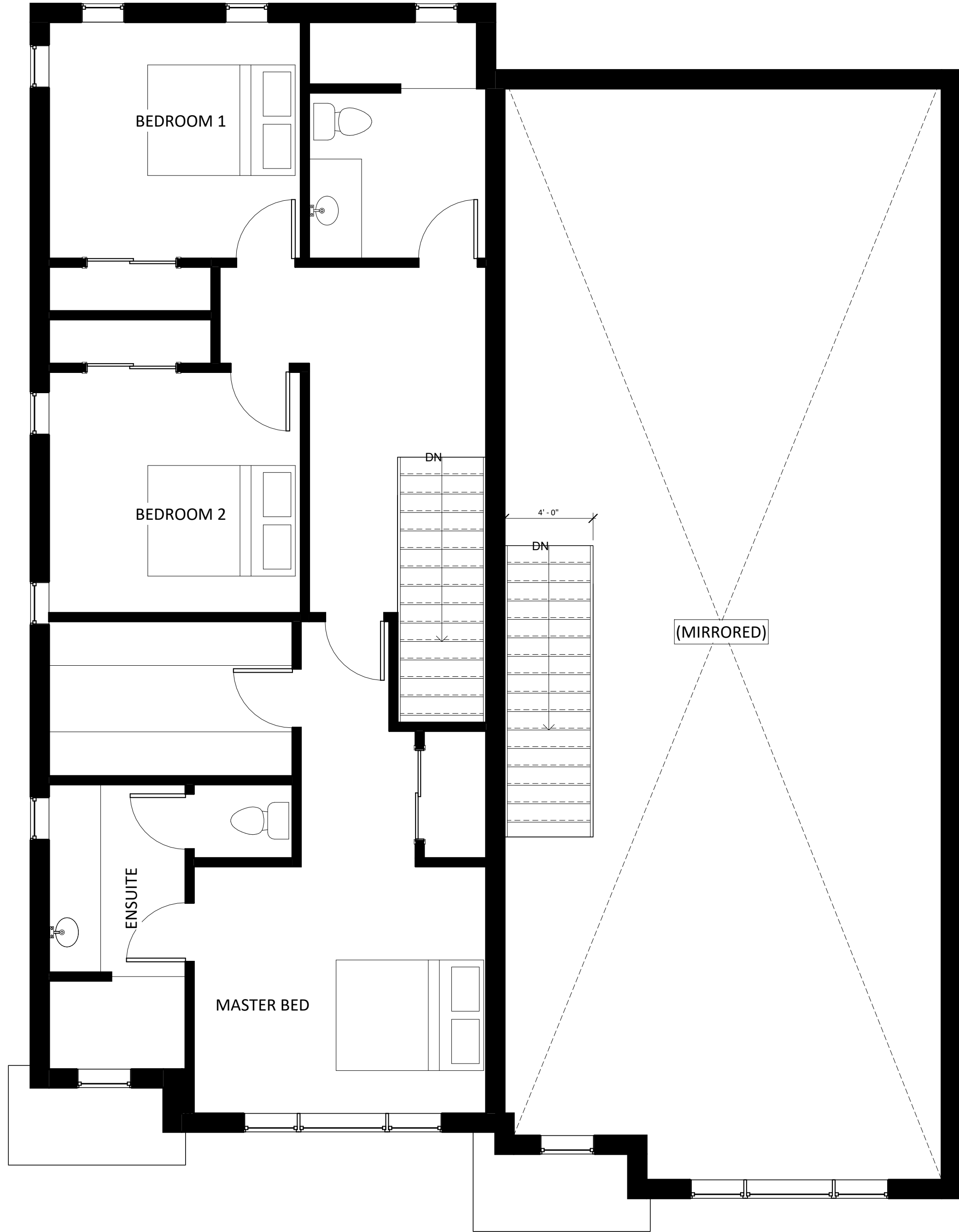
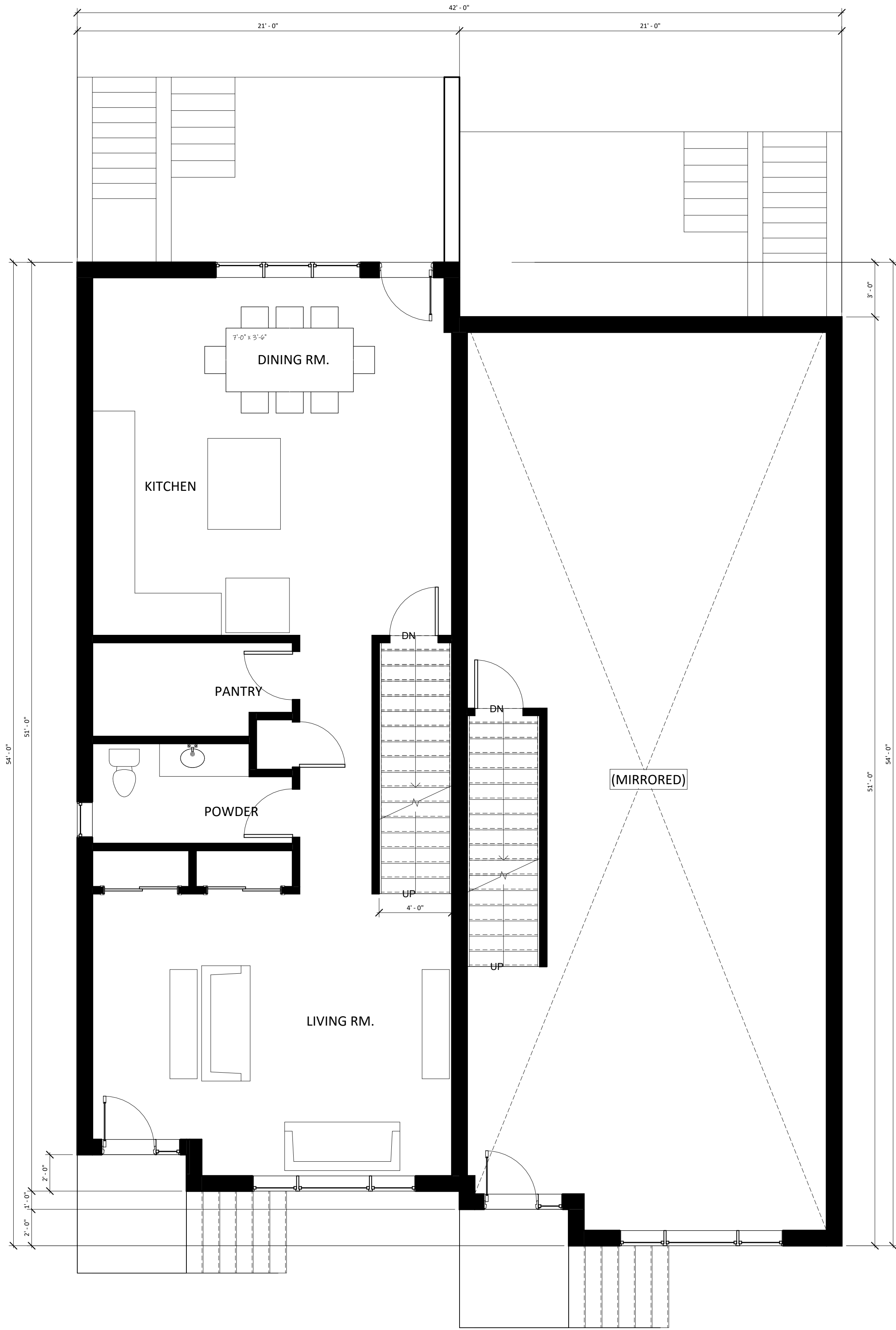
No. Description
1 Revision from 1st landscape coverage & building form.

ELEVATIONS

552 Florence Ave.
Semi-Detached

Part of Lots 36 & 37 Florence Ave.,
Windsor, ON, N8P 1R7

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John Pasqualino Lucente	109257
FIRM BCIN:	
Issued For:	
Description	Date
Review 1	31may24
Review 3	09jun24

Revision No.:

Date
23mar24

No.
1

Description
Revision 1 and Heritage coverage & building form.

FLOOR PLAN

552 Florence Ave.
Semi-Detached

Part of Lots 36 & 37 Florence Ave.,
Windsor, ON, N8P 1R7

Project number:	2410
Drawn by:	Author
Checked by:	Checker
Sheet:	A100
Scale:	1/4" = 1'-0"

PLANNING RATIONALE REPORT (SCOPED)

ZONING BY-LAW AMENDMENT PROPOSED RESIDENTIAL DEVELOPMENT

**552 Florence Avenue
City of Windsor, Ontario**

October 15, 2024

Prepared by:



Tracey Pillon-Abbs, RPP
Principal Planner
Chatham, ON
226-340-1232
tracey@pillonabbs.ca
www.pillonabbs.ca

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1.0 INTRODUCTION

I have been retained by Andi Shallvari (herein the "Applicant") to provide a scoped land use Planning Rationale Report (PRR) in support of a proposed development to be located at 552 Florence Avenue (herein the "Site") in the City of Windsor, Province of Ontario.

The Site, in Ward 7 (Riverside Planning District), is made up of one (1) interior parcel of land, which is currently vacant.

The Site is located on the east side of Florence Avenue, north of Wyandotte Street East and south of Menard Street.

It is proposed to construct one (1) new two (2) storey semi-detached dwelling. A total of two (2) residential units are proposed. No Additional Dwelling Units (ADUs) are proposed.

The tenure of each unit will be individually owned.

Parking will be provided in the front yard on private driveways. No garages are proposed.

The Site has access to full municipality services.

The Site is a large lot (799.7 m²) and has a lot coverage proposed, which is low (24.9 %).

The proposed development provides for a new affordable housing choice in an existing neighbourhood.

Infilling 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.

A site-specific Zoning By-law Amendment (ZBA) is required in support of the proposed development.

Once the ZBA application has been approved, the Applicant will proceed with a building permit and a severance in order to sever the units along the common wall.

Pre-consultation (stage 1) was completed by the Applicant (City File #PC-069/24). Comments dated July 17, 2024, were received and have been incorporated into this scoped PRR.

Pre-submission (stage 2) was completed by the Applicant (City File #PC-014/24). Comments dated October 8, 2024, were received and have been incorporated into this scoped PRR.

The purpose of this report is to review the relevant land use documents, including the Provincial Planning Statement 2024 (PPS), the City of Windsor Official Plan (OP), and the City of Windsor Zoning By-law (ZBL).

This scoped PRR will show that the proposed development is suitable, consistent with the PPS, conforms to the intent and purpose of the OP and ZBL, and represents good planning.

2.0 SITE AND SURROUNDING LAND USES

2.1 Legal Description and Ownership

The Site is made up of one (1) interior parcel of land, which is currently vacant.

The Site was created by severance in 2023.

The Site is located on the east side of Florence Avenue, north of Wyandotte Street East and south of Menard Street (see the area in yellow on Figure 1 – Site Location).

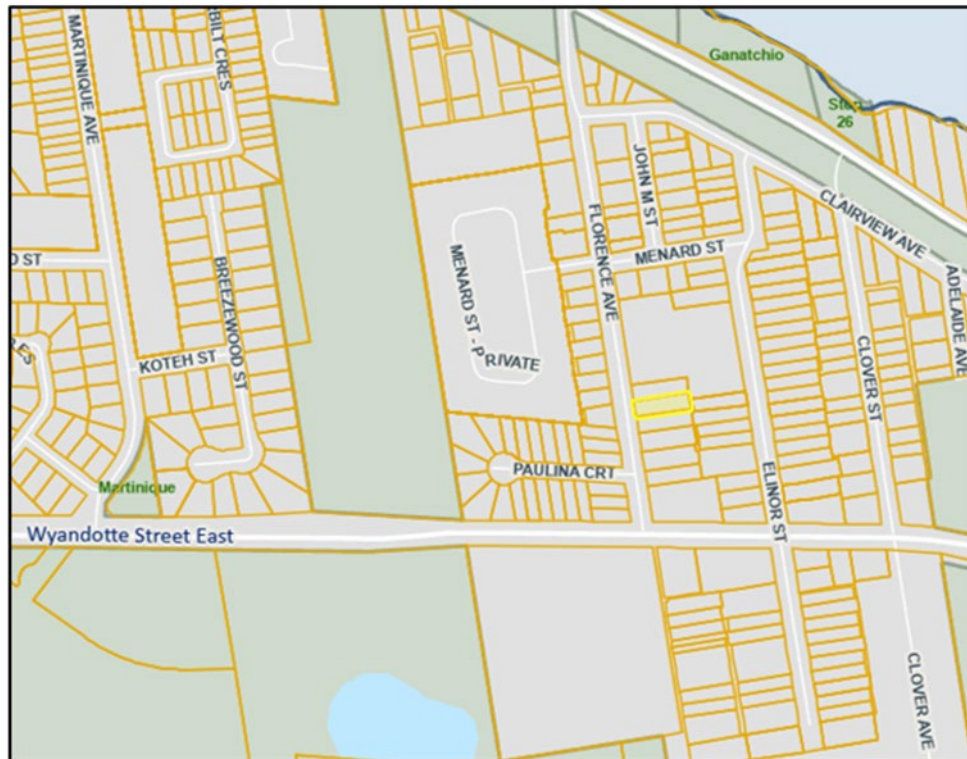


Figure 1 – Site Location (Source: Windsor GIS)

The Site is part of the Riverside Planning District and is located in the City of Windsor Ward 7.

The Site is owned, locally known as and legally described as follows:

552 Florence Ave, Windsor, Ontario

Address	Legal Description	PIN	ARN	Owner	Purchased Date
552 Florence Avenue	PARTS LOTS 36 AND 37 PLAN 1094 RIVERSIDE, PART 1, 12R29488; CITY OF WINDSOR	01588-0419 (LT)	060-450-11408	Green Smart Apartments Inc.	2024

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 799.7 m², with 15.2 m along Florence Avenue and a depth of 52.5 m.

2.2.2 Existing Structures and Previous Use

The Site is currently vacant.

The previous use is unknown.

2.2.3 Vegetation

The property currently has a mown lawn and privately owned trees.

2.2.4 Topography and Drainage

The Site is generally level, and it is within the Essex Region Conservation Authority (ERCA) regulated area.

2.2.5 Other Physical Features

Fencing is located along a portion of the Site.

There is a Canada Post community box in front of the property as well as a drainage pump 1.52 m from the Site on the north corner.

There is an alley at the rear of the Site that is included.

2.2.6 Municipal Services

The property has access to municipal water, storm, and sanitary services.

Florence Avenue is a Class 2 Collector Road.

The Site has access to transit, active transportation and major roadways.

2.2.7 Nearby Amenities

There are many schools, parks and libraries in close proximity to the Site.

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 in an existing built-up area with residential uses.

Lot area and lot frontages in the area vary in size.

The following is a summary of the abutting land uses:

Direction	Abutting Land Use
North	Residential/Vacant
South	Residential/Vacant
East	Residential/Place of Worship
West	Residential

3.0 PROPOSAL AND CONSULTATION

3.1 Development Proposal

The Site is currently vacant.

It is proposed to develop the Site for residential purposes.

It is proposed to construct one (1) new two (2) storey semi-detached dwelling. A total of two (2) residential units are proposed.

A concept plan was prepared (see Figure 2a –Concept Plan).

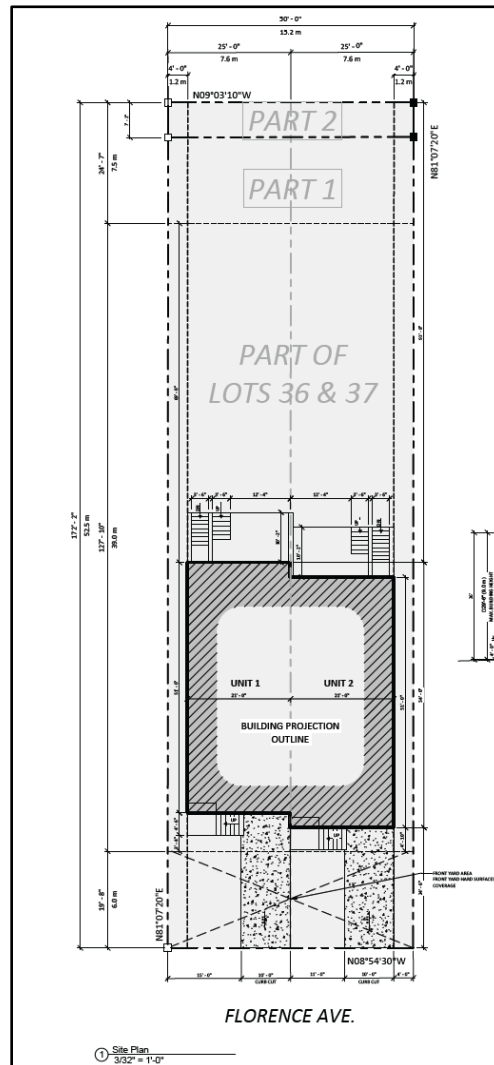


Figure 2a –Concept Plan

552 Florence Ave, Windsor, Ontario

The Concept Plan is preliminary in order to illustrate how the Site can be developed.

The building area of the proposed dwelling will occupy a total of 199.0 m² of the Site, which represents a lot coverage of 24.9 %.

The proposed height is 8.1 m.

The tenure of each unit will be individually owned (units to be severed along the common wall).

Conceptual elevations of the proposed dwelling have been prepared (see Figure 2b – Elevations).

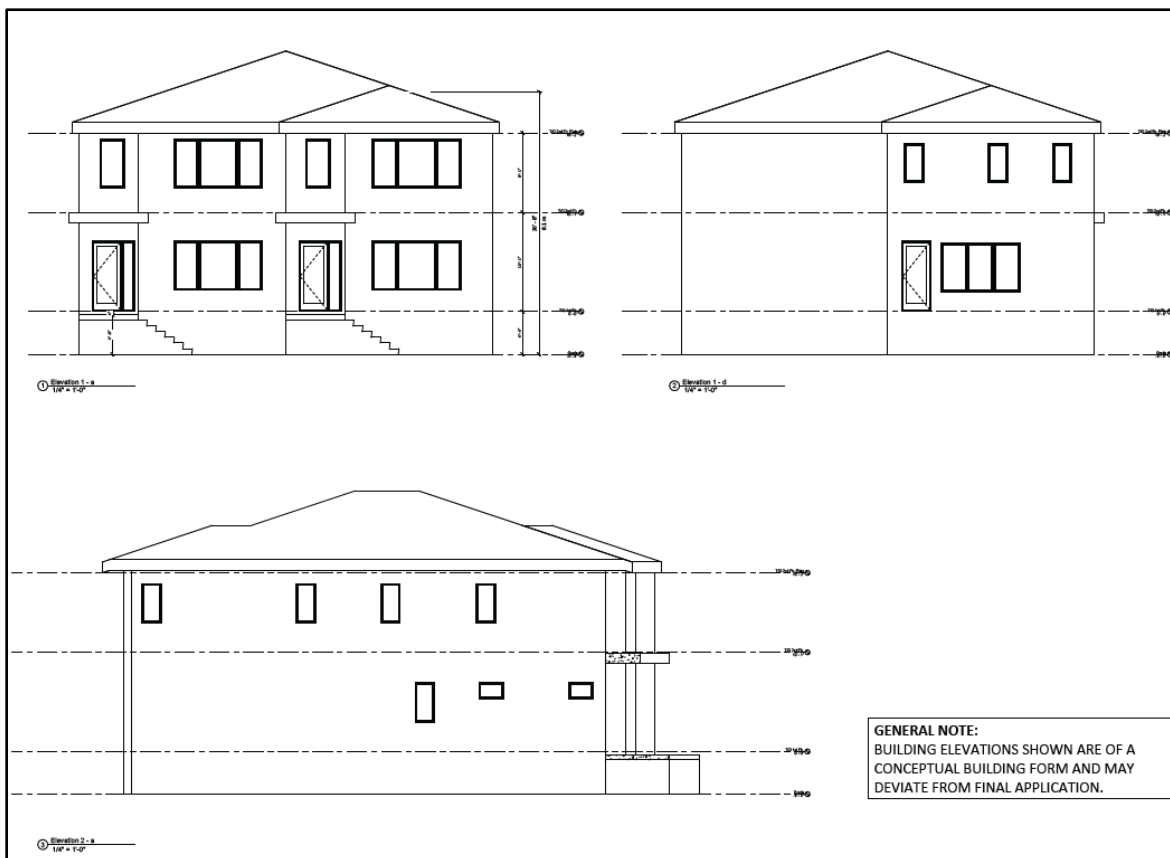


Figure 2b – Conceptual Elevations

The conceptual elevations are preliminary in order to illustrate how the Site can be developed.

The proposed dwelling will face Florence Avenue.

There are no ADUs proposed.

Access to the proposed building will be from the front of the dwelling. There is a covered front porch proposed.

It is proposed that each unit will have 3 bedrooms. There is an unfinished basement.

Accessibility of units will be addressed at the time of the building permit.

Landscaping and amenity space will be provided.

Paved sidewalks are proposed.

Paved parking will be provided in the front yard on private driveways. No garages are proposed.

The refuse (garbage and recycling) will be located in the individual units.

The Site will be serviced with full municipality services (sewer, water and storm).

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.

As part of a public consultation strategy, in addition to the statutory public meeting, an informal electronic public open house was held with area residents and property owners on Tuesday, August 27, 2024, from 6:00 pm to 7:00 pm.

The open house provided members of the public with opportunities to review and comment on the proposed development.

A total of 210 owners and tenants were notified, which represents a 200 m radius from the Site.

In addition to the Applicant, applicant representatives, Ward Councillor and City Staff, 1 resident was registered and attended the open house.

The following is a summary of the comments and questions received, along with the responses provided.

Topic Item	Comments and Questions	Response
Notice	How many people were notified, and did it include Florence Ave.	210 notices were sent and included homes along Florence Ave.
Flooding	Flooding is an issue. How can we ensure this development does not cause any more issues? Can weeping tiles be expanded?	A lot grading plan will be required as part of the building permit. There is a pump in front of the Site. The Site must maintain its own stormwater. Lot coverage is low, leaving a lot of green space for drainage.

Topic Item	Comments and Questions	Response
AirBnB	<p>There is an AirBnB next door.</p> <p>How do we prevent this development from becoming one as well?</p>	<p>The City regulates AirBnB through licensing.</p> <p>It is not intended to have an AirbnB.</p> <p>The focus of this development is for families.</p>
Density & Height	<p>The density and height do seem to be appropriate.</p>	<p>As of right (without a ZBA), 3 rental units could be built, and only 2 units are proposed.</p> <p>Three storeys could be built as well.</p> <p>The focus of this development is to support home ownership.</p>
Parking	<p>Parking is an issue in the area.</p> <p>Will there be a driveway?</p> <p>How many cars can park?</p> <p>Consider moving the building back in order to provide more parking.</p>	<p>Yes, driveways are proposed.</p> <p>The ZBL regulates parking, and 2 are required and proposed.</p> <p>Garages may be included in the final design.</p> <p>The location of the building can be moved as part of the final design.</p>
Traffic	<p>Parking is an issue in the area. This impacts children's safety.</p> <p>There is congestion and accidents.</p> <p>Weekends are busy due to the nearby beach.</p>	<p>A TIS was not warranted.</p>
Basement	<p>Will there be egress into the basements?</p>	<p>None at this time.</p> <p>ERCA permits are required and will determine if basements are permitted.</p>
Size	<p>What is the size of the units and number of bedrooms?</p>	<p>398.0 m2 GFA</p> <p>3 bedrooms</p>
Severance	<p>Is a severance required?</p>	<p>Yes, along the common wall, after the building permit is issued and construction has commenced.</p>

Topic Item	Comments and Questions	Response
Roadway	Are there curbs and sidewalks?	Yes, curbs. No, sidewalks.
Price	What is the target price for each unit?	\$650,000 per unit. The applicant is seeking funding to help make the units as affordable as possible.

4.0 APPLICATION AND STUDIES

Pre-consultation (stage 1) was completed by the Applicant (City File #PC-069/24). Comments dated July 17, 2024, were received and have been incorporated into this scoped PRR.

Pre-submission (stage 2) was completed by the Applicant (City File #PC-014/24). Comments dated October 8, 2024, were received and have been incorporated into this scoped PRR.

The following explains the purpose of the application as well as a summary of the required support studies.

4.1 Zoning By-law Amendment

A site-specific Zoning By-law Amendment (ZBA) is required in support of the proposed development.

The current zoning of the Site, subject to development, is the Residential District 1.2 (RD1.2) category, as shown on Map 14 of the City of Windsor Zoning By-law #8600.

It is proposed to further amend the zoning to Residential District 1.2 (RD1.2 - S.20(1)(XXX)) category to permit one (1) new semi-detached dwelling as an additional permitted use.

No relief from zoning regulations is required.

The ZBA is detailed, and the justification is set out in Section 5.1.3 of this scoped PRR.

4.2 Other Application

Once the ZBA application has been approved, the Applicant will proceed with a building permit and a severance in order to sever the units along the common wall.

The Site is not subject to Site Plan Control (SPC).

4.3 Supporting Studies

No support studies were required as part of the ZBA submission.

5.0 PLANNING ANALYSIS

5.1 Policy and Regulatory Overview

5.1.1 Provincial Planning Statement

The Provincial Planning Statement, 2024 (PPS) provides policy direction on matters of provincial interest related to land use planning and development.

The PPS was issued under Section 3 of the Planning Act and came into effect on October 20, 2024.

The following provides a summary of the key policy considerations of the PPS as it relates to the proposed development.

PPS Policy #	Policy	Response
Chapter 1 - Vision	Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of housing options will support a diverse and growing population and workforce, now and for many years to come.	The proposed development provides more housing.
Chapter 2.1.4 – Buildings Homes, Sustaining Strong and Competitive Communities	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: a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through	The proposed development will help provide for a mix of housing options and densities to meet the needs of the City. Full municipal services are available.

PPS Policy #	Policy	Response
	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, including units in draft approved or registered plans.	
2.1.6	Planning authorities should support the achievement of complete communities by: a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs; b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society;	The proposed development is consistent with the policy to achieve complete communities. The proposed development will provide for a range and mix of housing options. The Site has access to transportation options, public service facilities, other institutional uses, and parks. Accessibility will be addressed at the time of the building permit.
2.2.1 - Housing	Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by: a) establishing and implementing minimum targets for the provision of	The proposed development is a new housing option for the area. The proposed development supports the City's targets. The needs of the residents can be accommodated as the

PPS Policy #	Policy	Response
	<p>housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;</p> <p>b) permitting and facilitating:</p> <ol style="list-style-type: none"> 1. all housing options required to meet the social, health, economic and well being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and 2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3; <p>c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and</p> <p>d) requiring transit-supportive development and prioritizing intensification, including</p>	<p>Site is located near local amenities.</p> <p>The Site offers an opportunity for intensification and infilling.</p> <p>The proposed density is appropriate for the Site.</p> <p>Residents will have access to nearby transit.</p>

PPS Policy #	Policy	Response
	potential air rights development, in proximity to transit, including corridors and stations.	
2.3.1.1 – Settlement Area	Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.	The Site is located in an existing settlement area of the City of Windsor.
2.3.1.2	Land use patterns within settlement areas should be based on densities and a mix of land uses which: a) efficiently use land and resources; b) optimize existing and planned infrastructure and public service facilities; c) support active transportation; d) are transit-supportive, as appropriate.	<p>The Site offers an opportunity for intensification.</p> <p>The total density of the proposed development is considered appropriate.</p> <p>The design and style of the proposed building will blend well with the scale and massing of the existing surrounding area.</p> <p>The proposed development is an efficient use of the Site.</p> <p>Residents will have immediate access to local amenities.</p> <p>Transit and active transportation are available in the area.</p> <p>The Site is located close to major roadways.</p>
2.3.1.3	Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of	<p>The proposed development provides an infill opportunity for a vacant parcel of land.</p> <p>The Site was always intended for development.</p>

PPS Policy #	Policy	Response
	housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.	The design of the proposed development has provided a compact form.
2.3.1.4	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. The proposed development will assist in meeting those targets as the Site is located in an existing built-up area and will add new residential housing.
2.3.1.6	Planning authorities should establish and implement phasing policies, where appropriate, to ensure that development within designated growth areas is orderly and aligns with the timely provision of the infrastructure and public service facilities.	The Site has access to existing infrastructure and nearby public service facilities.
Chapter 3.1.1 – Infrastructure and Facilities	Infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs.	The proposed development has access to full municipal services. There are nearby public service facilities.
3.3.3 - Transportation	Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.	The proposed development will not have a negative impact on nearby transportation and infrastructure corridors.
3.6.2	Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the	The proposed development will be serviced by municipal sewer, water and storm, which is the preferred form of

PPS Policy #	Policy	Response
	environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.	servicing for settlement areas.
4.1.1 – Natural Heritage	Natural features and areas shall be protected for the long term.	There are no natural heritage features that impact the Site.
4.2 - Water	Planning authorities shall protect, improve or restore the quality and quantity of water by: b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;	The Site is within the ERCA regulated area. Permits will be obtained.
Chapter 5.1.1 – Protecting Public 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 that apply to this Site. There is no risk to the public.

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. The 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 Site is part of the Riverside Planning District on Schedule A: Planning Districts & Policy Areas of the OP.

The current land use designation of the Site, subject to development, is 'Residential', as shown on Schedule D: Land Use Plan of the OP (see Figure 3 –OP).

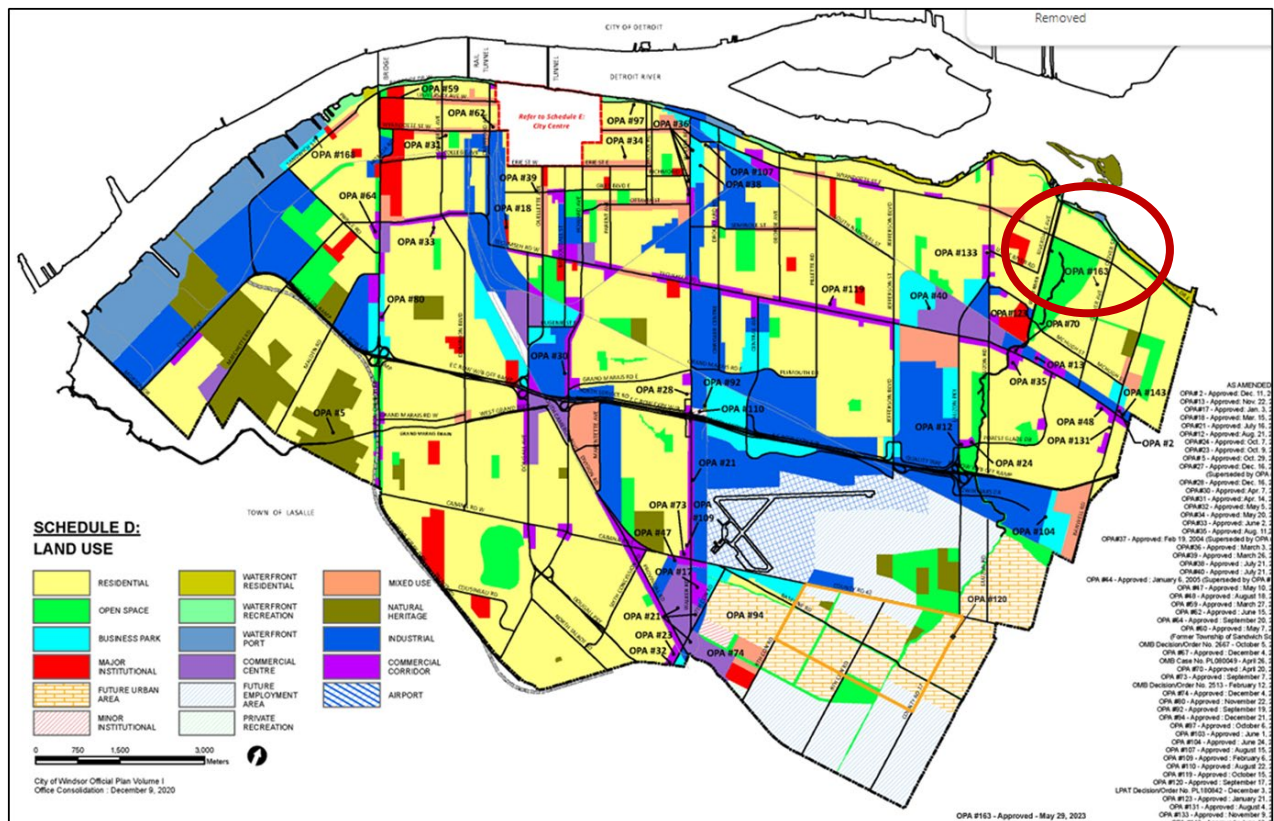


Figure 3 – OP

The Site is also subject to the following:

- Schedule B: Greenway System – located north of a proposed recreationway (Wyandotte Street West)
- Schedule C-1: Development Constraint Areas: Archaeological Potential – Designated within "Low Archaeological Potential" and located within a Shoreline and Floodprone Area 1 (as well as the 1 in 100 Year Floodline)
- Schedule F: Roads & Bikeways – Located on a Class II Collector Road (Florence Avenue)

The following provides a summary of the key policy considerations of the OP as it relates to the proposed development.

OP Policy #	Policy	Response
3.2.1.2 – Development Strategy	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.	The proposed residential development supports one of the City's overall development strategies of providing for a range of housing types.
4.0 – Healthy Community	The implementing healthy community policies are interwoven throughout the 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.	<p>The proposed development will support the City's goal of promoting a healthy community in order to live, work, and play.</p> <p>The proposed development is close to nearby transit, employment, shopping, local amenities, and parks.</p>
5.4.6.4 – Development Criteria (Floodplain)	Council may permit development in a floodplain in recognized flood fringe areas outside of the floodway, including behind flood control dykes (so as to address the matter of the potential failure of protective works) provided: (a) sufficient information accompanies the application to show that the proposed development and its occupants will be protected from the effects of a Regulatory Flood; (b) the potential upstream and downstream impacts of the development proposal will not significantly affect the hydrology or hydraulics of the floodplain; (c) and that adequate floodproofing measures, determined in consultation with the Essex Region Conservation	<p>The Site is subject to ERCA regulations.</p> <p>Permits will be obtained if required.</p>

OP Policy #	Policy	Response
	Authority, are incorporated in the development.	
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 addressing the City's residential needs. Existing semi-detached dwellings are a permitted use. A new semi-detached dwelling is proposed.
6.1 - Goals	In keeping with the Strategic Directions, Council's land use goals are to achieve: 6.1.1 Safe, caring and diverse neighbourhoods. 6.1.3 Housing suited to the needs of Windsor's residents. 6.1.10 Pedestrian oriented clusters of residential, commercial, employment and institutional uses.	The proposed development supports the goals set out in the OP. The proposed residential use will provide a new housing choice in an existing neighbourhood. The proposed semi-detached dwelling is suited for the needs of future residents. The Site is pedestrian friendly and close to nearby amenities and major roadways.
6.2.1.2 - General Policies, Type of Development Profile	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: (a) Low Profile developments are buildings or structures generally no greater than three (3)	The proposed development is considered low profile.

OP Policy #	Policy	Response
	storeys in height; (b) Medium Profile developments are buildings or structures generally no greater than six (6) storeys in height; and (c) High Profile developments are buildings or structures generally no greater than fourteen (14) storeys in height.	
6.3.1.1 - Residential	To support a complementary range of housing forms and tenures in all neighbourhoods.	The proposed semi-detached will complement the existing neighbour.
6.3.1.2	To promote compact neighbourhoods which encourage a balanced transportation system.	The proposed development is close to major roadways.
6.3.1.3	To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.	The proposed development will provide for infilling and intensification.
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.	<p>The proposed development is considered low profile.</p> <p>As of right, a total of 3 residential dwelling units are permitted on any urban parcel of land. It is proposed to request a total of 2 units (1 on each lot), which is less than allowed.</p> <p>A 2 storey semi-detached dwelling will maintain the same max height as a single detached dwelling, which makes it very compatible with the neighbourhood.</p>
6.3.2.3 – Types of Low Profile Housing	For the purposes of this Plan, Low Profile housing development is further classified as follows: (a) small scale forms: single detached, semi-detached , duplex and row and	Semi-detached dwellings, which are considered small-scale, are permitted.

OP Policy #	Policy	Response
	<p>multiplexes with up to 8 units; and (b) large scale forms: buildings with more than 8 units.</p>	
6.3.2.4 – Locational 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 to four (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.</p>	<p>The Site is close to major roadways, has access to full municipal services, is close to nearby amenities and is close to transit.</p>
6.3.2.5 – Evaluation Criteria (existing 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: (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</p>	<p>This scoped PRR has evaluated the PPS in Section 5.1.1.</p> <p>There are no constraint areas that impact the Site.</p> <p>There are no adjacent nuisances.</p> <p>There is no known contamination.</p> <p>Traffic generation is not anticipated to have any significant impact.</p>

OP Policy #	Policy	Response
	<p>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) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, 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; (d) provided with adequate off street parking; (e) capable of being provided with full municipal physical services and emergency services; and (f) Facilitation 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>There are no heritage resources on or near the Site. There are no secondary plans that impact the Site.</p> <p>The proposed development is compatible with the existing neighbourhood.</p> <p>Existing semi-detached dwellings are a permitted use. A new semi-detached dwelling is proposed.</p> <p>No relief from the RD1.2 is being requested.</p> <p>The Site is a large lot (799.7 m²), and the lot coverage proposed is low (24.9 %).</p> <p>The proposed building height will be similar to a single detached dwelling in height, massing and scale.</p> <p>The massing of the development has been carefully designed to emulate the scale of the existing structures and the surrounding context.</p> <p>The building will be oriented to face Benard Rd, similar to the existing built environment.</p> <p>Lot area and lot frontages in the area vary in size.</p> <p>The Site is capable of accommodating the proposed development in terms of scale, massing, height, and siting.</p>

OP Policy #	Policy	Response
		<p>The Site is not in a mature neighbourhood, as shown on Schedule A-1.</p> <p>Off-street parking is provided. On-street parking is also available.</p> <p>Amenity areas and landscaping will be provided.</p> <p>Full municipal and emergency services are available.</p> <p>No transition between uses is required as part of the building design.</p>
7.0 - Infrastructure	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.	The proposed development is close to nearby transit, off a major roadway, and has access to full municipal services.

Therefore, the proposed development will conform with the purpose and intent of 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 14 attached to the ZBL the Site is currently zoned Residential District 1.2 (RD1.2) category (see Figure 4 – ZBL).



Figure 4 – ZBL

It is proposed to further amend the zoning to Residential District 1.2 (RD1.2 - S.20(1)(XXX)) category to permit one (1) new semi-detached dwelling as an additional permitted use.

SEMI-DETACHED DWELLINGS means one dwelling divided vertically into two dwelling units by a common interior wall having a minimum area above grade of 10.0 sq. m., and may include, where permitted by Section 5.99.80, up to two additional dwelling units.

A review of the RD1.2 zone provisions, as set out in Section 10.2.5 (Provisions) of the ZBL is as follows:

Zone Regulations (10.2.5)	Required RD1.2 Zone (Semi-Detached Dwelling)	Proposed	Compliance and/or Relief Requested Justification with
Permitted Uses	Existing Duplex Dwelling Existing Semi-Detached Dwelling One Single	one (1) new semi-detached dwelling	Subject to the ZBA.

Zone Regulations (10.2.5)	Required RD1.2 Zone (Semi-Detached Dwelling)	Proposed	Compliance and/or Relief Requested Justification with
	Unit Dwelling Any use accessory to the preceding uses		<p>The proposed development is compatible with the existing neighbourhood.</p> <p>No transition between uses is required in the building design.</p> <p>The proposed building height will comply.</p>
Lot Width – minimum	15.0 m	15.2 m	Complies
Lot Area – minimum	450.0 m ²	799.7 m ²	Complies
Lot Coverage – maximum	45.0%	24.9 % (based on building area of 199.0 m ²)	Complies
Main Building Height - maximum	9.0 m	8.1 m	Complies
Front Yard Depth – minimum	6.0 m	7.5 m	Complies
Rear Yard Depth – minimum	7.50 m	28.5 m	Complies
Side Yard Width – minimum	1.20 m	North side – 1.20 m South side – 1.20 m	Complies
Gross Floor Area – main building – maximum	400 m ²	398.0 m ² (w/unfinished basement)	Complies
Parking Requirements - minimum 24.20.5.1	Semi-detached dwelling - 1 for each dwelling unit Total required = 2	2 parking spaces (no garages) (private driveways for each unit are	Complies

Zone Regulations (10.2.5)	Required RD1.2 Zone (Semi-Detached Dwelling)	Proposed	Compliance and/or Relief Requested with Justification
		proposed, access from Florence Ave.)	

Therefore, the proposed development will comply with all zone provisions set out in the RD1.2 Zone and no site-specific relief is required.

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,
- The Site is generally level,
- The Site will be able to accommodate municipal water, storm and sewer,
- There are no anticipated traffic or parking concerns, and
- The location of the proposed development is appropriate.

6.1.2 Compatibility of Design

The proposed development will be limited to a 2 storey, low profile building, which is a compatible density for the Site and with the surrounding area.

The proposed residential use will provide a new housing choice in an existing built-up area.

The Site is capable of accommodating the proposed development in terms of scale, massing, height, and siting.

Parking, amenity areas, and landscaping will be provided.

6.1.3 Good Planning

The proposal represents good planning as it addresses the need for the development of a parcel of land, which contributes to affordability and intensification requirements.

Existing semi-detached dwellings are a permitted use. A new semi-detached dwelling is proposed.

Residential use on the Site represents an efficient development pattern that optimizes the use of land.

The Site is a large lot (799.7 m²), and the lot coverage proposed is low (24.9 %).

As of right, a total of 3 residential dwelling units are permitted on any urban parcel of land. It is proposed to request a total of 2 units (1 on each lot), which is less than allowed.

A 2 storey semi-detached dwelling will maintain the same max height as a single detached dwelling, which makes it very compatible with the neighbourhood.

6.1.4 Environment Impacts

The proposal does not have any negative impact on the natural environment.

6.1.5 Municipal Services Impacts

There will be no negative impacts on the municipal system as the proposed use will not add to the capacity in a significant way.

6.1.6 Social, Cultural, and Economic Conditions

The proposed development does not negatively affect the social environment as the Site is in close proximity to major transportation corridors and nearby amenities.

Infilling 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 proposed development promotes efficient development and land use patterns that sustain the financial well-being of the City.

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.

There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal infilling opportunity.

There are no cultural heritage resources that impact the Site.

6.2 Conclusion

In summary, it would be appropriate for the City of Windsor to approve the ZBA application to permit the proposed development on the Site.

This scoped PRR has shown that the proposed development is consistent with the PPS, conforms with the intent and purpose of the OP and ZBL and represents good planning.

The report components for this scoped 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.

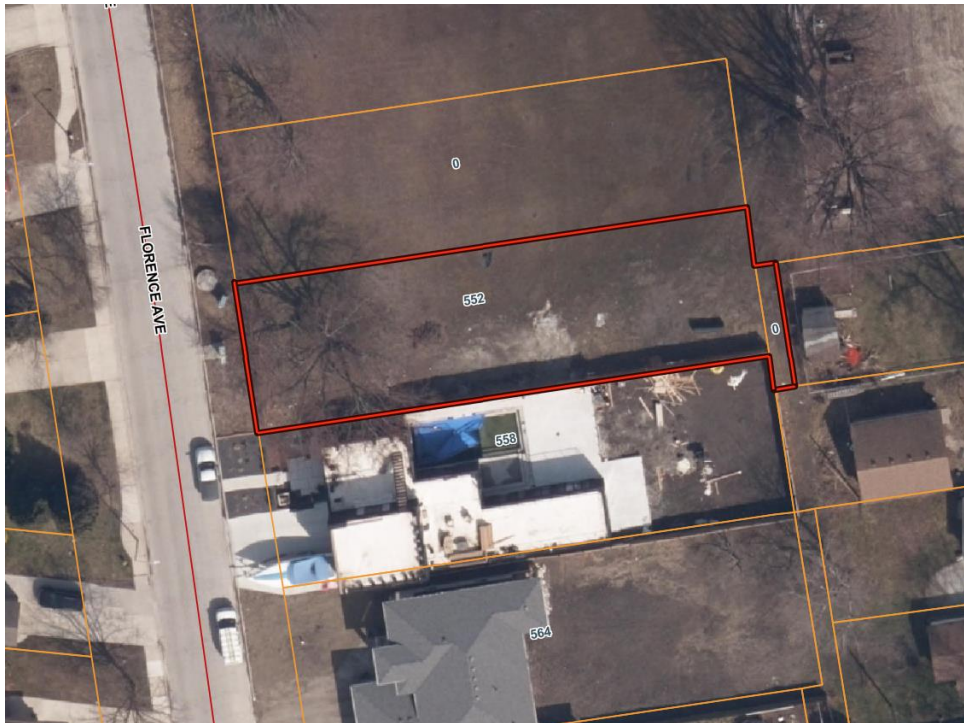

Tracey Pillon-Abbs, RPP
Principal Planner



APPENDIX E- SITE PHOTOS



View of subject land (552 Florence Avenue)



Aerial view of subject land



View of Florence Avenue (looking north)



View of Florence Avenue (looking south).

APPENDIX F – CONSULTATION COMMENTS

ENBRIDGE – SANDRO AVERSA

After reviewing the provided information, and consulting our mapping system, please note that Enbridge Gas has active infrastructure within the proposed area. A PDF drawing have been attached for reference.

Please Note:

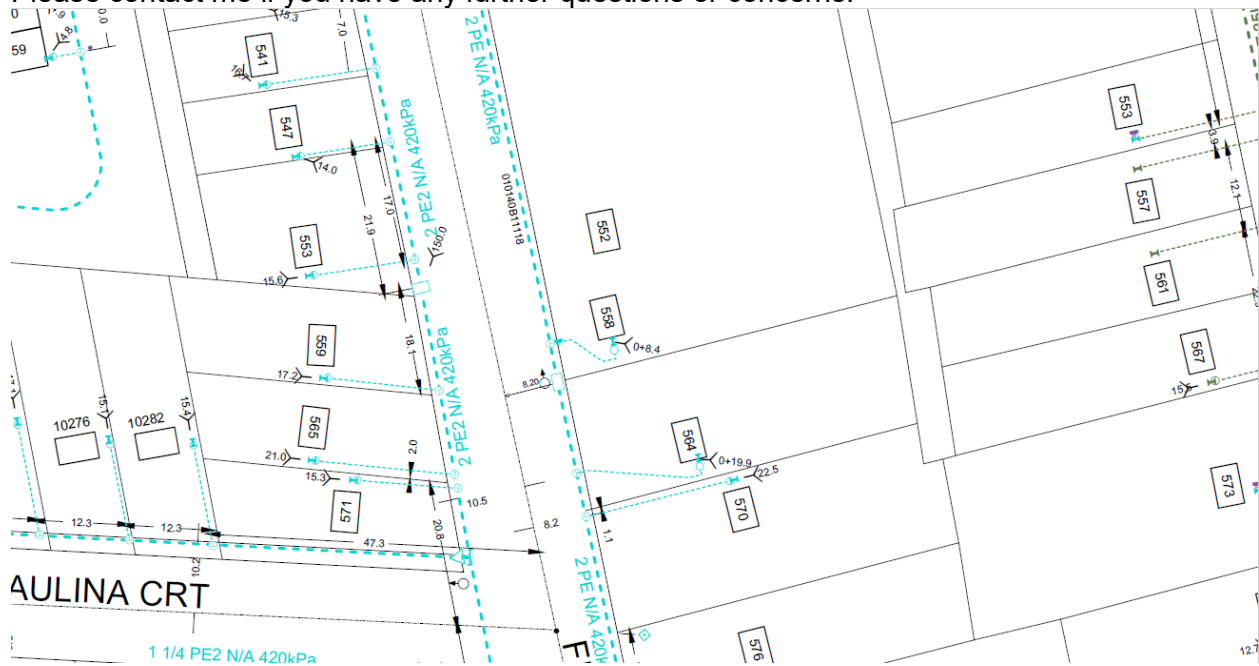
1. The shown piping locations are approximate and for information purposes only
2. The drawings are not to scale
3. This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc

Enbridge Gas requires a minimum separation of 0.6m horizontal and 0.3m vertical from all 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 any job, any pipe is found that is not on the locate sheet and conflicts with your work, please call our emergency number (1-877-969-0999), and one of our Enbridge 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.



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. This route has a peak weekday frequency of 35 minutes. The closest existing bus stop to this property is located on Wyandotte at Florence Northwest Corner. This bus stop is approximately 180 metres from this property falling within Transit Windsor's walking distance guidelines of 400 metres to a bus stop. Transit Windsor's City Council approved 2023 Service Plan has a new local route replacing the Lauzon 10 in this area. This route will provide direct service along Florence and will be an enhancement as it will provide two way conventional transit service versus the existing one way loop. The bus stop on Wyandotte will be relocated to the Northeast Corner reducing the walking distance to this property to approximately 130 metres. This new local route will have a peak weekday frequency of 25 minutes. This route is proposed to be implemented sometime in 2025. This is consistent with Transit Windsor's City Council approved Transit Master Plan.

ZONING COORDINATOR

- Current Zoning Designation: Residential District 1.2
-
- Proposed Zoning Designation: Residential District 1.2
- Existing Use [as per historical Building Permit(s) / Planning Act Applications(s)]:
 - Vacant lot
- Proposed Use:
 - Residential Development: Semi-Detached Dwelling
- Section 5 – General Provisions:
 - [COMPLY]
- Section [10.2] – [Residential District 1.2]:
 - [10.2.1] Permitted Uses
 - One Single Unit Dwelling (Required)
 - One Semi-Detached Dwelling (Proposed)
- Section 20 – Site Specific Zoning Exemptions:
 - [NOT APPLICABLE]
- Section 24 – Parking, Loading, and Stacking Provisions:
 - [COMPLY]
- Section 25 – Parking Area Regulations:
 - [NOT APPLICABLE]
- Section 95 – Holding Zone Provisions:
 - [NOT APPLICABLE]

ERCA – ALICIA GOOD

The City of Windsor has received Applicant for Zoning By-Law Amendment Z-036-24 [ZNG-7248] for the above noted subject property.

The applicant is proposing to rezone the subject property to permit one new (two-storey) semi-detached dwelling as an additional permitted use within the current RD1.2 zone. Two parking spaces are proposed from Florence Avenue. No other relief from the provisions of ZBL 8600 is requested. The applicant intends to sever the property in the future. The subject land is currently vacant. The development as proposed is not subject to Site Plan Control.

The following is provided as a result of our review of Zoning By-Law Amendment Z-036-24 [ZNG-7248].

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 Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 41/24). The parcel falls within the regulated area of the Detroit River 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*, and all hazard land requirements for development must be satisfied.

We note that the low lying nature of the roadway may result in excess water over the road during a 1:100 year flood event. The City of Windsor must confirm, through applicable emergency services (i.e. fire, police, etc.), that they have the ability to safely access this area during a 1:100 year flood event, in order to fulfill the municipality's responsibilities under Section 5.2.8 of the Provincial Planning Statement 2024.

FINAL RECOMMENDATION

Our office has **no objection** to Z-036-24 [ZNG-7248]. 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*, and all hazard land requirements for development must be satisfied.

Additionally, the City of Windsor must confirm, through applicable emergency services (i.e. fire, police, etc.), that they have the ability to safely access this area during a 1:100 year flood event, in order to fulfill the municipality's responsibilities under Section 5.2.8 of the Provincial Planning Statement 2024.

If you have any questions or require any additional information, please contact the undersigned.

TRANSPORTATION PLANNING – ELARA MEHRILLOU

- The Official Plan classifies Florence Ave as a Class II Collector Road with a required right-of-way width of 20.1 metres per Schedule X of the Official Plan. The current right-of-way width is sufficient; therefore, no conveyance is required.
- Sidewalks are required on both sides of Class II Collector Roads, therefore, a sidewalk contribution per Engineering Right-of-Way requirements is required for a sidewalk along the property fronting Florence Ave.

- All parking must comply with ZBL 8600, otherwise a Parking Study is required.

All new exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

DEVELOPMENT ENGINEERING – ROB PERISSINOTTI

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

Sewers

The site may be serviced by a 250mm sanitary sewer and a 675mm storm sewer located within the Florence 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.

The level of service for the sewer system in this neighborhood is not expected to experience any significant degradation as a result of this development.

Right-of-Way

Florence Avenue is classified as Class 2 Collector Road according to the Official Plan requiring a right-of-way width of 20.1 m; the current right-of-way is 20.1 m, therefore no conveyance is required at this time.

Please note that Canada Post community mailboxes are in front of the subject site. The mailboxes will need to be relocated in coordination with Canada Post and at the owner's expense.

In summary we have no objection to the proposed development.

If you have any further questions or concerns, please contact Daniel Lopez, of this department at dlopez@citywindsor.ca

ENWIN

HYDRO ENGINEERING: Nillavon Balachandran

No objection.

Prior to working in these areas, we suggest notifying your contractor and referring to the Occupational Health and Safety Act and Regulations for Construction Projects to confirm clearance requirements during construction and demolition. Also, we suggest referring to the Ontario Building Code for required clearances for New Building Construction.

WATER ENGINEERING: Bruce Ogg

ENWIN Water has no objections.

FORESTRY – YEMI ADEYEYE

There were a few city owned trees growing in the fence line on the Florence side of the property. The trees in question grew from wild exhibiting poor form and have no significant value.

There is one mature privately owned Silver maple tree located on the middle of this proposed development.

The owner/developer is requested to provide a detailed tree inventory for all live trees over 10cm DBH on the lot, both city and privately owned. The inventory should identify ownership and provide sub-meter accuracy GPS location, species, diameter (DBH) and condition for each tree. For trees in proximity to a roadway, less than 10m, GPS location should be taken on the nearest road-side of the tree. Indication should be made for each tree if it is to be preserved & protected or removed during development. A qualified, Arborist, Urban Forester or Landscape Architect should conduct the tree survey.

Forestry will require detailed site plans prior to construction that shows adequate Tree Root protection zones for each individual tree if they are to be preserved on-site through the development process. Details regarding the protection area required and type of fencing for Tree Root protection zones can be provided by Forestry.

If the trees are NOT to be preserved through the development process, and a request is made that specific trees be removed, the Removal & Canopy Replacement cost will be calculated based on a Diameter-for-Diameter replacement ratio for both City owned and Private trees. Forestry requests the opportunity to review landscaping plans in order to provide comment and suggestion that would maximize future on-site Tree Canopy and Tree Canopy Resilience. Please let us know if you have any further questions regarding Tree Protection and Replacement issues. Forestry will continue to monitor the progress of this construction work.

NATURAL AREAS – KAREN ALEXANDER

- the proposed property is within the Source Water Protection Zone 3, and Regulated area. ERCA consult is required.
- if trees are removed, no harming active bird nests.

LANDSCAPE ARCHITECTURE & URBAN DESIGN – HODA KAMELI

There are no comments from Landscape Architecture or Urban Design regarding the rezoning of this property.

RIGHT-OF-WAY – MARK SCHAFFHAUSER

Required Drawing Revisions:

1. Driveway Approaches – Complete site plant drawing to show driveway approach, curbs, and road

- o Modify as per Standard Engineering Drawing AS-221 or AS-222.
- o Identify any vertical objects / obstructions within the Right-of-Way
- o One driveway approach is permitted per property, unless severed, see Engineering Best Practice BP2.2.1

2. Sewer Connections – All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains.

- o Modify drawings to include all sewer connections and water services.
- o Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.

Right-of-Way Permit Requirements

Driveway Approaches – The Owner further agrees that driveway approaches shall be constructed in such width and location as shall be approved by the City Engineer, with straight flare driveway approaches and no raised curbs within the right-of-way. The Owner shall have the option of constructing said driveway approaches as follows:

1. Residential Property
 - a. Asphalt in accordance with City of Windsor Standard Drawing AS-221; or
 - b. Concrete in accordance with City of Windsor Standard Drawing AS-222

ERCA Requirements – The owner(s) 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 by the City Engineer. If applicable, the Owner will obtain all necessary permits from ERCA with respect to the drainage works on the subject lands.

Sewer Connections – The site is serviced by a 250mm sanitary sewer and a 675mm storm sewer located within the Florence Ave right-of-way. All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains.

- o Modify drawings to include all sewer connections and water services.
- o Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.

If you have any further questions or concerns, please contact Dan Perissinotti, of this department at dperissinotti@citywindsor.ca

HERITAGE PLANNING – TRACY TANG

Planner III – Heritage (Acting), ttang@citywindsor.ca or 519-255-6543 x6179.

There is no apparent built heritage concern with this property, and it is not located within an Archaeological Potential Zone (APZ). 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, ttang@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

Subject: Zoning By-law Amendment Application for 2275 Wellesley Avenue, Z-026/24 [ZNG-7229], Ward 4

Reference:

Date to Council: January 6, 2025
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: December 9, 2024
Clerk's File #: Z/14892

To: Mayor and Members of City Council

Recommendation:

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning for the lands located on the northwest corner of Vimy Avenue and Wellesley Avenue, described as Block D, Plan 1119 (PIN No. 01323-0299 LT), from Institutional District 1.1 (ID1.1) Site Specific Provision 20(1)257, to Residential District 2.3 (RD2.3), subject to additional regulations:

520. NORTHWEST CORNER OF VIMY AVENUE AND WELLESLEY AVENUE

(1) For the lands comprising of Block D, Plan 1119, PIN No. 01323-0299 LT, the following additional provisions shall apply:

1. Notwithstanding Subsection .1 of Section 24.28.1.3, the total area of the required front yard occupied by a hard surface for the purpose of a walkway, driveway, access area or a parking space or any combination thereof for a lot having a width of 9.0 metres or greater shall not exceed 78%.
2. Notwithstanding Subsection .2 of Table 25.5.20.1, the minimum separation for a parking area from a street shall be 1.20 metres, subject to the following provisions:
 - a) 1.20-metre-high ornamental screening fence shall span the length of the separation, save and except that portion within 0.30 metres of an access area.
 - b) Notwithstanding provision a), for that portion of the ornamental screening fence located within the visibility triangle, as defined under Section 4.3 of Fence By-law 170-2012, the height shall be

0.90 metres.

3. 1.20-metre-high ornamental screening fence shall span the length of any parking area separations from the west interior lot line.
4. 1.20-metre-high ornamental screening fence shall span the length of the north limit of a parking area, east of the existing building.

[ZDM 7; ZNG/7229]

Executive Summary:

N/A

Background:

Application Information:

Location: 2275 Wellesley Avenue
(Block D, Plan 1119; Roll No. 020-300-12800; PIN No. 01323-0299 LT)

Ward: 4

Planning District: South Walkerville

Zoning District Map: 7

Owner: 1740945 Ontario Corporation
c/o Alta Nota (Mariusz Buchcic)

Applicant: Same as Owner

Authorized Agent: Jackie Lassaline (Lassaline Planning Consultants)

Proposal:

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning for the lands located on the northwest corner of Vimy Avenue and Wellesley Avenue, known municipally as 2275 Wellesley Avenue (the subject property), from Institutional District 1.1 (ID1.1) Site Specific Provision 20(1)257, to Residential District 2.3 (RD2.3) to allow interior and exterior alterations to a vacant institutional building [formerly Saint Charles Separate School (1960-1980)] for the purpose of establishing an eight (8) unit Townhome Dwelling on the subject property.

The applicant is also requesting a site-specific zoning provision to establish the following additional provisions to allow the conversion of the former Saint Charles Separate School asphalt playground to a parking area:

1. Permit a parking space, visitor parking space or accessible parking space in a required front yard.
 - a. The submitted Conceptual Plans do not show any parking spaces in the required front yard.
2. Allow 100% of the required front yard to be occupied by a hard surface for the purpose of a walkway, driveway, access area or a parking space or any combination thereof.
3. Minimum parking area separations from a street and an interior lot line not apply.

Submitted Information: Conceptual Plans (See Appendix A), Deed, Planning Rationale Report (See Appendix G), and Zoning By-law Amendment Application Form

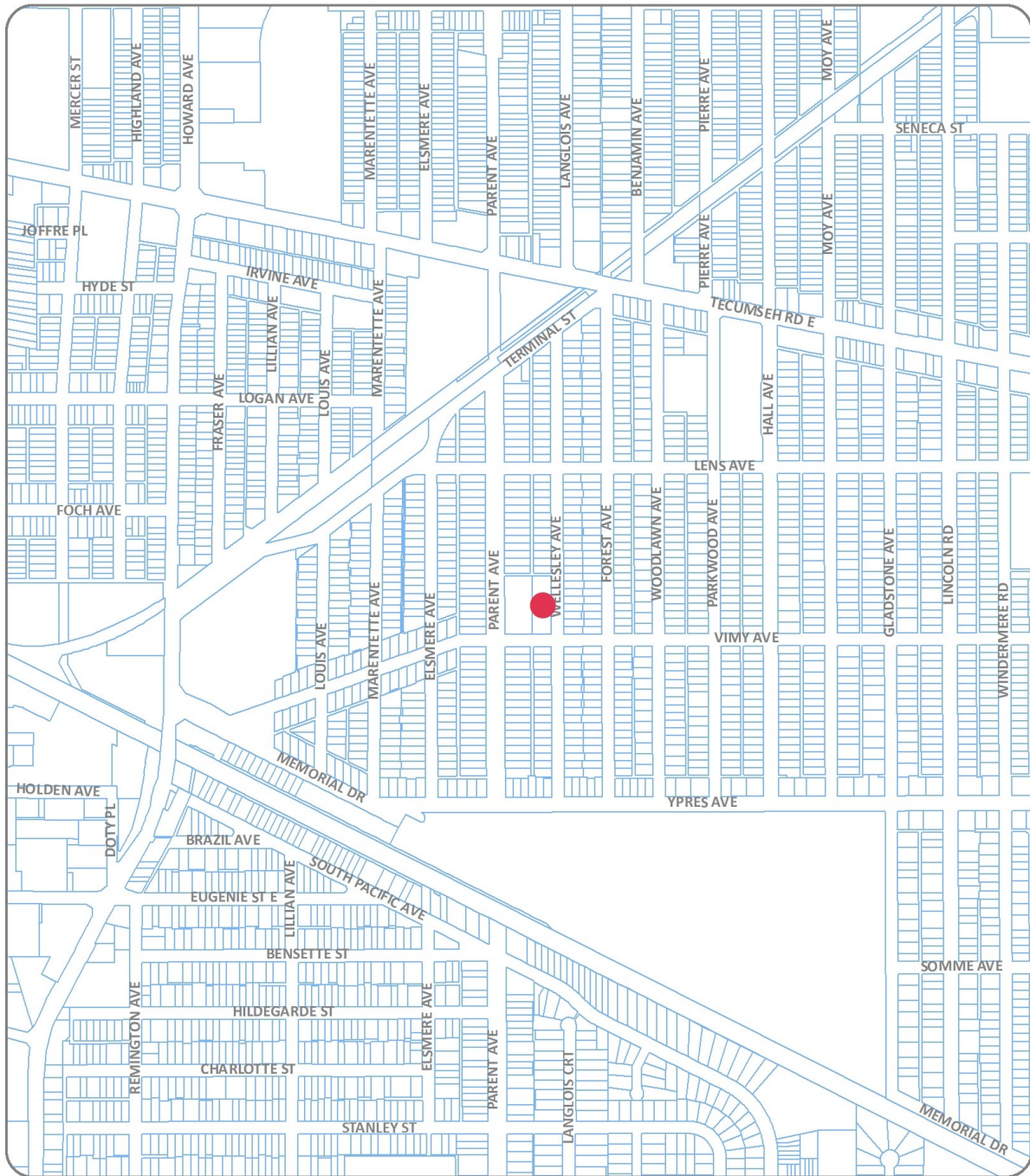
Site Information:

Official Plan	Zoning	Current Use	Previous Use
Residential	ID1.1 Site Specific Provision 20(1)257	Vacant Institutional Building	Saint Charles Separate School (1960-1980)
Lot Width	Lot Depth	Lot Area	Lot Shape
30.5 m	93.2 m	2,840.2 m ²	Rectangular
<i>All measurements are based on Registered Plan of Subdivision 1119, registered on May 31, 1924, and Reference Plan 12R-21461, registered on August 19, 2004</i>			

The subject property contains a circa 1960 one (1) storey vacant institutional building with a makeshift parking area (formerly Saint Charles Separate School's asphalt playground). The remainder of the subject property is maintained as landscaped open space.

The building was occupied by a number of commercial uses following the closure of Saint Charles Separate School. None of the uses were established with the required approvals from the City.

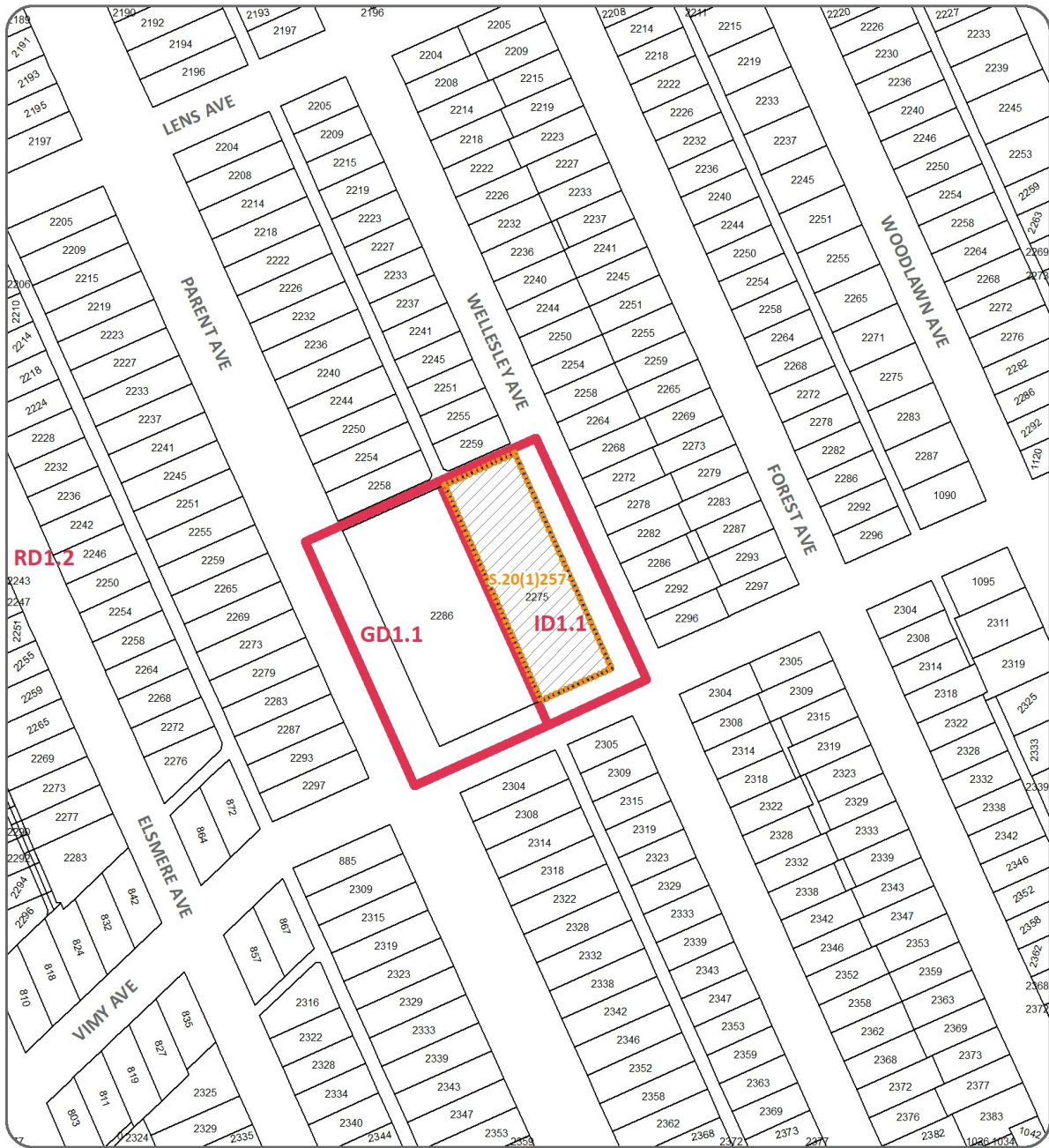
The makeshift parking area, also established without the required approvals from the City, will be required to comply with all applicable City policies and regulations.



KEY MAP - Z-026/24, ZNG/7229



● SUBJECT LANDS



PART OF ZONING DISTRICT MAP 7

N.T.S.

REQUESTED ZONING AMENDMENT

Applicant: 1740945 Ontario Corp.



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : AUGUST, 2024
FILE NO. : Z-026/24, ZNG/7229



NEIGHBOURHOOD MAP - Z-026/24, ZNG/7229



SUBJECT LANDS

Neighbourhood Characteristics:

The subject property is located on the eastern side of the South Walkerville neighbourhood. The South Walkerville neighbourhood constitutes the area north of the Canadian Pacific Railway corridor, east of the Canadian Pacific Railway corridor and Essex Terminal Railway Co. railway corridor, south of the Essex Terminal Railway Co. railway corridor and west of the former Ohio Railway corridor that traversed the Chrysler Windsor Assembly Plant.

Surrounding Land Uses:

North:

- Low density residential

East:

- Low density residential

South:

- Library - W.F. Chisholm Branch
- Low density residential
- Optimist Community Centre
- Optimist Memorial Park

West:

- Low density residential
- Parent Park

Municipal Infrastructure:

- Vimy Avenue is classified as a local road, which has a two-lane cross section with curbs and gutters, no sidewalks and streetlights on the south side.
- Wellesley Avenue is classified as a local road, which has a two-lane cross section with curbs, gutters and sidewalks on both sides and streetlights on the east side.
- Sanitary sewer, storm sewer and watermain are located within the Wellesley Avenue right-of-way.

Discussion:

The Provincial Planning Statement, 2024 (PPS) provides policy direction on matters of provincial interest related to land use planning and development sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

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

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

2.1 Planning for People and Homes

Policy 2.1.6 states:

Planning authorities should support the achievement of complete communities by:

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, longterm care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;*
 - a. This amendment will allow for adaptive reuse (creating housing within existing buildings that were originally non-residential) to establish an eight (8) unit Townhome Dwelling, further diversifying the range and mix of housing options available in the South Walkerville neighbourhood.
- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and*
 - a. Compliance with the Barrier-Free Design requirements of the *Ontario Building Code* and accessibility requirements under *Ontario Regulation 191/11 Integrated Accessibility Standards to the Accessibility for Ontarians with Disabilities Act, 2005* will be addressed through the Building Permit application process.
- c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.*
 - a. This amendment will allow for another housing option for individuals who wish to live or remain within the South Walkerville neighbourhood.

2.2 Housing

Policy 2.2.1 states:

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

- c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and*
 - a. This amendment will allow for the redevelopment of the subject property through intensification, optimizing existing municipal infrastructure and public service facilities, and avoiding unnecessary land consumption.
 - i. The subject property is serviced by municipal electrical, sanitary, storm and water services.
 - ii. There is a community centre, public library and schools within proximity to the subject property.
 - b. Parent Avenue, approximately 50.0 metres west of the subject property, is a designated on-street bike route connecting to the City's multi-use trail system approximately 300.0 metres to the south.

One or more of the responses provided to the policies of PPS Chapter 2 and/or the Official Plan referenced herein also speak to the following relevant PPS Policies:

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities	
2.2 Housing	
Policy 2.2.1 (<i>Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:)</i>	Sub Policy b) <i>permitting and facilitating:</i> <ul style="list-style-type: none"><i>1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and</i><i>2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use,</i>

	<p><i>development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;</i></p>
2.3 Settlement Areas and Settlement Area Boundary Expansions	
2.3.1 General Policies for Settlement Areas	
Policy 2.3.1.1 - <i>Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.</i>	
Policy 2.3.1.2 - <i>Land use patterns within settlement areas should be based on densities and a mix of land uses which:</i>	Sub Policies <i>a) efficiently use land and resources, b) optimize existing and planned infrastructure and public service facilities</i>
Policy 2.3.1.3 - <i>Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning....</i>	
2.9 Energy Conservation, Air Quality and Climate Change	
Policy 2.9.1 - <i>Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that:</i>	Sub Policy a) <i>support the achievement of compact, transit-supportive, and complete communities</i>
Chapter 3: Infrastructure and Facilities	
3.6 Sewage, Water and Stormwater	
Policy 3.6.2 - <i>Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize</i>	

potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems

Official Plan

Relevant excerpts from Volume I of the Official Plan are attached as Appendix C. The following policies from these excerpts are considered relevant in discussing this amendment's conformity with the Official Plan.

Table 1 - Volume I Schedules

Schedule	Designation
Schedule A - Planning Districts & Policy Areas	South Walkerville
Schedule D - Land Use	Residential

Volume I

Chapter 3 - Development Strategy

This amendment complies with the following applicable key policy direction for managing growth consistent with the Vision of the City of Windsor Community Strategic Plan.

3.2 - Growth Concept

3.2.1 - Safe, Caring and Diverse Communities

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. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands (Policy 3.2.1.2).

Chapter 6 - Land Use:

6.1 Goals

This amendment complies with the following applicable land use goals:

- *Safe, caring and diverse neighbourhoods. (Goal 6.1.1)*
- *Housing suited to the needs of Windsor's residents. (Goal 6.1.3)*
- *To direct residential intensification to those areas of the City where transportation, municipal services, community facilities and goods and services are readily available. (Goal 6.1.14)*

6.3 Residential

6.3.1 Objectives

The amendment complies with the following applicable Residential land use objectives:

- *To support a complementary range of housing forms and tenures in all neighbourhoods.* (Objective 6.3.1.1)
- *To promote compact neighbourhoods which encourage a balanced transportation system.* (Objective 6.3.1.2)
- *To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.* (Objective 6.3.1.3)

6.3.2 Policies

Permitted Uses

Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile, and Medium Profile dwelling units. (Policy 6.3.2.1)

- A Townhome Dwelling (row) is classified as a Low-Profile dwelling.

Types of Low-Profile Housing

For the purposes of this Plan, Low Profile housing development is further classified as follows: (Policy 6.3.2.3)

- *(a) small scale forms: single detached, semi-detached, duplex and row and multiplexes with up to 8 units*

Locational Criteria

New residential development and intensification shall be located where: (Policy 6.3.2.4)

- *(a) There is access to a collector or arterial road;*
 - The subject property is located within approximately 260.0 metres of Ypres Avenue, a Class II Collector Road.
- *(b) Full municipal physical services can be provided;*
 - Refer to the response provided to PPS Policy 2.2.1.c) herein.
- *(c) Adequate community services and open spaces are available or are planned; and*
 - Refer to the response provided to PPS Policy 2.2.1.c) and the Surrounding Land Uses section herein.

- (d) *Public transportation service can be provided.*
 - Transit stops for the Transway 1C bus route are approximately 550.0 metres from the subject property.
 - Transit stops for the Transway 1A, Parent 14 and Walkerville 8 bus routes are approximately 650.0 metres from the subject property.

Evaluation Criteria for a Neighbourhood Development Pattern

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: (Policy 6.3.2.5)

- (c) *In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.*
 - This amendment will allow for a development that is compatible with the established built environment found within the surrounding neighbourhood.
 - Amenity Areas, Height, Massing, Orientation, Scale, Siting and Setbacks
 - The applicant is not proposing any changes to the building footprint or height.
 - The applicant is not requesting relief from any of the RD2.3 zoning provisions.
 - The maximum lot coverage and main building height provisions, and minimum front yard depth, rear yard depth and side yard width provisions under the RD2.3 zoning and surrounding Residential District 1.2 (RD1.2) zoning are identical.
 - The Townhome Dwelling Units will be oriented towards Wellesley Avenue, which is consistent with the other low density residential dwellings on the block.
 - Parking
 - The applicant is proposing to repurpose the former Saint Charles Separate School asphalt playground as a parking area to satisfy the parking requirement for the proposed development.
 - The applicant is requesting that the minimum parking area separations from a street and an interior lot line not apply.
 - The Planning Department does not support this request.
 - Policy 8.11.2.19 of the Streetscape Policies under the Urban Design Chapter of the Official

Plan encourages the partial screening of parking areas through the use of various landscaping elements, including low fences.

- The partial screening of the parking area from the street view will maintain the residential character of the neighbourhood, while still permitting views for orientation and safety.
- The Conceptual Site Plan shows a parking aisle with a width of 7.77 metres and length of 30.24 metres, whereas only a minimum of 6.00 metres and 27.50 metres are required respectively.
- The excess area is sufficient to accommodate the minimum 0.90 metre separation from the west interior lot line and 1.20 metres of the minimum 3.00 metre separation from Vimy Avenue and Wellesley Avenue.
- These separations are adequate for accommodating an ornamental screening fence.
- The Planning Department is therefore recommending that a site-specific provision be added to establish a minimum parking area separation of 1.20 metres from a street, subject to the following provisions:
 - 1.20-metre-high ornamental screening fence shall span the length of the separation, save and except that portion of the separation within 0.30 metres of an access area.
 - Notwithstanding the above provision, that portion of the ornamental screening fence located within the visibility triangle, as defined under Section 4.3 of Fence By-law 170-2012, shall have a height of 0.90 metres.
- The Planning Department is further recommending that a site-specific provision be added to require a 1.20-metre-high ornamental screening fence spanning the length of the separation from the west interior lot line.
- The Planning Department is lastly recommending that a site-specific provision be added to require a 1.20-metre-high ornamental

screening fence spanning the length of the north limit of a parking area, east of the existing building.

- The applicant is requesting that 100% of the required front yard be permitted to be occupied by a hard surface.
 - The Planning Department does not support this request and is alternatively recommending that a site-specific provision be added to allow 78% of the required front yard to be occupied by a hard surface.
 - This reduction is necessary to capture the parking area separations being recommended by the Planning Department herein.
- *(d) provided with adequate off street parking;*
 - The proposed development will accommodate the required number of parking spaces onsite.
- *(e) capable of being provided with full municipal physical services and emergency services; and*
 - Refer to the response provided to PPS Policy 2.2.1.c) herein for details on the municipal physical services available to the subject property.
 - The subject property is served by Essex-Windsor EMS, Windsor Fire & Rescue Services (Fire Hall No. 3) & Windsor Police Service.

Chapter 11 - Tools:

Land use compatibility throughout Windsor is an implementation goal to be achieved when administering a planning tool under this Chapter. Compatibility between land uses is also an objective of the Zoning By-law Amendment planning tool (Policy 11.6.1.2).

- Land use compatibility was considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

Policy 11.6.3.3 states:

- *When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:*
 - *(a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;*
 - *(b) Relevant support studies;*
 - *(c) The comments and recommendations from municipal staff and circularized agencies;*
 - *(d) Relevant provincial legislation, policies and appropriate guidelines; and*

- (e) *The ramifications of the decision on the use of adjacent or similar lands.*
 - This amendment is not anticipated to have any ramifications on the use of adjacent or similar lands.

The aforesaid matters were considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

Zoning By-Law

Relevant excerpts from Zoning By-law 8600 are *attached* as Appendix D.

The subject property is within an Institutional District 1.1 (ID1.1) Site Specific Provision 20(1)257 zone of Zoning By-law 8600, which does not permit a Townhome Dwelling use.

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning to a RD2.3 zone with a site-specific provision to allow interior and exterior alterations to a vacant institutional building for the purpose of establishing an eight (8) unit Townhome Dwelling with 100% of the required front yard occupied by a hard surface and no parking area separation from a street or an interior lot line.

The applicant has submitted a Planning Rationale Report in support of the requested amendment.

The applicant's request has been considered and is supported in part in this report. The Planning Department supports the change in zoning to a RD2.3 zone but does not support the site specific provisions for the reasons noted herein. Support of the said part of the applicant's request comes in conjunction with the regulations being recommended by the Planning Department herein.

Site Specific Provision 20(1)257 permits a commercial School with a minimum of 20 on-site parking spaces for the existing building as an additional permitted use. A commercial school use is not cohesive with the proposed Townhome Dwelling use and as such the Planning Department has no concerns with its removal from the subject property.

No other zoning deficiencies have been identified or supported.

A draft amending by-law is attached as Appendix G. Subsection 24 (1) of the *Planning Act*, R.S.O. 1990, c. P.13., prohibits a by-law from being passed that does not conform with the Official Plan. As discussed through the Official Plan section herein, the proposed amendment conforms to the applicable policies of the Official Plan.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

The proposed dwelling units implement *Environmental Master Plan* Objective C1: Encourage in-fill and higher density in existing built areas. Adaptive reuse of a building and intensification minimizes the impact on the community greenhouse gas emissions. Development within existing communities and neighbourhoods while using currently available infrastructure such as sewers, sidewalks, and public transit helps to mitigate development impact. Situating development in areas with access to active transportation and transit increases the likelihood of residents utilizing various non-vehicular means of utilitarian transportation which collectively reduces the amount of greenhouse gas emissions within the City of Windsor.

Climate Change Adaptation:

N/A

Financial Matters:

N/A

Consultations:

Comments received from City Departments, external agencies and members of the public on this application were taken into consideration when preparing this report. A record of the comments is included as Appendix E herein.

There are no objections to the proposed amendment.

The applicant hosted an in-person public open house on January 25, 2024, at the former Windsor Public Library - Central Branch at 850 Ouellette Avenue. Notice of the open house was issued to owners of properties within 120.0 metres of the subject property. The open house was attended by eight (8) residents. Comments from residents were also received by email.

Section 22 of the PRR summarizes the comments and questions and includes corresponding responses.

Comments received were taken into consideration when preparing this report.

Public Notice: Statutory notice was advertised in the Windsor Star, a local daily newspaper. A courtesy notice was delivered to property owners and residents within 200 metres of the subject property.

Conclusion:

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 Planning Statement 2024*. The recommended zoning amendment has been evaluated for consistency with the *Provincial Planning Statement 2024* and conformity with the policies of the City of Windsor Official Plan.

The recommended Zoning By-law amendment is consistent the PPS, conforms 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.

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
City Planner

I am not a Registered Professional 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
Aaron Farough	Senior Legal Counsel, Legal Services & Real Estate
John Revell acting for Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

Notifications:

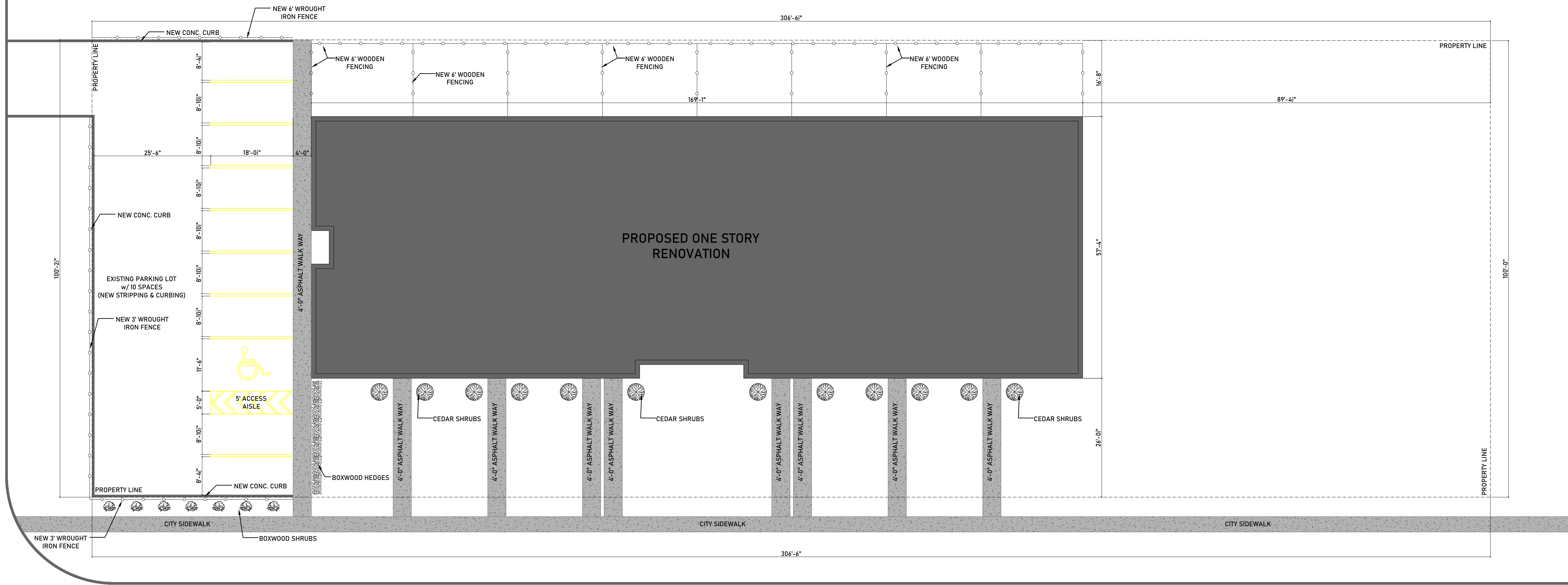
Name	Address	Email
Jackie Lassaline (Lassaline Planning Consultants)		
Councillor Mark McKenzie (Ward 4)		
Abutting property owners, tenants/occupants within 200-meter (656 feet) radius of the subject property		

Appendices:

- 1 Appendix A - Conceptual Plan
- 2 Appendix B - Site Images
- 3 Appendix C - Excerpts from Official Plan Volume I
- 4 Appendix D - Excerpts from Zoning By-law 8600
- 5 Appendix E - Consultations
- 6 Appendix F - Draft Amending By-law
- 7 Appendix G - Planning Rationale Report

F.H.

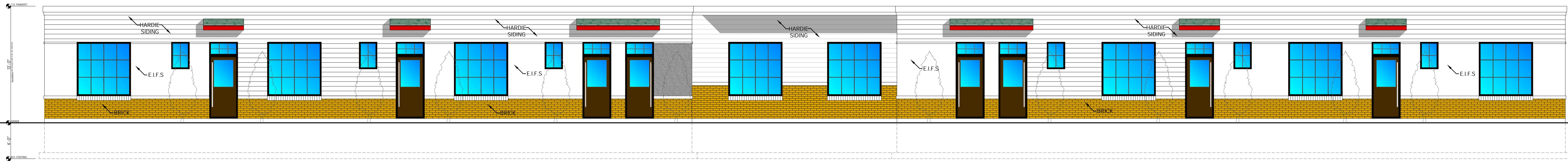
VIMY AVE.



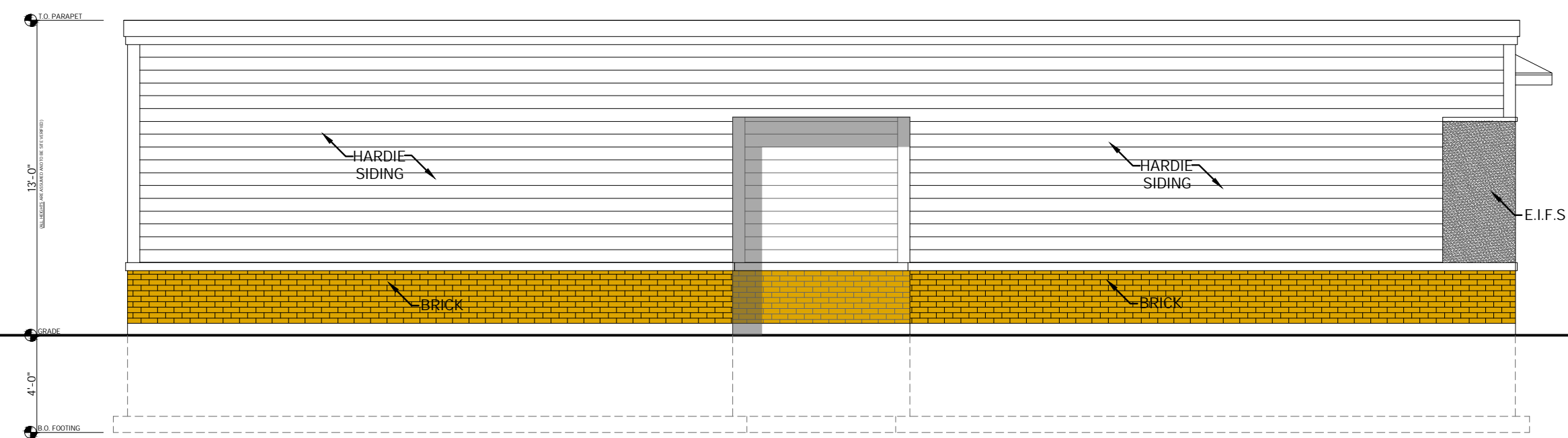
F.H.

2275 WELLESLEY AVE.

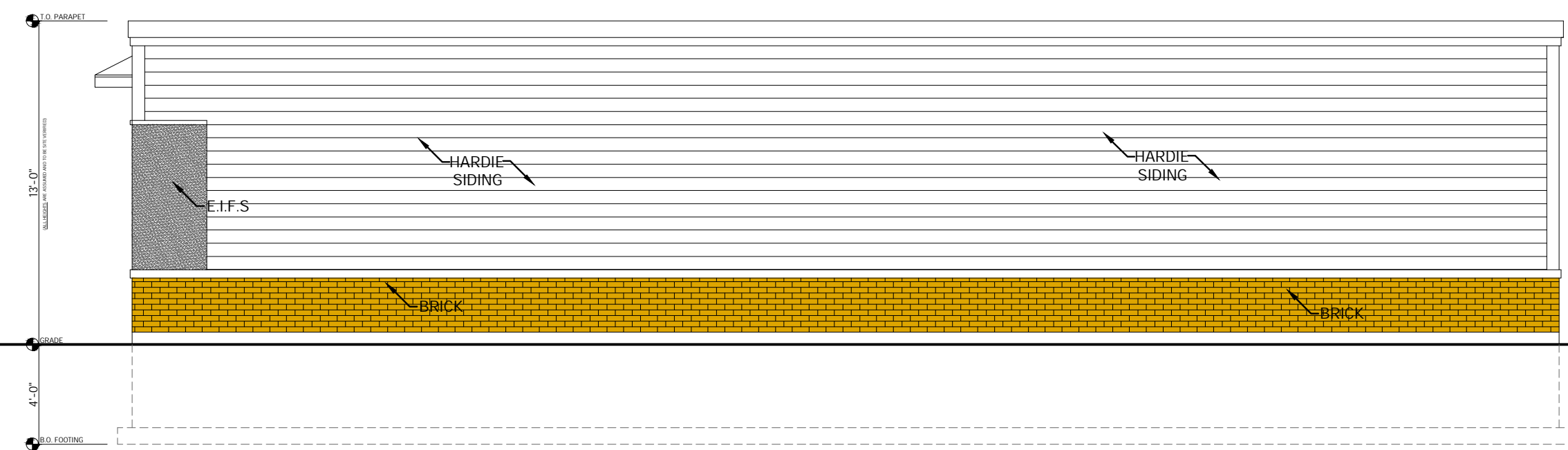
	(RD2.5) ZONE	SUBJECT SITE
PERMITTED BLDG	TOWNHOUSE	8 UNIT TOWNHOUSE COMPLEX
LOT AREA	190 m2 x 8 = 1,520 m2	2,876.3 m2
LOT FRONTAGE	20 m	30.5 m (Vimy Ave)
FRONT YARD	6 m – 7 m (min/max)	14.6 m
INTERIOR SIDE YARD	2.5 m	5.1 m
LOT COVERAGE	50 %	31 % 891 m2 GFA)
REAR YARD	7.5 m	27.2 m
BUILDING HEIGHT	14 m max	4. m
PARKING	1 sp/unit = 8 spaces	10 spaces (2 visitor parking)



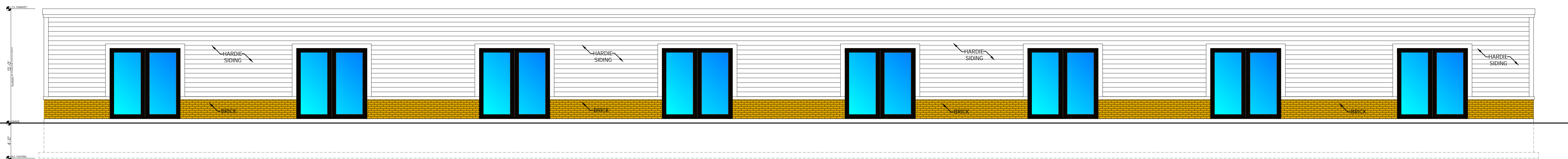
1 EAST ELEVATION
A02.1 N.T.S.



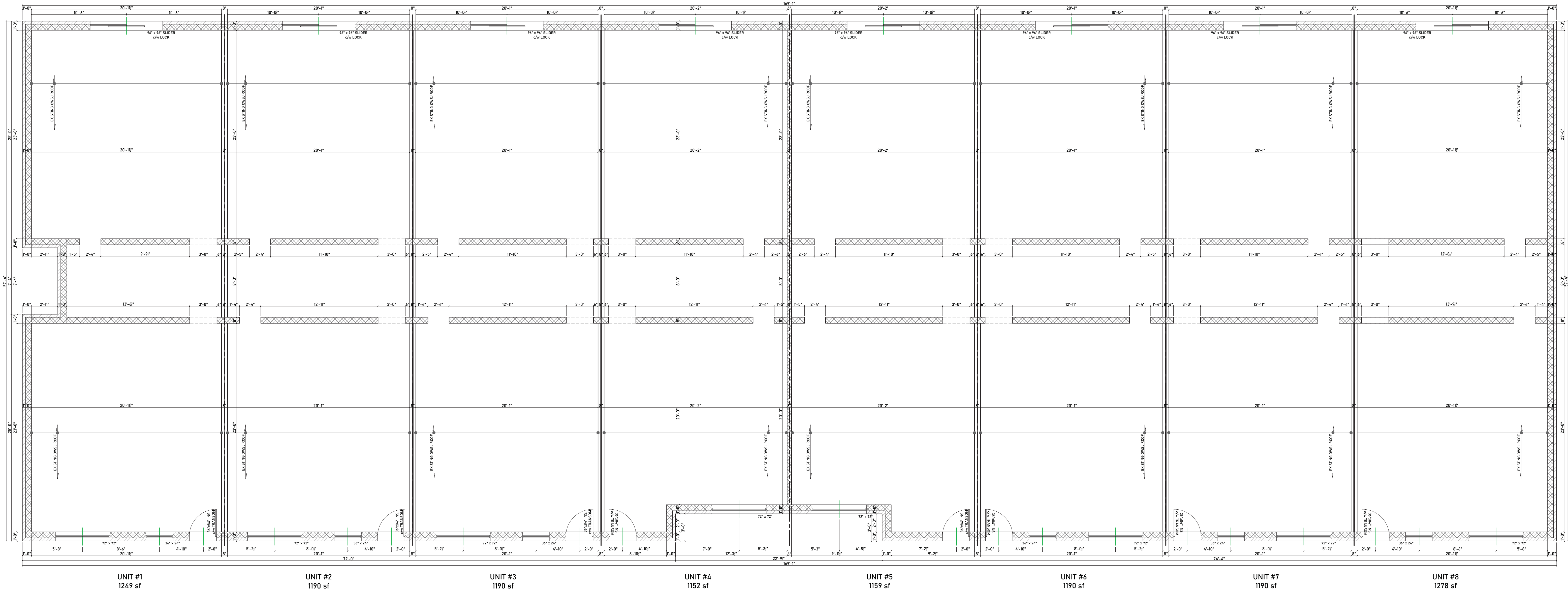
2 SOUTH ELEVATION
A02.1 N.T.S.



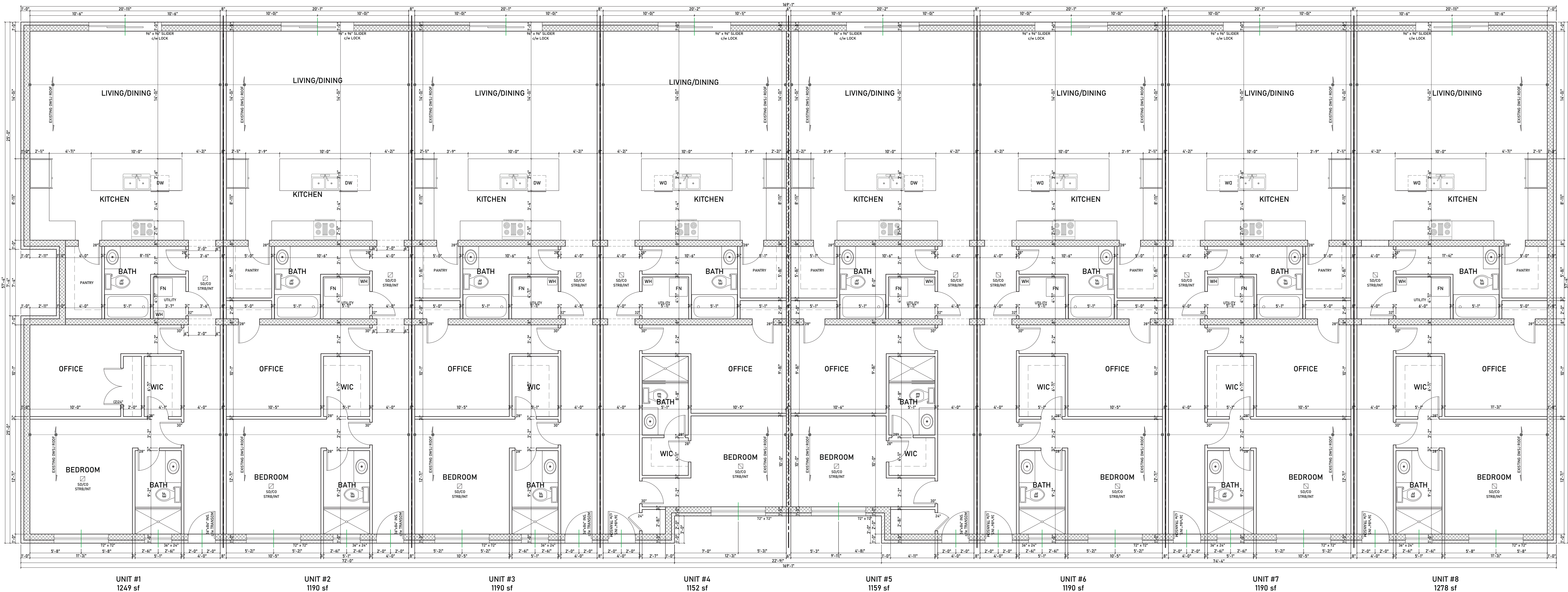
3 NORTH ELEVATION
A02.1 N.T.S.



4 WEST ELEVATION
A02.1 N.T.S.

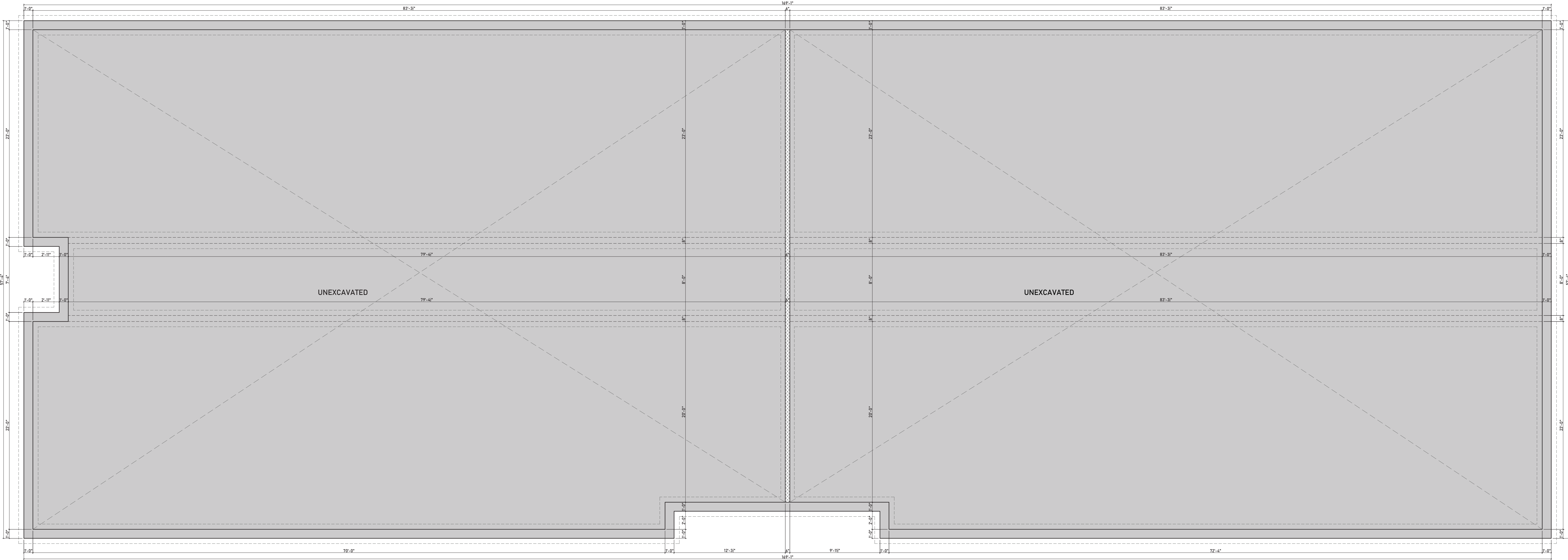


1 FLOOR VERIOSN 2 PLAN
A01.3/ 3/16" = 1"



1 FLOOR PLAN
A01.2/3/4" = 1"

1 FOUNDATION PLAN
A01.1 3/16"=1'



WELLESLEY PARKLAND RESIDENCY
2275 WELLESLEY AVE, WINDSOR, ONTARIO





WELLESLEY PARKLAND RESIDENCY
2275 WELLESLEY AVE, WINDSOR, ONTARIO



WELLESLEY PARKLAND RESIDENCY
2275 WELLESLEY AVE, WINDSOR, ONTARIO



WELLESLEY PARKLAND RESIDENCY
2275 WELLESLEY AVE, WINDSOR, ONTARIO



WELLESLEY PARKLAND RESIDENCY
2275 WELLESLEY AVE, WINDSOR, ONTARIO



WELLESLEY PARKLAND RESIDENCY
2275 WELLESLEY AVE, WINDSOR, ONTARIO



WELLESLEY PARKLAND RESIDENCY
2275 WELLESLEY AVE, WINDSOR, ONTARIO



WELLESLEY PARKLAND RESIDENCY
2275 WELLESLEY AVE, WINDSOR, ONTARIO

APPENDIX “B”
Site Photos
(Google Street View - November 2023)



Figure 1 - Looking north towards subject property from Vimy Avenue (Parent Park on left) (Wellesley Avenue on right)



Figure 2 - Looking northwest towards subject property from Wellesley Avenue



Figure 3 - Looking southwest towards subject property from Wellesley Avenue

APPENDIX “C”

Excerpts from Official Plan Volume I

3. Development Strategy

3.2 Growth Concept

3.2.1 Safe, Caring and Diverse Community

*NEIGHBOURHOOD
HOUSING VARIETY*

3.2.1.2

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. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands.

6. Land Use

6.1 Goals

In keeping with the Strategic Directions, Council’s land use goals are to achieve:

NEIGHBOURHOODS

6.1.1

Safe, caring and diverse neighbourhoods.

RESIDENTIAL

6.1.3

Housing suited to the needs of Windsor’s residents.

*RESIDENTIAL
INTENSIFICATION*

6.1.14

To direct residential intensification to those areas of the City where transportation, municipal services, community and goods and services are readily available. (added by OPA #159 –AP PROVED July 11, 2022, B/L# 100-2022)

6.3 Residential

6.3.1 Objectives

*RANGE OF FORMS &
TENURES*

6.3.1.1

To support a complementary range of housing forms and tenures

NEIGHBOURHOODS

6.3.1.2

To promote compact neighbourhoods which encourage a balanced transportation system.

*INTENSIFICATION,
INFILL &
REDEVELOPMENT*

6.3.1.3

To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan. (Added by OPA#159 - APPROVED July 11, 2022, B/L#100-2022)

6.3.2**Policies***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.
High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors.
(Added by OPA #159 – APPROVED July 11, 2022 , B/L# 100-2022)

*TYPES OF LOW
PROFILE HOUSING*

6.3.2.3

For the purposes of this Plan, Low Profile housing development is further classified as follows:

- (a) small scale forms: single detached, semi-detached, duplex and row and multiplexes with up to 8 units; and

*LOCATIONAL
CRITERIA*

6.3.2.4

Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up to four (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
- (c) Adequate community services and open spaces are available or are planned; and
- (d) Public transportation service can be provided.
(Added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022)

*EVALUATION
CRITERIA FOR A
NEIGHBOURHOOD
DEVELOPMENT
PATTERN*

6.3.2.5

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:

- (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) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, 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; **(Added by OPA #159 – APPROVED July 11 2022, B/L# 100-2022)**
- (d) provided with adequate off street parking;
- (e) capable of being provided with full municipal physical services and emergency services; and
- (f) Facilitation 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.
(Added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022)

11. Tools

11.6 Zoning

11.6.1 Objectives

*COMPATIBLE
USES*

11.6.1.2 To ensure compatibility between land uses.

11.6.3 Zoning By-law Amendment Policies

*EVALUATION
CRITERIA*

11.6.3.3 When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:

- (a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II:
- (b) Relevant support studies;
- (c) The comments and recommendations from municipal staff and circularized agencies;
- (d) Relevant provincial legislation, policies and appropriate guidelines; and
- (e) The ramifications of the decision on the use of adjacent or similar lands.

APPENDIX “D”

Excerpts from Zoning By-law 8600

SECTION 11 - RESIDENTIAL DISTRICTS 2. (RD2.)

[ZNG/5270]

(B/L 10358 Jul 16/1990; B/L 11093 Jul 20/1992; B/L 12651 Feb 25/1997, Approved by OMB Order R960323; B/L 169-2001 Jun 1/2001; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233; B/L 370-2001 Nov 15/2001; B/L 363- 2002 Dec 31/2002; B/L 142-2006 Aug 24, 2006; B/L 114-2016 Sep 19/2016; B/L 164-2017 Dec 7/2017; B/L 52-2024 Apr 22/2024)

11.3 RESIDENTIAL DISTRICT 2.3 (RD2.3)

11.3.1 PERMITTED USES

One Semi-Detached Dwelling

One Single Unit Dwelling

Townhome Dwelling

Any use accessory to the preceding uses

11.3.5 PROVISIONS

	Semi-Detached Dwelling	Single Unit Dwelling	Townhome Dwelling
.1 Lot Width – minimum	15.0 m	12.0 m	20.0 m
.2 Lot Area – minimum	450.0 m ²	360.0 m ²	200.0 m ² per unit
.3 Lot Coverage – maximum	45.0%	45.0%	45.0%
.4 Main Building Height – maximum	9.0 m	9.0 m	9.0 m
.5 Front Yard Depth – minimum	6.0 m	6.0 m	6.0 m
.6 Rear Yard Depth – minimum	7.50 m	7.50 m	7.50 m
.7 Side Yard Width – minimum	1.20 m	1.20 m	1.20 m
.10 Gross Floor Area – main building – maximum	400 m ²	400 m ²	N/A

(B/L 101-2022 Jul 11/2022; B/L 55-2023 May 29/2023; B/L 52-2024 Apr 22/2024)

SECTION 13 - INSTITUTIONAL DISTRICTS 1. (ID1.)

[ZNG/4628; ZNG5270]

(B/L 9465 Sep 28/1989 OMB Order R890032; B/L 209-1998 Aug 11/1998; B/L 33- 2001 Oct 23/2001 OMB Order 1716 PL010233; B/L 363-2002 Dec 31/2002; B/L 110- 2009 Nov 20/2009 OMB Order PL090722 Dec 4/2009; B/L 126-2011 Jul 21/2011; B/L 114-2016 Sep 19/2016; B/L 129-2016 Sep 19/2016; B/L 164-2017 Dec 7/2017)

13.1 INSTITUTIONAL DISTRICT 1.1 (ID1.1)

13.1.1 PERMITTED USES

Business Office of a non-profit or charitable organization

Child Care Centre

Place of Worship

School

Any one or more of the following uses within an existing building which is owned and maintained by a *Public Authority: Business Office; Professional Studio*

Any use accessory to the above uses

13.1.5 PROVISIONS

.1	Lot Width – minimum	20.0 m
.2	Lot Area – minimum	700.0 m ²
.3	Lot Coverage – maximum	50.0%
.4	Main Building Height – maximum	14.0 m
.5	Front Yard Depth – minimum	6.0 m
.6	Rear Yard Depth – minimum	7.50 m
.7	Side Yard Width – minimum	3.00 m
.8	Landscaped Open Space Yard – minimum	20.0% of lot area

SECTION 20 - SPECIFIC ZONING EXCEPTIONS IN CERTAIN AREAS

(AMENDED by By-law 227-2002, Approved by OMB Decision/Order No. 1013, July 24, 2003; OMB Decision/Order No. 1011, July 24, 2003 and OMB Decision/Order No. 1067, August 1, 2003, OMB File No. R020192, Case No. PL020829)

(1) SITE SPECIFIC PROVISIONS

257. For the lands comprising Part Block D, Plan 1119 as in R215679; situated on the west side of Wellesley Avenue between Lens Avenue and Vimy Avenue, a commercial School, with a minimum of 20 on-site parking spaces for the existing structure shall be an additional permitted use. (ZDM7). (ADDED by B/L 24-2010, March 2, 2010)

SECTION 24 - PARKING, LOADING AND STACKING PROVISIONS

(B/L 8627 Jul 8/1986; B/L 9057 Jul 7/1987; B/L 9882 Jul 31/1989; B/L 10358 Jul 16/1990; B/L 10473 Nov 5/1990; B/L 10993 May 4/1992; B/L 11093 Jul 20/1992; B/L 11157 Sep 21/1992; B/L 11780 Mar 28/1994; B/L 12234 Jul 14/1995; B/L 12429 Jan 8/1996; B/L 12819 Mar 17/1997; B/L 30-1998 Mar 2/1998; B/L 162-1998 Jun 24/1998; B/L 264-1999 Oct 19/1999; B/L 33-2001 Oct 23/2001 OMB Order 1716 PL01023; B/L 370-2001 Nov 15/2001; B/L 363-2002 Dec 31/2002; B/L 92-2003 May 6/2003; B/L 269-2003 Sep 15/2003; B/L 69-2004 Mar 31/2004; B/L 144-2004 Jun 11/2004; B/L 375-2004 Dec 21/2004; B/L 46-2005 Mar 23/2005; B/L 212-2005 Sep 22/2005; B/L 204-2006 Nov 30/2006; B/L 166-2007 Oct 5/2007; B/L 110-2009 Nov 20/2009 OMB Order PL090722 Dec 4/2009; B/L 164-2010 Nov 17/2010; B/L 129-2012 Oct 2/2012; B/L 95-2019 Sep 27/2019)

24.28 FRONT YARD PAVING AND SURFACING IN RESIDENTIAL DISTRICTS

24.28.1 IN ANY RESIDENTIAL DISTRICT:

- .1 A walkway, driveway or access area necessary for access to a parking space may cross a required front yard. That part of the required front yard not used for a walkway, driveway, access area, or, where permitted by this by-law, a parking space, shall be used exclusively as a landscaped open space yard.
- .3 For a single-unit dwelling, semi-detached dwelling, duplex dwelling or townhome dwelling unit, the total area of the required front yard occupied by a hard surface for the purpose of a walkway, driveway, access area or a parking space or any combination thereof cannot exceed:
 - .1 for a lot having a width of 9 m or greater: 50% of the required front yard area; or
 - .2 for a lot having a width of less than 9 m: 50% of the required front yard area plus 5% for each 1 metre decrease in lot width below 9 m to a maximum of 70% of the required front yard area.
- .5 All driveways, access areas and parking spaces, shall be paved and maintained with a hard surface consisting of paving brick or block, asphalt, concrete or any combination thereof.

SECTION 25 - PARKING AREA PROVISIONS

[ZNG/4249]

(B/L 9057 Jul 7/1987; B/L 12429 Jan 8/1996; B/L 33-2001 Oct 23/2001 OMB Order 1716 PL010233; B/L 370-2001 Nov 15/2001; B/L 167-2003 Jun 27/2003; B/L 167-2003 Jun 27/2)

25.5 GENERAL PROVISIONS

25.5.20 PARKING AREA SEPARATION

- .1 A parking area separation shall be provided as shown in Table 25.5.20.1:

TABLE 25.5.20.1 - PARKING AREA SEPARATION		
	PARKING AREA FROM	MINIMUM SEPARATION
.1	Huron Church Road between the south limit of College Avenue and the north limit of the EC Row Expressway	10.00 m
	Save and except for Parts 4 and 5, Plan 12R-12366 and Part Lots 1346 to 1360, Part Lot 1820 and Part Block A, Registered Plan 1059 (situated on the west side of Huron Church Road, north of Tecumseh Road West)	3.00 m
.2	Any other street	3.00 m
.3	An interior lot line or alley	0.90 m
.4	A rear lot line on a lot located in a Commercial District 3.9	10.00 m
.5	A building wall in which is located a main pedestrian entrance facing the parking area	2.00 m
.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

- .5 The area forming the parking area separation shall be maintained exclusively as a landscaped open space yard.

APPENDIX “E”

Consultations

CALDWELL FIRST NATION COMMUNITY

No comments provided

ENGINEERING - DEVELOPMENT

November 28, 2024, Comments for Zoning By-law Amendment Application

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

Sewers

The site may be serviced by a 300mm sanitary sewer and a 1050mm storm sewer located within Wellesley 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.

Right-of-Way

Wellesley Avenue is classified as Local Residential Road according to the Official Plan requiring a right-of-way width of 20m; the current right-of-way is 20m, therefore, no conveyance is required at this time.

Vimy Avenue is classified as Local Residential Road according to the Official Plan requiring a right-of-way width of 20m; the current right-of-way is 20m, therefore, no conveyance is required at this time.

Refer to Appendix - A for a full list of right-of-way permit requirements, prior to the issuance of a Building Permit.

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

Sidewalks - The owner(s) agrees to pay to the Corporation, prior to the issuance of a Building Permit, the sum of \$3,512.50 being the Owner's contribution towards the future construction of a concrete sidewalk on the Vimy Avenue frontage of the subject lands.

If you have any further questions or concerns, please contact Daniel Lopez, of this department at dlopez@citywindsor.ca

[Juan Paramo - Development Engineer]

ENGINEERING - R.O.W.

No comments provided

ENVIRONMENT**November 9, 2023, Comments for Stage 1: Planning Consultation Application**

We are not requesting any supporting information at this time.

[Barbara Lamoure - Environment and Sustainability Coordinator]

ENWIN UTILITIES LTD. - HYDRO ENGINEERING**November 27, 2023, Comments for Stage 1: Planning Consultation Application**

No Objection provided adequate clearances are achieved and maintained.

Please note the following.

1. ENWIN has 16kV overhead single phase primary conductors on the west side of the property.
2. ENWIN has 120/240V overhead secondary conductors on the west side of the property.
3. ENWIN has 27.6kV overhead three phase primary conductors on the east side of Wellesley Ave.

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.

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

[Keegan Morency-Kendall - Hydro Engineering Technologist]

ENWIN UTILITIES LTD. - WATER ENGINEERING**November 27, 2023, Comments for Stage 1: Planning Consultation Application**

Water Engineering has no objections. There is an existing 50mm water service for the building. If the existing service is adequate for the changes proposed than no approvals from ENWIN are required.

[Bruce Ogg - Water Project Review Officer]

FORESTRY**November 30, 2023, Comments for Stage 1: Planning Consultation Application**

There are 6 mature Norway maple trees located on the Wellesley side of this new build.

I would like to recommend adding snow fence or another type of barrier to protect the root system of these older trees. The barrier should be at least to the outside of the dripline for this approach to be effective.

[Yemi Adeyeye - Manager of Forestry & Natural Areas]

NATURAL AREAS**November 9, 2023, Comments for Stage 1: Planning Consultation Application**

No concerns from Natural Areas.

[Karen Alexander - Naturalist and Outreach Coordinator]

PARKS DESIGN & DEVELOPMENT**November 9, 2023, Comments for Stage 1: Planning Consultation Application**

No comments or requirements from Parks Design & Development.

[Sherif Barsom - Landscape Architect]

PLANNING DEPARTMENT - POLICY**November 28, 2024, Comments for Zoning By-law Amendment Application**

Here are my comments from Urban Design and Landscape Architecture lens:

- Vimy Avenue is designated as a Local/Residential Road in the Official Plan, a sidewalk is required on at least one side of the road, and a financial contribution is required for the Vimy Avenue frontage. (refer to transportation comments stage 2)
- To enhance the streetscape, street tree planting along Vimy Avenue is encouraged. Additionally, planting deciduous trees on the property is highly recommended, particularly in the front parking area and along the north side of the site, integrating them into amenity spaces.
- According to the Intensification Guidelines (June 2022), Section 2.2.3, Clause 10, parking, loading, and service areas for low-profile apartments should be located in low-visibility zones, such as side or rear yards. With 10 parking spaces required, these can be divided between the north and south sides of the building, with planting areas included at the front to soften the streetscape.

[Hoda Kameli - Landscape Architect]

May 10, 2024, Comments for Stage 2: Planning Consultation Application

Based on information found in the City of Windsor's Official Plan including the objective found in Chapter 4; "To protect against climate change and its possible adverse effects on human health, the physical environment, economy and quality of life"; and as guidelines identified in Chapter 6 for all Land Use Classifications with "...the provision of appropriate landscaping and buffers to enhance:

- all parking lots, and outdoor loading service areas; and
- the separation between the use and adjacent sensitive uses, where appropriate.",

Please also note the following comments:

Zoning Provisions for Parking Setback:

It is strongly recommended that the parking areas be setback to the same extent as the existing building wall setback from Wellesley Avenue. Per the Intensification Guidelines (June 2022) Section 2.2.3 Access & Parking clause 10, Low profile apartments, are to locate the parking, loading and service areas in low public visibility in side and rear yards and set back from the front façade of the building. Provision of a landscape transition between the residential streetscape and the proposed parking would maintain the strong residential character of the neighbourhood, while providing additional greenspace along the frontage of Wellesley Avenue. As 10 parking spaces are needed, there is the ability to divide the parking between the north and south sides of the building.

Tree Preservation:

No construction is contemplated; therefore no impact is anticipated to the existing six city trees along Wellesley Avenue. As there are 8 units proposed, it is recommended that there be 2 additional trees provided along the Vimy Avenue frontage.

Urban Design:

There are no Community Incentive Plans in place for this area and therefore no overriding guidelines for development other than those found in the Official Plan and the Intensification Guidelines (June 2022); especially Section 2 - Stable & Mature Neighbourhoods.

Parkland Dedication:

There are no parkland implications beyond the usual requirement for cash-in-lieu of 5% parkland dedication for residential uses.

[Stefan Fediuk - Senior Urban Designer]

PLANNING DEPARTMENT - SITE PLAN CONTROL**November 14, 2023, Comments for Stage 1: Planning Consultation Application**

Site Plan is not applicable for this proposed development pursuant to the Planning Act and City of Windsor By-law 1-2004.

[Jacqueline Cabral - Clerk Steno]

TRANSPORTATION PLANNING**November 28, 2024, Comments for Zoning By-law Amendment Application**

The Official Plan classifies Wellesley Ave as a Local Residential Road with a required right-of-way width of 20 metres. The current right-of-way width is sufficient; therefore, no conveyance is required.

The Official Plan classifies Vimy Ave as a Local Residential Road with a required right-of-way width of 20 metres. The current right-of-way width is sufficient; therefore, no conveyance is required.

Sidewalks are required on at least one side of Local Roads, therefore, a sidewalk contribution or construction per Engineering Right-of-Way requirements is required for a sidewalk along the property fronting Vimy Ave.

All parking must comply with ZBL 8600, otherwise a Parking Study is required.

The current site plan is 2 bicycle parking spaces deficient.

All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.

All proposed driveways must be 7-9 metres total at the property line (minimum 3.5m/lane, maximum 4.5m/lane) with maximum 1 metre flare each side.

[Elara Mehrilou - Transportation Planner I]

WALPOLE ISLAND FIRST NATION

No comments provided

WINDSOR POLICE SERVICE

No comments provided

APPENDIX “F” Draft Amending By-law

B Y - L A W N U M B E R -2024

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600
CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the day of , 2024.

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:

520. NORTHWEST CORNER OF VIMY AVENUE AND WELLESLEY AVENUE

For the lands comprising of Block D, Plan 1119, PIN No. 01323-0299 LT, the following additional provisions shall apply:

1. Notwithstanding Subsection .1 of Section 24.28.1.3, the total area of the *required front yard* occupied by a hard surface for the purpose of a walkway, driveway, *access area* or a *parking space* or any combination thereof for a lot having a width of 9.0 metres or greater shall not exceed 78%.
2. Notwithstanding Subsection .2 of Table 25.5.20.1, the minimum separation for a *parking area* from a street shall be 1.20 metres, subject to the following provisions:
 - a) 1.20-metre-high ornamental *screening fence* shall span the length of the separation, save and except that portion within 0.30 metres of an *access area*.
 - b) Notwithstanding provision a), for that portion of the ornamental *screening fence* located within the visibility triangle, as defined under Section 4.3 of Fence By-law 170-2012, the height shall be 0.90 metres.
3. 1.20-metre-high ornamental *screening fence* shall span the length of any *parking area* separations from the west *interior lot line*.
4. 1.20-metre-high ornamental *screening fence* shall span the length of the north limit of a *parking area*, save and except that portion bound by an existing building.

[ZDM 7; ZNG/7229]

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	6. New Zoning Symbol
1	7	Block D, Plan 1119 PIN 01323-0299 LT (located on northwest corner of Vimy Avenue and Wellesley Avenue)	--	ID1.1 S.20(1)257	RD2.3 S.20(1)520

DREW DILKENS, MAYOR

CLERK

First Reading - , 2024

Second Reading - , 2024

Third Reading - , 2024

SCHEDULE 2

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

To amend the zoning of the lands located on the east side of Janette Avenue between Park Street West and Wyandotte Street West, legally described as Block D, Plan 1119, PIN 01323-0299 LT, so as to allow interior and exterior alterations to a vacant institutional building [formerly Saint Charles Separate School (1960-1980)] for the purpose of establishing an eight (8) unit Townhome Dwelling on the subject property.

The amending by-law changes the Institutional District 1.1 (ID1.1) Site Specific Provision 20(1)257 zoning to a Residential District 2.3 (RD2.3) zoning on the subject land and adds a special zoning provision permitting 78% of a required front yard to be occupied by a hard surface for the purpose of a walkway, driveway, access area or a parking space or any combination thereof, a reduction in minimum parking area separation from a street, and provision of an ornamental screening fence along any portion of a parking area visible from a street.

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



PART OF ZONING DISTRICT MAP 7

N.T.S.

SCHEDULE 2

Applicant: 1740945 Ontario Corp.



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : AUGUST, 2024
FILE NO. : Z-026/24, ZNG/7229

November 4, 2024

Brian Nagata, Planner
City of Windsor, ON

(Delivered via email)

REGARDING: ZONING BYLAW AMENDMENT
2275 Wellesley Avenue, Windsor
Wesley Parkland Residence
Alta Nota

The subject property is known municipally as 2275 Wellesley Avenue in the City of Windsor. The subject lands are located on the corner of Vimy Ave and Wellesley Avenue. The parcel has a frontage of 30.5 m on Vimy Avenue and a lot area of 2,839.6 m².

Proposed is the adaptive re-use of the former St Charles Separate School and grounds to a building that will provide 8 residential townhouse units. There will be 10 parking spaces (9 regular and 1 barrier free) with 1 space for each unit with 2 visitor parking spaces. There will be areas identified in the rear yard of each unit and a large area to the east of the building for amenity space.

The existing building was originally constructed in the 1960's as an elementary school in the separate school board and was formally known as the St. Charles Separate School. When the school was deemed redundant and closed there have been a number of uses of the building: A daycare, The Windsor International Language Centre, the Canadian Christian Association used it as a school, and recently, it was used for storage.

The school was well built and is still in excellent condition for adaptive re-use from institutional use to 8 residential units. The existing property is a considerable size for adaptive re-use and provides outdoor amenity space with only 31% lot coverage and over 52% landscaped open space.

There is individual outdoor amenity space as a patio associated with each unit to be located adjacent to the unit and defined with a wood privacy fence. Behind the subject property is Parent Park providing even more amenity space directly behind the subject lands.



SUBJECT SITE: 2275 WELLESLEY AVENUE



2275 WELLESLEY AVENUE



Exterior changes will be limited to cosmetic changes such as upgraded windows, new doors and brick cleaning. Also, there will be an outdoor patio included at the back of each unit with a wood fence defining the space.

Landscaping will be located on the subject site and includes a decorative black wrought iron fence around the parking area; one to two conical cedars on each townhouse unit front yard; and a boxwood hedge along the Wellsley frontage (on the property) in front of the parking area as a visual buffer while staying out of the site triangle at the corner. There will be a gate for entrance to the parking area from the sidewalk at the side. There will also be a low boxwood hedge along the sidewalk to visually separate the parking from the frontage of the residential units. The intent is to provide a delineation of public from private space.

A 6 ft high board fence will separate the new residential units along the back of the lots as well as between each of the individual patios to provide privacy and again delineate public space of Parent Park from the private backyard units.

The change of the building from institutional to residential suits the interior division of the previously used classrooms easily adapted to townhouse units with common walls between each unit. This will result in an 8 unit townhouse complex units, all connected through a common wall.

Adjacent to the subject lands are modest, one and two storey single detached residences. The existing single storey building being re-adapted from a small elementary school to residential units is consistent and compatible with the existing residential neighbourhood and fits within the profile of the neighbourhood.

1. **PROPOSAL:**

The applicant has requested a Zoning Bylaw Amendment (ZBA) to establish a regulatory framework for the adaptive re-use of the property to residential townhouses. The ZBA will change the zoning from the existing 'Institutional District (ID1.1(257))' to 'Residential District (RD2.3)'. The (RD2.3) zone is an appropriate zone category to apply to the subject lands for the proposed townhouse style housing.

There are FOUR site specific provisions that need to be addressed for the adaptive re-use of the property and building:

- i) **Section 24.28.1.3.5 Front Yard Paving and Surfacing:** *"All driveways, access areas and parking spaces, shall be paved and maintained with a hard surface consisting of paving brick or block, asphalt, concrete or any combination thereof."*
- ii) **Section 25.5.20.1. Parking Area Separations:** *"A parking area separation shall be provided as follows:*
 - a. **Section 25.5.20.1.2 – 3m setback from any street** - at 0m setback;
 - b. **Section 25.5.20.1.3 – 0.9m setback from any interior lot line** - at 0m setback.
- iii) **Section 24.26.5: Parking Space,** *visitor parking and accessible parking spots are prohibited in a required front yard.*

The zone change will allow for the conversion of the former school to residential use providing rental units in an alternative style and tenure of housing. The need for housing is critical in Windsor and the provision of rental units within a residential neighbourhood will provide for the missing middle units and will allow for some of the older owners in the neighbourhood to stay and age in place.

The parking relief being requested will accommodate the existing location of the parking with a request for setback reduction, allowance for front yard paving, amount of front yard paving and the location of visitor parking in the front yard of the property. The relief for parking supports the efficient and effective re-use of the paved area and provides an appropriate location of parking for the site: the parking lot is bounded on two sides with a municipal road and on the third by municipal parkland. Particularly as seen in the below aerial, there are no adjacent residential neighbours affected by the requested site specific relief being requested.

The location of the parking lot, in my professional opinion, is the best suited location and providing relief for it's presentation location makes sound planning. With the building existing, there is only one other location on site that could accommodate the parking: the rear yard of the lot. The rear yard with access to Wellesley would impact a number of residences located across the street, adjacent behind the property, and adjacent beside the lot fronting on Wellesley.

This memo has been provided to summarize planning legislative framework and to provide a brief professional planning opinion of the requested Zoning Bylaw Amendment (ZBA). The proposed site development has been reviewed and placed within context of the Provincial Policy Statement (PPS), the City of Windsor Official Plan and the Comprehensive Zoning Bylaw 8600.

Attached are the following documents:

Appendix A – SITE PLAN AND ZONING MATRIX

Appendix B - BUILDING RENDERINGS

Appendix C – ‘Open House Flyer’

2. OPEN HOUSE RESULTS:

There were a number of the neighbours who attended the Open House (8 residents) as well as a couple of neighbours who emailed asking for details about the proposal. Once the neighbourhood heard about the retention of the existing building and the adaptive re-use of the building resulting in 8 residential units was positively received. There were no negative receptions of the proposed development.

3. PINCHIN RSC:

In review of title, there does not appear to be any identification of a need for a Record of Site Condition (RSC) and therefore one was not completed based on Pinchin's comments below. If there is further information available in the City records, a RSC will be undertaken prior to the building permit review.

"Pinchin has reviewed the Stage 1: Planning Consultation for Zoning By-Law Amendment (ZBA) letter prepared by the City of Windsor and dated November 22, 2023 and notes the following:

Ontario Regulation 153/04 defines the following property uses:

- *Agricultural or other use;*
- *Commercial use;*
- *Community use;*
- *Industrial use;*
- *Institutional use;*
- *Parkland use;*
- *Residential use;*

The sensitivity levels of each land use are grouped as follows from most sensitive to least sensitive:

1. *Agricultural or other use;*
2. *Residential, parkland and institutional land uses; and*
3. *Commercial, Community and Industrial land uses.*

Section 14 of O.Reg.153/04 discusses in detail, which changes in land use require an RSC. Given that the Site was previously used as a school (institutional land use) the change of property use from institutional to residential does not constitute a change to a more sensitive land use and therefore, an RSC is not required under O.Reg. 153/04, which is mandated by the Ontario Ministry of the Environment, Conservation and Parks.

Tim Mansfield, B.Sc.

*Senior Project Manager, Environmental Due Diligence & Remediation
Pinchin Ltd.*

225 Labrador Drive, Unit #1, Waterloo, ON N2K 4M8

C: 226.220.7188 |pinchin.com"

3. PROVINCIAL POLICY STATEMENT (PPS):

The following PPS 2024 policies apply to the proposal:

“Section 2.1 Planning for People and Homes:

6. *Planning authorities should support the achievement of complete communities by:*
 - a) *accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, longterm care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;*
 - b) *improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and*
 - c) *improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.*

“Section 2.2 Housing policies:

1. *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:*
 - a) *establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;*
 - b) *permitting and facilitating:*
 1. *all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and*
 2. *all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;*
 - c) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.”*

The proposed development is consistent, in my professional opinion, with PPS 2024:

- The subject site is located within the settlement area of the City of Windsor;
- The subject property is within an area designed and designated for residential uses;
- Re-development of the existing infrastructure will provide for a positive adaptive re-use;
- Municipal services are available to the site and there is sufficient servicing capacity to service the re-development;
- The ZBA supports the adaptive re-use of the exiting building and will provide for an appropriate utilization of municipal infrastructure;
- The ZBA supports the provision of parking in an appropriate and efficient manner and in a location that minimizes impact on the neighbourhood;
- The building is existing and as a low profile structure is well suited and compatible with the modest homes of the residential neighbourhood;
- The proposed development will allow for an adaptive re-use of an existing building for an appropriate new use of residential;
- The proposed residential density is consistent and compatible with the existing neighbourhood.
- The ZBA will support the adaptive re-use of the building for rental apartments providing for a range of housing styles and tenures appropriate for the neighbourhood.

In my professional opinion, the requested ZBA to allow for the adaptive re-use of the school for the provision of 8 residential rental units is consistent with the PPS 2024 policy direction for providing for alternative housing style and tenure. The proposal can be considered consistent with healthy community policies of the PPS by providing for an appropriate range and mix of housing types, densities and tenure.

4. CITY OF WINDSOR OFFICIAL PLAN (OP):

The subject lands are designated 'Residential' in the Official Plan for the City of Windsor with the following relevant policies applied to the proposed development:

"Section 3.3.3 NEIGHBOURHOODS

Neighbourhoods are the most basic component of Windsor's urban structure and occupy the greatest proportion of the City. Neighbourhoods are stable, low-to-medium-density residential areas and are comprised of local streets, parks, open spaces, schools, minor institutions and neighbourhood and convenience scale retail services. The three dominant types of dwellings in Windsor's neighbourhoods are single detached, semi-detached and townhouses.

The density range for Windsor's neighbourhoods is between 20 to 35 units per net hectare. This density range provides for low and some medium-density intensification to occur in existing neighbourhoods. Multiple dwelling buildings with medium and high-densities are encouraged at nodes identified in the Urban Structure Plan."

The proposed development and requested ZBA conforms with density ranges under the Windsor OP for the following reasons:

- The building is existing with a natural division into 8 townhouse units;
- The residential building is existing as a low profile building and is consistent and compatible with the existing modest, predominate single storey residential homes in the neighbourhood.
- Density of the site results in a low density of 28 units per hectares for the site;

"Section 5.4.8.5 Mandatory Filing of a Record of Site Condition

Where a change to a more sensitive property use (as defined in Ontario Regulation 153/04) is proposed, a mandatory filing of a Record of Site Condition is triggered in accordance with provincial legislation. The Record of Site Condition must be filed prior to the issuance of a building permit."

The proposed ZBA will allow for minor interior modifications to the existing building. Pinchin Environmental has indicated a RSC is not required however If the City determines that one is required a RSC will be completed for the Building Permit.

“6.1.3 Goals: RESIDENTIAL

In keeping with the Strategic Directions, Council’s land use goals are to achieve: Housing suited to the needs of Windsor’s residents.”

“6.3.1 Objects: RESIDENTIAL

In order to develop safe, caring and diverse neighbourhoods, opportunities for a broad range of housing types and complementary services and amenities are provided. The following objectives and policies establish the framework for development decisions in Residential areas.“

6.3.1.1 To support a complementary range of housing forms and tenures in all neighbourhoods.

6.3.1.2 To promote compact neighbourhoods which encourage a balanced transportation system.

6.3.1.3 To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.”

“6.3.2 Policies: RESIDENTIAL

6.3.2.3 For the purposes of this Plan, Low Profile housing development is further classified as follows:

- (a) small scale forms: single detached, semi-detached, duplex and row and multiplexes with up to 8 units;***
- (c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.”***

“6.3.2.5 Evaluation Criteria for a Neighbourhood Development Pattern

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:

- (d) provided with adequate off street parking;***
- (e) capable of being provided with full municipal physical services and emergency services;”***

The proposed development and requested ZBA conforms with Windsor OP for the following reasons:

- The building and site are existing. The building and site were previously used as a small, single storey neighbourhood public school that is well suited for an adaption to a residential use.
- The site specific ZBA provisions will provide relief for some minor site specific adjustments: front yard paving setback, front yard paving amount, street setback, and visitor parking in the front yard. It is my professional opinion that the ZBA will support the existing parking area's location on the lot that is distance separated from neighbourhood existing residences. The existing position, in my professional opinion, allows for the provision of parking while keeping the use distance separated from the existing neighbourhood residences with the location.
- The proposed adaptive reuse will provide for the missing middle residential units and will allow for some older neighbours to age in place in their existing neighbourhood.
- Municipal services are available to service each unit.
- There is municipal capacity for the additional 8 residential units. The adaptive re-use of the existing building to residential townhouses on municipal services conforms, in my professional opinion, with the OP policies.
- The bylaw requires 1.25 parking space per unit therefore there is a requirement for 10 parking spaces. The existing parking area will accommodate 10 parking spaces providing for 2 visitor parking.
- The proposal conforms with OP policies that encourage complimentary and compact built form housing within an existing neighbourhood.
- Adapting the low profile, single storey school for 8 residential units conforms with the OP policies that promotes compatible uses and buildings of similar height within the neighbourhood of low profile, modest homes. In my professional opinion, the existing low profile building and residential townhouses are compatible with the existing neighbourhood.

- OP policies encourage and support infilling and adaptive reuse such as the proposal when the building and use is compatible with the existing residential neighbourhood.
- The requested ZBA will provide a regulatory framework for the proposed alternative tenure and style of residential units that will support a healthy, diversified residential neighbourhood.

In my professional opinion, the proposed adaptive reuse of a low profile building to a residential use of the former school facility is appropriate for this neighbourhood and will support a diversity of housing style and tenure within an existing residential neighbourhood. The proposed ZBA conforms with relevant policies of the Official Plan in support of sound residential development.

5. CITY OF WINDSOR CZB 8600:

The subject site is presently zoned 'Institutional District (ID1.1(257))' in the Comprehensive Zoning By-law 8600. The request is a ZBA to allow for the adaptive re-use of the former St. Charles Elementary School to 8 residential townhouse units within the City of Windsor.

Townhouse dwelling unit defines the proposed units with common walls separating each unit while each unit has a separate entrance:

“Section 3: Definitions: TOWNHOME DWELLING means one dwelling vertically divided into a row of three or more dwelling units attached by common interior walls, each wall having a minimum area above grade of 10.0 sq. m., and may include, where permitted by Section 5.99.80, additional dwelling units. A semi-detached dwelling is not a townhome dwelling.”

The site specific provision 257 defines a commercial school as an additional use. The above noted site specific provision is not required for the residential townhouse development and should be removed as an additional use.

“Subsection 257: For the lands comprising Part Block D, Plan 1119 as in R215679; situated on the west side of Wellesley Avenue between Lens Avenue and Vimy Avenue, a commercial School, with a minimum of 20 on-site parking spaces for the existing structure shall be an additional permitted use. (ZDM7). (ADDED by B/L 24-2010, March 2, 2010).

A ZBA is required to change the regulations applied to the property from institutional to residential. The (RD2.3) zone appears to be an appropriate zone:

	(RD2.3) PROVISIONS	SUBJECT SITE
PERMITTED BLDG	TOWNHOUSES	8 UNIT TOWNHOUSE COMPLEX
LOT AREA	200 m ² x 8 = 1,600 m ²	2,876 m ²
LOT FRONTAGE	20 m	30.5 m (Vimy Ave)
FRONT YARD SETBACK	6 m	14.6 m (existing)
INTERIOR SIDE YARD	1.2 m	5.1 m (adjacent Parent Park)
LOT COVERAGE	45 %	31.2 %
MAXIMUM BLDG HEIGHT	9 m	4 m
PARKING	1 sp/unit = 8 spaces	10 parking spaces (2 visitor)

There are FOUR site specific provisions that need to be addressed for the adaptive re-use of the property and building:

- i) **Section 24.28.1.3.5 Front Yard Paving and Surfacing:** *“All driveways, access areas and parking spaces, shall be paved and maintained with a hard surface consisting of paving brick or block, asphalt, concrete or any combination thereof.”*
 - ii) **Section 25.5.20.1. Parking Area Separations:** *“A parking area separation shall be provided as follows:*
 - a. **Section 25.5.20.1.2 – 3m setback from any street** - at 0m setback;
 - b. **Section 25.5.20.1.3 – 0.9m setback from interior side yard** - at 0m setback.
 - iii) **Section 24.26.5: Parking Space,** *visitor parking and accessible parking spots are prohibited in a required front yard.*
- The area of the parking lot was originally the playground for the schools and is existing;
 - The orientation of the existing building is the width the front lot line along Vimy Street as the shorter lot line dividing the property from the road as defined by the Bylaw:
 - The front yard is considered Vimy Street frontage.
 - As an existing circumstance, it is more environmentally sound and appropriate from an access perspective to leave the parking lot and access in the present location. It is my professional opinion that the requested relief to recognize the parking located in the front yard is minor.
 - The relief for parking supports the efficient and effective re-use of the paved area and provides an appropriate location of parking for the site: the parking lot is bounded on two sides with a municipal road and on the third by municipal parkland. Particularly as seen on the attached aerial, there are no adjacent residential neighbours affected by the requested site specific relief being requested.

- In my professional opinion, is the best suited location and providing relief for it's present location makes sound planning. With the building existing, there is only one other location on site that could accommodate the parking: the rear yard of the lot. The rear yard with access to Wellesley would impact a number of residences located across the street, adjacent behind the property, and adjacent beside the lot fronting on Wellesley.
- Due to the orientation of the existing building, the location of the parking lot is appropriate and can be considered a lower visual impact than moving the parking to Wellesley yard.
- There is landscaping in the form of a 6 ft high fence on the west lot line for privacy; and a black wrought iron fence along the Vimy frontage and a low boxwood hedge (less than 3 ft) along Wellesley exterior side yard in the front yard for visual buffering.
- The building is existing therefore it is not possible to comply with this bylaw provision. This is a minor consideration particularly in light that the only adjacent property is vacant parkland and there are no buildings to obscure views or sight lines or invade privacy with the greater setback.

It is my professional opinion that because the parking lot is existing and the landscaping will provide a buffer, an amendment to these two provisions of the Bylaw are supportable and in my professional opinion when passed, will allow the proposed development to comply with the Bylaw.

6. CONCLUSION:

In my professional opinion, the proposed conversion of the existing school to 8 new residential townhouse units will comply with the Comprehensive Zoning Bylaw 8600 when the bylaw is passed changing the application legislation to 'Residential District 3 (RD3.1)'.

The proposed adaptive re-use of a former elementary school to provide new residential apartments makes sound development. The proposed development adapting an existing low profile, single storey building from a school to a residential townhouse development is appropriate in this location and compatible with the existing low profile residential neighbourhood. The proposed residential re-use of the existing infrastructure is sound and represents a complimentary and compact built form of housing that provides for alternative styles and tenure supporting a healthy community with diversity in housing. The adaptive re-use of .

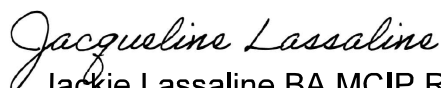
In my professional opinion the proposed ZBA and requested adaptive re-use of the former St. Charles elementary school :

- 1) is consistent with the policies of the 2020 Provincial Policy Statements;
- 2) conforms with the relevant policies of the City of Windsor Official Plan;
- 3) complies the regulations of the Comprehensive Zoning Bylaw 8600; and
- 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.

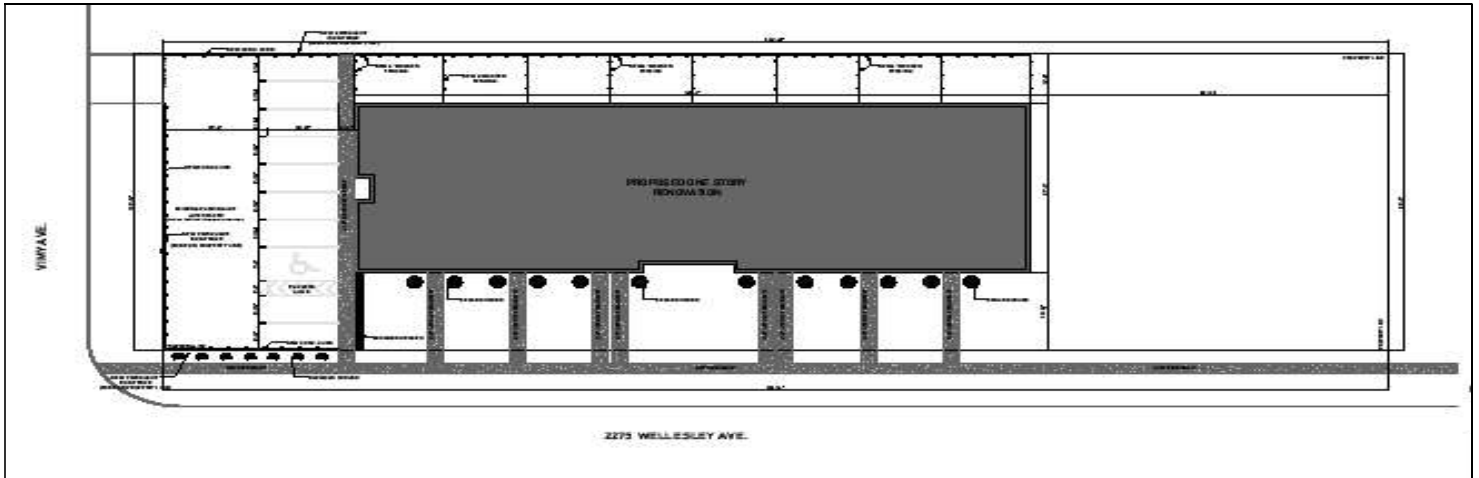
Regards,

Lassaline Planning Consultants



Jackie Lassaline BA MCIP RPP
Owner, Principal Planner

Appendix A SITE PLAN



Appendix B - BUILDING RENDERINGS



WELLESLEY PARKLAND RESIDENCY

Appendix C – ‘Open House Flyer’

OPEN HOUSE

JANUARY 25, 2024 | 5:00 P.M. – 7:00 P.M.

850 OUELLETTE AVE., WINDSOR



We are excited to introduce the community to our new development at 2275 Wellesley Ave. This project is conveniently located in a residential area with local amenities and features a redeveloped building with a total of 8 units and parking.

We invite you to come and meet us and attend the Public Open House to learn more about the development. Our project team will be there to welcome guests and discuss comments and questions.

FOR MORE INFORMATION REGARDING THE OPEN HOUSE

PHONE:

519-818-1633

519-890-9614

EMAIL:

altanota@live.com

OR

Jackie Lassaline: jackie@lassalineplan.ca





Council Report: S 172/2024

Subject: Zoning By-law Amendment Application for 0 Janette Avenue, Z-037/24 [ZNG-7249], Ward 3

Reference:

Date to Council: January 6, 2025
 Author: Brian Nagata, MCIP, RPP
 Planner II - Development Review
 (519) 255-6543 ext. 6181

Planning & Building Services
 Report Date: December 5, 2024
 Clerk's File #: Z/14890

To: Mayor and Members of City Council

Recommendation:

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning for the lands located on the east side of Janette Avenue between Park Street West and Wyandotte Street West, described as Lot 73, Plan 274 (PIN No. 01195-0501 LT), by adding a site specific provision to allow *One Multiple Dwelling* containing a maximum of six *dwelling units* as an additional permitted *main use*, subject to the following additional regulations:

521. EAST SIDE OF JANETTE AVENUE BETWEEN PARK STREET WEST AND WYANDOTTE STREET WEST

(1) For the lands comprising of Lot 73, Plan 274, PIN No. 01195-0501 LT, one *Multiple Dwelling* containing a maximum of six *dwelling units* shall be an additional permitted *main use* subject to the following additional provisions:

1. The *Multiple Dwelling* provisions of Section 11.2.5.4 shall apply, save and except Sections 11.2.5.4.1, 11.2.5.4.2 and 11.2.5.4.4.
2. Lot Width - minimum 15.0 m
3. Lot Area - minimum 519.0 m²
4. Main Building Height - maximum 10.0 m
5. Landscape Open Space Yard - minimum 35.0% of lot area
6. Notwithstanding Table 24.20.5.1, for a *Multiple Dwelling* containing a minimum of 5 Dwelling Units, the minimum required number of *parking spaces* shall be 5.

7. Notwithstanding Table 24.30.1, the minimum required number of bicycle parking spaces shall be 2.
8. Notwithstanding Clause .3 in Table 25.5.20.1, the minimum separation for a *parking area* from an *interior lot line* shall be 0.00 m.

[ZDM 3; ZNG/7249]

Executive Summary:

N/A

Background:

Application Information:

Location: 0 Janette Avenue
(Lot 73, Plan 274; Roll No. 040-120-04500; PIN No. 01195-0501 LT)

Ward: 3

Planning District: City Centre

Zoning District Map: 3

Owner: Andi Shallvari

Applicant: Same as Owner

Authorized Agent: Tracey Pillon-Abbs (Pillon Abbs Inc.)

Proposal:

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning for the lands located on the east side of Janette Avenue between Park Street West and Wyandotte Street West, known municipally as 0 Janette Avenue (the subject property), by adding a site-specific provision to permit One Multiple Dwelling containing a maximum of six (6) dwelling units as an additional permitted main use on the subject property, subject to the following additional provisions.

- The Multiple Dwelling provisions of Section 11.2.5.4 shall apply, save and except Subsections 11.2.5.4.1, 11.2.5.4.2 and 11.2.5.4.4.
 - Lot Width - minimum 15.2 m
 - Lot Area - minimum 521.4 m²
 - Main Building Height - maximum 10.0 m

- Notwithstanding Section 24.20.5.1: Table 24.20.5.1, the minimum parking rate for a Multiple Dwelling containing a minimum of five (5) Dwelling units shall be four (4) parking spaces.
- Notwithstanding Section 24.30.1.1: Table 24.30.1, the minimum required number of bicycle parking spaces for 1 to 9 parking spaces in a parking area shall be ten.

It should be noted that the lot area should be 519.0 m². This is based on the Plan of Survey prepared by Verhaegen Land Surveyors, dated December 15, 2023, submitted by the applicant.

Submitted Information: Conceptual Plans (See Appendix A), Deed, Parking Study (See Appendix H), Plan of Survey, Planning Rationale Report (See Appendix I) and Zoning By-law Amendment Application Form

Site Information:

Official Plan	Zoning	Current Use	Previous Use
City Centre	Residential District 2.2 (RD2.2)	Vacant Land	Single Unit Dwelling
Lot Width	Lot Depth	Lot Area	Lot Shape
15.2 m	34.2 m	519.0 m ²	Rectangular
<i>All measurements are based on Plan of Survey prepared by Verhaegen Land Surveyors, dated December 15, 2023</i>			

The subject property is a vacant lot consisting of landscaped open space. The subject property was previously occupied by a Single Unit Dwelling from approximately 1909 to 1989.





PART OF ZONING DISTRICT MAP 3

N.T.S.

REQUESTED ZONING AMENDMENT

Applicant: Andi Shallvari



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : OCTOBER, 2024
FILE NO. : Z-037/24, ZNG/7249



NEIGHBOURHOOD MAP - Z-037/24, ZNG/7249



SUBJECT LANDS

Neighbourhood Characteristics:

The subject property is located on the western side of the City Centre neighbourhood. The City Centre neighbourhood constitutes the area north of Erie Street East and Erie Street West, east of the Canadian Pacific Railway corridor and Janette Avenue (north and south of Wyandotte Street West respectively), south of the Detroit River and west of Marentette Avenue and Howard Avenue (north and south of Cataraqui Street respectively).

Surrounding Land Uses:

North:

- Low density residential
- Medium density residential

East:

- Low density residential
- Residential care facility

South:

- Low density residential
- Mixed use (commercial and residential)

West:

- Low density residential

Municipal Infrastructure:

- Janette Avenue is classified as a Class I Collector Road, which has a two-lane cross section with curbs, gutters and sidewalks on both sides, and streetlights on the east side.
- Combined sewer and watermain are located within the Janette Avenue right-of-way.

Discussion:

The Provincial Planning Statement, 2024 (PPS) provides policy direction on matters of provincial interest related to land use planning and development sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

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

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

2.1 Planning for People and Homes

Policy 2.1.6 states:

Planning authorities should support the achievement of complete communities by:

- a) accommodating an appropriate range and mix of land uses, housing options, to meet long-term needs;*
 - a. This amendment will allow for the construction of a six (6) unit Multiple Dwelling, further diversifying the range and mix of housing options available in the City Centre neighbourhood.
- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and*
 - a. Compliance with the Barrier-Free Design requirements of the *Ontario Building Code* and accessibility requirements under *Ontario Regulation 191/11 Integrated Accessibility Standards to the Accessibility for Ontarians with Disabilities Act, 2005* will be addressed through the Building Permit application process.
 - b. This amendment will require one of the five (5) proposed parking spaces to be a Type A accessible parking space with an access aisle.
- c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.*
 - a. This amendment will provide more housing options for individuals who wish to live or remain within the City Centre neighbourhood.

2.2 Housing

Policy 2.2.1 states:

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

- c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and*
 - a. This amendment will allow for the redevelopment of the subject property through intensification, optimizing existing municipal infrastructure and public service facilities, and avoiding unnecessary land consumption.
 - i. The subject property is serviced by municipal electrical, sanitary, storm and water services.

- ii. There is a community centre, public library and schools within proximity to the subject property.
- b. Janette Avenue has on-street southbound bike lanes on both sides of the street connecting to the City's multi-use trail system approximately 650.0 metres to the north, via the Bruce Avenue on-street northbound bike lanes.
- d) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.*
 - a. The subject property being on a bus route (Dougall 6 Southbound), in proximity to two (2) bus routes (Crosstown 2 and Central 3), and within walking distance of associated transit stops constitutes a transit-supportive development.
 - i. 400.0 metres is typically used as an acceptable walking distance to a transit stop.
 - ii. This is reflected within Transit Windsor's 2019 Transit Master Plan and the City of Windsor's Active Transportation Master Plan.

One or more of the responses provided to the policies of PPS Chapter 2 and/or the Official Plan referenced herein also speak to the following relevant PPS Policies:

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities	
2.2 Housing	
Policy 2.2.1 - <i>Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:</i>	Sub Policy b) permitting and facilitating: <ol style="list-style-type: none"> <i>1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and</i> <i>2. all types of residential intensification, including the, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;</i>

2.3 Settlement Areas and Settlement Area Boundary Expansions	
2.3.1 General Policies for Settlement Areas	
Policy 2.3.1.1 - <i>Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.</i>	
Policy 2.3.1.2 - <i>Land use patterns within settlement areas should be based on densities and a mix of land uses which:</i>	Sub Policies a) <i>efficiently use land and resources, b)</i> <i>optimize existing and planned infrastructure and public service facilities, c)</i> <i>support active transportation, d)</i> <i>are transit-supportive, as appropriate</i>
Policy 2.3.1.3 - <i>Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning....</i>	
2.9 Energy Conservation, Air Quality and Climate Change	
Policy 2.9.1 - <i>Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that:</i>	Sub Policy a) <i>support the achievement of compact, transit-supportive, and complete communities</i>
Chapter 3: Infrastructure and Facilities	
3.6 Sewage, Water and Stormwater	
Policy 3.6.2 - <i>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. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems</i>	

Official Plan

Relevant excerpts from Volume I of the Official Plan are attached as Appendix C. The following policies from these excerpts are considered relevant in discussing this amendment's conformity with the Official Plan.

Table 1 - Volume I Schedules

Schedule	Designation
Schedule A - Planning Districts & Policy Areas	City Centre
Schedule A-1 - Special Policy Areas	N/A
Schedule B - Greenway System	Recreationway (Janette Avenue)
Schedule C - Development Constraints	N/A
Schedule C-1 - Archaeological Potential	Archaeological Potential Zone
Schedule D - Land Use	N/A
Schedule E - City Centre Planning District	Residential Low Profile Area
Schedule F - Roads & Bikeways	Class I Collector Road (Janette Avenue) Bikeway (Janette Avenue)
Schedule F-1 - Railways	N/A
Schedule G - Civic Image	N/A
Schedule H - Baseplan Development Phasing	N/A
Schedule J - Urban Structure Plan	N/A

Volume I

Chapter 3 - Development Strategy

This amendment complies with the following applicable key policy direction for managing growth consistent with the Vision of the City of Windsor Community Strategic Plan.

3.2 - Growth Concept

3.2.1 - Safe, Caring and Diverse Communities

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. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands (Policy 3.2.1.2).

Chapter 6 - Land Use:

6.1 Goals

This amendment complies with the following applicable land use goals:

- *Safe, caring and diverse neighbourhoods.* (Goal 6.1.1)
- *Housing suited to the needs of Windsor's residents.* (Goal 6.1.3)
- *To direct residential intensification to those areas of the City where transportation, municipal services, community facilities and goods and services are readily available.* (Goal 6.1.14)

6.11 City Centre Planning District

6.11.1 Objectives

The amendment complies with the following applicable City Centre Planning District objective:

- *To foster livable residential neighbourhoods close to employment, shopping and entertainment opportunities.* (Objective 6.11.1.2)

6.11.3 Development Profile Area Policies

Development Profile Area Defined

For the purpose of this Plan, the development profile areas designated on Schedule E: City Centre Planning District establish the maximum height for buildings within distinct sub-areas of the City Centre. Accordingly, the following development profile areas apply to lands within the City Centre Planning District: (Policy 6.11.3.1)

- *(a) Low Profile Area where development is generally no greater than three (3) storeys in height;*
 - This amendment will not permit a development greater than three (3) storeys in height.

6.11.5 Residential Policies

Permitted Uses

Uses permitted in the Residential land use designation identified on Schedule E: City Centre Planning District include: (Policy 6.11.5.1)

- *(a) in areas also designated as Low Profile Area single detached, semi-detached, duplex, and row and multiplex dwelling units with up to 8 units.*

Evaluating Proposals

At the time of submission, residential development proposals in areas designated as Residential on Schedule E: City Centre Planning District shall be evaluated according to policy 6.3.2.5. (Policy 6.11.5.3)

Evaluation Criteria for a Neighbourhood Development Pattern

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: (Policy 6.3.2.5)

- (c) *In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.*
 - The Planning Department undertook a detailed analysis of the residential properties within 120 metres of the subject property (notification area for a Zoning By-law Amendment under the *Planning Act*), focusing on a variety of factors associated with the criteria set forth under this policy.
 - The purpose of this analysis was to assist in determining if a development permitted through this amendment will be compatible with the established built environment of the study area.
 - The data collected through this analysis is included in the table *attached* hereto as Appendix G.
 - The analysis found the study area to have a diverse built environment, resulting from a buildout occurring over a period of seventeen decades.
 - The key findings of the analysis in relation to the said criteria are detailed below:
 - Amenity Areas, Massing, Orientation, Scale, Setbacks and Siting
 - Lot widths range from approximately 7.6 metres to 60.8 metres, with an average of 13.4 metres.
 - The subject property has a lot width of 15.2 metres.
 - Lot areas range from approximately 121.9 m² to 2,142.5 m², with an average of 459.6 m².
 - The subject property has a lot area of 519.0 m².
 - Density currently ranges from approximately 15.3 units per hectare to 452.7 units per hectare, with an average of 47.4 units per hectare.
 - Density with maximum Additional Dwelling Unit (ADU) potential ranges from approximately 32.2 units per hectare to 452.7 units per hectare, with an average of 89.0 units per hectare.
 - This amendment will permit a development with a maximum density of 115.4 units per hectare.

- It should be noted that a Semi-Detached Dwelling with two (2) ADU's in each Semi-Detached Dwelling Unit for a total of six (6) dwelling units can be established on the subject property under the RD2.2 zoning without requiring a Zoning By-law Amendment or a Minor Variance.
- The applicant is not requesting relief from any of the minimum setback provisions or the maximum lot coverage provision for a Multiple Dwelling under the RD2.2 zoning.
- The study area includes Single Unit Dwellings, Semi-Detached Dwellings, Duplexes, Two (2) Unit Dwellings, Double Duplex Dwellings, Multiple Dwellings containing anywhere from three (3) to forty-five dwelling units, and a Residential Care Facility with 97 residents.
 - The residential dwellings come in various sizes and architectural styles, reflective of their specific use and time of construction ranging from 1869 to date.
- These factors collectively will result in a development with amenity areas, massing, orientation, scale, setbacks and siting consistent with the established built environment (i.e. front yard and rear yard amenity areas, street facing dwelling).
- General Zoning Districts under Zoning By-law 8600 that permit a Multiple Dwelling with more than four (4) dwelling units require a minimum landscaped open space yard of 35.0% of the lot area.
 - The Planning Department is subsequently recommending that a site-specific provision be added to establish a minimum landscaped open space yard of 35.0% of the lot area.
 - This site-specific provision also aims to assist with storm water management and prevent the rear yard from being entirely hard surfaced and potentially becoming a parking area.
- Height
 - Building heights range from one (1) storey to six (6) storeys.
 - The range of building heights are also reflective of their specific use and time of construction.
 - The applicant is requesting a building height of two (2) stories (10.0 metres).
 - The requested increase in building height is complementary to and compatible with the established built environment.

- Parking
 - Parking is provided off the alley or abutting street for the majority of the residential properties.
 - There are a few properties that do not have any parking.
 - Parking is proposed off of the paved alley for the proposed development.
- (d) *provided with adequate off street parking;*

Minimum Required Parking

- The applicant is requesting that the minimum number of required parking spaces for the proposed development be reduced from seven (7) to four (4).
- The applicant was required to complete a Parking Study to justify the requested reduction.
 - The Transportation Planning Department, through their comments, confirmed that they do not support the parameters used by the consulting engineers to prepare the Parking Study nor do they agree with the resulting summary and conclusions.
 - The Transportation Planning Department is of the opinion that the requested deficiency will be detrimental to the neighbourhood, placing more pressure on Janette Avenue's already heavily utilized and under strain on-street parking.
- The applicant, Planning Department and Transportation Planning Department, through the preceding Stage 2: Planning Consultation Application process, agreed to a reduction in the minimum number of required parking spaces from seven (7) to five (5) subject to the provision of two (2) bicycle parking spaces.

Storm Water Management Report

- The construction five or more parking spaces constitutes a parking area, which is subject to the provisions of Section 25 of Zoning By-law 8600 and the requirement to prepare a Storm Water Management Report.
- The applicant subsequently requested that the requirement for a Storm Water Management Report (to be submitted as part of a complete Zoning By-law Amendment Application) be waived due to the associated costs.
 - The Planning Department and Engineering Department subsequently met and agreed that for this amendment and other similar amendments moving forward the Storm Water Management Report will be requested at the Building Permit stage, which would only require the applicant to incur the cost if the rezoning is approved.

Cost of Storm Water Management Report and Available Incentives

- In respect to associated costs, the following should be noted:
 - The Engineering Department expects the cost to prepare the Storm Water Management Report to be approximately \$3,000.00 to \$5,000.00.
 - The Engineering Department does not expect any recommendations of the Storm Water Management Report to result in any major expenditures.
 - The completion of a lot grading plan including a rear yard drain is a prerequisite to the issuance of a Building Permit for this type of residential development.
 - The Engineering Department indicated that modifications to the lot grading plan and rear yard drain should be able to accommodate any additional storm water resulting from the parking area.
 - The subject property is within a Development Charge Exempt Area, which is a savings of \$120,426.00 (i.e. six dwelling units x \$20,071.00).
 - The proposed development is eligible for funding under the *New Residential Development Grant Program* (\$2,500.00 for every new residential unit) offered through the *Downtown Windsor Community Improvement Plan* (DWCIP).
 - The proposed development is eligible for funding under the *Building/Property Improvement Tax Increment Grant Program* [100% of the increase in municipal property taxes for five years, with the possibility of an extension up to a total of ten (10) years, after the project is completed and reassessed] offered through the DWCIP.
 - The 2024 municipal property taxes for the subject property are \$391.22.

Recommended Parking Provisions

- The Planning Department is consequently recommending that a site-specific provision be added to include the following additional regulations:
 - Notwithstanding Section 24.20.5.1: Table 24.20.5.1, the minimum parking rate for a Multiple Dwelling containing a minimum of five (5) Dwelling units shall be five (5) parking spaces.
 - The provision of five (5) parking spaces requires one of the parking spaces to be a Type A accessible parking space with an access aisle.
 - Notwithstanding Section 24.30.1.1: Table 24.30.1, the minimum required number of bicycle parking spaces for 1 to 9 parking spaces in a parking area shall be two (2).

- Notwithstanding Subsection .3 of Section 25.5.20.1: Table 25.5.20.1, the minimum separation for a parking area from an interior lot line shall be 0.00 metres.
 - The subject property does not have sufficient lot width to accommodate the minimum 0.90 metre parking area separations from the interior side lot lines.
 - There is expected to be little to no impact from the reduction due to the location of the parking area off the alley, outside of the view of the public realm.
- *(e) capable of being provided with full municipal physical services and emergency services; and*
 - Refer to the response provided to PPS Policy 2.2.1.c) herein for details on the municipal physical services available to the subject property.
 - The subject property is served by Essex-Windsor EMS, Windsor Fire & Rescue Services (Fire Hall No. 1) & Windsor Police Service.

Chapter 11 - Tools:

Land use compatibility throughout Windsor is an implementation goal to be achieved when administering a planning tool under this Chapter. Compatibility between land uses is also an objective of the Zoning By-law Amendment planning tool (Policy 11.6.1.2).

- Land use compatibility was considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

Policy 11.6.3.3 states:

- *When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:*
 - *(a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;*
 - *(b) Relevant support studies;*
 - *(c) The comments and recommendations from municipal staff and circularized agencies;*
 - *(d) Relevant provincial legislation, policies and appropriate guidelines; and*
 - *(e) The ramifications of the decision on the use of adjacent or similar lands.*
 - This amendment is not anticipated to have any ramifications on the use of adjacent or similar lands.

The aforesaid matters were considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

Zoning By-Law

Relevant excerpts from Zoning By-law 8600 are *attached* as Appendix D.

The subject property is within a RD2.2 zone of Zoning By-law 8600, which does not permit a Multiple Dwelling containing more than four (4) dwelling units.

The applicant is requesting an amendment to Zoning By-law 8600 to add a site-specific provision to allow One Multiple Dwelling containing a maximum of six (6) dwelling units as an additional permitted main use with a minimum lot width of 15.2 metres, minimum lot area of 519.8 m², maximum main building height of 10.0 metres, minimum of four (4) parking spaces and a minimum of ten bicycle parking spaces.

The applicant has submitted a Planning Rationale Report in support of the requested amendment.

The applicant's request has been considered and is supported in this report, save and except for the reduction in required parking spaces from seven (7) to four (4) for reasons noted in the response to Official Plan Policy 6.3.2.5(d) herein. Support of the applicant's request comes in conjunction with the regulations being recommended by the Planning Department herein.

The Planning Department, via November 4, 2024, email, advised the applicant that the requested reduction in required parking spaces will not be supported.

No other zoning deficiencies have been identified or supported.

A draft amending by-law is attached as Appendix G. Subsection 24 (1) of the *Planning Act*, R.S.O. 1990, c. P.13., prohibits a by-law from being passed that does not conform with the Official Plan. As discussed through the Official Plan section herein, the proposed amendment conforms to the applicable policies of the Official Plan.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

The proposed development implements *Environmental Master Plan* Objective C1: Encourage in-fill and higher density in existing built areas. Intensification minimizes the impact on the community greenhouse gas emissions. Development within existing communities and neighbourhoods while using currently available infrastructure such as sewers, sidewalks, and public transit helps to mitigate development impact. Situating development in areas with access to active transportation and transit increases the likelihood of residents utilizing various non-vehicular means of utilitarian transportation which collectively reduces the amount of greenhouse gas emissions within the City of Windsor.

Climate Change Adaptation:

The new building 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.

Financial Matters:

N/A

Consultations:

Comments received from City Departments, external agencies and members of the public on this application were taken into consideration when preparing this report. A record of the comments is included as Appendix E herein.

The Transportation Planning Department does not support the applicant's request to reduce the required number of parking spaces from seven (7) to four (4). Transportation Planning does however support the Planning Department's recommendation to reduce the required number of parking spaces from seven (7) to five (5).

The applicant hosted a virtual public open house on January 22, 2024, via Zoom. Notice of the open house was issued to owners of properties within 120.0 metres of the subject property. The open house did not have any attendees, nor was any correspondence received to the Notice.

Public Notice: Statutory notice was advertised in the Windsor Star, a local daily newspaper. A courtesy notice was delivered to property owners and residents within 200 metres of the subject property.

Conclusion:

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 Planning Statement 2024*. The recommended zoning amendment has been evaluated for consistency with the *Provincial Planning Statement 2024* and conformity with the policies of the City of Windsor Official Plan.

The recommended Zoning By-law amendment is consistent the PPS, conforms 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.

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
City Planner

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

JP

JM

Approvals:

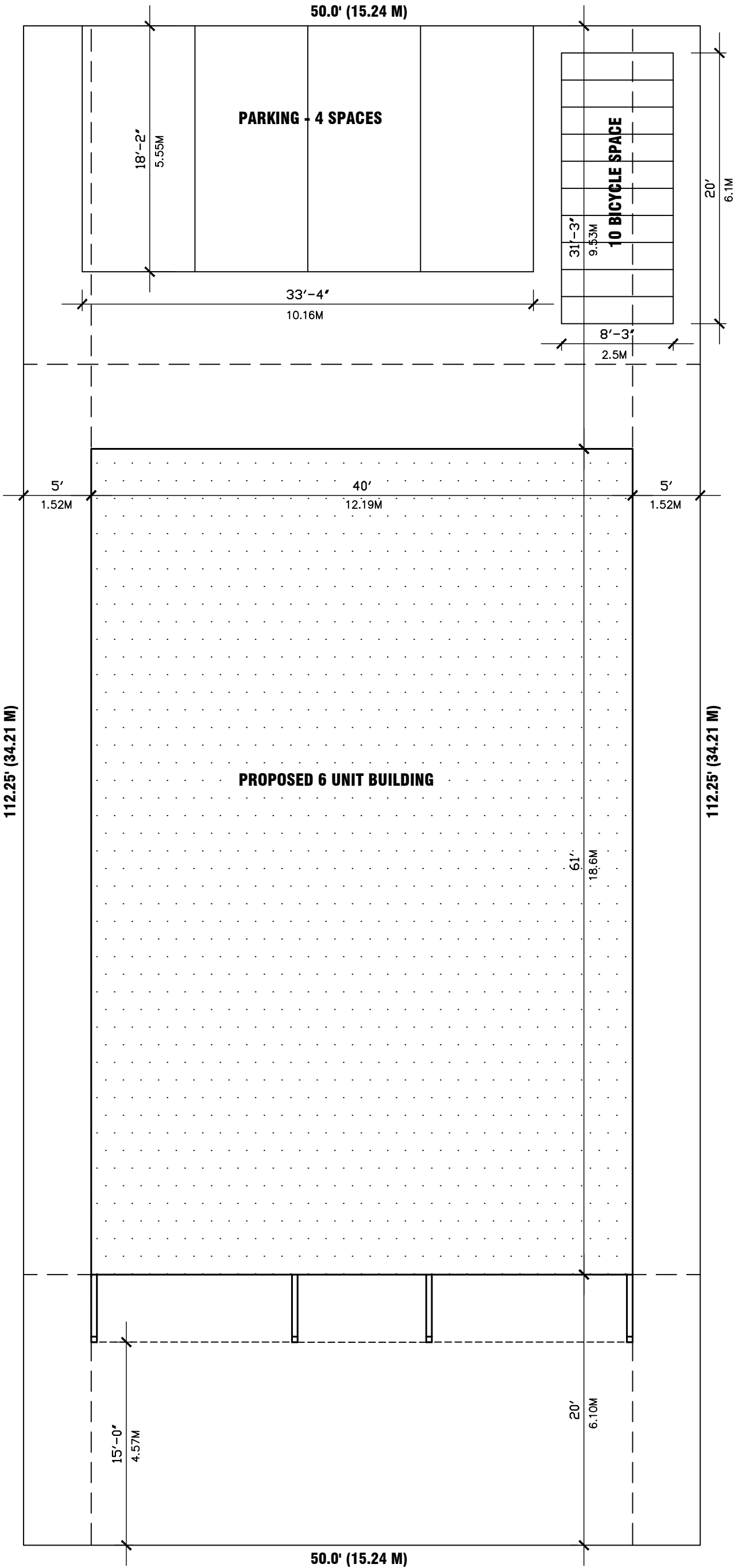
Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	City Planner / Executive Director, Planning & Development Services
Aaron Farough	Senior Legal Counsel, Legal Services & Real Estate
John Revell acting for Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

Notifications:

Name	Address	Email
Tracey Pillon-Abbs (Pillon Abbs Inc.)		
Councillor Renaldo Agostino (Ward 3)		
Abutting property owners, tenants/occupants within 200-meter (656 feet) radius of the subject property		

Appendices:

- 1 Appendix A - Conceptual Plans
- 2 Appendix B - Site Images
- 3 Appendix C - Excerpts from Official Plan Volume I
- 4 Appendix D - Excerpts from Zoning By-law 8600
- 5 Appendix E - Consultations
- 6 Appendix F - Draft Amending By-law
- 7 Appendix G - Zoning Analysis (120 Metre Radius)
- 8 Appendix H - Parking Study (October 2024)
- 9 Appendix I - Planning Rationale Report

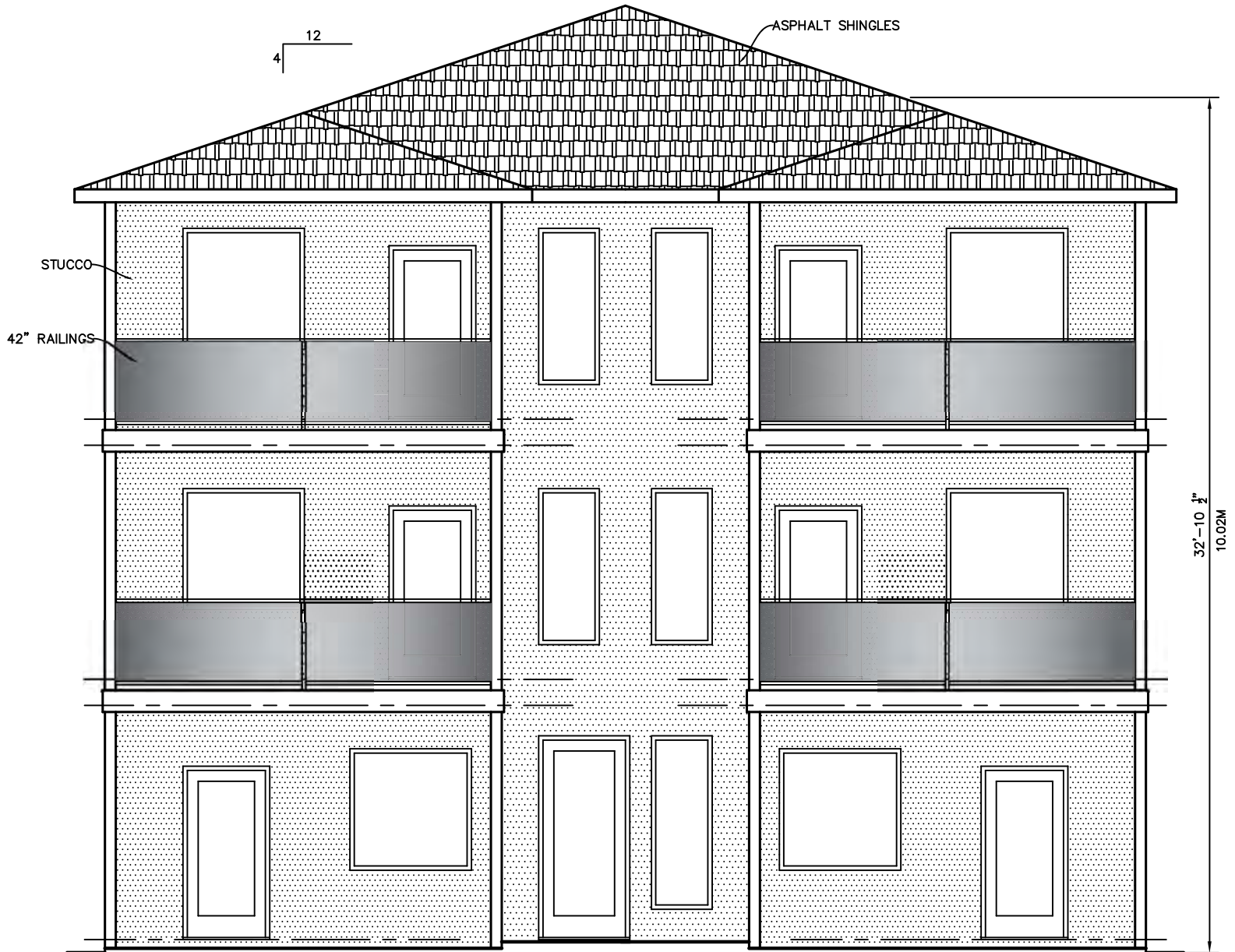


SITE PLAN

520 JANETTE AVENUE SIX-PLEX

JANETTE AVENUE

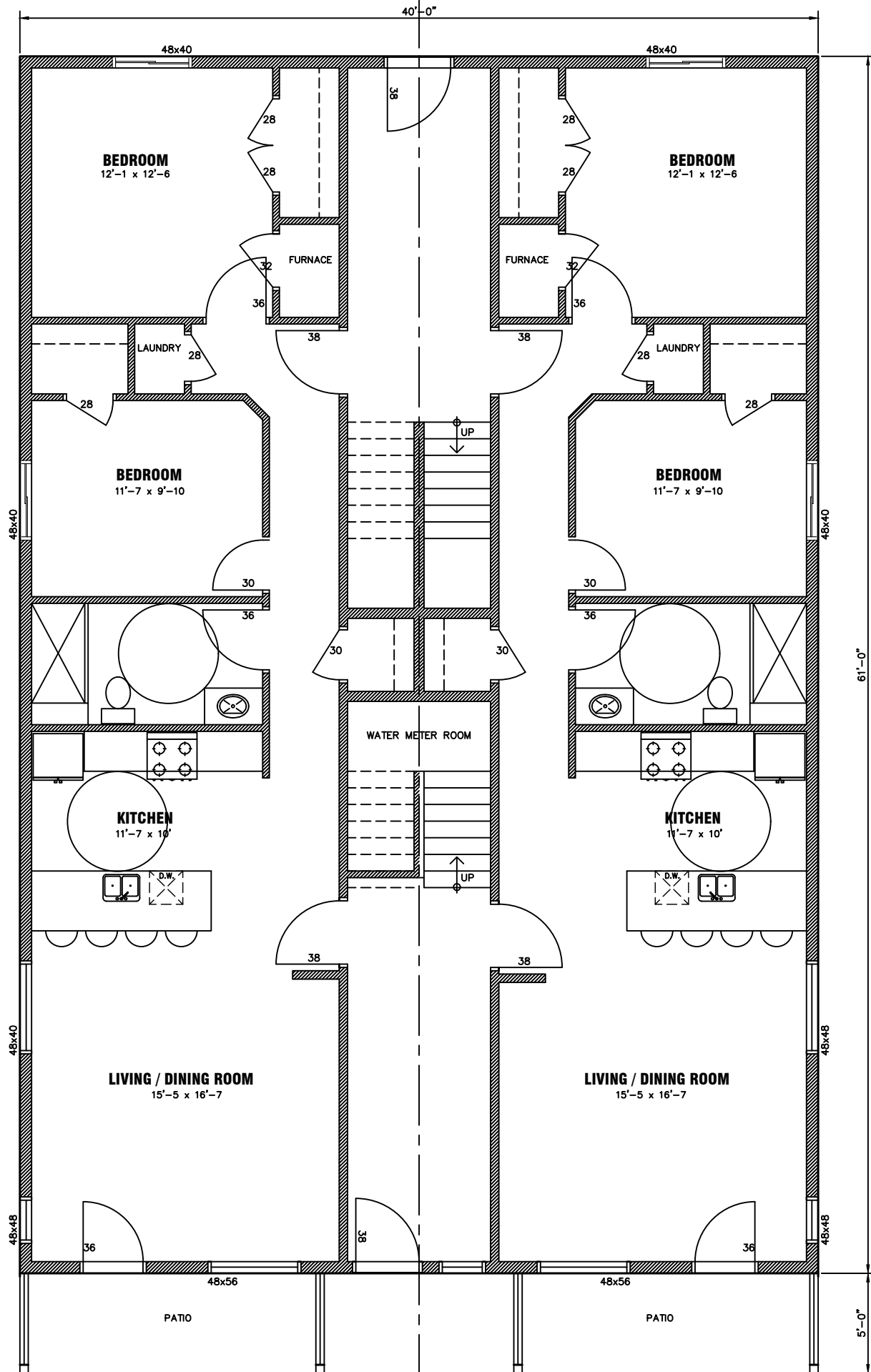
LOT AREA	5612.5 SF (521.42 SM)	
BUILDING AREA	2440.0 SF (226.68 SM)	43.47%
BALCONY AREAS	200.0 SF (18.58 SM)	3.56%
TOTAL LOT COVERAGE	2640.0 SF (245.26 SM)	47.04%



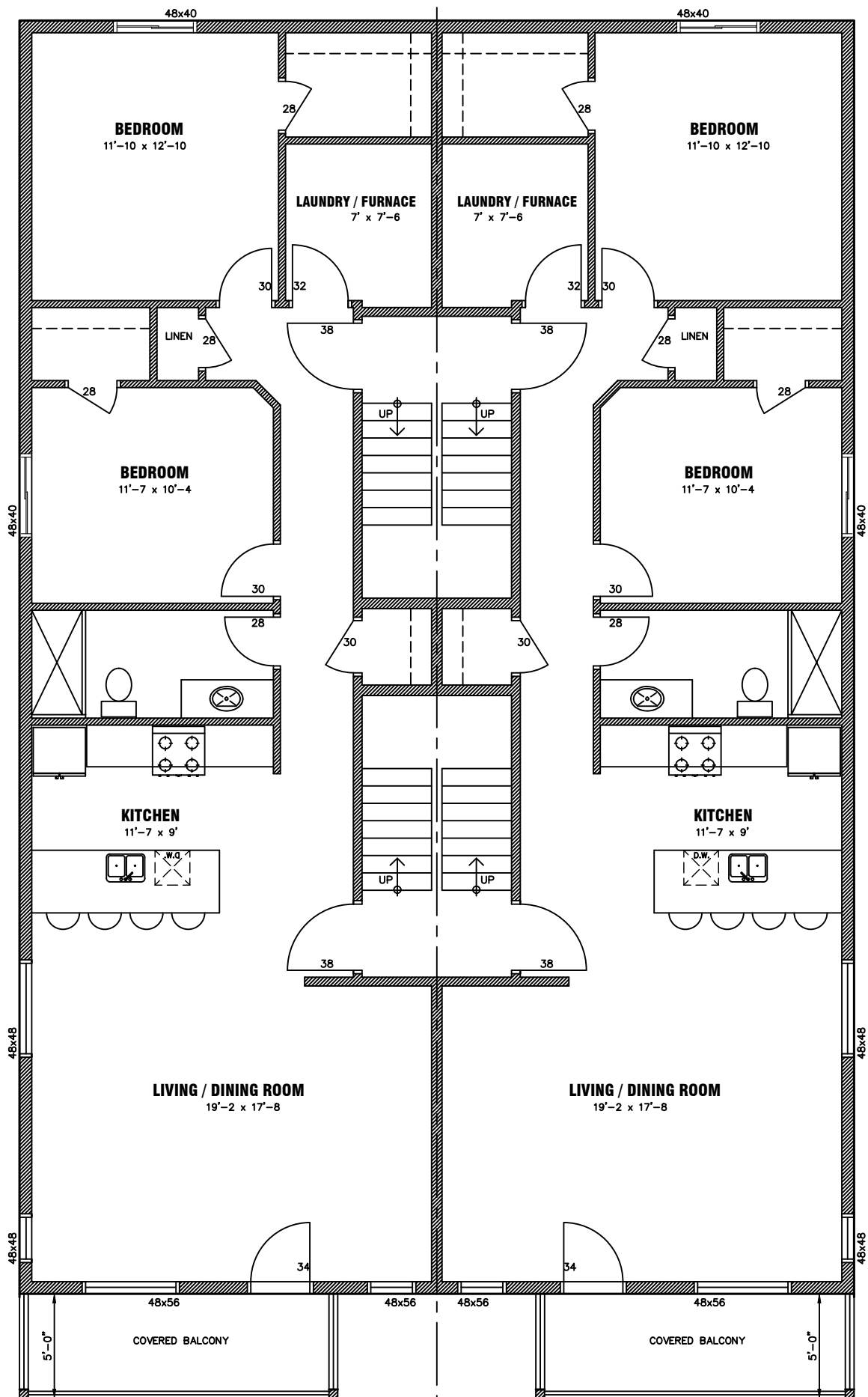
PROPOSED FRONT ELEVATION

JANETTE SIX-PLEX

DECEMBER 26, 2023



PROPOSED MAIN FLOOR PLAN - ACCESSIBLE



PROPOSED SECOND & THIRD FLOOR PLANS

APPENDIX “B”
Site Photos (December 2020 Google Street View)



Figure 1 - Looking east towards subject property from Janette Ave (510-512 Janette Ave on left)



Figure 2 - Looking south on Janette Ave (Subject property on left)



Figure 3 - Looking north on Janette Ave (Subject property on right)

APPENDIX “C”
Excerpts from Official Plan Volume I

	3.	Development Strategy
	3.2	Growth Concept
	3.2.1	Safe, Caring and Diverse Community
NEIGHBOURHOOD HOUSING VARIETY	3.2.1.2	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. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands.
	6.	Land Use
	6.1	Goals
		In keeping with the Strategic Directions, Council’s land use goals are to achieve:
NEIGHBOURHOODS	6.1.1	Safe, caring and diverse neighbourhoods.
RESIDENTIAL	6.1.3	Housing suited to the needs of Windsor’s residents.
RESIDENTIAL INTENSIFICATION	6.1.14	To direct residential intensification to those areas of the City where transportation, municipal services, community and goods and services are readily available. (added by OPA #159 –AP PROVED July 11, 2022, B/L# 100-2022)
	6.3	Residential
	6.3.2	Policies
		In order to facilitate the orderly development and integration of housing in Windsor, the following policies shall apply.
EVALUATION CRITERIA FOR A NEIGHBOURHOOD DEVELOPMENT PATTERN	6.3.2.5	<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>(c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.</p> <p>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; (Added by OPA #159 – APPROVED July 11 2022, B/L# 100-2022)</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>
	6.11	City Centre Planning District
	6.11.1	Objectives
RESIDENTIAL NEIGHBOURHOODS	6.11.1.2	To foster livable residential neighbourhoods close to employment, shopping and entertainment opportunities.
	6.11.3	Development Profile Area Policies
DEVELOPMENT PROFILE AREA DEFINED	6.11.3.1	For the purpose of this Plan, the development profile areas designated on Schedule E: City Centre Planning District establish the maximum height for buildings within distinct sub-areas of the City Centre. Accordingly, the following development profile areas apply to lands within the City Centre Planning District:

		(a) Low Profile Area where development is generally no greater than three (3) storeys in height;
	6.11.5	Residential Policies
<i>PERMITTED USES</i>	6.11.5.1	Uses permitted in the Residential land use designation identified on Schedule E: City Centre Planning District
		(a) in areas also designated as Low Profile Area single detached, semi-detached, duplex, and row and multiplex dwelling units with up to 8 units; and
<i>EVALUATING PROPOSALS</i>	6.11.5.3	At the time of submission, residential development proposals in areas designated as Residential on Schedule E: City Centre Planning District shall be evaluated according to policy 6.3.2.5.

	11.	Tools
	11.6	Zoning
	11.6.1	Objectives
<i>COMPATIBLE USES</i>	11.6.1.2	To ensure compatibility between land uses.
	11.6.3	Zoning By-law Amendment Policies
<i>EVALUATION CRITERIA</i>	11.6.3.3	When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following: (a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: (b) Relevant support studies; (c) The comments and recommendations from municipal staff and circularized agencies; (d) Relevant provincial legislation, policies and appropriate guidelines; and (e) The ramifications of the decision on the use of adjacent or similar lands.

APPENDIX “D”

Excerpts from Zoning By-law 8600

SECTION 11 - RESIDENTIAL DISTRICTS 2. (RD2.)

(B/L 10358 Jul 16/1990; B/L 11093 Jul 20/1992; B/L 12651 Feb 25/1997, Approved by OMB Order R960323; B/L 169-2001 Jun 1/2001; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233; B/L 370-2001 Nov 15/2001; B/L 363- 2002 Dec 31/2002; B/L 142-2006 Aug 24, 2006; B/L 114-2016 Sep 19/2016; B/L 164- 2017 Dec 7/2017; B/L 52-2024 Apr 22/2024)

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 m ²
.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 m ²

.2 Semi-Detached Dwelling

.1	Lot Width – minimum	15.0 m
.2	Lot Area – minimum	450.0 m ²
.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 m ²

.3 Single Unit Dwelling

.1	Lot Width – minimum	9.0 m
.2	Lot Area – minimum	270.0 m ²
.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 m ²

.4 Double Duplex Dwelling or Multiple Dwelling

.1	Lot Width – minimum	18.0 m
.2	Lot Area – minimum	540.0 m ²
.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

.5 Townhome Dwelling

.1	Lot Width – minimum	20.0 m
.2	Lot Area – per dwelling unit – minimum	200.0 m ²
.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

(B/L 101-2022 Jul 11/2022; B/L 52-2024 Apr 22/2024)

SECTION 24 - PARKING, LOADING AND STACKING PROVISIONS

(B/L 8627 Jul 8/1986; B/L 9057 Jul 7/1987; B/L 9882 Jul 31/1989; B/L 10358 Jul 16/1990; B/L 10473 Nov 5/1990; B/L 10993 May 4/1992; B/L 11093 Jul 20/1992; B/L 11157 Sep 21/1992; B/L 11780 Mar 28/1994; B/L 12234 Jul 14/1995; B/L 12429 Jan 8/1996; B/L 12819 Mar 17/1997; B/L 30-1998 Mar 2/1998; B/L 162-1998 Jun 24/1998; B/L 264-1999 Oct 19/1999; B/L 33-2001 Oct 23/2001 OMB Order 1716 PL01023; B/L 370-2001 Nov 15/2001; B/L 363-2002 Dec 31/2002; B/L 92-2003 May 6/2003; B/L 269-2003 Sep 15/2003; B/L 69-2004 Mar 31/2004; B/L 144-2004 Jun 11/2004; B/L 375-2004 Dec 21/2004; B/L 46-2005 Mar 23/2005; B/L 212-2005 Sep 22/2005; B/L 204-2006 Nov 30/2006; B/L 166-2007 Oct 5/2007; B/L 110-2009 Nov 20/2009 OMB Order PL090722 Dec 4/2009; B/L 164-2010 Nov 17/2010; B/L 129-2012 Oct 2/2012; B/L 95-2019 Sep 27/2019)

24.20 PARKING SPACE PROVISIONS

24.20.5 REQUIRED PARKING SPACES – ALL OTHER AREAS AND USES NOT LISTED IN TABLES 24.20.1.1 AND 24.20.3.1

(B/L 144-2015 Nov 6/2015; B/L 169-2018 Dec 19/2018)

- .1 The required minimum number of parking spaces shall be as shown opposite the respective use as shown in Table 24.20.5.1:

TABLE 24.20.5.1 – REQUIRED PARKING SPACES	
USE	PARKING RATE – MINIMUM
Multiple Dwelling containing a minimum of 5 Dwelling units	1.25 for each dwelling unit

SECTION 25 - PARKING AREA PROVISIONS

[ZNG/4249]

(B/L 9057 Jul 7/1987; B/L 12429 Jan 8/1996; B/L 33-2001 Oct 23/2001 OMB Order 1716 PL010233; B/L 370-2001 Nov 15/2001; B/L 167-2003 Jun 27/2003; B/L 167-2003 Jun 27/2)

25.5 GENERAL PROVISIONS

25.5.20 PARKING AREA SEPARATION

- .1 A parking area separation shall be provided as shown in Table 25.5.20.1:

TABLE 25.5.20.1 - PARKING AREA SEPARATION		
	PARKING AREA FROM	MINIMUM SEPARATION
.1	Huron Church Road between the south limit of College Avenue and the north limit of the EC Row Expressway	10.00 m
	Save and except for Parts 4 and 5, Plan 12R-12366 and Part Lots 1346 to 1360, Part Lot 1820 and Part Block A, Registered Plan 1059 (situated on the west side of Huron Church Road, north of Tecumseh Road West)	3.00 m
.2	Any other street	3.00 m
.3	An interior lot line or alley	0.90 m
.4	A rear lot line on a lot located in a Commercial District 3.9	10.00 m
.5	A building wall in which is located a main pedestrian entrance facing the parking area	2.00 m
.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

- .5 The area forming the parking area separation shall be maintained exclusively as a landscaped open space yard.

APPENDIX “E” Consultations

CALDWELL FIRST NATION COMMUNITY

No comments provided

ENGINEERING - DEVELOPMENT

May 28, 2024 - Comments to Stage 2: Planning Consultation Application

Prior to issuance of a building permit, a detailed Stormwater Management Report will be required to determine the allowable release rate for the site and address all necessary aspects including stormwater quantity and quality requirements

[Juan Paramo - Development Engineer]

ENGINEERING - R.O.W.

No comments provided

ENWIN UTILITIES LTD. - HYDRO ENGINEERING

October 24, 2023 - Comments to Stage 1: Planning Consultation Application

No Objection,

Please note ENWIN has the following hydro distribution:

- Existing 2-27.6kV primary overhead hydro distribution along the east side of the N/S alley at the rear of the above noted address.
- Existing 120/240V secondary overhead hydro distribution along the east side of the N/S alley at the rear of the above noted address.
- Existing 120V streetlight conductors along the east side of Janette Avenue in front of the above noted address.

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.

[Jerry Raniwsky - Senior Hydro Engineering Technologist]

ENWIN UTILITIES LTD. - WATER ENGINEERING**October 24, 2023 - Comments to Stage 1: Planning Consultation Application**

Water Engineering has no objections. There is an existing 25mm water service for this property.

[Bruce Ogg - Water Project Review Officer]

FORESTRY**October 24, 2023 - Comments to Stage 1: Planning Consultation Application**

One privately owned black locust tree was identify at the above property.

The tree was noted to be in fair health at the time of inspection.

It is recommended prior to construction snow fencing, or another suitable barrier be installed around the dripline of the tree.

This will help preserve the health of the tree by reducing/eliminating any soil compaction or grade change.

[Marc Edwards - Supervisor Parks]

PARKS DESIGN & DEVELOPMENT**October 30, 2023 - Comments to Stage 1: Planning Consultation Application**

No concerns from Natural Areas and Parks Design & Development while Forestry comments are listed below.

[Sherif Barsom - Landscape Architect]

PLANNING DEPARTMENT - HERITAGE**October 30, 2023 - Comments to Stage 1: Planning Consultation Application**

The property is located in an area of high archaeological potential. However, the proposed development is on top of lands that have been previously disturbed, and 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,

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

[Tracy Tang - Planner III - Heritage]

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT**October 31, 2023 - Comments to Stage 1: Planning Consultation Application**

There are no additional studies required from a landscape architectural or urban design perspective at this time other than the tree inventory requested by the City Forester.

[Stefan Fediuk - Landscape Architect / Acting Senior Urban Designer]

TRANSIT WINDSOR**October 17, 2023 - Comments to Stage 1: Planning Consultation Application**

Transit Windsor has no objections to this development. The closest existing transit routes to this property are with the Crosstown 2, Central 3, and Dougall 6. The closest existing bus stops to this property are located on Wyandotte at Janette Northwest Corner and Janette at Wyandotte Southwest Corner. Both of these bus stops are approximately 180 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.

[Jason Scott - Manager of Transit Planning]

TRANSPORTATION PLANNING**November 22, 2024 - Comments to Zoning By-law Amendment Application**

Janette Ave is classified as a Class I Collector Road according to the Official Plan with a required right-of-way width of 21.3 metres per Schedule X of the Official Plan. The current right-of-way width is sufficient; therefore, no conveyance is required.

Transportation planning received and reviewed the Parking Study 520 Janette Ave Residential Development, file number 24-1677, prepared by RC Spencer Associates Inc. dated October 2024. Below are our comments:

- In the submitted parking study engineers use land use code 217, 1-bedroom unit. This is inappropriate as the proposed development has 2-bedroom units. Furthermore, dense multi-use urban is used, we do not feel this is the most appropriate category for this area. Therefore, we reject the parking study.
- Transportation Planning will not support the overflow from this development to use the on-street parking in the area to meet the minimum requirement, as Janette Avenue's on-street parking is already heavily utilized and under strain. The deficiency in parking for the proposed development will be detrimental to the neighbourhood.
- 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).

June 5, 2024 - Comments to Stage 2: Planning Consultation Application

Considering the street parking situation is same, we still concern about parking deficiency. However, we accept a parking study if it can justify the 2-parking-space reduction.

[Elara Mehrilou - Transportation Planner I]

WALPOLE ISLAND FIRST NATION

No comments provided

WINDSOR POLICE SERVICE

No comments provided

APPENDIX “F” Draft Amending By-law

B Y - L A W N U M B E R -2024

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600
CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the day of , 2024.

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:

**521. EAST SIDE OF JANETTE AVENUE BETWEEN PARK STREET WEST AND
WYANDOTTE STREET WEST**

For the lands comprising of Lot 73, Plan 274, PIN No. 01195-0501 LT, one *Multiple Dwelling* containing a maximum of six *dwelling units* shall be an additional permitted *main use* subject to the following additional provisions:

1. The *Multiple Dwelling* provisions of Section 11.2.5.4 shall apply, save and except Sections 11.2.5.4.1, 11.2.5.4.2 and 11.2.5.4.4.
2. Lot Width - minimum 15.0 m
3. Lot Area - minimum 519.0 m²
4. Main Building Height - maximum 10.0 m
5. Landscape Open Space Yard - minimum 35.0% of lot area
6. Notwithstanding Table 24.20.5.1, for a *Multiple Dwelling* containing a minimum of 5 *Dwelling Units*, the minimum required number of *parking spaces* shall be 5.
7. Notwithstanding Table 24.30.1, the minimum required number of bicycle parking spaces shall be 2.
8. Notwithstanding Clause .3 in Table 25.5.20.1, the minimum separation for a *parking area* from an *interior lot line* shall be 0.00 m.

[ZDM 3; ZNG/7249]

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 73, Plan 274; PIN 01195-0501 LT (East side of Janette Avenue between Park Street West and Wyandotte Street West)	--	S.20(1)521

DREW DILKENS, MAYOR

CLERK

First Reading - , 2024

Second Reading - , 2024

Third Reading - , 2024

SCHEDULE 2

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

To amend the zoning of the lands located on the east side of Janette Avenue between Park Street West and Wyandotte Street West, described as Lot 73, Plan 274, PIN 01195-0501 LT, to permit the development of a multiple dwelling containing a maximum of six dwelling units on the subject land.

The amending by-law adds a site specific provision permitting a multiple dwelling containing a maximum of six dwelling units on a lot with a reduced lot width, lot area, number of required parking spaces and parking area separation from an interior lot line, increased building height, minimum landscaped open space yard, and provision of two bicycle parking spaces.

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



PART OF ZONING DISTRICT MAP 3

N.T.S.

SCHEDULE 2

Applicant: Andi Shallvari



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : OCTOBER, 2024
FILE NO. : Z-037/24, ZNG/7249

APPENDIX “G”
Zoning Analysis (120 metre Catchment Area)
Residential Properties Only

Municipal Address	Use	Storeys	Age of Main Building	Lot Width (m) (Approximate)	Lot Area (m2) (Approximate)	Density (Approximate) (uph)	Density with ADU's (Approximate) (uph)
439-441 Bruce Avenue	Multiple Dwelling (5 Units)	1.75	1900	15.2	534.1	93.6	93.6
460 Bruce Avenue	Multiple Dwelling (6 Units)	2.5	1979	15.2	534.1	112.3	112.3
468 Bruce Avenue	Duplex Dwelling	2	1900	15.2	534.1	37.4	56.2
474 Bruce Avenue	Multiple Dwelling (4 Units)	2	1900	15.2	534.1	74.9	74.9
475 Bruce Avenue	Multiple Dwelling (45 Units)	6	1979	58.8	2,063.0	218.1	218.1
485 Bruce Avenue	Single Unit Dwelling	2	1900	15.2	607.8	16.5	49.4
486 Bruce Avenue	Single Unit Dwelling	2.25	1900	15.2	534.1	18.7	56.2
494 Bruce Avenue	Single Unit Dwelling	1.5	1900	15.2	348.3	28.7	86.1
495-497 Bruce Avenue	Duplex Dwelling	2	1869	26.5	932.3	21.5	32.2
509-511 Bruce Avenue	Multiple Dwelling (3 Units)	2.25	1900	12.2	429.6	69.8	69.8
512 Bruce Avenue	Single Unit Dwelling	1.5	1944	10.4	363.1	27.5	82.6
518 Bruce Avenue	Single Unit Dwelling	1.5	1900	10.1	352.5	28.4	85.1
519 Bruce Avenue	Duplex Dwelling	2	1900	12.2	430.2	46.5	69.7
524 Bruce Avenue	Single Unit Dwelling (1 ADU)	1	1900	10.1	352.5	56.7	85.1
525 Bruce Avenue	Single Unit Dwelling	2.25	1909	10.1	357.5	28.0	83.9
532 Bruce Avenue	Single Unit Dwelling	2.25	1890	15.4	537.9	18.6	55.8
539 Bruce Avenue	Residential Care Facility	2.25	C.1909	60.8	2,142.5	452.7	452.7
540 Bruce Avenue	Single Unit Dwelling	2.5	1911	19.2	397.9	25.1	75.4
568 Bruce Avenue	Single Unit Dwelling	1.75	1909	16.2	446.0	22.4	67.3
570-572 Bruce Avenue	Duplex Dwelling	1.5	1900	11.2	389.9	51.3	77.0
571 Bruce Avenue	Dwelling (2 Units)	1.5	1900	12.4	431.7	46.3	46.3
0 Bruce Avenue	Vacant Land	N/A	N/A	9.2	320.8	0.0	0.0
0 Bruce Avenue	Vacant Land	N/A	N/A	9.2	323.7	0.0	0.0
580 Bruce Avenue	Single Unit Dwelling	2	1899	11.4	427.3	23.4	70.2
585 Bruce Avenue	Single Unit Dwelling	2.25	1910	12.6	294.5	34.0	101.9
586 Bruce Avenue	Single Unit Dwelling	2.25	1900	12.2	427.3	23.4	70.2
460 Caron Street	Single Unit Dwelling	2.25	1920	12.2	457.3	21.9	65.6
468 Caron Street	Single Unit Dwelling	1.75	1895	10.2	381.3	26.2	78.7
474 Caron Street	Single Unit Dwelling	1.75	1908	10.2	381.6	26.2	78.6
478 Caron Street	Single Unit Dwelling	1.75	1908	10.2	381.9	26.2	78.6
490-492 Caron Street	Double Duplex Dwelling	2	1908	15.2	573.2	69.8	69.8
496-498 Caron Street	Duplex Dwelling	2	1908	11.2	420.7	47.5	71.3
502 Caron Street	Single Unit Dwelling	1.5	1905	9.1	344.5	29.0	87.1

APPENDIX “G”
Zoning Analysis (120 metre Catchment Area)
Residential Properties Only

508 Caron Street	Single Unit Dwelling	1.5	1907	10.2	383.0	26.1	78.3
512-514 Caron Street	Duplex Dwelling	1.25	1910	15.2	575.0	34.8	52.2
513-515 Caron Street	Semi-Detached Dwelling	2.25	1911	15.2	650.2	30.8	92.3
520 Caron Street	Single Unit Dwelling	2.25	1908	15.2	575.6	17.4	52.1
523 Caron Street	Single Unit Dwelling	1.75	1910	15.2	651.6	15.3	46.0
528 Caron Street	Single Unit Dwelling	1.25	1910	15.2	576.1	17.4	52.1
529 Caron Street	Single Unit Dwelling	1.5	1908	14.3	610.5	16.4	49.1
534-536 Caron Street	Semi-Detached Dwelling	2	2024	11.9	449.8	44.5	133.4
542 Caron Street	Single Unit Dwelling	2.5	1910	11.3	427.1	23.4	70.2
548 Caron Street	Single Unit Dwelling	1	1989	11.3	427.4	23.4	70.2
554 Caron Street	Single Unit Dwelling	1.5	1910	11.3	427.7	23.4	70.1
564 Caron Street	Duplex Dwelling	1.5	1910	15.2	578.5	34.6	51.9
576 Caron Street	Single Unit Dwelling	1.5	1915	15.2	579.1	17.3	51.8
584 Caron Street	Single Unit Dwelling	1.5	1921	8.8	332.5	30.1	90.2
588 Caron Street	Single Unit Dwelling	1.5	1910	10.1	382.7	26.1	78.4
441 Janette Avenue	Multiple Dwelling (4 Units)	2	1900	15.2	521.3	76.7	76.7
447 Janette Avenue	Single Unit Dwelling	1.5	1910	12.2	417.0	24.0	71.9
457 Janette Avenue	Single Unit Dwelling	2.25	1900	8.5	291.9	34.3	102.8
458 Janette Avenue	Multiple Dwelling (3 Units)	1.75	1900	15.2	521.3	57.5	57.5
461 Janette Avenue	Duplex Dwelling	2	1993	9.8	333.7	59.9	89.9
464 Janette Avenue	Multiple Dwelling (3 Units)	1.5	1910	7.6	260.7	115.1	115.1
467 Janette Avenue	Duplex Dwelling	2	1907	15.2	521.3	38.4	57.5
475 Janette Avenue	Single Unit Dwelling	2	1900	15.2	521.3	19.2	57.5
478 Janette Avenue	Multiple Dwelling (4 Units)	2	2021	22.9	782.0	51.2	51.2
483 Janette Avenue	Duplex Dwelling	2	1900	15.2	521.3	38.4	57.5
484 Janette Avenue	Semi-Detached Dwelling Unit	1	2023	7.6	260.7	38.4	115.1
488 Janette Avenue	Semi-Detached Dwelling Unit	1	2023	7.6	260.7	38.4	115.1
492 Janette Avenue	Single Unit Dwelling	2.25	1908	10.4	354.5	28.2	84.6
493 Janette Avenue	Dwelling (2 Units)	2.25	1900	13.4	458.8	43.6	43.6
500 Janette Avenue	Single Unit Dwelling	2.25	1908	10.1	344.1	29.1	87.2
503 Janette Avenue	Single Unit Dwelling	1.5	1900	15.2	583.9	17.1	51.4
506 Janette Avenue	Multiple Dwelling (4 Units)	2.25	1908	10.1	344.1	116.3	116.3
509-511 Janette Avenue	Single Unit Dwelling	1.5	1900	12.2	417.1	24.0	71.9
510-512 Janette Avenue	Single Unit Dwelling	2	1910	15.2	521.3	19.2	57.5
517 Janette Avenue	Single Unit Dwelling	1.5	1909	9.2	312.8	32.0	95.9
0 Janette Avenue	Vacant Land	N/A	N/A	15.2	519.8	0.0	0.0
523-525 Janette Avenue	Single Unit Dwelling	2.25	1900	12.2	417.0	24.0	71.9
530 Janette Avenue	Vacant Land	N/A	N/A	15.2	521.3	0.0	0.0

APPENDIX “G”
Zoning Analysis (120 metre Catchment Area)
Residential Properties Only

531 Janette Avenue	Single Unit Dwelling	2.25	1900	12.2	417.0	24.0	71.9
539-543 Janette Avenue	Single Unit Dwelling	2	1906	15.2	521.3	19.2	57.5
540 Janette Avenue	Single Unit Dwelling	2.25	1900	15.2	521.3	19.2	57.5
547 Janette Avenue	Single Unit Dwelling	1.75	1900	15.2	521.3	19.2	57.5
548 Janette Avenue	Single Unit Dwelling	1.5	1910	9.1	312.8	32.0	95.9
554 Janette Avenue	Single Unit Dwelling	1.5	1910	12.2	417.1	24.0	71.9
555 Janette Avenue	Duplex Dwelling	1.75	1910	10.7	364.9	54.8	82.2
558 Janette Avenue	Single Unit Dwelling	1	1907	9.1	312.8	32.0	95.9
561 Janette Avenue	Single Unit Dwelling	1	1995	9.1	312.8	32.0	95.9
564 Janette Avenue	Single Unit Dwelling	1.5	1920	7.6	260.7	38.4	115.1
568 Janette Avenue	Single Unit Dwelling	1.5	1900	7.6	260.7	38.4	115.1
569 Janette Avenue	Single Unit Dwelling	2.25	1900	10.7	364.9	27.4	82.2
572 Janette Avenue	Single Unit Dwelling	2	1920	7.6	258.5	38.7	116.0
575 Janette Avenue	Duplex Dwelling	2	1900	7.6	259.5	77.1	115.6
576 Janette Avenue	Single Unit Dwelling	2	1921	11.9	408.8	24.5	73.4
577 Janette Avenue	Dwelling (2 Units)	2	1903	7.6	256.3	78.0	78.0
581-587 Janette Avenue	Multiple Dwelling (4 Units)	2	C.1909	15.2	521.3	76.7	76.7
456 Karl Place	Single Unit Dwelling	1.75	1903	9.1	348.3	28.7	86.1
457 Karl Place	Single Unit Dwelling	1	2002	9.1	278.6	35.9	107.7
464 Karl Place	Single Unit Dwelling	1.25	1925	9.1	348.3	28.7	86.1
469 Karl Place	Multiple Dwelling (4 Units)	2	1925	9.1	277.5	144.1	144.1
478 Karl Place	Single Unit Dwelling	1.5	1925	12.2	185.8	53.8	161.5
464 Vera Place	Single Unit Dwelling	1	1900	18.3	556.1	36.0	36.0
465 Vera Place	Dwelling (2 Units)	1.75	1927	9.1	277.5	72.1	72.1
474-480 Vera Place	Double Duplex Dwelling	2.25	1900	14.3	275.0	145.4	145.4
479-481 Vera Place	Semi-Detached Dwelling	2	1924	12.2	121.9	82.0	492.2
Average				13.4	459.6	47.4	89.0
High							
Low							
Subject Property							

520 JANETTE AVENUE RESIDENTIAL DEVELOPMENT 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.: 24-1677

October 2024

520 JANETTE AVENUE RESIDENTIAL DEVELOPMENT, WINDSOR, ON
PARKING STUDY (OCTOBER 2024)

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INTRODUCTION AND BACKGROUND

A low-rise residential apartment building is proposed for a vacant lot located at 520 Janette Avenue, in Windsor, Ontario. The subject property is located on the east side of Janette Avenue, between Park Street West and Wyandotte Street West. Park Street West is an east / west collector roadway running from Caron Avenue at the west to Ouellette Avenue at the east. Wyandotte Street West is an arterial roadway that starts at Mill Street west of Highway 3 and continues east to Banwell Road. This development is proposed for construction in a single phase and is to be serviced via the alley between Janette Avenue and Bruce Avenue.

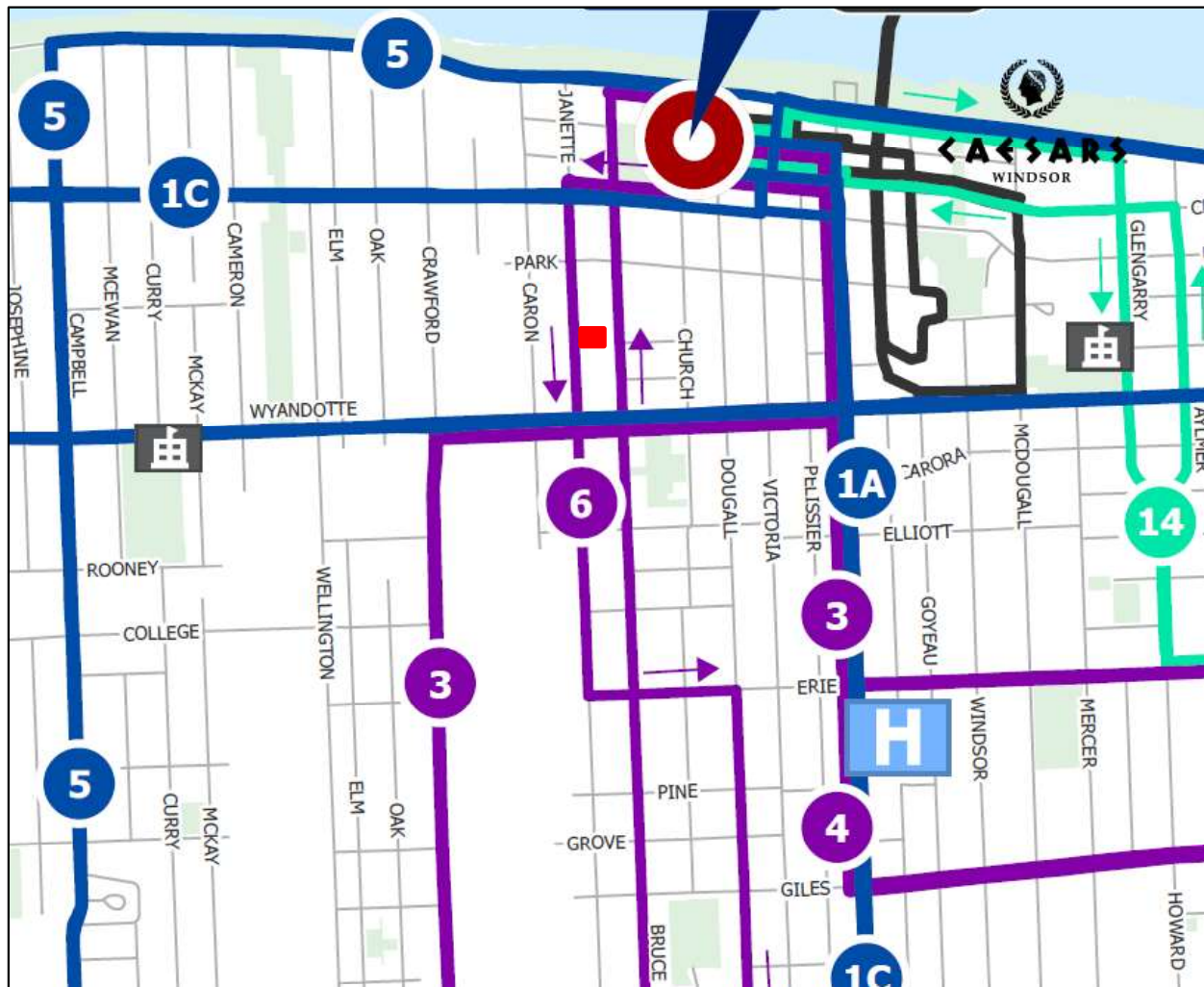
The developer is proposing a 3-storey residential building comprised of 12 bedrooms within six dwelling units. Two units are to be included on each floor. The development is to be supplemented by four vehicle parking spaces and ten bicycle parking spaces. The site plan is provided in **Appendix A**.

The City's zoning bylaw (minimum 1.25 parking spaces per unit) requires at least 7.5 spaces for the six units; accordingly, a variance is required for the shortfall of three parking spaces. Transportation Planning has indicated that they will accept the proposal if a parking study can sufficiently justify the reduction in required parking spaces. Therefore, the purpose of this study is to evaluate the anticipated peak parking demand versus the proposed on-site parking supply.

ITE PARKING GENERATION MANUAL VS. WINDSOR BYLAW REQUIREMENTS

The Institute of Transportation Engineers (ITE) Parking Generation Manual (6th Edition) reports parking demand studies and statistics from various land uses across North America. For a multifamily low-rise residential development (Land Use Codes 217 and 220), parking demand can be estimated based on the number of dwelling units (according to the number of bedrooms in the building). As referenced in **Appendix B**, the ITE's average rate for 2+ bedrooms (per dwelling unit) suggests that a minimum parking supply of 7.6 parking spaces should sufficiently accommodate the peak parking demand. According to the developer, the units are small and will be marketed to retirees as a large 1-bedroom plus den / office or flex space. If these are marketed as 1-bedroom units, the ITE's average rate for 1-bedroom units (per dwelling unit) suggests a minimum of 5.6 parking spaces. Furthermore, since the subject location is technically within a Dense Multi-Use Urban area (defined as *a fully developed area [or nearly so], with diverse and interacting complementary land uses, good pedestrian connectivity, and convenient and frequent transit*), the ITE's average rate for 1-bedroom units (per dwelling unit) suggests that a minimum of 3 parking spaces could be sufficient for the proposed residential building.

Although the proposed parking supply may sufficiently accommodate the peak parking demand on its own, transit and active transportation options were also evaluated. Currently, Windsor Transit provides two Route 6 stops within approximately 200m of the site, with one on Janette Avenue at Park Street West and another at Wyandotte Street West; this route travels past the subject site. Additional transit routes are provided along Wyandotte Street West. The below Windsor Transit map depicts the routes available around the site; the site is identified with a red box:



Active transportation facilities are also provided within the study area; sidewalks are provided on both sides of Janette Avenue, and dedicated bicycle lanes are provided on Janette Avenue. Although not required by the City of Windsor, the developer is proposing ten on-site bicycle parking spaces to supplement the on-site vehicle parking; this provision should encourage increased resident use of alternative active transportation options.

Several destinations are also located within walking / bicycling distance of the development (like fast-food venues and commercial establishments, etc.), so walking and / or cycling transportation modes are likely. Therefore, due to the anticipated modal split, it is the engineers' opinion that the proposed on-site parking supply should adequately accommodate the subject development's peak parking demand.

Finally, it should also be noted that on-street parking is permitted on Janette Avenue. Parking is permitted on alternate sides of the street depending on the month of the year. The on-street parking and the dedicated bicycle lanes alternate by the month.

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, the developer is being proactive in encouraging an increased modal split for the subject area.

Based on the provided metrics and area characteristics, it is the engineers' opinion that the four proposed on-site parking spaces could sufficiently accommodate the peak parking demand generated by the proposed 6-unit, 12-bedroom, low-rise residential building.

SUMMARY AND CONCLUSIONS

A low-rise residential apartment building is proposed for a vacant lot located at 520 Janette Avenue, in Windsor, Ontario. The subject property is located on the east side of Janette Avenue, between Park Street West and Wyandotte Street West. This development is proposed for construction in a single phase and is to be serviced via the alley between Janette Avenue and Bruce Avenue. The developer is proposing a 3-storey residential building comprised of six dwelling units; the development is to be supplemented by four vehicle parking spaces and ten bicycle parking spaces.

The City's zoning bylaw (minimum 1.25 parking spaces per unit) requires 7.5 spaces for the six units; the ITE Parking Generation Manual (6th Edition) references suggest that a minimum parking supply of five spaces could accommodate the subject development's six units (if marketed to retirees). However, if the Dense Multi-Use Urban subcategory is applied, a minimum of 3 parking spaces could sufficiently accommodate the site's peak parking demand. Furthermore, on-street parking is also permitted on Janette Avenue, and the proposed development is close to existing active transportation facilities and reliable transit options. Therefore, it is anticipated that the site's modal split could further reduce the peak parking demand.

Accordingly, it is the engineers' opinion that the proposed on-site parking supply of four parking spaces and ten bicycle parking spaces should adequately accommodate the peak parking demand generated by the subject low-rise residential development proposal.

All of which is respectfully submitted,

RC Spencer Associates Inc.



Aaron D. Blata, M.Eng., P.Eng., PTOE, RSP1
Consulting Engineer, Road Safety Professional &
Professional Traffic Operations Engineer
Associate / Leamington Office Manager



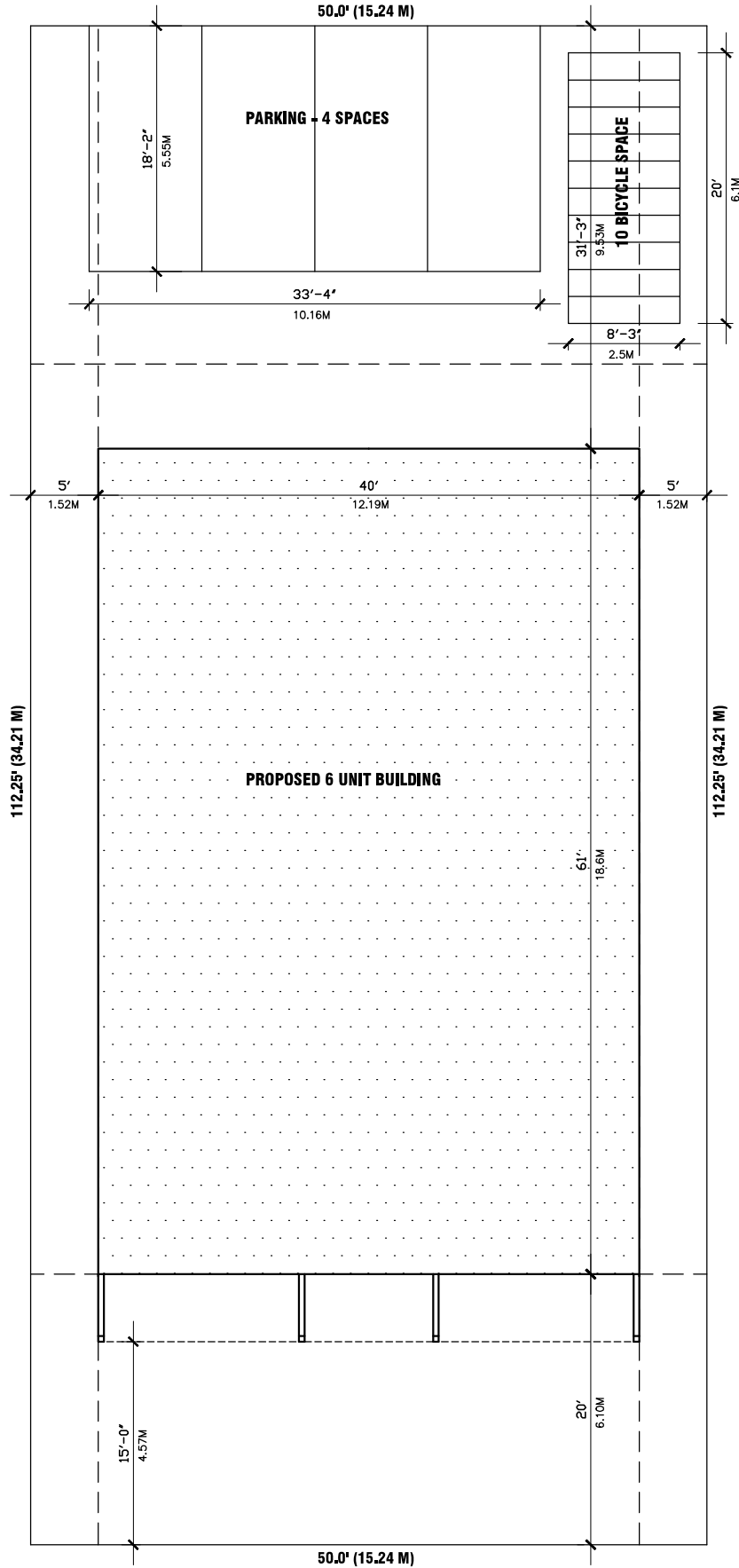
Richard C. Spencer, M.A.Sc., P.Eng., PE
Consulting Engineer &
Fellow ITE Member
President / Windsor Office Manager



RC SPENCER ASSOCIATES INC.
Consulting Engineers

Appendix A

SITE PLAN



SITE PLAN	JANETTE AVENUE			
520 JANETTE AVENUE SIX-PLEX	LOT AREA		5612.5 SF (521.42 SM)	
	BUILDING AREA		2440.0 SF (226.68 SM)	43.47%
	BALCONY AREAS		200.00 SF (18.58 SM)	3.56%
	TOTAL COVERED		2640.00 SF (245.26 SM)	47.04%

Appendix B

ITE PARKING GENERATION MANUAL – 6TH EDITION REFERENCES

Multifamily Housing - 2+ BR (Low-Rise) - Not Close to Rail Transit (220)

Peak Period Parking Demand vs: Dwelling Units

On a: Weekday (Monday - Friday)

Setting/Location: General Urban/Suburban

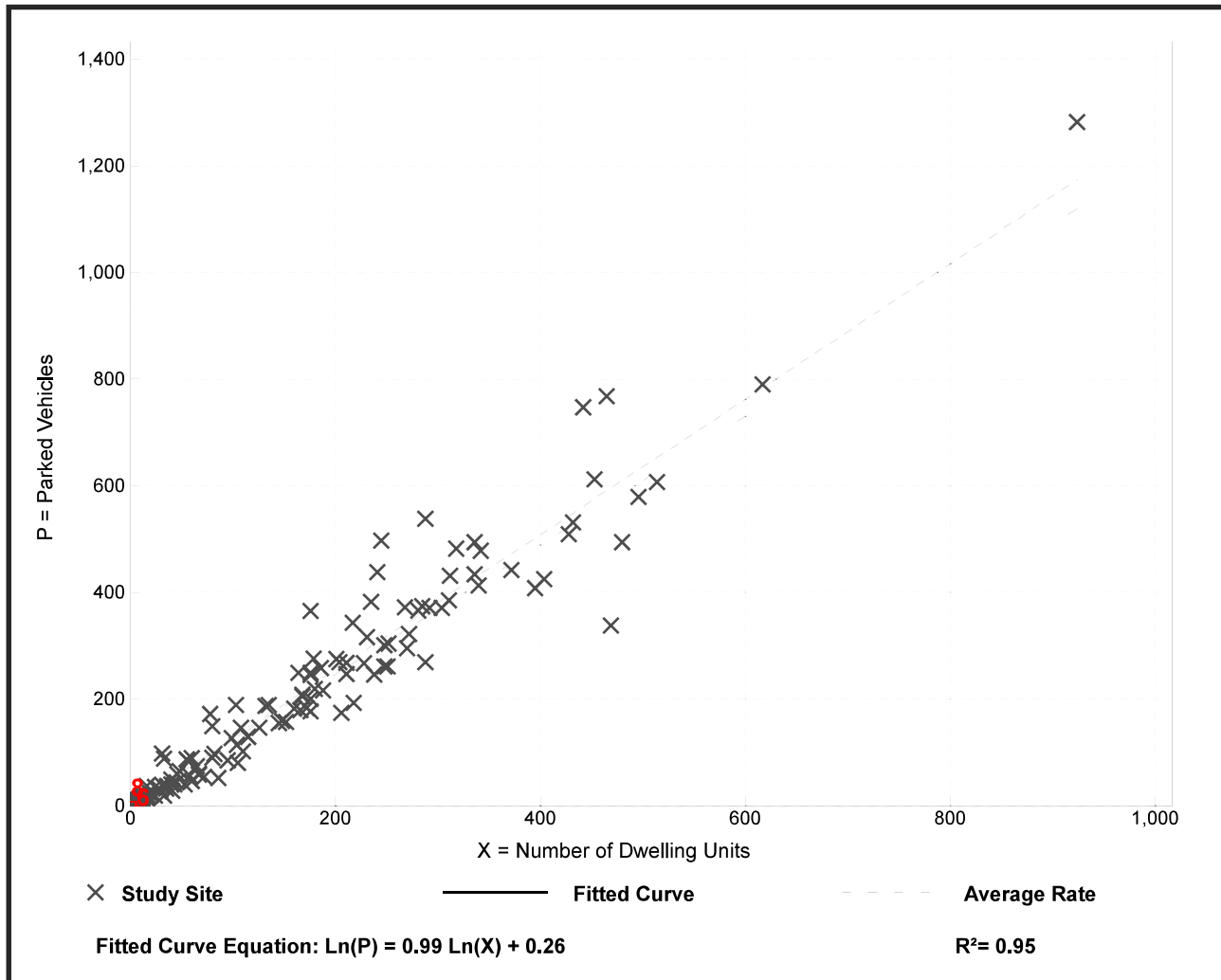
Number of Studies: 143

Avg. Num. of Dwelling Units: 154

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.27	0.58 - 3.16	1.07 / 1.59	1.22 - 1.32	0.29 (23%)

Data Plot and Equation



Parking Generation Manual, 6th Edition • Institute of Transportation Engineers

Multifamily Housing - 1 BR (Low-Rise) - Not Close to Rail Transit (217)

Peak Period Parking Demand vs: Dwelling Units

On a: Weekday (Monday - Friday)

Setting/Location: General Urban/Suburban

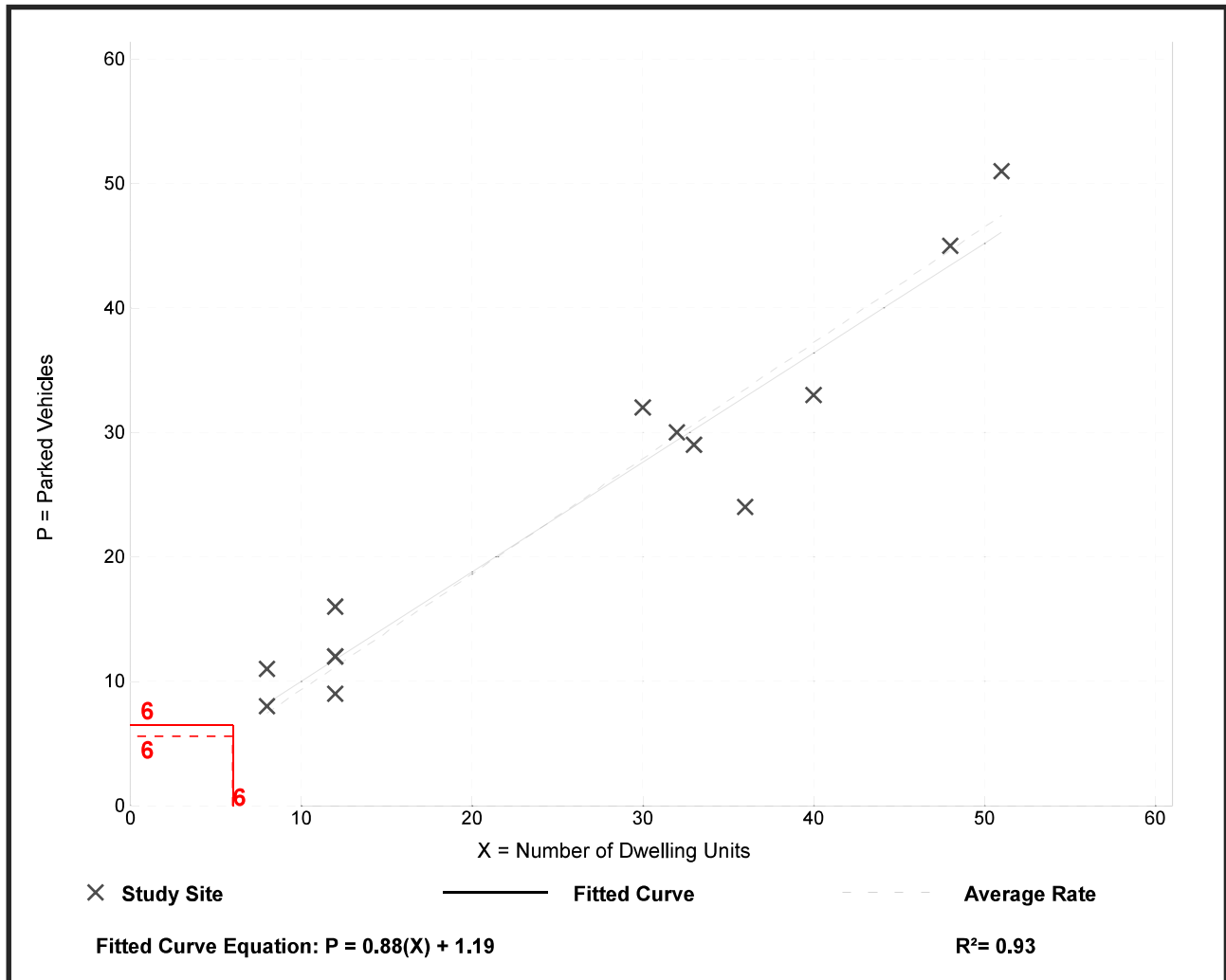
Number of Studies: 14

Avg. Num. of Dwelling Units: 25

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.93	0.67 - 1.38	0.88 / 1.27	***	0.16 (17%)

Data Plot and Equation



Parking Generation Manual, 6th Edition • Institute of Transportation Engineers

Multifamily Housing - 1 BR (Low-Rise) - Not Close to Rail Transit (217)

Peak Period Parking Demand vs: Dwelling Units

On a: Weekday (Monday - Friday)

Setting/Location: Dense Multi-Use Urban

Number of Studies: 5

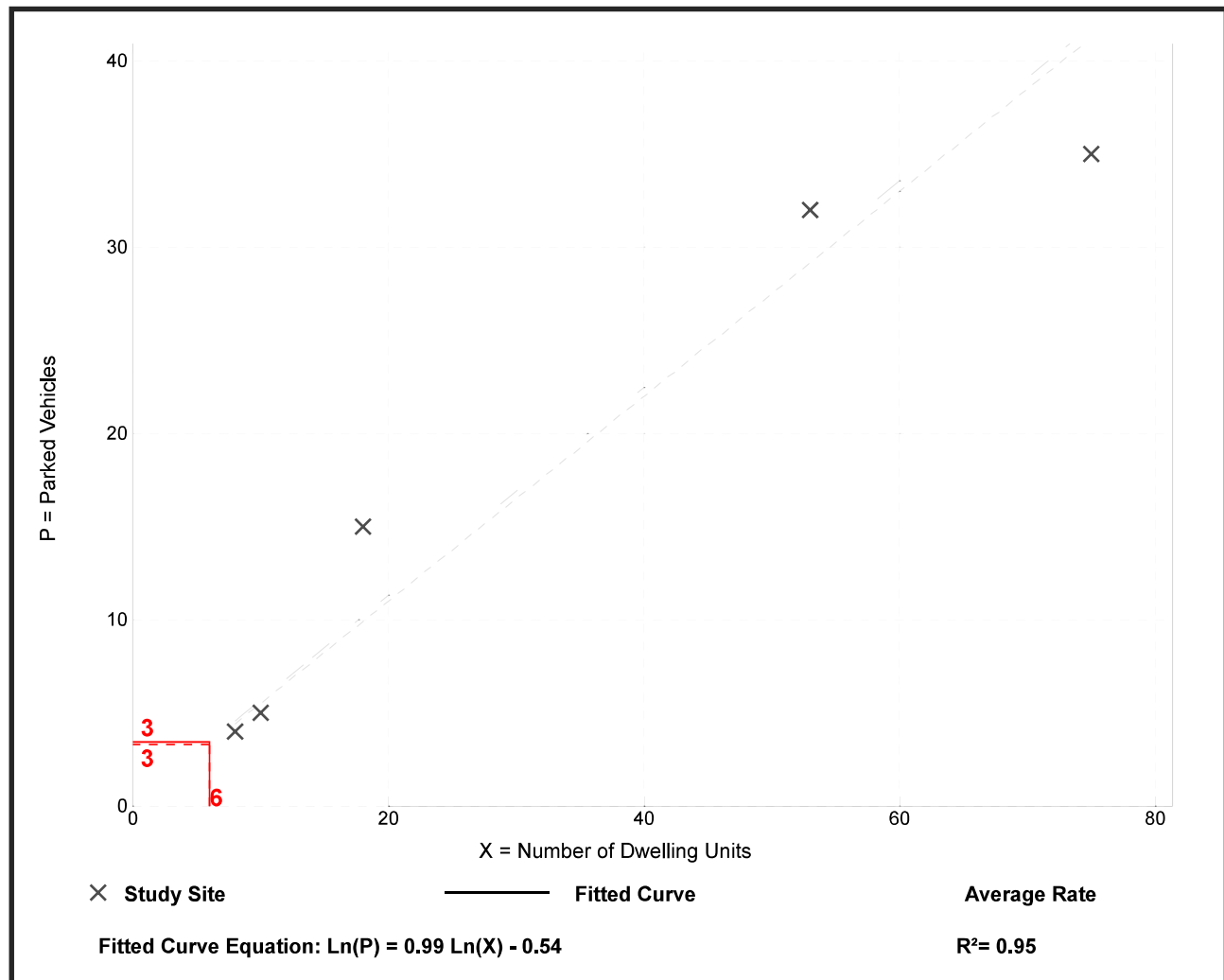
Avg. Num. of Dwelling Units: 33

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.55	0.47 - 0.83	0.50 / 0.83	***	0.13 (24%)

Data Plot and Equation

Caution – Small Sample Size



Parking Generation Manual, 6th Edition • Institute of Transportation Engineers

PLANNING RATIONALE REPORT (SCOPED)

ZONING BY-LAW AMENDMENT PROPOSED RESIDENTIAL DEVELOPMENT

**0 Janette Avenue
City of Windsor, Ontario**

October 15, 2024

Prepared by:



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1.0 INTRODUCTION

I have been retained by Andi Shallvari (herein the “Applicant”) to provide a scoped land use Planning Rationale Report (PRR) in support of a proposed development to be located at 0 Janette Avenue (herein the “Site”) in the City of Windsor, Province of Ontario.

The Site, in Ward 3 (City Centre Planning District), is made up of one (1) interior parcel of land, which is currently vacant.

The Site is located on the east side of Janette Avenue, north of Wyandotte Street West and south of Park Street West between 510-512 Janette Avenue and 530 Janette Avenue.

It is proposed to construct a new three (3) storey multiple dwelling. A total of six (6) residential units are proposed.

The proposed housing choice is considered a ‘missing middle’ development.

A total of 4 parking spaces are proposed, with access off the paved alley into the rear yard.

The Site has access to full municipality services.

The tenure of each unit will be rentals.

A site-specific Zoning By-law Amendment (ZBA) is required in support of the proposed development.

Once the ZBA application has been approved, the Applicant will proceed with a building permit.

Pre-consultation (stage 1) was completed by the Applicant (City File #PC-042/23) and pre-submission (stage 2) (City File #PC-015/24).

The purpose of this report is to review the relevant land use documents, including the Provincial Planning Statement 2024 (PPS), 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 development, is consistent with the PPS, conforms to the intent and purpose of the OP and ZBL, and represents good planning.

2.0 SITE AND SURROUNDING LAND USES

2.1 Legal Description and Ownership

The Site is made up of one (1) interior parcel of land, which is currently vacant.

The Site is located on the east side of Janette Avenue, north of Wyandotte Street West and south of Park Street West between 510-512 Janette Avenue and 530 Janette Avenue (see the area in red on Figure 1 – Site Location).



Figure 1 – Site Location (Source: Windsor GIS)

The Site is part of the (City Centre Planning District) and is located in the City of Windsor Ward 3.

The Site is owned, locally known as and legally described as follows:

Address	Legal Description	PIN	ARN	Owner	Purchased Date
0 Janette Avenue, Windsor	Lot 73, Plan 274; CITY OF WINDSOR	01195-0501 LT	040-120-04500	Andi Shallvari	2018

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 521.42 m², with 15.24 m along Janette Avenue and a depth of 34.21 m.

2.2.2 Existing Structures and Previous Use

The Site is currently vacant.

The previous use was residential.

2.2.3 Vegetation

The property currently has a mown lawn and one tree.

2.2.4 Topography and Drainage

The Site is generally level, and it is outside of the Essex Region Conservation Authority (ERCA) regulated area.

2.2.5 Other Physical Features

Fencing is located along a portion of the Site owned by others.

There is an alley along the east side of the Site.

2.2.6 Municipal Services

The property has access to municipal water, storm, and sanitary services.

There are streetlights and sidewalks located in the area.

The Site has access to major roadways.

On-street parking is permitted on Janette Avenue, and the Site is close to existing active transportation facilities and reliable transit options.

2.2.7 Nearby Amenities

There are many schools, parks and libraries in close proximity to the Site.

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 in an existing built-up area. There are several different lot frontages and lot areas of neighbouring properties.

The following is a summary of the abutting land uses:

Direction	Abutting Land Use
North	Residential
South	Residential
East	Residential
West	Residential

3.0 PROPOSAL AND CONSULTATION

3.1 Development Proposal

The Site is currently vacant. It is proposed to develop the Site for residential purposes.

It is proposed to construct a new three (3) storey multiple dwelling. A concept plan was prepared dated May 12, 2024 (see Figure 2a –Concept Plan).

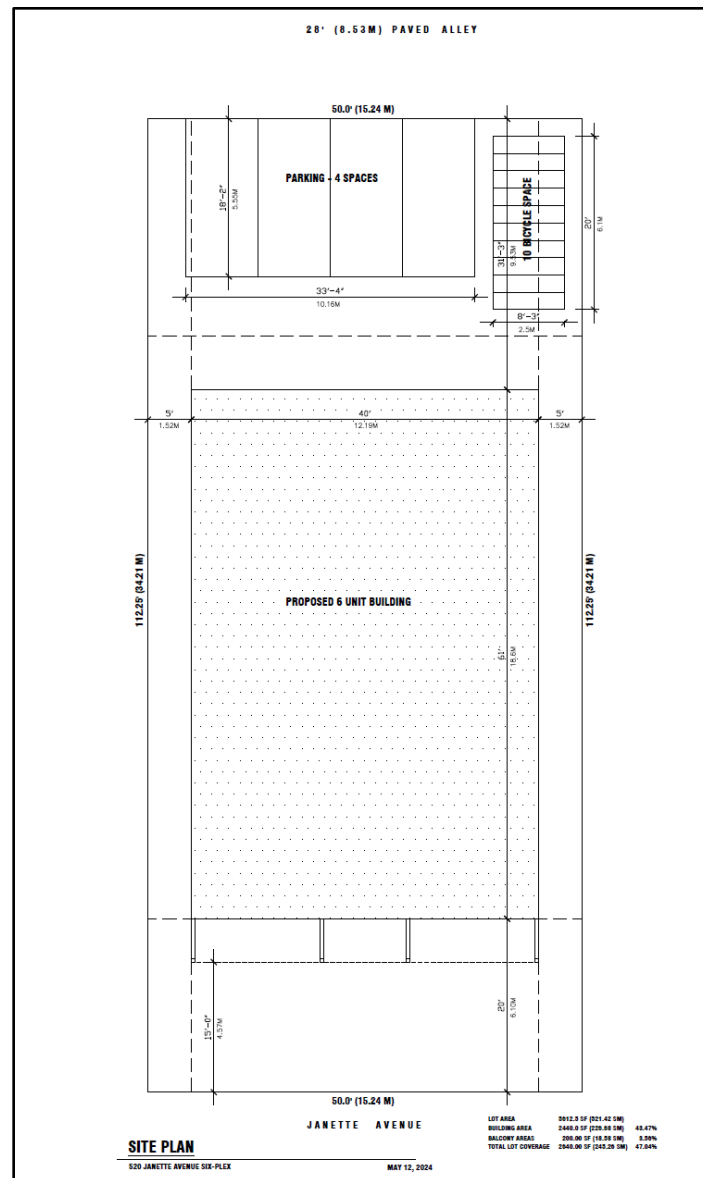


Figure 2a –Concept Plan

0 Janette Ave, Windsor, Ontario

The Concept Plan is preliminary in order to illustrate how the Site can be developed.

The building will occupy a total of 226.68 m² of the Site (43.47 % lot coverage). The proposed height is 10.02 m.

A total of six (6) residential units are proposed.

The tenure of each unit will be rental.

The proposed dwelling will face Janette Avenue. An elevation of the proposed building has been prepared (see Figure 2b – Elevations).

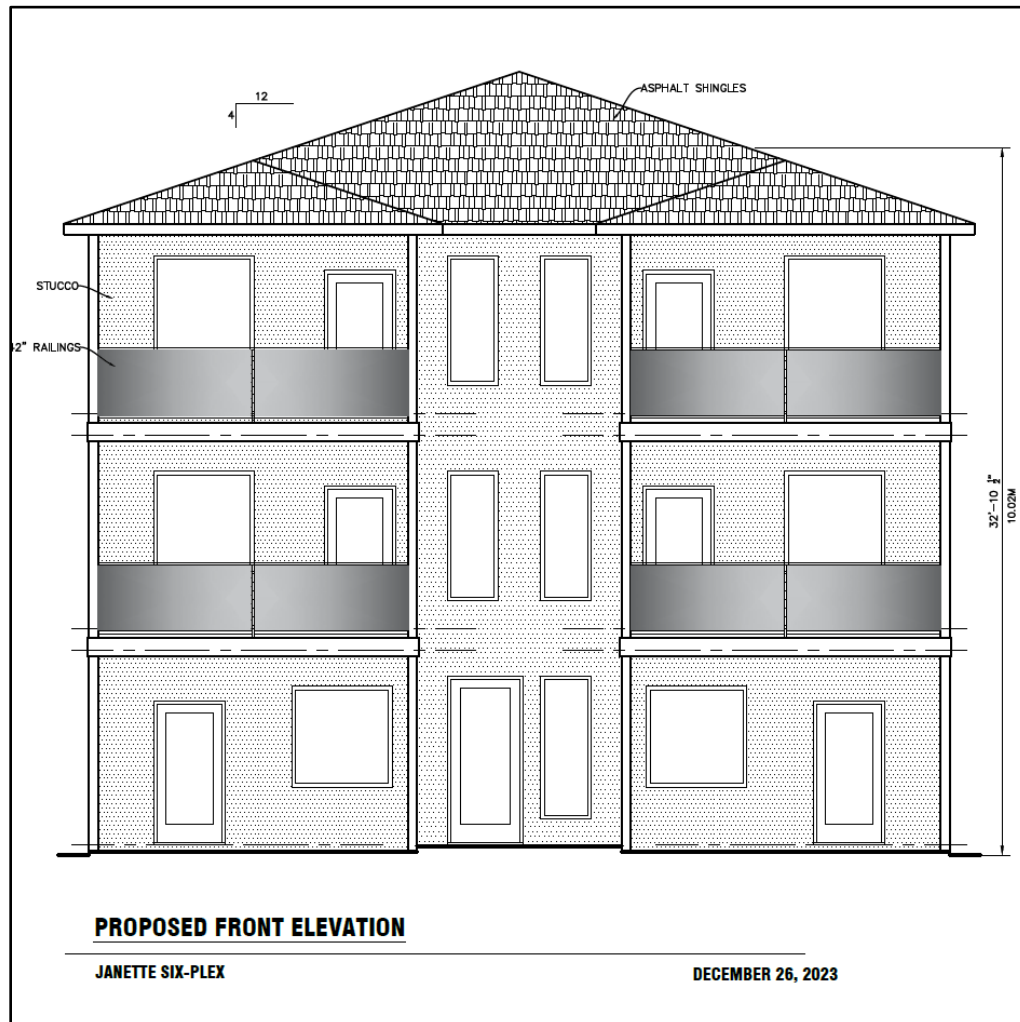


Figure 2b – Elevation

The Elevation is preliminary in order to illustrate how the Site can be developed.

Access to the proposed building will be from the east and west sides.

It is proposed that each unit will have 2 bedrooms. The first-floor units will be accessible.

Private balconies will be located on the west side of the proposed building.

Outdoor seating area, landscaping and amenity space will be provided.

A total of 4 parking spaces are proposed, with access off the paved alley into the rear yard.

A total of 10 bicycle spaces are proposed and will be located at the rear of the dwelling/

The refuse (garbage and recycling) will be located in the individual units.

The Site will be serviced with full municipality services (sewer, water and storm).

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.

As part of a public consultation strategy, in addition to the statutory public meeting, an informal electronic public open house was held with area residents and property owners on Monday, January 22, 2024, from 6:00 pm to 7:00 pm.

The open house provided members of the public with opportunities to review and comment on the proposed development.

A total of 90 owners and tenants were notified, which is a 120 m radius from the Site.

In addition to the applicant representatives, there were no residents registered or attended.

No emails or phone calls were received.

4.0 APPLICATION AND STUDIES

Pre-consultation (stage 1) was completed by the Applicant (City File #PC-042/23) and pre-submission (stage 2) (City File #PC-015/24). Comments were received and have been incorporated into this PRR.

The following explains the purpose of the application as well as a summary of the required support studies.

4.1 Zoning By-law Amendment

A site-specific Zoning By-law Amendment (ZBA) is required in support of the proposed development.

The current zoning of the Site, subject to development, is Residential District 2.2 (RD2.2) category, as shown on Map 3 of the City of Windsor Zoning By-law #8600.

It is proposed to further amend the zoning to Residential District 2.2 (RD2.2 - S.20(1)(XXX)) category to permit a multiple dwelling containing a maximum of six (6) dwelling units as an additional permitted use.

Relief from certain regulations is also being requested.

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 application has been approved, the Applicant will proceed with a building permit.

The assignment of a new municipal address is a prerequisite to the issuance of a building permit.

The Site is not subject to Site Plan Control (SPC).

4.3 Supporting Studies

The following supporting studies have been identified as required as part of the application.

4.3.1 Climate

A Micro Climate Study was determined by the City to be unnecessary as the height of the proposed building is in keeping with the character of the area.

4.3.2 Servicing

A Stormwater Retention Scheme was determined by the City to be unnecessary as the parking area has been reduced to 4 parking spaces.

4.3.3 Tree

A Tree Inventory Report was determined by the City to be unnecessary. There is one privately owned black locust tree identified on the Site. The tree was noted to be in fair health at the time of inspection.

It is recommended by the City that prior to construction, snow fencing or another suitable barrier be installed around the dripline of the tree to help preserve the health of the tree.

4.3.4 Parking

A Parking Study was prepared by RC Spencer Associates Inc., dated October 2024.

The purpose of the study was to review the parking requirements and justify the shortfall in parking.

The study evaluated the anticipated peak parking demand versus the proposed on-site parking supply.

On-street parking is permitted on Janette Avenue, and the Site is close to existing active transportation facilities and reliable transit options.

It was recommended that a minimum of four parking spaces could sufficiently accommodate the site's peak parking demand.

5.0 PLANNING ANALYSIS

5.1 Policy and Regulatory Overview

5.1.1 Provincial Planning Statement

The Provincial Planning Statement, 2024 (PPS) provides policy direction on matters of provincial interest related to land use planning and development.

The PPS was issued under Section 3 of the Planning Act and came into effect on October 20, 2024.

The following provides a summary of the key policy considerations of the PPS as it relates to the proposed development.

PPS Policy #	Policy	Response
Chapter 1 - Vision	Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of housing options will support a diverse and growing population and workforce, now and for many years to come.	The proposed development provides more housing.
Chapter 2.1.4 – Buildings Homes, Sustaining Strong and Competitive Communities	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: a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through	The proposed development will help provide for a mix of housing options and densities to meet the needs of the City. Full municipal services are available.

PPS Policy #	Policy	Response
	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, including units in draft approved or registered plans.	
2.1.6	Planning authorities should support the achievement of complete communities by: a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs; b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society;	The proposed development is consistent with the policy to achieve complete communities. The proposed development will provide for a range and mix of housing options. The Site has access to transportation options, public service facilities, other institutional uses, and parks. Accessibility will be addressed at the time of the building permit.
2.2.1 - Housing	Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by: a) establishing and implementing minimum targets for the provision of	The proposed development is a new housing option for the area. The proposed development supports the City's targets. The needs of the residents can be accommodated as the

PPS Policy #	Policy	Response
	<p>housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;</p> <p>b) permitting and facilitating:</p> <ol style="list-style-type: none"> 1. all housing options required to meet the social, health, economic and well being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and 2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3; <p>c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and</p> <p>d) requiring transit-supportive development and prioritizing intensification, including</p>	<p>Site is located near local amenities.</p> <p>The Site offers an opportunity for intensification and infilling.</p> <p>The proposed housing choice is considered a 'missing middle' development.</p> <p>The proposed density is appropriate for the Site.</p> <p>A total of 6 units would be permitted in the form of a semi detached dwelling with additional dwelling units (ADUs) as of right.</p> <p>Residents will have access to nearby transit.</p>

PPS Policy #	Policy	Response
	potential air rights development, in proximity to transit, including corridors and stations.	
2.3.1.1 – Settlement Area	Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.	The Site is located in an existing settlement area of the City of Windsor.
2.3.1.2	Land use patterns within settlement areas should be based on densities and a mix of land uses which: a) efficiently use land and resources; b) optimize existing and planned infrastructure and public service facilities; c) support active transportation; d) are transit-supportive, as appropriate.	<p>The Site offers an opportunity for intensification.</p> <p>The total density of the proposed development is considered appropriate.</p> <p>The design and style of the proposed building will blend well with the scale and massing of the existing surrounding area.</p> <p>The proposed development is an efficient use of the Site.</p> <p>Residents will have immediate access to local amenities.</p> <p>Transit and active transportation are available in the area.</p> <p>The Site is located close to major roadways.</p>
2.3.1.3	Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of	<p>The proposed development provides an infill opportunity for a vacant parcel of land.</p> <p>The Site was always intended for development.</p>

PPS Policy #	Policy	Response
	housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.	The design of the proposed development has provided a compact form.
2.3.1.4	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. The proposed development will assist in meeting those targets as the Site is located in an existing built-up area and will add new residential housing.
2.3.1.6	Planning authorities should establish and implement phasing policies, where appropriate, to ensure that development within designated growth areas is orderly and aligns with the timely provision of the infrastructure and public service facilities.	The Site has access to existing infrastructure and nearby public service facilities.
Chapter 3.1.1 – Infrastructure and Facilities	Infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs.	The proposed development has access to full municipal services. There are nearby public service facilities.
3.3.3 - Transportation	Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.	The proposed development will not have a negative impact on nearby transportation and infrastructure corridors.
3.6.2	Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the	The proposed development will be serviced by municipal sewer, water and storm, which is the preferred form of

PPS Policy #	Policy	Response
	environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.	servicing for settlement areas.
4.1.1 – Natural Heritage	Natural features and areas shall be protected for the long term.	There are no natural heritage features that impact the Site.
4.2 - Water	Planning authorities shall protect, improve or restore the quality and quantity of water by: b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;	The Site is outside of the ERCA regulated area.
Chapter 5.1.1 – Protecting Public 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 that apply to this Site. There is no risk to the public.

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. The 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 Site is part of the City Centre Planning District.

The current land use designation of the Site, subject to development, is ' Residential – Low Profile', as shown on Schedule E: City Centre Planning District of the City of Windsor Official Plan (see Figure 3 –OP).

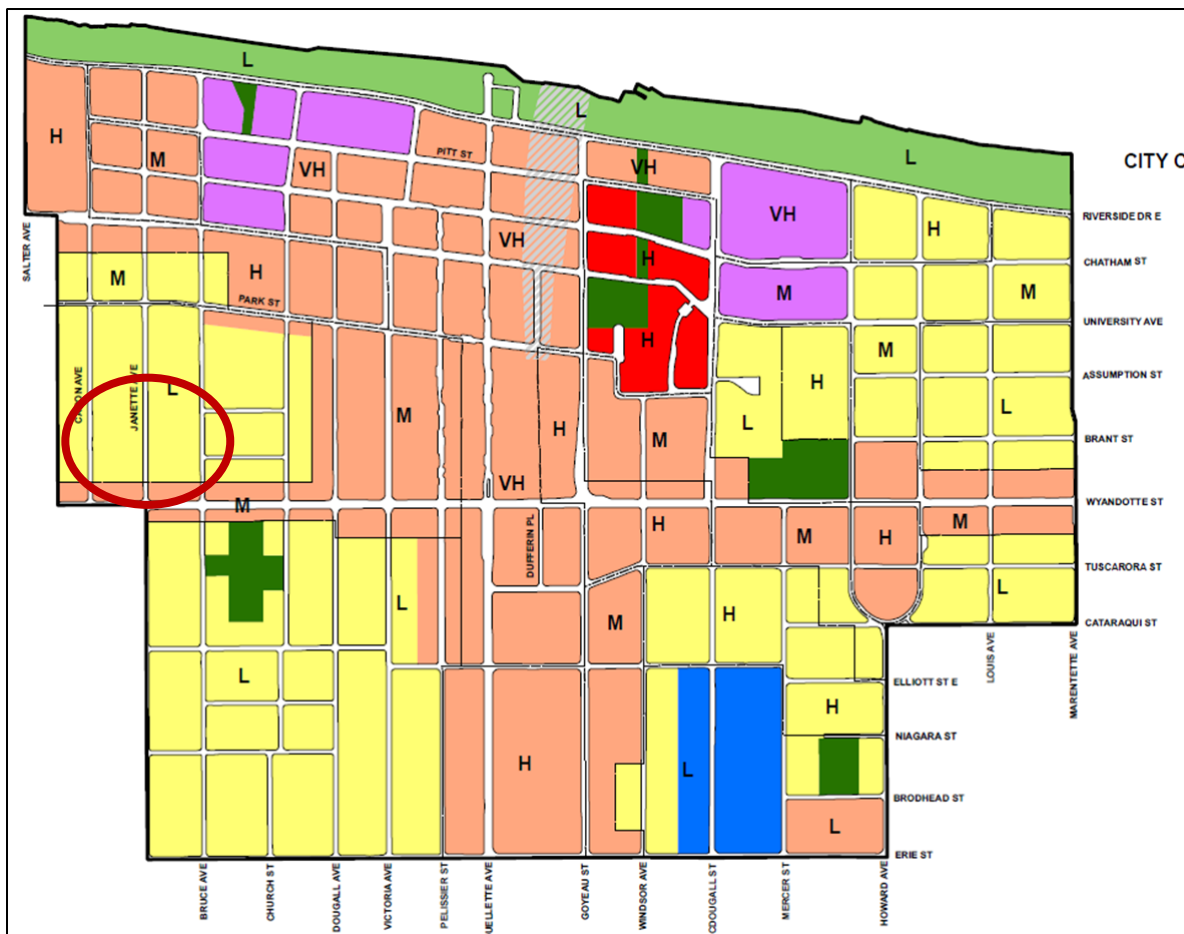


Figure 3 – OP

The Site is also subject to the following:

- adjacent to a Proposed Recreationway (namely Janette Avenue) on Schedule B: Greenway System,
- within an area identified as High Potential on Schedule C.1 - Development Constraint Areas Archaeological Potential,

- adjacent to a Class I Collector Road (namely Janette Avenue) and Bikeway (namely Janette Avenue) on Schedule F - Roads and Bikeways.

The following provides a summary of the key policy considerations of the OP as it relates to the proposed development.

OP Policy #	Policy	Response
3.2.1.2	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.	The proposed residential development supports one of the City's overall development strategies of providing for a range of housing types. The proposed housing choice is considered a 'missing middle' development.
4.0 – Healthy Community	The implementing healthy community policies are interwoven throughout the 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 will support the City's goal of promoting a healthy community in order to live, work, and play. The proposed development is close to nearby transit, employment, shopping, local 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 addressing the residential needs of the City. The Site is also located in the City Centre where people can live, work and play.
6.1 - Goals	In keeping with the Strategic Directions, Council's land use goals are to achieve: 6.1.1 Safe, caring and diverse neighbourhoods.	The proposed development supports the goals set out in the OP. The proposed residential use will provide a new housing

OP Policy #	Policy	Response
	<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>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</p>	<p>choice in an existing neighbourhood.</p> <p>The Site is pedestrian friendly and close to nearby amenities.</p> <p>Municipal services, transportation and community facilities are available.</p>
6.11.1.1 – City Centre Planning District	To encourage a concentration of government institutions, entertainment and retail uses, cultural venues, residences , business headquarters and related offices in the City Centre.	Residential is proposed and is encouraged.
6.11.1.2 - Neighbourhoods	To foster livable residential neighbourhoods close to employment, shopping and entertainment opportunities.	The Site has access to nearby amenities.
6.11.3.1 – Development Profile	For the purpose of this Plan, the development profile areas designated on Schedule E: City Centre Planning District establish the maximum height for buildings within distinct sub-areas of the City Centre. Accordingly, the following development profile areas apply to lands within the City Centre Planning District: (a) Low Profile Area where development is generally no greater than three (3) storeys in height; (b) Medium Profile Area where development is generally no greater than six (6) storeys in	The proposed development is considered a low profile development as it is proposed to have 3 storeys.

OP Policy #	Policy	Response
	height; (c) High Profile Area where development is generally no greater than fourteen (14) storeys in height; and (d) Very High Profile Area where development is generally greater than fourteen (14) storeys in height.	
6.11.5.1 – Residential Permitted Uses	Uses permitted in the Residential land use designation identified on Schedule E: City Centre Planning District include: (a) in areas also designated as Low Profile Area single detached, semi-detached, duplex, and row and multiplex dwelling units with up to 8 units; and (b) in areas also designated as Medium or High Profile Area dwelling units, preferably over 8 units.	A total of 6 units are proposed and is considered low profile.
6.11.5.3 – Evaluations	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: (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	<p>This scoped PRR has taken into consideration the PPS policies.</p> <p>The constraint areas identified in the OP (ie recreationway, archaeology, etc) do not impact the development of the Site.</p> <p>There are no anticipated traffic issues.</p> <p>There are no heritage resources that impact the Site.</p> <p>The Site is compatible with the existing neighbourhood in terms of scale, massing, height, etc.</p>

OP Policy #	Policy	Response
	<p>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) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, 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; (d) provided with adequate off street parking; (e) capable of being provided with full municipal physical services and emergency services; and (f) Facilitation 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>The proposed dwelling will be designed to be compatible.</p> <p>The density is appropriate. A total of 6 units would be permitted in the form of a semi detached dwelling with additional dwelling units (ADUs) as of right.</p> <p>There is no shadowing or loss of privacy anticipated.</p> <p>Parking is provided on-site.</p> <p>The Site is not considered a mature neighbourhood.</p> <p>Full municipal services are available for the proposed development.</p>
7.0 - Infrastructure	The provision of proper infrastructure provides a safe, healthy and efficient living environment. In order to accommodate transportation and physical service needs in	The proposed development is close to nearby transit, off a major roadway, and has access to full municipal services.

It is proposed to further amend the zoning to Residential District 2.2 (RD2.2 - S.20(1)(XXX)) category to permit a multiple dwelling containing a maximum of six (6) dwelling units as an additional permitted use with site specific relief.

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 of the ZBL is as follows:

Zone Regulations (11.2.5.4)	Required RD2.2 Zone (Multiple Dwelling)	Proposed	Compliance and/or Relief Requested with Justification
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	Multiple dwelling containing a maximum of six (6) dwelling units as an additional permitted use	Subject to the ZBA. The Site is large enough to accommodate the proposed development. Only minor relief is requested for the proposed building to be located on the Site. The proposed lot coverage is less than the maximum allowed. Additional side yard setback is also provided. The RD2.2 zone is being retained to ensure the proposed development is compatible with the neighbourhood as the building envelopes will be similar.
Lot Width – minimum	18.0 m	15.24 m	Relief Required. Lot frontage exists. The request is minor.
Lot Area – minimum	540.0 m ²	521.42 m ²	Relief Required. Lot area is existing. The request is minor.

Zone Regulations (11.2.5.4)	Required RD2.2 Zone (Multiple Dwelling)	Proposed	Compliance and/or Relief Requested with Justification
			<p>The land area is sufficient to accommodate the proposed development.</p> <p>Additional landscaping could be provided.</p>
Lot Coverage – maximum	45.0%	43.47 %	Complies
Main Building Height - maximum	9.0 m	10.02 m	<p>Relief is required.</p> <p>An increase of 1.2 m is required.</p> <p>Relief will allow the proposed roof line.</p> <p>Relief will also allow the first floor to be accessible.</p> <p>The increase in height provides the target density of 6 units.</p> <p>There are several similar buildings heights in the area of the Site.</p> <p>The City of Windsor's Intensification Guidelines (dated June 2022) have been considered in the design of the proposed dwelling.</p> <p>The building will be brought close to the road to allow for parking at the rear.</p> <p>There is no shadowing or loss of privacy anticipated.</p>

Zone Regulations (11.2.5.4)	Required RD2.2 Zone (Multiple Dwelling)	Proposed	Compliance and/or Relief Requested Justification with
Front Yard Depth – minimum	6.0 m	6.10 m face of the building 4.57 m (balcony can encroach up to a max 1.50 m into the required front yard)	Complies
Rear Yard Depth – minimum	7.50 m	9.53 m	Complies
Side Yard Width – minimum	1.20 m	North side – 1.52 m South side – 1.52 m	Complies
Parking Requirements Table 24.20.5.1 - minimum	Multiple Dwelling containing a minimum of 5 Dwelling units - 1.25 for each dwelling unit 6x1.25= 7.5 (7 rounded down)	4	Relief required. A decrease of 3 parking spaces is requested. The Site is not subject to City Centre parking exemptions. A Parking Study has been prepared to justify the reduction. The Site has access to on-site parking, transit and active transportation.
Bicycle – Table 24.30.1.1 minimum	1 to 9 = 0	10	Complies

Therefore, 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. decrease the minimum lot width from 18.0 m to 15.24 m,
2. decrease the minimum lot area from 540.0 m² to 521.42 m²,

3. *increase the maximum building height of the main building from 9.0 m to 10.02 m, and*
4. *Decrease the minimum parking from 7 to 4.*

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,
- The Site is generally level,
- The Site will be able to accommodate municipal water, storm and sewer,
- There are no anticipated traffic or parking concerns, and
- The location of the proposed development is appropriate.

6.1.2 Compatibility of Design

The proposed development will be limited to a 3 storey, low profile building, which is a compatible density for the Site and with the surrounding area.

The proposed residential use will provide a new housing choice in an existing built-up area.

The Site is capable of accommodating the proposed development in terms of scale, massing, height, and siting.

A total of 6 units would be permitted in the form of a semi detached dwelling with additional dwelling units (ADUs) as of right.

Parking, amenity areas, and landscaping will be provided.

6.1.3 Good Planning

The proposal represents good planning as it addresses the need for the development of a parcel of land, which contributes to affordability and intensification requirements.

The proposed housing choice is considered a 'missing middle' development.

Residential use on the Site represents an efficient development pattern that optimizes the use of land.

6.1.4 Environment Impacts

The proposal does not have any negative impact on the natural environment.

6.1.5 Municipal Services Impacts

There will be no negative impacts on the municipal system as the proposed use will not add to the capacity in a significant way.

6.1.6 Social, Cultural, and Economic Conditions

The proposed development does not negatively affect the social environment as the Site is in close proximity to major transportation corridors and nearby 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 proposed development promotes efficient development and land use patterns which sustains the financial well-being of the Municipality.

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.

There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal infilling opportunity.

There are no cultural heritage resources that impact the Site.

6.2 Conclusion

In summary, it would be appropriate for the City of Windsor to approve the ZBA application to permit the proposed development on the Site.

This scoped PRR has shown that the proposed development is consistent with the PPS, conforms with the intent and purpose of the OP and ZBL 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





Council Report: S 177/2024

Subject: Provincial Planning Statement (2024) Update

Reference:

Date to Council: January 6, 2025
Author: Frank Garardo, MCIP, RPP
Planner III – Policy and Special Studies
T. (519) 255-6543 x 6446

Planning & Building Services
Report Date: 12/18/2024
Clerk's File #: GP2025

To: Mayor and Members of City Council

Recommendation:

- I. THAT the report on Ontario's Land Use Planning Document *Provincial Planning Statement, 2024* **BE RECEIVED**; and,
- II. THAT administration **BE DIRECTED** to review and refine Windsor's existing intensification framework of mixed use centres, nodes and corridors to include residential corridors and identify all of the areas identified for intensification as *Strategic Growth Areas* in conformity with section 2.4.1 of the *Provincial Planning Statement, 2024*; and,
- III. THAT administration **BE DIRECTED** to investigate formally identifying the lands in Sandwich South as *designated growth areas* in the Official Plan consistent with Policy 2.3.1.5, and establish density targets for future Secondary Plans adopted in the Sandwich South lands; and,
- IV. THAT administration **BE DIRECTED** to review and establish minimum affordable housing targets in conformity with *Provincial Planning Statement, 2024*; and,
- V. THAT administration **BE DIRECTED** to review intensification targets in conformity with *Provincial Planning Statement, 2024*.

Executive Summary:

N/A

Background:

The Provincial Planning Statement (PPS), 2024 is a streamlined province-wide land use planning policy framework that replaces the previous Provincial Policy Statement 2020, and *A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019* (the Growth Plan), while building upon housing-supportive policies from both documents. Any of the policies that have been brought over from the Growth Plan were not applicable to Windsor in the past. However, they are now integral to the policy direction (PPS, 2024) from the Province for all municipalities in Ontario.

The Provincial Planning Statement (PPS), 2024 gives provincial policy direction on key land use planning issues that affect communities, such as:

- plan for and support development, and increase the housing supply across the province;
- align development with infrastructure to build a strong and competitive economy that is investment-ready;
- making land available for development;
- supporting a range and mix of housing types through intensification;
- creating opportunities for economic development and job creation;
- planning for the appropriate transportation, water, sewer and other infrastructure necessary to accommodate current and future needs; and
- protecting the environment and important resources including farmland, water, archaeology, cultural heritage, mineral aggregates and petroleum.

Municipalities are the primary decision-makers for local communities. They implement provincial policies through municipal official plans and planning related documents such as Official Plans, Zoning By-laws or plans of subdivision. The PPS, 2024 is issued under section 3 of the *Planning Act*, which requires that all decisions affecting planning matters shall be consistent with the Provincial Planning Statement.

The changes in PPS, 2024 shows a focus on building homes and associated infrastructure and strategic growth, in line with the Province's goal to meet 1.5 million homes built by 2031.

The PPS includes a section about "How to Read the Provincial Planning Statement" that provides additional guidance about how the PPS is to be interpreted, applied and implemented under Ontario's policy-led planning system.

The choice of language used in the PPS is intended to distinguish between the types of policies and the expectations about how they are to be implemented, as well as how the individual policies are situated within the broader PPS and how they relate to other policies. For example, some policies are worded in a way that set out positive directives and use words like "shall", while other policies set out limitations and prohibitions and use statements like "shall not". Other policies use enabling or supportive language, such as "should," "promote," and "encourage." There is some discretion when applying a policy with enabling or supportive language in contrast to a policy with a directive,

limitation or prohibition. It is important to read the policies referenced throughout this report through this lens to understand the provincial expectations and level of discretion being afforded to the municipalities on the particular policy matter.

It is also important to note that the policies of the Provincial Planning Statement represent minimum standards and that Planning Authorities have the discretion to go beyond these minimum standards to address matters of importance to their specific community.

Discussion:

This report is to provide Council with a summary of key policy changes resulting from the Provincial Planning Statement (“PPS”) 2024. These new changes are presented by the Province in order to help municipalities support growth by clarifying planning policies, simplifying approvals to build homes and eliminating duplication. Please consult with the Provincial Planning Statement, 2024 for a detailed list of the policies. With respect to key policy changes relevant to recent and ongoing City of Windsor Planning Policy initiatives, staff note the following:

Building Homes, Sustaining Strong and Competitive Communities (Chapter 2)

Planning for People and Homes (2.1)

- **Population projections and employment growth based on Ministry of Finance projections (2.1.1)**
- **Official Plan timelines extended to at least 20 years and no more than 30 years (2.1.3)**
- **Having a 15 year supply of land designated and available for residential development, and a 3 year supply of land with servicing capacity (2.1.4)**
- **New focus on creating “complete communities” (2.1.6)**

Policy 2.1.1 provides that planning authorities shall now base their population projections and employment growth projections on the Ministry of Finance Population Projections, however, municipalities can modify these projections, as appropriate.

Policy 2.1.3 provides that, at the time of creating a new official plan and each official plan update, 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 at least 20 years but not more than 30 years, informed by provincial guidance. The policy also provides that planning for infrastructure, public service facilities, strategic growth areas and employment areas may extend beyond this time horizon.

Policy 2.1.4 requires municipalities 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: maintain at all times the ability to accommodate residential growth for a minimum of fifteen years through lands which are designated and available for residential development; and 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, including units in draft approved or registered plans.

The above policies have implications on how the City of Windsor will undertake housing and employment projections and reference will have to be made to the Ministry of Finance populations in that work. Also, the planning timelines have changed from up to 25 years to at least 20 years but not more than 30 years. It is anticipated that further guidance will be provided by the Ministry on population projections.

Policy 2.1.6 replaces the concept of “healthy, liveable and safe communities” contained in the PPS, 2020 and instead introduces the concept of “complete communities” and provides that “*planning authorities should support the development of complete communities.*”

Complete Communities is a newly defined concept in the PPS and are defined as “*places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for equitable access to many necessities for daily living for people of all ages and abilities, including an appropriate mix of jobs, a full range of housing, transportation options, public service facilities, local stores and services. Complete communities are inclusive and may take different shapes and forms appropriate to their contexts to meet the diverse needs of their populations.*”

The introduction of the complete community’s concept further requires the City of Windsor to encourage a range of housing types, intensification, mixed use development, and access to public amenities throughout the City of Windsor.

Housing (Section 2.2)

- **Intensification includes a focus on underutilized commercial and institutional uses (2.2.1)**
- **Shall provide for all housing options - Definition of housing options recognizes new types and forms of housing (2.2.1)**

Policy 2.2.1 states that planning authorities shall provide an appropriate range and mix of *housing options* and densities to meet projected needs of current and future residents. The PPS continues to promote housing through permitting and facilitating all *housing options* and all types of intensification but has added further references to including underutilized commercial and institutional sites for development/ redevelopment such as shopping malls and plazas. This policy has been revised from the PPS 2020 to put greater importance on the need to increase the typology and quantity of residential units across municipalities – the range of *housing options*.

Further, the policy requires that municipalities permit and facilitate intensification and the introduction of new *housing options* within previously developed areas and *redevelopment* which results in a net increase in residential units (Policy 2.2.1 (b.2)).

The PPS, 2024 expands the definition of *housing options* to add new housing types such as laneway housing, garden suites, and rooming houses. Further, the list of housing arrangements/forms now includes multi-generational housing, student housing, farm worker housing, culturally appropriate housing, supportive, community and transitional housing.

The new *Housing Options* definition: *“means a range of housing types such as, but not limited to single-detached, semidetached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, laneway housing, garden suites, rooming houses and multi-residential buildings, including low-and mid-rise apartments. The term can also refer to a variety of housing arrangements and forms such as, but not limited to, life lease housing, co-ownership housing, co-operative housing, community land trusts, land lease community homes, affordable housing, additional needs housing, multi-generational housing, student housing, farm worker housing, culturally appropriate housing, supportive, community and transitional housing and housing related to employment, educational, or institutional uses, such as long-term care homes”.*

Policy 2.2.1(a) also requires municipalities to establish and implement minimum targets for housing that is affordable to low and moderate income households and to coordinate with affordable housing Service Managers to address the full range of *housing options*. Administration will work towards establishing the requisite minimum affordable housing targets for incorporation in the Official Plan (**see recommendation IV**). The City of Windsor is the Service Manager for both the city and Essex County. As such, the establishment of affordable housing targets for the city will be done in consultation with staff in Housing & Children's Services.

Policy 2.2.1 (c) requires municipalities to promote densities for new housing that uses land, resources, infrastructure and public service facilities efficiently, and supports the use of active transportation.

All of the policies that fall under Section 2.2 Housing of the PPS are written as specific Provincial directives, with the expectation that municipalities increase the range and mix of *housing options* and densities across the city. As such, reports to the Development and Heritage Standing Committee and Council will continue to ensure that every development proposal is reviewed for alignment with the PPS and consistency with the PPS is thoroughly documented using clear and concise language to explain how the proposal meets provincial objectives, in turn protecting municipal decisions from challenges at the Ontario Land Tribunal.

Settlement Areas (Section 2.3)

- **Growth and development focused in settlement areas (2.3.1.1)**
- **Emphasis on identifying and focusing growth and development in *Strategic Growth Areas* and *Designated Growth Areas* (2.3.1.1) (see recommendations II & III)**
- **Investing in the necessary infrastructure and public facilities to accommodate intensification (2.3.1.3)**

- **Establishing and implementing minimum targets for intensification and redevelopment within built-up areas (2.3.1.4) (see recommendation V)**

It should be emphasized that settlement areas continue to be the focus of growth and development and within settlement areas growth should be focused in, where applicable, strategic growth areas, which are areas designated by municipalities specifically for the purpose of accommodating intensification and higher-density uses including existing downtown areas, major transit areas, nodes, and corridors.

New Policy 2.3.1.4 directs Planning authorities to establish and implement targets for intensification and redevelopment within built-up areas, based on local conditions. **(see recommendation V)**

In Large and Fast-Growing Municipalities, including the City of Windsor, planning authorities are encouraged to set a target of 50 residents and jobs per hectare, and plan accordingly to achieve this standard.

Designated Growth Areas (Section 2.3.1.5)

- **Identify and focusing residential expansion in Designated Growth Areas (see recommendation III)**

Planning authorities are encouraged to identify “Designated Growth Areas” which are areas within settlement areas designated for future growth, including accommodated for residential expansion over a minimum of 15 years, along with land needed for other uses.

Policy 2.3.1.6 directs planning authorities to establish and implement phasing policies, where appropriate, to ensure that development within designated growth areas is orderly and aligns with the timely provision of infrastructure and public service facilities.

The City of Windsor Official Plan has designated the Sandwich South lands for future growth and will aim to be a “complete community” that includes a variety of residential, commercial, institutional and industrial land uses. The Sandwich South land's include the existing East Pelton Secondary Plan and County Road 42 Secondary Plans which will guide their development and land uses. These areas can accommodate future residential expansion and targets can be implemented by including them as Designated Growth Areas. **(see recommendation III).**

Strategic Growth Areas (Section 2.4)

- **Identify and focusing growth and development in *Strategic growth areas* (2.4.1) (see recommendation II)**
- **Identifying the appropriate type and scale of development in strategic growth areas and the transition of built form to adjacent areas (2.4.1.3(b))**

Provincial Planning Statement 2024 now imposes general policies for strategic growth areas defined as:

areas, nodes, corridors, and other areas that have been identified by municipalities to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form.

Strategic growth areas include major transit station areas, existing and emerging downtowns, lands in close proximity to publicly-assisted postsecondary institutions and other areas where growth or development will be focused, that may include infill, redevelopment (e.g., underutilized shopping malls and plazas), brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas.

The general policies of section 2.4.1 encourage strategic growth areas that focus on achieving complete communities, a range and mix of *housing options*, intensification and mixed-use development. New policies provide that within strategic growth areas, planning authorities should prioritize planning and investment for infrastructure and public service facilities, identify the appropriate scale and type of development and the transition of built form to adjacent areas, permit development and intensification to achieve complete communities and compact built form, consider a student housing strategy and support redevelopment of commercially designated retail lands (e.g., underutilized shopping malls and plazas) to support mixed-use residential development.

Furthermore PPS, 2024 implements a new policy 2.4.3 which requires planning authorities to plan for intensification on lands that are adjacent to existing and planned *frequent transit* corridors. *Frequent transit* is a new term that means “a *public transit service that runs at least every 15 minutes in both directions throughout the day and into the evening every day of the week.*”

The above Policies will require the City of Windsor to promote and support intensification on corridors which are served by public transit based on local conditions. Furthermore the above policies reflect on recent City of Windsor Official Plan amendments including Official Plan Amendment (OPA) 159 which introduced a framework for mixed use areas and corridors to promote and support intensification on major roads.

Currently, the framework established by OPA 159 is a one-size-fits-all approach for intensification for all of the identified mixed-use centres, nodes and corridors. Future work will include the ongoing review and refinement of the Official Plan policies and zoning regulations within these mixed use centres, nodes and corridors. This work will acknowledge that the neighbourhoods across the City vary, so intensification should reflect the specific needs and characteristics of each neighbourhood, and the policies and regulations that guide development should reflect this diversity. Policy 2.4.1.3 b) supports intensification on nodes and corridors within an appropriate type and scale to existing built forms and adjacent areas. Further refinements within these mixed use centres, nodes, and corridors are to be undertaken, including identifying residential only corridors that will increase the range of *housing options* and densities. Other examples

may include creating zoning rules that limit the height or density of new buildings in areas where the neighbourhood character is predominately low profile residential. Things like, gradual density increases (like townhomes or low-rise apartments) may be more acceptable and appropriate along certain corridors and facilitate the transition of built form to adjacent areas (Policy 2.4.3 (b)), while others can accommodate higher density forms of housing (**see recommendation II**).

Employment (Section 2.8)

- **Definition of employment areas no longer includes institutional and commercial uses (retail and office) not associated with the main employment use (2.8.2)**
- **Promote economic development and competitiveness (2.8.1.1)**

The definition of employment area is revised and now defines employment areas as, *“those areas designated in an official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities”*. Uses that are excluded from employment areas are institutional and commercial, including retail and office not associated with the primary employment use.

Policy 2.8.1.1 is a new policy which requires planning authorities to promote economic development and competitiveness by providing opportunities for a diversified economic base and identifying strategic sites for investment.

Policy 2.8.2 continues to require municipalities to 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. Planning authorities shall protect employment areas that are in proximity to major goods movement facilities and corridors, including facilities and corridors identified in provincial transportation plans, for the employment area uses that require those locations.

Furthermore, the PPS 2024 adds specific language to the policy requiring planning authorities to assess and update employment areas in official plans to ensure the designation is appropriate, noting that compatibility between employment areas and sensitive uses must be maintained.

The above policies promote economic development and for municipalities to plan for a modern economy. Recent City of Windsor Planning Policy initiatives included providing for future employment growth in proximity to the Windsor airport and Sandwich South lands to accommodate for existing and future employment growth.

Sewage, Water and Stormwater (Chapter 3)

- **The PPS, 2024 updates existing policies regarding sewage, water and stormwater (3.6)**
- **Planning for Stormwater Management (3.6.8)**

Policy 3.6.1(a) provides that planning for sewage and water services shall accommodate forecasted growth in a timely manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services, as well as existing private communal sewage services and private communal water services.

Policy 3.6.1(b) now makes a reference to ensuring that services are provided in a manner that protects the quantity and quality of water and aligns with comprehensive municipal planning for these services where applicable.

Policy 3.6.1(c) now includes a reference to promoting water and energy conservation and efficiency.

Policy 3.6.1(d) requires the integration of servicing and land use considerations at all stages of the planning process, including consideration of opportunities to allocate and reallocate, if necessary, the unused system capacity of municipal water services and municipal sewage services to support the efficient use of these services to meet current and projected needs for an increased housing supply. This policy is especially relevant in municipalities experiencing a lack of servicing capacity until infrastructure upgrades are complete.

Policy 3.6.1(f) requires planning for sewage and water services to be integrated with source protection planning.

The PPS, 2024 section 3.6.8 also provides minor revisions to existing policies regarding requirements for planning for stormwater management.

Natural Heritage and Natural Hazards (Chapters 4 and 5)

- **Watershed Planning (4.2.3)**
- **Management of Natural Hazards (5.2.1)**

Aside from amending certain definitions, the PPS, 2024 continues with the natural heritage policies of the PPS, 2020.

New Policy 4.2.3 requires large and fast-growing municipalities, including the City of Windsor to undertake watershed planning to inform planning for sewage and water services and stormwater management, including low impact development, and the protection, improvement or restoration of the quality and quantity of water.

Policy 5.2.1 is carried over from the PPS, 2020 but requires planning authorities to collaborate with conservation authorities, where they exist, to identify hazardous lands and hazardous sites, and manage development in these areas in accordance with provincial guidance.

Cultural Heritage and Archaeology (Chapter 4)

- **Encouraging the implementation of Archaeological Management Plans (4.6.4a))**
- **Encouraging Proactive strategies for conserving heritage resources (4.6.4b))**

The PPS, 2024 requires protected heritage properties, which may contain built heritage resources or cultural heritage landscapes, to be conserved.

Policy 4.6.4 (a) encourages Planning authorities to develop and implement Archaeological Management Plans.

New policy 4.6.4(b) encourages planning authorities to develop and implement “proactive strategies for conserving significant built heritage resources and cultural heritage landscapes.”

Policy 4.6.4.5 modifies an existing PPS, 2020 policy and requires planning authorities to engage “early” with Indigenous communities. It has also been broadened to ensure their interests are considered when identifying, protecting and managing not only archaeological resources but also built heritage resources and cultural heritage landscapes.

The City of Windsor has recently adopted a new Windsor Archaeological Management Plan and future initiatives include providing a proactive framework for conserving heritage resources in the Walkerville Planning District.

There is also the ongoing Heritage Property Assessment to review all of the properties on the Municipal Heritage Register for possible designation under the Ontario Heritage Act. Council direction on this matter was provided following the August 1, 2023 report to Council titled: *Windsor Municipal Heritage Register: Strategies in Response to Provincial Bill 23* (City-wide).

Implementation and Interpretation (Chapter 6)

- **All land use planning decisions must be consistent with the new PPS 2024 (6.1.7)**
- **Official Plans are required to be up to date with PPS 2024 (6.1.5)**
- **Required to undertake early engagement with indigenous communities (6.2.2)**
- **Required to collaborate with publicly-assisted post-secondary institutions, and school boards (6.2.4)**

The PPS 2024 also includes policies requiring planning authorities to make decisions consistent with the PPS 2024, even where that planning authority must decide on a planning matter before the official plan has been updated to be consistent with the PPS 2024, or before other applicable planning instruments have been updated.

PPS 2024 continues to reference that “the official plan is the most important vehicle for implementing [the] Provincial Policy Statement” as part of the non-policy preamble.

Policy 6.1.5 requires planning authorities to keep their official plans up to date with the Provincial Planning Statement in order to protect provincial interests.

Policy 6.1.7 provides that where a planning authority must decide on a planning matter before its official plan has been updated to be consistent with the PPS, 2024, or before other applicable planning instruments have been updated accordingly, it must still make a decision that is consistent with the PPS, 2024.

Policy 6.2.2 provides that planning authorities are now required to undertake early engagement with indigenous communities to facilitate knowledge sharing and consideration of indigenous interests in land use planning matters.

The PPS, 2024 contains new policies in section 6.2.5 requiring planning authorities to engage with the public, school boards and publicly assisted post-secondary institutions in efforts to implement the PPS, 2024. In particular, policies 6.2.5 and 6.2.6 direct planning authorities to collaborate with publicly assisted post-secondary institutions to facilitate early and integrated planning for student housing and to develop a strategy that includes consideration of off-campus housing targeted to students. This reflects recent changes through Bill 185 which now exempts undertakings of “publicly assisted universities” or “federated colleges and universities” from the Planning Act.

New Definitions

The 2024 PPS introduces a number of new defined terms, including “affordable”, “designated growth area”, “energy storage system”, “low- and moderate-income households” and “urban agriculture”. This is notable as planning authorities will now be required to consider and encourage near-urban and urban agriculture to foster a “robust agri-food network and provide opportunity for development of energy supply, including energy storage systems under the 2024 PPS.

Next Steps/Future Work Plan

The recommendations in this report recognize that Planning Authorities across Ontario will have to further review and refine existing planning documents including Official Plans and Zoning by-laws. Future policy updates will continue to expand on recent Council initiatives including:

- Expanding on the existing Intensification Framework of mixed-use centres, nodes and corridors by establishing residential corridors and identifying all of them as Strategic Growth Areas;
- Refining the existing corridors and nodes within strategic growth areas which provide an appropriate type and scale of developments;
- Implementing Intensification Targets within designated growth areas;
- Reviewing and updating Chapter 3: Urban Growth Strategy of the Official Plan to identify the Designated Growth Areas (Sandwich South) and Strategic Growth Areas (centres, nodes and corridors), and to establish density and intensification targets respectively;

- Reviewing and updating Chapter 6: Land Use of the Official Plan to implement the Strategic Growth Areas and to ensure compatible intensification of the Strategic Growth Areas and neighbourhoods;
- Reviewing and updating the Additional Dwelling Unit (ADU) Official Plan policies and Zoning Bylaw regulations based on monitoring development activity and to comply with the recently released Ontario Regulation 462/24 (November 20, 2024);
- Bringing forward the Phase 1 report for Council direction to proceed with the creation of the Walkerville Heritage Conservation District; and,
- Continuing the comprehensive Heritage Property Assessment to review all of the properties on the Municipal Heritage Register for possible designation under the Ontario Heritage Act consistent with the PPS, 2024 and in response to Bill 23.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

Provincial Planning Statement 2024 provides policy direction on matters which address Climate Change mitigation.

Climate Change Adaptation:

Provincial Planning Statement 2024 provides policy direction on matters which address Climate Change adaptation.

Financial Matters:

N/A

Consultations:

N/A

Conclusion:

This report is prepared to keep Committee and Council informed of the changes that have recently been made and announced by the Province to the Provincial Planning Statement 2024 which came into effect on October 20, 2024.

The Provincial Planning Statement 2024 applies to all land use planning decisions made in Ontario. The Provincial Planning Statement shall be read in its entirety and all relevant policies are to be applied to each situation.

It is expected that as staff use the document and become more familiar with the policies that the implications of the changes will become clearer. As a result, it is anticipated that administration will be continuing to review growth strategies within the Official Plan and

bring consistency with the Provincial Planning Statement 2024 based on local conditions.

Also, this report informs Council of recent and future City of Windsor Planning Policy initiatives which fall within key changes from the Provincial Planning Statement 2024 framework.

Planning Act Matters:

Frank Garardo, MCIP, RPP

Planner III – Policy and Special Studies

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

Greg Atkinson, MCIP, RPP

Neil Robertson, MCIP, RPP

Deputy City Planner - Development

City Planner

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

JP JM

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John Revell acting for Jelena Payne	Commissioner, Economic Development
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Appendices:

- 1 Appendix A - Provincial Planning Statement 2024

PROVINCIAL PLANNING STATEMENT, 2024

Under the *Planning Act*

PROVINCIAL PLANNING STATEMENT, 2024

Approved by the Lieutenant Governor in Council, Order in Council No. 1099/2024

The Provincial Planning Statement was issued under section 3 of the *Planning Act* and came into effect October 20, 2024. It replaces the Provincial Policy Statement that came into effect on May 1, 2020.

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Chapter 1: Introduction

Vision

Ontario is a vast, fast-growing province that is home to many urban, rural and northern communities distinguished by different populations, economic activity, pace of growth, and physical and natural conditions. More than anything, a prosperous Ontario will see the building of more homes for all Ontarians. This is why the province has set a goal of getting at least 1.5 million homes built by 2031.

Ontario will increase the supply and mix of *housing options*, addressing the full range of housing affordability needs. Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of *housing options* will support a diverse and growing population and workforce, now and for many years to come.

A prosperous and successful Ontario will also support a strong and competitive economy that is investment-ready and recognized for its influence, innovation and diversity. Ontario's economy will continue to mature into a centre of industry and commerce of global significance. Central to this success will be the people who live and work in this province.

Ontario's land use planning framework, and the decisions that are made, shape how our communities grow and prosper. Prioritizing compact and *transit-supportive* design, where locally appropriate, and optimizing investments in *infrastructure* and *public service facilities* will support convenient access to housing, quality employment, services and recreation for all Ontarians. Cultural heritage and archaeology in Ontario will provide people with a sense of place. And while many Ontarians still face a complex range of challenges, municipalities will work with the Province to support the long term prosperity and well-being of residents through the design of communities responsive to the needs of all Ontarians.

Ontario's vibrant agricultural sector and sensitive areas will continue to form part of the province's economic prosperity and overall identity. Growth and development will be prioritized within urban and rural settlements that will, in turn, support and protect the long-term viability of *rural areas*, local food production, and the *agri-food network*. In addition, resources, including natural areas, water, aggregates and agricultural lands will be protected. Potential risks to public health or safety or of property damage from natural hazards and human-made hazards, including the risks associated with the impacts of climate change will be mitigated.

Ontario will continue to recognize the unique role Indigenous communities have in land use planning and development, and the contribution of Indigenous communities' perspectives and traditional knowledge to land use planning decisions. Meaningful early engagement and constructive, cooperative relationship-building between planning authorities and Indigenous communities will facilitate knowledge-sharing and inform decision-making in land use planning.

Above all, Ontario will continue to be a great place to live, work and visit where all Ontarians enjoy a high standard of living and an exceptional quality of life.

Role of the Provincial Planning Statement

The Provincial Planning Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

Municipal official plans are the most important vehicle for implementation of the Provincial Planning Statement and for achieving comprehensive, integrated and long-term planning. Official plans should coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial outcomes.

Zoning and development permit by-laws are also important for the implementation of the Provincial Planning Statement. Zoning and development permit by-laws should be forward-looking and facilitate opportunities for an appropriate range and mix of *housing options* for all Ontarians.

Land use planning is only one of the tools for implementing provincial interests. A wide range of legislation, regulations, policies and programs may apply to decisions with respect to *Planning Act* applications, affect planning matters, and assist in implementing these interests.

The Province's rich cultural diversity is one of its distinctive and defining features. Indigenous communities have a unique relationship with the land and its resources, which continues to shape the history and economy of the Province today. Ontario recognizes the unique role Indigenous communities have in land use planning and development, and the contribution of Indigenous communities' perspectives and traditional knowledge to land use planning decisions. The Province recognizes the importance of consulting with Aboriginal communities on planning matters that may affect their section 35 Aboriginal or treaty rights.

Legislative Authority

The Provincial Planning Statement is a policy statement issued under the authority of section 3 of the *Planning Act* and came into effect on October 20, 2024. The Provincial Planning Statement applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after October 20, 2024.

In respect of the exercise of any authority that affects a planning matter, section 3 of the *Planning Act* requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act.

Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government shall be consistent with the Provincial Planning Statement.

How to Read the Provincial Planning Statement

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic, health and social factors in land use planning. The Provincial Planning Statement supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The Provincial Planning Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together. The language of each policy, including the Implementation and Interpretation policies, will assist decision-makers in understanding how the policies are to be implemented.

There is no implied priority in the order in which the policies appear. While specific policies sometimes refer to other policies for ease of use, these cross-references do not take away from the need to read the Provincial Planning Statement as a whole.

Consider Specific Policy Language

When applying the Provincial Planning Statement it is important to consider the specific language of the policies. Each policy provides direction on how it is to be implemented, how it is situated within the broader Provincial Planning Statement, and how it relates to other policies.

Some policies set out positive directives, such as “settlement areas shall be the focus of growth and development.” Other policies set out limitations and prohibitions, such as “development and site alteration shall not be permitted.” Other policies use enabling or supportive language, such as “should,” “promote,” and “encourage.”

The choice of language is intended to distinguish between the types of policies and the nature of implementation. There is some discretion when applying a policy with enabling or supportive language in contrast to a policy with a directive, limitation or prohibition.

Geographic Scale of Policies

The Provincial Planning Statement recognizes the diversity of Ontario and that local context is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld.

While the Provincial Planning Statement is to be read as a whole, not all policies will be applicable to every site, feature or area. The Provincial Planning Statement applies at a range of geographic scales.

Some of the policies refer to specific areas or features and can only be applied where these features or areas exist. Other policies refer to planning objectives that need to be considered in the context of the municipality or planning area as a whole, and are not necessarily applicable to a specific site or development proposal.

Within the Great Lakes –St. Lawrence River Basin, there may be circumstances where planning authorities should consider agreements related to the protection or restoration of the Great Lakes – St. Lawrence River Basin. Examples of these agreements include Great Lakes agreements between Ontario and Canada, between Ontario and Quebec and the Great Lakes States of the United States of America, and between Canada and the United States of America.

Policies Represent Minimum Standards

The policies of the Provincial Planning Statement represent minimum standards.

Within the framework of the provincial policy-led planning system, planning authorities and decision-makers may go beyond these minimum standards to address matters of importance to a specific community, unless doing so would conflict with any policy of the Provincial Planning Statement.

Defined Terms and Meanings

Except for references to legislation which are italicized, other italicized terms in the Provincial Planning Statement are defined in the Definitions chapter. For non-italicized terms, the normal meaning of the word applies. Terms may be italicized only in specific policies; for these terms, the defined meaning applies where they are italicized and the normal meaning applies where they are not italicized. Defined terms in the Definitions chapter are intended to capture both singular and plural forms of these terms in the policies.

Provincial Guidance

Provincial guidance, including guidance material, guidelines and technical criteria may be issued from time to time to assist planning authorities and decision-makers with implementing the policies of the Provincial Planning Statement. Information, technical criteria and approaches outlined in provincial guidance are meant to support implementation but not add to or detract from the policies of this Provincial Planning Statement.

Relationship with Provincial Plans

The Provincial Planning Statement provides overall policy directions on matters of provincial interest related to land use planning and development in Ontario, and applies province-wide, except where this Provincial Planning Statement or another provincial plan provides otherwise.

Provincial plans, such as the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan, build upon the policy foundation provided by the Provincial Planning Statement. They provide additional land use planning policies to address issues facing specific geographic areas in Ontario.

Provincial plans are to be read in conjunction with the Provincial Planning Statement. They take precedence over the policies of the Provincial Planning Statement to the extent of any conflict, except where the relevant legislation provides otherwise.

Where the policies of provincial plans address the same, similar, related, or overlapping matters as the policies of the Provincial Planning Statement, applying the more specific policies of the provincial plan satisfies the more general requirements of the Provincial Planning Statement. In contrast, where matters addressed in the Provincial Planning Statement do not overlap with policies in provincial plans, the policies in the Provincial Planning Statement must be independently satisfied.

Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the Provincial Planning Statement. Where provincial plans are in effect, planning decisions must conform or not conflict with them, as the case may be.

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

2.1 Planning for People and Homes

1. As informed by provincial guidance, planning authorities shall base population and employment growth forecasts on Ontario Population Projections published by the Ministry of Finance and may modify, as appropriate.
2. Notwithstanding policy 2.1.1, municipalities may continue to forecast growth using population and employment forecasts previously issued by the Province for the purposes of land use planning.
3. At the time of creating a new official plan and each official plan update, 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 at least 20 years, but not more than 30 years, informed by provincial guidance. Planning for *infrastructure, public service facilities, strategic growth areas* and *employment areas* may extend beyond this time horizon.

Where the Minister of Municipal Affairs and Housing has made a zoning order, the resulting development potential shall be in addition to projected needs over the planning horizon established in the official plan. At the time of the municipality's next official plan update, this additional growth shall be incorporated into the official plan and related infrastructure plans.

4. 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:
 - a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through 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, including units in draft approved or registered plans.
5. Where planning is conducted by an upper-tier municipality, the land and unit supply maintained by the lower-tier municipality identified in policy 2.1.4 shall be based on and reflect the allocation of population and units by the upper-tier municipality.

6. Planning authorities should support the achievement of *complete communities* by:
- a) accommodating an appropriate range and mix of land uses, *housing options*, transportation options with *multimodal* access, employment, *public service facilities* and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
 - b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
 - c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

2.2 Housing

1. Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected needs of current and future residents of the *regional market area* by:
- a) establishing and implementing minimum targets for the provision of housing that is *affordable* to *low and moderate income households*, and coordinating land use planning and planning for housing with Service Managers to address the full range of *housing options* including *affordable* housing needs;
 - b) permitting and facilitating:
 - 1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *additional needs housing* and needs arising from demographic changes and employment opportunities; and
 - 2. all types of residential *intensification*, including the *development* and *redevelopment* of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new *housing options* within previously developed areas, and *redevelopment*, which results in a net increase in residential units in accordance with policy 2.3.1.3;
 - c) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation*; and
 - d) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations.

2.3 Settlement Areas and Settlement Area Boundary Expansions

2.3.1 General Policies for Settlement Areas

1. *Settlement areas* shall be the focus of growth and development. Within *settlement areas*, growth should be focused in, where applicable, *strategic growth areas*, including *major transit station areas*.
2. Land use patterns within *settlement areas* should be based on densities and a mix of land uses which:
 - a) efficiently use land and resources;
 - b) optimize existing and planned *infrastructure* and *public service facilities*;
 - c) support *active transportation*;
 - d) are *transit-supportive*, as appropriate; and
 - e) are *freight-supportive*.
3. Planning authorities shall support general *intensification* and *redevelopment* to support the achievement of *complete communities*, including by planning for a range and mix of *housing options* and prioritizing planning and investment in the necessary *infrastructure* and *public service facilities*.
4. Planning authorities shall establish and implement minimum targets for *intensification* and *redevelopment* within built-up areas, based on local conditions.
5. Planning authorities are encouraged to establish density targets for *designated growth areas*, based on local conditions. *Large and fast-growing municipalities* are encouraged to plan for a target of 50 residents and jobs per gross hectare in *designated growth areas*.
6. Planning authorities should establish and implement phasing policies, where appropriate, to ensure that development within *designated growth areas* is orderly and aligns with the timely provision of the *infrastructure* and *public service facilities*.

2.3.2 New Settlement Areas and Settlement Area Boundary Expansions

1. In identifying a new *settlement area* or allowing a *settlement area* boundary expansion, planning authorities shall consider the following:
 - a) the need to designate and plan for additional land to accommodate an appropriate range and mix of land uses;
 - b) if there is sufficient capacity in existing or planned *infrastructure* and *public service facilities*;
 - c) whether the applicable lands comprise *specialty crop areas*;
 - d) the evaluation of alternative locations which avoid *prime agricultural areas* and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*;
 - e) whether the new or expanded *settlement area* complies with the *minimum distance separation formulae*;
 - f) whether impacts on the *agricultural system* are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance; and
 - g) the new or expanded *settlement area* provides for the phased progression of urban development.
2. Notwithstanding policy 2.3.2.1.b), planning authorities may identify a new *settlement area* only where it has been demonstrated that the *infrastructure* and *public service facilities* to support development are planned or available.

2.4 Strategic Growth Areas

2.4.1 General Policies for Strategic Growth Areas

1. Planning authorities are encouraged to identify and focus growth and development in *strategic growth areas*.
2. To support the achievement of *complete communities*, a range and mix of *housing options*, *intensification* and more mixed-use development, *strategic growth areas* should be planned:
 - a) to accommodate significant population and employment growth;
 - b) as focal areas for education, commercial, recreational, and cultural uses;
 - c) to accommodate and support the transit network and provide connection points for inter- and intra-regional transit; and
 - d) to support *affordable*, accessible, and equitable housing.

3. Planning authorities should:

- a) prioritize planning and investment for *infrastructure* and *public service facilities* in *strategic growth areas*;
- b) identify the appropriate type and scale of development in *strategic growth areas* and the transition of built form to adjacent areas;
- c) permit *development* and *intensification* in *strategic growth areas* to support the achievement of *complete communities* and a *compact built form*;
- d) consider a student housing strategy when planning for *strategic growth areas*; and
- e) support *redevelopment* of commercially-designated retail lands (e.g., underutilized shopping malls and plazas), to support mixed-use residential.

2.4.2 Major Transit Station Areas

1. Planning authorities shall delineate the boundaries of *major transit station areas* on *higher order transit* corridors through a new official plan or official plan amendment adopted under section 26 of the *Planning Act*. The delineation shall define an area within an approximately 500 to 800-metre radius of a transit station and that maximizes the number of potential transit users that are within walking distance of the station.
2. Within *major transit station areas* on *higher order transit* corridors, planning authorities shall plan for a minimum density target of:
 - a) 200 residents and jobs combined per hectare for those that are served by subways;
 - b) 160 residents and jobs combined per hectare for those that are served by light rail or bus rapid transit; or
 - c) 150 residents and jobs combined per hectare for those that are served by commuter or regional rail.
3. Planning authorities are encouraged to promote *development* and *intensification* within *major transit station areas*, where appropriate, by:
 - a) planning for land uses and built form that supports the achievement of minimum density targets; and
 - b) supporting the *redevelopment* of surface parking lots within *major transit station areas*, including commuter parking lots, to be *transit-supportive* and promote *complete communities*.
4. For any particular *major transit station area*, planning authorities may request the Minister to approve an official plan or official plan amendment with a target that is lower than the applicable target established in policy 2.4.2.2, where it has been demonstrated that this target cannot be achieved because:
 - a) *development* is prohibited by provincial policy or severely restricted on a significant portion of the lands within the delineated area; or
 - b) there are a limited number of residents and jobs associated with the built form, but a *major trip generator* or feeder service will sustain high ridership at the station or stop.

5. Planning authorities may plan for *major transit station areas* that are not on *higher order transit corridors* by delineating boundaries and establishing minimum density targets.
6. All *major transit station areas* should be planned and designed to be *transit-supportive* and to achieve *multimodal* access to stations and connections to nearby *major trip generators* by providing, where feasible:
 - a) connections to local and regional transit services to support *transit service integration*;
 - b) *infrastructure* that accommodates a range of mobility needs and supports *active transportation*, including sidewalks, bicycle lanes, and secure bicycle parking; and
 - c) commuter pick-up/drop-off areas.

2.4.3 Frequent Transit Corridors

1. Planning authorities shall plan for *intensification* on lands that are adjacent to existing and planned *frequent transit corridors*, where appropriate.

2.5 Rural Areas in Municipalities

1. Healthy, integrated and viable *rural areas* should be supported by:
 - a) building upon rural character, and leveraging rural amenities and assets;
 - b) promoting regeneration, including the *redevelopment of brownfield sites*;
 - c) accommodating an appropriate range and mix of housing in rural *settlement areas*;
 - d) using rural *infrastructure* and *public service facilities* efficiently;
 - e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
 - f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
 - g) conserving biodiversity and considering the ecological benefits provided by nature; and
 - h) providing opportunities for economic activities in *prime agricultural areas*, in accordance with policy 4.3.
2. In *rural areas*, rural *settlement areas* shall be the focus of growth and development and their vitality and regeneration shall be promoted.
3. When directing development in rural *settlement areas* in accordance with policy 2.3, planning authorities shall give consideration to locally appropriate rural characteristics, the scale of development and the provision of appropriate service levels.

Growth and development may be directed to *rural lands* in accordance with policy 2.6, including where a municipality does not have a *settlement area*.

2.6 Rural Lands in Municipalities

1. On *rural lands* located in municipalities, permitted uses are:
 - a) the management or use of resources;
 - b) resource-based recreational uses (including recreational dwellings not intended as permanent residences);
 - c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate *sewage and water services*;
 - d) *agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices*, in accordance with provincial standards;
 - e) home occupations and home industries;
 - f) cemeteries; and
 - g) other rural land uses.
2. Development that can be sustained by rural service levels should be promoted.
3. Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the uneconomical expansion of this *infrastructure*.
4. Planning authorities should support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.
5. New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

2.7 Territory Without Municipal Organization

1. On *rural lands* located in territory without municipal organization, the focus of development activity shall be related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings not intended as permanent residences).
2. Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this *infrastructure*.
3. The establishment of new permanent townsites shall not be permitted.

4. In areas adjacent to and surrounding municipalities, only development that is related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings not intended as permanent residences) shall be permitted. Other uses may only be permitted if:
 - a) the area forms part of a planning area;
 - b) the necessary *infrastructure* and *public service facilities* are planned or available to support the development and are financially viable over their life cycle; and
 - c) it has been determined that the impacts of development will not place an undue strain on the *public service facilities* and *infrastructure* provided by adjacent municipalities, regions and/or the Province.

2.8 Employment

2.8.1 Supporting a Modern Economy

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) 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;
 - d) encouraging *intensification* of employment uses and compatible, compact, mixed-use development to support the achievement of *complete communities*; and
 - e) addressing land use compatibility adjacent to *employment areas* by providing an appropriate transition to *sensitive land uses*.
2. Industrial, manufacturing and small-scale warehousing uses that could be located adjacent to *sensitive land uses* without *adverse effects* are encouraged in *strategic growth areas* and other mixed-use areas where *frequent transit* service is available, outside of *employment areas*.
3. In addition to policy 3.5, on lands within 300 metres of *employment areas*, *development* shall avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long-term economic viability of employment uses within existing or planned *employment areas*, in accordance with provincial guidelines.
4. Major office and major institutional development should be directed to *major transit station areas* or other *strategic growth areas* where *frequent transit* service is available.

2.8.2 Employment Areas

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.
2. Planning authorities shall protect *employment areas* that are located in proximity to *major goods movement facilities and corridors*, including facilities and corridors identified in provincial transportation plans, for the *employment area* uses that require those locations.
3. Planning authorities shall designate, protect and plan for all *employment areas* in *settlement areas* by:
 - a) planning for *employment area* uses over the long-term that require those locations including manufacturing, research and development in connection with manufacturing, warehousing and goods movement, and associated retail and office uses and ancillary facilities;
 - b) prohibiting residential uses, commercial uses, *public service facilities* and other institutional uses;
 - c) prohibiting retail and office uses that are not associated with the primary employment use;
 - d) prohibiting other *sensitive land uses* that are not ancillary to uses permitted in the *employment area*; and
 - e) including an appropriate transition to adjacent non-*employment areas* to ensure land use compatibility and economic viability.
4. Planning authorities shall assess and update *employment areas* identified in official plans to ensure that this designation is appropriate to the planned function of *employment areas*. In planning for *employment areas*, planning authorities shall maintain land use compatibility between *sensitive land uses* and *employment areas* in accordance with policy 3.5 to maintain the long-term operational and economic viability of the planned uses and function of these areas.

5. Planning authorities may remove lands from *employment areas* only where it has been demonstrated that:
 - a) there is an identified need for the removal and the land is not required for *employment area* uses over the long term;
 - b) the proposed uses would not negatively impact the overall viability of the *employment area* by:
 1. avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned *employment area* uses in accordance with policy 3.5;
 2. maintaining access to *major goods movement facilities and corridors*;
 - c) existing or planned *infrastructure* and *public service facilities* are available to accommodate the proposed uses; and
 - d) the municipality has sufficient employment lands to accommodate projected employment growth to the horizon of the approved official plan.

2.9 Energy Conservation, Air Quality and Climate Change

1. Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the *impacts of a changing climate* through approaches that:
 - a) support the achievement of compact, *transit-supportive*, and *complete communities*;
 - b) incorporate climate change considerations in planning for and the development of *infrastructure*, including stormwater management systems, and *public service facilities*;
 - c) support energy conservation and efficiency;
 - d) promote *green infrastructure*, *low impact development*, and *active transportation*, protect the environment and improve air quality; and
 - e) take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the *impacts of a changing climate*.

Chapter 3: Infrastructure and Facilities

3.1 General Policies for Infrastructure and Public Service Facilities

1. *Infrastructure and public service facilities* shall be provided in an efficient manner while accommodating projected needs.

Planning for *infrastructure* and *public service facilities* shall be coordinated and integrated with land use planning and growth management so that they:

- a) are financially viable over their life cycle, which may be demonstrated through asset management planning;
 - b) leverage the capacity of development proponents, where appropriate; and
 - c) are available to meet current and projected needs.
2. 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.
 3. *Infrastructure and public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Chapter 5: Protecting Public Health and Safety.
 4. *Public service facilities* should be planned and co-located with one another, along with parks and open space where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and *active transportation*.
 5. Planning authorities, in collaboration with school boards, should consider and encourage innovative approaches in the design of schools and associated child care facilities, such as schools integrated in high-rise developments, in *strategic growth areas*, and other areas with a *compact built form*.

3.2 Transportation Systems

1. *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, are appropriate to address projected needs, and support the use of zero- and low- emission vehicles.
2. Efficient use should be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.

3. As part of a *multimodal transportation system*, connectivity within and among *transportation systems* and modes should be planned for, maintained and, where possible, improved, including connections which cross jurisdictional boundaries.

3.3 Transportation and Infrastructure Corridors

1. Planning authorities shall plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, transit, and electricity generation facilities and transmission systems to meet current and projected needs.
2. *Major goods movement facilities and corridors* shall be protected for the long term.
3. Planning authorities shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, or where avoidance is not possible, minimize and mitigate *negative impacts* on and *adverse effects* from the corridor and transportation facilities.

4. The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.
5. The co-location of linear *infrastructure* should be promoted, where appropriate.

3.4 Airports, Rail and Marine Facilities

1. Planning for land uses in the vicinity of *airports*, *rail facilities* and *marine facilities* shall be undertaken so that:
 - a) their long-term operation and economic role is protected; and
 - b) *airports*, *rail facilities* and *marine facilities*, and *sensitive land uses* are appropriately designed, buffered and/or separated from each other, in accordance with policy 3.5.
2. *Airports* shall be protected from incompatible land uses and development by:
 - a) prohibiting new residential *development* and other *sensitive land uses* in areas near *airports* above 30 NEF/NEP;
 - b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the *airport*; and
 - c) prohibiting land uses which may cause a potential aviation safety hazard.

3.5 Land Use Compatibility

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.
2. Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other *major facilities* that are vulnerable to encroachment by ensuring that the planning and *development* of proposed adjacent *sensitive land uses* is only permitted if potential *adverse affects* to the proposed *sensitive land use* are minimized and mitigated, and potential impacts to industrial, manufacturing or other *major facilities* are minimized and mitigated in accordance with provincial guidelines, standards and procedures.

3.6 Sewage, Water and Stormwater

1. Planning for *sewage and water services* shall:
 - a) accommodate forecasted growth in a timely manner that promotes the efficient use and optimization of existing *municipal sewage services* and *municipal water services* and existing *private communal sewage services* and *private communal water services*;
 - b) ensure that these services are provided in a manner that:
 1. can be sustained by the water resources upon which such services rely;
 2. is feasible and financially viable over their life cycle;
 3. protects human health and safety, and the natural environment, including the *quality and quantity of water*; and
 4. aligns with comprehensive municipal planning for these services, where applicable.
 - c) promote water and energy conservation and efficiency;
 - d) integrate servicing and land use considerations at all stages of the planning process;
 - e) consider opportunities to allocate, and re-allocate if necessary, the unused system capacity of *municipal water services* and *municipal sewage services* to support efficient use of these services to meet current and projected needs for increased housing supply; and
 - f) be in accordance with the servicing options outlined through policies 3.6.2, 3.6.3, 3.6.4 and 3.6.5.
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. For clarity, *municipal sewage services* and *municipal water services* include both centralized servicing systems and decentralized servicing systems.

3. Where *municipal sewage services* and *municipal water services* are not available, planned or feasible, *private communal sewage services* and *private communal water services* are the preferred form of servicing for multi-unit/lot *development* to support protection of the environment and minimize potential risks to human health and safety.
4. Where *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services* are not available, planned or feasible, *individual on-site sewage services* and *individual on-site water services* may be used provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.

At the time of the official plan review or update, planning authorities should assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on environmental health and the financial viability or feasibility of other forms of servicing set out in policies 3.6.2 and 3.6.3.

5. *Partial services* shall only be permitted in the following circumstances:
 - a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development;
 - b) within *settlement areas*, to allow for infilling and minor rounding out of existing development on *partial services* provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*; or
 - c) within rural *settlement areas* where new development will be serviced by *individual on-site water services* in combination with *municipal sewage services* or *private communal sewage services*.
6. In rural areas, where *partial services* have been provided to address failed services in accordance with policy 3.6.5.a), infilling on existing lots of record may be permitted where this would represent a logical and financially viable connection to the existing *partial service* and provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.
7. Planning authorities may allow lot creation where there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity*.

8. Planning for stormwater management shall:

- a) be integrated with planning for *sewage and water services* and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle;
- b) minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;
- c) minimize erosion and changes in water balance including through 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;
- f) promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and *low impact development*; and
- g) align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a *watershed* scale.

3.7 Waste Management

- 1. *Waste management systems* need to be planned for and provided that are of an appropriate size, type, and location to accommodate present and future requirements, and facilitate integrated waste management.

3.8 Energy Supply

- 1. Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, *energy storage systems*, district energy, *renewable energy systems*, and *alternative energy systems*, to accommodate current and projected needs.

3.9 Public Spaces, Recreation, Parks, Trails and Open Space

- 1. Healthy, active, and inclusive communities should be promoted by:
 - a) planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate *active transportation* and community connectivity;
 - b) planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
 - c) providing opportunities for public access to shorelines; and
 - d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

Chapter 4: Wise Use and Management of Resources

4.1 Natural Heritage

1. Natural features and areas shall be protected for the long term.
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*.
3. *Natural heritage systems* shall be identified in Ecoregions 6E & 7E¹, recognizing that *natural heritage systems* will vary in size and form in *settlement areas*, *rural areas*, and *prime agricultural areas*.
4. *Development* and *site alteration* shall not be permitted in:
 - a) *significant wetlands* in Ecoregions 5E, 6E and 7E¹; and
 - b) *significant coastal wetlands*.
5. *Development* and *site alteration* shall not be permitted in:
 - a) *significant wetlands* in the Canadian Shield north of Ecoregions 5E, 6E and 7E¹;
 - b) *significant woodlands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
 - c) *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
 - d) *significant wildlife habitat*;
 - e) *significant areas of natural and scientific interest*; and
 - f) *coastal wetlands* in Ecoregions 5E, 6E and 7E¹ that are not subject to policy 4.1.4.b), unless it has been demonstrated that there will be no *negative impacts* on the natural features or their *ecological functions*.
6. *Development* and *site alteration* shall not be permitted in *fish habitat* except in accordance with *provincial and federal requirements*.
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*.

¹ Ecoregions 5E, 6E and 7E are shown on Figure 1.

8. *Development and site alteration* shall not be permitted on *adjacent lands* to the *natural heritage features and areas* identified in policies 4.1.4, 4.1.5, and 4.1.6 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*.
9. Nothing in policy 4.1 is intended to limit the ability of *agricultural uses* to continue.

4.2 Water

1. Planning authorities shall protect, improve or restore the *quality and quantity of water* by:
 - a) using the *watershed* as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;
 - b) minimizing potential *negative impacts*, including cross-jurisdictional and cross-*watershed* impacts;
 - c) identifying *water resource systems*;
 - d) maintaining linkages and functions of *water resource systems*;
 - e) implementing necessary restrictions on *development and site alteration* to:
 1. protect all municipal drinking water supplies and *designated vulnerable areas*; and
 2. protect, improve or restore *vulnerable* surface and ground water, and their *hydrologic functions*;
 - f) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality; and
 - g) ensuring consideration of environmental lake capacity, where applicable.
2. *Development and site alteration* shall be restricted in or near *sensitive surface water features* and *sensitive ground water features* such that these features and their related *hydrologic functions* will be protected, improved or restored, which may require mitigative measures and/or alternative development approaches.
3. Municipalities are encouraged to undertake, and *large and fast-growing municipalities* shall undertake *watershed planning* to inform planning for *sewage and water services* and stormwater management, including *low impact development*, and the protection, improvement or restoration of the *quality and quantity of water*.
4. Despite policy 4.2.3, where planning is conducted by an upper-tier municipality that includes one or more lower-tier *large and fast-growing municipalities*, the upper-tier municipality shall undertake *watershed planning* in partnership with lower-tier municipalities, including lower-tier *large and fast-growing municipalities*.
5. All municipalities undertaking *watershed planning* are encouraged to collaborate with applicable conservation authorities.

4.3 Agriculture

4.3.1 General Policies for Agriculture

1. Planning authorities are required to use an *agricultural system* approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the *agri-food network*.
2. As part of the agricultural land base, *prime agricultural areas*, including *specialty crop areas*, shall be designated and protected for long-term use for agriculture.
3. *Specialty crop areas* shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the *prime agricultural area*, in this order of priority.

4.3.2 Permitted Uses

1. In *prime agricultural areas*, permitted uses and activities are: *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses* based on provincial guidance.

Proposed *agriculture-related uses* and *on-farm diversified uses* shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

2. In *prime agricultural areas*, all types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected in accordance with provincial standards.
3. New land uses in *prime agricultural areas*, including the creation of lots and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.
4. A principal dwelling associated with an agricultural operation shall be permitted in *prime agricultural areas* as an *agricultural use*, in accordance with provincial guidance, except where prohibited in accordance with policy 4.3.3.1.c).

5. Where a residential dwelling is permitted on a lot in a *prime agricultural area*, up to two additional residential units shall be permitted in accordance with provincial guidance, provided that, where two additional residential units are proposed, at least one of these additional residential units is located within or attached to the principal dwelling, and any additional residential units:
 - a) comply with the *minimum distance separation formulae*;
 - b) are compatible with, and would not hinder, surrounding agricultural operations;
 - c) have appropriate *sewage and water services*;
 - d) address any public health and safety concerns;
 - e) are of limited scale and are located within, attached, or in close proximity to the principal dwelling or farm building cluster; and
 - f) minimize land taken out of agricultural production.

Lots with additional residential units may only be severed in accordance with policy 4.3.3.1.c).

6. For greater certainty, the two additional residential units that are permitted on a lot in a *prime agricultural area* in accordance with policy 4.3.2.5 are in addition to farm worker housing permitted as an *agricultural use*.

4.3.3 Lot Creation and Lot Adjustments

1. Lot creation in *prime agricultural areas* is discouraged and may only be permitted in accordance with provincial guidance for:
 - a) *agricultural uses*, provided that the lots are of a size appropriate for the type of *agricultural use(s)* common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
 - b) *agriculture-related uses*, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*;
 - c) one new residential lot per farm consolidation for a *residence surplus to an agricultural operation*, provided that:
 1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*; and
 2. the planning authority ensures that new dwellings and additional residential units are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new dwellings or additional residential units are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches that achieve the same objective; and
 - d) *infrastructure*, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.
2. Lot adjustments in *prime agricultural areas* may be permitted for *legal or technical reasons*.

3. The creation of new residential lots in *prime agricultural areas* shall not be permitted, except in accordance with policy 4.3.3.1.c).

4.3.4 Removal of Land from Prime Agricultural Areas

1. Planning authorities may only exclude land from *prime agricultural areas* for expansions of or identification of *settlement areas* in accordance with policy 2.3.2.

4.3.5 Non-Agricultural Uses in Prime Agricultural Areas

1. Planning authorities may only permit non-agricultural uses in *prime agricultural areas* for:
 - a) extraction of *minerals, petroleum resources* and *mineral aggregate resources*; or
 - b) limited non-residential uses, provided that all of the following are demonstrated:
 1. the land does not comprise a *specialty crop area*;
 2. the proposed use complies with the *minimum distance separation formulae*;
 3. there is an identified need within the planning horizon identified in the official plan as provided for in policy 2.1.3 for additional land to accommodate the proposed use; and
 4. alternative locations have been evaluated, and
 - i. there are no reasonable alternative locations which avoid *prime agricultural areas*; and
 - ii. there are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.
2. Impacts from any new or expanding non-agricultural uses on the *agricultural system* are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance.

4.3.6 Supporting Local Food and the Agri-food Network

1. Planning authorities are encouraged to support local food, facilitate near-urban and *urban agriculture*, and foster a robust *agri-food network*.

4.4 Minerals and Petroleum

4.4.1 General Policies for Minerals and Petroleum

1. *Minerals* and *petroleum resources* shall be protected for long-term use.

4.4.2 Protection of Long-Term Resource Supply

1. *Mineral mining operations* and *petroleum resource operations* shall be identified and protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

2. Known *mineral deposits*, known *petroleum resources* and *significant areas of mineral potential* shall be identified, and *development* and activities in these resources or on *adjacent lands* which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
 - a) resource use would not be feasible; or
 - b) the proposed land use or development serves a greater long-term public interest; and
 - c) issues of public health, public safety and environmental impact are addressed.

4.4.3 Rehabilitation

1. Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken wherever feasible.

4.4.4 Extraction in Prime Agricultural Areas

1. Extraction of *minerals* and *petroleum resources* is permitted in *prime agricultural areas* provided that the site will be rehabilitated.

4.5 Mineral Aggregate Resources

4.5.1 General Policies for Mineral Aggregate Resources

1. *Mineral aggregate resources* shall be protected for long-term use and, where provincial information is available, *deposits of mineral aggregate resources* shall be identified.

4.5.2 Protection of Long-Term Resource Supply

1. As much of the *mineral aggregate resources* as is realistically possible shall be made available as close to markets as possible.

Demonstration of need for *mineral aggregate resources*, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of *mineral aggregate resources* locally or elsewhere.

2. Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.
3. *Mineral aggregate resource conservation* shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.

4. *Mineral aggregate operations* shall be protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing *mineral aggregate operations* shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the *Planning Act*. Where the *Aggregate Resources Act* applies, only processes under the *Aggregate Resources Act* shall address the depth of extraction of new or existing *mineral aggregate operations*. When a license for extraction or operation ceases to exist, policy 4.5.2.5 continues to apply.
5. In known *deposits of mineral aggregate resources* and on *adjacent lands*, *development* and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
 - a) resource use would not be feasible; or
 - b) the proposed land use or development serves a greater long-term public interest; and
 - c) issues of public health, public safety and environmental impact are addressed.

4.5.3 Rehabilitation

1. Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.
2. *Comprehensive rehabilitation* planning is encouraged where there is a concentration of mineral aggregate operations.
3. In parts of the Province not designated under the *Aggregate Resources Act*, rehabilitation standards that are compatible with those under the Act should be adopted for extraction operations on private lands.

4.5.4 Extraction in Prime Agricultural Areas

1. In *prime agricultural areas*, on *prime agricultural land*, extraction of *mineral aggregate resources* is permitted as an interim use provided that:
 - a) impacts to the *prime agricultural areas* are addressed, in accordance with policy 4.3.5.2; and
 - b) the site will be rehabilitated back to an *agricultural condition*.
2. Despite policy 4.5.4.1.b), complete rehabilitation to an *agricultural condition* is not required if:
 - a) the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible; and
 - b) agricultural rehabilitation in remaining areas is maximized.

4.5.5 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants

1. *Wayside pits and quarries, portable asphalt plants and portable concrete plants* used on public authority contracts shall be permitted, without the need for an official plan amendment, rezoning, or development permit under the *Planning Act* in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

4.6 Cultural Heritage and Archaeology

1. *Protected heritage property*, which may contain *built heritage resources* or *cultural heritage landscapes*, shall be *conserved*.
2. Planning authorities shall not permit *development* and *site alteration* on lands containing *archaeological resources* or *areas of archaeological potential* unless the *significant archaeological resources* have been *conserved*.
3. Planning authorities shall not permit *development* and *site alteration* on *adjacent lands* to *protected heritage property* unless the *heritage attributes* of the *protected heritage property* will be *conserved*.
4. Planning authorities are encouraged to develop and implement:
 - a) archaeological management plans for conserving *archaeological resources*; and
 - b) proactive strategies for conserving *significant built heritage resources* and *cultural heritage landscapes*.
5. Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing *archaeological resources*, *built heritage resources* and *cultural heritage landscapes*.

Chapter 5: Protecting Public Health and Safety

5.1 General Policies for Natural and Human-Made Hazards

1. 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.

5.2 Natural Hazards

1. Planning authorities shall, in collaboration with conservation authorities where they exist, identify *hazardous lands* and *hazardous sites* and manage development in these areas, in accordance with provincial guidance.
2. Development shall generally be directed to areas outside of:
 - a) *hazardous lands* adjacent to the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes* which are impacted by *flooding hazards*, *erosion hazards* and/or *dynamic beach hazards*;
 - b) *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards* and/or *erosion hazards*; and
 - c) *hazardous sites*.
3. *Development* and *site alteration* shall not be permitted within:
 - a) the *dynamic beach hazard*;
 - b) *defined portions of the flooding hazard along connecting channels* (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);
 - c) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards*, *erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and
 - d) a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.
4. Planning authorities shall prepare for the *impacts of a changing climate* that may increase the risk associated with natural hazards.

5. Despite policy 5.2.3, *development* and *site alteration* may be permitted in certain areas associated with the *floodings hazard* along *river, stream and small inland lake systems*:
 - a) in those exceptional situations where a *Special Policy Area* has been approved. The designation of a *Special Policy Area*, and any change or modification to the official plan policies, land use designations or boundaries applying to *Special Policy Area* lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry prior to the approval authority approving such changes or modifications; or
 - b) where the *development* is limited to uses which by their nature must locate within the *floodway*, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.
6. *Development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:
 - a) an *institutional use* including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
 - b) an *essential emergency service* such as that provided by fire, police, and ambulance stations and electrical substations; or
 - c) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.
7. Where the *two zone concept* for *flood plains* is applied, *development* and *site alteration* may be permitted in the *flood fringe*, subject to appropriate floodproofing to the *floodings hazard* elevation or another *floodings hazard* standard approved by the Minister of Natural Resources and Forestry.
8. Further to policy 5.2.7, and except as prohibited in policies 5.2.3 and 5.2.6, *development* and *site alteration* may be permitted in those portions of *hazardous lands* and *hazardous sites* where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:
 - a) *development and site alteration* is carried out in accordance with *floodproofing standards, protection works standards, and access standards*;
 - b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
 - c) new hazards are not created and existing hazards are not aggravated; and
 - d) no adverse environmental impacts will result.
9. *Development* shall generally be directed to areas outside of lands that are unsafe for development due to the presence of *hazardous forest types for wildland fire*.

Development may however be permitted in lands with *hazardous forest types for wildland fire* where the risk is mitigated in accordance with *wildland fire assessment and mitigation standards*.

5.3 Human-Made Hazards

1. Development on, abutting or adjacent to lands affected by *mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations* may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.
2. Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*.

Chapter 6: Implementation and Interpretation

6.1 General Policies for Implementation and Interpretation

1. The Provincial Planning Statement shall be read in its entirety and all relevant policies are to be applied to each situation.
2. The Provincial Planning Statement shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the *Constitution Act, 1982*.
3. The Provincial Planning Statement shall be implemented in a manner that is consistent with *Ontario Human Rights Code* and the *Canadian Charter of Rights and Freedoms*.
4. When implementing the Provincial Planning Statement, the Minister of Municipal Affairs and Housing may make decisions that take into account other considerations to balance government priorities.
5. Official plans shall identify provincial interests and set out appropriate land use designations and policies. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and facilitate development in suitable areas.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with the Provincial Planning Statement. The policies of the Provincial Planning Statement continue to apply after adoption and approval of an official plan.

6. Planning authorities shall keep their zoning and development permit by-laws up-to-date with their official plans and the Provincial Planning Statement by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth and development.
7. Where a planning authority must decide on a planning matter before their official plan has been updated to be consistent with the Provincial Planning Statement, or before other applicable planning instruments have been updated accordingly, it must still make a decision that is consistent with the Provincial Planning Statement.
8. In addition to land use approvals under the *Planning Act*, *infrastructure* may also have requirements under other legislation and regulations. For example, an environmental assessment process may be required for new *infrastructure* and modifications to existing *infrastructure* under applicable legislation.

Wherever possible and practical, approvals under the *Planning Act* and other legislation or regulations should be integrated provided the intent and requirements of both processes are met.

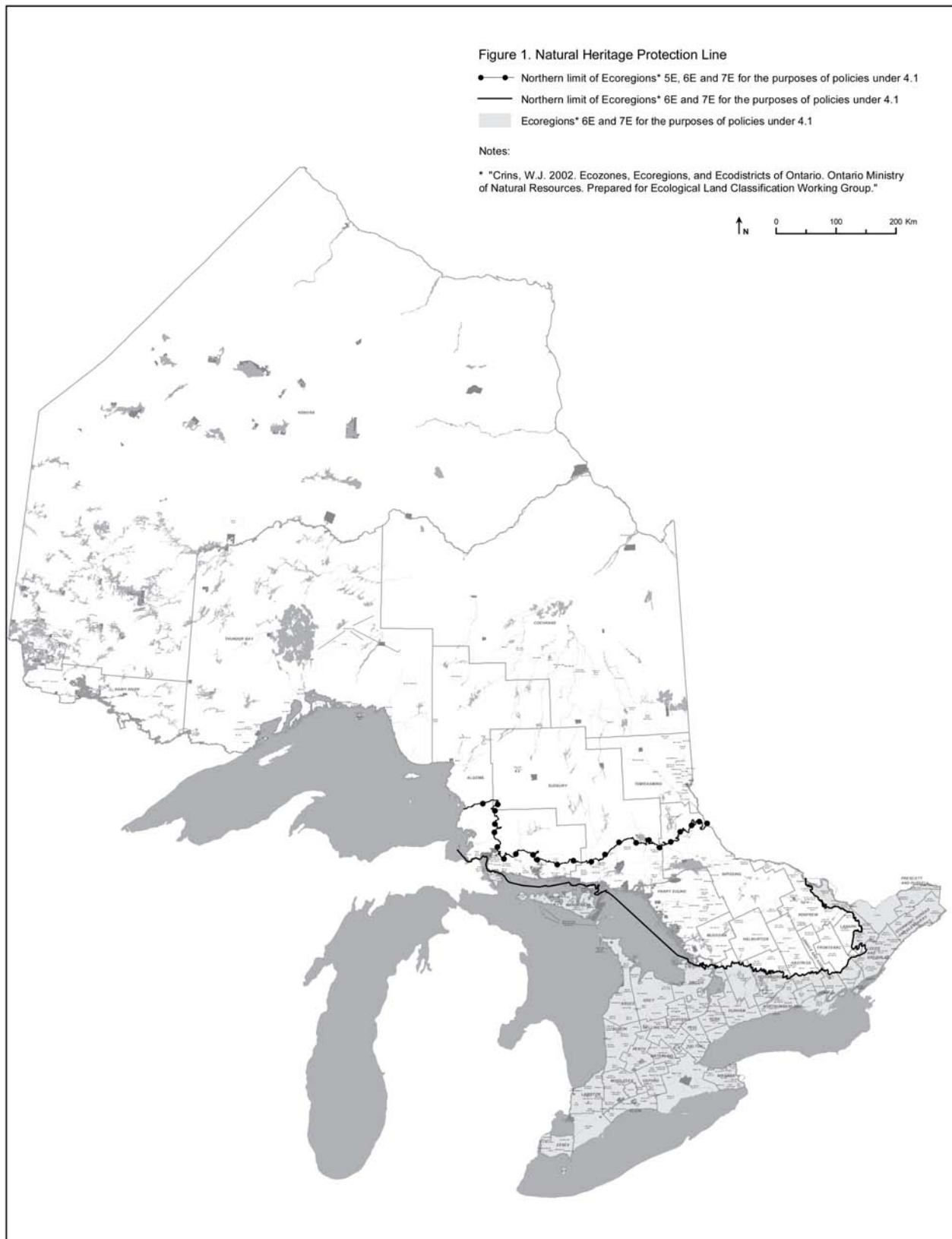
9. To assess progress on implementation of the Provincial Planning Statement, the Province may:
 - a) identify key indicators to measure the outcomes, relevance and efficiency of the policies in the Provincial Planning Statement in consultation with municipalities, Indigenous communities, other public bodies and stakeholders;
 - b) monitor and assess the implementation of the Provincial Planning Statement through the collection and analysis of data under each indicator; and
 - c) consider the resulting assessment in each review of the Provincial Planning Statement.
10. Municipalities are encouraged to monitor and report on the implementation of the policies in their official plans, in accordance with any requirements for reporting planning information to the Province, data standards, and including through any other guidelines that may be issued by the Minister.
11. *Strategic growth areas* and *designated growth areas* are not land use designations and their delineation does not confer any new land use designations, nor alter existing land use designations. Any development on lands within the boundary of these identified areas is still subject to the relevant provincial and municipal land use planning policies and approval processes.
12. Density targets represent minimum standards and planning authorities are encouraged to go beyond these minimum targets, where appropriate, except where doing so would conflict with any policy of the Provincial Planning Statement or any other provincial plan.
13. Minimum density targets will be revisited at the time of each official plan update to ensure the target is appropriate.

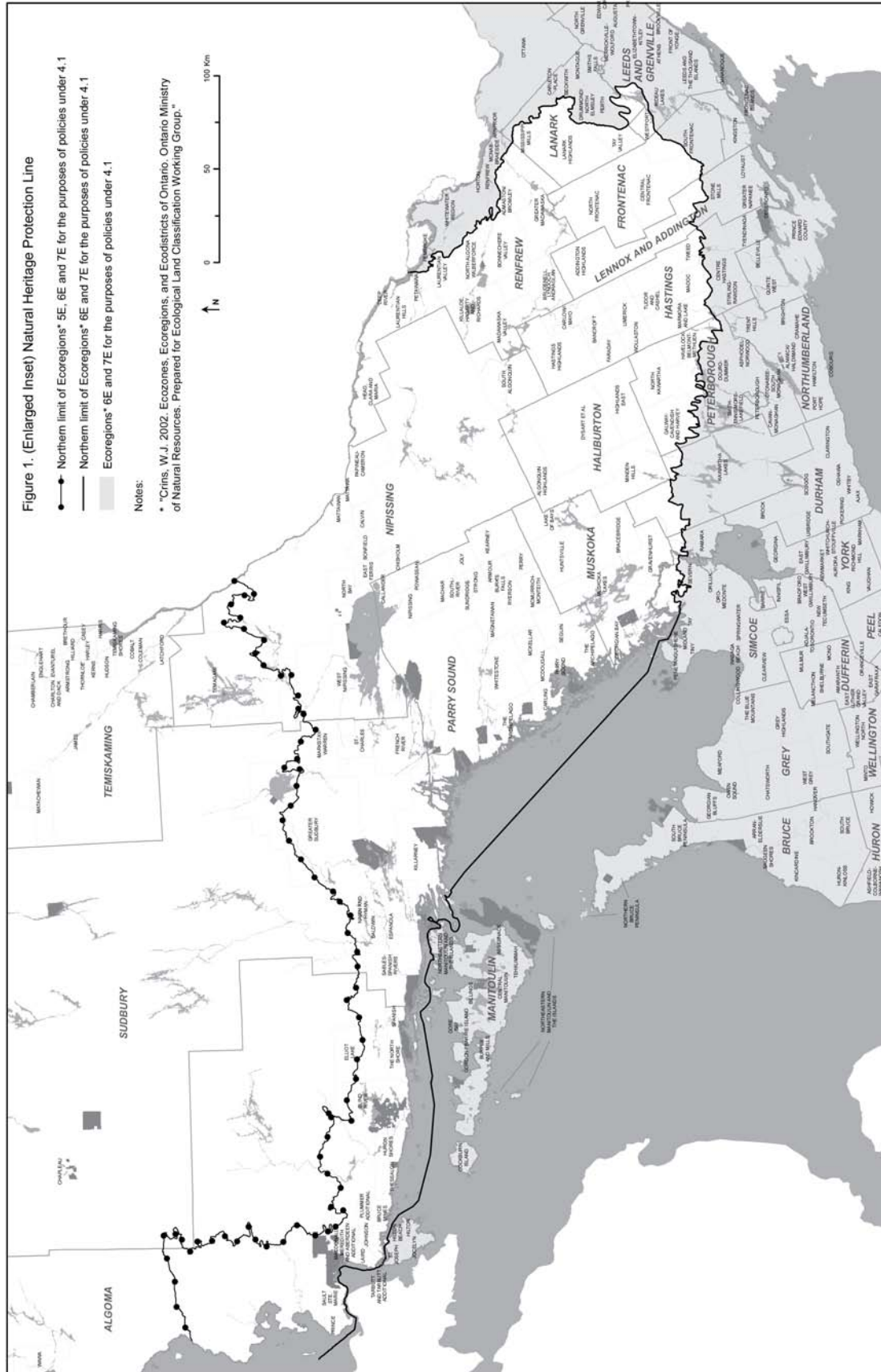
6.2 Coordination

1. A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies, boards, and Service Managers including:
 - a) managing and/or promoting growth and development that is integrated with planning for *infrastructure* and *public service facilities*, including schools and associated child care facilities;
 - b) economic development strategies;
 - c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
 - d) *infrastructure, multimodal transportation systems, public service facilities and waste management systems*;
 - e) ecosystem, shoreline, watershed, and Great Lakes related issues;
 - f) natural and human-made hazards;
 - g) population, housing and employment projections, based on *regional market areas*, as appropriate; and
 - h) addressing housing needs in accordance with provincial housing policies and plans, including those that address homelessness.
2. Planning authorities shall undertake early engagement with Indigenous communities and coordinate on land use planning matters to facilitate knowledge-sharing, support consideration of Indigenous interests in land use decision-making and support the identification of potential impacts of decisions on the exercise of Aboriginal or treaty rights.
3. Planning authorities are encouraged to engage the public and stakeholders early in local efforts to implement the Provincial Planning Statement, and to provide the necessary information to ensure the informed involvement of local citizens, including equity-deserving groups.
4. Planning authorities and school boards shall collaborate to facilitate early and integrated planning for schools and associated child care facilities to meet current and future needs.
5. Planning authorities shall collaborate with publicly-assisted post-secondary institutions, where they exist, to facilitate early and integrated planning for student housing that considers the full range of *housing options* near existing and planned post-secondary institutions to meet current and future needs.
6. Further to policy 6.2.5, planning authorities should collaborate with publicly-assisted post-secondary institutions on the development of a student housing strategy that includes consideration of off-campus housing targeted to students.

7. Planning authorities should coordinate emergency management and other economic, environmental and social planning considerations to support efficient and resilient communities.
8. Municipalities, the Province, and other appropriate stakeholders are encouraged to undertake a coordinated approach to planning for large areas with high concentrations of employment uses that cross municipal boundaries.
9. Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:
 - a) identify and allocate population, housing and employment projections for lower-tier municipalities;
 - b) identify areas where growth and development will be focused, including *strategic growth areas*, and establish any applicable minimum density targets;
 - c) identify minimum density targets for growth and development taking place in new or expanded *settlement areas*, where applicable; and
 - d) provide policy direction for the lower-tier municipalities on matters that cross municipal boundaries.
10. Where there is no upper-tier municipality or where planning is not conducted by an upper-tier municipality, planning authorities shall ensure that policy 6.2.9 is addressed as part of the planning process, and should coordinate these matters with adjacent planning authorities.

7: Figure 1 – Natural Heritage Protection Line





8: Definitions

Access standards: means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of *flooding hazards, erosion hazards and/or other water-related hazards*.

Active transportation: means human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

Additional needs housing: means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of *additional needs housing* may include, but are not limited to long-term care homes, adaptable and accessible housing, and housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.

Adjacent lands: means

- a) for the purposes of policy 3.3.3, those lands contiguous to existing or *planned corridors* and transportation facilities where *development* would have a negative impact on the corridor or facility. The extent of the *adjacent lands* may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives;
- b) for the purposes of policy 4.1.8, those lands contiguous to a specific *natural heritage feature or area* where it is likely that *development or site alteration* would have a *negative impact* on the feature or area. The extent of the *adjacent lands* may be recommended by the Province or based on municipal approaches which achieve the same objectives;

- c) for the purposes of policies 4.4.2.2 and 4.5.2.5, those lands contiguous to lands on the surface of known *petroleum resources, mineral deposits, or deposits of mineral aggregate resources* where it is likely that *development* would constrain future access to the resources. The extent of the *adjacent lands* may be recommended by the Province; and
- d) for the purposes of policy 4.6.3, those lands contiguous to a *protected heritage property* or as otherwise defined in the municipal official plan.

Adverse effect: as defined in the *Environmental Protection Act*, means one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

Affordable: means

- a) in the case of ownership housing, the least expensive of:
 - 1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for *low and moderate income households*; or
 - 2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the municipality;
- b) in the case of rental housing, the least expensive of:
 - 1. a unit for which the rent does not exceed 30 percent of gross annual household income for *low and moderate income households*; or
 - 2. a unit for which the rent is at or below the average market rent of a unit in the municipality.

Agricultural condition: means

- a) in regard to *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and, where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained, restored or enhanced; and
- b) in regard to *prime agricultural land* outside of *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture will be maintained, restored or enhanced.

Agricultural impact assessment: means the evaluation of potential impacts of non-agricultural uses on the *agricultural system*. An assessment recommends ways to avoid or if avoidance is not possible, minimize and mitigate adverse impacts.

Agricultural system: means a system comprised of a group of inter-connected elements that collectively create a viable, thriving agri-food sector. It has two components:

- a) An agricultural land base comprised of *prime agricultural areas*, including *specialty crop areas*. It may also include *rural lands* that help to create a continuous productive land base for agriculture; and
- b) An *agri-food network* which includes agricultural operations, *infrastructure*, services, and assets important to the viability of the agri-food sector.

Agricultural uses: means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and housing for farm workers, when the size and nature of the operation requires additional employment.

Agri-food network: Within the *agricultural system*, a network that includes elements important to the viability of the agri-food sector such as regional *infrastructure* and transportation networks; agricultural operations including on-farm buildings and primary processing; infrastructure; agricultural services, farm markets, and distributors; and vibrant, agriculture-supportive communities.

Agri-tourism uses: means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Airports: means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping.

Alternative energy system: means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

Archaeological resources: includes artifacts, archaeological sites and marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological assessments carried out by archaeologists licensed under the *Ontario Heritage Act*.

Areas of archaeological potential: means areas with the likelihood to contain *archaeological resources*, as evaluated using the processes and criteria that are established under the *Ontario Heritage Act*.

Areas of mineral potential: means areas favourable to the discovery of *mineral deposits* due to geology, the presence of known *mineral deposits* or other technical evidence.

Areas of natural and scientific interest: means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Brownfield sites: means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built heritage resource: means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community.

Coastal wetland: means

- a) any *wetland* that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or
- b) any other *wetland* that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

Compact built form: means a land use pattern that encourages the efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace, and institutional) all within one neighbourhood, proximity to transit and reduced need for *infrastructure*. *Compact built form* can include detached and semi-detached houses on small lots as well as townhouses, duplexes, triplexes and walk-up apartments, multi-storey commercial developments, and apartments or offices above retail. Walkable neighbourhoods can be characterized by roads laid out in a well-connected network, destinations that are easily accessible by transit and *active transportation*, sidewalks with minimal interruptions for vehicle access, and a pedestrian-friendly environment along roads.

Comprehensive rehabilitation: means rehabilitation of land from which *mineral aggregate resources* have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of *mineral aggregate operations*.

Complete communities: means places such as mixed-use neighbourhoods or other areas within cities, towns, and *settlement areas* that offer and support opportunities for equitable access to many necessities for daily living for people of all ages and abilities, including an appropriate mix of jobs, a full range of housing, transportation options, *public service facilities*, local stores and services. *Complete communities* are inclusive and may take different shapes and forms appropriate to their contexts to meet the diverse needs of their populations.

Conserved: means the identification, protection, management and use of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches should be included in these plans and assessments.

Cultural heritage landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association.

Defined portions of the flooding hazard along connecting channels: means those areas which are critical to the conveyance of the flows associated with the *one hundred year flood level* along the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers, where *development* or *site alteration* will create *flooding hazards*, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

Deposits of mineral aggregate resources: means an area of identified *mineral aggregate resources*, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using provincial guidance for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

Designated and available: means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g., secondary plans) are required before development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be *designated and available* for the purposes of this definition.

Designated growth areas: means lands within *settlement areas* designated for growth or lands added to *settlement areas* that have not yet been fully developed. *Designated growth areas* include lands which are *designated and available* for residential growth in accordance with policy 2.1.4.a), as well as lands required for employment and other uses.

Designated vulnerable area: means areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source.

Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*, but does not include:

- a) activities that create or maintain *infrastructure* authorized under an environmental assessment process or identified in provincial standards; or
- b) works subject to the *Drainage Act*; or
- c) for the purposes of policy 4.1.4.a), underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 4.1.5.a).

Dynamic beach hazard: means areas of inherently unstable accumulations of shoreline sediments along the *Great Lakes - St. Lawrence River System* and *large inland lakes*, as identified by provincial standards, as amended from time to time. The *dynamic beach hazard* limit consists of the *flood hazard* limit plus a dynamic beach allowance.

Ecological function: means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

Employment area: means those areas designated in an official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. An *employment area* also includes areas of land described by subsection 1(1.1) of the *Planning Act*. Uses that are excluded from *employment areas* are institutional and commercial, including retail and office not associated with the primary employment use listed above.

Endangered species: means a species that is classified as “Endangered Species” on the Species at Risk in Ontario List, as updated and amended from time to time.

Energy storage system: means a system or facility that captures energy produced at one time for use at a later time to reduce imbalances between energy demand and energy production, including for example, flywheels, pumped hydro storage, hydrogen storage, fuels storage, compressed air storage, and battery storage.

Erosion hazard: means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Essential emergency service: means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

Fish: means fish, which as defined in the *Fisheries Act*, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

Fish habitat: as defined in the *Fisheries Act*, means water frequented by *fish* and any other areas on which *fish* depend directly or indirectly to carry out their life processes, including spawning grounds and nursery, rearing, food supply, and migration areas.

Flood fringe: for *river, stream and small inland lake systems*, means the outer portion of the *flood plain* between the *floodway* and the *flood hazard* limit. Depths and velocities of flooding are generally less severe in the *flood fringe* than those experienced in the *floodway*.

Flood plain: for *river, stream and small inland lake systems*, means the area, usually low lands adjoining a watercourse, which has been or may be subject to *flood hazards*.

Flooding hazard: means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, the *flooding hazard* limit is based on the *one hundred year flood level* plus an allowance for *wave effects* and *other water-related hazards*;
- b) along *river, stream and small inland lake systems*, the *flooding hazard* limit is the greater of:
 1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
 2. the *one hundred year flood*; and
 3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof, for example, as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry;

except where the use of the *one hundred year flood* or the actually experienced event has been approved by the Minister of Natural Resources and Forestry as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

Floodproofing standard: means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate *flooding hazards*, *wave effects* and *other water-related hazards* along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, and *flooding hazards* along *river, stream and small inland lake systems*.

Floodway: for *river, stream and small inland lake systems*, means the portion of the *flood plain* where *development* and *site alteration* would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the *floodway* is the entire contiguous *flood plain*.

Where the *two zone concept* is applied, the *floodway* is the contiguous inner portion of the *flood plain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the *two zone concept* applies, the outer portion of the *flood plain* is called the *flood fringe*.

Freight-supportive: in regard to land use patterns, means transportation systems and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land use and transportation systems. Approaches may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives.

Frequent transit: means a public transit service that runs at least every 15 minutes in both directions throughout the day and into the evening every day of the week.

Great Lakes - St. Lawrence River System: means the major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the Province of Ontario.

Green infrastructure: means natural and human-made elements that provide ecological and hydrological functions and processes. *Green infrastructure* can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs.

Ground water feature: means water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

Habitat of endangered species and threatened species: means habitat within the meaning of section 2 of the *Endangered Species Act, 2007*.

Hazardous forest types for wildland fire: means forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources, as amended from time to time.

Hazardous lands: means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the *Great Lakes - St. Lawrence River System*, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along the shorelines of *large inland lakes*, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along *river, stream and small inland lake systems*, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard or erosion hazard* limits.

Hazardous sites: means property or lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

Hazardous substances: means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include

a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Heritage attributes: means, as defined under the *Ontario Heritage Act*, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest.

Higher order transit: means transit that generally operates in partially or completely dedicated rights-of-way, outside of mixed traffic, and therefore can achieve levels of speed and reliability greater than mixed-traffic transit. *Higher order transit* can include heavy rail (such as subways, elevated or surface rail, and commuter rail), light rail, and buses in dedicated rights-of-way.

Housing options: means a range of housing types such as, but not limited to single-detached, semi-detached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, laneway housing, garden suites, rooming houses and multi-residential buildings, including low- and mid-rise apartments. The term can also refer to a variety of housing arrangements and forms such as, but not limited to, life lease housing, co-ownership housing, co-operative housing, community land trusts, land lease community homes, *affordable housing, additional needs housing*, multi-generational housing, student housing, farm worker housing, culturally appropriate housing, supportive, community and transitional housing and housing related to employment, educational, or *institutional uses*, such as long-term care homes.

Hydrologic function: means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

Impacts of a changing climate: means the present and future consequences from changes in weather patterns at local and regional levels including extreme weather events and increased climate variability.

Individual on-site sewage services: means sewage systems, as defined in O. Reg. 332/12 under the *Building Code Act, 1992*, that are owned, operated and managed by the owner of the property upon which the system is located.

Individual on-site water services: means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Infrastructure: means physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, *waste management systems*, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications including broadband, transit and transportation corridors and facilities, *active transportation* systems, oil and gas pipelines and associated facilities.

Institutional use: for the purposes of policy 5.2.6, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

Intensification: means the development of a property, site or area at a higher density than currently exists through:

- a) *redevelopment*, including the reuse of *brownfield sites* and underutilized shopping malls and plazas;
- b) the development of vacant and/or underutilized lots within previously developed areas;

- c) infill development; and
- d) the expansion or conversion of existing buildings.

Large and fast-growing municipalities: means municipalities identified in Schedule 1.

Large inland lakes: means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

Legal or technical reasons: means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

Low and moderate income households: means

- a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the municipality; or
- b) In the case of rental housing, household with incomes in the lowest 60 percent of the income distribution for renter households for the municipality.

Low impact development: means an approach to stormwater management that seeks to manage rain and other precipitation as close as possible to where it falls to mitigate the impacts of increased runoff and stormwater pollution. It typically includes a set of site design strategies and distributed, small-scale structural practices to mimic the natural hydrology to the greatest extent possible through infiltration, evapotranspiration, harvesting, filtration, and detention of stormwater. *Low impact development* can include, for example: bio-swales, vegetated areas at the edge of paved surfaces, permeable pavement, rain gardens, green roofs, and exfiltration systems.

Major facilities: means facilities which may require separation from *sensitive land uses*, including but not limited to airports, manufacturing uses, transportation *infrastructure* and corridors, *rail facilities*, *marine facilities*, sewage treatment facilities, *waste management systems*, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

Major goods movement facilities and corridors: means transportation facilities, corridors and networks associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, *airports*, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes, primary transportation corridors used for the movement of goods and those identified in provincial transportation plans. Approaches that are *freight-supportive* may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives.

Major transit station area: means the area including and around any existing or planned *higher order transit* station or stop within a *settlement area*; or the area including and around a major bus depot in an urban core. *Major transit station areas* generally are defined as the area within an approximate 500 to 800-metre radius of a transit station.

Major trip generators: means origins and destinations with high population densities or concentrated activities which generate many trips (e.g., *strategic growth areas*, major office and office parks, major retail, *employment areas*, community hubs, large parks and recreational destinations, *public service facilities*, and other mixed-use areas).

Marine facilities: means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future *marine facilities*.

Mine hazard: means any feature of a mine as defined under the *Mining Act*, or any related disturbance of the ground that has not been rehabilitated.

Minerals: means metallic minerals and non-metallic minerals as herein defined, but does not include *mineral aggregate resources* or *petroleum resources*.

Metallic minerals means those minerals from which metals (e.g., copper, nickel, gold) are derived.

Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g., graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

Critical minerals are a subset of raw materials that have specific industrial, technological or strategic applications for which there are a few viable substitutes.

Mineral aggregate operation: means

- a) lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the *Aggregate Resources Act*;
- b) for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral aggregate resources: means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

Mineral aggregate resource conservation: means

- a) the recovery and recycling of manufactured materials derived from mineral aggregates (e.g., glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and
- b) the wise use of mineral aggregates including utilization or extraction of on-site *mineral aggregate resources* prior to development occurring.

Mineral deposits: means areas of identified *minerals* that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

Mineral mining operation: means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

Minimum distance separation formulae: means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Multimodal: means relating to the availability or use of more than one form of transportation, such as automobiles, walking, cycling, buses, rapid transit, *higher order transit*, rail (such as freight), trucks, air, and marine.

Municipal sewage services: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality.

Municipal water services: means a municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002*.

Natural heritage features and areas: means features and areas, including *significant wetlands, significant coastal wetlands*, other *coastal wetlands* in Ecoregions 5E, 6E and 7E, *fish habitat, significant woodlands and significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River), *habitat of endangered species and threatened species, significant wildlife habitat*, and *significant areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Natural heritage system: means a system made up of *natural heritage features and areas*, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include *natural heritage features and areas*, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The Province has a recommended approach for identifying *natural heritage systems*, but municipal approaches that achieve or exceed the same objective may also be used.

Negative impacts: means

- a) in regard to policy 3.6.4 and 3.6.5, potential risks to human health and safety and degradation to the *quality and quantity of water, sensitive surface water features and sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development*. *Negative impacts* should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
- b) in regard to *fish habitat*, any harmful alteration, disruption or destruction of *fish habitat*, except where an exemption to the prohibition has been authorized under the *Fisheries Act*;
- c) in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities.
- d) in regard to policy 4.2, degradation to the *quality and quantity of water, sensitive surface water features and sensitive ground water features*, and their *related hydrologic functions*, due to single, multiple or successive *development* or *site alteration* activities; and
- e) in regard to policy 3.3.3, any *development* or *site alteration* that would compromise or conflict with the planned or existing function, capacity to accommodate future needs, and cost of implementation of the corridor.

Normal farm practices: means a practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. *Normal farm practices* shall be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act.

Oil, gas and salt hazards: means any feature of a well or work as defined under the *Oil, Gas and Salt Resources Act*, or any related disturbance of the ground that has not been rehabilitated.

On-farm diversified uses: means uses that are secondary to the principal *agricultural use* of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, uses that produce value-added agricultural products, and electricity generation facilities and transmission systems, and *energy storage systems*.

One hundred year flood: for *river, stream and small inland lake systems*, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

One hundred year flood level: means

- a) for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
- b) in the connecting channels (St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
- c) for *large inland lakes*, lake levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the *one hundred year flood level* is based on the highest known water level and wind setups.

Other water-related hazards: means water-associated phenomena other than *flooding hazards* and *wave effects* which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

Partial services: means

- a) *municipal sewage services or private communal sewage services combined with individual on-site water services; or*
- b) *municipal water services or private communal water services combined with individual on-site sewage services.*

Petroleum resource operations: means oil, gas and salt wells and associated facilities and other drilling operations, oil field fluid disposal wells and associated facilities, and wells and facilities for the underground storage of natural gas, other hydrocarbons, and compressed air energy storage.

Petroleum resources: means oil, gas, and salt (extracted by solution mining method) and formation water resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas, other hydrocarbons, or compressed air energy storage.

Planned corridors: means corridors or future corridors which are required to meet projected needs, and are identified through provincial transportation plans, preferred alignment(s) determined through the *Environmental Assessment Act* process, or identified through planning studies where the Ontario Ministry of Transportation, Metrolinx, Ontario Ministry of Energy and Electrification, Ontario Northland, Ministry of Northern Development or Independent Electricity System Operator (IESO) or any successor to those ministries or entities is actively pursuing, or has completed, the identification of a corridor.

Approaches for the identification and protection of *planned corridors* may be recommended in guidelines developed by the Province.

Portable asphalt plant: means a facility

- a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable concrete plant: means a building or structure

- a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Prime agricultural area: means areas where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands, and additional areas with a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by a planning authority based on provincial guidance or informed by mapping obtained from the Ontario Ministry of Agriculture, Food and Agribusiness and the Ontario Ministry of Rural Affairs or any successor to those ministries.

Prime agricultural land: means *specialty crop areas* and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

Private communal sewage services: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that serves six or more lots or private residences and is not owned by a municipality.

Private communal water services: means a non-municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences.

Protected heritage property: means property designated under Part IV or VI of the *Ontario Heritage Act*; property included in an area designated as a heritage conservation district under Part V of the *Ontario Heritage Act*; property subject to a heritage conservation easement or covenant under Part II or IV of the *Ontario Heritage Act*; property identified by a provincial ministry or a prescribed public body as a property having cultural heritage value or interest under the Standards and Guidelines for the Conservation of Provincial Heritage Properties; property protected under federal heritage legislation; and UNESCO World Heritage Sites.

Protection works standards: means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by *flooding hazards, erosion hazards* and *other water-related hazards*, and to allow access for their maintenance and repair.

Provincial and federal requirements: means

- in regard to policy 4.1.6, legislation and policies administered by the federal or provincial governments for the purpose of fisheries protection (including *fish* and *fish habitat*), and related, scientifically established standards such as water quality criteria for protecting lake trout populations; and
- in regard to policy 4.1.7, legislation and policies administered by the provincial government or federal government, where applicable, for the purpose of protecting species at risk and their habitat.

Public service facilities: means land, buildings and structures, including but not limited to schools, hospitals and community recreation facilities, for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health, child care and educational programs, including elementary, secondary, post-secondary, long-term care services, and cultural services.

Public service facilities do not include *infrastructure*.

Quality and quantity of water: is measured by indicators associated with *hydrologic function* such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

Rail facilities: means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future *rail facilities*.

Redevelopment: means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites*.

Regional market area: refers to an area that has a high degree of social and economic interaction. The upper or single-tier municipality, or planning area, will normally serve as the *regional market area*. However, where a *regional market area* extends significantly beyond these boundaries, then the *regional market area* may be based on the larger market area. Where *regional market areas* are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.

Renewable energy source: means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

Renewable energy system: means a system that generates electricity, heat and/or cooling from a *renewable energy source*.

Reserve sewage system capacity: means design or planned capacity in a waste water treatment facility, within *municipal sewage services* or *private communal sewage services*, which is not yet committed to existing or approved development. For lot creation using *private communal sewage services* and *individual on-site sewage services*, *reserve sewage system capacity* includes approved capacity to treat and land-apply, treat and dispose of, or dispose of, hauled sewage in accordance with applicable legislation but not by land-applying untreated, hauled sewage. Treatment of hauled sewage can include, for example, a sewage treatment plant, anaerobic digestion, composting or other waste processing.

Reserve water system capacity: means design or planned capacity in a water treatment facility which is not yet committed to existing or approved development. *Reserve water system capacity* applies to *municipal water services* or *private communal water services*, and not *individual on-site water services*.

Residence surplus to an agricultural operation: means one existing habitable detached dwelling, including any associated additional residential units, that are rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

River, stream and small inland lake systems: means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Rural areas: means a system of lands within municipalities that may include *rural settlement areas*, *rural lands*, *prime agricultural areas*, *natural heritage features and areas*, and resource areas.

Rural lands: means lands which are located outside *settlement areas* and which are outside *prime agricultural areas*.

Sensitive: in regard to *surface water features* and *ground water features*, means features that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

Sensitive land uses: means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby *major facility*. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

Settlement areas: means urban areas and rural settlement areas within municipalities (such as 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.

Settlement areas are:

- a) built-up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development over the long term.

Sewage and water services: includes *municipal sewage services* and *municipal water services*, *private communal sewage services* and *private communal water services*, *individual on-site sewage services* and *individual on-site water services*, and *partial services*.

Significant: means

- a) in regard to *wetlands, coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant using evaluation criteria and procedures established by the Province, as amended from time to time;
- b) in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria and procedures established by the Province;
- c) in regard to other features and areas in policy 4.1, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*; and
- d) in regard to *mineral potential*, an area identified as provincially significant through provincial guidance, such as the Provincially Significant Mineral Potential Index.
- e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the *Ontario Heritage Act*.

Criteria for determining significance for the resources identified in section c) - d) are provided in provincial guidance, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Site alteration: means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

For the purposes of policy 4.1.4.a), *site alteration* does not include underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as in the *Mining Act*. Instead, those matters shall be subject to policy 4.1.5.a).

Special Policy Area: means an area within a community that has historically existed in the *flood plain* and where site-specific policies, approved by both the Ministers of Natural Resources and Forestry and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning *development*. The criteria for designation and procedures for approval are established by the Province.

A *Special Policy Area* is not intended to allow for new or intensified *development* and *site alteration*, if a community has feasible opportunities for *development* outside the *flood plain*.

Specialty crop area: means areas within the agricultural land base designated based on provincial guidance. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b) farmers skilled in the production of specialty crops; and
- c) a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.

Strategic growth areas: means within *settlement areas*, nodes, corridors, and other areas that have been identified by municipalities to be the focus for accommodating *intensification* and higher-density mixed uses in a more *compact built form*.

Strategic growth areas include *major transit station areas*, existing and emerging downtowns, lands in close proximity to publicly-assisted post-secondary institutions and other areas where growth or development will be focused, that may include infill, *redevelopment* (e.g., underutilized shopping malls and plazas), *brownfield sites*, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned *frequent transit service* or *higher order transit corridors* may also be identified as *strategic growth areas*.

Surface water feature: means water-related features on the earth's surface, including headwaters, rivers, permanent and intermittent streams, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

Threatened species: means a species that is classified as "Threatened Species" on the Species at Risk in Ontario List, as updated and amended from time to time.

Transit service integration: means the coordinated planning or operation of transit service between two or more agencies or services that contributes to the goal of seamless service for riders and could include considerations of service schedules, service routes, information, fare policy, and fare payment.

Transit-supportive: in regard to land use patterns, means development that makes transit viable, optimizes investments in transit infrastructure, and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities, including air rights development, in proximity to transit stations, corridors and associated elements within the *transportation system*.

Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Transportation demand management: means a set of strategies that result in more efficient use of the *transportation system* by influencing travel behaviour by mode, time of day, frequency, trip length, regulation, route, or cost.

Transportation system: means a system consisting of facilities, corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, *rail facilities*, parking facilities, park'n'ride lots, service centres, rest stops, vehicle inspection stations, inter-modal facilities, harbours, *airports*, *marine facilities*, ferries, canals and associated facilities such as storage and maintenance.

Two zone concept: means an approach to *flood plain* management where the *flood plain* is differentiated in two parts: the *floodway* and the *flood fringe*.

Urban agriculture: means food production in *settlement areas*, whether it is for personal consumption, commercial sale, education, or therapy. Examples include, but are not limited to, vertical agriculture facilities, community gardens, greenhouses, and rooftop gardens.

Valleylands: means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

Vulnerable: means surface and/or ground water that can be easily changed or impacted.

Waste management system: means sites and facilities to accommodate waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

Watershed: means an area that is drained by a river and its tributaries.

Watershed planning: means planning that provides a framework for establishing comprehensive and integrated goals, objectives, and direction for the protection, enhancement, or restoration of water resources, including the *quality and quantity of water*, within a *watershed* and for the assessment of cumulative, cross-jurisdictional, and cross-*watershed* impacts. *Watershed planning* evaluates and considers the *impacts of a changing climate on water resource systems* and is undertaken at many scales. It may inform the identification of *water resource systems*.

Water resource systems: means a system consisting of *ground water features* and areas, *surface water features* (including shoreline areas), *natural heritage features and areas*, and *hydrologic functions*, which are necessary for the ecological and hydrological integrity of the *watershed*.

Wave effects: means the movement of water up onto a shoreline or structure following the breaking of a wave, including wave uprush, wave set up and water overtopping or spray; the limit of *wave effects* is the point of furthest landward horizontal movement of water onto the shoreline.

Wayside pits and quarries: means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wetlands: means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of *wetlands* are swamps, marshes, bogs and fens.

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildland fire assessment and mitigation standards: means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

Wildlife habitat: means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

Woodlands: means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. *Woodlands* include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. *Woodlands* may be delineated according to the *Forestry Act* definition or the Province's Ecological Land Classification system definition for "forest."

9: Appendix – Schedule 1: List of Large and Fast-Growing Municipalities

Town of Ajax	City of Mississauga
City of Barrie	Town of Newmarket
City of Brampton	City of Niagara Falls
City of Brantford	Town of Oakville
City of Burlington	City of Oshawa
Town of Caledon	City of Ottawa
City of Cambridge	City of Pickering
Municipality of Clarington	City of Richmond Hill
City of Guelph	City of St. Catharines
City of Hamilton	City of Toronto
City of Kingston	City of Vaughan
City of Kitchener	City of Waterloo
City of London	Town of Whitby
City of Markham	City of Windsor
Town of Milton	

Ministry of Municipal Affairs and Housing

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Committee Matters: SCM 376/2024

Subject: Adoption of the Development & Heritage Standing Committee minutes of its meeting held December 2, 2024

Development & Heritage Standing Committee Meeting

Date: Monday, December 2, 2024

Time: 4:30 PM

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 Joseph Fratangeli

Member Daniel Grenier

Member Charles Pidgeon

Member William Tape

Members Regrets

Member Khassan Saka

Member John Miller

Member Robert Polewski

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Tracy Tang – Planner III, Heritage

Sandra Gebauer, Council Assistant

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Jelena Payne, Commissioner, Economic Development

Neil Robertson, City Planner

Greg Atkinson, Deputy City Planner – Development

Jason Campigotto, Deputy City Planner – Growth

Adam Szymczak, Acting Deputy City Planner – Development

Aaron Farough, Senior Legal Council

Emilie Dunnigan, Manager, Development Revenue & Financial Administration

Minutes

Development & Heritage Standing Committee Monday, December 2, 2024

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Patrick Winters, Manager, Development
Simona Simion, Planner III, Economic Development
James Abbs, Planner III - Development
Diana Radulescu, Planner II, Development Review
Elara Mehrilou, Transportation Planner I
Anna Ciacelli, Deputy City Clerk

Delegations—participating via video conference

Item 7.3 – Sil D'Andrea, Area Resident
Item 7.4 – Tuseef Rehman, Area Resident
Item 7.5 – Tracey Pillon-Abbs, RPP Principal Planner
Item 7.5 – Sarah Jarvis, Area Resident
Item 7.5 – Paul & Helen Berry, Area Resident
Item 7.5 – Rick & Livia Lobzun, Area Resident

Delegations—participating in person

Item 7.1 – Amy Farkas, Dillon Consulting Limited
Item 7.2 – Amy Farkas, Dillon Consulting Limited
Item 7.2 – Terry Rafih, Applicant
Item 7.3 – Anthony Palermo, Applicant
Item 7.4 – Jackie Lassaline, Lassaline Planning Consultants
Item 7.4 – Muhammad Siddiqui, Area Resident
Item 7.4 – Abdul Naboulsi, Area Resident
Item 7.4 – Dr. Suzanne De Froy, Area Resident
Item 7.4 – Brian Kukhta, Area Resident
Item 7.6 – Jackie Lassaline, Lassaline Planning Consultants
Item 7.6 – Mark Agbaba, Property Owner

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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

Member Daniel Grenier discloses an interest and abstains from voting on Item 7.5 being "Rezoning – Baker Investments Ltd.- 0 Wyandotte Street East - Z-035/24 ZNG/7243 - Ward 6" as his company has hired the planner on record for the application for one of their projects.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

4. COMMUNICATIONS

None presented.

8. ADOPTION OF THE MINUTES

8.1. Adoption of the Development & Heritage Standing Committee minutes of its meeting held August 6, 2024

Moved by: Member William Tape

Seconded by: Member Joseph Fratangeli

That the minutes of the Development & Heritage Standing Committee meeting held August 6, 2024 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 242/2024

8.2. Adoption of the Development & Heritage Standing Committee minutes of its meeting held September 3, 2024

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Mark McKenzie

That the minutes of the Development & Heritage Standing Committee meeting held September 3, 2024 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 268/2024

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8.3. Adoption of the Development & Heritage Standing Committee minutes from its meeting held October 7, 2024

Moved by: Member Charles Pidgeon

Seconded by: Member William Tape

That the minutes of the Development & Heritage Standing Committee meeting held October 7, 2024 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 319/2024

8.4. Adoption of the Development & Heritage Standing Committee minutes of its meeting held November 4, 2024

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Mark McKenzie

That the minutes of the Development & Heritage Standing Committee meeting held November 4, 2024 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 345/2024

9. PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)

None Presented

10. HERITAGE ACT MATTERS

10.1. Community Heritage Fund Request – 794 Devonshire Road, Porter Coate House (Ward 4)

Arun Rattan, Applicant

Arun Rattan, Applicant, appears before the Development & Heritage Standing Committee regarding the administrative report dated November 14, 2024, entitled “Community Heritage Fund Request – 794 Devonshire Road, Porter Coate House (Ward 4)” and is available for questions.

Member William Tape requests administration confirm the choice for the bid for masonry. Tracy Tang, Acting Planner III – Heritage appears before the Development & Heritage Standing Committee regarding the administrative report dated November 14, 2024, entitled “Community Heritage Fund Request – 794 Devonshire Road, Porter Coate House (Ward 4)” and responds that of the three submitted quotes for masonry, the applicant and property owner selected the mid-range of the three quotes. Typically, the lowest submitted quote is chosen, in this case, the

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difference between the two quotes was only \$500. The selected quote had better timelines for completing the project.

Member William Tape asks administration to confirm the makeup of the mortar to ensure that a high lime content mortar is chosen, as well as the timeline for the start of the project as the mortar material needs to be heated. Ms. Tang responds that the mortar selected is type O, which has been confirmed with the contractor. As part of the conditions within the heritage permit is to provide all specifications for the materials being used prior to work being started.

Councillor Angelo Marignani asks administration to identify who is responsible for any unforeseen structural concerns during the restoration process. Ms. Tang responds that typically any unforeseen cost is the responsibility of the property owner.

Councillor Angelo Marignani asks if there has ever been an instance where we have granted funding for the heritage maintenance of a building and additional costs manifested as a result of that restoration. Jason Campigotto, Acting Deputy City Planner – Growth appears before the Development & Heritage Standing Committee regarding the administrative report dated November 14, 2024, entitled “Community Heritage Fund Request – 794 Devonshire Road, Porter Coate House (Ward 4)” and responds that the recommendation is to approve a grant amount to an upset limit of \$17,221. Any additional costs associated with the restoration would be the responsibility of the property owner.

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 683**

- I. That the Heritage Permit at 794 Devonshire Rd, Porter Coate House, **BE GRANTED** for masonry repairs and foundation waterproofing.
- II. That the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the repairs and restoration of exterior walls.
- III. That a total grant of 30% of the cost of the masonry repairs and foundation waterproofing, to an upset amount of \$17,221 from the Community Heritage Fund (Reserve Fund 157) **BE GRANTED** to the Owners of the Porter Coate House, at 794 Devonshire Rd, subject to:
 - a. Submission of conservation details, technical details and samples, to the satisfaction of the City Planner or designate prior to work start;
 - b. Determination by the City Planner that the work is completed to heritage conservation standards;
 - c. Owner’s submission of paid receipts for work completed; and
 - d. That the Community Heritage Fund (Reserve Fund 157), grants approved shall lapse if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

Carried.

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Report Number: S 160/2024
Clerk's File #: MBA/6702

There being no further business the meeting of the Development & Heritage Standing Committee (*Heritage Act Matters*) portion is adjourned at 4:40 o'clock p.m.

The Chairperson calls the (*Planning Act Matters*) portion of the Development & Heritage Standing Committee meeting to order at 4:42 o'clock p.m.

5. ADOPTION OF THE PLANNING ACT MINUTES

5.1. Adoption of the Development & Heritage Standing Committee (Planning Act) of its meeting held November 4, 2024

Moved by: Councillor Angelo Marignani

Seconded by: Member Anthony Arbour

That the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held November 4, 2024 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 346/2024

6. PRESENTATION DELEGATIONS (PLANNING ACT MATTERS)

See items 7.1, 7.2, 7.3, 7.5, and 7.7

7. PLANNING ACT MATTERS

7.1. Zoning Bylaw Amendment Z 020-24 [ZNG-7216] Farhi Holdings Corporation 8565 McHugh Street – Combined Use Building Development – Ward 6

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 676**

That subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for Block 43, Plan 12M-678; in the City of Windsor, known municipally as 8565 McHugh Street by adding site specific regulations as follow:

516. SOUTHWEST CORNER DARFIELD ROAD AND MCHUGH STREET

For the lands described as for Block 43, Plan 12M-678, in the City of Windsor, known municipally as 8565 McHugh Street, the following regulations shall apply:

- a) Notwithstanding Section 15.2.5.15 of Zoning Bylaw 8600, dwelling units on a ground floor in a combined use building shall be an additional permitted use.

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b) Building Height – Maximum – 28.0 m;

c) Building setback from an interior lot line abutting a Residential District (RD) 1.1 zone - 24m.

Carried.

Report Number: S 152/2024

Clerk's File #: Z/14848

7.2. Zoning Bylaw Amendments - Z 033-24 [ZNG-7238] 1495754 Ontario Inc. 0 Esplanade Dr– Multiple Dwelling Building Development – Ward 7

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 677**

- I. That Zoning By-law 8600 **BE AMENDED** changing the zoning of PT LOT 133 CON 2, PARTS 9 TO 11, RP 12R-21168 in the City of Windsor, known municipally as 0 Esplanade Dr., from Holding Residential District (HRD) 2.3 and Commercial District 4.2.to Residential District (RD) 3.1
- II. That subsection 1 of Section 20 of Zoning By-law 8600 **BE AMENDED** for PT LOT 133 CON 2, PARTS 9 TO 11, RP 12R-21168; in the City of Windsor, known municipally as 0 Esplanade Dr. by adding site specific regulation as follows:

517. ESPLANADE DRIVE, EAST OF GANATCHIO TRAIL
For the lands described as for PT LOT 133 CON 2, PARTS 9 TO 11, RP 12R-21168; in the City of Windsor, known municipally as 0 Esplanade Dr., the following regulations shall apply:
Building Height – Maximum – 14.0 m
[ZNG/7238]
- III. That the Site Plan Control Officer include the completion of an Archeological Assessment as a condition of the Site Plan Control Agreement.
Carried.

Report Number: S 153/2024

Clerk's File #: Z/14874

7.3. Zoning By-Law Amendment – Z034/24 (ZNG/7241) - Anthony Palermo – 5172 Joy Rd, Ward 9

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 678**

- I. That Zoning By-law 85-18 **BE AMENDED** by changing the zoning of CON 8 PT LOT 15 RP 12R10850 PARTS 7 & 14, situated on the north side of Joy Road and east of 8th

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Concession Road, known municipally as 5172 Joy Road, by adding a defined area as follows:

6.3.17 Defined area R1-17 as shown on schedule “A”, Map 3 of this by-law.

- a) Maximum lot coverage for all accessory structures 193 m²
- b) Maximum height of all accessory structures 4.3 m
- c) Materials
 - i. A barn or accessory structure may be constructed with post, beam, or galvanized steel materials

Carried.

Report Number: S 157/2024

Clerk's File #: Z/14861

7.4. OPA & Rezoning – 1722912 Ontario – 4088-4096 6th Concession Rd – OPA 188 OPA/7218 Z-021/24 ZNG/7217 - Ward 9

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 679**

That the application for “OPA & Rezoning – 1722912 Ontario – 4088-4096 6th Concession Rd – OPA 188 OPA/7218 Z-021/24 ZNG/7217 - Ward 9” **BE DENIED**.

Carried.

Councillor Jim Morrison voting nay.

Report Number: S 141/2024

Clerk's File #: Z/14862 & Z/14863

7.5. Rezoning – Baker Investments Ltd.- 0 Wyandotte Street East - Z-035/24 ZNG/7243 - Ward 6

Moved by: Councillor Fred Francis

Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 680**

1. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part of Block “A”, Registered Plan 1628 except for Part 1, Plan 12R-11541, identified as PIN 01066-0197, situated at the northeast corner of Wyandotte Street East and Watson Avenue, and known municipally as 0 Wyandotte Street East (Roll No: 060-330-00100) from Commercial District 2.1 (CD2.1) to Residential District 3.2 (RD3.2).

Carried.

Member Daniel Grenier discloses an interest and abstains from voting on this matter.

Report Number: S 154/2024

Clerk's File #: Z/14875

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7.6. Zoning Bylaw Amendment Z 031-24 [ZNG-7236] 1066 California Ave Ward 2

Moved by: Councillor Fred Francis

Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 681**

I. That Zoning By-law 8600 **BE AMENDED** by adding the following clause to Section 20(1):

518. **EAST SIDE OF CALIFORNIA AVENUE, SOUTH OF DAVIS ST AND NORTH OF GIRARDOT ST**

For the lands comprising of PLAN 50 BLOCK D LOTS 53 & 54 PT LOT 55 (PIN 01220-0251) for a *townhome dwelling*, the following additional provisions shall apply:

- a) *Lot Width* – minimum 19.8 m
- b) *Lot Coverage* – maximum 54% of lot area
- c) *Front Yard Depth* – minimum 5.4 m
- d) *Rear Yard Depth* – minimum 6.31 m
- e) Section 5.99.80.1.1.b) shall not apply

[ZDM 4; ZNG/7236]

II. That Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following clause to Section 95.20:

(13) a) Pursuant to Section 9.3.7.1(a) of Volume I: The Primary Plan of the City of Windsor Official Plan, submission of Stage 1 Archaeological Assessment and any further recommended assessments be entered into the Ontario Public Register of Archaeological Reports to the satisfaction of the City Planner.

b) Alley Contribution to the satisfaction of the City Engineer.

c) Stormwater Management Plan to the satisfaction of the City Engineer.

[ZNG/7236]

III. That Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of PLAN 50 BLOCK D LOTS 53 & 54 PT LOT 55 (PIN 01220-0251), situated on the east side of California Avenue between Davis Street and Girardot Street, and known municipally as 1066 California Avenue (Roll No. 050-37-03500), from Residential District 1.3 (RD1.3) to Residential District 2.2 (RD2.2) and S.20(1)H(13)518.

IV. That the Committee of Adjustment **CONSIDER** comments contained in Appendix E of Report S 147/2024 as part of any consent application to sever the proposed townhome dwelling units.

Carried.

Report Number: S 147/2024

Clerk's File #: Z/14876

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7.7. OPA 190 Source water policies

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 682**

1. That Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by adopting Official Plan Amendment (OPA) 190 attached hereto as Appendix 1, and summarized as follows:

- a) Chapter 2, Glossary; is hereby amended by adding definitions
- b) Chapter 5, Environment is hereby amended by adding section 5.39 Source Water Protection Policies

2. That Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by adopting Schedule K: Sourcewater Protection Areas as shown in Appendix 1.

Carried.

Report Number: S 159/2024
Clerk's File #: Z/14881

11. ADMINISTRATIVE ITEMS

None presented.

12. COMMITTEE MATTERS

None presented.

13. QUESTION PERIOD

None registered.

14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee is adjourned at 6:42 o'clock p.m. The next meeting of the Development & Heritage Standing Committee will be held on Monday, January 6, 2025.

Ward 10 – Councillor Jim Morrison
(Chairperson)

Deputy City Clerk / Supervisor of
Council Services



Council Report: S 161/2024

Subject: Amendment to Heritage Designation By-law No. 281-2003 – 455 Kennedy Drive West, Roseland Golf Course (Ward 1)

Reference:

Date to Council: January 6, 2025
Author: Tracy Tang, MCIP, RPP
Planner III – Heritage (A)
Email: ttang@citywindsor.ca
Phone: 519-255-6543 X 6179
Planning & Building Services
Report Date: November 14, 2024
Clerk's File #: MB/6075

To: Mayor and Members of City Council

Recommendation:

- I. **THAT** the Heritage Designation By-law No. 281-2003 for 455 Kennedy Drive West, Roseland Golf Course, **BE AMENDED** to i) correct the legal description by deleting the lands which do not have cultural heritage value or interest as set out in the *Ontario Heritage Act* R.S.O. 1990, c. O.18 and O. Reg. 9/06 and ii) update the reasons for designation to ensure that the by-law satisfies the requirements of the *Ontario Heritage Act*; and,
- II. **THAT** the City Clerk **BE AUTHORIZED** to publish a Notice of Amending By-law for 455 Kennedy Drive West, Roseland Golf Course, in accordance with Part IV of the *Ontario Heritage Act*, Section 30.1; and,
- III. **THAT** the City Solicitor **BE DIRECTED** to prepare the necessary by-law amendment for 455 Kennedy Drive West.

Executive Summary: N/A

Background:

The Roseland Golf Course is an 18-hole golf course which was designed in 1926 by renowned golf course architect Donald J. Ross and constructed in 1927. The property is the centrepiece of the Roseland Park subdivision, which was developed by the locally significant entrepreneur Henry James "Harry" Neal. The property was designated under the provisions of the *Ontario Heritage Act* (OHA) by City of Windsor Council by By-law No. 281-2003 passed on August 25, 2003. The Statement of Cultural Heritage Value or Interest from the Designation By-law is included as Appendix 'A'. The Owner of 455 Kennedy Drive West is the City of Windsor.



Photographs of the Roseland Golf Course entrance and Club House Building with parking lot (November 13, 2024)

Based on an internal audit recommendation, the Roseland Board of Directors retained an international golf course consulting firm, CGA Partners, to develop a Strategic Business Plan (2020) and a Feasibility Study (2021). The Strategic Business Plan identified that the clubhouse is old, has major capital expenditures looming, is operating at an overall loss, and is too large for current demands. The Strategic Business Plan recommended that the existing clubhouse should be demolished and replaced with a new smaller clubhouse. The Roseland Board of Directors has endorsed the Feasibility Study and the recommendation to pursue a new clubhouse, as well as consider options for curling.

Subsequently, Administration presented reports on the future of curling at the Roseland Golf and Curling Club to City Council:

Council Report C 44/2023 “Roseland Golf and Curling Club – Redevelopment” on April 3, 2023, resulting in Decision Number B 14/2023:

That City Council **DIRECT** Administration to bring back options for Council’s consideration regarding the redevelopment of the Roseland parking lot, clubhouse and the future of Curling; and,

That City Council **DIRECT** Administration to begin public consultation and the results be included in the report back to Council regarding the various options.

Council Report C 116/2023 “Roseland Golf and Curling Club – Future of Curling” on August 8, 2023, resulting in Council Decision CR 337/2023:

II. That City Council ... **DIRECT** Administration to undertake the development of conceptual drawings with public consultation and report back with options for Council’s consideration regarding the redevelopment of the Roseland clubhouse and site;

VII. That administration **BE DIRECTED** to bring forward more information to a future meeting of City Council regarding the future location of curling, after further consultation with community groups has taken place for Councils consideration;

Council Report C 166/2023 “Future of Curling” on December 11, 2023, resulting in Council Decision CR 516/2023:

II. That City Council **APPROVE** the preferred arena location for the future home of curling in Windsor to be at the Capri Pizzeria Recreation Complex

The curling club had ceased operations in the Roseland clubhouse building in Spring 2024.

In March 2024, Mayor Dilkens and City Council announced their commitment to build more housing units consistent with the Province’s mandate for the City to create 13,000 new homes by 2031 and the endorsement of the Housing Solutions Made for Windsor (HSMFW) Plan. One of the approaches of the HSMFW Plan is to optimize the use of City-owned properties to achieve housing targets. The Roseland Golf Course, particularly the portion of land on which the existing club house and parking lot are situated, was one of the municipal properties identified with development potential.

A public information centre was held on March 7, 2024 to solicit community feedback. On April 22, 2024, through Decision Number CR182/2024, a petition presented by Councillor Fred Francis on behalf of the residents of the Roseland neighbourhood and surrounding area in opposition to the City of Windsor’s current housing proposal on the Roseland Golf and Curling Club Property was received.

On May 27, 2024, through Decision Number CR 209/2024, a report from the City Clerk in response to a petition received from the residents of the Roseland neighbourhood and surrounding area regarding the City of Windsor’s housing proposal on the Roseland Golf Course property was received for information.

The HSMFW Project Lead approached Heritage Planning staff to understand what processes, steps, or studies are required to facilitate the proposal on the designated heritage property. Heritage Planning Staff advised the HSMFW Project Lead and the Consultant Team that a Heritage Impact Assessment (HIA) demonstrating the cultural heritage value of the property and any potential impacts and mitigation measures (if any) to what is being proposed is required, along with a new legal description for the property and a designation by-law amendment. In August 2024, architectural team ARCHON Architecture Inc. along with heritage professionals at a+LiNK Architecture Inc., an architecture firm based out of London, Ontario, were retained to prepare a HIA for the designated Roseland Golf Course property.

On October 31, 2024, the HSMFW Project Lead and Consultant Team formally submitted the HIA and associated survey plan to constitute a complete package of materials to bring forward to the Heritage Committee and City Council for consideration of the designation by-law amendment. The survey plan and HIA are included as Appendix ‘C’ and ‘D’ respectively.

Discussion:

Proposal:

The application is to amend the Designation By-law 281-2003 for Roseland Golf Course to remove a portion of lands to which it applies, on the basis that the portion of lands does not possess any heritage value or interest. The specific portion of land in question concerns the existing club house building and parking lot, and is approximately 10 acres in size. The club house building was constructed in 1978 and is 1 ½ storeys tall. It is designed in a contemporary architectural style with a flat roof, pale peach-coloured stucco cladding, and portions of red brick along the lower half of the building. The building has had minimal maintenance and updating since its construction. The building has been vacant since the curling club ceased operations in Spring 2024.



Photographs of the Roseland Golf & Curling Club House Building (November 13, 2024)

The purpose of removing the designation by-law from this portion of lands is to facilitate the demolition of the existing clubhouse building, to permit the construction of a new clubhouse, and to provide lands for development potential. To execute this proposal, three key components are required:

- a HIA to assess the heritage value of the existing property, impacts of amending the designation by-law, and impacts of demolishing the club house building;
- an updated survey plan to delineate parts of the subject property related to the club house building and parking lot; and
- an amendment to Designation By-law 281-2003 to correct the legal description and to update the list of attributes or features of Cultural Heritage Value or Interest.

At this point in time, there is no formal proposal for future development on the subject property. Any future development on the portion of the property that is proposed to be removed from the designation by-law will be subject to standard municipal approvals. A HIA would be required as part of any future *Planning Act* development application to form a complete application.

Historical Background:

The Roseland Golf and Country Club was designed by Donald J. Ross, golf's most renowned and respected architect, in 1926. Ross designed 413 golf courses in his career, with only about 15 of those golf courses being located in Canada. The original Ross design contains 18 holes, all of which are in their same starting and finishing

locations, and greens in their original positions. The Roseland Golf Course is known for being one of the oldest golf courses continually operating in Ontario. The property was purchased by the City of Windsor in 1973 and has been under the City's operation since.



Roseland Park Country Club Plan, 1926 (Jeff Mingay) compared to a 2024 aerial photograph of the subject property

Credited with bringing Ross to Windsor was the local entrepreneur and avid sportsman, Henry James “Harry” Neal. Neal was responsible for the development of the Roseland Park subdivision, centred around an 18-hole golf course. After Neal’s invitation for Ross to visit Windsor in 1926, Ross sketched his plans for the 18 green complexes. Neal was an accountant by training and the head of his family’s Neal Baking Company from 1915 to 1925. Also heavily involved in the local community, Neal was instrumental in establishing, and was the first President of, the Windsor Rotary Club and served on the Windsor Board of Education.

Over time, the golf course has changed, mostly due to natural evolution and modern maintenance (e.g. trees maturing, shrunken greens and fairways, sand bunkers replaced by trees, etc.). The original frame clubhouse on the property was replaced in 1978 with the present-day club house and curling rink building. The nine-hole par-three course located directly east of the clubhouse was developed in the mid-1960s. Other modern buildings on the property include the 1968 storage shed, 1999 pro shop and snack shop building, and the maintenance building built in 2008.

In August 2003, City Council approved the designation of the Roseland Golf Course under the provisions of Part IV of the *Ontario Heritage Act* for having architectural and historical significance. At that time, Roseland Golf Course was the first golf course in Ontario to receive a heritage designation.

Heritage Considerations:

The HIA report prepared by Ed van der Maarel (OAA, CAHP) and Alicia Lesniak (OAA) of a+LiNK Architecture Inc. includes:

- An identification of the cultural heritage resource, including historical research and site analysis;
- An overview of the proposed changes to the property, those being the designation by-law amendment and demolition of the club house building;
- An assessment of the potential impact of the proposed changes to the heritage value of the property; and
- A review of possible mitigation approaches for any potential impacts.

The findings of a+LiNK Architecture Inc. through the HIA report concluded that:

- The existing club house building and parking lot have little or no contribution to the overall heritage character of the property and no historical significance according to O.Reg 9/06 of the *Ontario Heritage Act*;
- The demolition of the club house building will not have any adverse impacts on the existing cultural heritage resource, the Roseland Golf Course; and
- The Designation By-law 281-2003 should be amended to remove the club house building from the property's Part IV designation status.

Administration provided an extensive review of the HIA report and determined that it meets the City of Windsor HIA Guidelines, 2024. Administration also supports A+LiNK Architecture's findings within the HIA report.

Further, Nancy Morand, the Heritage Planner who recommended the heritage designation of Roseland Golf Course, states within her November 2001 report to the Windsor Architectural Conservation Advisory Committee (now Windsor Heritage Committee) that "[t]hese later additions to the property [i.e. the club house and curling rink building, par-three course, pro shop building, and storage shed] will not be listed in the reasons for designation" (See Appendix 'B'). For that reason, the designation by-law focussed only on the architectural and historical values of the golf course itself.

A designation by-law for an individually designated property under Part IV Section 29 of the *OHA* typically applies to the entire property, not an individual building, structure, or feature. The standard practice when preparing a designation by-law is to provide the legal description for the property to which the designation by-law applies. The by-law is then registered on title against the entire property parcel, thereby designating the entire property with the purpose of protecting and recognizing all its heritage features. The reasons for designation (features and attributes of Cultural Heritage Value or Interest) are set out in a separate schedule to the designation by-law. It would be uncommon and unusual to register the designation by-law against only the parts of the property that are listed in the reasons for designation.

While this list of reasons specifically identifies what is to be protected, the By-law applies to the entire property through the legal description. Therefore, any alterations or demolitions (under Sections 33 and 34 of the *OHA*) on the property require a Heritage Permit application and necessary approvals to facilitate. Windsor Heritage Committee

and City Council have approved many past Heritage Permit applications on Part IV individually designated properties for alterations and/or partial or full demolitions of this nature, where the building or structure was not specifically identified in the designation by-law and not of any heritage value or interest (e.g. detached concrete block garage of modern construction).

Designation By-law 281-2003 applies to the entire Roseland Golf Course property because the legal description is for the entire property. This means that any alterations or demolitions to any buildings or structures on the designated property will be subject to a Heritage Permit. Therefore, to accurately capture the features or attributes to be protected through heritage designation on the subject property, Administration recommends that the Designation By-law 281-2003 be amended to reflect the updated survey plan and legal description of the property to which the designation status applies, and to update the list of attributes and features of Cultural Heritage Value or Interest to ensure it meets the present-day requirements of the *OHA*. It is Administration's opinion that the club house building does not have any cultural heritage value or interest and therefore has no objection to the building being demolished.

It is critical to note that, regardless if there were or were not any redevelopment proposal on the individually designated Roseland Golf Course property: i) if a heritage designated property has a new legal description or survey plan, *OHA* legislation requires the designation by-law to be amended to accurately capture the property to be protected; ii) the clubhouse building does not have any apparent heritage value or interest and was not included in the list of heritage features and attributes at the time of designation; and iii) the clubhouse building has been recommended for demolition since the completion of the Strategic Business Plan (2020) and Feasibility Study (2021). Would a proposal for its demolition have been submitted prior to the announcement of the HSMFW Plan (2024) and identification of the Roseland Golf Course as a municipal property with housing development potential, Administration would have recommended that the demolition proposal be received. This is consistent with the recommendations that Administration have put forward in similar circumstances (i.e. proposed demolition of a building or structure without heritage value or interest on a designated property).

Legal Provisions:

The subject property was designated pursuant to Part IV Section 29 of the *OHA*.

Section 30.1 (1) of the *OHA* provides that "The council of a municipality may, by by-law, amend a by-law designating property made under section 29 and section 29 applies, with prescribed modifications, to an amending by-law". Section 30.1 (2) of the *OHA* provides that "despite subsection (1), subsections 29 (1) to (14) do not apply to an amending by-law if the only purpose or purposes of the amendments contained in the by-law are to do one or more of the following:

1. Clarify or correct the statement explaining the property's cultural heritage value or interest or the description of the property's heritage attributes.
2. Correct the legal description of the property.

3. Otherwise revise the by-law to make it consistent with the requirements of this Act or the regulations, including revisions that would make a by-law passed before subsection 7 (6) of Schedule 11 to the *More Homes, More Choice Act*, cultural heritage value or interest as set out in the *Ontario Heritage Act* R.S.O. 1990, c. O.18 and O. Reg. 9/06. 2019 comes into force satisfy the requirements prescribed for the purposes of paragraph 2 of subsection 29 (8), if any.”

Both the HIA and the original 2001 report to Council recommending heritage designation (attached as Appendix ‘B’) note that the lands to be deleted from By-law 218-2003 are of no cultural heritage value or interest as required by the *OHA* and Ontario Regulation 9/06 (O. Reg. 9/06). Therefore, the proposed amending by-law is in essence a by-law to correct the legal description of the property to correctly identify the property which is of cultural heritage value or interest. This is a common housekeeping amendment.

Additionally, Part IV, 30.1 (15) of the *OHA* requires that “[i]f the council of a municipality proposes to amend a by-law designating property made under section 29 that does not comply with requirements that are prescribed for the purposes of paragraph 2 of subsection 29 (8), if any, the council shall include in the amendment such changes as are necessary to ensure that the by-law satisfies those requirements. 2019, c. 9, Sched. 11, s. 8 (2). Same, Part IV, 30.1 (16) of the *OHA* requires that “[i]f the council of a municipality proposes to amend a by-law designating property made under section 29 before the day the *Ontario Heritage Amendment Act, 2005* received Royal Assent, the council shall include in the amendment such changes as are necessary to ensure that the by-law satisfies the requirements of section 29, as it read on the day the *Ontario Heritage Amendment Act, 2005* received Royal Assent”.

By-law 281-2003 to designate the lands known as Roseland Golf Course at 455 Kennedy Drive West was passed on August 25, 2003 before the day that the *Ontario Heritage Amendment Act, 2005* received Royal Assent. In reviewing By-law 281-2003, Administration notes that there are only two “categories” which the list of reasons fall under: historical and architectural. However, under O. Reg. 9/06, there are currently three “categories” which the list of reasons can fall under: design/physical value, historic/associative value, and contextual value. Some reasons within By-law 281-2003 which are under historical and architectural categories would fall under the contextual value category under O. Reg. 9/06 today, namely that the Roseland Golf Course property is both historically linked to its surroundings (Criteria 8) and a landmark in the neighbourhood (Criteria 9).

Together with correcting the legal description of the property, Administration proposes to amend Designation By-law 281-2003 by making some minor clarifying language edits and moving around the current reasons listed for designation to ensure that it satisfies the present-day requirements according to O. Reg. 9/06 “cultural heritage value or interest”. No reasons listed within the designation by-law are proposed to be removed or deleted. This type of by-law amendment is also a common housekeeping task.

While there is the provision for Council to give the Owner of the designated property written notice of the proposed amendment under Part IV, 30.1 (3), there is no

requirement to provide a notice to be published in a newspaper having general circulation in the municipality.

Official Plan Policy:

Chapter 9 – “Heritage Conservation” of the City of Windsor Official Plan Volume I, includes the following objectives related to the recognition, conservation, and enhancement of heritage resources:

<i>CONSERVATION MANAGEMENT</i>	9.2.1	To conserve Windsor’s heritage resources for the benefit of the community and posterity in a manner which respects their architectural, historical, and contextual significance and ensures their future viability as functional components of Windsor’s urban environment.
<i>INDIVIDUAL SITES</i>	9.3.2.1	Council will identify Windsor’s heritage resources by: IV. Researching and documenting the history, and architectural and contextual merit of potential heritage resources on an individual property basis;
<i>IDENTIFY HERITAGE RESOURCES HERITAGE REGISTER</i>	9.3.3.4	Council will identify heritage resources by: a) Maintaining and updating the list of built heritage resources known as the Windsor Municipal Heritage Register;

The current Designation By-law 281-2003 merits an update to reflect the latest survey plan in the legal description to which the Designation By-law applies and to ensure that the reasons listed for designation satisfies the requirements under O. Reg. 9/06. The updating of the designation by-law is in conformity with the Official Plan policy 9.3.3.4., as it is part of ensuring the Windsor Municipal Heritage Register is current and up to date.

Risk Analysis:

The proposed designation by-law amendment would support the continuous protection of the golf course’s heritage attributes and features, and ensure their retention in any potential future development on the portion of property to be removed from the designation by-law. The amendment would also allow the Owner (City of Windsor) to proceed with their exploration of potential opportunities on the lands currently occupied by the club house building and parking areas. The policies under the Official Plan Volume I Chapter 9 – Heritage Conservation would continue to apply, including the requirement for a HIA for any new construction adjacent to a designated property. Standard approval by the Development & Heritage Standing Committee and City Council would remain.

Should Council decide to not proceed with the amendment of the Designation By-law No. 281-2003, the By-law would not be an accurate description of the designated property and its heritage features, and thus places heritage limitations on the entire property. With the by-law continuing to apply to the entire whole property, any future alterations, new constructions, or demolitions on the property, whether it impacts a recognized heritage feature or attribute or not, would require a Heritage Permit application with reporting to Heritage Committee and City Council for approval. Further,

any future alterations proposed to a newly constructed development on the property would also be subject to the Heritage Permit process.

Amending Designation By-law No. 281-2003 presents opportunities for streamlining processes for future development on the land being removed from the legal description.

Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

Financial Matters:

The Planning department will cover the costs of issuing legal notices and registering the designation by-law amendment with the Land Registry Office, which are estimated to be less than \$1,000. The Heritage Committee's (0111610) operating budget has an uncommitted balance of \$6,371 which will be sufficient to cover the cost of this designation by-law amendment.

Consultations:

Heritage Planning staff discussed the details of the designation by-law amendment with a number of City staff in various departments, including:

- Joe Baker – Manager, Corporate Projects – Economic Development (A)
- Sonia Bajaj - Project Administrator (A)
- Colleen Middaugh – Manager, Corporate Projects
- Karl Muegge – Project Coordinator
- Greg Atkinson – Manager, Development Planning
- Josie Gualtieri – Financial Planning Administrator
- Kate Tracey – Senior Legal Counsel
- Wira Vendrasco – City Solicitor

Heritage Planning staff also reached out to various municipal Heritage Planners across Ontario for examples of where a similar proposal for a designation by-law amendment (for the purposes of correcting the legal description to which it applies and/or facilitating future development) was received and approved. Examples were retrieved from the municipalities of Burlington, Hamilton, Kingston, London, Markham, and Mississauga. Results of the municipal scan are summarized in Appendix 'E'.

Conclusion:

The contemporary 1978 club house building on the designated heritage property at 455 Kennedy Drive West, Roseland Golf Course, does not contain cultural heritage value or interest, has been recommended for demolition since 2020, and its demolition would have no negative impact to the heritage value of the golf course property.

Should the legal description of a designated heritage property be changed, then the associated designation by-law must be amended to reflect it. Further, should a

designation by-law amendment for a by-law which was passed prior to the day the *Ontario Heritage Amendment Act, 2005* received Royal Assent be brought forward to Council for decision, it must also be updated to meet the present-day legislative requirements under the *Ontario Heritage Act*.

Administration recommends initiating the amendment of Designation By-law 281-2003 for 455 Kennedy Drive West, Roseland Golf Course, to correct the legal description of the property, to comply with the *Ontario Heritage Act* legislative requirements, and to facilitate the demolition of the club house building.

Planning Act Matters: N/A

Approvals:

Name	Title
Emilie Dunnigan	Manager, Development Revenue & Financial Administration
Jason Campigotto	Deputy City Planner – Growth (A)
Neil Robertson	City Planner / Executive Director Planning & Building
Kate Tracey	Senior Legal Counsel
Janice Guthrie	Commissioner of Finance & City Treasurer
John Revell acting for Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
List provided to Clerks Office		
Roseland Board of Directors		

Appendices:

- 1 Appendix 'A' – Designation By-law 281-2003
- 2 Appendix 'B' – Designation Report by Nancy Morand
- 3 Appendix 'C' – 12R Survey Plan of 455 Kennedy Drive West
- 4 Appendix 'D' – Heritage Impact Assessment of 455 Kennedy Drive West prepared by a+LiNK Architecture Inc. (Project #: 2440)
- 5 Appendix 'E' - Municipal Scan of Designation By-law Amendments

FOR OFFICE USE ONLY

CE 27640
CERTIFICATE OF RECEIPT
RECEPTE
ESSEX (12) WINDSOR
AUG 28 2003
LAND REGISTRAR/REGISTRAR

New Property Identifiers

Additional See Schedule ☐

Executions

Additional See Schedule ☐

(1) Registry ☐ Land Titles ☒ (2) Page 1 of 3 pages

(3) Property Identifier(s) Block Property
01289 - 1781 (LT) Additional See Schedule ☐

(4) Nature of Document
BY-LAW NUMBER 281-2003

(5) Consideration
n/a Dollars \$

(6) Description
Block E, Registered Plan 1241 and part of Lot 140, Registered Plan 1478 as in instrument #R817290
City of Windsor, County of Essex

(7) This Document Contains: (a) Redescription New Easement Plan/Sketch ☐ (b) Schedule for: Description ☐ Additional Parties ☐ Other ☒

(8) This Document provides as follows:

THE CORPORATION OF THE CITY OF WINDSOR hereby applies to have registered **By-law Number 281-2003** of which is attached hereto in respect of the land described in box (6).

Continued on Schedule ☐

(9) This Document relates to instrument number(s)

(10) Party(ies) (Set out Status or Interest)
Name(s) Signature(s) Date of Signature Y M D
THE CORPORATION OF THE CITY OF WINDSOR PATRICK T. BRODE 2003 08 28
(Applicant)
by its solicitor

(11) Address for Service City Hall, P.O. Box 1607, Windsor, Ontario, N9A 6S1

(12) Party(ies) (Set out Status or Interest)
Name(s) Signature(s) Date of Signature Y M D

(13) Address for Service

(14) Municipal Address of Property

Roseland Golf Course
455 Kennedy Drive West
Windsor, Ontario
File 18-26-85-03

(15) Document Prepared by:

PATRICK T. BRODE, Legal Counsel
The Corporation of the City of Windsor
350 City Hall Square West
Post Office Box 1607
Windsor, Ontario
N9A 6S1

Fees and Tax	
Registration Fee	7000

BY - LAW NUMBER 281-2003

A BY-LAW TO DESIGNATE THE LANDS AND PREMISES SITUATE WITHIN THE CITY OF WINDSOR, KNOWN AS ROSELAND GOLF COURSE, 455 KENNEDY DRIVE WEST, TO BE OF ARCHITECTURAL AND/OR HISTORIC VALUE OR INTEREST UNDER THE PROVISIONS OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O.18, AS AMENDED

Passed the 25th day of August, 2003.

WHEREAS by virtue of the provisions of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, as amended, the Council of a municipality may, by by-law, designate a property within the municipality to be of historic or architectural value or interest;

AND WHEREAS upon consideration of the recommendation of the Windsor Architectural Conservation Advisory Committee, The Corporation of the City of Windsor deems it desirable and expedient to designate Roseland Golf Course, 455 Kennedy Drive West, to be of historic or architectural value or interest, for the reasons stated in Schedule "A" annexed hereto and forming part of this by-law;

AND WHEREAS notice of intention to so designate the subject property was served on the owner(s) of the subject property and upon the Ontario Heritage Foundation, and such notice was published in a newspaper having general circulation in the municipality once a week for three consecutive weeks;

AND WHEREAS one notice of objection was served on the Clerk of the Corporation, but which objection has been withdrawn;

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

1. That the land described as Block "E" in Registered Plan 1241 and part of Lot 140 in Registered Plan 1478, as in Instrument No. R 817290 in the City of Windsor, County of Essex, being the Roseland Golf Course, be and the same is hereby designated to be of architectural and/or historic value or interest.
2. That this by-law shall come into force and effect after the final passing thereof on the day upon which it is registered in the Land Registry Office for Essex (No. 12).



MICHAEL HURST, MAYOR



BRENDA ANDREATTA, DEPUTY CLERK

First Reading - August 25, 2003
Second Reading - August 25, 2003
Third Reading - August 25, 2003

REASONS FOR DESIGNATION:**Historical:**

- The golf course was the centerpiece of the Roseland Park subdivision developed by Henry James "Harry" Neal – local entrepreneur and avid sportsman (1883-1961). It was Harry Neal who brought Donald Ross to Windsor to layout the Roseland Park golf course in 1926.
- An accountant by training, Harry Neal headed his family's Neal Baking Company from 1915 until he sold the business to a national conglomerate in 1925.
- Harry Neal was instrumental in establishing, and was the first President of, the Windsor Rotary Club. He served for many years on the Windsor Board of Education, as both member and president. Helped establish the continuing Essex-Kent Boys Golf Tournament.
- The course was purchased by the City of Windsor in 1973 and is run by an appointed board of directors.

Architectural:

- Eighteen-hole Roseland Golf Course was designed by Donald J. Ross in 1926, golf's most renowned and respected architect. Ross designed and/or remodeled only about 15 courses in Canada two in Essex County – Roseland (built 1927) and Essex Golf and Country Club (built in 1929).
- The basic Ross design remains at Roseland; all 18 holes are in the same spot, starting and finishing in the same place as originally designed, with greens in their original position.
- Greens predominately slope from back-to-front and feature multiple tiers, diagonal swales and center ridges.
- Original Ross sketches of all eighteen greens and a written course description exists, as does an overhead rendering of Ross's plan for Roseland prepared by W. Irving Johnson, of Donald J. Ross Associates (1926).



MISSION STATEMENT:

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

DATE: November 23, 2001

TO: WACAC

FROM: Heritage Planner

RE: Heritage Designation for Roseland Golf Course – 455 Kennedy Dr. W.

RECEIVED

AUG 22 2002

PLANNING
CITY OF WINDSOR

AIM:

To recommend the designation of Roseland Golf Course, designed by Donald Ross in 1926, under Part IV of the *Ontario Heritage Act*.

BACKGROUND:

Donald Ross, the Architect: Donald Ross is golf's most renowned and respected architect. Born in Dornoch, Scotland in 1872. He immigrated to the United States in 1899 at the age of 27 and secured his first job as a golf club professional at Oakley Country Club in Massachusetts. An outstanding player, teacher, and club maker, Ross found his interest primarily concerned the design and construction of golf courses and by 1912 he had become a full-time golf architect. By 1916 he formed Donald J. Ross Associates, and opened offices in several locations on the East Coast.



The courses designed by Donald Ross were uniformly recognized for their outstanding strategic merits, distinctive creativity and natural beauty. By the 1920s his designs had gained him nationwide recognition. Ross left behind a legacy of 413 golf courses that he designed, including such luminary venues as Seminole (Palm Beach, FL), Pinehurst #2 (Pinehurst, NC), and Oakland Hills (Birmingham, MI). His courses, several heralded as among the greatest in the world, have hosted dozens of national championships. He helped to found the American Society of Golf Course Architects in 1946, serving as its first president. He died in 1948. Today, thanks to the efforts of the Donald Ross Society based in Bloomfield, Connecticut, the Ross classical design heritage is being studied, honoured, and preserved. The 1,200 strong organization provides consultation to clubs interested in restoring their courses. (For more information see www.donaldrosssociety.org)

One of the major reasons for Ross's success is that his golf courses were not excessively difficult, yet remained interesting and challenging for players of all levels. His courses often included multiple sets of tees, while his bunkering dictated alternate routes to the green depending on the positioning of the tee shot. This allowed a hole to play differently for golfers of various skill levels. He used water and sand selectively and built intricately contoured putting green complexes that often included undulating mounds and hollows. Ross's style is credited with advancing the philosophy of golf architecture from the penal to the strategic, making golf more enjoyable, and thus, a more popular sport.



HENRY JAMES NEAL

Roseland, a History: In his upcoming book entitled Essex Golf & Country Club, 1902-2002, local author and golf course architect, Jeff Mingay, includes a chapter on the Roseland course. He notes that Roseland was the product of the ambitions of local entrepreneur and avid sportsman, Harry Neal. Henry James "Harry" Neal was born in Morpeth, Ontario in 1883. Trained as an accountant, he was appointed president of his family's Neal Baking Company in 1915. After having assisted in expanding the company's operations to include additional bakeries in London, St. Thomas, and Sarnia, he sold the business to a national conglomerate in 1925. Financially secure, Neal then styled himself a "promoter." He was the first President of the Windsor Rotary Club and for many years an influential member of the Windsor Board of Education. He lived at 978 Victoria and later at 2242 Victoria with his wife Jane and their five children.

In the late 1920s Mr. Neal embarked on the "biggest thing he has ever tackled," the development of the Roseland Park subdivision on the city's south side. The subdivision was to be centered on an 18-hole championship golf course that would be eventually owned by the purchasers of the residential lots.

Neal brought Donald Ross to Windsor in 1926 to layout the Roseland Park golf course. Ross, the most sought-after golf architect in the world at the time, visited the site in late July – early August 1926 to devise a routing, and ideas for all eighteen green complexes. Neal was very anxious to start construction, so the architect sent his preliminary sketches and course description to his chief draftsman, W. Irving Johnson, at their offices in Pinehurst N. C. for formal completion. Johnson’s general overhead rendering of Ross’s plan for Roseland is attached. (Source for original sketches, description, and plan: Tufts Archive in Pinehurst, NC / Jeff Mingay)

Shortly after the course was built, the Great Depression hit. The sale of surrounding home lots, from which Neal and his brothers expected to recoup their investment in the golf course, was basically non-existent and the Neal’s eventually lost the course. Nonetheless, the Roseland golf course and the Essex-Kent Boys Golf Tournament, which he helped to establish, serve as lasting tributes to Harry J. Neal, who died in 1961 at the age of 78. In 1973 the City of Windsor purchased the Roseland Golf Course from manager/owner and golf pro Robert Williamson. (Of note, Mr. Williamson developed the Seven Lakes Golf Course, 7200 Disputed Rd., after selling Roseland.)

To the credit of seventy-five years of management, the basic Ross design remains at Roseland today; all eighteen holes are in the same spot, starting and finishing in the same place as originally designed with greens in their original position. (See the 1947 and 2000 aerial photographs attached as Appendix B and C.) Predominately sloped from back-to-front, Roseland’s greens reflect the Donald Ross style, featuring multiple tiers, diagonal swales, and center ridges as their primary nuances. However, the course has changed over time. Most notably, numerous sand bunkers have been replaced by trees, and greens and fairways have shrunk in size and shape. The course was originally more wide open than today. Many changes are due to the natural evolution of the course over decades (i.e. trees maturing) while others were the result of modern maintenance techniques/labour saving innovations (i.e. mowers on the greens rounding off the playing surfaces, etc.).

The original frame clubhouse on the property was replaced in 1978 with the existing club house/curling rink, and the original golf school/pro shop building was replaced in 1999. Other buildings added include a 32’ x 64’ storage shed built in 1968. The par three course located east of the clubhouse was developed in the mid 1960s. These later additions to the property will not be listed in the reasons for designation.

COMMENTS:

The idea of designating Roseland Golf Course under the *Ontario Heritage Act* was first suggested by a member of WACAC familiar with the rarity and importance of this Donald Ross course. Ross designed and/or remodeled only about 15 courses in all of Canada, remarkably two in Essex County - Roseland (1927) and the Essex Golf & Country Club (1929). The proposed heritage designation was enthusiastically endorsed by personnel at the Ministry of Tourism, Culture and Recreation, and the members of WACAC (May 9, 2001). In an article on scoregolf.com entitled “Ross’ Roseland Municipal Golf Course: An Unpolished Gem,” author Jeff Mingay called the course in its original concept “perhaps the very best municipal course in all of Canada.” A letter from the WACAC Chair suggesting heritage designation for the course was considered by the Roseland Board of Directors on May 23rd and again on July 25th, 2001 - at which time the Board voted unanimously to apply for heritage designation. The “request to designate” form was received on September 18, 2001.

Although some original sand bunkers are missing and there are today many more trees on the property than there were in 1927, the original 18-hole routing and all eighteen Ross greens are intact. Heritage designation will give the course the recognition it deserves and draw the community’s attention to what a valuable heritage resource Roseland is. Designation will also ensure that the original design of the course will be preserved for the enjoyment of this and future generations of golfers.

Roseland will be the first golf course in Ontario to receive heritage designation.

RECOMMENDATION:

I. That Roseland Golf Course, designed by Donald Ross in 1926, BE DESIGNATED under the *Ontario Heritage Act*, Part IV, for the reasons attached.


Nancy Morand, Heritage Planner

NOTIFY:

Name	Address	City/Prov/Pstcd	Telephone	FAX
Paul Meloche, Manager Tom Wilson, Chair, Board Roseland Golf and Curling Club	455 Kennedy Dr. W.	Windsor, ON N9G 1S8	969-5112	

Reasons for Designation

Roseland Golf Course 455 Kennedy Dr. W.

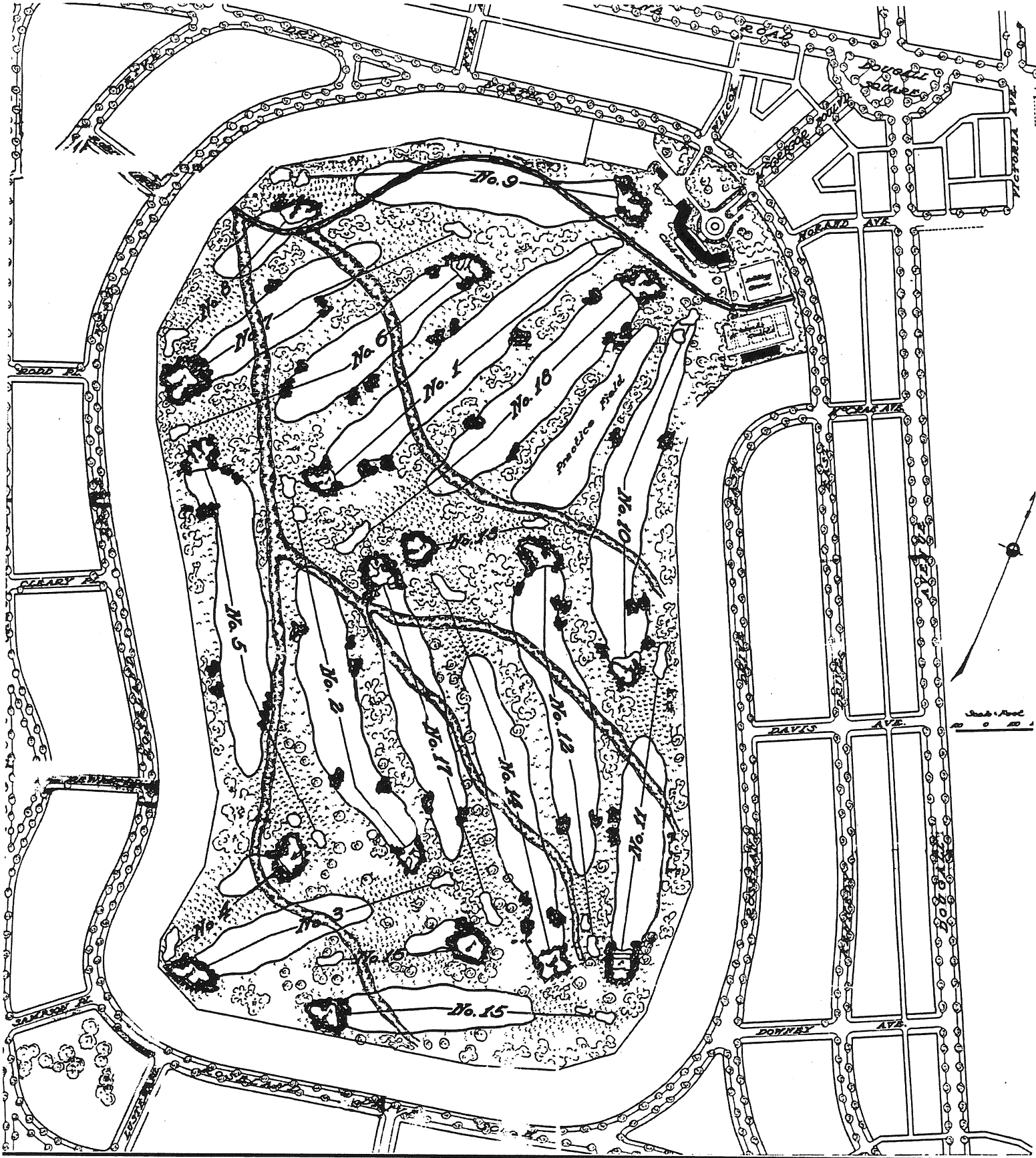
Historical:

- The golf course was the centerpiece of the Roseland Park subdivision developed by Henry James “Harry” Neal – local entrepreneur and avid sportsman (1883-1961). It was Harry Neal who brought Donald Ross to Windsor to layout the Roseland Park golf course in 1926.
- An accountant by training, Harry Neal headed his family’s Neal Baking Company from 1915 until he sold the business to a national conglomerate in 1925.
- Harry Neal was instrumental in establishing, and was the first President of, the Windsor Rotary Club. He served for many years on the Windsor Board of Education, as both member and president. Helped establish the continuing Essex-Kent Boys Golf Tournament.
- The course was purchased by the City of Windsor in 1973 and is run by an appointed board of directors at no cost to taxpayers.

Design:

- Eighteen-hole Roseland Golf Course was designed by Donald J. Ross in 1926, golf’s most renowned and respected architect. Ross designed and/or remodeled only about 15 courses in Canada, two in Essex County – Roseland (built 1927) and Essex Golf and Country Club (built in 1929).
- The basic Ross design remains at Roseland; all 18 holes are in the same spot, starting and finishing in the same place as originally designed, with greens in their original position.
- Greens predominately slope from back-to-front and feature multiple tiers, diagonal swales and center ridges.
- Original Ross sketches of all eighteen greens and a written course description exists, as does a overhead rendering of Ross’s plan for Roseland prepared by W. Irving Johnson, of Donald J. Ross Associates (1926).

Appendix A – Roseland Park Original Design – Donald Ross – 1926
Source: Tufts Archive, Pinehurst, NC / Jeff Mingay



CARD			
No.	Yds.	No.	Yds.
1	650	10	658
2	658	11	587
3	505	12	670
4	502	13	509
5	561	14	625
6	582	15	551
7	561	16	572
8	570	17	628
9	605	18	648
Out 3106	In	3357	
Total length		6465	

ROSELAND PARK COUNTRY CLUB
WINDSOR, ONTARIO
Donald J. Ross - Golf Architect
1926

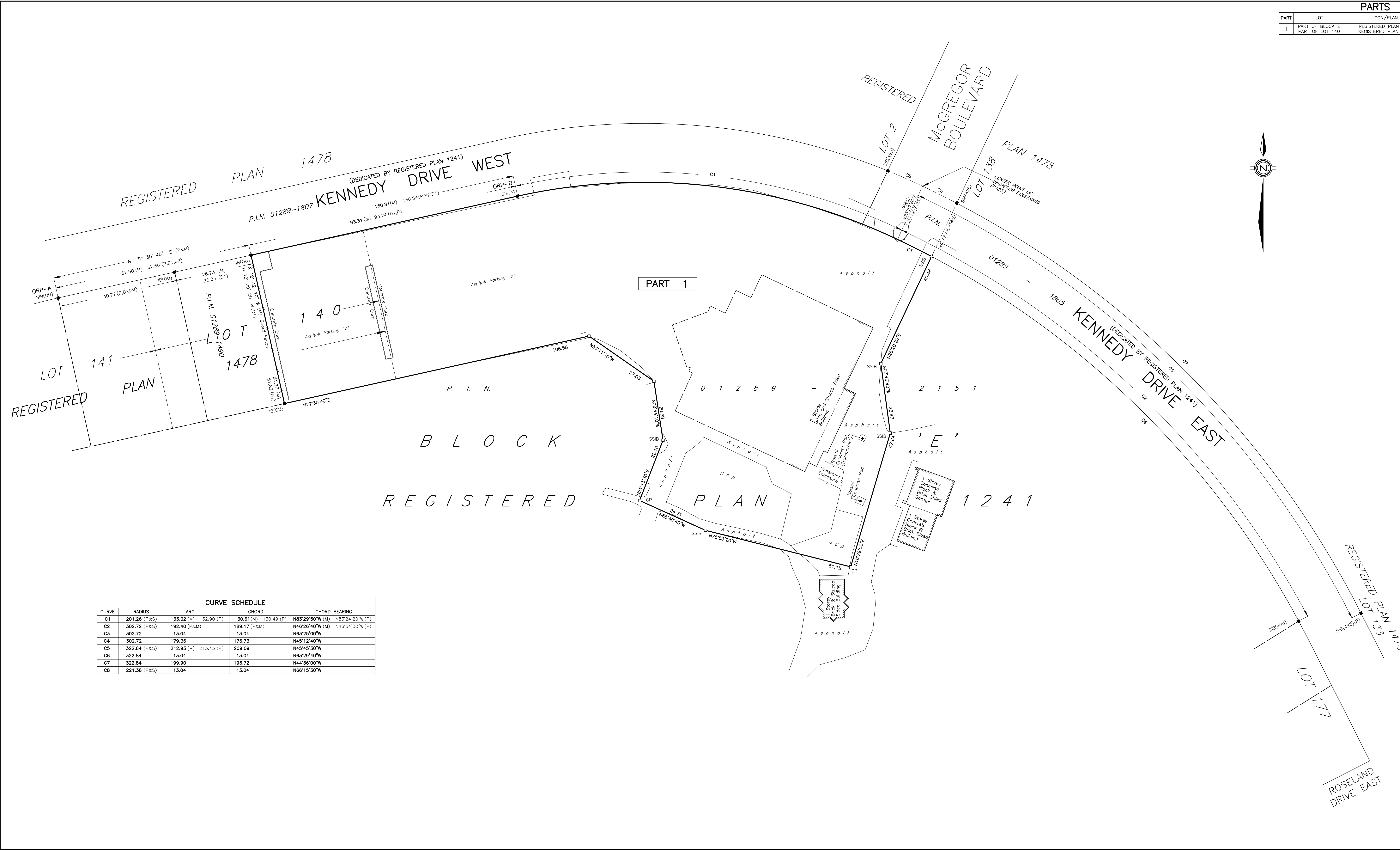
LEGEND	
Sandtraps	
Mounds	
Hollows	
Trees	
Slopes	
Rough	

Appendix B – 1947 Aerial Photograph of Roseland
Source: Chris Edwards, Walkerville Times



Appendix C - March 2000 Aerial Photograph
Source: Windsor GIS





PARTS SCHEDULE				
PART	LOT	CON/PLAN	P.I.N.	AREA
1	PART OF BLOCK 'E' PART OF LOT 140	REGISTERED PLAN 1241 REGISTERED PLAN 1478	PART OF 01289-2151	1.656 Hectares

PLAN OF SURVEY
OF
PART OF BLOCK 'E'
REGISTERED PLAN 1241
AND
PART OF LOT 140
REGISTERED PLAN 1478
IN THE
CITY OF WINDSOR
COUNTY OF ESSEX, ONTARIO
VERHAEGEN LAND SURVEYORS, A DIVISION OF J.D. BARNES LTD.

SCALE = 1:500
0 5.00 10.00 20.00 30.00 40.00 50.00 METRES

THE INTENDED PLOT SIZE OF THIS PLAN IS 1143mm IN WIDTH BY 609mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:500.

"METRIC" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

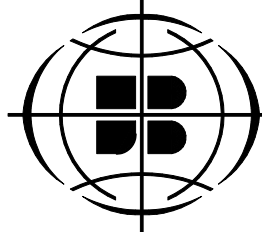
INTEGRATION DATA			
COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE CAN-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0). COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) OREG. 216/10			
POINT ID	NORTHING	EASTING	
ORP-A	4680060.63	334338.31	
ORP-B	4680095.41	334495.29	
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.			

FOR BEARING COMPARISONS THE FOLLOWING ROTATIONS WERE APPLIED TO CONVERT TO GRID BEARINGS		
PLAN	CLOCKWISE ROTATION	
P1	1°27'40"	

LEGEND AND NOTES
BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS 'A' AND 'B' BY REAL TIME NETWORK OBSERVATIONS AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0).
DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999914.
ALL SET SSIB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11(4) OF O.REG. 525/91.
ALL MONUMENTS SHOWN THUSLY □ ARE IRON BARS (IB) UNLESS OTHERWISE NOTED.
SSIB DENOTES 25mm X 25mm X 1.22m STANDARD IRON BAR
SSIB DENOTES 25mm X 25mm X 0.61m SHORT STANDARD IRON BAR
IB DENOTES 16mm X 16mm X 0.61m IRON BAR
IB # DENOTES 16mm diameter X 0.61m ROUND IRON BAR
C DENOTES OUT-CROSS
CP DENOTES 5mm X 50mm STEEL PIN
PB DENOTES PLASTIC BAR
■ DENOTES SURVEY MONUMENT FOUND
□ DENOTES SURVEY MONUMENT SET AND MARKED JOB
WIT. DENOTES WITNESS DENOTES PERPENDICULAR
(S) DENOTES SET (M) DENOTES MEASURED (D2) DENOTES INST. No. R400520
ORP DENOTES OBSERVED REFERENCE POINT (OU) DENOTES ORIGIN UNKNOWN
(NI) DENOTES NOT IDENTIFIABLE
(S/P) DENOTES SET PROPORTIONALLY
(P) DENOTES REGISTERED PLAN 1478 (P1) DENOTES REGISTERED PLAN 1241
(1744) DENOTES VERHAEGEN SURVEYORS INC., O.L.S.
(JDB) DENOTES J.D. BARNES LIMITED, O.L.S.
(A) DENOTES C.G.F. ARMSTRONG, O.L.S.
(495) DENOTES W. J. FLETCHER, O.L.S.

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THIS SURVEY WAS COMPLETED ON THE DAY OF
DATE SEPTEMBER 30, 2024. Roy A. Simone
Roy A. Simone
ONTOARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER



VERHAEGEN
LAND SURVEYORS
A DIVISION OF J.D. BARNES LTD.
941 OTTAWA STREET, WINDSOR, ON, N9X 2E1
T: (519) 258-1772 F: (519) 258-1791 www.jdbarnes.com

DRAWN BY: CMM	CHECKED BY: R.A.S.	REFERENCE NO.: 24-47-444-00
CAD File: 24-47-444-00.dwg CAD Date: October 1, 2024 3:16 PM		File: E-1478-BLK 'E'

HERITAGE IMPACT ASSESSMENT Final Report

Roseland Golf Course

455 Kennedy Drive West
Windsor, ON

Prepared for:

The City of Windsor
c/o Joe Baker, Manager-
Economic Development & Growth
350 City Hall Square West, Windsor, ON

Prepared by:

a+LiNK Architecture Inc.
362 Dufferin Avenue
London, ON N6B 1Z4
(519) 649 0220
www.alinkarch.ca

With:

Archon Architects Incorporated
300-1645 Wyandotte Street East
Windsor, ON N8Y 1C8
(519) 253 1630
archonarchitect.com

a+LiNK Project #: 2440

FINAL Report-R04: 2024-10-31



October 31, 2024.

Project No. 2440

Joe Baker
Economic Development and Climate Change
350 City Hall Square West, Suite 410-D
City of Windsor

Re: Heritage Impact Assessment
for the Roseland Golf Course at
455 Kennedy Drive West
Windsor, Ontario

Dear Mr. Baker,

Attached is the Heritage Impact Assessment for the Roseland Golf Course in regards to the proposed amendment to the heritage Designation By-law 281-2003 and subsequent demolition of the existing clubhouse building located at 455 Kennedy Drive West. The golf course is a designated heritage property as noted on Windsor's Municipal Heritage Register.

This Report was provided on behalf of Archon Architects Inc. We look forward to the opportunity to present this report to the City as you may require. Please do not hesitate to contact us with any questions or comments regarding this report.

Sincerely,



Ed van der Maarel
Partner, Principal Architect + Heritage Consultant
dipl. Arch., OAA, dipl. Arch.Tech., CAHP, OAHP



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B.Arch., BES., OAA, MRAIC

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	Ed van der Maarel, OAA, CAHP, OAHP
	Alicia Lesniak, OAA

1. EXECUTIVE SUMMARY

a+LiNK Architecture was retained by Settimo Vilardi of ARCHON Architects Inc., representing the Owner, the City of Windsor, to provide a Heritage Impact Assessment (HIA) for the DESIGNATED property located at 455 Kennedy Drive West in the historic Roseland Golf Course in Windsor, Ontario. This report has been prepared by Ed van der Maarel, Partner, Principal Architect and Heritage Consultant (OAA, CAHP) and Alicia Lesniak, Architect (OAA) and Heritage Consultant. The purpose of the Heritage Impact Assessment is to analyze the impact of the proposed amendment to the heritage Designation By-law 281-2003 at this Designated Heritage property in the City of Windsor Municipal Heritage Register. This report will assess potential impacts and explore alternative development approaches and mitigation measures to address any impacts to the cultural heritage resource and its cultural attributes.

455 Kennedy Drive West (subject property) is located in the Roseland neighbourhood at the south end of the City of Windsor. The subject property is the current location of the Roseland Golf Course, a cultural heritage resource which was built between 1926-1928. It is currently owned and operated by the City of Windsor. The intention of the proposed by-law amendment is to remove the designated status from a small portion of the property at the main entrance to the golf course. This will allow for the demolition of the existing clubhouse building on the golf course property. It is important to note that the area that is to be removed from the existing golf course does not include any portion of the original golf course layout and thus is not directly affecting the cultural heritage resource. The existing Clubhouse building was evaluated to have little or no contribution to the overall heritage character of the property and had no historical significance. It was concluded that the demolition of this building would not have any adverse affects on the existing heritage resource.

The purpose of this HIA is to assess the potential heritage impact of the proposed land by-law amendment at 455 Kennedy Drive West on the Designated cultural heritage landscape of the Roseland Golf Course. As part of the assessment of impacts, any possible mitigating approaches were also reviewed.

It is our recommendation that the existing Roseland Golf and Curling Clubhouse building located at 455 Kennedy Drive West be demolished upon the removal of the designation on the northern portion of the subject property. The removal of this building would not have any adverse impact on the existing cultural heritage resource.

All current photographs of the Roseland Golf Course and Clubhouse included in the document were taken by a+LiNK architecture Inc., unless otherwise noted.

2. INTRODUCTION

The Designated property at 455 Kennedy Drive West is located south of the downtown core, in Windsor's southern neighbourhood of Roseland. The property lies south-west of the intersection of arterial roads Dougall Avenue to the east and Cabana Road W to the north. It is the site of the Roseland Golf Course, currently owned and operated by the City of Windsor.

The original Roseland Golf and Country Club was designed in 1926 by renowned golf architect Donald Ross and is known for being one of the oldest golf courses to be operating in Ontario. The golf course was designated in November 2003 as having architectural and historical significance under the provisions of the Ontario Heritage Act. The original 18-hole golf course layout has remained relatively intact and remarkably consistent with the original design intent. The current Golf and Curling Club building is not original to the design, being built in 1979 after the original clubhouse was demolished in 1978. This building is currently vacant, with the curling club shut down in the spring of 2024. Other elements located throughout the golf course include various outbuildings (Pro and Snack shops, maintenance buildings) and the 9-hole par-three course are also not original to the golf course. A portion of the property at the north is paved and currently used for parking, which is accessed off of the main entry to the course via Kennedy Drive West.

The subject property is approximately 125 acres in area, with the parcel to be removed being approximately 10 acres in area. The existing golf and curling clubhouse building is located in the northern portion of the site and is proposed to be demolished. The clubhouse was built in 1979 and is not original to the Roseland Golf Course. Since the designation by-law applies to the entire property, a cultural heritage evaluation will be required to establish its cultural value or interest. This is provided in Section 6.0 of this report. Currently, there are no adjacent listed or designated properties.

The subject property is DESIGNATED under the Municipal Heritage Register for the City of Windsor. The proposed designation by-law amendment involves the removal of a portion of land that is currently part of a Designated cultural heritage landscape listed on the City of Windsor's Municipal Heritage Register. A Heritage Alteration Permit is not required for the proposed designation by-law amendment, however, a Heritage Impact Assessment (HIA) is required to review the potential impact of the designation by-law amendment and proposed demolition on the Designated subject property at 455 Kennedy Drive West.

3. POLICIES AND TERMS OF REFERENCE

The Provincial and Municipal authorities have set in place a number of policies and terms of reference for the purpose of protecting, preserving, and integrating cultural heritage resources within Ontario cities. The following Policies and Terms of Reference have been used in the preparation of this Heritage Impact Assessment:

1. The Planning Act and Provincial Policy Statement (PPS) 2014, 2020

The Provincial Policy Statement (PPS) is the statement of the government's policies on land use planning. It applies province-wide and provides clear policy direction on land use planning to promote strong communities, a strong economy, and a clean and healthy environment.

The PPS is issued under Section 3 of the Planning Act and is utilized by municipalities to develop their official plans and to provide guidance and information in regards to planning matters. Specifically, and in regards to cultural heritage, the Planning Act has provisions respecting the province's cultural heritage. The PPS provides general guidance for municipalities for planning and development of communities in a number of ways by; 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.

Section 2.6 of the Act, specifically 2.6.1, 2.6.3, 2.6.4 and 2.6.5 provides municipalities with rules as to the cultural resources within the community.

- 2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.
- 2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.
- 2.6.4 Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.
- 2.6.5 Planning authorities shall consider the interests of Aboriginal communities in conserving cultural heritage and archaeological resources.

The PPS 2020 further provides definition to municipalities in regards to the terms used to describe cultural heritage.

Built heritage resource: means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the Ontario Heritage Act, or included on local, provincial and/or federal registers.

Conserved: means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Cultural heritage landscape: means a defined geographical area that may have been modified by human activity

3. POLICIES AND TERMS OF REFERENCE

and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; villages, parks, gardens, battlefields, main streets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

Heritage attributes: means the principal features or elements that contribute to a protected heritage property's cultural heritage value or interest, and may include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a protected heritage property).

Protected heritage property: means property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

Since the property is designated under the Municipal Heritage Register for the City of Windsor, a Heritage Impact Assessment is required and the PPS 2014 and 2020 provides the tools necessary as a Terms of Reference for the document. In addition to these tools, this HIA has been prepared in accordance to the the **Ontario Heritage Toolkit - InfoSheet #5 : Heritage Impact Assessments and Conservation Plans**. The content follows the principles in the conservation of historical properties as well as addresses key items such as negative impacts and mitigation or avoidance.

2. The Ontario Heritage Act

The Ontario Heritage Act, R.S.O, 1990, c.0.18 is the legislation for the conservation of significant cultural heritage resources in Ontario. The criteria within the Ontario Regulation 9/06 of the Ontario Heritage Act provided the tools to determine the cultural heritage value of a property. This regulation provides the criteria which a property may meet. This Heritage Impact Assessment (HIA) refers to these policies to determine the cultural heritage value, potential impacts and mitigation approaches. Section 27 of the OHA pertains to listed heritage properties of cultural heritage value.

3. Windsor Official Plan

The City of Windsor Official Plan is a policy document adopted by Council (July 2013) under the provisions of the Ontario Planning Act, providing guidance for the physical development of the municipality. It contains goals, objectives, and policies established primarily to manage and direct physical change and the effects on the social, economic, and natural environment of the city. The policy framework set out in The Official Plan guides the following:

- Where new development can be located
- How existing and future neighbourhoods will be strengthened
- How Windsor's environment will be enhanced

3. POLICIES AND TERMS OF REFERENCE

- What municipal services, such as roads, water mains, sewers and parks, will be provided
- When and in what order Windsor will grow

Chapter 9 in Volume I of The Plan outlines the policy dealing with heritage conservation and provides goals, objectives and policies to guide the conservation of Windsor's heritage resources. The goal of this chapter is to recognize, conserve and enhance the city's heritage resources. The main objectives are:

- Conservation management
- Integration with planning objectives
- Leadership by example
- Public awareness and participation

It is noted under the definitions of the policies in this chapter that *'Cultural heritage landscapes are defined geographical areas of heritage significance, which have been modified by human activities such as archaeological sites, heritage conservation districts, parks/gardens, golf courses, neighbourhoods, cemeteries, trail ways, streets, street patterns and industrial complexes of cultural heritage value.'*

The specific direction provided in Section 9.3.4 of The Official Plan for the protection of heritage resources with regards to demolition, alteration or modification approvals:

- (b) *Requiring any person who proposes to demolish or alter designated heritage property to submit plans to Council for approval under the Ontario Heritage Act;*
- (c) *Requiring that, prior to approval of any alteration, partial demolition, removal or change in use of a designated heritage property, the applicant demonstrate that the proposal will not adversely impact the heritage significance of the property and/or its Heritage Conservation District;*

4. City of Windsor - HIA Guidelines

The proposed designation by-law amendment and demolition of the clubhouse building on the property located at 455 Kennedy Drive West requires a Heritage Impact Assessment to evaluate the impacts on the existing cultural heritage resource. As the Roseland Golf Course is a Designated Property on the City of Windsor's Municipal Heritage Register, the approval of the proposed demolition and associated designation by-law amendment is required by the City Council.

City of Windsor Heritage Impact Assessment

The City of Windsor Built Heritage Impact Study/Heritage Assessment Guidelines (2024-07-23) provide the framework for the preparation of Heritage Impact Assessments (HIA). It is noted that the *Heritage Impact Assessment is a study used to identify and evaluate the impacts of proposed development on the cultural heritage resources, and to determine the appropriate conservation strategy for it. The HIA shall be based on accepted conservation principles and guidelines, including the following:*

- The Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada;
- Ontario Ministry of Tourism, Culture & Sport's Eight Guiding Principles in the Conservation of Historic Properties;
- Ontario Ministry of Tourism, Culture & Sport's Ontario Heritage Tool Kit, in particular,
- Ontario's Heritage Conservation Principles for Landuse Planning; and
- Well Preserved: the Ontario Heritage Foundation's Manual of Principles and Practice for Architectural Conservation
- City of Windsor Official Plan Policies
- Windsor Intensification Guidelines (June 2022) resulting from the Multi-Residential Interim Control By-law Study

4. DESCRIPTION OF SITE

4.1 CITY + NEIGHBOURHOOD CONTEXT

The subject property at 455 Kennedy Drive West is within the Roseland neighbourhood, which is located at the southern tip of Windsor, south of the downtown core. This area is bordered by Cabana Road West/East to the north, the 401 Highway to the south and Provincial Road to the east. This neighbourhood is predominately single-family residential use, with some smaller commercial tenancies bordering the east end of this area.

The Roseland Golf Course at 455 Kennedy Drive West (subject property) is situated in the residential neighbourhood of Roseland. The golf course itself was part of a residential development in the early 1920's that included over 900 individual residential lots. The original lots were relatively modest in size, with many of the current lots appearing to have been consolidated to create larger lots. The buildings surrounding the golf course are predominantly single-family residences of varying periods, styles and sizes. The majority of these homes were built prior to the Second World War.

Some of the lots along Dougall Avenue to the north-west of the site have been converted to commercial use. The lots along Cabana Road West to the north have remained as single family residential uses.



Image 4.1: Golf Course Plan in Context - 455 Kennedy Drive West, Google Images, Aug 2024



Image 4.2: City + Neighbourhood Plan in Context - 455 Kennedy Drive West, Google Images, Aug 2024

4. DESCRIPTION OF SITE

4.2 PROPERTY + BUILDING CONTEXT

The subject property at 455 Kennedy Drive West is the site of the Roseland Golf Course. The golf course is Designated as a property of cultural heritage value or interest on the City of Windsor's Municipal Heritage Register, as per Section 27 of the Ontario Heritage Act.

The Roseland Golf Course is an 18 hole course on approximately 125 acres (506,155 square meters). There are currently four buildings on the golf course property: the clubhouse, pro shop, snack shop, maintenance building and machine shed. None of these buildings are original to the golf course, with the proshop and snack shop built in 1999/2000 and the maintenance building built in 2008/2009.

The Golf and Curling Clubhouse

The current clubhouse is a replacement of the original clubhouse on the golf course. The 1 1/2 storey building was built in 1978 in a contemporary architectural style. It has a flat roof and is clad in a pale peach-coloured stucco finish with some portions of red brick along the lower half of the building. The building is approximately 32,000 sf in area and houses two bar/lounge areas, offices, banquet hall with kitchen, washrooms and viewing areas on the main level. The large lower level has a 6-sheet curling rink with change rooms as well as a bar, meeting rooms, banquet hall spaces and utility spaces. The curling rink ceased operations in April 2024 and the building is currently vacant.



Image 4.3: 455 Kennedy Drive West ; Basemap, Google Maps, 2024

4. DESCRIPTION OF SITE

The entire property of 455 Kennedy Drive is designated under Part IV of the Ontario Heritage Act and recognized on the City of Windsor's Municipal Heritage Register. The designation by-law applies to the whole property, which includes all structures and buildings within the legal description of the subject property.



Image 4.4: The Clubhouse, August 2024.

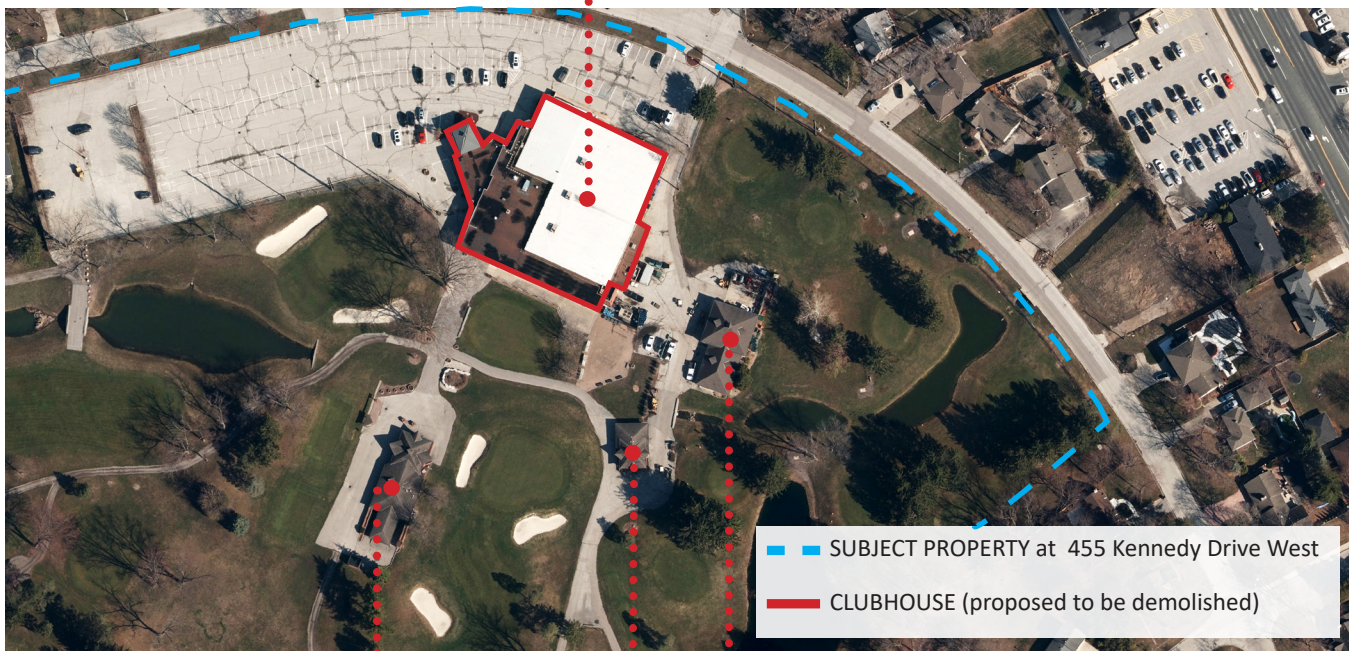


Image 4.5: Aerial Map of northern portion of subject property at 455 Kennedy Drive West. City of Windsor Maps, 2024.



Image 4.6: The Pro Shop, August 2024.



Image 4.7: The Snack Shop, August 2024.



Image 4.8: The Maintenance Building, August 2024.

5. HISTORICAL CONTEXT

5.1 DESIGNATED HERITAGE PROPERTY - Roseland Golf Course

The subject property at 455 Kennedy Drive West is a designated property in the City of Windsor's Municipal Heritage Register, as per Section 27 of the Ontario Heritage Act. Built in 1926 by the famed golf architect, Donald Ross, the Roseland Golf Course is one of the finest examples of Ross' designs in Ontario. The Course remains true to its original design with all tee boxes, green designs and hole routing keeping with Ross' 1926 design. The Roseland Golf Course was designated under the Ontario Heritage Act in 2003 through Designation By-Law 281-2003. It was the first golf course to be designated in Ontario.

The **Historical** reasons for designation as shown in Schedule A of the By-Law are as follows:

- *The golf course was the centerpiece of the Roseland Park subdivision developed by Henry James 'Harry' Neal - a local entrepreneur and avid sportsman (1883-1961). It was Harry Neal who brought Donald Ross to Windsor to layout the Roseland Park golf course in 1926.*
- *An accountant by training, Harry Neal headed his family's Neal Baking Company from 1915 until he sold the business to a national conglomerate in 1925.*
- *Henry Neal was instrumental in establishing, and was the first President of, the Windsor Rotary Club. He served many years on the Windsor Board of Education, as both member and president. Helped establish the continuing Essex-Kent Boys Golf Tournament.*
- *The course was purchased by the City of Windsor in 1973 and is run by an appointed board of directors.*

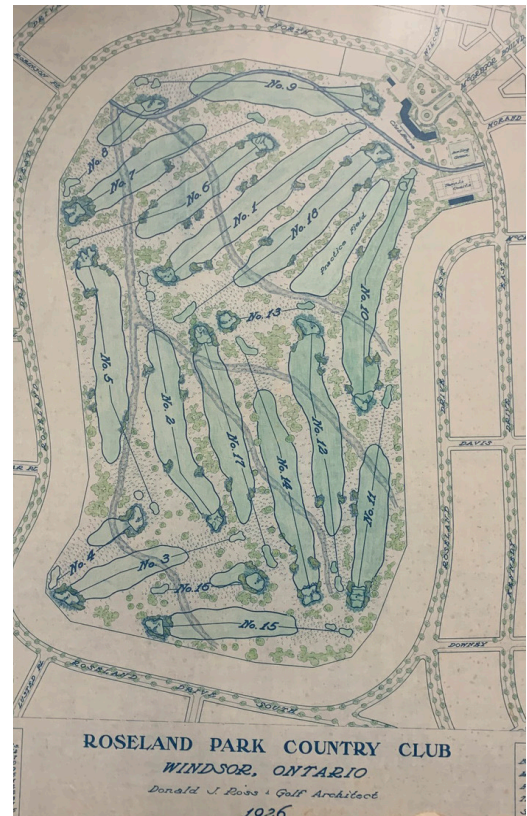


Image 5.1: Image of original rendered drawing of the Roseland Park Golf Club plan, 1926 by W. Irving Johnson, of Donald J. Ross Associates

The **Architectural** reasons for designation as shown in Schedule A of the By-Law are as follows:

- *Eighteen-hole Roseland Golf Course was designed by Donald J. Ross in 1926, golf's most renowned and respected architect. Ross designed and/or remodeled only about 15 courses in Canada, two in Essex County-Roseland (built 1927) and Essex Golf and Country Club (built in 1929).*
- *The basic Ross design remains at Roseland; all 18 holes are in the same spot, starting and finishing in the same place as originally designed, with greens in their original position.*
- *Greens predominantly slope from back-to-front and feature multiple tiers, diagonal swales and center ridges.*
- *Original Ross sketches of all eighteen greens and a written course description exists, as does an overhead rendering of Ross's plan for Roseland prepared by W. Irving Johnson, of Donald J. Ross Associates (1926).*

5. HISTORICAL CONTEXT

DONALD ROSS

Roseland Park Country Club was designed in 1926 by Donald Ross (1872-1948). Originally from Scotland, he was acknowledged by many as the greatest golf course architect of the 20th century. Donald Ross was the most sought after golf architect in the world at that time. Of the 413 courses that he had designed in his lifetime, 15 were in Canada and of those, two are located in Windsor; Roseland Golf and Country Club and the Essex Golf and Country Club.

GOLF COURSE

Donald Ross was commissioned to design the course by local businessman Henry James ‘Harry’ Neal, who desired to have an eighteen-hole golf course as the centerpiece of the Roseland Park subdivision. Although the residential development stalled due to the Great Depression, the construction of the golf course went ahead. With the Roseland Park site, Donald Ross was faced with the challenge of a flat site that was poorly drained. But his routing of the 18-holes at Roseland Park took full advantage of a featureless 124 acre property surrounded by residential lots. One thing to note is that Donald Ross only provided the design of the golf course and was not involved in the construction, as he usually was. This resulted in a lack of a seamless flow through the tees, fairways and greens. The golf course was completed in 1928 and is considered one of the few original Donald Ross designs that have remained relatively intact and remarkably consistent with the original design intent. The only differences from the original golf course to its current conditions are mainly with the planting of hundreds of trees throughout the course, all residential lots surrounding the course have been developed, and an addition of a par three nine hole course to the east of the clubhouse (added in the 1960’s). The City of Windsor had purchased the golf course in 1972 and it has been operating as a public golf course since that time.

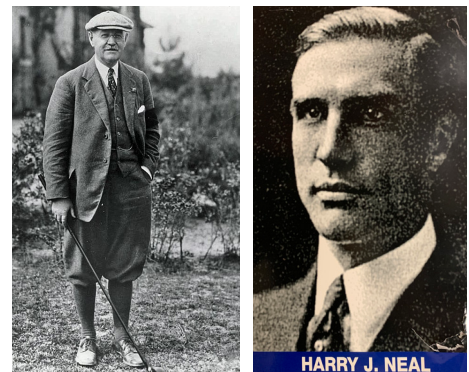


Image 5.2: Photo of Donald Ross (left) and Harry J. Neal (right).

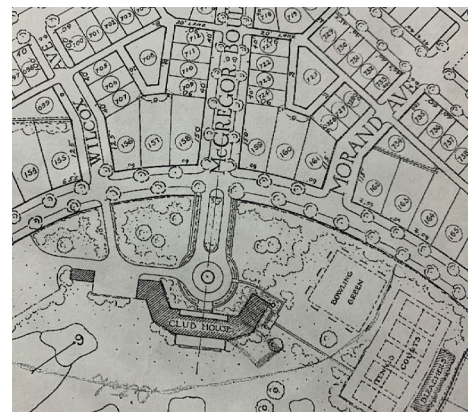


Image 5.3: Footprint of the first clubhouse shown in the original 1926 drawing.



Image 5.5: Aerial photograph of the second clubhouse, August 1956. Photo by Frank Wansbrough.

CLUBHOUSE

The original clubhouse design appears to not have been built as shown in the 1926 golf course plans. It appears that a smaller clubhouse was built to the west of the original location (shown in image 5.5). This building was torn down in 1978 and replaced with the new clubhouse that included a 6-sheet curling rink. Currently, this building is vacant.

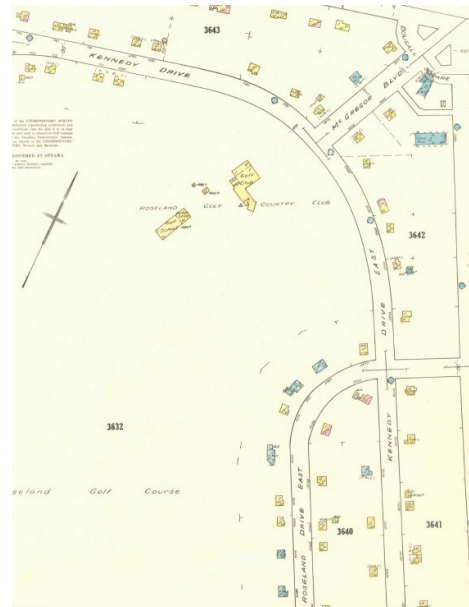


Image 5.4: 455 Kennedy Drive West, Fire Insurance Plan 1953. *Note original location and footprint of the Roseland Golf Clubhouse*

6. CULTURAL HERITAGE EVALUATION

6.1 EVALUATING CULTURAL HERITAGE POTENTIAL - ONTARIO REGULATION 9/06

The subject property at 455 Kennedy Drive West, known as the Roseland Golf Course, is DESIGNATED on the Municipal Heritage Register for the City of Windsor. Under By-Law number 281-2003, the subject property was deemed to be of architectural and historic value or interest under the provisions of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18.

In order to determine if a property has cultural heritage value, it must first be assessed using a formal process known as Cultural Heritage Evaluation. In the province of Ontario, Regulation 9/06 was enacted by the Ontario Government in 2006 to help streamline the process of identifying and designating built heritage in municipalities that have cultural heritage value. This tool has allowed for a consistent approach to the assessment of potential heritage properties by prescribing a list of criteria. In order for a historic property, or a property that has been listed on a Municipal Heritage Register, to be considered for designation at least two or more of the nine criteria must be met. The nine criteria for determining cultural heritage value or interest are as follows:

1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.
4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.
5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.
6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.
8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.
9. The property has contextual value because it is a landmark. O. Reg. 569/22, s. 1.

In the case of the Designated property at 455 Kennedy Drive West, a Heritage Impact Assessment is required for the proposed designation by-law amendment and demolition of the clubhouse building. A Cultural Heritage Evaluation (CHE) is a standard component of the HIA. The CHE focuses on an evaluation of the existing clubhouse based on the criteria outlined in Regulation 9/06. A summary of the heritage attributes that may support any heritage value or interest are then included as a statement of Cultural Heritage Value or Interest, followed by recommendations on conservation and protection. The following Section 6.2 provides the Cultural Heritage Evaluation for the existing clubhouse, including summary of key attributes and recommendations.

6. CULTURAL HERITAGE EVALUATION

6.2 CULTURAL HERITAGE EVALUATION - 455 Kennedy Drive West: Roseland Golf and Curling Clubhouse

The existing Golf and Curling Clubhouse building is situated on the site of the Roseland Golf Course at 455 Kennedy Drive West, which is a Designated property on the City of Windsor's Municipal Heritage Register. The proposed demolition of the existing clubhouse building requires an amendment of Designation By-law 281-2003 to execute. A cultural heritage evaluation of the clubhouse is required to determine the heritage value of the building to assist in the assessment of if it should be included in the designation by-law or not.

Criteria for Determining Cultural Heritage Value or Interest

A property may be designated under Section 29 of the Act if it meets **two or more** of the following criteria for determining whether it is of cultural heritage value or interest:

1. The *building* has **design value or physical value** because it:

Criteria	Comments	Meets criteria?
1. is a rare, unique, representative or early example of a style, type, expression, material or construction method;	This building was built in 1978 and is not original to the heritage resource of the golf course. The building's architectural style and materials are not remarkable or unique. Therefore this building is not considered to meet this criterion.	no
2. displays a high degree of craftsmanship or artistic merit, or	The clubhouse building does not display a high degree of craftsmanship. Therefore this building is not considered to meet this criterion.	no
3. demonstrates a high degree of technical or scientific achievement.	The building is not known to display a high degree of technical or scientific achievement. Therefore this building is not considered to meet this criterion.	no

2. The *building* has **historical value or associative value** because it:

Criteria	Comments	Meets criteria?
4. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,	The clubhouse building is not original to the designated heritage resource of the golf course. It does not have any direct historical association with the original golf course. It did have direct associations with the curling association however, this use was discontinued in 2024. Therefore this building is not considered to meet this criterion.	no
5. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or	The clubhouse building is not known to yield information that specifically contributes to the understanding of the local community or culture. Therefore, the building does not meet this criterion.	no
6. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.	The building does not reflect the work or ideas of an architect etc. who is significant to a community.	no

6. CULTURAL HERITAGE EVALUATION

3. The *building* has **contextual value** because it:

Criteria	Comments	Meets criteria?
7. is important in defining, maintaining or supporting the character of an area,	The clubhouse does not contribute to the character of the surrounding residential neighbourhood or the heritage resource of the golf course. Therefore, the building does not meet this criterion.	no
8. is physically, functionally, visually or historically linked to its surroundings, or	The clubhouse building is not original to the designated heritage resource of the golf course. It does not have any direct historical association with the original golf course or neighbourhood. Therefore this building is not considered to meet this criterion.	no
9. is a landmark. O. Reg. 9/06, s. 1 (2).	The clubhouse is not known to serve as a landmark. Therefore, the building does not meet this criterion.	no

Statement of Heritage Character Value

Based on the cultural heritage evaluation, the Clubhouse does not meet any of the nine criteria identified in the table above. It is concluded that the building does not have cultural heritage value and thus would not be considered for designation under Part IV of the Ontario Heritage Act O.Reg 9/06. The building is considered to have minimal cultural heritage value because it is not the original clubhouse building that was built with the golf course in 1926, and therefore does not support the historical character of the cultural heritage resource. The architectural style of the clubhouse is not remarkable and has no unique features or fine examples of craftsmanship on the exterior. The interior does have some wood features (deep laminated beams which were very common in building of the 1970's) that could possibly be re-used. As well, any historical plaques, momentos, photos, etc. in the existing clubhouse can be relocated to the new building to maintain the historical records of the clubhouse.

This report concludes that the proposed demolition of the existing Clubhouse building located on the designated property at 455 Kennedy Drive West will not have any detrimental impact to the cultural heritage value or interest of the Roseland Golf Course.

7. PROPOSED AMENDMENT

7.1 DESCRIPTION OF AMENDMENT

The proposed designation by-law amendment involves removing the designation from the north portion of the property on the basis that it does not possess any heritage value. Currently situated on this portion of land is the Roseland Golf and Curling Club building (the Clubhouse), a parking lot, and a 9-hole par three golf course (see Image 7.1). This portion of land does not include any part of the original golf course layout and does not directly affect the cultural heritage resource. The intention is to keep the original 18 holes of the historical Roseland Golf Course intact and untouched. The delineation between designated and non-designated property would help facilitate the proposed demolition of the existing Clubhouse building, which has been assessed in the previous section 6.0 of this report to be not of any cultural heritage value or significance.

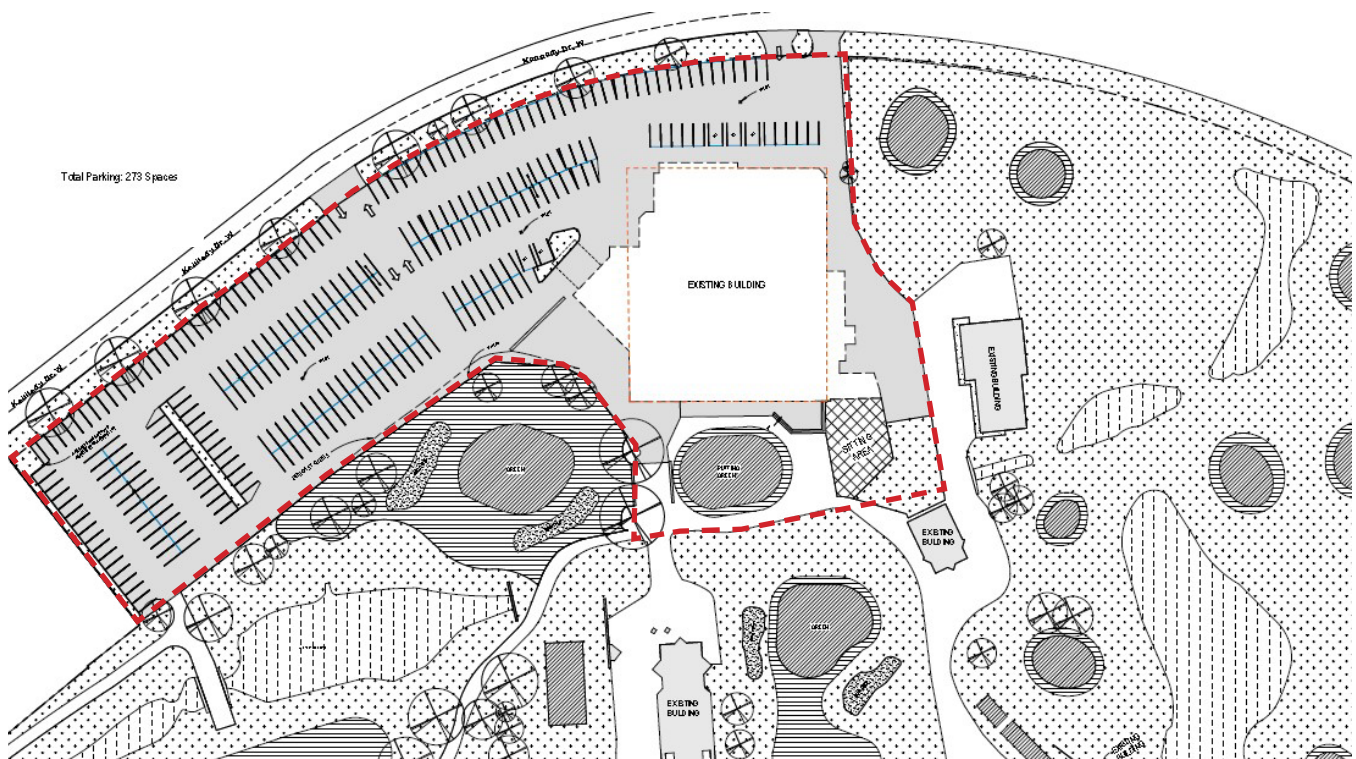


Image 7.1: Existing Site Plan showing portion of property to be removed from the designated property. Drawing by architectura architects & engineers, 2024/02/27

The area of land that is to be removed is approximately 9.5 acres, which is around 8% of the total golf course property area. This is in the northern portion of the property which runs along Kennedy Drive West. The areas that would be directly impacted by the proposed designation by-law amendment and subsequent demolition of the clubhouse building would be holes #9 and #18. With both greens located along the northern portion of the subject property, they would run along the extent of the non-designated portion of the subject property. The view corridors and vistas to the north from both of these holes would need to be maintained. any potential new development would be reviewed through HIA and standard Planning Act processes.

The impacts and mitigation measures are further explained in Section 8.0 of this report.

7. PROPOSED AMENDMENT

7.2 ADDRESSING THE CITY OF WINDSOR POLICIES: Heritage Conservation

The City of Windsor's Official Plan addresses heritage conservation policies in Volume 1, Chapter 9 of the Primary Plan. The main goal is to recognize, conserve and enhance Windsor's heritage resources. The subject property at 455 Kennedy Drive West has followed the policies with regards to the preservation of a designated heritage resource by maintaining the original layout of the historical Roseland Golf Course. The extent of the proposed designation by-law amendment is designed to respect the original layout of the golf course's cultural heritage landscape. As per chapter 9.3.4 Protection of Heritage Resources, any proposed alteration to the heritage property would require Council approval.

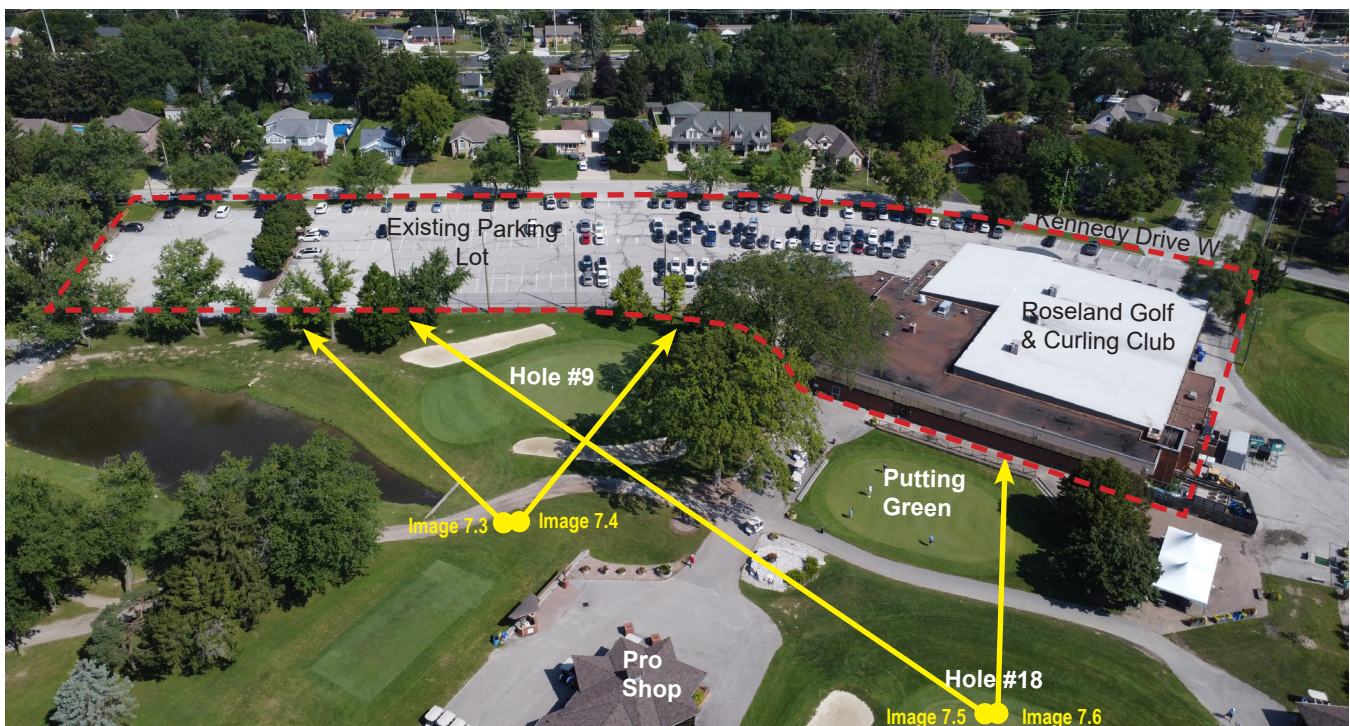


Image 7.2: Drone View of the north-eastern portion of the subject property - area of proposed amendment of the by-law designation. Taken by a+LiNK architecture inc., August 2024.

7.3 SITE ANALYSIS

As part of the review of potential impacts of the proposed amendment on the cultural heritage resource, the edges of northern boundary of the existing golf course along the portion of land that is to be removed from the designation was examined. The views from the golf course that would be most impacted by the amendment would be from the greens at holes #9 and holes number #18. Upon review, it was concluded that the existing clubhouse building did not provide any visual interest or value to the golf course and thus its demolition would not have any adverse impacts on the golf course. Refer to the the following photos of views from these holes (as indicated on Image 7.2 above).

7. PROPOSED AMENDMENT

Hole #9: Views along the north of the green



Images 7.3: View towards the northern portion of the subject property along Hole #9 green. *a+LiNK architecture inc.*, August 2024.



Images 7.4: View towards the northern portion of the subject property along Hole #9 green. *a+LiNK architecture inc.*, August 2024.

Hole #18: Views north from the green



Image 7.5: View towards the northern portion of the subject property from Hole #18 green. The Pro Shop is visible to the left. *a+LiNK architecture inc.*, August 2024.



Image 7.6: View towards the northern portion of the subject property from Hole #18 green. The Club House is visible directly in the centre. *a+LiNK architecture inc.*, August 2024.

8. IMPACTS & MITIGATION

8.1 TREATMENT OF HERITAGE RESOURCES

The subject property at 455 Kennedy Drive West, currently known as the Roseland Golf Club, is a Designated property in the City of Windsor’s Municipal Heritage Register, as per Section 27 of the Ontario Heritage Act. The Roseland Park Golf Club was designed by renowned golf architect Donald Ross in 1926 and has been in operation as a golf course since 1928. Today, the City owned Roseland Golf Club is considered one of the few original Donald Ross designs that have remained relatively intact and remarkably consistent with the original design intent. To that point, any proposed alteration to this cultural heritage resource it must be demonstrated that the proposed change would not adversely impact the heritage significance of the Designated property.

8.2 IMPACTS OF AMENDING THE DESIGNATION BY-LAW + PROPOSED DEMOLITION

The proposed designation by-law amendment involves separating a small area of the northern portion of the property from the existing golf course. An impact assessment of the proposed designation by-law amendment and clubhouse demolition to the existing cultural heritage resources has been made following the principles laid out in the **Ontario Heritage Toolkit - InfoSheet #5 : Heritage Impact Assessments and Conservation Plans**.

The purpose of the assessment is to determine any impacts, positive, negative, direct or indirect, that the proposed activity may have on the property’s cultural heritage value or interest. An impact is defined in InfoSheet #5 as being *a change in an identified cultural heritage resource resulting from a particular activity*. A direct adverse impact would have a permanent and irreversible negative affect on the cultural heritage value or interest of a property or result in the loss of a heritage attribute on all or part of the heritage property.

Based on the cultural heritage evaluation presented in Section 6 of this report, the existing Clubhouse building on the subject property does not have any significant heritage attributes and has been assessed to not have cultural heritage value. The impacts of the proposed demolition of the Clubhouse on the remaining onsite cultural heritage resource at 455 Kennedy Drive West (Roseland Golf Course) needs to be assessed.

455 Kennedy Drive West - Roseland Golf Course

The **direct adverse impacts** of the proposed designation by-law amendment and demolition of the existing clubhouse on the existing cultural heritage resource located at 455 Kennedy Drive West may include, but are not limited to:

IMPACT		BY-LAW AMENDMENT	CLUBHOUSE DEMOLITION
DESTRUCTION	Destruction of any, or part of any, significant heritage attributes or features.	Not applicable - the proposed amendment does not involve the destruction of any heritage attributes or features of the Roseland Golf Course.	Not applicable - the proposed demolition does not involve the destruction of any original heritage attributes or features of the Roseland Golf Course.

8. IMPACTS & MITIGATION

IMPACT		BY-LAW AMENDMENT	CLUBHOUSE DEMOLITION
ALTERATION	Alteration must be sympathetic or is compatible, with the historic fabric and appearance;	The proposed amendment does not involve any alterations to the existing golf course. Any future proposed development of the northern lot will need to be sympathetic to the adjacent cultural heritage landscape.	The proposed demolition avoids any alterations to the existing heritage fabric as the clubhouse building is not original to the golf course design.
SHADOWS	Shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings, such as a garden;	The proposed amendment will not create any shadows onto the existing golf course. Any future development on the severed lot will need to avoid shadowing onto the existing golf course, especially at the end of holes #9 and #18 which are at the north of the property.	The proposed demolition will reduce any shadowing onto the existing cultural heritage resource.
ISOLATION	Isolation of a heritage attribute from its surrounding environment, context or a significant relationship;	Not applicable - the existing golf course is a very large property and the proposed amendment would require only approximately 8% of the property to be removed at the northern portion. The connection with the context would be maintained. Entry to the golf course from Kennedy Drive W to be maintained.	Not applicable. The proposed demolition does not affect the relationship of the heritage attribute from its surrounding environment.
LAND USE	A change in land use such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces;	Not applicable - there is no proposed change in land use.	Not applicable - the demolition does not result in a change in use.
LAND DISTURBANCE	Land disturbance such as a change in grade that alters soils and drainage pattern that adversely affects an archaeological resource;	Not applicable.	The proposed demolition would involve land disturbances as walls, foundations, and footings may be removed and the property filled and leveled. However, this land disturbance would not affect the existing cultural heritage resource.

8. IMPACTS & MITIGATION

8.3 MITIGATION APPROACHES

The Provincial Policy Statement (PPS 2005) Heritage Resources in the Land Use Planning Process, Cultural Heritage and Archaeology Policies of the Ontario Provincial Policy Statement, 2005, was the resource utilized in the identification and development of the 'Mitigation Approaches' for the proposed amendment. Specifically, *Heritage Impact Assessments and Conservation Plans; Principles in The Conservation of Historic Properties* was the main source of terms of reference.

Based on the cultural heritage evaluation presented in Section 6 of this report, the existing Clubhouse building located at 455 Kennedy Drive West does not have any significant heritage attributes and has been assessed to not have cultural heritage value. The principles listed below were identified from the InfoSheet #5 - *Heritage Tool Kit* (PPS,2005) and expanded to include specific mitigation approaches related to the proposed by-law amendment and demolition of clubhouse building at the existing cultural heritage landscape resource (Roseland Golf Course):

MITIGATION		DESCRIPTION
ALTERNATIVE APPROACHES	Alternative development approaches;	An alternate approach would be not to remove a portion of the property from the designation.
NATURAL FEATURES & VISTAS	Isolating development and site alteration from significant built and natural features and vistas;	Not applicable for the proposed by-law amendment. The demolition of the clubhouse would actually improve the natural features and vistas of the golf course.
DESIGN GUIDELINES	Design guidelines that harmonize mass, setback, setting and materials;	Not applicable for the proposed by-law amendment and building demolition.
HEIGHT & DENSITY	Limiting height and density;	Not applicable for the proposed by-law amendment and building demolition.
CAMPATIBILITY	Allowing only compatible infill and additions	Not applicable for the proposed by-law amendment and building demolition.

8. IMPACTS & MITIGATION

MITIGATION		DESCRIPTION
REVERSIBILITY	Reversible Alterations	Not applicable. The proposed demolition of the existing Clubhouse building would not be reversible.
SITE PLAN	Buffer zones, site plan control and other planning mechanisms	Not applicable - process not required for building demolition once by-law amendment is in place.

9. SUMMARY & RECOMMENDATIONS

The small portion of land that is proposed to be removed from the designation by-law applying to 455 Kennedy Drive West is currently identified as a cultural heritage landscape. It is important to note that this portion of land was not included in Donald Ross' original golf course plan, and therefore does not contribute to the cultural heritage value and interest of the property's designation. The proposed designation by-law amendment will allow for the removal of the existing Clubhouse on the subject property. Subsequently, recent building condition assessments done by the City of Windsor found that the building is in need of extensive repairs/updates to meet current building code requirements.

It is our recommendation that upon the removal of the designation status on the northern portion of the subject property, the existing Roseland Golf and Curling Clubhouse building can be demolished. The removal of this building would not have any adverse impact on the existing cultural heritage resource.

Any future development that would be proposed for the portion of the property in subject would require standard municipal approvals, specifically for abutting a Designated heritage property. A HIA would be required as part of any future Planning Act development application. A review by the City's Heritage Planning team and further approval by the Heritage Committee and City Council is required under the provisions of the Ontario Heritage Act.

10. RESOURCES

Government Documents

1. Her Majesty the Queen in Right of Canada. *Standards and Guidelines for the Conservation of Historic Places in Canada*. 2010.
2. Ministry of Municipal Affairs and Housing. *Ontario Provincial Policy Statement, Under the Planning Act*. 2020.
3. Ontario Ministry of Culture. *Heritage Resources in the Land Use Planning Process, Cultural Heritage and Archaeology Policies of the Ontario Provincial Policy Statement*. 'Info Sheet #5, Heritage Impact Assessments and Conservation Plans.' 2005.

Municipal Documents

1. City of Windsor: Municipal Heritage Register, updated February 26, 2024.
2. City of Windsor: By-Law No.281-2003 - Designation of 455 Kennedy Drive West, November 26, 2003.
3. City of Windsor: Windsor Official Plan - Volume 1: Heritage Conservation. Approved by the Ministry of Municipal Affairs and Housing on January 6, 2012.
4. City of Windsor: *Built Heritage Impact Study/ Heritage Impact Assessment Guidelines*, revised July 23, 2024.

Other - Provided by Client and Team

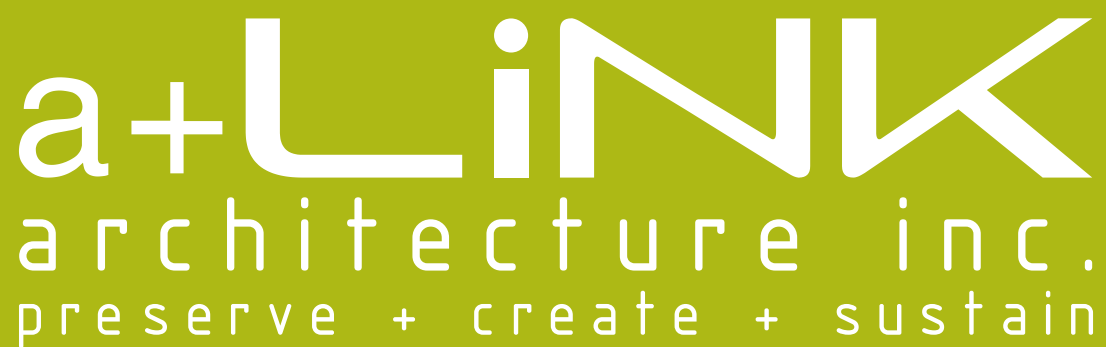
1. Existing Site Plan, by Architecttura dated 2024/02/27.

Maps + Plans:

1. Aerial Map Images: *Windsor, Ontario*. August 2024. Google Maps, <https://www.google.ca/maps/place/Windsor,ON>
2. Aerial Map images: The City of Windsor - My City Windsor Maps - August 2024.
3. Fire Insurance Map, 1953, Vol 4, Sheet 453 : The City of Windsor - Heritage Planning Department
4. Aerial photos of the Roseland Park Golf Club: a+LiNK architecture inc., August 2024.
5. Plan of Survey as Prepared by Verhaegen Land Surveyors Reference 24-47-444-00 october 1, 2024

Heritage Images:

1. Historical Photos: *Donald Ross - Roseland Golf and Curling Club* website: <https://roselandgolfandcurlingclub>.
2. Historical Photos and images: *A History of the Essex Golf & Country Club* by Jeff Mingay.
3. Heritage Plans of the Roseland Park Golf Club: The City of Windsor - Heritage Planning Department



Appendix E – Municipal Scan for Designation By-law Amendments

Municipality	Report Date	Property Address	Reason/Rationale/Purpose
Burlington	February 2020	3083 Lakeshore Road	In 2013, the Committee of Adjustment and subsequently the OMB in 2016 approved for the lands at 3087 Lakeshore Road to be severed from 3083 Lakeshore Road to create a new lot for the purpose of constructing a new two-storey detached dwelling on the severed lot while maintaining the existing dwelling on the retained lot. Designation By-law 61-2008 continues to be registered on both parcels despite all heritage attributes identified being contained exclusively on the lands known as 3083 Lakeshore Road.
Burlington	May 2020	2411 Lakeshore Road	In August 2019, property owner was granted provisional consent to sever the westerly portion of the existing lot by the Committee of Adjustment. The original designation by-law includes both the retained lot and the severed lot despite the latter not containing elements of cultural heritage value or interest. Maintaining the designated status on the severed lot would present an undue burden to owners of that lot.
Hamilton	June 2014	320 King Street East	<p>The 320 King Street East property comprises of two buildings, known municipally as 320 and 316-318. The property was designated on January 26, 2005 by Designation By-law No. 05-012 and only describes the features of the 320 building. The 316-318 building is not of cultural heritage value or interest.</p> <p>In 2007, a severance was approved by the Committee of Adjustment and the property was divided into two parcels. The legal description in the Designation By-Law describes both parcels. The purchaser of 316-318 King Street East has requested that the reference to the heritage designation be removed from the title of their property.</p>

Kingston	July 2020	<ul style="list-style-type: none"> - 1911 Bur Brook Road - 1477 & 1517 Sunnyside Road 	The purpose is to correct the legal description in the heritage designating by-law for the Johnson Farmhouse at 1517 Sunnyside Road, clarifying that its cultural heritage value is confined to this property alone, excluding the newly severed parcels at 1477 Sunnyside Road and 1911 Bur Brook Road. This amendment ensures that the heritage designation accurately reflects the location of the heritage attributes and is consistent with the OHA.
Kingston	June 2023	4097 Bath Road	The property owner and applicant seek to remove the designation by-law from the northern proposed severed lands to appropriately capture the identified heritage value on the property, and to streamline the eventual development of approximately 213 residential units related to their application.
Kingston	October 2024	<ul style="list-style-type: none"> - 8 Estate Lane - 8, 14 & 17 Gable Lane - 15 Leahurst Lane - 25, 38, 46 & 51 Heakes Lane - 18 & 24 Penrose Lane - 18, 36, 42 & 46 Lakewatch Lane - 11, 23 & 43 Beechgrove Lane - 730 & 752 King Street West 	The proposed amendment aims to refine the Heritage Designation By-law 8479 and amended By-law 8892 boundaries to exclude lands that do not contribute to its heritage value, including the now-separated parcel at 730 King Street West that was recently developed. This will ensure that the designation accurately reflects only the portions of the property with cultural significance in line with the OHA, and allows for future development on the remaining portions without heritage value as per the 2017 Official Plan Amendment site-specific intensification policy area.
London	August 2019	660 Sunningdale Road East	The rationale for the amendment is to correct the legal description in the heritage Designation By-law for 660 Sunningdale Road East, ensuring that the By-law accurately reflects the property containing the protected red clay tile barns and subsequently removes the By-law from the title of the lands that are now part of a phased development on the property. This process

			follows Section 30.1(2) of the OHA and is required for registration in the Land Registry Office.
Markham	May 2022	Various	<p>A batch report to amend the legal and property descriptions as well as the Statements of Cultural Heritage Value or Interest ('SCHVI') of the previously approved Heritage Designation By-laws where the cultural heritage resource has been relocated, or the property's legal description has been modified through further land division or a plan of subdivision. Designation By-laws to be amended are:</p> <ul style="list-style-type: none"> - 60 Maple Parkway (formerly 4438 Fourteenth Avenue) - 15 Heritage Corners Lane (formerly 9251 Highway 48 North) - 99 Thoroughbred Way (formerly 9804 McCowan Road) - 43 Castleview Crescent (formerly 10077 Woodbine Avenue) - 8 Green Hollow Court (formerly 9516 Ninth Line) - 20 Mackenzie's Stand Avenue (formerly 8083 Warden Avenue) - 8 Wismer Place (formerly 10391 Woodbine Avenue) - 9899 Markham Road (formerly 9899 Highway 48) - 628 Wilfred Murison Avenue (formerly 9486 McCowan Road) - 7 Bewell Drive (formerly 7447 Ninth Line)
Mississauga	June 2024	7564 Tenth Line	The proposal is to amend the legal description of the Designation By-law 857-79 to limit the heritage designation to the area containing the heritage features and exclude the severed property at 7564 Tenth Line (Ward 9), which does not hold cultural heritage value or interest. The amendment will ensure the designation is accurately applied to only the relevant lands with cultural heritage value or interest.



Council Report: S 173/2024

Subject: Part Closure of north/south alley located between Seminole Street and Reginald Street, Ward 5, SAA-7231

Reference:

Date to Council: January 6, 2025
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: December 9, 2024
Clerk's File #: SAA2024

To: Mayor and Members of City Council

Recommendation:

- I. THAT part of the 4.27-metre-wide north/south alley located between Seminole Street and Reginald Street, namely Part 1, Plan 12R-22238, and shown on Drawing No. CC-1858 (attached hereto as Appendix "A"), and hereinafter referred to as the "alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in **as is condition** to the owner of the abutting property known municipally as 4285 Seminole Street, legally described as Lot 181 & Part of Lot 182, Plan 892 and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - i. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
 - i. ENWIN Utilities Ltd. to accommodate existing overhead 16kV, 120/240 volt, and 347/600-volt hydro distribution, poles, and down guy wires; and
 - ii. Managed Network System Inc. (MNSi.) to accommodate existing aerial infrastructure.
- III. THAT Conveyance Cost **BE SET** as follows:
 - i. For alley conveyed to abutting lands owned by Windsor Public Library, \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1858.

- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. 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.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003
- VIII. THAT Council Resolution CR106/2003 as amended by CR427/2003, CR146/2005, CR182/2005, CR481B/2005 and CR130/2006 **BE AMENDED** by adding a new Subsection viii. under Section e):
- viii. Notwithstanding the other policies herein, the conveyance price of street and alley allowances conveyed to abutting lands owned by Windsor Public Library shall be \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.*

Executive Summary:

N/A

Background:

The Operations Department applied to close part of the 4.27-metre-wide north/south alley located between Seminole Street and Reginald Street, namely Part 1, Reference Plan 12R-22238 (the “alley”), and shown on Drawing No. CC-1858 attached hereto as Appendix “A”, and also shown on the aerial photo attached hereto as Appendix “B”.

The remaining portion of the north/south alley was closed by By-law 250-2005, passed on October 11, 2005, and registered on October 26, 2005 (File No. SAA-2043).

The Operations Department wishes to close the alley for the purpose of expanding the parking area serving the Windsor Public Library - Seminole Branch at 4285 Seminole Street (the subject property).

The alley is unmaintained and composed primarily of asphalt and includes a small strip of landscaped open space (manicured lawn) along its southern limit. The alley contains a curb cut off Seminole Street and overhead hydro and utility lines along its western limit. The alley has been encroached on by the subject property since asphalt was installed therein between 1977 and 1987. There are no Encroachment Agreements on record for the use of the alley.

The alley was established by Registered Plan of Subdivision No. 892, registered on August 28, 1919.

Discussion:

The decision to recommend closure of an alley is derived from the City's *Classification of Alleys and Suitability for Closure* guideline document (the document), attached hereto as Appendix “E”. The document includes the following four classifications of alleys

based on their usefulness and provides the following corresponding criteria for determining their suitability for closure. The use of the document is referenced under Part I of CR146/2005.

Classification of Public Right-of-Ways

1. Alley that is indispensable.
 - a. Does the alley serve commercial properties?
 - i. The alley does not serve any commercial properties.
 - b. Does the alley serve properties fronting on heavily traveled streets i.e. major arterial routes?
 - i. The alley serves the subject property, which fronts Seminole Street, a Class I Collector Road.
 - c. Does the alley contain sewers, and must the alley remain accessible for servicing?
 - i. The alley does not contain any sewers.
 - d. Does the alley serve as the only vehicular means of access to a rear parking area where the property has insufficient lot width for a side drive?
 - i. The alley serves as the only vehicular means of access to the rear parking area at the subject property.
 - ii. The subject property has insufficient width for a side drive.
 - iii. The rear parking area has been in place since the opening of the Windsor Public Library - Seminole Branch in 1953.
 - e. Does the alley contain Fire Department connections that are deemed to be necessary for firefighting access?
 - i. The alley does not contain any Fire Department connections.
2. Alley that, have some usefulness, are nevertheless dispensable and may or may not be a complete liability.
 - a. The Engineering - Right-of-Way Department has indicated that the alley appears to serve no useful purpose.
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.
 - a. The Engineering - Right-of-Way Department has indicated that the alley appears to serve no useful purpose.

4. Alley 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.
 - a. The alley does not lie within a Holding zone or similar undeveloped area.

Suitability for Closing

1. Indispensable alley should not be closed, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof.
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.

Based on the above, the Planning Department deems the alley “indispensable”.

Notwithstanding the alley being deemed indispensable as per criteria d., the Planning Department is recommending that it be closed and conveyed in **as is condition** to the owner of the subject property for the following reasons:

- The aforesaid factors that deem the alley indispensable stem solely from the subject property’s use of the alley.
- The conveyance of the alley to either of the other two (2) abutting properties will eliminate the subject property’s only means of vehicular access to Seminole Street.

It is our recommendation that, upon closure, the Windsor Public Library as the owner of the subject property be given a chance to acquire the alley. Hence the recommendation is to close and convey the alley in **as is condition** to the owner of the subject property, which is contrary to the standard manner of conveyance of offering abutting properties first right to acquire their half of the alley. Notice of this application was issued to property owners abutting the alley by regular mail, with no objections being received as of the date of writing this report.

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 current rate for an alley conveyed to abutting lands zoned RD3.1 is assessed at \$20.00 per square foot without easements plus HST (if applicable), and \$10.00 per square foot with easements plus HST (if applicable). The rate is set forth under Council Resolution CR106/2003 as amended by CR427/2003, CR146/2005, CR182/2005, CR481B/2005 and CR130/2006.

The purchase price will be \$10,010.40 based on the following calculation:

$$\$10.00 * 1,001.0 \text{ ft}^2 (93.0 \text{ m}^2) = \$10,010.40$$

The Planning Department and Legal & Real Estate Services Department subsequently discussed the purchase price and agreed that a new rate should be established for a street or alley conveyed to abutting lands owned by Windsor Public Library as the Library is primarily funded by the City.

The Planning Department is recommending that CR106/2003 be further amended by adding the following policy under Section e) therein:

- viii. Notwithstanding the other policies herein, the conveyance price of street and alley allowances conveyed to abutting lands owned by Windsor Public Library shall be \$1.00 plus HST (if applicable), deed preparation fee and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.*

The new policy reduces the conveyance price to the minimum of \$1.00 plus HST (if applicable) plus the deed preparation fee and survey costs. The latter two costs are incurred initially by the Planning Department and Legal & Real Estate Services Department and will be recovered by the Windsor Public Library in the amount of \$444.50.

The alley is described as Part 1, Reference Plan 12R-22238 and thus the preparation of a survey by an Ontario Land Surveyor is not necessary.

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 alley 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 alley shown on attached Appendix "A", subject to easements in favour of ENWIN Utilities Ltd. and Managed Network System Inc. (MNSi.), as in Recommendation II of this report.

The closed alley is to be conveyed in **as is condition** to the owner of the subject property as in Recommendation II 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
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
Emilie Dunnigan	Manager of Development Revenue & Financial Administration
Kate Tracey	Senior Legal Counsel, Legal Services & Real Estate
Janice Guthrie	Commissioner, Finance & City Treasurer
John Revell acting for Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

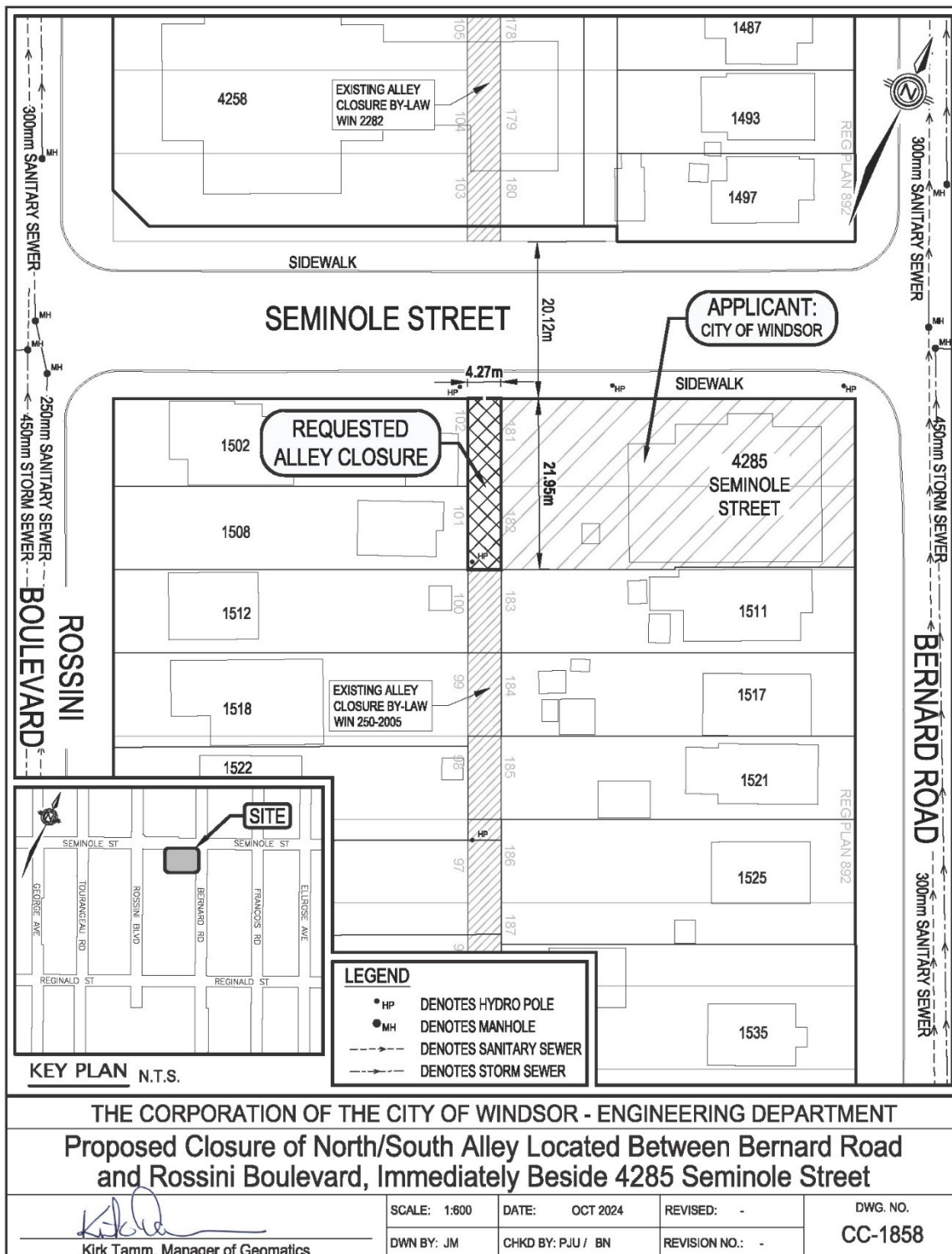
Notifications:

Name	Address	Email
Ward 5 Councillor Ed Sleiman		
Alison Pound (Applicant) Facility Operations Asset Analyst		
Jen Knights Executive Director/C.E.O. Windsor Public Library		
List of mailing labels for property owners abutting the alley issued to Clerks office		

Appendices:

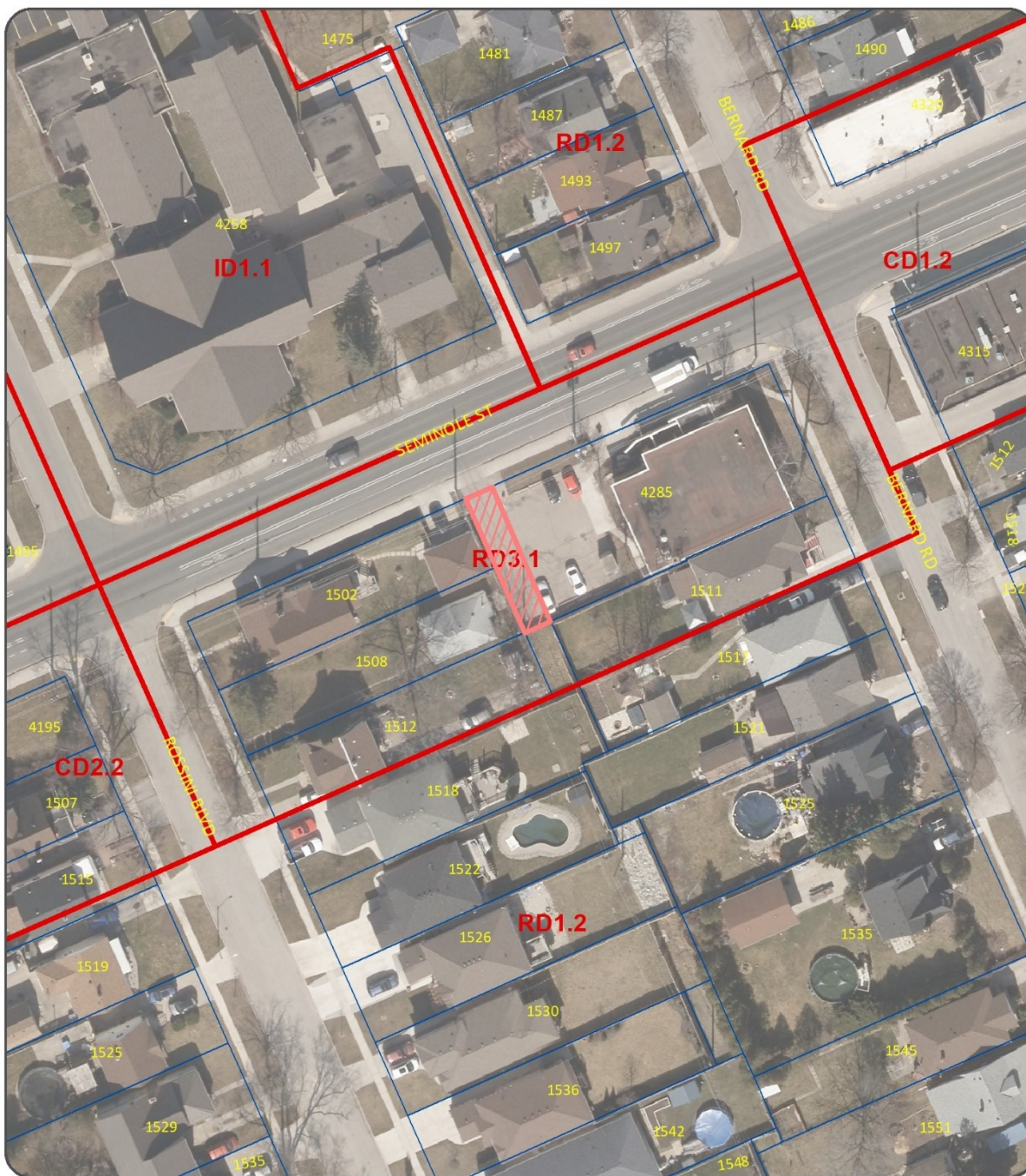
- 1 Appendix A - Drawing No. CC-1858
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations w Municipal Departments & Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure

APPENDIX "A" **Drawing No. CC-1858**



APPENDIX “B”

EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/7231)

1:750

APPLICANT : CITY OF WINDSOR – INFRASTRUCTURE SERVICES

 REQUEST FOR CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: OCTOBER, 2024



APPENDIX “C”

Consultations with Municipal Departments and Utility Companies

BELL CANADA

No comments provided

COGECO CONNEXION INC.

No comments provided

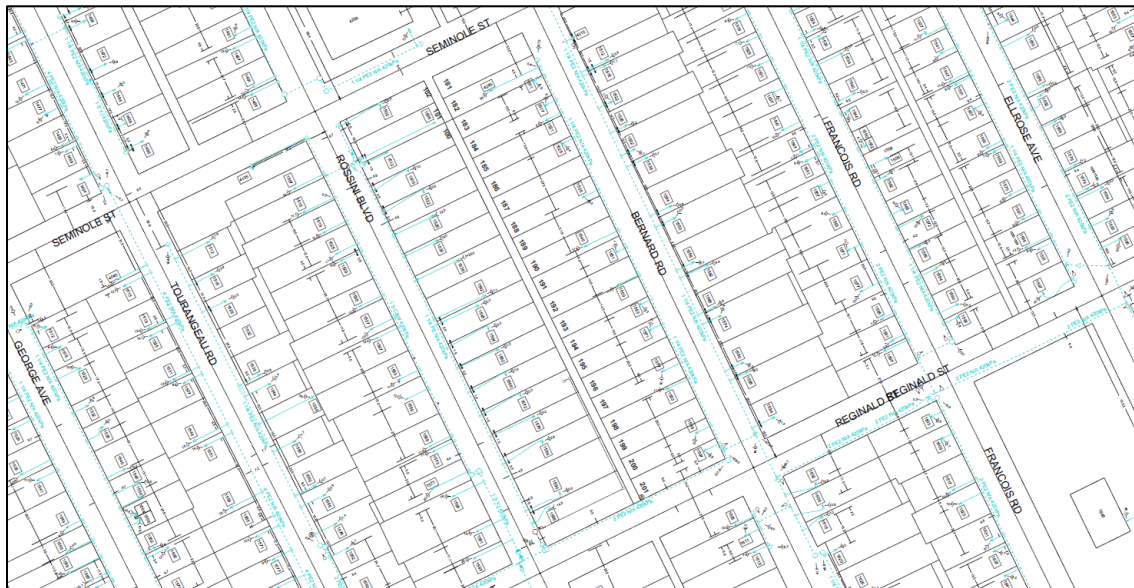
ENBRIDGE GAS INC.

After reviewing the provided drawing, 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 any job if 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.



[Sandro Aversa - Drafter / Estimator, Construction & Growth]

ENGINEERING (DEVELOPMENT & ROW)

The alley to be closed is approximately 21.75 m long and 4.5 m wide and made of asphalt. There are no sewers running through this alley. There are hydro poles and guy wires in this alley, these will require an easement. There is a driveway approach at the north end of this alley that is being used to access parking on this property. This subject alley to have no usefulness by CR146/2005; therefore, we have no objections to the closure.

[Shannon Mills - Technologist III]

ENGINEERING (OPERATIONS)

No comments provided

ENVIRONMENTAL SERVICES

No comments provided

ENWIN UTILITIES LTD. (HYDRO)

No Objection, however, an easement named to ENWIN Utilities Ltd. is required upon closing for the whole width and length of this section of the alley to accommodate existing overhead 16kV, 120/240 volt, and 347/600 volt hydro distribution, poles, and down guy wires.

[Zachary Mancini - Hydro Engineering Technologist]

ENWIN UTILITIES LTD. (WATER)

ENWIN Water has no objections.

[Bruce Ogg - Water Project Review Officer]

LEGAL & REAL ESTATE SERVICES

Conveyance price of \$20/sq foot without easements and \$10/sq foot with easements, plus HST if applicable. Survey costs, If required, in addition to the conveyance price.

[Stephanie Santos - Coordinator Real Estate Services]

FINANCIAL PLANNING

Financial matters reviewed and approved

[Josie Gualtieri – Financial Planning Administrator]

MANAGED NETWORK SYSTEM INC. (MNSi)

MNSi would like to be included in an aerial easement in this area please. We are currently on the poles in this alley.

[Dave Hartleib - Outside Plant Manager]

PLANNING (DEVELOPMENT)

No comments provided

PLANNING (LANDSCAPE)

No comments provided

ROGERS

No comments provided

TELECON (TELUS)

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

Kindly request a locate from One Call first. Also, submit a formal plan of your proposed work area.

TELUS Planning Requests & Utility Mark-ups.

TELUS Planning requests are now part of the Ontario One call website (Ontario One Call). Please submit all TELUS planning inquiries using the existing "Request a Locate" process. You will receive an automated response from TELUS within minutes of your submission. If there are any potential conflict after review of our response, email Engineering.Requests@telus.com for further assistance.

[Alryan Pineda]

TRANSPORTATION PLANNING

Transportation Planning has no comments.

[Elara Mehrilou - Transportation Planner I]

WINDSOR FIRE

No comments provided

WINDSOR POLICE

The Windsor Police Service has no concerns or objections with this application.

APPENDIX “D”
Site Photos (Google Street View - November 2023)



Figure 1 - Looking south towards alley from Seminole Street (Windsor Public Library - Seminole Branch on left)

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.



Council Report: S 174/2024

Subject: Amendment to CR399/2024 for Closure of west half of north/south alley located between Montrose Street and Tecumseh Boulevard West, Ward 3, SAA-4133

Reference:

Date to Council: January 6, 2025
 Author: Brian Nagata, MCIP, RPP
 Planner II - Development Review
 (519) 255-6543 ext. 6181

Planning & Building Services
 Report Date: December 12, 2024
 Clerk's File #: SAA2024

To: Mayor and Members of City Council

Recommendation:

- I. THAT CR399/2024, adopted on September 23, 2024, **BE AMENDED** to replace Drawing No. CC-1849 with that drawing attached hereto as Appendix "C".

Executive Summary:

N/A



Background:

On December 7, 2020, Council approved the closure of the east half of the north/south alley located between Montrose Street and Tecumseh Boulevard West and shown on Drawing No. CC-1776 attached hereto as Appendix "A".

During the preparation of Reference Plan 12R-29404, it was discovered that the west half of the north/south alley, making up part of 10 properties ranging from 1304 Oak Street to 1370 Oak Street, had not been assumed and closed.

The west half of the north/south alley was established by By-law 310 on November 18, 1941. The alley is comprised of lands acquired by the City in 1932 by Tax Arrears Certificate. Over the years, portions of the alley making up part of 1304 Oak Street, 1312 Oak Street, and 1356 Oak Street were inadvertently sold by the City with the respective properties, resulting in the City losing ownership over the lands. Regaining ownership of the lands through expropriation or a court order, only to convey them back to the property owners, is not a practical option, nor is it necessary.

On September 23, 2024, CR399/2024 was adopted by Council to approve the closure of the portions of the alley still owned by the City, making up part of the remaining seven (7) properties, and shown on Drawing No. CC-1849 attached hereto as Appendix "B".

The Legal Department, through the alley closure by-law preparation stage, discovered that the portion of the alley abutting 1370 Oak Street (legally described as Parts 16 & 17, Reference Plan 12R-29404) was also inadvertently sold by the City with the respective property.

Discussion:

CR399/2024 must be amended to replace Drawing No. CC-1849 with a new drawing (attached hereto as Appendix "C") that identifies the portion of the alley abutting 1370 Oak Street as being inadvertently sold by the City.

Risk Analysis:

The recommended amendment to CR399/2024 poses no known risk to the City.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The recommended amendment to CR399/2024 does not impact the conveyance cost.

Consultations:

N/A

Conclusion:

The Planning Department recommends that CR399/2024 be amended to replace Drawing No. CC-1849 with that drawing attached hereto as Appendix “C”.

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
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
Kate Tracey	Senior Legal Counsel, Legal Services & Real Estate
John Revell acting for Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

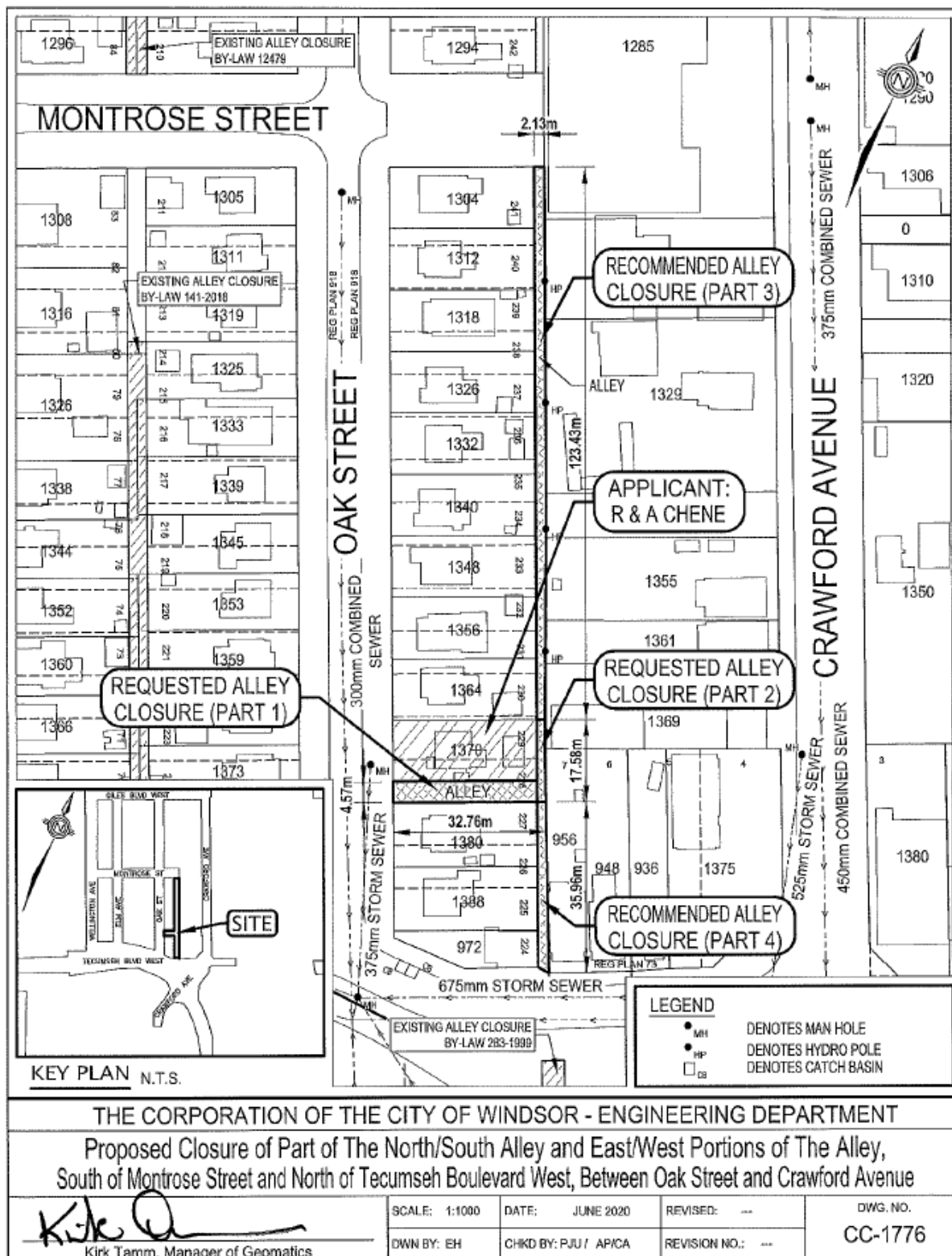
Notifications:

None

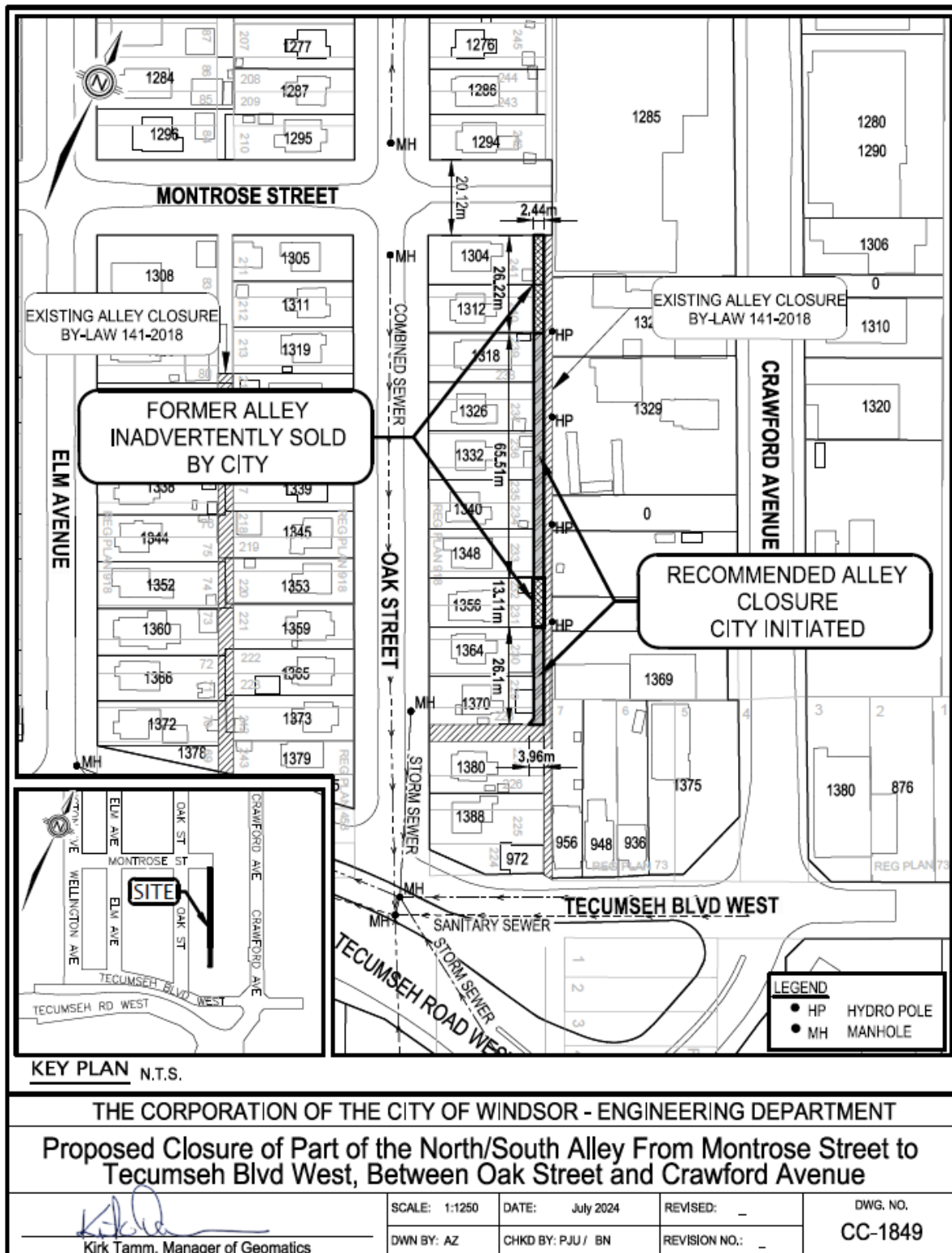
Appendices:

- 1 Appendix A - Drawing No. CC-1776
- 2 Appendix B - Drawing No. CC-1849
- 3 Appendix C - Revised Drawing No. CC-1849

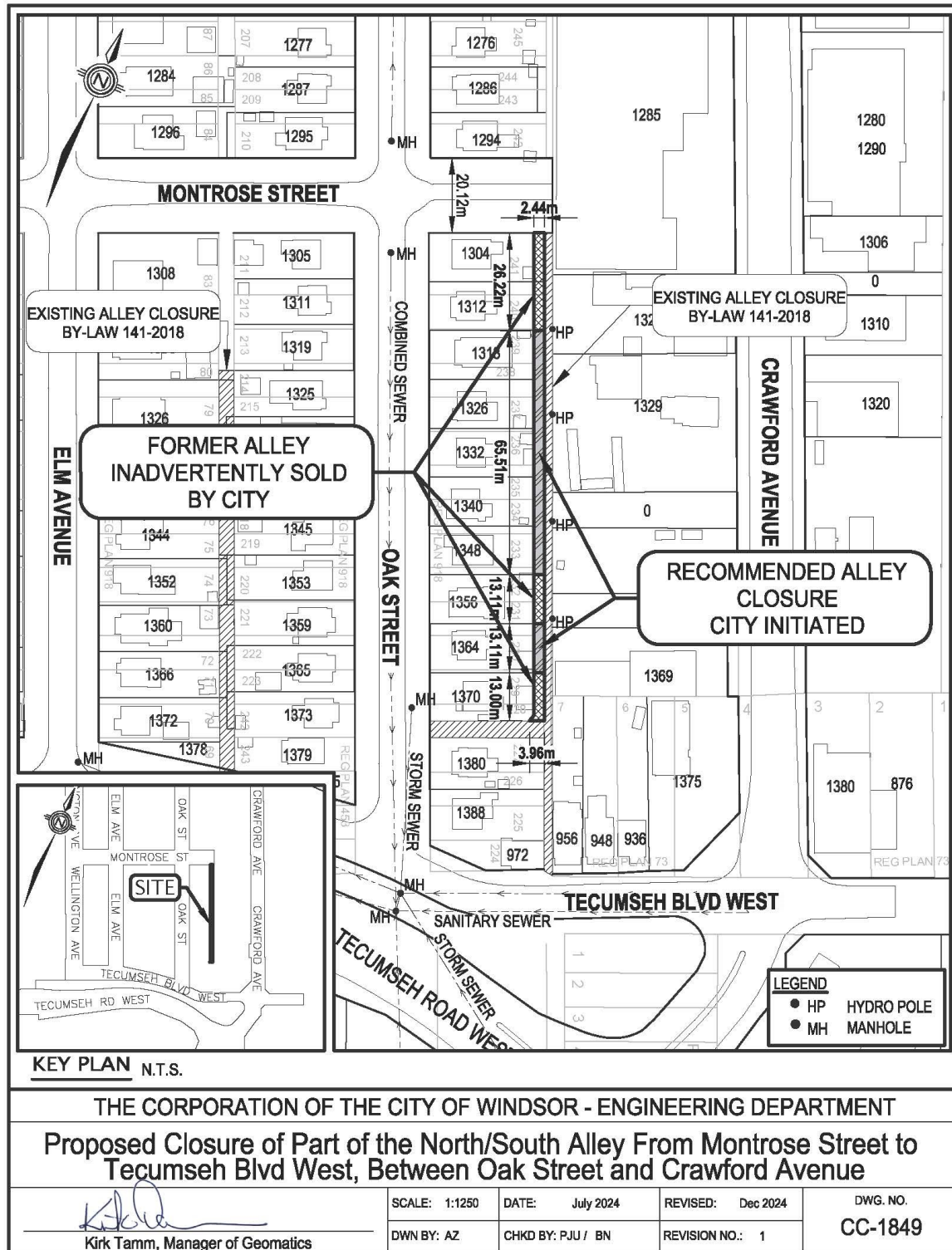
APPENDIX "A" **Drawing No. CC-1776**



APPENDIX "B" **Drawing No. CC-1849**



APPENDIX "C" **Revised Drawing No. CC-1849**





Council Report: S 175/2024

Subject: Ford City/Building Facade Improvement CIP Application for 1024 to 1026 Drouillard Road. Owner: 1000568826 ONTARIO INC. (c/o: Brian McGinty and Trinamargos)-Ward 5

Reference:

Date to Council: January 6, 2025
Author: Kevin Alexander, MCIP RPP
Senior Planner-Special Projects
519-255-6543 ext. 6732
kalexander@citywindsor.ca

Planning & Building Services
Report Date: 12/12/2024
Clerk's File #: SPL2024

To: Mayor and Members of City Council

Recommendation:

- I. **THAT** Council Decision CR154/2021 **BE RESCINDED**;
- II. **THAT** funding in the amount of \$30,000, which has been allocated through the Ford City CIP- *Retail Investment Grant* **BE RESCINDED** and that the funds within the CIP Reserve Fund 226 **BE UNCOMMITTED**;
- III. **THAT** funding in the amount of \$30,000, which has been allocated through the Main Streets CIP- *Building Façade Improvement Program* **BE RESCINDED** and that the funds within the CIP Reserve Fund 226 **BE UNCOMMITTED** ;
- IV. **THAT** the request for incentives under the *Ford City CIP* Financial Incentive Programs made by 1000568826 ONTARIO INC. (c/o: Brian McGinty and Trina Margos), owner of the property located at 1024 to 1026 Drouillard Road **BE APPROVED**, for the following incentive programs:
 - i. *Retail Investment Grant* in the amount of \$15,000 for one (1) ground floor retail unit;
 - ii. *Building/Property Improvement Tax Increment Grant Program* for 100% of the municipal portion of the tax increment for up to the lesser of 10 years or the total eligible costs of the project. The estimated annual amount of the grant is \$+/- 6,121.

- II. **THAT** subject to completion and review satisfactory to the City Planner, the request made by 1000568826 ONTARIO INC. (c/o: Brian McGinty and Trina Margos), owner of the property located at 1024 to 1026 Drouillard Road **BE APPROVED** for the Main Streets CIP -*Building Facade Improvement Program* in the amount of a maximum of \$30,000;
- III. **THAT** Administration **BE AUTHORIZED** to prepare the agreement between the City and 1000568826 ONTARIO INC. (c/o: Brian McGinty and Trina Margos) to implement the *Building/Property Improvement Tax Increment Grant Program* (only) in accordance with all applicable policies, requirements to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications;
- IV. **THAT** the CAO and City Clerk **BE AUTHORIZED** to sign the Grant Agreement(s) in content satisfactory to the City Planner, in financial content to the satisfaction of the City Treasurer and in form satisfactory to the City Solicitor;
- V. **THAT** funds in the amount of \$15,000 under the *Retail Investment Grant* Program and funds under the *Municipal Development Fees Grant Program* (if necessary) **BE TRANSFERRED** from the CIP Reserve Fund to the Ford City CIP Project (Project #7181046) once the work is completed;
- VI. **THAT** funds in the amount of \$30,000 under the Main Streets CIP **BE TRANSFERRED** from the CIP Reserve Fund to the Main Streets CIP project (Project #7219018) once the work is completed ;
- VII. **THAT** grants **BE PAID** to 1000568826 ONTARIO INC. (c/o: Brian McGinty and Trina Margos) upon completion of improvements to the interior/exterior of the Ford City CIP (Project #7181046) and facade improvements through the Main Streets CIP (Project #7219018) to the satisfaction of the City Planner and Chief Building Official; and
- VIII. **THAT** grants approved **SHALL LAPSE** and be **UNCOMMITTED** if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

Executive Summary:

N/A

Background:

On January 8th, 2018, City Council approved the Building Facade Improvement Program and Urban Design Guidelines for Main Streets Community Improvement Plan (CIP) (CR9/2018 PHED 533) adopted through By-law 26-2018. On September 6th, 2022, the CIP was amended through CR383/2022 DHSC 414 and renamed Main Streets CIP through amending By-law 143-2022 and By-law 144-2022. The CIP now includes the following programs:

1. Building/Property Improvement Tax Increment Grant Program

2. New Residential Development Grant Program

On November 19, 2018, City Council approved the Ford City Community Improvement Area and Ford City Community Improvement Plan (CIP) (CR625/2018 PHED 603) adopted through by-laws 171-2018 and 172-2018. These By-laws came into effect in January of 2019. In addition, on November 19, 2018, City Council activated the following financial incentive programs from the Ford City CIP:

1. Municipal Development Fees Grant Program
2. New Residential Development Grant Program
3. Building/Property Improvement Tax Increment Grant Program
4. Retail Investment Grant Program
5. Neighbourhood Residential Rehabilitation Grant Program

On April 19th, 2021, City Council approved the recommendations of Report S15/2021 for CIP grants through the *Main Streets CIP* (former *Building Facade Improvement Program and Urban Design Guidelines for Main Streets CIP*) and *Ford City CIP* for the purpose of improvements/repurposing of the building located at 1024 to 1026 Drouillard Road (See Appendix 'C' for CR154/2021).

Unfortunately the owner passed away unexpectedly, and the property was subsequently sold by Spectrum Contracting Inc., (c/o Randy Diestelmann) to 1000568826 ONTARIO INC. (c/o: Brian McGinty and Trina Margos) on June 30th, 2023. The new owners have agreed to carryout the balance of the works previously agreed to however due to the untimely death of the previous owner, an assignment is not possible. Given that a CIP grant agreement had not been executed, Administration is of the opinion that it would be appropriate to rescind CR154/2021 and to reapprove the application as originally proposed to reflect the change in ownership. The project will be completed generally as per the previously approved drawings and Administration is of the opinion that the grants could be transferred to the new owner through the Recommendations of this report and that the grants should be based on the property's 2020 assessment value of \$53,000.

Discussion:

Ford City CIP Financial Incentive Programs

The applicant is eligible for the following programs under the Ford City CIP Financial Incentive Programs:

Retail Investment Grant Program—the design and first impression made of a retail store is critical when appealing to its intended market and it can influence a consumer's perception of the quality of the store and visually communicate value. The grant offers up to 50% of eligible costs for improvements to a maximum amount of \$15,000 per retail unit in a building that has had a vacant ground floor retail or commercial storefront(s) for at least 6 months immediately prior to submission of an application to the program and will be occupied by a new retail business. The applicant is proposing one (1) new retail unit on the ground floor.

The following Interior improvements are proposed:

- upgrades to the existing HVAC system
- new lighting and electrical
- new walls (and paint) and flooring
- new kitchenette/food preparation area; and
- new washroom fixtures.

The applicant is eligible for a \$15,000 grant for the one (1) ground floor retail unit.

Building/Property Improvement Tax Increment Grant—intended to provide financial incentive for the physical improvements to properties whereby registered property owners and/or assignees would be eligible to receive a grant for 100% of the municipal portion of the tax increment generated from the improvements made to the building or property for up to the lesser of 10 years or the total eligible costs of the project.

To be eligible for the *Building/Property Improvement Tax Increment Grant*, improvements to the building/property must result in an annual grant (or tax increment) of at least \$500 for properties that are taxed at the “residential” tax rate; and \$1,000 for properties taxed at all other tax rates. Once the property is redevelopment (as proposed), it will be considered mixed-use and therefore the annual grant (or tax increment) would have to increase by \$1,000 to be eligible for the program.

The confirmed 2020 assessment value of the property located at 1024 to 1026 Drouillard Road was \$53,000. In 2020, the property taxes were \$941 (\$860 for the municipal portion) based on the residential tax rate only. As of 2023, Municipal Property Assessment Corporation (MPAC) added assessment of \$93,000 for porches/decks added to the property and therefore increased the assessment value to \$146,000. The porches/decks are part of the original proposal and therefore Administration is recommending that the *Building/Property Improvement Tax Increment Grant* should still be based on the 2020 assessment value of \$53,000. The estimated annual value of the grant is \$6,121. Over the 10 years, this grant would be approximately \$61,210 and would start once all works were complete.

Based on the information and drawings provided by the applicant, Administration estimates the post project assessment value to be \$300,000. However, the actual amount of the new assessment will be dependent upon a full review of the building after the completion of renovations as determined by the MPAC.

Main Streets CIP Financial Incentives

The *Building Facade Improvement Program* through the Main Streets CIP offers financial incentives to encourage property owners and businesses to make investments to improve the exterior appearance of their buildings and storefronts along Main Streets. Such improvements provide a benefit to the community as a whole, by preserving heritage features, protecting Main Streets, and reconnecting storefronts with the public realm. The CIP is applicable to the Ford City BIA Main Streets and within all the BIAs in the City of Windsor, except for the Sandwich Town and Downtown Windsor BIAs, which are under separate CIPs. Funding for the Building Facade Improvement Grant Program is broken down into three categories:



Category A (Beautification) —aesthetic and minor functional improvements aimed at making the building facade and storefront more attractive and welcoming to tenants and customers



Category B (Restoration)—aesthetic, functional, and restoration improvements made to restore key features of the building facade



Category C (Replacement)— encourage work that will replace or reinstate key features that have been lost or deteriorated beyond repair or are of a style that is no longer consistent with the building design.

Applicants can receive a grant for 50% of the costs for eligible building facade and storefront improvements up to a maximum of \$30,000 per project. The amount can be increased up to \$60,000 per project for larger buildings with multiple storefronts. The grant also applies to the side(s) and rear of buildings provided the building facade is visible from an adjacent street or public right-of-way or park, and as long as the storefront/facade facing the main street is improved at the same time.

The applicant is proposing extensive replacement, restoration, and beautification changes to the exterior of the building. The applicant is proposing to demolish the existing Drouillard Road facing facade and to reinstate the facade with the following:

- reclaimed brick that will match the historic proportion/elements of the original facade.
- new bronze (or black) metal vision glass windows (with transoms) with a restored main entrance door.
- restoring the second floor balcony and window sills and installing new siding on the second floor

On the remaining facades, the applicant is proposing the following improvements:

- re-point the brick on the north and south facing facades that are visible from the street.
- adding two new entry doors to the south facing facade and adding a new window above one of the doors.
- adding a new window to existing opening on the south facing facade
- constructing a second storey deck and creating an opening and installing a door for access to the deck on the east facing facade (at the rear of the building)

The project is eligible for a \$30,000 grant for improvements to facades facing Drouillard Road and both side and the rear facades, which are viewed from the street and the alley (lane way at the rear).

Risk Analysis:

The approval of these grants does not carry significant risk, as there are sufficient funds within the CIP reserve fund approved by Council. The applicant will not receive any grants until all work is completed and inspected to the satisfaction of the Planning and Building Department. As a requirement of Section 28 (7.3) of the Planning Act, Administration has confirmed that the grant amount does not exceed the total cost of the project.

Climate Change Risks

Climate Change Mitigation:

The rehabilitation of the existing building contributes to the revitalization of an existing Main Street that services the surrounding Ford City Neighbourhood limiting vehicular travel and promoting walking and other alternative modes of transportation, thereby contributing to a complete community. The rehabilitation of the building will utilize modern building methods, which will conform to the Ontario Building Code concerning safety and energy efficiency. New doors and windows are also proposed that will be more energy efficient than what is existing.

Utilizing an existing building and infrastructure in an existing built-up area of the City also promotes efficiency on the existing infrastructure network by not promoting development on greenfield land.

Climate Change Adaptation:

As temperatures increase and when considering the Urban Heat Island effect for the City of Windsor, the property appears to be located within a Heat Vulnerability area. However, the rehabilitation of the building will utilize modern building methods, which will conform to the Ontario Building Code concerning energy efficiency. New doors and windows are also proposed that will be more energy efficient than what is existing.

Financial Matters:

On February 22, 2021, Council approved the 2021 budget, which included a new reserve fund for all active CIPs in the City. As CIP grant applications are approved, the approved grant amount will be transferred to the capital project to be kept as committed funds, until the grant is ready to be paid out. The uncommitted balance of the CIP reserve fund is \$268,668 as of December 2024.

Administration recommends rescinding the original Council Resolution (CR154/2021) and that the grants be replaced with the grant amounts identified below and therefore there would be no additional draw upon the Reserve.

If approved, funds will be transferred from the CIP reserve fund 226 to the Ford City CIP Project #7181046 to disperse the maximum amount of \$15,000 for the *Retail Investment* grant identified in this report, once the work is completed.

Also, if approved funds will be transferred from the CIP Reserve Fund 226 to the *Main Streets CIP - Building Facade Improvement* CIP program Project# 7219018 to the maximum amount of \$30,000 when the work is completed.

The *Building/Property Improvement Tax Increment Grant* would be based upon the municipal tax resulting from the post-development assessed value of the property as determined by MPAC. The annual estimated grant is \$6,121, calculated as follows:

Estimated Building/Property Improvement Tax Increment Grant for 1024 to 1026 Drouillard Road		
Annual Pre Development Municipal Taxes	Annual Estimate Post Development Municipal Taxes	Annual Estimate Value of Grant
\$ \$860	\$ 6,981	\$ 6,121

Assumptions

2020 Property Assessed Value	\$53,000
Estimate Post Development Property Assessment (Residential Portion)	\$120,000
Estimate Post Development Property Assessment (Commercial Portion)	\$180,000
Estimate Total Post Development Assessment	\$300,000

Because the Grant Program does not exempt the property from taxes, the owner must pay the full amount of property taxes annually and will subsequently receive a grant for the difference between the pre and post-development municipal taxes. The City will retain the amount of pre-development (base) municipal taxes throughout the lifespan of the grant program; however will be foregoing any incremental property taxes which could otherwise be used to offset future budget pressures.

As identified in the table above, the estimated annual value of the grant is \$6,121. Over 10 years, this grant amounts to \$61,210, which is the lesser of the 10-year grant or the estimated eligible costs for the project of \$219,770.

The total of all grants discussed above is \$106,210, which is less than the estimate eligible costs, and is comprised of the following:

Building/Property Improvement Tax Increment Grant	\$ 61,210
Mainstreet Building Façade Improvement Grant	30,000
Retail Investment Grant	<u>15,000</u>
	\$106,210

Consultations:

The owner of the property located at 1024 to 1026 Drouillard Road has been consulted regarding grants related to the improvements outlined in this report. Carolyn Nelson, Manager of Property Valuation & Administration, Taxation & Financial Projects was consulted with respect to the Ford City CIP *Building/Property Improvement Tax Increment Grant*. Josie Gualtieri, Financial Planning Administrator was also consulted regarding the Ford City CIP and Building Facade Improvement CIP grants, and related capital project/reserve fund balances

Conclusion:

The improvements to 1024 to 1026 Drouillard Road meet all eligibility criteria identified in this report, for the *Retail Investment, Building/Property Improvement Tax Increment, Municipal Development Fees Grant Programs* (If necessary), and the *Building Facade Improvement Program* grants, through the *Ford City CIP* and *Main Streets CIP*.

There are sufficient funds in the CIP reserve fund to provide grants for the proposed improvements. Administration recommends approval of the grants identified in this report.

Planning Act Matters:

N/A

Approvals:

Name	Title
Kevin Alexander	Senior Planner – Special Projects
Emilie Dunnigan	Manager Development Revenue & Financial Administrator
Jason Campigotto	Deputy City Planner -- Growth
John Revell	Chief Building Official
Neil Robertson	City Planner/ Executive Director, Planning & Development Services
Kate Tracey	Senior Legal Counsel, Legal & Real Estate
Lorie Gregg	Deputy Treasurer Taxation and Financial Planning
Janice Guthrie	Commissioner Finance/City Treasurer
John Revell acting for Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

- 1 Appendix 'A' - Location map and Condition Prior to Improvements
- 2 Appendix 'B' - Improvements
- 3 Appendix 'C' City Council Decision

APPENDIX 'A'

LOCATION MAP



LOCATION MAP



SUBJECT PROPERTY : 1024-1026 DROUILLARD ROAD



APPENDIX 'A'

FACADE PRIOR TO IMPROVEMENTS



APPENDIX 'A'

FACADE PRIOR TO IMPROVEMENTS



APPENDIX 'B'

FLOOR PLANS

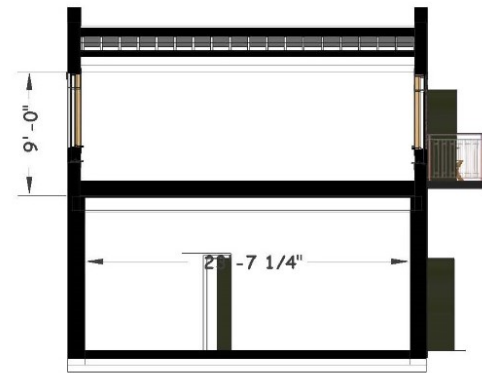


APPENDIX 'B'

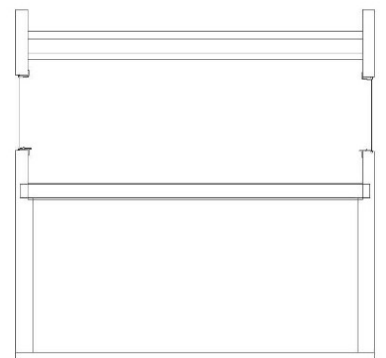
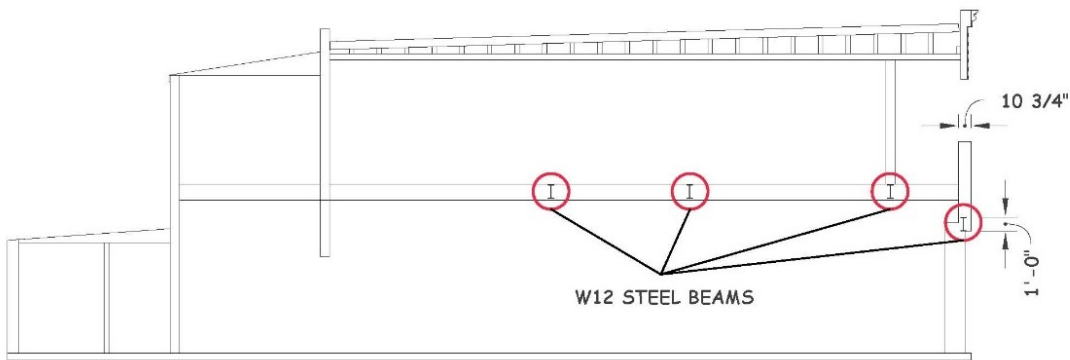
ELEVATIONS



SECTION EE



SECTION GG



APPENDIX 'B'

ELEVATIONS



APPENDIX 'B'

ELEVATIONS



APPENDIX 'B'

ELEVATIONS





OFFICE OF THE CITY CLERK COUNCIL SERVICES

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

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E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

City Council Decision Monday, April 19, 2021

Moved by: Councillor Costante
Seconded by: Councillor Francis

Decision Number: CR154/2021 DHSC 267

- I. That the request for incentives under the Ford City CIP Financial Incentive Programs made by S.I.S. 713 Property Management Inc. (Ontario #002190073), (c/o Randy Diestelmann), owner of the property located at 1024 to 1026 Drouillard Road **BE APPROVED**, for the following incentive programs:
 - i. *Retail Investment Grant in the amount of \$30,000 for two (2) ground floor retail units;*
 - ii. *Municipal Development Fees Grant Program (if necessary)*
 - iii. *Building/Property Improvement Tax Increment Grant Program for 100% of the municipal portion of the tax increment for up to 10 years in the amount of +/- 6,121 per year.*
- II. That subject to completion and review satisfactory to the City Planner, the request made by S.I.S. 713 Property Management Inc. (Ontario #002190073), (c/o Randy Diestelmann), owner of the property located at 1024 to 1026 Drouillard Road **BE APPROVED** for grants totalling a maximum of \$30,000 in principle under the *Building Facade Improvement Program and Urban Design Guidelines for Main Streets* Community Improvement Plan;
- III. That the CAO and City Clerk **BE AUTHORIZED** to prepare the agreement between the City and S.I.S. 713 Property Management Inc. (Ontario #002190073), (c/o Randy Diestelmann) to implement the *Building/Property Improvement Tax Increment Grant Program* (only) in accordance with all applicable policies, requirements to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications;
- IV. That the CAO and City Clerk **BE AUTHORIZED** to sign the Grant Agreement(s) in content satisfactory to the City Planner, in financial content to the satisfaction of the City Treasurer and in form satisfactory to the City Solicitor;



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WEBSITE: www.citywindsor.ca

- V. That funds in the amount of \$30,000 under the *Retail Investment Grant Program* and funds under the *Municipal Development Fees Grant Program* (If necessary) **BE TRANSFERRED** from the CIP Reserve Fund to the Ford City CIP Fund (Project #7181046);
- VI. That funds in the amount of \$30,000 under the *Building Facade Improvement Program and Urban Design Guidelines for Main Streets CIP* **BE TRANSFERRED** from the CIP Reserve Fund to the new Building Facade Improvement Program – Main Streets CIP project fund;
- VII. That grants **BE PAID** to S.I.S. 713 Property Management Inc. (Ontario #002190073), (c/o Randy Diestelmann) upon completion of improvements to the interior/exterior of the Ford City CIP Fund (Project #7181046) and facade improvements through the new Building Facade Improvement Program – Main Streets CIP project fund to the satisfaction of the City Planner and Chief Building Official; and,
- VIII. That grants approved **SHALL LAPSE** and **BE UNCOMMITTED** if the applicant has not completed the work and fulfilled the conditions within 3 years of the approval date being April 19, 2021.

Carried.

Report Number: SCM 99/2021 & S 15/2021

Clerk's File: SPL2021 8.22

Steve Vlachodimos

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March 14, 2023

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Committee Matters: SCM 353/2024

**Subject: Minutes of the Property Standards Committee of its meeting held
October 24, 2024**

PROPERTY STANDARDS COMMITTEE

Meeting held October 24, 2024

A meeting of the Property Standards Committee is held this day commencing at 10:00 o'clock a.m. in Room 140, 350 City Hall Square West, there being present the following members:

Councillor Ed Sleiman, Chair
Councillor Fabio Costante
Councillor Mark McKenzie

Regrets received from:

Michael George
Dan Lunardi

Appellants in attendance:

Robert Redmond and Jocelyn Quenneville, regarding ***Item 5.1***

Also in attendance is the following resource personnel:

Rob Vani, Deputy Chief Building Official – Inspections
Mark Nazarewich, Deputy City Solicitor
Mike Arthur, Manager, Inspections
Ian Sakal, Building By-law Enforcement Officer
Nicole Brush, Building By-law Enforcement Officer
Karen Kadour, Committee Coordinator

1. Call to Order

The Chair calls the meeting to order at 10:00 o'clock a.m. and the Property Standards Committee considers the Agenda being Schedule A, attached hereto, matters which are dealt with as follows:

2. Disclosure of Interest

None disclosed.

3. Adoption of the Minutes

Moved by Councillor Fabio Costante, seconded by Councillor Mark McKenzie,
That the minutes of the Property Standards Committee of its meeting held April 30,
2024 **BE ADOPTED** as presented.
Carried.

4. Request for Deferral, Referral or Withdrawal

None.

5. Appeals

Rob Vani, Deputy Chief Building Official – Inspections advises that this is a quasi-judicial hearing and states that the By-law Enforcement Officer will provide a presentation after which the Committee may ask questions.

Robert Redmond and Jocelyn Quenneville appear before the Property Standards Committee against an Order to Repair 24 025736 issued June 3, 2024, regarding property at 3139 Loebach Drive. The Notice of Appeal dated June 13, 2024, was received within the 14-day time frame.

The document entitled “3139 Loebach Drive VY 24-925736 provided by Ian Sakal, Building By-law Enforcement Officer is **attached** as Appendix “A”. The salient points on the matter are as follows:

- On May 28, 2024 site exterior inspected as follow-up to previous enforcement.
- Earth berm and sound attenuation wall have not been replaced to date.
- Raised garden beds and fence enclosure installed in subject area.
- Noise sound barrier visibly located and present on private property.
- The barrier was built via building permit in 1994.
- Picture taken on May 28, 2024 depicting the ends of the berm, the area where the berm should have existed, there is now a new garden area there (the pool has since been removed)
- Since then, there has been a 12 x 32 accessory structure installed in the rear of the yard. The project cost on the permit was approximately \$12,000 issued in April 2023.
- That enclosed garden area is roughly where the berm in the wall should exist.
- To date, total time provided for compliance (as of October 24, 2024) 2 years, 10 months and three weeks.

Robert Redmond and Jocelyn Quenneville, appellants provide the following remarks:

- Purchased the home in August 2019.

- There was a wall falling down with thick brush behind the area and assumed that his property ended at the top of the wall.
- Was told by the neighbours that they had removed their berms, so his berm was removed, and a new privacy fence was installed.
- Advises his lawyer did not reveal that there were encumbrances on the Title to the property.
- Was advised to replace the berm which would require a sound engineer to redesign the berm. Contacted several sound engineers who advised that no one would help them as there are very few sound engineers and if they did, would cost thousands of dollars.

Councillor Fabio Costante asks if the reason for the berm is for noise mitigation and safety. Rob Vani responds that is correct and adds that Transport Canada has jurisdiction over 300 metres beyond their rail corridors, rail yards, so any development within that 300-metre radius of their properties they have jurisdictional boundaries on that. Normally, their requirements are sound attenuation as well as mitigating spills from derailment of trains coming into the yard. There is a requirement that the proximity, the use, the number of trains, location of the sites is reviewed by a sound engineer and then the design is proposed to the rail company who will sign off on that. This is essentially the process that went on when this subdivision was approved. The design that was brought forward was the design registered on Title.

Councillor Fabio Costante asks if this is an enforcement of Transport Canada regulation of some sort. Rob Vani responds yes for the development proposal. The Property Standards By-law has a maintenance requirement to ensure that the development requirement is maintained in perpetuity, so we do not remove things. Councillor Fabio Costante asks how much discretion the municipality would have on a Property Standards by-law that is required by the Federal Ministry. Rob Vani responds that our Property Standards By-law is under the jurisdiction of the municipality, so they enforce their own by-law. The requirement for the berm was an agreement that was struck with the developer and the municipality, and it is an encumbrance on the property that is maintained in perpetuity.

Rob Vani remarks their position is the berm should be put back to the exact specifications that was previously approved under the review of a local engineer. He adds that the appellants were looking at alternative measures as opposed to putting back what was there on a cost basis.

Councillor Fabio Costante questions if hypothetically the committee said we are not going to enforce the berms anymore on these properties, does Transport Canada or CN Rail have any further jurisdiction over this matter or is it done at that point. Rob Vani suggests that the municipality itself would be attracting liability if it fails to enforce in a reasonable manner. He states that sound walls and the berms are there for health and safety of not only the respondent but the entire surrounding area.

The Chair asks if there is no berm in that area will the sound affect the neighbours. Rob Vani responds he is not a sound engineer however, the process when sound attenuation is being looked at as part of developments it is not property to property but more broadly across along a larger area. It depends how far the homes are from the roadway, it will vary the construction of the height of the sound barrier wall, berm size and height as well whether the dwellings are masonry, vinyl siding and the type of windows to mitigate sound impacts to occupants of the dwellings.

In response to a question asked by the Chair regarding if different materials can be used for the berm that would be less costly for the appellants. Rob Vani indicates that in the Order it states that the appellants may seek a consultant to look at their options to meet the requirements for sound attenuation, derailment and spillage control.

Councillor Fabio Costante asks the appellants if they sought out a consultant that would provide an array of options. Mr. Redmond advises that no one assisted them.

Rob Vani remarks that the Ontario Association of Professional Engineers has 57,000 Professional Engineers in the province, contacting the association for assistance should assist with procuring an engineering consultant who specializes in noise engineering.

Councillor Fabio Costante asks if the Property Standards Committee were to uphold the decision of the Property Standards officials, does that require that the appellants build a specific berm or would it leave options open and come back with a plan. Rob Vani responds under the *Property Standards Act*, the Committee can confirm the Order, modify the Order, extend the deadline of the Order or can quash the Order. Councillor Fabio Costante asks if the Order is to build the berm. Rob Vani concurs.

Councillor Mark McKenzie asks if the appellants had a conversation with the rail company regarding if they chose to sign off on this matter, would the city be liable. Rob Vani responds that the City is party to this agreement registered on the titles and encumbrance. The City would also have to be in agreement to modify the agreement on that property.

Councillor Fabio Costante states that the parties to this agreement includes the City, and the property owners, so, it was originally with the developer and then was vested with the property owners, so this is the agreement based on the requirements from Federal Transport Ministry. He questions if this subdivision was built today, would the Federal Transport Ministry have the same requirements. Rob Vani responds that he would not know what the requirements would be, however, the city's bylaw still requires maintenance to that berm and sound wall.

Moved by Councillor Fabio Costante, seconded by Councillor Mark McKenzie,
That the matter relating to 3139 Loebach **BE DEFERRED** for 90 days to allow for the appellants to retain a private consultant and to determine if there are other options to satisfy the Property Standards By-law.

Carried.

5.2 St. Paul Management Limited – 747 Ouellette Avenue

As the appellant is not present, is it generally agreed that a meeting be convened to address this matter at a later date to allow the owner to be present.

6. Adjournment

There being no further business, the meeting is adjourned at 11:30 o'clock a.m.



Committee Matters: SCM 392/2024

**Subject: Minutes of the International Relations Committee of its meeting held
November 7, 2024**

INTERNATIONAL RELATIONS COMMITTEE

Meeting held November 7, 2024

A hybrid 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
Jerry Barycki
L.T. Zhao

Regrets received from:

Saiful Bhuiyan
Ronnie Haidar
William Ma

Also present are the following resource personnel:

Sandra Gebauer, Council Assistant
Karen Kadour, Committee Coordinator

1. Call to Order

The Chair calls the meeting to order at 3:34 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. Minutes

Moved by Councillor Ed Sleiman, seconded by Jerry Barycki,
That the minutes of the International Relations Committee of its meeting held July 10, 2024 **BE ADOPTED** as presented.
Carried.

4. Business Items

4.1 Report of L.T. Zhao's visit to Sister City Changchun, China on August 1, 2024

L.T. Zhao advises that he met with Mister Ou Shuo, Deputy Director (mayor) and the Consular Affairs Division and other officials on August 1, 2024. The Chair thanks L.T. for his detailed report and surmises it was an engaging and fruitful meeting. A discussion was held regarding future relations with our Sister City. He suggested leveraging a student exchange program with high school students or with students from the University of Windsor. Sandra Gebauer advises that exchange programs are facilitated through the school boards and adds that she will reach out to the school boards and will report back.

L. T. Zhao proposes notifying the Councillors in Changchun when the next Windsor/Detroit Marathon will be held.

Moved by Councillor Fred Francis, seconded by L.T. Zhao,

That the update provided by L.T. Zhao regarding his visit to Changchun, China **BE RECEIVED**, and further, that a letter be sent from the Office of the Mayor of the City of Windsor to Changchun, China to facilitate an official delegation visit to the City of Windsor in the near future.

Carried.

4.2 Arlington, Texas – Decision of the Development & Heritage Standing Committee at its meeting held September 3, 2024

Councillor Francis refers to the meeting of the International Relations Committee held on July 20, 2024, and states that the Committee cannot decide to bypass the policy for one city and not for another city. He adds if it is not a people-to-people relationship it is not a relationship that will last long.

Sandra Gebauer advises that the Mayor's Office responded to the Chair and commented "that Mayor Dilkens trusts in the process of having the report go through the IRC with the Committee continuing to vet the proposal and arrive at a recommendation". She advises that the recommendation and the motion sent to the Standing Committee was referred to the Mayor's Office for comment and that the comments be forwarded to a future meeting of the Development and Heritage Standing Committee.

Councillor Fred Francis recommends that the proper way to do this is to change the policy, however, if the policy is changed, there will be requests from other cities in other countries.

The last Sister City to be added 24 years ago was Lublin, Poland. The Policy was updated in 2023.

Councillor Fred Francis advises there has not been a formal twin city agreement in over 20 years, however, there have been several requests that did not meet the merits of this Policy. Councillor Renaldo Agostino comments if no cities have been added in many years, should we be looking at changing this Policy? Councillor Fred Francis responds that the point of this Committee is to foster long lasting relationships with like-minded communities.

L.T Zhao concurs with Councillor Fred Francis relating to building up existing relationships.

Councillor Renaldo Agostino indicates that Windsor does not have a Sister City in the United States, and this proposal presents that opportunity. Councillor Fred Francis asks how will this be a sustainable relationship and refers to Item 6.2 of the Twin City/Friendship City Policy as follows:

“Request for twinning’s should also be community driven, supported by a formal organized cultural/ethnic association and must demonstrate that a sustainable relationship can be maintained”. Councillor Fred Francis remarks there is no formal organized cultural association and no demonstrable evidence to show that this will be sustainable or maintained.

Councillor Fred Francis states that the Friendship Policy is the best as it allows the IRC to build a relationship. He adds there is no process to remove a sister city.

Lubna Barakat remarks that the IRC should be more fluid rather than following policies and agendas and expresses concern that they have lost the core of the IRC. She refers to the Friendship City and the five-year review period.

Jerry Barycki responds that he has been a member of IRC for 22 years and adds that the Policy is required along with the model being people to people and community driven.

Sandra Gebauer advises when Arlington, Texas sent their Draft Memorandum of Understanding, it was noted that the relationship would be for five years which is similar to our Friendship City partnership. The response from Arlington was they were not interested in anything but a Sister City relationship.

It is generally agreed that the Chair along with Sandra Gebauer will contact Sheri Capehart, Arlington, Texas via Zoom video conference to further discuss a Twin City/Friendship City relationship.

Moved by Councillor Fred Francis, seconded by Councillor Renaldo Agostino,
That the update regarding the Twin City/Friendship City relationship with Arlington,
Texas **BE RECEIVED.**
Carried.

The Chair advises that the Twin City/Friendship City Policy and Mandate will be reviewed at the next meeting of the International Relations Committee.

Discussion ensues regarding the building of a relationship with the City of Detroit. Councillor Fred Francis responds that it is not the responsibility of this Committee to improve or establish relationships with Detroit; this is done through the Mayor's Office. The Chair wants to create an international brand between our shared shoreline with this City. He refers to Windsor Works, and strengthening relationships with the City of Detroit and asks if the IRC should be part of that solution outlined in Windsor Works with the improvement of Windsor's relationship with Detroit. Councillor Fred Francis states it is possible, but not without an organized framework and the Mayor's Office that highlights IRC's role and defines the expectations to further relationships with the City of Detroit.

Councillor Fred Francis suggests that the following documents be reviewed at the next meeting of the IRC - IRC Mandate and Terms of Reference along with the Twin City/Friendship City Policy.

4.3 The 2024 Changchun International Medical & Health Industry Expo

Councillor Fred Francis proposes that the information relating to the Changchun International Medical & Health Industry Expo to be held on December 7 – 9, 2024 be sent to all interested parties, i.e. health organizations, wellness organizations, University of Windsor, St. Clair College and Invest Windsor Essex.

Moved by Councillor Fred Francis, seconded by Councillor Ed Sleiman,
That information relating to the 2024 Changchun International Medical & Health Industry Expo to be held on December 7 – 9, 2024 **BE SENT** to all interested parties.
Carried.

5. Correspondence

5.1 Letter from Mayor Wang Zillian to Mayor Drew Dilkens

Moved by Councillor Fred Francis, seconded by Councillor Renaldo Agostino,
That the letter from Mayor Wang Zillian to Mayor Drew Dilkens inviting a delegation from Windsor to Changchun, China **BE RECEIVED**.
Carried.

5.2 Invitation to the 27th Annual Polish-Canadian Society Business Dinner

Sandra Gebaurer advises that one ticket is still available for the Annual Polish-Canadian Society Business Dinner to be held on November 15, 2024 at the Dom Polski Hall.

5.3 Visit to Lublin by representatives of Windsor

Jerry Barycki remarks that on August 12, 2024, there was a visit to Lublin by representatives of the Polish-Canadian Business and Professional Association of Windsor. He provides an overview of their visit to Lublin, Poland.

Moved by Councillor Fred Francis, seconded by Councillor Ed Sleiman,
That the update of the visit to Lublin, Poland by representatives of the Polish-Canadian Business and Professional Association of Windsor provided by Jerry Barycki,
BE RECEIVED.
Carried.

5.4 Message from Changchun, China

The Chair thanks L.T. Zhao for strengthening the Twin City relationship with Changchun while on his recent visit to China.

L.T. Zhao remarks that the economic and student exchange will be beneficial in maintaining the Sister City relationship in Changchun. L.T. Zhao asks if there will be an opportunity to speak to Council regarding his visit

Moved by Fred Francis, seconded by Councillor Renaldo Agostino,
That the letter from Changchun, China advising that they are facilitating a delegation visit to Windsor at the earliest opportunity **BE RECEIVED.**
Carried.

Councillor Fred Francis advises there are two requests for delegations, one in Lublin and one in Changchun.

Moved by Councillor Fred Francis, seconded by Councillor Ed Sleiman,
That information relating to requests for delegations from the International Relations Committee to visit Changchun, China and Lublin, Poland at some time in the future **BE PROVIDED** to the Mayor's Office.
Carried.

6. Confirm and Ratify E-mail Polls

6.1 That the results of the e-mail poll conducted on August 7, 2024, approving the following recommendation **BE CONFIRMED AND RATIFIED:**

Moved by Councillor Fred Francis, seconded by Councillor Ed Sleiman,

That the International Relations Committee approve an expenditure in the upset amount of \$100 for the purchase of a cake and water for the Ritsumeikan Uji High School Group from Kyoto Japan, who will be visiting City Hall on Thursday, August 22, 2024.

Carried.

6.2 That the results of the e-mail poll conducted on August 28, 2024, approving the following recommendation **BE CONFIRMED AND RATIFIED:**

Moved by Councillor Fred Francis, seconded by Councillor Ed Sleiman,

That the International Relations Committee APPROVE an expenditure in the upset amount of \$2,500 for the purchase of six six-panel display towers, which are being purchased in collaboration with the Recreation & Culture Department and will be used for the City's annual Children's Art Exhibition as well as any other future.

Carried.

6.3 That the results of the e-mail poll conducted on October 15, 2024, approving the following recommendation **BE CONFIRMED AND RATIFIED:**

Moved by Councillor Fred Francis, seconded by Councillor Ed Sleiman,

That the International Relations Committee AUTHORIZE an expenditure in the upset amount of \$560 for the purchase of four (4) tickets (1 ticket for Mayor Dilkens) for the 27th Annual Polish-Canadian Business Society Dinner to be held on November 15, 2024 at the Dom Polski Hall, located at 1275 Langlois Avenue.

Carried.

7. New Business

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 mailing the Children's Art to Gunsan, Japan for their Children's Exhibition.

Carried.

Sandra Gebauer advises that a request has been received from Gunsan, Japan for the City of Windsor to send gifts for the First place male and First Place female Marathon winners. She suggests the purchase of City of Windsor shirts.

Moved by Councillor Fred Francis, seconded by Councillor Renaldo Agostino,

That **APPROVAL BE GIVEN** to an expenditure in the upset amount of \$500. for the purchase of gifts and mailing costs for the First Place Male and First Place Female Marathon Winners in Gunsan, Japan.

Carried.

8. Date of Next Meeting

The next meeting will be held at the call of the Chair.

9. Adjournment

There being no further business, the meeting is adjourned at 4:55 o'clock p.m.



Committee Matters: SCM 393/2024

Subject: Report No. 54 of the International Relations Committee

January 6, 2025

REPORT NO. 54
of the
INTERNATIONAL RELATIONS COMMITTEE (IRC)
Meeting held December 11, 2024

Present: Councillor Angelo Marignani, Chair
Councillor Renaldo Agostino
Councillor Ed Sleiman
Lubna Barakat
Jerry Barycki
Saiful Bhuiyan
Ronnie Haidar
William Ma

Absent: Councillor Fred Francis
L.T. Zhao

Your Committee submits the following recommendation:

Moved by Councillor Renaldo Agostino, seconded by Councillor Ed Sleiman,
That Administration **BE REQUESTED** to draft a mutual Letter of Interest to Arlington, Texas to outline the shared goals and preliminary steps for a Friendship City/Sister City partnership between Arlington, Texas and the City of Windsor and to position the letter as a flexible exploratory agreement.
Carried.

NOTIFICATION		
International Relations Committee	On file	