

ZONING BY-LAW AMENDMENT APPLICATION

INSTRUCTIONS

Revised 2026 March 1

Refer to your Planning Consultation Stage 2 Letter for application type, fees, and required supporting information. Complete this application in full. Be as detailed as possible. The City of Windsor ("City") will return an incomplete application. Direct questions to a Planner in the Development section.

Do not make payment until given instructions to do so. The City will refund or return any payment made before the City is ready to deem the application complete. Do not email any documents to a staff Planner. After 60 days of inactivity, the City will terminate the application without notice.

Submit all materials to the Senior Steno Clerk, Planning & Development Services by email at planningdept@citywindsor.ca, by mail to the address at the bottom of this page, or in person at City Hall, Second Floor, 350 City Hall Square West.

FEES

Fees subject to change. The City will provide payment options when the application is ready to be deemed complete. If the Applicant does not complete Stage 1 and Stage 2 of the Planning Consultation process, the City will double the Base Fee. ZBA = Zoning By-law Amendment

City of Windsor Fees	Minor ZBA	Major ZBA
Base Fee	\$2,455.00	\$3,300.00
GIS Fee	+ \$50.00	+ \$50.00
E-Permitting Fee	+ \$40.00	+ \$40.00
Total City of Windsor Fee	= \$2,545.00	= \$3,390.00

Essex Region Conservation Authority (ERCA) Fee

If the subject land is in the Limit of Regulated Area, the City will add an ERCA fee based on type of application to the Total City of Windsor Fee above. The ERCA fee is separate from any fees for a permit or clearance required by ERCA. The ERCA Fee Schedule is available on the ERCA [website](#).

Other Fees: The City may charge the following fees in the future:

Renotification Fee \$2,795.00

Required when an applicant requests a deferral after the City has given notice of a public meeting.

Legal Fee for Servicing Agreement \$730.00 plus \$50 per unit, lot, or block

Required when the preparation of a servicing agreement is a condition of approval.

CONTACT INFORMATION

Planning & Development Services
City of Windsor
350 City Hall Square West, Suite 320
Windsor ON N9A 6S1

Telephone: [519-255-6543](tel:519-255-6543)
Fax: 519-255-6544
Email: planningdept@citywindsor.ca
Web Site: citywindsor.ca

ZONING BY-LAW AMENDMENT APPLICATION

ZONING BY-LAW AMENDMENT PROCESS

Review the [Planning Act](#) and relevant regulations, and the City of Windsor [Official Plan](#) for statutory requirements. Direct all questions to the assigned Planner. The process is as follows:

1. Within 30 days of the receipt of the application, you will receive written notification that the City is deeming the application incomplete or ready to be complete. If you completed the Planning Consultation process, this review period will be shorter.
2. If incomplete, the assigned Planner will indicate the revisions required prior to resubmitting the application - no further processing will occur. If the City is ready to deem the application complete, it will provide you with payment options. After the City processes payment, fees are not refundable, and the City will deem the application complete and circulate it to departments and external agencies for comment, and will make submitted documents [available](#) to the public.
3. Following circulation, the assigned Planner prepares, and the City Planner and other staff review, the draft staff report. When the draft report receives internal approval, the City will schedule the application for a future meeting of the Development and Heritage Standing Committee (DHSC).
4. The DHSC meeting is the public meeting required by the *Planning Act*. The City will advertise public notice of the DHSC meeting in the Windsor Star newspaper 20 days prior to the meeting. The City may mail a courtesy notice to property owners within 200 metres of the subject land.
5. Ten days prior to the DHSC meeting, the staff report is made available to DHSC members, the Applicant / Agent, and to the public at <https://opendata.citywindsor.ca/Tools/CouncilAgendas>.
6. At the DHSC meeting, the assigned Planner may make a presentation. Any party may make an oral submission or submit a written submission. The DHSC may ask questions of any party that made a submission. The DHSC may defer, recommend approval, or recommend denial.
7. If deferred, the DHSC will consider the application along with any additional information at a future DHSC meeting. If recommended for approval or denial, we will forward the staff report and the minutes of the DHSC meeting to City Council for decision at a future date. Council Services will notify the Applicant, Agent and all interested parties of the date, time, and location of the Council meeting. Call 311 or contact Council Services at [519-255-6211](tel:519-255-6211) or clerks@citywindsor.ca.
8. The application may be on the Consent Agenda of the Council Meeting, a part of the meeting where Council approves several matters with one motion. If the application is not on the Consent Agenda, the staff planner may make a presentation. Any party may make an oral submission or submit a written submission. Council may approve, deny, or defer the application.
9. If Council approves the application, Council will pass an amending by-law at a future meeting. Council Services will give notice of passing of the amending by-law to the applicant, property owners and public bodies within 15 days. There is a 20-day appeal period commencing the day after the City gives this notice. The notice will indicate the last day to file an appeal.
10. To file an appeal with the [Ontario Land Tribunal](#) (OLT), submit your request online through the [OLT E-File Portal](#) or completing the [appeal form](#) and submitting it to City of Windsor Council Services ([519-255-6211](tel:519-255-6211) or clerks@citywindsor.ca). If the City receives no appeal, the amending by-law is binding as of the date of Council's passing of the by-law.

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FILE NAMING

Name your documents using the list below and adding the effective date of the document using the format YYYY-MM-DD. You can include your own project number or information after the file name and date. If there are multiple files of one type of document, add a number after the file name but before the effective date. All documents must be in a single folder.

For example: Planning Rationale Report 2026-11-24
Application Zoning By-law Amendment 2026-12-11
Concept Rendering 001 2026-12-31

FILE NAME

EFFECTIVE DATE

Agreement of Purchase and Sale

Confirmation of Acceptance Date

Application Planning Consultation Stage 1

Acknowledgements date

Application Planning Consultation Stage 2

Application Official Plan Amendment

Sworn Declaration of Applicant date

Application Zoning By-law Amendment

Application Plan of Subdivision

Application Plan of Condominium

Application Condominium Conversion

Archaeological Assessment Stage 1

Report date

Archaeological Assessment Stage 2

Archaeological Assessment Stage 3

Archaeological Clearance Letter

Letter date

Block Plan

Date of plan

Climate Resiliency Study

Report date

Concept Drawings

Drawn / Revised On date

Concept Elevations

Concept Floor Plans

Concept Renders

Concept Site Plan

Corporate Profile Report

Report Generated on date

Energy Strategy

Report date

Environmental Evaluation Report

Report date

Environmental Impact Study

Environmental Site Assessment Phase I

Report date

Environmental Site Assessment Phase II

Functional Servicing Report / Functional Servicing Study

Report date

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FILE NAME	EFFECTIVE DATE SOURCE
Geotechnical Report	Report date
Heritage Impact Study	Report date
Lighting Study	Report date
Micro-Climate Study	Report date
Noise Study	Report date
Noise & Vibration Study	
Open House Notice	Date Sent or Delivered
Open House Display Boards	Date of Open House
Open House Presentation	
Open House Registration Report	
Open House Sign in Sheet	
Open House Letter Name of Person	Date letter or email was sent
Ownership Deed of Land	"Registered as of" date
Ownership Parcel Register	Prepared For date
Ownership Transfer	Received on date
Parking Study	Report date
Plan of Survey	Surveyor's Certificate date
Planning Rationale Report	Report date
Sanitary Sewer Study	Report date
Shadow Study	Report date
Species at Risk Study	Report date
Stormwater Management Report	Report date
Transportation Impact Memo	Report date
Transportation Impact Statement	
Transportation Impact Study	
Tree Inventory and Preservation Study	Report date
Topographic Survey	Surveyor's Certificate date
Urban Design Brief / Urban Design Study	Report date
Vibration Study	Report date
Waste Disposal Letter	Date of Letter

ZONING BY-LAW AMENDMENT APPLICATION

1. PLANNING CONSULTATION & SUPPORTING INFORMATION

Valid Planning Consultation Stage 1 and Stage 2 letters will list what supporting information you must submit with this application.

Planning Consultation
Stage 1 File Number:

PC-089/25

Planning Consultation
Stage 2 File Number:

PC-012/26

☐

No Valid Planning Consultation Letter

If the Planning Consultation Letter expired or you did not proceed with the Planning Consultation process, the review to determine if the application is complete will take longer and the City may deem the application incomplete, which will delay processing.

See pages 3 and 4 for file naming conventions. All drawings and plans shall be in JPG and PDF format. All other documents shall be in Word and PDF format. Flatten all PDF files with no layers and 'Printing' and 'Content Copying' allowed. If you are submitting companion applications, provide only one set of documents.

In addition to the requirements in the Planning Consultation letter, you must submit the following documents with this application:

- a) Property Deed, Transfer, Offer to Purchase, or Agreement of Purchase and Sale
- b) Corporation Profile Report if the Applicant or Registered Owner is a corporation.
- c) Plan, Sketch, or Survey of Subject Land showing existing conditions, buildings, & structures.
- d) Conceptual Site Plan – See Section 7 for drawing requirements.

The City makes all supporting information submitted with the application available for public review.

2. COMPANION APPLICATIONS & FUTURE APPLICATIONS

Indicate any companion application you are submitting with this application:

☐

Official Plan Amendment

☐

Plan of Condominium

☐

Plan of Subdivision

Indicate which applications you may submit in the future for the subject land:

☐

Part Lot Control

☐

Plan of Condominium

☐

Plan of Subdivision

☐

Consent to Sever

☒

Site Plan Control – see Note 1 below

Note 1: If a development proposal is subject to Site Plan Control, you may submit the Planning Consultation application for Site Plan Control after the Development and Heritage Standing Committee considers the zoning amendment. Final approval of a site plan is conditional on an amending by-law coming into effect.

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3. APPLICANT, REGISTERED OWNER, AND AUTHORIZED AGENT

If the applicant is a numbered company, provide the name of the principals of the company in a separate document. If there is more than one Applicant or Registered Owner copy this page, complete in full and submit with this application. All communication is with the Agent authorized by the Registered Owner. If there is no Agent, all communication is with the Applicant.

Applicant

Name	Masotti Construction Inc.	Contact	
Address			
Phone		Fax	
Email			

Registered Owner ☐ Same as Applicant

Name	Devon Place Inc.	Contact	
Address			
Phone		Fax	
Email			

Authorized Agent ☐ Same as Applicant

Name	Siv-ik Planning & Design Inc.	Contact	Lauren Sooley
Address			
Phone		Fax	
Email			

ZONING BY-LAW AMENDMENT APPLICATION

4. SUBJECT LAND INFORMATION

Street address, roll number, legal description, and zoning may be available at the following links: [Public Property Inquiry](#) and [Property and Parcels Data Viewer](#). Copy and paste the information into the appropriate boxes below.

Street Address	2916 McKay Avenue
Include Postal Code	N9E 2R2

Roll Number	3739-080-400-05505-0000
--------------------	-------------------------

Legal Description	PLAN 1056 LOTS 314 TO 317 PT BLK P PLAN 1286 PT BLK V AND RP 12R29011 PART 1
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Mortgages, Charges or Other Encumbrances	☐ None Windsor Family Credit Union Ltd. 3000 Marentette Avenue, Windsor ON N8X 4G2
Name/Address	

Easement or Restrictive Covenant	☐ None R625200E
---	---

Date Acquired by Registered Owner	☐ Unknown September 6, 2024
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Dimensions	Frontage / Width (m)	Depth (m)	Area (m ²)
Metric Units	42.6m	34.4m	1,465m ²

ZONING BY-LAW AMENDMENT APPLICATION

Official Plan Designation

Residential (adjacent to a Mixed Use Node)

Zoning

Residential District 1 (RD1.4) Zone

Current Uses

Indicate how long uses have continued

Residential (Single-detached Dwelling)

Unknown length of time

Former Uses

Check all that apply

AGRICULTURAL

☐

COMMERCIAL

☐

INDUSTRIAL

☐

INSTITUTIONAL

☐

PARKLAND

☐

RESIDENTIAL

☒

VACANT LAND

☐

OTHER

☐

Contamination Is there reason to believe that current or former uses on the subject land may have contaminated the subject or adjacent land?

NO ☒

YES ☐

UNKNOWN ☐

If available, submit any Phase 1 or Phase 2 Environmental Site Assessment or any Record of Site Condition with this application.

5. PREVIOUS APPLICATIONS

Indicate the file numbers of previous applications. If unknown, leave blank.

Plan of Subdivision or Consent

NO

☒

YES

☐

File:

Plan of Condominium

NO

☒

YES

☐

File:

Official Plan Amendment

NO

☒

YES

☐

File:

Zoning By-law Amendment

NO

☒

YES

☐

File:

Site Plan Control

NO

☒

YES

☐

File:

Minister's Zoning Order

NO

☒

YES

☐

OR#:

ZONING BY-LAW AMENDMENT APPLICATION

6. DESCRIPTION OF ZONING BY-LAW AMENDMENT (ZBA)

Be as descriptive as possible. Incorrect or incomplete information will delay processing.

6A. Which Zoning By-law are you amending? 8600 ☒ 85-18 ☐

6B. Describe the zoning amendment you are requesting:

We propose to rezone the site from the current Residential District 1 (RD1.4) Zone to a Residential District 3 (RD3.1-XX) Special Provision Zone.

6C. Describe the nature and scope of the proposed development:

See Planning and Design Brief for full details.

6D. If the proposed development consists of multiple buildings, provide an overall total for Gross Floor Area, Landscaped Area, Parking Spaces (including Accessible & Bicycle) & Loading Spaces below and attach a document that provides this information for each building.

Total Dwelling Units:	16	Parking Spaces:	17
Number of Buildings:	1	Accessible Parking Spaces:	2
Gross Floor Area (m ²):	1,208m2	Bicycle Parking Spaces:	2
Landscaped Area (m ²):	641m2	Loading Spaces:	N/A
Building Height (m):	12.0m	Building Height (storeys):	3.5 storeys

6E. Explain how the amendment is consistent with the [Provincial Planning Statement 2024](#):

See Planning and Design Brief for full details.

ZONING BY-LAW AMENDMENT APPLICATION

6F. Explain how the amendment conforms to the City of Windsor Official Plan:

See Planning and Design Brief for full details.

6G. If the application will remove land from an area of employment, provide details of the applicable Official Plan policy or Official Plan Amendment that deals with this matter:

N/A

7. CONCEPTUAL SITE PLAN

Dimensions shall be in metric. Include a conceptual site plan of the proposed development showing:

- a) The boundary and dimension, in metres, of the subject land.
- b) The location, size, and type of any existing and proposed building and structure (including any berm, fence, noise barrier, refuse bin) on the subject land, including their distance / setback from all lot lines and their height in metres, the number and dimensions of parking spaces, accessible parking spaces, visitor parking spaces, bicycle spaces, loading spaces, and the dimensions of parking aisles, collector aisles, and access areas.
- c) The approximate location of natural and artificial features (building / structure, railway, driveway, access area, watercourse, drain, ditch, swale, banks of river or stream, wetland, wooded area, well, septic tank, etc.) that is located on the subject land and on land adjacent to it.
- d) The current uses of all land that is adjacent to the subject land.
- e) The location and name of any road and alley within or abutting the subject land, indicating if it is a municipal road, a provincial highway, other public road, a private road, a right-of-way, or an unopened road or alley allowance.
- f) If access to the subject land will be water only, the location of the parking and docking facilities and their distance from the subject land in metres or kilometres.
- g) The location and nature of any easement affecting the subject land.

ZONING BY-LAW AMENDMENT APPLICATION

8. INFRASTRUCTURE

WATER: How will you be providing water to the subject land?

☒

Public piped water system

☐

Private individual well

☐

Private communal well

SANITARY SEWAGE: How will you be disposing of sanitary sewage from subject land?

☒

Public sanitary sewage system

☐

Private individual septic system - see Note 2

☐

Private communal septic system - see Note 2

Note 2: If the application would permit development on private individual or communal septic system and will produce more than 4,500 litres of effluent per day because of completion of the development, you must submit a Servicing Options Report and a Hydrogeological Report with this application.

STORM DRAINAGE: How will you be providing storm drainage? Check all that apply.

☒

Sewers

☐

Ditches

☐

Swales

☐

Other

ACCESS: How will you access the subject land? Check all that apply.

☒

Municipal Road

☐

Provincial Highway

☐

Other Right-of-way

☐

Water See Note 3 below

Note 3: If access to the subject land is by water only, describe the parking and docking facilities used or that you will use and provide the distance (metres or kilometres) of these facilities from the subject land and the nearest public road:

☒

See attached drawing or Conceptual Site Plan

9. PROPOSED PUBLIC CONSULTATION STRATEGY

What is your strategy for consulting with the public? Check all that apply.

☒

Public Notice & Public Meeting as required by the *Planning Act*

☒

Open House. If known, date, time & location: February 4, 2026, Budimir Public Library

☒

Website. Enter URL: www.siv-ik.ca/2916m

☒

Other. Describe: See Section 7 of Planning and Design Brief submitted with this application

ZONING BY-LAW AMENDMENT APPLICATION

10. AUTHORIZATION

Authorization to Enter Upon the Subject Land and Premises and for Applicant and any Agent to Submit the Application and Required Information

I, Marc Masotti,

am the Registered Owner of the subject land described in Section 4 and hereby authorize members of City Council & the Development & Heritage Standing Committee and staff of The Corporation of the City of Windsor to enter upon the subject land and premises for the purpose of evaluating this application and the Applicant and Agent listed in Section 3 to submit this application and required information.

This is their authority for doing so.

Marc Masotti

2026-04-14

Signature of Registered Owner

Date YYYY-MM-DD

If Corporation, I have authority to bind the Corporation

11. ACKNOWLEDGEMENT

Application Processing: Submission of this application does not constitute a complete application. The City will review all materials to determine completeness. Inaccurate or missing information will delay processing. Once the application is deemed complete, fees are non-refundable. If there is no activity on the file for 60 days, the City may terminate the application without notice.

Sharing of Information: Subject to the [Planning Act](#) and the [Municipal Freedom of Information and Protection of Privacy Act](#), the City may share the application and submitted material with external agencies and the public for the purpose of evaluating the application.

Archaeological Resources: If archaeological resources are found during grading, construction, or soil removal activities all work in that area must cease immediately. I will [notify](#) the City's Planning & Development Services and Manager of Culture and Events and the Ontario Archaeology Program Unit ("APU") to confirm satisfaction of any archaeological requirements before any work can resume.

Human Remains: If human remains are encountered during grading, construction or soil removal activities all work in that area must cease. I will secure the site and contact the Windsor Police Service at 911 or the coroner so that they may determine whether the skeletal remains are human and whether the remains constitute a part of a crime scene. The police or coroner will notify the APU and the Registrar at the Ministry of Government and Consumer Services if needed, and the APU will provide notification and satisfactory confirmation.

CONTINUED ON NEXT PAGE

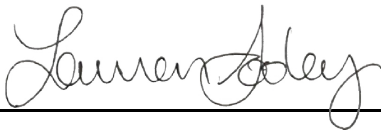
ZONING BY-LAW AMENDMENT APPLICATION

11. ACKNOWLEDGEMENT (Continued)

Potentially Contaminated Site: I am responsible for complying with provincial legislation, guidelines, and the City's Official Plan policies regarding potentially contaminated lands. Reasonable effort must be made to identify contamination on the subject property. As a condition of approval, the City may require a Record of Site Condition (RSC), signed by a qualified person and filed in the Environmental Site Registry, along with acknowledgment from the Ministry of the Environment, Conservation and Parks (MECP). The City may also require a Declaration from the qualified person confirming that the City may rely on the RSC. The City is not responsible for identifying or remediating contaminated sites, and I agree not to hold the City, its officers, employees, or agents liable for any loss, damage, or costs related to environmental cleanup or claims.

Species at Risk: Under Ontario's [Endangered Species Act, 2007](#), it is my responsibility to ensure compliance with all provisions protecting endangered and threatened species and their habitats. This may include registering an activity or obtaining permits or authorizations from MECP prior to undertaking any work that could impact protected species. Approval under the Planning Act does not constitute approval under the Endangered Species Act, nor does it exempt the applicant from obtaining necessary authorizations. For guidance, contact MECP at SAROntario@ontario.ca or visit <https://www.ontario.ca/page/development-and-infrastructure-projects-and-endangered-or-threatened-species>

My signature below is acknowledgement that I read, understand, and agree with, the above statements.



Applicant

☐

Agent

☒

2026-04-13

DATE: YYYY-MM-DD

Complete Section 12 on the next page

ZONING BY-LAW AMENDMENT APPLICATION

12. SWORN DECLARATION OF APPLICANT

Complete in the presence of a Commissioner for Taking Affidavits. If you administer this declaration remotely, you must be able to see, hear and communicate with the Commissioner throughout the entire transaction and show documentation that confirms your identity.

I, Lauren Sooley, solemnly declare that the information required by the *Planning Act, Schedule 1* to *Ontario Regulation 545/06*, and the City of Windsor and provided by the Applicant is accurate and that the information contained in the documents that accompany this application is accurate, that if this declaration was administered remotely that it was in accordance with *Ontario Regulation 431/20*, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.



Signature of Applicant

*Sign in the presence of a
Commissioner for Taking Affidavits*

Hamilton, Ontario

Location of Applicant at
Time of Declaration

The administration of this declaration is in accordance with *Ontario Regulation 431/20*.
Every person who administers a declaration remotely shall keep a record of the transaction.



Declared
before me



at the City of Barrie, Ontario

A COMMISSIONER FOR OATHS
JAZMIN ROCIO MAGANA GARCIA
LICENSED PARALEGAL
LSO # P16200
PROVINCE OF ONTARIO

Location of Commissioner

this 16th day of April, 2026
day month year

Place an imprint of, or if administered remotely enter the information on, your stamp below

Sworn/Affirmed/ Declared and subscribed remotely, via videoconference, by Lauren Sooley, stated as being located in Hamilton, Ontario, before the duly noted Notary Public & Commissioner for Oaths, etc., in Barrie, Ontario on April 16, 2026 in accordance with O Reg 431/20, Administering Oath or Declaration Remotely.



LAST PAGE OF THIS APPLICATION

CERTIFICATE *of* SIGNATURE

REF NUMBER
ZPJET WR55Z 2VWQS JLAGF

DOCUMENT COMPLETED BY ALL PARTIES ON
14 APR 2026 17:09:44
UTC

SIGNER

MARC MASOTTI

EMAIL
MARC@MASOTTICONSTRUCTION.COM

TIMESTAMP

SENT
14 APR 2026 14:54:58

VIEWED
14 APR 2026 17:08:37

SIGNED
14 APR 2026 17:09:44

SIGNATURE

Marc Masotti

IP ADDRESS
216.221.70.38

LOCATION
WINDSOR, CANADA

RECIPIENT VERIFICATION

EMAIL VERIFIED
14 APR 2026 17:08:37





Document Details

Title	Application Zoning By-law Amendment - 2916 McKay Avenue - signed.pdf
File Name	Application Zoning By-law Amendment - 2916 McKay Avenue - signed.pdf
Document ID	f0d37f182860455ea640832d5a4937f8
Fingerprint	33e4a9d6b4a051941a189c4dd2244fdc
Status	Completed

Document History

Document Created	Document Created by Jazmin Magana Garcia (jmagana@notarize.ca) Fingerprint: 7b8de1b545b63d11556956d2dcc30920	2026 Apr 16 09:30AM America/Toronto
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Document Sent	Document Sent to Lauren Sooley (lsooley@siv-ik.ca)	2026 Apr 16 09:30AM America/Toronto
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