

Development & Heritage Standing Committee Meeting Agenda

Date: Monday, February 2, 2026

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
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1.	CALL TO ORDER
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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 (Planning Act) minutes of its meeting held January 5, 2026 (SCM 23/2026)
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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.	Zoning By-law Amendment Application for 291 Watson Avenue, Z-035/25 [ZNG-7344], Ward 6 (S 144/2025)
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7.2.	Zoning By-law Amendment Application for 401-431 Shepherd Street West, Z-036/25 [ZNG-7345], Ward 3 (S 145/2025)
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7.3.	Rezoning - 1360 & 1376 Howard Ave - Z-037/25 ZNG/7349 - Ward 4 (S 146/2025)
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8. ADOPTION OF THE MINUTES

- 8.1. Adoption of the Development & Heritage Standing Committee minutes of its meeting held December 1, 2025 (**SCM 381/2025**)
- 8.2. Adoption of the Development & Heritage Standing Committee minutes of its meeting held January 5, 2026 (**SCM 22/2026**)

9. PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)

10. HERITAGE ACT MATTERS

- 10.1. Windsor Municipal Heritage Register – Updates about Bill 23 Strategy 2 and Alternative Notice Policy - City Wide (**S 6/2026**)
- 10.2. Notice of Intent to Partially Demolish a Heritage Listed Property – 1519 Wyandotte Street East, Tivoli Pool Room, Casa Loma Restaurant - Ward 4 (**S 7/2026**)

11. ADMINISTRATIVE ITEMS

- 11.1. Brownfield Community Improvement Plan - 0 Wyandotte St E (south of 10835 Riverside Dr E) - Ward 7 (**S 142/2025**)
- 11.2. Ford City CIP Application for 1327 Henry Ford Centre Drive, Owner: 1001134151 Ontario Inc. (C/O: Andrew Lennon, Kaija Karmiste, and Saksham Sharma), Ward 5 (**S 2/2026**)
- 11.3. Update to Report S 131/2025 – Amendment to Sign By-law 250-040 for 3663 Walker Road - Ward 9 (**S 4/2026 and S 131/2025**)

12. COMMITTEE MATTERS

13. QUESTION PERIOD

14. ADJOURNMENT



Committee Matters: SCM 23/2026

Subject: Adoption of the Development & Heritage Standing Committee (Planning Act) minutes of its meeting held January 5, 2026

Development & Heritage Standing Committee Meeting
(Planning Act Matters)

Date: Monday, January 5, 2026

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

Member Regrets

Member Daniel Grenier

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Robert Martini, Municipal Gaming Analyst

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Jelena Payne, Deputy Chief Administrative Officer / Commissioner, Economic Development
Neil Robertson, City Planner
Greg Atkinson, Deputy City Planner – Development
Jason Campigotto, Deputy City Planner – Growth
Aaron Farough, Senior Legal Counsel
Patrick Winters, Manager, Development
Laura Diotte, Manager, Planning
Elara Mehrilou, Supervisor, Coordinator Maintenance
Adam Szymczak, Planner III - Development

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Kevin Alexander, Planner III - Special Projects
Justina Nwaesei, Planner III - Development
Brian Nagata, Planner III - Development
Tracy Tang, Planner III – Heritage
Simona Simion, Planner III – Economic Development
Juan Paramo, Development Engineer
Natasha McMullin, Clerk Steno Senior
Aashvi Sarvaiya, Development Review Technician
Anna Ciacelli, Deputy City Clerk

Delegations—participating via video conference

Item 7.1, 7.2, 7.4 Tracey Pillon-Abbs, Principal Planner, Pillon Abbs Inc
Item 11.1 Theresa O'Neill, Agent, Dillon Consulting Limited
Item 11.2 Gary Spencer, Applicant

Delegations—participating in person

Item 7.1 Marko Agbaba, Property Owner, President, Agbaba Holdings Corporation
Item 7.2 Eamon McGrath, Area Resident
Item 7.2 Sheila Roberts, Area Resident
Item 7.3 Jackie Lassaline, Lassaline Planning Consultants
Item 7.3 Jennifer Coutts, Registered Owner, Peltier Developments Inc.
Item 7.3 Brad & Niki Blair, Area Residents
Item 7.4 Jacob McCourt, Area Resident

1. CALL TO ORDER

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:30 o'clock p.m.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

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 December 1, 2025

Moved by: Member Anthony Arbour

Seconded by: Councillor Fred Francis

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held December 1, 2025, **BE ADOPTED** as presented.

Carried.

Report Number: SCM 382/2025

7. *PLANNING ACT* MATTERS

7.1. Rezoning – 1913, 1925 & 1949 Devonshire Court – Z-027/25 ZNG/7331 – Ward 4

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

Tracey Pillon-Abbs (agent), states that staff recommendation is supported and the previous proposal was adjusted to suit the neighbours desires and final designs will be discussed during the Site Plan Control process. Ms. Pillon-Abbs is available for questions.

Marko Agbaba (owner), is available for questions.

Councillor Mark McKenzie thanks Mr. Agbaba for listening to the neighbours concerns regarding the development to fit with the surrounding community. Chair Morrison agrees.

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 789**

1. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Parts 1 to 4, Plan 12R-27198 (known municipally as 1913, 1925 & 1949 Devonshire Court; Roll No. 020-220-03903, 020-220-03906, 020-220-03901), situated at the southeast corner of Devonshire Court and Kildare Road, by deleting and replacing Section 20(1)340 with the following:

340. **SOUTHEAST CORNER OF DEVONSHIRE COURT AND KILDARE ROAD**

For the lands comprising Parts 1 to 4, Plan 12R-27198, the following additional provisions shall apply:

1. Additional permitted *main uses*:

Double Duplex Dwelling

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Duplex Dwelling

Multiple Dwelling

Semi-Detached Dwelling

Townhome Dwelling

2. Any use accessory to an additional permitted *main use*.
3. For any *dwelling*, the following additional provisions shall apply:
 - a) An *access area* or driveway in any *front yard* or any *exterior side yard* is prohibited. Access to a *parking space* shall be from an *alley*.
 - b) Exposed flat concrete block, untextured concrete whether painted or unpainted and vinyl siding on any exterior wall is prohibited. A minimum of 50 per cent of the area of any exterior wall shall be covered in brick, textured concrete block, stucco, stone or any combination thereof.
4. For a *Single Unit Dwelling*, the following additional provisions shall apply:
 - a) *Building Height: Main Building: minimum 7.00 m*
 - b) *Front Yard Depth: minimum 7.50 m*
5. For a *Double Duplex Dwelling, Duplex Dwelling, Semi-Detached Dwelling, or Townhome Dwelling*, the following additional provisions shall apply:
 - a) *Lot Width: minimum:*
 1. *Double Duplex Dwelling: 12.0 m*
 2. *Duplex Dwelling: 9.0 m*
 3. *Semi-Detached Dwelling: 15.0 m*
 4. *Townhome Dwelling: 20.0 m*
 - b) *Lot Area: minimum:*
 1. *Double Duplex Dwelling: 530.0 m²*
 2. *Duplex Dwelling: 350.0 m²*
 3. *Semi-Detached Dwelling: 425.0 m²*
 4. *Townhome Dwelling: per Townhome Dwelling Unit: 250.0 m²*
 - c) *Lot Coverage: maximum 52%*
 - d) *Building Height: Main Building: maximum 12.0 m*
 - e) The *Front Yard Depth, Rear Yard Depth, Side Yard Width* provisions in Section 10.1.5 shall not apply
 - f) *Building Setback: Any Building: minimum*
 1. From the *lot line* abutting Kildare Road: 1.20 m
 2. From the *lot line* abutting Devonshire Court: 3.39 m
 3. From the midpoint of the 20ft radius of Lot 87 RP 684: 1.70 m
 4. From an *interior lot line*: 1.20 m

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- g) For a *Duplex Dwelling* and *Semi-Detached Dwelling*, the *maximum gross floor area* of the *main building* shall be 400 m²
- h) For a *Townhome Dwelling*, a *minimum* of 2 *parking spaces* per *townhome dwelling unit* shall be provided
- i) Required Number of *Visitor Parking Spaces*: 0
- 6. For a *Multiple Dwelling*, the following provisions shall apply:
 - a) *Lot Width: minimum* 35.0 m
 - b) *Lot Area: minimum* 2,145.0 m²
 - c) *Lot Coverage: maximum* 35.0%
 - d) *Building Height: Main Building: maximum* 15.0 m
 - e) *Building Setback: minimum*
 - 1. From the *lot line* abutting Kildare Road: 2.62 m
 - 2. From the *lot line* abutting Devonshire Court: 3.39 m
 - 3. From the midpoint of the 20ft radius of Lot 87 RP 684: 1.89 m
 - 4. From an *interior lot line*: 1.20 m
 - f) *Landscaped Area: minimum* 27.5% of *lot area*
 - g) *Dwelling Units: maximum* 23

[ZDM 7; ZNG/4715; ZNG/6571; ZNG/7331]

2. THAT the Site Plan Approval Officer **BE DIRECTED** to consider the comments from municipal departments and external agencies in Appendix C to Report S 136/2025.

Carried.

Report Number: S 136/2025

Clerk's File: Z/15049

7.2. Zoning By-law Amendment Application for 3025 Rivard Avenue, Z-032/25 [ZNG-7337], Ward 8

Brian Nagata (author), Planner III - Development (A), presents the application.

Tracey Pillon-Abbs (agent) supports the staff recommendation and requests minor relief to ensure the building is appropriately located on the site and complies with other zone provisions. Ms. Pillon-Abbs provides context for residents' concerns, such as parking and privacy for neighbouring properties. Ms. Pillon-Abbs is available for questions.

Eamon McGrath (area resident) resides at 2997 Rivard Avenue and has concerns about noise, traffic, congestion, infrastructure, and services that will cause flooding; loss of green space; pedestrian safety for children and seniors; and that any amendments made have done nothing to

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improve traffic during school hours. Mr. McGrath states that the development does not follow the four areas of the Provincial Planning Statement.

Sheila Roberts (area resident) reads a letter from a resident that raises concerns about traffic during peak hours, a lack of greenspace for pedestrians to travel, a lack of sidewalks, vehicular speeding, a lack of parking, and vehicular congestion.

Councillor Fred Francis inquires about the sale of the excess church property. Ms. Roberts states that residents and the church understood that the property would be sold as a single-family dwelling unit and that the community may not have received adequate information. Councillor Francis states that there is still time to advise the community before the matter is presented to Council.

Councillor Francis inquires about the main concerns, and whether, if mitigated, they would solve public concern. Ms. Roberts states that it's noise, congestion and traffic. Mr. McGrath states that the community is not opposed to housing, that it does not provide a benefit to the surrounding community as a whole, and that the units are not low-income housing, as stated.

Councillor Angelo Marignani inquires about the decrease in parking, where residents currently have guests park, and whether this has been a concern in the past. Mr. McGrath states that visitors park on the street, take transit, or take cabs. Ms. Roberts states that the church has been gracious enough to allow the neighbourhood to park in their parking lot.

Councillor Kieran McKenzie asks how to address these concerns. Ms. Pillon-Abbs explains that the church severed the green space and that the applicant purchased and merged the existing lot. She states that the applicant reduced the number of units and the building height to better fit within the community. Ms. Pillon-Abbs notes that the project did not require a traffic impact study or a tree inventory and preservation plan due to its minimal impact, and that other studies have identified no concerns. She adds that the units would be geared toward smaller families and would include one barrier-free parking space.

Councillor Kieran McKenzie asks about the unit floor space. Councillor Kieran McKenzie asks about the unit floor space. Ms. Pillon-Abbs explains that the concept plan is preliminary, that it does not include floor plans, and that the applicant will provide floor plans during the building permit process. She adds that the proposal consists of two-storey units designed as stacked townhouses.

Councillor Kieran McKenzie inquires about the target market. Ms. Pillon-Abbs states that the applicant would not target a specific type of renter, but the unit's size would be ideal for new homeowners or those who want to downsize, and it is suitable for transitional living.

Councillor Kieran McKenzie inquires about the threshold requirement for a traffic impact assessment (TIA). Ms. Pillon-Abbs defers the question to the Administration. Elara Mehilou states that the guideline considers 100 trips generated by a development, and that this would not trigger a TIA.

Councillor Kieran McKenzie asks the residents if that provides any reassurance. Mr. McGrath states that he has concerns about each unit having only one car and about the safety of senior

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pedestrians who travel through the property. Councillor McKenzie states that developing the property will eliminate this.

Councillor Marignani inquires about the parking reduction and whether there is a difference in parking ratios between a townhouse and a stacked townhouse. Mr. Nagata states that the ratio for a stacked dwelling is 1:1, whereas the ratio for a multiple dwelling is 1:1.25.

Councillor Marignani inquires about the building height and encroachment allowance. Mr. Nagata states that the development's maximum building height matches that of Residential District 1.1.

Councillor Marignani inquires about the height of the surrounding homes within the neighbourhood. Mr. Nagata states that he is unsure without undertaking an in-depth analysis.

Councillor Marignani inquires whether the number of units would create an issue with on-street parking in the area. Mr. Nagata defers the question to Transportation Planning. Ms. Mehrilou states that a parking study was conducted and complied with the by-law.

Councillor Kieran McKenzie inquires about traffic volumes on Rivard Avenue and how this development would affect traffic congestion. Ms. Mehrilou states that she requires a few minutes to obtain the traffic counts for Rivard Avenue.

Councillor Kieran McKenzie inquires about the road's classification. Patrick Winters states that the road is a Class II Collector Road.

Councillor Marignani inquires about the physical parking count, which staff found invalid due to missing information. Ms. Mehrilou states that although they disagreed with the consulting traffic engineer's methodology in the parking study, the reduction of one required parking space does not pose any concerns.

Moved by: Councillor Fred Francis

Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 790**

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:
16. **WEST SIDE OF RIVARD AVENUE BETWEEN GRAND BOULEVARD AND QUEEN ELIZABETH DRIVE**

For the lands comprising of Part of Block E, Plan 1636, Parts 1 & 2, Plan 12R-17820, Part 1, Plan 12R-21843 (PIN 01378-0475 LT & 01378-0476 LT), the following additional provisions shall apply:

- a) A *Stacked Dwelling* shall be an additional permitted *main use*.
- b) Notwithstanding clause .10 of Table 5.30.10, the *maximum* encroachment of a balcony into a *required side yard* shall be 1.63 m.

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- c) Notwithstanding clause .60 of Table 5.30.10, the *minimum* separation of a *porch* from a *side lot line* shall be 3.80 m.
- d) *Building Height: Main Building: maximum* 9.0 m
- e) *Side Yard Width: minimum:*
 - 1. From the north *side lot line*: 1.80 m
 - 2. From the south *side lot line*: 5.40 m
- f) Notwithstanding Table 24.20.5.1, the *minimum* number of required *parking spaces* for a *Multiple Dwelling* shall be 9.
- g) An ornamental *screening fence* having a height of 1.20 m shall span the length of a parking area separation from Rivard Avenue, save and except that portion within 0.30 m of an *access area*.
- h) An ornamental *screening fence* having a height of 1.20 m shall span the length of a parking area separation from the north *lot line*.
- i) An ornamental *screening fence* having a height of 1.20 m shall span the length of a parking area separation from the south *lot line*.
- j) A *main building* wall facing Rivard Avenue shall have at least one main pedestrian entrance.

[ZDM 11; ZNG/7337]

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Part of Block E, Plan 1636, Parts 1 & 2, Plan 12R-17820, Part 1, Plan 12R-21843 (PIN 01378-0475 LT & 01378-0476 LT), situated on the west side of Rivard Avenue between Grand Boulevard and Queen Elizabeth Drive, from RD1.1 to RD3.1x(16).

Carried.

Report Number: S 137/2025
Clerk's File: Z/15057

7.3. Zoning By-law Amendment for the property known as 1744 Norman Rd; Applicant: Lassaline Planning Consultants Inc.; File No. Z-028/25 [ZNG/7332]; Ward 8

Justina Nwaesei (author), Senior Planner – Development, presents application.

Jackie Lassaline (agent), presents a powerpoint. Ms. Lassaline requests that front yard set back, nine units for the building, and a reduction in set back from the parking area to be added to the recommendation. Ms. Lassaline is available for questions.

Jennifer Coutts (owner), is available for questions. Ms. Coutts states that the development would help the aging population find appropriate housing and the neighbouring properties are in agreement with the development.

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Brad and Niki Blair (area residents) have concerns with the proposed development. Mr. Blair claimed that there are misleading pictures and inconsistent information in the presentations made by the planners. Mr. Blair questioned the idea of Polonia Park being shown as part of their neighbourhood. With respect to the proposed development, Mr. Blair had issues with increase in traffic and on-street parking demand. Mr. Blair had concerns also with rental properties and proposed development being, in his opinion, inconsistent with surrounding properties. He talked about increased safety risk, and decreased property value. Niki Blair concurred with Brad.

Councillor Marignani inquires about the past proposals and length of application for this development. Ms. Nwaesei states that the consultation process had started in 2023 with a different concept plan than presented that did not fit with the surrounding neighbourhood. Additionally, since then changes to departmental and provincial requirements have taken place extending the length of the process.

Councillor Marignani inquires whether parking provided for the development is appropriate based on delegate concerns. Ms. Nwaesei states that the parking proposed exceeds zoning requirements. The 8 dwelling units require 10 parking spaces, and the concept plan shows 12 proposed parking spaces.

Councillor Marignani inquires whether the trees indicated on the site plan, located between the parking lot and park, are existing or will be planted in the future. Ms. Nwaesei states that the topographic plan will provide the information about which trees are existing, as the landscape plan can change. Chair Morrison confirms that the owner states the trees will remain on the lot.

Councillor Marignani inquires whether the set back requirement was changed to allow for the trees to remain on the lot. Ms. Nwaesei states the parking area separation does not impact the trees on the back of the lot.

Councillor Kieran McKenzie inquires whether tree removal would create greater opportunities for intensification. Councillor Kieran McKenzie also asks for clarification with respect to the two areas of discrepancies (front yard set back and 8 versus 9 units) between what is recommended in the Planning Report and what the applicant is requesting. Ms. Nwaesei states more units could be added on the subject land without the removal of the trees in the rear of the subject land, but additional parking could be added with tree removal. However, she reminds the committee that the Provincial Planning Statement requires the preservation of vegetative surfaces.

Ms. Nwaesei states that nine or more units would not be allowed through the Committee of Adjustment and would require a rezoning. Ms. Nwaesei further states that multiple dwelling is recommended as an additional permitted use to the current zoning district and there are no opportunities for townhouse construction unless a proponent requests rezoning of the property.

Councillor Kieran McKenzie asks if there is any possibility of further intensification that could be of greater concern to the area residents. Councillor Kieran McKenzie wants some reassurance that the recommended development is at the top limit of what is likely to be proposed on the subject

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land and asks if there are other potential development options that could warrant consideration on the subject land. Councillor Kieran McKenzie inquires about the front yard set back discrepancy. Ms. Nwaesei states the subject land is a large lot, and although it is zoned residential district 1.2, it will be a disservice to the PPS (Provincial Planning Statement) to encourage a single unit dwelling on the subject land. She also states that the Provisions recommended in the planning report allow for moderate intensification that is aligned with the subject area (in terms of setbacks). A density comparison was included within the report. In terms of what can be proposed on the subject land, a townhome development could be considered with three units but then allows for 9 units with only 6 parking spaces being required. Therefore, in terms of what was heard about the neighbourhood, parking-wise, any other concept that allows ADUs (Additional Dwelling Units) would be detrimental to the neighbourhood in regard to their parking concerns. However, the multiple dwelling allows the city to encourage a development that requires much higher parking. Since parking is the concern, the multiple dwelling allows for more parking than the other concepts like semis, singles or townhomes.

Councillor Kieran McKenzie inquires about the specific limit of eight units versus nine, and confirming if for any intensification beyond what's being proposed, the developer would have to come back to the City to do any different level of intensification, no matter what it might be as opposed to something elsewhere they might have as a townhome development, by right provision to be able to just go forward with anything they wanted as long as it fit within the current legislation. Ms. Nwaesei states this is correct. Note, Ms. Nwaesei earlier clarified that townhome on the subject land would also require rezoning approval.

Councillor Marignani inquires about additional concerns Mr. Blair may have. Mr. Blair states concerns of transforming large lots into multiple unit dwellings where single family homes would have been more appropriate.

Chair Morrison inquires about the amendments presented by the agent today. Ms. Nwaesei states that the three additional items requested to be added to the planning recommendations are already requested as part of this rezoning application and are discussed in the planning report. Ms. Nwaesei states that the parking area separation has been included in the planning recommendation, and the other two items (9-unit multiple dwelling and reduced front yard) were rejected in the planning report. Ms. Nwaesei further states that the requests (for additional recommendations) made by the agent at the meeting do not change the recommendations by administration as presented today.

Councillor Marignani inquires whether an elevator is presented within the design proposed. Ms. Coutts states yes.

Councillor Kieran McKenzie states that Administration / Ms. Nwaesei has found a balance between what the developer wants versus the impact and concerns of the neighbourhood where other developments would have a larger impact for intensification.

Councillor Mark McKenzie states he will not be supporting the application as it will change the intensification of the neighbourhood and setting precedence for future developments.

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Councillor Francis states he will also not be supporting the development as it will set precedence and change the character of the neighbourhood.

Councillor Marignani states that the elevator built in the design allows for the accessibility for the aging population that would like to remain in the neighbourhood.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 791**

I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following clause to Section 91.10:

15 **EAST SIDE OF NORMAN ROAD, BETWEEN MILLOY STREET AND ALICE STREET**

For the land comprising Lots 2, 3, 108, and 109, Pt closed Alley and Pt Princess Avenue closed on Plan 1360, PIN 01113-0449 LT, the following provisions shall apply:

a) One *Multiple Dwelling* with a maximum of 8 *dwelling units* shall be an additional permitted use subject to the following additional regulation:

1. *Lot Width: minimum 20.0 m*

2. *Lot Area: Per dwelling unit: minimum 200.0 m²*

3. 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 1.80 m; and

4. *Landscaped Open Space Yard: minimum 35.0% of the lot area*

b) A *Multiple Dwelling* containing 9 or more *dwelling units* is prohibited.

[ZDM 11; ZNG/7332]

II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lots 2, 3, 108, and 109 on Plan 1360, Ford City; Pt closed Alley and Pt Princess Avenue closed, Plan 1360, situated on the east side of Norman Road, between Milloy Street and Alice Street (municipally known as 1744 Norman Road; Roll Number 010-450-13500) from RD1.2 to RD1.2x(15).

III. THAT the City Engineer **BE DIRECTED** to require the following prior to issuing a street opening permit for the subject property

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- a) the owner upgrades the existing water service, entirely at their cost, to accommodate the proposed development on the subject land to the satisfaction of ENWIN Water Engineering; and,
- b) the owner submits a clearance letter from ENWIN Water Engineering to confirm that the upgrade is satisfactory.

Carried.

Councillors Fred Francis, Mark McKenzie and Member Anthony Arbour voting nay.

Report Number: S 138/2025

Clerk's File: Z/15050

7.4. Zoning By-law Amendment Application for 3220 Church Street, Z-022/25 [ZNG-7326], Ward 1

Brian Nagata (author), Planner III - Development (A), is available for questions.

Tracey Pillon-Abbs (agent) states that the applicant does not support the Administration's recommendation to deny the proposal. Ms. Pillon-Abbs states that the issue with the development is that the proposed single-detached dwelling is to be constructed in accordance with the current zoning, with site-specific relief to reduce lot width and lot area due to an irregularly shaped lot. Ms. Pillon-Abbs confirms that the development will comply with parking requirements, that the building maintains low lot coverage, and that it will not alter the neighbourhood. Ms. Pillon-Abbs is available for questions.

Jacob McCourt (area resident) raises several concerns about the proposed development, including its fit with the neighbourhood character and overall cohesion, safety issues, and the small lot area and frontage relative to the proposal. He notes that the severed and retained parcels do not comply with zoning or the Provincial Planning Statement, that the lot shape is unsuitable for the intended use, and that the building's proximity to the lot line may limit pedestrian routes. He also highlights safety concerns regarding the driveway's proximity to the stop sign and anticipates that the development could increase traffic incidence rates.

Councillor Fred Francis inquires whether the delegate supports the recommendation to deny the application.

Chair Morrison inquires if there is a requirement to sever the property. Mr. Nagata states that the owner must sever the property to create a new lot.

Chair Morrison inquires whether, if a severance does not occur, there would be potential to create an ADU as it exists. Mr. Nagata agrees that, as existing, the development could have two ADUs as of right, subject to compliance with Zoning By-law 8600 and the Ontario Building Code.

Moved by: Councillor Fred Francis

Minutes

Development & Heritage Standing Committee

Monday, January 5, 2026

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Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 792**

- I. THAT the application of Deniz Orak to amend Zoning By-law 8600 by adding a zoning exception to allow for the creation of a lot with a reduced minimum lot width and lot area at 3220 Church Street for the construction of a new Single Unit Dwelling **BE DENIED** due to not being in full conformity to the policy direction of the City of Windsor Official Plan.

Carried.

Report Number: S 135/2025

Clerk's File: Z/15055

7.5. Official Plan Review Outline - City Wide

Frank Garardo (author), Planner III – Policy & Special Studies, is available for questions.

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 793**

- I. THAT the Planning Department's Official Plan Review Report (S141/2025) **BE RECEIVED** for information.
- II. THAT **APPROVAL** be given to the initiation of an Official Plan Review and that the City's Development Heritage Standing Committee **BE APPOINTED** as the Steering Committee for the Official Plan Review.
- III. THAT a further report **BE PREPARED** for the Development Heritage Standing Committee, identifying the scope, structure, work program, and a terms of reference for consulting services, and further, that regular updates **BE PREPARED** for the Development Heritage Standing Committee.

Carried

Report Number: S 141/2025

Clerk's File: Z/15071

8. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 6:33 o'clock p.m.

Ward 10 – Councillor Jim Morrison

Deputy City Clerk / Supervisor of Council

Minutes

Development & Heritage Standing Committee

Monday, January 5, 2026

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(Chairperson)

Services

Council Report: S 144/2025

Subject: Zoning By-law Amendment Application for 291 Watson Avenue, Z-035/25 [ZNG-7344], Ward 6

Reference:

Date to Council: February 2, 2026
Author: Brian Nagata, MCIP, RPP
Planner III - Development (A)
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: December 19, 2025
Clerk's File #: Z/15073

To: Mayor and Members of City Council

Recommendation:

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:
 18. **NORTHWEST CORNER OF CLAIRVIEW AVENUE AND WATSON AVENUE**
For the lands comprising of Lots 1 & 2, Plan 829 (PIN 01055-0107 LT), the following additional provisions shall apply:
 - a) *Lot Area: minimum 827.2 m²*
 - b) *Building Height: Main Building: maximum 9.0 m*
 - c) *Side Yard Width: minimum:*
 1. From the north *side lot line*: 2.20 m
 2. From the south *side lot line*: 1.22 m
 - d) Notwithstanding Table 24.20.5.1, the *minimum* number of required *parking spaces* for a *Multiple Dwelling* shall be 9.
 - e) Notwithstanding clause .6 of Table 25.5.20.1, the *minimum* separation of a *parking area* 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 2.00 m and the *parking area* separation shall be maintained with *soft landscaping*, save and except any area occupied by a public walkway providing access to a main pedestrian entrance.
- [ZDM 10; ZNG/7344]

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lots 1 & 2, Plan 829 (PIN 01055-0107 LT) situated at the northwest corner of Clairview Avenue and Watson Avenue from RD1.2 to RD3.1x(18).

Executive Summary:

N/A

Background:

Application Information:

Location: 291 Watson Avenue
(Lots 1 & 2, Plan 829; Roll No. 060-360-04900; PIN 01055-0107 LT)

Ward: 6

Planning District: Riverside

Zoning District Map: 10

Owner: Hausology Inc. (Daniel Grenier)

Applicant: Same as Owner

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

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 the intersection of Clairview Avenue and Watson Avenue, known municipally as 291 Watson Avenue (the "Subject Property"), from Residential District 1.2 (RD1.2) to Residential District 3.1 (RD3.1) with a zoning exception to allow the construction of an eight-unit Multiple Dwelling with a rear nine-space parking area, with access off Clairview Avenue.

The zoning exception is requested to reduce the minimum lot area and side yard width, the required number of parking spaces, and the minimum parking area separation from a building wall containing a habitable room window facing the parking.

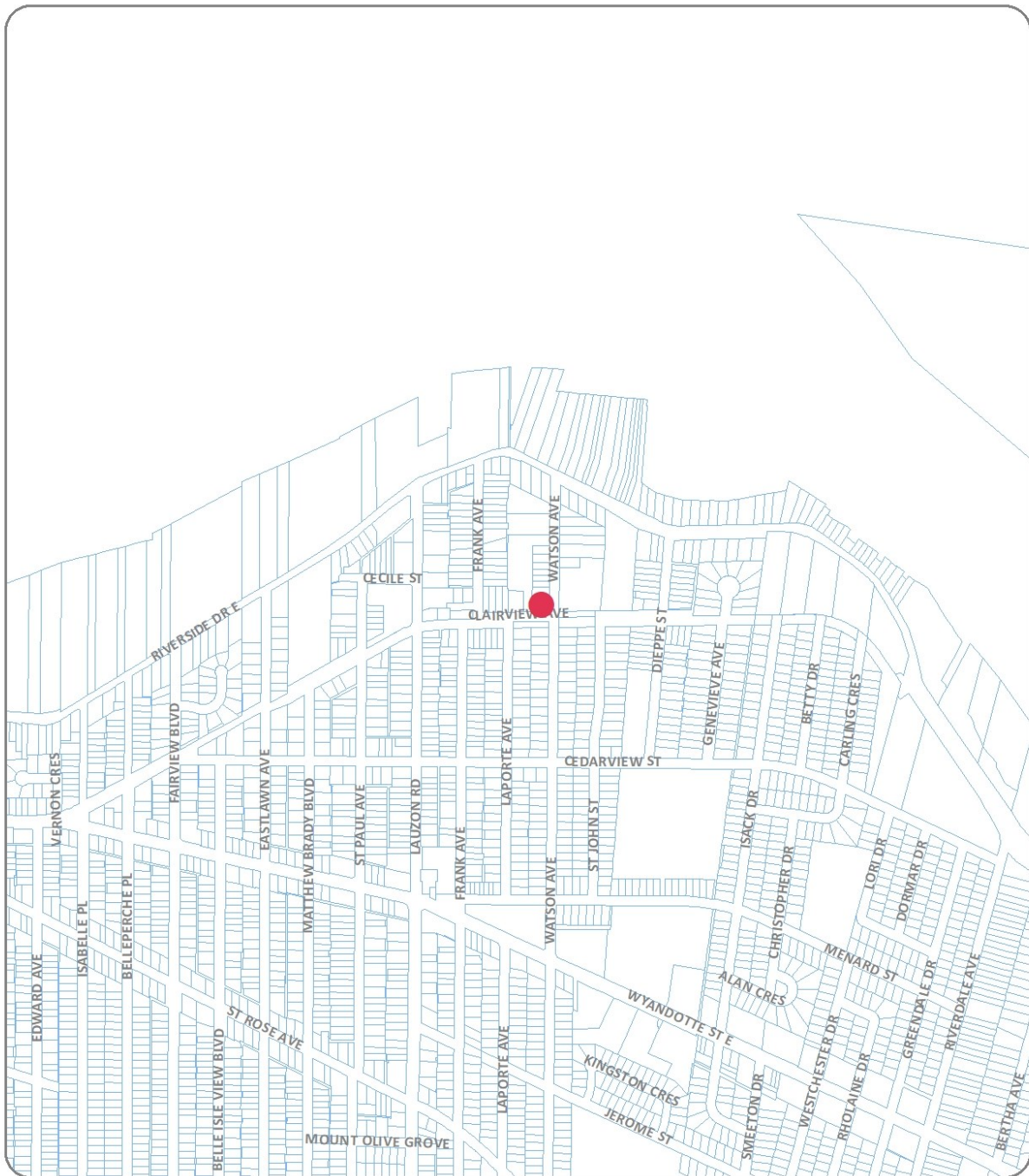
Submitted Information: Conceptual Plans (See Appendix A), Deed, Parking Study, Planning Rationale Report, Renderings, Stage 1-2 Archaeological Assessment with Ministry of Citizenship and Multiculturalism (MCM) Letter, Stormwater Management Report and Zoning By-law Amendment Application Form

All submitted information (except the Deed) can be found on the City's [Current Development Applications webpage](#), referencing the file number and municipal address.

Site Information:

Official Plan	Zoning	Current Use	Previous Use
Residential	Residential District (RD1.2) 1.2	Single-Unit Dwelling	Agricultural
Lot Width	Lot Depth	Lot Area	Lot Shape
24.4 m	33.9 m	827.2 m ²	Rectangular
<i>All measurements are based on the Registered Plan of Subdivision 829</i>			

The Subject Property contains a one-storey single-unit dwelling with a detached garage and a driveway off Watson Avenue. The remainder of the Subject Property is maintained as landscaped open space, including a manicured lawn, mature trees, and shrubs.



KEY MAP - Z-035/25, ZNG/7344



● SUBJECT LANDS



PART OF ZONING DISTRICT MAP 10

N.T.S.

REQUESTED ZONING AMENDMENT

Applicant: Hausology Inc.



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : DECEMBER, 2025
FILE NO. : Z-035/25, ZNG/7344



SUBJECT LANDS

Neighbourhood Characteristics:

The Subject Property sits on the north side of the Riverside neighbourhood. The Riverside neighbourhood constitutes the area north of the Via Rail corridor, east of Raymo Road, south of the Detroit River and west of Little River.

Surrounding Land Uses:

North	<ul style="list-style-type: none">• Small-scale and large-scale forms of low-profile dwellings
East	<ul style="list-style-type: none">• Brumpton Park• Small-scale and large-scale forms of low-profile dwellings and one high-profile dwelling
South	<ul style="list-style-type: none">• Clairview Bikeway• Riverside Secondary School• M.S. Hetherington Public School• St. John Vianney Catholic Elementary School• St. John Vianney Roman Catholic Church• Small-scale forms of low-profile dwellings• WFCU Centre
West	<ul style="list-style-type: none">• Business Offices• Contractor's Offices• Kiwanis Park• Library Riverside Branch• Medical Offices• Personal Service Shop• Retail Stores• Riverview Plaza• St. Paul Pumping Station Park• Small-scale and large-scale forms of low-profile dwellings, one medium-profile dwelling and one high-profile dwelling

Municipal Infrastructure:

	Rural Cross Section	Curbs & Gutters	Lanes	Sidewalks (One Side)	Sidewalks (Both Sides)	Streetslights (One Side)	Streetslights (Both Sides)	On street Parking	Sanitary Sewer	Storm Sewer	Watermain	Hydro
Clairview Avenue	x		2	x		x			x	x	x	x
Watson Avenue		x	2			x		x	x	x	x	x

Discussion:

The defined role of the Provincial Planning Statement, 2024 (the "PPS") is to provide *"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 PPS 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."*

Appendix C lists policies of the PPS that are considered relevant in discussing provincial interests related to this amendment.

The Planning Department found this amendment to be consistent with the above policies.

Official Plan

Appendix D identifies the Official Plan policies relevant to assessing this amendment's conformity with the Plan.

Table 1 - Volume I Schedules

Schedule	Designation
Schedule A - Planning Districts & Policy Areas	Riverside
Schedule A-1 - Special Policy Areas	N/A
Schedule B - Greenway System	Recreationway (Clairview Avenue)
Schedule C - Development Constraints	Floodplain Areas Shoreline and Floodprone Areas

	500 metres of a Known Waste Disposal Site <ul style="list-style-type: none"> • Site No. 6062 - Dieppe Avenue (Closed 1952), Class NP (No Potential for Impact on Humans or the Environment) • Waste Disposal Site Inventory (June 1991) - Ministry of the Environment
Schedule C-1 - Archaeological Potential	Archaeological Potential Zone
Schedule D - Land Use	Residential
Schedule E - City Centre Planning District	N/A
Schedule F - Roads & Bikeways	N/A
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
Schedule K - Source Water Protection Areas	Intake Protection Zone 2

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 Community (Policy 3.2.1.2)

Encouraging a range of housing types allows residents to remain in their neighbourhoods throughout all life stages and helps ensure that new housing aligns with the community's vision. Providing more housing options as the city grows also reduces pressure to sprawl onto agricultural and natural lands.

Chapter 6 - Land Use:

6.1 Goals

Appendix D identifies the Goals with which this amendment conforms.

6.3 Residential

6.3.1 Objectives

Appendix D identifies the Objectives with which this amendment conforms.

6.3.2 Policies

Permitted Uses (Policy 6.3.2.1)

Low- and medium-profile dwelling units, including an eight-unit multiple dwelling, are permitted uses.

Types of Low-Profile Housing (Policy 6.3.2.3)

There are small- and large-scale forms of low-profile housing. Small-scale forms include multiple dwellings with a maximum of eight dwelling units.

Locational Criteria

Residential intensification shall be directed to the Mixed-Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up 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: (Policy 6.3.2.4)

- *(a) There is access to a collector or arterial road;*
 - The Subject Property sits within 225 metres of Lauzon Road, a Class II Arterial Road.
- *(b) Full municipal physical services can be provided;*
 - Municipal electrical, sanitary, storm, and water services, as well as nearby public service facilities, are available to the Subject Property.
- *(c) Adequate community services and open spaces are available or are planned; and*
 - Refer to the response provided to the Surrounding Land Uses section herein.
- *(d) Public transportation service can be provided.*
 - This amendment will allow for transit-supportive development through residential intensification within walking distance of transit stops along the Crosstown 2 bus route.
 - Transit Windsor's 2019 Transit Master Plan and the City of Windsor's Active Transportation Master Plan identify a walking distance of up to 400 metres as acceptable.

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)

- (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;*
 - The Subject Property is within Floodplain Areas and Shoreline and Floodprone Areas.
 - Issuance of a permit from the Essex Region Conservation Authority (ERCA) is a prerequisite to the issuance of a building permit.
 - The ERCA permit will ensure that the proposed development complies with the applicable Floodplain Areas and Shoreline and Floodprone Areas policies of the Official Plan (Official Plan Policies 5.4.6.3 and 5.4.7.2, respectively)
 - The Subject Property is within 500 metres of a Known Waste Disposal Site, Site No. 6062 - Dieppe Avenue (Closed 1952).
 - The Ministry of the Environment *Waste Disposal Site Inventory (June 1991)* classifies Site No. 6062 as Class NP, having no potential for impact on humans or the environment.
 - (iv) *where traffic generation and distribution is a provincial or municipal concern; and*
 - The Transportation Planning Department did not identify any concerns with traffic generation and distribution.
- (c) *In existing neighbourhoods, compatible with the surrounding area in terms of Scale, massing, height, siting, orientation, setbacks, parking and amenity areas.*

Criteria	Comments
Scale	- The surrounding area includes a diverse mix of small-scale and large-scale forms of low-profile dwellings, medium-profile dwellings and high-profile dwellings.
Massing	- Same response as to Scale above.
Height	- The RD1.2 zoning permits a maximum main building height of 9.0 metres. - The applicant proposes a maximum main building height of 9.0

	metres, as outlined in the Planning Rationale Report (PRR). - The Planning Department is recommending that the zoning exception include a provision limiting the maximum main building height to 9.0 metres (RD3.1 typically permits a maximum building height of 14 metres on a corner lot).
Siting	- Similar front yard depth, rear yard depth and side yard width provisions maintain siting consistent with the surrounding area.
Orientation	- The Multiple Dwelling is proposed to be oriented towards Watson Avenue, similar to the small-scale forms of low-profile dwellings in the surrounding area.
Setbacks	- Minimum front yard and rear yard depths remain the same - The applicant is requesting a reduction in minimum side yard width from 6.0 metres where a habitable room window of any dwelling unit faces a side lot line and from 3.0 metres for any other side yard to 2.20 metres and 1.22 metres from the north and south lot lines, respectively, which is greater than the RD1.2 zoning. <ul style="list-style-type: none"> • The larger minimum side yard width provision applies to medium- and high-profile dwelling units.
Parking	- Parking is proposed to be located to the rear of the Multiple Dwelling. <ul style="list-style-type: none"> • Placement of parking to the rear of a lot is encouraged under the <i>City of Windsor Intensification Guidelines</i>. - The applicant is requesting a reduction in minimum parking area separation from a building wall containing a habitable room window where the building is located on the same lot from 4.50 metres to 2.00 metres to accommodate the parking area. - The Planning Department is recommending that the zoning exception include a provision requiring the parking area separation to contain soft landscaping, providing buffering for the ground floor habitable room windows facing the parking area. - It should be noted that there is an existing nine-space parking area immediately west of the Subject Property.
Amenity Areas	- Similar front yard depth, rear yard depth and side yard width provisions will ensure that the arrangement of amenity areas remains consistent with the surrounding area.

- In summary, this amendment will allow for development compatible with the surrounding area.
- (d) provided with adequate off street parking;

- The applicant submitted a Parking Study prepared by R.C. Spencer Associates Inc., dated November 2024, in support of their request to reduce the required parking spaces from 7 to 6.
- The Transportation Planning Department, via a Memo dated February 26, 2025, confirmed that it does not object to the requested reduction.
- *(e) capable of being provided with full municipal physical services and emergency services; and*
 - Refer to the response provided to Official Plan Policy 6.3.2.4.b) herein for details on the municipal physical services available to the Subject Property.
 - Essex-Windsor EMS, Windsor Fire & Rescue Services (Fire Hall No. 7) & Windsor Police Service serve the Subject Property.

Chapter 9 - Heritage Conservation

9.3 Policies

9.3.7 Heritage Resources and Planning Initiatives

9.3.7.1 Archaeological Assessment

The Subject Property is within an Archaeological Potential Zone.

- The applicant submitted a Stage 1 & 2 Archaeological Assessment prepared by AMICK Consultants Limited, dated December 17, 2024.
- The Heritage Planner, via an email dated December 18, 2025, accepted the Stage 1 & 2 Archaeological Assessment.

Chapter 11 - Tools:

The City aims to achieve land use compatibility throughout Windsor when administering any 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).

Council considers applicable policies, evaluation criteria, supporting studies, staff and agency comments, relevant provincial legislation and guidelines, and potential impacts on adjacent or similar lands when reviewing Zoning By-law amendment applications (Policy 11.6.3.3).

Zoning By-Law

Appendix E includes relevant excerpts from Zoning By-law 8600.

The subject property is within an RD1.2 zone of Zoning By-law 8600, which does not permit a multiple dwelling use.

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning to RD3.1, with a zoning exception to allow the construction of an eight-unit Multiple Dwelling with a rear nine-space parking area, with access off Clairview Avenue.

The zoning exception is requested to reduce the minimum lot area from 880.0 m² to 827.2 m², minimum side yard width from 6.0 metres to 2.20 metres and 1.22 metres from the north and south side lot lines respectively, minimum number of required parking spaces from ten to nine, and minimum separation of a parking area 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 on the same lot as the parking area from 4.50 metres 2.00 metres.

The applicant has submitted a Planning Rationale Report (PRR) in support of the requested amendment. The PRR has been considered and supported in this report in conjunction with the provision recommended by the Planning Department herein.

No other zoning deficiencies have been identified or supported.

Appendix G includes a Draft Amending By-law. 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 to 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:

Residential intensification minimizes the community's greenhouse gas emissions. Development within existing communities and neighbourhoods, while using existing infrastructure such as sewers, sidewalks, and public transit, helps mitigate development impacts.

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:

Climate change may affect the new building, particularly through extreme precipitation and an increased number of days with temperatures above 30 °C. Although this report does not address these issues in detail, any new construction must comply with the current provisions of the Building Code, which the building permit process will enforce. The project must also incorporate best practices for stormwater management.

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. Appendix F includes a record of comments received.

There are no objections to the proposed amendment.

On October 12, 2024, the applicant hosted an in-person public open house at St. John Vianney Catholic Elementary School and notified owners of properties within 200 metres of the Subject Property. 11 residents attended in person, and two virtually.

Section 3.2 of the [Planning Rationale Report](#) summarizes the comments and questions, along with their corresponding responses.

Comments received were taken into consideration when preparing this report.

The City published a statutory notice in the Windsor Star, a local daily newspaper, and mailed a courtesy notice 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 Planning Department evaluated the recommended zoning amendment to ensure it is consistent with the Provincial Planning Statement 2024 and conforms to the policies of the City of Windsor Official Plan.

The recommended Zoning By-law amendment is consistent with 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:

Brian Nagata, MCIP, RPP
Planner III - Development (A)

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

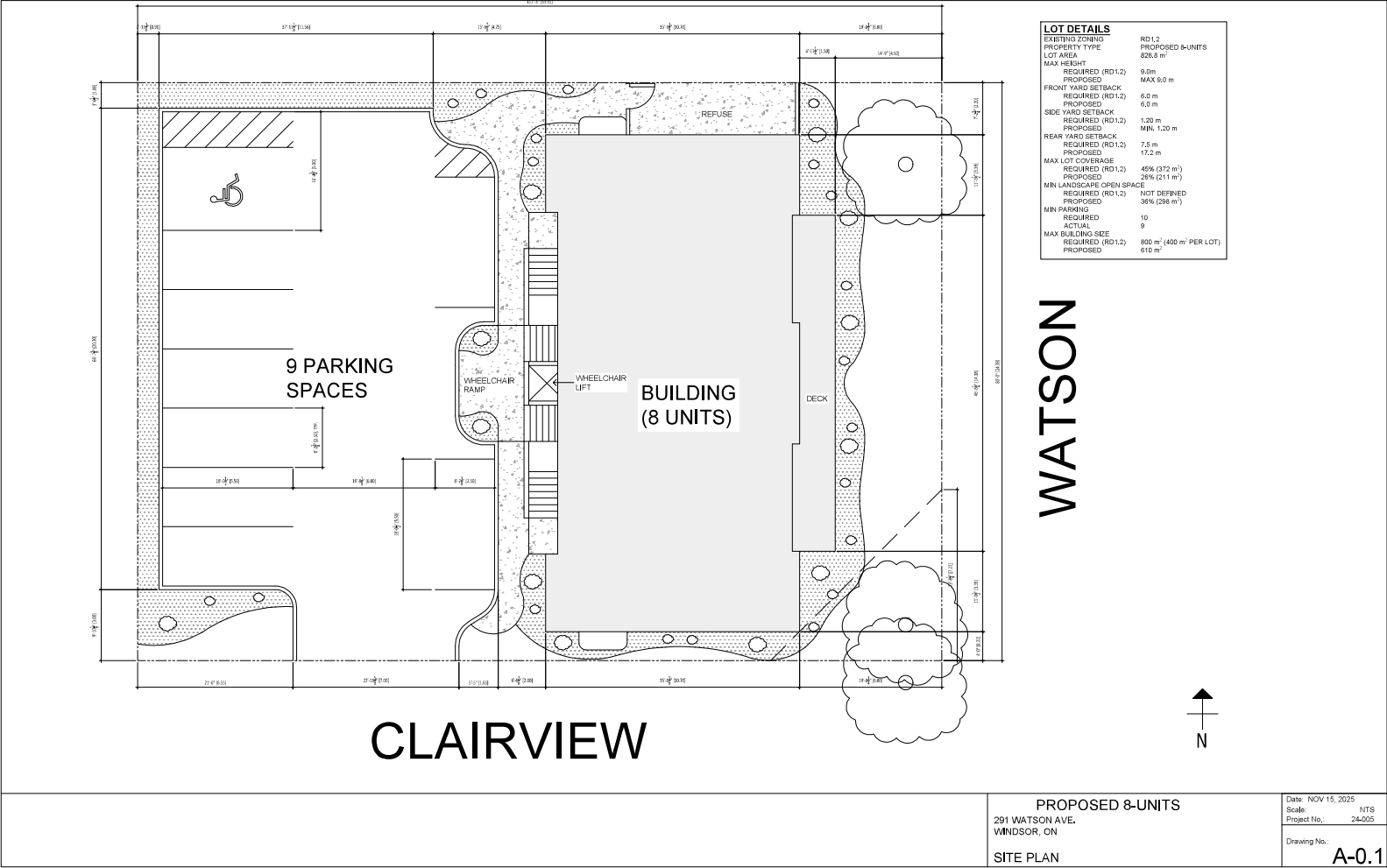
I am not a Registered Professional Planner and have reviewed as a Corporate Team Leader.

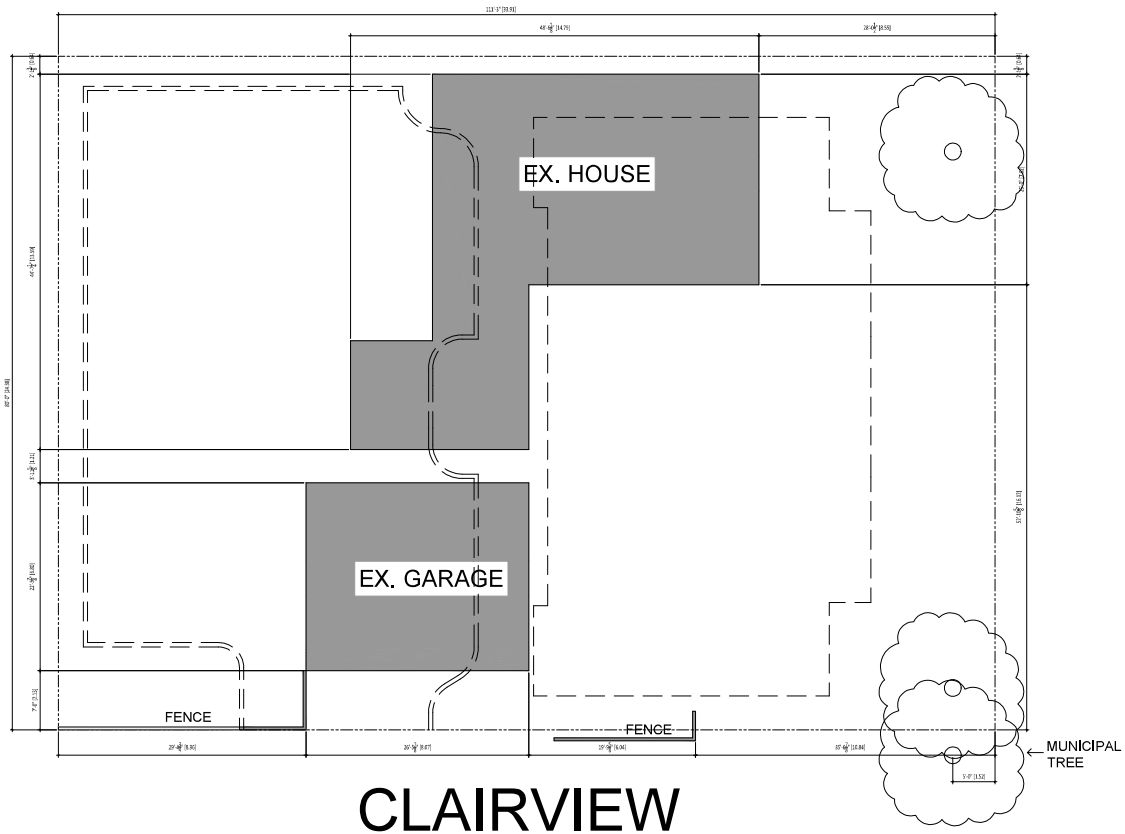
Approvals:

Name	Title
Brian Nagata	Planner III - Development (A)
Greg Atkinson	Deputy City Planner - Development
Aaron Farough	Senior Legal Counsel, Legal & Real Estate
Neil Robertson	City Planner
Jelena Payne	Deputy CAO/Commissioner, Economic Development
Ray Mensour	Chief Administrative Officer

Appendices:

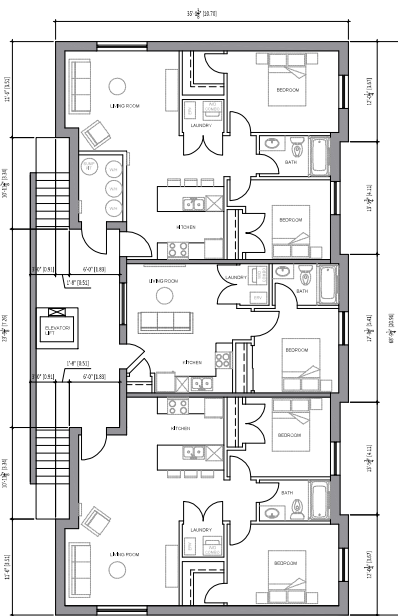
- 1 Appendix A - Conceptual Plans
- 2 Appendix B - Site Photos
- 3 Appendix C - Excerpts from PPS 2024
- 4 Appendix D - Excerpts from Official Plan
- 5 Appendix E - Excerpts Zoning By-law 8600
- 6 Appendix F - Consultations
- 7 Appendix G - Draft Amending By-law



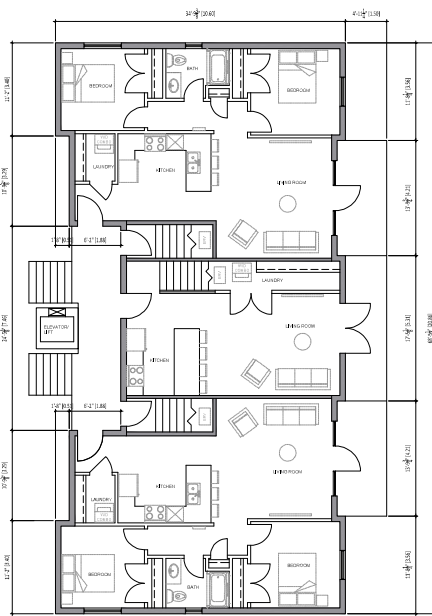


PROPOSED 8-UNITS
291 WATSON AVE.
WINDSOR, ON
SITE PLAN

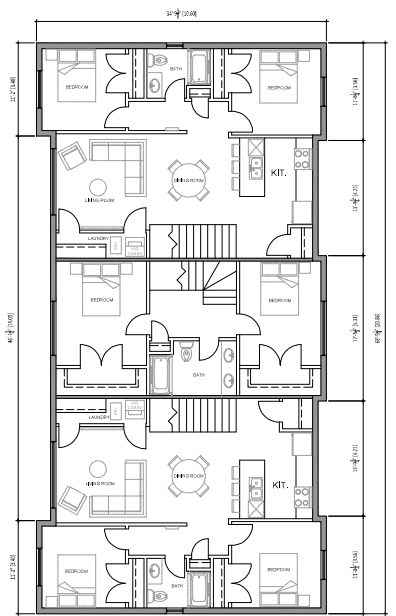
Date: NOV 15, 2025
Scale: NT8
Project No.: 24-005
Drawing No.: A-0.2



BASEMENT LVL
2169 SQFT



1st LVL
2125 SQFT

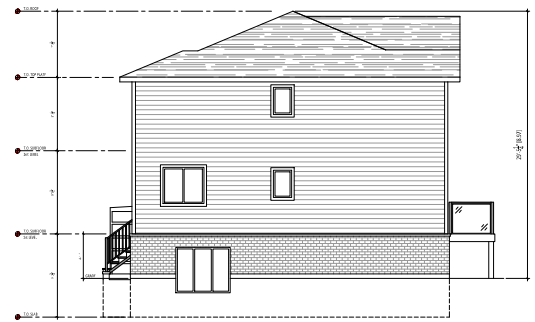


2nd LVL
2276 SQFT

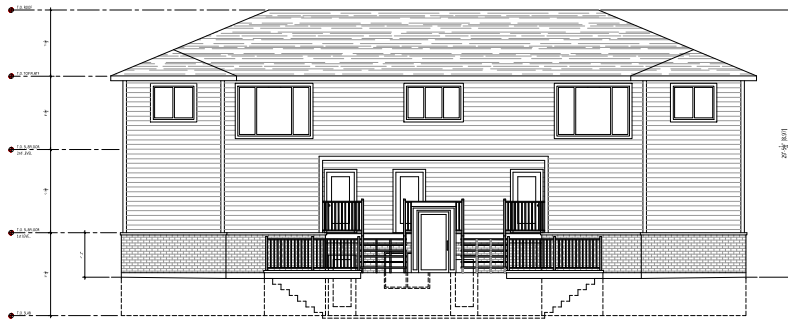
PROPOSED 8-UNITS 291 WATSON WINDSOR, ON FLOOR PLANS	Date: NOV 15, 2025 Scale: NT8 Project No.: 24-005
	Drawing No.: A-1.0



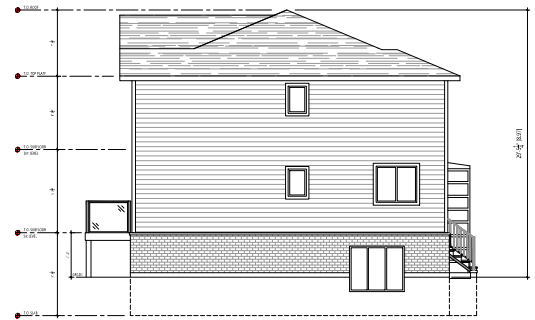
EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION

PROPOSED 8-UNITS
291 WATSON
WINDSOR, ON
ELEVATIONS

Date: NOV 15, 2025
Scale: NT8
Project No.: 24-005
Drawing No.: A-2.0

APPENDIX “B”
Site Photos (Google Street View - June 2025)



Figure 1 - Looking west towards the subject property from the intersection of Clairview Ave & Watson Ave



Figure 2 - Looking southwest towards the subject property from Watson Ave



Figure 3 - Looking northeast towards the subject property from Clairview Ave



Figure 4 - Looking northwest towards the subject property from Clairview Ave

APPENDIX “C”

Excerpts from Provincial Planning Statement 2024 (PPS)

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

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

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. permitting and facilitating:
 1. 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;
 - b. promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and
 - c. 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.

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;

Chapter 3: Infrastructure and Facilities

3.6 Sewage, Water and Stormwater

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.

APPENDIX “D”

Excerpts from the Official Plan

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.

5. Environment

5.4 Environmental Management

5.4.6 Floodplain Areas Policies

*DEVELOPMENT
CRITERIA*

5.4.6.4

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; and
- (c) that adequate floodproofing measures, determined in consultation with the Essex Region Conservation Authority, are incorporated in the development.

5.4.7 Shoreline and Floodprone Areas Policies

*DEVELOPMENT
REQUIREMENTS*

5.4.7.2

Council may permit development in a floodprone area provided:

- (a) the effects of the proposal on wave and current patterns, water flows and levels, and water quality are considered by the Municipality, in consultation with the Essex Region Conservation Authority and/or federal or provincial governments, to be acceptable;

- (b) that adequate floodproofing measures, determined in consultation with the Essex Region Conservation Authority, are incorporated in the development;
- (c) that the development be set back an appropriate distance from the shoreline. The setbacks for development will be determined in consultation with the Essex Region Conservation Authority on a site specific basis and may be incorporated into secondary plans and/or the zoning by-law as appropriate. When determining such setbacks, consideration will be given to:
 - (i) the type of shoreline;
 - (ii) bank stability;
 - (iii) angle of bank slope;
 - (iv) degree of erosion protection, and
 - (v) other relevant aspects.

5.4.9 Waste Disposal Sites Policies

<i>KNOWN SITES</i>	5.4.9.1	Schedule C: Development Constraint Areas identifies the location of all Known or Suspected Waste Disposal Sites within Windsor and adjacent municipalities within approximately 500 metres of the municipal boundary.
<i>DISPOSAL SITE REPORT</i>	5.4.9.2	Council shall require proponents of development within 500 metres of a Known or Suspected Waste Disposal Site to prepare a report in accordance with provincial legislation, policy and appropriate guidelines to demonstrate the site is suitable for development.
<i>RESTRICT DEVELOPMENT</i>	5.4.9.3	Council shall prohibit residential, commercial, employment, mixed use and institutional development within 30 metres of a known waste disposal site and restrict development within 500 metres of a known or suspected waste disposal site if the site has any adverse environmental effects or poses a risk to public health and safety.
<i>DEVELOPMENT APPROVALS</i>	5.4.9.4	Where development is proposed on a waste disposal site, an official plan amendment, zoning by-law amendment, or building permit will not be adopted or granted until applicable approvals from the province are obtained.

6. Land Use

6.1 Goals

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

<i>NEIGHBOURHOODS</i>	6.1.1	Safe, caring and diverse neighbourhoods.
<i>RESIDENTIAL</i>	6.1.3	Housing suited to the needs of Windsor's residents.
<i>RESIDENTIAL INTENSIFICATION</i>	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. (added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022)

6.3 Residential

The lands designated as "Residential" on Schedule D: Land Use provide the main locations for housing in Windsor outside of the City Centre Planning District. 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 Objectives

<i>RANGE OF FORMS & TENURES</i>	6.3.1.1	To support a complementary range of housing forms and tenures in all neighbourhoods.
<i>NEIGHBOURHOODS</i>	6.3.1.2	To promote compact neighbourhoods which encourage a balanced transportation system.
<i>INTENSIFICATION, INFILL & REDEVELOPMENT</i>	6.3.1.2	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

In order to facilitate the orderly development and integration of housing in Windsor, the following policies shall apply.

<i>PERMITTED USES</i>	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.
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*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
- (b) large scale forms: buildings with more than 8 units.

*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 provided;
- (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;
 - (iv) where traffic generation and distribution is a provincial or municipal concern; and
- (c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.
- (d) provided with adequate off street parking;

- (e) capable of being provided with full municipal physical services and emergency services; and

9 Heritage Conservation

Parts of this chapter were amended as part of Official Plan Amendment #76 as part of a 5-year review of the Official Plan. Official Plan Amendment #76 was approved by the Ministry of Municipal Affairs and Housing on 01/06/2012.

9.3 Policies

9.3.7 Heritage Resources and Planning Initiatives

ARCHAEOLOGICAL ASSESSMENT

9.3.7.1 Council will integrate heritage conservation into the development and infrastructure approval process by:

- (a) An archaeological assessment is required as part of a complete application for all development or site alteration application, including municipal projects, if it is determined using the archaeological management plan potential mapping that any part of a potential development area possesses archaeological potential or known archaeological resources as set out in Schedule C-1 Archaeological Potential. Projects involving in-water works may require a marine archaeological assessment if so determined using the Criteria for Evaluating Marine Archaeological Potential checklist published by the Archaeology Program Unit, MCM.

Archaeological assessments shall be undertaken to the appropriate stage of assessment by a consultant archaeologist in compliance with provincial requirements and standards.

All archaeological assessments reports shall be provided to the Archaeology Program Unit, Ministry of Citizenship and Multiculturalism in accordance with the Ontario Heritage Act. The assessment report shall be provided to the City of Windsor for comment to ensure that the scope is adequate and consistent with the conservation objectives of the WAMP. A copy of the Ministry review letter will be provided to the City by the licensed archaeologist who completed the assessment or the proponent. The City will maintain copies of all reports and review letters for information purposes.

Where archaeological resources are documented and found to be Indigenous in origin, a copy of the assessment report shall be provided by the consultant to the appropriate Indigenous communities.

Where Stage 3 or Stage 4 archaeological assessments are undertaken on Indigenous archaeological resources, the consultant archaeologist shall engage with appropriate Indigenous communities in accordance with Ministry Standards and Guidelines for Consultant Archaeologists; (Added by OPA #181– September 09, 2024– By law 139-2024)

11 Tools

		This chapter was amended as part of Official Plan Amendments #84 as part of a 5-year review of the Official Plan. Official Plan Amendment #84 was approved by the Ministry of Municipal Affairs and Housing on 07/09/2012.
	11.6	Zoning A municipality can regulate the use and development of lands, buildings and other structures under the zoning provisions of the Planning Act.
<i>COMPATIBLE USES</i>	11.6.1	Objectives
	11.6.1.2	To ensure compatibility between land uses.
<i>AMENDMENTS MUST CONFORM</i>	11.6.3	Zoning By-law Amendment Policies
	11.6.3.1	All amendments to the Zoning By-law(s) shall conform with this Plan. The Municipality will, on each occasion of approval of a change to the zoning by-law(s), specify that conformity with the Official Plan is maintained or that the change will be in conformity upon the coming into effect of an amendment to the Official Plan.
<i>REVIEW PROCEDURE</i>	11.6.3.2	All applications for Zoning By-law amendments shall be processed in accordance with the provisions of the Planning Act, and regulations pursuant thereto, and the procedural requirements of this Plan. In general, after an applicant's pre-application consultation meeting with municipal staff and submission of an application that is determined to be complete, all applications shall: Added by OPA 65 – 10/22/2007– By-law 192-2007 <ul style="list-style-type: none"> (a) Be circulated to appropriate agencies and those agencies be provided with sufficient time to respond; Added by OPA 65 – 10/22/2007– By-law 192-2007 (b) Be advertised and be presented to the public and the views of the public ascertained at a public meeting to be held in accordance with the Planning Act; and Added by OPA 65 – 10/22/2007– By-law 192-2007 (c) Be given due and thorough consideration by Council. Added by OPA 65 – 10/22/2007– By-law 192-2007
<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: <ul style="list-style-type: none"> (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.

	11.6.5	Holding Zone Policies
<i>USE OF HOLDING ZONES</i>	11.6.5.1	<p>Council may use an “H” or “h” symbol in conjunction with any zoning designation in accordance with the provisions of the Planning Act. The holding provisions shall apply to lands to be zoned for specific uses but held or delayed from development or redevelopment for an interim period until such time as specified development conditions have been satisfied. Holding provisions will be applied in order to meet any one or more of the following:</p> <ul style="list-style-type: none"> (a) To achieve orderly staging of development or redevelopment, in accordance with municipal and provincial policies; (b) To ensure that the adequate infrastructure and community services and facilities are or will be available in accordance with municipal standards; (c) To adopt measures to mitigate negative impacts resulting from the proximity of lands to transportation and utility corridors, incompatible land uses or any other source of nuisance or hazard to public health and welfare; (d) To satisfy policies of the Official Plan related to heritage conservation, site plan control, potentially contaminated sites, protection of the natural environment, community improvement and any other matters which are deemed by Council or the province to be relevant to development or redevelopment of the lands; (e) To achieve the exchange of facilities, services or other matters set out in the bonusing policies of this Plan; and (f) To ensure the execution of legal agreement(s), approval of subdivision plans and/or approval of necessary studies by the appropriate authorities to satisfy the criteria set out in (a), (b), (c), (d) and (e) above.
<i>IMPLEMENTATION OF HOLDING ZONES</i>	11.6.5.2	Lands subject to holding provisions shall be identified within the implementing zoning by-law by the placement of an “H” or “h” immediately preceding the relevant zoning symbol.
<i>PERMITTED USES IN HOLDING ZONES</i>	11.6.5.3	Permitted uses within an area subject to holding provisions shall be limited to lawfully existing uses and additions or alterations thereto and any use of municipality, public authority or public utility. Amended by OPA 84 – 09/07/2012
<i>REMOVAL OF A HOLDING SYMBOL</i>	11.6.5.4	The holding symbol shall be removed by by-law amendment once Council is satisfied that all conditions, which were the reason for application of the holding provision, have been met. The conditions for removal shall be set out in a resolution of Council. Council shall give notice of its intention to

*DEVELOPMENT
RESERVE DISTRICT*

11.6.5.5

pass a by-law to remove an “H” or “h” symbol in accordance with the provisions of the Planning Act.

Where no secondary plan is in place and/or specific uses of large relatively vacant areas are not yet determined, or, where specific development constraints identified in this Plan apply, the lands may be placed into a development reserve zone, on an interim basis. Development reserve zones will permit only lawfully existing land uses, additions thereto and accessory uses and any use of the City of Windsor or other public authority, as defined by the zoning by-law. Subsequent to the adoption of a secondary plan and/or the identification of specific land uses for the subject lands, or, approval of measures to mitigate the development constraint, the lands may be rezoned to an appropriate zone category, in accordance with the provisions and policies of this Plan. **(amended by OPA #22 – 07/16/02)**

APPENDIX “E”**Excerpts from Zoning By-law 8600****City of Windsor Zoning By-law 8600****SECTION 10 - RESIDENTIAL DISTRICTS 1. (RD1.)****10.2 RESIDENTIAL DISTRICT 1.2 (RD1.2)****10.2.1 PERMITTED USES***Existing Duplex Dwelling**Existing Semi-Detached Dwelling**One Single Unit Dwelling**Any use accessory to the preceding uses***10.2.5 PROVISIONS**

	Duplex Dwelling	Semi- Detached Dwelling	Single Unit Dwelling
.1 Lot Width – minimum	9.0 m	15.0 m	12.0 m
.2 Lot Area – minimum	360.0 m ²	450.0 m ²	360.0 m ²
.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	400 m ²

SECTION 12 - RESIDENTIAL DISTRICTS 3. (RD3.)**12.1 RESIDENTIAL DISTRICT 3.1 (RD3.1)****12.1.1 PERMITTED USES***Double Duplex Dwelling**Duplex Dwelling**Lodging House**Multiple Dwelling**Religious Residence**Residential Care Facility*

Semi-Detached Dwelling

Single Unit Dwelling (Existing)

Townhome Dwelling

Any use accessory to any of the preceding uses

12.1.5 PROVISIONS

- | | | |
|-----|--|------------------------------|
| .1 | Lot Frontage – minimum | 18.0 m |
| .2 | Lot Area – minimum | |
| | For a <i>corner lot</i> having a minimum frontage of 30.0 m on each of the <i>exterior lot lines</i> : | |
| | a) For the first 5 <i>dwelling units</i> | 540.0 m ² |
| | b) For each additional <i>dwelling unit</i> | 67.0 m ² per unit |
| | For any other <i>lot</i> : | |
| | c) For the first 4 <i>dwelling units</i> | 540.0 m ² |
| | d) For each additional <i>dwelling unit</i> | 85.0 m ² per unit |
| .3 | Lot Coverage – maximum | 35.0% |
| .4 | Main Building Height – maximum | |
| | <i>Corner Lot</i> | 14.0 m |
| | <i>Interior Lot</i> | 10.0 m |
| .5 | Front Yard Depth – minimum | 6.0 m |
| .6 | Rear Yard Depth – minimum | 7.50 m |
| .7 | Side Yard Width – minimum | |
| | a) Where a <i>habitable room window</i> of any <i>dwelling unit</i> faces a <i>side lot line</i> | 6.0 m |
| | b) Any other side yard | 3.0 m |
| .8 | Landscaped Open Space Yard – minimum | 35.0% of <i>lot area</i> |
| .50 | A <i>Lodging House</i> for the accommodation of 10 persons or less, and any use accessory thereto, shall comply with the <i>Single Unit Dwelling</i> provisions of Section 10.1.5 and further, the whole of the <i>building</i> shall be used for a <i>Lodging House</i> , including any <i>accessory use</i> . [ZNG/5630] | |
| .55 | A <i>Double Duplex Dwelling</i> , <i>Duplex Dwelling</i> , <i>Multiple Dwelling</i> having a maximum of 4 <i>dwelling units</i> , <i>Semi-Detached Dwelling</i> or <i>Townhome Dwelling</i> , or an addition to an existing <i>Single Unit Dwelling</i> , and any use accessory thereto, shall comply with the provisions of Section 11.2.5. | |

SECTION 24 – PARKING, LOADING AND STACKING PROVISIONS

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

.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

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
.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 “F”

Consultations

CALDWELL FIRST NATION COMMUNITY

No comments provided

ENGINEERING - DEVELOPMENT

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

Site Servicing - The site may be serviced by a 250mm sanitary sewer and a 525mm storm sewer located within the Watson 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.

Stormwater Management - The applicant has submitted a Functional Stormwater Management report and it has been deemed acceptable by the City's Engineering department. A detailed Stormwater management report will still be required at the detailed site design stage and prior to building permits.

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

The applicant will be required to submit, prior to the issuance of permits, a detailed Stormwater management plan in accordance with Windsor Essex Region Stormwater Management Standards Manual, restricting Stormwater runoff to pre development levels. This has included, 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

For more information of SWM requirements, visit: link

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

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

If you have any further questions or concerns, please contact Jaegar King, of this department at jking@citywindsor.ca

[Juan Paramo - Development Engineer]

ENGINEERING - R.O.W.**Comments to Stage 2 Planning Consultation Application****Required Drawing Revisions:**

1. **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.

Right-of-Way Permit Requirements:

CCTV Sewer Inspection - The Owner further agrees to provide at its entire expense CCTV inspection satisfying City of Windsor Standard Specification S-32, for all existing and newly constructed sanitary and storm sewer infrastructure. The inspection shall include both mainline sewers and private drain connections, and shall be required to be submitted prior to the issuance of construction permits;

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. Commercial/Industrial Property
 - a. Unless otherwise noted, to construct all non-residential driveway approaches of concrete in accordance with City of Windsor Standard Drawing AS-204.

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 525mm sewer located within the Watson Avenue Street 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.

- 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.

If you have any further questions or concerns, please contact Karen Kong, of this department at kkong@citywindsor.ca

[Mark Schaffhauser - Technologist II]

ENWIN UTILITIES LTD. - HYDRO ENGINEERING

Comments to Stage 1 Planning Consultation Application

No Objection, provided adequate clearances are achieved and maintained.

Please note the following.

1. ENWIN has 27.6kV overhead primary conductors on the east side of the Watson Ave.
2. ENWIN has 120/240V overhead secondary conductors on the east side of the Watson Ave.
3. ENWIN has a pole near the north east corner of the property.

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

Comments to Stage 1 Planning Consultation Application

ENWIN Water has no objections.

[Bruce Ogg - Water Project Review Officer]

ESSEX REGION CONSERVATION AREA (ERCA)

The City of Windsor has received Application for Zoning By-law Amendment Z-035/25 [ZNG/7344] for the above noted subject property. The Applicant is requesting an amendment to Zoning By-law 8600 to change the zoning for the lands located on the northwest corner of the intersection of Clairview Avenue and Watson Avenue, known municipally as 291 Watson Avenue, from Residential District 1.2 (RD1.2) to Residential District 3.1 (RD3.1) with a zoning exception to allow the construction of a eight-unit Multiple Dwelling with a rear nine-space parking area, with access of Clairview Avenue. The zoning exception is requested to reduce the minimum lot area and side yard width,

the required number of parking spaces, and the minimum parking area separation from a building wall containing a habitable room window facing the parking area.

We request the City of Windsor to collect the appropriate fee of \$400.00 per line item 30 of the 2025 Board Approved ERCA Fee Schedule for this application.

NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT. O. REG 686/21

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. The property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.

We note that the low-lying nature of the roadway may result in water, approximately 0.8 metres to 1.0 metres deep over the road during a 1:100 year flood event. The Municipality should confirm through applicable emergency services (i.e. fire, police, etc.) or other means as appropriate, 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). The property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.

FINAL RECOMMENDATION

As noted above, the low-lying nature of the roadway may result in water, approximately 0.8 metres to 1.0 metres deep over the road during a 1:100 year flood event. The Municipality should confirm through applicable emergency services (i.e. fire, police, etc.) or other means as appropriate, 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). The property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.

[Alicia Good - Watershed Planner]

PARKS DESIGN & DEVELOPMENT**Comments to Stage 1 Planning Consultation Application**

There was only one city tree identified on this new development. Please request a Tree Root Protection zone be set up around this Silver maple. If any damage is done during construction the developer will be responsible for the replacement cost under the Tree Canopy Recovery Policy.

[Yemi Adeyeye - City Forester Manager Forestry]

Natural Areas has no concerns.

Only ask that if any trees or shrubs are removed, that they are first checked for active bird nests and if present, no nests are disturbed (Migratory Bird Act). the property is in Source Water Protection zone and Regulated Area, an ERCA permit will likely be required.

[Karen Alexander - City Naturalist & Supervisor, Natural Areas]**PLANNING DEPARTMENT - HERITAGE**

December 18, 2025

This email is to confirm that I have received all three items necessary to clear the archaeology condition on the above zoning by-law amendment application. I have no further Heritage Planning comments or concerns.

Comments to Stage 1 Planning Consultation Application**Heritage**

There is no apparent built heritage concern with this property.

Archaeology

The City of Windsor is in receipt of the Stage 1 & 2 Archaeological Assessment called "Stage 1-2 Archaeological Assessment, 291 Watson Avenue, Lot 128, Concession 1 Petite Cote, (Geographical Township of Sandwich), City of Windsor, County of Essex (AMICK Corporate Project #2024-765/MCM File #P038-1553-2024)," dated December 17, 2024, with a recommendation of "No Further Work" for the Study Area. However, we require a copy of the letter from the Ministry confirming acceptance of the report in the Ontario Public Register of Archaeological Reports, as well as GIS Shapefiles of the Study Area.

[Tracy Tang - Heritage Planner]

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT**Comments to Stage 1 Planning Consultation Application**

As the proposed residential development falls below the threshold for Site Plan Control, there are limited required studies from an urban design perspective. Any studies required by ERCA or Parks are to be shared with the St Urban Designer. The application identifies existing vegetation and therefore a Tree Inventory & Preservation Study is required to assess the loss to the urban tree canopy for replacement or compensation.

[Stefan Fediuk - Landscape Architect]

TRANSPORTATION PLANNING**Comments to Stage 2 Planning Consultation Application****Land Conveyance**

Not Applicable

Corner Cut-Off

Not Applicable

Sidewalk

Not Applicable

Parking

All parking must comply with ZBL 8600.

- The current site plan is 1 bicycle parking space deficient.

Transportation Planning received and reviewed Parking Study conducted by PC Spencer Associated Inc., file No. 24-1694, dated November 2024. We reject the aforementioned study for bellow main reasons:

- The study calculated the parking requirement using ITE manual while phrasing ZBL 8600 to round down the calculated number. This is contradictory.
- As it is mentioned on the scope of the parking study, the City of Windsor measures parking rate based on the number of units. We do not consider the number of the bedrooms. **Therefore, we reject the analysis contained in the parking study as it is based on number of the bedrooms.**

However, considering site specific, the magnitude reduction of the 1 parking space is acceptable for this development.

Transportation Impact Study

Not Applicable

Access

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

Exterior Path

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

Other Comments

Not Applicable

Should you have any further questions or concerns, please contact Ellie MehriLou, of this department at EMehrilou@citywindsor.ca.

[Elara Mehrilou - Transportation Planner I]

WALPOLE ISLAND FIRST NATION

No comments provided

WINDSOR POLICE SERVICE**Comments to Stage 1 Planning Consultation Application**

The only thing I can add to this issue from what I previously sent you is that the revised (increased) flood water levels referenced in the letter from ERCA are now of a magnitude whereby the vast majority of our fleet vehicles could not traverse any such sections of flooded roadway until the flood waters were to subside. I confirmed this after discussing the matter with one of our lead automotive technicians. We measured the ERCA-referenced potential high water levels (specifically the worst case level of 1.0m) in terms of our Patrol response vehicles and this level would not permit our vehicles to safely traverse the flooded roadway without causing engine damage and/or shutdown – in the opinion of the lead automotive technician. We could certainly do so once flood waters receded or, I presume, possibly attempt to obtain a small watercraft (boat, dinghy, raft, etc.) to respond if urgency required such.

[Barry Horrobin - Director of Planning & Physical Resources]

APPENDIX "G"

Draft Amending By-law

BY-LAW NUMBER -2026

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

Passed the day of , 2026.

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 Section 91.10 of said by-law is amended by adding the following clause:

18. **NORTHWEST CORNER OF CLAIRVIEW AVENUE AND WATSON AVENUE**

For the lands comprising of Lots 1 & 2, Plan 829 (PIN 01055-0107 LT), the following additional provisions shall apply:

- a) *Lot Area: minimum 827.2 m²*
- b) *Building Height: Main Building: maximum 9.0 m*
- c) *Side Yard Width: minimum:*
 - 1. From the north *side lot line*: 2.20 m
 - 2. From the south *side lot line*: 1.22 m
- d) Notwithstanding Table 24.20.5.1, the *minimum* number of required *parking spaces* for a *Multiple Dwelling* shall be 9.
- e) Notwithstanding clause .6 of Table 25.5.20.1, the *minimum* separation of a *parking area* 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 2.00 m and the *parking area* separation shall be maintained with *soft landscaping*, save and except any area occupied by a public walkway providing access to a main pedestrian entrance.

[ZDM 10; ZNG/7344]

2. That said by-law is further amended by amending the Zoning District Maps shown in Column 2 by changing the zoning symbol of the lands described in Column 3 from that shown in Column 4 to that shown in Column 5:

1. Item Number	2. Zoning District Map	3. Lands Affected	4. Current Zoning Symbol	5. New Zoning Symbol
1	10	Lots 1 & 2, Plan 829; PIN 01055-0107 LT (located on the northwest corner of Clairview Avenue and Watson Avenue; Roll No 060-360-04900)	RD1.2	RD3.1x(18)

DREW DILKENS, MAYOR

CLERK

First Reading , 2026
Second Reading , 2026
Third Reading , 2026

SCHEDULE 2

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

To amend the zoning of the lands located on the northwest corner of Clairview Avenue and Watson Avenue, described as Lots 1 & 2, Plan 829, PIN 01055-0107 LT, to permit the development of a multiple dwelling on the subject land.

The amending by-law changes the zoning on the subject land from Residential District 1.2 (RD1.2) to Residential District 3.1 (RD3.1). It adds a zoning exception reducing the minimum lot area to 827.2 m², maximum main building height to 9.0 metres, minimum side yard width to 2.20 metres and 1.22 metres from the north and south side lot lines respectively, minimum number of required parking spaces to nine, and minimum separation of a parking area 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 on the same lot as the parking area to 2.00 metres with *soft landscaping* in any area not occupied by a public walkway providing access to a main pedestrian entrance.

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



PART OF ZONING DISTRICT MAP 10

N.T.S.

SCHEDULE 2

Applicant: Hausology Inc.

 SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : DECEMBER, 2025
FILE NO. : Z-035/25, ZNG/7344

Council Report: S 145/2025

Subject: Zoning By-law Amendment Application for 401-431 Shepherd Street West, Z-036/25 [ZNG-7345], Ward 3

Reference:

Date to Council: February 2, 2026
Author: Brian Nagata, MCIP, RPP
Planner III - Development (A)
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: December 23, 2025
Clerk's File #: Z/15074

To: Mayor and Members of City Council

Recommendation:

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:

21 SOUTH SIDE OF SHEPHERD STREET WEST BETWEEN YORK STREET AND CHURCH STREET

For the lands comprising of Lot 107 & Part of Lot 108, Plan 652 (PIN 01184-0428 LT), for a *Combined Use Building* the following additional provisions shall apply:

- | | |
|-------------------------------------|--------------------|
| a) <i>Lot Coverage: maximum</i> | <i>As Existing</i> |
| b) <i>Front Yard depth: minimum</i> | <i>As Existing</i> |
| c) <i>Rear Yard depth: minimum</i> | <i>As Existing</i> |
| d) <i>Side Yard width: minimum</i> | <i>As Existing</i> |

[ZDM 7; ZNG/7345]

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lot 107 & Part of Lot 108, Plan 652 (PIN 01184-0428 LT), situated on the south side of Shepherd Street West between York Street and Church Street, from CD1.3 to CD1.3x(21).

Executive Summary:

N/A

Background:**Application Information:**

Location: 401-431 Shepherd Street West
(Lot 107 & Part of Lot 108, Plan 652; Roll No. 040-570-04300; P.I.N. 01184-0428 LT)

Ward: 3

Planning District: South Central

Zoning District Map: 7

Owner: Flipping Nuts Inc.

Applicant: Lassaline Planning Consultants (Jackie Lassaline)

Authorized Agent: Same as Applicant

Proposal:

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning for the lands located on the south side of Shepherd Street West between York Street and Church Street, known municipally as 401-431 Shepherd Street West (the "Subject Property"), by adding a zoning exception to the Commercial District 1.3 (CD1.3) zoning to allow for interior and exterior alterations to a vacant one storey, seven unit commercial building for the purpose of establishing a Combined Use Building containing one commercial unit and five Townhome Dwelling Units.

The zoning exception is requested to reduce the minimum landscaped open space yard, front yard depth, rear yard depth, side yard width and required number of parking spaces, and increase the maximum lot coverage.

Submitted Information: Conceptual Plans (See Appendix A), Conceptual Site Plan & Site Services Plan, Parking Study, Planning Memo, Renderings and Zoning By-law Amendment Application Form

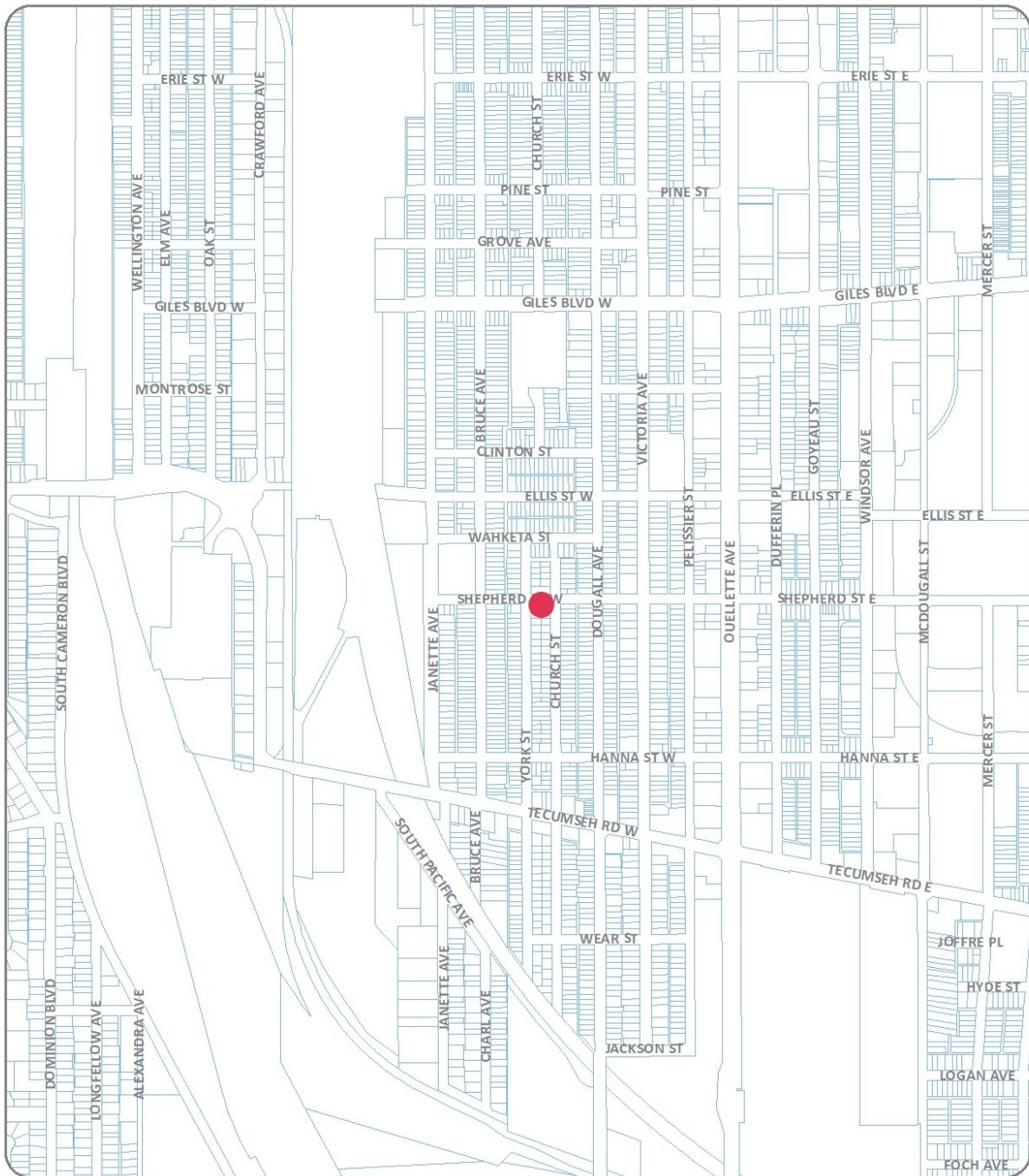
All submitted information (except the Deed) can be found on the City's [Current Development Applications webpage](#), referencing the file number and municipal address.

Site Information:

Official Plan	Zoning	Current Use	Previous Use
Residential	Commercial District 1.3 (CD1.3)	Vacant Commercial Building	Commercial Uses (Circa 1922-2010)
Lot Width	Lot Depth	Lot Area	Lot Shape

38.7 m	14.0 m	541.8 m ²	Rectangular
<i>All measurements are based on Registered Plan 652 and Plan of Survey by Koester & Verhaegen Limited, dated June 7, 1975</i>			

The Subject Property contains a circa 1922 one-storey, seven-unit, vacant commercial building occupying the entire south side of the Shepherd Street West block between York Street and Church Street.



KEY MAP - Z-036/25, ZNG/7345



● SUBJECT LANDS



PART OF ZONING DISTRICT MAP 7

N.T.S.

REQUESTED ZONING AMENDMENT

Applicant: Flipping Nuts Inc.



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : DECEMBER, 2025
FILE NO. : Z-036/25, ZNG/7345



NEIGHBOURHOOD MAP - Z-036/25, ZNG/7345



SUBJECT LANDS

Neighbourhood Characteristics:

The Subject Property sits on the western side of the South Central neighbourhood. The South Central neighbourhood constitutes the area north of the Canadian Pacific Railway and Essex Terminal Railway corridors, east of the Canadian Pacific Railway corridor, south of Erie Street East/West and west of Howard Avenue.

Surrounding Land Uses:

North	<ul style="list-style-type: none"> Central Library Convenience store Mitchell Park Small-scale forms of low-profile dwellings Windsor International Aquatic and Training Centre
East	<ul style="list-style-type: none"> Gignac Park Lanspeary Pool Queen Victoria Public School St. Angela Elementary School Small-scale forms of low-profile dwellings
South	<ul style="list-style-type: none"> Catholic Central High School Honourable W.C. Kennedy Collegiate Jackson Park Small-scale forms of low-profile dwellings
West	<ul style="list-style-type: none"> Al-Sedeq Academy Islamic Academy Windsor Small-scale forms of low-profile dwellings Warehouse

Municipal Infrastructure:

	Rural Cross Section	Curbs & Gutters	Lanes	Sidewalks (One Side)	Sidewalks (Both Sides)	Streetlights (One Side)	Streetlights (Both Sides)	On street Parking	Combined Sewer	Sanitary Sewer	Storm Sewer	Watermain	Hydro
Church St.		x	2		x	x		x	x			x	
Shepherd St. W.		x	2		x	x		x	x		x	x	x
York St.		x	2		x	x		x	x			x	

Discussion:

The defined role of the Provincial Planning Statement, 2024 (the "PPS") is to provide *"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 PPS 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."*

Appendix C lists policies of the PPS that are considered relevant in discussing provincial interests related to this amendment.

The Planning Department found this amendment to be consistent with the above policies.

Official Plan

Appendix D identifies the Official Plan policies relevant to assessing this amendment's conformity with the Plan.

Table 1 - Volume I Schedules

Schedule	Designation
Schedule A - Planning Districts & Policy Areas	South Central
Schedule A-1 - Special Policy Areas	N/A
Schedule B - Greenway System	N/A
Schedule C - Development Constraints	N/A
Schedule C-1 - Archaeological Potential	N/A
Schedule D - Land Use	Residential
Schedule E - City Centre Planning District	N/A
Schedule F - Roads & Bikeways	N/A
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
Schedule K - Source Water Protection Areas	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 (Policy 3.2.1.2)

Encouraging a range of housing types allows residents to remain in their neighbourhoods throughout all life stages and helps ensure that new housing aligns with the community's vision. Providing more housing options as the city grows also reduces pressure to sprawl onto agricultural and natural lands.

Chapter 6 - Land Use:

6.1 Goals

Appendix D identifies the Goals with which this amendment conforms.

6.3 Residential

6.3.1 Objectives

Appendix D identifies the Objectives with which this amendment conforms.

6.3.2 Policies

Permitted Uses (Policy 6.3.2.1)

Low- and medium-profile dwelling units, including a five-unit row (townhome dwelling), are permitted uses.

Ancillary Uses (Policy 6.3.2.2)

Ancillary uses, including neighbourhood commercial uses, are permitted uses.

Types of Low-Profile Housing (Policy 6.3.2.3)

There are small- and large-scale forms of low-profile housing. Small-scale forms include row housing.

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 sits within 100 metres of Bruce Avenue, a Class I Collector Road.
 - The Subject Property sits within 200 metres of Janette Avenue, a Class I Collector Road.
 - The Subject Property sits within 350 metres of Ouellette Avenue, a Class II Arterial Road.
 - The Subject Property sits within 400 metres of Tecumseh Road West, a Class II Arterial Road.

- *(b) Full municipal physical services can be provided;*
 - Municipal electrical, sanitary, storm, and water services, as well as nearby public service facilities, are available to the Subject Property.
- *(c) Adequate community services and open spaces are available or are planned; and*
 - Refer to the response provided to the Surrounding Land Uses section herein.
- *(d) Public transportation service can be provided.*
 - This amendment will allow for transit-supportive development through residential intensification within walking distance of transit stops along the Transway 1A, Transway 1C and 418X bus routes.
 - Transit Windsor's 2019 Transit Master Plan and the City of Windsor's Active Transportation Master Plan identify a walking distance of up to 400 metres as acceptable.

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)

- *(a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:*
 - *(iv) where traffic generation and distribution is a provincial or municipal concern; and*
 - The Transportation Planning Department did not identify any concerns with traffic generation and distribution.
- *(c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.*

Criteria	Comments
Scale	- The applicant is not changing the existing building height, footprint or gross floor area
Massing	<ul style="list-style-type: none"> - The applicant is requesting an increase in maximum lot coverage from 45.0% to 91.0%. - The applicant is not changing the existing building height, footprint or gross floor area - The Planning Department is recommending that the zoning exception include a provision to set the maximum lot coverage as existing to reflect the existing building footprint.

Height	- The applicant is not increasing the existing building height
Siting	- The applicant is not changing the existing building footprint
Orientation	- The applicant is not changing the orientation of the existing building
Setbacks	<ul style="list-style-type: none"> - The applicant is not changing the existing building footprint - The applicant is requesting a full reduction from the minimum front yard depth, rear yard depth and side yard width Combined Use Building provisions of the CD1.3 zoning. - The Planning Department is recommending that the zoning exception include a provision to set the minimum front yard depth, rear yard depth and side yard width for the Combined Use Building as existing to reflect the existing building footprint. - No windows are proposed along the south facing façade abutting the single unit dwellings to the south of the Subject Property. - The placement of windows on the south façade will necessitate significant building upgrades to comply with the Ontario Building Code. - The Townhome Dwelling Units will face Shepherd Street West and York Street, both local roads with minimal vehicular traffic. - Dwellings within the surrounding blocks of Shepherd Street West are located on or close to the corresponding exterior lot line.
Parking	<ul style="list-style-type: none"> - There is no existing parking on the Subject Property. - The applicant is not providing any parking on the Subject Property. - Refer to the response to Official Plan Policy 6.3.2.5(d) below
Amenity Areas	<ul style="list-style-type: none"> - The applicant is requesting a full reduction from the minimum landscaped open space yard provision of the CD1.3 zoning. - The applicant is not changing the existing building footprint. - The existing building occupies the majority of the Subject Property. - Relief is not required since the deficiency already exists and is not worsening.

- In summary, this amendment will allow for development compatible with the surrounding area.
- *(d) provided with adequate off street parking;*
 - The applicant is requesting a reduction in the minimum parking requirement.

- The Planning Department confirmed that Section 24.10.15: Deficiency in Spaces - Existing Building of Zoning By-law 8600 applies and results in a surplus of four parking spaces based on the following calculations:

Category	Parking Spaces
Required parking spaces for existing uses*	19
Existing parking spaces provided	- 0
Surplus	= 19
Parking spaces required for proposed uses	15
Surplus	- 19
Existing deficiency	-4
Total parking spaces provided	- 0
Additional parking spaces or in surplus	-4
*Last known legally established uses	

- In summary, the proposed development requires no additional parking spaces.
- *(e) capable of being provided with full municipal physical services and emergency services; and*
 - Refer to the response provided to Official Plan Policy 6.3.2.4.b) herein for details on the municipal physical services available to the subject property.
 - Essex-Windsor EMS, Windsor Fire & Rescue Services (Fire Hall No. 1) and Windsor Police Service serve the Subject Property.

6.3.2.8 Neighbourhood Commercial Definition

The commercial unit is intended primarily to serve the day-to-day needs of residents in the immediate neighbourhood.

Neighbourhood Commercial Evaluation Criteria

Evaluation Criteria

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed Neighbourhood Commercial development within a designated Residential area is: (Policy 6.3.2.9)

- *(a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:*
 - *(iv) where traffic generation and distribution is a provincial or municipal concern; and*

- Refer to the response to Official Plan Policy 6.3.2.5(a)(iv) above.
- *(vi) where market impact is identified as a municipal concern*
 - The Subject Property has historically served as a neighbourhood commercial use.
- *(c) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas; and*
 - Refer to the response to Official Plan Policy 6.3.2.5(c) above.
- *(d) capable of being provided with full municipal physical services and emergency services;*
 - Refer to the response to Official Plan Policy 6.3.2.5(e) above.
- *(e) provided with adequate off-street parking;*
 - Refer to the response to Official Plan Policy 6.3.2.5(d) above.
- *(f) acceptable in terms of the proposal's market impacts on other commercial areas (see Procedures chapter).*
 - The Subject Property has historically served as a neighbourhood commercial use.

Ancillary Design Guidelines

The following guidelines shall be considered when evaluating the proposed design of an ancillary use: (Policy 6.3.2.10)

- *(a) the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan;*
 - The applicant is not changing the existing building height, footprint, gross floor area, orientation or siting.
 - Exterior design is no longer subject to Site Plan Control.
- *(b) the provision of appropriate landscaping or other buffers to enhance:*
 - *(ii) the separation between the use and adjacent sensitive uses, where appropriate;*
 - The Subject Property has historically served as a neighbourhood commercial use.

Chapter 11 - Tools:

The City aims to achieve land use compatibility throughout Windsor when administering any 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).

Council considers applicable policies, evaluation criteria, supporting studies, staff and agency comments, relevant provincial legislation and guidelines, and potential impacts on adjacent or similar lands when reviewing Zoning By-law amendment applications (Policy 11.6.3.3).

Zoning By-Law

Appendix E includes relevant excerpts from Zoning By-law 8600.

The subject property is within a CD1.3 zone of Zoning By-law 8600, which permits dwelling units in a combined-use building with select neighbourhood commercial uses.

The applicant is requesting an amendment to Zoning By-law 8600 by adding a zoning exception to the CD1.3 zone to allow interior and exterior alterations to a vacant one-storey, seven-unit commercial building for the purpose of establishing a Combined Use Building containing one commercial unit and five Townhome Dwelling Units.

The zoning exception is requested to reduce the minimum landscaped open space yard from 15.0% to 0.0%, front yard depth from 6.0 metres to 0.0 metres, rear yard depth from 7.50 metres to 0.00 metres, side yard width from 1.20 metres to 0 metres and required number of parking spaces from 19 to 0, and increase the maximum lot coverage from 45.0% to 91.0%.

The applicant has submitted a Planning Memo in support of the requested amendment. The Planning Memo has been considered and supported in principle in this report. The Planning Department, for reasons noted herein, confirmed that no additional parking spaces are required and that the deficiency in landscaped open space is an existing condition. Furthermore, the Planning Department, for reasons noted herein, recommends that the zoning exception include a provision to set the minimum front yard depth, rear yard depth and side yard width for the Combined Use Building as existing to reflect the existing building footprint.

No other zoning deficiencies have been identified or supported.

Appendix G includes a Draft Amending By-law. 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 to 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:

Residential intensification minimizes the community's greenhouse gas emissions. Development within existing communities and neighbourhoods, while using existing infrastructure such as sewers, sidewalks, and public transit, helps mitigate development impacts.

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:

Climate change may affect the new building, particularly through extreme precipitation and an increased number of days with temperatures above 30 °C. Although this report does not address these issues in detail, any new construction must comply with the current provisions of the Building Code, which the building permit process will enforce. The project must also incorporate best practices for stormwater management.

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. Appendix F includes a record of comments received.

There are no objections to the proposed amendment.

On May 8, 2025, the applicant hosted an in-person public open house at the Subject Property and notified owners of properties within 200 metres of it.

Section 4: Open House Results of the Planning Memo indicated that several neighbours attended the Open House, with six residents signing in and others attending informally. Neighbours responded positively to the proposal to retain, clean, and upgrade the existing building and convert it to primarily residential use.

Residents expressed that the building's current state of decline, including vandalism and break-ins, was unacceptable and supported the proposed adaptive reuse as a solution. After reviewing the renderings, neighbours voiced support for this amendment and the adaptive reuse of the vacant commercial building to include residential units and a neighbourhood commercial use.

Comments received were taken into consideration when preparing this report.

The City published a statutory notice in the Windsor Star, a local daily newspaper, and mailed a courtesy notice 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 Planning Department evaluated the recommended zoning amendment to ensure it is consistent with the Provincial Planning Statement 2024 and conforms to the policies of the City of Windsor Official Plan.

The recommended Zoning By-law amendment is consistent with 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:

Brian Nagata, MCIP, RPP
Planner III - Development (A)

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 Professional Planner and have reviewed as a Corporate Team Leader

JP RM

Approvals:

Name	Title
Brian Nagata	Planner III - Development (A)
Greg Atkinson	Deputy City Planner - Development
Aaron Farough	Senior Legal Counsel, Legal & Real Estate
Neil Robertson	City Planner
Jelena Payne	Deputy CAO/Commissioner, Economic Development
Ray Mensour	Chief Administrative Officer

Appendices:

- 1 Appendix A - Conceptual Plans
- 2 Appendix B - Site Photos
- 3 Appendix C - Excerpts from PPS 2024
- 4 Appendix D - Excerpts from Official Plan
- 5 Appendix E - Excerpts Zoning By-law 8600
- 6 Appendix F - Consultations
- 7 Appendix G - Draft Amending By-law

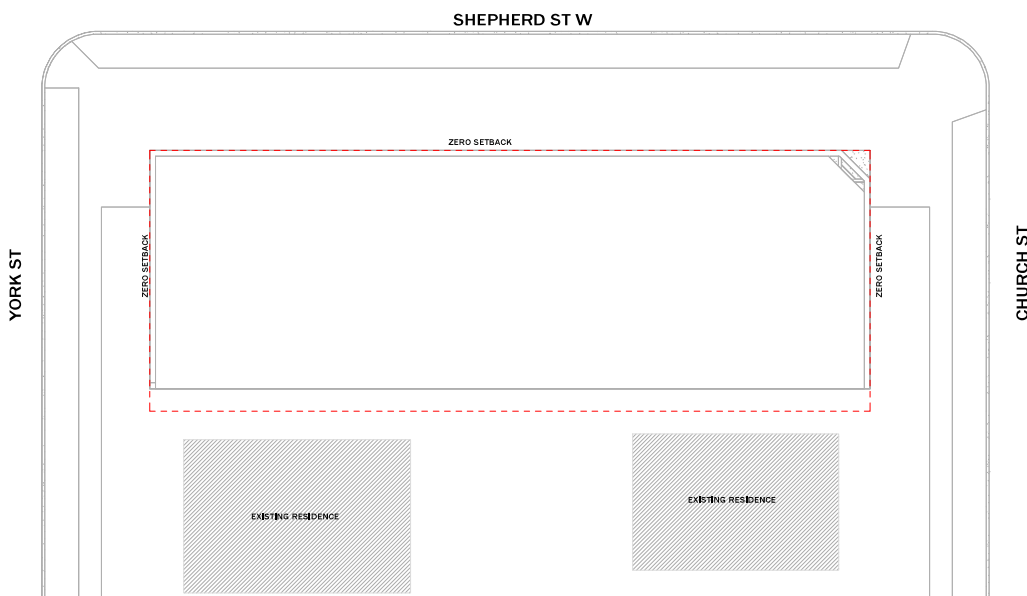
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SITE PLAN

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

NOTE:
ARCHITECTURAL SITE PLAN FOR REFERENCE
ONLY REFER TO SURVEY BY OTHERS FOR ALL
CIVIL ENGINEERING INFORMATION



FELIXCULPA
ARCHITECTURE

2142 May Ave.
Windsor, Ontario N8W 2M5
516.890.5773
www.felixculpaarchitecture.com

401- 431 Shepherd St W
Zoning Bylaw Amendment

Flipping Nuts Inc.
(c/o Dan Carlini)

Revisions

Revision Date Revision Description

Drawn	Preliminary
B SMITH	Construction
Checked	Record
B SMITH	
Approved	Do not scale
B SMITH	Use typed dimensions only
Design Number	

Job Number
00-000
PROJECT
ARCHITECTURAL SITE
PLAN

Sheet
A100

ISSUED FOR REFERENCE ONLY

Flipping Nuts Inc.
(c/o Dan Carlini)



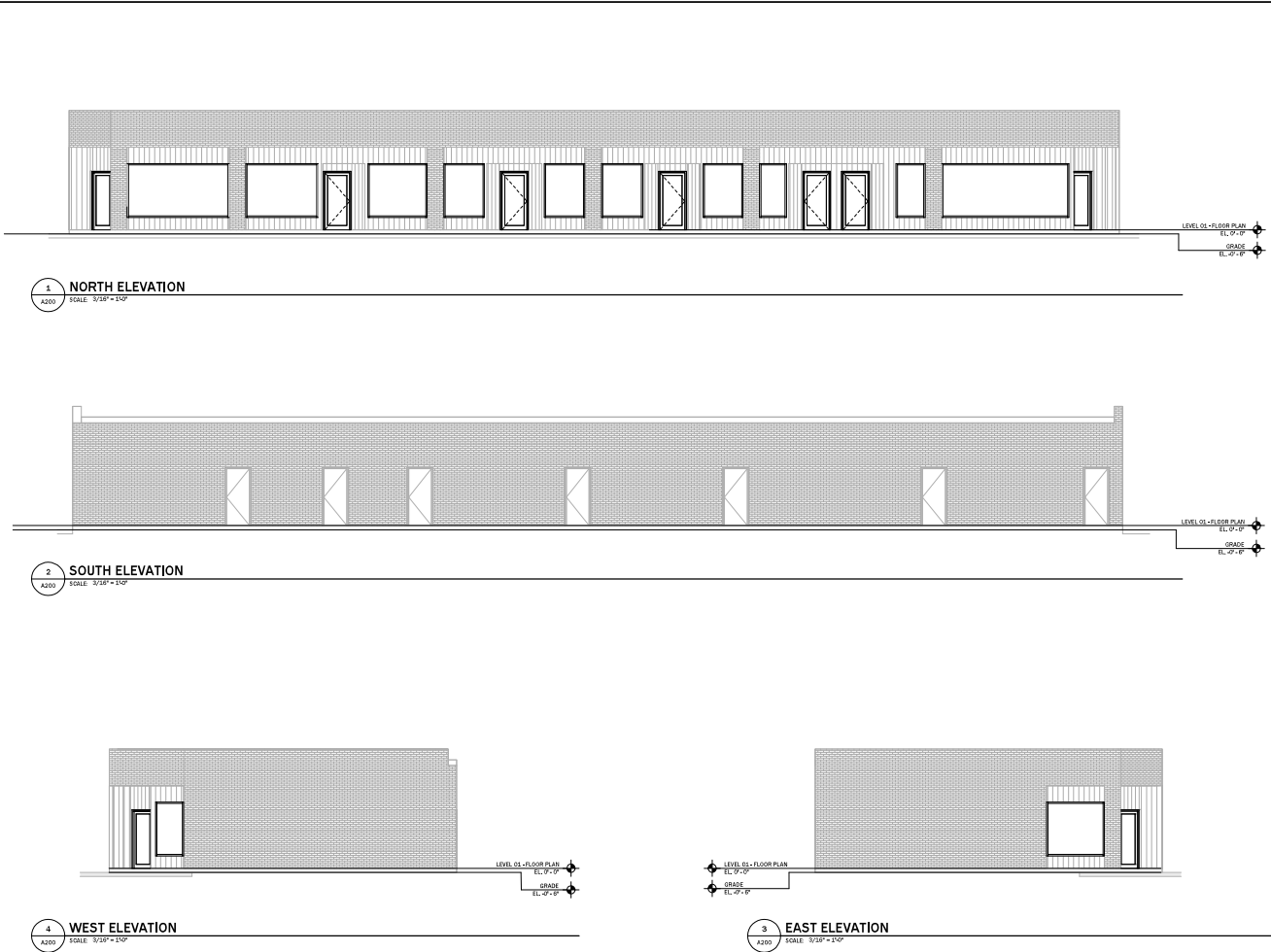
Revision Date	Revision Description
Drawn B SMITH	Preliminary
Checked B SMITH	Construction
Approved B SMITH	Record
Block Number	Do not scale Use figured dimensions only

Job Number
00-000

FLOOR PLANS

Sheet
A200

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Zoning Bylaw Amendment

Flipping Nuts Inc.
(c/o Dan Carlini)

Revision Date Revision Description

Drawn	Prepared
B SMITH	Construction
Checked	Record
B SMITH	
Approved	Do not scale
B SMITH	Use typical dimensions only
Single Number	

Job Number

00-000

Sheet

A300

ISSUED FOR REFERENCE ONLY

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



Figure 1 - Looking east towards the subject property from the intersection of Shepherd St W & York St



Figure 2 - Looking west towards the subject property from the intersection of Shepherd St W & Church St

APPENDIX “C”

Excerpts from Provincial Planning Statement 2024 (PPS)

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

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, ... 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

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. permitting and facilitating:
 1. 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;
 - b. promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and
 - c. 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
- 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.

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;

Chapter 3: Infrastructure and Facilities

3.6 Sewage, Water and Stormwater

- 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.

APPENDIX “D”

Excerpts from the Official Plan

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:

- | | | |
|--|--------|---|
| <i>NEIGHBOURHOODS</i> | 6.1.1 | Safe, caring and diverse neighbourhoods. |
| <i>RESIDENTIAL</i> | 6.1.3 | Housing suited to the needs of Windsor’s residents. |
| <i>RESIDENTIAL
INTENSIFICATION</i> | 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. (added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022) |

6.2 General Policies

- | | | |
|---|---------|---|
| <i>TYPES OF
DEVELOPMENT
PROFILE</i> | 6.2.1.2 | 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) storeys in height; |
| <i>TYPES OF
DEVELOPMENT
PATTERN</i> | 6.2.1.3 | For the purpose of this Plan, Development Pattern refers to an area bounded by the nearest Collector and/or Arterial roads and/or other major linear physical features. Accordingly, two categories of Development Pattern are provided for:

(a) a Neighbourhood which exhibits a characteristic lotting and/or development profile; and |

6.3 Residential

The lands designated as “Residential” on Schedule D: Land Use provide the main locations for housing in Windsor outside of the City Centre Planning District. 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 Objectives

<i>RANGE OF FORMS & TENURES</i>	6.3.1.1	To support a complementary range of housing forms and tenures in all neighbourhoods.
<i>NEIGHBOURHOODS</i>	6.3.1.2	To promote compact neighbourhoods which encourage a balanced transportation system.

6.3.2 Policies

In order to facilitate the orderly development and integration of housing in Windsor, the following policies shall apply.

<i>PERMITTED USES</i>	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.
<i>ANCILLARY USES</i>	6.3.2.2	In addition to the uses permitted above, Council will encourage the achievement of diverse and self-sufficient neighbourhoods by permitting the following ancillary uses in areas designated Residential on Schedule D: Land Use without requiring an amendment to this Plan: <ul style="list-style-type: none"> (c) Neighbourhood Commercial uses subject to the provisions of policy 6.3.2.9;
<i>TYPES OF LOW PROFILE HOUSING</i>	6.3.2.3	For the purposes of this Plan, Low Profile housing development is further classified as follows: <ul style="list-style-type: none"> (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 provided;
 - (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:
 - (iv) where traffic generation and distribution is a provincial or municipal concern; and
- (c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.;
- (d) provided with adequate off street parking;
- (e) capable of being provided with full municipal physical services and emergency services; and

*NEIGHBOURHOOD
COMMERCIAL
DEFINITION*

6.3.2.8

For the purposes of this Plan, Neighbourhood Commercial uses include commercial uses which are intended to primarily serve the day to day needs of residents within the immediate neighbourhood or neighbourhoods;

(Added by OPA #106 – November 6, 2015, B/L 143-2015)

NEIGHBOURHOOD
COMMERCIAL
EVALUATION
CRITERIA

6.3.2.9

Neighbourhood Commercial uses shall be encouraged to locate in Mixed Use Corridors and Mixed Use Nodes as shown on Schedule D. Ideally, these uses would form part of a multi-use building with residential uses located above or behind the non-residential uses on the street front. **(Added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022)**

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed Neighbourhood Commercial development within a designated Residential area is:

- (a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:
 - (iv) where traffic generation and distribution is a provincial or municipal concern;
 - (vi) where market impact is identified as a municipal concern;
- (c) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas;
- (d) capable of being provided with full municipal physical services and emergency services; and
- (e) provided with adequate off-street parking.
- (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)**

ANCILLARY USE
DESIGN
GUIDELINES

6.3.2.10

The following guidelines shall be considered when evaluating the proposed design of an ancillary use:

- (a) the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan;
- (b) the provision of appropriate landscaping or other buffers to enhance:
 - (ii) the separation between the use and adjacent uses, where appropriate;

11 Tools

This chapter was amended as part of Official Plan Amendments #84 as part of a 5-year review of the Official Plan. Official Plan Amendment #84 was approved by the Ministry of Municipal Affairs and Housing on 07/09/2012.

11.6 Zoning

A municipality can regulate the use and development of lands, buildings and other structures under the zoning provisions of the *Planning Act*.

11.6.1 Objectives

COMPATIBLE USES 11.6.1.2 To ensure compatibility between land uses.

11.6.3 Zoning By-law Amendment Policies

AMENDMENTS MUST CONFORM 11.6.3.1 All amendments to the Zoning By-law(s) shall conform with this Plan. The Municipality will, on each occasion of approval of a change to the zoning by-law(s), specify that conformity with the Official Plan is maintained or that the change will be in conformity upon the coming into effect of an amendment to the Official Plan.

REVIEW PROCEDURE 11.6.3.2 All applications for Zoning By-law amendments shall be processed in accordance with the provisions of the *Planning Act*, and regulations pursuant thereto, and the procedural requirements of this Plan. In general, after an applicant's pre-application consultation meeting with municipal staff and submission of an application that is determined to be complete, all applications shall: **Added by OPA 65 – 10/22/2007– By-law 192-2007**

- (a) Be circulated to appropriate agencies and those agencies be provided with sufficient time to respond; **Added by OPA 65 – 10/22/2007– By-law 192-2007**
- (b) Be advertised and be presented to the public and the views of the public ascertained at a public meeting to be held in accordance with the *Planning Act*; and **Added by OPA 65 – 10/22/2007– By-law 192-2007**
- (c) Be given due and thorough consideration by Council. **Added by OPA 65 – 10/22/2007– By-law 192-2007**

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: 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.

APPENDIX “E”
Excerpts from Zoning By-law 8600

City of Windsor Zoning By-law 8600

SECTION 14 - COMMERCIAL DISTRICTS 1. (CD1.)

14.3 COMMERCIAL DISTRICT 1.3 (CD1.3)

14.3.1 PERMITTED USES

Business Office

Child Care Centre

Commercial School

Food Outlet - Take-out

Medical Office

Personal Service Shop

Professional Studio

Repair Shop - Light

Restaurant

Retail Store

Dwelling Units in a Combined Use Building with any one or more of the above
uses

Double Duplex Dwelling

Duplex Dwelling

Semi-Detached Dwelling

Single Unit Dwelling

Tourist Home

Any use accessory to the preceding uses. An Outdoor Storage Yard is
prohibited.

14.3.5 PROVISIONS

.4	Building Height – maximum	7.50 m
.8	Landscaped Open Space Yard – minimum	15.0% of lot area
.10	Gross Floor Area – maximum	
	For each Business Office, Food Outlet - Takeout, Medical Office, Personal Service Shop, Professional Studio, Repair Shop - Light, Restaurant or Retail Store:	250.0 m ²

- .50 For a Combined Use Building or a Tourist Home and any use accessory thereto, the following additional provisions shall apply:
- a) Lot Coverage – maximum 45.0 %
 - b) Main Building Height – maximum 10.0 m
 - c) Front Yard Depth – minimum 6.0 m
 - d) Rear Yard Depth – minimum 7.50 m
 - e) Side Yard Width – minimum 1.20 m
- .55 For a *Combined Use Building*, a *parking space* in a *rear yard* shall be located a minimum of 4.50 m from the rear wall of the *Combined Use Building*, save and except for a *parking space* situated entirely within a *main building* or an *accessory building*.
- .60 A *Double Duplex Dwelling*, *Duplex Dwelling*, *Semi-Detached Dwelling*, or *Single Unit Dwelling*, and any use accessory to the preceding uses, shall comply with the appropriate provisions of Section 11.2.5.
- .90 A *parking space* in a *front yard* is prohibited.

APPENDIX “F”

Consultations

CALDWELL FIRST NATION COMMUNITY

No comments provided

ENGINEERING - DEVELOPMENT

Development has no objection or special provisions for this rezoning application.

[Shannon Mills - Technologist III]

Comments to Stage 2 Planning Consultation Application

Sewers

The site may be serviced by a 450mm combined sewer and a 900mm storm sewer located within Shepherd Street West 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 sampling manhole may be required on any new sanitary connection at the property line to the satisfaction of the City Engineer, if one does not already exist.

If you have any further questions or concerns, please contact Jaegar King, of this department at jking@citywindsor.ca.

[Juan Paramo - Development Engineer]

ENGINEERING - R.O.W.

Required Drawing Revisions:

1. 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.
 - a. Modify drawings to include all sewer connections and water services.
 - b. Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.
2. Encroachment Agreement - There are existing items encroaching into the right-of-way, which require either removal or an encroachment agreement to legalize said items.

- a. Modify drawings to remove encroaching items or identify that an encroachment agreement with the City of Windsor will be required for the extra paving on the right-of-way.

Right-of-Way Permit Requirements

CCTV Sewer Inspection - The Owner further agrees to provide at its entire expense, and to the satisfaction of the City Engineer, a video inspection, of any existing connections proposed for reuse to ensure the suitability of the connection for use in accordance with City of Windsor Standard Specifications S-32 CCTV Sewer Inspection

Encroachment Agreement - The owner agrees to submit application for and execute an agreement with the Corporation for the existing encroachments into the right-of-way (concrete paving) to the satisfaction of the City Engineer or remove said items and restore the boulevard as per BP 3.2.2.2.

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.

- 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.

If you have any further questions or concerns, please contact Thomas Huynh, of this department at thuynh@citywindsor.ca.

[Mark Schaffhauser - Technologist III]

ENWIN UTILITIES LTD. - HYDRO ENGINEERING

Comments to Stage 1 Planning Consultation Application

No Objection provided clearances are maintained from our distribution infrastructure.

Please note the following distribution and services:

- Overhead 27kV primary distribution pole line and associated down guy wires/anchors across the street to the north of noted property
- Overhead 120/240V Secondary Triplex distribution, across the street to the north of noted property.
- Overhead 120V Streetlight duplex, adjacent to the West side of the building
- Overhead 120V Streetlight duplex, across the street to the East of the noted property.
- Overhead 1 phase transformer, across the street to the north of the noted property.

- Overhead 120/240V secondary Triplex serving multiple addresses to the South of the noted property.
- Overhead 120/240V secondary triplex serving 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.

[Tia McCloskey - Hydro Engineering Technologist]

ENWIN UTILITIES LTD. - WATER ENGINEERING

Comments to Stage 1 Planning Consultation Application

ENWIN Water has no objections.

[Bruce Ogg - Water Project Review Officer]

FORESTRY

Comments to Stage 1 Planning Consultation Application

There are 5 City owned trees on the property

There are NO privately owned trees on the property

Forestry has NO concerns at this time regarding the request for a Zoning By-law Amendment.

Based on the site plan provided, it appears no major exterior renovations are proposed, and the existing building area will remain the same. However, if the proposed construction / development requires underground work, utility installation etc. that could impact the 5-city trees and surrounding root zones forestry must be notified.

The owner/developer may be requested to provide a detailed tree inventory for all live trees over 10cm DBH within the proposed development area, both city and privately owned. This inventory should include trees on adjacent lots in close proximity (5 meters) to the property lines. 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 show adequate Tree Root protection zones for each individual tree if they are to be preserved on-site and those in proximity on adjacent lots through the development process. Basic Tree protection includes exclusion fencing at the 'drip-line +1 meter' distance for each tree. Full details regarding the size of protection area required, the permitted activity within the protection zone and the type of fencing for protection zones can be provided by Forestry. City Trees are protected from damages and removal under City by-law 135-2004 and 131-2019.

If the trees are not to be preserved or cannot be adequately protected through the development process a request must be made that specific trees be removed. A Removal & Canopy Replacement costs may be calculated based on cost-to-remove and a Diameter-for-Diameter replacement ratio for both City owned and Private trees.

If individual trees are initially identified to be preserved and provided with Protection zones but are damaged or encroached upon during construction, then Removal and Replacement costs will apply.

Forestry requests the opportunity to review future landscaping plans in order to provide comment and suggestion regarding new tree species selection, stock types and long - term tree care that would enhance tree survival, performance and aesthetics on-site and would maximize future on-site Tree Canopy and City-wide Tree Canopy Resilience.

[Mitchell Schinkel - Forestry Supervisor]

PARKS DESIGN & DEVELOPMENT

Comments to Stage 1 Planning Consultation Application

Natural Areas has no concerns with the re-zoning.

If the development process leads to the necessary removal of trees, Site Plan Control must include regard to Breeding Birds:

- Active nests of most bird species are protected under the Migratory Birds Convention Act (1994), the Fish and Wildlife Conservation Act (1997), and/or the Endangered Species Act (2007)
- Active nests, i.e., nests occupied by an adult bird, chick, and/or viable egg, must not be disturbed or removed
- The breeding bird window for southwestern Ontario is April 1st – August 31st
- To prevent potential harm to nests, any vegetation disturbance should occur outside of the breeding bird window
- Should disturbance be unavoidable during this window, surveys for nests must be completed by a Qualified Professional immediately prior to (i.e., within 48 hours) site alteration

- If an active nest is found, it should remain unharmed, protected by a buffer zone, until the young have permanently left the vicinity of the nest.

[Karen Alexander - Naturalist and Outreach Coordinator]

PLANNING DEPARTMENT - HERITAGE

Comments to Stage 1 Planning Consultation Application

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 Staaadegaard, (O) 519-253-2300x2726, (C) 519-816-0711,
mstaaadegaard@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 - Heritage Planner]

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

Comments to Stage 1 Planning Consultation Application

As requested, the materials for the file titled above have been reviewed, and comments are listed below.

1. The applicant would have to demonstrate that they can provide the required 15% landscape lot coverage.
2. The existing concrete within the north boulevard currently encroaches the City right of way and would be required to be restored to grass.
3. The boulevards to the east and west along Church St and York St shall be maintained as softscape.
4. New 70mm deciduous trees shall be provided within the boulevards of York St, Shepherd St W, and Church St at an interval of one tree per 10m of frontage where space permits.
5. Landscape Architecture comments are in general agreement with Forestry comments.

Recommendations:

1. Pedestrian connections should be provided from building entrances/exits to the municipal sidewalk along Shepherd St W.

[Ryan Gardiner-Upton - Landscape Architect]

PLANNING DEPARTMENT - SITE PLAN CONTROL

Comments to 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]

TRANSIT WINDSOR

Comments to Stage 1 Planning Consultation Application

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 a peak weekday frequency of 40 minutes. The closest existing bus stop to this property is located on Bruce at Shepherd Northeast Corner. This bus stop is approximately 140 metres from this property falling within Transit Windsor's 400 metre walking distance guidelines to a bus stop. Transit Windsor's City Council approved 2025 Service Plan has the Dougall 6 being replaced by a new secondary route. This secondary route will have a peak

weekday frequency of 15 minutes enhancing transit services for this area. This is consistent with Transit Windsor's City Council approved Transit Master Plan.

[Jason Scott - Manager of Transit Planning]

TRANSPORTATION PLANNING

Comments to Stage 1 Planning Consultation Application

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

Prior to proceeding to provide the parking study applicant must contact the Transportation Planning for the specific scope of the parking study.

Comments to Stage 2 Planning Consultation Application

Transportation concern was how changing commercial use to residential will affect the neighbourhood since the peak hour of the residential use differs from commercials'. The study conducted the survey during the residential peak parking demand and confirmed on-street parking availability. Therefore, we do not have further concern.

[Elara Mehrilou - Transportation Planner I]

WALPOLE ISLAND FIRST NATION

No comments provided

APPENDIX "G"

Draft Amending By-law

BY-LAW NUMBER -2026

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

Passed the day of , 2026.

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 Section 91.10 of said by-law is amended by adding the following clause:

21. **SOUTH SIDE OF SHEPHERD STREET WEST BETWEEN YORK STREET
AND CHURCH STREET**

For the lands comprising of Lot 107 & Part of Lot 108, Plan 652 (PIN 01184-0428 LT), for a *Combined Use Building* the following additional provisions shall apply:

- a) *Lot Coverage: maximum* *As Existing*
- b) *Front Yard Depth: minimum* *As Existing*
- c) *Rear Yard Depth: minimum* *As Existing*
- d) *Side Yard Width: minimum* *As Existing*

[ZDM 7; ZNG/7345]

2. That said by-law is further amended by amending the Zoning District Maps shown in Column 2 by changing the zoning symbol of the lands described in Column 3 from that shown in Column 4 to that shown in Column 5:

1. Item Number	2. Zoning District Map	3. Lands Affected	4. Current Zoning Symbol	5. New Zoning Symbol
1	7	Lot 107 & Part of Lot 108, Plan 652; PIN 01184-0428 LT (located on the south Side of Shepherd Street West between York Street and Church Street; Roll No 040-570-04300)	CD1.3	CD1.3x(21)

DREW DILKENS, MAYOR

CLERK

First Reading , 2026
Second Reading , 2026
Third Reading , 2026

SCHEDULE 2

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

To amend the zoning of the lands located on the south Side of Shepherd Street West between York Street and Church Street, described as Lot 107 & Part of Lot 108, Plan 652, PIN 01184-0428 LT, to allow for interior and exterior alterations to a vacant one storey, seven unit commercial building for the purpose of establishing a Combined Use Building containing one commercial unit and five townhome dwelling units. The amending by-law changes the zoning on the subject land by adding a zoning exception to recognize the existing non-conforming lot coverage, front yard depth, rear yard depth, and side yard width.

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



PART OF ZONING DISTRICT MAP 7

N.T.S.

SCHEDULE 2

Applicant: Flipping Nuts Inc.

 SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : DECEMBER, 2025
FILE NO. : Z-036/25, ZNG/7345

Council Report: S 146/2025

Subject: Rezoning - 1360 & 1376 Howard Ave - Z-037/25 ZNG/7349 - Ward 4

Reference:

Date to Council: February 2, 2026
Author: Adam Szymczak, MCIP, RPP
Senior Planner - Development
519-255-6543 x6250
aszymczak@citywindsor.ca

Planning & Building Services
Report Date: 12/30/2025
Clerk's File #: Z/15075

To: Mayor and Members of City Council

Recommendation:

1. THAT Zoning By-law 8600 **BE AMENDED** by adding the following to Section 91.10:

19. SOUTHEAST CORNER OF HOWARD AVENUE AND OTTAWA STREET

For the lands comprising Plan 128 PT Lot 13; Corner; Plan 128 N PT Lot 14; Plan 936 PT Lot 19; PIN 01163-0214, 01163-0217, 01163-0511, a *Stacked Dwelling* shall be an additional permitted *main use*, and for a *Multiple Dwelling* having five or more *dwelling units* or a *Stacked Dwelling*, the following additional provisions shall apply:

- a) *Lot Area: minimum: 1,900 m²*
- b) *Lot Coverage: maximum 40% of lot area*
- c) The *Front Yard Depth, Rear Yard Depth, Side Yard Width* provisions in Section 12.1.5 shall not apply
- d) *Building Setback:*
 1. From an *exterior lot line* abutting Lillian Avenue: *minimum 6.0 m*
 2. From any other *exterior lot line*: *minimum 0.0 m*
 3. From an *interior lot line*: *minimum 2.20 m*
- e) *Landscaped Area: minimum 30.0% of lot area*
- f) Required *Parking Spaces: minimum: 1 for each dwelling unit*
- g) Required *Visitor Parking Spaces: 0*
- h) Notwithstanding Sections 24.20.10 and 24.22.10, each *parking space* or *visitor parking space* shall have a *minimum* length of 5.5 m and a *minimum* width of 2.5 m

- i) Notwithstanding Clause .2 in Table 25.5.20.1, the minimum parking area separation of a parking area from Ottawa Street shall be 1.5 m
- j) Notwithstanding Section 25.5.30.4, each lane shall have a minimum width of 3.0 m

[ZDM 7; ZNG/7349]

2. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of the lands comprising Plan 128 PT Lot 13; Corner; Plan 128 N PT Lot 14; Plan 936 PT Lot 19; PIN 01163-0214, 01163-0217, 01163-0511; situated southeast corner of Howard Avenue and Ottawa Street, (Roll No. 030-330-08700 & 030-330-08900), from RD1.3, RD2.2, and CD2.6 to RD3.1x(19).
3. THAT the Site Plan Approval Officer **BE DIRECTED** to review the comments from municipal departments and external agencies in Appendix B to Report S 146/2025.

Executive Summary:

N/A

Background:

Application Information

Location: 1360 & 1376 Howard Avenue

Legal: Plan 128 PT Lot 13; Corner; Plan 128 N PT Lot 14; Plan 936 PT Lot 19; PIN 01163-0214, 01163-0217, 01163-0511

Roll No. 030-330-08700 & 030-330-08900

Ward: 4 **Planning District:** Walkerville **Zoning District Map:** 7

Applicant: Masotti Construction Inc. (Andi Shallvari)

Owner: Butterfield Holdings Limited (Ryan Eagen)

Agent: Siv-ik Planning and Design Inc. (Lauren Sooley)

Proposal: Construct one Multiple Dwelling with a maximum building height 14.0 m over 4-storeys containing 25 dwelling units, 25 parking spaces in a parking area with one access area to Lillian Street.

Submissions: All documents are available [online](#) on the City's website.

Attached to Report S 146/2025: Concept Plan (Appendix A)

Not attached to Report S 146/2025: Application for Zoning By-law Amendment; Acoustic Study; Functional Servicing Study (FSR); Parking Justification Study; Planning Rationale Report (PRR)

Site Information:

All measurements are approximate

OFFICIAL PLAN	ZONING BY-LAW 8600	CURRENT USE	PREVIOUS USE
Mixed Use Corridor	RD1.3, RD2.2, CD2.6	Automobile Sales Lot	N/A
LOT FRONTAGE HOWARD AVE	LOT DEPTH	LOT AREA	LOT SHAPE
37.6 m	59.3 m	1,950 m ²	Irregular

Neighbourhood:

Section 1.4 of the Applicant's PRR provides a detailed overview of the surrounding area. The subject parcel is located within a predominantly low-profile residential neighbourhood. Significant land uses include cemeteries to the west, north, and east. Industrial and commercial uses are concentrated to the west and southwest along Howard Avenue, Mercer Street, and McDougall Street. Ottawa Street, east of Marentette Avenue, functions as a major commercial corridor featuring restaurants, retail stores, medical offices, and financial institutions. Tecumseh Road, a major east-west arterial with commercial development, is situated approximately 1 km to the south.

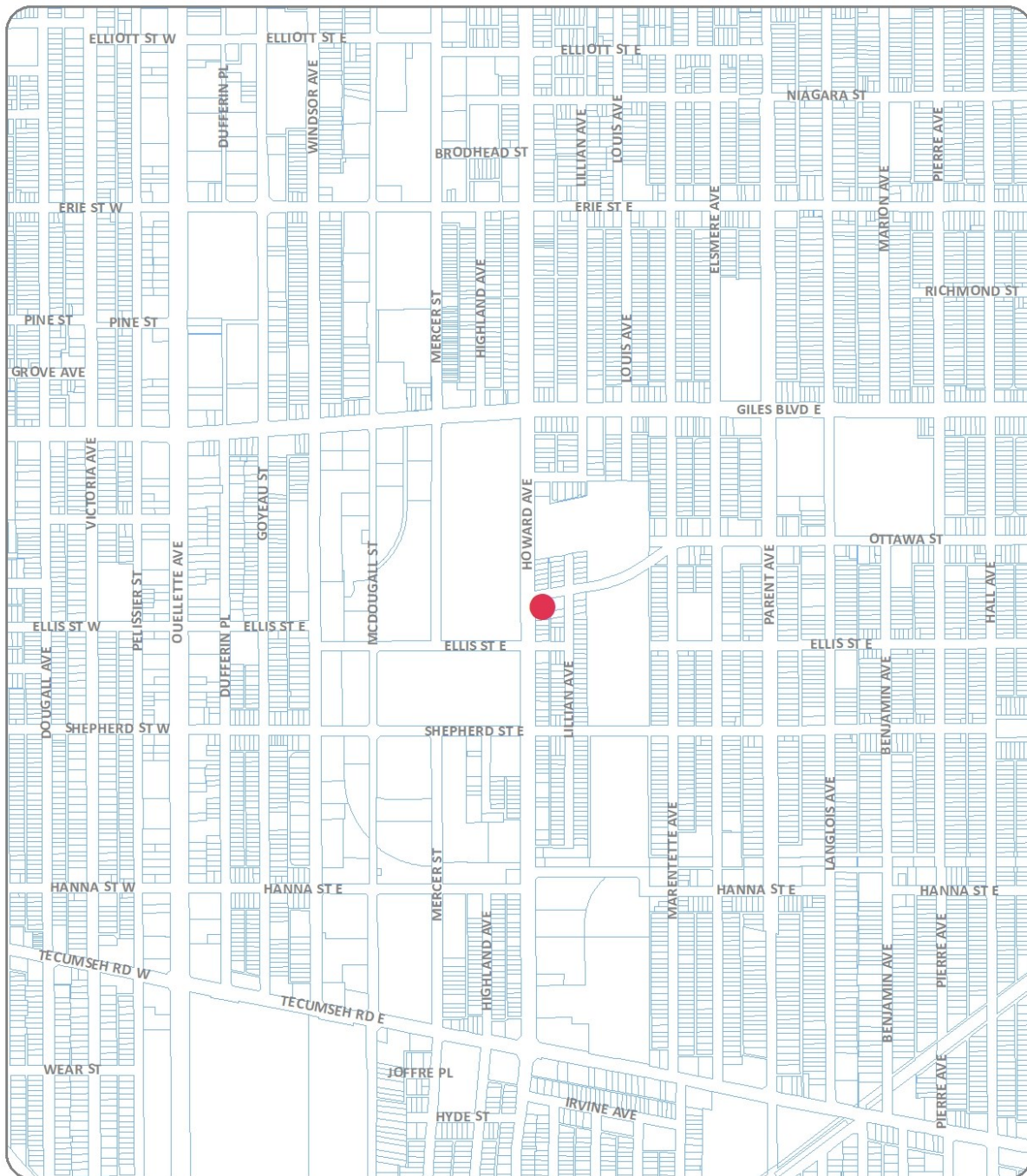
Gignac Park lies about 410 m southeast between Shepherd and Hanna, east of Howard Avenue, while Lanspeary Park is located approximately 625 m east at Ottawa and Langlois. Nearby schools include Prince Edward Public School, James L. Dunn Public School, and St. Angela Catholic Elementary School. Numerous places of worship are located within 1 km of the subject parcel.

Howard Avenue is classified as a **Class II Arterial Road** and a **Civic Way**, featuring at least two travel lanes, on-street parking, and sidewalks. Ottawa Street is a **Class I Collector Road** and a **Mainstreet**, with two travel lanes, bike lanes, on-street parking, and sidewalks. The intersection of Howard Avenue and Ottawa Street is signalized. Lillian Avenue is a **Local Road** with two travel lanes, on-street parking on the west side, and sidewalks.

Public transit is currently provided by the Ottawa 4 bus route, which operates with a weekday peak frequency of 20 minutes. This route will be replaced by secondary Route 200, offering a peak weekday frequency of 30 minutes, coinciding with the completion of Transit Windsor's new east-end terminal. The nearest bus stop is approximately 460 m away at Giles and Howard (southwest corner), slightly beyond Transit Windsor's 400 m walking distance guideline. This will remain unchanged with the implementation of Route 200.

The Transit Master Plan also proposes a new primary route along Howard Avenue, which would provide direct transit access to the development; however, the timeline for implementation is currently unknown.

Figure 1: Key Map

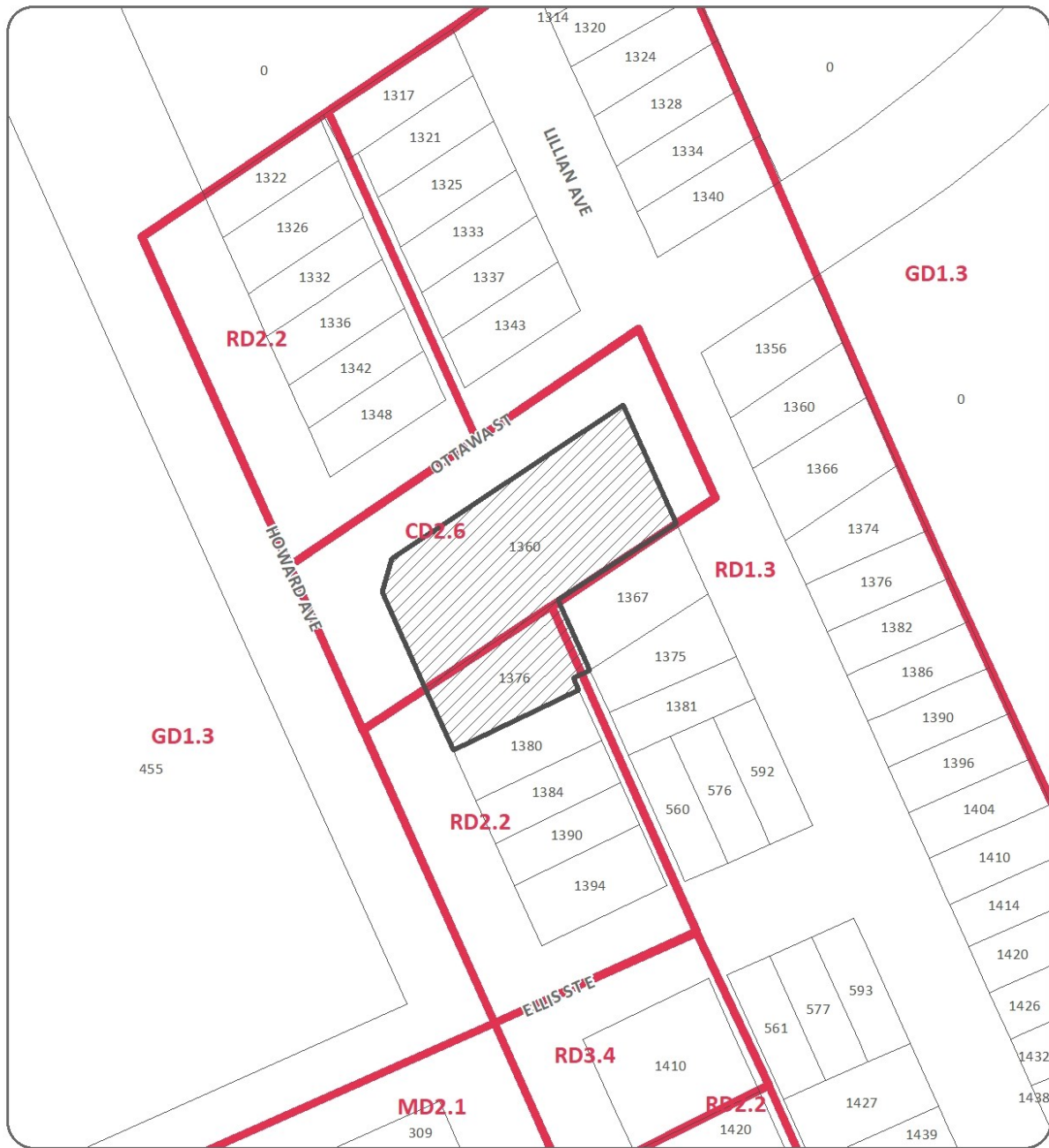


KEY MAP - Z-037/25, ZNG/7349



● SUBJECT LANDS

Figure 2: Subject Parcel - Rezoning



PART OF ZONING DISTRICT MAP 7

N.T.S.

REQUESTED ZONING AMENDMENT

Applicant: Masotti Construction Inc.



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : DECEMBER, 2025
FILE NO. : Z-037/25, ZNG/7349

Figure 3: Neighborhood Map



NEIGHBOURHOOD MAP - Z-037/25, ZNG/7349



SUBJECT LANDS

Discussion:

Planning Rationale Report (Siv-ik Planning and Design Inc., November 7, 2025)

City of Windsor Planning and Development Services concurs with the overall analysis in the Planning Rationale Report (PRR).

Functional Servicing Study (FSR) (Baird AE, September 19, 2025)

Engineering Services notes that the FSR demonstrates *“that the municipal sewer system downstream has adequate capacity and confirms that the development will not result in adverse impacts on the surrounding areas”*. However, they require additional information regarding the proposed orifice plate, including size, locations, and calculations, as well as proposed stormwater storage onsite. Further the site servicing drawings must be stamped by a professional engineer. Stormwater management and sanitary flows will be finalized during Site Plan Control and building permit stages.

Parking Justification Study (Baird AE, November 11, 2025)

The study states that proposed development is deficient by six parking spaces and that the *“shortfall will be mitigated through the implementation of Transportation Demand Management (TDM) measures, which are expected to reduce private vehicle dependence and promote sustainable travel options”*. It is noted that *“proximity to public transit and the inclusion of on-site permanent bicycle parking support Transportation Demand Management (TDM) strategies, encouraging sustainable travel choices and helping to mitigate the reduced parking supply”*.

Acoustic Study (Baird AE, September 18, 2025)

The Acoustic Study identifies mitigation measures requirements in Section 4. Section 5 lists the recommendations of the consultant. The study concludes that the implementation of the identified mitigation measures, the development *“will be designed to address impacts from the surrounding noise sources”*. The mitigation measures will be implemented through the site plan control and building permit processes.

Provincial Planning Statement 2024 (PPS 2024):

Section 6.1 in the PRR provides a brief analysis of the PPS 2024. The PRR states that the proposed development *“is located within a designated Urban Centre and is an optimal location for intensification and redevelopment”* and introduces a *“new type of housing to the area in the form of apartment buildings”*. The PRR concludes that the proposed development is consistent with the PPS 2024. City of Windsor Planning & Development Services concurs with the PPS 2024 analysis in the PRR.

Official Plan (OP):

The parcel has a designation of **Mixed Use Corridor** on Schedule D: Land Use in the OP. Section 6.2 in the PRR submitted by the Applicant has a review and analysis of appropriate Official Plan policies. The PRR states that the site *“addresses the key locational criteria for development outlined in the City of Windsor Official Plan”*, *“is located within an established neighbourhood in the City of Windsor which has access to full municipal services and emergency services”* and that the proposed parking rate is sufficient. City of Windsor Planning and Development Services concurs with the analysis in the PRR and that the recommended amendment to Zoning By-law 8600 conforms to the overall policy direction of the OP.

City of Windsor Intensification Guidelines:

Section 2.3 of the PRR reviews applicable intensification policies. The site is within a **Mixed Use Corridor**, intended for mixed-use and transit-supportive development. Guidelines emphasize building relationships to public streets and compatibility with surrounding land uses and built form.

The PRR states the proposal provides appropriate skyview, light access, and separation, and maintains a human-scale along Howard Avenue through step-backs above the third floor. City of Windsor Planning & Development Services agrees with this analysis.

Zoning By-Law 8600:

The subject lands are zoned **RD1.3**, **RD2.2**, and **CD2.6**. The RD1.3 applies to a small portion adjacent to 1367 Lillian. RD2.2 permits low-density residential uses. CD2.6 is a limited commercial district allowing automobile sales and business offices.

The applicant seeks to rezone the lands to **RD3.1** with a **zoning exception** to permit a Stacked Dwelling as an additional permitted main use and provisions for the proposed multiple dwelling.

Proposed Zoning Exception 19 applies additional provisions for a Stacked Dwelling and a Multiple Dwelling. Clause a) requires a minimum lot area of 1,900 m². Clause b) increases the maximum lot coverage from 35% to 40%. These exceptions will have no adverse impact on adjacent properties and allows for the efficient use of the parcel.

Clauses c) and d) relate to the irregular shape of the parcel and the fact that the exterior lot line along Lillian is the front lot line per the definition in Zoning By-law 8600. Clause c) states that the front yard, rear yard and side yard provisions do not apply. Clause d) replaces those yard requirements with building setback provisions.

Clause e) decreases the minimum landscaped area (formerly landscaped open space yard) from 35% to 30.0%. This recognizes the irregular shape of the parcel and allows the applicant to maximize available parking and building envelope.

Clause f) decreases the required parking space rate from 1.25 parking spaces per dwelling unit (31 spaces total) to 1 parking space per unit (25 spaces total), for a deficit of six parking spaces. On-street parking, public transit and alternate transportation are available, and the applicant will provide on-site bicycle parking. Clause g) removes the requirement for on-site visitor parking for the same reasons.

At least one of the parking spaces under the building is adjacent to a wall, which would require a minimum width of 3.5 m. Clause h) clarifies that any parking space or visitor parking space shall have a minimum length of 5.5 m and a minimum width of 2.5 m.

Clause i) reduces the minimum parking area separation from Ottawa Street from 3 m to 1.5 m. This recognizes the existing separation. Clause j) slightly reduces the minimum width of the access area from 7 m to 6 m (3 m per lane). No conflicts are expected.

The development must comply with all other applicable zoning provisions. Specifically, the accessible parking space must have a minimum width of 3.5 m and minimum length of 5.5 m and a curb cut or ramp between the parking area and entry to the building should be provided for accessibility purposes.

Site Plan Control (SPC):

SPC will apply to the development where detailed design matters, including urban design and built heritage considerations, will be addressed. Recommendation 3 directs the Site Plan Approval Officer to consider comments from municipal departments and external agencies as part of this review.

Risk Analysis:

N/A

Climate Change Risks**Climate Change Mitigation:**

A multiple dwelling implements Environmental Master Plan Objective C1: Encourage infill and higher density in existing built areas. Residential infill intensification minimizes the impact on community greenhouse gas emissions as these developments create complete communities and neighbourhoods while using available infrastructure.

Climate Change Adaptation:

The development offers an opportunity to increase resiliency for the development and surrounding area by supporting a complementary and compact form of housing and intensification that is near transit and active transportation options. New construction must meet current provisions of the Building Code, which will be implemented through a building permit. Incorporation of storm water management best practices is required.

Financial Matters:

N/A

Consultations:

The Applicant undertook a community engagement program (See S7 in the PRR) that involved sending info postcards to area property owners, launching a project website that included a downloadable “Project Backgrounder”, and held a virtual Open House was held on June 25, 2025. No comments were received at the Open House. Comments from municipal departments and external agencies are in Appendix B to Report S 146/2025. Statutory notice was published in the Windsor Star, and courtesy notices were distributed to property owners within 200 m of the subject parcel.

Conclusion:

Based on the applicant’s submissions and the analysis contained in this report, the proposed amendment to Zoning By-law 8600 is consistent with the Provincial Policy Statement 2024 and conforms to the Official Plan.

The amendment will permit a multiple dwelling development comprising of 25 units which is compatible with surrounding uses, represents an appropriate increase in density, contributes to modern housing supply, and supports a complementary form of housing near transportation, community services, and employment opportunities.

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

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

RM

Approvals:

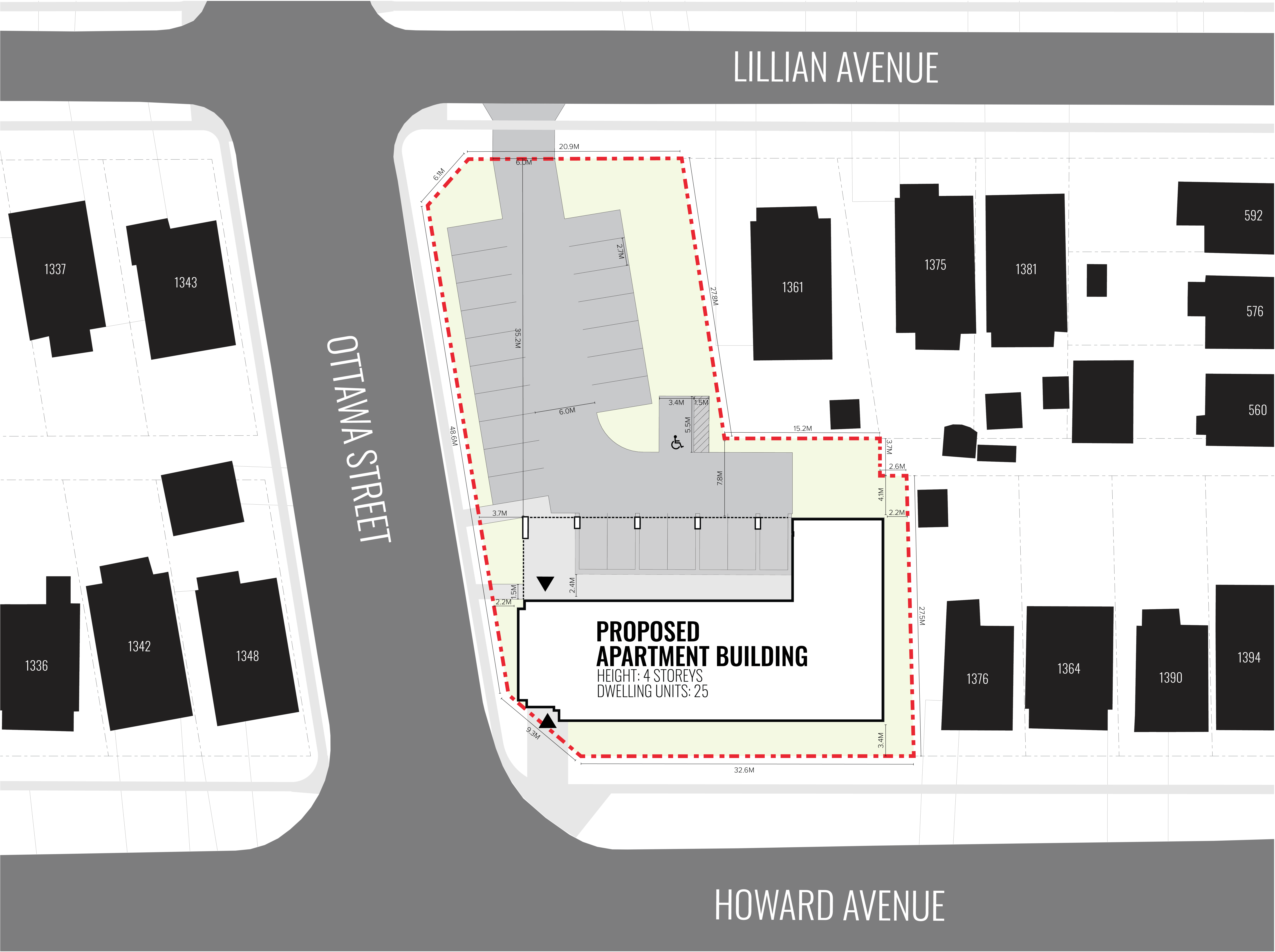
Name	Title
Adam Szymczak	Senior Planner - Development
Greg Atkinson	Deputy City Planner - Development
Aaron Farough	Senior Legal Counsel, Legal & Real Estate
Neil Robertson	City Planner
Jelena Payne	Deputy CAO/Commissioner, Economic Development
Ray Mensour	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

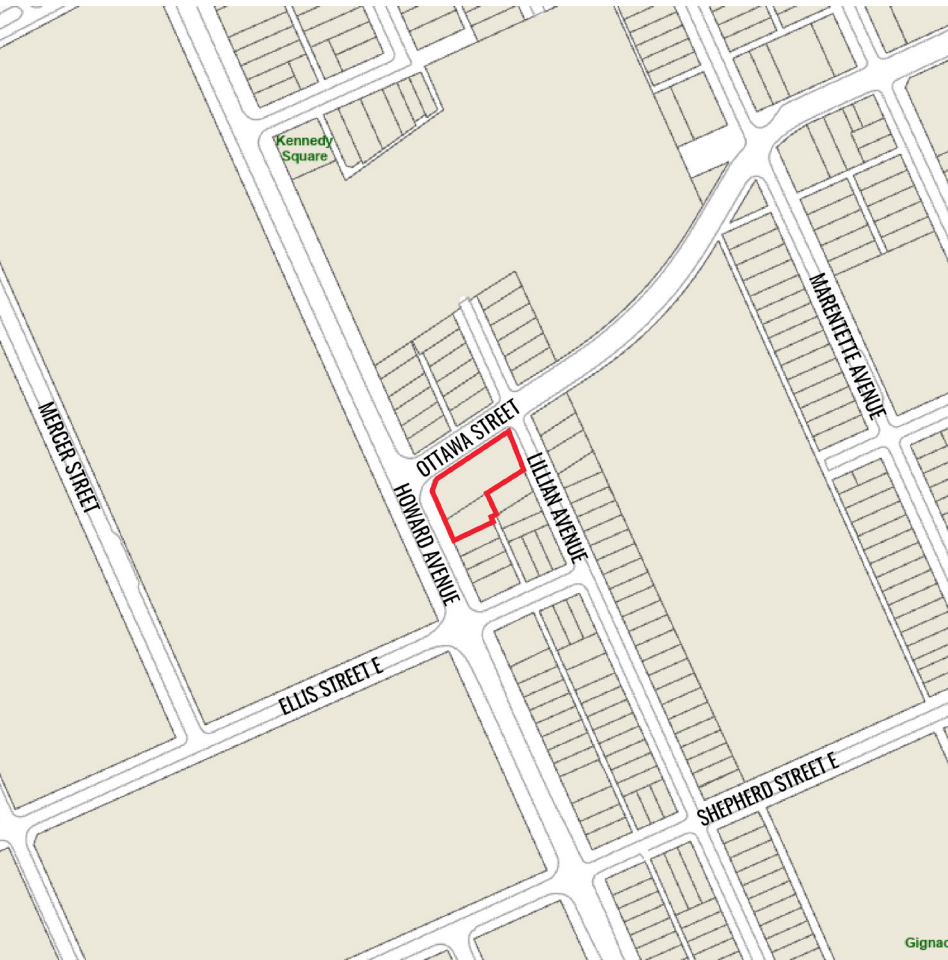
- 1 Appendix A - Concept Plan
- 2 Appendix B - Consultations



CONCEPT PLAN

PROJECT SITE
1360 and 1376 Howard Avenue

01
DWG



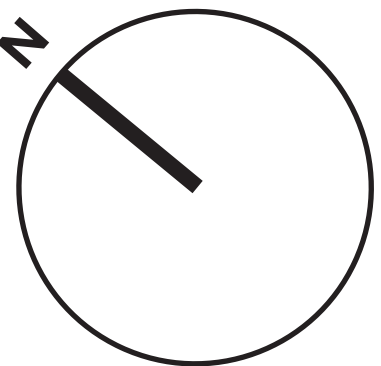
SITE DATA

RD3.1
ZONE

Regulations	Required	Proposed
Permitted Uses:	Subsection 12.1.1	Apartment Building
Lot Area:	1,880m ² (min)	1,950.0m ²
Lot Frontage:	18.0m (min)	32.6m
Front Yard Depth:	6.0m (min)	*3.4m
Side Yard Depth:	3.0m-6.0m (min)	*0.0m (north) *2.2m (south)
Rear Yard Depth:	7.5m (min)	*4.1m
Landscape OS:	35% (min)	*31.5%
Lot Coverage:	35% (max)	*36.7%
Building Height:	14.0m (max)	14.0m
Parking Spaces:	1.25 spaces/unit 31 spaces 15% visitor spaces 3 spaces 1 accessible space	1 space/unit *25 spaces total 1 accessible space
Bicycle Parking:	3 spaces	3 spaces

* - Requires Special Provision

Client:	Masotti Construction Inc.
Date:	29.09.2025
Drawn By:	C. Taylor
Plan Scale:	nts
File No:	1360H
Version	1.0



[siv-ik] PLANNING
/ DESIGN

Contact Us
www.siv-ik.ca
info@siv-ik.ca
226.273.0907

S 146/2025: APPENDIX B: CONSULTATION

CANADA POST: DELIVERY PLANNING

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

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 the impact of the change on mail service. I appreciate the opportunity to comment on this project.

Contact: Bruno Desando, bruno.desando@canadapost.ca

CITY OF WINDSOR: ENGINEERING: DEVELOPMENT

Sewers The site may be serviced by a 300mm sanitary sewer and a 300mm storm sewer located within Howard Avenue right-of-way. If possible existing connections should be utilized. Any redundant connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3.

A sanitary sampling manhole may be required on any new sanitary connection at the property line to the satisfaction of the City Engineer, if one does not already exist.

A revised Functional Servicing Report containing information on the proposed stormwater quantity and quality control, along with storm and sanitary requirements has been received and reviewed. Previous concerns and comments have been rectified with the report demonstrating that the municipal sewer system downstream has adequate capacity and confirms that the development will not result in adverse impacts on the surrounding areas. Additional information on the proposed orifice plate requested, including size, locations, and calculations, as well as proposed stormwater storage onsite. Site servicing drawings stamped by a professional engineer outstanding.

The applicant will be required to submit, prior to the issuance of 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:

- 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)

For more information of SWM requirements:

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

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

Right-of-Way: Howard Avenue is classified as Class 2 Arterial Road according to the Official Plan requiring a right-of-way width of 28.9 m; the current right-of-way is 28.9m, therefore, no conveyance is required currently.

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Corner Cut-Off: The owner(s) agrees, prior to the issuance of a construction permit, to gratuitously convey a 4.6 m x 4.6 m (15' x 15') corner cut-off at the intersection of Ottawa St and Lillian Ave in accordance with City of Windsor Standard Drawing AS-230. The owner(s) agrees, prior to the issuance of a construction permit, to gratuitously convey additional land necessary for a 6.1 m x 6.1 m (20' x 20') corner cut-off at the intersection of Ottawa St and Howard Ave.

We have no objection to the proposed development, subject to the above requirements.

Contact: Jaegar King, jking@citywindsor.ca

CITY OF WINDSOR: ENGINEERING: RIGHT-OF-WAY

Required Drawing Revisions:

1. **Driveway Approaches** – Do not conform to City of Windsor Standards, which must be constructed with straight flares and no raised curbs within the right-of-way.
 - Modify as per Standard Engineering Drawing AS-204.
2. **Land Conveyance** – Ottawa Street is classified as Class 1 Collector Road according to the Official Plan requiring a right-of-way width of 24m; the current right-of-way is 20.1m, therefore, a conveyance of 1.95 meters is required along the frontage of this property.
 - Modify drawings to include land conveyance as specified above.
3. **Encroachment Items** – There are existing items encroaching into the right-of-way, which are required to be removed.
 - Modify drawings to remove encroaching items.

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 and the special provisions listed below.

Corner Cut-Off: The owner(s) agrees, prior to the issuance of a construction permit, to gratuitously convey a 4.6 m x 4.6 m (15' x 15'), corner cut-off at the intersection of Ottawa St and Lillian Ave in accordance with City of Windsor Standard Drawing AS-230.

Encroachment Items: The owner agrees to remove all encroaching items from the Right-of-Way (i.e. raised curbs along Lillian Ave and landscaping stones around perimeter of property) to the satisfaction of the City Engineer.

Contact: Andrew Boroski, aboroski@citywindsor.ca

CITY OF WINDSOR: PARKS DEVELOPMENT: LANDSCAPE ARCHITECT

No comments from Parks Development.

Contact: Sherif Barsom, SBarsom@citywindsor.ca

CITY OF WINDSOR: PLANNING & DEVELOPMENT SERVICES: HERITAGE PLANNING: TRACY TANG

Required Materials: Floor Plans; Exterior Elevations; Renderings showing material and colour selections

Heritage: Be advised that the subject property is located adjacent to multiple listed heritage properties recognized by Council on the Windsor Municipal Heritage Register:

S 146/2025: APPENDIX B: CONSULTATION

R | 455 Giles Blvd E / Mercer St | Windsor Grove Cemetery | 1866 | Burials many cultures & leaders; Gates 1927 | Core

R | 455 Giles Blvd E | Windsor Grove Cemetery Mausoleum | 1919 | Classical Revival | Core

R | 455 Giles Blvd E | Windsor Grove Cemetery Shed | 1920 | Eclectic | Core

Heritage sensitive considerations should be given to ensure that the heritage context is considered and serve as an inspiration to create a development that is sympathetic to adjacent heritage resources in its design, and be of compatible height, massing, scale, setback and architectural style to the area.

Archaeology: The subject property is located within the Archaeological Potential Zone (as per the Windsor Archaeological Management Plan, 2024; OPA 181; and updated 2024 archaeological potential model OP Volume I Schedule C-1). A Stage 1 archaeological assessment and any further recommended assessments are required to be entered into the Ontario Public Register of Archaeological Reports to the satisfaction of the City of Windsor and the Ontario Ministry of Citizenship and Multiculturalism, prior to any additional land disturbances. A final copy of these relevant archaeological reports and GIS study area must be submitted to the City of Windsor.

Contact: Tracy Tang, Heritage Planner (A), TTang@citywindsor.ca

CITY OF WINDSOR: PLANNING & DEVELOPMENT SERVICES: LANDSCAPE ARCHITECT

Landscape Architecture has no objection in principle to the proposed zoning amendment, provided that a future Site Plan Control application demonstrates the following:

- Mitigation of potential impacts associated with reduced landscaped open space, including measures to support stormwater infiltration and to provide adequate planting soil volumes for meaningful tree canopy coverage;
- Provision of appropriate landscape buffering and screening to adjacent properties;
- Location of accessible parking spaces as close as possible to the building entrance, designed to minimize crossing distances and conflicts with vehicular circulation within the parking area.

Contact: Hoda Kameli, Landscape Architect, hkameli@citywindsor.ca

CITY OF WINDSOR: PLANNING & DEVELOPMENT SERVICES: SITE PLAN CONTROL

The development, as proposed, 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

Section 12:

Minimum Lot Frontage [12.1.5.1]: **complies**

- Required: 18.0 m Provided: 20.9 m

S 146/2025: APPENDIX B: CONSULTATION

Minimum Lot Area [12.1.5.2]: For any other *lot*: **does not comply**

c) For the first four (4) *dwelling units* – 540.0 m²

d) For each additional *dwelling unit* – 85.0 m² per *unit*

- Required: 2,240.0 m² Actual: 1,940.0 m²

Maximum Lot Coverage [12.1.5.3]: **does not comply**

- Required: 35.0% Proposed: 36.5%

Maximum Main Building Height [12.1.5.4]: **Corner Lot:** **complies**

- Required: 14.0 m Proposed: 14.0 m

Minimum Front Yard Depth [12.1.5.5]: **complies**

- Required: 6.0 m Proposed: 32.5 m

Minimum Rear Yard Depth [12.1.5.6]: **does not comply**

- Required: 7.50 m Proposed: 3.40 m

Minimum Side Yard Depth [12.1.5.7]: **does not comply:** a) Where a *habitable room window* of any *dwelling unit* faces a *side lot line*:

- Required: 6.0 m Proposed: 0.2m

Minimum Landscaped Open Space Yard [12.1.5.8]: **complies**

- Required: 35.0% of *lot area* Proposed: 36.8%

Section 24 – Parking Space Provisions:

Required Number of Parking Spaces: **does not comply**

- Required: 31 Proposed: 25

Minimum Size of Parking Space: beside a wall or fence: **does not comply**

- Required: 3.5 m x 5.5 m Proposed: 2.5 m x 5.5 m

Required Number of Visitor Parking Spaces: **does not comply**

- Required: 3 Proposed: 0

Minimum Size of Type A Accessible Parking Space: **does not comply**

- Required: 3.5 m x 5.5 m

Curb Cut or Ramp for Accessible Parking Space: **does not comply**

Location of Parking Spaces: **does not comply**

Front Yard Paving and Surfacing in Residential Districts: **does not comply**

Section 25 – Parking Area Provisions:

A curb shall bound the perimeter of a parking area and shall separate a landscaped open space yard, landscaped open space island or parking area separation from the parking area: **does not comply**

Any curb shall be constructed of poured in place concrete, shall be continuous and shall have a minimum width and height of 15.0 centimetres. Precast concrete, rubber, plastic or other curbing or a parking stop that is not continuous is prohibited: **does not comply**

Contact: Samuel Perry, Zoning Coordinator, saperry@citywindsor.ca

S 146/2025: APPENDIX B: CONSULTATION

CITY OF WINDSOR: TRANSIT WINDSOR: TRANSIT PLANNING

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Ottawa 4. The Ottawa 4 has an existing weekday peak frequency of 20 minutes.

As part of Transit Windsor's City Council approved 2023 Service Plan, the Ottawa 4 will be replaced by a new secondary route known as Route 200. Route 200 will have a peak weekday frequency of 30 minutes. Route 200 will be implemented in conjunction with the completion of Transit Windsor's new east end terminal, which is expected to be completed sometime in 2026.

The closest existing bus stop to this property is located on Giles at Howard southwest corner. This bus stop is approximately 460 m from this property falling outside of Transit Windsor's 400 m walking distance guidelines to a bus stop. This will remain unchanged with the implementation of Route 200.

Transit Windsor's City Council approved Transit Master Plan does have a new primary route along Howard in this area that would provide direct transit access to this development. The timelines for implementing this route are unknown and would be subject to City Council operating budget approval.

Contact: Jason Scott, jscott@citywindsor.ca

CITY OF WINDSOR: TRANSPORTATION PLANNING & DESIGN

- **Land Conveyance:** Not Applicable
- **Corner Cut-Off:** A 4.6 x 4.6-metre corner cut-off is required at Lilian Avenue and Ottawa Street intersection.
- **Sidewalk:** Not Applicable
- **Parking:** We have received and reviewed the Parking Justification Report, 1360 & 1376 Howard Ave Development, project. No. RB-250002.00, conducted by BairdAE, Revision 1, dated November 11, 2025, hereinafter referred to as "Report". The City's Transportation Department has no comment.
- **Transportation Impact Study:** The additional density is anticipated to have minimal effect on the traffic. Therefore, TIS is not applicable.
- **Access:** All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
 - Minimum clear throat length per TAC must be provided and shown on the revised site plan.
 - Proposed driveway 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.
- **Exterior Path:** All new exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).
- **Other Comments:** Not Applicable.

Contact: Ellie MehriLou, tda@citywindsor.ca



Committee Matters: SCM 381/2025

Subject: Adoption of the Development & Heritage Standing Committee minutes of its meeting held December 1, 2025

Development & Heritage Standing Committee Meeting

Date: Monday, December 1, 2025

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

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

Members Present:

Councillors

Ward 1 - Councillor Fred Francis

Ward 7 - Councillor Angelo Marignani

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison (Chairperson)

Councillor Regrets

Ward 4 - Councillor Mark McKenzie

Members

Member Anthony Arbour

Member Charles Pidgeon

Member Khassan Saka

Member William Tape

Member Regrets

Member Joseph Fratangeli

Member John Miller

Member Daniel Grenier

Member Robert Polewski

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Robert Martini, Municipal Gaming Analyst

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Jelena Payne, Deputy Chief Administrative Officer / Commissioner, Economic Development

Neil Robertson, City Planner

Greg Atkinson, Deputy City Planner – Development

Minutes

Development & Heritage Standing Committee Monday, December 1, 2025

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Jason Campigotto, Deputy City Planner – Growth
Aaron Farough, Senior Legal Counsel
Patrick Winters, Manager, Development
Laura Diotte, Manager, Planning
Elara Mehrilou, Supervisor, Coordinator Maintenance
Aashvi Sarvaiya, Development Review Technician
Frank Garado, Planner III – Policy & Special Studies
Adam Szymczak, Planner III - Development
Brian Nagata, Planner III - Development
Averil Parent, Planner II - Development Review
Tracy Tang, Planner III – Heritage
Natasha McMullin, Clerk Steno Senior
Anna Ciacelli, Deputy City Clerk

Delegations—participating via video conference

Item 7.2 Larry Holmes, Property Owner
Item 7.3 Jasmeen Dhillon, Applicant
Item 7.4 Esam Saeed , Area Resident
Item 7.5 Heather Howie, Area Resident

Delegations—participating in person

Item 7.1, 7.2, 7.5 Tracey Pillon-Abbs, Principal Planner, Pillon Abbs Inc
Item 7.1 Andi Shallvari and Brent Klundert, Property Owners, BK Cornerstone
Item 7.4 Davide M. Petretta, Applicant, Petcon Realty Corp.
Item 7.4 Max Song, Area Resident
Item 7.5 Daniel Grenier, Applicant
Item 7.5 Linda Lucente, Area Resident
Item 7.5 Debora Bessette, Area Resident
Item 10.1 Charlie Simpkins, University of Windsor

1. CALL TO ORDER

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:30 o'clock p.m.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

4. COMMUNICATIONS

None presented.

Minutes

Development & Heritage Standing Committee

Monday, December 1, 2025

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3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

11.2. Amendment to Sign By-law 250-04 for 3663 Walker Rd, File No. SGN-003/24 (BILLBOARD) - Ward 9

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

THAT the report of the Senior Planner--Special Projects dated November 7, 2025, entitled "Amendment to Sign By-law 250-04 for 3663 Walker Rd, File No. SGN-003/24 (BILLBOARD) - Ward 9" **BE DEFERRED** to a future meeting of the Development & Heritage Standing Committee to allow for further discussion between the applicant and administration to take place.

Carried.

Report Number: S 131/2025

Clerk's File: SBS2025

11. ADMINISTRATIVE ITEMS

11.1. Closure of Grand Boulevard and Joinville Avenue located east of Lloyd George Boulevard, Ward 8, SAS-7225

Councillor Kieran McKenzie inquires about encroachment agreements, offering the property for sale and if there have been additional conversations with the property owners. Brian Nagata Planner III - Development Review (Acting) appears before the Development & Heritage Standing Committee regarding the administrative report dated November 5, 2025, entitled "Closure of Grand Boulevard and Joinville Avenue located east of Lloyd George Boulevard, Ward 8, SAS-7225" and responds that the building lots to be created exclude portions of the right of ways. Administration is recommending that both streets be closed and that only a portion will become part of the building lots that the City is looking to sell so that encroachments can be dealt with outside of the street closure.

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 782**

- I. THAT the 30.48-metre-wide public highway known as Grand Boulevard, located east of Lloyd George Boulevard, and shown on Drawing No. CC-1863 (*attached* hereto as Appendix "A"), and hereinafter referred to as "Grand Boulevard", **BE ASSUMED** for subsequent closure;
- II. THAT the portion of Grand Boulevard shown as Parts 6, 9, 10 & 11 on Drawing No. CC-1863 **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:

Minutes

Development & Heritage Standing Committee

Monday, December 1, 2025

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-
- i. Bell Canada to accommodate existing overhead infrastructure (north/south pole line only);
 - ii. Cogeco Connexion Inc. to accommodate existing overhead infrastructure (north/south pole line only); and
 - iii. ENWIN Utilities Ltd. to accommodate existing overhead 16kV and 120/240 volt distribution, poles and down guy wires.
 - b. Ontario Land Surveyor be directed to create the aforesaid Parts and a 3.0-metre-wide Part for the aforesaid easements, measuring 1.5 metres from each side of the north/south and east/west pole lines.
- III. THAT the portion of Grand Boulevard shown as Parts 7 & 8 on Drawing No. CC-1863 **BE CLOSED AND RETAINED** by The Corporation of the City of Windsor and as necessary, in a manner deemed appropriate by the City Planner, subject to the easements referenced under Section II of the Recommendation.
- IV. THAT the 20.12-metre-wide public highway known as Joinville Avenue, located east of Lloyd George Boulevard, and shown on Drawing No. CC-1863 (*attached* hereto as Appendix "A"), and hereinafter referred to as "Joinville Avenue", **BE ASSUMED** for subsequent closure;
- V. THAT the portion of Joinville Avenue shown as Parts 1, 3, 4 & 5 on Drawing No. CC-1863 **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
- a. Easements, subject to being accepted in the City's standard form and in accordance with the City's standard practice, being granted to:
 - i. Bell Canada to accommodate existing overhead infrastructure;
 - ii. Cogeco Connexion Inc. to accommodate existing overhead infrastructure; and
 - iii. ENWIN Utilities Ltd. to accommodate existing overhead 16kV and 120/240 volt distribution, poles and down guy wires.
 - b. Ontario Land Surveyor be directed to create the aforesaid Parts and a 3.0-metre-wide Part for the aforesaid easements, measuring 1.5 metres from each side of the north/south and east/west pole lines.
- VI. THAT the portion of Joinville Avenue shown as Part 2 on Drawing No. CC-1863 **BE CLOSED AND RETAINED** by The Corporation of the City of Windsor and as necessary, in a manner deemed appropriate by the City Planner, subject to the easements referenced under Section V of the Recommendation.
- VII. THAT the Conveyance Cost **BE SET** as follows in accordance with CR106/2003, as amended by CR427/2003 & CR182/2005:
- a. For Grand Boulevard conveyed to abutting lands zoned RD1.1, market value per front foot plus HST and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
 - b. For Grand Boulevard conveyed to abutting lands zoned RD2.1, \$1.00 plus HST and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

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- c. For Grand Boulevard sold as a building lot, market value plus HST and any associated legal costs.
- d. For Joinville Avenue conveyed to abutting lands zoned RD1.1 or RD2.1, \$1.00 plus HST and a proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- e. For Joinville Avenue sold as a building lot, market value plus HST and any associated legal costs.

VIII. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1863.

IX. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).

X. 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.

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

Report Number: S 129/2025
Clerk's File: SAA2025

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Matters) portion is adjourned at 4:34 o'clock p.m.

The Chairperson calls the *Heritage Act* Matters of the Development & Heritage Standing Committee meeting to order at 4:35 o'clock p.m.

8. ADOPTION OF THE MINUTES

8.1. Adoption of the Development & Heritage Standing Committee minutes of its meeting held November 3, 2025

Moved by: Member William Tape

Seconded by: Councillor Fred Francis

THAT the minutes of the Development & Heritage Standing Committee meeting held November 3, 2025 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 338/2025

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2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Councillor Fred Francis discloses an interest and abstains from voting on Item 10.1 being “*Ontario Heritage Act* Part IV Heritage Designations of ‘High’ Priority Properties, University of Windsor (Ward 2)” as his wife is an employee of the University of Windsor.

10. HERITAGE ACT MATTERS

10.1. *Ontario Heritage Act* Part IV Heritage Designations of ‘High’ Priority Properties, University of Windsor (Ward 2)

Charlie Simpkins, University of Windsor

Charlie Simpkins, University of Windsor appears before the Development & Heritage Standing Committee regarding the administrative report dated November 13, 2025, entitled “*Ontario Heritage Act* Part IV Heritage Designations of ‘High’ Priority Properties, University of Windsor (Ward 2)” and is available for questions.

Councillor Kieran inquires whether the University is supportive of the recommendations. Mr. Simpkins responds that yes, they are supportive.

Councillor Jim Morrison inquires whether there are any further buildings on the property that could come up next for designation. Jason Campigotto, Deputy City Planner – Growth (Acting) appears before the Development & Heritage Standing Committee regarding the administrative report dated November 13, 2025, entitled “*Ontario Heritage Act* Part IV Heritage Designations of ‘High’ Priority Properties, University of Windsor (Ward 2)” and responds that there are no further buildings on the campus being contemplated for designation. Tracey Tang, Planner III – Heritage (Acting) appears before the Development & Heritage Standing Committee regarding the administrative report dated November 13, 2025, entitled “*Ontario Heritage Act* Part IV Heritage Designations of ‘High’ Priority Properties, University of Windsor (Ward 2)” and introduces her colleagues, Chantal Beckford and Olivia Laforet, who have worked extensively in helping to research these properties, prepare the reports and draft designation by-laws and will continue to work through the remaining listed properties within the next year towards designation. She further acknowledges Emma Grant, a master’s student in the arts program at the University of Windsor for being a research partner on this project. Neil Robertson, City Planner, appears before the Development & Heritage Standing Committee regarding the administrative report dated November 13, 2025, entitled “*Ontario Heritage Act* Part IV Heritage Designations of ‘High’ Priority Properties, University of Windsor (Ward 2)” and acknowledges the University of Windsor as a fantastic partner in working towards designation of these buildings.

Councillor Kieran McKenzie offers congratulations to the University for their work on preserving these historical assets as heritage designated properties.

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Councillor Jim Morrison adds that these high priority properties stand out. Using a batch approach to designate the many listed properties adds efficiency for sites like the University of Windsor.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 783**

- I. THAT the City Clerk **BE AUTHORIZED** to publish a Notice of Intention to Designate the following properties hereby identified as “Batch – University of Windsor” in accordance with Part IV, Section 29 of the *Ontario Heritage Act* for the reasons within the draft Statements of Cultural Heritage Value or Interest attached in Appendix ‘B’:
 - A. 400 Huron Church Rd – “Assumption College – Hall #3 & Chapel”
 - B. 401 Sunset Ave – “Dillon Hall U of W, Former Assumption H.S.”
 - C. 401 Sunset Ave – “Memorial Hall”
 - D. 2629 Riverside Dr W – “John H. Rodd House”
 - E. 197 Sunset Ave – “John Stuart House”
 - F. 223 Sunset Ave – “Kamen House”

II. THAT the City Solicitor **PREPARE** the By-laws for Council to designate the properties.
Carried.

Councillor Fred Francis discloses an interest and abstains from voting on this matter.

Report Number: S 133/2025

Clerk’s File: MBA/14619

There being no further business the meeting of the Development & Heritage Standing Committee (*Heritage Act* Matters) portion is adjourned at 4:41 o’clock p.m.

The Chairperson calls the *Planning Act* Matters portion of the Development & Heritage Standing Committee meeting to order at 4:43 o’clock p.m.

5. ADOPTION OF THE *PLANNING ACT* MINUTES

5.1. Adoption of the Development & Heritage Standing Committee minutes (*Planning Act*) of its meeting held November 3, 2025

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held November 3, 2025 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 355/2025

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7. PLANNING ACT MATTERS

7.1. ZBA Application - 475 Cabana Road W - Z012-2025 [ZNG/7306] -Ward 1

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 784**

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:

- x. **SOUTH SIDE OF CABANA ROAD WEST, WEST OF DOUGALL AVENUE**

For the lands comprising Part Lot 3, Registered Plan 1478, a *Townhome Dwelling* shall be an additional permitted *main use* and shall be subject to the following additional provisions:

- a) For this provision a Townhome Dwelling means one *dwelling* vertically divided into a row of a maximum of three 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*.
- b) *Lot Width: minimum* 20.0 m
- c) *Lot Width: minimum per townhome dwelling unit* 5.0 m
- d) *Lot Area: minimum* 540 m²
- e) *Lot Coverage: maximum* 35.0%
- f) *Building height: maximum* 9.0 m
- g) *Front Yard Depth: minimum / maximum* 6.0 m / 7.0 m
- h) *Rear Yard Depth: Main Building: minimum* 20.0 m
- i) *Side Yard Width: minimum* 1.20 m
- j) In any *required front yard*, a *parking space* is prohibited.
- k) Notwithstanding Section 25.5.20.1.5, the *minimum* parking area separation from a *building* wall in which is located a main pedestrian entrance facing the *parking area* shall be 1.5 m.
- l) Notwithstanding Section 25.5.20.1.6, where a *building* is located on the same *lot* as the *parking area*, for that portion of a *building* wall not containing a *habitable room window* within 4.0 m of the *ground*, the *minimum* parking area separation from that portion of the *building* wall shall be 3.0 m.
- m) A *screening fence* with a *minimum* height of 1.8 m shall be provided along the south *lot line*.
- n) A landscaped area with a minimum width of 2.0 m shall be provided abutting the south *lot line*.

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- o) A minimum of 50% of the north exterior wall elevation shall be covered in masonry, brick or any combination thereof. A minimum of 35% of east and west exterior wall elevations shall be covered in masonry, brick or any combination thereof.

[ZDM 9; ZNG/7306]

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Part Lot 3, Registered Plan 1478, situated on the south side of Cabana Road West, west of Dougall Avenue, from RD1.4 to RD1.4x(x).
- III. THAT when Site Plan Control is applicable:
 - A. Prior to the submission of an application for site plan approval, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer:
 - 1. Those documents submitted in support of the application for amendment to the Zoning By-law 8600 **BE UPDATED** to reflect the site plan for which approval is being sought, and any comments from municipal departments and external agencies included in Appendix D.

Carried.

Report Number: S 103/2025

Clerk's File: ZB/15009

7.2. Zoning By-law Amendment Application for 2525 Annie Street, Z-024/25 [ZNG-7328], Ward 8

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 785**

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:

14. SOUTH SIDE OF ANNIE STREET AND EAST SIDE OF MEADOWBROOK LANE AND SYCAMORE DRIVE

For the lands comprising of Part of Rose Avenue (Closed by R844364 & R963716), Plan 1151; Part 1, Plan 12R-18901 (PIN 01380-0155 LT & PIN 01380-0077 LT), *Dwelling Units* in a *Combined Use Building* and a *Multiple Dwelling* shall be an additional permitted *main use*, and the following additional provisions shall apply:

- a) *Dwelling Units* in a *Combined Use Building* shall be permitted with any one or more of the following uses.
 - 1. *Business Office*
 - 2. *Convenience Store*
 - 3. *Personal Service Shop*
 - 4. *Professional Studio*

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b) <i>Dwelling Units: maximum</i>	13
c) <i>Building Setback - minimum</i>	3.50 m
d) <i>Amenity Area - Per Dwelling Unit - minimum</i>	12.0 m ² per unit
e) <i>Gross Floor Area - maximum</i>	
For each <i>Business Office,</i> <i>Convenience Store, Personal</i> <i>Service Shop or Professional Studio:</i>	250.0 m ²

- f) Notwithstanding clause .3 of Table 25.5.20.1, the minimum parking area separation from an interior lot line or alley shall be 0.0 metres.
- g) Notwithstanding clause .5 of Table 25.5.20.1, the minimum separation of a parking area from a building wall in which is located a main pedestrian entrance facing the parking area shall be 0.74 metres.

[ZDM 15; ZNG/7328]

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Part of Rose Avenue (Closed by R844364 & R963716), Plan 1151; Part 1, Plan 12R-18901; PIN No. 01380-0077 LT & PIN No. 01380-0155 LT), situated on the south side of Annie Street and east side of Meadowbrook Lane and Sycamore Drive from CD3.3 to CD3.3x(14).
- III. THAT, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer, the following **BE SUBMITTED** with an application for Site Plan Approval:
 - a. Planning Rationale Report, prepared by Pillon Abbs Inc., dated September 8, 2025.
 - b. Sanitary Sewer Analysis, prepared by Haddad Morgan & Associates Ltd.: Consulting Engineers, dated June 5, 2025.
 - c. Servicing Assessment, prepared by Haddad Morgan & Associates Ltd.: Consulting Engineers, dated February 4, 2025.
 - d. Video Inspection Report, prepared by Haddad Morgan & Associates Ltd.: Consulting Engineers, dated June 5, 2025.
- IV. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, subject to any updated information, into an approved site plan and executed and registered site plan agreement:
 - a. Approved Site Plan
 - i. 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.
 - 1. Modify drawings to include all sewer connections and water services.

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2. Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.
 - ii. Encroachment Agreement - There are existing items encroaching into the right-of-way, which require either removal or an encroachment agreement to legalize said items.
 1. Modify drawings to remove encroaching items or identify that an encroachment agreement with the City of Windsor will be required for the existing raised curbs and proposed sewers.
 - iii. Proper Agreement for Access and/or Services - If any portion of the driveway or sewer connections will be shared with the adjacent property, said items must be identified on the drawing.
 1. Modify drawings to identify shared accesses/services with adjacent property.
 - b. Site Plan Agreement
 - i. General Provisions
 1. G-14 - Driveway Approaches
 2. G-15 (1) - Street Opening Permits
 3. G-15 (2) - Site Servicing Drawings
 4. G-28 - Video Inspection
 - ii. Special Provisions
 1. Encroachment Agreement - The owner agrees to submit application for and execute an agreement with the Corporation for the proposed encroachments into the right-of-way (i.e. raised curbs along existing driveway approach) to the satisfaction of the City Engineer.
 2. Proper Agreement for Access and/or Services - The owner agrees to enter into a reciprocal agreement with the abutting property owners for access and services.
 3. Sanitary Sampling Manhole - The owner agrees for all non-residential uses, to install a sanitary sampling manhole accessible at the property line of the subject lands to the City Engineer at all times. The determination of the requirement or interpretation if a sampling manhole exists or exceptions to such, will be to the satisfaction of the City Engineer.
 4. A Record of Site Condition (RSC) be filed with the Ministry of the Environment, Conservation and Parks (MECP) in accordance with Ontario Regulation 153/04. And that written acknowledgement of the RSC filing issued by the MECP be provided prior to Building Permit issuance.

Carried.

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Report Number: S 128/2025

Clerk's File: Z/15043

7.3. ZBA Application - Z 029/25 (ZNG-7333) 3185, 3187, 3189 & 3191 McRobbie Rd. - Ward 7

Moved by: Councillor Angelo Marignani

Seconded by: Member Anthony Arbour

Decision Number: **DHSC 786**

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:

13. **WEST SIDE OF MCROBBIE ROAD, BETWEEN MULBERRY ROAD AND LEISURE CRESCENT**

For the lands comprising of Part Lot 1 and Part Lot 2, Registered Plan 1597, designated as Parts 2, 3 and 5 on 12R-29955, one *Semi-Detached Dwelling* shall be an additional permitted *main use*, and the following additional provisions shall apply to a *Semi-Detached Dwelling*:

a) *Lot Width: minimum 14.2 m*

b) *Garage width: maximum 8.1 m*

[ZDM 15; ZNG/7333]

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Part Lot 1 and Part Lot 2 on Registered Plan 1597, known municipally as 3185, 3187, 3189 and 3191 McRobbie Road (Roll No. 070-890-04702 and 070-890-00114), situated on the west side of McRobbie Road between Mulberry Road and Leisure Crescent, from RD1.1 to RD1.1x(13).

Carried.

Report Number: S 125/2025

Clerk's File: Z/15051

7.4. Rezoning – 4276 Roseland Drive East – Z-030/25 ZNG/7334 – Ward 1

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 787**

1. THAT Zoning By-law 8600 **BE AMENDED** by adding the following clause to Section 91.10:

12. **ROSELAND DRIVE SOUTH AND ROSELAND DRIVE EAST, WEST OF KENNEDY DRIVE / NEAL BOULEVARD**

For the lands comprising BLK D PL 1241 SANDWICH WEST; WINDSOR (PIN 01289-1265), for any *main use* permitted in RD2.2, the following additional provisions shall apply:

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- a) Notwithstanding Section 3.10,
 - 1. **FRONT LOT LINE** means the *exterior lot line* closest to the wall of the *main building* that contains a garage door or a primary pedestrian entrance.
 - 2. Any *exterior lot line* that is not defined as a *front lot line* is deemed to be a *side lot line*.
 - 3. Where two *side lot lines* meet at the same point on a *lot*, that point is deemed to be the *rear lot line*.
- b) The *minimum lot frontage* shall equal the *minimum lot width* required for that permitted *main use*.
- c) For a *main building*, the *minimum* building setback from an *interior lot line* or a *side lot line* shall be 1.50 m.
- d) Section 5.15.1, Section 5.23.5.1, and the *lot width*, *rear yard* depth, and *side yard* width provisions in Section 11.2.5 shall not apply.

[ZDM 9; ZNG/7334]

- 2. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of BLK D PL 1241 SANDWICH WEST; WINDSOR (PIN 01289-1265), situated on Roseland Drive South and Roseland Drive East, west of Kennedy Drive East / Neal Boulevard (4276 Roseland Drive East; Roll No. 080-090-06100), from ID1.1 to RD2.2x(12).
- 3. THAT, when Site Plan Control is applicable:
 - A. The Site Plan Approval Officer **BE DIRECTED** to incorporate into an approved site plan or an executed and registered site plan agreement, additional requirements identified in Appendix D to Report S 126/2025, to the satisfaction of the municipal department or external agency requesting them.
 - B. The Site Plan Approval Officer **CONSIDER** incorporating into an approved site plan or an executed and registered site plan agreement any additional comments identified in Appendix D to Report S 126/2025, to the satisfaction of the municipal department or external agency requesting them.

Carried.

Report Number: S 126/2025
Clerk's File: Z/15052

7.5. Zoning By-law Amendment Application for 3503 Byng Road, Z-019/25 [ZNG-7317], Ward 9

Moved by: Councillor Kieran McKenzie
Seconded by: Member Anthony Arbour

Decision Number: **DHSC 788**

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:

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14. SOUTHWEST CORNER OF BYNG ROAD AND LAPPAN AVENUE

For the lands comprising of Lots 110 & 111 and Part of Closed Alley, Plan 1215; Part 2, Plan 12R-27297 (PIN 01348-0464 LT & PIN 01348-0841 LT), a *Multiple Dwelling* shall be subject to the following additional provisions:

- a) *Lot Area: minimum* 674 m²
- b) *Building Height: Main Building: maximum* 9.0 m
- c) *Side Yard Width: minimum* 1.2 m
- d) *Dwelling Units: maximum* 6
- e) Notwithstanding Table 24.20.5.1, the *minimum* number of *required parking spaces* shall be 6.
- f) Notwithstanding clause .2 of Table 25.5.20.1, the *minimum parking area* separation from a *street* shall be 2.63 m and an ornamental *screening fence* having a height of 1.20 m shall span the length of that *parking area* separation, save and except that portion within 0.30 m of an *access area*.
- g) Notwithstanding clause .6 of Table 25.5.20.1, the *minimum* separation of a *parking area* 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 2.25 m, and the *parking area* separation shall be maintained with *soft landscaping*, save and except any area occupied by a public walkway providing access to a main pedestrian entrance.
- h) A *screening fence* having a height of 1.83 m shall be maintained along the west *lot lines* and any portion of the south *lot line* abutting a *parking area*.
- i) A central air conditioning system shall be provided for each *dwelling unit*.

[ZDM 12; ZNG/7317]

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by deleting and replacing Section 1.7.1 as follows:

1.7.1 CITY PLANNER

The City Planner shall be responsible for administering and interpreting this By-law. Any reference to the "City Planner" in this By-law shall include a Deputy City Planner or a designate authorized by the City Planner.

The City Planner shall have the authority to execute an agreement related to the implementation of noise mitigation measures identified in a noise study, provided that the noise study is deemed satisfactory by the City Planner and all legal documentation is in a form satisfactory to the City Solicitor.

[ZNG/6277; ZNG/7317]

(B/L 52-2024 Apr 22/2024)

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- III. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following site specific holding condition clause to Section 95.20:
- (3) A noise study shall be submitted to the satisfaction of the City Planner. The City Planner shall determine and approve which mitigation measures identified in the approved noise study are to be included in an agreement. The agreement shall be in a form satisfactory to the City Solicitor and registered on title.
- [ZNG/7317]
- IV. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lots 110 & 111 and Part of Closed Alley, Plan 1215; Part 2, Plan 12R-27297 (PIN 01348-0464 LT & PIN 01348-0841 LT), situated at the southwest corner of Byng Road and Lappan Avenue from RD1.1 to H(3)RD3.1x(14).

Carried.

Councillors Fred Francis and Angelo Marignani voting nay.

Report Number: S 127/2025
Clerk's File: Z/15054

12. COMMITTEE MATTERS

None presented.

13. QUESTION PERIOD

Councillor Fred Francis asks the City Planner how the Provincial Planning Statement is meant to be interpreted, if not literally, and if a report back is required. Mr. Robertson responds that the Provincial Planning Statement is a policy statement issued under authority of section 3 of the *Planning Act*. Section 3 states that all matters affecting planning matters shall be consistent with the Provincial Planning Statement. The Provincial Planning Statement applies to all decisions with respect to exercise of authority, Council, that requires all decisions affecting planning matters shall be consistent with the minimum standards set within the Provincial Planning Statement. The policies represent minimum standards. Within the framework of the Provincial Planning Statement decision makers can go above these standards, but not below. When interpreting the Provincial Planning Statement, it is to be read in its entirety and its relevant policies to be applied to each situation. The choice of language is specific in how it is to be interpreted. The planning authorities shall provide for appropriate range and mix of housing options and densities to meet the current and projected needs of the residents. The province has given the methodology and projection model to determine our needs and there are requirements in the official plan to maintain land for future development. The planning authorities shall support general intensification and redevelopment to support the achievement of complete communities including planning for a range and mix of housing options and prioritize planning investment in the necessary infrastructure. If there is an Ontario Land Tribunal (OLT) appeal, they look at whether the amendment is consistent with the Provincial Planning Statement and if it conforms to the municipal official plan.

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Councillor Fred Francis requests that administration provide a one-page information sheet regarding the Provincial Planning Statement as a communication item at a future meeting of Council. Mr. Robertson acknowledges and will provide the information as suggested.

14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) is adjourned at 6:28 o'clock p.m. The next meeting of the Development & Heritage Standing Committee will be held on January 5, 2026.
Carried.

Ward 10 – Councillor Jim Morrison
(Chairperson)

Deputy City Clerk / Supervisor of Council
Services



Committee Matters: SCM 22/2026

Subject: Adoption of the Development & Heritage Standing Committee minutes of its meeting held January 5, 2026

Development & Heritage Standing Committee Meeting

Date: Monday, January 5, 2026

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

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

Members Present:

Councillors

Ward 1 - Councillor Fred Francis

Ward 4 – Councillor Mark McKenzie

Ward 7 - Councillor Angelo Marignani

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison (Chairperson)

Members

Member Anthony Arbour

Member Robert Polewski

Member Regrets

Member Daniel Grenier

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Robert Martini, Municipal Gaming Analyst

PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Jelena Payne, Deputy Chief Administrative Officer / Commissioner, Economic Development

Neil Robertson, City Planner

Greg Atkinson, Deputy City Planner – Development

Jason Campigotto, Deputy City Planner – Growth

Aaron Farough, Senior Legal Counsel

Patrick Winters, Manager, Development

Laura Diotte, Manager, Planning

Joe Baker, Manager, Land Development and Growth

Elara Mehrilou, Supervisor, Coordinator Maintenance

Adam Szymczak, Planner III - Development

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Kevin Alexander, Planner III - Special Projects
Justina Nwaesei, Planner III - Development
Brian Nagata, Planner III - Development
Tracy Tang, Planner III – Heritage
Simona Simion, Planner III – Economic Development
Natasha McMullin, Clerk Steno Senior
Anna Ciacelli, Deputy City Clerk

Delegations—participating via video conference

Item 7.1, 7.2, 7.4 Tracey Pillon-Abbs, Principal Planner, Pillon Abbs Inc
Item 11.1 Theresa O'Neill, Agent, Dillon Consulting Limited
Item 11.2 Gary Spencer, Applicant

Delegations—participating in person

Item 7.1 Marko Agbaba, Property Owner, President, Agbaba Holdings Corporation
Item 7.2 Eamon McGrath, Area Resident
Item 7.2 Sheila Roberts, Area Resident
Item 7.3 Jackie Lassaline, Lassaline Planning Consultants
Item 7.3 Jennifer Coutts, Registered Owner, Peltier Developments Inc.
Item 7.3 Brad & Niki Blair, Area Residents
Item 7.4 Jacob McCourt, Area Resident

1. CALL TO ORDER

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:30 o'clock p.m.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

4. COMMUNICATIONS

None presented.

5. ADOPTION OF THE *PLANNING ACT* MINUTES

5.1. Adoption of the Development & Heritage Standing Committee minutes (*Planning Act*) of its meeting held December 1, 2025

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Development & Heritage Standing Committee Monday, January 5, 2026

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Moved by: Member Anthony Arbour
Seconded by: Councillor Fred Francis

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held December 1, 2025, **BE ADOPTED** as presented.

Carried.

Report Number: SCM 382/2025

7. PLANNING ACT MATTERS

7.1. Rezoning – 1913, 1925 & 1949 Devonshire Court – Z-027/25 ZNG/7331 – Ward 4

Moved by: Councillor Mark McKenzie
Seconded by: Councillor Fred Francis

Decision Number: **DHSC 789**

1. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Parts 1 to 4, Plan 12R-27198 (known municipally as 1913, 1925 & 1949 Devonshire Court; Roll No. 020-220-03903, 020-220-03906, 020-220-03901), situated at the southeast corner of Devonshire Court and Kildare Road, by deleting and replacing Section 20(1)340 with the following:

340. **SOUTHEAST CORNER OF DEVONSHIRE COURT AND KILDARE ROAD**

For the lands comprising Parts 1 to 4, Plan 12R-27198, the following additional provisions shall apply:

1. Additional permitted *main uses*:
 - Double Duplex Dwelling*
 - Duplex Dwelling*
 - Multiple Dwelling*
 - Semi-Detached Dwelling*
 - Townhome Dwelling*
2. Any *use* accessory to an additional permitted *main use*.
3. For any *dwelling*, the following additional provisions shall apply:
 - a) An *access area* or driveway in any *front yard* or any *exterior side yard* is prohibited. Access to a *parking space* shall be from an *alley*.
 - b) Exposed flat concrete block, untextured concrete whether painted or unpainted and vinyl siding on any exterior wall is prohibited. A minimum of 50 per cent of the area of any exterior wall shall be covered in brick, textured concrete block, stucco, stone or any combination thereof.
4. For a *Single Unit Dwelling*, the following additional provisions shall apply:

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-
- a) *Building Height: Main Building: minimum 7.00 m*
 - b) *Front Yard Depth: minimum 7.50 m*
 - 5. For a *Double Duplex Dwelling, Duplex Dwelling, Semi-Detached Dwelling, or Townhome Dwelling*, the following additional provisions shall apply:
 - a) *Lot Width: minimum:*
 - 1. *Double Duplex Dwelling: 12.0 m*
 - 2. *Duplex Dwelling: 9.0 m*
 - 3. *Semi-Detached Dwelling: 15.0 m*
 - 4. *Townhome Dwelling: 20.0 m*
 - b) *Lot Area: minimum:*
 - 1. *Double Duplex Dwelling: 530.0 m²*
 - 2. *Duplex Dwelling: 350.0 m²*
 - 3. *Semi-Detached Dwelling: 425.0 m²*
 - 4. *Townhome Dwelling: per Townhome Dwelling Unit: 250.0 m²*
 - c) *Lot Coverage: maximum 52%*
 - d) *Building Height: Main Building: maximum 12.0 m*
 - e) The *Front Yard Depth, Rear Yard Depth, Side Yard Width* provisions in Section 10.1.5 shall not apply
 - f) *Building Setback: Any Building: minimum*
 - 1. From the *lot line* abutting Kildare Road: 1.20 m
 - 2. From the *lot line* abutting Devonshire Court: 3.39 m
 - 3. From the midpoint of the 20ft radius of Lot 87 RP 684: 1.70 m
 - 4. From an *interior lot line*: 1.20 m
 - g) For a *Duplex Dwelling* and *Semi-Detached Dwelling*, the *maximum gross floor area* of the *main building* shall be 400 m²
 - h) For a *Townhome Dwelling*, a *minimum of 2 parking spaces per townhome dwelling unit* shall be provided
 - i) *Required Number of Visitor Parking Spaces: 0*
 - 6. For a *Multiple Dwelling*, the following provisions shall apply:
 - a) *Lot Width: minimum 35.0 m*
 - b) *Lot Area: minimum 2,145.0 m²*
 - c) *Lot Coverage: maximum 35.0%*
 - d) *Building Height: Main Building: maximum 15.0 m*
 - e) *Building Setback: minimum*
 - 1. From the *lot line* abutting Kildare Road: 2.62 m
 - 2. From the *lot line* abutting Devonshire Court: 3.39 m

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- 3. From the midpoint of the 20ft radius of Lot 87 RP 684: 1.89 m
- 4. From an *interior lot line*: 1.20 m
- f) *Landscaped Area: minimum 27.5% of lot area*
- g) *Dwelling Units: maximum 23*

[ZDM 7; ZNG/4715; ZNG/6571; ZNG/7331]

2. THAT the Site Plan Approval Officer **BE DIRECTED** to consider the comments from municipal departments and external agencies in Appendix C to Report S 136/2025.

Carried.

Report Number: S 136/2025

Clerk's File: Z/15049

7.2. Zoning By-law Amendment Application for 3025 Rivard Avenue, Z-032/25 [ZNG-7337], Ward 8

Moved by: Councillor Fred Francis

Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 790**

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following zoning exception to Section 91.10:
16. **WEST SIDE OF RIVARD AVENUE BETWEEN GRAND BOULEVARD AND QUEEN ELIZABETH DRIVE**

For the lands comprising of Part of Block E, Plan 1636, Parts 1 & 2, Plan 12R-17820, Part 1, Plan 12R-21843 (PIN 01378-0475 LT & 01378-0476 LT), the following additional provisions shall apply:

- a) A *Stacked Dwelling* shall be an additional permitted *main use*.
- b) Notwithstanding clause .10 of Table 5.30.10, the *maximum* encroachment of a balcony into a *required side yard* shall be 1.63 m.
- c) Notwithstanding clause .60 of Table 5.30.10, the *minimum* separation of a *porch* from a *side lot line* shall be 3.80 m.
- d) *Building Height: Main Building: maximum 9.0 m*
- e) *Side Yard Width: minimum:*
 - 1. From the north *side lot line*: 1.80 m
 - 2. From the south *side lot line*: 5.40 m
- f) Notwithstanding Table 24.20.5.1, the *minimum* number of required *parking spaces* for a *Multiple Dwelling* shall be 9.

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- g) An ornamental *screening fence* having a height of 1.20 m shall span the length of a parking area separation from Rivard Avenue, save and except that portion within 0.30 m of an *access area*.
- h) An ornamental *screening fence* having a height of 1.20 m shall span the length of a parking area separation from the north *lot line*.
- i) An ornamental *screening fence* having a height of 1.20 m shall span the length of a parking area separation from the south *lot line*.
- j) A *main building wall* facing Rivard Avenue shall have at least one main pedestrian entrance.

[ZDM 11; ZNG/7337]

- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Part of Block E, Plan 1636, Parts 1 & 2, Plan 12R-17820, Part 1, Plan 12R-21843 (PIN 01378-0475 LT & 01378-0476 LT), situated on the west side of Rivard Avenue between Grand Boulevard and Queen Elizabeth Drive, from RD1.1 to RD3.1x(16).

Carried.

Report Number: S 137/2025

Clerk's File: Z/15057

7.3. Zoning By-law Amendment for the property known as 1744 Norman Rd; Applicant: Lassaline Planning Consultants Inc.; File No. Z-028/25 [ZNG/7332]; Ward 8

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 791**

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following clause to Section 91.10:

15 **EAST SIDE OF NORMAN ROAD, BETWEEN MILLOY STREET AND ALICE STREET**

For the land comprising Lots 2, 3, 108, and 109, Pt closed Alley and Pt Princess Avenue closed on Plan 1360, PIN 01113-0449 LT, the following provisions shall apply:

- a) One *Multiple Dwelling* with a maximum of 8 *dwelling units* shall be an additional permitted use subject to the following additional regulation:
 - 1. *Lot Width: minimum 20.0 m*
 - 2. *Lot Area: Per dwelling unit: minimum 200.0 m²*
 - 3. Notwithstanding Section 25.5.20.1.6, the *minimum* parking area

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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 1.80 m; and

4. *Landscaped Open Space Yard: minimum 35.0% of the lot area*

b) A *Multiple Dwelling* containing 9 or more *dwelling units* is prohibited.

[ZDM 11; ZNG/7332]

II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lots 2, 3, 108, and 109 on Plan 1360, Ford City; Pt closed Alley and Pt Princess Avenue closed, Plan 1360, situated on the east side of Norman Road, between Milloy Street and Alice Street (municipally known as 1744 Norman Road; Roll Number 010-450-13500) from RD1.2 to RD1.2x(15).

III. THAT the City Engineer **BE DIRECTED** to require the following prior to issuing a street opening permit for the subject property

- a) the owner upgrades the existing water service, entirely at their cost, to accommodate the proposed development on the subject land to the satisfaction of ENWIN Water Engineering; and,
- b) the owner submits a clearance letter from ENWIN Water Engineering to confirm that the upgrade is satisfactory.

Carried.

Councillors Fred Francis, Mark McKenzie and Member Anthony Arbour voting nay.

Report Number: S 138/2025
Clerk's File: Z/15050

7.4. Zoning By-law Amendment Application for 3220 Church Street, Z-022/25 [ZNG-7326], Ward 1

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 792**

- I. THAT the application of Deniz Orak to amend Zoning By-law 8600 by adding a zoning exception to allow for the creation of a lot with a reduced minimum lot width and lot area at 3220 Church Street for the construction of a new Single Unit Dwelling **BE DENIED** due to not being in full conformity to the policy direction of the City of Windsor Official Plan.

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Carried.

Report Number: S 135/2025

Clerk's File: Z/15055

7.5. Official Plan Review Outline - City Wide

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 793**

- I. THAT the Planning Department's Official Plan Review Report (S141/2025) **BE RECEIVED** for information.
- II. THAT **APPROVAL** be given to the initiation of an Official Plan Review and that the City's Development Heritage Standing Committee **BE APPOINTED** as the Steering Committee for the Official Plan Review.
- III. THAT a further report **BE PREPARED** for the Development Heritage Standing Committee, identifying the scope, structure, work program, and a terms of reference for consulting services, and further, that regular updates **BE PREPARED** for the Development Heritage Standing Committee.

Carried

Report Number: S 141/2025

Clerk's File: Z/15071

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 6:33 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 6:33 o'clock p.m.

8. ADOPTION OF THE MINUTES

None presented.

9. PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)

None presented.

10. HERITAGE ACT MATTERS

None presented.

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11. ADMINISTRATIVE ITEMS

11.1. Downtown Community Improvement Plan Application - 629 Riverside Dr W - Ward 3

Theresa O'Neill, Agent, Dillon Consulting Limited

Theresa O'Neill, Agent, Dillon Consulting Limited appears before the Development & Heritage Standing Committee regarding the administrative report dated December 1, 2025, entitled "Downtown Community Improvement Plan Application - 629 Riverside Dr W - Ward 3" and is available for questions.

Councillor Kieran McKenzie asks about the timeline for the project. Ms. O'Neill responds that the final stages of site plan control approval and the building permit for foundation are under way and the project is likely to begin in the spring of 2026.

Councillor Kieran McKenzie inquires as to when the CIP provisions timeline will commence. Simona Simion, Planner III Economic Development appears before the Development & Heritage Standing Committee regarding the administrative report dated December 1, 2025, entitled "Downtown Community Improvement Plan Application - 629 Riverside Dr W - Ward 3" and responds that the clock starts ticking when Council approves the grant. Neil Robertson, City Planner appears before the Development & Heritage Standing Committee regarding the administrative report dated December 1, 2025, entitled "Downtown Community Improvement Plan Application - 629 Riverside Dr W - Ward 3" and adds that the 10-year tax grant begins upon the completion of the project and MPAC reassesses the property. There is a 2-year deadline to begin the project from the date of approval of the CIP.

Councillor Jim Morrison asks if the timelines and types of CIP grants are consistent with other City policies. Ms. Simion confirms that is correct.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 794**

- I. THAT the request made by Richmond Block London Corporation c/o Shmuel Farhi (owner) for the proposed development at 629 Riverside Dr. W to participate in:
 - a) The New Residential Development Grant Program **BE APPROVED** for \$2,500 per new residential unit, up to a maximum of \$50,000 per property;
 - b) The Building/Property Improvement Tax Increment Grant Program **BE APPROVED** for the lesser of 100% of the municipal portion of the tax increment resulting from the proposed development for five (5) years, plus an additional five (5) years as a Catalyst Project, or eligible costs, in accordance with the Downtown Windsor

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Enhancement Strategy and Community Improvement Plan to the satisfaction of the City Planner.

- II. THAT Administration **BE DIRECTED** to prepare the Grant Agreement(s) between the City of Windsor and Richmond Block London Corporation c/o Shmuel Farhi to implement all grant programs in accordance with all applicable policies, requirements, and provisions contained within the Downtown Windsor Enhancement Strategy and Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implications.
- III. 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.
- IV. THAT the approval to participate in the Building/Property Improvement Tax Increment Grant Program **EXPIRE** if the grant agreement is not signed by applicant within one (1) year following Council approval. The City Planner may extend the deadline for up to one (1) year upon request from the applicant.
- V. THAT Grant funds up to \$50,000 under the Downtown Windsor Enhancement Strategy and Community Improvement Plan **BE TRANSFERRED** from the CIP Reserve Fund 226 to the Downtown Windsor Enhancement Strategy and Community Improvement Plan Project 7011022 when work is completed to the satisfaction of the City Planner.
- VI. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to \$50,000 for grants from the Downtown Windsor Enhancement Strategy and Community Improvement Plan Project 7011022 for 629 Riverside Dr. W to Richmond Block London Corporation c/o Shmuel Farhi upon completion of New Residential Development, subject to the satisfaction of the City Planner and Chief Building Official.
- VII. THAT funds committed for the New Residential Development Grant **BE UNCOMMITTED** and returned to CIP Reserve Fund 226 if the applicant has not completed the work and fulfilled the conditions within 5 years of the approval date; and.
- VIII. THAT any unused portion of the CIP grants **BE RETURNED** to the CIP Reserve Fund 226.

Carried.

Report Number: S 139/2025
Clerk's File: Z/12916

11.2. Ford City CIP/ Main Street CIP Application, 1009 Drouillard Road, Owners: Gary Gordon and Ruth Rebekah Spencer - Ward 5

Gary Spencer, Applicant

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Gary Spencer, applicant appears before the Development & Heritage Standing Committee regarding the administrative report dated December 4, 2025, entitled "Ford City CIP/ Main Street CIP Application, 1009 Drouillard Road, Owners: Gary Gordon and Ruth Rebekah Spencer - Ward 5" and is available for questions.

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 795**

- I. THAT subject to completion and review satisfactory to the City Planner the request for incentives under the *Ford City CIP* Financial Incentive Programs made by Gary Gordon and Ruth Rebekah Spencer ("The Owners"), the owners of the property located at 1009 Drouillard Road **BE APPROVED**, for the following incentive programs:
 - a. *Retail Investment Grant* totalling a maximum amount of \$30,000 per property for two (2) ground floor retail units to be paid out in two (2) phases;
 - b. *Building/Property Improvement Tax Increment Grant Program* for the lesser of 100% of the municipal tax increment for up to 10 years or the eligible costs. The estimated annual amount of the grant is +/- \$4,638;
 - c. *Municipal Development Fees Grant Program* to a maximum amount of \$20,000;
- II. THAT subject to completion and review satisfactory to the City Planner the request for incentives under the *Main Streets CIP Building Facade Improvement Program* made by the Owners of the property located at 1009 Drouillard Road **BE APPROVED** for grants totalling a maximum amount of \$60,000 to be paid in four (4) phases;
- III. THAT Administration **BE AUTHORIZED** to prepare the agreement between the City and the Owners 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 maximum amount of \$30,000 under the Retail Investment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund to the Ford City CIP Project (Project #7181046) as the work for each phase is completed;
- VI. THAT funds in the maximum amount of \$20,000 under the *Municipal Development Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund to the Ford City CIP

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Project (Project #7181046) once the work is completed;

- VII. THAT funds in the maximum amount of \$60,000 under the Main Streets CIP **BE TRANSFERRED** from the CIP Reserve Fund to the Main Streets CIP project (Project #7219018) as the work for each phase is completed;
- VIII. THAT grants **BE PAID** to the Owners upon completion of improvements to the interior/exterior of the property located at 1009 Drouillard Road, through 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,
- IX. THAT grants approved **SHALL LAPSE** and **BE UNCOMMITTED** and returned to CIP Reserve Fund 226 if the applicant has not completed the work and fulfilled the conditions within 3 years of the approval date.

Carried.

Report Number: S 143/2025
Clerk's File: SPL2025

12. COMMITTEE MATTERS

12.1. Minutes of the International Relations Committee of its meeting held December 17, 2025

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 796**

THAT the minutes of the International Relations Committee meeting held December 17, 2025 **BE RECEIVED** as presented.

Carried.

Report Number: SCM 399/2025

13. QUESTION PERIOD

None registered.

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14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Matters) is adjourned at 6.41 o'clock p.m. The next meeting of the Development & Heritage Standing Committee will be held on February 2, 2026.

Carried.

Ward 10 – Councillor Jim Morrison
(Chairperson)

Deputy City Clerk / Supervisor of
Council Services



**Subject: Windsor Municipal Heritage Register – Updates about Bill 23
Strategy 2 and Alternative Notice Policy - City Wide**

Reference:

Date to Council: February 2, 2026
Author: Tracy Tang, MCIP, RPP
Planner III – Heritage (A)
Email: ttang@citywindsor.ca
Phone: 519-255-6543 X 6179
Planning & Building Services
Report Date: 1/8/2026
Clerk's File #: MBA/14619

To: Mayor and Members of City Council

Recommendation:

- I. THAT the report regarding 2026 Updates on the Implementation of the Bill 23 Strategy 2 (Part IV Designation of properties of “high” priority), along with the appendices containing informational materials regarding Part IV Individual Property Designation under the *Ontario Heritage Act*, **BE RECEIVED** for information;
- II. THAT Administration **BE DIRECTED** to implement an enhanced education and awareness approach in support of Strategy 2, including the distribution of mailed informational packages to property owners in advance of issuing Notices of Intention to Designate (NOIDs) for “high” priority listed heritage properties; and
- III. THAT the ‘*Ontario Heritage Act* – Alternative Notice Policy’ included as Appendix ‘E’ **BE ADOPTED** to allow the City to publish notices required under the *Ontario Heritage Act* digitally on the City’s public website.

Executive Summary: N/A

Background:

Windsor’s Municipal Heritage Register currently includes 1,272 properties, of which 135 are individually designated, 256 are designated through a heritage conservation district, and 881 are listed but not designated. Table 1 below shows the breakdown of properties with heritage status through the *Ontario Heritage Act* (OHA) as of the date of this report.

Heritage Status	Counts
Register listed (focus of this report)	881
Designated	135
Designated through a Heritage Conservation District (HCD)(Prado or Sandwich)	256
Total	1,272

Table 1: Heritage Status of Properties on the Windsor Municipal Heritage Register

Administration has previously reported to City Council on the seven (7) strategies established to address the impacts of Bill 23 on the City's 881 listed heritage properties and the associated risk of heritage resource loss, through reports CR 366/2023 (September 5, 2023), CR 158/2024 (April 22, 2024), and CR 220/2025 (May 26, 2025).

This report focuses on progress to date and forthcoming actions related to Strategy 2, Part IV designation of “high-priority” properties, and recommends adoption of the *Ontario Heritage Act* – Alternative Notice Policy (Appendix “E”) to enable a more streamlined and effective implementation of this strategy.

Discussion:

Strategy 2: Part IV Designation of properties of “high” priority (185 properties, 21%)

In 2023, Administration reviewed and categorized all 881 properties on the Heritage Register, excluding those within the Walkerville Heritage Area, to establish priorities for Part IV designation under the *Ontario Heritage Act*. Properties were evaluated using criteria such as O. Reg. 9/06, risk of demolition, historical geography, and community significance, drawing on professional planning judgment, municipal heritage records, and Google Street View imagery. This process resulted in properties being classified as high, medium, or low priority for designation.

Through this review, 239 properties (27%) were identified as “high” priority. Of these, 33 City-owned properties are addressed under Strategy 6, and 14 properties within the proposed Walkerville Heritage Conservation District are addressed under Strategy 1, leaving 192 properties (22%) to be considered under Strategy 2. This list has since been refined to 185 properties (21%).

These 185 “high” priority properties are distinguished from others due to their exceptional heritage value and evident justification for designation. These properties exceed minimum designation criteria, reflecting notable architectural quality, uniqueness, craftsmanship, and landmark significance. Of the 185 “high” priority properties, approximately 67 (36%) are residential or contain residential units (inclusive of mixed-use properties), while 118 (64%) are non-residential. Table 2 highlights selected examples with exceptional heritage merit.





Ford Powerhouse	St. Alphonsus Church	W. C. Kennedy Collegiate Institute	John Stuart House
			

Table 2: Examples of some ‘high’ priority heritage listed properties (photos sourced from Google Earth and City Staff)

To implement Strategy 2 of CR 366/2023, Administration initiated the Cultural Heritage Evaluation Research (CHER) project in June 2024. As of December 2025, all 185 “high” priority properties have been fully researched and evaluated against the criteria set out in O. Reg. 9/06, confirming their evident merit for individual designation. When combined with Strategies 1 and 6, this approach would provide heritage protection for approximately 55% of the 881 listed properties.

Strategy	Counts	Percentages
Strategy 1: Walkerville HCD	269/881	31%
Strategy 2: Highest priority/merits	185/881	21%*
Strategy 6: City-owned	33/881	4%
Total	487/881	55%

*Table 3: Breakdown of ability per strategy to protect listed properties
Contingent on Recommendation II to proceed with property owner engagement and issuance of NOID and Recommendation III to adopt the Ontario Heritage Act – Alternative Notice Policy

Implementation of Strategy 2

Public Education and Property Owner Outreach

Under the OHA and current municipal practices, the next step in the designation process is to bring reports to the Development & Heritage Standing Committee (DHSC) and City Council for decisions on issuing notices of NOIDs. Although not legislatively required, Administration recommends engaging with Property Owners prior to bringing reports forward to educate, raise awareness, build consensus, and minimize appeals and delays.

To implement Strategy 2 and promote transparency in municipal decision-making processes, Administration is prepared to launch a public education and outreach initiative to the “high” priority listed heritage Property Owners. Administration has prepared a letter, informational brochure, and flow chart graphic to be mailed to Property Owners of “high” priority listed properties. These educational materials explain

the heritage designation process, outline benefits, dispel common myths, and invite property owners to contact Administration if they have any questions. The informational brochure and flow chart are included as Appendix 'C' and 'D' respectively.

Although there are 185 "high" priority properties, some Property Owners possess multiple heritage properties and would receive one letter package for the batch to reduce printing and mailing costs and material waste. Should Committee and City Council adopt Recommendation II of this report, a total of 140 letter packages would be mailed via Canada Post.

This strategy, successfully adopted by other Ontario municipalities, focuses on proactive collaboration with Property Owners and building awareness about heritage designation. Heritage Planners from other Ontario municipalities have reported that many objections and appeals to NOIDs stem from misconceptions and stigma, such as fears of "red tape", loss of property rights, or municipal overreach rather than the actual requirements of the *OHA*. These myths persist due to limited understanding of the designation process, its purpose, and its benefits. Because of this, it is essential to educate heritage Property Owners on the importance and value of designation, demonstrate that designation is a tool for heritage conservation, dispel misconceptions, and build trust. Public education by distributing information and inviting conversations is crucial to increasing support and buy-in for a heritage designation to proceed.

Next Steps and Anticipated Timeline

Subject to Council consideration of this report and adoption of Recommendation II, Administration intends to initiate the public education and outreach phase immediately following Council direction. This phase will involve the distribution of informational packages to owners of 'high' priority listed heritage properties and an engagement period during which property owners may contact Administration with questions, comments, or requests for clarification. The engagement period is anticipated to extend for approximately 8 to 12 weeks following the initial mail out.

Upon completion of the education and outreach phase, Administration will review feedback received from property owners alongside ongoing technical and policy considerations to inform the next stage of implementation under Strategy 2. This review may result in refinement of the list of properties recommended for statutory designation, recognizing that while 185 properties have been identified through the evaluation process, the final list brought forward may be adjusted based on engagement outcomes and administrative review.

Following this review, Administration will report back to the Development & Heritage Standing Committee and City Council with recommendations respecting the issuance of Notices of Intention to Designate (NOIDs) for a refined list of 'high' priority properties. Subject to Council direction and completion of the engagement process, the report seeking authority to issue NOIDs is anticipated to be brought forward in Q2 2026.

Ontario Heritage Act – Alternative Notice Policy

Background and Current Process

The *OHA* requires municipalities to provide public notice for certain actions and decisions that they make, and specifies the contents required, timing, and manner in which the notice is posted. These notices inform Property Owners and the general public about City Council decisions, as well as provide the opportunity to object or appeal these decisions.

The City traditionally meets these legislative requirements by publishing notices by printed ad in the Windsor Star. An individual property designation requires two public notices: one for the NOID and one for the adoption of the Designation By-law. Each notice is typically size A4, costs approximately \$1,000 (therefore \$2,000 for both), and requires a month of preparation and coordination with the Windsor Star to meet the *OHA* statutory timelines. This process involves Heritage Planning, Council Services, and Finance staff. In recent years, costs to post a notice in the Windsor Star have increased due to inflation, longer notices to meet Legal requirements, and the Windsor Star's pricing model based on size and length of the ad.

The ability for a municipality to publish a statutory public notice digitally (e.g. on their municipal website) instead of a local newspaper has been confirmed by the Ministry of Citizenship and Multiculturalism and is provided under the *OHA* Section 26 (4) and Section 39.1 (3), and the *Municipal Act* Section 270 (1).

To prepare the proposed Alternative Notice Policy, Administration conducted a best practices scan on municipalities that have adopted similar alternative notice policies. The research yielded that many municipalities have done so in response to Bill 23 to streamline the heritage designation process, while some had already adopted the digital method beforehand. Municipalities successfully applying this approach include Toronto (who adopted their policy in 2007), Ottawa, Markham, Brampton, Mississauga, Oakville, Halton Hills, Caledon, Thorold, and the Township of Centre Wellington. The *Ontario Heritage Act – Alternative Notice Policy* within Appendix 'E' was prepared in consideration of the work that these municipalities have done before us.

Proposed Alternative Notice Policy

To further streamline the Part IV heritage designation process and advance Strategy 2, Administration recommends adopting an Alternative Notice Policy under the *OHA*. This policy provides a framework to allow Administration to transition from providing printed notices in the local newspaper to digital notices on the City's official website (www.citywindsor.ca).

When required under the *OHA*, the City would provide public notice digitally on the City's website, including all information required under the *OHA* that is traditionally within a printed Windsor Star notice to ensure full compliance with legislative requirements. The digital notice process will remain clear and transparent, with the website updated and monitored by Administration. When Administration considers it beneficial, feasible, and appropriate, statutory public notices may still be printed in the Windsor Star and/or shared on the City's social media platforms to increase public

outreach. Full details are provided within the *Ontario Heritage Act* – Alternative Notice Policy (see Appendix ‘E’).

This proposed Alternative Notice Policy does not change the *OHA* requirement for municipalities to provide notices to the Ontario Heritage Trust and to the Property Owner. Notices are served to the Ontario Heritage Trust through their web platform and by email, while notices are served to the Property Owner by registered mail. Those processes will remain as existing, unchanged.

Benefits of Adopting the *Ontario Heritage Act* – Alternative Notice Policy

Moving from printed newspaper notices to digital notices on the City’s public website will yield a number of benefits to the Corporation and Windsor public, including:

- **Greater accessibility and convenience:**
Not all residents receive the *Windsor Star*, and its distribution is limited, with both print and digital access subject to subscription fees. In contrast, City Council decisions and notices as well as *Planning Act* applications have been published on the City’s website for years. Residents are accustomed to finding official information, news releases, and project updates on the City’s website.
- **Improved efficiency:**
Posting online to the City’s website is an internal process that saves significant staff time. It eliminates the need for coordination with external vendors and saves the month in advanced preparation of the notice being posted.
- **Cost savings:**
Publishing digital notices to the City’s website is free, compared to the high cost of printed newspaper ads. Especially given the volume of “high” priority properties to designate, switching to digital notices ensures fiscal responsibility.
- **Environmental sustainability:**
Switching from printed notices to digital notices reduces resource consumption of paper, ink, energy, and fossil fuels along the entire chain of newspaper supply and delivery. A digital approach supports the City’s climate and sustainability objectives.

While the focus of this report is on NOIDs to address Bill 23, the *Ontario Heritage Act* – Alternative Notice Policy to allow for digital notices in lieu of newspaper notices would also apply to other statutory public notices required under the *OHA*, such as the Withdrawal of a NOID, passage of a Designation By-law, and Repeal of a Designation By-law. By adopting the Alternative Notice Policy, the City can adapt to modernized communication methods while meeting all legislative requirements for public notices. This Policy would improve and streamline processes for Administration and yield cost savings for the City even after the Bill 23 and Bill 200 deadline of January 1, 2027.

Official Plan Policy:

The preamble of Chapter 9 – “Heritage Conservation” of the City of Windsor Official Plan Volume I reads “A community’s identity and civic pride is rooted in physical and cultural links to its past. To celebrate Windsor’s rich history, Council is committed to recognizing, conserving and enhancing heritage resources.” The implementation of Strategy 2 and designation of the “high” priority listed properties comply with the

objectives and policies within the City of Windsor Official Plan. See Appendix 'A' for a list of relevant objectives and policies.

Risk Analysis:

There is no risk to receiving this report for information. However, the risk lies in inaction which carries significant consequences. Inaction may result in the permanent loss of heritage resources that define Windsor's unique identity. Protecting these properties through heritage designation is essential to preserving the city's sense of place for both current and future generations.

Strategy 2 carries the risk of appeal, as the *OHA* allows for objections and appeals to the Ontario Land Tribunal (OLT) regarding Council's decision to designate a property under Part IV of the *OHA*. To mitigate this risk, adopting Recommendation II to initiate proactive public education and outreach is critical. By ensuring that property owners are informed and provided the opportunity to engage in discussions with Administration prior to issuing a NOID, the risk of objections and appeals can be reduced.

Should City Council decide against adopting Recommendation II, and/or delaying property owner engagement, education, and issuance of NOIDs, the risk is 185 "high" priority listed heritage properties (21% of the Heritage Register) losing their listed heritage status and protection against demolition come January 1, 2027. This could lead to the irreversible loss of Windsor's heritage resources, historical character, and cultural identity. Such losses may result in lasting impacts to neighbourhoods and the broader community for generations.

Should City Council decide against adopting Recommendation III and continue the status-quo method of printing notices in the local newspaper, there will be delays to implementing the Bill 23 strategies approved by City Council through CR 366/2023. The adoption of Recommendation III will improve efficiency, timeliness, and resourcing for heritage designations, and continue to yield benefits to the City even after the Bill 23 and Bill 200 deadline of January 1, 2027.

Climate Change Risks

Climate Change Mitigation:

The adoption of Recommendations II (batch designations) and III (*Ontario Heritage Act* – Alternative Notice Policy) supports climate change mitigation by reducing greenhouse gas emissions and resource consumption. Batching multiple property designations together reduces the use of paper and ink for printing packages. Transitioning to digital notices eliminates the need for printed newspaper ads, therefore cutting the quantity of paper, ink, energy use, and fossil fuel consumed in the newspaper printing and distribution process.

Climate Change Adaptation: N/A

Financial Matters:

Capital Project 7241028 (Bill 23 Municipal Heritage Register) was established through the March 2024 Capital Variance Report (CR336/2024, Report C69/2024) and has an uncommitted balance of \$145,560.

The financial implication of Recommendation II relates to mailing letter packages to the owners of 185 high priority properties. At an estimated cost of \$7.61 per package - including printing, materials, and Canada Post fees - the total cost for 140 required mailings is approximately \$1,065.40. The existing balance in Capital Project 7241028 is sufficient to fund these mail outs.

Recommendation III offers a favourable financial outcome by reducing reliance on paid public notice advertising in the *Windsor Star*. Public notice costs are significant, particularly where multiple notices are required for each designation, and the cumulative expense associated with publishing notices for all 185 high-priority properties would be considerable.

Implementing Recommendation III would eliminate these advertising expenses, resulting in significant savings and ensuring that the balance in the capital project remains adequate to support Strategy 2.

Consultations:

Heritage Planning staff have consulted with the following staff in the preparation of this report:

- Michael Okanlawon, Financial Planning Administrator, Finance Department
- Anna Ciacelli, Deputy City Clerk, Council Services Department
- Jennifer Loucks, Order of Business Coordinator, Council Services Department
- Katherine Donaldson, Corporate Policy Coordinator, Council Services Department
- Aaron Farough, Senior Legal Counsel, Legal Department

Heritage Planning staff have also been in communication with the Ontario Heritage Planners Network to receive updates, advice, and case studies about other municipalities' undertaking of Bill 23 strategies.

Conclusion:

City Council approved the seven strategies to respond to Bill 23's potential loss of heritage protections for properties across Windsor on September 5, 2023 through CR 366/2023. Administration recommends that City Council receive this update report and the appendices for information, continue to support the implementation of Strategy 2, and adopt the *Ontario Heritage Act* – Alternative Notice Policy to meet the Bill 23 deadline of January 1, 2027 to protect and conserve Windsor's highest priority heritage resources for years to come.

Planning Act Matters: N/A

Approvals:

Name	Title
Tracy Tang	Planner III – Heritage
Jason Campigotto	Deputy City Planner – Growth
Emilie Dunnigan	Manager, Development Revenue & Financial Administration
Lorie Gregg	Executive Director, Financial Planning/Deputy Treasurer
Aaron Farough	Senior Legal Counsel, Legal & Real Estate
Neil Robertson	City Planner
Jelena Payne	Deputy CAO/Commissioner, Economic Development
Janice Guthrie	Commissioner, Finance and City Treasurer
Ray Mensour	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

- 1 Appendix A – Official Plan Volume I Chapter 9, Objectives & Policies
- 2 Appendix B – Part IV Heritage Designation Information Memo
- 3 Appendix C – Part IV Heritage Designation Brochure
- 4 Appendix D – Part IV Heritage Designation Flow Chart
- 5 Appendix E – *Ontario Heritage Act* – Alternative Notice Policy
- 6 Appendix F – Bill 23 Heritage Register Strategies

Appendix 'A' – Official Plan Volume I Chapter 9 Objectives and Policies

The undertaking of the seven strategies in response to Bill 23 is supported by the following objectives in the Official Plan:

<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>LEADERSHIP BY EXAMPLE</i>	9.2.3	To lead the community in the protection, improvement, utilization and management of heritage resources by using municipally owned heritage properties as examples of proper conservation and stewardship.
<i>PUBLIC AWARENESS & PARTICIPATION</i>	9.2.4	To increase awareness and appreciation of Windsor's heritage resources and encourage participation by individuals, organizations and other levels of government in heritage conservation.

The undertaking of the seven strategies in response to Bill 23 is supported by the following policies in the Official Plan:

	9.3.2.1	Council will identify Windsor's heritage resources by:
<i>AREA STUDIES</i>		(b) Researching and documenting the history, and architectural and contextual merit of potential heritage resources on an area or neighbourhood basis in conjunction with Heritage Conservation District studies, secondary plans or other special studies as may be appropriate;
<i>INDIVIDUAL SITES</i>		(c) Researching and documenting the history, and architectural and contextual merit of potential heritage resources on an individual property basis;
<i>PUBLIC ASSISTANCE</i>		(d) Encouraging and supporting individuals and groups in recommending potential heritage resources.
	9.3.3.1	Council will recognize Windsor's heritage resources by:
<i>DESIGNATE HERITAGE PROPERTIES</i>		(a) Designating individual buildings, structures, sites and landscapes as heritage properties under the Ontario Heritage Act;
<i>HERITAGE CONSERVATION DISTRICTS</i>		(b) Designating groups of buildings and areas as Heritage Conservation Districts under the Ontario Heritage Act;
<i>LIST OF DESIGNATED HERITAGE PROPERTIES</i>		(c) Maintaining a list of designated heritage properties;
	9.3.3.4.	Council will identify heritage resources by:

*IDENTIFY
HERITAGE
RESOURCES
HERITAGE
REGISTER*

- (a) Maintaining and updating the list of built heritage resources known as the Windsor Municipal Heritage Register; and
- (b) Identifying neighbourhoods containing collections of important heritage resources such as Heritage Areas and Heritage Conservation Districts on Schedule 'G': Civic Image.

9.3.6.1. Council will manage heritage resources by:

LEADERSHIP

- (b) Protecting, conserving and managing Municipally owned heritage resources in a manner which furthers the objectives and policies of this Plan and which sets an example of leadership for the community in the conservation of heritage resources;

*MUNICIPAL
OPERATIONS*

- (c) Ensuring that the activities of all Municipal departments respect the character and significance of Windsor's heritage resources;

*PUBLIC
PARTICIPATION*

- (d) Encouraging public participation in the conservation of heritage resources;

*PRIVATE
INITIATIVES*

- (e) Providing support and encouragement to organizations and individuals who undertake the conservation of heritage resources by private means;

*AWARENESS &
EDUCATION*

- (f) Promoting public understanding, appreciation and enjoyment of Windsor's heritage resources through an on-going public awareness and education programme;

*INFORMATION
BASE*

- (i) Creating a heritage resource information base to identify heritage resources.

Appendix 'B' – Part IV Heritage Designation Information Memo

Legal Provisions:

Part IV, Section 29 of the *OHA* provides for designation of “property within the municipality to be of cultural heritage value or interest”. The *OHA* under Section 29 (4)(b) includes the requirement for a “statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property”. Also, there are provisions for a municipal heritage committee to be consulted about a designation before the council makes a decision on it under Section 29 (2) of the *OHA*.

Ontario Regulation 9/06 provides provisions that an individual property designation under Section 29 of the *OHA* must meet two or more of the criteria for determining whether it is of cultural heritage value or interest under Subsection 1 (2) of the regulation:

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.”

Heritage Designation Process

The criteria-based designation process governed by the *Ontario Heritage Act* requires in-depth research through archives, local history centers, various historical sources, and site visits before a designation report is prepared for recommendation to the Heritage Committee and City Council. Designation requires consideration from Council in two steps. The Notice of Intention to Designate provides direction for the City Clerk to give notice to the Property Owner, a newspaper, and the Ontario Heritage Trust of Council's intent to initiate the heritage designation. After thirty days, and if there is no objection, the Council may pass a by-law to designate the property in accordance with the *Ontario Heritage Act*. Another notice is then provided by the City Clerk to the Property Owner, a newspaper, and the Ontario Heritage Trust of Council's decision to adopt the Designation By-law. After a thirty day appeal period, and if there is no appeal, the Designation By-law is officially registered on the property title and in force. This statutory process typically takes six months from initiation to Council adoption of the Designation By-law.

In a typical year, the City of Windsor designates only a few heritage properties, most of which are initiated by property owners.

A flow chart graphic of this process is included as 'Appendix D'.

WHICH PROPERTIES QUALIFY?

Individually designated properties must meet at least 2 of the 9 criteria per OHA O.Reg. 9/06 for determining cultural heritage value or interest:

The property has **design** or **physical value** because it:

1. Is a rare, unique, representative or early example of a style, type, expression, material or construction method.
2. Displays a high degree of craftsmanship or artistic merit.
3. Demonstrates a high degree of technical or scientific achievement.

The property has **historical** or **associative** value because it:

4. Has a direct association with a theme, event, belief, person, activity, organization or institution that is significant to a community.
5. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture.
6. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

The property has **contextual value** because it:

7. Is important in defining, maintaining or supporting the character of an area.
8. Is physically, functionally, visually or historically linked to its surroundings.
9. Is a landmark.

Interested in designating your property or learning more about heritage homes and planning in Windsor?

Scan the QR code below



Questions? Please contact:

Tracy Tang, Acting Heritage Planner
Planning & Development Services
350 City Hall Square West | Suite 320
Windsor, ON | N9A 6S1
TTang@citywindsor.ca
519-255-6543 ext. 6179

HERITAGE DESIGNATION

A TOOL TO CONSERVE &
RECOGNIZE HERITAGE PROPERTIES
FOR YEARS TO COME



WHAT IS HERITAGE DESIGNATION?

The Province, through the *Ontario Heritage Act*, gives municipalities the authority to grant legal recognition to properties of cultural heritage value or interest by means of designation.

Heritage designation is a legal status registered on the title of the property and remains on-title in the event of a property sale or transfer. Designation status applies to the entire real property, not just the main building.

Designation helps to ensure the protection of these properties so future generations are able to recognize and appreciate them as symbols of our history and civic pride.

WHAT ARE THE BENEFITS?

Heritage designation offers many benefits, including:

- Protection of the property's character-defining elements, features, and attributes
- Promotion of good stewardship and historical conservation
- Public recognition of the importance of a property to the local community and its worthiness for ongoing care
- Contribution to defining community identity, character, and sense of place
- Eligibility to apply for heritage-related financial incentives, which are only available to designated heritage properties
- Assistance in navigating conservation, alterations, and maintenance with resources and advice

HOW IS A PROPERTY DESIGNATED?

1 INITIATION

The property owner, City Staff, or City Council can initiate the designation process. There is no cost to the property owner.

2 RESEARCH & EVALUATION

Property is researched for its architecture, history, and context. It is evaluated against criteria under O. Reg. 9/06.

3 DESIGNATION

A recommendation report and "Statement of Cultural Heritage Value or Interest" are presented to DHSC & City Council for decision.

4 PUBLIC PROCESS

Notices for the intent to designate and later the designation by-law are issued to the property owner, the Ontario Heritage Trust, and the public to provide opportunity for objection.

5 REGISTRATION

If no objection is received, the by-law is registered on title. The property owner will receive a bronze plaque commemorating the property designation.

COMMON MYTHS

HERITAGE DESIGNATION DOES NOT...

- Affect the use or zoning of the property
- Prevent the sale of the property
- Negatively affect the property's assessed value, but instead increases property value in many cases
- Prevent changes to the property or "freeze" a property in its current state
- Prevent interior renovations or regulate interior spaces, unless they are significant or rare
- Restrict a property owner's rights and abilities to maintain or upkeep their property
- Place additional requirements on the insurer and should not raise insurance premiums
- Require an owner to replicate buildings in the event of

HERITAGE DESIGNATION REGULATIONS

The *Ontario Heritage Act* **protects** designated properties from unsympathetic alterations which may impact the property's heritage features or attributes. It provides a tool (being a heritage permit) to review the proposed changes beforehand and ensure that the proposed changes are appropriately and respectfully managed. A heritage permit application may be required for:

- Exterior alterations (e.g., restoring, renovating, repairing, disturbing)
- Demolition/removal of a heritage attribute, building, or structure
- Addition
- Erection (new construction)

There is no fee or cost for a heritage permit. Heritage regulations are generally limited to the exterior of buildings and structures, and are not required for interior works.

AVAILABLE GRANTS

The City of Windsor offers two financial programs to assist property owners with the costs of conserving heritage designated properties:

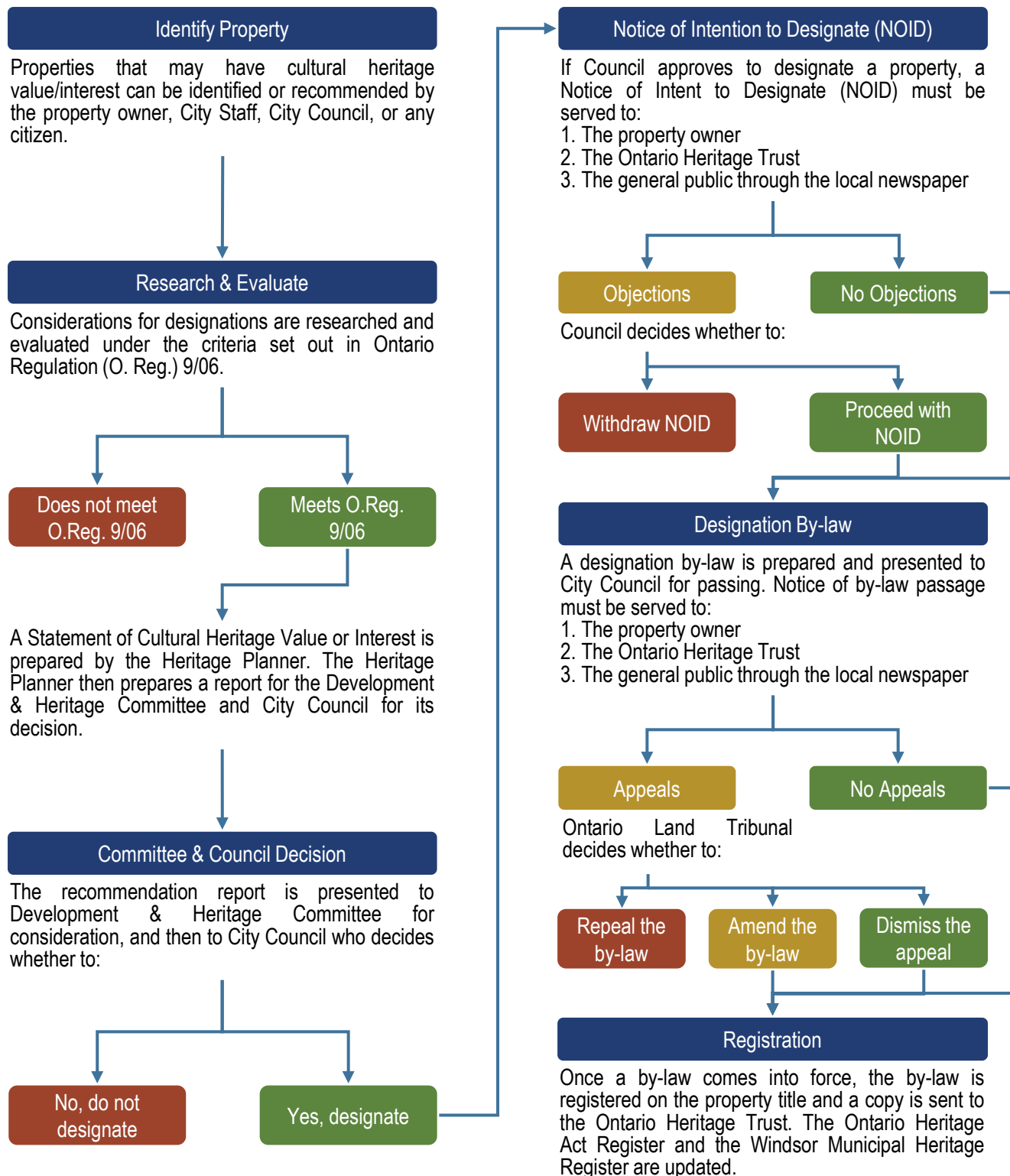
COMMUNITY HERITAGE FUND

Grants are generally limited to 15% of the cost of work, to a maximum of \$50,000.

HERITAGE PROPERTY TAX REDUCTION PROGRAM:

Allows for up to 30% of the taxes being reduced for up to 3 years to a maximum of the cost of heritage repairs/restorations.

PART IV DESIGNATION FLOW CHART



THE CORPORATION OF THE CITY OF WINDSOR POLICY

Service Area:	Office of the Commissioner of Economic Development	Policy No.:	
Department:	Planning & Development Services	Approval Date:	
Division:	Heritage Planning	Approved By:	
		Effective Date:	
Subject:	<i>Ontario Heritage Act</i> – Alternative Notice Policy	Procedure Ref.:	
Review Date:		Pages:	Replaces:
Prepared By:	Tracy Tang, Planner III – Heritage (A)		Date:

1. POLICY

- 1.1. This policy establishes an alternative digital notification method for public notices required under the *Ontario Heritage Act*, reducing reliance on newspaper publications while ensuring compliance with applicable legislation and City commitments to sustainability and accessibility.

2. PURPOSE

- 2.1. The purpose of this policy is to provide a framework on the circumstances under the *Ontario Heritage Act* in which the municipality shall provide notice to the public by:
- 2.1.1. Identifying the form, manner, and times notice shall be given by;
 - 2.1.2. Providing a cost-effective, environmentally sustainable, and accessible alternative for the City to provide public notices required under the *Ontario Heritage Act*, by publishing notices digitally on the City's official website, whereas currently these public notices are published in the local newspaper by physical print;
 - 2.1.3. Advancing a corporate culture at the City that recognizes and places a priority on becoming a more Environmentally Sustainable Community; and
 - 2.1.4. Providing clear, timely, and accessible communication that adheres to the principles of public engagement.

3. SCOPE

- 3.1. This policy applies to:
- 3.1.1. Public notices required under the *Ontario Heritage Act*, Section 26 (4)
 - 3.1.2. Public notices required under the *Ontario Heritage Act*, Section 39.1 (3)
- 3.2. This policy does not apply to:
- 3.2.1. Notification to Property Owners
 - 3.2.2. Notification to the Ontario Heritage Trust

4. RESPONSIBILITY

- 4.1.** This policy will be used by the Heritage Planner, Legal Services staff, and Clerks / Council Services staff.
- 4.2.** The **Chief Administrative Officer** or their designate will:
 - 4.2.1. Ensure that the City of Windsor implements and updates this policy and related procedures as appropriate.
- 4.3.** The **Commissioner of Economic Development** and the **City Planner** or their designate will:
 - 4.3.1. Ensure that procedures under this policy are communicated to staff and are carried out consistently.
 - 4.3.2. Ensure that feedback from the public regarding public notice is addressed in accordance to the policy and related procedures.
- 4.4.** The **City Clerk** or their designate will:
 - 4.4.1. Ensure that the public notice includes the subject matter, date/time/location of any related meeting, and contact information for submissions, objections, or appeals.
 - 4.4.2. Monitor any correspondences, objections, or appeals received in response to the public notice.
- 4.5.** The **Heritage Planner** or their designate will:
 - 4.5.1. Provide the City Clerk with a heritage designation summary paragraph to include in the public notice.
 - 4.5.2. Ensure notices are posted online.
- 4.6.** The **Communications Division** will:
 - 4.6.1. Maintain website functionality and ensure timely posting.
 - 4.6.2. Ensure online notices meet accessibility standards.

5. GOVERNING RULES AND REGULATIONS

- 5.1.** When required under the *Ontario Heritage Act*, the City of Windsor shall provide public notice digitally on the City's official corporate website (www.citywindsor.ca).
- 5.2.** All public notices required under the *Ontario Heritage Act* must adhere to:
 - 5.2.1. Provincial legislation under the *Ontario Heritage Act*, *Municipal Act*, and *Accessibility for Ontarians with Disabilities Act (AODA)*.
 - 5.2.2. Municipal policies including the City of Windsor Public Notification By-law 232-2005.
- 5.3.** Should City Staff consider it beneficial, feasible, and appropriate, in some circumstances additional notice may be published by physical print in the local newspaper having general distribution within the municipality and/or shared on the City of Windsor's official corporate social media platforms.
- 5.4.** This policy supports the City of Windsor Corporate Climate Action Plan, Environmental Master Plan, and Sustainable Procurement Guide by reducing consumption and increasing efficiency in resources and material use.

6. RECORDS, FORMS AND ATTACHMENTS

- 6.1.** Records for this policy shall be prepared and retained in accordance with Records Retention By-Law 21-2013, as amended.
- 6.2.** Attachments:
 - 6.2.1. Municipal Act, 2001, Section 270 (1)
 - 6.2.2. Ontario Heritage Act, 2005, Sections 26 (4) and 39.1 (3)
 - 6.2.3. City of Windsor Public Notification By-law 232-2005
 - 6.2.4. Accessibility for Ontarians with Disabilities Act (AODA)
 - 6.2.5. City of Windsor Corporate Climate Action Plan, 2017
 - 6.2.6. City of Windsor Environmental Master Plan, 2017
 - 6.2.7. City of Windsor Sustainable Procurement Guide, 2015

Appendix 'F' – Bill 23 Heritage Register Strategies

Strategy 1: Walkerville Heritage Conservation District Plan and Guidelines (269 properties, 31%)

The Walkerville HCD Study (Stage 1) (CR 334/2019, CR 32/2021) was undertaken from Fall 2023 to Spring 2025 in collaboration with the retained heritage consultants of M. R. Letourneau and Associates Inc. (MRLA). Of the 881 total listed properties, 269 (31%) are located within the Recommended Boundary for the Walkerville HCD. The study and recommendations were adopted by City Council on May 26, 2025 through CR 219/2025, with Administration directed to proceed with the Plan & Guidelines (Stage 2).

Administration are presently working on Stage 2 with MRLA to prepare the draft Walkerville HCD Plan & Guidelines, informed by the feedback received from the public, stakeholders, and Administration in other departments. Should Heritage Committee and City Council adopt the final Walkerville HCD Plan & Guidelines, the potential exists for the 269 listed properties currently on the Heritage Register within the Recommended Boundary (31%) to be protected by Part V heritage designation of the *Ontario Heritage Act* by the time that Bill 23's January 1, 2027 deadline comes into effect.

Strategy 2: Part IV Designation of properties of “high” priority (185 properties, 21%)

Of the 881 listed properties, 239 (27%) were identified as high priority with merits for designation. This includes 33 City-owned properties (Strategy 6) and 14 properties within the proposed Walkerville HCD boundary (Strategy 1), leaving 192 properties (22%) to be addressed under Strategy 2. This list has been further refined to 185 properties (21%). This strategy is explained in detail within Report S 6-2026.

Strategy 3: Exploring new ways to designate

Batch Designation

A batch designation approach (e.g. one report brought forward for multiple properties) is an effective method of streamlining the Part IV individual designation process. It saves Administration, Heritage Committee, and City Council time and resources in preparing and considering designation reports. Staff have recently presented the first “batch designation” report through Report S 133/2025 titled “Ontario Heritage Act Part IV Heritage Designations of ‘High’ Priority Properties, University of Windsor”. The batch of six properties was approved by City Council on January 12, 2026 through CR 18-2026. Staff are continuing conversations with other large landowners who own multiple listed heritage properties to collaborate on the designation of properties that could be presented to City Council in a batch report.

Voluntary Heritage Designation

A voluntary heritage designation approach is aimed at protecting heritage properties that are owned by heritage-minded property owners. This strategy focuses on outreach to

private property owners and invites those who are supportive of heritage designation to initiate the designation process with Administration. This collaborative approach presents significantly reduced risk of objection or appeal, and is considered a “low-hanging-fruit” strategy successfully implemented by many other Ontario municipalities.

Strategy 4: Designation through Development Review and Incentive Programs

Administration continues the implementation of Strategy 4: Designation through Development Review and Incentive Programs as *Planning Act* development applications arise. Should a development pre-consultation application be submitted that is located on a listed property, Heritage Planning staff have the ability under the *Ontario Heritage Act* to recommend that a Notice of Intent to Designate be issued for the property if it has designation merits, and/or to request for a Heritage Impact Assessment which contains evaluations for heritage merits and may result in recommendations for designation.

Strategy 5: Protections through Demolition Control By-law

In the future, Planning staff may explore Strategy 5: Protections through Demolition Control By-law through the creation of a Section 33 Demolition Control By-law under the *Planning Act*. A Demolition Control By-law would target geographic areas where there are collections of heritage resources, for example Heritage Areas and Mature Neighbourhoods. A Demolition Control By-law could prevent further complete loss of heritage resources by triggering a process in which requirements must be satisfied prior to issuance of a demolition permit.

Strategy 6: Protection of City-Owned Heritage Resources through Council Direction (33 properties, 4%)

Of the 881 total listed heritage properties on the Windsor Municipal Heritage Register, 33 (4%) are City-owned and therefore assigned a “high” priority under Strategy 2. Through Council Resolution CR 366/2023, City Council has committed to Strategy 6: Protection of City-Owned Heritage Resources through Council Direction by protecting City-owned heritage properties in the same fashion as pre-Bill 23, even if properties are removed on January 1, 2027. Further, City Council has committed to encouraging a high degree of heritage sensitivity by all City Departments in conformance with the City of Windsor Official Plan.

Strategy 7: Continued Recognition of Heritage Properties through a Windsor Heritage Inventory

It is inevitable that many of the heritage listed properties would be stripped of their *Ontario Heritage Act* status after Bill 23’s removal requirements come to maturity on January 1, 2027. Administration will maintain Strategy 7: Continued Recognition of Heritage Properties through a Windsor Heritage Inventory so that the Windsor community can continue to access, seek information, and build awareness of local history even though some of the properties are removed of their listed heritage status and protection under the *Ontario Heritage Act*.

Subject: Notice of Intent to Partially Demolish a Heritage Listed Property – 1519 Wyandotte Street East, Tivoli Pool Room, Casa Loma Restaurant - Ward 4

Reference:

Date to Council: February 2, 2026
Author: Tracy Tang, MCIP, RPP
Planner III - Heritage
Email: ttang@citywindsor.ca
Phone: 519-255-6543 X 6179
Planning & Building Services
Report Date: 1/8/2026
Clerk's File #: MBA/14987

To: Mayor and Members of City Council

Recommendation:

- I. THAT the Notice of Intent to partially demolish the heritage listed property at 1519 Wyandotte Street East, Tivoli Pool Room / Casa Loma Restaurant, to remove portions of the building façade facing Wyandotte Street East to facilitate façade improvements **BE RECEIVED**.

Executive Summary: N/A

Background:

The property at 1519 Wyandotte Street East, known as the Tivoli Pool Room / Casa Loma Restaurant, was listed on the Windsor Municipal Heritage Register on August 4, 2015. It is identified on the Heritage Register as a commercial building constructed in 1914 and 1936. The commercial building is located at the south-eastern intersection of Wyandotte Street East and Gladstone Avenue, and adjacent to the Walkerville Heritage Area. The commercial building is technically three buildings side-by-side, previously addressed as 1505-1533 Wyandotte Street East. The centre building was constructed in 1914 and the east building in around 1936. The west building at the intersection was constructed around 1963 and replaced a single detached residential dwelling.



Front (north-facing) facade of 1519 Wyandotte Street East (photo taken by City Staff on January 13, 2026).

On October 21, 2025, the Applicant, Alex Seguin, on behalf of the Property Owner, reached out to Heritage Planning staff to inquire about the process to facilitate alterations and improvements to the exterior façade of the building and internal renovations. As the façade improvement proposal involves the demolition/removal of portions of the façade and exterior wall of the building on the heritage listed property, Heritage Planning staff advised the Applicant of the heritage planning requirements. On January 7, 2026, the Applicant formally submitted a complete Notice of Intent to Partially Demolish package (Appendix 'A').

Legal Provisions:

The subject property is listed (not designated) on the Windsor Municipal Heritage Register. Section 27 of Part IV of the *Ontario Heritage Act (OHA)* states that “the register may include property ... that the council of the municipality believes to be of cultural heritage value or interest”, without being designated. Also, “[T]he owner of the property shall not demolish or remove a building or structure on the property or permit the demolition or removal of the building or structure unless the owner gives the council of the municipality at least 60 days notice in writing of the owner’s intention to demolish or remove the building or structure or to permit the demolition or removal of the building or structure.” The 60 days only begins after notice is received accompanying plans and information as Council may require. City of Windsor Council approved “Requirements and Procedures, Application for Demolition of Heritage-Listed Properties” (Council Decision # M163-2015) which outlines the required information for demolition, and notes that Administration has 30 days to evaluate if the information submitted is sufficient. Only after determination has been made that the required information has been submitted, does the 60-day count begin.

For heritage-listed (non-designated) properties, the *OHA* does not provide explicit provisions for Council to comment on or approve/consent to alterations. The *OHA* only

requires notification to Council for the demolition/partial demolition of a heritage-listed property. There is no explicit provision for Council to approve or consent to the demolition and no provision to apply conditions. Should Committee or Council wish to comment on alterations to a heritage-listed (non-designated) property, the only course of action available is to initiate designation.

Through the *Ontario Heritage Act*, City Council (with Committee consultation) may either initiate designation during the 60 days after notice of intent to demolish, or decide to take no action. If a property is proposed for designation, a notice of intent to designate must include a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property, which are those features that are considered important to retain if any alterations to the property are proposed after designation. "Cultural heritage value or interest" is to be considered according to Ontario Regulation 9/06.

Discussion:

Proposal:

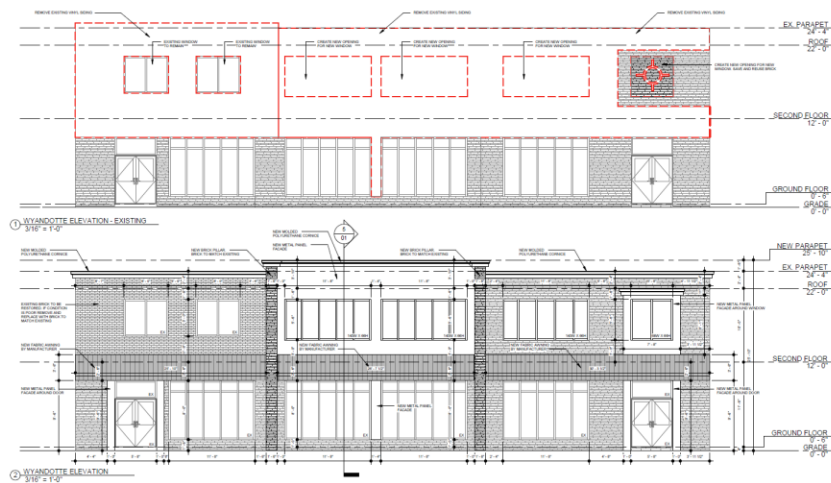
The complete Notice of Intent to Demolish package for 1519 Wyandotte Street East was submitted with a heritage permit application form to detail the proposal and photographs of the current condition of the exterior front façade. The Property Owner is requesting to remove the modern cladding and partially demolish portions of the exterior wall on the two-storey commercial building and renovate the interior. The complete package is included as Appendix 'A' of this report.



The cladding that is proposed to be removed, and portions of exterior walls beneath to be demolished (photo taken by City Staff on January 13, 2026).

The building is two storeys tall, clad in beige brick, and has a flat roof. Previous Property Owners had installed large modern storefront windows, new double doors, and modern cladding to the second storey façade. The Applicant explained that the previous Property Owners had made these alterations in efforts to stabilize and prevent further deterioration of the building, which has been vacant and neglected for over a decade. The wood siding on the second storey was in poor physical condition, and subject to water damage, rot, and bulging. The previous Property Owners applied vertical grey vinyl siding on the centre building and horizontal brown vinyl siding on the eastern

building to cover up the damage underneath. Based on these factors, it is the Property Owners' position that façade improvements are required to improve the appearance and structural stability of the building and attract tenants to the vacant units. The removal of unoriginal cladding and partial demolition of portions of the exterior wall is intended to facilitate the façade improvements to the building as a whole.



Elevation drawings of the existing and proposed Wyandotte Street East façade, demonstrating in red dashed outline the portions of the building to be removed (provided by the Applicant).

The Property Owner intends to improve the façade on both the Wyandotte Street East and Gladstone Avenue sides. The works will be focused on the second storey exterior, with the first storey remaining as-is. The current vinyl siding will be removed and the condition of the brick façade underneath will be assessed for restoration potential. New large windows are proposed to be installed on the second storey to activate the second storey and provide light into the residential units. The partial demolition of the exterior wall is required to accommodate the new openings for the window installation. The brick removed from the openings is planned to be salvaged and reused on other parts of the building. Arriscraft brick in a colour, texture, and dimension matching the existing brick is proposed for the new pillars on the front façade, breaking up the mass of the storefronts into three distinct parts. To create architectural accents, pedestrian-scale visual interest, and shade, the Applicant proposes new black fabric awnings over the first storey store fronts, black molded cornices on the parapet, and black metal panels installed on the centre portion of the second floor façade.



Coloured renderings illustrating what the final façade improvements will look like on the subject property (provided by the Applicant).

Heritage Considerations:

The commercial building known as the Tivoli Pool Room / Casa Loma Restaurant is not designated under the *Ontario Heritage Act*. The property is listed on the Windsor Municipal Heritage Register as a commercial block that has a long history of various commercial occupants since its construction. The front façade has been heavily altered since the 1960s and contains elements that are unoriginal to the building and incompatible from a Heritage Planning perspective, such as the horizontal and vertical vinyl siding covering the second storey and the modern commercial storefront windows. The removal of the second storey cladding and portions of the façade to create new window openings, is pursued to improve the appearance of the building and attract new tenants into the vacant units. The second storey cladding does not have any physical or design value and does not contribute any heritage value to the property since it is a modern alteration.

In review of the proposal, Heritage Planning staff are of the opinion that the removal of portions of the front façade does not adversely impact the heritage character of the listed heritage property. The proposal appears to be compatible with both the heritage listed property and the Walkerville Heritage Area. The *Standards & Guidelines for the Conservation of Historic Places in Canada* have been considered, and the character-defining elements of the heritage listed property such as the brick cladding are proposed to be retained and/or replaced with a matching product where needed. The front Wyandotte Street East façade and side Gladstone Avenue façade are highly visible from the public realm, and the façade alterations and partial demolitions would improve the appearance of the property and neighbourhood.

Although there is no ability to require alterations through a Heritage Permit on a listed property, the Applicant welcomed Heritage Planning Staff's recommendations of changes to the proposed design in an effort to steer the project towards a more heritage compatible outcome that suits the Walkerville traditional main street character. The final design proposal within Appendix 'A' is a result of successful collaboration between the Applicant and Administration, balancing the Property Owner's goals and objectives with the City's plans, policies, and best practices.

A Building Permit is required for the façade improvements and renovation of the traditional commercial main street building, and is subject to the Notice of Intent to Partially Demolish. The Property Owner may proceed with the Building Permit should Council receive the notice and not initiate heritage designation of the property.

Official Plan Policy:

Chapter 9 of the City of Windsor Official Plan, Heritage Conservation, includes the following objectives related to the recognition, conservation, and enhancement of heritage resources:

CONSERVATION 9.2.1 *MANAGEMENT*

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.

9.3.5.1 Council will enhance heritage resources by:

- (a) Ensuring that within any Heritage Area or Heritage Conservation District that:
 - (ii) Development be of compatible height, massing, scale, setback and architectural style;

Risk Analysis:

The proposed partial demolition would allow the Property Owner to proceed with removing portions of the front façade on the traditional commercial main street, to facilitate façade improvements and renovations to the exterior and interior of the building. The notification of the proposed partial demolition authorized by the *Ontario Heritage Act* serves as an opportunity to provide a process to designate when required to prevent inappropriate and concerning changes applied to the heritage property. Initiating designation of the property would put a hold on any building permits and therefore pause any ability to undertake the works proposed. This is very seldom the recommended action, and it would only be recommended in circumstances where the heritage integrity of the listed property is at risk.

The initiation of Part IV individual heritage designation of the property as a reaction to this Notice of Intent to Partially Demolish is not recommended by Administration because of three key reasons. Firstly, the designation process would place delays on the ability of the Property Owner to make improvements to their building façade and attract commercial and residential tenants. Secondly, the proposed partial demolition has no adverse impact on the heritage value of the property or integrity of the Walkerville Heritage Area. Thirdly and finally, the designation of this heritage-listed property is being considered as part of the Walkerville Heritage Conservation District project, under Part V of the *Ontario Heritage Act*.

Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

Financial Matters:

There are no financial implications associated with this report. The Applicant has applied for financial incentives under the Main Streets CIP, a separate report will be brought forward to a future meeting of the Development and Heritage Standing Committee.

Consultations:

Heritage Planning staff worked closely with the Applicant, Alex Seguin, on behalf of the Property Owner through the entire process. Through numerous email exchanges, meetings, and iterations of the proposed design, the Applicant and Administration were

able to refine the proposal together. In the preparation of this report, Heritage Planning staff consulted with Sophia Di Blasi, Senior Urban Designer, Kevin Alexander, Planner III – Special Projects, the Building Department regarding permit requirements, and Aaron Farough, Senior Legal Counsel, Legal & Real Estate Department, regarding the legal provisions within the *Ontario Heritage Act*.

Conclusion:

Administration recommends that City Council receive the proposed partial demolition of the Heritage Listed Property – 1519 Wyandotte Street East, Tivoli Pool Room, Casa Loma Restaurant. Portions of the front building façade facing Wyandotte Street East are proposed to be removed in order to facilitate façade improvements and renovations to the building as a whole. The proposal will have no negative impacts to the heritage character of the listed property nor to the Walkerville Heritage Area, and will overall result in an improvement to the property and traditional main street character.

Planning Act Matters: N/A

Approvals:

Name	Title
Tracy Tang	Planner III – Heritage
Jason Campigotto	Deputy City Planner – Growth
Aaron Farough	Senior Legal Counsel
Neil Robertson	City Planner
Jelena Payne	Deputy CAO / Commissioner of Economic Development
Ray Mensour	Chief Administrative Officer

Notifications:

Name	Address	Email
Alex Seguin		
Philip Duym		

Appendices:

- 1 Appendix 'A' – Notice of Intent to Partially Demolish Package
- 2 Appendix 'B' – Additional Photos of 1519 Wyandotte St E

APPLICATION TYPE

☐ **Minor Heritage Permit**
(Delegated Authority Approval)

☐ **Major Heritage Permit**
(City Council Approval)

☐ **Demolition**

1. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

Provide in full the name of the applicant, registered owner and agent, the name of the contact person, and address, postal code, phone number, and email address. If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

APPLICANT

Contact Name(s) _____

Company or Organization _____

Mailing Address _____

City, Province _____ Postal Code _____

Email _____ Phone(s) _____

REGISTERED OWNER IF NOT APPLICANT

Contact Name(s) _____

Company or Organization _____

Mailing Address _____

City, Province _____ Postal Code _____

Email _____ Phone(s) _____

AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION

Contact Name(s) _____

Company or Organization _____

Mailing Address _____

City, Province _____ Postal Code _____

Email _____ Phone(s) _____

Who is the primary contact?

☐ Applicant

☐ Registered Owner

☐ Agent

2. SUBJECT PROPERTY

Municipal Address: _____

Legal Description (if known): _____

Building/Structure Type:

- ☐ Residential ☐ Commercial ☐ Industrial ☐ Institutional

Heritage Designation:

- ☐ Part IV (Individual) ☐ Part V (Heritage Conservation District)

By-law #: _____ District: _____

Is the property subject to a Heritage Easement or Agreement?

- ☐ Yes ☐ No

3. TYPE OF APPLICATION

Check all that apply:

- ☐ Demolition/Removal of heritage attributes ☐ Addition ☐ Erection ☐ Alteration*
☐ Demolition/Removal of building or structure ☐ Signage ☐ Lighting

*The *Ontario Heritage Act's* definition of "alter" means to change in any manner and includes to restore, renovate, repair or disturb.

4. HERITAGE DESCRIPTION OF BUILDING

Describe the existing design or appearance of buildings, structures, and heritage attributes where work is requested. Include site layout, history, architectural description, number of storeys, style, features, etc..

5. PROPOSED WORK

Provide a detailed written description of work to be done, including any conservation methods you plan to use. Provide details, drawings, and written specifications such as building materials, measurements, window sizes and configurations, decorative details, etc.. Attach site plans, elevations, product spec sheets, etc. to illustrate, if necessary.

6. HERITAGE PERMIT RATIONALE

Explain the reasons for undertaking the proposed work and why it is necessary.

Describe the potential impacts to the heritage attributes of the property.

7. CHECKLIST OF MATERIALS SUBMITTED

 Check all that apply:

Required:

- ☐ Photographs (showing the current condition and context of existing buildings, structures, and heritage attributes that are affected by the application)
- ☐ Site plan/ Sketch (showing buildings on the property and location of proposed work(s))
- ☐ Architectural drawings of proposed work(s) (e.g. existing and proposed elevations, floor plans, roof plans, etc., as determined by Heritage Planning staff)
- ☐ Specifications of proposed work(s) (e.g. construction specification details)

Potentially required (to be determined by Heritage Planning staff):

- ☐ Registered survey
- ☐ Material samples, brochures, product data sheets etc.
- ☐ Cultural Heritage Evaluation Report
- ☐ Heritage Impact Assessment (HIA)
- ☐ Heritage Conservation Plan
- ☐ Building Condition Assessment

8. NOTES FOR DECLARATION

The applicant hereby declares that the statements made herein and information provided are, to the best of their belief and knowledge, a true and complete representation of the purpose and intent of this application.

The applicant agrees that the proposed work shall be done in accordance with this application, including attachments, and understands that the issuance of the Heritage Alteration Permit under the Ontario Heritage Act shall not be a waiver of any of the provisions of any By-Law of the Corporation of the City of Windsor, or the requirements of the Building Code Act, RSO 1980, c51.

The applicant acknowledges that in the event a permit is issued, any departure from the conditions imposed by the Council of the Corporation of the City of Windsor, or plans and specifications approved is prohibited and could result in the permit being revoked. The applicant further agrees that if the Heritage Alteration Permit is revoked for any cause of irregularity, in the relation to non-conformance with the said agreements, By-Laws, acts or regulations that, in consideration of the issuance of the permit, all claims against the City for any resultant loss or damage are hereby expressly waived.

Signature of Applicant(s)

Date

Signature of Applicant(s)

Date

SCHEDULE A

A. Authorization of Registered Owner for Agent to Make the Application

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the applicant is authorized to make the application must be included with this application form or the authorization below must be completed.

I, _____, am the registered owner of the land that is
name of registered owner

subject of this application for a Heritage Alteration Permit and I authorize

_____ to make this application on my behalf.
name of agent

Signature of Registered Owner

Date

If Corporation – I have authority to bind the corporation.

B. Consent to Enter Upon the Subject Lands and Premises

I, _____, hereby authorize the members of the Windsor Heritage Committee and City Council and staff of the Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 3 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as condition of approval. This is their authority for doing so.

Signature of Registered Owner

Date

If Corporation – I have authority to bind the corporation.

C. Acknowledgement of Applicant

I understand that receipt of this application by the City of Windsor Planning Department does not guarantee it to be a complete application. Further review of the application will occur and I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further understand that pursuant to the provisions of the *Ontario Heritage Act* and the *Municipal Freedom of Information and Protection of Privacy Act*, this application and all material and information provided with this application are made available to the public.

Signature of Applicant

Date

SCHEDULE A**A. Authorization of Registered Owner for Agent to Make the Application**

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the applicant is authorized to make the application must be included with this application form or the authorization below must be completed.

I, Philip Duym, am the registered owner of the land that is
name of registered owner

subject of this application for a Heritage Alteration Permit and I authorize

Alex Seguin to make this application on my behalf.
name of agent

Signature of Registered Owner

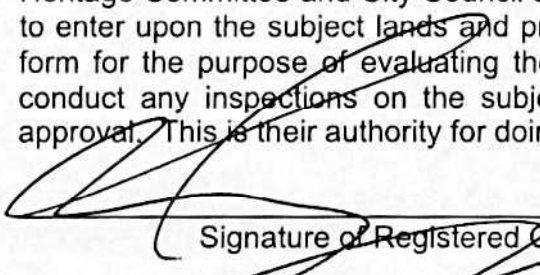
12/12/2025

Date

If Corporation – I have authority to bind the corporation.

B. Consent to Enter Upon the Subject Lands and Premises

I, Philip Duym, hereby authorize the members of the Windsor Heritage Committee and City Council and staff of the Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 3 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as condition of approval. This is their authority for doing so.



Signature of Registered Owner

12/12/2025

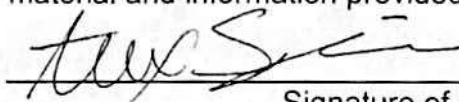
Date

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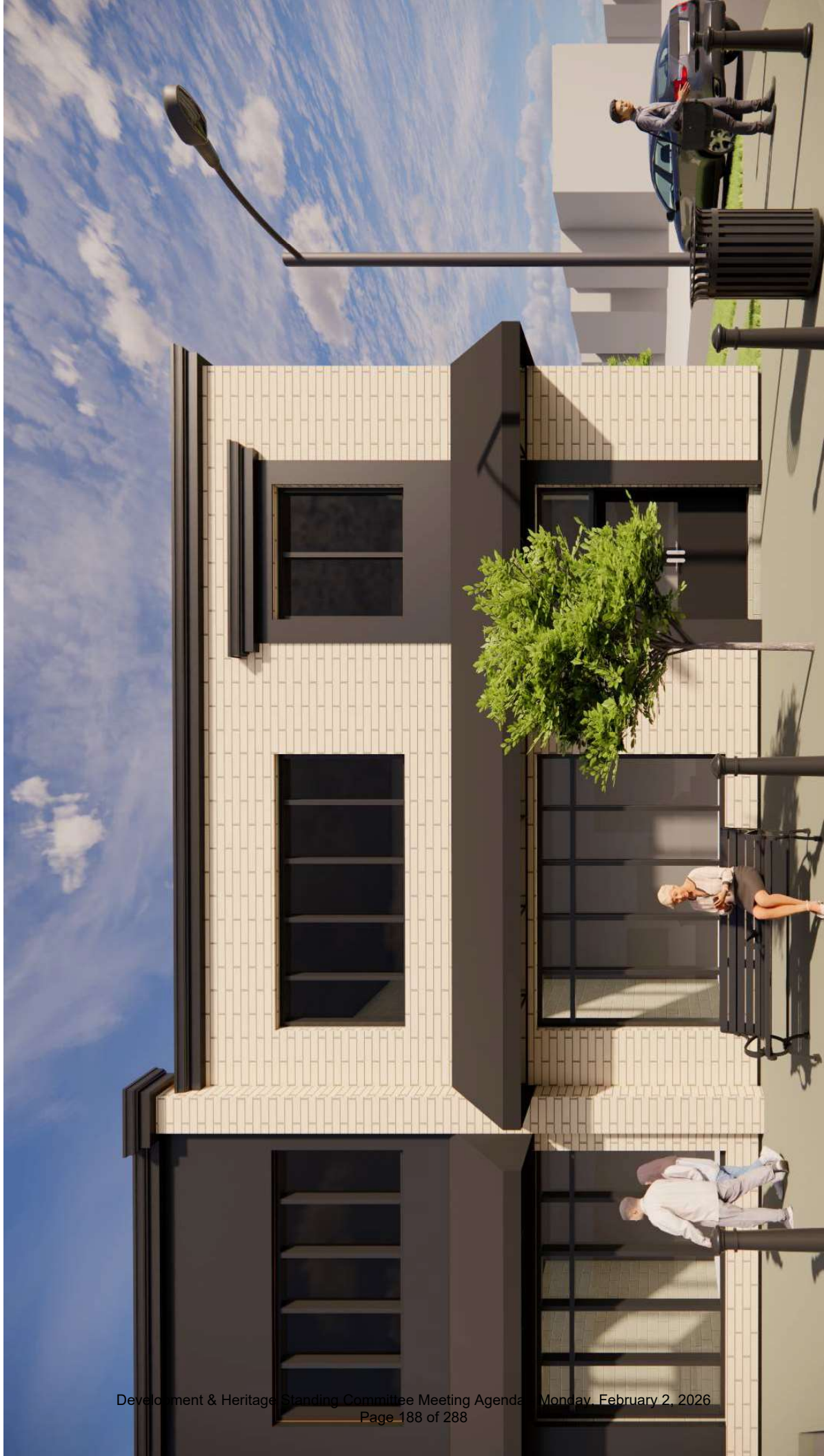
Signature of Applicant

12/12/2025

Date

















1519 WYANDOTTE AVENUE



SHEET LIST	
00 • COVER SHEET	
01 • FLOOR PLAN & WALL SECTION	
02 • ELEVATIONS	

GENERAL NOTES

[illegible]

EXTERIOR		
412	ROOF + CEILING + EXTERIOR	ROOF + CEILING + EXTERIOR
3 x 264	6 x 4"	3 x 4"
3 x 266	6 x 4"	4 x 4"
3 x 268	6 x 4"	6 x 4"
3 x 269	6 x 4"	6 x 4"
3 x 270	6 x 4"	6 x 4"
3 x 271	6 x 4"	6 x 4"
3 x 272	6 x 4"	6 x 4"

INTERIOR		ROOF + CEILING + FLOOR	ROOF + CEILING + FLOOR
3-2			
3-2-04	3 × 4 ²	3 × 5 ²	2 × 4 ²
3-2-06	4 × 4 ²	5 × 3 ²	2 × 10 ²
3-2-08	5 × 4 ²	3 × 4 ²	3 × 4 ²
3-2-093	8 × 2 ²	6 × 4 ²	4 × 2 ²
3-2-012	7 × 2 ²	5 × 5 ²	4 × 3 ²

WINDOW WALL COVERAGE		
WYANDOTTE	IN ALLESTOWN	ALLEY
WALL 2, 132 SF	NO CHANGE	NO CHANGE
WINDOW 313 SF		

OWNER

ADHOC DEVELOPMENTS

DATE _____

01 06 2026

SHEET NAME

COVER SHEET

CONCLUSIONS

00

OWNER

ADHOC
DEVELOPMENTS

DATE

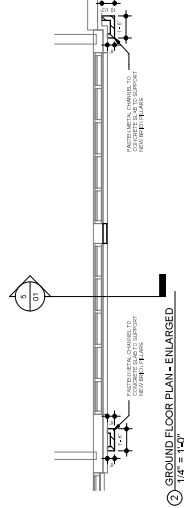
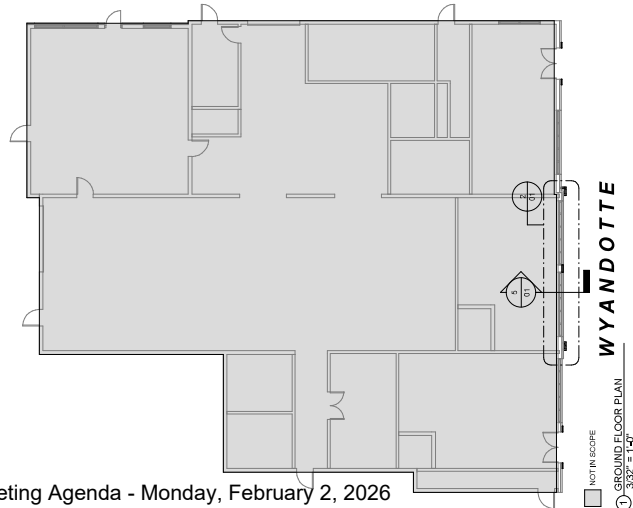
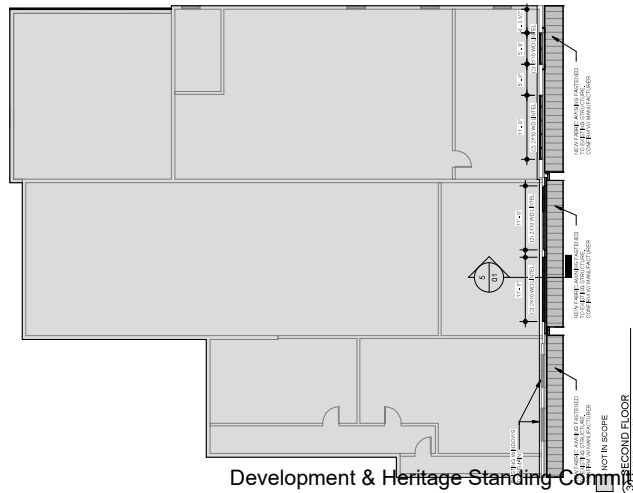
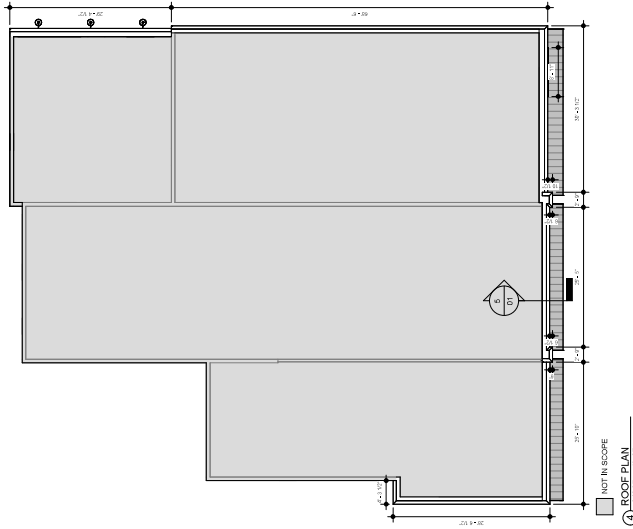
01 06 2026

SHEET NAME

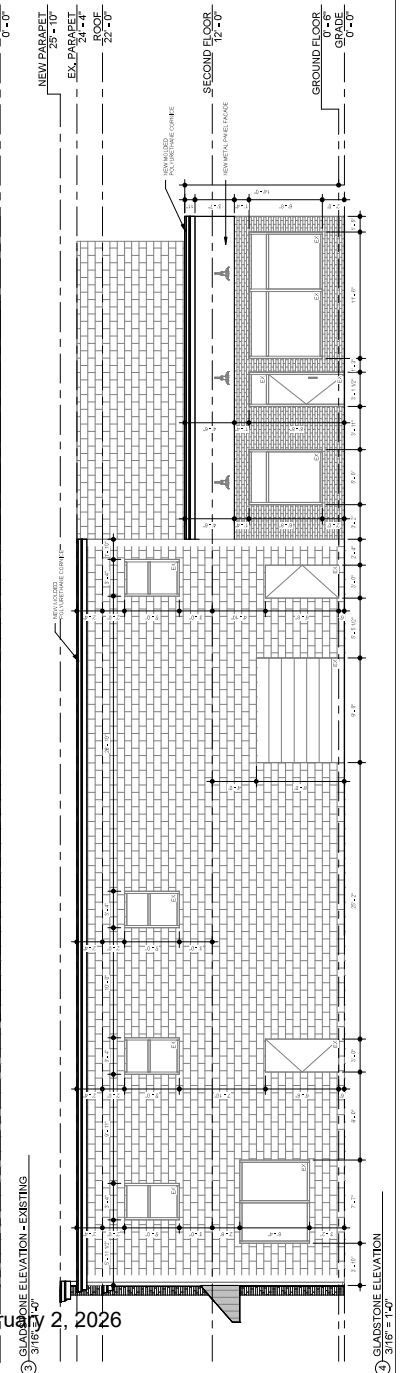
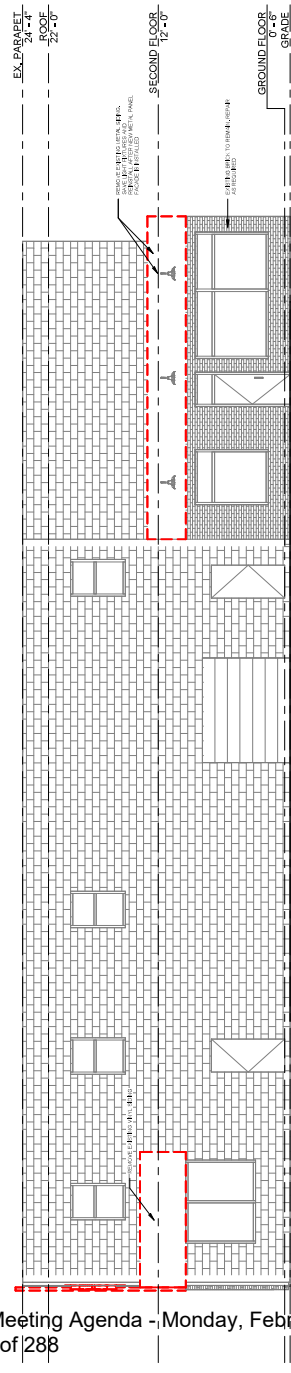
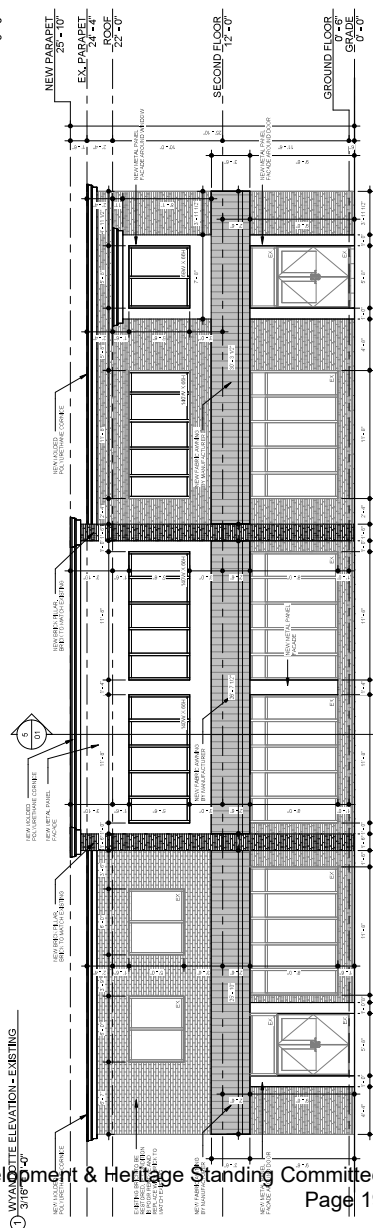
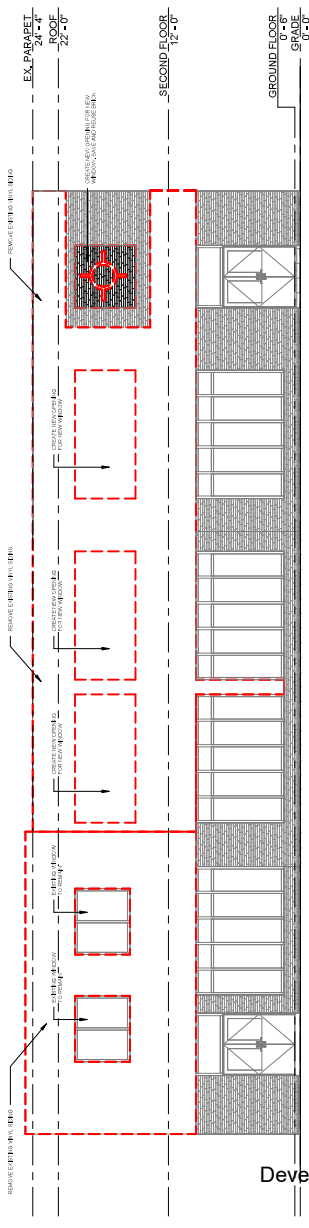
FLOOR PLANS &
TYP. WALL SECTION

SHEET NO.

01



WINDOW WALL COVERAGE		
WYANDOTTITE	BLUETOOTH	JACUZZI
WALL 2 1/2 SF	NO CHANGE	NO CHANGE
WYANDOTTITE 75 SF		
TOTAL		145 SF



Materials



Cornice & Moldings



Available Materials

Fiberglass: Lightweight yet strong, Decoro's fiberglass cornices are easy to install and available in various profiles and sizes. Custom textures and finishes make them a top-value engineering choice.

GFRC: Lighter than cast stone, Decoro's GFRC cornices are ideal for masonry projects and come in various sizes and styles. Pre-coloring options eliminate the need for on-site finishing.

Polyurethane: Durable and climate-resistant, Decoro's polyurethane cornices are lightweight, cost-effective, and easy to install, ideal for smooth finishes and radiused profiles.

PVC: Cost-effective for custom designs and small runs, Decoro's PVC cornices offer wood-like machinability, perfect for replicating historically sensitive profiles.

Aluminum: Available in various thicknesses with up to 30-year finish warranties, Decoro's coil-coated aluminum cornices are versatile, easy to handle, and suitable for simple bands or custom profiles with integral details.



Decoro's cornice solutions, whether ornate or simple, standard or custom, add depth and character to any roofline. From custom fiberglass to classic dentil cornice, our products enhance universities, courthouses, luxury homes, and more.

Low Maintenance

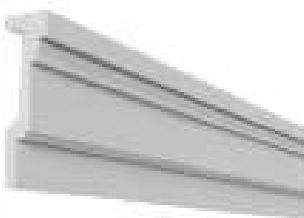
Decoro's cornice solutions, available in Fiberglass, GFRC, PVC, Polyurethane, and Aluminum, offer years of maintenance-free appeal.

Ease of Installation

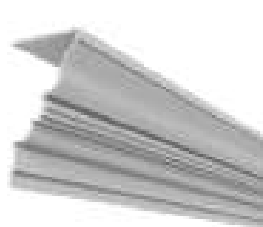
Decoro's lightweight exterior cornices are easy to install with standard tools. We offer custom lengths, framing solutions, prefabricated corners, lap joints, and pre-radiused sections for a smooth installation process.

Design Possibilities

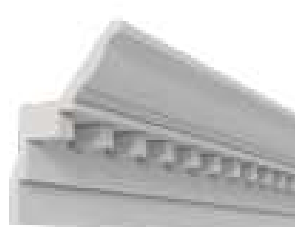
From small bands to 84" tall cornices with built-in dentils, modillions, and triglyphs, Decoro's cornice profiles can be adjusted or fully customized to suit your design needs.



CO-1047



CO-2008



CO-1109



CO-2023



Molded Polyurethane

Product Data & Material Specifications



Product Description

Decoro Polyurethane products are molded, high density, and rigid composite accents designed to replicate the look of natural materials. Products are constructed of 98% closed cell polyurethane foam which will not rot, are suitable for below grade applications, and are factory primed.



Typical Uses

Interior and exterior non-structural applications such as:

- Standing and Running Trim
- Entry Way Trim and Accents
- Louvers & Gable Vents
- Decorative Millwork
- Cornices and Brackets
- Balustrades



Limitations

- Not intended for load bearing applications
- Combustible materials



Finishing Data

Standard Option: Exterior Primer suitable as interim protective barrier coat; resistant to UV degradation; suitable for oil or latex coatings; should be field coated with exterior grade coating

Primer SW E60WJ520 - Accelerated Weathering	
Initial ASTM D523 Gloss	3.0
ASTM D523 – 50hr	3.2
ASTM D523 – 150hr	3.2



Molded Polyurethane

Product Data & Material Specifications

Humidity Resistance w/24hr recovery before ASTM3359	
Initial ASTM D3359	0%
ASTM D3359 – 50hr	0%
ASTM D3359 – 150hr	<5%

Custom Option: Factory Finished with SW coatings, ready for field installation



Testing Data

Density	16pcf
Hardness	40D
Thermal Expansion	.0003in/in-F
Screw Withdrawal	143 lbs
Adhesive	Loctite PL Premium recommended

Uniform Wind Load ASTM E330	
Structural Load Test	
Positive Load	112.5 psf
Negative Load	112.5 psf
Uniform Design Load Test	
Positive Load	150.0 psf
Negative Load	150.0 psf
Uniform Structural Load Test	
Positive Load	225.0 psf
Negative Load	225.0 psf

Outdoor Durability Test	4500 hrs
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Molded Polyurethane

Product Data & Material Specifications

Surface Burning Characteristics ASTM E84	
Flame Spread Index	20
Smoke Developed	225

Self-ignition Temperature ASTM D96-1929	
Min Above °650F	940°F

Recommended Installation Methods



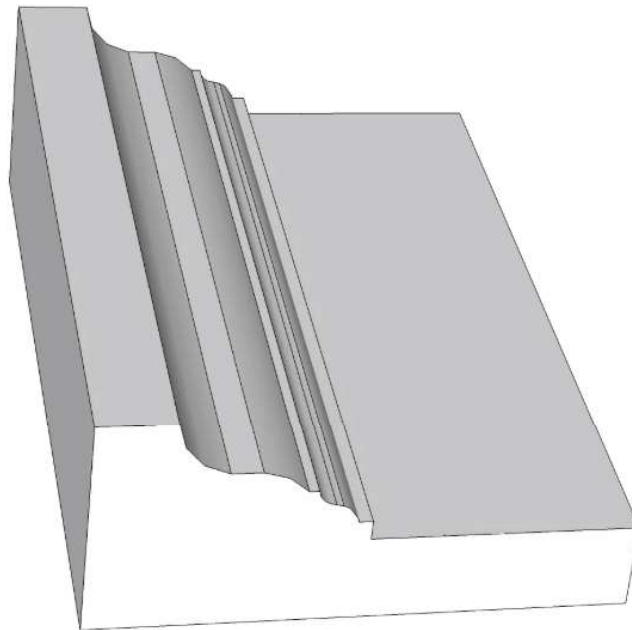
Wood or LG Metal Locations

Ensure product is mechanically secured to building structure, installer to provide wall blocking as needed. Bedding surfaces to use PL Premium construction adhesive. Fasteners recommended to be min #10ga stainless steel at 16" OC, and countersunk. Fill heads with Bondo or similar body filler, sand smooth and spot prime before finish paint.



Masonry Locations

Ensure product is mechanically secured to building structure. Bedding surfaces to use PL Premium construction adhesive. Fasteners recommended to be Tapcon or similar at 16" OC, and countersunk. Fill heads with Bondo or similar body filler, sand smooth and spot prime before finish paint.



ELITE TRIMWORKS

F170 Exterior Cornice

SKU: F170

\$130.76 CAD

Shipping calculated at checkout.

- 1 +

ADD TO CART

Buy with shop

[More payment options](#)



Pickup available at Elite Trimworks Corp

See Production Time for Pick Up ETA.

[View store information](#)

Primed, Polyurethane Exterior Cornice Moulding.

This product adds style, uniqueness and subtle elegance to the exterior of you home. Used most commonly for trimming under soffits as well as window and door pediments.

Height: 5 1/2" Projection: 2 1/2" Length: 10'

SHIPPING INFO

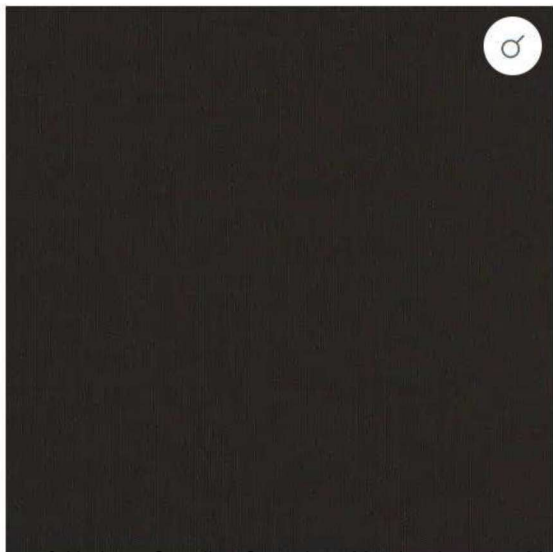
Contact us for a quote

PRODUCTION TIME

2 weeks estimated

INSTALLATION ADVICE





Black

Sunbrella Shade
SKU: 4608-0000
\$4.00 / sample
In Stock

Recommended Application

Best For: Awnings / Pergolas, Marine Tops and Covers
Available in these colors



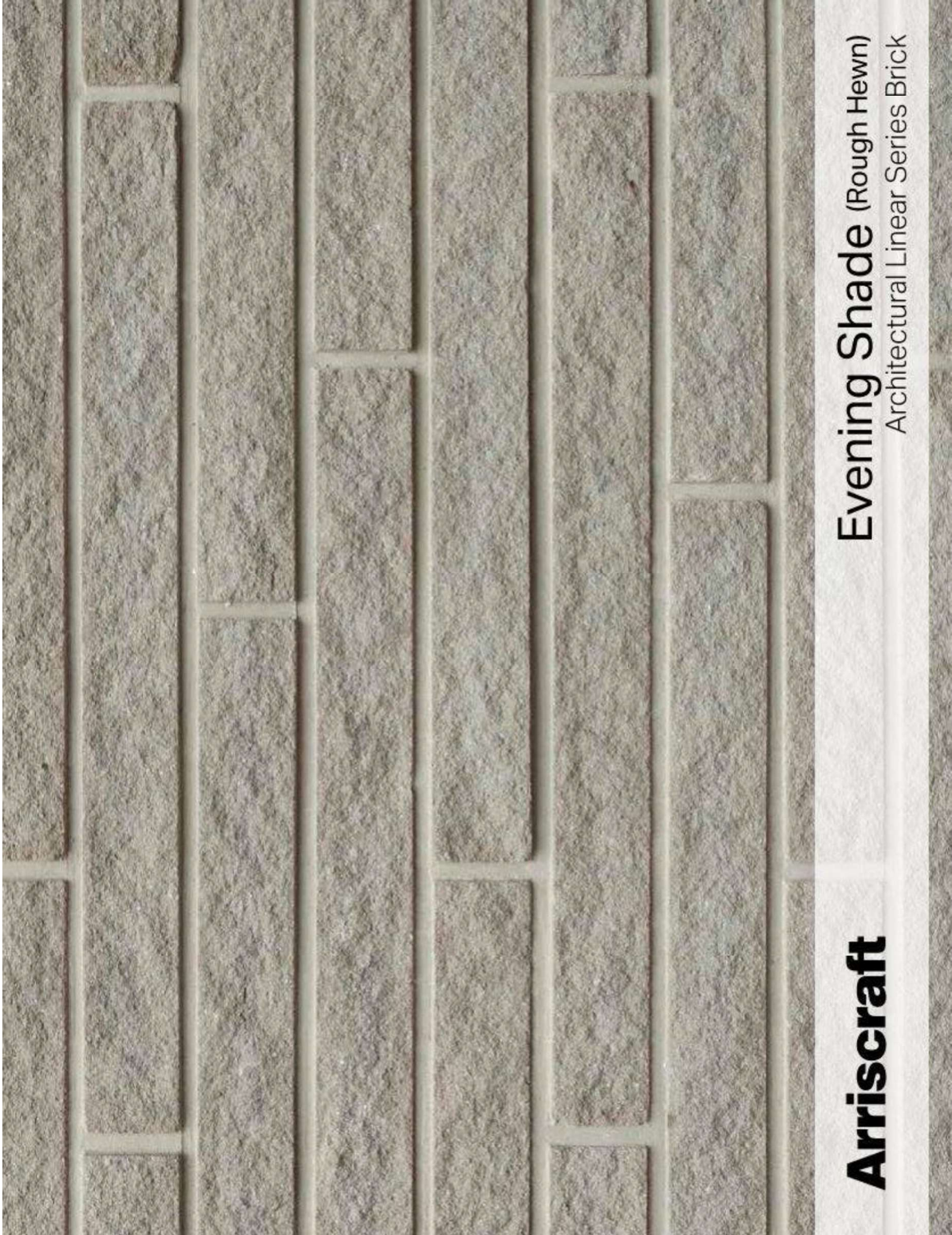
Choose an Option...

ADD SAMPLE TO CART

WISHLIST

TECHNICAL INFORMATION

THIS FABRIC IS AVAILABLE BY THE YARD THROUGH SewKnot.com		FABRIC CONTENT	CONSTRUCTION
APPLICATION	100% Sunbrella® Acrylic	Woven	
FINISH	Weather Protection	WEATHER PROTECTION	WEIGHT OZ. LY. YD.
Water Repellent	Water Repellent		11.68
WEIGHT OZ. SQ. YD.	SELVEDGE	RECYCLABLE	
9.00	Left / Right	Yes, through the Recycle My Sunbrella program.	
COLLECTION	PANTONE® COLOR	OPENNESS FACTOR	
Sunbrella Shade	19-3911 TPG	<0.01%	
LIGHT TRANSMITTANCE TOTAL	SOLAR TRANSMITTANCE TOTAL	UV TRANSMITTANCE TOTAL	
0 Tv (%)	0 Ts (%)	0 Tuv (%)	



Arriscraft

Evening Shade (Rough Hewn)
Architectural Linear Series Brick

Norman Brick Smooth - Polar

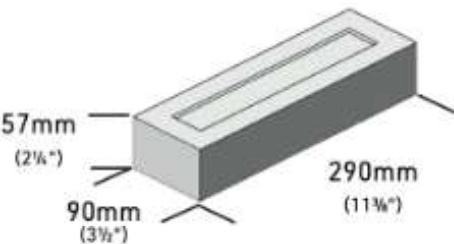


Disclaimer: Due to differences in resolution, product colours may vary slightly from what you see on screen.

[Compare This Product](#)

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Product Drawings



NOTE:
WILLING TO SWAP METAL PANEL WITH STUCCO
OR SUGGESTED HERITAGE MATERIAL

MAC Metal Architectural

MS 1

Achieve a modern aesthetic with the sleek lines and expansive flat surfaces of MS 1. Crafted for versatility, the joint-free appearance of MS 1 is ideal for residential or commercial projects looking for sophistication and elegance.

Manufactured by MAC Metal Architectural, MS 1 is available at I-XL Building Products.

Dimensions

Width: 19.25", 15.625", 11.375"

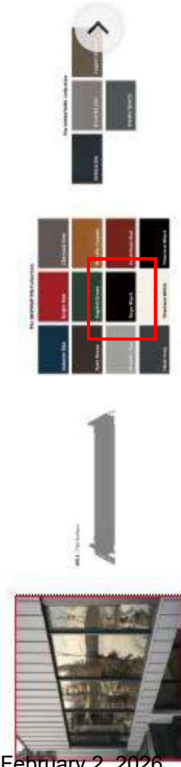
Length: 3' – 60'

Panel Depth: 1.0625"

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NOTE: Some products and samples may have lead times. Please contact us for availability and more information.





NOROC® Fire-Rated Rock-Wool Core Panel

Noroc is a fire-resistant architectural insulated panel. Its core consists of natural basalt rock fibre and recycled slag. In addition to its excellent fire resistance, Noroc meets the strictest health requirements.

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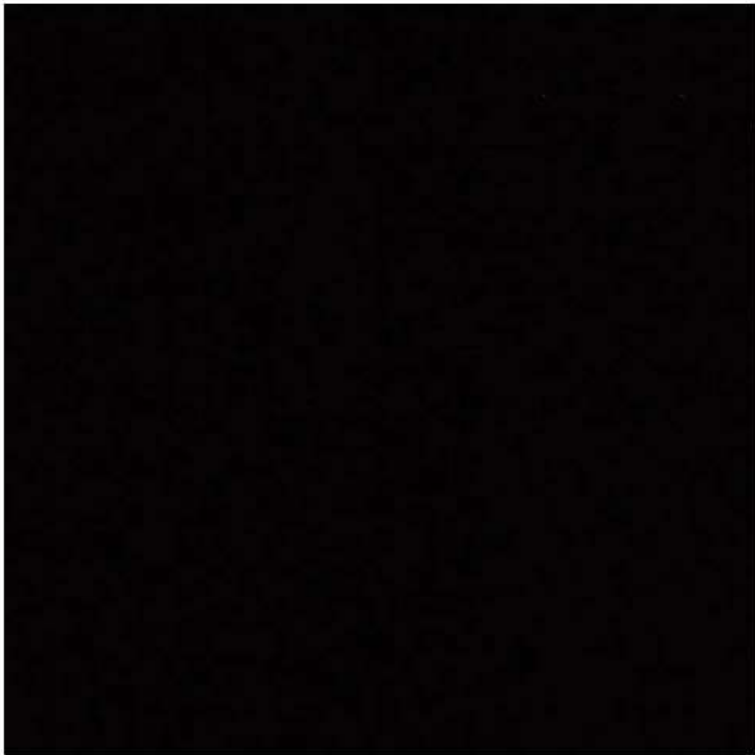
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MAC Metal Architectural

Titanium Black Harrywood PLUS

Titanium Black Harrywood PLUS combines style, robustness and durability, and will enhance the look of your project by giving it unparalleled elegance with low maintenance performance. This finish of siding ensures a timeless and modern look for your commercial or residential project.

This colour is part of the INSPIRATION Collection.

Manufactured by MAC Metal Architectural, Titanium Black Harrywood PLUS is available at I-XL Building Products.

Dimensions

Height: 6.0625"

Length: 12'

Panel Depth: .375"

GET PRICING

REQUEST SAMPLE

NOTE: Some products and samples may have lead times. Please contact us for availability and more information.



1




2

Location / Comment

Metal Facade Wall Section

Frame Size	Brickmould Size	Delivery Method	Overall Window Depth
140.000" x 66.000"	142.000" x 68.000"	Supply-only	4.625"
Measurement Type	Brickmould Location	Brickmould Type	Nailing Fin
Frame Size	All Sides	1 inch	Integrated Nailing Fin
Window Reinforcement	Exterior Colour	Interior Colour	Glazing Type
Reinforced	Black	White	Double Pane
1st Pane Low E	Gas Options	Foam Options	Spacer Type
ClimaGuard 80/70 (Single)	Argon	No	Endur® Warm-Edge Spacer
Cut for Siding	W1.1 Window Size	W1.1 Product Type	W1.1 Venting Type
Cut	28.000" x 66.000"	Casement Windows	Right
W1.1 Type of Screen	W1.1 Hardware Type	W1.1 Roto Corner Lock	W1.1 Meets Egress
Regular Screen	Roto Classic White	No	Yes
W1.1 ER	W1.1 SHGC	W1.1 VT	W1.1 U-Factor (I-P)
34	0.47	0.52	1.51
W1.1 U-Factor (SI)	W1.1 NRCan Ref.	W1.1 NRCan Model	
0.27	NR10905-35751797-ES5	PWM-CA-3,CL-3,8071(3)-16AR97SP	
W1.2 Product Type	W1.2 ER	W1.2 SHGC	W1.2 Window Size
High Fix Windows	35	0.49	28.000" x 66.000"
W1.2 U-Factor (I-P)	W1.2 U-Factor (SI)	W1.2 NRCan Ref.	W1.2 NRCan Model
1.56	0.00	NR10905-30290606-ES5	PWM-HF-3,CL-16AR97SP-3,8070(3)



W1.3 Window Size 28.000" x 66.000"	W1.3 Product Type High Fix Windows	W1.3 ER 35	W1.3 SHGC 0.49
W1.3 VT 0.63	W1.3 U-Factor (I-P) 1.56	W1.3 U-Factor (SI) 0.00	W1.3 NRCan Ref. NR10905-30290606-ES5
W1.3 NRCan Model PWM-HF-3,CL-16AR97SP-3,8070(3)		W1.4 Window Size 28.000" x 66.000"	W1.4 Product Type High Fix Windows
W1.4 ER 35	W1.4 SHGC 0.49	W1.4 VT 0.63	W1.4 U-Factor (I-P) 1.56
W1.4 U-Factor (SI) 0.00	W1.4 NRCan Ref. NR10905-30290606-ES5	W1.4 NRCan Model PWM-HF-3,CL-16AR97SP-3,8070(3)	
W1.5 Product Type Casement Windows	W1.5 Venting Type Left	W1.5 Type of Screen Regular Screen	W1.5 Hardware Type Roto Classic White
W1.5 Roto Corner Lock No	W1.5 Meets Egress Yes	W1.5 ER 34	W1.5 SHGC 0.47
W1.5 VT 0.52	W1.5 U-Factor (I-P) 1.51	W1.5 U-Factor (SI) 0.27	W1.5 NRCan Ref. NR10905-35751797-ES5
W1.5 NRCan Model PWM-CA-3,CL-3,8071(3)-16AR97SP			

2




1

Location / Comment

Brick Opening Facade

Frame Size	Brickmould Size	Delivery Method	Overall Window Depth
140.000" x 66.000"	142.000" x 68.000"	Supply-only	4.625"
Measurement Type	Brickmould Location	Brickmould Type	Nailing Fin
Frame Size	All Sides	1 inch	Integrated Nailing Fin
Window Reinforcement	Exterior Colour	Interior Colour	Glazing Type
Reinforced	Black	White	Double Pane
1st Pane Low E	Gas Options	Foam Options	Spacer Type
ClimaGuard 80/70 (Single)	Argon	No	Endur® Warm-Edge Spacer
Cut for Siding	W1.1 Window Size	W1.1 Product Type	W1.1 Venting Type
Do not Cut	28.000" x 66.000"	Casement Windows	Right
W1.1 Type of Screen	W1.1 Hardware Type	W1.1 Roto Corner Lock	W1.1 Meets Egress
Regular Screen	Roto Classic White	No	Yes
W1.1 ER	W1.1 SHGC	W1.1 VT	W1.1 U-Factor (I-P)
34	0.47	0.52	1.51
W1.1 U-Factor (SI)	W1.1 NRCan Ref.	W1.1 NRCan Model	
0.27	NR10905-35751797-ES5	PWM-CA-3,CL-3,8071(3)-16AR97SP	
W1.2 Product Type	W1.2 ER	W1.2 SHGC	W1.2 Window Size
High Fix Windows	35	0.49	28.000" x 66.000"
W1.2 U-Factor (I-P)	W1.2 U-Factor (SI)	W1.2 NRCan Ref.	W1.2 NRCan Model
1.56	0.00	NR10905-30290606-ES5	PWM-HF-3,CL-16AR97SP-3,8070(3)




W1.3 Window Size 28.000" x 66.000"	W1.3 Product Type High Fix Windows	W1.3 ER 35	W1.3 SHGC 0.49
W1.3 VT 0.63	W1.3 U-Factor (I-P) 1.56	W1.3 U-Factor (SI) 0.00	W1.3 NRCan Ref. NR10905-30290606-ES5
W1.3 NRCan Model PWM-HF-3,CL-16AR97SP-3,8070(3)		W1.4 Window Size 28.000" x 66.000"	W1.4 Product Type High Fix Windows
W1.4 ER 35	W1.4 SHGC 0.49	W1.4 VT 0.63	W1.4 U-Factor (I-P) 1.56
W1.4 U-Factor (SI) 0.00	W1.4 NRCan Ref. NR10905-30290606-ES5	W1.4 NRCan Model PWM-HF-3,CL-16AR97SP-3,8070(3)	
W1.5 Product Type Casement Windows	W1.5 Venting Type Left	W1.5 Type of Screen Regular Screen	W1.5 Hardware Type Roto Classic White
W1.5 Roto Corner Lock No	W1.5 Meets Egress Yes	W1.5 ER 34	W1.5 SHGC 0.47
W1.5 VT 0.52	W1.5 U-Factor (I-P) 1.51	W1.5 U-Factor (SI) 0.27	W1.5 NRCan Ref. NR10905-35751797-ES5
W1.5 NRCan Model PWM-CA-3,CL-3,8071(3)-16AR97SP			

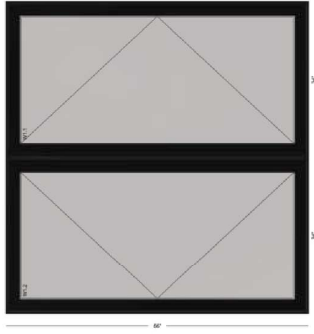
3

1

Location / Comment

Facade Build Out

Frame Size 68.000" x 66.000"	Brickmould Size 70.000" x 68.000"	Delivery Method Supply-only	Overall Window Depth 4.625"
Measurement Type Frame Size	Brickmould Location All Sides	Brickmould Type 1 inch	Nailing Fin Integrated Nailing Fin
Exterior Colour Black	Interior Colour White	Glazing Type Double Pane	1st Pane Low E ClimaGuard 80/70 (Single)
Gas Options Argon	Foam Options No	Spacer Type Endur® Warm-Edge Spacer	Cut for Siding Do not Cut
W1.1 Window Size 34.000" x 66.000"	W1.1 Product Type Casement Windows	W1.1 Venting Type Right	W1.1 Type of Screen Regular Screen
W1.1 Hardware Type Roto Classic White	W1.1 Roto Corner Lock No	W1.1 Meets Egress Yes	W1.1 ER 34
W1.1 SHGC 0.47	W1.1 VT 0.52	W1.1 U-Factor (I-P) 1.51	W1.1 U-Factor (SI) 0.27
W1.1 NRCan Ref. NR10905-35751797-ES5	W1.1 NRCan Model PWM-CA-3,CL-3,8071(3)-16AR97SP		
W1.2 Product Type Casement Windows	W1.2 Venting Type Left	W1.2 Type of Screen Regular Screen	W1.2 Hardware Type Roto Classic White
W1.2 Roto Corner Lock No	W1.2 Meets Egress Yes	W1.2 ER 34	W1.2 SHGC 0.47
W1.2 VT 0.52	W1.2 U-Factor (I-P) 1.51	W1.2 U-Factor (SI) 0.27	W1.2 NRCan Ref. NR10905-35751797-ES5
W1.2 NRCan Model PWM-CA-3,CL-3,8071(3)-16AR97SP			





Thank you for choosing Panes Window Manufacturing. Please thoroughly review your quote.

Payment Terms: Past due accounts will be charged 1.5% per month or 18% per annum.

Sign Off: Any changes may alter pricing, Please thoroughly check your measurements and specifications.

Approved By: Date:

Appendix B – Additional Photos of 1519 Wyandotte Street East

Taken by City Staff on January 13, 2026



Front (north-facing) and side (west-facing) façades of 1519 Wyandotte Street East.



Front (north-facing) façade of the building where vinyl cladding and exterior walls are proposed to be partially removed for façade improvements.



Side (west-facing) façade of the building where façade improvements are also proposed.



Detailed close up photos of the façades of the building. Paint is chipping from portions of the brick at the north-west corner of the building. The wood siding has been cladded over by grey vinyl siding due to poor physical condition from water damage, rot, and bulging, which serves to stabilize the building prior to development.



Front (north-facing) façade. The brown vinyl cladding on the second floor will be removed to assess the condition of the original brick façade underneath for potential reuse.



Council Report: S 142/2025

**Subject: Brownfield Community Improvement Plan - 0 Wyandotte St E
(south of 10835 Riverside Dr E) - Ward 7**

Reference:

Date to Council: February 2, 2026
Author: Simona Simion, Planner III (A)
Economic Development
Planning & Building Services
Report Date: 12/3/2025
Clerk's File #: Z/15072

To: Mayor and Members of City Council

Recommendation:

- I. THAT the request made by Lankor Horizons Development Inc. c/o Imad Najjar to participate in the Brownfield Redevelopment Community Improvement Plan **BE APPROVED** for:
 - a. The Brownfields Development Charge Exemption Program for the lesser of 60% reduction in development charges (DC) payable for the proposed multiple dwellings and townhouses at 0 Wyandotte St E (south of 10835 Riverside Dr. E), or the eligible project costs; and
 - b. Brownfields Rehabilitation Grant Program for the lesser of 70% of the municipal portion of the tax increment resulting from the proposed development for up to ten (10) years, or the eligible project costs;In no case will the total amount of grant financial assistance provided exceed the total eligible project costs; and,
- II. THAT if a grant agreement is required, Administration **BE DIRECTED** to prepare an agreement between Lankor Horizons Development Inc. c/o Imad Najjar and the City in accordance with all applicable policies, requirements, and provisions contained within the Brownfield Redevelopment Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implications; and,
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Brownfield Rehabilitation Grant Program Agreement; and,
- IV. THAT the approval to participate in the Brownfield Rehabilitation Grant Program **EXPIRE** if the agreement is not signed by the applicant within two (2) years

following Council approval.

Background:

Brownfield Redevelopment Community Improvement Plan (CIP)

Brownfield sites are properties that may be contaminated due to previous industrial or commercial uses such as a manufacturing facility or gas station. City Council approved a Brownfield Redevelopment CIP at its April 19, 2010, meeting for the purpose of encouraging the study, clean-up, and redevelopment of contaminated properties. The approval of the CIP was the result of nearly five years of study and consultation, which began in October 2005.

Importance of Brownfield Redevelopment

Historically, there has been little interest in redeveloping Brownfield sites due to the uncertainty surrounding the extent of contamination and the potential cost of clean-up. The Brownfield Redevelopment CIP was adopted in 2010 and provides financial incentives to undertake the necessary studies and remedial work necessary to redevelop brownfield sites and reduce the potential negative impacts to the City's environment and neighbourhoods.

The benefits associated with Brownfield redevelopment go beyond the boundaries of the property. For example, they are often strategically located within existing built-up areas of the City where services and other infrastructure, such as roads, schools, community facilities and public transit are already available, therefore additional infrastructure costs are not incurred to service these areas. The redevelopment of these sites also removes the negative stigma often associated with Brownfield properties, which increases the value of the subject property and adjacent properties.

Site Background

The subject site is located at 0 Wyandotte St E (south of 10835 Riverside Dr. E or Riverside Sportsmen Club - See Appendix A: Location Map). The property is 1.66 hectares (or 4.11 acres) in size and is currently vacant. Most recently the subject property was part of the parcel where the Riverside Sportsman Club operates as a bar, tavern, and banquet hall. The vacant south part of this property was severed in 2021 (file B-052/21) and is currently 0 Wyandotte St E.

The subject property is designated 'Residential' on Official Plan Schedule D: Land Use and is zoned RD3.3. Some of the permitted uses are Lodging House, Multiple Dwelling, Religious Residence, and Residential Care Facility. A zoning by-law amendment was approved on April 28, 2025, to permit two (2) 12-storey (44m high) multiple dwelling residential towers with 220 multiple dwelling units and 18 townhome units. The total

number of dwelling units proposed for the subject site is 238 with the associated parking available.

The applicant is still in the process of undertaking the Phase II ESA. The findings to-date from the Phase II ESA sampling analysis revealed that contamination is present on the site, thus remediation is required.

Discussion:

Brownfield Redevelopment Community Improvement Plan

The main goal of this CIP is to promote the remediation, rehabilitation, adaptive re-use and redevelopment of brownfield sites throughout the City of Windsor in a fiscally responsible and sustainable manner over the long term. The City of Windsor has offered some attractive incentive programs designed to promote brownfield redevelopment throughout the city.

Brownfields Development Charge Exemption Program

Should Council approve the application under the Brownfield Redevelopment Community Improvement Grant Program, the owner would have the option of applying their approved grant amount to a 60% reduction in the development charges (DC) payable for the proposed development. The amount of the approved grant applied against the development charges payable will be deducted from the Brownfields Rehabilitation Grant to be paid, where the total grant exceeds the DC reduction.

The Development Charge Exemption Program is not an application-based program. The development charge exemption will be applied at the time development charges are typically paid. Providing approved grants sooner in the development process benefits the owner and the City as it reduces the typical 10-year grant period resulting in fewer resources to administer the program annually.

Brownfield Rehabilitation Grant Program

The Brownfield Rehabilitation Grant Program offers annual grants funded through the increase in municipal property tax levy created by the investment for up to 10 years to help offset eligible costs. The CIP specifies Brownfield Rehabilitation Grants will equal 70% of the municipal property tax increase. This grant increases to 100% for any building that achieves certification under the Leadership in Energy and Environmental Design (LEED) Program.

Annual grants are paid out following the filing of a Record of Site Condition (RSC), reassessment of the property has been completed by the Municipal Property Assessment Corporation (MPAC), and the payment of the property taxes has been received for the year in which the grant is to be provided. Issuance of the first grant

payment typically occurs at the end of the first year after the assessment has been updated.

CIP Goals

City staff are supportive of the application as it meets all the eligibility requirements specified within the Brownfield Redevelopment CIP. The proposed filing of a RSC and redevelopment of the property supports the following CIP goals:

- To promote the remediation, rehabilitation, adaptive re-use and redevelopment of Brownfield sites throughout the City of Windsor in a fiscally responsible and sustainable manner over the long term;
- Improve the physical and visual quality of Brownfield sites;
- Improve environmental health and public safety;
- Provide opportunities for new housing, employment uses, and commercial uses;
- Increase tax assessment and property tax revenues;
- Improve the land use compatibility of potential Brownfield sites with surrounding land uses;
- Increase community awareness of the economic, environmental, and social benefits of Brownfield redevelopment; and
- Utilize public sector investment to leverage significant private sector investment in Brownfield remediation, rehabilitation, adaptive re-use, and redevelopment.

Policy Support

The study of Brownfield sites to support clean up and redevelopment is supported by policies within the 2024 Provincial Planning Statement, the City's Official Plan, and the City's Environmental Master Plan.

Risk Analysis:

As with all Brownfield sites, there is a degree of risk associated related to the potential presence of contamination. The proposed study and remediation will assist in mitigating these risks. The City would retain a copy of the study for future reference.

Climate Change Risks

Climate Change Mitigation:

The proposed redevelopment implements Environmental Master Plan Objective C1: Encourage in-fill and higher density in existing built areas. In particular, the redevelopment would implement the action that supports the existing Brownfields Redevelopment Strategy and achieve its work plan.

Climate Change Adaptation:

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

Financial Matters:

The proposed 238-unit development has an estimated construction value of \$132,000,000. Total eligible costs under the Brownfield Rehabilitation Grant Program are estimated at \$2,551,214, consisting of \$886,350 for remediation and the Record of Site Condition, \$1,584,164 in development application and building permit fees, and \$80,700 in unreimbursed Phase II ESA costs.

Under the Brownfields Development Charge Exemption Program, the applicant may receive a 60% reduction in development charges, estimated at \$2,977,808. This reduction is capped at the eligible cost total of \$2,551,214 and does not increase the overall financial incentive value, but accelerates the timing of payment.

Any eligible costs not offset through the development charge reduction may be reimbursed through the Brownfield Rehabilitation Grant Program following the redevelopment and reassessment by MPAC, and full payment of taxes. Based on the submitted redevelopment plan, the property assessment is expected to increase from \$749,000 to \$35,338,000, and the total annual tax levy from \$20,949 to \$740,435. The resulting municipal tax increase of \$671,577 would support a grant of up to 70% of this amount annually over 10 years, not exceeding the estimated eligible project cost.

In no case will the total amount of grant financial assistance provided exceed the total eligible project costs or \$2,551,214.

Consultations:

The development and approval of the Brownfield Redevelopment CIP was subject to

extensive stakeholder and public consultation, which sought input from a wide range of stakeholders and internal City departments.

Planning staff have consulted with the applicant prior to accepting the application for the Brownfield Rehabilitation Grant Program. Greg Atkinson, Deputy City Planner Development; Jose Mejalli, Assessment Management Officer, Treasury and Financial Accounting; Carolyn Nelson, Manager of Property Valuation & Administration, Treasury and Financial Accounting; Kate Tracey, Senior Legal Counsel, Legal Department and Michael Okanlawon, Financial Planning Administrator were consulted in the preparation of this report.

Conclusion:

City Staff recommend Council approve the request from Lankor Horizons Development Inc. c/o Imad Najjar to participate in the Brownfield Rehabilitation Grant Program. In the opinion of planning staff, the proposed remediation and redevelopment conform to the Brownfield Redevelopment CIP and assists the City in the achievement of a number of the CIP goals.

Planning Act Matters:

N/A

Approvals:

Name	Title
Simona Simion	Planner III - Economic Development (A)
James Abbs	Manager, Planning – Land Info & Special Projects (A)
Jason Campigotto	Deputy City Planner – Growth (A)
Emilie Dunnigan	Manager Development Revenue & Financial Administration
Lorie Gregg	Executive Director, Financial Planning/Deputy Treasurer
Kate Tracey	Senior Legal Counsel, Legal & Real Estate
Neil Robertson	City Planner
Jelena Payne	Deputy CAO/Commissioner, Economic Development
Janice Guthrie	Commissioner, Finance and City Treasurer
Ray Mensour	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

- 1 Appendix A - Location Map
- 2 Appendix B – Site Plan



LOCATION MAP : 0 WYANDOTTE STREET EAST



SUBJECT PROPERTY

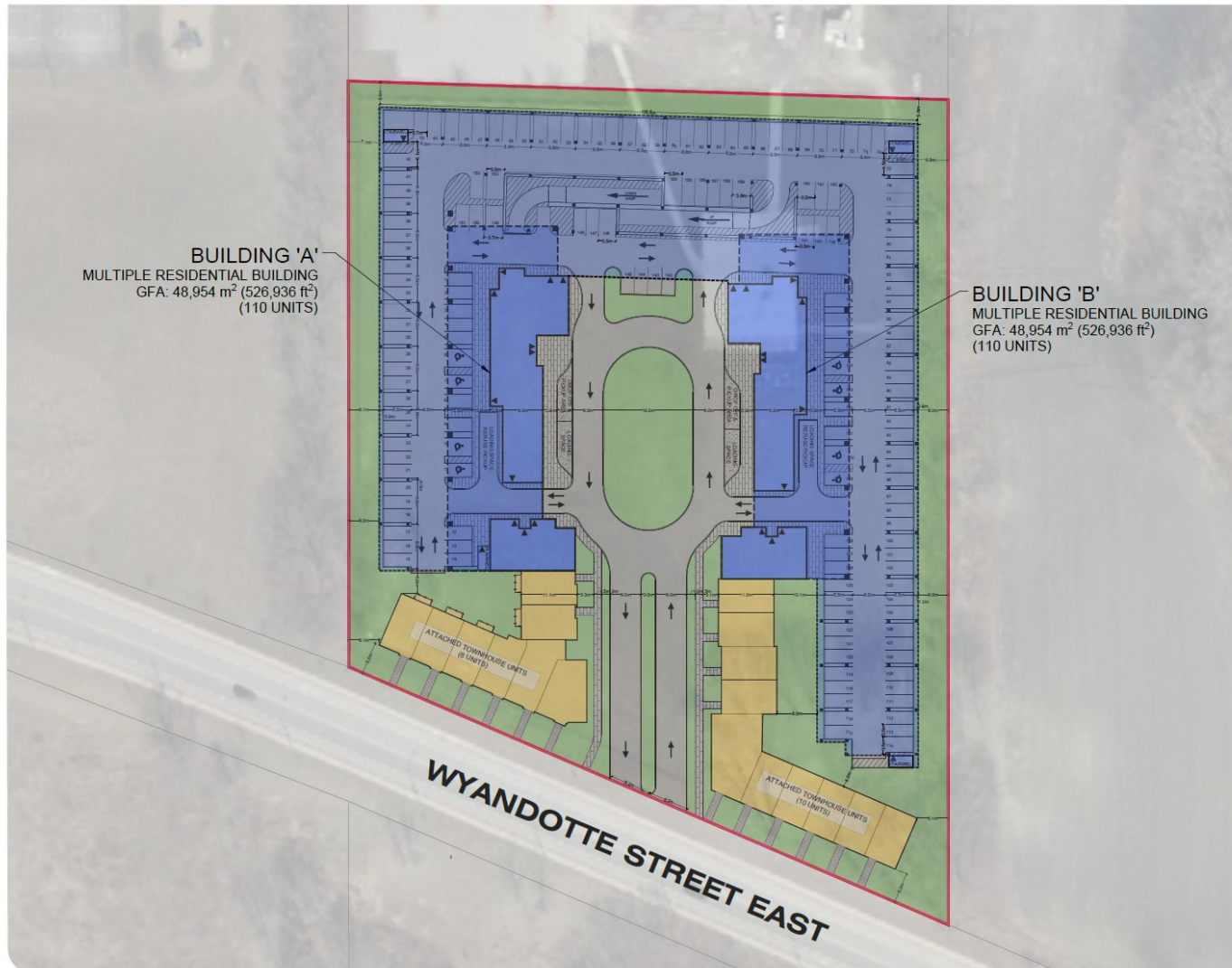
Project: Brownfield Property Tax Assistance/Rehabilitation Grant CIP Application

Applicant: Dillon Consulting Limited c/o Matthew Antaya Development & Heritage Standing Committee Meeting Agenda - Monday, February 2, 2026

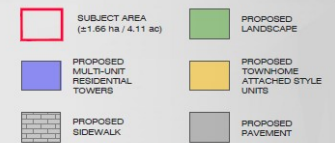
Owner: Lakefront Heights Inc. c/o Imad Najjar

0 15 30 60 90 Meters





LAKEFRONT HEIGHTS INC.
LAKEFRONT HEIGHTS DEVELOPMENT
PLANNING JUSTIFICATION REPORT
CONCEPTUAL DEVELOPMENT PLAN
GROUND FLOOR - PARKING LAYOUT
FIGURE 4 (a)



SITE DATA MATRIX		
ZONING PROVISIONS	REQUIRED	PROVIDED
1 PROJECT DESCRIPTION	N/A	RESIDENTIAL
2 ZONING DESIGNATION	RD3.3	SITE SPECIFIC RD3.3
3 LAND USE	N/A	RESIDENTIAL
4 MAJOR OCCUPANCY(S)	N/A	RESIDENTIAL
5 PERMITTED USES	MULTIPLE DWELLING	MULTIPLE DWELLING
6 MINIMUM SITE AREA	11,680m ²	16,639m ²
7 BUILDING AREA (GROUND FLOOR FOOTPRINT)	N/A	9,314.5m ²
8 TOTAL UNITS	N/A	238
9 LOT COVERAGE	35%	56%
10 MINIMUM LOT WIDTH	45.0m	129.4m
11 MAXIMUM BUILDING HEIGHT	24.0m	44.0m*
12 MINIMUM FRONT YARD DEPTH	N/A	5.0m
13 MINIMUM REAR YARD DEPTH	N/A	5.0m
14 MINIMUM SIDE YARD DEPTH	N/A	5.0m
15 REQUIRED SPACES - STANDARD	289	307
16 REQUIRED SPACES - ACCESSIBLE	8 (4 TYPE A AND 4 TYPE B)	16 (8 TYPE A & 8 TYPE B)
17 REQUIRED SPACES - VISITOR (15%)	44	45
18 PARKING SPACES - TOTAL	297	323
19 GROUND FLOOR PARKING	N/A	162
20 SECOND FLOOR PARKING	N/A	161
21 BICYCLE SPACES	18	23
22 LOADING SPACES	4	4
23 LANDSCAPED AREA - SOFT	N/A	4,871m ²
24 LANDSCAPED AREA - HARD	N/A	1,159m ²
25 LANDSCAPED AREA - TOTAL	35%	6,030m ² (36.2%)
26 DWELLING UNITS PER HECTARE	180	144

* REQUIRES SITE SPECIFIC ZONING BY-LAW AMENDMENT

NOTE: ALL BICYCLE SPACES ARE TO BE PROVIDED WITHIN THE TWO TOWER BUILDINGS

SCALE: 1:750

SOURCE: COUNTY OF ESSEX
AERIAL PHOTOGRAPHY (2021)

MAPPING INFORMATION
THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS
AND BOUNDARY INFORMATION SHOULD BE VERIFIED BY AN O.L.S. PRIOR TO
CONSTRUCTION.

CREATED BY: 6NP
CHECKED BY: MAM
DESIGNED BY: 6NP

File Location:
c:\pwworking\directory\projects\2021\30\mem\ids\21-0104 -sportsman club
- site plan.dwg
September, 06, 2024 3:47 PM



PROJECT: 21-0104
STATUS: DRAFT
DATE: 12/06/2024

Subject: Ford City CIP Application for 1327 Henry Ford Centre Drive, Owner: 1001134151 Ontario Inc. (C/O: Andrew Lennon, Kaija Karmiste, and Saksham Sharma), Ward 5

Reference:

Date to Council: February 2, 2026
Author: Kevin Alexander, MCIP RPP
Senior Planner-Special Projects
519-255-6543 ext. 6732
kalexander@citywindsor.ca

Planning & Building Services
Report Date: 1/7/2026
Clerk's File #: Z/13251

To: Mayor and Members of City Council

Recommendation:

- I. **THAT** the request for incentives under the Ford City CIP Financial Incentive Programs made by 1001134151 Ontario Inc. (C/O: Andrew Lennon, Kaija Karmiste, and Saksham Sharma), the owner of the property located at 1327 Henry Ford Centre Drive, **BE APPROVED**, for the following incentives:
 - i. *New Residential Development Grant* in the maximum amount of \$7,500 for three (3) new residential units;
 - ii. *Municipal Development Fees Grant Program* in the maximum amount of \$15,000;
 - iii. *Building/Property Improvement Tax Increment Grant Program* for the lesser of 100% of the municipal portion of the tax increment for up to 10 years in the amount of +/- \$4,230 per year or the eligible costs.
- II. **THAT** the CAO and City Clerk **BE AUTHORIZED** to prepare the agreement between the City and 1001134151 Ontario Inc. (C/O: Andrew Lennon, Kaija Karmiste, and Saksham Sharma) to implement the *Building/Property Improvement Tax Increment Grant Program* 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 City Treasurer as to financial implications;

- III. **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;
- IV. **THAT** funds in the amount of \$7,500 under the *New Residential Development Grant* Program, and funds under the *Municipal Development Fees Grant Program* in the amount of \$15,000 **BE TRANSFERRED** from the CIP Reserve Fund 226 to the Ford City CIP Project Fund (#7181046) upon completion of the three (3) new residential units on the property located at 1327 Henry Ford Centre Drive, to the satisfaction of the City Planner and Chief Building Official;
- V. **THAT** grants **BE PAID** to 1001134151 Ontario Inc. (C/O: Andrew Lennon, Kaija Karmiste, and Saksham Sharma), upon completion of the three (3) new residential units on the property located at 1327 Henry Ford Centre Drive, through the Ford City CIP Fund (Project #7181046) to the satisfaction of the City Planner and Chief Building Official; and,
- VI. **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 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 July 25, 2025, Saksham Sharma, the agent, applied under the *Ford City CIP* Financial Incentive Programs on behalf of 1001134151 Ontario Inc. (C/O: Andrew Lennon and Kaija Karmiste), the owner of the property located at 1327 Henry Ford Centre Drive. The proposed development consists of the construction of a single dwelling unit with two additional dwelling units (ADUs). Refer to Appendix B for the Proposed Site Plan.

Discussion:

Ford City CIP Financial Incentive Programs

The applicant is eligible for the following programs under the Ford City CIP Financial Incentive Programs:

New Residential Development Grant Program—intended to encourage the creation of a variety of residential units within Ford City. Property owners are eligible to receive a grant of \$2,500 for every new residential unit, up to a maximum of \$50,000 per property.

The applicant is eligible for a grant of \$7,500 under the *New Residential Development Grant Program*.

Municipal Development Fees Grant Program—intended to encourage development within Ford City by providing an incentive to offset the costs associated with seeking the appropriate planning approvals and building permits for a project. Property owners will be eligible to receive a grant for 100% of the specified *Municipal Development Fees*, up to a maximum of \$50,000 per property.

Based on the Building Permit Applications for the single-family dwelling with two ADUs, the applicant is eligible for a grant in the maximum amount of \$15,000 under the *Municipal Development Fees Grant Program*, once the project is completed as per the approved drawings.

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 the lesser of 100% of the municipal tax increment generated from the improvements made to the building or property for up to 10 years, or the eligible improvement costs.

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.

Based on the information and drawings provided by the applicant, Administration estimates the post project assessment value to be \$220,000. However, the actual value of the new assessment will be dependent upon a full review of the building after the completion of renovations as determined by the Municipal Property Assessment Corporation (MPAC).

Based on the CIP application dates; the applicant is eligible for the *Building/Property Improvement Tax Increment Grant* for improvements to the property. As identified in the Financial Matters section, the estimated annual value of the grant for the construction of one (1) new residential building with three (3) units is \$4,230. Over 10 years, this grant amounts to \$42,300.

The applicant indicates that the estimated eligible costs for the project is \$639,000. The Planning Act stipulates that the grants under a CIP cannot be more than the eligible costs. The total grant amount of \$64,800, inclusive of the Municipal Development Fees

Grant of \$15,000, the New Residential Development Grant of \$7,500, and the Building/Property Improvement Tax Increment Grant of \$42,300, is less than the estimate eligible costs.

Because the Grant Program does not exempt the property from taxes, the owners 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.

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 proposed construction will have climate change implications as the property is vacant and no existing structures will be reused, requiring new materials to be brought in. However, the infill of the site contributes to the revitalization of Ford City by filling out the cityscape. The construction of the building will utilize modern building methods, which will conform to the Ontario Building Code concerning safety and energy efficiency.

Utilizing an existing lot 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:

This project encourages compact development as there are three dwelling units on a property that would typically contain one single-family dwelling. Compact development is more sustainable because it mitigates urban sprawl and encourages a lower carbon footprint.

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 regarded as committed in the CIP Reserve Fund 226, until the grant is ready to be paid out. The current uncommitted balance of the CIP reserve fund is \$489,225; however, this balance does not account for other CIP grant requests that currently being considered by the standing committee or have been endorsed by the standing committee and are not yet approved by City Council.

If approved, funds will be transferred from the CIP Reserve Fund 226 to the Ford City CIP Project Fund (#7181046) to disperse the maximum amounts of \$7,500 for the *New Residential Development Grant Program* and \$15,000 for the *Municipal Development*

Fees Grant Program once the work is complete to the satisfaction of the City Planner and Chief Building Official, and the grant is ready to be paid out.

The *Building/Property Improvement Tax Increment Grant* would be based upon the lesser of 100% of the municipal tax increment generated from the improvements made to the building or property for up to 10 years, or the eligible costs. Based on the projected MPAC post project assessment value of \$220,000, the estimated total grant amount is \$42,300:

Estimated Building/Property Improvement Tax Increment Grant for 1327 Henry Ford Centre Drive		
Annual Pre-Development Municipal Taxes	Annual Estimate of Incremental Post Development Municipal Taxes	Annual Estimate Value of Grant
\$43	\$4,273	\$4,230

Assumptions

Current Property Value Assessment	\$2,200
Estimate Post Development Property Assessment	\$220,000

The City will retain the amount of pre-development (base) municipal taxes throughout the lifespan of the grant program (estimated to be \$430 over 10 years); however, it will be foregoing any incremental property taxes, which could otherwise be used to offset future budget pressures (estimated to be \$42,300 over 10 years). The City will issue grant payments annually once it is satisfied that the municipal property tax has been paid by the property owners and any additional conditions of the grant have been met.

If all grants are approved, the applicant will receive \$64,800 in total grants through the Ford City CIP Program.

Consultations:

The owner of the property located at 1327 Henry Ford Centre Drive and their agent have been consulted regarding grants related to the improvements outlined in this report.

The following members of Administration were also consulted:

- Jose Mejalli, Assessment Management Officer, Treasury and Financial Accounting, and Carolyn Nelson, Manager of Property Valuation & Administration, Treasury and Financial Accounting, were consulted with respect to the Ford City CIP *Building/Property Improvement Tax Increment Grant*.
- Michael Okanlawon, Financial Planning Administrator, was also consulted regarding the Ford City CIP and related capital project/reserve fund balances.

- Margo Moore, Permit Services Clerk from the Building Division, was consulted regarding eligible Building Permit and Public Works Permit Fees for the *Municipal Development Fees Grant Program*.

Conclusion:

The improvements to 1327 Henry Ford Centre Drive meet all eligibility criteria identified in this report, for the *New Residential Development Grant*, *Building/Property Improvement Tax Increment*, and *Municipal Development Fees Grant* through the *Ford City 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
James Abbs	Manager, Planning – Land Info & Special Projects
Jason Campigotto	Deputy City Planner – Growth
Emilie Dunnigan	Manager Development Revenue & Financial Administrator
Lorie Gregg	Executive Director, Financial Planning/Deputy Treasurer
John Revell	Chief Building Official
Kate Tracey	Senior Legal Counsel, Legal & Real Estate
Neil Robertson	City Planner/Executive Director, Planning & Development Services
Janice Guthrie	City Treasurer/ Commissioner, Finance
Jelena Payne	Deputy CAO/Commissioner, Economic Development
Ray Mensour	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

- 1 Appendix A - Location Map and Existing Condition
- 2 Appendix B - Proposed Single-Family Dwelling with ADUs

Appendix A - Location Map and Existing Conditions



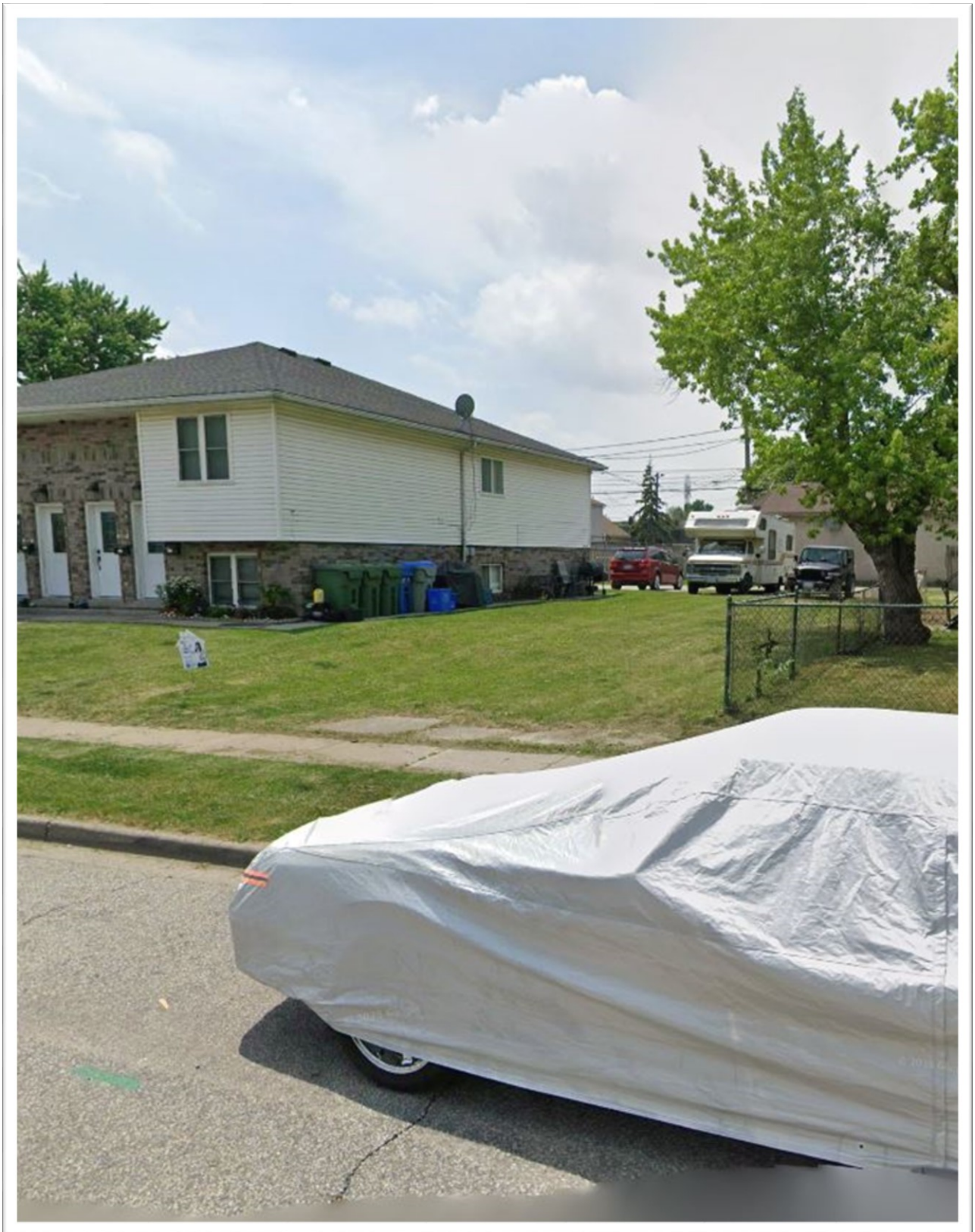
LOCATION MAP



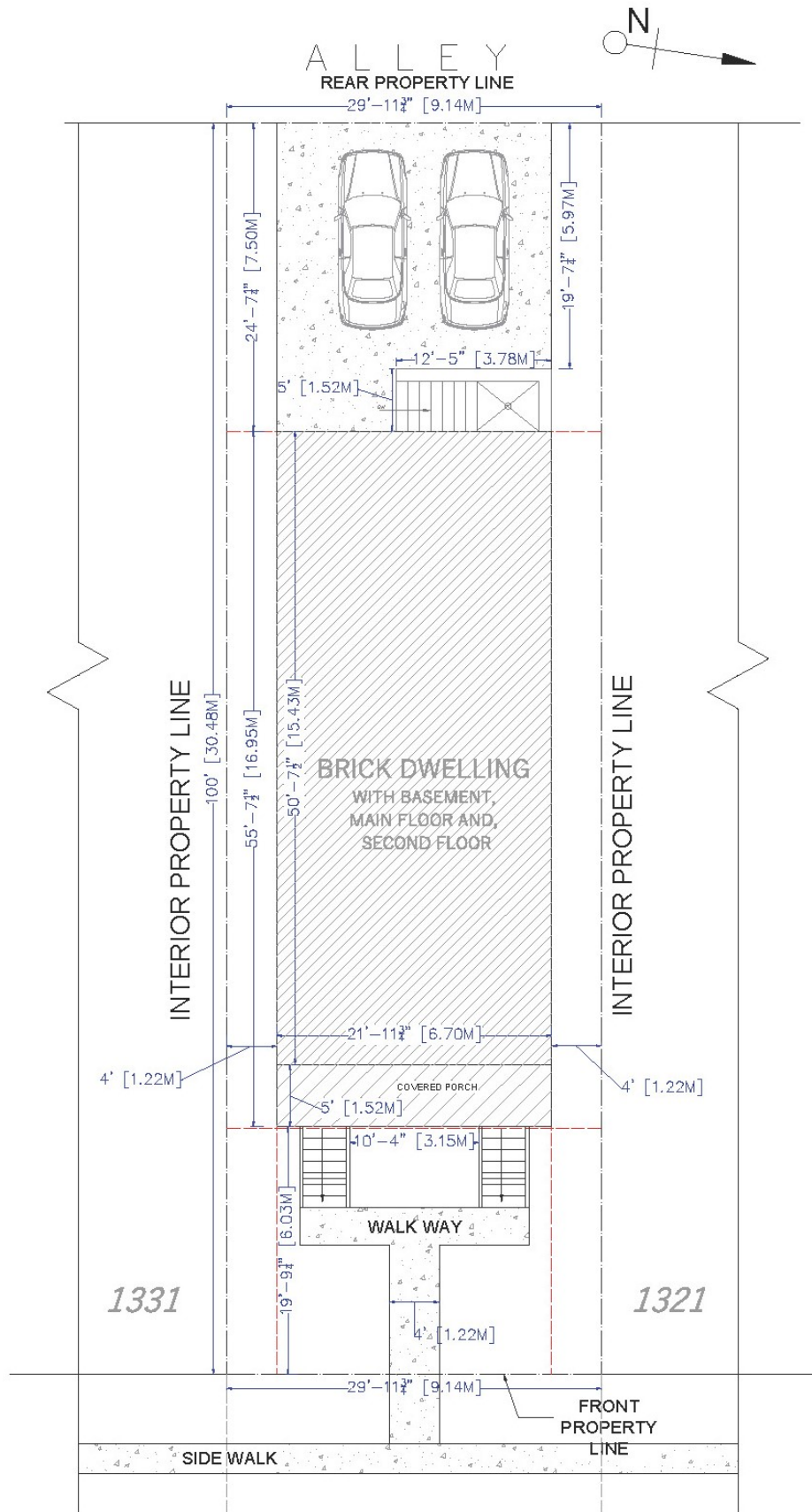
SUBJECT PROPERTY : 1327 HENRY FORD CENTRE DRIVE



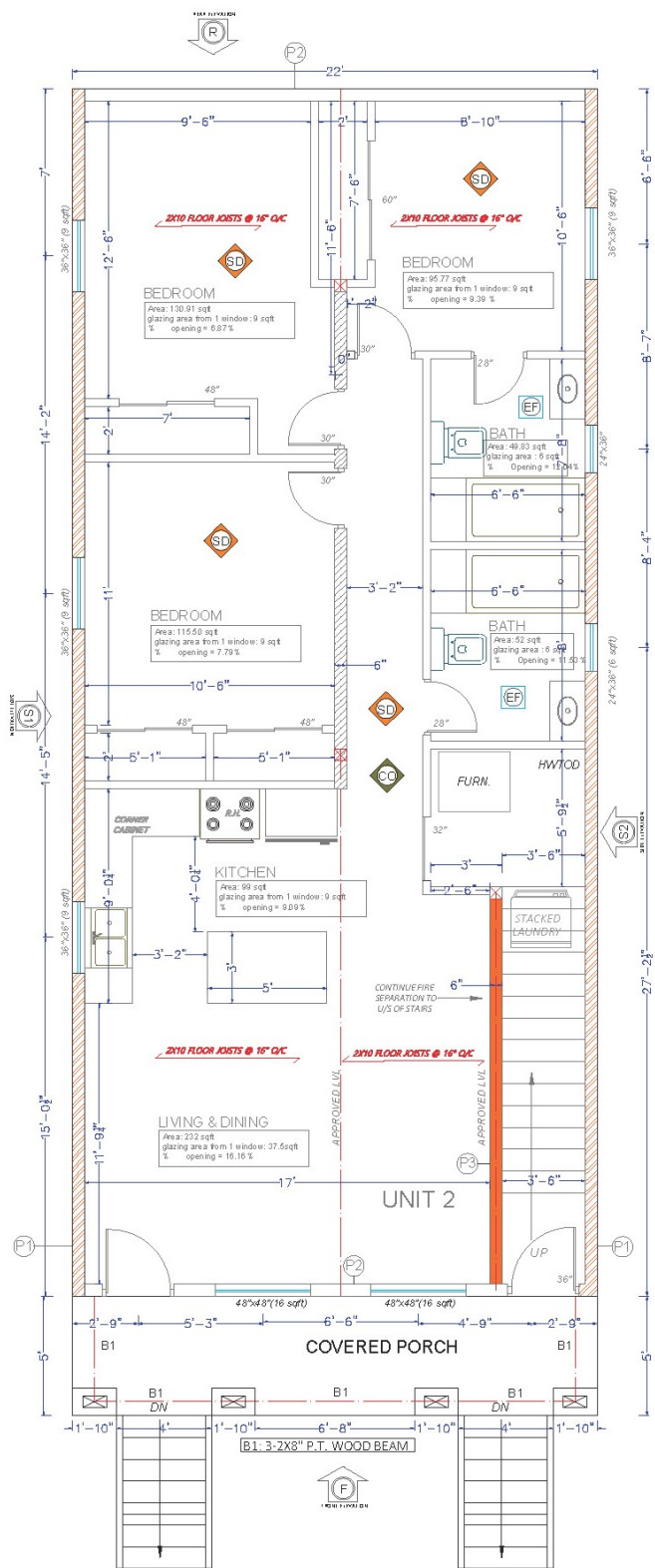
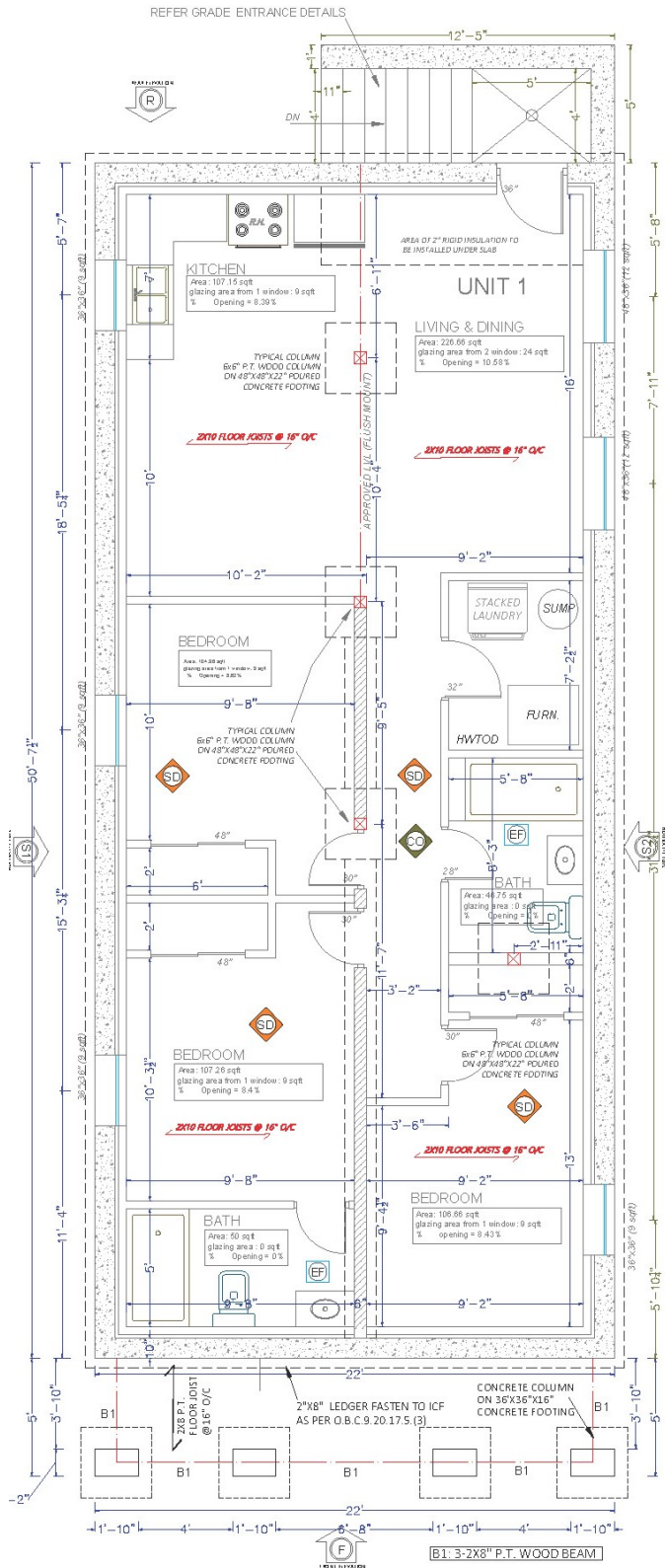
Appendix A - Location Map and Existing Conditions *(Google)*



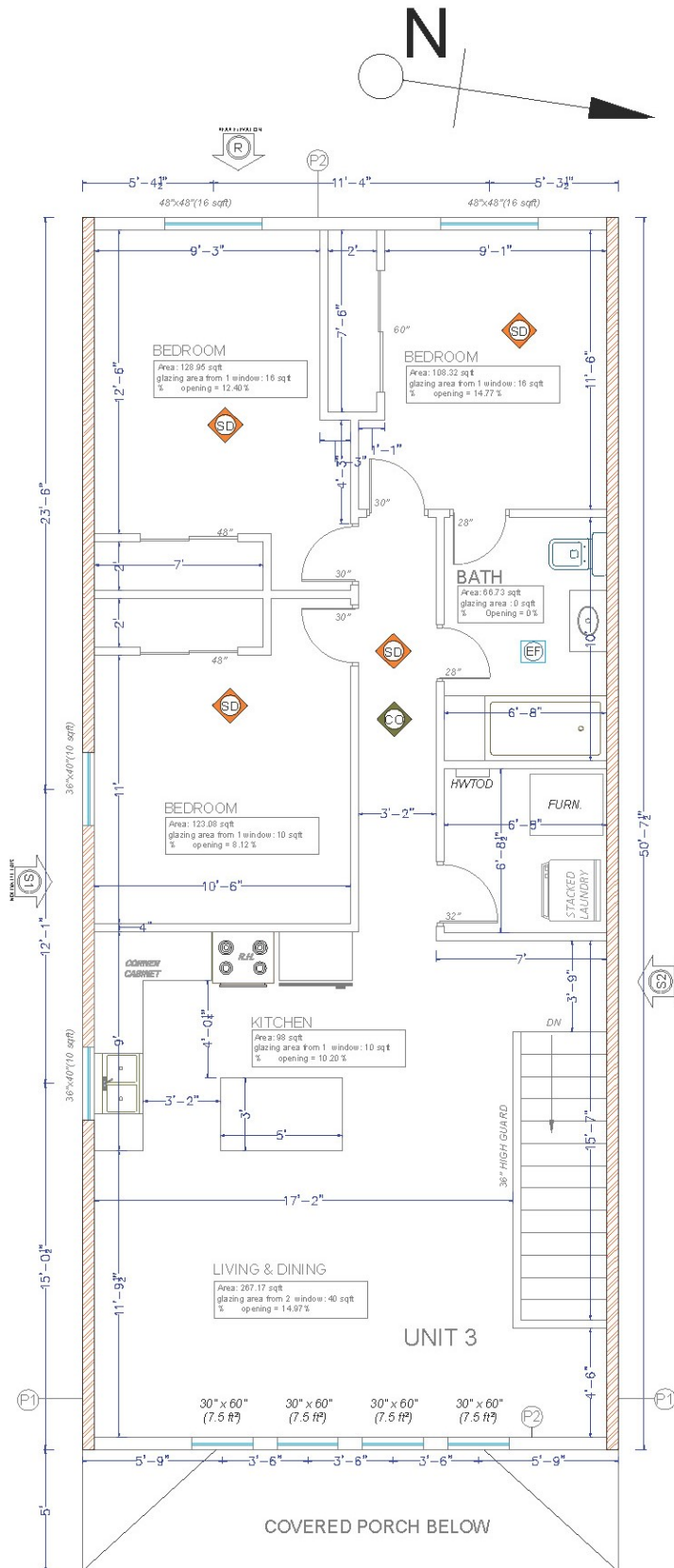
Appendix B - Proposed Single-Family Dwelling with ADUs



HENRY FORD CENTRE DR



Appendix B - Proposed Single-Family Dwelling with ADUs



LEGEND		
	FOUNDATION WALL -	30" CONCRETE FOUNDATION WALL (20MPA MIN.) WITH 24X10" CONTINUOUS STRIP FOOTING (20MPA)
	INTERIOR PARTITION WALLS -	2" X 4" @ 16" O.C. - 1/2" SPECIFIED DRYWALL ON EACH SIDE.
	EXTERIOR WALL ASSEMBLY:	ULCC425 3 HR FIRE RATED BRICKS AS PER OWNER, 3/4" DENSE GLASS SHEATHING, 6" 20 GA. STEEL STUDS AT 12" O.C., R22 ROCK WALL INSULATION, 6 MIL POLY VAPOR BARRIER, 2 LAYERS OF 1/2" TYPE "X" GYPSUM BOARD
	EXTERIOR WALL ASSEMBLY:	EXTERIOR BRICKS AS PER OWNER, 3/4" EXTERIOR GRADE SHEATHING, 2X6 WOOD STUDS @ 16" O/C R22 BATT INSULATION, 6 MIL POLY VAPOR BARRIER 1 LAYER OF DRYWALL
	FIRE SEPARATION WALL-P3	1HR FRR W/ 5/8" STC SOUND RATING AS PER W4a of 5B-3, 2X6 WOOD STUDS @ 16" O/C FILL WALL CAVITY WITH ROCKUL SAFE AND SOUND INSULATION. INSTALL RESILIENT METAL CHANNELS ON ONE SIDE @ 16" O/C WITH 2 LAYER OF 5/8" TYPE X DRYWALL. OTHER SIDE COVERED WITH 1 LAYERS OF 5/8" TYPE X DRYWALL.
	LOAD BEARING WALL	2X6 WOOD STUDS @ 16" O/C SINGLE BOTTOM PLATE AND DOUBLE TOP PLATE ABOVE LINTELS 2X6 WOOD BLOCKING @ 3'-11" O/C HORIZONTAL 1/2" DRYWALL ON BOTH SIDES OF STUDS
	LOAD BEARING INTERIOR WALL WITH FOOTING:	2' X 6" @ 16" O.C. BEARING WALL ON SILL GASKET WITH LAG BOLTS @ 4'-0" O.C. 16" X 8" POURED CONCRETE FOOTING.
	HORIZONTAL FIRE SEPARATION -	ENTIRE MAIN FLOOR & BASEMENT CEILING 1 HR FRR 8, STC 53 CEILING CONFORMING TO F98 OF 5B-3, 1/2" T&G PLYWOOD SUB-FLOOR, 2X10 WOOD JOISTS @ 16" O/C INFILL CAVITY WITH INSULATION, RESILIENT METAL CHANNEL @ 24" O/C, 2 LAYERS OF 1/2" TYPE X GYPSUM BOARD.
	EXHAUST FAN DIRECTLY VENTED TO EXTERIOR ACCORDING TO O.B.C REQUIREMENTS.	
	SMOKE ALARM C/W CO1 DETECTOR AS PER OBC REQUIREMENTS, REFER TO GENERAL NOTES.	
	CO DETECTOR AS PER OBC REQUIREMENTS.	
	ATTIC SPACE ACCESS HATCH-32"X24" MIN. INSTALLED ACCORDING TO O.B.C. REQUIREMENTS.	

LINTEL DETAILS		
WOOD FRAMING	UP TO 48" OPENING	2- 2"X6"
STEEL STUDS FRAMING	REFER TO CONNECTION DETAILS	

NOTES	
G.C. TO VERIFY ALL DIMENSIONS as per site, bring to the notice of designer before commencement of the work.	
HVAC, Plumbing, Mechanical, Roof and any other services designed by others.	
G.C. TO INSTALL SUMP AND BACK FLOW PREVENTION VALVE WHERE REQUIRED BY THE CITY.	

Appendix B - Proposed Single-Family Dwelling with ADUs



Subject: Update to Report S 131/2025 – Amendment to Sign By-law 250-040 for 3663 Walker Road - Ward 9

Reference:

Date to Council: February 2, 2026
Author: Kevin Alexander, MCIP RPP
Senior Planner--Special Projects
kalexander@citywindsor.ca
(519) 255-6543 x6732

Connor Wilson
Planner II – Revitalization & Policy Initiatives
conwilson@citywindsor.ca
(519) 255-6543 ext.6352

Planning & Building Services
Report Date: 1/8/2026
Clerk's File #: SB2026

To: Mayor and Members of City Council

Recommendation:

- I. THAT the application for a Site-Specific Amendment to By-law 250-2004, being a by-law respecting signs and other advertising devices in the City of Windsor, as amended (the "**Sign By-law**"), to allow for the installation of an Electronic Changing Copy Ground Sign at 3663 Walker Road, **BE APPROVED**;
- II. THAT Schedule "E" – "Special Provisions for Individual Signs" of the Sign By-law **BE AMENDED** by adding the following as its new section E.24:

E. 24 Despite the provisions of this By-law, that: a) a BILLBOARD SIGN, that is both a GROUND SIGN and an ELECTRONIC CHANGING COPY SIGN, may be constructed on 3663 Walker Road; and b) an existing WALL SIGN on 3663 Walker Road is permitted, subject to the following conditions:

- a. That the BILLBOARD SIGN does not include FLASHING ILLUMINATION, and that changing of the ELECTRONIC CHANGING COPY does not occur at intervals of less than 10 seconds;

- b. That the manufacturer of the BILLBOARD SIGN confirm compliance with the lighting restrictions in accordance with Section 3 for electronic message signs;
 - c. That the BILLBOARD SIGN does not have any animation including scrolling letters, television or video message, or any moving sign message objects;
 - d. That the illumination intensity of the BILLBOARD SIGN complies with subsection 3.3.1.(c) of this By-law, and that the brightness of the BILLBOARD SIGN be automatically controlled with an ambient light photo-sensor;
 - e. That the BILLBOARD SIGN will only be illuminated between the hours of 7:00 AM and 10:00 PM; and
 - f. That the WALL SIGN remains in its existing location, as of the date of this amendment.
- III. THAT the City Solicitor **BE DIRECTED** to prepare the by-law to amend the Sign By-law;
- IV. THAT the Chief Building Official **BE DIRECTED** to require, as conditions of the Sign By-law Permit, the following:
- a. Submission of a Plan of Survey, completed by a licensed Ontario Land Surveyor, identifying property boundaries, existing buildings, structures, utility poles, and above-ground electrical conductors;
 - b. Submission of a Site Plan, prepared by a qualified professional and to the satisfaction of the City Planner, demonstrating the construction of a landscaped island along the Walker Road frontage with the following minimum requirements:
 - i. A minimum depth of 3.0 metres along the Walker Road frontage;
 - ii. Landscaping including a combination of shrubs, and groundcover;
 - iii. The landscaped area to be installed prior to sign activation and maintained for the lifetime of the approved sign;
 - c. Confirmation that the location of the proposed Electronic Changing Copy Ground Sign satisfies minimum separation requirements from above-ground electrical conductors, to the satisfaction of the Chief Building Official;
 - d. The removal of the existing quad-faced billboard ground sign located at 980 Crawford Avenue (See Appendix B and Figure 9 of Appendix D), prior to the issuance of the Sign By-law Permit for the subject property.

Executive Summary:

N/A

Background:

The proposed site currently located at 3663 Walker Road is situated on the west side of Walker Road, and contains a used-car retailer / auto-repair services facility ("Global Motors") and associated parking lot. The Subject Property has a "**CD 3.3**" Zoning designation, which is "**General Commercial - Warehouse**". This location, as depicted in Appendix "A," is subject to the City of Windsor Sign By-law 250-2004.

The applicant is requesting permission to install a new 'V' shaped BILLBOARD GROUND SIGN utilizing ELCTRONIC CHANGING COPY SIGNS facing north and south, on the property (See Page 14 of Appendix "B"). The sign is regulated by Section 6.3: Regulations for BILLBOARD GROUND AND WALL SIGNS. The proposed sign falls within the permitted locations for Billboard Signs as outlined in Sign By-law Section 6.3.2 (xii) Walker Road South of E.C. Row.

Per Section 6.6.3 (Group 4) of the Sign By-law, one ground sign is permitted, however there is no existing ground sign on the property. Per Section 6.3.4(i), the owner is proposing to install an ELETRONIC CHANGE COPY BILLBOARD instead.

An application for a site-specific Amendment to the Sign By-law was received by the Building and Planning Department, for relief from City of Windsor Sign By-law, related to:

Section 6.3.14. ii SIGN RESTRICTION FOR BILLBOARDS minimum distance within 30.0 metres of any FIRST PARTY ADVERTISING GROUND or WALL SIGN erected on the same LOT or on an abutting LOT; and

Section 6.3.17. iii PROHIBITION for ELECTRONIC CHANGE COPY BILLBOARDS minimum distance within 300 metres of any residential use or SENSITIVE USE, where the SIGN STRUCTURE or the SIGN FACE will be directly visible from any point of a residential use or SENSITIVE USE in any Building.

At its meeting of December 1, 2025, the Development & Heritage Standing Committee deferred Report S 131/2025 to a future meeting to allow for further discussions between the applicant and Administration regarding the report's recommendations.

Discussion:

In October 2025, Pattison Outdoor Advertising, contacted the City of Windsor's Building & Planning Departments with a proposal to erect a third-party Electronic Change Copy Billboard sign on the subject property.

In consultation with Transportation Planning, the proposed location has two non-compliances with the Sign By-law which the applicant is applying for relief. Though minor variances would be heard through the Committee of Adjustment, one regulation related to Section 6.3.17 Prohibitions for ELECTRONIC CHANGE COPY BILLBOARDS requires Council Approval through a site-specific Sign Bylaw Amendment.

The applicant is seeking a site-specific amendment to the Sign By-law related to:

SIGN RESTRICTION FOR BILLBOARDS

Restrictions related to Section 6.3.14 states that, *“No part of any BILLBOARD GROUND or WALL SIGN shall:*

- ii. Be ERECTED within 30.0 metres of any FIRST PARTY ADVERTISING GROUND or WALL SIGN erected on the same LOT or on an abutting LOT;*

The applicant is proposing 15 metres from an existing WALL SIGN on the same property. Distances from existing GROUND and WALL SIGNS on abutting properties comply with the Sign By-law Regulations.

PROHIBITION for ELECTRONIC CHANGE COPY BILLBOARDS:

Restrictions related to Section 6.3.17 states that, *“No part of any ELECTRONIC CHANGE COPY BILLBOARD GROUND or WALL SIGN shall:*

- iii. Be ERECTED within 300.0 metres of any residential use or SENSITIVE USE, where the SIGN STRUCTURE or the SIGN FACE will be directly visible from any point of a residential use or SENSITIVE USE in any Building.”*

The applicant has proposed to erect the billboard sign approximately 31.1 metres from residences immediately west of the site, and within 261.15 metres from residences immediately east of the site. There are 145 residences along Turner Road, Byng Road and Bliss Road which are to the back of the proposed sign. There are 53 residences situated east of Walker Road along Riberdy Road. There are no current residential uses along Walker Road, however Walker Road has been identified as a Mixed Use Corridor in the City's Official Plan.

The applicant is proposing a 'V'-shaped billboard sign configuration to reduce negative light impact or trespass towards the residences along Turner, Bliss and Byng Roads.

As outlined in the rationale prepared by the applicant (Appendix “D”), the applicant has reduced the total height from 9.0 metres to 7.3 metres to ensure the light emitted from the billboard has increased blockage from the existing commercial development on the east side of Walker Road to reduce the impact on the residential properties along Riberdy Road. The Prohibition outlined in Section 6.3.17 above, clearly states that the SIGN FACE will be directly visible from the residences potentially impacted. The

applicant has proved through visual evidence that the SIGN FACE will not be visible due to the commercial development on the east of Walker Road.

In addition, the applicant is proposing that the ELECTRONIC CHANGE COPY SIGN FACE will not be illuminated (operational) between the hours of 10pm and 7am to reduce the impact to the nearby residences. A light analysis summary has also been prepared, demonstrating a maximum increase in ambient light levels of 0.3 Lux for the closest residential properties; 0.3 Lux is equivalent to a 60w light bulb at 14 metres away. The sign will be continuously monitored and tracked to ensure illumination levels do not exceed permitted intensities.

As the intent of the Amended Sign By-law (CR 93-2024) was to help reduce conflicts between health and safety as well as reduce the excess sign clutter, the applicant has also proposed to remove an existing quad-faced BILLBOARD GROUND SIGN located at 980 Crawford Avenue (See Appendix B and Figure 9 of Appendix D). This is a response to recognize that a single ELECTRONIC CHANGE COPY BILLBOARD can provide multiple messages in one location rather than a single message for a long period of time by a POSTER BILLBOARD. This helps to recognize that sign clutter can be mitigated through appropriate placement.

The Official Plan

Section 6.5.3.3 (STREET PRESENCE) of the City's Official Plan states: *"Council will encourage Mixed-Use Corridor development to provide a continuous street frontage and presence"*

Section 6.5.3.8 (DESIGN GUIDELINES) states that the following guidelines shall be considered when evaluating the proposed design of a Mixed-Use Corridor development:

(b) the provision of appropriate landscaping or other buffers to enhance:

(i) all parking lots, and outdoor loading and service areas; and

(ii) the separation between the use and adjacent sensitive uses, where appropriate;

(e) measures are taken in site design which provide for ease of access for pedestrians between the public sidewalk and building main entrances in a manner which is distinguishable from access provided for vehicles.

Section 7.2.5.5 (CLASS II ARTERIAL ROADS) states that: *"Direct property access will be discouraged where other alternatives exist. Where direct property access is required, the use of shared driveways and interconnected on-site circulation systems with adjacent properties may be required to limit the number and spacing of driveways"*

To achieve the above Official Plan policies, Administration requires the owner to provide the following:

- A Plan of Survey, completed by a licensed Ontario Land Surveyor, identifying property boundaries, existing buildings, structures, utility poles, and above-ground electrical conductors;
- Site Plan (See Appendix C), prepared by a qualified professional and to the satisfaction of the City Planner, demonstrating the construction of a landscaped island along the Walker Road frontage with the following minimum requirements:
 - i. A minimum depth of 3.0 metres along the Walker Road frontage;
 - ii. Landscaping including a combination of trees, shrubs, and groundcover
 - iii. The landscaped area to be installed prior to sign activation and maintained for the lifetime of the approved sign;

Risk Analysis:

Amending the Sign By-law to permit this sign at the proposed location may influence how similar requests are reviewed in the future, particularly where signs are in close proximity to residential areas. Planning & Development Services reviews each Electronic Change Copy Billboard application based on its contextual surroundings, and Council's decision on this item may inform the approach for future applications.

Climate Change Risks

Climate Change Mitigation:

Light pollution is a contributing factor to climate change and light levels for LED display signs are regulated by the Sign By-law. Automatic brightness controls even out the illumination levels related to the ambient light surrounding the signage. Currently, the Sign By-law does regulate the brightness of illuminated signs in Section 3.3 Illumination Regulations, however the vary nature of Illuminated Electronic Change Copy Billboard Signs will create light pollution as there cannot be full cut-off as per CR228/200 Lighting Intensity Standards Study.

In addition, the applicant has agreed to restrict the illuminated hours of operation from 7am to 10pm to accommodate Dark Sky Friendly practices.

Climate Change Adaptation:

LED technology has proven more energy efficient than traditional static lighting. With climate change and increasing strain on natural resources, limiting carbon footprints is essential. Electronic Change Copy Billboard Signs help to reduce the amount of poster waste entering our landfills and recycling plants, but however have other risks from climate perspectives.

Financial Matters:

There are no direct matters of financial consequence to the Corporation of the City of Windsor arising from the recommendations of this application.

Consultations:

Planning and Development Services consulted with Building Services and received comments from Transportation Planning, and ENWIN Utilities.

Conclusion:

The applicant has worked with City Administration to provide a proposal that reduces the number of non-compliance issues related to the distance the sign is located from a residential area, and setbacks from the Walker Road Mixed-Use Corridor. It is Administration's opinion that the applicant has demonstrated that the impact to the residential community will be minimized through the technology being utilized and the restricted hours that this Electronic Billboard Sign will be operated. The landscape setback from the public right-of-way will ensure cars are not encroaching on the right-of-way and provide aesthetic improvements to the site along the Walker Road Mixed-Use Corridor and Civic Way.

Administration supports the approval of the proposed site-specific amendments related to the proximity to the residential uses surrounding the proposed location at 3663 Walker Road, limited to static messages only, which change at a rate of 10 second intervals, illumination regulations Subsection 3.3 of the Sign By-law and will only be illuminated between the hours of 7am and 10pm daily.

Planning Act Matters:

N/A

Approvals:

Name	Title
Kevin Alexander	Senior Planner – Special Projects
James Abbs	Manager – Planning, Land Info and Special Projects
Jason Campigotto	Deputy City Planner – Growth
John Revell	Chief Building Official
Kate Tracey	Senior Legal Counsel, Legal & Real Estate
Neil Robertson	City Planner
Jelena Payne	Deputy CAO/Commissioner of Economic Development
Ray Mensour	Chief Administrative Officer

Notifications:

N/A

Name	Address	Email

Appendices:

- 1 Appendix A - Neighbourhood Map
- 2 Appendix B - Presentation and Sign
- 3 Appendix C - Site Plan Concept with Landscape Setback
- 4 Appendix D - Rationale



APPENDIX 'A' SGN 003-24 – NEIGHBOURHOOD MAP

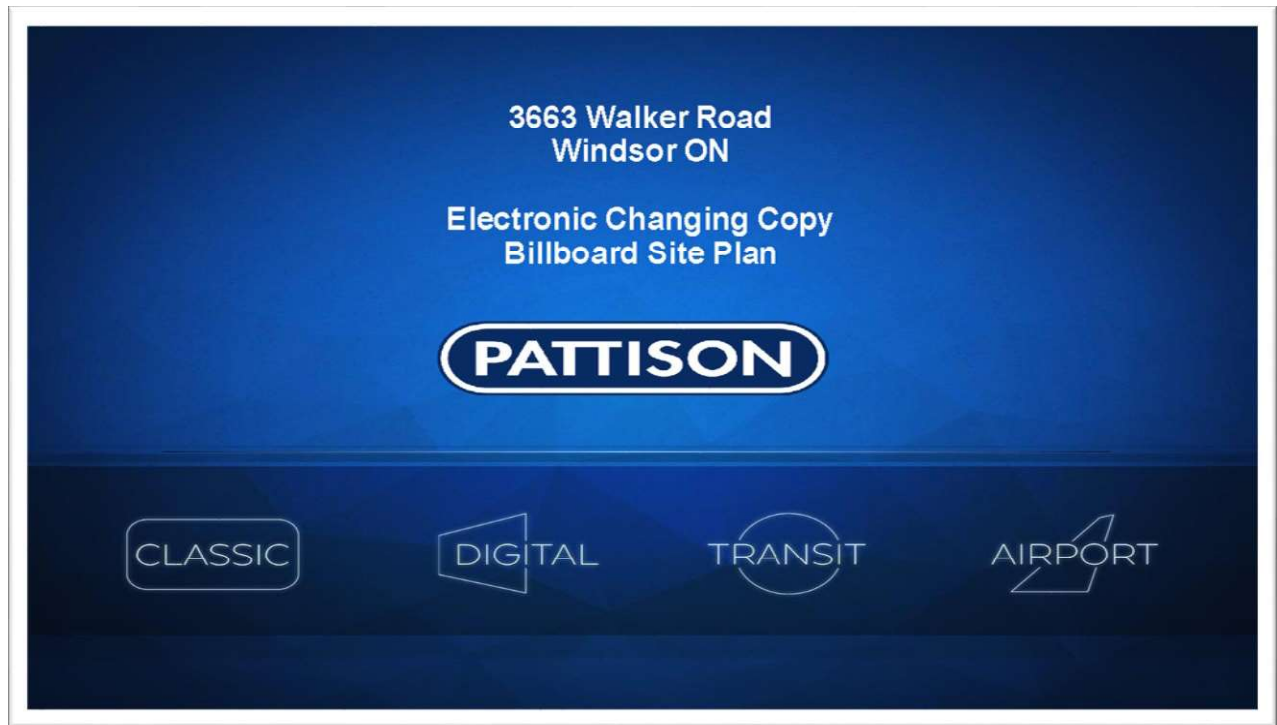
APPLICANT: PATTISON - BILLBOARD



SUBJECT LANDS

APPENDIX 'B'

PRESENTATION AND SIGN



3663 Walker Road - Response to Comments in Planning Consultation Letter

1. **1. Revised Site Plan:** Pattison has worked with the Property Owner to commit to investing in improvements to the street frontage of this property with a landscaped island 3 metres in depth, similar to what is shown in the attached Renderings. We are confident that this will address the City's concerns about encroachments into the right of way, while simultaneously enhancing the appearance of this property located on Walker Road – a key gateway into Windsor. It will also create a welcoming entrance for visitors to the property and to the City, and support local businesses by allowing them to reach a larger audience and stimulate economic growth.
2. **Proposed Sign Height:** In response to Staff's comments, we have reduced the height of the electronic changing copy portion to 7.3 metres, the lowest height that still achieves the required clearance from grade of 4.25 metres as set out in the OBC. This reduction represents a 16 per cent decrease from our original proposal.
3. **Operating Hours:** Staff have recommended that the sign be turned off overnight, between the hours of 10:00 pm and 7:00 am. We can confirm that we will abide by these operating hours, and will also reduce the brightness levels in line with the Sign By-law requirements between sunset and 10:00 pm, to minimize any impacts on surrounding uses.
4. **Reduced Brightness Levels:** To continue to help address any remaining staff concerns, Pattison has committed to further reducing the sign's brightness to 150 NITS after sunset, 50% lower than the maximum permitted evening brightness under the Sign By-law.
5. **Proximity to Overhead Power Lines:** We have confirmed with ENWIN that the proposed setback of 3 metres from the hydro pole achieves the required setback.

APPENDIX 'B'

PRESENTATION AND SIGN



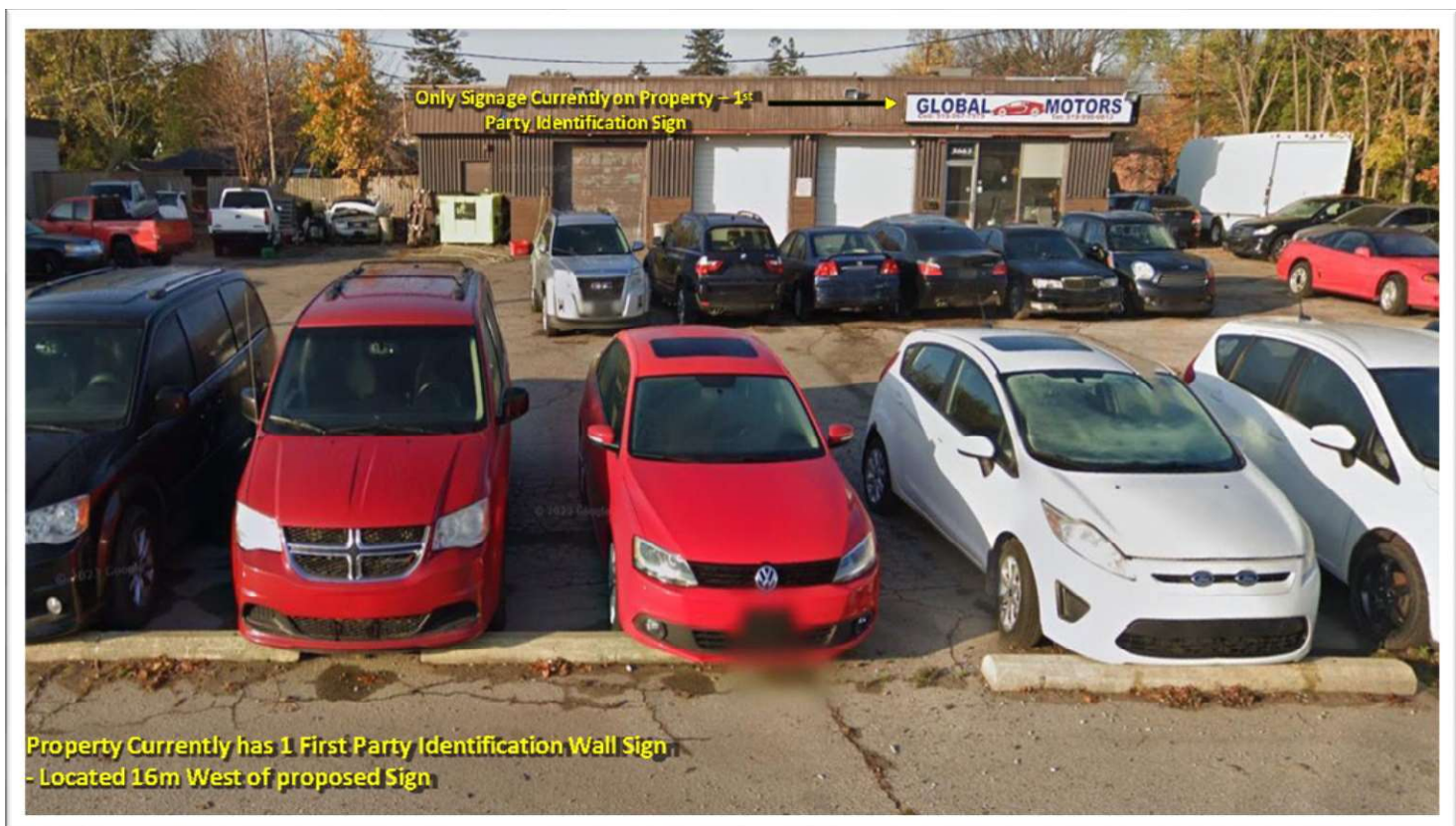
APPENDIX 'B'

PRESENTATION AND SIGN



APPENDIX 'B'

PRESENTATION AND SIGN



APPENDIX 'B'

PRESENTATION AND SIGN



APPENDIX 'B'

PRESENTATION AND SIGN



Condition of Approval – Existing Billboard Ground Sign to be Removed at **980 Crawford Avenue, Windsor ON.**

- To Help Achieve a Higher-Level Objective of Reducing Sign Clutter, We Will Remove Three Billboard Sign Faces From This Property
- This Existing Sign is Located on Crawford Ave., and is in proximity to residential uses, Eliminating 55.8 Square Metres of Signage



APPENDIX 'B'

PRESENTATION AND SIGN

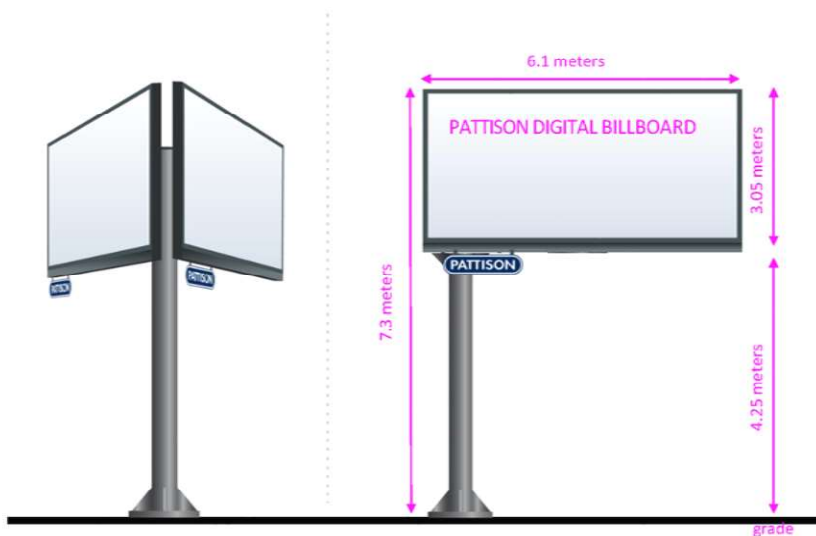
Light Impact Analysis

- Any Properties Further Than 50 metres away will not see an increase of more than 0.3 lux – a negligible amount considered to be equivalent to the light cast by a full moon, and compliant with Sign By-law requirements.
- The Sign will also shut off completely between 10 pm and 7 am, and dim brightness down to 150 NITS after sunset.

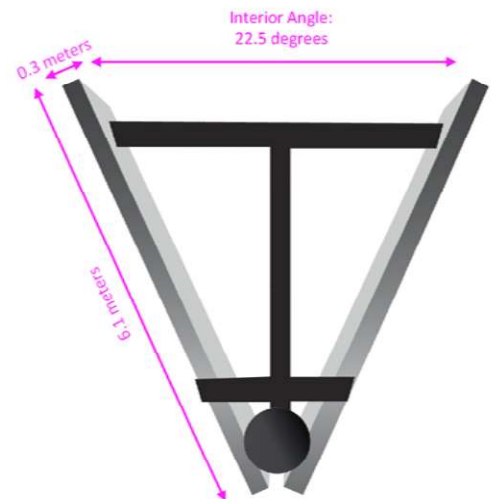


Elevation Drawings of the Proposed Sign (3363 Walker Road)

Front Elevation

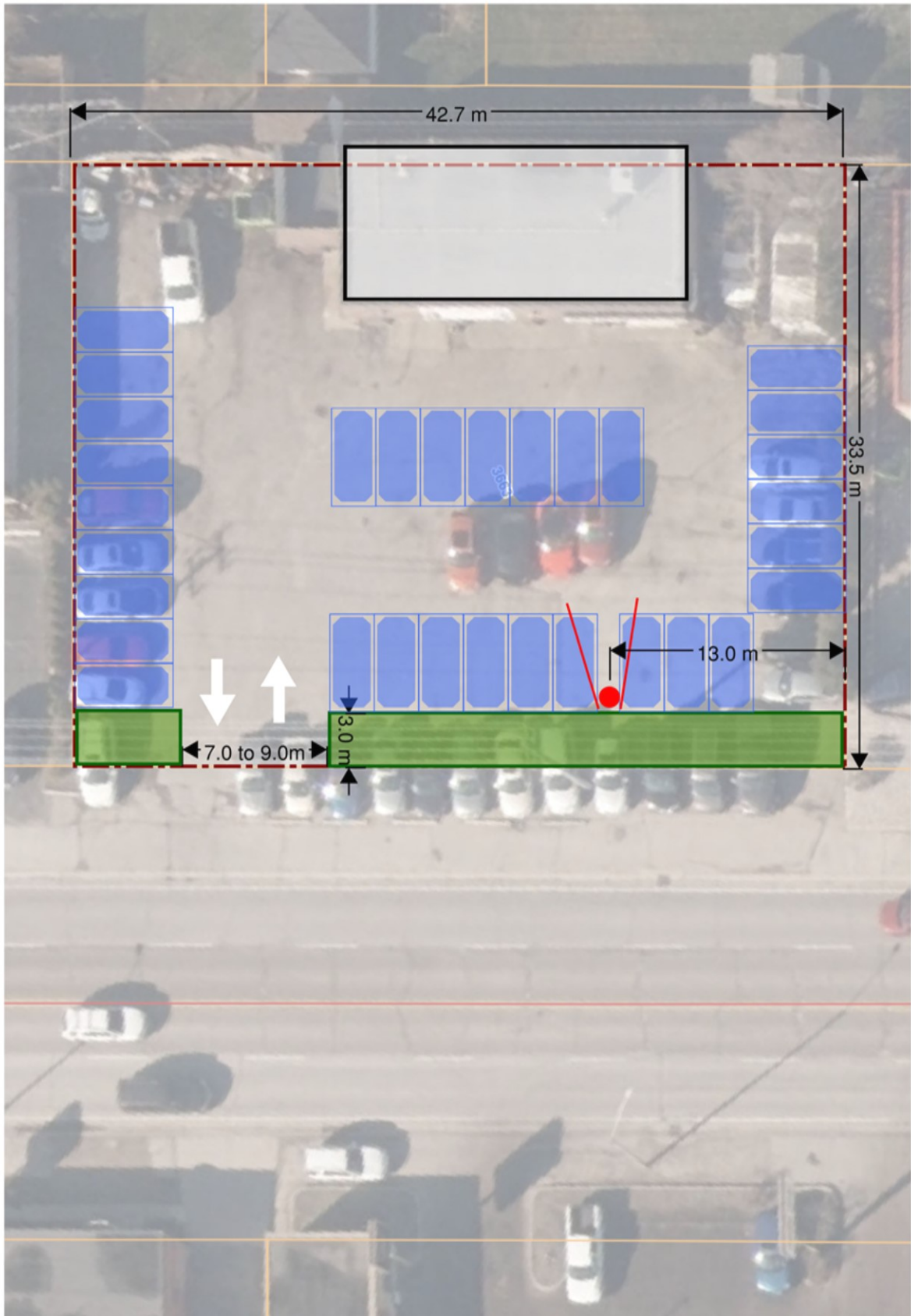


Top Elevation



APPENDIX 'C'

SITE PLAN CONCEPT WITH LANDSCAPE SETBACK



APPENDIX 'D'

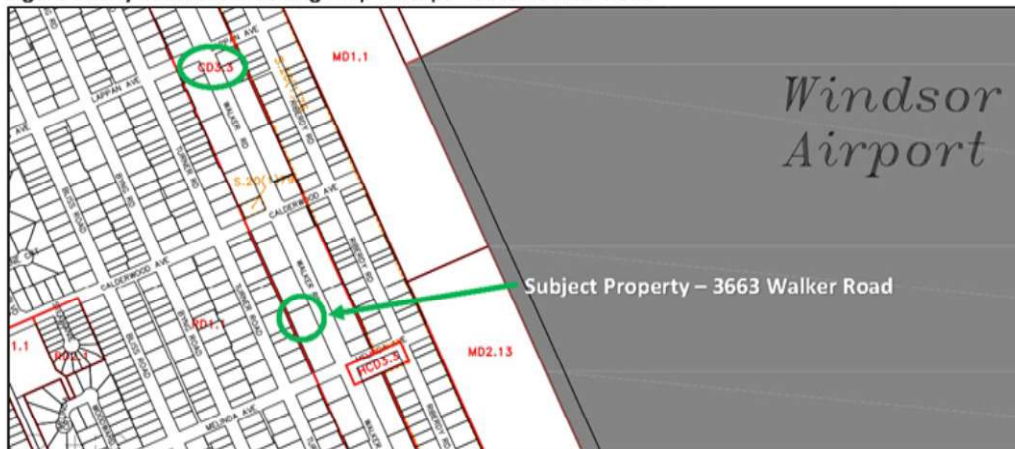
RATIONALE

Sign Variance Application – 3663 Walker Road, Windsor ON

On behalf of the Property Owner, Pattison Outdoor is seeking approval to build one new double-sided Electronic Changing Copy Billboard Ground Sign at 3663 Walker Road (the "Subject Property").

This sign would have two electronic sign faces in a v-shaped configuration, each measuring 3.03 m tall by 5.91 metres wide, at an overall height of 7.3 metres from grade. It would include identification for the business on the premises, measuring 0.6 metres by 5.5 metres, above the electronic sign faces (the "Proposed Sign"). See in Figure 4 below for a Structural Drawing of the Proposed Sign.

Figure 1: City of Windsor Zoning Map Excerpt – 3663 Walker Road



The Subject Property has a "CD 3.3" Zoning designation, which is "General Commercial - Warehouse" (See Figure 1 above). This commercial designation, along with the property being located on a stretch of Walker Road recently added to the Sign By-law as a permitted area for Electronic Changing Copy Billboard Ground Signs, make it a suitable location for the Proposed Sign.

Figure 2: Aerial view of 3663 Walker Road – the Subject Property



APPENDIX 'D'

RATIONALE

The Subject Property is located on the West side of Walker Road, and contains a used-car retailer / auto-repair services facility ("Global Motors") and associated parking lot. The surrounding area includes many other commercial, retail and employment uses on both the East and West sides of Walker Road.

We have strategically designed the Proposed Sign with a v-shaped orientation, in order to effectively direct the sign copy to the intended audience travelling along Walker Road, and away from the nearest residential uses located behind the Subject Property on Turner Road. The overall height and the angle of the sign faces will ensure there is no visibility of sign copy from these residential uses (See Figure 3).

We have also reduced the height of the Proposed Sign from the 9.0-metre maximum allowed under the Sign By-law, down to 7.3 metres from grade. This will further obstruct any visibility of the Proposed Sign from nearby residential uses.

Figure 3: Approximate Location of the Proposed Sign at 3663 Walker Road



The Proposed Sign will meet the majority of the applicable requirements in the Windsor Sign By-law:

- It is located on a property within a **Commercial District** (CD 3.3);
- It is located on a property with frontage on Walker Road, south of E.C. Row Expressway;
- It is **not** located within a Special Sign District as set out in Section 9.0;
- The maximum sign face area will not exceed 22.0 square metres (21.94 m² proposed);
- The maximum height will not exceed 9.0 metres (7.3 metres proposed);
- There are no other billboards within 200 metres, or digital billboards within 500 metres;
- It will not be erected within a Daylighting Corner or near the driveway entrance to the property;
- There will be a minimum of 4.25 metres clearance from grade to the bottom of the sign face;
- The Subject Property has a minimum frontage of 30.0 metres;
- There are no other billboards ground signs or ground signs at the Subject Property;

APPENDIX 'D'

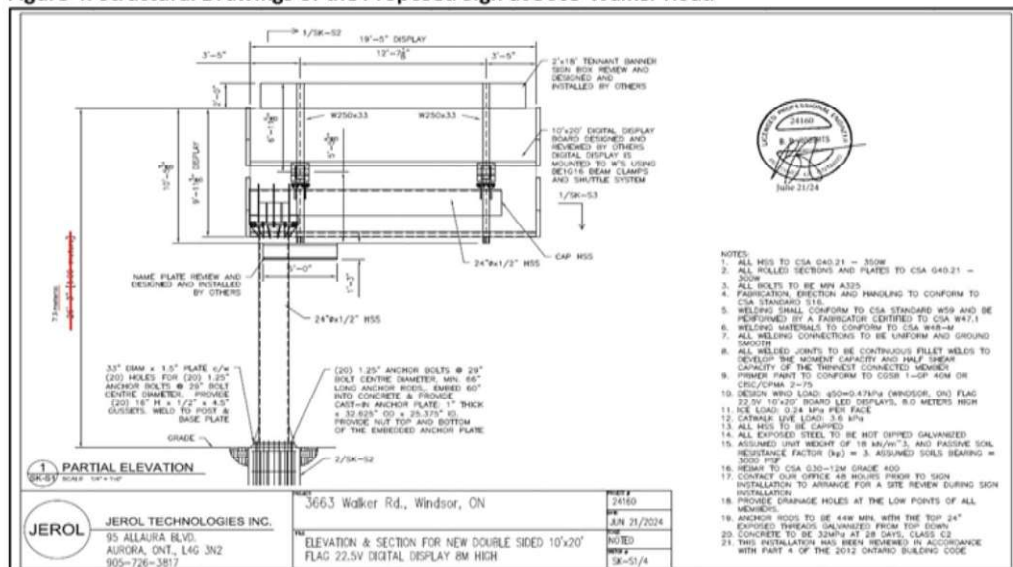
RATIONALE

- It is not located within 300 metres of the Windsor Airport Lands;
- It is not within 400 metres of E.C. Row Expressway or Highway 401 (MTO-Controlled Areas);
- It will meet the setback from the adjacent lot line of 3.0 metres (13.1 m proposed), and;
- It will meet the setback from the rear lot line of 6.0 metres (31.1 m proposed)

Clearance of 4.25 metres from grade to the bottom of the sign face will exceed the requirements set out in Sign By-law and the Ontario Building Code, and will ensure that pedestrians and vehicles can pass safely underneath the Proposed Sign. It is also located outside the Daylight Corner, and meets the required setback from the driveway entrance to the Subject Property. As such, the proposed placement will not obstruct the visibility of any drivers or cyclists.

Pattison will undertake an engineering review and provide engineered-stamped drawings (see below) and an Engineer's Field Review following the installation of the Proposed Sign being completed.

Figure 4: Structural Drawings of the Proposed Sign at 3663 Walker Road



The sign copy displayed will comply with the Sign By-law provisions for electronic changing copy signs by displaying a static (or fixed) message for no less than 8.0 seconds, with an instantaneous change between messages (approximately 0.01-second interval before the next static message is displayed). At no time will the sign display any distracting visual effects such as scrolling, flashing, blinking, full-motion video, or any similar effects.

The Proposed Sign will also comply with the illumination requirements of the Sign By-law, and be programmed to not exceed the maximum brightness during daytime hours of 5,000 NITS, or the maximum brightness between dusk and dawn of 300 NITS. The operating hour requirements will see the sign turned off between 10 pm and 7 am.

APPENDIX 'D'

RATIONALE

The Proposed Sign will meet all the requirements set out in Section 3.3.1(c) of the Sign By-law, specifically that it will be programmed to have an intensity of illumination and luminance not to exceed 3.0 lux (or 0.3 foot-candles) above ambient light conditions during its operating hours. We have provided a Letter of Certification from the Sign Manufacturer confirming that the Proposed Sign can achieve these requirements.

The Sign By-law was recently amended following a thorough review by Staff to refine and update the requirements for Electronic Changing Copy Ground Signs, which included new areas of the City where this type of sign could be contemplated. The Subject Property falls within one of these new areas, which includes properties along Walker Road between E.C. Row Expressway and Division Road.

Every single property along this stretch of Walker Road is unable to meet the required setback to Residential Uses, however careful consideration has been given to the Proposed Sign in order to minimize or eliminate any visibility from the residential uses in the surrounding area.

While the Proposed Sign would be located approximately 31.1 metres from the residential uses to the West on Turner Road, we have taken a strategic approach to planning the sign's orientation and attributes in order to minimize or eliminate any potential impacts on these properties.

The v-shaped configuration of the sign faces will direct the sign copy to the north-east and south-east, toward traffic travelling along Walker Road. There is also a mature tree line which forms a natural barrier and further obstructs visibility of the Proposed Sign from the residential uses on Turner Rd (see Figure 5 below).

Figure 5: Looking East towards the Subject Property from Residential Uses on Turner Road



We have also lowered the overall height of the Proposed Sign down to 7.3 metres from grade, which should ensure that the built form and natural vegetation on the East side of Walker Road will block visibility of the Proposed Sign from the residential uses on Riberdy Road (See Figure 5 and Figure 6 below). The tenant identification portion will be located along the top of the Proposed Sign, which ensures that the electronic display will not be visible from these residential uses.

APPENDIX 'D'

RATIONALE

Figure 6: Looking West towards the Subject Property from Residential Uses on Riberdy Road



When looking East from the Subject Property, the buildings located between the Proposed Sign and the Residential Uses on Riberdy Street create an obstruction from these properties. There is also a mature tree line between the commercial buildings on Walker Road and the properties on Riberdy Street that will further obstruct visibility of the Proposed Sign (see Figure 7 below).

Figure 7: Looking East from the Subject Property towards Riberdy Road



We believe the minor variances required for the Proposed Sign can be granted with confidence that it will have no negative impacts on the Subject Property or the surrounding area, based on the orientation of the sign faces and overall height, and the built form and obstructions in place between the Proposed Sign and the nearby residential uses to the East and West.

APPENDIX 'D'

RATIONALE

Figure 8: The Existing Wall Sign at the Subject Property



There is one small existing wall sign for the business on the premises (Global Motors) located above the entrance to the facility. This wall sign, combined with the Proposed Sign, will provide suitable identification for the business on the premises, and will not result in a cluttered appearance (see Figure 8 above). As such, the Proposed Sign will help achieve one of the higher-level goals of the Sign By-law.

Figure 9: Condition of Approval – Three Existing Sign Faces Removed to Reduce Sign Clutter



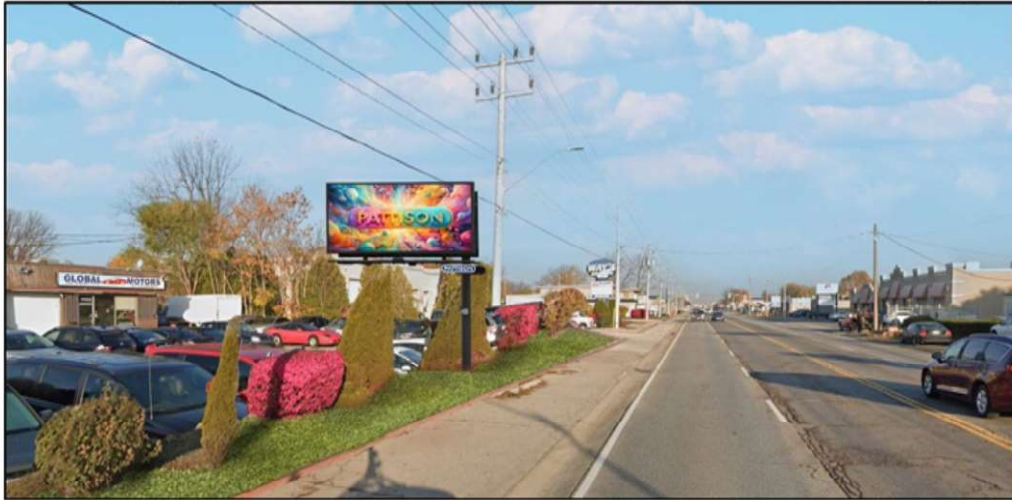
As a Condition of Approval, Pattison will remove three existing sign faces with a total of 55.8 square metres, and have the associated permits revoked, upon issuance of a Sign Permit for the Proposed Sign (See Figure 9 above). This existing sign is located on Crawford Avenue, 35 metres north of Erie Street West, and will effectively remove more than 30 square metres of signage in the City to help reduce sign clutter in the City of Windsor and achieve one of the higher-level objectives of the Sign By-law.

APPENDIX 'D'

RATIONALE

As a second Condition of Approval, Pattison and the Property Owner will install a landscaped island along the Walker Road frontage of the property, approximately 3 metres in depth as indicated in Figure 10 below. We are confident that this will address any concerns the City has about parked vehicles encroaching into the right-of-way, while simultaneously enhancing the appearance of the property.

Figure 10: Design Rendering of the Proposed Sign with Landscaped Island - Conceptual



These enhancements to the property will create a welcoming entrance for visitors to the property and to the City of Windsor, while also supporting local businesses by helping them reach a larger audience and stimulate economic growth.

Building the Proposed Sign with a v-shaped configuration, at a reduced height of 7.3 metres, helps to minimize or eliminate any impacts on the nearby residential uses, therefore we believe that this variance is minor in nature and can be supported.

This stretch of Walker Road was recently included in the Sign By-law as a permitted area for electronic change copy billboards, and we believe the site-specific details and the strategic planning of the Proposed Sign's attributes make it an ideal fit at the Subject Property.

To further ensure that the Proposed Sign will not negatively impact the surrounding area, it will be turned off completely from 10:00 p.m. until 7:00 a.m. If you have any questions or concerns about our application or the Proposed Sign, we are available any time to discuss as required. Thank you for your consideration of our application.

Nathan Jankowski
Manager, Permits & Legislation
Pattison Outdoor

Scott Stover
Leasing Representative
Pattison Outdoor

Council Report: S 131/2025

Subject: Amendment to Sign By-law 250-04 for 3663 Walker Rd, File No. SGN-003/24 (BILLBOARD) - Ward 9

Reference:

Date to Council: February 2, 2026
Author: Kevin Alexander, MCIP RPP
Senior Planner--Special Projects
(519) 255-6543 x6732

Connor Wilson
Planner II – Revitalization & Policy Initiatives
(519) 255-6543 ext.6352

Planning & Building Services
Report Date: 11/7/2025
Clerk's File #: SBS2025

To: Mayor and Members of City Council

Recommendation:

- I. THAT the application for a Site-Specific Amendment to By-law 250-2004, being a by-law respecting signs and other advertising devices in the City of Windsor, as amended (the "**Sign By-law**"), to allow for the installation of an Electronic Changing Copy Ground Sign at 3663 Walker Road, **BE APPROVED**;
- II. THAT Schedule "E" – "Special Provisions for Individual Signs" of the Sign By-law **BE AMENDED** by adding the following as its new section E.24:

E. 24 Despite the provisions of this By-law, that: a) a BILLBOARD SIGN, that is both a GROUND SIGN and an ELECTRONIC CHANGING COPY SIGN, may be constructed on 3663 Walker Road; and b) an existing WALL SIGN on 3663 Walker Road is permitted, subject to the following conditions:

- a. That the BILLBOARD SIGN does not include FLASHING ILLUMINATION, and that changing of the ELECTRONIC CHANGING COPY does not occur at intervals of less than 60 seconds;
- b. That the manufacturer of the BILLBOARD SIGN confirm compliance with the lighting restrictions in accordance with Section 3 for electronic message signs;

- c. That the BILLBOARD SIGN does not have any animation including scrolling letters, television or video message, or any moving sign message objects;
 - d. That the illumination intensity of the BILLBOARD SIGN complies with subsection 3.3.1.(c) of this By-law, and that the brightness of the BILLBOARD SIGN be automatically controlled with an ambient light photo-sensor;
 - e. That the BILLBOARD SIGN will only be illuminated between the hours of 7:00 AM and 10:00 PM; and
 - f. That the WALL SIGN remains in its existing location, as of the date of this amendment.

- III. THAT the City Solicitor **BE DIRECTED** to prepare the by-law to amend the Sign By-law;

- IV. **THAT** the Chief Building Official **BE DIRECTED** to require, as conditions of the Sign By-law Permit:
 - a. A Plan of Survey (Completed by a licensed Ontario Land Surveyor), identifying topographical land features, in addition to the location of utility poles and above ground electrical conductors;
 - b. Site Plan approval (Based on the Site Plan Control Terms of Reference) identifying the following:
 - i. A three (3) metre landscape setback from the property line along Walker Road ;
 - ii. A landscape plan approved by the City's Landscape Architect;
 - iii. The location of the proposed Electronic Changing Copy Billboard Sign, the distance from the existing wall sign and distance to the nearest residential district Lighting locations and specifications
 - iv. All buildings, structures, overhead conductors and hydro lines
 - v. The horizontal separation between the proposed sign and above ground electrical conductors.
 - vi. Incorporation of features from the Plan of Survey
 - c. The construction and redevelopment of the landscape setback as per the approved Site Plan, to the satisfaction of the City Planner; and
 - d. The removal of the existing quad-faced Billboard Ground Sign located at 980 Crawford Avenue; and

- V. Prior to the issuance of a Sign By-law Permit the owner shall be required to execute and register on title to the property a minor Site Plan Control Agreement, inclusive of parking area modifications as approved by the Site Plan Control Officer.

Executive Summary:

N/A

Background:

The proposed site currently located at 3663 Walker Road is situated on the west side of Walker Road, and contains a used-car retailer / auto-repair services facility ("Global Motors") and associated parking lot. The Subject Property has a "**CD 3.3**" Zoning designation, which is "**General Commercial - Warehouse**". This location, as depicted in Appendix "A," is subject to the City of Windsor Sign By-law 250-2004.

The applicant is looking to install a new 'V' shaped BILLBOARD GROUND SIGN utilizing ELCTRONIC CHANGING COPY SIGNS facing north and south, on the property (See Page 14 of Appendix "B"). The sign is regulated by Section 6.3: Regulations for BILLBOARD GROUND AND WALL SIGNS. The proposed sign falls within the permitted locations for Billboard Signs as outlined in Sign By-law Section 6.3.2 (xii) Walker Road South of E.C. Row.

Per Section 6.6.3 (Group 4) of the Sign By-law, one ground sign is permitted, however there is no existing ground sign on the property. Per Section 6.3.4(i), the owner is proposing to install an ELETRONIC CHANGE COPY BILLBOARD instead.

An application for a site-specific Amendment to the Sign By-law was received by the Building and Planning Department, for relief from City of Windsor Sign By-law, related to:

Section 6.3.14. ii SIGN RESTRICTION FOR BILLBOARDS minimum distance within 30.0 metres of any FIRST PARTY ADVERTISING GROUND or WALL SIGN erected on the same LOT or on an abutting LOT; and

Section 6.3.17. iii PROHIBITION for ELECTRONIC CHANGE COPY BILLBOARDS minimum distance within 300 metres of any residential use or SENSITIVE USE, where the SIGN STRUCTURE or the SIGN FACE will be directly visible from any point of a residential use or SENSITIVE USE in any Building.

Discussion:

In October 2025, Pattison Outdoor Advertising, contacted the City of Windsor's Building & Planning Departments with a proposal to erect a third-party Electronic Change Copy Billboard sign on the subject property.

In consultation with Transportation Planning, the proposed location has two non-compliances with the Sign By-law which the applicant is applying for relief. Though minor variances would be heard through the Committee of Adjustment, one regulation related to Section 6.3.17 Prohibitions for ELECTRONIC CHANGE COPY BILLBOARDS requires Council Approval through a site-specific Sign Bylaw Amendment.

The applicant is seeking a site-specific amendment to the Sign By-law related to:

SIGN RESTRICTION FOR BILLBOARDS

Restrictions related to Section 6.3.14 states that, “*No part of any BILLBOARD GROUND or WALL SIGN shall:*

- ii. Be ERECTED within 30.0 metres of any FIRST PARTY ADVERTISING GROUND or WALL SIGN erected on the same LOT or on an abutting LOT;*

The applicant is proposing 15 metres from an existing WALL SIGN on the same property. Distances from existing GROUND and WALL SIGNS on abutting properties comply with the Sign By-law Regulations.

PROHIBITION for ELECTRONIC CHANGE COPY BILLBOARDS:

Restrictions related to Section 6.3.17 states that, “*No part of any ELECTRONIC CHANGE COPY BILLBOARD GROUND or WALL SIGN shall:*

- iii. Be ERECTED within 300.0 metres of any residential use or SENSITIVE USE, where the SIGN STRUCTURE or the SIGN FACE will be directly visible from any point of a residential use or SENSITIVE USE in any Building.”*

The applicant has proposed to erect the billboard sign approximately 31.1 metres from residences immediately west of the site, and within 261.15 metres from residences immediately east of the site. There are 145 residences along Turner Road, Byng Road and Bliss Road which are to the back of the proposed sign. There are 53 residences situated east of Walker Road along Riberdy Road. There are no current residential uses along Walker Road, however Walker Road has been identified as a Mixed Use Corridor in the City’s Official Plan.

The applicant is proposing a ‘V’-shaped billboard sign configuration to reduce negative light impact or trespass towards the residences along Turner, Bliss and Byng Roads.

As outlined in the rationale prepared by the applicant (Appendix “D”), the applicant has reduced the total height from 9.0 metres to 7.3 metres to ensure the light emitted from the billboard has increased blockage from the existing commercial development on the east side of Walker Road to reduce the impact on the residential properties along Riberdy Road. The Prohibition outlined in Section 6.3.17 above, clearly states that the SIGN FACE will be directly visible from the residences potentially impacted. The applicant has proved through visual evidence that the SIGN FACE will not be visible due to the commercial development on the east of Walker Road.

In addition, the applicant is proposing that the ELECTRONIC CHANGE COPY SIGN FACE will not be illuminated (operational) between the hours of 10pm and 7am to reduce the impact to the nearby residences. A light analysis summary has also been prepared, demonstrating a maximum increase in ambient light levels of 0.3 Lux for the

closest residential properties; 0.3 Lux is equivalent to a 60w light bulb at 14 metres away. The sign will be continuously monitored and tracked to ensure illumination levels do not exceed permitted intensities.

As the intent of the Amended Sign By-law (CR 93-2024) was to help reduce conflicts between health and safety as well as reduce the excess sign clutter, the applicant has also proposed to remove an existing quad-faced BILLBOARD GROUND SIGN located at 980 Crawford Avenue. This is a response to recognize that a single ELECTRONIC CHANGE COPY BILLBOARD can provide multiple messages in one location rather than a single message for a long period of time by a POSTER BILLBOARD. This helps to recognize that sign clutter can be mitigated through appropriate placement.

The Official Plan

Section 6.5.3.3 (STREET PRESENCE) of the City's Official Plan states: "*Council will encourage Mixed-Use Corridor development to provide a continuous street frontage and presence*"

Section 6.5.3.8 (DESIGN GUIDELINES) states that the following guidelines shall be considered when evaluating the proposed design of a Mixed-Use Corridor development:

(b) the provision of appropriate landscaping or other buffers to enhance:

(i) all parking lots, and outdoor loading and service areas; and

(ii) the separation between the use and adjacent sensitive uses, where appropriate;

(e) measures are taken in site design which provide for ease of access for pedestrians between the public sidewalk and building main entrances in a manner which is distinguishable from access provided for vehicles.

Section 7.2.5.5 (CLASS II ARTERIAL ROADS) states that: "*Direct property access will be discouraged where other alternatives exist. Where direct property access is required, the use of shared driveways and interconnected on-site circulation systems with adjacent properties may be required to limit the number and spacing of driveways*"

To achieve the above Official Plan policies, Administration requires the owner obtain approval for a Site Plan (See Appendix C) with the following:

- A three (3) metre landscape setback from the property line along Walker Road
- A landscape plan approved by the City's Landscape Architect
- The location of the proposed Electronic Changing Copy Billboard Sign, the distance from the existing wall sign and distance to the nearest residential district

Lighting locations and specifications

- All buildings, structures, overhead conductors and hydro lines
- The horizontal separation between the proposed sign and above ground electrical conductors.
- Incorporation of features from the Plan of Survey

Recommendation IV and V of this report includes the above requirements.

Risk Analysis:

Amending the Sign By-law to permit this sign at the proposed location may influence how similar requests are reviewed in the future, particularly where signs are in close proximity to residential area. Planning & Development Services reviews each Electronic Change Copy Billboard application based on its contextual surroundings, and Council's decision on this item may inform the approach for future applications.

Climate Change Risks

Climate Change Mitigation:

Light pollution is a contributing factor to climate change and light levels for LED display signs are regulated by the Sign By-law. Automatic brightness controls even out the illumination levels related to the ambient light surrounding the signage. Currently, the Sign By-law does regulate the brightness of illuminated signs in Section 3.3 Illumination Regulations, however the vary nature of Illuminated Electronic Change Copy Billboard Signs will create light pollution as there cannot be full cut-off as per CR228/200 Lighting Intensity Standards Study.

In addition, the applicant has agreed to restrict the illuminated hours of operation from 7am to 10pm to accommodate Dark Sky Friendly practices.

Climate Change Adaptation:

LED technology has proven more energy efficient than traditional static lighting. With climate change and increasing strain on natural resources, limiting carbon footprints is essential. Electronic Change Copy Billboard Signs help to reduce the amount of poster waste entering our landfills and recycling plants, but however have other risks from climate perspectives.

Financial Matters:

There are no direct matters of financial consequence to the Corporation of the City of Windsor arising from the recommendations of this application.

Consultations:

Planning and Development Services consulted with Building Services and received comments from Transportation Planning, and ENWIN Utilities.

Conclusion:

The applicant has worked with City Administration to provide a proposal that reduces the number of non-compliance issues related to the distance the sign is located from a residential area, and setbacks from the Walker Road Mixed-Use Corridor. It is Administration's opinion that the applicant has demonstrated that the impact to the residential community will be minimized through the technology being utilized and the restricted hours that this Electronic Billboard Sign will be operated. The landscape setback from the public right-of-way will ensure cars are not encroaching on the right-of-way and provide aesthetic improvements to the site along the Walker Road Mixed-Use Corridor and Civic Way.

Administration supports the approval of the proposed site-specific amendments related to the proximity to the residential uses surrounding the proposed location at 3663 Walker Road, limited to static messages only, which change at a rate of 60 second intervals, illumination regulations Subsection 3.3 of the Sign By-law and will only be illuminated between the hours of 7am and 10pm daily.

Planning Act Matters:

N/A

Approvals:

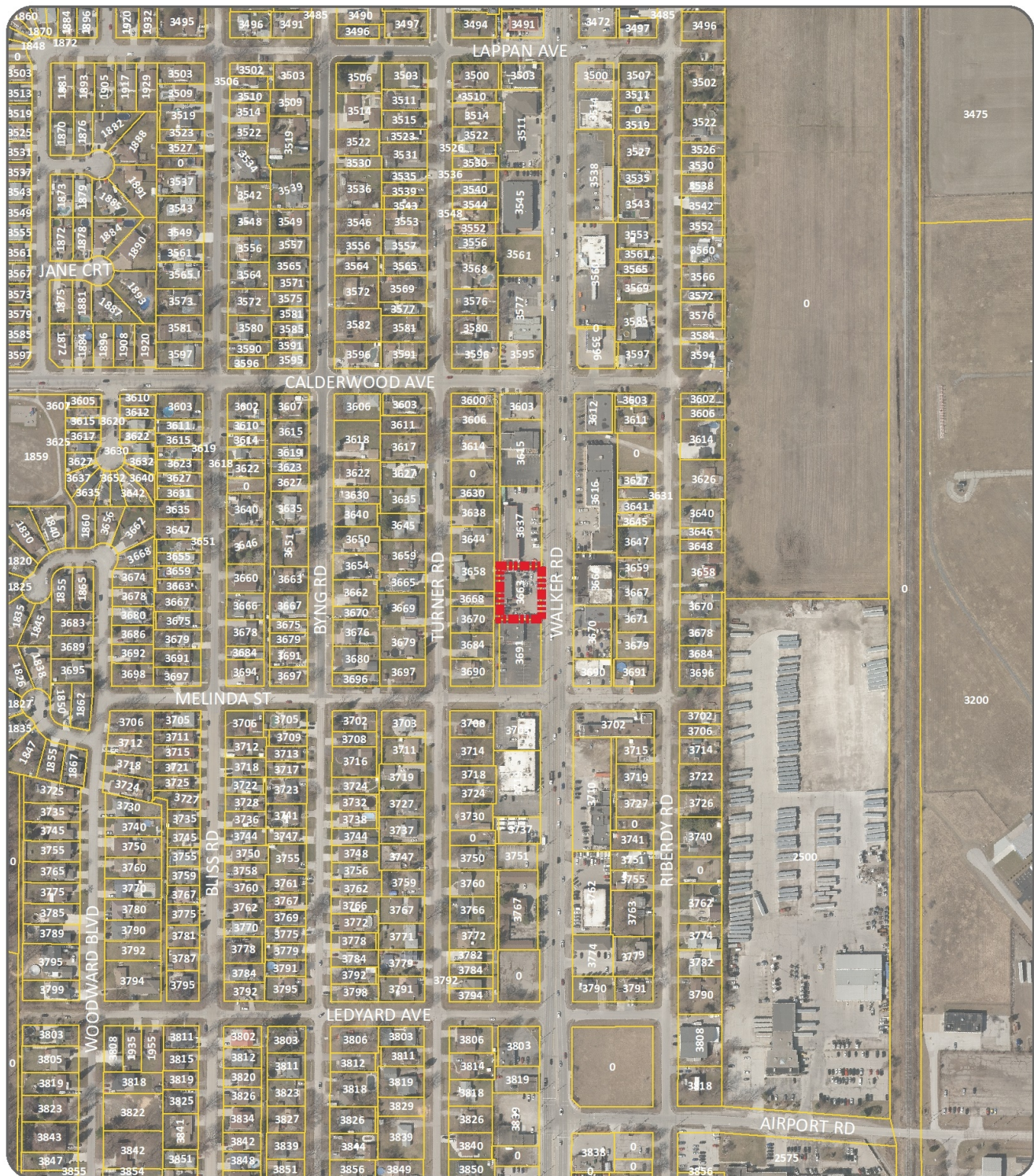
Name	Title
Kevin Alexander	Senior Planner – Special Projects
Connor Wilson	Planner II – Revitalization & Policy Initiatives
James Abbs	Manager – Planning, Land Info and Special Projects
Jason Campigotto	Deputy City Planner – Growth
John Revell	Chief Building Official, Building Department
Kate Tracey	Senior Legal Counsel, Legal & Real Estate
Neil Robertson	City Planner/Executive Director, Planning & Development Services
Jelena Payne	Deputy CAO/Commissioner of Economic Development
Ray Mensour	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

- 1 Appendix A - Neighbourhood Map
- 2 Appendix B - Presentation and Sign
- 3 Appendix C – Site Plan Concept with Landscape Setback
- 4 Appendix D – Rationale



APPENDIX 'A' SGN 003-24 – NEIGHBOURHOOD MAP

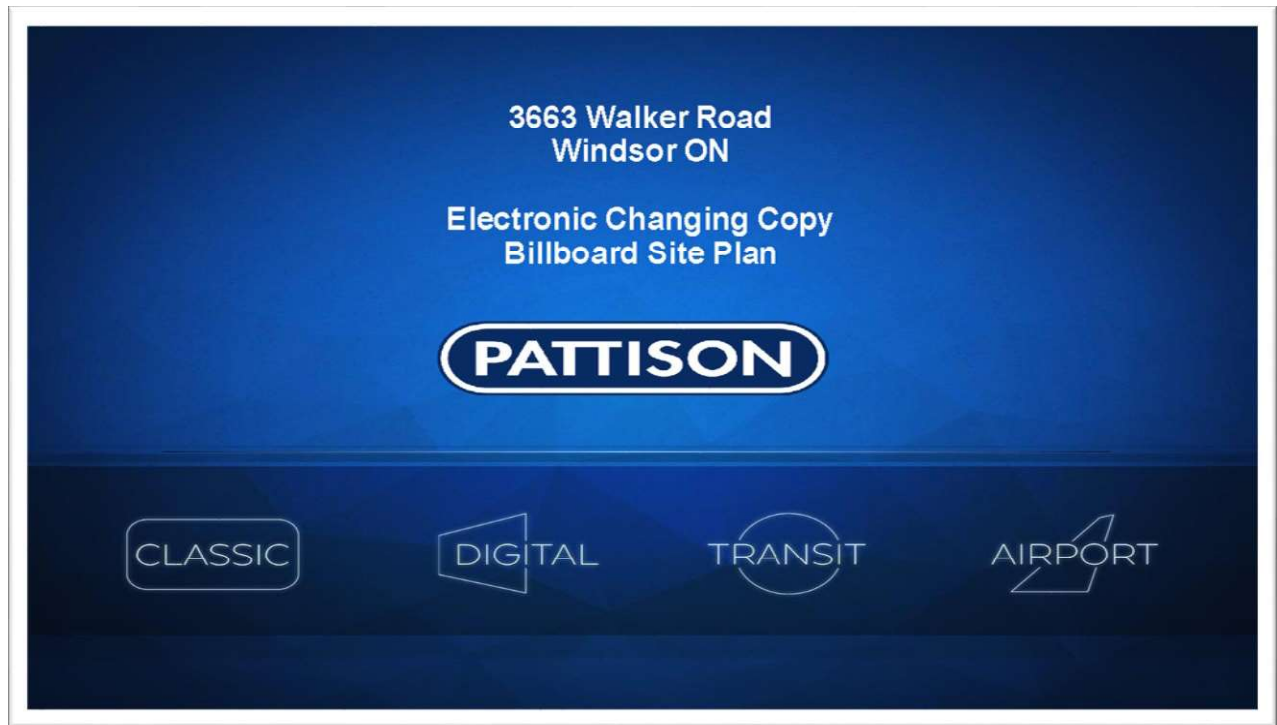
APPLICANT: PATTISON - BILLBOARD



SUBJECT LANDS

APPENDIX 'B'

PRESENTATION AND SIGN



3663 Walker Road - Response to Comments in Planning Consultation Letter

1. **1. Revised Site Plan:** Pattison has worked with the Property Owner to commit to investing in improvements to the street frontage of this property with a landscaped island 3 metres in depth, similar to what is shown in the attached Renderings. We are confident that this will address the City's concerns about encroachments into the right of way, while simultaneously enhancing the appearance of this property located on Walker Road – a key gateway into Windsor. It will also create a welcoming entrance for visitors to the property and to the City, and support local businesses by allowing them to reach a larger audience and stimulate economic growth.
2. **Proposed Sign Height:** In response to Staff's comments, we have reduced the height of the electronic changing copy portion to 7.3 metres, the lowest height that still achieves the required clearance from grade of 4.25 metres as set out in the OBC. This reduction represents a 16 per cent decrease from our original proposal.
3. **Operating Hours:** Staff have recommended that the sign be turned off overnight, between the hours of 10:00 pm and 7:00 am. We can confirm that we will abide by these operating hours, and will also reduce the brightness levels in line with the Sign By-law requirements between sunset and 10:00 pm, to minimize any impacts on surrounding uses.
4. **Reduced Brightness Levels:** To continue to help address any remaining staff concerns, Pattison has committed to further reducing the sign's brightness to 150 NITS after sunset, 50% lower than the maximum permitted evening brightness under the Sign By-law.
5. **Proximity to Overhead Power Lines:** We have confirmed with ENWIN that the proposed setback of 3 metres from the hydro pole achieves the required setback.

APPENDIX 'B'

PRESENTATION AND SIGN



APPENDIX 'B'

PRESENTATION AND SIGN

Subject Property – 3663 Walker Road, Windsor ON

subsection Table 6.3.1	(a) Posted Speed Limit (km/hour)	(b) Distance before Stop Line (m)	(c) Distance after Stop Line (m)	(d) Offset Prohibited Location on both sides of road (m)
	50 or less	65	90	16
	60	85	110	20
	70	110	125	23
	80 or more	140	130	26



Walker Road (60km/h)

- 148m to nearest stop line
- 164m after nearest stop line

Melinda Street (50km/h)

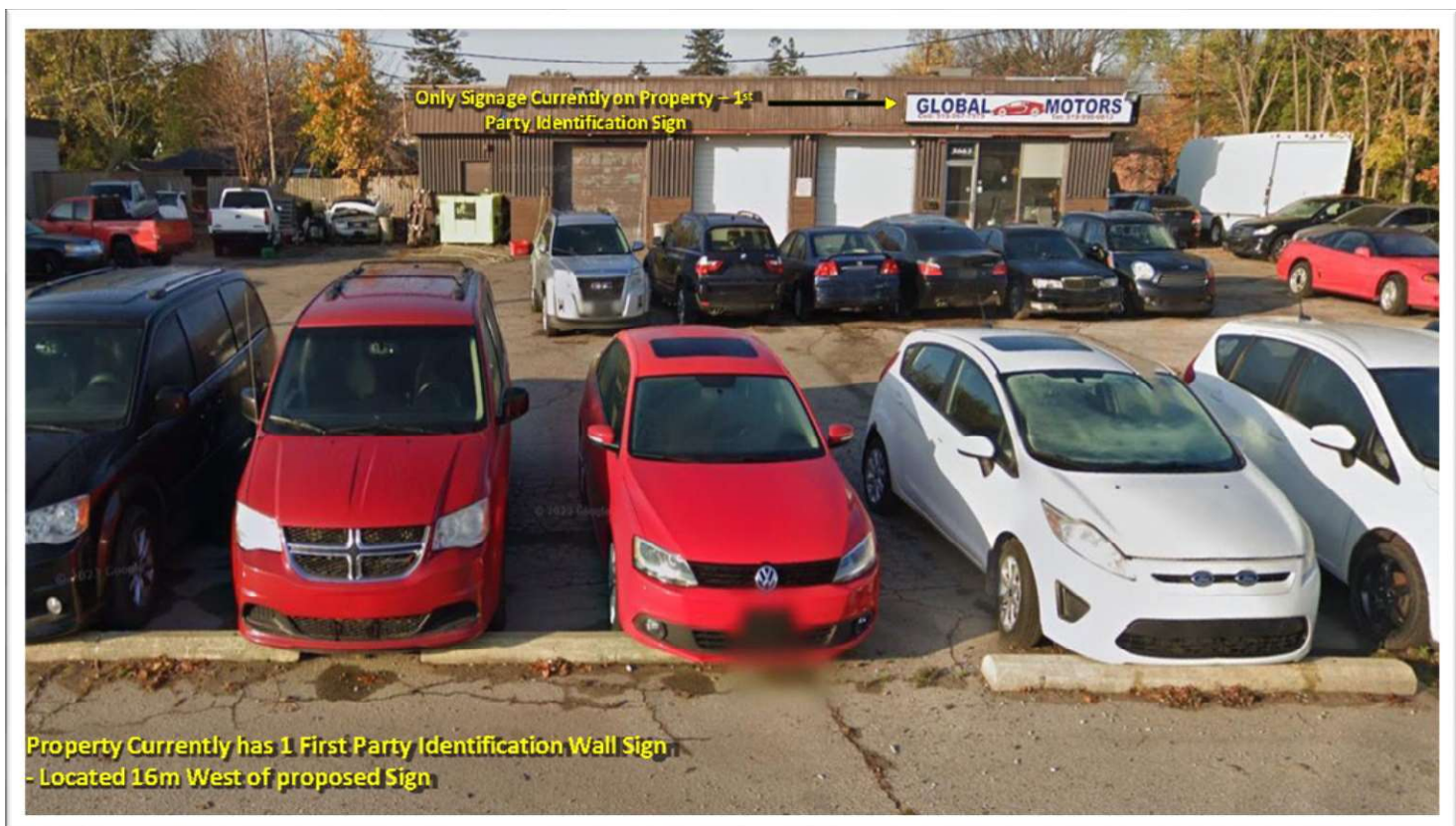
- 90m to nearest stop line
- 92m after nearest stop line

- Residential Use located 31.1 metres to the West is blocked by commercial buildings
- Residential Use 59.5 metres to the East is blocked by commercial buildings and mature trees
- Height of Electronic Changing Copy Portion reduced from 9.0 metres to 7.3 metres, to further minimize any impacts
- Sign will be turned off from 10pm – 7am
- Brightness will be reduced to 150 NITS after sunset



APPENDIX 'B'

PRESENTATION AND SIGN

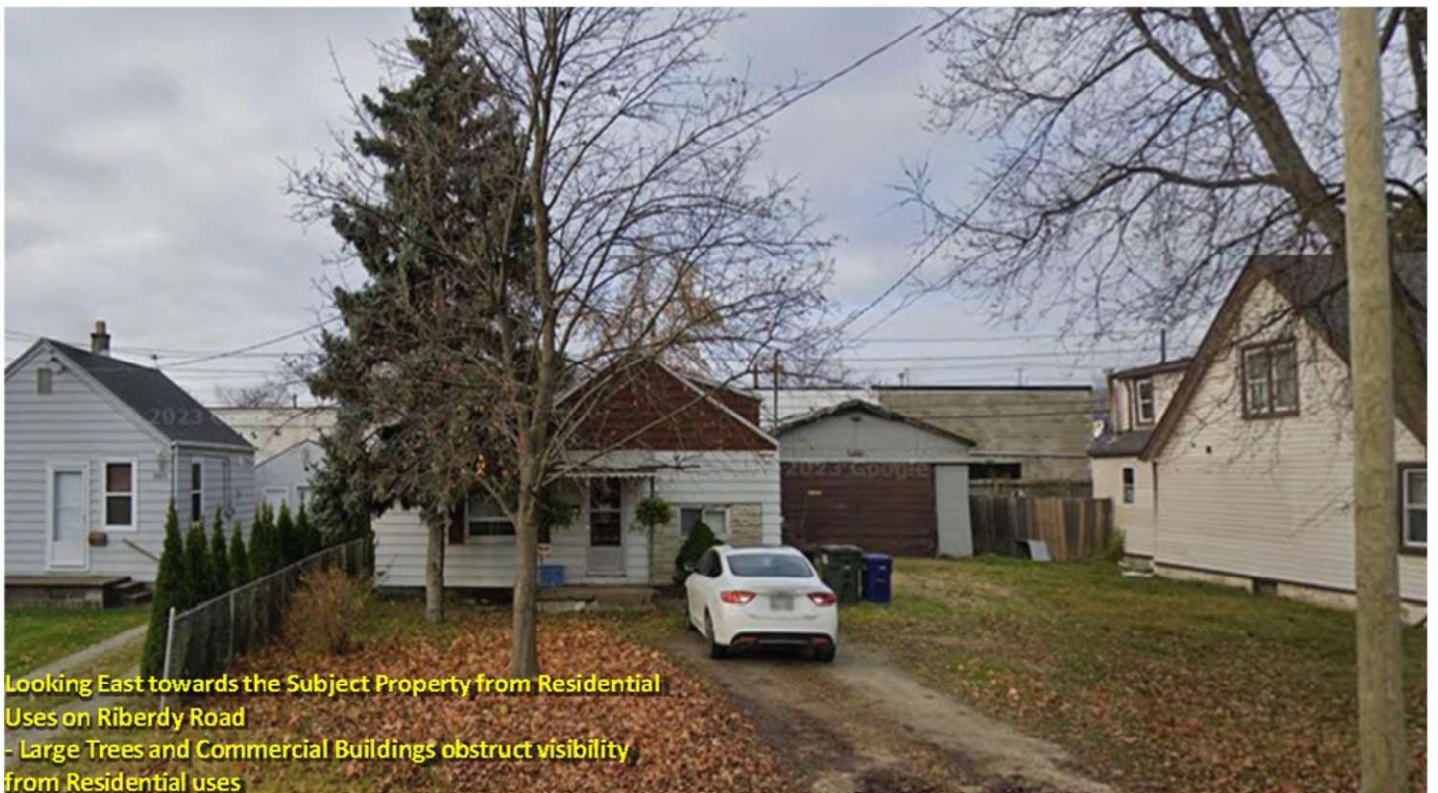


APPENDIX 'B'

PRESENTATION AND SIGN



Looking East towards the Subject Property from Residential Uses on Turner Road
- Large Trees and Commercial Buildings obstruct visibility from Residential uses



Looking East towards the Subject Property from Residential Uses on Riberty Road
- Large Trees and Commercial Buildings obstruct visibility from Residential uses

APPENDIX 'B'

PRESENTATION AND SIGN



Condition of Approval – Existing Billboard Ground Sign to be Removed at **980 Crawford Avenue, Windsor ON.**

- To Help Achieve a Higher-Level Objective of Reducing Sign Clutter, We Will Remove Three Billboard Sign Faces From This Property
- This Existing Sign is Located on Crawford Ave., and is in proximity to residential uses, Eliminating 55.8 Square Metres of Signage

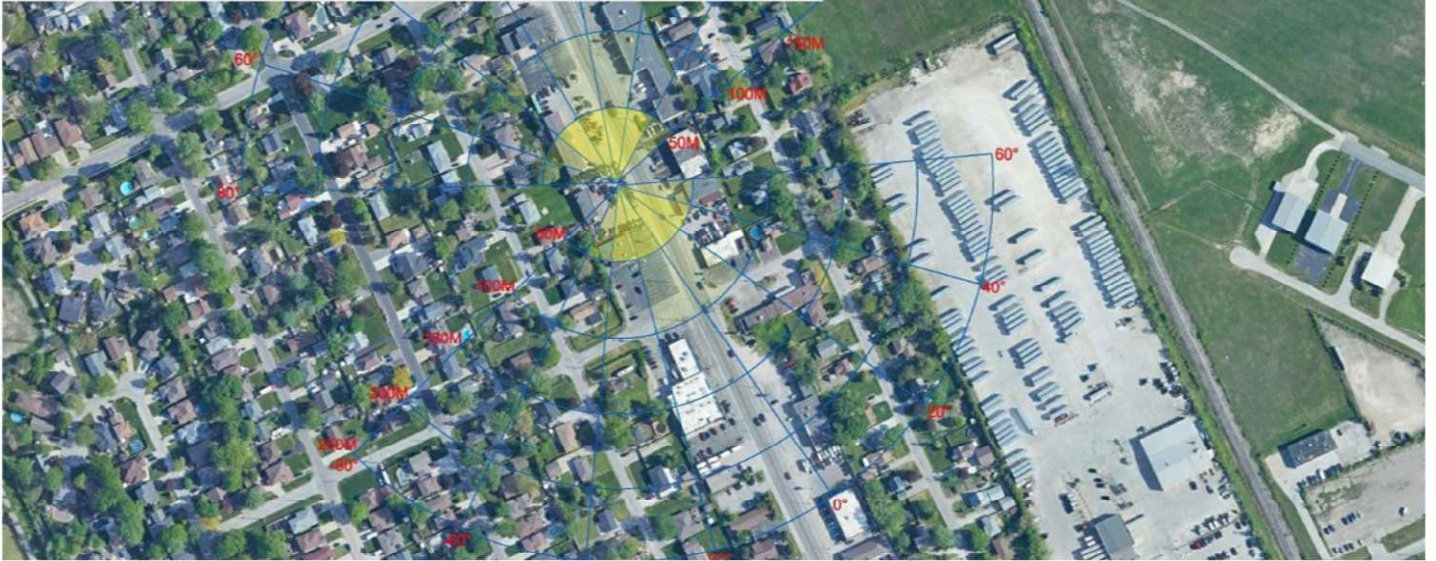


APPENDIX 'B'

PRESENTATION AND SIGN

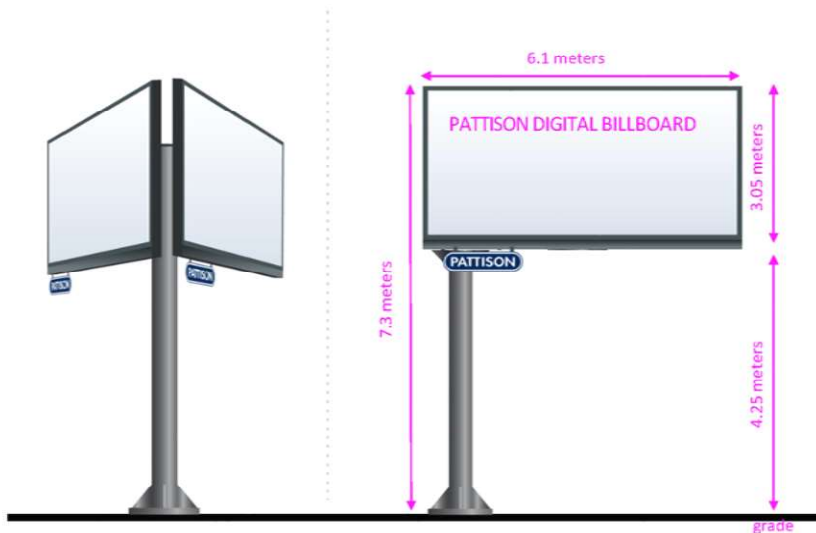
Light Impact Analysis

- Any Properties Further Than 50 metres away will not see an increase of more than 0.3 lux – a negligible amount considered to be equivalent to the light cast by a full moon, and compliant with Sign By-law requirements.
- The Sign will also shut off completely between 10 pm and 7 am, and dim brightness down to 150 NITS after sunset.

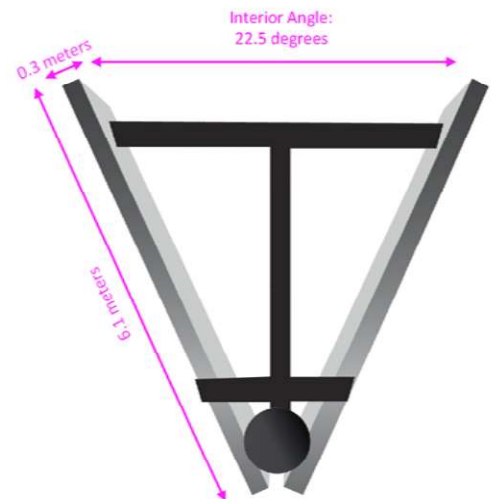


Elevation Drawings of the Proposed Sign (3363 Walker Road)

Front Elevation

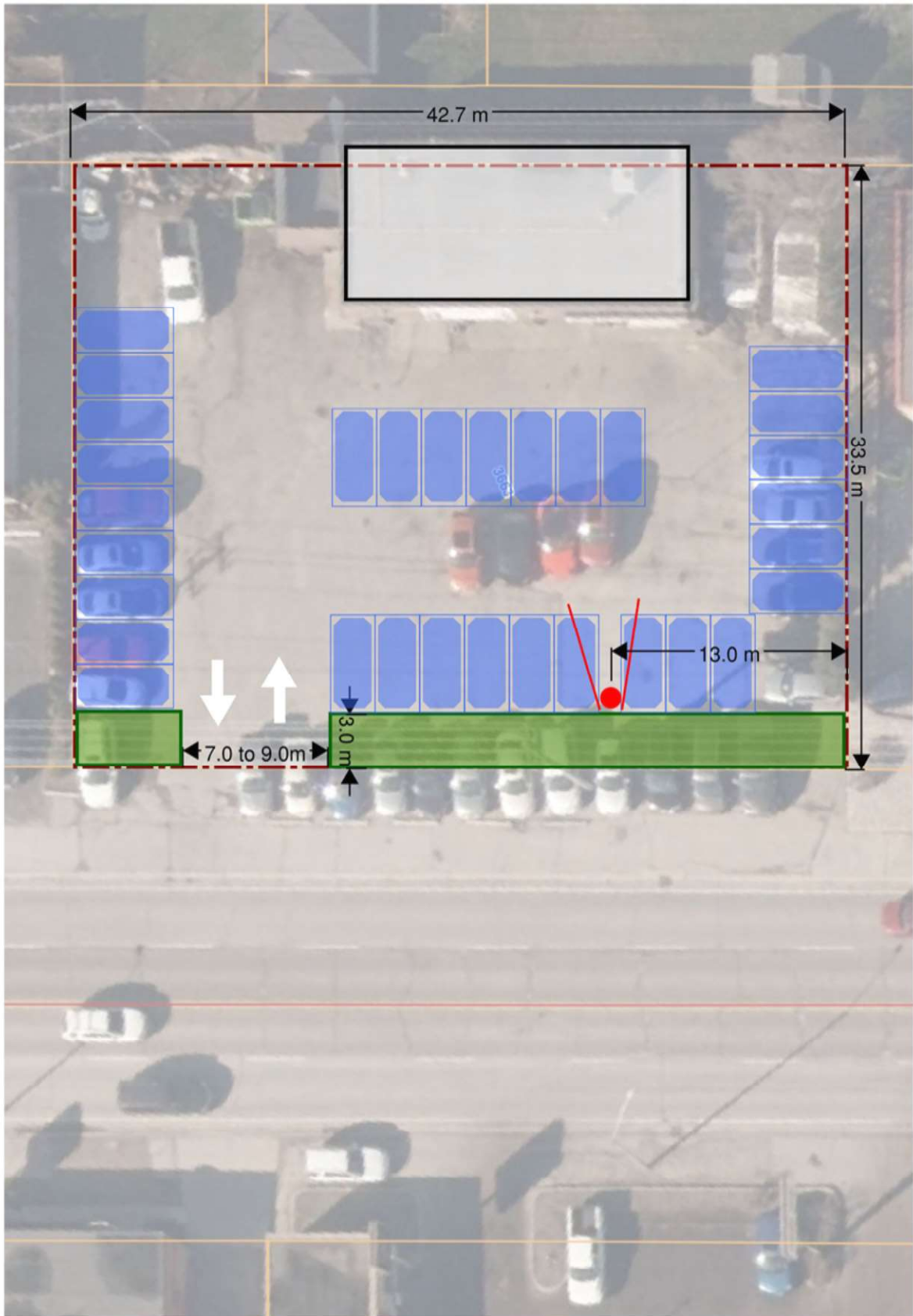


Top Elevation



APPENDIX 'C'

SITE PLAN CONCEPT WITH LANDSCAPE SETBACK



APPENDIX 'D'

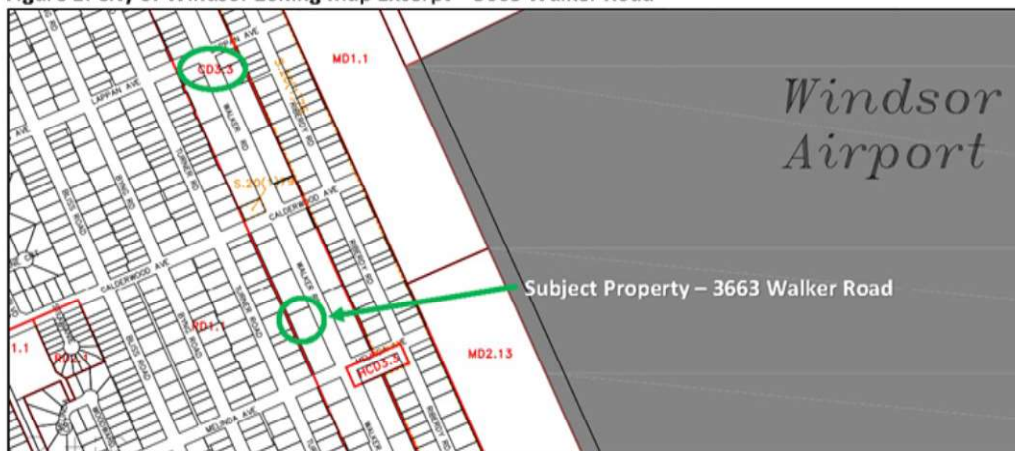
RATIONALE

Sign Variance Application – 3663 Walker Road, Windsor ON

On behalf of the Property Owner, Pattison Outdoor is seeking approval to build one new double-sided Electronic Changing Copy Billboard Ground Sign at 3663 Walker Road (the "Subject Property").

This sign would have two electronic sign faces in a v-shaped configuration, each measuring 3.03 m tall by 5.91 metres wide, at an overall height of 7.3 metres from grade. It would include identification for the business on the premises, measuring 0.6 metres by 5.5 metres, above the electronic sign faces (the "Proposed Sign"). See in Figure 4 below for a Structural Drawing of the Proposed Sign.

Figure 1: City of Windsor Zoning Map Excerpt – 3663 Walker Road



The Subject Property has a "CD 3.3" Zoning designation, which is "General Commercial - Warehouse" (See Figure 1 above). This commercial designation, along with the property being located on a stretch of Walker Road recently added to the Sign By-law as a permitted area for Electronic Changing Copy Billboard Ground Signs, make it a suitable location for the Proposed Sign.

Figure 2: Aerial view of 3663 Walker Road – the Subject Property



APPENDIX 'D'

RATIONALE

The Subject Property is located on the West side of Walker Road, and contains a used-car retailer / auto-repair services facility ("Global Motors") and associated parking lot. The surrounding area includes many other commercial, retail and employment uses on both the East and West sides of Walker Road.

We have strategically designed the Proposed Sign with a v-shaped orientation, in order to effectively direct the sign copy to the intended audience travelling along Walker Road, and away from the nearest residential uses located behind the Subject Property on Turner Road. The overall height and the angle of the sign faces will ensure there is no visibility of sign copy from these residential uses (See Figure 3).

We have also reduced the height of the Proposed Sign from the 9.0-metre maximum allowed under the Sign By-law, down to 7.3 metres from grade. This will further obstruct any visibility of the Proposed Sign from nearby residential uses.

Figure 3: Approximate Location of the Proposed Sign at 3663 Walker Road



The Proposed Sign will meet the majority of the applicable requirements in the Windsor Sign By-law:

- It is located on a property within a **Commercial District** (CD 3.3);
- It is located on a property with frontage on Walker Road, south of E.C. Row Expressway;
- It is **not** located within a Special Sign District as set out in Section 9.0;
- The maximum sign face area will not exceed 22.0 square metres (21.94 m² proposed);
- The maximum height will not exceed 9.0 metres (7.3 metres proposed);
- There are no other billboards within 200 metres, or digital billboards within 500 metres;
- It will not be erected within a Daylighting Corner or near the driveway entrance to the property;
- There will be a minimum of 4.25 metres clearance from grade to the bottom of the sign face;
- The Subject Property has a minimum frontage of 30.0 metres;
- There are no other billboards ground signs or ground signs at the Subject Property;

APPENDIX 'D'

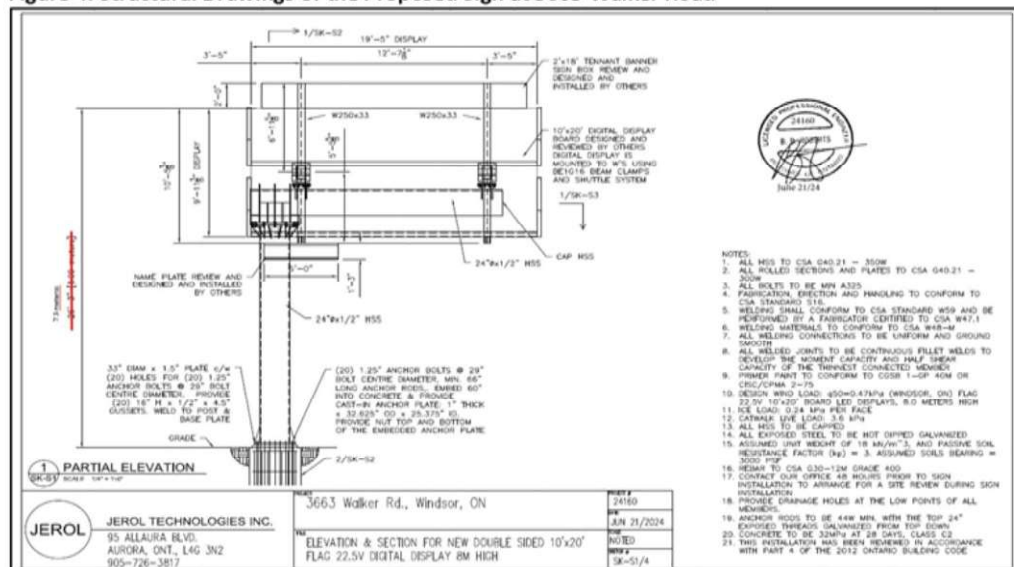
RATIONALE

- It is not located within 300 metres of the Windsor Airport Lands;
- It is not within 400 metres of E.C. Row Expressway or Highway 401 (MTO-Controlled Areas);
- It will meet the setback from the adjacent lot line of 3.0 metres (13.1 m proposed), and;
- It will meet the setback from the rear lot line of 6.0 metres (31.1 m proposed)

Clearance of 4.25 metres from grade to the bottom of the sign face will exceed the requirements set out in Sign By-law and the Ontario Building Code, and will ensure that pedestrians and vehicles can pass safely underneath the Proposed Sign. It is also located outside the Daylight Corner, and meets the required setback from the driveway entrance to the Subject Property. As such, the proposed placement will not obstruct the visibility of any drivers or cyclists.

Pattison will undertake an engineering review and provide engineered-stamped drawings (see below) and an Engineer's Field Review following the installation of the Proposed Sign being completed.

Figure 4: Structural Drawings of the Proposed Sign at 3663 Walker Road



The sign copy displayed will comply with the Sign By-law provisions for electronic changing copy signs by displaying a static (or fixed) message for no less than 8.0 seconds, with an instantaneous change between messages (approximately 0.01-second interval before the next static message is displayed). At no time will the sign display any distracting visual effects such as scrolling, flashing, blinking, full-motion video, or any similar effects.

The Proposed Sign will also comply with the illumination requirements of the Sign By-law, and be programmed to not exceed the maximum brightness during daytime hours of 5,000 NITS, or the maximum brightness between dusk and dawn of 300 NITS. The operating hour requirements will see the sign turned off between 10 pm and 7 am.

APPENDIX 'D'

RATIONALE

The Proposed Sign will meet all the requirements set out in Section 3.3.1(c) of the Sign By-law, specifically that it will be programmed to have an intensity of illumination and luminance not to exceed 3.0 lux (or 0.3 foot-candles) above ambient light conditions during its operating hours. We have provided a Letter of Certification from the Sign Manufacturer confirming that the Proposed Sign can achieve these requirements.

The Sign By-law was recently amended following a thorough review by Staff to refine and update the requirements for Electronic Changing Copy Ground Signs, which included new areas of the City where this type of sign could be contemplated. The Subject Property falls within one of these new areas, which includes properties along Walker Road between E.C. Row Expressway and Division Road.

Every single property along this stretch of Walker Road is unable to meet the required setback to Residential Uses, however careful consideration has been given to the Proposed Sign in order to minimize or eliminate any visibility from the residential uses in the surrounding area.

While the Proposed Sign would be located approximately 31.1 metres from the residential uses to the West on Turner Road, we have taken a strategic approach to planning the sign's orientation and attributes in order to minimize or eliminate any potential impacts on these properties.

The v-shaped configuration of the sign faces will direct the sign copy to the north-east and south-east, toward traffic travelling along Walker Road. There is also a mature tree line which forms a natural barrier and further obstructs visibility of the Proposed Sign from the residential uses on Turner Rd (see Figure 5 below).

Figure 5: Looking East towards the Subject Property from Residential Uses on Turner Road



We have also lowered the overall height of the Proposed Sign down to 7.3 metres from grade, which should ensure that the built form and natural vegetation on the East side of Walker Road will block visibility of the Proposed Sign from the residential uses on Riberdy Road (See Figure 5 and Figure 6 below). The tenant identification portion will be located along the top of the Proposed Sign, which ensures that the electronic display will not be visible from these residential uses.

APPENDIX 'D'

RATIONALE

Figure 6: Looking West towards the Subject Property from Residential Uses on Riberdy Road



When looking East from the Subject Property, the buildings located between the Proposed Sign and the Residential Uses on Riberdy Street create an obstruction from these properties. There is also a mature tree line between the commercial buildings on Walker Road and the properties on Riberdy Street that will further obstruct visibility of the Proposed Sign (see Figure 7 below).

Figure 7: Looking East from the Subject Property towards Riberdy Road



We believe the minor variances required for the Proposed Sign can be granted with confidence that it will have no negative impacts on the Subject Property or the surrounding area, based on the orientation of the sign faces and overall height, and the built form and obstructions in place between the Proposed Sign and the nearby residential uses to the East and West.

APPENDIX 'D'

RATIONALE

Figure 8: The Existing Wall Sign at the Subject Property



There is one small existing wall sign for the business on the premises (Global Motors) located above the entrance to the facility. This wall sign, combined with the Proposed Sign, will provide suitable identification for the business on the premises, and will not result in a cluttered appearance (see Figure 8 above). As such, the Proposed Sign will help achieve one of the higher-level goals of the Sign By-law.

Figure 9: Condition of Approval – Three Existing Sign Faces Removed to Reduce Sign Clutter



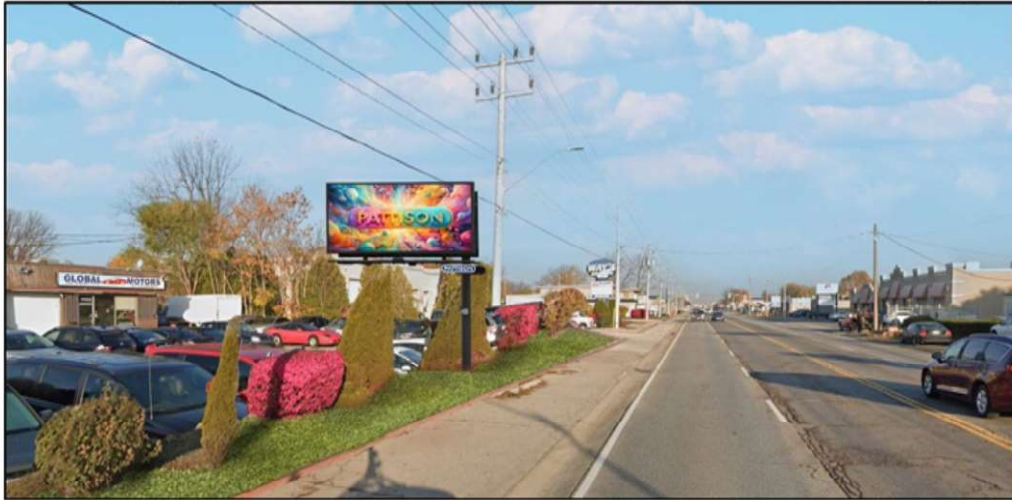
As a Condition of Approval, Pattison will remove three existing sign faces with a total of 55.8 square metres, and have the associated permits revoked, upon issuance of a Sign Permit for the Proposed Sign (See Figure 9 above). This existing sign is located on Crawford Avenue, 35 metres north of Erie Street West, and will effectively remove more than 30 square metres of signage in the City to help reduce sign clutter in the City of Windsor and achieve one of the higher-level objectives of the Sign By-law.

APPENDIX 'D'

RATIONALE

As a second Condition of Approval, Pattison and the Property Owner will install a landscaped island along the Walker Road frontage of the property, approximately 3 metres in depth as indicated in Figure 10 below. We are confident that this will address any concerns the City has about parked vehicles encroaching into the right-of-way, while simultaneously enhancing the appearance of the property.

Figure 10: Design Rendering of the Proposed Sign with Landscaped Island - Conceptual



These enhancements to the property will create a welcoming entrance for visitors to the property and to the City of Windsor, while also supporting local businesses by helping them reach a larger audience and stimulate economic growth.

Building the Proposed Sign with a v-shaped configuration, at a reduced height of 7.3 metres, helps to minimize or eliminate any impacts on the nearby residential uses, therefore we believe that this variance is minor in nature and can be supported.

This stretch of Walker Road was recently included in the Sign By-law as a permitted area for electronic change copy billboards, and we believe the site-specific details and the strategic planning of the Proposed Sign's attributes make it an ideal fit at the Subject Property.

To further ensure that the Proposed Sign will not negatively impact the surrounding area, it will be turned off completely from 10:00 p.m. until 7:00 a.m. If you have any questions or concerns about our application or the Proposed Sign, we are available any time to discuss as required. Thank you for your consideration of our application.

Nathan Jankowski
Manager, Permits & Legislation
Pattison Outdoor

Scott Stover
Leasing Representative
Pattison Outdoor