

COMMITTEE OF ADJUSTMENT

APPLICANT : GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

ADDRESS : 245 TECUMSEH ROAD EAST

 SUBJECT LANDS  SEVERED LANDS



CITY OF WINDSOR

File: B-027/25

COMMITTEE OF ADJUSTMENT PUBLIC HEARING

PURSUANT to Section 54 (2) of the Planning Act, the City of Windsor Council has delegated consent authority to the Committee of Adjustment, and further, **PURSUANT** to Section 53 of the Planning Act, a Committee of Adjustment public hearing will be held to consider an application for consent.

You are receiving this letter as a courtesy because the Committee of Adjustment identified your property as located within a 40 meters circulation area of the subject lands. Notice as required by the Planning Act was given by publication of the Committee of Adjustment’s Agenda Record in the Windsor Star on April 23, 2025

APPLICATION FOR CONSENT

Owner:	GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD	Location:	245 TECUMSEH RD E
Legal Description:	CON 2; PT LOTS 84 & 85; RP 12R24736; PART 1	Zoning:	Green GD1.2 and ID1.2
Official Plan:	Major Institutional, Mixed Use Node and Open Space		
Explanation:	Severance of lands, as shown on the attached drawing, for the purpose of creating a new lot.		

COMMITTEE OF ADJUSTMENT PUBLIC HEARING - 519-255-6543 ext 6436 or 6450

When: May 8, 2025 at 3:30 pm

Where: VIA VIDEO CONFERENCE
(information on how to join the public meeting will be on the City of Windsor website prior to the meeting date)

You are invited to attend this hearing and express any interest you may have in this application. Written comments are also acceptable and may be submitted in person, by mail, by fax or by email. All comments must be received **NO LATER than 4:30PM on the Wednesday, prior to the meeting date.** Comments received after such, will not be included at time of hearing.

The applicant or agent must attend the meeting. If you do not attend or send a representative, the Committee may proceed in your absence without any further notice to you. To be notified of the decision of the Committee of Adjustment regarding this application, you must submit a written request to the Secretary-Treasurer.

If a person or public body that files an appeal of the decision of the Committee of Adjustment, in respect of the proposed consent, does not make oral submissions at a public meeting or does not make written submissions to the Committee of Adjustment before a provisional consent is given or refused, the Ontario Land Tribunal may dismiss the appeal.

It is the practice of Committee of Adjustment members to visit the site prior to considering this application. Administrative comments are available by email after 12:00 noon on the Friday prior to the hearing.

Jessica Watson Secretary-Treasurer, Committee of Adjustment	Dated: April 24, 2025
Suite 210, 350 City Hall Square West Windsor ON N9A 6S1	Tel: 519-255-6543 Fax: 519-255-6544 Email: jwatson@citywindsor.ca Web: http://www.citywindsor.ca


1	Application Information			
	Name of All Owners (as listed on deed) Greater Essex County District School Board		Contact No.	Business Telephone No.
	Address 451 Park Street West, Windsor ON			Postal Code N9A 6K1
	E-Mail Address:			
	Name of Contact Person/Agent (if different than owner) Siv-ik Planning & Design Inc. (c/o Dan Murphy)		Contact No. 226.273.0909	Business Telephone No.
	Address 258 Richmond Street, London ON		Postal Code N6B 2H7	Fax No.
	E-Mail Address: dmurphy@siv-ik.ca			
	PAYMENT CONTACT INFORMATION ONLY:			
Name:				
Contact No:				
2	Type and purpose of proposed transaction:			
	Conveyance <input checked="" type="checkbox"/> new lot <input type="checkbox"/> lot addition			
	Other (please specify)			
	<input type="checkbox"/> mortgage <input type="checkbox"/> rights-of-way <input type="checkbox"/> lease in excess of 21 years <input type="checkbox"/> easement See separate application for validation of title/power of sale			
3	The name of the person(s) to whom the land or an interest in land is to be transferred, charged or leased: Unknown			
4	Legal Description of the Subject Land (ENTIRE PARCEL – retained and severed)			
	Municipality City of Windsor		Street Name Tecumseh Road East	Street Address 245
	Concession Number(s) 2		Registered/Reference Plan No. RP 12R34736	Lot/Part No.(s) PT LOTS 84 & 85
	Parcel No.			
5	Are there any easements or restrictive covenants affecting the subject land? (If Yes, please describe) <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> unknown			
	<div></div> <div></div>			
6	Description of the Subject Land and Servicing Information (to be severed/leased) (in metric units)			
	Description		(A) SEVERED	(B) RETAINED
		Frontage	<i>metres</i> 152.4m	<i>metres</i> 116.5m
		Depth	<i>metres</i> 117.9m	<i>metres</i> 332.2m
		Area	<i>square metres</i> 17,992m2	<i>square metres</i> 37,335m2
		Lot/Part No.(s)		
		Registered/Reference Plan No.		
		Water Lot? Yes <input type="checkbox"/> No <input type="checkbox"/>		
	Use of Property	Existing Use(s)	Recreation/Institutional	Institutional
		Proposed Use(s)	Recreation/Institutional	Institutional
	Buildings or Structures	Existing (Date of construction)	Windsor Stadium (circa. 1929)	Kennedy Collegiate Institute (circa. 1929)
		Proposed	N/A	N/A

	<div><div>Access (check appropriate space)</div><div>Provincial Highway Municipal road, maintained all year Municipal road, seasonally maintained Other public road Right of way Water only. If yes, the docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road _____</div></div>	<div><div>Yes</div><div><input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></div></div>	<div><div>No</div><div><input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/></div></div>	<div><div>Yes</div><div><input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></div></div>	<div><div>No</div><div><input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/></div></div>
	<div><div>Water Supply</div><div>Publicly owned and operated piped water system... Privately owned and operated..... Individual or communal well..... Lake or other water body..... Other _____</div></div>	<div><div>Yes</div><div><input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></div></div>	<div><div>No</div><div><input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/></div></div>	<div><div>Yes</div><div><input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></div></div>	<div><div>No</div><div><input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/></div></div>
	<div><div>Sewage Disposal</div><div>Publicly owned and operated piped sewage system..... Privately owned and operated individual or communal septic tank system..... Pit, privy, or other _____</div></div>	<div><div>Yes</div><div><input checked="" type="checkbox"/> <input type="checkbox"/></div></div>	<div><div>No</div><div><input type="checkbox"/> <input checked="" type="checkbox"/></div></div>	<div><div>Yes</div><div><input checked="" type="checkbox"/> <input type="checkbox"/></div></div>	<div><div>No</div><div><input type="checkbox"/> <input checked="" type="checkbox"/></div></div>
7	The current designation of the subject property in the Official Plan Major Institutional				
	History of the Subject Land				
8	<div><div>Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act?</div><div><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Unknown</div><div>If yes, please provide the application file number and the decision made on the application. N/A</div><div>_____</div><div>If this application is a re-submission of a previous consent application, describe how it has been changed from the original application. N/A</div><div>_____</div></div>				
9	<div><div>Has any land been severed from the parcel originally acquired by the owner of the subject land:</div><div><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown</div></div>				
10	<div><div>If the answer to item 9 is <u>yes</u>, the date of the transfer, the name of the transferee and the land use on the severed land:</div></div>				
11	<div><div>Current Applications</div><div>If known, whether the subject land is the subject of any other application under the Act, such as an application for an amendment to an Official Plan, a Zoning By-law or Minister’s Zoning Order, an application for minor variance or an application for an approval of a plan of subdivision or a consent. N/A</div><div>_____</div><div>If yes, the file number of the application and the status of the application. N/A</div><div>_____</div></div>				
12	<div><div>Whether the application is consistent with policy statements issued under subsection 3(1) of the Planning Act</div><div><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown</div></div>				
13	<div><div>Whether the subject land is within an area of land designated under any provincial plan or plans.</div><div><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Applicable</div></div>				
14	<div><div>If the answer to section 13 is yes, whether the application conforms to or does not conflict with the applicable provincial plan or plans.</div><div><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable</div></div>				


15	The required sketch map is to indicate the following, in metric units and must be included with application:	Included	Not Applicable
a)	the boundaries and dimensions of any land <u>abutting</u> the subject land that is owned by the owner of the subject land;	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	the <u>approximate distance between</u> the subject land and the nearest <u>Lot line or landmark</u> such as a bridge or railway crossing;	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	the <u>boundaries</u> and <u>dimensions</u> of the subject land, the part that is intended to be <u>severed</u> and the part that is intended to be <u>retained</u> ;	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	the location of all land <u>previously severed</u> from the parcel originally acquired by the <u>current owner</u> of the subject land;	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	the approximate location of all <u>natural and artificial features</u> (<i>for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks</i>) that: (i) are located on the <u>subject land</u> and on land that is <u>adjacent</u> to it, and (ii) in the applicant's opinion, may affect the application;	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	the <u>current uses</u> of land that are <u>adjacent</u> to the subject land (<i>for example, residential, agricultural or commercial</i>)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	the <u>location</u> , <u>width</u> and <u>name</u> of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way (i.e. alley);	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h)	if access to the subject land will be <u>by water only</u> , the location of the parking and boat docking facilities to be used; and	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i)	the location and nature of any easement affecting the subject land.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The required sketch map has been included with this application form.			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			

DECLARATION:

I/WE, Daniel Murphy of the City (City/Town)
of London (name City/Town) in the County Middlesex (name county) on
this 3rd day of April, 2025, **SOLEMNLY DECLARE** that all statements contained in this
application are true and I/WE 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 and by virtue of the Canada Evidence Act.

(Sign) X 
(Sign) X _____

Declared remotely by Daniel Murphy stated as being located at the City of London in the
Province of Ontario, before me at the City of Markham in the Province of Ontario, on April 3,
2025, in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.

DECLARED BEFORE ME at the City Markham in the 25
Province of Ontario this 3rd day of April, 2025.
 A Commissioner etc.


LUCIA JOANNE LAM
Notary Public & Commissioner of Oaths
In and for the Province of Ontario
My Commission Does Not Expire



***** THIS SECTION MUST BE COMPLETE**

RECEIPT OF APPLICATION/AUTHORIZATION TO PROCESS

This application has been received and is accepted for processing, as the application is complete.


Secretary-Treasurer (or Designate)

Date: April 08/25

Minor variance for new construction: An approved variance is valid and must be acted upon within one (1) year. If a
granted variance is not used within required timeline, the application is deemed to be **null and void**. A new Committee of
Adjustment application will be required for any expired application. _____ **(Please Initial)**

**FOR AGENTS – The owner must complete and sign this authorization if you have been assigned to act on
their behalf**

AUTHORIZATION:



TO: The Secretary-Treasurer of The Committee of Adjustment for the City of Windsor.

DATE: April 1, 2025.

I (We) (Owners of the subject lands) Greater Essex County District School Board
of the (municipality where you reside) City of Windsor, hereby authorize
Siv-ik Planning & Design Inc. to submit an application to the

Committee of Adjustment in respect to (municipal address or legal description) 245 Tecumseh Road East

Which I (we) am (are) the registered owner(s), and this shall be my (our) good and sufficient authority to act on my (our) behalf.

  **X(Sign)** Note: if the owner is a Corporation, affix seal (if any)

X (Sign)

245 TECUMSEH ROAD EAST / **CONSENT APPLICATION**

On behalf of the Greater Essex County District School Board, Siv-ik Planning & Design is pleased to submit the required documents for a Consent application for the lands municipally described as 245 Tecumseh Avenue East in Windsor, Ontario.

Proposal At A Glance

The project site, municipally described as 245 Tecumseh Road East, is home of the W.C. Kennedy Collegiate Institute which is a long-standing Secondary School in south-central Windsor. The rear (south) portion of the site includes *Windsor Stadium*, an athletic facility comprised of a track, football field and grandstand structure. The land containing athletic facilities have generally become surplus to the needs of the school board, triggering the proposal for severance of the lands for the purposes of future disposition.

The proposed severance will divide the subject lands into two separate parcels.

1. The retained lot (north) contains the existing W.C. Kennedy Collegiate Institute and its associated grounds and parking facilities. The retained lot has an area of 37,335m² with a frontage of 116.5m along Tecumseh Road East and 310m of frontage along McDougall Street. The retained lot is zoned Institutional District ID1.2.
2. The severed lot (south), includes the athletic facilities that comprise Windsor Stadium. The lands have an area of 17,992m² with a frontage of 152.4m along McDougall Road, and a depth of 118m. The severed lot is zoned Green District GD1.2.

Section 51(24) of the Planning Act establishes criteria for evaluating consent applications. The proposed severance satisfies these criteria as follows:

- The severance will allow the surplus portion of the site, Windsor Stadium, to be repurposed while ensuring that the remaining school property continues to function effectively.
- The division of lands allows for potential future use/development that aligns with the City's objectives, without negatively impacting the function of the school or surrounding area.
- The retained and severed parcels meet the applicable zoning and Official Plan requirements regarding lot size and frontage.
- The site is fully serviced, and the severance is not anticipated to create servicing constraints.
- The severance is consistent with the provincial planning policies that encourage the efficient use of lands.

Section 11 of the City of Windsor Official Plan outlines policies for land division. The proposal adheres to these policies through the enabling of better land utilization while maintaining the institutional function of the retained lot. The existing zoning and surrounding uses remain unchanged, ensuring compatibility. The severance does not negatively impact municipal infrastructure or servicing

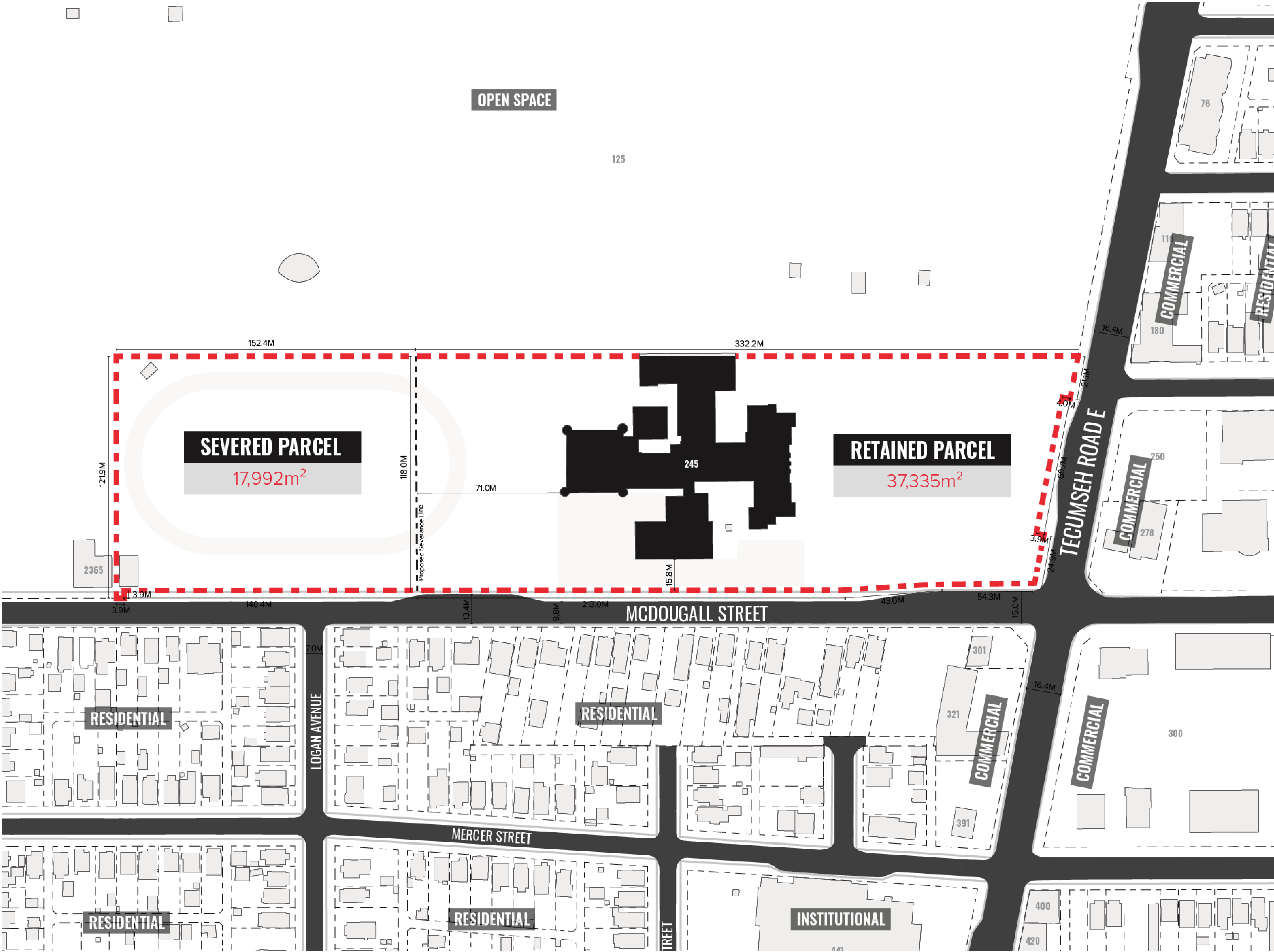
capacity. Both the severed and retained parcels maintain sufficient frontage and access to public roads.

Based on these considerations, the proposed consent application represents a logical and appropriate division of lands, aligning with applicable planning policies and regulations. The proposed lot areas and frontages comply with the minimum requirements of the City of Windsor Zoning By-law, ensuring that the severance maintains appropriate lot fabric and development standards for the surrounding area.

All municipal services required to service the building are anticipated to come from the Tecumseh Road East and McDougall Street ROWs.

Submitted Materials Documents

- Completed Consent Application Form (PDF)
- Severance Sketch, prepared by Siv-ik Planning & Design Inc., dated 03.13.2025 (PDF)



CONCEPT PLAN

PROJECT SITE
245 Tecumseh Road East, Windsor ON



SITE DATA

ID1.2/ GD1.2
ZONE

Regulations	Required (ID1.2)	Retained	Required (GD1.2)	Severed
Permitted Uses:	Subsection 13.2.1	School	Subsection 9.2.1	Public Park
Lot Frontage:	30.0m (min)	116.5m	N/A	152.4m
Lot Area:	900.0m² (min)	37,335m²	1,850.0m² (min)	17,992m²
Lot Coverage:	50.0% (max)	16.5%	25.0% (max)	Vacant
Building Height:	24.0m (max)	<24.0m	14.0m (max)	Vacant
Front Yard Depth:	7.5m (min)	123.2m	N/A	Vacant
Rear Yard Depth:	7.5m (min)	71.0m	N/A	Vacant
Interior Side Yard Depth:	3.0m (min)	0.0m	N/A	Vacant
Exterior Side Yard Depth:	7.5m (min)	15.8m	N/A	Vacant
Landscape OS:	20.0% (min)	58.8%	N/A	Vacant

* - Requires Special Provision * - Requires Special Provision

Client:	Harrison Pensa LLP (c/o Scott Spindler)
Date:	17.03.2025
Drawn By:	C. Taylor
Plan Scale:	nts
File No:	245t
Version	1.0

