

Committee of Adjustment

MISSION STATEMENT:

“Our City is built on relationships – between citizens and their government, businesses and public institutions, city and region – all interconnected, mutually supportive, and focused on the brightest future we can create together.”

Author’s Name: Olivia Laforet	File No.: A-035/26
Author’s Phone: (519) 255-6543 ext 6025	Report Date: Apr 30, 2026
Author’s E-mail: olaforet@citywindsor.ca	Committee Meeting Date: May 14, 2026

To: Committee of Adjustment

Subject Application: Relief from the provisions of Zoning By-law 8600

Owner: KB Components Canada Inc.

Location: 2855 Deziel Dr & 2900 St. Etienne Blvd.

Legal Description: CON 3 PT LOT 98 PT LOT 99; RP 12R6075 PART 1

1. RECOMMENDATION:

That the Minor Variance application of KB Components Canada Inc. for relief from the following provisions of By-Law 8600:

- I. Section 25.5.40.6 Where a collector aisle is parallel to a parking space, accessible parking space or visitor parking space, the minimum separation between the collector aisle and a parking space, accessible parking space or visitor parking space shall be 1.50m;
- II. Section 25.5.20.5 The area forming the parking area separation must be maintained exclusively as a landscaped open space yard shall not apply;
- III. Section 25.5.20.1.2 Parking area separation from a street shall be 0.2 m;
- IV. Section 25.5.20.1.5 Parking area separation from a building wall in which is located a main pedestrian entrance facing the parking area shall be 0.0m;
- V. Section 25.5.20.1.3 A parking area separation from an interior lot line or alley shall be 0.3m; and,
- VI. Section 19.7.5.7 Side Yard With - minimum along Kautex Drive shall be 0.0m

to permit the construction of a proposed plant addition with loading docks and associated surface parking at the subject lands municipally known as 2855 Deziel Dr; and to permit the construction of a second proposed plant addition at the subject lands municipally known as 2900 St. Etienne Blvd, **BE GRANTED** with no conditions.

2. THE REQUESTED AND RECOMMENDED VARIANCES:

Requesting permission to construct two proposed plant additions and associated surface parking, with reduced parking area separations as shown on the site plan attached to the application, thereby seeking the following reliefs of Zoning By-law 8600:

Requested Variances

	PROVISION	PROVISION DESCRIPTION	REQUIRED	PROPOSED
1	25.5.40.6	Where a collector aisle is parallel to a parking space, accessible parking space or visitor parking space, the minimum separation between the collector aisle and a parking space, accessible parking space or visitor parking space shall be	2.50 m	1.50 m
2	25.5.20.5	The area forming the parking area separation must be maintained exclusively as a landscaped open space yard		
3	5.67	A required yard in a manufacturing district is to be exclusively maintained as landscaped open space yard. The parking of a motor vehicle is prohibited.		
4	25.5.20.1.2	Parking area separation from a street	3.00 m	0.20 m
5	25.5.20.1.5	Parking area separation from a building wall in which is located a main pedestrian entrance facing the parking area	2.00 m	0.00 m
6	25.5.20.1.3	A parking area separation from an interior lot line or alley	0.90 m	0.30 m

Recommended Variances

Staff are in support of the site layout proposed by the applicant, however it is recommended that the variances listed below are preferred to achieve the same result. This approach removes the request to vary a prohibition and instead provide relief from a side yard width. Specifically, the table below removes the applicants request for relief from Section 5.67 and replaces it with relief from Section 19.7.5.7.

	PROVISION	PROVISION DESCRIPTION	REQUIRED	PROPOSED
1	25.5.40.6	Where a collector aisle is parallel to a parking space, accessible parking space or visitor parking space, the minimum separation between the collector aisle and a parking space, accessible parking space or visitor parking space shall be	2.50 m	1.50 m
2	25.5.20.5	The area forming the parking area separation must be maintained exclusively as a landscaped open space yard		
3	25.5.20.1.2	Parking area separation from a street	3.00 m	0.20 m
4	25.5.20.1.5	Parking area separation from a building wall in which is located a main pedestrian entrance facing the parking area	2.00 m	0.00 m
5	25.5.20.1.3	A parking area separation from an interior lot	0.90 m	0.30 m

		line or alley		
6	19.7.5.7	Side Yard With - minimum along Kautex Drive	3.0 m	0.0 m

3. PLANNING ANALYSIS:

The subject property, legally described as CON 3 PT LOT 98 PT LOT 99; RP 12R6075 PART 1, and municipally known as 2855 Deziel Drive, contains an existing industrial building. The applicant proposes to construct a 7,045.3 m² plant addition with loading docks and associated surface parking at 2855 Deziel Drive, and a 1,560.8 m² plant addition with associated surface parking at 2900 St. Etienne Boulevard.

Relief from Zoning By-law provision 25.5.40.6 is required to permit a reduced parking area separation of 1.5 m between a collector aisle that is parallel to a parking space, accessible parking space or visitor parking space for the proposed parking area expansion. The reduced separation is necessary to accommodate the number of parking spaces required for employees while maintaining safe vehicular circulation. The applicant has agreed to clearly define the separation with new 150 mm (6") concrete curbing to maintain the functional intent of this provision. The concrete curbing will be a requirement of the Site Plan Control application.

Relief from provisions 25.5.20.1.2 and 25.5.20.5 is required along Kautex Drive, where the parking area separation will not be exclusively maintained as a landscaped open space yard and reduced to 0.2 m. The existing site benefits from an existing, generous boulevard separation between the street and the parking area, which continues to provide buffering, visual relief, and streetscape continuity consistent with the intent of these provisions.

The applicant has requested relief from provision 5.67 that states that a required yard in a manufacturing district is to be exclusively maintained as landscaped open space yard and that the parking of a motor vehicle is prohibited. The intention of this request is to bring the parking area along Kautex Dr. into compliance with the Zoning By-law. The Planning Department recommends that relief from Section 19.7.5.7 Side Yard Width – minimum from 3.0m to 0.0m rather than relief from Section 5.67. This approach would allow for the proposed development to comply with the Zoning By-law while avoiding the need to alter a prohibition. This alternative variance is preferred, as prohibitions within the Zoning By-law are intended to be definite and are not considered minor in nature, and therefore cannot be modified without comprehensive Zoning By-law amendment. This recommendation from staff does not alter the proposed site plan.

Relief from provision 25.5.20.1.5 is required along the west side of the proposed plant addition, where the separation between the parking area and the doors marked as "Exit Only" is 0.0 m. Asphalt hatching will be provided immediately in front of the exits, and two 200 mm (8") diameter concrete bollards will be installed at each of the five exits to ensure they remain clear of any parked vehicles obstructing them at all times. These measures maintain safe pedestrian movement and emergency egress, consistent with the intent of the by-law.

Relief from provision 25.5.20.1.3 is required at the east property line of 2900 St. Etienne Boulevard, where a reduced separation of 0.3 m from the interior lot line is proposed to allow the expansion of the parking area to the south. The variance permits the expanded parking area separation to match the existing parking area separation, allowing the parking aisle to remain and supports efficient access to the north portion of the site.

The development supports employment growth and efficient site utilization while incorporating mitigation measures to address safety, buffering, and circulation. The proposed development is subject to Site Plan Control and is currently proceeding through the approval process.

PLANNING ACT

Subsection 45(1) of the Planning Act states that the Committee of Adjustment “*may, despite any other Act, authorize minor variance from the provisions of the by-law, in respect of the land building or structure or the use thereof, as in its opinion is desirable for the appropriate development or use of the land, building or structure, if in the opinion of the committee the general intent and purpose of the by-law and of the official plan, if any, are maintained.*”

PROVINCIAL PLANNING STATEMENT (PPS) 2024

The Planning Staff has reviewed the relevant policies of the PPS - “Building Homes, Sustaining Strong and Competitive Communities” (Policy statement 2.8.2 of the PPS). The requested minor variance is consistent with these policies to protect and preserve employment areas for current and future uses.

OFFICIAL PLAN (OP)

The Minor Variance Policies in Section 11.6.6 are hereto attached as **Appendix A**. Section 11.6.6.2 outlines the evaluation criteria for minor variance applications. The general intent and purpose of the Official Plan is maintained with the proposed development; the requested variances are minor in nature and desirable for the subject building.

The subject land is designated Industrial per the Official Plan. The proposed development is permitted and conforms to the associated objectives and policies. Therefore, the requested variances meet the general intent and purpose of the Official Plan per Section 11.6.6.2(a).

The proposed development is permitted and conforms to the zoning by-law provisions, except for the requested variances. Therefore, the general intent and purpose of the by-law being varied is maintained as per Section 11.6.6.2(b).

The proposal will have minimal impact on the properties in the immediate neighbourhood. Therefore, the variances are minor in nature as per Section 11.6.6.2(c).

While the requested variances exceed 20 percent variation above the bylaw regulations, Section 11.6.6.2(d) does not apply to industrial uses.

The variances are desirable for the appropriate use of the land, building, or structure and would not hinder the reasonable development and/or use of properties in the neighbourhood, thus complying with Section 11.6.6.2(e).

ZONING BY-LAW

The subject land is zoned Manufacturing District 2.7 (MD2.7) per By-law 8600. The proposed use is permitted and complies with the applicable provisions with the exception of the variances being requested. The requested variances will not result in undue hardship on the owner, adjoining properties, or the public realm; therefore, the variances are minor in nature. The proposed variances meet the intent of Zoning By-law 8600.

4. PLANNER’S OPINION:

The requested variances are minor in nature and maintain the general intent and purpose of the Official Plan and Zoning By-law 8600. Therefore, the variances are consistent with section 45 (1) of the Planning Act. The Planning Division recommends approval of the applicant’s request with no conditions noted on the recommendation.

Olivia Laforet

Olivia Laforet
Planner II - Development Review

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

Laura Diotte

Laura Diotte MCIP, RPP
Manager of Development Applications

CONTACT:

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APPENDICES:

Appendix "A" - Excerpts from the Official Plan Volume I

Appendix "B" - Comments received by the Secretary Treasurer of the Committee of Adjustment

APPENDIX "A"

Excerpts From Official Plan Volume I

11.6.6 Minor Variance Policies

COMMITTEE OF ADJUSTMENT

11.6.6.1 Council has appointed a Committee of Adjustment pursuant to the Planning Act to consider applications for minor variance from the Zoning By-law (s) and/or any other by-law that implements the Official Plan.

EVALUATION CRITERIA

11.6.6.2 When reviewing an application for minor variance the Committee of Adjustment shall be satisfied that:

- (a) The general intent and purpose of the Official Plan, including the Strategic Directions, Goals and Objectives of the land use designation in which the property is located, is maintained;
- (b) The general intent and purpose of the By-law being varied is maintained;
- (c) The variance or the number of variances to the By-law are minor in nature, would not more appropriately be considered through an application to amend the Zoning By-law due to the cumulative impacts of the variances, preserves the pattern, scale and character of the blockface;
- (d) The variance(s) are generally not more than 20 percent above the By-law regulation being varied where the variances would increase the building envelope of a main building or accessory building containing a dwelling unit. For clarity this includes variances related to lot width; lot area; lot coverage; front, rear, and side yard depth; building height; and maximum gross floor area; and
- (e) The variance is desirable for the appropriate use of the land, building or structure and would not hinder the reasonable development and/or use of properties in the neighbourhood, would City of Windsor Official Plan1 Volume I 1 Tools 11 - 22 not cause a detriment, safety concerns, or would not detract from the character or amenity of nearby properties or the neighbourhood. The area of influence or the neighbourhood will vary with the scale of development and associated areas of potential impact.

EXISTING UNDERSIZED LOTS

11.6.6.3 Notwithstanding the provisions of sub-section (d) above, the Committee may give further consideration to variances required to enable appropriate development for existing undersized lots, where existing non-complying structures are being altered or where infilling and intensification is occurring provided that the Committee is satisfied that the provisions of 11.6.6.2 subsections (c) and (e) have been fully addressed.

TERMS & CONDITIONS

11.6.6.4 The Committee of Adjustment may attach such terms and conditions as it deems reasonable and appropriate to the approval of the application for a minor variance. The conditions shall relate directly to the impact of the variance and may include measures required to mitigate the impact of altering the zoning regulations on the resulting built form or property development, including but not limited to: a) Specifying architectural elements such as window location, outdoor amenity space, fencing or other screening and door location; b) Requiring additional landscaping including low impact design elements; c) Providing additional bicycle facilities in lieu of motor vehicle parking; and d) Improvement to grading and stormwater management.

AGREEMENTS

11.6.6.5 The Committee of Adjustment may require the owner of the land to enter into one or more agreements with the Municipality and address the impacts of the variance dealing with some or all of the terms and conditions of its decision. An agreement may be registered against the land to which it applies, and the Municipality is entitled to enforce the agreement against the owner and, subject to the Registry Act and the Land Titles Act, against any and all subsequent owners of the land.

APPENDIX “B”

Comments Received by the Secretary Treasurer of the Committee of Adjustment

Zoning Review

1. Where a collector aisle is parallel to a parking space, accessible parking space or visitor parking space, the minimum separation between the collector aisle and a parking space, accessible parking space or visitor parking space shall be 2.50m [25.5.40.6]
2. The area forming the parking area separation must be maintained exclusively as a landscaped open space yard. [25.5.20.5] The parking of a motor vehicle is prohibited within a parking area separation. [25.5.1.1]
3. A required yard in manufacturing districts is to be exclusively maintained as landscaped open space yard. Parking area is prohibited. [5.67]
4. Parking separation from a street 3.00m (Required) 0.2m (Provided) [25.5.20.1.2]
5. Parking area separation from a building wall in which is located a main pedestrian entrance facing the parking area. 2.00m (Required) 0.00m (Provided) [25.5.20.1.5]
6. Parking area separation from an interior lot line 0.90m (Required) 0.3m (Provided) [25.5.20.1.3]

Requested variances of Zoning By-law 8600:

	PROVISION	PROVISION DESCRIPTION	REQUIRED	PROPOSED
1	25.5.40.6	Where a collector aisle is parallel to a parking space, accessible parking space or visitor parking space, the minimum separation between the collector aisle and a parking space, accessible parking space or visitor parking space shall be	2.50 m	1.5 m
2	25.5.20.5	The area forming the parking area separation must be maintained exclusively as a landscaped open space yard		
3	5.67	A required yard in a manufacturing district is to be exclusively maintained as landscaped open space yard. The parking of a motor vehicle is prohibited.		
4	25.5.20.1.2	Parking area separation from a street [at Kautex Drive]	3.00 m	0.2 m
5	25.5.20.1.5	Parking area separation from a building wall in which is located a main pedestrian entrance facing the parking area	2.00 m	0.00 m
6	25.5.20.1.3	A parking area separation from an interior lot line or alley [at east property line of 2900 St. Etienne]	0.90 m	0.3 m

Samuel Perry, Zoning Coordinator

Development, Projects & Right-of-Way

Our comments remain consistent with SPC PC S1

Karen Kong, Technologist I

Heritage Planner

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 & Development Services 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 & Development Services Department:

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

Windsor Manager of Culture and Events (A):

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

Ontario Ministry of Citizenship and Multiculturalism

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

Windsor Police: 911

Ontario Ministry of Public and Business Service Delivery and Procurement

Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures:

Ian Hember, 1-437-244-9840, ian.hember@ontario.ca

Ryan Upton, Planner II - Development Review

Windsor Police Service

I have reviewed the agenda items for the May 14th meeting of the Committee of Adjustment and would advise as follows:

The Windsor Police Service has no concerns or objections with any of the applications listed in this agenda. In reviewing them, all are relatively minor in terms of their potential impact to public safety, security, or public disorder. None of the applications to be considered are therefore anticipated to create outcomes that will negatively impact the ability of the Windsor Police Service to provide proper and adequate response to incidents, whether emergency or non-emergency in nature, and other service delivery requirements.

Barry Horrobin, Director of Planning & Physical Resources

Environmental Policy

Environmental Policy staff have no objection to the proposal, and nothing further is required at this time. To maintain high regard for Natural Heritage in the City during development, the following applies:

1. Should Species at Risk or their habitat be found at any time on or adjacent to the site, cease activity immediately and refer to the Species Conservation Act (2025) (SCA). The SCA is administered by the MECP. SAR biologists can be contacted at SAROntario@ontario.ca and may provide recommendations on next steps to prevent contravention of the SCA. The City of Windsor SAR hotline (519-816-5352) can also be used for relevant questions and concerns.
2. For a list of Species at Risk and other provincially tracked species with potential to be around the site, use the Natural Heritage Information Centre (NHIC) Make A Map tool, found at <https://www.ontario.ca/page/make-natural-heritage-area-map>
3. 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). If trees, shrubs or ground area on/adjacent to the site are to be removed, damaged, or disturbed during the breeding bird season (April 1 – August 31), then sweeps for nesting birds should be conducted to prevent contravention of these regulations. Protect any trees, shrub or ground area where an active nest is found, and leave the nest unharmed until the young have permanently left the vicinity of the nest. Visit <https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/reduce-risk-migratory-birds.html> for more information.
4. Beaver dams and dens of fur-bearing mammals are protected under section 8 of the Fish and Wildlife Conservation Act (1997) and are not to be damaged or destroyed without the proper authorization and/or license.
5. The City of Windsor is a Bird Friendly City. Bird Friendly Design is encouraged, particularly window collision mitigation. Options for integrating bird friendly design can be found here: www.birdsafe.ca and bird friendly guidelines can be found here: Bird-Friendly Guidelines – City of Toronto.
6. Ontario has a list of Regulated Species in the Ontario Invasive Species Act (ISA) (2015). If any species on this list are identified on site, it is recommended that Best Management Practices be followed to remove the invasive species from the site prior to starting development activities. If guidance is required, report the occurrence to the City Naturalist. For a list of ISA Regulated species: Ontario Invasive Species Act – Invasive Species Centre.

Contacts:

Karen Alexander

City of Windsor Naturalist & Supervisor, Natural Areas

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Connor Wilson

Planner II – Revitalization & Policy Initiatives

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Connor Wilson, Planner II – Revitalization & Policy Initiatives

Landscape Architect

There are private trees on the property that may be impacted by the development. The applicant is strongly encouraged to attempt to preserve existing privately owned trees on the subject site. If trees within the subject site are to be removed for development, it is strongly encouraged to plant replacement native trees for their various environmental benefits at a like-for-like trunk caliper size ratio (cumulative d.b.h.).

Olivia Laforet, Planner II - Development Review