

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."

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Author's Phone: (519) 255-6543 ex 6198	Report Date: Jul 27, 2026
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To: Committee of Adjustment

Subject Application: Consent to create a new lot

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 consent application of 1998308 Ontario Inc. for the conveyance of part of the subject lands described as Plan 708, Lots 629, 630, 631, and Part Lot 632; 12R-30249, Part 1, municipally known as 1553 Armanda Street, to create a new lot as identified on the drawing attached to the application, **BE GRANTED** with conditions^{1, 2}:

- I. The applicant/Owner shall provide Site Servicing drawings for the overall property, outlining all existing services to the satisfaction of the City Engineer.
- II. The applicant/Owner shall abandon any existing redundant services as per BP1.3.3 and to the satisfaction of the City Engineer.
- III. The applicant/Owner shall submit a scoped Environmental Evaluation Report (EER) to the satisfaction of the City Planner and implement any mitigation measures identified therein to the satisfaction of the City Planner.

Re: Refer to A-057/26

¹For questions regarding the engineering conditions, please contact Lea Marshall, Technologist, at (519) 255-6257 x 6494 or lmarshall@citywindsor.ca

Note: Severance conditions must be fulfilled after the consent has been granted. If the conditions are not satisfied within the required timeline, the application is deemed to be null and void. A new Committee of Adjustment application will be required for any expired decision order.

2. THE REQUESTED CONSENT:

The land conveyance of part of the subject land, as shown on the attached drawing, for the purpose of creating a new lot.

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 property was created through a previous consent application (B-043/25) approved in 2025. The applicant proposes to sever the property, as shown on the submitted drawing, to create a new lot while retaining the remainder for future single unit dwelling development on both lots. The lots resulting from the proposed severance will have reduced lot width and lot area, and a concurrent Minor Variance application (A-057/26) has been submitted to address the resulting zoning deficiencies. Residential use will be maintained on both the severed and retained lots.

PLANNING ACT

Subsection 53(1) of the Planning Act gives council the authority to grant consent if satisfied that a plan of subdivision of land is not necessary for the proper and orderly development of the municipality. Council for the Corporation of the City of Windsor has delegated its consent authority to the Committee of Adjustment of the City of Windsor in accordance with Section 54(5) of the Planning Act.

Subsection 51(25) of the Planning Act allows the approval authority to impose such conditions on the approval of an application as it considers reasonable having regard to the nature of the development proposed.

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 consent 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 Consent Policies, Section 11.4.3 of the Official Plan provide evaluation criteria and conditions of approval for consent applications. Appendix "A" attached herein shows the Consent Policies 11.4.3.

This consent is for the creation of a new lot, which represents an appropriate consent per Section 11.4.3.2(a).

The subject property is designated Residential under the City of Windsor Official Plan. The proposed development maintains the same use and conforms to the associated objectives and policies; therefore, the requested consent meets the general intent and purpose of the Official Plan and complies with section 11.4.3.3.

The severed and retained lots have access to a public highway paved with a hard surface and are serviced by municipal sanitary and storm services, complying with sections 11.4.3.4 and 11.4.3.5.

This consent satisfies the evaluation criteria in Section 11.4.3.6 with minimal potential impact on adjacent properties.

Section 11.4.3.7 of the Official Plan states that the Committee of Adjustment may attach conditions as deemed appropriate to the approval of a consent. Conditions have been added to address comments received from Development, Projects and Right-of-Way and Environmental Policy staff. Heritage Planning staff requested an archaeological assessment; however, this assessment was completed as a condition of the prior consent application.

ZONING BY-LAW

The subject land is zoned Residential District 1.1 (RD1.1) per Zoning By-law 8600. A concurrent Minor Variance Application (A-057/26) has been submitted to address reduced lot width and lot area for the severed and retained lots.

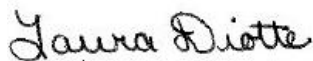
4. PLANNER'S OPINION:

This consent application is consistent with the Planning Act and Provincial Planning Statement 2024 and represents good planning. The requested Consent complies with the Official Plan and Zoning By-law 8600. The Planning Division recommends the approval of the applicant's request for consent with conditions.



Zaid Zwayyed, MCIP RPP
Planner II – 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

11.4.3 Consent Policies

COMMITTEE OF ADJUSTMENT APPROPRIATE REASONS FOR CONSENTS	11.4.3.1	Council has delegated by by-law the authority to grant consents to the Committee of Adjustment.
	11.4.3.2	Without limiting the relevant provisions of the Planning Act, Consents may only be granted where completing a subdivision process is deemed not to be necessary to ensure the proper and orderly development of the subject lands. The consent process will be used for matters such as granting easements and rights of way, leases or other interests in land lasting in excess of 21 years or lot line adjustments. Consents may be used for lot creation in the following circumstances; a) Small scale Infilling or intensification for development that is compatible with the neighbourhood; b) Lot line adjustments; c) An entire parcel is being developed and there are no remaining lands; d) There is no need to extend or improve municipal services outside of the subject lands; e) Where there is no phasing of the development; and f) Where parkland dedication may be cash-in-lieu.
CONFORM WITH PERMITTED USES	11.4.3.3	Consents shall only be granted for the creation of lots which comply with the Official Plan and Zoning By-law.
ACCESS TO A PUBLIC HIGHWAY	11.4.3.4	Consents shall only be granted for lots that will have access to a public road that meets municipal standards for construction. Where the abutting road requires improvement, the City may require the land owner to contribute to the improvement costs.
MUNICIPAL SERVICES	11.4.3.5	All new lots created by consent shall be serviced by municipal sanitary sewer and water services and provide for stormwater management.
EVALUATION CRITERIA	11.4.3.6	Without limiting the relevant provisions of the Planning Act, the approval authority shall evaluate applications for consent in the same manner as an application for plan of subdivision, including; a) Provincial legislation, provincial policies and applicable provincial guidelines; b) Conformity with the policies of this Plan, Volume II: Secondary Plans and Special Policy Areas and other relevant municipal standards and guidelines; c) Conformity with the recommendations of any support studies prepared as part of the application; d) The continuation of an orderly development pattern and the lot pattern in the neighbourhood; e) Impact of the development on adjacent properties and the lot pattern and density in the community; and f) The requirements or comments of Municipal departments and public agencies or authorities.
CONDITIONS OF APPROVAL	11.4.3.7	The approval authority may attach such conditions as it deems appropriate to the approval of a consent. Such conditions may include, but are not limited to, the following: a) The fulfillment of any financial requirement to the City; b) The conveyance of lands for public open space purposes or payments-in-lieu thereof in accordance with the Open Space policies of this Plan; c) The conveyance of lands for public highways or widenings as may be required; d) The conveyance of appropriate easements; e) The provision of municipal infrastructure or other services; f) The completion of a development or servicing agreement with the City if required; and g) Other such matters as the approval authority considers necessary and/or appropriate.

APPENDIX “B”
Comments Received by the Secretary Treasurer of the Committee of Adjustment

Zoning Review

Consent to create a new lot.

[*Samuel Perry- Zoning Coordinator*]

Development, Projects & Right-of-Way

A site servicing drawing is required to determine the location of existing services, as individual connections are required for each lot. Contact the City Forester for any removal of trees within the Right-of-Way.

This department has no objections to the proposed application, subject to the following conditions:

1. Provide Site Servicing drawings for the overall property, outlining all existing services.
2. Abandon any existing redundant services as per BP1.3.3 and to the satisfaction of the City Engineer.

This department has no objection to the proposed application. Right-of-way permits must be obtained for any work within the right-of-way. The applicant is to provide an ERCA permit for driveway and sewer connection approval.

[*Lea Marshall- Technologist*]

Heritage Planner, Planning and Build

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 recommended assessments were provided as a condition of the previous consent. A final copy of these relevant archaeological reports and GIS study area must be submitted to the City of Windsor.

[*Ryan Upton- Heritage Planning*]

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 on 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*]

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 this 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]