

1. Special Policy Areas

1.0 Preamble

The designation of Special Policy Areas on Schedule A: Planning Districts & Policy Areas allows for the application of specific planning policies for defined geographic areas of Windsor where the goals, objectives and policies of the Primary Plan require further clarification and consideration.

1.1 Sandwich Neighbourhood Waterfront

*SANDWICH
NEIGHBOURHOOD
WATERFRONT*

1.1.1 The Sandwich Neighbourhood Waterfront designated on Schedule A: Planning Districts & Policy Areas in the Primary Plan is comprised of the area bounded by Chewitt Street on the north, Russell Street on the east, Brock Street on the south and the Detroit River on the west.

*RESIDENTIAL
USES*

1.1.2 Notwithstanding the Waterfront Recreation designation on Schedule D: Land Use in the Primary Plan, the following residential uses may be permitted on specific lands within the Sandwich Neighbourhood Waterfront:

- (a) at the south west corner of Mill Street and Russell Street, residential development no greater than fifteen (15) storeys in height; and
- (b) at the south west corner of Chewitt Street and Russell Street, residential development no greater than three (3) storeys in height.

*EVALUATION
CRITERIA*

1.1.3 Any proposed residential development within the Sandwich Waterfront Area shall be evaluated in accordance with the Residential policies contained within the Primary Plan and the following:

- (a) the proponent shall demonstrate to the satisfaction of the Municipality that the proposed residential development is or will be in compliance with the requirements of the Essex Region Conservation Authority and/or federal or provincial governments.

<i>PARKLAND CONVEYANCE</i>	1.1.4	As a condition of planning approval, the proponent of residential development within the Sandwich Neighbourhood Waterfront shall be required to convey lands to the Municipality for Public Open Space purposes in accordance with the Open Space section of the Primary Plan. Where such a conveyance is to be made, the Municipality shall give preference to lands extending along the Detroit River for the continuation of the waterfront linear park system.
<i>SITE PLAN CONTROL</i>	1.1.5	All residential development within the Sandwich Neighbourhood Waterfront shall be subject to site plan control.

1.2 Huron Church Road Corridor

<i>HURON CHURCH ROAD CORRIDOR DEFINITION</i>	1.2.1	The Huron Church Road Corridor designated on Schedule A: Planning Districts & Policy Areas in the Primary Plan is comprised of the area along the east and west sides of Huron Church Road from the Ambassador Bridge to Highway #3.
<i>LANDSCAPED SETBACK REQUIREMENTS</i>	1.2.2	<p>Notwithstanding the general policies contained in the Primary Plan, the following policy shall apply to all development along the Huron Church Road Corridor:</p> <ul style="list-style-type: none"> (a) to create a uniform appearance along Huron Church Road and in keeping with its status as an international gateway route, any new development adjacent to Huron Church Road shall be required to provide a landscaped setback abutting the road. Specific land use requirements shall be as follows: <ul style="list-style-type: none"> (i) where a non-residential development fronts Huron Church Road there shall be a minimum landscaped setback of ten (10) metres parallel to the road; (ii) where residential development is proposed adjacent to Huron Church Road a Public Open Space corridor having a minimum width of 30 metres shall be provided as shown on Schedule D: Land Use; save and except lot 62, Plan 967*, on Huron Church Road, shall have a 9 metre landscaped setback. <small>(* - Added by OMB Decision #1635 – 11/29/2002)</small> (b) where lands are proposed for redesignation to Commercial Centre or Commercial Corridor, such lands shall be located at a signalized intersection or be contiguous to lands designated Commercial Centre or Commercial Corridor with access to a signalized intersection by means of a service road.

1.3 Hiram Walker Facilities

- HIRAM WALKER FACILITIES* 1.3.1 The Hiram Walker Facilities designated on Schedule A: Planning Districts & Policy Areas in the Primary Plan consists of the lands bounded on south by Riverside Drive, on the east by Droulliard Road, on the north by the Detroit River and on the west by Lincoln Road.
- DESIGN GUIDELINES* 1.3.2 Notwithstanding the Industrial designation of these lands on Schedule D: Land Use in the Primary Plan, the Hiram Walker Facilities are recognized as important contributors to the identity and experience of the entire Windsor waterfront. Therefore, the design guidelines provided for in the Waterfront Port Section of the Primary Plan shall also be considered when evaluating the proposed design of a development within this special policy area.

1.4 Riverside Drive at Lauzon Road Waterfront

- ABAR'S TAVERN & EDGEWATER MARINE PROPERTIES* 1.4.1 The properties known municipally as 7880 and 7910 Riverside Drive East, and commonly as Abar's Tavern and Edgewater Marine respectively, are designated on Schedule A: Planning Districts and Policy Areas. The lands are situated at the intersection of Riverside Drive and Lauzon Road, bounded on the south by Riverside Drive and on the north by the Detroit River.
- EVALUATION CRITERIA* 1.4.2 Notwithstanding the Waterfront Residential designation of these lands on Schedule D: Land Use in the Primary Plan, the Abar's Tavern and Edgewater Marine properties are recognized as long standing commercial use parcels. In addition, the waterfront location of these properties provides an opportunity for recreation activities, including a marina. Therefore, proposals which integrate commercial, waterfront recreation, and Medium Profile residential uses within this Special Policy Area shall also be considered. When evaluating a proposed development within this Special Policy Area that includes a commercial use, the Commercial Corridor Policies of the Primary Plan shall also be applicable. The Waterfront Recreation Policies of the Primary Plan shall also be used to evaluate development proposals involving a marina as a permitted use.

1.5 Lakeview Planning Area

*LAKEVIEW
PLANNING AREA*

1.5.1

The Lakeview Planning Area designated on Schedule A: Planning Districts and Policy Areas in the Primary Plan, consists generally of the lands bounded on the south by Little River Road, on the east by the municipal boundary, on the north by Riverside Drive, and on the west by Bellagio Drive.

*DESIGN
GUIDELINES*

1.5.2

Where new development with rear yards abut existing development, such new development yards shall be graded so that the maximum gradient does not exceed 5% and the elevation at the rear lot line(s) is at the original grade to eliminate the need for retaining walls.

1.6 South Street and Wilkinson Street (amended by OPA #3 – 05/03/2001)

*NORTHEAST
CORNER*

1.6.1

The property comprising the westerly part of Lot 15, both on the east side of Wilkinson Street, Registered Plan 40, located on the northeast corner of South Street and Wilkinson Street is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

*WAREHOUSE
USE
PERMITTED*

1.6.2

Notwithstanding the Business Park designation of these lands on Schedule D: Land Use in the Primary Plan, the only business park use permitted on these lands is a warehouse.

1.7 Sandwich Street and Chappell Avenue

(amended by OPA #4 – 05/03/2001)

- | | | |
|--|-------|--|
| <i>SOUTHEAST
CORNER</i> | 1.7.1 | The property comprising Lot 28, south side of Sandwich Street and part of Lot 28 north side of Peter Street, Registered Plan 40, located on the southeast corner of Sandwich Street and Chappell Avenue is designated on Schedule A: Planning Districts and Policy Areas in Volume I –The Primary Plan |
| <i>ADULT
ENTERTAINMENT
PARLOUR
PERMITTED</i> | 1.7.2 | Notwithstanding Section 6.4.3.2 (c) of this Plan respecting Adult Entertainment Parlours in areas designated “Industrial”, the lands identified as 3885 Sandwich Street may be used for an Adult Entertainment Parlour. |

1.8 Riverside Drive East and Assumption Street

(amended by OPA #7 – 07/04/2001)

- | | | |
|-----------------------------------|-------|---|
| <i>CHILDREN’S AID
SOCIETY</i> | 1.8.1 | The property described as part of Lot 94, Concession 1, on the south side of Riverside Drive East and the north side of Assumption Street, west of Chilver Road and east of Lincoln Road is designated on Schedule A: Planning Districts and Policy Areas in Volume I –The Primary Plan |
| <i>OFFICE USE
PERMITTED</i> | 1.8.2 | Notwithstanding the “Residential” designation of these lands on Schedule D: Land Use in Volume I – The Primary Plan, an office may be an additional permitted use. |

1.9 Crawford Avenue, south of Giles Blvd. West

(amended by OPA #9 – 09/25/2001)

- | | | |
|---|-------|---|
| <i>WEST SIDE OF
CRAWFORD
AVENUE</i> | 1.9.1 | The property described as part of Lot 75, Concession 1, on the west side of Crawford Avenue, south of Giles Boulevard West is designated on Schedule A: Planning Districts and Policy Areas in Volume I –The Primary Plan |
| <i>AUTO SALES
PERMITTED</i> | 1.9.2 | Notwithstanding the “Industrial” designation of these lands on Schedule D: Land Use in Volume I – The Primary Plan, the sale of automobiles may be an additional permitted use. |

1.10 Assumption Street and Moy Avenue

(amended by OPA #11 – 11/14/2001)

- SOUTHEAST CORNER* 1.10.1 The property described as part of Lot 31, Registered Plan 579, on the south east corner of Assumption Street and Moy Avenue is designated on Schedule A: Planning Districts and Policy Areas in Volume I –The Primary Plan.
- TOURIST HOME PERMITTED* 1.10.2 Notwithstanding the “Residential” designation of these lands on Schedule D: Land Use in Volume I – The Primary Plan, a tourist home may be an additional permitted use.

1.11 Tecumseh Road East and Clover Street

(amended by OPA #16 – 12/07/2001)

- NORTHEAST CORNER* 1.11.1 The property described as part of Farm Lot 140, Concession 1, located on the northeast corner of Tecumseh Road East and Clover Street is designated on Schedule A: Planning Districts and Policy Areas in Volume I –The Primary Plan.
- BUSINESS AND PROFESSIONAL OFFICES PERMITTED* 1.11.2 Notwithstanding the “Industrial” designation of these lands on Schedule D: Land Use in Volume I – The Primary Plan, business and professional offices shall be an additional permitted use.

1.12 Salter Avenue South of University Avenue W.

(amended by OPA #15 – 04/17/2002)

- SOUTH LIMIT OF SALTER AVENUE* 1.12.1 The property described as part of Block A and Lot 176 Registered Plan 282, and Part of Block Z Registered Plan 469, at the south limit of Salter Avenue, south of University Avenue west, is designated on Schedule A: Planning Districts and Policy Areas in Volume I –The Primary Plan.
- SELF STORAGE FACILITY USE PERMITTED* 1.12.2 Notwithstanding the “Residential” designation of these lands on Schedule D: Land Use in Volume I – The Primary Plan, a self-storage facility shall be an additional permitted use.

1.13 Central Riverfront Park Lands

(amended by OPA #20 – 10/09/2002)

<i>CENTRAL RIVERFRONT PARK LANDS</i>	1.13.1	The following sections provide the direction for the orderly development of the Central Riverfront Park Lands designated on Schedule A: Planning Districts and Policy Areas in Volume I: The Primary Plan. This Special Policy Area is based on the City of Windsor Central Riverfront Implementation Plan (CRIP) adopted by Council in September 2000.
<i>LANDS WITHIN POLICY AREA</i>	1.13.2	The Central Riverfront Park Lands represent approximately 47 hectares of public open space. This includes approximately 39 hectares of parkland located north of Riverside Drive and extending approximately 6 km. from the west at McKee Park to the Hiram Walker Distillery in the east. In addition, in accordance with Council Resolutions 1187/99 and 561/2001, adjacent public parks on the south side of Riverside Drive, totaling 8 hectares, are considered part of the Central Riverfront Park Lands.
<i>DEFINITION OF 'CENTRAL RIVERFRONT'</i>	1.13.3	The Central Riverfront Park Lands are at times referred to as the 'Central Riverfront' within this policy document. For the purposes of this document the two terms are interchangeable and apply to the same area of land as described in policy 1.13.2 above.
<i>PREAMBLE</i>	1.13.4	Throughout Windsor's history of growth and development, the Central Riverfront has played a critical role in the socio-economic evolution of the various settlements and communities that now form the City of Windsor. Today, the Central Riverfront Park Lands are open and publicly accessible. The central position of these lands to the City core with views of the Detroit River, Ambassador Bridge, and Detroit skyline, enhance a memorable image of our community. This stretch of expansive open space was secured over time for public enjoyment and serves as a venue for festivals, memorials, active and passive recreation.
<i>PURPOSE</i>	1.13.5	<p>The Central Riverfront is recognized as the "crown jewel" of the City's park system, and is a community asset that calls for the careful and considered use of this public land. The purpose of designating the Central Riverfront Park Lands as a Special Policy Area is:</p> <p>(a) to establish the development concept, objectives and policies for the Central Riverfront Park Lands;</p>

- (b) to incorporate the City of Windsor Central Riverfront Implementation Plan (September, 2000) as the design guideline for the Central Riverfront Park Lands describing standards that are intended to guide the detailed development and design of open space, buildings, structures and monuments, beacons, circulation network, water transportation, parking, landscaping, and service infrastructure; and
- (c) to establish a Riverfront Advisory Committee that will advise Council for all capital development, and review private and non-profit development proposals within the Central Riverfront Park Lands.

<i>CENTRAL RIVERFRONT IMPLEMENTATION PLAN (CRIP)</i>	1.13.6	The aim of the Central Riverfront Implementation Plan (CRIP) is to provide an implementation strategy and design guideline to assist in the attainment of the vision that Windsorites hold for the Central Riverfront Park Lands. Council Resolution 610/2000 adopted the CRIP. The design principles and guidelines contained within the CRIP are intended to guide the design and implementation of the linking elements of the Central Riverfront development including; cultural heritage, sustainable development, landscaping, circulation, water transportation, scenic drive, buildings, structures, monuments, beacons, parking and service infrastructure within the Central Riverfront Park Lands.
<i>MASTER PLAN</i>	1.13.7	The Central Riverfront Implementation Plan (CRIP) is a master plan as defined by the Environmental Assessment Act. As such, the CRIP has been shaped by the design objectives and guidelines that have evolved through the course of public consultation and stakeholder input.
<i>PHASING OVER A 25 YEAR PLANNING HORIZON</i>	1.13.8	The Central Riverfront Implementation Plan illustrates and guides the development projects underway and those anticipated over the next twenty-five years. The CRIP is a reference document intended to provide design principles and includes the immediate, staged, and long-term implementation provisions for the Central Riverfront Park Lands.

<i>RIVERFRONT ADVISORY COMMITTEE</i>	1.13.9	The Riverfront Advisory Committee will be assigned by Council to provide expert review and advice for the on-going development of the Central Riverfront Park Lands in keeping with the City’s Official Plan policies and the design standards and guiding principles set out in the Central Riverfront Implementation Plan.
<i>DEVELOPMENT CONCEPT</i>	1.13.10	The Development Concept for the Central Riverfront Park Lands is based upon the Central Riverfront Implementation Plan (CRIP) which incorporates a number of key linking elements. Since the Central Riverfront is intended as both a quiet contemplative area, as well as a place of activity, recreation and celebration, it is necessary to ensure that the Central Riverfront will be perceived as one cohesive park with a series of distinct uses and areas contained within.
<i>LINKING ELEMENTS</i>	1.13.11	<p>The linking elements of the Central Riverfront are intended to have common themes, or heritage narratives, to be carried throughout the entire length of the Central Riverfront. The following key linking elements are intended to provide the desired cohesiveness for the Central Riverfront Park Lands:</p> <ul style="list-style-type: none"> (a) Sustainable Development; (b) Cultural Heritage; (c) Landscaping; (d) Circulation; (e) Water Transportation; (f) Scenic Drive; (g) Buildings, Structures and Monuments; (h) Beacons (park pavilions); (i) Parking; and (j) Service Infrastructure.

OBJECTIVES

1.13.12

In order to reinforce the Central Riverfront as a major focal point and defining image of the City, the following objectives serve to provide the policy framework to guide the future design and development of the Central Riverfront Park Lands:

- (a) allow for a range of public accessibility opportunities to the riverfront lands with enhanced connections to adjacent neighbourhoods;
- (b) allow for a range of recreational activities and facilities that appeal to a wide segment of the population;
- (c) provide continuous, unencumbered, connected and distinct circulation networks for pedestrian and active recreational use;
- (d) create a cohesive park identity through key linking elements;
- (e) provide for a series of linked activities through interpretive features, landscape treatments and the Beacons;
- (f) provide opportunities for a balance of activities to accommodate recreational use during all seasons;
- (g) enhance views of the Detroit River through the design and siting of buildings, structures, landscape elements, and infrastructure;
- (h) promote sustainable development practices as part of the Central Riverfront implementation;
- (i) promote heritage and cultural themes as part of the Central Riverfront experience;
- (j) provide for the integration of design features that enhance the personal safety and security of users; and
- (k) allow commercial advertising incidental to on-site activity only.

1.13.13

A key design component of the Central Riverfront is the promotion of sustainable development practices and the efficient use of resources and energy. Opportunities for demonstrating sustainable development practices, including stormwater management, regeneration of natural habitats, and alternative power sources, should be integrated into the overall development. The following policies will guide the design and implementation of sustainable development practices for the Central Riverfront Park Lands:

- (a) alternative energy, using natural sources such as water, wind and sun, should be promoted as components of the lighting and irrigation systems, and other park features;
- (b) the water source of the Detroit River should be utilized for direct irrigation of Central Riverfront lands;
- (c) native plant species, tolerant of the local climatic conditions, should be utilized as much as possible;
- (d) naturalized surface treatments that allow for purification and infiltration of rainwater and storm water run-off will be encouraged;
- (e) impervious surface treatments will be minimized, and consistent with the local Conservation Biodiversity Study, will be limited to no more than 15 percent coverage of the total Central Riverfront Park Lands;
- (f) earth sheltered design of buildings and structures will be encouraged for energy conservation; and
- (g) other opportunities and technologies for demonstrating and implementing sustainable development practices will be encouraged.

1.13.14

The Central Riverfront's identity is rooted in the physical and cultural links to its past. The Central Riverfront has a rich cultural heritage including native, early colonial settlement, railway, military and urban development. Opportunities for recognizing, conserving and enhancing the heritage and archaeological significance of this area will be integrated into the overall interpretation and development of the Central Riverfront. The following policies will guide the development of the Central Riverfront's Cultural Heritage:

- (a) the cultural history of the riverfront will be revealed through the integration of specially designed elements that convey a theme related to the riverfront's history;
- (b) heritage themes will be integrated into the riverfront development such as gardens, interpretive elements, the Beacons, other riverfront buildings, structures and monuments;
- (c) heritage narratives will physically and intellectually engage the viewer through sight, touch, sound and other senses;
- (d) structures on the riverfront listed on Windsor's Heritage Properties Inventory (including the Ambassador Bridge, the water intake building, Ambassador Park washroom, Udine Fountain, the Spirit of Windsor engine, remnant railroad apparatus/pilings, memorials, and sculptures) shall be recognized as heritage resources that will be protected and integrated into the overall interpretation and development of the Central Riverfront; and
- (e) archaeological sites within the Central Riverfront, as identified within the City's archaeological master plan, will be investigated and considered in the overall development of the Central Riverfront.

*LANDSCAPING
POLICIES*

1.13.15

The Landscape system complements the Circulation system and enhances the thematic role of riverfront areas including gardens, public plazas and open space areas through the selection of distinct trees and plant materials. The following policies will guide the design and development of Central Riverfront Landscaping:

- (a) the majority of trees and shrubs will be low-maintenance, open crowned, non-toxic, thornless and produce as little litter (twigs, seeds) as possible;
- (b) plant species which are long-lived, disease resistant, hardy, seasonally interesting and culturally suitable to the location in which they are planted should be chosen; and
- (c) wherever possible, the use of native Carolinian Species will be encouraged.

1.13.16

The circulation system provides pedestrian, cycling, rollerblading and other recreational access throughout the riverfront. Emergency and public vehicular access is also provided at appropriate locations. The circulation system is based on the framework of existing City block and street patterns as well as the existing and proposed riverfront circulation patterns and topography. The five primary circulation systems that link key riverfront destinations are: Riverside Drive, Riverside Drive Pedestrian Promenade, River Walk, and Recreationway. The following policies will guide the design and development of the Central Riverfront Circulation System:

- (a) the circulation system will link all major riverfront facilities and join with adjacent local and regional networks including street, park and Greenway system components;
- (b) the circulation system will provide direct, uninterrupted, well lit and barrier free connections from east to west;
- (c) due to the Central Riverfront's relatively narrow width, the area between the Detroit River shoreline and Riverside Drive should be kept as open as possible to allow for the separation of circulation networks along the length of the Central Riverfront;
- (d) the circulation system will incorporate design elements such as landscaping and pedestrian amenities that will promote and extend the riverfront experience;
- (e) the circulation system will establish ease of access to the Central Riverfront from the neighbourhoods south of Riverside Drive; and
- (f) pedestrian walkways shall be comfortable, safe, attractive and distinct from other circulation networks for cyclists, rollerbladers, and vehicles.

1.13.17

Water transportation has long served a key role in Windsor's settlement beginning with the French farmsteads bordering the Detroit River in the early 1700's. Today, commercial water transportation and recreational boating are dominant activities on the water. The Central Riverfront is proposed as an area where recreational boating and pedestrian ferry services will complement the land based recreational activities of the riverfront lands. The following policies will guide the design and development of the Central Riverfront's Detroit River access:

- (a) wherever possible, Central Riverfront development will incorporate and highlight the historic water transportation themes related to Windsor's settlement and growth;
- (b) all shoreline improvements and/or marina developments will require provincial and federal Environmental Assessment (EA) Act approvals;
- (c) boat launching facilities will be considered for kayaks, canoes and other non-motorized recreational water transport at appropriate locations;
- (d) new launching facilities for motorized boats will not be permitted (existing facilities at McKee Park are permitted);
- (e) motorized boat docking facilities for transient and non-transient recreational boating will be considered at appropriate locations and subject to applicable EA Act approvals;
- (f) pedestrian ferry, cruise ship and tour boat docking will be considered at appropriate locations in proximity to car/bus loading and drop off facilities; and
- (g) Waterfront Port type uses including re-fueling, unloading of non passenger cargo, freight, and other non recreational activities shall not be permitted along the Central Riverfront.

Riverside Drive represents the south edge of the riverfront lands is identified as a Scenic Drive. Riverside Drive creates a strong visual and physical edge between the Central Riverfront and the adjacent neighbourhoods. Riverside Drive has an important role in defining the image of the riverfront and establishing links to adjacent areas. The distance of Riverside Drive, from curblin to curblin, is critical in maintaining the public's perception of accessibility to the riverfront lands. The following policies will guide the future development of Riverside Drive:

- (a) Riverside Drive will be developed as a scenic tree-lined drive encouraging reduced traffic speeds and volumes and greater opportunities for cycling;
- (b) Riverside Drive will not be widened for additional lanes of through auto traffic;
- (c) road widening for automobile turning lanes will be minimized;
- (d) direct pedestrian connections across Riverside Drive from the City Centre and local neighbourhoods to the Central Riverfront will be encouraged;
- (e) specially marked and textured pedestrian crossings will be provided at key intersections to assist movement across Riverside Drive to the riverfront;
- (f) access drives to the riverfront lands should be located across from existing streets, perpendicular to Riverside Drive, and at locations suitable for signalized intersections;
- (g) traffic calming and pedestrian activated crossing signals will be implemented in conjunction with specially designed pedestrian connections across Riverside Drive; and
- (h) the boulevard on the riverfront side of Riverside Drive will include enhanced landscape treatments to provide a strong visual image for the Central Riverfront.

1.13.19

The majority of the Central Riverfront will be dedicated to the enjoyment of its outdoor setting. Limited indoor areas help to make the riverfront safe, accessible and attractive to a wide range of the population on an all-season basis. The following policies will guide the design and development of the Central Riverfront Buildings, Structures and Monuments:

- (a) the size, location and extent of buildings and structures within the Central Riverfront will be restricted;
- (b) no more than 2 percent of the total area of the Central Riverfront will be dedicated to building area;
- (c) the use of the buildings will be limited to activities that are appropriate and complementary to the primary public park usage;
- (d) where revenue-generating uses (e.g. concessions, vending zones) are permitted, their use should be ancillary to a primary public usage;
- (e) where possible, new structures are to be integrated into the south slope of the riverbank;
- (f) rooftops should provide public landscaped overlook areas;
- (g) the roof level of all buildings and structures will be at or below the sight line of Riverside Drive;
- (h) only monuments that directly relate to the cultural history of the riverfront lands will be considered for placement within the Central Riverfront; and
- (i) commercial advertising will be restricted to signage incidental to on site activity.

1.13.20

Five (5) park pavilions called “Beacons” are to be located at designated sites. Each Beacon will explore a thematic aspect of the Park and will be based on the integration of building and landscape. Collectively, the Beacons create the Central Riverfront’s primary orientation system and identifying feature. There are five Beacons to be positioned along the length of the Central Riverfront. The following policies will guide the design and development of the Central Riverfront Beacons:

- (a) each Beacon will provide a visual landmark and destination;
- (b) wherever possible, the Beacon should house park services such as washrooms, telephones, concessions, information kiosks, and shelter;
- (c) wherever possible, the Beacon should be located in proximity to small surface parking courts;
- (d) with the exception of the Dawn Beacon (existing 19th century water intake facility) all of the proposed Beacons will be set within the south slope of the riverbank;
- (e) the roofs of the Beacons are to be designed as a landscaped terrace accessible from the Riverside Drive Promenade;
- (f) the roof level of the Beacons will be at or below the sight line of Riverside Drive; and
- (g) vertical architectural elements of the Beacons, intended to act as visible landmarks along the riverfront, may extend above the sight line of Riverside Drive.

*PARKING
POLICIES*

1.13.21

The major objective for surface parking is to prevent these areas from becoming a dominant feature of the riverfront, while providing enough parking to complement year round riverfront activities and attractions. The following policies will guide the design and development of Central Riverfront parking areas:

- (a) riverfront parking will be provided as a series of small and conveniently placed surface parking courts;
- (b) the location of riverfront parking courts will be based on the locations of major riverfront destinations;
- (c) the removal of existing riverfront parking courts should be considered as parking opportunities become available at other locations;
- (d) riverfront parking courts should integrate tree planting at a preferred minimum ratio of one tree for every four parking spaces; and

- (e) where possible, riverfront parking courts should be located at a level below the sight line of Riverside Drive.

*SERVICE
INFRASTRUCTURE
POLICIES*

1.13.22

Service Infrastructure refers to above ground utility boxes, vaults, service boxes and underground utilities. In addition, the Windsor Riverfront Pollution Control Study, adopted by Council Resolution 754/99, identified preferred alternatives to satisfy provincial regulatory guidelines for Combined Sewer Overflow (CSO) control and to reduce pollutant loadings into the Detroit River. The construction of the Retention Treatment Basin(s) (RTB) and Tunnel Storage paralleling the Riverfront Interceptor Sewer was identified as solutions to satisfy the provincial guidelines. The following policies will guide the design and development of the Central Riverfront's Service Infrastructure:

- (a) service infrastructure should be located in unobtrusive areas in order to reduce their visual and physical impact;
- (b) service infrastructure should be located away from street intersections, pathways, public plazas, terraces, or strategic view corridors;
- (c) service infrastructure should be screened from public view;
- (d) service infrastructure should be located for ease of access;
- (e) the Environmental Assessment (EA) Planning and Design process will be used for the selection of a preferred alternative including the sizing, location and landscape treatment of service infrastructure;
- (f) the sizing and location of the RTB and Tunnel Storage facilities will be determined through the Environmental Study Report and Functional Design Report for such facilities; and
- (g) integration with the Central Riverfront Implementation Plan will be maintained throughout the design and development of all service infrastructure undertakings.

1.14 North Side of Forest Glade Drive, east of Lauzon Parkway (amended by OPA #12 – 08/21/2002)

*SITE SPECIFIC
POLICY
DIRECTION*

1.14.1

For the lands designated ‘Commercial Corridor’ at the northeast corner of Lauzon Parkway and Forest Glade Drive, comprising Part of Lots 126 and 126, Concession 2, being more particularly described as Parts 13, 15 and 17 on Plan 12R-5019, and Part 3 on Plan 12R-9742, save and except Part 1 on Plan 12R-17477 Windsor being the whole PIN 01381 0095 (LT)*, a site specific policy direction to the zoning by-law and site plan approval process is required for the subject property that acknowledges and protects the neighbouring residential functions originally designated and approved for the area. Special buffer provisions shall apply and in this regard, the provisions of subsection 6.5.3.8(b) Design Guidelines which calls for the provision of appropriate landscaping or other buffers to enhance parking, loading and service areas and the separation between the use and adjacent sensitive uses including residential units and a long term care facility, are carefully applied. Specific attention will also be given to the requirements of subsection 8.7 (built form compatibility) and 8.13 (lighting intrusion) contained in the Urban Design section of this plan.

1.15

Northwest corner of Forest Glade Drive and Meadowbrook Drive (amended by OPA #24 – 10/30/2002)

*SITE SPECIFIC
POLICY
DIRECTION*

1.15.1

For the lands designated ‘Commercial Corridor’ at the northwest corner of Forest Glade Drive and Meadowbrook Drive, comprising Part of Lot 126, Concession 2, being more particularly described as Part 1 on Plan 12R-17477. A site specific policy direction to the zoning by-law and site plan approval process is required for the subject property that acknowledges and protects the neighbouring residential functions originally designated and approved for the area. Special buffer provisions shall apply and in this regard, the provisions of subsection 6.5.3.8(b) Design Guidelines which calls for the provision of appropriate landscaping or other buffers to enhance parking, loading and service areas and the separation between the use and adjacent sensitive uses including residential units and a long term care facility, are carefully applied. Specific attention will also be given to the requirements of subsection 8.7 (built form compatibility) and 8.13 (lighting intrusion) contained in the Urban Design section of this plan.

1.16

McDougall Street and Mercer Street at Shepherd Street East (amended by OPA 14 & OMB Decision 1688 – 12/11/2002)

<i>SOUTH SIDE OF SHEPHERD STREET</i>	1.16.1	The property described as Part Lot 85, Concession 1, designated as Parts 1 and 2 on Plan 12R-10279, and Part of Farm Lot 85, Concession 1, and Part of Park Lots 24 and 28, and Park Lot 26, Registered Plan 125, on the south side of Shepherd Street East, between McDougall Street and Mercer Street are designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.
<i>SITE SPECIFIC PERMITTED USES</i>	1.16.2	Notwithstanding the ‘Industrial’ designation of these lands on Schedule D: Land Use in the Primary Plan, a private hall, a health studio, a restaurant, provided there is no facility for drive through service, a business, contractors or financial office, a personal service shop, and a convenience store may be additional permitted uses.
	1.17	East Side of Argyle Road, South of Richmond Street (amended by OPA 41– 07/26/2004)
<i>EAST SIDE OF ARGYLE ROAD</i>	1.17.1	The property described as Lots 96 and 98, and Part of Lot 100, Registered Plan 490, on the east side of Argyle Road, south of Richmond Street, is designated on Schedule A: Planning Districts and Policy Areas in Volume I –The Primary Plan.
<i>SITE SPECIFIC PERMITTED USES</i>	1.17.2	Notwithstanding the ‘Residential’ designation of these lands on Schedule D: Land Use in the Primary Plan, a tourist home may be an additional permitted use.
	1.18	North Side of Grand Marais Road East, East of Howard Avenue (amended by OPA 45– 01/25/2005)
<i>NORTH SIDE OF GRAND MARAIS ROAD EAST</i>	1.18.1	The property described as Lots 7 to 12 inclusive, Block ‘B’ and part of the closed alley, Registered Plan 1090, and Part of Lot 86, Concession 2, on the north side of Grand Marais Road East, east of Howard Avenue is designated on Schedule A: Planning Districts and Policy Areas.
<i>SITE SPECIFIC PERMITTED USES</i>	1.18.2	Notwithstanding the ‘Commercial Corridor’ designation of these lands on Schedule D: Land Use in the Primary Plan, a lodging house may be an additional permitted use, provided that the concurrent use of the building for a hotel and lodging house is prohibited.
	1.19	Area Permitting Entertainment Lounges (amended by OPA 49– 09/22/2005)

<i>AREA PERMITTING ENTERTAINMENT LOUNGES</i>	1.19.1	The Entertainment Lounge Area designated in Schedule A: Planning Districts & Policy Areas in the Primary Plan is composed of the area shown in Schedule A to Official Plan Amendment Number 49.
<i>SPECIAL PROVISIONS</i>	1.19.2	Notwithstanding the general policies contained in the Primary Plan and in Section 6.11, City Centre Planning District, in conflict herewith, entertainment lounges may only be permitted within the Entertainment Lounge Area outlined in Schedule A: Planning Districts and Policy Areas
<i>LAWFULLY EXISTING USES</i>	1.19.3	A lawfully existing entertainment lounge located outside of the Entertainment Lounge Area or one which exceeds a maximum size established by the municipality shall be recognized as a permitted use in this Plan, subject to special provisions related to its maximum permitted size.
<i>OUTSIDE DESIGNATED AREA</i>	1.19.4	Outside of the designated area, a new entertainment lounge shall only be permitted by specific zoning amendment or prior land use review and impact analysis.

1.20 East Side of St. Luke Road, north of Seminole Street (amended by OPA 51– B/L260-2005-11/01/2005)

<i>EAST SIDE OF ST. LUKE ROAD, NORTH OF SEMINOLE STREET</i>	1.20.1	The property described as Lots 4 to 9 inclusive, Registered Plan 864, on the East Side of St. Luke Road, north of Seminole Street as designated on Schedule A: Planning Districts and Policy Areas.
<i>SITE SPECIFIC PERMITTED USES</i>	1.20.2	Notwithstanding the ‘Residential’ designation of these lands on Schedule D: Land Use in the Primary Plan, business offices and a parking area may be additional permitted areas.

1.21 South Side of Ontario Avenue between Arthur Road and Ellrose Avenue (amended by OPA 54– B/L86-2006-05/08/2006)

- | | | |
|--|--------|---|
| <i>SOUTH SIDE OF ONTARIO AVENUE BETWEEN ARTHUR ROAD AND ELLROSE AVENUE</i> | 1.21.1 | The property comprising described Lots 34 to 47, Part of Lot 33 and Part of Closed Alley, Registered Plan 531, and Lots 61 to 74 and Part of Lot 60, Registered Plan 679, located on the south side of Ontario Avenue between Arthur Road and Ellrose Avenue is designated on Schedule A: Planning Districts and Policy Areas in Volume I –The Primary Plan |
| <i>SITE SPECIFIC PERMITTED USES</i> | 1.21.2 | Notwithstanding Section 7.2.8.6 a) of Volume 1: The Primary Plan of the City of Windsor Official Plan, a new residential development shall be permitted within 300 metres of a designated Rail Yard |

1.22 Prado Place Heritage Conservation District (amended by OPA 57– B/L222-2006-20/11/2006)

- | | | |
|---|--------|---|
| <i>PRADO PLACE HERITAGE CONSERVATION DISTRICT</i> | 1.22.1 | The Prado Place Heritage Conservation District as designated on Schedule A: Planning Districts & Policy Areas in Volume 1: The Primary Plan is the area described as the 200 Block of Prado Place, located between Riverside Drive and Wyandotte Street East. |
| <i>VISION</i> | 1.22.2 | The unique streetscape of the 200 block of Prado Place will be retained for current and future generations to enjoy. Any new development on the street will enhance, not harm the unique character of the streetscape. Infrastructure projects on the public right-of-way will preserve, to the extent technically possible, the defining characteristics of the block. |
| <i>STATEMENT OF SIGNIFICANCE</i> | 1.22.3 | The 200 block of Prado is a significant cultural landscape and an asset to the community because its defining characteristics (outlined in section 1.22.5) give the Prado Place Heritage Conservation District a special sense of place - an aesthetically appealing environment unique in the City of Windsor that is worthy of recognition and preservation. |

*HISTORICAL
ATTRIBUTES*

1.22.4 The 200 block of Prado Place was subdivided in 1923 when the area was part of the former Town of Riverside. The block, with 30 houses fronting Prado Place and two facing Riverside Drive East, was largely developed in two phases, the first being in the 1920s and the other being in the 1950-1960s. The compact layout of the block has resulted in a streetscape unique to the City of Windsor that is admired and worthy of preservation.

*CHARACTER
DEFINING
ELEMENTS*

1.22.5 The Prado Place Heritage Conservation District is worthy of preservation because it presents a unique mix of urban features. A record of existing streetscape elements can be found in Appendices E (Town of Riverside Street Lights) and F (Streetscape Record 2005) of the Prado Place Heritage Conservation District Study (November 2005). Preservation of the Prado Place Heritage Conservation District is accomplished by maintaining the following character defining elements:

- a) 50 foot right-of-way
- b) Narrow pavement, which varies in width from approximately 19 feet at the far north and south ends of the block to 16 feet - 4 inches at the center of the block
- c) Low / unobtrusive pavement edge (concrete curb) in muted tones
- d) Mid-block curbed landscaped island
- e) No on-street vehicle parking
- f) No overhead utility wires along roadway
- g) Ten original Town of Riverside street lamps – the only cast iron streetlights that remain as installed in the former Town of Riverside
- h) Eclectic mixture of fine houses
- i) Shallow lot depth, which has resulted in many houses being located on or close to the front property line
- j) Mature landscaping including a diverse variety of overhanging shade trees and garden foreyards

*LONG TERM
CONSERVATION &
PROTECTION
STRATEGY*

1.22.6 The policies in this plan serve to manage development in the Prado Place Heritage Conservation District for the preservation of the existing streetscape as defined in sections 1.22.4 and 1.22.5.

*BUILDING
RENOVATIONS*

1.22.7 a) The intent of the Prado Place Heritage Conservation District is to preserve the streetscape and not control alterations to existing housing stock. Owners of property in the Heritage Conservation District do not need permission beyond normal building permit requirements to carry out renovations to houses existing as of the

date of the passage of the Prado Place Heritage Conservation District by-law.

*NEW
CONSTRUCTION*

- b) New construction (new structures and additions to existing structures) must be compatible with the existing houses in terms of scale, massing, height, setback, colour, and quality of design. The goal is to preserve the existing environment on the street and ensure new development blends with and does not visually overwhelm neighbouring buildings.

DEMOLITIONS

1.22.8

The Windsor Heritage Committee will be consulted prior to the issuance of demolition permits within the Prado Place Heritage Conservation District.

*DEVELOPMENT
APPLICATIONS*

1.22.9

Any future building/demolition permit applications, or development applications, within the Prado Place Heritage Conservation District shall be circulated to the City Planner for review to ensure conformity with the guidelines set out in this plan.

*COMMITTEE OF
ADJUSTMENT*

1.22.10

The Committee of Adjustment shall ensure that applications for infill housing maintain the guidelines as set out in this plan, including;

- a) Permitting reduction of the front yard setback to conform to adjacent houses
- b) Permitting increase in allowable lot coverage to conform to adjacent houses
- c) Permitting garages sited behind main building
- d) Prohibiting below grade garage entrances

*HERITAGE
FINANCIAL
INCENTIVES*

1.22.11

Private properties in the Prado Place Heritage Conservation District are not eligible for current or future heritage-based financial incentive or tax-reduction programs of the City of Windsor.

STREETLAMPS

1.22.12

The ten original Town of Riverside street lamps must be maintained as working streetlights in their current locations. Low illumination bulbs are to be used when replacement of bulbs is necessary.

<i>SIGNAGE</i>	1.22.13	Street signage shall be kept to a minimum, and use of the historic street lamps for installation of signs shall be avoided.
	1.22.14	Appropriate signage is to be developed by the Planning Department to identify the block as a Heritage Conservation District.
<i>TREES</i>	1.22.15	Existing street trees shall be maintained and protected, to the extent that it is technically feasible, from damage due to site development, redevelopment, paving modifications, and street and infrastructure works. In order to maintain the tree canopy that helps to define the spatial volume of the block, any trees lost will be replaced with trees of a minimum trunk diameter of ten centimetres (4 inches). The City Forester will determine the species of tree that will maintain the canopy cover.
<i>PARKING</i>	1.22.16	No on street parking shall be permitted.
	1.22.17	No front yard parking as defined in the City's zoning by-law shall be permitted.
<i>PUBLIC WORKS</i>	1.22.18	Infrastructure undertakings on the block shall maintain, to the extent that it is technically feasible: a) the existing pavement width, b) the existing muted-toned concrete pavement material, c) a low pavement edge / concrete curb in muted-toned concrete d) the existing mid-block landscaped / curbed island
	1.22.19	The staff of the Public Works Department shall seek the approval of the City Planner for future infrastructure projects within the Prado Place Heritage Conservation District. Proposals will be circulated to the Planning Department for review to ensure conformity with the guidelines of the Prado Place Heritage Conservation District.
<i>CONTENTIOUS ISSUES</i>	1.22.20	In the event there are unresolved issues, the City will notify property owners within the Prado Place Heritage Conservation District and seek consensus.

1.23 Agricultural Transition Areas

(added by OPA #60 – 05/07/07- B/L85-2007)

The Agricultural Transition Areas identified on Schedule A: Planning Districts & Policy Areas in the Primary Plan is comprised of a large portion of the lands acquired by the City of Windsor in 2002 as part of a Boundary Adjustment Agreement with the County of Essex and Town of Tecumseh. The Agricultural Transition Areas are generally located south of County Road 42, north of Highway 401 and to the eastern boundary of the City of Windsor. This entire area is intended to accommodate development over the twenty year planning horizon to 2026. However, development in this area will be subject to the completion of Secondary Plans and the availability of municipal servicing and infrastructure. Due to logical phasing for municipal servicing, some portions of the Agricultural Transition Area are not expected to develop for anywhere from five to twenty years.

At the time the Agricultural Transition Areas were added to the City of Windsor urban boundary, most were used for agricultural purposes, primarily crop production or small-scale livestock operations. It is important that these agricultural uses be able to continue and provide economic benefit to the residents and surrounding community until such time as development is needed and appropriate on the basis of population growth and servicing availability.

The following objectives and policies establish the framework for interim uses in Agricultural Transition Areas.

1.23.1 Objectives

- (a) To allow for the continuation of existing agricultural operations as a transitional use until such time as detailed development plans are submitted and approved.
- (b) To minimize conflicts between urban and agricultural land uses as development proceeds
- (c) To limit the potential for land fragmentation or other impacts that could jeopardize the future comprehensive planning and development of the Agricultural Transition Areas.

1.23.2 Policies

- 1.23.2.1 Permitted uses in the Agricultural Transition Area are limited to:

- (a) Existing non-agricultural uses.
- (b) Existing agricultural livestock operations
- (c) Non-intensive agricultural activities, including crop production, greenhouses, home occupations and other similar agricultural activities as permitted by the zoning by-law
- (d) Forestry and conservation uses

1.23.2.2 The establishment of new livestock operations is not permitted.

1.23.2.3 Expansion of any existing livestock operations will only be permitted when such uses comply with the applicable Minimum Distance Separation (MDS) criteria, and where they do not jeopardize urban development anticipated in the five-year horizon, based on the Services Phasing Plan established in Section 6.13 of the City of Windsor Official Plan Volume 1 – The Primary Plan or subsequent Servicing Studies.

1.23.2.4 Severances within the Agricultural Transition Area will be strictly limited to prevent the fragmentation of larger parcels of land that could jeopardize the secondary planning process required prior to development.

1.23.2.5 Consents to sever in the Agricultural Transition Area will only be granted in the following circumstances:

- (a) For the continuation of existing, non-intensive agricultural operations provided that each lot (severed and retained parcel) has a minimum lot area of 19 hectares;
- (b) For surplus farm dwellings, where each farm property has been owned and actively farmed by the applicant for a minimum of 5 years prior to the application and where the lot created by the surplus farm dwelling meets the provisions of the zoning by-law and is no greater than 0.5 hectares in area, except where natural or man-made features or servicing requirements dictate otherwise;
- (c) Lot boundary adjustments in accordance with the policies of Section 11.4.3;
- (d) Easements and rights of way in accordance with the policies of Section 11.4.3;
- (e) Consent for mortgage purposes in accordance with the policies of Section 11.4.3.

1.24 Baseline Road Residential Corridor

(added by OPA #60 – 05/07/07- B/L85-2007)

- 1.24.1 The Baseline Road Residential Corridor designated on Schedule A: Planning Districts and Special Policy Areas in the Primary Plan consists of existing residential development located immediately to the north and south of Baseline Road between the 7th Concession and 8th Concession.
- 1.24.2 Properties located within the Baseline Road Residential Corridor are residential dwellings that have been in existence for many years. For the most part, they are located within the area where residential development is restricted or prohibited due to noise impacts generated by the Windsor Airport.
- 1.24.3 Notwithstanding the “Residential” designation of these lands on Schedule D: Land Use in Volume 1 – The Primary Plan, the following policies apply to future development within this area:
- (a) New residential development and other sensitive land uses will not be permitted in areas above the 30 NEF/NEP contour as identified on Schedule C: Development Constraint Areas;
 - (b) Redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses may be considered above the 30 NEF/NEP contour identified on Schedule C: Development Constraint Areas in accordance with the policies of Section 7.2.10, if it can be demonstrated that there will be no negative impacts on the long-term function of the airport;
 - (c) New residential development or redevelopment of existing residential land uses or other sensitive land uses in the area between the 25 and 30 NEF contours may be considered in accordance with the policies of Section 7.2.10 provided that noise mitigation measures are implemented in accordance with applicable provincial and federal guidelines and standards.

1.25 Ray Road and Joy Road Residential Area

(added by OPA #60 – 05/07/07- B/L85-2007)

- 1.25.1 The Ray Road and Joy Road Residential Area designated on Schedule A: Planning Districts and Special Policy Areas in the Primary Plan consists of a small residential subdivision located on Ray Road and Joy Road immediately east of the 8th Concession and south of Baseline Road that has been in existence for many years.

- 1.25.2 Notwithstanding the Future Urban Area designation of these lands on Schedule D: Land Use in Volume 1 – The Primary Plan, the Ray Road and Joy Road Residential Area is not intended for future development or redevelopment, with the exception of dwellings or uses in accordance with the zoning by-law and subdivision plan.
- 1.25.3 Any Secondary Plans undertaken in this area will include the Ray Road and Joy Road Residential Area within their study area, to ensure appropriate integration of existing residential development with future development in the area with respect to land uses, transportation, servicing and other planning matters.
- 1.25.4 Notwithstanding Sections 6.13.3.2, 6.13.3.3 and 11.4.3.5 of Volume I – The Primary Plan, for the parcel consisting of Part of Lot 15, Concession, situated on the south side of Joy Road, east of 8th Concession Road, known municipally as 4775 Joy Road, one or more lots may be created without a municipal sanitary sewer. The property owner agrees to not oppose any future Local Improvement Petition Assessments or applicable infrastructure costs applied to the new lots for municipal services to be constructed in the future. The property owner will connect to a municipal sanitary sewer at their cost once constructed as per By-law 147-2011.
(AMENDED BY OPA #115, effective December 1, 2017, B/L #166-2017)

1.26 Sandwich Heritage Conservation District

(OPA 68, effective October 19, 2012)

*SANDWICH
HERITAGE
CONSERVATION
DISTRICT*

1.26.1 The Sandwich Heritage Conservation District is designated on Schedule A and A-1: Planning Districts and Policy Areas.

OBJECTIVE

1.26.2 The Heritage Conservation District was designated in By-law 22-2009. It is intended to help preserve, protect and enhance the heritage attributes of Sandwich to provide a touchstone to the past, offer stability for the present and create opportunities for the future.

*CULTURAL
HERITAGE VALUE
OR INTEREST*

1.26.3 The Sandwich Heritage Conservation District is designated as a Heritage Conservation District because it contains historical, design or physical and contextual attributes that give the area a special sense of place that is worthy of recognition and preservation. The Sandwich Heritage Conservation District Plan dated July 2008 details the historical, design or physical and contextual attributes.

HISTORICAL VALUE 1.26.4

The boundaries of the Sandwich Heritage Conservation District contain one of the oldest settlement locations in Ontario, which a cultural and architectural history that dates back to the 1700s. This diverse history links to First Nations, Black, French and British settlement and historical events. Within its boundaries are distinct but related areas that reflect key eras of development – the Town Centre, where Sandwich was initially founded to house key commercial, governmental and institutional roles, the Rosedale Avenue area with its focus on residential architecture from 1920 to 1930 and the Waterfront area, which assists in connecting the Town Centre area and the residential area and played a vital role in the settlement of the Sandwich Area.

*DESIGN OR
PHYSICAL VALUE* 1.26.5

Architecturally, the Sandwich Heritage Conservation District contains a wide array of architectural styles and influences. Within the Town Centre area on Sandwich Street there are a number of notable institutional buildings including Mackenzie Hall, St. John’s Anglican Church, the Windsor Essex County Jail and the former Sandwich Town Hall and post office that represent such diverse styles as Tuscan Renaissance Revival, Norman, Gothic and Classical Revival. Also within the Town Centre is Sandwich’s oldest building, the Duff-Baby Mansion, a Georgian structure clad in pine clapboard on a stone foundation and other former residences including the Wigle-Hanaka House and McGregor-Cowan House.

These buildings, along with a number of original commercial buildings such as the Jules Robinet Winery Building, J. Spiers store and Dominion House Tavern still retain some of their original architectural features, and provide the area with its distinct heritage character.

The residential section of the Sandwich Heritage Conservation District, in the Detroit, Alexander, Rosedale and Indian Road area is quite distinct architecturally from the Town Centre area as well as much of the rest of Sandwich. Many of the buildings exhibit Tudor influences in their roof forms, timber detailing, brick exteriors, and window and door style and placement.

Despite some redevelopment and associated loss of original structures, the Town Centre and 1920s residential subdivision in the Rosedale/Alexander area provides a cross section of architectural styles and features associated with key development periods of Sandwich, with a number of buildings associated with key business and community leaders of the time.

*CONTEXTUAL
VALUE*

1.26.6

One of the greatest assets contributing to the overall heritage character of Sandwich is the mature trees found on both public and private property. Often they provide an immeasurable benefit to the streetscape, providing continuity and rhythm. Not only are their large canopies important visually, but also for the role they have played historically and continue to do so today in mitigating air quality in the district.

The location of Sandwich was largely decided by the Detroit River and to a certain extent its economic development was aided by its shoreline location. Views to the Detroit River, from within the boundaries of the District are also important heritage attributes of Sandwich's streetscape. They provide a tangible link to natural features that played a role in the historical development of Sandwich and continue to affect its present day persona.

*CONSERVATION &
PROTECTION
STRATEGY*

1.26.7

The policies in this plan serve to manage development in the Sandwich Heritage Conservation District for the preservation of the existing buildings, structures and streetscape as defined in sections 1.26.5 and 1.26.6.

*BUILDING
RENOVATIONS AND
NEW
CONSTRUCTION*

1.26.8

The objective of the Sandwich Heritage Conservation District is to preserve the buildings and streetscape. Owners of property will require a heritage permit for the following changes to their property:

- (a) A new building or structure
- (b) An addition to an existing building or structure
- (c) Major alterations visible from the street or other public spaces
- (d) Conversions with exterior alterations visible from the street or other public spaces
- (e) Building or structure demolition, or demolition of a portion of the building or structure visible from the street or other public spaces
- (f) Porch/verandah replacement, removal or addition
- (g) Window or door removal without replacement
- (h) Additions of a window or door in a new or altered opening
- (i) Shutter removal

- (j) Addition or removal of front and side fencing
- (k) Decorative trim and bracket removal or replacement
- (l) Removal of chimneys, if a significant visual feature
- (m) Removal or installation of cladding and siding
- (n) Painting of previously unpainted brick or stone
- (o) Re-roofing with different materials
- (p) Windsor replacement where window is a significant feature from the street
- (q) Removal of brick or stone piers if original
- (r) Wall mounted signage
- (s) Removal of trees with a minimum trunk diameter of 10 centimetres

*CONFORM TO THE
DESIGN
GUIDELINES*

1.26.9

All applications for heritage permits will be required to conform to the design guidelines in the Sandwich Heritage Conservation District Plan, adopted by By-law 22-2009.

DEMOLITIONS

1.26.10

Retention of buildings and structures is encouraged, and demolition of buildings and structures will only be permitted in cases where they will be replaced with buildings and structures that conform to the Heritage Conservation District Plan, provided that all requirements of the Plan are met for issuance of a heritage permit for a new building or structure.

*CONSIDERATION
OF DEMOLITION*

1.26.11

Council shall not consider demolition of a building or structure, unless the property owner provides supporting documentation prepared by qualified professionals, demonstrating appropriate reasons for the demolition. The documentation required by the Council may include:

- (a) The proposed use of the property and its conformity with the Sandwich Heritage Conservation District Plan
- (b) The importance of the property and its heritage attributes;
- (c) The reason for the demolition, e.g. redundancy, alternate use;

- (d) The proposed redevelopment plan in the form of a site plan application;
- (e) A report on the condition of the building or structure, and the cost of repairing and retaining it, including safety issues if the building or structure is vacant or has undergone damage, and a demonstration of the efforts by the owner to maintain the building;
- (f) The appropriate security to ensure that a proposed building or structure is erected;
- (g) The feasibility of alternatives to demolition, including adaptive re-use;
- (h) The merits of alternative proposals for the site;
- (i) The adequacy of efforts to continue to use the building or structure – have real efforts been made without success to continue the present use or to find compatible alternative uses for the building;
- (j) Tree protection measures.

<i>PEER REVIEW</i>	1.26.12	The City may require funding from the applicant for a peer review of the documents.
<i>DEVELOPMENT APPLICATIONS</i>	1.26.13	All development applications, building permit applications and demolition permit applications will be circulated to the City Planner for review to ensure conformity with guidelines set out in this plan.
<i>TREES</i>	1.26.14	Existing street trees shall be maintained and protected, to the extent that is technically feasible, from damage due to site development, redevelopment, paving modifications, and street and infrastructure works. In order to maintain the tree canopy that helps to define the spatial volume of the block, any trees lost will be replaced with trees of a minimum trunk diameter of 10 centimetres. The City Forester will determine the species of tree that will maintain canopy cover.

<i>VIEWS AND VISTAS</i>	1.26.15	Existing views to the Detroit River from Russell Street shall be maintained wherever possible and additional views will be created wherever possible. In particular, the view of the river from the Duff-Baby house shall remain unobstructed, and a view corridor consisting of the Mill Street right-of-way, and the lands zoned GD1.1 in By-law 8600 abutting the southern limit of the Mill Street right-of-way will be preserved. <i>(as modified by Minutes of Settlement, March 23, 2010)</i>
<i>FENCES, TREES AND HEDGES</i>	1.26.16	Fences, trees and hedges form an important part of the character of each property, and should be reflective of the heritage character of the building or structure. Existing fences, trees and hedges should be maintained, and new ones should reflect heritage designs, materials and species over more modern styles, materials and species.
<i>STREETS AND ALLEYS</i>	1.26.17	The overall location and proportions of streets, alleys, medians, boulevards and sidewalks in the district will be maintained. All boulevards will be maintained as green space. Notwithstanding section 7.2.6.3, Volume I, City of Windsor Official Plan, Mill Street, throughout the Heritage Conservation District, will remain at its existing pavement width and right-of-way width. Notwithstanding section 7.2.6.4, Volume I, City of Windsor Official Plan, Sandwich Street, throughout the Heritage Conservation District, will remain at its existing right-way-width. In general, road widenings will not be encouraged within the Heritage Conservation District and will be examined on a case-by-case basis.
<i>PARKING</i>	1.26.18	No front yard parking as defined in the City’s zoning bylaw shall be permitted. In the case of infill development, parking will be located in the side or rear yard.
<i>PUBLIC WORKS</i>	1.26.19	The staff of the Public Works Department shall seek the approval of the City Planner for all infrastructure and maintenance projects within the Sandwich Heritage Conservation District. Proposals will be circulated to the City Planner for review to ensure conformity with the guidelines of the Sandwich Heritage Conservation District.
<i>210 DETROIT STREET</i>	1.26.20	Notwithstanding the provisions of 1.26, the lands municipally known on March 23, 2010 as 210 Detroit Street are exempt from the provisions of 1.26 so long as the lands continue to be used for:

- (i) The storage and distribution of aggregate materials, premixed concrete, concrete blocks or asphalt batching plant;
- (ii) Manufactured premixed concrete or concrete blocks;
- (iii) A business office, heavy repair shop, ambulance service, material transfer centre, motor vehicle salvage operation; and
- (iv) any use accessory to the above.

In the event that the above-referenced uses are terminated or abandoned or other uses are south through a Planning Act application and are commenced on the subject lands, the provisions of section 1.26 shall immediately come into effect.
(as modified by Minutes of Settlement, March 23, 2010 and June 22, 2011)

75 MILL STREET 1.26.21 Notwithstanding the provisions of 1.26, the lands municipally known on March 23, 2010 as 75 Mill Street, Windsor, Ontario, being an approximately 9 acre site at the southwest corner of Mill and Russell Streets is exempt from the provisions of 1.26.
(as modified by Minutes of Settlement, March 23, 2010)

3294 RUSSELL STREET 1.26.22 Notwithstanding the provisions of 1.26, the lands municipally known as 3294 Russell Street on June 14, 2011 are exempt from the provisions of 1.26, so long as the lands continue to be used for:

- (i) A marina;
- (ii) Any use accessory to the foregoing use including a caretakers residence;
- (iii) Industrial and/or Port uses

In the event a use unrelated to Industrial and/or Port uses is sought through a Planning Act application or is commenced on the site, the provisions of 1.26 shall immediately come into effect.
(as modified by Minutes of Settlement, June 22, 2011)

1.27 Olde Sandwich Towne Community Improvement Plan Area

(OPA 69, effective October 19, 2012)

OLDE SANDWICH TOWNE COMMUNITY IMPROVEMENT AREA 1.27.1 The following sections provide policy direction for the development of the Olde Sandwich Towne Community Improvement area. The Community Improvement Plan was adopted by By-law 27-2009.

<i>LANDS WITHIN THE POLICY AREA</i>	1.27.2	The Olde Sandwich Towne Community Improvement Plan area comprises approximately 350 ha and is located in the northwest part of Windsor, as shown on Schedule A and A-1 of Volume I of this Plan.
<i>VISION FOR OLDE SANDWICH TOWNE</i>	1.27.3	<p>The planning of Olde Sandwich Towne’s future is guided by the vision developed through the Olde Sandwich Towne Community Planning Study Process. The goals and strategies embodied in the Olde Sandwich Towne Community Improvement Plan reflect the following vision:</p> <p>“Olde Sandwich Towne is a vibrant waterfront community”</p>
<i>OLDE SANDWICH TOWNE COMMUNITY IMPROVEMENT PLAN</i>	1.27.4	The goal of the Olde Sandwich Towne Community Improvement Plan is to provide an implementation strategy and design guidelines to assist in the attainment of the vision that Windsor has for Olde Sandwich Towne. The design principles and guidelines contained within the Community Improvement Plan shall guide the design and re-development of the Olde Sandwich Towne area.
<i>DEVELOPMENT CONCEPT</i>	1.27.5	The Community Improvement Plan area is comprised of three target areas, the Commercial Core, the Waterfront and the Residential Area. Identified on Schedule A-1, Volume I of this plan.
<i>TARGET AREA 1 – COMMERCIAL CORE</i>	1.27.6	<p>The objective for the Commercial Core Target Area is to improve the attractiveness of the commercial core to business and shoppers. This will be achieved by:</p> <ul style="list-style-type: none"> (a) enhancing the main streets and creating an improved pedestrian friendly environment; (b) orienting prominent building entrances to the main street to animate the street; (c) enhancing parking areas and encouraging businesses to share parking; (d) ensuring that building facades have large ground floor display windows; (e) providing additional design emphasis for buildings located at street intersections; (f) for commercial uses on corner properties, requiring the main

door to be located at the corner, i.e. at the intersection of the two streets;

(g) retaining the Old Fire Hall building at 363 Mill Street and allowing for adaptive reuse of the building;

(h) retaining the jail building at Brock and Peter Streets and allowing the building to be used for community uses.

TARGET AREA 2 – 1.27.7
WATERFRONT
AREA

The objective for the Waterfront Target Area is to develop a more picturesque waterfront that is easily accessible to all residents wherever possible. This will be achieved by: *As modified by Minutes of Settlement: March 23, 2010*

(a) extending the Riverwalk and Recreation Way as identified in the Central Riverfront Implementation Plan;

(b) developing a Master Plan for the riverfront lands in Olde Sandwich Towne;

(c) improving the area under the Ambassador Bridge;

(d) working with owners of industrial sites along the riverfront to improve their properties;

(e) encouraging industrial property owners to provide landscaping along the street frontage, and to locate office uses in the front of the property and heavy industrial uses at the rear;

(f) maintaining the view of the Detroit River from the Duff-Baby House, through the existing view corridor consisting of the Mill Street right-of-way and the lands zoned GD1.1 in By-law 8600 abutting the southern limit of the Mill Street right-of-way from the Duff-Baby House to the river. *As modified by Minutes of Settlement: March 23, 2010*

(g) Notwithstanding the provisions of section 1.27.7 of Volume II of the City of Windsor Official Plan, Industrial and Port uses on the waterfront from the Northern boundary of 210 Detroit Street to the centre line of Prospect Avenue in the South, bounded in the East by the centre line of Russell Street to the centre line of Chappell Avenue to the intersection of the centre line of Chappell Avenue and Sandwich Street to Prospect Avenue, and the Detroit River shoreline in the West are exempt from the provisions of section 1.27.7 so long as they are used for Industrial and/or Port uses.

In the event a use unrelated to Industrial and/or Port uses is sought through a *Planning Act* application or is commenced on the site, the provisions of 1.27.7 shall immediately come into effect. *As modified by Minutes of Settlement: June 22, 2011*

TARGET AREA 3–
RESIDENTIAL AREA 1.27.8

The objective for the Residential portion of the Target Area is to foster stable residential neighbourhoods, to develop an open space strategy, and to preserve and enhance heritage and historic buildings. This will be achieved by:

- (a) demolition control;
- (b) enforcement of property standards;
- (c) prohibition of interim uses such as parking lots;
- (d) extending the Riverwalk to connect to the residential neighbourhood;
- (e) improving Patterson Park to create a consistent edge adjacent to the residential neighbourhood on Alexander Boulevard, and to provide a defined gateway at the corner of Sandwich and Detroit Streets;
- (f) improving Crawley Park to create a formal entrance to Olde Sandwich Towne;
- (g) orienting principal building entrances to face the public street;
- (h) locating garages in side or rear yards only ;
- (i) garages or additions shall be located behind the front façade of the building..

TARGET AREA 3–
INDUSTRIAL AREA 1.27.9

The objective for the industrial lands in the southern part of Target Area 3 is to encourage re-development and clean-up of derelict sites. This will be achieved by:

- (a) encouraging industrial properties to provide landscaping along the street frontages;
- (b) locating office uses in new development of the front of the property, heavy industrial uses at the rear;
- (c) siting buildings to ensure that adjacent uses are protected from potential nuisances such as noise, odour and illumination.

<i>URBAN DESIGN GUIDELINES</i>	1.27.10	All development in the Olde Sandwich Towne Community Improvement Plan Area will be consistent with the “Olde Sandwich Towne – Community Improvement Plan – Supplemental Development and Urban Design Guidelines” adopted by By-law 28-2009
<i>INTERIM USES</i>	1.27.11	Council shall not consider interim uses such as parking lots and storage sheds within the Olde Sandwich Towne Community Improvement Plan Area , unless the application is accompanied by a re-development plan for an alternate use.
<i>DEMOLITION</i>	1.27.12	<p>Council shall not consider applications for demolition in the Olde Sandwich Towne Community Improvement Plan Area until the following have been submitted:</p> <p>(a) a plan for a redevelopment in conformity with the Official Plan and Zoning Bylaw requirements,</p> <p>(b) an executed Site Plan Control Agreement(s), and</p> <p>(c) appropriate securities to ensure the redevelopment occurs within a specified time period and to fulfill conditions of the Site Plan Control Agreement.</p>
<i>BONUS POLICY</i>	1.27.13	Within the Olde Sandwich Towne Community Improvement Plan area, the transfer of development heights or densities from one property to another within the Sandwich Community Improvement Plan area is permitted.

NOTE: Section 1.28 intentionally omitted.

1.29 Northeast Corner of Edgar Street and St. Paul Avenue (added by OPA #71 – 0525/09- B/L87-2009)

1.29.1 The property described as Lots 2 to 10 inclusive, Lots 14 to 17 inclusive, Part of Lot 1, Part of Pleasant Grove (closed) and Part of the alley (closed), all according to Registered Plan 980, on the northeast corner of Edgar Street and St. Paul Avenue is designated on Schedule A: Planning Districts and Policy Areas in Volume 1: The Primary Plan.

1.29.2 Notwithstanding the policies of Section 6.3, a funeral home shall be an additional permitted use.

1.30 747-757 Ouellette Avenue (added by OPA #75 – 25/03/2010,
DELETED by OPA #127 – 10/01/2019 B/L178-2018)

1.30.1 ~~The property described as Lot 14, Block II, Registered Plan 256, known municipally as 747-757 Ouellette Avenue is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.~~

1.30.2 ~~Notwithstanding Section 7.2.8.6 a) of Volume I: The Primary Plan of the City of Windsor Official Plan, dwelling units on the main floor of a commercial building in a Mixed Use designation shall be permitted on this site.~~

1.31 McHugh Street west of Clover Avenue (added by OPA #72
– 05/25/09- B/L89-2009)

1.31.1 The Property described as part of Lot 136, Concession 1, on the south side of McHugh Street, west of Clover Avenue is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.31.2 Notwithstanding the policies of the East Riverside Secondary Plan, a maximum building height of eight (8) storeys may be permitted.

1.32 Southwest Corner of Louis Avenue and Chatham Street East (added by OPA #88 – 03/05/2012- B/L28-2012)

1.32.1 The property described as Lots 10 to 12, Part Lots 7 to 9, and Part Block ‘A’, PLAN 136, on the southwest corner of Louis Avenue and Chatham Street East intersection is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan

1.32.2 Notwithstanding the “Residential” designation of these lands on Schedule E: City Centre Planning District in Volume I – The Primary Plan, “a business office and other facilities of a non-profit organization” and a combined use building shall be additional permitted uses.

1.33 Site Specific University and College uses: City Centre Planning District (added by OPA #90)

The property described as follows:

- 1.33.1 i) Lots 6,7, and 8, and Part Lot 5, Block N, Registered Plan 85; Part of Block A, and Part closed alley Registered Plan 91, (known as 44 University Avenue East, located midblock between Ouellette Avenue and Goyeau Street, between University Avenue East and Chatham Street East);
- ii) Lots 16 to 22 (incl.), Part Lot 15, Registered Plan 333, (known as 37 University Avenue East, located on the southwest corner of the intersection of University Avenue East and Freedom Way,); and
- iii) Lots 1 to 4 (incl.), Lots 14 & 15, Part Lots 55 & 16, Block ‘B’ Registered Plan 120; PIN no. 01194-0257(LT)167, (known as 181 Ferry Street, located on the west side of Ferry Street between Chatham Street West and Pitt Street West)
- are designated on Schedule ‘A’: Planning Districts and Policy Areas.
- 1.33.2 Notwithstanding the “Mixed Use” designation of these lands on Schedule ‘E’: City Centre Planning District in Volume I – The Primary Plan, “university and college uses” may be additional permitted uses.

1.34 Northwest Corner of Huron Church Road and Malden Road (added by OPA #96)

- 1.34.1 (1) The property described as Part of Lots 6 to 10, Plan 1021), at the northwest corner of the intersection of Huron Church Road and Malden Road is designated on Schedule A, Planning Districts and Policy Areas in Volume I – The Primary Plan
- 1.34.2 (2) Notwithstanding the Section 7.2.6.4 (iv) in Volume 1, Primary Plan, “one (1) point of vehicle access (driveway) shall be permitted to Huron Church Road”.

1.35 Southwest Corner of Riverside Drive East and Hall Avenue (added by OPA #97)

- 1.35.1 (1) The property described as Pt Lot 92, Concession 1; and Lot 6, Registered Plan 433, at the southwest corner of the intersection of Riverside Drive East and Hall Avenue is designated on Schedule ‘A’: Planning Districts and Policy Areas in Volume I – The Primary Plan
- 1.35.2 (2) Notwithstanding the “Residential” designation of these lands on Schedule ‘D’: Land Use in Volume I – The Primary Plan, “a business office” shall be an additional permitted use, and can be developed in combination with a residential use.
- 1.35.3 (3) The following guidelines shall be considered when evaluating the proposed design of a business office or combination of business office and a permitted residential use on the above described lands:
- a) The ability to achieve conformity with the Infill Development Policies (8.7.2.3) as outlined in the Urban Design Chapter of this Plan;
 - b) The provision of appropriate landscaping or other buffers to enhance and screen:
 - i. All parking lots, and outdoor loading, storage and service areas; and
 - ii. The separation between the use and adjacent uses, where appropriate;
 - c) Motorized vehicle access is oriented in such a manner that direct traffic shall not be permitted from Riverside Drive East or the east-west alley abutting Hall Avenue at the most southerly limit of the subject lands;
 - d) Pedestrian and cycling access is accommodated in a manner that is distinguishable from the access provided to motorized vehicles and is safer and convenient; and
 - e) Pitched roof design shall be encouraged for any development on the subject land.

1.36 Site Specific University and College Uses in the Mixed Use designation of Volume I - Schedule 'E': City Centre Planning District (added by OPA #98)

- 1.36.1 (1) The lands described as Lots 81-85 (incl.), Part of Lots 86-88 (incl.), Part of Block 'A', RP 91, Pt Block 'O', RP 85, located on the northeast corner of the intersection of Park St. E. and Freedom Way, and municipally known as 58-62 Park St. E., 0 Park St. E. & 376 Freedom Way, along with the lands described as Lots 48 & 49, RP 91, located on the west side of Goyeau St. midway between Park St. E. and University Ave. E., and municipally known as 0 Goyeau St., and 357 Goyeau St., are designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan;
- 1.36.2 (2) Notwithstanding the “Mixed Use” designation of these lands on Schedule E: City Centre Planning District in Volume I – The Primary Plan, “university and college uses” may be additional permitted uses.

1.37 East side of Walker Road North of Richmond Street (added by OPA #101 – 02/06/2015 – B/L 58-2015)

- 1.37.1 The property described as Part Lot 200 Registered Plan 367, Part Lots 96 and 97 Concession 1, Parts 1-10, 12R-13286 save and except Parts 1-4, 12R-15355, on the east side of Walker Road north of Richmond Street designated on Schedule A: Planning Districts and Policy Areas in Volume I – the Primary Plan.
- 1.37.2 Notwithstanding the ‘Business Park’ designation of these lands on Schedule D: Land Use in Volume I – The Primary Plan, a ‘Farmers’ Market’ shall be an additional permitted uses.
- 1.37.3 Notwithstanding the Section 6.4.4.2 (d) of Volume 1: The Primary Plan of the City of Windsor Official Plan, a maximum of 20% of the gross floor area of all buildings may be used for the retail sale of goods.

1.38 North Side of Vanier Street, East of Howard Avenue (added by OPA #105 – 10/16/2015 – B/L 130-2015)

- 1.38.1 The property described as Lot 95 on Registered Plan 1354, located on the north side of Vanier Street, east of Howard Avenue, municipally known as 526 Vanier Street, is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan;
- 1.38.2 Notwithstanding the ‘Residential’ designation of the subject land on Schedule D: Land Use in Volume I – The Primary Plan, a “Public Parking Area” shall be an additional permitted use.
- 1.38.3 The following guidelines shall be considered when evaluating the proposed design of a “Public Parking Area” on the above described lands:
- a) The provision of appropriate landscaping or/and other buffers to enhance and screen
 - i) The parking lot, and
 - ii) The separation between the parking lot and adjacent residential uses, where appropriate;
 - b) Motorized vehicle access/ingress is oriented in such a manner that direct traffic shall not be permitted from Vanier Street frontage of the subject land; and
 - c) The provision of a lighting plan for approval and as part of a development agreement.

1.39 Off-Street Parking Areas in the Vicinity of Traditional Commercial Streets

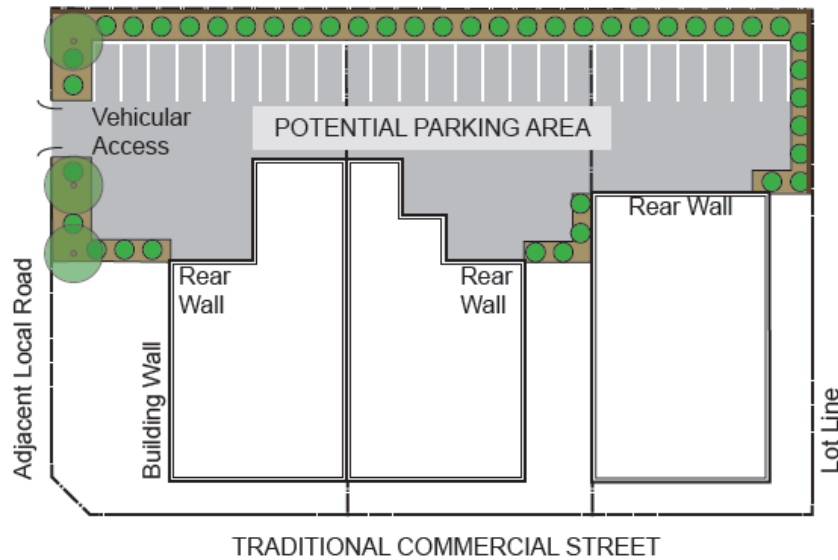
(added by OPA #113 – 28/09/2017 – B/L 129-2017, B/L 130-2017, B/L131-2017)

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|---------------------------------------|--------|---|
| <i>PURPOSE</i> | 1.39.1 | The intent of this policy is to allow for the retention of buildings on Traditional Commercial Streets to facilitate continuous building facades and provide a positive impact on the unique character and walkability of these areas. This policy also provides a policy framework for creating new or expanded off-street parking areas in the Vicinity of Traditional Commercial Streets—to the rear of commercial and mixed use buildings. This policy also prohibits the creation of new surface parking areas or the expansion of existing surface parking areas abutting Traditional Commercial Streets. |
| <i>TRADITIONAL COMMERCIAL STREETS</i> | 1.39.2 | ‘Traditional Commercial Streets’ are public rights-of-way designated on Schedule A-1: Special Policy Areas in the Primary Plan. The location of Traditional Commercial Streets generally aligns with Business Improvement Areas and designated Mainstreets identified on Schedule G: Civic Image. |

Vicinity of Traditional Commercial Streets is conceptually shown on Schedule A-1: Special Policy Areas in the Primary Plan.

<i>POLICY APPLICATION</i>	1.39.3	<p>This policy applies to:</p> <ul style="list-style-type: none"> a) Property adjacent to Traditional Commercial Streets; and b) Property within a 100 metre perpendicular distance from the centreline of a Traditional Commercial Street.
<i>DROUILLARD ROAD</i>	1.39.4	<p>Only Section 1.39.16 and the sections referenced within Section 1.39.16 applies to Drouillard Road Traditional Commercial Street Area.</p>
<i>EXCEPTIONS</i>	1.39.5	<p>This policy does not apply to:</p> <ul style="list-style-type: none"> a) Bicycle parking areas b) School drop-off/pick up areas
<i>SPECIAL POLICY PREVAILS</i>	1.39.6	<p>Where there is conflict between this Section 1.39 and any other sections of the Official Plan related to parking areas, Section 1.39 shall prevail.</p>
<i>SURFACE PARKING AREAS NOT PERMITTED</i>	1.39.7	<p>A surface parking area abutting a Traditional Commercial Street identified on Schedule A-1 is prohibited. For clarity, this includes parking spaces encroaching in the public right-of-way.</p>
<i>OTHER OFF-STREET PARKING AREAS</i>	1.39.8	<p>Underground parking and parking structures with permitted use(s) on the ground floor abutting Traditional Commercial Streets and within the Vicinity described in Section 1.39.3 are permitted.</p>
<i>PARKING AREA PERMITTED AS AN ACCESSORY USE</i>	1.39.9	<p>Surface parking areas may be permitted as an accessory use subject to the following criteria:</p> <ul style="list-style-type: none"> (a) The parking area shall be located further from the Traditional Commercial Street than the rear wall of the building located on the same property.

FIGURE 1:
EXAMPLE
PARKING AREA



<p><i>PARKING AREAS PERMITTED IN RESIDENTIAL VICINITY THROUGH REZONING</i></p>	<p>1.39.10</p>	<p>Subject to Section 1.39.7 and 1.39.9, parking areas may be permitted through zoning by-law amendment within areas designated Residential within the Vicinity of Traditional Commercial Streets, subject to the following criteria:</p> <ul style="list-style-type: none"> (a) The proposed parking area shall be located entirely within a perpendicular distance of 75m from the centerline of a Traditional Commercial Street. (b) <i>There are no low profile housing, small scale forms</i> of development located between the proposed parking area and a Traditional Commercial Street; (c) The subject property does not abut any Traditional Commercial Street; and (d) The subject property is not listed on the Municipal Heritage Register.
<p><i>VEHICLE ACCESS TO PARKING AREAS</i></p>	<p>1.39.11.1</p>	<p>Vehicle access is not permitted from a Traditional Commercial Street as the access would interrupt the continuity of the pedestrian path and building facade/street wall, creating conflict between pedestrians and vehicles. Vehicle access may be provided from a local street or alley that is not identified on Schedule A-1.</p>
<p><i>EXCEPTION</i></p>	<p>1.39.11.2</p>	<p>Policy 1.39.11.1 does not apply to any property with no access other than from a Traditional Commercial Street.</p>
<p><i>DRIVEWAY EXCEPTIONS</i></p>	<p>1.39.11.3</p>	<p>For properties where Section 1.39.11.2 applies, or where the property is abutting the Drouillard Road area, driveway access from the Traditional Commercial Street shall be limited to one driveway access per property and to the maximum width of access permitted by zoning regulations.</p>

<i>SCREENING OF PARKING AREAS</i>	1.39.12	Parking areas described in Sections 1.39.3 and 1.39.4 shall be subject to the provisions of the zoning by-law and site plan control by-law. Appropriate screening through the use of decorative fencing, decorative walls or living walls, tree planting, low berms and other landscape elements will be required, to the satisfaction of the City Planner. These elements serve to reduce the visual impact of the parking areas from the streetscape. Screening of parked vehicles shall also consider safety of users by permitting views to adjacent rights-of-way or access ways for orientation and safety.-
<i>DEMOLITION BUFFER FOR RESIDENTIAL PROPERTY IN VICINITY</i>	1.39.13	To encourage orderly development , residential properties located within a 100m perpendicular distance from the centerline of a Traditional Commercial Streets shall be subject to demolition control unless: a) A parking area has been approved in accordance with Section 1.39.10; or b) Explicitly exempted in the Demolition Control By-law.
<i>APPROVAL OF DEMOLITION REQUEST</i>	1.39.14	Council may approve a request for demolition within the area set out in 1.39.13 where redevelopment of the site is proposed. Council may also impose conditions to ensure redevelopment is completed within the proposed timeframe.
<i>REDEVELOPMENT POLICIES NOT APPLICABLE</i>	1.39.15	The policies regarding Redevelopment Plans, in Section 11.11 of the Primary Plan shall not apply to the properties described in Section 1.39.13.
<i>DROUILLARD ROAD</i>	1.39.16	The Drouillard Road area shown on Schedule A-1 inset is not subject to policies 1.39.7, 1.39.9 to 1.39.11.2 (inclusive) and 1.39.13 to 1.39.15. Surface parking areas are permitted on properties abutting Drouillard Road subject to the following criteria: (a) The parking area shall be located further from the Traditional Commercial Street than the front main wall of a building located on the same property.

1.40 North East Corner of Franklin Street and Tourangeau Road (added by OPA #116 – 25/04/2018 – B/L 46-2018)

<i>LOCATION</i>	1.40.1	The property described as Lots 148 to 166, PLAN 796; and Lots 11 to 15 and part of Lot 10 and Part of Closed Alley, PLAN 892 (known municipally as 4130 Franklin Street) on the northeast corner of the intersection of Franklin Street and Tourangeau Road as shown on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.
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NEW RESIDENTIAL DEVELOPMENT 1.40.2 Notwithstanding the the policies of Section 7.2.8.9 of Volume I, City of Windsor Official Plan, new residential development shall be permitted within 300 metres of a designated Rail Yard.

1.41 North of Northwood Street and West of South Cameron Boulevard (added by OPA #117 – 05/07/2018 – B/L 75-2018)

LOCATION 1.41.1 The property described as Part of Lots 3 to 6, Block D, Registered Plan 76, on the north of Northwood Street, west of South Cameron Boulevard and abutting the north limit of Columbus Drive, is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

PLACE OF WORSHIP WITH NO ACCESSORY DWELLING UNIT 1.41.2 Notwithstanding the Woodland Business Park policy in section 4.7.6.3 of the South Cameron Secondary Plan, a “Place of Worship with no accessory dwelling unit” shall be an additional permitted use on the non-wooded area of the subject property described as Part of Lots 3 to 6, Block D, Registered Plan 76, PART 1 on Reference Plan 12R27358.

LAND STEWARDSHIP AGREEMENT 1.41.3 Land Stewardship Agreement, as stipulated in Volume I: The Primary Plan, shall be entered into and registered on title for the protection and conservation of natural features and functions or heritage resources on the subject private property described as Part 1 on Reference Plan 12R-37358.

1.42 North East Corner of Banwell Rd. and McNorton St. (added by OPA #114 – 17/07/2018 – B/L 88-2018)

1.42.1 The property described as Block 3 and Part of Raintree Street, Plan 12M-428, on the northeast corner of the intersection of Banwell Road and McNorton Street as shown on Schedule A of OPA 114 is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.42.2 Notwithstanding policy 2.7.5.8 of the East Riverside Secondary Plan, a single mid-block right in and right out vehicular access shall be permitted on the property along Banwell Road.

1.43 Northwest Corner, Intersection of Walker Road and Ducharme Street (added by OPA #112 – 17/07/2018 – B/L 86-2018)

- 1.43.1 The property described as Part of Lot 13, Concession 6; (Parts 2 & 3, 12R-17667), municipally known as 4785 Walker Road, is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan;
- 1.43.2 Notwithstanding the “Commercial Corridor” designation of the subject land on Schedule D: Land Use in Volume I – The Primary Plan, “residential units above commercial uses” and “multiple dwelling” shall be additional permitted uses.

1.44 North of Clairview Avenue, West of Frank Avenue and abutting the East side of Lauzon Road (242 Lauzon Road).
(added by OPA #118 – 17/10/2018 – B/L 129-2018)

- 1.44.1 The property described as Plan 1034, Lots 7 to 10 & Part of Closed Alley, located north of Clairview Avenue, west of Frank Avenue and abutting the east side of Lauzon Road; municipally known as 242 Lauzon, is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan;
- 1.44.2 Notwithstanding the policy in section 6.5.3.1 of the Official Plan, Volume I, “Dwelling units above commercial use(s)” shall be an additional permitted use on the subject property within the existing building.

1.45 South Side of University Avenue West and West Side of Wellington Avenue (1201 University Avenue West).
(added by OPA #125 – 20/02/2019 – B/L 10-2019)

- 1.45.1 The property described as Registered Plan 683 E PT Lot 1 located on the south side of University Ave W and west side of Wellington Ave, municipally known as 1201 University Ave W, is designated on Schedule A: Planning Districts and Policy Areas in the City of Windsor Official Plan Volume I: The Primary Plan;
- 1.44.2 Notwithstanding the policy in section 6.9.2.1 Permitted Uses of the Official Plan, Volume I: The Primary Plan, “small scale Low Profile residential development” and “residential uses at grade level” shall be additional permitted uses on the subject property within the existing building.

1.46 Northeast Corner of Wyandotte Street West and Crawford Avenue

(added by OPA #126 – 05/04/2019 – B/L 31-2019)

*SITE SPECIFIC
POLICY
DIRECTION*

1.46.1 Notwithstanding Section 7.2.8.9 (a) in Volume I, a new residential development is permitted within 300 metres of a Rail Yard designated on Schedule C: Development Constraint Areas and the new residential development shall be subject to the following:

- (a) All proponents of a new residential development shall complete a noise study to support the proposal, and if the study determines that mitigation measures are needed, the study shall identify and recommend appropriate mitigation measures in accordance with the procedural policies in this Official Plan; and
- (b) All proponents of a new residential development shall consult with the appropriate railway company prior to the finalization of any noise and/or vibration study; and
- (c) All proponents of a new residential development shall incorporate appropriate safety measures such as setbacks, berms, and security fencing, to the satisfaction of the Municipality, in consultation with the relevant public agency and the appropriate railway company.