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.:** B-053/26
Author's Phone: (519) 255-6100 e 6397	**Report Date:** Nov 02, 2026
Author's E-mail: aparent@citywindsor.ca	**Committee Meeting Date:** Nov 12, 2026

To: Committee of Adjustment

Subject Application: Consent to create a new lot.

Owner: ALHAJ DEVELOPMENT LIMITED

Applicant: Alhaj development Ltd

Location: 1888 LONGFELLOW AVE

Legal Description: PLAN 557 LOTS 75 TO 77 PT ALLEY & RP 12R28374 PARTS 50 & 51

1. RECOMMENDATION:

That the Consent application of Alhaj Development Limited to convey a part of the subject lands, described as Plan 557 Lots 75 to 77, part alley and 12R28374 Parts 50 and 51, for the creation of a new lot, shown on the drawing attached to the application, **BE GRANTED** with conditions[1].

The owner shall:

I. Enter into a Consent Agreement with the City of Windsor, incorporating the required warning clauses and noise mitigation measures, to be registered on title of the property to the satisfaction of the City Solicitor.

II. Provide Site Servicing drawings for the overall property, outlining all existing services to the satisfaction of the City Engineer.

III. Abandon any existing redundant services as per BP1.3.3 and to the satisfaction of the City Engineer.

IV. Obtain a Driveway Permit to remove redundant driveway on severed lot and install new driveway on retained lot to the satisfaction of the City Engineer.

V. Consult with the Forestry department on the protection of all City trees which may be impacted by the development.

[1]For questions about condition I contact Aaron Farough (afarough@citywindsor.ca); conditions II, III and IV contact Karen Kong (kkong@citywindsor.ca); and condition V contact Marc Edwards (medwards@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, legally described as Plan 557 Lots 75 to 77, part alley and 12R28374 Parts 50 and 51, also municipally known as 1888 Longfellow Avenue currently contains a single unit dwelling with a detached accessory structure. The application proposes to sever the property and construct a new single unit dwelling on each lot. The applicant is also requesting relief for reduced minimum lot width and reduced minimum lot area on both the retained and severed lots (A-090/26).

The proposed development provides for residential intensification within an existing neighbourhood while maintaining compatibility with the surrounding residential uses. The property exists on three existing lots of record. Along Longfellow Drive there are varying lot widths, and the proposed lot width of 11.42m is similar to some others along the block, including lots directly across the street which are 12.19m wide. Although the proposed severed lot would have a smaller lot area than other lots on this block, it is large enough to function appropriately without negatively impacting neighbouring properties. The proposed single unit dwellings will be required to comply with all required set backs, building height, as well as the maximum gross floor area as prescribed by the Zoning By-law.

A Noise Study was required and submitted by the applicant. The recommended noise mitigation measures will be implemented through a Consent Agreement, as recommended in this report.

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 to 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 complies with 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 for continuation of an orderly development pattern. 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.

ZONING BY-LAW

The subject land is zoned Residential District 1.1 (RD1.1) per Windsor's Zoning By-law 8600. A concurrent application requesting relief for reduced minimum lot width and reduced minimum lot area on both the retained and severed lots (A-090/26) has been submitted.

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 and minor variance comply with the Official Plan and Zoning By-law 8600. The Planning Division recommends the approval of the applicant's request for consent with conditions.

Averil Parent
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

11.4.3.1 Council has delegated by by-law the authority to grant consents to the Committee of Adjustment.

APPROPRIATE REASONS FOR CONSENTS

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. Requested variances from Zoning By-law 8600:

	PROVISION	PROVISION DESCRIPTION	REQUIRED	PROPOSED
1	10.1.5.1	Minimum Lot Width - Retained Lot	15.0m	11.42m
2	10.1.5.2	Minimum Lot Area - Retained Lot	450.0m^2	409.1m^2
3	10.1.5.1	Minimum Lot Area - Severed Lot	15.0m	11.42m
4	10.1.5.2	Minimum Lot Area - Severed Lot	450.0m^2	409.1m^2

Stefan Pavlica – 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. Any redundant connections to the retained property are to be abandoned as per BP 1.3.3. Obtain Right-of-Way permits for any work within the right-of-way.

This department has no objections to the proposed application, subject to the following condition:
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.
3. Obtain a Driveway Permit to remove redundant driveway on severed lot and install new driveway on retained lot.

Karen Kong – Engineering Technologist

Heritage Planner, Planning and Build

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

Ryan Upton – Planner II

Transportation Planner

All parking must comply with ZBL 8600.

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

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 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, 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
kaalexander@citywindsor.ca

Connor Wilson
Planner II – Revitalization & Policy Initiatives
conwilson@citywindsor.ca

Landscape Architect

There are two City owned trees adjacent to the subject property (Tree ID 32869 and 32870). City Trees are protected from damages and removal under City by-law 135-2004 and 131-2019. The Applicant will be required to consult with Forestry on the protection of all City trees which may be impacted by the development.

Please contact:
Marc Edwards
Supervisor, Parks Forestry
medwards@citywindsor.ca