THE CORPORATION OF THE CITY OF WINDSOR
PLANNING AND DEVELOPMENT SERVICES

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: Averil Parent	**File No.:** A-095/26
Author's Phone: (519) 255-6100 e 6397	**Report Date:** Nov 04, 2026
Author's E-mail: aparent@citywindsor.ca	**Committee Meeting Date:** Nov 12, 2026

To:	Committee of Adjustment
Subject Application:	Relief from the provisions of Zoning By-law 8600
Owner:	GLENN JAMES MURRAY
Applicant:	GLENN JAMES MURRAY
Location:	7467 ST ROSE AVE
Legal Description:	PLAN 835 LOTS 5 AND 6 PT BELLE-ISLE-VIEW BLVD PT ALLEY AND RP 12R28473 PARTS 1 AND 3

1. RECOMMENDATION:

That the Minor Variance application of Glenn Murray for the relief from the provisions of Zoning By-Law 8600 for to permit an accessory structure in a front yard on the property municipally known as 7467 St. Rose Avenue **BE GRANTED** with no conditions.

2. THE REQUESTED VARIANCES:

Proposed detached accessory building (garage) requesting relief to permit an accessory structure in a front yard, thereby seeking the following reliefs from Zoning By-law 8600:

	PROVISION	PROVISION DESCRIPTION
1	5.10.7	Relief to permit an accessory structure in a front yard.

3. PLANNING ANALYSIS:

The subject property, legally described as Plan 835 Lots 5 and 6, Part Belle Isle View Blvd., Part Alley and RP 12R28473 Parts 1 and 3, also municipally known as 7467 St. Rose Avenue currently contains a single unit dwelling with a detached accessory building. The applicant proposes a second detached accessory building (garage) with access from Belle Isle View Boulevard. To accommodate this proposal the applicant is seeking relief from Zoning By-law 8600 for the above noted variance.

The subject property is a corner lot. Under the Zoning By-law, the front lot line is the shortest exterior lot line, which in this case is the lot line along Belle Isle View Boulevard. However, the existing house faces St. Rose Avenue, and access to the existing detached garage is provided from St. Rose Avenue. As a result, St. Rose Avenue functions as the front of the property, while the area where the proposed accessory building is located functions more like a side yard. Although the proposed detached accessory building is technically located in the front yard and requires relief from the Zoning By-law, it is effectively being placed in the side yard of the property. The lot is permitted to have access from both streets, and an existing curb cut is already located on Belle Isle View Boulevard to serve the proposed building.

The proposed building is set back more than the required 6.0 m from the Belle Isle View Boulevard lot line, similar to other development along the street. Administration is satisfied that the proposal will not create any sightline, traffic, or safety concerns and is generally in keeping with the surrounding neighbourhood.

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 variance meets 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 variance. 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 variance is minor in nature as per Section 11.6.6.2(c).

The requested variance does not exceed a 20 per cent variation above the bylaw regulation being varied where the variances would increase the building envelope of a main building containing a dwelling unit, which complies with Section 11.6.6.2(d).

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, thus complying with Section 11.6.6.2(e).

ZONING BY-LAW

The subject land is zoned Residential District 1.2 (RD1.2) per Zoning By-law 8600. The proposed use is permitted and complies with the applicable provisions with the exception of the variance being requested. The requested variance will not result in undue hardship on the owner, adjoining properties, or the public realm; therefore, the variance is minor in nature. The proposed variance meets the intent of Zoning By-law 8600.

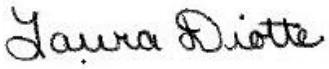
4. PLANNER'S OPINION:

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



Averil Parent
PlannerII – 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

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 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

Requested variances from Zoning By-law 8600:

	PROVISION	PROVISION DESCRIPTION
1	5.10.7	Relief to permit an accessory structure in a front yard.

Stefan Pavlica – Zoning Coordinator

Development, Projects & Right-of-Way

This department has no objection to the proposed application. While it is not a condition of this application, it should be noted there are expired permits associated with the subject land. The owner shall contact the Engineering Department to address any outstanding permit requirements. Right-of-way permit is required for any work completed within the right-of-way.

Karen Kong – Engineering Technologist

Heritage Planner

There are no concerns with this proposal from a Heritage or Archaeological perspective. Nothing further is required at this time.

Ryan Upton – Planner II Heritage

Transportation Planner

Transportation planning has no comments.

Aashvi Sarvaiya – Transportation Planner

Windsor Police Service

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

Landscape Architect

There are two City-owned trees located along Belle Isle View Boulevard adjacent to the subject property (Tree IDs 2154 and 2155) that may be impacted by the proposed development. City trees are protected from damage and removal under City By-laws 135-2004 and 131-2019. If the applicant utilizes the existing curb cut, the trees are not anticipated to be affected. However, if any modifications are proposed, including widening of the curb cut, the applicant will be required to consult with Forestry.

Marc Edwards
Supervisor, Parks Forestry (medwards@citywindsor.ca)