

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: Zaid Zwayyed	File No.: A-057/26
Author's Phone: (519) 255-6543 ex 6198	Report Date: Jul 24, 2026
Author's E-mail: ZZwayyed@citywindsor.ca	Committee Meeting Date: Aug 13, 2026

To: Committee of Adjustment

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

Owner: 1998308 Ontario Inc.

Location: 1553 Armanda Street

Legal Description: PLAN 708; LOTS 629, 630, 631 & PT LOT 632; 12R-30249, PART 1

1. RECOMMENDATION:

That the Minor Variance application of 1998308 Ontario Inc. for relief from the provisions of Zoning By-Law 8600 to permit the severed and retained lots resulting from the proposed consent with reduced lot width and lot area on the property municipally known as 1553 Armanda Street, **BE GRANTED**, with no conditions.

2. THE REQUESTED VARIANCES:

Request for relief from the minimum lot width and lot area requirements for the severed and retained lots, thereby seeking the following variances from Zoning By-law 8600:

	PROVISION	PROVISION DESCRIPTION	REQUIRED	PROPOSED
1	10.1.5.1	Minimum Lot Width- <i>Severed Lot</i>	15.0 m	11.9 m
2	10.1.5.1	Minimum Lot Width- <i>Retained Lot</i>	15.0 m	11.9 m
3	10.1.5.2	Minimum Lot Area- <i>Severed Lot</i>	450.0 m ²	398.5 m ²
4	10.1.5.2	Minimum Lot Area- <i>Retained Lot</i>	450.0 m ²	398.5 m ²

Re: Refer to B-031/26

3. PLANNING ANALYSIS:

The subject property consists of Plan 708, Lots 629, 630, 631, and Part Lot 632; 12R-30249, Part 1, and is currently vacant. The applicant proposes to sever the property, as shown on the submitted drawing, and a concurrent consent application (B-031/26) has been submitted to facilitate the creation of the severed and retained lots for future single unit dwelling development. The lots resulting from the proposed severance will have reduced lot width and lot area. Therefore, the applicant is seeking relief from Zoning By-law 8600 to permit the severed and retained lots with reduced lot width and lot area.

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

Planning Staff have reviewed the relevant policies of the PPS - “Building Homes, Sustaining Strong and Competitive Communities” (Policy statement 2.2.1.b of the PPS). The requested minor variance is consistent with these policies, permitting and facilitating all housing options required to meet the social, health, economic, and well-being requirements of current and future residents.

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 subject land is designated Residential 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).

The requested variance for lot width marginally exceeds the 20 percent variation guideline identified in Section 11.6.6.2(d) of the Official Plan. The subject property consists of lots within a registered plan, and the proposal represents a reconfiguration of the existing lot fabric. The requested lot area variance remains within the 20 percent guideline, and the resulting severed and retained lots are capable of accommodating future single unit dwellings in compliance with the applicable zoning provisions. Therefore, the intent of this policy is maintained.

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 Residential District 1.1 (RD1.1) per Zoning By-law 8600. The proposed use is permitted and complies with the applicable provisions, except for the requested variances. 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.

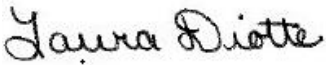
4. PLANNER'S OPINION:

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.



Zaid Zwayyed, MCIP RPP
Planner II - Development Review – Development Review

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



Laura Diotte MCIP, RPP
Manager of Development Applications

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

<i>COMMITTEE OF ADJUSTMENT EVALUATION CRITERIA</i>	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.
	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 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.
<i>EXISTING UNDERSIZED LOTS</i>	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.
<i>TERMS & CONDITIONS</i>	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.
<i>AGREEMENTS</i>	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

Variances requested from Zoning By-law 8600:

	PROVISION	PROVISION DESCRIPTION	REQUIRED	PROPOSED
1	10.1.5.1	Minimum Lot Width- Severed Lot	15.0 m	11.9 m
2	10.1.5.1	Minimum Lot Width- Retained Lot	15.0 m	11.9 m
3	10.1.5.2	Minimum Lot Area- Severed Lot	450.0 m ²	398.5 m ²
4	10.1.5.2	Minimum Lot Area- Retained Lot	450.0 m ²	398.5 m ²

[*Samuel Perry- Zoning Coordinator*]

Development, Projects & Right-of-Way

This department has no objection to the proposed application. Right-of-way permits must be obtained for any work within the right-of-way.

[*Lea Marshall- Technologist*]

Transportation Planner

Transportation planning has no comments.

[*Aashvi Sarvaiya- Transportation Planning*]

Windsor Police Service

The Windsor Police Service has no concerns or objections with the proposal. In reviewing the agenda items, 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- Windsor Police Service*]

Heritage Planner

Built Heritage:

There is no apparent built heritage concern with this property.

Archaeology:

The subject property is located within the Archaeological Potential Zone (APZ) (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.

Environmental Policy

The owner shall submit a scoped Environmental Evaluation Report (EER) to the satisfaction of the City Planner as a condition of approval of the concurrent consent application.

The subject property is designated Environmental Protection Area - A (EPA-A) and within the adjacent lands of a Significant Area of Natural Scientific Interest - Life Science (ANSI) and a Candidate Natural Heritage Site (Tall Grass Prairie Heritage). The Provincial Planning Statement (2024) Section 4.1.8 states that development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in 4.1.5(e) unless it is demonstrated that there will be no negative impacts on the natural features or their ecological functions. Windsor Official Plan Section 5.3.4.6 states that an Environmental Evaluation Report (EER) is required for any development or infrastructure undertakings within an EPA-A, in addition to Section 5.3.5.3, which states an EER may be required for lands adjacent to a Candidate Natural Heritage Site.

As such, Environmental Policy staff require that a Scoped EER be completed to the satisfaction of the City of Windsor prior to approval of the development and any land disturbances. The Scoped EER must follow the provided Terms of Reference and shall consist of points 1 to 13 as well as points 15 to 22. Please contact staff below if you have any questions or concerns about the EER requirements. It is recommended to begin the Scoped EER early in the planning process to allow for the appropriate amount and timing of any required field visits. A final copy of the Scoped EER must be submitted to the satisfaction of the City Naturalist as a condition of the severance.

To maintain high regard for Natural Heritage in the City during development, the following applies:

1. Should a Protected Species 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 Protected Species 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 Species Conservation Act (2025). 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, shrubs, 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.

[Connor Wilson- Environmental Policy]