

**DILLON**  
CONSULTING

Ganatchio Gardens Inc.  
**Official Plan and Zoning By-Law Amendments**  
Planning Justification Report  
Southwest Corner of Florence Avenue & Wyandotte Street East  
Windsor, Ontario

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## 1.0

# INTRODUCTION

## 1.1

## Purpose

Dillon Consulting Limited (Dillon) has been retained by Ganatchio Gardens Inc., herein referred to as the “Applicant”, to assist in obtaining the necessary planning approvals associated with a proposed residential development located at the southwest corner of the future Florence Avenue extension and Wyandotte Street East, herein referred to as the “Subject Site”, in the City of Windsor (refer to [Figure 1.0 - Location Map](#)). The following report supports the Official Plan and Zoning By-law Amendment applications required to facilitate the proposed development.

The Subject Site is designated accordingly in the City of Windsor Official Plan and Zoning By-law 8600 as follows:

### City of Windsor Official Plan – Schedule D: Land Use

- Residential (Refer to [Figure 2.0 - Existing City of Windsor Official Plan Designations](#)).

### City of Windsor Zoning By-law 8600 – Schedule A: Zoning District Map

- Green District 1.4 (GD1.4), Green District 1.5 (GD1.5), S.20(1)383 and Residential District 2.1 (HRD2.1) (Refer to [Figure 3.0 - Existing City of Windsor Zoning By-law 8600 Designations](#)).

The Applicant is requesting that Council approve a site specific Official Plan Amendment and a site specific Zoning By-law Amendment to permit the proposed multiple dwelling and townhome residential development on the Subject Site (refer to [Appendix A – Development Applications](#) and [Figure 1.0 - Location Map](#)).

To facilitate the proposed residential development, the Applicant is requesting a site specific Official Plan Amendment to permit residential development within 300 metres of the Little River Pollution Control Plant. Section 5.4.10.3 of the Official Plan prohibits residential development within a 300 metre distance that is to be measured from the property line of the Pollution Control Plant to the property line of the proposed development. The Applicant is requesting that a 230 metre separation distance between the Little River Pollution Control Plant and the proposed development be permitted. This request will be supported through the additional studies summarized in Section 3.5 of this report, and provided under separate cover.

In addition, the site specific Official Plan Amendment will include the request to add High Profile dwelling units as a permitted use under the Residential land use designation. As of July 2022, the City of Windsor adopted Official Plan Amendment No. 159 to provide direction and implementation of policies regarding intensification within the City. Official Plan Amendment No. 159 states that High Profile residential dwellings are not a permitted use under the Residential land use designation. As such, the site specific

Official Plan Amendment is requested to facilitate the proposed development of the one (1) 16-storey multiple dwelling building with a scenery loft. The proposed multiple dwelling building is 53.6 metres (176 feet) in height and is therefore considered a High Profile development (OP, Chapter 2, Development Profile (c)).

The Subject Site will require a Zoning By-law Amendment from Green District 1.5 (GD1.5) and Residential District 2.1 (HRD2.1) with a holding zone to a site specific Residential District 3.3 (RD3.3) zone to permit the proposed residential development consisting of one (1) 16-storey multiple dwelling building and twenty-eight (28) townhome dwellings. The portion of the Subject Site currently zoned as Green District 1.4 (GD1.4) and S.20(1)383 will remain as the area is intended to be dedicated parkland. Relief from the following provisions is requested as part of the site specific Zoning By-law Amendment:

- Additional permitted use of Townhome Dwellings;
- No maximum gross floor area requirements in respect to the scenery loft; and
- An increased maximum building height from 30.0 metres to 54.0 metres on a corner lot.

All other zone provisions would remain in accordance with the Residential District 3.3 (RD3.3) zone (refer to **Appendix A – Development Applications**).

Following approval of the Official Plan and Zoning By-law Amendments, applications for Draft Plan of Condominium and Site Plan Control Approval will be required to facilitate the proposed development on the Subject Site. These applications will be submitted under separate cover at the appropriate time.

## 1.2 Description of Site

The Subject Site is located south of Wyandotte Street East and west of the future Florence Avenue extension within the City of Windsor (refer to **Figure 1.0 - Location Map**). The property is legally described as Part Lot 138, Concession 1.

The total site area under application is approximately 3.30 ha (8.15 ac) in size, with frontage along Wyandotte Street East (158.3 m / 519.35 ft.) and the future Florence Avenue extension (167.9 m / 550.8 ft.) The Subject Site is undeveloped and currently vacant.

The surrounding area supports a mix and range of residential uses with some open space and institutional uses. There are a number of single detached, semi-detached, and townhome dwellings that make up the residential fabric of the area. Just west of the Subject Site is the Little River Corridor which provides open spaces, natural features, community services, and multi-use trails within the community.

## 1.3 Proposed Development

The proposed development includes the construction of twenty-eight (28) townhome dwellings positioned along the Wyandotte Street East and future Florence Avenue extension rights-of-ways. The 2-storey townhome dwellings are intended to serve as a buffer and provide the appropriate transition from

the existing low-density residential dwellings to the north and east of the Subject Site. Parking for the townhome dwellings is located at the rear of the units and away from the view of the rights-of-ways. Each townhome dwelling will feature two (2) parking spaces per unit via private driveways, as well as two (2) additional spaces within the attached garages. A sum total of four (4) parking spaces are proposed per townhome dwelling.

The proposed development also includes the construction of one (1) 16-storey multiple dwelling building with a scenery loft. The multiple dwelling building proposes a total of 275 dwelling units. The proposed building has been designed to include various resident amenities including access to a number of outdoor terraces. Four (4) outdoor terraces are provided by stepping back the built form as the height increases. These smaller outdoor terraces are proposed at the fourth and ninth floors. A larger outdoor terrace is proposed at the second floor via an elevated platform above an area of the proposed surface parking. The multiple dwelling building also features a scenery loft, which is an additional enclosed amenity area located above the uppermost storey of the building and is readily available to all future residential occupants. The scenery loft will also provide access to additional outdoor amenity space in the form of a rooftop garden.

The proposed development includes a total of 544 parking spaces in the form covered surface parking, open surface parking, private driveways, and attached garages. Of the 544 parking spaces, 432 are proposed in the form of both open and covered surface parking areas to service the proposed multiple dwelling building. The covered surface parking allows for an outdoor terrace to be provided above the parking area. The proposed outdoor terrace will provide additional amenity space to future residential occupants. The covered surface parking area also allows for greater area for the built form which supports a higher unit yield and contributes to the increased density on the Subject Site.

Included as part of the proposed development is the allocation of 0.39 ha (0.97 ac) of dedicated parkland. The dedicated parkland is located along the southern boundary of the Subject Site, with a small strip of parkland running along the western boundary. Just west of the Subject Site is the Little River Corridor, a naturalized area providing linkages among various neighbourhoods and amenities. The dedicated parkland abuts the Little River Corridor and will serve as a buffer between the naturalized area and the proposed development.

Also included as part of the proposed development is the conveyance of 0.32 ha (0.79 ac) of land to the City of Windsor for the future extension of the Florence Avenue right-of-way north to provide connection to Wyandotte Street East.

Refer to [Figure 4.0 – Conceptual Development Plan](#) and [Figure 4.1 – Conceptual Parking Plan](#).

As demonstrated in Section 3.0 of this report, the intensification of these lands for a residential use is in keeping with pertinent local policies, provisions and guidelines of the Provincial Policy Statement, City of Windsor Official Plan, and the City of Windsor Zoning By-law 8600.

## 2.0

## EXISTING LAND USE

## 2.1

## Subject Site

The physical attributes of the site are as follows:

- A total site area of 3.30 ha (8.15 acres);
- An irregular shaped site that has frontage on Wyandotte Street East and the future Florence Avenue right-of-way;
- The current site is vacant; and
- No significant natural features.

## 2.2

## Surrounding Land Use

The surrounding land uses are varied as shown in [Figure 5.0 - Surrounding Land Uses](#) and are described as follows:

## North

- Existing Uses: Wyandotte Street East, single detached residential dwellings, East End Park, access to the Ganatchio Trail network, and the Detroit River;
- Official Plan Designation: Residential; and
- Zone(s): Green District (GD1.1), Residential District (RD1.1, RD1.2, and RD2.3), and Commercial District (CD2.2).

## East

- Existing Uses: Elinor Street, single detached residential dwellings, and vacant/agricultural lands;
- Official Plan Designation: Residential; and
- Zones(s): Green District (GD1.1), Residential District (RD1.1, DRD1.1, RD1.2, HRD1.2, RD2.3, and HRD2.3).

## South

- Existing Uses: Beverly Glen Street, single detached residential dwellings, townhome residential dwellings, semi-detached residential dwellings, and open space;
- Official Plan Designation(s): Open Space and Residential; and
- Zone(s): Green District (GD1.1) and Residential District (RD2.3, HRD2.3).

## West

- Existing Uses: Parkland including the Ganatchio Trail network, Little River Pollution Control Plant, and single detached residential dwellings;
- Official Plan Designation(s): Open Space and Residential; and
- Zone(s): Green District (GD1.1) and Residential District (RD1.1)

## 3.0 PLANNING EVALUATION

To determine the feasibility and appropriateness of the proposed development, a comprehensive evaluation of the potential planning issues and impacts has been undertaken. The scope and level of detail of the planning evaluation has been based on:

- Provincial Policy Statement 2020;
- City of Windsor Official Plan policies and criteria;
- City of Windsor Zoning By-Law 8600 regulations; and
- Visual inspections of the site and surrounding lands.

Recognizing that overlaps exist between the various policies and criteria in the Official Plan, the approach used attempts to consolidate the relevant policies and criteria, and identify and evaluate the potential planning and land use related issues associated with the proposed residential development.

### 3.1 Provincial Policy Statement

The Provincial Policy Statement (PPS) promotes the development of ‘Strong, Healthy Communities’ through the redevelopment of lands for an appropriate mix of uses, which includes residential uses. The proposed uses must be “consistent with” the Provincial Policy Statement and as a broad and general document, the Applicant must, through analysis of the policies, determine how the proposed use is appropriate and advances the Province’s interests. There are a number of sections of the Provincial Policy Statement that apply to the proposed residential development.

Our analysis suggests that the following policies of the Provincial Policy Statement are supportive of the Official Plan Amendment and Zoning By-law Amendment applications:

- Policy 1.1.1, relating to sustaining healthy, liveable and safe communities;
- Policy 1.1.2, relating to land availability;
- Policy 1.1.3, relating to settlement areas;
- Policy 1.2.6, relating to land use compatibility;
- Policy, 1.3.1, relating to economic development;
- Policy 1.4, relating to housing;
- Policy 1.5, relating to public spaces, recreation, parks, trails, and open space;
- Policy 1.6, relating to infrastructure and public service facilities;
- Policy 1.6.6, relating to sewage, water and stormwater;
- Policy 1.6.7, relating to active transportation and transportation networks;
- Policy 1.6.8, relating to transportation and infrastructure corridors;



Policy 1.7.1, relating to long-term economic prosperity; and

Policy 1.8, relating to energy conservation, air quality and climate change.

These policies are included in [Appendix B](#) and will be referenced throughout the remainder of this report. Our analysis concludes that the proposed development is consistent with the above policies of the Provincial Policy Statement.

## 3.2 City of Windsor Official Plan

The City of Windsor Official Plan sets general directions for the future pattern of development envisioned for the municipality during the planning period. The Official Plan includes general development policies within the Primary Plan – Chapter 6, Section 6.3 with respect to new residential development. Some of the general objectives of the Residential land use designation include:

- To support complementary range of housing forms and tenures in all neighbourhoods;
- To promote compact neighbourhoods which encourage a balanced transportation system;
- To promote selective residential redevelopment, infill and intensification initiatives; and
- To ensure that the existing housing stock is maintained and rehabilitated.

Recently, the City of Windsor has adopted Official Plan Amendment No. 159 to provide further policy direction in regards to residential intensification. Official Plan Amendment No. 159 provides the following locational criteria for new residential development and intensification:

- That there be access to a collector or arterial road;
- That full municipal physical services can be provided;
- That adequate community services and open spaces are available or are planned; and
- That public transportation service can be provided.

The Subject Site is currently designated as Residential in the City of Windsor Official Plan (refer to [Figure 2.0 - Existing City of Windsor Official Plan Designations](#)). The Residential land use designation does not permit High Profile development. As such, a site specific Official Plan Amendment is requested to include High Profile residential dwellings as a permitted use under the Residential designation. Further, the Official Plan requires a 300 metre separation distance between a residential development and a Pollution Control Plant (OP, 5.4.10.3). As such, the site specific Official Plan Amendment will request that the required separation distance be amended from 300 metres to 230 metres.

Our analysis suggests that the following policies found in the Official Plan (refer to [Appendix C – City of Windsor Official Plan Policies](#)) are supportive of the Official Plan Amendment and Zoning By-law Amendment applications:

Section 3.2, relating to growth and efficient land use;  
 Section 3.3.2.1, relating to City Corridors;  
 Section 4.2.1, relating to healthy communities;  
 Section 4.2.3, relating to quality of life;  
 Section 4.2.4, relating to sense of community;  
 Section 5.4.6.4, relating to development criteria;  
 Section 5.4.10.3, relating to the prohibition of incompatible development near Pollution Control Plants;  
 Section 6.2.1.3, relating to types of development pattern;  
 Section 6.3, relating to residential developments;  
 Section 6.3.2.5, relating to evaluation criteria for a neighbourhood development pattern;  
 Section 7.1.3, relating to community transportation;  
 Section 7.2, relating to transportation systems;  
 Section 7.2.1.4, relating to interconnected transportation system;  
 Section 7.2.6.18, relating to road network policies in residential areas;  
 Section 7.3.1.1, relating to coordinated, efficient and cost effective infrastructure;  
 Section 7.3.2.3, relating to new development;  
 Section 7.3.4.4, relating to pollution control plants;  
 Section 8.3, relating to designing for people;  
 Section 8.4, relating to pedestrian access;  
 Section 8.5.2.8, relating to energy conservation;  
 Section 8.7, relating to the built form and infill development;  
 Section 8.7.1.2, relating to complementary design;  
 Section 8.7.2, relating to built form policies;  
 Section 8.11.2.3, relating to fixtures;  
 Section 8.13, relating to lighting; and  
 Section 11.7, relating to site plan control.

These policies are included in [Appendix C](#) and will be referenced throughout the remainder of this report.

### 3.3 City of Windsor Zoning By-law

The City of Windsor Zoning By-law 8600 provides specific standards and regulations for all developments within the City. The Zoning By-law implements the policies of the City of Windsor Official Plan by regulating built form and land uses throughout the Municipality.

The Subject Site is currently zoned Green District 1.4 (GD1.4), Green District 1.5 (GD1.5), S.20 (1)383, and Residential District 2.1 (HRD2.1) with a holding symbol in the City of Windsor Zoning By-law 8600. The southern portion of the Subject Site zoned as Green District 1.5 (GD1.5), S.20 (1)383 is to be maintained as green space and will not require a Zoning By-law Amendment. The portion of the site zoned as Green District 1.4 (GD1.4) and Residential District 2.1 (HRD2.1) does not permit the multiple dwelling use, as such the proposed development will require a Major Zoning By-law Amendment to a site specific Residential District 3.3 (RD3.3) zone. The proposed site specific provisions are noted in bold, as follows:

Zone Provisions (RD 3.3)	Required	Proposed
<b>Permitted Uses</b>	Lodging House, Multiple Dwelling, Religious Residence, Residential Care Facility, or; Existing Double Duplex Dwelling, Duplex Dwelling, Semi-Detached Dwelling, Single Unit Dwelling, or; Any use accessory to any of the proceeding uses	Lodging House, Multiple Dwelling, Religious Residence, Residential Care Facility, and TOWNHOME DWELLING or; Existing Double Duplex Dwelling, Duplex Dwelling, Semi-Detached Dwelling, Single Unit Dwelling, or; Any use accessory to any of the proceeding uses
<b>Scenery Loft</b>	A scenery loft shall be an additional permitted facility on a multiple dwelling or a combined use building provided that the multiple dwelling or combined use building has a minimum building height of 30.0 metres and the scenery loft shall have a maximum height of 4.0 metres and a maximum gross floor area of 100.0 square metres.	A scenery loft shall be an additional permitted facility on a multiple dwelling or a combined use building provided that the multiple dwelling or combined use building has a minimum building height of 30.0 metres and the scenery loft shall have a maximum height of 4.0 metres and <b>NO MAXIMUM GROSS FLOOR AREA.</b>
Minimum Lot Frontage	45.0 m	158.3 m (519.35 ft.)
Minimum Lot Area	a) For the first 23 dwelling units 1,825.0 m <sup>2</sup> b) For each additional dwelling unit 37.0 m <sup>2</sup> per unit Total required = 12,185 m <sup>2</sup>	32,964.90 m <sup>2</sup> (3.30 ha)
Maximum Lot Coverage	35.0%	16.3%
Maximum Main Building Height - Corner Lot	30.0m	54.0m
Minimum Landscaped Open Space	35.0%	35.0%
Maximum Dwelling Unit Density	225 units per ha	303 total units / 3.30ha = 92 units per ha

\* Requested modifications to the RD3.3 zone are in bold

The requested site specific Zoning By-law Amendment provides an opportunity for residential intensification and growth in a strategic location within the City of Windsor. The proposed site specific Residential District 3.3 (RD3.3) zone would facilitate the Subject Site to develop with a higher density while complying with the general intent of the City of Windsor Zoning By-law 8600.

The proposed site specific RD3.3 residential zone permits the proposed multiple dwelling residential building and would provide the Subject Site with the appropriate lot frontage, lot area, lot coverage, landscaped open space, and dwelling unit density. Overall the proposed site specific provisions are in keeping with the general intent of the Residential District 3.3 (RD3.3) zone.

In summary, the Applicant is requesting the following site specific provisions:

- Additional permitted use of Townhome Dwellings;
- No maximum gross floor area requirements in respect to the scenery loft; and
- An increased maximum building height from 30.0 metres to 54.0 metres on a corner lot.

The additional permitted use of townhome dwellings will allow the proposed development to incorporate low density dwellings around the perimeter of the Subject Site. The townhome dwellings will act as a buffer between the surrounding low profile residential fabric and will provide the appropriate transition between the built forms. The scenery loft is intended to provide future residential occupants with adequate indoor amenity space which will foster a higher quality of life. To accommodate the 275 dwelling units proposed within the multiple dwelling building, a larger space is desired.

The proposed increase in maximum building height from 30.0 metres to 54.0 metres will permit the introduction of a new form of residential units which allows for a denser development and will bring much needed units to the area. The proposed building height has been designed to utilize views of the Detroit River and the Little River Corridor. The development will help in the intensification of the area while utilizing the limited visual barriers allowing for unrivaled views of the surrounding area. To help mitigate any potential impacts from the increase maximum building height, a number of building stepbacks have been incorporated into the built form. These adjustments to the built form will help limit concerns relating to privacy and shadowing effects while also providing additional amenity space for future residential occupants.

The above noted policies are included in [Appendix D - City of Windsor Zoning By-law Policies](#), and will be referenced throughout the remainder of this report.

## 3.4 Planning Analysis and Considerations

Municipalities in Ontario are required under Section 3 of the Planning Act to ensure that planning matters and decisions are consistent with the Provincial Policy Statement (PPS). The Provincial Policy Statement includes policies designed to build strong and healthy communities and are intended to direct efficient and resilient development and land use patterns. According to the Provincial Policy Statement, healthy, livable and safe communities are sustained by: promoting efficient development and land use patterns,

accommodating a range and mix of housing, avoiding development and land use patterns which cause environmental or public health and safety concerns, and promote cost effective development patterns to minimize land consumption and servicing costs (PPS, 1.1.1 (a)(b)(c)(e)).

The proposed residential infill development is consistent with these policies by encouraging the use of underutilized lands, through the intensification of land uses that can exist in harmony with the surrounding land uses.

The proposed development will support the future growth of the community and provide a greater diversity of built-form in the area. The proposed development is compatible with the surrounding uses, which provide a range of amenities and services within walking distance for future residents. The development is in keeping with Provincial Policy Statement and Official Plan policies which support housing development and a suitable mix of land uses within settlement areas (PPS, 1.1.3.2 and OP Sections 3.2, 4.2, 6.3)

## 3.4.1

**Location**

The Subject Site is located at the southwest corner of the Wyandotte Street East and Florence Avenue intersection in Windsor. The site is located within a primary settlement area, which is recognized by the Provincial Policy Statement as the vitality of these areas is critical to the long-term economic prosperity of communities. According to the Provincial Policy Statement, settlement areas should be the focus of growth and development and that their regeneration shall be promoted (PPS, 1.1.3.1). This proposal provides an opportunity at an appropriate location for intensification due to the availability of suitable, existing infrastructure to accommodate projected needs (PPS, 1.1.2).

The proposal efficiently uses land and resources and provides an opportunity for the intensification of lands in an appropriate location due to the availability of suitable, existing infrastructure and public service facilities to accommodate projected needs (PPS, 1.1.1 (g)). The proposed development provides additional housing options for existing and future residents and is conveniently located near public transportation access points to provide easy access to everyday needs for future residents. The proposed residential dwelling units represent an opportunity for infill development on a currently underutilized site. The proposed development is located near the Little River Corridor which hosts a variety of amenities and connections with other trails in the City, such as the Little River Extension which connects to the Detroit River and naturalized areas.

The proposed development also provides an opportunity for a range and mix of housing types by providing both townhome dwellings and apartment style units (PPS, 1.4). The proposed high density development will provide alternative forms of housing in the community for residents, allowing more people to remain in the neighbourhood. Residential intensification, such as the proposed development, that adds to a mixture of housing options and a range of densities is supported by the City (OP, 3.2.1). In the majority of the East Riverside area, there is a range of low profile and density housing options including single detached, semi-detached, and townhomes. Further, to the southeast, along Banwell Road, there are a number of existing medium and high profile and density developments. The proposed development

provides an opportunity for a complementary design relationship between new and existing development while including an evolution of design styles (OP, 8.7.1.2).

The proposed development encourages an efficient land use pattern, density and mix of uses that will minimize the length and number of vehicle trips as well as support current and future use of transit and active transportation (PPS, 1.6.7). The Subject Site is currently serviced by a number of bus stops along Wyandotte Street East that offer connections to other areas of the City for future residents. This will provide convenient, public transportation access for the residents of the proposed residential development. There are existing sidewalks on Wyandotte Street East, as well as multi-use trails provided by the Ganatchio Trail corridor, which will offer active transportation options to the residents of the proposed development. There are various improvements planned for the existing sidewalk and bicycle network as described in both the Active Transportation Master Plan and Transportation Master Plan which will increase the sites accessibility and functionality for future residents. The proposed development is keeping with the City's desire to promote development patterns that support an increase in walking, cycling and public transportation (OP, 7.2.2.5). The Subject Site is also located along the Windsor Loop bicycle route, further encouraging active transportation opportunities in the area.

The property line of the Subject Site is located approximately 230 metres east of the existing Little River Pollution Control Plant (LRPCP) property boundary. The City of Windsor protects Pollution Control Plants from incompatible developments and typically prohibits residential development within 300 metres of a Pollution Control Plant, with consideration for shorter distances being given subject to technical justification (OP, 5.4.10.3; 7.3.4.4). An Odour Assessment was completed by Dillon Consulting, dated January 2022, to evaluate the appropriateness of the separation distance between the proposed development and LRPCP. The assessment found that the proposed residential development is expected to experience odours which are lower in strength and less frequent than what is already existing for the surrounding residential area. As a result, the development has been shown to be feasible given the nearby operations of the plant as it will not be subject to an unreasonable emission of odours (PPS, 1.2.6.1). More details on the findings of this report can be found in Section 3.5.8 of this Report.

The proposed development is located advantageously along Wyandotte Street East and the future Florence Avenue extension. Wyandotte Street East is classified as a City Corridor which promotes higher density employment and residential opportunities (OP, 3.3.2.1). Florence Avenue currently ends at Beverly Glen Street with plans to extend the right-of-way to Wyandotte Street East. The extension of Florence Avenue will allow for improved site access and site circulation as the two (2) site access points are located via this right-of-way. Florence Avenue is classified as a Class II Collector road. The road classifications of both Wyandotte Street East and Florence Avenue encourage medium and high density developments (OP, 7.2.6.18 (c)).

The proposed development is consistent with, and meets all of the City of Windsor's locational criteria for residential development as the site has access from an arterial road, functions on full municipal services, has adequate community services in close proximity, and public transportation is available nearby (OP, 6.3.2.4).

## Land Use

The Subject Site is located on lands designated as Residential according to the City of Windsor Official Plan. The surrounding land uses are compatible and do not present any potential adverse effects from odour, noise and other contaminants to the proposed residential units (PPS, 1.2.6.1), as demonstrated through the supporting technical studies for this application, found in section 3.5.8.

The proposed multiple dwelling and townhome residential development represents an opportunity for increased density on the site. The development aligns with the goal of providing an appropriate range and mix of housing options to meet projected needs of current and future residents (PPS, 1.4.1). An Official Plan Amendment is required to amend the separation distance between the proposed development and the nearby Pollution Control Plant to allow for a 230 metre setback, as well as to add the additional permitted use of High Profile development under the Residential land use designation. The proposed Zoning By-law Amendment for a site specific Residential District 3.3 (RD3.3) zone is minor in nature, as the proposed development is compatible to existing uses in the surrounding area. The townhome dwelling use is to be added as a permitted use and will provide a gradual transition from the existing low profile development and the proposed high profile development.

The Subject Site is located adjacent to lands designated Open Space and is surrounded by Residential land uses as per Schedule D: Land Use. The Subject Site is located adjacent to Regional Open Space System and is east of a Neighbourhood Node, as per Schedule J: Urban Structure Plan for the City of Windsor. The proposed development introduces increased density to the Subject Site and is supported by existing municipal services, which is recognized as an efficient use of land (PPS, 1.1.3.2).

The Official Plan defines a neighbourhood development pattern as a neighbourhood which exhibits a characteristic lotting and/or development profile (OP, 6.2.1.3). The proposed development meets the evaluation criteria for new residential development within a neighbourhood development pattern as it has been shown to be feasible, is in keeping with the goals and objectives of the Official Plan, provides adequate off-street parking, and is capable of being provided with full municipal physical services and emergency services, and provides a transition from low profile residential development to high profile development (OP, 6.3.2.5). Other evaluation criteria including the massing, siting, orientation and gradual transition may be addressed during the Site Plan Control process.

The proposed development on the Subject Site efficiently uses the land and the future proposed infrastructure. The Subject Site is within a built up area with a mix of uses, including institutional, commercial, industrial, open space, and existing high and low density residential uses and will support active transportation and transit use and will contribute to the sense of place and character within the area (OP, 4.2.3, 4.2.4, 8.3). The proposed residential use will offer ease of access to existing amenities for personal use as well as to employment opportunities within the surrounding commercial and industrial areas. The proposed residential development supports a compact form, and is a cost-effective development that helps minimize land consumption by development underutilized lands with available service connections (PPS, 1.1.1).



## Housing

The proposed residential development will contribute to the housing stock of the surrounding area, which primarily consists of low profile development. The proposed residential development including a multiple dwelling building and twenty-eight (28) townhome dwellings will introduce additional housing stock and densities to the surrounding neighbourhood (PPS, 1.4.1).

The proposed multiple dwelling building, with a height of approximately 54.0 metres, will be integrated into the landscape with principles of urban design and human scale in the design and site layout. The increase in the range of housing options this development provides is achieved through the increase in height. The proposed increase in the maximum height is not intended to have any negative impacts on existing or future residents of the area or any of the surrounding land uses, as demonstrated through the additional studies summarized in Section 3.5 of this report.

To help mitigate any potential impacts from the increase in maximum building height, the multiple dwelling building is located at the southwest corner of the property, adjacent to the parkland and away from the existing single detached dwellings. There are no existing dwellings located immediately to the south or west of the multiple dwelling building. The dedicated parkland located at the southern edge of the Subject Site will serve as a buffer between the multiple dwelling building and any future development to the south. To the north and east of the multiple dwelling building, the 2-storey townhome dwellings are located along the perimeter of the Subject Site and will act as a buffer between the proposed multiple dwelling building and the surrounding land uses. The application of urban design measures such as incremental changes in building height, massing, space separation, and landscape buffers are utilized in an effort to minimize any potential impacts (OP, 8.7.2.4). The proposed multiple dwelling building includes building stepbacks as the built form increases in height. These stepbacks allow for the proposed outdoor terraces at the second, fourth, and ninth floor which will be available to future residential occupants. The stepbacks significantly improve the quality of the pedestrian experience in relation to the built form and help to mitigate any potential shadow impacts.

The Provincial Policy Statement speaks to providing an appropriate range and mix of housing types and densities required to meet the projected needs of current and future residents within the regional market (PPS, 1.4.1). The proposed residential development will contribute to diversifying the housing stock of the East Riverside area, which primarily consists of single-detached and townhome dwellings at present. It is understood that other properties in the surrounding area are also seeking approvals to support increased residential intensification and High Profile residential development. As an additional form of housing in this area of Windsor, the proposed development will promote a healthy quality of life and a sense of community for residents, which may suit and adapt to their changing needs (OP, 4.2.3.4 and 4.2.4.3). Encouraging a range and mix of housing types will provide residents with an opportunity to live in their neighbourhoods as they pass through the various stages of their lives (OP, 3.2.1.2).

The proposed development is a form of residential intensification that meets the social, health and wellbeing requirements of current and future residents, promotes increased densities which efficiently use land, resources, infrastructure and public service facilities and supports the use of public and active



transportation (PPS, 1.4.3). The development will take advantage of existing infrastructure, and the expansion of municipal services will not be required. The Official Plan promotes an appropriate range and mix of housing for all ages and incomes which the development offers through the introduction of a high density housing option on an underutilized parcel which does not contribute to the sprawl of residential development outside of the City (OP, 3.2.1, 4.2.3).

The proposed development is intended to contribute to, and increase the sense of place within Windsor (OP, 8.3). The proposed development is intended to grow Windsor as a healthy and liveable City with a mix of housing types (OP, 4.2.1).

#### 3.4.4 **Transportation System**

The proposed development is located along Wyandotte Street East and the future Florence Avenue extension. Currently, Florence Avenue ends at Beverly Glen Street and will required to be extended to Wyandotte Street East. The extension of the Florence Avenue right-of-way will allow for the southern lands to be connected to Wyandotte Street East through the completion of the intersection. The extension will maintain an adequate system of roads to serve the residential area (OP, 7.2.6.18 (a)). The extension of the Florence Avenue right-of-way will provide existing and future residents with a north-south connection which supports a transportation system that allows for community connectivity and interconnectedness (OP, 7.2.1.4).

The proposed development, located advantageously along an arterial road, is well supported by existing bus transit routes, sidewalks, trails, and nearby bicycle networks including one directly across the street (PPS, 1.6.7.4, 1.8.1 (b); OP, 7.2, 8.4). The Subject Site is serviced by transit stops along Wyandotte Street East which will provide convenient, public transportation access for the residents of the proposed development. There are additional upgrades planned for sidewalks and bicycle networks surrounding that site that will serve future residents. Further, there is an interconnected pedestrian trail system located just west of the site.

The Applicant is proposing to provide a total of 544 parking spaces on the site by incorporating ground level covered parking with apartment style residential dwellings and terraces above, as well as an open surface parking lot for future residents. All accessible parking spaces are located in accordance with the current Zoning By-law. The site layout and design is in a manner that incorporates unique urban design and elements to consider the human scale. The surface parking lot is located in the center of the site and is hidden from the rights-of-ways by the townhome dwellings along the north and east perimeters. The remaining portion of the provided parking is covered which allows for a large elevated terrace to be provided to residents as a private amenity space. The Applicant is also proposing a private driveway for each townhome dwelling which will accommodate two (2) parking spaces. The townhome dwellings will include an attached garage, providing an additional two (2) parking spaces. In total, four (4) parking spaces are proposed per townhome dwelling.

There are various pedestrian and bike pathways for walking and cycling along the Little River Corridor, and connecting to the waterfront paths, which are within walking distance to the Subject Site. These multi-

use trails and other pedestrian networks are facilities that will foster an active lifestyle for future residents and improve community health (OP, 4.2.1.2).

The proposed development represents a compact land use pattern, which may reduce the number of vehicle trips required and support alternative modes of transportation including public transit (OP, 7.2.1.5). The Subject Site makes efficient use of existing transportation infrastructure as it is located along the Wyandotte Street East right-of-way which supports an existing public transit route as well as existing pedestrian sidewalks and bicycle lanes (OP, 7.2.1.2). The accessibility of alternative modes of transportation may reduce vehicle dependence and enable residents to walk to their destinations thus promoting an active lifestyle and improving community health (OP, 4.2.1.2).

The transportation network that support the Subject Site promotes a community with functional connectivity and interconnectedness (OP, 7.2.1.4). Convenient access to transit and other active transportation networks allows for the development of a multimodal transportation system which promotes connectivity among transportation systems, is efficient, cost-effective and reliable for existing and future residents (PPS, 1.7.1 (g)).

#### 3.4.5 Infrastructure

The proposed development has full municipal infrastructure available, or planned, and will ensure that sewage and water services provided comply with all regulatory requirements and protect human health and the natural environment (PPS, 1.6.6.1 (a)(b); OP, 7.3.2.3). The proposed development promotes the efficient use and optimization of existing infrastructure and public service facilities including stormwater management systems, electricity and communications systems, and transit and other transportation corridors and facilities (PPS, 1.6.3, 1.6.6.2 and OP, 7.3.1.3). Sanitary systems are existing in the area and will be available to the proposed development. The proposed residential development is located where appropriate levels of infrastructure are or will be available to support current and projected needs (PPS, 1.4.3 (c)). Infrastructure will be provided to the proposed development in a coordinated, efficient, and cost-effective manner in compliance with all regulatory requirements (OP, 7.3.1.1). Utilities such as electricity, water, gas, and telephone services will be provided to the development in coordination with the appropriate utility companies.

The Subject Site is located within a Floodplain Area as identified in the Official Plan, Schedule C – Development Constraint Areas. As such, the appropriate studies and reports have been prepared in support of development within a floodplain and have been included in Section 3.5 – Additional Studies of this report. The supporting studies and reports demonstrate how the proposed residential development meets the development criteria for Floodplain Areas (OP, 5.4.6.4).

A stormwater management plan has been prepared to demonstrate how the proposed development meets the requirements for stormwater management planning including the use of effective and financially viable systems, mitigating risks to human health, safety, property and the environment, and minimizing the impact of urban development on the natural environment (PPS, 1.6.6.7). The stormwater

management plan will ensure that the proposed development is consistent with all standards and requirements.

The existing transportation infrastructure is also well suited to support the proposed residential development. The proposed development is compatible with the long-term purposes and uses of the existing transportation corridors and will avoid any negative impacts (PPS, 1.6.8.3). The many options for transportation including public transit services and active transportation facilities form a multimodal transportation system which will provide connectivity within the neighbourhood (PPS, 1.6.7). The transportation network available to future residents will be accessible, affordable, and available (OP, 7.1.3).

### 3.4.6 Urban Design

The Subject Site is located along Wyandotte Street East which is considered a City Corridor, as per Schedule J - Urban Structure Plan in the City of Windsor Official Plan. Higher density land uses, such as the proposed development, are encouraged along City Corridors (OP, 3.3.2.1). Residential developments along City Corridors may include High Profile developments of up to 56 metres (OP, 3.3.2.1). The proposed height of the building and site layout is designed to support intensification of the Wyandotte Street East corridor to promote the success of the corridor. The proposed development is in keeping with similar heights along other City Corridors, such as the many multiple dwelling buildings located along Riverside Drive.

The proposed residential development is compatible with the surrounding land uses in the area and is intended to make a positive contribution to the neighbourhood by introducing a range and mix of housing options available to meet the needs of current and future residents (PPS, 1.4.1). The High Profile residential development shall be designed in a manner that encourages high quality and consistent urban design which will encourage an attractive, safe, and pedestrian-friendly community. The proposed development is intended to achieve a complementary design relationship between the existing low density development and the proposed high density development by utilizing urban design styles that are compatible with the existing styles (OP, 8.7.1.2).

The proposed development considers elements of design such as site circulation, landscaping elements, and architectural elements to enhance the pedestrian scale and provide user comfort (OP, 8.3.1.1 and OP, 8.3.1.2). Integrated design strategies will be incorporated to ensure that barrier-free, convenient, and direct pedestrian routes are available within the Subject Site and connecting to existing pedestrian networks (OP, 8.4.1.1). Public spaces, recreation, park, trails and open spaces contribute to a healthy and sustainable community. The proposed development is located in an area with access to a full range of publicly-accessible natural settings for recreation which may facilitate active transportation and encourage social interaction and community connectivity (PPS, 1.5.1 (a, b)). Residential intensification that can be supported by available community services and open spaces should be promoted.

Proposed landscaped areas and light fixtures will help enhance the character of the surrounding site (OP, 8.3.2.2 (b), 8.11.2.3, 8.7.2.1(d), 8.13). The proposed development will encourage safe, barrier free,

convenient and direct walking conditions with an interconnected sidewalk network (OP, 7.2.3.1, 7.2.3.2). The proposed sidewalk network will provide connections to public transportation services (OP, 7.2.5.2).

Through the Site Plan Control process the proposed High Profile development will consider massing, architectural proportion, amenity spaces, and exterior building appearance to ensure that the proposed development is designed to be complementary to the existing development pattern of the area (OP, 8.7.2.3). The site layout has been designed to consider the position of the development relative to the surrounding low profile dwellings, the available lot size and the building area to site area ratios. The multiple dwelling building has been positioned on the Subject Site to be away from the existing low profile dwellings with the proposed townhome dwellings acting as a buffer along the perimeter of the site.

#### 3.4.7 Site Plan Control

The proposed residential development on the Subject Site will require Site Plan Control Approval. The application be filed following the approval of the Official Plan and Zoning By-law Amendment (OP, 11.7). Design guidelines will be adhered to and thoroughly reviewed during the site plan control process.

#### 3.4.8 Economic Prosperity

The proposed residential development represents an opportunity for real estate investment which responds to the changing market-based needs and contributes to the long-term economic prosperity of the community (PPS, 1.7.1 (b)). The efficient use of and optimization of underutilized lands and existing infrastructure and public service facilities in a cost-effective manner is intended to contribute to the long-term success of the neighbourhood. The vitality of the area may be strengthened by introducing residential intensification which supports economic development and community investment readiness (PPS, 1.7.1 (a)).

The proposal demonstrates the orderly development of a range and mix of housing options which adapts to the changing needs of communities is encouraged throughout the City (PPS, 1.3.1; OP, 4.2.4.3). The multimodal transportation network that services the proposed development represents an efficient, cost-effective, and reliable transportation system which will meet the current and projected needs (PPS, 1.7.1 (g)).

#### 3.4.9 Energy Conservation, Air Quality and Climate Change

The proposed development supports energy conservation and efficiency by utilizing a compact form of development, promoting the use of active transportation, supporting the use of transit, and promoting design and orientation which maximizing energy efficiency (PPS, 1.8.1 (a, b, e, f)). Policies relating to energy conservation within the City of Windsor include encouraging developments which utilize energy efficient designs and materials, are compact and clustered with compactible uses at densities which make transit service a viable investment, utilize landscaping elements to reduce heating and cooling effects, and support a sustainable, effective, and efficient transportation system (OP, 8.5.2.8 (a, b, c, e)).

## 3.5 Additional Studies

As identified through the Pre-Submission response from the City of Windsor, the following supporting background studies were identified as required for the Official Plan Amendment and Zoning By-law Amendment:

### 3.5.1 Functional Servicing Report (FSR)

A Functional Servicing Report (FSR) was completed by Dillon Consulting Limited, dated March 2023, to review the servicing strategy for the development of the Subject Site and identify the supporting studies and related information for the transportation, utilities, sanitary, stormwater management, and watermain servicing. The FSR concluded that the review of the adjacent services is sufficient for the proposed development. The design of the proposed internal services will be finalized during detail design.

The Functional Servicing Report has been provided under separate cover.

### 3.5.2 Stormwater Management Report

A Stormwater Management Report was completed by Dillon Consulting Limited, dated March 2023, to assess the stormwater management requirement for the proposed development while restricting the peak outflow from the site to an allowable release rate. The report concluded that the proposed stormwater management design for the proposed development meets the established criteria for the overall site and no negative impacts due to the site development are anticipated in the existing system.

The report provided the following conclusions based on the analysis performed:

- The allowable release rate for the proposed development is estimated to be 0.457 m<sup>3</sup>/s. This is based on a 1:5 year post-development release from the development area, assuming a post-development percentage imperviousness of 55% for the site;
- Available parking lot storage and pipe storage is adequate for the site to restrict the flow within the allowable release rate during the 1:100 year storm event simulation without surface ponding exceeding 0.30m;
- A 525 mm diameter circular pipe and 480 mm diameter circular orifice is proposed at the outlet to provide flow restriction for maintaining outflow within the allowable release rate;
- On-site storage volume of 980 m<sup>3</sup> is required for the 1:100 year event to restrict flows from the site to the allowable release rate. This corresponds to a maximum estimated surface ponding depth of 0.18 m during the simulation;
- From the outlet capacity assessment analysis, no significant change in HGLs in the Wyandotte Street East storm sewers, downstream of the development, is observed. Therefore, no negative impact to the hydraulic conditions of the downstream municipal sewer is expected due to the proposed development; and

- Water quality control will be achieved through the use of an FD-4HC OGS unit to achieve 70% TSS removal over an average annual basis.

The Stormwater Management Report has been provided under separate cover.

### 3.5.3 **Natural Site Features Inventory and Preservation Study**

A Natural Site Features Inventory and Preservation Study was completed by Goodban Ecological Consulting Inc., dated August 2018, to review and assess the existing natural site features. The study concluded that the Subject Site contains no natural heritage features. The study determined that the property contains active agricultural fields, a former yard area with scattered trees, and perimeter hedgerows along the west and south property limits.

The study made the following recommendations:

- That the west and south perimeter hedgerows are protected as per the Tree Inventory and Preservation Plan Report and integrated into the future development of the Subject Site;
- That the shrub thicket area located immediately south of the Subject Site is not disturbed by construction-related activity relating to the development; and
- That protection of these two (2) features will ensure that there are no contraventions of the Endangered Species Act (ESA 2007).

The Natural Site Features Inventory and Preservation Study has been provided under separate cover.

### 3.5.4 **Environmental Evaluation Report (EER)**

An Environmental Evaluation Report (EER) was completed by Dillon Consulting Limited, dated May 2022, to review the existing environmental conditions. The report concluded that the most recent detailed field studies (2022) were used to determine the potential ecological function of any natural features within the determined study area and the potential impacts on any natural feature as a result of the proposed development. The results of the biophysical inventory showed that a number of candidate SWH exists on adjacent City-owned lands to the west.

Given that the Subject Site is classified as agriculture (last farmed in 2020) and that a parkland buffer is proposed, the development is anticipated to have no negative impacts on natural features. The proposed development will require the removal of 41 trees. Provided that the mitigation measures and best management practices outlined in the report are followed, as well as recommendations from the former MNRF, the proposed development should result in no negative impacts on the natural features or their ecological function.

The Environmental Evaluation Report has been provided under separate cover.

### 3.5.5 Phase I Environmental Site Assessment (ESA)

A Phase I Environmental Site Assessment (ESA) was completed by Dillon Consulting Limited, dated July 2021, to review any environmental sources of contamination by considering the historical and current records of use for the Subject Site and the surrounding area and by conducting site visits. The assessment did not identify any actual environmental sources of contamination at the site; however, potential sources of contamination to both soil and groundwater were identified due to the historical use of the site as an orchard.

The Phase I Environmental Site Assessment has been provided under separate cover.

### 3.5.6 Traffic Impact Study (TIS)

A Traffic Impact Study (TIS) was completed by Dillon Consulting Limited, dated March 2023, to review the anticipated change to traffic volumes and intersection operations associated with the proposed development and identify any modification to traffic controls or infrastructure that may be necessary to mitigate the impacts from the additional traffic. The study concluded that:

- Florence Avenue will extend south of the development and requires a separate environmental assessment study to consider the needs of the Florence Avenue and Wyandotte Street East intersection stemming from the needs of the area as a whole;
- Clover Street will extend south of Wyandotte Street East by 2029;
- Under total future (2029) operations, most stop-controlled approaches at the two (2) study area intersections (Florence Avenue and Clover Street at Wyandotte Street East) are projected to operate at an acceptable manner;
- The northbound approach at Wyandotte Street East and Florence Avenue is anticipated to operate at LOS E during PM peak hour. However, the movement is projected to operate well under capacity with an acceptable delay and 95<sup>th</sup> percentile queue. This queueing may require reassessment of the proposed north site driveway based on the upcoming findings from the future Florence Avenue Extension Environmental Assessment Study;
- The northbound approach at Wyandotte Street East and Florence Avenue is projected to operate critically at LOS E or LOS F during the AM and PM peak hours. The southbound approach at the intersection is projected to operate critically at LOS E or LOS F during the PM peak hour; and
- Based on the geometry and lane layouts that are anticipated along Wyandotte Street East, a traffic signal would be anticipated to be the form of traffic control that may need to be introduced in the future at one of both study intersections. It is recommended that these locations be monitored, with new turning movement counts and traffic signal warrants undertaken following the completion of the various background developments, the 'North Neighbourhood Subdivision' and the internal road network.



The Traffic Impact Study has been provided under separate cover.

### 3.5.7 Odour Assessment

An Odour Assessment was completed by Dillon Consulting Limited, dated January 2022, to review the proposed 230 metre setback of the Subject Site from the Little River Pollution Control Plant.

The assessment determined that the strength and frequency of odour impacts at a 300 metre separation distance would be approximately equivalent compared to the proposed development at a 230 metre separation distance from the LRPCP property line.

The Odour Assessment recommends that the development utilize odour mitigation measures including:

- Design for centralized HVAC systems allowing the ability to positively pressurize the building to reduce the amount of ambient air leaking into individual units;
- Provision of air conditioning in all residential units and indoor amenity spaces to allow for windows to be closed to reduce odours;
- Locate fresh air intakes in areas of least impact, facing away from the LRPCP, or behind a significant intervening building or structure; and
- While not an odour control, a vegetative buffer along the western property line of the proposed development is recommended to reduce the frequency of complaints by reducing the line-of sight to the odour sources.

The Odour Assessment has been provided under separate cover.

### 3.5.8 Energy Strategy Report

An Energy Strategy Report was completed by Dillon Consulting Limited, dated March 2023, to identify and evaluate energy opportunities that are efficient, low carbon, and resilient. The report concluded that the proposed development has many opportunities for energy, carbon and energy cost reductions with the current baseline meeting the minimum requirements of the Ontario Building Code SB-10. The report recommends that the measures identified under the analysed Scenario 2 and Scenario 3 be considered as the project moves through design.

The Energy Strategy Report has been provided under separate cover.

### 3.5.9 Stage 1 and Stage 2 Archaeological Assessment

A Stage 1 and Stage 2 Archaeological Assessment was completed by CRM Archaeological services, dated October 2018, to document the findings and subsequent recommendations based on the Stage 1 background research of the property and the Stage 2 archaeological assessment conducted on all testable areas of the Subject Site to be impacted by the proposed development. The assessment concluded that despite the extensive disturbance to the northern portion of the Subject Site, the southern portion has



the potential for subsurface archeological resources. The assessment makes several recommendations including the recommendation to conduct a Stage 3 assessment.

The Stage 1 and Stage 2 Archeological Assessment has been provided under separate cover.

#### 3.5.10 **Shadow Impact Study**

A Shadow Impact Study was completed by Dillon Consulting Limited, dated March 2023, to review the potential impact of the shadows created by the proposed residential development. The study utilized 3D modeling technologies to evaluate the proposed shadows on four (4) study test dates at various test times. The study concluded that the shadow impacts from the proposed residential development on the surrounding area are overall minor in effect and short in duration. The study outlined a number of reasons that the proposed shadows have a limited level of impact and provided recommendations for design strategies to support shadow mitigation.

The Shadow Impact Study has been provided under separate cover.

#### 3.5.11 **Public Information Centre (PIC) – Engagement Summary**

A Public Engagement Centre was conducted by Dillon Consulting Limited on September 8, 2022 to provide additional information to residents regarding the proposed development, provide information about the planning process, and discuss / collect comments and questions relating to the proposed development. As part of the Public Information Centre process, an Engagement Summary was completed by Dillon Consulting Limited, dated September 2022, to summarize the public meeting details, information that was presented, comments collected, and responses to said comments.

The Public Information Centre (PIC) – Engagement Summary has been provided under separate cover.

## 4.0

## CONCLUSIONS

After reviewing relevant policies and guidelines, it is my professional opinion that the proposed residential development is consistent with the intent of the Provincial Policy Statement and the City of Windsor's Official Plan by providing residential infill in a quality, compact form within an already established area close to major public facilities and resources. The proposed residential development will efficiently use existing services, provide an alternative form of housing to the area, and reduce the length and number of vehicle trips for residents. Based on an extensive review of the technical planning and policy related issues, the proposed residential development is appropriate for the site and consistent with good planning principles.

A site specific Official Plan Amendment is being requested to permit the 230 metre setback from the Pollution Control Plant and to permit High Profile development under the Residential land use designation. The Subject Site's current Zoning By-law designation, Green District 1.5 (GD1.5) and Residential District 2.1 (HRD2.1) with a holding symbol, is requested to be amended to a site specific residential zone similar to the Residential District 3.3 (RD3.3) to permit the proposed high density residential development. I support the proposed application to amend the Official Plan and the Zoning By-Law to permit the proposed residential uses for the following reasons:

1. The proposed use is consistent with the Provincial Policy Statement for reasons outlined in Section 3.1;
2. The proposed use is consistent with the policies in the City of Windsor Official Plan for reasons outlined in Section 3.2;
3. The proposed Official Plan Amendment to allow for a reduced setback requirement from 300 metres to 230 metres from a Pollution Control Plant will not have any negative impacts to the proposed development as outlined in Section 3.5.8;
4. The proposed Official Plan Amendment to permit high profile residential development provides an opportunity for increased density and will contribute to the range of housing stock in the area. The proposed high profile development is not anticipated to have any negative impacts on the surrounding area as demonstrated throughout Section 3.4;
5. The proposed Zoning By-law Amendment from Green District 1.5 (GD1.5) and Residential District 2.1 with a holding symbol (HRD2.1) is site specific and will maintain most of the existing zoning provisions, but with three (3) modifications:
  - Additional permitted use of Townhome Dwellings;
  - No maximum gross floor area requirements in respect to the scenery loft; and
  - An increased maximum building height from 30.0 metres to 54.0 metres on a corner lot.

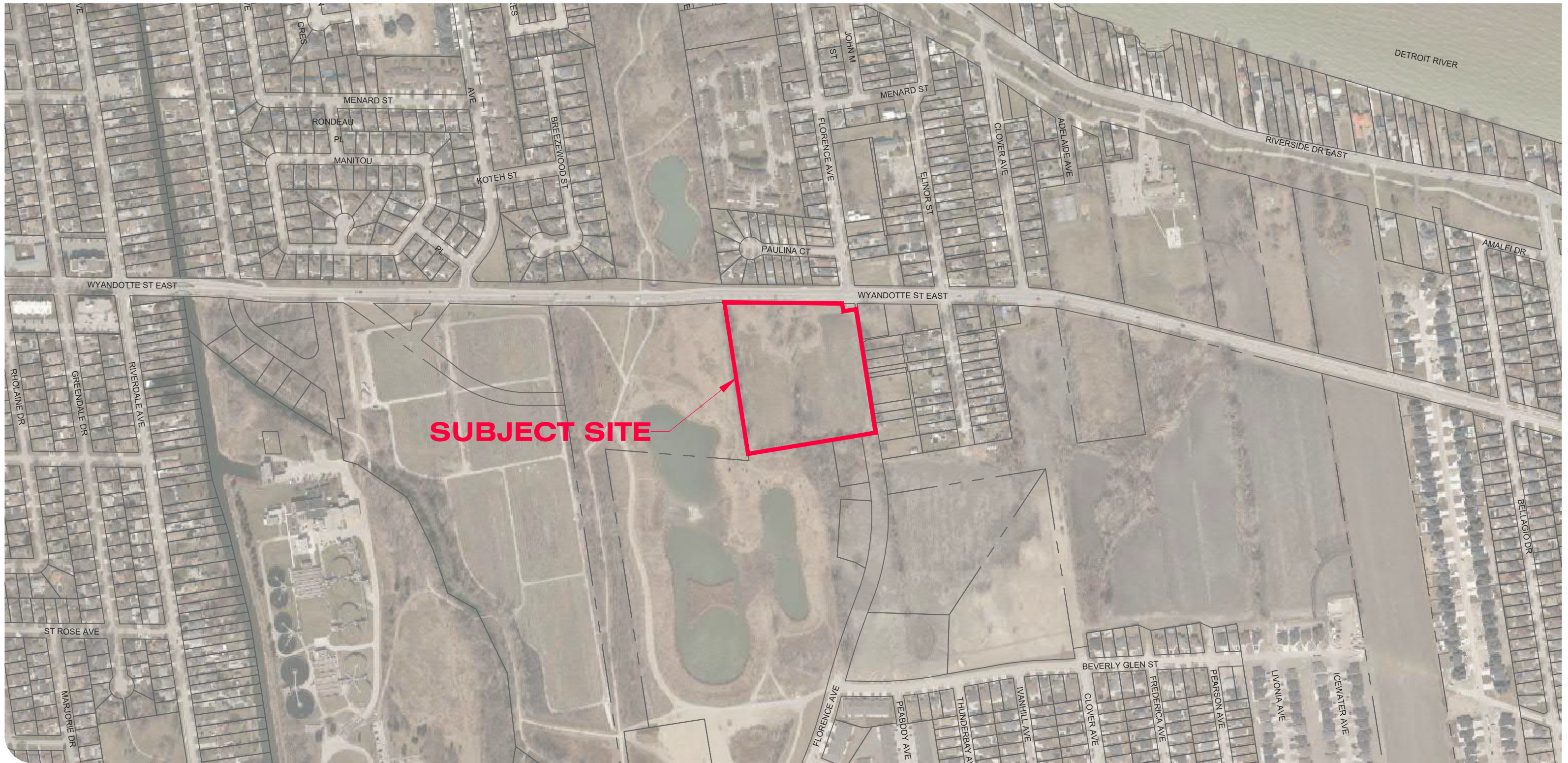
6. The proposed Zoning By-Law Amendment respects the land use compatibility and site suitability directives of Official Plan, supporting healthy, complete neighbourhoods;
7. The proposed development will add to the vitality of the area while supporting the efficient use of land and existing infrastructure. The proposed development takes advantage of existing infrastructure and community facilities;
8. The proposed infill development promotes compact form and intensification. Nearby amenities will encourage residents to use active transportation and transit, minimizing the number and length of vehicle trips;
9. Through urban design of the existing area, the proposed development will promote a sense of place and will serve the neighbouring residents while fitting in with the character of the neighbourhood;
10. The proposed high profile building considers both building massing and orientation to mitigate concerns relating to privacy and shadow impacts. The building massing stepbacks in the built form as the building increases in height. The building is orientated on the Subject Site in a manner that is set back as far as possible from the existing low profile residential dwellings;
11. The site is physically suitable and strategically located along an arterial road, which is also classified as a City Corridor, and a Class II Collector Road. The transportation network allows for direct north-south and east-west connections;
12. The proposed development introduces new unit types to the neighbourhood allowing more residents to enter into the neighbourhood or to remain in place. The proposed density will provide much needed housing stock to the area and will contribute to the growth and vitality of the neighbourhood;
13. The proposed development is compatible with the surrounding land uses (land use, scale, massing, landscaping, etc.) and is consistent with the mix of land uses evident in the surrounding area; and
14. The applicant will proceed with Site Plan Control Approval following adoption of the Official Plan Amendment and the Zoning By-law Amendment.




Melanie Muir, MCIP RPP  
Planner

# Figures





**SUBJECT SITE**

 SUBJECT SITE  
±3.30 ha (± 8.15 ac)

File Location:  
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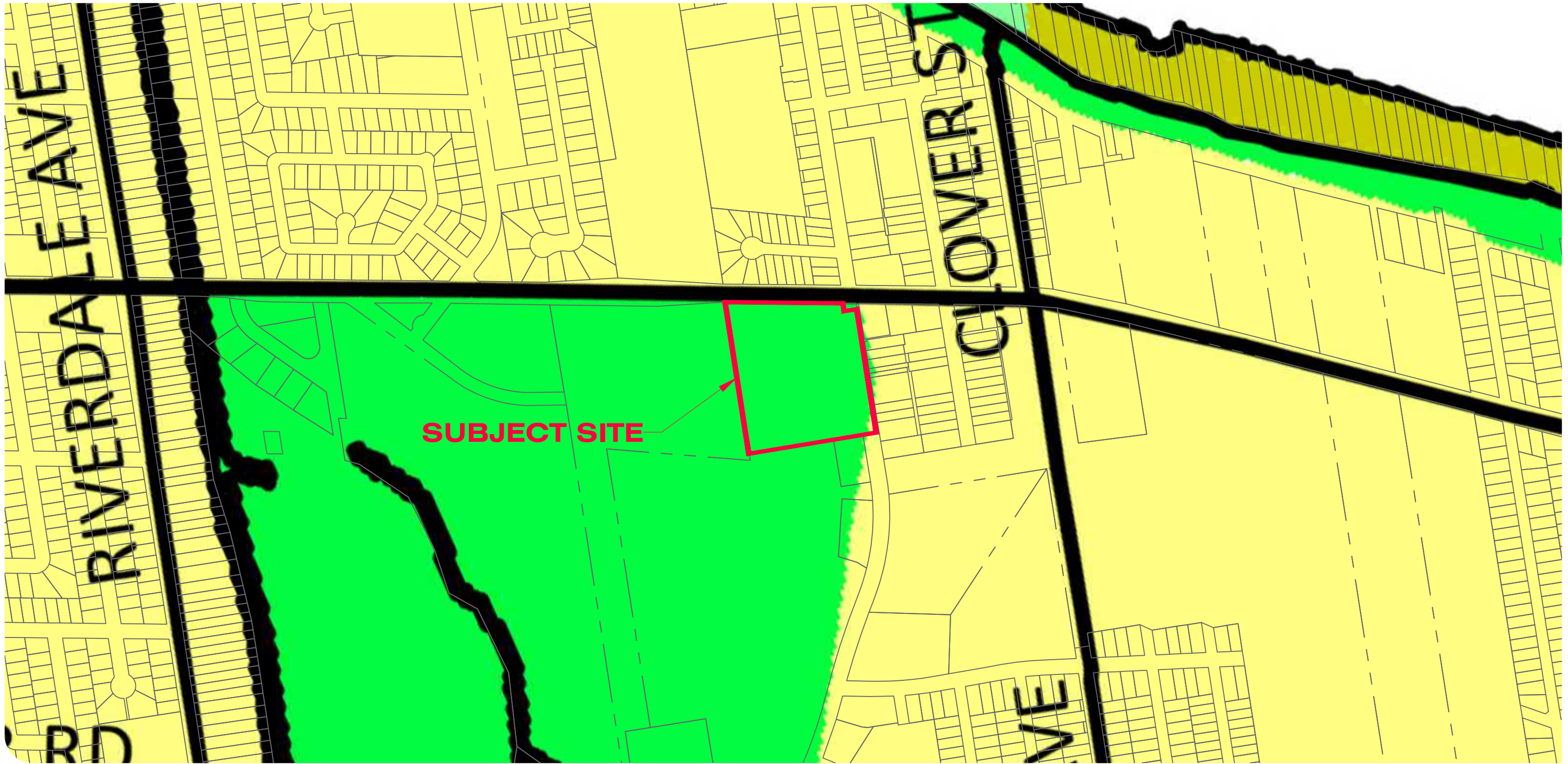


PROJECT: 21-1691  
STATUS: DRAFT  
DATE: 02/01/2022

**GANATCHIO GARDENS INC.**  
WYANDOTTE STREET EAST  
AT FLORENCE AVENUE  
**PLANNING JUSTIFICATION REPORT**

**LOCATION MAP**  
FIGURE 1.0





**GANATCHIO GARDENS INC.**  
 WYANDOTTE STREET EAST  
 AT FLORENCE AVENUE  
**PLANNING JUSTIFICATION REPORT**

**OFFICIAL PLAN: EXISTING LAND USE  
 DESIGNATIONS  
 FIGURE 2.0**



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SOURCE: THE CITY OF WINDSOR OFFICIAL PLAN  
 - SCHEDULE D: LAND USE

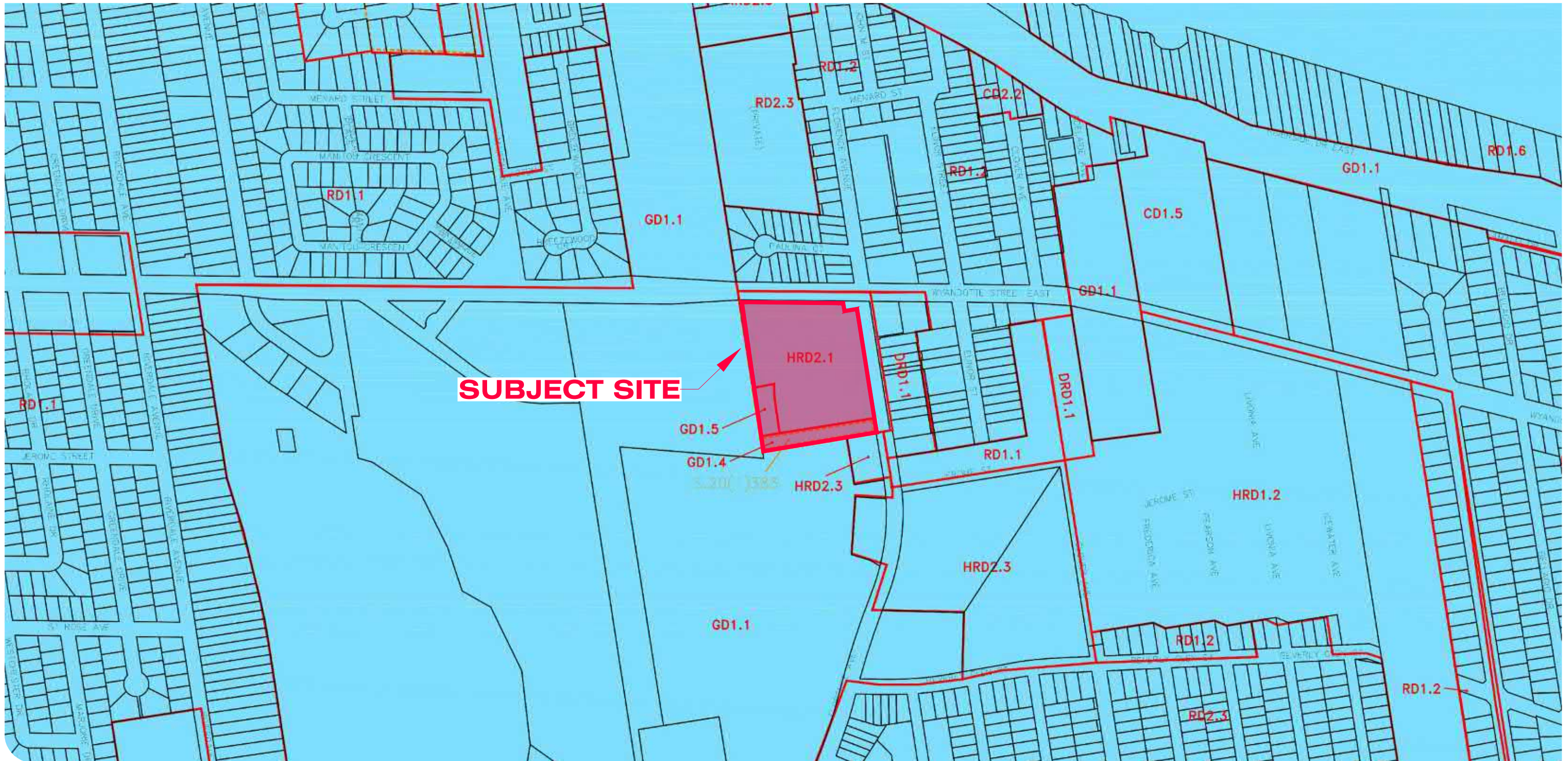
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 DATE: 02/01/2022








**GANATCHIO GARDENS INC.**  
 WYANDOTTE STREET EAST  
 AT FLORENCE AVENUE  
**PLANNING JUSTIFICATION REPORT**

**ZONING BY-LAW 8600:**  
**EXISTING ZONING**  
**FIGURE 3.0**

 SUBJECT SITE  
 ±3.30 ha (± 8.15 ac)

 DETROIT RIVER/LAKE ST.  
 CLAIR FLOOD PRONE AREA

 ZONE BOUNDARY

 SPECIFIC ZONING  
 EXEMPTIONS

- GD - Green Districts
- RD - Residential Districts
- ID - Institutional Districts
- CD - Commercial Districts
- MD - Manufacturing Districts

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SCALE: N.T.S.



SOURCE: THE CITY OF WINDSOR  
 - ZONING BY-LAW 8600 MAP

PROJECT: 21-1691  
 STATUS: DRAFT  
 DATE: 02/01/2022





**GANATCHIO GARDENS INC.**  
 WYANDOTTE STREET EAST  
 AT FLORENCE AVENUE  
**PLANNING JUSTIFICATION REPORT**

**CONCEPTUAL DEVELOPMENT PLAN**  
 FIGURE 4.0

- SUBJECT AREA  
(± 3.30ha / 8.15ac)
- LAND CONVEYANCE  
(± 0.32ha / 0.79ac)
- PROPOSED TOWNHOME UNITS (28 UNITS)
- PROPOSED PARKLAND
- PROPOSED MULTI-UNIT RESIDENTIAL BUILDING (275 UNITS)
- PROPOSED LANDSCAPING
- PROPOSED ELEVATED TERRACE
- PROPOSED SIDEWALK

<b>UNIT COUNT</b>		<b>PARKING DETAILS:</b>	
MULTI- UNIT RESIDENTIAL:	275 units	PARKING/UNIT RATIO (MULTI-UNIT)	: 1.57 SPACES / UNIT
TOWNHOME:	28 units	PARKING/UNIT RATIO (TOWNHOME)	: 4 SPACES / UNIT
TOTAL:	303 units	(GARAGE + SURFACE PARKING)	
		LOADING SPACES	: 4 SPACES
		ACCESSIBLE SPACES PROVIDED	: 12 SPACES
		(TYPE A/TYPE B)	
<b>PARKING COUNT:</b>			
PARKING MULTI-UNIT:	: 432 SPACES		
TOWNHOME (GARAGE, 2 / UNIT)	: 56 SPACES		
TOWNHOME (SURFACE, 2 / UNIT)	: 56 SPACES		
TOTAL	: 544 SPACES		

File Location:  
 c:\pw working directory\projects 2021\dillon\_32mru\dms20930\21-1691 - ganatchio gardens - concept plan - feb 2023.dwg  
 March, 14, 2023 9:25 AM

SOURCE: THE COUNTY OF ESSEX INTERACTIVE MAPPING (2019)

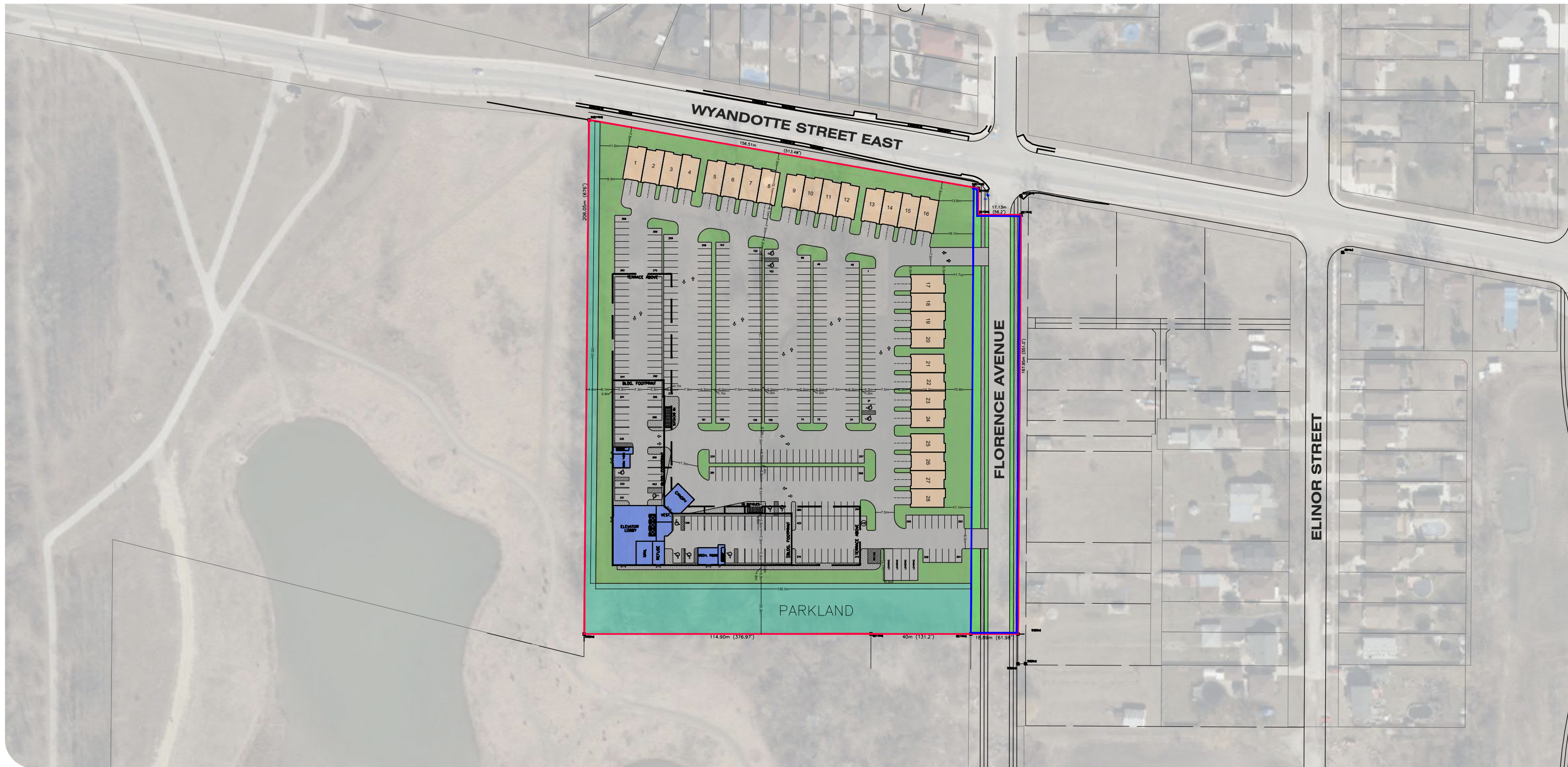
MAP/DRAWING INFORMATION  
 THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE VERIFIED BY AN O.L.S PRIOR TO CONSTRUCTION.  
 CREATED BY: MRU  
 CHECKED BY: MAM  
 DESIGNED BY: MRU

SCALE: 1:1500 (11x17)



PROJECT: 21-1691  
 STATUS: DRAFT  
 DATE: 2023/02/10





**GANATCHIO GARDENS INC.**  
 WYANDOTTE STREET EAST  
 AT FLORENCE AVENUE  
**PLANNING JUSTIFICATION REPORT**

**CONCEPTUAL PARKING PLAN**  
 FIGURE 4.1

- SUBJECT AREA  
 (± 3.30ha / 8.15ac)
- LAND CONVEYANCE  
 (± 0.32ha / 0.79ac)
- PROPOSED TOWNHOME  
 UNITS (28 UNITS)
- PROPOSED MULTI-UNIT  
 RESIDENTIAL BUILDING (275 UNITS)
- PROPOSED PARKLAND
- PROPOSED LANDSCAPING
- PROPOSED ELEVATED  
 TERRACE
- PROPOSED SIDEWALK

**UNIT COUNT**

MULTI- UNIT RESIDENTIAL:	275 units
TOWNHOME:	28 units
<b>TOTAL:</b>	<b>303 units</b>

**PARKING COUNT:**

PARKING MULTI-UNIT:	: 432 SPACES
TOWNHOME (GARAGE, 2 / UNIT)	: 56 SPACES
TOWNHOME (SURFACE, 2 / UNIT)	: 56 SPACES
<b>TOTAL</b>	<b>: 544 SPACES</b>

**PARKING DETAILS:**

PARKING/UNIT RATIO (MULTI-UNIT)	: 1.57 SPACES / UNIT
PARKING/UNIT RATIO (TOWNHOME)	: 4 SPACES / UNIT
(GARAGE + SURFACE PARKING)	
LOADING SPACES	: 4 SPACES
ACCESSIBLE SPACES PROVIDED	: 12 SPACES
(TYPE A/TYPE B)	

File Location:  
 c:\pw working directory\projects 2021\dillon\_32mru\dms20930\21-1691 - ganatchio  
 gardens - concept plan - feb 2023.dwg  
 March, 14, 2023 9:26 AM

SOURCE: THE COUNTY OF ESSEX INTERACTIVE MAPPING (2019)

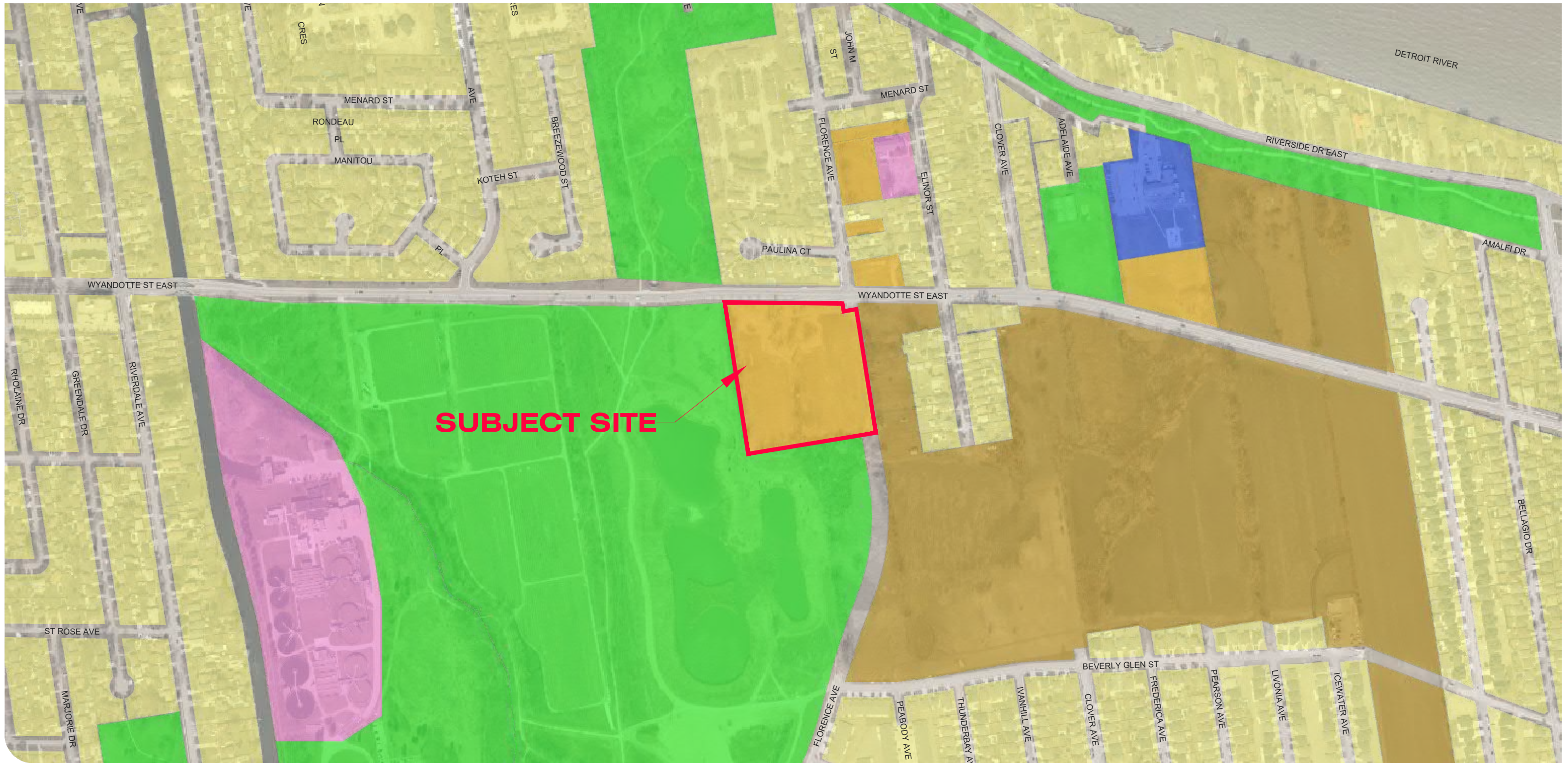
MAP/DRAWING INFORMATION  
 THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL  
 DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE  
 VERIFIED BY AN O.L.S PRIOR TO CONSTRUCTION.  
 CREATED BY: MRU  
 CHECKED BY: MAM  
 DESIGNED BY: MRU

SCALE: 1:1500 (11X17)



PROJECT: 21-1691  
 STATUS: DRAFT  
 DATE: 2023/02/10





**SUBJECT SITE**

**GANATCHIO GARDENS INC.**  
 WYANDOTTE STREET EAST  
 AT FLORENCE AVENUE  
**PLANNING JUSTIFICATION REPORT**

**SURROUNDING LAND USE**  
 FIGURE 5.0



File Location:  
 c:\pw working directory\projects 2021\dillon\_32mru\dms20930\21-1691 pj  
 figures.dwg  
 May, 05, 2022 1:18 PM

SOURCE: THE CITY OF WINDSOR AERIAL (2019)

MAP/DRAWING INFORMATION  
 THIS DRAWING IS FOR INFORMATION PURPOSES ONLY.  
 ALL DIMENSIONS AND BOUNDARY INFORMATION SHOULD  
 BE VERIFIED BY AN O.L.S PRIOR TO CONSTRUCTION.  
 CREATED BY: ESB  
 CHECKED BY: MAM  
 DESIGNED BY: ESB

SCALE: 1:3000



PROJECT: 21-1691  
 STATUS: DRAFT  
 DATE: 02/01/2022



# Appendix A

## Development Applications

## OFFICIAL PLAN AMENDMENT APPLICATION

### INSTRUCTIONS

---

**Verify that you are using the most current application form.**

- Section 1: Pre-Submission consultation with a staff Planner is mandatory per By-law 199-2007. If you do not have a valid Pre-Submission Letter, you must meet with a staff Planner who must sign and date this section.
- Section 2: During Pre-Submission consultation a staff Planner will indicate what supporting information must be submitted with the application.
- Section 3: Provide the full name, address, phone number, fax number and email address of the applicant, agent, and registered owner. If any of these are a corporation, provide the full corporate name. Include the full name of the contact person. If there is more than one person, corporation, or registered owner, use additional sheets.
- Section 4: Indicate if you are submitting other companion applications with this application.
- Section 5: Provide information about the subject land. This information is used to determine supporting information requirements and to assist in the review of the application.
- Section 6: Describe the amendment and answer all questions. If some of this information is in a Planning Rationale Report, check the box beside "See Planning Rationale Report". If the question is not applicable, check the box beside "Not Applicable".
- Section 7: Provide details about any other Planning Act applications by the applicant for the subject land or any land within 120 metres of it.
- Section 8: Provide information about water service and sanitary sewage disposal.
- Section 9: Check the appropriate box based on the pre-submission consultation with the Planner.
- Section 10: Explain your proposed strategy for consulting with the public with respect to the application.
- Section 11: Complete and sign in the presence of a Commissioner of Taking Affidavits.
- Schedules: Read and complete Schedule A in full and sign.
- Other: Complete Credit Card Authorization if paying by credit card

Submit application form, supporting information, and application fee / credit card authorization to the Senior Steno Clerk at Planning Division, Suite 210, 350 City Hall Square West, Windsor ON N9A 6S1 or [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca).

Any timelines noted in this application form are subject to change.

The application is reviewed to ensure all prescribed information and the required fee have been submitted. Within 30 days of the receipt of the application, the applicant will be notified in writing that the application is deemed complete. If deemed incomplete, the application and fee will be returned. If deemed complete, the application fee is not refundable.

The applicant, agent and all other interested parties will be notified by the City Clerk of the date, time, and location of the Development & Heritage Standing Committee (DHSC) meeting and the Council meeting.

An application will be terminated without notice after 60 days of inactivity.

**DATE RECEIVED STAMP**

### CONTACT INFORMATION

---

Planning & Building Department – Planning Division  
Suite 210  
350 City Hall Square West  
Windsor ON N9A 6S1

Telephone: 519-255-6543  
Fax: 519-255-6544  
Email: [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)  
Web Site: [www.citywindsor.ca](http://www.citywindsor.ca)

# OFFICIAL PLAN AMENDMENT APPLICATION

## 1. PRE-SUBMISSION CONSULTATION

By-law 199-2007 requires pre-submission consultation with a staff Planner to determine what supporting information is required, to verify fee payable, and to review the process. This application is incomplete unless you have a valid Pre-Submission Letter or a staff Planner signs below.

Valid Pre-Submission Letter? NO  YES  File Number: PS- 069/21

*Staff Use Only*

Signature of Staff Planner		Date of Consultation	
<input type="checkbox"/> Jim Abbs	<input type="checkbox"/> Greg Atkinson	<input type="checkbox"/> Laura Diotte	<input type="checkbox"/> Melissa Gasic
<input type="checkbox"/> Justina Nwaesei	<input type="checkbox"/> Simona Simion	<input type="checkbox"/> Laura Strahl	<input type="checkbox"/> Adam Szymczak
<input type="checkbox"/> _____			

## 2. REQUIRED SUPPORTING INFORMATION *(To be completed by a staff Planner)*

Unless you have a valid Pre-Submission Letter, a staff Planner will indicate below what supporting information must be submitted with the application during pre-submission consultation. The City of Windsor reserves the right to require additional supporting information during the processing of the application. All supporting information submitted is made available for public review.

For each document, provide one paper copy, and where possible, one digital copy on a CD or USB flash drive. All drawings or plans shall be in letter size (8.5 x 11 inches) in JPG and PDF format. All other documents shall be provided in Word and PDF format. All PDF documents shall be flattened with no layers.

If you are submitting a companion application submit only one set of documents.

<input checked="" type="checkbox"/> Deed or Offer to Purchase	<input type="checkbox"/> Corporation Profile Report	<input checked="" type="checkbox"/> Site Plan Conceptual	<input checked="" type="checkbox"/> Sketch of Subject Land
<input type="checkbox"/> Archaeological Assessment – Stage 1	<input type="checkbox"/> Built Heritage Impact Study	<input type="checkbox"/> Environmental Evaluation Report	<input type="checkbox"/> Environmental Site Assessment
<input type="checkbox"/> Floor Plan and Elevations	<input type="checkbox"/> Geotechnical Study	<input type="checkbox"/> Guideline Plan	<input type="checkbox"/> Lighting Study
<input type="checkbox"/> Market Impact Assessment	<input type="checkbox"/> Micro-Climate Study	<input type="checkbox"/> Noise Study	<input type="checkbox"/> Planning Rationale Report
<input type="checkbox"/> Record of Site Condition <i>(see Schedule E)</i>	<input type="checkbox"/> Sanitary Sewer Study	<input type="checkbox"/> Species at Risk Screening	<input type="checkbox"/> Storm Sewer Study
<input type="checkbox"/> Storm Water Retention Scheme	<input type="checkbox"/> Topographic Plan of Survey	<input type="checkbox"/> Transportation Impact Statement	<input type="checkbox"/> Transportation Impact Study
<input type="checkbox"/> Tree Preservation	<input type="checkbox"/> Tree Survey Study	<input type="checkbox"/> Urban Design Study	<input type="checkbox"/> Vibration Study
<input type="checkbox"/> Wetland Evaluation Study	Other Required Information: _____		

# OFFICIAL PLAN AMENDMENT APPLICATION

## 3. APPLICANT, REGISTERED OWNER AND AGENT INFORMATION

---

Provide in full the name of the applicant, registered owner and agent, the name of the contact person, and address, postal code, phone number, fax number and email address.

If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

All communication is with the Agent authorized by the Owner to file the application. If there is no Agent, all communication is with the Applicant.

### Applicant

Name: Ganatchio Gardens Inc. Contact: Wing On Li  
*Name of Contact Person*

Address: 4510 Rhodes Drive, Suite 520

Address: \_\_\_\_\_ Postal Code: N8W 5K5

Phone: 647-866-1200 Fax: N/A

Email: wingon.li@horizonv.ca

### Registered Owner Same as Applicant

Name: \_\_\_\_\_ Contact: \_\_\_\_\_  
*Name of Contact Person*

Address: \_\_\_\_\_

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

### Agent Authorized by the Owner to File the Application (Also complete Section A1 of Schedule A)

Name: Dillon Consulting Limited Contact: Melanie Muir  
*Name of Contact Person*

Address: 3200 Deziel Drive, Suite 608

Address: \_\_\_\_\_ Postal Code: N8W 5K8

Phone: 519-791-2221 Fax: 519-948-5054

Email: mmuir@dillon.ca

## 4. COMPANION APPLICATIONS

---

Are you submitting a companion Rezoning application? NO  YES

Are you submitting a companion Plan of Subdivision/Condominium application? NO  YES

Are you submitting a companion Site Plan Control Application? NO  YES

# OFFICIAL PLAN AMENDMENT APPLICATION

## 5. SUBJECT LAND INFORMATION

---

Municipal Address 0 Wyandotte Street East (Vacant lot located on the southwest corner of Wyandotte Street East and Florence Avenue)

---

Legal Description Part Lot 138, Concession 1

---

Assessment Roll Number 373906045006500

---

Frontage (m) 157.11 m      Depth (m) Irregular      Area (sq m) 32,964 sq.m

Current Official Plan Designation Residential

---

What land uses are permitted by the Official Plan Designation? Low, Medium, and High Profile residential dwelling units

---

---

## 6. DESCRIPTION OF OFFICIAL PLAN AMENDMENT (OPA)

---

Name of Official Plan proposed to be amended: *The City of Windsor Official Plan*

Amendment to Official Plan from Section 5.4.10.3 - 300m setback to 230m setback from Pollution Control Plant

Purpose of the proposed OPA: No amendment to land use designation. The amendment applies only to Policy 5.4.10.3, relating to Pollution Control Plants.

The proposed development requires on OPA to reduce the required separation distance between a Pollution Control Plant and a residential development from 300m to 230m on the subject site.

What land uses will the proposed official plan amendment (OPA) authorize? \_\_\_\_\_

Low, Medium, and High Profile residential dwelling units

---

Does the proposed OPA change, replace or delete a policy in the Official Plan? No  Yes

If yes, the policy to be changed, replaced or deleted: Policy 5.4.10.3, relating to Pollution Control Plants and Incompatible Development to permit the proposed development within 230m of the Plant

Does the proposed OPA add a policy to the Official Plan? No  Yes

# OFFICIAL PLAN AMENDMENT APPLICATION

## 6. DESCRIPTION OF OFFICIAL PLAN AMENDMENT (OPA) - Continued

---

Does the proposed OPA change or replace a designation in the Official Plan? No  Yes

If yes, the designation to be changed or replaced: \_\_\_\_\_  
\_\_\_\_\_

If a policy is being changed, replaced or deleted or if a policy is being added, the text of the proposed OPA:

Not Applicable                       See Planning Rationale Report                       See Attached

---

---

If the proposed OPA changes or replaces a schedule in the Official Plan, the requested schedule and the text that accompanies it:

Not Applicable                       See Planning Rationale Report                       See Attached

---

---

If the proposed OPA alters all or any part of the boundary of an area of a settlement or establishes a new area of settlement, the current official policies, if any, dealing with the alteration or establishment of an area of settlement:

Not Applicable                       See Planning Rationale Report                       See Attached

---

---

If the proposed OPA removes the subject land from an area of employment, the current Official Plan policies, if any, dealing with the removal of land from an area of employment:

Not Applicable                       See Planning Rationale Report                       See Attached

---

---

Explain how the proposed OPA is consistent with the Provincial Policy Statement:

See Planning Rationale Report                       See Attached

---

---

---



# OFFICIAL PLAN AMENDMENT APPLICATION

## 7. OTHER APPLICATION INFORMATION

---

Is the subject land or land within 120 metres the subject of an application by the applicant under the Planning Act for:

A Minor Variance or Consent? No  Yes

File number: \_\_\_\_\_ Status: \_\_\_\_\_

Approval authority: \_\_\_\_\_

Affected lands: \_\_\_\_\_

Purpose of Minor Variance or Consent: \_\_\_\_\_

\_\_\_\_\_

Effect on the proposed OPA: \_\_\_\_\_

\_\_\_\_\_

An amendment to an Official Plan, a Zoning By-law or a Minister's Zoning Order? No  Yes

File number: \_\_\_\_\_ Status: Concurrent

Approval authority: City of Windsor

Affected lands: Subject Site

Purpose of OP or ZBL amendment or Zoning Order: \_\_\_\_\_

To change the zoning from GD1.5 and HRD2.1 to R3.3

Effect on the proposed OPA: \_\_\_\_\_

See Planning Justification Report

Approval of a plan of subdivision or a site plan? No  Yes

File number: \_\_\_\_\_ Status: \_\_\_\_\_

Approval authority: \_\_\_\_\_

Affected lands: \_\_\_\_\_

Purpose of plan of subdivision or site plan: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Effect on the proposed OPA: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# OFFICIAL PLAN AMENDMENT APPLICATION

## 8. WATER & SANITARY SEWAGE DISPOSAL

---

**WATER** – Indicate whether water will be provided to the subject land by:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Publicly owned & operated piped water system | <input type="checkbox"/> A lake or other water body |
| <input type="checkbox"/> Privately owned & operated individual well              | <input type="checkbox"/> Other means: _____         |
| <input type="checkbox"/> Privately owned & operated communal well                |   |

**SANITARY** - Indicate whether sanitary sewage disposal will be provided to the subject land by:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Publicly owned & operated sanitary sewage system | <input type="checkbox"/> A privy            |
| <input type="checkbox"/> Privately owned & operated individual septic system         | <input type="checkbox"/> Other means: _____ |
| <input type="checkbox"/> Privately owned & operated communal septic system           |   |

If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent would be produced per day as a result of the development being completed submit a Servicing Options Report and a Hydrogeological Report.

## 9. TYPE OF AMENDMENT, APPLICATION FEE & OTHER FEES

---

### TYPE OF OFFICIAL PLAN AMENDMENT (OPA)

The type of amendment is determined by the City Planner or their designate.

**Minor OPA:** A minor revision to the text of the Official Plan or a Site Specific Policy direction.

**Major OPA:** A change from one land use designation to another land use designation, a change to any Schedule in the City of Windsor Official Plan, or any other amendment not described above.

### APPLICATION FEE

Verify fees before submitting the application. Fees are subject to change and are not refundable when the application is deemed complete. Method of payment: Cash, Mastercard or Visa (complete Credit Card Authorization), or by Certified Cheque or Personal Cheque payable to The Corporation of the City of Windsor.

	<i>Code</i>	<input type="checkbox"/> Minor OPA	<input checked="" type="checkbox"/> Major OPA
Base Fee	63003	\$2,258.40	\$8,112.35
GIS Fee	63024	+ \$50.00	+ \$50.00
Essex Region Conservation Authority Fee	53023	+ <u>\$200.00</u>	+ <u>\$300.00</u>
<b>Total Application Fee</b>		<b>= \$2,508.40</b>	<b>= \$8,462.35</b>

### OTHER FEES

**Re-Notification/Deferral Fee** 53016 \$2,258.40

Required when an applicant requests a deferral after notice of a public meeting has been given.

**Ontario Land Tribunal (OLT) Appeal Fee** \$1,100.00

An appeal is made through the Office of the City Clerk (519-255-6211). Fees, forms, and processes are subject to change. Visit <https://olt.gov.on.ca> for additional information.

# OFFICIAL PLAN AMENDMENT APPLICATION

## 10. PROPOSED PUBLIC CONSULTATION STRATEGY


Select or describe your proposed strategy for consulting with the public with respect to the application:

- Required Public Consultation (Public Notice & Public Meeting as required per the Planning Act)
- Open House       Website       Other \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

## 11. SWORN DECLARATION OF APPLICANT

Complete in the presence of a Commissioner for Taking Affidavits. If the declaration is to be administered remotely, you must be able to see, hear and communicate with the Commissioner and show documentation that confirms your identity.

I, Wing On Li of Ganatchio Gardens, solemnly declare that the information required under Schedule 1 to Ontario Regulation 543/06 and provided by the applicant is accurate and that the information contained in the documents that accompany this application is accurate, that if this declaration was administered remotely that it was in accordance with Ontario Regulation 431/20, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.




Signature of Applicant

*Sign in the presence of a Commissioner  
For Taking Affidavits*

City of Windsor

Location of Applicant at time of declaration

This declaration was administered remotely in accordance with Ontario Regulation 431/20

Declared before me  at the Dillon Consulting Limited in the City of Windsor

*Signature of Commissioner*      *Location of Commissioner*

this 16th day of May, 2022

*day*      *month*      *year*

PLACE AN IMPRINT OF YOUR STAMP BELOW

**MELANIE ANNE MUIR,**  
a Commissioner, etc., Province of Ontario,  
for Dillon Consulting Limited.  
Expires May 3, 2025.

**READ & COMPLETE SCHEDULE A IN FULL & SIGN**

# OFFICIAL PLAN AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgement

---

### A1. Authorization of Registered Owner for Agent to Make the Application

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the agent is authorized to make the application must be included with this application form or the authorization below must be completed.

I, Wing On Li of Ganatchio Gardens Inc., am the registered owner of the land that is  
*name of registered owner*

subject of this application for an amendment to the City of Windsor Official Plan and I authorize

Dillon Consulting Limited to make this application on my behalf.  
*name of agent*

  
Signature of Registered Owner

May 16, 2022  
Date

If Corporation - I have authority to bind the corporation

### A2. Authorization to Enter Upon the Subject Lands and Premises

I, Wing On Li, hereby authorize the Development and Heritage Standing Committee, City Council, and staff of The Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 5 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as condition of approval. This is their authority for doing so.

  
Signature of Registered Owner

May 16, 2022  
Date

If Corporation – I have authority to bind the corporation

**SCHEDULE A CONTINUES ON NEXT PAGE**

# OFFICIAL PLAN AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements - Continued

---

### A3. Acknowledgements

#### Receipt, Fees, Additional Information, Termination, and Freedom of Information

I acknowledge that receipt of this application by the City of Windsor does not guarantee it to be a complete application, that further review of the application will occur, and I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further acknowledge that once the application is deemed complete, fees are not refundable, additional information may be requested, and that after 60 days of inactivity the City of Windsor may terminate the application without notice.

I further acknowledge that pursuant to the provisions of the Planning Act and the Municipal Freedom of Information and Protection of Privacy Act, this application and all material and information provided with this application are made available to the public.

#### Species at Risk

Ontario's *Endangered Species Act* protects endangered and threatened species — animals and plants in decline and at risk of disappearing from the province by restricting activities that may affect these plants, animals or their habitats.

I acknowledge that it is my sole responsibility as the Applicant to comply with the provisions of the *Endangered Species Act, 2007, S. O. c.6*. This could require me to register an activity, get a permit or other authorization from the Ministry of the Environment, Conservation and Parks (MECP) prior to conducting an activity that could impact an endangered or threatened plant or animal or its habitat. I further acknowledge that any *Planning Act, R.S.O. 1990, c.P.13* approval given by the City of Windsor does not constitute an approval under the *Endangered Species Act*, nor does it absolve me from seeking the necessary authorization, approvals or permits from the MECP prior to conducting any activity that may affect endangered or threatened plant or animal or its habitat.

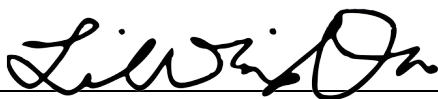
Additional information can be found at:

<https://www.ontario.ca/page/development-and-infrastructure-projects-and-endangered-or-threatened-species>

or by contacting MECP at [SAROntario@ontario.ca](mailto:SAROntario@ontario.ca)

#### Acknowledgement

I acknowledge that I have read and understand the above statements:



Signature of Applicant or Agent

May 16, 2022

Date

END OF SCHEDULE A

# OFFICIAL PLAN AMENDMENT APPLICATION

## DO NOT COMPLETE BELOW – STAFF USE ONLY

### Receipt and Assignment of Application

Date Received Stamp

This application has been assigned to:

- |   |   |
|---|---|
| <input type="checkbox"/> Adam Szymczak (AS)   | <input type="checkbox"/> Greg Atkinson (GA)   |
| <input type="checkbox"/> George Robinson (GR) | <input type="checkbox"/> Jim Abbs (JA)        |
| <input type="checkbox"/> Justina Nwaesei (JN) | <input type="checkbox"/> Kevin Alexandar (KA) |
| <input type="checkbox"/> Laura Diotte (LD)    | <input type="checkbox"/> Melissa Gasic (MG)   |
| <input type="checkbox"/> Simona Simion (SS)   | <input type="checkbox"/> _____                |

### Complete Application

This application is deemed complete on \_\_\_\_\_  
Date

\_\_\_\_\_  
*Signature of Delegated Authority*

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Neil Robertson, MCIP, RPP<br>Manager of Urban Design | <input type="checkbox"/> Michael Cooke, MCIP, RPP<br>Manager of Planning Policy | <input type="checkbox"/> Thom Hunt, MCIP, RPP<br>City Planner & Executive Director |
|---|---|--|

### Internal Information

Fee Paid: \$ \_\_\_\_\_ Receipt No: \_\_\_\_\_ Date: \_\_\_\_\_

Payment Type:  Cash  Certified Cheque  Credit Card  Personal Cheque

NEW File No. OPA/ \_\_\_\_\_

Previous OPA File No. OPA/ \_\_\_\_\_

Related Zoning File No. ZNG/ \_\_\_\_\_

Other File Numbers: \_\_\_\_\_

Notes: \_\_\_\_\_

**THIS IS THE LAST PAGE OF THE APPLICATION FORM**

## ZONING BY-LAW AMENDMENT APPLICATION

### INSTRUCTIONS

---

**Verify that you are using the current application form.**

- Section 1: Pre-Submission consultation with a staff Planner is mandatory per By-law 199-2007. If you do not have a valid Pre-Submission Letter, you must meet with a staff Planner who must sign and date this section.
- Section 2: During Pre-Submission consultation a staff Planner will indicate what supporting information must be submitted with the application.
- Section 3: Provide the full name, address, phone number, fax number and email address of the applicant, agent, and registered owner. If any of these are a corporation, provide the full corporate name. Include the full name of the contact person. If there is more than one person, corporation, or registered owner, use additional sheets.
- Section 4: Indicate if you are submitting other companion applications with this application.
- Section 5: Provide information about the subject land. This information is used to determine supporting information requirements and to assist in the review of the application.
- Section 6: Indicate the amendment, proposed uses and describe the nature and extent of the amendment being requested. Indicate why the amendment is being requested and how it is consistent with the Provincial Policy Statement and conforms to the City of Windsor Official Plan. If this information is in a Planning Rationale Report, check the box beside "See Planning Rationale Report".
- Section 7: If there are any existing buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows this information.
- Section 8: If you propose to build any buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows the information.
- Section 9: Indicate how the property is accessed. Check all boxes that apply.
- Section 10: Provide information about water service, sanitary sewage disposal, and storm drainage.
- Section 11: Provide a sketch of the subject land showing, in metric units, the items listed or indicate if this information is provided on an existing plan or a conceptual site plan.
- Section 12: Check the appropriate box based on a valid Pre-Submission Letter or pre-submission consultation.
- Section 13: Explain your proposed strategy for consulting with the public with respect to the application.
- Section 14: Complete and sign in the presence of a Commissioner of Taking Affidavits.
- Other: Read, complete in full, and sign Schedules A & E. Complete Credit Card Authorization if paying by credit card
- Submit application form, supporting information, and application fee / credit card authorization to Senior Steno Clerk at Planning Division, Suite 210, 350 City Hall Square West, Windsor ON N9A 6S1 or [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)

### TYPE OF REZONING AMENDMENT

### DATE RECEIVED STAMP

The type of amendment is determined by the City Planner or their designate.

#### Minor Zoning Amendment

- Site zoned commercial, institutional, or manufacturing
  - Addition to the list of permitted uses
- Site already zoned
  - Change to existing regulations or to zoning district boundary to match lot lines
- Site designated in the Official Plan for residential use
  - Rezoning to accommodate a maximum of six dwelling units
- Site designated in the Official Plan for the proposed use other than residential
  - Site-specific zoning for a site with a lot area of less than 1,000.0 m<sup>2</sup>

#### Major Zoning Amendment

- Any other amendment not listed as minor.



# ZONING BY-LAW AMENDMENT APPLICATION

## ZONING BY-LAW AMENDMENT PROCESS

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The application will be terminated without notice after 60 days of inactivity. The following is for your information only. Review the Planning Act and relevant regulations for statutory requirements. The processing of the application is subject to change. Direct all questions to the assigned Planner. The process is generally as follows:

1. The application is reviewed to ensure all prescribed and required information and the fee have been submitted. Within 30 days of the receipt of the application, you will be notified in writing that the application is deemed incomplete or complete.
2. If deemed incomplete, the application and fee will be returned. If deemed complete, fees are not refundable, the application is circulated to departments and external agencies for review and comment, and all submitted documents are made available to the public.
3. Following circulation, a draft staff report containing a recommendation and any conditions is prepared. The City Planner and other staff review the draft staff report.
4. When the staff report is approved by appropriate municipal staff, it will be scheduled for a future meeting of the Development and Heritage Standing Committee (DHSC).
5. The DHSC meeting is the public meeting required by the Planning Act. Public notice of the DHSC meeting is advertised in the Windsor Star, a local newspaper, at least 20 days in advance of the DHSC meeting. A courtesy notice may be mailed to property owners and/or tenants within 120 metres or more of the subject land.
6. 10 days prior to the DHSC meeting, the staff report is circulated to the applicant and DHSC members and made available to the public. All supporting documentation submitted by the applicant is available for review.
7. At the DHSC meeting, a staff planner makes a presentation. The applicant and other parties have an opportunity to provide verbal and/or written submissions. The DHSC may ask questions of staff, the applicant, agent, and other parties. The DHSC may decide to defer or recommend approval or denial of the application.
8. If deferred, the application along with any additional information or a new staff report will be considered at a future DHSC meeting. If recommended for approval or denial, the staff report, the minutes of the DHSC meeting, and the amending by-law are forwarded to City of Windsor Council for consideration at a future date. The applicant, agent and all interested parties will be notified by the City Clerk of the date, time, and location of the Council meeting. Call 311 or contact the City Clerk at 519-255-6211 or [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca).
9. The application may be placed on the Consent Agenda of the Council Meeting, a part of the meeting where Council approves several matters with a single motion. If the application is not on the Consent Agenda, the staff planner may introduce the application, review the staff recommendation and any additional information provided to Council, and advise Council of any differences between the staff and DHSC recommendations. The applicant and other interested parties have an opportunity to make verbal and/or written submissions. Council may decide to approve, deny, or defer the application. If Council approves the application, the amending by-law may be approved at the same Council meeting, otherwise it will be approved at a future Council meeting.
10. When the amending by-law is passed, the City Clerk will mail a notice of the passing of the amending by-law to property owners and various public agencies within 15 days. There is a 20-day appeal period commencing the day after this notice is given. The notice will include the last day to file an appeal. An appeal is made to the Ontario Land Tribunal (OLT) through the City Clerk. If no appeal is filed, the amending by-law is final and binding as of the date of Council's passing of the by-law. Contact the City Clerk at 519-255-6211 or [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca).
11. If the rezoning is subject to a holding symbol, it is the responsibility of the property owner to satisfy the conditions to remove the holding symbol, to apply, and to pay the fee to remove the holding symbol.

## CONTACT INFORMATION

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Planning & Building Department – Planning Division  
Suite 210  
350 City Hall Square West  
Windsor ON N9A 6S1

Telephone: 519-255-6543  
Fax: 519-255-6544  
Email: [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)  
Web Site: [www.citywindsor.ca](http://www.citywindsor.ca)

# ZONING BY-LAW AMENDMENT APPLICATION

## 1. PRE-SUBMISSION CONSULTATION

By-law 199-2007 requires pre-submission consultation with a staff Planner to determine what supporting information is required, to verify fee payable, and to review the process. This application is incomplete unless you have a valid Pre-Submission Letter or a staff Planner signs below.

Valid Pre-Submission Letter? NO  YES  File Number: PS- 069/21

*Staff Use Only*

Signature of Staff Planner	Date of Consultation
<input type="checkbox"/> Jim Abbs <input type="checkbox"/> Melissa Gasic  <input type="checkbox"/> _____	<input type="checkbox"/> Kevin Alexander <input type="checkbox"/> Justina Nwaesei  <input type="checkbox"/> Greg Atkinson <input type="checkbox"/> Simona Simion  <input type="checkbox"/> Laura Diotte <input type="checkbox"/> Adam Szymczak

## 2. REQUIRED SUPPORTING INFORMATION *(To be completed by a staff Planner)*

Unless you have a valid Pre-Submission Letter, a staff Planner will indicate below what supporting information must be submitted with the application during pre-submission consultation. The City of Windsor reserves the right to require additional supporting information during the processing of the application. All supporting information submitted is made available for public review.

For each document, provide one paper copy, and where possible, one digital copy on a CD or USB flash drive. All drawings or plans shall be in letter size (8.5 x 11 inches) in JPG and PDF format. All other document shall be provided in Word and PDF format. **All PDF documents shall be flattened with no layers.**

If you are submitting a companion application submit only one set of documents.

<input checked="" type="checkbox"/> Deed or Offer to Purchase	<input type="checkbox"/> Corporation Profile Report	<input checked="" type="checkbox"/> Site Plan Conceptual <i>(see Section 8)</i>	<input checked="" type="checkbox"/> Sketch of Subject Land <i>(see Section 11)</i>
<input type="checkbox"/> Archaeological Assessment – Stage 1	<input type="checkbox"/> Built Heritage Impact Study	<input type="checkbox"/> Environmental Evaluation Report	<input type="checkbox"/> Environmental Site Assessment
<input type="checkbox"/> Floor Plan and Elevations	<input type="checkbox"/> Geotechnical Study	<input type="checkbox"/> Guideline Plan	<input type="checkbox"/> Lighting Study
<input type="checkbox"/> Market Impact Assessment	<input type="checkbox"/> Micro-Climate Study	<input type="checkbox"/> Noise Study	<input type="checkbox"/> Planning Rationale Report
<input type="checkbox"/> Record of Site Condition <i>(see Schedule E)</i>	<input type="checkbox"/> Sanitary Sewer Study	<input type="checkbox"/> Species at Risk Screening	<input type="checkbox"/> Storm Sewer Study
<input type="checkbox"/> Storm Water Retention Scheme	<input type="checkbox"/> Topographic Plan of Survey	<input type="checkbox"/> Transportation Impact Statement	<input type="checkbox"/> Transportation Impact Study
<input type="checkbox"/> Tree Preservation	<input type="checkbox"/> Tree Survey Study	<input type="checkbox"/> Urban Design Study	<input type="checkbox"/> Vibration Study
<input type="checkbox"/> Wetland Evaluation Study	Other Required Information: _____		

# ZONING BY-LAW AMENDMENT APPLICATION

## 3. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

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Provide in full the name of the applicant, registered owner, and agent, the name of the contact person, and address, postal code, phone number, fax number and email address.

If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

All communication is with the Agent authorized by the Owner to file the application. If there is no Agent, all communication is with the Applicant.

### Applicant

Name: Ganatchio Gardens Inc. Contact: Wing On Li  
*Name of Contact Person*

Address: 4510 Rhodes Drive, Suite 520

Address: \_\_\_\_\_ Postal Code: N8W 5K5

Phone: 647-866-1200 Fax: N/A

Email: wingon.li@horizonv.ca

### Registered Owner Same as Applicant

Name: \_\_\_\_\_ Contact: \_\_\_\_\_  
*Name of Contact Person*

Address: \_\_\_\_\_

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

### Agent Authorized by the Owner to File the Application (Also complete Section A1 in Schedule A)

Name: Dillon Consulting Limited Contact: Melanie Muir  
*Name of Contact Person*

Address: 3200 Deziel Drive, Suite 608, Windsor ON

Address: \_\_\_\_\_ Postal Code: N8W 5K8

Phone: 519-948-5000 EXT. 3239 Fax: 519-948-5054

Email: mmuir@dillon.ca

## 4. COMPANION APPLICATIONS

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Are you submitting a companion Official Plan Amendment application? NO  YES

Are you submitting a companion Plan of Subdivision/Condominium application? NO  YES

Are you submitting a companion Site Plan Control application? NO  YES

# ZONING BY-LAW AMENDMENT APPLICATION

## 5. SUBJECT LAND INFORMATION

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Municipal Address 0 Wyandotte Street East (Vacant lot located on the southwest corner of Wyandotte Street East and Florence Avenue)

Legal Description Part Lot 138, Concession 1

Assessment Roll Number 373906045006500

If known, the date the subject land was acquired by the current owner: \_\_\_\_\_

Frontage (m) 157.11 m Depth (m) Irregular Area (sq m) 32,964 sq.m

Official Plan Designation Residential

Current Zoning GD1.4, GD1.5, HRD2.1 and S.20(1)383

Existing Uses Vacant / Agricultural

If known, the lengths of time that the existing uses have continued: 25+ years

Previous Uses Vacant / Agricultural

List the names and addresses of the holders of any mortgages, charges, or other encumbrances in respect of the subject land:

\_\_\_\_\_  
\_\_\_\_\_

Are there any easements or restrictive covenants affecting the subject lands? NO  YES

If yes, describe the easement or restrictive covenant and its effect:

\_\_\_\_\_  
\_\_\_\_\_

If known, has the subject land ever been subject of: *(leave blank if unknown)*

An application for a Plan of Subdivision or Consent: NO  YES  File: SDN-003/19

An application for an amendment to a Zoning By-law: NO  YES  File: ZB/13550

An application for approval of a Site Plan: NO  YES  SPC- \_\_\_\_\_

A Minister's Zoning Order (Ontario Regulation): NO  YES  OR#: \_\_\_\_\_

# ZONING BY-LAW AMENDMENT APPLICATION

## 6. DESCRIPTION OF AMENDMENT

---

Amendment to Zoning By-law from: GD1.5, HRD2.1

to: RD3.3

Proposed uses of subject land: Two (2), 16 storey multiple dwellings (containing 256 units), a 2-storey clubhouse for residents on an elevated platform, along with 28 ground level townhomes and associated parking areas (both covered and open parking lots)

Describe the nature and extent of the amendment(s) being requested:

The amendment being requested is to permit the development of the multiple dwelling residential building. A site specific ZBA is being requested to allow for a building height of 50.0m, which exceeds the provision of 30.0m and to allow for a reduction in minimum lot area and to allow for a reduction in minimum lot area from 58,958 m<sup>2</sup> to 32,964.9 m<sup>2</sup> Please refer to the attached Planning Justification Report.

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Why is this amendment or these amendments being requested?

To facilitate the development as proposed. Please refer to the attached Planning Justification Report.

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Explain how the amendment to the Zoning By-law is consistent with the Provincial Policy Statement:

See Planning Rationale Report \_\_\_\_\_

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Explain how the application conforms to the City of Windsor Official Plan:

See Planning Rationale Report \_\_\_\_\_

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If this application is to remove land from an area of employment, details of the official plan or official plan amendment that deals with this matter:

See Planning Rationale Report  See Official Plan Amendment

N/A

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# ZONING BY-LAW AMENDMENT APPLICATION

## 7. EXISTING BUILDINGS / STRUCTURES ON SUBJECT LAND

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Are there any buildings or structures on the subject land?

- NO Continue to Section 8
- YES Indicate the type of building or structure, the date of construction (if known), and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area.
  - See attached Existing Plan or Sketch of Subject Land

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## 8. PROPOSED BUILDINGS / STRUCTURES ON SUBJECT LAND

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Do you propose to build any buildings or structures on the subject land?

- NO Continue to Section 9
- YES Indicate the type of building or structure and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure, and its dimensions or floor area.
  - See attached Site Plan Conceptual

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# ZONING BY-LAW AMENDMENT APPLICATION

## 9. ACCESS TO SUBJECT LAND

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Indicate if access to subject land is by: *(check all that apply)*

- Municipal Road                       Provincial Highway                       Another public road or a right-of-way
- Water - If access to the subject land is by water only, describe the parking and docking facilities used or to be used and provide the approximate distance in metric of these facilities from the subject land and the nearest public road:

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## 10. WATER, SANITARY SEWAGE AND STORM DRAINAGE

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**WATER** – Indicate whether water will be provided to the subject land by:

- Publicly owned & operated piped water system
- Privately owned & operated individual well
- Privately owned & operated communal well
- Other \_\_\_\_\_

**SANITARY** - Indicate whether sewage disposal will be provided to the subject land by:

- Publicly owned & operated sanitary sewage system
- Privately owned & operated individual septic system - See Note below
- Privately owned & operated communal septic system - See Note below
- Other \_\_\_\_\_

Note: If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, you must submit a Servicing Options Report and a Hydrogeological Report.

**STORM DRAINAGE** - Indicate whether storm drainage will be provided by:

- Sewers                       Ditches                       Swales                       Other \_\_\_\_\_



# ZONING BY-LAW AMENDMENT APPLICATION

## 11. SKETCH OF SUBJECT LAND

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Provide a sketch showing, in metric units,

- a) the boundaries and dimensions of the subject land;
- b) the location, size, and type of all existing and proposed buildings and structures on the subject land, including their distance from the front lot line, rear lot line, and side lines;
- c) the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are located on the subject land and on land that is adjacent to it, and in the applicant's opinion, may affect the application;
- d) the current uses of all land that is adjacent to the subject land;
- e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road, or a right of way;
- f) if access to the subject land will be water only, the location of the parking and docking facilities to be used; and
- g) the location and nature of any easement affecting the subject land.

## 12. APPLICATION FEE & OTHER FEES

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The amendment type is determined by the City Planner or their designate.

Verify fees before submitting the application. Fees are subject to change and are not refundable when the application is deemed complete. Method of payment: Cash, Mastercard or Visa (complete Credit Card Authorization on page 15), or by Certified Cheque or Personal Cheque payable to The Corporation of the City of Windsor.

### APPLICATION FEE

Amendment Type	Code	<input type="checkbox"/> Minor Rezoning	<input checked="" type="checkbox"/> Major Rezoning
Base Fee	53001	\$4,347.00	\$5,837.40
GIS Fee	63024	+ \$50.00	+ \$50.00
Essex Region Conservation Authority Fee	53023	+ <u>\$200.00</u>	+ <u>\$300.00</u>
<b>Total Application Fee</b>		<b>= \$4,597.00</b>	<b>= \$6,187.40</b>

### OTHER FEES

- Re-Notification/Deferral Fee** Code 53016 \$2,258.40  
 Required when an applicant requests a deferral after notice of a public meeting has been given.
- Legal Fee - Servicing Agreement** Code 63002 \$597.64 plus \$50 per unit, lot, or block  
 Required when the preparation of a servicing agreement is a condition of approval.
- Removal of the Holding Symbol Application** Code 53001 \$1,536.00  
 It is the responsibility of the property owner to satisfy the conditions to remove the holding symbol and to apply and fee to remove the holding symbol.
- Ontario Land Tribunal (OLT) Appeal Fee** \$1,100.00  
 An appeal is made through the Office of the City Clerk (519-255-6211). Fees, forms, and processes are subject to change. Visit <https://olt.gov.on.ca> for additional information

# ZONING BY-LAW AMENDMENT APPLICATION

## 13. PROPOSED PUBLIC CONSULTATION STRATEGY

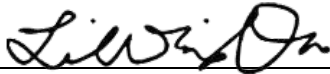
Select or describe your proposed strategy for consulting with the public with respect to the application:

- Required Public Consultation (Public Notice & Public Meeting as required per the Planning Act)
- Open House       Website       Other \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

## 14. SWORN DECLARATION OF APPLICANT

Complete in the presence of a Commissioner for Taking Affidavits. If the declaration is to be administered remotely, you must be able to see, hear and communicate with the Commissioner and show documentation that confirms your identity.

I, Wing On Li of Ganatchio Gardens, solemnly declare that the information required under Schedule 1 to Ontario Regulation 545/06 and provided by the applicant is accurate and that the information contained in the documents that accompany this application is accurate, that if this declaration was administered remotely that it was in accordance with Ontario Regulation 431/20, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.




Signature of Applicant

*Sign in the presence of a Commissioner  
For Taking Affidavits*

City of Windsor

Location of Applicant at time of declaration

- This declaration was administered remotely in accordance with Ontario Regulation 431/20

Declared before me  at the Dillon Consulting Limited in the City of Windsor

Signature of Commissioner

Location of Commissioner

this 16th day of May, 20 22

day month year

PLACE AN IMPRINT OF YOUR STAMP BELOW

**MELANIE ANNE MUIR,**  
a Commissioner, etc., Province of Ontario,  
for Dillon Consulting Limited.  
Expires May 3, 2025.

**READ & COMPLETE SCHEDULES A & E IN FULL & SIGN**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements

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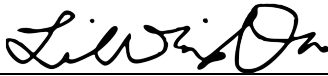
### A1. Authorization of Registered Owner for Agent to Make the Application

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the agent is authorized to make the application must be included with this application form or the authorization below must be completed.

I, Wing On Li of Ganatchio Gardens Inc., am the registered owner of the land that is  
*Name of Registered Owner*

subject of this application for an amendment to the City of Windsor Zoning By-law and I authorize

Dillon Consulting Limited to make this application on my behalf.  
*Name of Agent*



May 16, 2022

Signature of Registered Owner

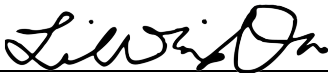
Date

If Corporation - I have authority to bind the corporation

### A2. Authorization to Enter Upon the Subject Lands and Premises

I, Wing On Li of Ganatchio Gardens Inc.,  
*Name of Registered Owner*

hereby authorize the Development and Heritage Standing Committee or their successor, City Council, and staff of The Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 5 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as a condition of approval. This is their authority for doing so.



May 16, 2022

Signature of Registered Owner

Date

If Corporation – I have authority to bind the corporation

**SCHEDULE A CONTINUES ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements - *Continued*

### A3. Acknowledgements

#### Receipt, Fees, Additional Information, Termination, and Freedom of Information

I acknowledge that receipt of this application by the City of Windsor does not guarantee it to be a complete application, that further review of the application will occur, and that I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further acknowledge that after the application is deemed complete, fees are not refundable, additional information may be requested, and that after 60 days of inactivity the City of Windsor may terminate the application without notice.

I further acknowledge that pursuant to the provisions of the Planning Act and the Municipal Freedom of Information and Protection of Privacy Act, this application and all material and information provided with this application are made available to the public.

#### Species at Risk

Ontario's *Endangered Species Act* protects endangered and threatened species — animals and plants in decline and at risk of disappearing from the province by restricting activities that may affect these plants, animals or their habitats.

I acknowledge that it is my sole responsibility as the Applicant to comply with the provisions of the *Endangered Species Act, 2007, S. O. c.6*. This could require me to register an activity, get a permit or other authorization from the Ministry of the Environment, Conservation and Parks (MECP) prior to conducting an activity that could impact an endangered or threatened plant or animal or its habitat. I further acknowledge that any *Planning Act, R.S.O. 1990, c.P.13* approval given by the City of Windsor does not constitute an approval under the *Endangered Species Act*, nor does it absolve me from seeking the necessary authorization, approvals or permits from the MECP prior to conducting any activity that may affect endangered or threatened plant or animal or its habitat.

Additional information can be found at:

<https://www.ontario.ca/page/development-and-infrastructure-projects-and-endangered-or-threatened-species>

or by contacting MECP at [SAROntario@ontario.ca](mailto:SAROntario@ontario.ca)

#### Acknowledgement

I acknowledge that I have read and understand the above statements:



Signature of Applicant or Agent

May 16, 2022

Date

**END OF SCHEDULE A  
COMPLETE SCHEDULE E ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E – Environmental Site Screening Questionnaire

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### Previous Use of Property

- Residential       Industrial       Commercial       Institutional  
 Agricultural       Parkland       Vacant       Other \_\_\_\_\_

a) If previous use of the property is Industrial or Commercial, specify use:

N/A

b) Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?

- Yes       No       Unknown

c) Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?

- Yes       No       Unknown

d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?

- Yes       No       Unknown

e) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

- Yes       No       Unknown

f) Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been applied as pesticides and/or sewage sludge applied to the lands?

- Yes       No       Unknown

g) Have the lands or adjacent lands ever been used as a weapons firing range?

- Yes       No       Unknown

h) Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational/non-operational public or private waste disposal site, landfill or dump?

- Yes       No       Unknown

i) If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?

- Yes       No       Unknown

j) Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?\*

- Yes       No       Unknown

*\* Possible uses that can cause contamination include but are not limited to: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals that are present.*

k) If current or previous use of the property is Industrial or Commercial, or if YES to any of a) to j) above, attach a previous use inventory showing all former uses of the subject land, or if applicable, the land(s) adjacent to the subject lands.

**SCHEDULE E CONTINUES ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E - CONTINUED

### Acknowledgement Clause

I hereby acknowledge that it is my responsibility to ensure that I am in compliance with all applicable laws, regulations, guidelines and the City's Official Plan policies pertaining to potentially contaminated sites, and to use all reasonable effort to identify the potential for contamination on the subject property.

I acknowledge that as a condition of approval of this application that the City may require me to file a Record of Site Condition signed by a qualified person in the provincial Environmental Site Registry, and provide verification to the City of Windsor of acknowledgement of this Record of Site Condition by the Ministry of Environment.

I acknowledge that the City may require the qualified person signing the Record of Site Condition to submit to the City a Declaration acknowledging that the City of Windsor may rely on the statements in the Record of Site Condition.

I acknowledge that the City of Windsor is not responsible for the identification and/or remediation of contaminated sites, and I agree, whether in, through, or as a result of any action or proceeding for environmental clean-up of any damage or otherwise, I will not sue or make claim whatsoever against the City of Windsor, its officers, officials, employees or agents for or in respect of any loss, damage, injury or costs.

Wing On Li of Ganatchio Gardens Inc.

Name of Applicant (print)




Signature of Applicant

May 16, 2022

Date

Melanie Muir of Dillon Consulting Limited

Name of Agent (print)



Signature of Agent

May 16, 2022

Date

**END OF SCHEDULE E**

# ZONING BY-LAW AMENDMENT APPLICATION

## DO NOT COMPLETE BELOW – STAFF USE ONLY

### Receipt and Assignment of Application

Date Received Stamp

This application has been assigned to:

- |   |   |
|---|---|
| <input type="checkbox"/> Adam Szymczak (AS)   | <input type="checkbox"/> Greg Atkinson (GA)   |
| <input type="checkbox"/> Pablo Golob (GL)     | <input type="checkbox"/> Jim Abbs (JA)        |
| <input type="checkbox"/> Justina Nwaesei (JN) | <input type="checkbox"/> Kevin Alexandar (KA) |
| <input type="checkbox"/> Laura Diotte (LD)    | <input type="checkbox"/> Melissa Gasic (MG)   |
| <input type="checkbox"/> Simona Simion (SS)   | <input type="checkbox"/> _____                |

### Complete Application

This application is deemed complete on \_\_\_\_\_  
Date

\_\_\_\_\_  
*Signature of Delegated Authority*

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Neil Robertson, MCIP, RPP<br>Manager of Urban Design | <input type="checkbox"/> Michael Cooke, MCIP, RPP<br>Manager of Planning Policy | <input type="checkbox"/> Thom Hunt, MCIP, RPP<br>City Planner & Executive Director |
|---|---|--|

### Internal Information

Fee Paid: \$ \_\_\_\_\_ Receipt No: \_\_\_\_\_ Date: \_\_\_\_\_

Payment Type:  Cash  Certified Cheque  Credit Card  Personal Cheque

NEW Zoning File No. ZNG/ \_\_\_\_\_ Z- \_\_\_\_\_

Previous Zoning File No. ZNG/ \_\_\_\_\_ Z- \_\_\_\_\_

Related OPA File No. OPA/ \_\_\_\_\_ OPA \_\_\_\_\_

Other File Numbers: \_\_\_\_\_

Notes: \_\_\_\_\_

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# Appendix B

## Provincial Policy Statement 2020



## Part V: Policies

### 1.0 Building Strong Healthy Communities

Ontario is a vast province with urban, rural, and northern communities with diversity in population, economic activities, pace of growth, service levels and physical and natural conditions. Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Accordingly:

#### 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;
- e) promoting the integration of land use planning, growth management, *transit-supportive* development, *intensification* and *infrastructure* planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;
- g) ensuring that necessary *infrastructure* and *public service facilities* are or will be available to meet current and projected needs;
- h) promoting development and land use patterns that conserve biodiversity; and
- i) preparing for the regional and local impacts of a changing climate.

1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a *provincial plan*, that time frame may be used for municipalities within the area.

Within *settlement areas*, sufficient land shall be made available through *intensification* and *redevelopment* and, if necessary, *designated growth areas*.

Nothing in policy 1.1.2 limits the planning for *infrastructure*, *public service facilities* and *employment areas* beyond a 25-year time horizon.

### 1.1.3 Settlement Areas

Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

1.1.3.1 *Settlement areas* shall be the focus of growth and development.

1.1.3.2 Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the *impacts of a changing climate*;
- e) support *active transportation*;
- f) are *transit-supportive*, where transit is planned, exists or may be developed; and
- g) are *freight-supportive*.

Land use patterns within *settlement areas* shall also be based on a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for *transit-supportive* development, accommodating a significant supply and range of *housing options* through *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs.
- 1.1.3.4 Appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.
- 1.1.3.5 Planning authorities shall establish and implement minimum targets for *intensification* and *redevelopment* within built-up areas, based on local conditions. However, where provincial targets are established through *provincial plans*, the provincial target shall represent the minimum target for affected areas.
- 1.1.3.6 New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.
- 1.1.3.7 Planning authorities should establish and implement phasing policies to ensure:
- a) that specified targets for *intensification* and *redevelopment* are achieved prior to, or concurrent with, new development within *designated growth areas*; and
  - b) the orderly progression of development within *designated growth areas* and the timely provision of the *infrastructure* and *public service facilities* required to meet current and projected needs.
- 1.1.3.8 A planning authority may identify a *settlement area* or allow the expansion of a *settlement area* boundary only at the time of a *comprehensive review* and only where it has been demonstrated that:
- a) sufficient opportunities to accommodate growth and to satisfy market demand are not available through *intensification*, *redevelopment* and *designated growth areas* to accommodate the projected needs over the identified planning horizon;
  - b) the *infrastructure* and *public service facilities* which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;
  - c) in *prime agricultural areas*:
    - 1. the lands do not comprise *specialty crop areas*;
    - 2. alternative locations have been evaluated, and

- i. there are no reasonable alternatives which avoid *prime agricultural areas*; and
  - ii. there are no reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*;
- d) the new or expanding *settlement area* is in compliance with the *minimum distance separation formulae*; and
- e) impacts from new or expanding *settlement areas* on agricultural operations which are adjacent or close to the *settlement area* are mitigated to the extent feasible.

In undertaking a *comprehensive review*, the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary expansion or development proposal.

1.1.3.9 Notwithstanding policy 1.1.3.8, municipalities may permit adjustments of *settlement area* boundaries outside a *comprehensive review* provided:

- a) there would be no net increase in land within the *settlement areas*;
- b) the adjustment would support the municipality's ability to meet *intensification* and *redevelopment* targets established by the municipality;
- c) *prime agricultural areas* are addressed in accordance with 1.1.3.8 (c), (d) and (e); and
- d) the *settlement area* to which lands would be added is appropriately serviced and there is sufficient reserve *infrastructure* capacity to service the lands.

## 1.1.4 Rural Areas in Municipalities

Rural areas are important to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Rural areas and urban areas are interdependent in terms of markets, resources and amenities. It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.

Ontario's rural areas have diverse population levels, natural resources, geographies and physical characteristics, and economies. Across rural Ontario, local circumstances vary by region. For example, northern Ontario's natural environment and vast geography offer different opportunities than the predominately agricultural areas of southern regions of the Province.

1.1.4.1 Healthy, integrated and viable *rural areas* should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets;
- b) promoting regeneration, including the redevelopment of *brownfield sites*;
- c) accommodating an appropriate range and mix of housing in rural *settlement areas*;
- d) encouraging the conservation and *redevelopment* of existing rural housing stock on *rural lands*;
- e) using rural *infrastructure* and *public service facilities* efficiently;

## 1.2.6 Land Use Compatibility

- 1.2.6.1 *Major facilities and sensitive land uses* shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures.
- 1.2.6.2 Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and *development* of proposed adjacent *sensitive land uses* are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:
- a) there is an identified need for the proposed use;
  - b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
  - c) *adverse effects* to the proposed *sensitive land use* are minimized and mitigated; and
  - d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

## 1.3 Employment

- 1.3.1 Planning authorities shall promote economic development and competitiveness by:
- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
  - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
  - c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
  - d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and
  - e) ensuring the necessary *infrastructure* is provided to support current and projected needs.

## 1.4 Housing

1.4.1 To provide for an appropriate range and mix of *housing options* and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through *residential intensification* and *redevelopment* and, if necessary, lands which are *designated and available* for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

1.4.2 Where planning is conducted by an upper-tier municipality:

- a) the land and unit supply maintained by the lower-tier municipality identified in policy 1.4.1 shall be based on and reflect the allocation of population and units by the upper-tier municipality; and
- b) the allocation of population and units by the upper-tier municipality shall be based on and reflect *provincial plans* where these exist.

1.4.3 Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected market-based and affordable housing needs of current and future residents of the *regional market area* by:

- a) establishing and implementing minimum targets for the provision of housing which is *affordable to low and moderate income households* and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b) permitting and facilitating:
  - 1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *special needs* requirements and needs arising from demographic changes and employment opportunities; and
  - 2. all types of *residential intensification*, including additional residential units, and *redevelopment* in accordance with policy 1.1.3.3;

- c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed;
- e) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations; and
- f) establishing development standards for *residential intensification*, *redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

## 1.5 Public Spaces, Recreation, Parks, Trails and Open Space

1.5.1 Healthy, active communities should be promoted by:

- a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate *active transportation* and community connectivity;
- b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for *recreation*, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
- c) providing opportunities for public access to shorelines; and
- d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

## 1.6 Infrastructure and Public Service Facilities

1.6.1 *Infrastructure* and *public service facilities* shall be provided in an efficient manner that prepares for the *impacts of a changing climate* while accommodating projected needs.

Planning for *infrastructure* and *public service facilities* shall be coordinated and integrated with land use planning and growth management so that they are:

- a) financially viable over their life cycle, which may be demonstrated through asset management planning; and
- b) available to meet current and projected needs.

1.6.2 Planning authorities should promote *green infrastructure* to complement *infrastructure*.

- 1.6.3 Before consideration is given to developing new *infrastructure* and *public service facilities*:
- a) the use of existing *infrastructure* and *public service facilities* should be optimized; and
  - b) opportunities for adaptive re-use should be considered, wherever feasible.
- 1.6.4 *Infrastructure* and *public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Section 3.0: Protecting Public Health and Safety.
- 1.6.5 *Public service facilities* should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and *active transportation*.

## **1.6.6 Sewage, Water and Stormwater**

- 1.6.6.1 Planning for *sewage and water services* shall:
- a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:
    - 1. *municipal sewage services* and *municipal water services*; and
    - 2. *private communal sewage services* and *private communal water services*, where *municipal sewage services* and *municipal water services* are not available or feasible;
  - b) ensure that these systems are provided in a manner that:
    - 1. can be sustained by the water resources upon which such services rely;
    - 2. prepares for the *impacts of a changing climate*;
    - 3. is feasible and financially viable over their lifecycle; and
    - 4. protects human health and safety, and the natural environment;
  - c) promote water conservation and water use efficiency;
  - d) integrate servicing and land use considerations at all stages of the planning process; and
  - e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. For clarity, where *municipal sewage services* and *municipal water services* are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.
- 1.6.6.2 *Municipal sewage services* and *municipal water services* are the preferred form of servicing for *settlement areas* to support protection of the environment and minimize potential risks to human health and safety. Within *settlement areas* with existing *municipal sewage services* and *municipal water services*, *intensification* and *redevelopment* shall be promoted wherever feasible to optimize the use of the services.



1.6.6.3 Where *municipal sewage services* and *municipal water services* are not available, planned or feasible, *private communal sewage services* and *private communal water services* are the preferred form of servicing for multi-unit/lot development to support protection of the environment and minimize potential risks to human health and safety.

1.6.6.4 Where *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services* are not available, planned or feasible, *individual on-site sewage services* and *individual on-site water services* may be used provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In *settlement areas*, *individual on-site sewage services* and *individual on-site water services* may be used for infilling and minor rounding out of existing development.

At the time of the official plan review or update, planning authorities should assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on the environmental health and the character of rural *settlement areas*. Where planning is conducted by an upper-tier municipality, the upper-tier municipality should work with lower-tier municipalities at the time of the official plan review or update to assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on the environmental health and the desired character of rural *settlement areas* and the feasibility of other forms of servicing set out in policies 1.6.6.2 and 1.6.6.3.

1.6.6.5 *Partial services* shall only be permitted in the following circumstances:

- a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development; or
- b) within *settlement areas*, to allow for infilling and minor rounding out of existing development on *partial services* provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.

Where *partial services* have been provided to address failed services in accordance with subsection (a), infilling on existing lots of record in *rural areas* in municipalities may be permitted where this would represent a logical and financially viable connection to the existing *partial service* and provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In accordance with subsection (a), the extension of *partial services* into *rural areas* is only permitted to address failed *individual on-site sewage* and *individual on-site water services* for existing development.

1.6.6.6 Subject to the hierarchy of services provided in policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5, planning authorities may allow lot creation only if there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity* within *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services*. The determination of

sufficient *reserve sewage system capacity* shall include treatment capacity for hauled sewage from *private communal sewage services* and *individual on-site sewage services*.

1.6.6.7 Planning for stormwater management shall:

- a) be integrated with planning for *sewage and water services* and ensure that systems are optimized, feasible and financially viable over the long term;
- b) minimize, or, where possible, prevent increases in contaminant loads;
- c) minimize erosion and changes in water balance, and prepare for the *impacts of a changing climate* through the effective management of stormwater, including the use of *green infrastructure*;
- d) mitigate risks to human health, safety, property and the environment;
- e) maximize the extent and function of vegetative and pervious surfaces; and
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

## **1.6.7 Transportation Systems**

1.6.7.1 *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.

1.6.7.2 Efficient use should be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.

1.6.7.3 As part of a *multimodal transportation system*, connectivity within and among *transportation systems* and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and *active transportation*.

## **1.6.8 Transportation and Infrastructure Corridors**

1.6.8.1 Planning authorities shall plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs.

1.6.8.2 *Major goods movement facilities and corridors* shall be protected for the long term.

1.6.8.3 Planning authorities shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

- 1.6.8.4 The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.
- 1.6.8.5 The co-location of linear *infrastructure* should be promoted, where appropriate.
- 1.6.8.6 When planning for corridors and rights-of-way for significant transportation, electricity transmission, and *infrastructure* facilities, consideration will be given to the significant resources in Section 2: Wise Use and Management of Resources.

## **1.6.9 Airports, Rail and Marine Facilities**

1.6.9.1 Planning for land uses in the vicinity of *airports, rail facilities* and *marine facilities* shall be undertaken so that:

- a) their long-term operation and economic role is protected; and
- b) *airports, rail facilities* and *marine facilities* and *sensitive land uses* are appropriately designed, buffered and/or separated from each other, in accordance with policy 1.2.6.

1.6.9.2 *Airports* shall be protected from incompatible land uses and development by:

- a) prohibiting new residential *development* and other sensitive land uses in areas near *airports* above 30 NEF/NEP;
- b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the *airport*; and
- c) discouraging land uses which may cause a potential aviation safety hazard.

## **1.6.10 Waste Management**

1.6.10.1 *Waste management systems* need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and recycling objectives.

*Waste management systems* shall be located and designed in accordance with provincial legislation and standards.

## 1.6.11 Energy Supply

1.6.11.1 Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, district energy, and *renewable energy systems* and *alternative energy systems*, to accommodate current and projected needs.

## 1.7 Long-Term Economic Prosperity

1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development and community investment-readiness;
- b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of *housing options* for a diverse workforce;
- c) optimizing the long-term availability and use of land, resources, *infrastructure* and *public service facilities*;
- d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;
- e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including *built heritage resources* and *cultural heritage landscapes*;
- f) promoting the redevelopment of *brownfield sites*;
- g) providing for an efficient, cost-effective, reliable *multimodal transportation system* that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;
- h) providing opportunities for sustainable tourism development;
- i) sustaining and enhancing the viability of the *agricultural system* through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the *agri-food network*;
- j) promoting energy conservation and providing opportunities for increased energy supply;
- k) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and
- l) encouraging efficient and coordinated communications and telecommunications infrastructure.

## 1.8 Energy Conservation, Air Quality and Climate Change

1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the *impacts of a changing climate* through land use and development patterns which:

- a) promote compact form and a structure of nodes and corridors;
- b) promote the use of *active transportation* and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;
- c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;
- d) focus freight-intensive land uses to areas well served by major highways, *airports, rail facilities and marine facilities*;
- e) encourage *transit-supportive* development and *intensification* to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;
- f) promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and *green infrastructure*; and
- g) maximize vegetation within *settlement areas*, where feasible.

# Appendix C

## City of Windsor Official Plan Policies

close proximity. Mixed use developments will be encouraged with strong pedestrian orientations and to support public transit. This concept will enable Windsor to continue its growth and foster a vibrant economy, while ensuring a safe, caring and diverse community and a sustainable, healthy environment.

In order to manage growth consistent with the community vision, the following key policy directions are provided for in the other chapters of this Plan.

### **3.2.1 Safe, Caring and Diverse Community**

- NEIGHBOURHOOD CENTRES* 3.2.1.1 Windsorites want to be a part of neighbourhoods that meet their needs as places to live, shop and play. Each neighbourhood will have a central area that provides a focus for activities and is within a convenient walking distance. Here, people will find shops, jobs, neighbourhood based services, public places that are safe and inviting, and a place to meet with neighbours and join in community life. The neighbourhood centre will provide a variety of housing types for all ages and incomes.
- NEIGHBOURHOOD HOUSING VARIETY* 3.2.1.2 Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands.
- DISTINCTIVE NEIGHBOURHOOD CHARACTER* 3.2.1.3 Windsor will keep much of what gives its existing neighbourhoods their character – trees and greenery, heritage structures and spaces, distinctive area identities, parks, and generally low profile development outside the City Centre. Around the neighbourhood centres, the existing character of the neighbourhood will be retained and enhanced. Newly developing areas will be planned to foster their own unique neighbourhood identities with a mixture of homes, amenities and services.
- COMMUNITY DESIGN* 3.2.1.4 The design of buildings and spaces will respect and enhance the character of their surroundings, incorporating natural features and creating interesting and comfortable places. Streets, open spaces and the greenway system will serve as public amenities connecting and defining neighbourhoods and contributing to Windsor’s image. New development in Windsor will accommodate the needs of pedestrians, cyclists and other recreational activities.

### **3.3.2 Vibrant Economy**

- EMPLOYMENT* 3.2.2.1 Windsor’s economy will be stimulated by active employment centres that

beyond their neighbourhood. Increased employment and residential densities along corridors support more frequent transit, and in turn more frequent transit supports and attracts higher density land uses along the corridor. This symbiotic relationship between transit, pedestrians and corridor intensification is key to the success of any corridor. Thus, corridors and transit should be planned and fostered together.

*CITY  
CORRIDORS*

3.3.2.1 City Corridors serve to connect the City Centre Growth Centre and Regional Commercial Centres. City corridors radiate from these Centres following numerous high frequency transit corridors. City corridors connect to Regional Commercial Centres along selected arterial roads but do not extend as far outward or as numerous as corridors connected to the City Centre. These corridors are intended to provide services for those living in close proximity to the area but also those who may arrive by transit, bicycle and by car.

There are higher density employment and residential opportunities, with a significant amount of retail to support both every day needs, but also needs beyond the day such as furniture and appliance stores, home improvement stores, and stores that carry specialty items.

Pharmacies and medical service are available with multiple choices for specialized care including doctors who specialize in specific types of care.

Government services and buildings associated with the municipality, province or federal government are also found in these areas.

Entertainment facilities, designed to attract people from well beyond the immediate area are also found on corridors that radiate from the City Centre.

Transit service is frequent (10-20 minute peak headways) and offers multiple connections to other nodes and corridors throughout the city by a main transfer location or transit station. Regional transit connections are also available.

Residential development may include high profile (26 to 58 metres in height), medium profile (14 to 26 metres in height) and residential over retail at street, as well as row housing and lofts.

*NEIGHBOURHOOD  
CORRIDORS*

3.3.2.2 The purpose and function of neighbourhood corridors is to link street sections to neighbourhood nodes or as standalone sections of community retail and services. These corridors provide for the day to day needs of the immediate neighbourhood that surrounds them. While employment is not the major focus, these corridors create a sense of community by



<i>ECONOMIC OPPORTUNITY</i>	4.1.6	Economic opportunities throughout Windsor.
<i>STAY SAFE</i>	4.1.7	A safe environment throughout Windsor.
<i>BALANCED DECISION MAKING</i>	4.1.8	A decision making process that balances environmental, economic and social considerations.

## **4.2 Objectives**

### **4.2.1 Healthy and Liveable City**

<i>PLANNING &amp; DESIGN</i>	4.2.1.1	To consider community health in the planning and design of Windsor and its neighbourhoods.
<i>ACTIVE LIFESTYLE</i>	4.2.1.2	To provide for activities and facilities which will foster an active lifestyle to improve community health.
<i>MONITOR HEALTH</i>	4.2.1.3	To regularly monitor community health.
<i>CLIMATE PROTECTION</i>	4.2.1.4	To protect against climate change and its possible adverse effects on human health, the physical environment, economy and quality of life.
<i>AGING IN PLACE</i>	4.2.1.5	To encourage a mix of housing types and services to allow people to remain in their neighbourhoods as they age.
<i>PEDESTRIAN SCALE</i>	4.2.1.6	To provide for pedestrian scale neighbourhood centres that serve the day-to-day needs of the local residents.

### **4.2.2 Environmental Sustainability**

<i>PLANNING &amp; DESIGN</i>	4.2.2.1	To consider the environment in the planning and design of Windsor.
<i>ECOSYSTEMS</i>	4.2.2.2	To protect and restore ecosystems.
<i>SUSTAINABLE DEVELOPMENT</i>	4.2.2.3	To encourage community planning, design and development that is sustainable.
<i>COMPATIBLE DEVELOPMENT</i>	4.2.2.4	To promote development that meets human needs and is compatible with the natural environment.
<i>REDUCE ENVIRONMENTAL IMPACTS</i>	4.2.2.5	To reduce environmental impacts.

### **4.2.3 Quality of Life**

- |                                       |         |  |
|---------------------------------------|---------|--|
| <i>MIX OF USES</i>                    | 4.2.3.1 | To encourage a mix of uses.  |
| <i>PROXIMITY OF BASIC SERVICES</i>    | 4.2.3.2 | To encourage the location of basic goods and services close to where people live and work.                 |
| <i>COMMUNITY NEEDS</i>                | 4.2.3.3 | To recognize the needs of the community in terms of shelter, support services, accessibility and mobility. |
| <i>HOUSING MIX</i>                    | 4.2.3.4 | To accommodate the appropriate range and mix of housing.   |
| <i>LOCATION OF COMMUNITY SERVICES</i> | 4.2.3.5 | To encourage community services at appropriate locations throughout Windsor.                               |
| <i>FIRST NATIONS</i>                  | 4.2.3.6 | To recognize the needs of the First Nations communities for housing and support services.                  |

### **4.2.4 Sense of Community**

- |                              |         |  |
|------------------------------|---------|--|
| <i>SOCIAL INTERACTION</i>    | 4.2.4.1 | To encourage development that fosters social interaction.                                  |
| <i>COMMUNITY LIVING</i>      | 4.2.4.2 | To encourage development that fosters the integration of all residents into the community. |
| <i>ADAPTABLE DEVELOPMENT</i> | 4.2.4.3 | To encourage developments that adapt to changing resident needs.                           |
| <i>COMMUNITY FACILITIES</i>  | 4.2.4.4 | To co-locate community facilities.   |

### **4.2.5 Community Empowerment**

- |                                 |         |   |
|---------------------------------|---------|---|
| <i>EDUCATION &amp; TRAINING</i> | 4.2.5.1 | To encourage the development of education and training facilities throughout Windsor.             |
| <i>PUBLIC INVOLVEMENT</i>       | 4.2.5.2 | To encourage and facilitate public involvement in planning and development initiatives.           |
| <i>INFORMATION SYSTEM</i>       | 4.2.5.3 | To ensure effective public information and communication on planning and development initiatives. |

## 5.4.6 Floodplain Areas Policies

The following policies apply to lands within the Floodplain Areas designated on Schedule C: Development Constraint Areas and should be read in conjunction with the Infrastructure chapter of this Plan. Floodplains contain both a floodway (where flood depths and velocities are the greatest) and a flood fringe.

<i>FLOODPLAIN BOUNDARIES</i>	5.4.6.1	The Floodplain Areas subject to the following policies were determined in consultation with the Essex Region Conservation Authority and follow the general boundaries shown on Schedule C: Development Constraint Areas.
<i>FLOODWAY</i>	5.4.6.2	Council will prohibit new development within the floodway of inland watercourses. The Municipality, in consultation with the Essex Region Conservation Authority, will identify the floodway on a site-specific basis and may include it in secondary plans and/or the zoning by-law as appropriate.
<i>DEVELOPMENT WITHIN FLOODPLAIN</i>	5.4.6.3	Council will prohibit buildings or structures in Floodplain Areas except: <ul style="list-style-type: none"><li>(a) in accordance with policies set out below; and</li><li>(b) works and facilities related to flood and erosion control.</li></ul>
<i>DEVELOPMENT CRITERIA</i>	5.4.6.4	Council may permit development in a floodplain in recognized flood fringe areas outside of the floodway, including behind flood control dykes (so as to address the matter of the potential failure of protective works) provided: <ul style="list-style-type: none"><li>(a) sufficient information accompanies the application to show that the proposed development and its occupants will be protected from the effects of a Regulatory Flood;</li><li>(b) the potential upstream and downstream impacts of the development proposal will not significantly affect the hydrology or hydraulics of the floodplain; and</li><li>(c) that adequate floodproofing measures, determined in consultation with the Essex Region Conservation Authority, are incorporated in the development.</li></ul>

<i>POLLUTION CONTROL PLANTS DEFINITION</i>	5.4.10.1	For the purpose of this Plan, a Pollution Control Plant refers to sewage treatment facilities and associated uses.
<i>SCHEDULE C: DEVELOPMENT CONSTRAINT AREAS</i>	5.4.10.2	The Lou Romano Water Reclamation Plant and the Little River Pollution Control Plant and any known Pollution Control Plant within approximately 300 metres of the municipal boundary are identified on Schedule C: Development Constraint Areas.
<i>PROHIBIT INCOMPATIBLE DEVELOPMENT</i>	5.4.10.3	Council shall prohibit residential, commercial, mixed use and institutional development within 300 metres of a Pollution Control Plant. The 300 metre distance shall be measured from the property line of the Pollution Control Plant to the property line of the proposed development.
<i>COMPATIBLE DEVELOPMENT</i>	5.4.10.4	Council may permit Industrial or Open Space uses within 300 metres of a Pollution Control Plant: <ul style="list-style-type: none"> <li>(a) in accordance with provincial legislation, policy, and appropriate guidelines, and</li> <li>(b) where the proponent demonstrates that the development is feasible given the operations of the plant, and in particular, the emission of odours.</li> </ul>
<i>ACQUISITION OF 300M BUFFER AREA</i>	5.4.10.5	Council may acquire land within 300 metres or more of the Lou Romano Water Reclamation Plant or the Little River Pollution Control Plant to facilitate the operation and/or expansion of the facility.

- (o) Future Employment Area ~~(added by OPA #60-05/07/07-B/L85-2007-OMB Decision/Order No.2667, 10/05/2007)~~

*TYPES OF  
DEVELOPMENT  
PROFILE*

6.2.1.2

For the purpose of this Plan, Development Profile refers to the height of a building or structure. Accordingly, the following Development Profiles apply to all land use designations on Schedule D: Land Use unless specifically provided elsewhere in this Plan:

- (a) Low Profile developments are buildings or structures generally no greater than three (3) storeys in height;
- (b) Medium Profile developments are buildings or structures generally no greater than six (6) storeys in height; and
- (c) High Profile developments are buildings or structures generally no greater than fourteen (14) storeys in height.

*TYPES OF  
DEVELOPMENT  
PATTERN*

6.2.1.3

For the purpose of this Plan, Development Pattern refers to an area bounded by the nearest Collector and/or Arterial roads and/or other major linear physical features. Accordingly, two categories of Development Pattern are provided for:

- (a) a Neighbourhood which exhibits a characteristic lotting and/or development profile; and
- (b) an Undeveloped Area which does not have characteristic lotting or development profile.

## 6.3 Residential

The lands designated as “Residential” on Schedule D: Land Use provide the main locations for housing in Windsor outside of the City Centre Planning District. In order to develop safe, caring and diverse neighbourhoods, opportunities for a broad range of housing types and complementary services and amenities are provided.

The following objectives and policies establish the framework for development decisions in Residential areas.

### 6.3.1 Objectives

<i>RANGE OF FORMS &amp; TENURES</i>	6.3.1.1	To support a complementary range of housing forms and tenures in all neighbourhoods.
<i>NEIGHBOURHOODS</i>	6.3.1.2	To promote compact neighbourhoods which encourage a balanced transportation system.
<i>INTENSIFICATION, INFILL &amp; REDEVELOPMENT</i>	6.3.1.3	To promote selective residential redevelopment, infill and intensification initiatives.
<i>MAINTENANCE &amp; REHABILITATION</i>	6.3.1.4	To ensure that the existing housing stock is maintained and rehabilitated.
<i>SERVICE &amp; AMENITIES</i>	6.3.1.5	To provide for complementary services and amenities which enhance the quality of residential areas.
<i>HOME BASED OCCUPATIONS</i>	6.3.1.6	To accommodate home based occupations.
<i>SUFFICIENT LAND SUPPLY</i>	6.3.1.7	To ensure that a sufficient land supply for residential and ancillary land uses is available to accommodate market demands over the 20 year period of this Plan.

### 6.3.2 Policies

In order to facilitate the orderly development and integration of housing in Windsor, the following policies shall apply.

<i>PERMITTED USES</i>	6.3.2.1	Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low, Medium and High Profile dwelling units.
<i>ANCILLARY USES</i>	6.3.2.2	In addition to the uses permitted above, Council will encourage the achievement of diverse and self-sufficient neighbourhoods by permitting the following ancillary uses in areas designated Residential on Schedule D: Land Use without requiring an amendment to this Plan: <ul style="list-style-type: none"> <li>(a) <del>community services including libraries, emergency services, community centres and similar public agency uses;</del> (Deleted by OPA #82 – June 20, 2011, B/L 117-2011)</li> </ul>

- (a) ~~community services including libraries, emergency services, community centres and similar public agency uses, but does not include a Methadone Clinic;~~  
(Deleted by OPA #106 – November 6, 2015, B/L 143-2015)
- (a) community services including libraries, emergency services, community centres and similar public agency uses;  
(Amended by OPA #106 – November 6, 2015, B/L 143-2015)
- (b) home based occupations subject to the provisions of policy 6.3.2.7;
- (c) Neighbourhood Commercial uses subject to the provisions of policy 6.3.2.9;
- (d) Open Space uses subject to the provisions of section 6.7;  
and
- (e) Minor Institutional uses subject to the provisions of section 6.6.

*TYPES OF  
LOW PROFILE  
HOUSING*

6.3.2.3

For the purposes of this Plan, Low Profile housing development is further classified as follows:

- (a) small scale forms: single detached, semi-detached, duplex and row and multiplexes with up to 8 units; and
- (b) large scale forms: buildings with more than 8 units.

*LOCATIONAL  
CRITERIA*

6.3.2.4

Residential development shall be located where:

- (a) there is access to a collector or arterial road;
- (b) full municipal physical services can be provided;
- (c) adequate community services and open spaces are available or are planned; and
- (d) public transportation service can be provided.

*EVALUATION  
CRITERIA FOR A  
NEIGHBOURHOOD  
DEVELOPMENT  
PATTERN*

6.3.2.5

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is:

- (a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:
  - (i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;
  - (ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust;
  - (iii) within a site of potential or known contamination;
  - (iv) where traffic generation and distribution is a provincial or municipal concern; and
  - (v) adjacent to heritage resources.
- (b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;
- (c) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas;
- (d) provided with adequate off street parking;
- (e) capable of being provided with full municipal physical services and emergency services; and
- (f) facilitating a gradual transition from Low Profile residential development to Medium and/or High profile development and vice versa, where appropriate.

*EVALUATION  
CRITERIA FOR AN  
UNDEVELOPED  
AREA  
DEVELOPMENT  
PATTERN*

**6.3.2.6**

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Undeveloped Area development pattern is:

- (a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:



# 7 Infrastructure

This chapter was amended as part of Official Plan Amendments #81 as part of a 5-year review of the Official Plan. Official Plan Amendment #81 was approved by the Ministry of Municipal Affairs and Housing on 09/07/2012.

## 7.0 Preamble

The provision of proper infrastructure provides a safe, healthy and efficient living environment. In order to accommodate transportation and physical service needs in Windsor, Council is committed to ensuring that infrastructure is provided in a sustainable, orderly and coordinated fashion. This chapter of the Official Plan provides goals, objectives and policies for the transportation system identified on Schedule 'F': Roads and Bikeways as well as the provision of infrastructure such as sewerage and stormwater management works and utilities. This chapter should be read in conjunction with other parts of this Plan.

## 7.1 Goals

In keeping with the Strategic Directions, Council's infrastructure goals are to achieve:

- |  |       |   |
|--|-------|---|
| <i>SUSTAINABLE<br/>INFRASTRUCTURE</i>                        | 7.1.1 | Safe, sustainable, effective and efficient infrastructure.  |
| <i>OPTIMAL USE</i>   | 7.1.2 | Optimal use of existing infrastructure.   |
| <i>COMMUNITY<br/>TRANSPORTATION</i>                          | 7.1.3 | An accessible, affordable and available transportation system.  |
| <i>BALANCED<br/>SYSTEM</i>                                   | 7.1.4 | An environment in which all modes of transportation can play a balanced role.   |
| <i>COORDINATED,<br/>EFFICIENT AND<br/>COST<br/>EFFECTIVE</i> | 7.1.5 | The provision of infrastructure in a coordinated, efficient and cost effective manner.  |
| <i>INTEGRATED<br/>PLANNING</i>                               | 7.1.6 | Integration of planning for infrastructure with the planning for growth.  |
| <i>PROTECT<br/>NATURAL<br/>FEATURES</i>                      | 7.1.7 | For development and site alteration on lands located within or adjacent to the significant habitat of endangered species or threatened species; Provincially Significant Wetlands; or, natural heritage features; the |

policies contained within Chapter 5 and Chapter 6 of this Plan will also apply.

Activities that create or maintain infrastructure authorized under the *Environmental Assessment Act* process are not considered to be development or site alteration under the *Planning Act*. Wherever possible, those activities should avoid natural heritage features and areas, and if avoidance is not possible, minimize the impact to natural heritage features. Only when avoidance and minimization are not feasible, compensatory mitigation should be applied.

## 7.2 Transportation System

A safe, sustainable, effective and efficient transportation system is one which meets the needs of all users in a manner consistent with a healthy environment and vibrant economy. In order to achieve this balance, Council will manage Windsor's transportation system to enhance physical mobility and ensure that the economic, social and environmental needs of the community are met.

### 7.2.1 Objectives

<i>ESTABLISH SYSTEM</i>	7.2.1.1	To establish a safe and efficient transportation system that facilitates the movement of people and goods and is appropriate to address projected needs.
<i>EFFICIENT USE</i>	7.2.1.2	To make efficient use of existing and planned transportation infrastructure.
<i>INTEGRATED TRANSPORTATION SYSTEM</i>	7.2.1.3	To provide for the integration, coordination and extension of the transportation system within, to and from Windsor.
<i>INTERCONNECTED TRANSPORTATION SYSTEM</i>	7.2.1.4	To provide a system with functional connectivity and interconnectedness.
<i>LAND USE, DENSITY AND MIX</i>	7.2.1.5	To promote a land use pattern, density and mix of uses that reduces vehicle trips and supports alternative transportation modes including public transit.
<i>INTEGRATING LAND USE AND TRANSPORTATION</i>	7.2.1.6	To integrate land use and transportation considerations at all stages of the planning process.
<i>TRANSPORTATION CORRIDORS</i>	7.2.1.7	To plan and protect transportation corridors and their infrastructure facilities to meet current and projected needs.

<i>TRUCK ROUTES</i>	7.2.1.8	To establish safe and efficient truck routes within and through Windsor.
<i>PARKING</i>	7.2.1.9	To provide for adequate off-street parking facilities and restrict on-street parking to appropriate areas.
<i>TRANSPORTATION DEMAND MANAGEMENT</i>	7.2.1.10	To enact transportation demand management actions suited to the needs of Windsor.
<i>MINIMIZE CONFLICTS</i>	7.2.1.11	To minimize conflicts within the transportation system.
<i>PROTECT ROADWAYS FROM DRIVEWAY PROLIFERATION</i>	7.2.1.12	To restrict driveway access based on road classification and minimize the number of driveway access points.
<i>WALKING &amp; CYCLING</i>	7.2.1.13	To establish and maintain a city-wide walking and cycling network.
<i>ACCESSIBLE INFRASTRUCTURE</i>	7.2.1.14	To establish and maintain an accessible transportation infrastructure.
<i>ROADS</i>	7.2.1.15	To establish and maintain a safe and efficient road network.
<i>TRANSIT</i>	7.2.1.16	To maintain an efficient transit network.
<i>INTERNATIONAL GATEWAY</i>	7.2.1.17	To uphold and advance Windsor's role as Canada's foremost international gateway.
<i>RAIL SERVICE</i>	7.2.1.18	To support the provision of freight and passenger rail service to Windsor.
<i>VIABLE PORT FACILITIES</i>	7.2.1.19	To ensure accessible and viable port facilities.
<i>RECREATIONAL BOATING</i>	7.2.1.20	To facilitate safe recreational boating from Windsor on the Detroit River and Lake St. Clair.
<i>WINDSOR AIRPORT</i>	7.2.1.21	To support an expanded role for the Windsor Airport in the provision of facilities, infrastructure and operational capabilities.
<i>TRAFFIC CALMING</i>	7.2.1.22	To support the inclusion of traffic calming devices according to a municipal Traffic Calming Policy.

*NATURAL FEATURES* 7.2.1.23 To direct the transportation systems, where possible, away from Natural Heritage Features and Areas.

## **7.2.2 General Policies**

*TRANSPORTATION SYSTEM DEFINITION* 7.2.2.1 For the purpose of this Plan, the Transportation System refers to all modes of transportation and their corresponding facilities, including walking, cycling, public transportation, roads, border crossings, rail, air and water transportation.

*SCHEDULE F: ROADS & BIKEWAYS* 7.2.2.2 The following existing and future components of the transportation system shall be designated on Schedule F: Roads and Bikeways:

- (i) Expressway;
- (ii) Class I Arterial Road;
- (iii) Class II Arterial Road;
- (iv) Class I Collector Road;
- (v) Class II Collector Road;
- (vi) Scenic Drive;
- (vii) Local Road; and
- (viii) Provincial Highway.

*TRANSPORTATION MASTER PLAN* 7.2.2.3 Council shall require the implementation, monitoring and updating of a long range transportation master plan that:

- (a) Examines the long range transportation system requirements of Windsor its adjacent interdependent municipalities and interconnecting provincial highways;
- (b) Provides principles, policies and strategic plans which address long term transportation system needs from a comprehensive perspective, consistent with this Plan;
- (c) Identifies major problems, deficiencies, or opportunities in the transportation system;
- (d) Identifies and evaluates various alternative solutions available to solve long range transportation system problems and opportunities;

(e) Establishes the preferred solution and corresponding implementation measures; and

(f) Includes a comprehensive public participation program.

*COOPERATION & COORDINATION*      7.2.2.4      Council shall work to achieve the coordinated planning, expansion and maintenance of the transportation system in cooperation with other public agencies and private organizations to promote increased density of development.

*ALTERNATIVE DEVELOPMENT PATTERNS*      7.2.2.5      Council shall promote development patterns that support an increase in walking, cycling and public transportation in accordance with the Land Use and Urban Design chapters of this Plan.

*BALANCED TRANSPORTATION SYSTEM*      7.2.2.6      Council shall develop a balanced transportation system by:

- (a) Adopting strategies and programs that increase public transportation use, cycling and walking;
- (b) Implementing the land use policies of this Plan that provide for a more compact urban form and are intended to reduce the growth in home based trip making;
- (c) Maintaining a road level-of-service that optimizes the use of the existing network;
- (d) Directing the expansion of existing roads or the construction of new ones in association with the application of transportation demand management strategies; and
- (e) Implementing the urban design policies of this Plan that provide for an improved street environment.
- (f) Implementing traffic calming devices in existing neighbourhoods and requiring traffic calming in new neighbourhoods consistent with the Traffic Calming Policy.

*TRAFFIC CALMING DEVICES*      7.2.2.7      Council may require traffic calming devices on:

- (a) Existing roads;
- (b) All proposed development;
- (c) Infrastructure undertakings;

consistent with the Traffic Calming policy.

<i>MULTI-MODAL FACILITIES</i>	7.2.2.8	Council shall encourage the development of multi-modal transportation facilities at appropriate locations.
<i>TRUCK ROUTE SYSTEM</i>	7.2.2.9	Council shall establish and manage a truck route system to minimize the intrusion of trucks into sensitive areas while providing acceptable access to business and industries.
<i>TRUCK ACCESS</i>	7.2.2.10	Council recognizes that while truck access is necessary for some properties, the adverse effects of truck traffic shall be minimized by: <ul style="list-style-type: none"><li>(a) Discouraging truck traffic in residential and pedestrian oriented areas;</li><li>(b) Directing land uses which generate substantial truck traffic to appropriate areas in accordance with the Land Use chapter of this Plan;</li><li>(c) Ensuring the proper design of roads intended to carry truck traffic;</li><li>(d) Implementing other measures as may be appropriate and necessary.</li></ul>
<i>HAZARDOUS GOODS</i>	7.2.2.11	Council shall restrict the movement of hazardous goods to transportation routes which avoid high risk areas and provide safe and direct access to their intended destination.
<i>PARKING &amp; LOADINGS FACILITIES</i>	7.2.2.12	Council shall require adequate off-street parking and loading facilities as a condition of development approval in accordance with the Land Use chapter of this Plan.
<i>PARKING LOT DESIGN</i>	7.2.2.13	Council shall require parking lots to be designed in accordance with the Urban Design chapter of this Plan.
<i>PUBLIC ON-STREET PARKING</i>	7.2.2.14	Council may allow, restrict or partially restrict on-street parking on specific roads as follows: <ul style="list-style-type: none"><li>(a) On street parking shall not be permitted on Expressways, Class I Arterial Roads and Scenic Drives;</li><li>(b) On street parking will be discouraged on Class II Arterial Roads and Class I Collector Roads and may only be allowed in areas where adequate and convenient off-street parking is not available; and</li></ul>

		(c) On street parking may be permitted on Class II Collector Roads and Local Roads provided there is sufficient paved road width.
<i>RESTRICT ON-STREET PARKING</i>	7.2.2.15	<p>Council may restrict on-street parking in a manner that does not conflict with future and planned uses of the right of way by:</p> <ul style="list-style-type: none"> <li>(a) Removing on-street parking where the added roadway space is required to install left or right turn lanes;</li> <li>(b) Removing on-street parking where the added roadway space may be required to install bicycle lanes;</li> <li>(c) Removing on-street parking where the added roadway space if required for transit purposes;</li> <li>(d) Removing on-street parking where there is a need to move traffic more efficiently;</li> <li>(e) Removing on-street parking where the City has constructed off street lots to offset the loss of on-street parking.</li> </ul>
<i>ON STREET PARKING – STREET SCAPING</i>	7.2.2.16	Council may permit on-street parking as part of a streetscaping plan designed to create a buffer between road traffic and pedestrian sidewalk areas.
<i>BICYCLE PARKING</i>	7.2.2.17	Council shall make provision for bicycle parking spaces by requiring bicycle spaces at all developments.
<i>LAND USE AND TRANSPORTATION</i>	7.2.2.18	<p>Council shall recognize the link between land use and transportation systems by:</p> <ul style="list-style-type: none"> <li>(a) Focusing office development and high-density employment and high density residential in areas which have access to transit and pedestrian amenities;</li> <li>(b) Encouraging commercial and employment uses within 400 metres to 800 metres of residential areas to promote the use of active transportation and to promote transit service.</li> </ul>
<i>SUSTAINABLE SITE DESIGN</i>	7.2.2.19	<p>Council shall require the use of sustainable site design during the Site Plan Control process to ensure accessibility for all pedestrians and cyclists by:</p> <ul style="list-style-type: none"> <li>(a) Requiring buildings and access points to buildings be placed to provide convenient access to the public right of way;</li> </ul>

- (b) Ensuring the provision of sidewalk and cycling connections to and from the entrances of the development and cycling facilities;
- (c) Ensuring that sidewalk and cycling connections are barrier free throughout the seasons;
- (d) Ensuring that the sidewalk and cycling connections minimize the walking and cycling distance to and from the right of way and
- (e) Encouraging a more street level design and access by planning parking lots in such a way to not adversely impact such access.

<i>TRANSIT SUPPORTIVE DEVELOPMENT</i>	7.2.2.20	Council shall support transit by planning for compact mixed-use, higher density residential, commercial and employment development within concentrated nodes and corridors that are adjacent to higher order transit corridors.
<i>MINIMIZING VEHICLE TRIPS AND TRAVEL DISTANCES</i>	7.2.2.21	<p>Council shall implement land use patterns that promote sustainable travel by locating land uses within reasonable walking or cycling distance by:</p> <ul style="list-style-type: none"> <li>(a) Encouraging development that include an appropriate mix of residential, commercial and employment lands within reasonable walking distance of each other;</li> <li>(b) Planning higher density developments in areas along major transportation corridors and nodes;</li> <li>(c) Integrating land use and transportation planning decisions by ensuring each fit the context of each other’s specific needs.</li> </ul>
<i>TRAVEL DEMAND MANAGEMENT</i>	7.2.2.22	<p>Council and Transit Windsor will encourage employers to manage their travel demand by:</p> <ul style="list-style-type: none"> <li>(a) Promoting the use of ride sharing and car-pooling to reduce parking demand and to reduce vehicles on nearby streets;</li> <li>(b) Promoting the use of bulk or special transit pass purchases by employers for employees that offer discounts over regular transit pass prices and encourage transit usage;</li> <li>(c) Encouraging companies to alternate hours of work to reduce the peak hour traffic and parking demand.</li> </ul>
<i>POST SECONDARY STUDENT TRANSPORTATION</i>	7.2.2.23	Council shall encourage post secondary institutions to implement tuition-based bus pass programs to reduce travel and parking demand.



- COMMERCIAL SCHOOLS*      7.2.2.24      Council shall encourage commercial schools to locate along roadways with transit.
- TRANSIT SUPPORTIVE DESIGN*      7.2.2.25      Council shall support transit friendly design by:
- (a) Planning for compact, higher density developments along nodes and corridors;
  - (b) Creating street layouts that can accommodate transit vehicles;
  - (c) Considering transit in the early stages of planning;
  - (d) Creating grid networked streets;
  - (e) Promoting urban design that encourages walking and cycling; and
  - (f) Requiring entranceways proximate to the public right of way to reduce walking distances for pedestrians, particularly those who are mobility impaired.
- SCHOOL AREA TRANSPORTATION*      7.2.2.26      Council and the School Boards shall promote a safe travel environment near schools by:
- (a) Ensuring that new elementary school locations are central to the area that they intend to serve to reduce the need for buses to transport students;
  - (b) Ensuring that the location of new schools limits the need for children to cross Arterial Roads;
  - (c) Encouraging the use of traffic calming near elementary schools constructed in new neighbourhoods;
  - (d) Coordinating the location of new schools with transit.
  - (e) Maintaining a policy for school areas that may include:
    - (i) Reduced speed limits in school zones;
    - (ii) No stopping areas near school crossings to ensure visibility of crossing guards and children;
    - (iii) Appropriate parking and stopping restrictions along school frontages in consultation with the affected School Board and local residents.

<i>SCHOOL ACTIVE TRANSPORTATION PLANS</i>	7.2.2.27	<p>(f) Requiring all schools to provide adequate on-site parking and loading/unloading facilities.</p> <p>Council shall require that school boards implement active transportation plans for new or refurbished schools that include:</p> <ul style="list-style-type: none"> <li>(a) Safe walking routes including new sidewalk connections, street crossing improvements and other pedestrian infrastructure within the school property or municipal road allowance fronting the school property;</li> <li>(b) Appropriate way finding signage where necessary; and</li> <li>(c) Sufficient bicycle parking facilities for all students.</li> </ul>
<i>CONTROLLED ACCESS DESIGNATION</i>	7.2.2.28	Council may designate any road as a controlled access road, regardless of classification for the purpose of protecting said roadway from driveway accesses that would be detrimental to the road’s intended purpose or function.
<i>SCHEDULE F-1 AND OPA #43</i>	7.2.2.29	Schedule F-1 to the Plan designates those elements that consist of rail corridors and some rail yards. The uses permitted on the lands so designated are those currently in existence and those uses permitted by the zoning by-law.

These elements of the transportation system, while important to broader economic goals, have historically resulted in significant land use impacts on adjacent uses. It is a policy of this Plan that, for uses other than those permitted by the zoning by-law:

- (a) No change to rail uses on, and
- (b) No expansions for non-rail uses of

those rail corridors and rail yards designated on Schedule F-1 will be made without amendment to this Plan as may be required by s. 7.2.8.4.

### **7.2.3 Pedestrian Network Policies**

<i>PEDESTRIAN MOVEMENT</i>	7.2.3.1	<p>Council shall require all proposed developments and infrastructure undertakings to provide facilities for pedestrian movements wherever appropriate by:</p> <ul style="list-style-type: none"> <li>(a) Requiring safe, barrier free, convenient and direct walking conditions for persons of all ages and abilities;</li> </ul>
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- (h) Encourage transit stops to be located within a 400 metre walking distance of high density residential development.

*REGIONAL  
PUBLIC  
TRANSIT  
SYSTEM*

7.2.5.3 Council encourages the creation of a Regional Public Transit System.

**7.2.6 Road Network Policies**

*ROAD  
CLASSIFICATION*

7.2.6.1 The road network within Windsor is classified as follows:

- (i) Provincial Highways;
- (ii) Expressways;
- (iii) Class I Arterial Roads;
- (iv) Class II Arterial Roads;
- (v) Class I Collector Roads;
- (vi) Class II Collector Roads;
- (vii) Scenic Drives; and,
- (viii) Local Roads.

*PROVINCIAL  
HIGHWAYS*

7.2.6.2 Council recognizes Provincial Highways as follows:

- (a) Provincial Highways shall be designated on Schedule F: Roads and Bikeways and in secondary plans, where appropriate; and
- (b) The Ministry of Transportation exercises its mandate adjacent to Provincial Highway corridors; as such land abutting Provincial Highways are subject to permit control process of the Ministry of Transportation.

*EXPRESSWAYS*

7.2.6.3 Council shall provide for Expressways as follows:

- (a) Expressways are designated on Schedule F, as controlled access highways and are to be designated in any secondary plan or master plan where appropriate.

- (iii) All-way stops shall not be permitted;
- (iv) Direct property access may be permitted with some controls;
- (v) Cycling facilities may be permitted;
- (vi) On street parking shall not be permitted; and
- (vii) The municipal streetscape design of the Scenic Drive shall be guided by the urban design policies in this Official Plan.

*LOCAL ROADS*      7.2.6.9      Council shall provide for Local Roads as follows:

- (a) Operational and design characteristics:
  - (i) Local Roads shall be designed to carry low volumes of traffic and shall have a minimum right-of-way width of 20 metres;
  - (ii) New intersections shall not be permitted with Provincial Highways, Expressways, Class I Arterial Roads and Class II Arterial Roads;
  - (iii) Cycling facilities may be permitted on Local Roads;
  - (iv) On street parking may be permitted; and
  - (v) Direct property access may be permitted with some controls.

*ROADWAY INTERSECTIONS: ROUNDABOUTS AND TRAFFIC CIRCLES*      7.2.6.10      Council shall encourage the use of roundabouts or traffic circles as follows:

- (a) Council may consider the use of roundabouts or traffic circles where appropriate;
- (b) Council shall encourage a high level of urban design at roundabouts or traffic circle intersections; and
- (c) Where a roundabout or traffic circle is proposed to serve the traffic of a new development, it shall be installed and operating before the opening of that development.

*ROADWAY INTERSECTIONS: SIGNALIZED*      7.2.6.11      Council shall require the use of signalized intersections where provincial warrants are met.

*ROADWAY*      7.2.6.12      Where new signals are warranted by a development:

*SIGNALS  
WARRANTED BY  
NEW  
DEVELOPMENT*

- (a) Council shall require the development to pay for the signal's infrastructure, installation and the cost of 5 years maintenance; and
- (b) The signalized intersection shall be installed and operating before the opening of any part of such development.

*ROADWAY  
INTERSECTIONS:  
SIGNAL  
REMOVAL*

7.2.6.13 Council may require the removal of traffic signals from intersections when a review indicates lower than expected volumes of traffic.

*ROADWAY  
INTERSECTIONS:  
ALL WAY  
STOPS*

7.2.6.14 Council shall restrict the use of all way stop intersections in accordance with its All Way Stop Policy.

*PROTECTION OF  
TRANSPORTATION  
CORRIDORS*

- 7.2.6.15 Council shall protect existing and new transportation corridors by:
- (a) Ensuring that lands identified in transportation master plans or studies for transportation corridors are protected;
  - (b) Protecting abandoned railway or utility right-of-way in the entire length; and
  - (c) Retaining unopened road allowances that have potential for future use.

*NEW ROADWAY  
AND WIDENING*

7.2.6.16 Council shall support the construction of new roads and right-of-way widening for the purpose of adding to the travelled portion of a road only when either of the following factors have been met:

- (a) The new road and/or widened right-of-way have been identified as a recommended system improvement in this Plan, the transportation master plan and/or the cycling master plan; or other relevant transportation plan.
- (b) The need for the new road and/or widened right-of-way has been clearly demonstrated through a comprehensive analysis and public consultation process, conducted in addition to the transportation master plan, in accordance with relevant provincial legislation and the resulting road improves the transportation system by:
  - (i) Reducing the use of local roads by non-local traffic;

- (ii) Minimizing conflicts between local and non-local traffic;
- (iii) Improving the level-of-service and road capacity;
- (iv) Minimizing any negative impacts on the social and natural environment of adjacent areas;
- (v) Providing for cycling facilities, as appropriate; and
- (vi) Providing for transit service, as appropriate.

*GUIDELINES  
FOR NEW  
ROADS*

7.2.6.17 Council shall consider the following criteria when reviewing the roads proposed as a part of a new development:

- (a) The ability to achieve the Urban Design policies of this Plan;
- (b) Where new roads are required to serve a developing area, a logical hierarchy of roads is identified and designated with the capacity to accommodate anticipated traffic generated by the development;
- (c) The design of the road provides for safe traffic movement;
- (d) The carrying capacity of the adjacent roads is sufficient to accommodate the anticipated traffic generated by the proposed development, as well as existing traffic and anticipated growth levels of background traffic;
- (e) The carrying capacity of existing and proposed Class I and Class II Arterial Roads and Class I and Class II Collector Roads is protected by:
  - (i) The use of shared access, where appropriate, for new development; and
  - (ii) Limiting the number of entrances/exits for non-residential development located adjacent to these roads.
- (f) The ability to improve cycling network connections.

*RESIDENTIAL  
AREAS*

7.2.6.18 Council shall encourage the development of a peaceful atmosphere in residential areas by:

- (a) Maintaining an adequate system of Collector and Arterial roads to serve residential areas;



- (b) Requiring the provision of appropriate noise control measures and off-street parking;
- (c) Locating medium and high density residential development along Collector and Arterial roads; and
- (d) Requiring the construction of sidewalks in accordance with policy 7.2.3.2;
- (e) Requiring that traffic calming devices be included in the road design of any new residential subdivision in accordance with the Traffic Calming Policy;
- (f) Applying the principles of the Traffic Calming Policy to existing roads in residential areas by ensuring that traffic calming is considered as part of any neighbourhood management plan and that traffic calming devices are placed where deemed to be necessary; and
- (g) Requiring that the impact of noise and the feasibility of achieving noise control objectives must be considered as factors in determining the design of residential areas and that noise barriers be considered only when it has been demonstrated that alternate noise abatement solutions are not feasible.

*NEW  
DEVELOPMENT*

7.2.6.19 All proponents of development may be required to complete a Traffic Impact Study to support the feasibility of a proposal, and if feasible, identify appropriate traffic management measures, in accordance with the Procedures chapter of this Plan.

*TRAFFIC  
CALMING IN  
NEW  
RESIDENTIAL  
SUBDIVISIONS*

7.2.6.20 Council shall require that all new residential subdivisions include traffic calming measures as an integral part of the road design. Administration will recommend appropriate traffic calming devices in all new subdivisions as follows:

- (a) Traffic calming devices must permit and enhance safe movement by all non-vehicular modes of travel and by bicycle; and
- (b) Traffic calming devices will conform with the provisions of the Traffic Calming Policy and will be considered within the context of the guidelines below:
  - (i) At the intersections of two local roads, roundabouts or traffic circles maybe utilized;
  - (ii) Curb extensions should be required at all intersections of Local

and Collector Roads except where it is determined that they will have an adverse effect on transit or emergency services;

(iii) Within subdivisions, long straight-aways should be avoided. Chicanes should be utilized to avoid long straight-aways exceeding 300 metres in length.

*GRATUITOUS CONVEYANCES* 7.2.6.21 As a condition of development approval, council shall require gratuitous land conveyances to the Municipality where it has been determined that the existing right-of-way width is insufficient based on the requirements set out in Schedule 'X', or other provisions of this Official Plan. The size and dimension of each such conveyance shall be determined by what is identified in Schedule 'X', or other provisions of this Official Plan. Generally, equal widths of land will be taken from both sides of the road.

*GRATUITOUS CONVEYANCES: CONDITION OF DEVELOPMENT* 7.2.6.22 Gratuitous land conveyances to the Municipality may also be required as a condition of development approval for, but not limited to any of the following elements:

- (a) Corner cut offs;
- (b) Intersection improvements;
- (c) Roundabouts;
- (d) Turn lanes;
- (e) Acceleration or deceleration lanes;
- (f) Transit infrastructure, including transit lanes, stations and transit stops including shelters;
- (g) Cycling infrastructure, including bike lanes and multi-use recreational trails;
- (h) Bus bays; and
- (i) Sidewalks.

*ROADWAY INTERSECTIONS: CORNER CUT OFFS AND CONVEYANCES* 7.2.6.23 The dimensions of corner cut offs that are to be gratuitously conveyed to the Municipality are as follows:

- (a) A minimum of a 4.6 metre corner cut off is to be provided at all intersections, except for intersections between two local roads or a local road and a scenic drive;

- (b) Where the intersection is signalized, a minimum of a 6.1 metre corner cut off is required, regardless of the road classification of the two intersecting roads;
- (c) Corner cut offs shall be measured after the taking of linear land conveyances for road widening; and
- (d) Corner cut offs shall be kept clear of all sight obstructions.

*OTHER ROADWAY ELEMENTS*      7.2.6.24      The dimensions of all other elements to be gratuitously conveyed to the Municipality will be determined on a site specific basis during the development approval process.

*TURNING LANES & SPECIAL FEATURES*      7.2.6.25      Notwithstanding the right-of-way widths identified in the policies of this Official Plan, Council may require additional land for exclusive turning lanes or special features. The exact width of this additional right-of-way shall be determined on a site-specific basis during the development approval process.

**7.2.7 International Border Crossing Policies**

*ECONOMIC BENEFITS*      7.2.7.1      Council shall maximize the economic development potential provided by international cross-border traffic by promoting the development of multi-modal facilities and Employment and Commercial uses at appropriate locations within Windsor.

*ADDITIONAL CROSSING*      7.2.7.2      Council shall ensure that the construction of an additional international border crossing has minimal negative social, environmental and economic impacts on Windsor.

**7.2.8 Rail Transportation Policies**

*ECONOMIC BENEFITS*      7.2.8.1      Council shall maximize the economic development potential provided by rail transportation by promoting the development of Employment uses, including multi-modal facilities, at appropriate locations within Windsor.

*SUFFICIENT SERVICE*      7.2.8.2      Council shall encourage the provision of rail service sufficient to meet the needs of Employment uses and passenger demands.

*MINIMIZE CONFLICT*      7.2.8.3      Council shall minimize the conflict among rail, vehicle and pedestrian movements by working with various public agencies and private organizations for the appropriate use of:

- (a) Level crossing controls;
- (b) Grade separated crossings; and

### 7.3.1 Objectives

<i>COORDINATED, EFFICIENT AND COST EFFECTIVE</i>	7.3.1.1	To provide infrastructure in a coordinated, efficient and cost effective manner to accommodate projected needs.
<i>INTEGRATED PLANNING</i>	7.3.1.2	To integrate the planning for infrastructure with the planning for growth so that these are available to meet current and projected needs.
<i>MAXIMIZE USE OF EXISTING INFRASTRUCTURE</i>	7.3.1.3	To maximize and optimize the use of existing infrastructure and corridors prior to the extension and creation of new ones.
<i>MAINTAIN &amp; UPGRADE</i>	7.3.1.4	To establish priorities for the maintenance and up-grading of existing infrastructure.
<i>SUFFICIENT SUPPLY</i>	7.3.1.5	To ensure that there is sufficient infrastructure to accommodate anticipated growth in Windsor.
<i>NATURAL &amp; RECREATION OPPORTUNITIES</i>	7.3.1.6	To encourage the integration of natural and recreational opportunities with physical services.
<i>STORMWATER MANAGEMENT</i>	7.3.1.7	To manage stormwater to effectively control the quality and quantity of urban runoff.
<i>WATER QUALITY</i>	7.3.1.8	To protect, manage and enhance water quality and quantity.
<i>SOLID WASTE MANAGEMENT</i>	7.3.1.9	To provide for the minimization and management of solid waste.
<i>WATER CONSERVATION</i>	7.3.1.10	To promote water conservation measures.
<i>SEWAGE MANAGEMENT</i>	7.3.1.11	To provide and maintain sanitary sewers, pumping stations and sewage treatment plants with sufficient capacity to accommodate the existing and future development.
<i>NATURAL HERITAGE</i>	7.3.1.12	To direct infrastructure, where possible, away from Natural Heritage Features and Areas.

### 7.3.2 General Policies

*INFRASTRUCTURE DEFINITION* 7.3.2.1 For the purpose of this Official Plan, infrastructure include sewerage, stormwater management and water works, waste management systems, electric power, communications, telecommunications, transit corridors, transportation corridors, and oil and gas pipelines and associated facilities.

*MANAGEMENT PLAN* 7.3.2.2 Council may require the preparation, implementation and monitoring of an Infrastructure Management Plan for Municipally owned and/or operated infrastructure, such as sewerage and stormwater management works, as a basis to:

(a) Prioritize strategies for the maintenance and rehabilitation of existing infrastructure and the provision of new infrastructure; and

(b) Monitor available capacity for new development.

*NEW DEVELOPMENT* 7.3.2.3 Council shall require all new developments to have full municipal infrastructure available, or agreements in place to provide such infrastructure, as a condition of approving a development proposal.

*INDIVIDUAL ON-SITE SEWAGE SERVICES* 7.3.2.4 Council shall not permit development on individual on-site sewage services beyond existing farm living lots.

*NEW INDIVIDUAL ON-SITE SEWAGE SERVICES* 7.3.2.5 Council shall not permit the installation of individual on-site sewage services in new developments.

*MONITOR CAPACITY* 7.3.2.6 Council shall monitor the available uncommitted reserve capacity of existing Municipally owned and/or operated infrastructure to ensure that they can accommodate projected long-term growth.

### 7.3.3 Infrastructure Provision Policies

*INFILLING GIVEN PRIORITY* 7.3.3.1 Council shall encourage the development of existing serviced, underutilized or undeveloped lands within Windsor prior to the extension of municipally owned and/or operated infrastructure to vacant areas within Windsor.

*EVALUATING A PROPOSED EXTENSION* 7.3.3.2 Council shall only approve the extension of municipally owned and/or operated infrastructure within Windsor when the following factors have been addressed:

assist in the prevention of potential surcharging and basement flooding;

(c) Separating road drainage from combined systems and directing road drainage to new storm sewers or storm relief sewers; and

~~(d) Other measures as may be appropriate.~~

*POLLUTION  
CONTROL  
PLANTS*

7.3.4.4 Council shall protect pollution control plants from incompatible development in accordance with the Environment chapter of this Plan.

*STORMWATER  
MANAGEMENT  
FOR  
DEVELOPED  
AREAS*

7.3.4.5 The Municipality may develop stormwater management plans for developed areas of Windsor to control and improve the quality and quantity of runoff.

*STORMWATER  
MANAGEMENT  
FOR PROPOSED  
DEVELOPMENT*

7.3.4.6 Council, in consultation with appropriate public agencies may require a proponent of development to submit studies of stormwater runoff and its impact on the water quality and quantity of receiving watercourse based on the Ministry of Environment's current provincial guideline manual for stormwater management design.

*DEVELOPMENT  
PROPOSALS*

7.3.4.7 Council shall require proponents of development that require stormwater management systems to:

(a) Use stormwater management measures to manage the storage and controlled flow of water to receiving watercourses;

(b) Use stormwater management measures which prevent siltation and erosion and do not negatively impact the water quality of receiving watercourses;

(c) Consider, where appropriate, enhancing the vegetation, wildlife habitats and corridors in and along the stormwater management system and the receiving watercourse; and

(d) Consider, where appropriate, providing public access to and along the stormwater management system and receiving watercourses for recreation.

*BEST  
AVAILABLE  
METHODS*

7.3.4.8 Council, in consultation with appropriate public agencies shall require proponents of development to employ the best available methods in the planning, construction and eventual use of storm water management systems.



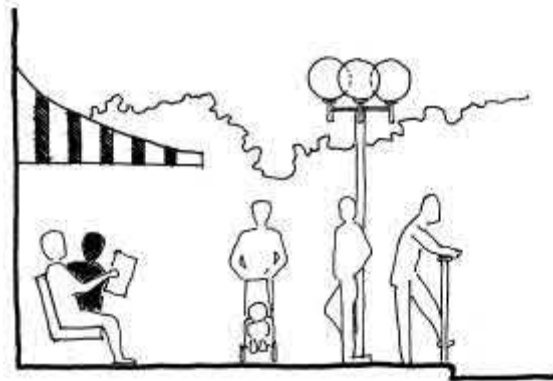
## 8.3 Design For People

### 8.3.1 Objectives

<i>COMFORT</i>	8.3.1.1	To achieve maximum user comfort in the design of new development.
<i>PEDESTRIAN SCALE</i>	8.3.1.2	To foster development that provides a pedestrian scale.
<i>SENSE OF PLACE</i>	8.3.1.3	To foster a sense of place within Windsor and its neighbourhoods.

### 8.3.2 Policies

<i>INTERPERSONAL COMMUNICATION &amp; OBSERVATION</i>	8.3.2.1	Council will encourage buildings and spaces to be designed to accommodate interpersonal communication and observation.
<i>PEDESTRIAN SCALE</i>	8.3.2.2	Council will encourage buildings and spaces that establish a pedestrian scale by promoting: <ul style="list-style-type: none"><li>(a) the placement of continuous horizontal features on the first two storeys adjacent to the road;</li><li>(b) the repetition of landscaping elements, such as trees, shrubs or paving modules; and</li><li>(c) the use of familiar sized architectural elements such as doorways and windows.</li></ul>
<i>REST AREAS</i>	8.3.2.3	Council will support the provision of furniture, stairs, walls, and benches in public spaces that provide comfortable rest areas for pedestrians.



*LIGHTING* 8.3.2.4 Council will encourage the use of lighting fixtures along Mainstreets and in residential and mixed use areas to reinforce the pedestrian orientation of the streetscape.

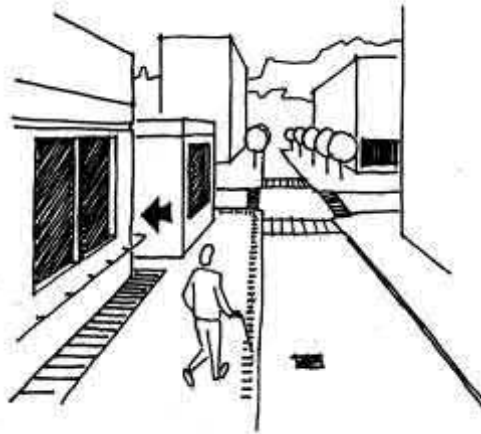
## 8.4 Pedestrian Access

### 8.4.1 Objective

*INTEGRATED DESIGN* 8.4.1.1 To integrate barrier-free pedestrian routes in the design of urban spaces.

### 8.4.2 Policies

*WAY-FINDING* 8.4.2.1 Council will encourage the design of pedestrian networks with a standard “way finding system” for persons with visual or hearing impairment. Design features may include raised letters, audio signals, large lettering, textured surfaces, coloured lines and patterns, and other clearly understandable directional cues.



*REMOVAL OF OBSTRUCTIONS* 8.4.2.2 Council will ensure that pedestrian movement is not obstructed by street furniture and landscaping elements.

*INTEGRATED DESIGN* 8.4.2.3 Council will ensure that barrier-free features are well integrated within existing and proposed pedestrian networks.

*RETROFITTING* 8.4.2.4 Council will ensure that retrofitting with barrier-free features is not detrimental to the architectural, historical and aesthetic value of heritage resources and buildings.

MINIMUM  
LANDSCAPING  
STANDARD

8.5.2.6

Council may establish:

- (a) a minimum standard for landscaping; and
- (b) a minimum landscaped area.

TREE  
CONSERVATION  
AND  
PROTECTION

8.5.2.7

Council will conserve and protect trees in accordance with the urban forestry policies of this Plan (see Environment Chapter).

ENERGY  
CONSERVATION

8.5.2.8

Council will encourage energy conservation through various guidelines that promote:

- ~~(a) developments to incorporate energy efficient designs;  
(Deleted by OPA #66-11/05/07-B/L209-2007)~~
- (a) energy efficient designs, materials and alternative energy sources such as water, wind and sun;  
(Added by OPA #66-11/05/07-B/L209-2007)
- ~~(b) a compact pattern of development that clusters compatible uses within close proximity to one another;  
(Deleted by OPA #66-11/05/07-B/L209-2007)~~
- (b) a compact, transit-oriented pattern of development that clusters compatible uses within close proximity to one another at densities that make transit service a viable investment;  
(Added by OPA #66-11/05/07-B/L209-2007)
- (c) landscaping that can assist in reducing heating and cooling requirements;
- (d) the conversion and reuse of buildings; and
- (e) a sustainable, effective and efficient transportation system.

EFFICIENT USE  
OF WATER

8.5.2.9

Council will encourage development to include features that reduce, control or treat site-runoff, use water efficiently and reuse or recycle water for on-site use when feasible.  
(Added by OPA #66-11/05/07-B/L209-2007)

## 8.7 Built Form

### 8.7.1 Objectives

<i>VARIED DEVELOPMENT PATTERN</i>	8.7.1.1	To achieve a varied development pattern which supports and enhances the urban experience.
<i>COMPLEMENTARY DESIGN</i>	8.7.1.2	To achieve a complementary design relationship between new and existing development, while accommodating an evolution of urban design styles.
<i>VISUAL INTEREST</i>	8.7.1.3	To maximize the variety and visual appeal of building architecture.
<i>ART AND LANDSCAPING</i>	8.7.1.4	To integrate art and landscaping with the built form.
<i>UNIQUE CHARACTER</i>	8.7.1.5	To enhance the unique character of a district, neighbourhood, prominent building or grouping of buildings.
<i>SIGNS</i>	8.7.1.6	To ensure that signs respect and enhance the character of the area in which they are located.
	8.7.1.7	To achieve external building designs that reflect high standards of character, appearance, design and sustainable design features. (Added by OPA #66-11/05/07-B/L209-2007)

### 8.7.2 Policies

<del><i>NEW DEVELOPMENT</i></del>	8.7.2.1	<del>Council will ensure that the design of new development: (Deleted by OPA #66-11/05/07-B/L209-2007)</del>
<i>NEW DEVELOPMENT</i>	8.7.2.1	Council will ensure that the design of new development: (Added by OPA #66-11/05/07-B/L209-2007)
		<ul style="list-style-type: none"> <li><del>(a) is complementary to adjacent development in terms of its overall massing, orientation and setback; (Deleted by OPA #66-11/05/07-B/L209-2007)</del></li> <li>(a) is complementary to adjacent development in terms of its overall massing, orientation, setback and exterior design, particularly character, scale and appearance; (Added by OPA #66-11/05/07-B/L209-2007)</li> <li>(b) provides links with pedestrian, cycle, public transportation and road networks; and</li> </ul>

- (c) maintains and enhances valued heritage resources and natural area features and functions.
- (d) Encourages the creation of attractive residential streetscapes through architectural design that reduces the visual dominance of front drive garages, consideration of rear lanes where appropriate, planting of street trees and incorporation of pedestrian scale amenities. (added by OPA #60-05/07/07-B/L85-2007-OMB Decision/Order No.2667, 10/05/2007)

REDEVELOPMENT  
AREAS

8.7.2.2

Council will ensure that the design of extensive areas of redevelopment achieves the following:

- (a) provides a development pattern that support a range of uses and profiles;
- (b) defines the perimeter of such an area by a distinct edge which may be formed by roads, elements of the Greenway System or other linear elements;
- (c) contains activity centres or nodes which are designed to serve the area and which may be identified by one or more landmarks;
- (d) provides transportation links to adjacent areas; and
- (e) maintains and enhances valued historic development patterns or heritage resources.
- (f) is complementary to adjacent development in terms of overall massing, orientation, setback and exterior design, particularly character, scale and appearance.  
(Added by OPA #66-11/05/07-B/L209-2007)

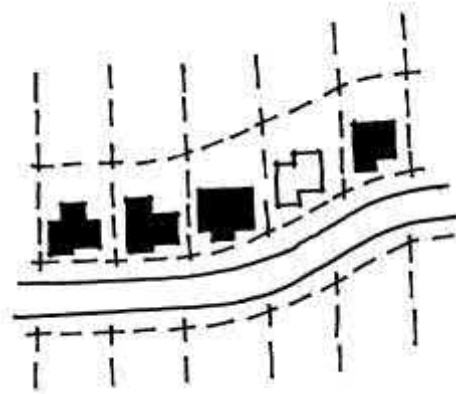
INFILL  
DEVELOPMENT

8.7.2.3

Council will ensure that proposed development within an established neighbourhood is designed to function as an integral and complementary part of that area's existing development pattern by having regard for:

- (a) massing;
- (b) building height;
- (c) architectural proportion;

- (d) volumes of defined space;
- (e) lot size;
- (f) position relative to the road; and
- (g) building area to site area ratios.
- (h) the pattern, scale and character of existing development;  
and,  
(Added by OPA #66-11/05/07-B/L209-2007)
- (i) exterior building appearance  
(Added by OPA #66-11/05/07-B/L209-2007)



*TRANSITION IN BUILDING HEIGHTS*

8.7.2.4

Council will ensure a transition among Very High, High, Medium and Low Profile developments through the application of such urban design measures as incremental changes in building height, massing, space separation or landscape buffer.

*CONTINUOUS BUILDING FACADES*

8.7.2.5

Council will require new development to support the creation of continuous building facades along Mainstreets through the street level presence of:

- (a) community facilities, retail shops, and other frequently visited uses; and
- (b) architectural features and elements which can be experienced by pedestrians.

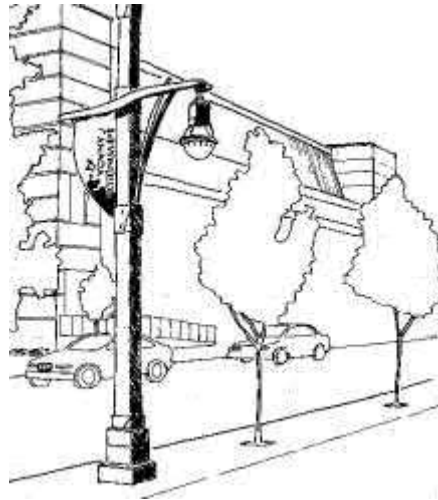


- (e) conserve energy; and
- (f) assist in orientation.

*FIXTURES*

8.11.2.3

Council will ensure that the number, location and design of signs and fixtures such as utilities and other service installations relate to the character of the surrounding neighbourhood and do not obstruct movement within the right-of-way.



*BOULEVARDS  
AND MEDIANS*

8.11.2.4

Council will support the provision of boulevard and median strips on roads of more than four lanes for aesthetic and safety reasons.

*LANDSCAPING  
FOR SEASONAL  
CONDITIONS*

8.11.2.5

Council will ensure the provision of sufficient landscaping along roads at various intervals in accordance with the following general principles:

- (a) provide windbreaks and shade along pedestrian and cycling networks;
- (b) enhance the urban forest;
- (c) frame desired views and vistas;
- (d) visually reinforce a location;
- (e) direct movement; and
- (f) enhance the image of Windsor.

## **8.13 Lighting**

### **8.13.1 Objectives**

- |   |          |  |
|---|----------|--|
| <i>VISIBILITY &amp; SAFETY</i>          | 8.13.1.1 | To ensure that lighting improves visibility and safety.                |
| <i>PROMINENT BUILDINGS &amp; SPACES</i> | 8.13.1.2 | To enhance prominent buildings and spaces through the use of lighting. |
| <i>MINIMIZE INTRUSION</i>               | 8.13.1.3 | To minimize intrusive lighting.  |

### **8.13.2 Policies**

- |                                 |          |  |
|---------------------------------|----------|--|
| <i>TRANSPORTATION SYSTEM</i>    | 8.13.2.1 | Council will promote lighting that improves safe movement along the transportation system.   |
| <i>PUBLIC SAFETY</i>            | 8.13.2.2 | Council will promote adequate lighting in areas where public safety is of concern and would be appropriate.  |
| <i>ORIENTATION</i>              | 8.13.2.3 | Council shall promote the use of lighting to accent steps, turns, ramps, transit stops and other features frequently encountered in the urban environment.   |
| <i>CIVIC IMAGE</i>              | 8.13.2.4 | Council will promote the lighting of prominent buildings, monuments and features to accentuate civic and architectural design.   |
| <i>COMPLEMENT NEIGHBOURHOOD</i> | 8.13.2.5 | Council will promote the use of lighting which complements and enhances the established character of an area or neighbourhood.   |
| <i>COMPATIBLE</i>               | 8.13.2.6 | Council will promote the use of lighting which is compatible in scale and intensity to the proposed activity, and tailored to the size, type and character of a development or space, where appropriate. |
| <i>INTRUSIVE LIGHTING</i>       | 8.13.2.7 | Council will encourage the use of lighting that avoids intrusive lighting onto adjacent properties.  |

## 11.7 Site Plan Control

Site Plan Control may be used to regulate the design of a development in accordance with the provisions of the *Planning Act*.

### 11.7.1 Objective

*URBAN DESIGN* 11.7.1.1 To implement the urban design policies of this Plan.

### 11.7.2 Policies

*SITE PLAN CONTROL AREA* 11.7.2.1 The entire area within the City of Windsor is designated as a Site Plan Control Area. ~~Council may enact a Site Plan Control By-law for all or part of the Site Plan Control area with immediate attention given to the following areas:~~

- ~~(a) The entire area within the City of Windsor is designated as a Site Plan Control Area; (Added by OPA #66-11/05/07-B/L209-2007)~~
- ~~(b) Commercial, industrial, mixed use, waterfront and medium and high-profile residential development areas;~~
- ~~(c) Areas subject to secondary plans or community improvement plans;~~
- ~~(d) The City Centre Planning District;~~
- ~~(e) Areas designated as heritage conservation districts;~~
- ~~(f) Areas subject to the environmental policies of this Plan; and~~
- ~~(g) Areas in need of improvement.~~

(Amended by OPA #89 effective 19/11/12)

*EXEMPTIONS* 11.7.2.2 Council may exempt the following developments from site plan control: (Added by OPA #66-11/05/07-B/L209-2007)

- ~~(a) An addition to an accessory building as defined in the Zoning By-law where such addition is for the purpose of replacing a temporary building or buildings, structure or structures, provided that the lot coverage of such addition does not exceed the lot coverage of the temporary building(s) or structures(s) it is intended to replace. A building to be used for residential purposes containing less than 25 dwelling units unless the building is:~~

~~(i) Subject to the environmental, heritage conservation and/or community improvement policies of this Plan;~~

~~(ii) Located in a Business Improvement Area;~~

~~(iii) Situated within and/or adjacent to a Civic Way, Theme Street, Gateway and/or Heritage Area as set out in Schedule G: Civic Image of this Plan;~~

~~(Amended by OPA #89 effective 19/11/12)~~

(b) ~~Small scale additions and small new buildings for commercial, combined commercial and residential, industrial or institutional use as noted in the Site Plan Control By law;~~

Small scale low profile residential development unless the property is:

(i) situated within an area that has been Designated a Heritage Conservation District under Part V of the Ontario Heritage Act;

(ii) situated within the following Community Improvement Plan (CIP) Areas:

- City Centre West Urban Village CIP;
- Glengarry-Marentette Waterfront Village CIP;
- Olde Sandwich Towne CIP.

(iii) situated within an area where Urban Design Guidelines have been adopted by Council;

(Amended by OPA #89 effective 19/11/12)

(c) A commercial or combined commercial and residential building provided that the total floor area, at grade, measured from the exterior walls does not exceed fifty (50) square metres;

(Added by OPA #89 effective 19/11/12)

(d) An addition to an existing commercial or combined commercial and residential building provided that the floor area measured, at grade, from the exterior walls of the addition does not exceed: i) fifty (50) square metres or ii) ten per cent (10%) of the total floor area, at grade, of the existing building, provided, that the ten percent (10%) does not exceed one hundred and fifty (150) square metres;

(Added by OPA #89 effective 19/11/12)

(e) An industrial or institutional building provided that the total floor area, at grade, measured from the exterior walls does not exceed on hundred (100) square metres;

(Added by OPA #89 effective 19/11/12)

(f) An addition to an existing industrial or institutional building provided that the total floor area, at grade, measured from the

exterior walls does not exceed i) one hundred square metres, or ii) ten per cent (10%) of the total floor area, at grade, of the existing building provided that the ten percent (10%) does not exceed two hundred and fifty (250) square metres;  
(Added by OPA #89 effective 19/11/12)

- (g) A temporary building or structure that is designed, constructed and placed on land in a manner which permits its removal after a period of time not to exceed one hundred and twenty (120) consecutive days;
- (h) A sign including any alternation to an existing sign;  
(Added by OPA #89 effective 19/11/12)
- (i) Building features or mechanical elements more particularly described as: a church spire, belfry, skylight, cupola, scenery loft chimney, smokestack, water tank, air-conditioning and/or heating equipment, ventilator, mechanical penthouse, protective and screening fences, communications equipment, pedestrian bridge, fire escape, building entrance/exit and canopy or awning, provided further that the said building feature or mechanical element is to be constructed separate and apart from any other development which requires approval;  
(Added by OPA #89 effective 19/11/12)
- (j) A parking area containing less than 5 parking spaces including all parking spaces, collector aisles and manoeuvring aisles, provided further that the said parking area is to be constructed separate and apart from any other developments as defined in this by-law which requires approval; and ~~A parking area capable of accommodating less than 5 parking spaces, including all parking spaces, collector aisles and maneuvering aisles, provided that the parking area is constructed separate and apart from any other development; and,~~  
(Amended by OPA #89 effective 19/11/12)
- (k) The placement of a portable classroom on a school site of a district school board if the school site was in existence on January 1, 2007.  
(Amended by OPA #89 effective 19/11/12)

*REVIEW  
PROCEDURES*

11.7.2.3 Site plan control applications shall consult with municipal staff prior to the submission of plans and drawings for approval under the provisions of the Planning Act. ~~An application for site plan control shall include plans and drawings showing one or more of the following:~~

- (a) ~~The location of all buildings, structures, facilities and works to be~~

~~provided as a part of the proposed development;~~

- ~~(b) Plan, evaluation and cross-section views of each building to be erected;~~
- ~~(c) The massing and conceptual design of the building(s);~~
- ~~(d) The relationship of the building(s), streets and exterior areas to which the public have access;~~
- ~~(e) Interior walkways, stairs, elevators and escalators to which the public have access;~~
- ~~(f) Facilities designed to have regard for accessibility for persons with disabilities;~~
- ~~(g) Matters relating to exterior design, including without limitation, the character, scale, appearance and design features of buildings and their sustainable design;~~
- ~~(h) Sustainable design elements on adjoining highways including trees, other vegetation and permeable paving materials; and,~~
- ~~(i) Street furniture, curb ramps, waste and recycling containers and bicycle parking facilities.~~  
(Amended by OPA #89 effective 19/11/12)

*PLANS &  
DRAWINGS*

11.7.2.4 An application for site plan control approval shall include the plans required by s.41 of the Planning Act. ~~An application for site plan control approval shall include the submission of plans and drawings showing the location of all buildings, structures, facilities and works to be provided as a part of the proposed development.~~  
(Amended by OPA #89 effective 19/11/12)

*ADDITIONAL  
INFORMATION  
FOR  
APPLICATION*

11.7.2.5 In addition to the provisions of Section 11.7.2.4, an application for site plan control approval shall include drawings showing plan and elevation views for each building to be erected and for each building to be used for residential purposes containing less than twenty-five dwelling units, which drawings are sufficient to display matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design.  
(Amended by OPA #89 effective 19/11/12)

*LOCATIONAL  
CRITERIA  
WHERE*

11.7.2.6 The provisions of Section 11.7.2.5 apply to the following:

- (a) Development situated within an area that has been designated a

*ADDITIONAL  
INFORMATION  
FOR  
APPLICATION IS  
REQUIRED*

- Heritage Conservation District under Part V of the Ontario Heritage Act;
- (b) Development situated within the following Community Improvement Plan (CIP) Areas;
- City Centre West Urban Village CIP;
  - Glengarry-Marentette Waterfront Village CIP;
  - Olde Sandwich Towne CIP;
- (c) Development situated within an area where Urban Design Guidelines have been adopted by Council;
- (d) Development situated with and/or adjacent to a Civic Way, Main Street, or Gateway area; and
- (e) Development situated in a Business Improvement Area.  
(Amended by OPA #89 effective 19/11/12)

*EVALUATION  
CRITERIA*

- 11.7.2.7 Where an application for site plan control approval is made, Council or its designate shall review the submission based on the provisions of the *Planning Act* and the Site Plan Control By-law, including such criteria as:
- (a) The relevant design guidelines and policies provided in Land use, Urban Design and Heritage Conservation chapters of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;
- (b) Other municipal guidelines as may be appropriate;
- (c) Function and efficiency;
- (d) Safety and access;
- (e) Adequacy of servicing;
- (f) Grading and drainage;
- (g) Landscaping and lighting;
- (h) Sustainable design elements for the site and any adjacent boulevard; (Added by OPA #66-11/05/07-B/L209-2007)
- (i) Matters related to exterior design; (Added by OPA #66-11/05/07-B/L209-2007)
- (j) Accessibility for persons with disabilities; and (Added by OPA #66-11/05/07-B/L209-2007)



- (k) The design guidelines in the Sandwich Heritage Conservation District Plan dated July 2008, adopted by By-law No. 22-2009. (OPA 68, effective October 19, 2012, OMB Case Order No. PL090206)
- (l) Olde Sandwich Towne – Community Improvement Plan Supplemental Development and Urban Design Guidelines dated October 2008, adopted by By-Law 28-2009. (OPA 69, effective October 19, 2012, OMB Case Order No. PL090206)
- (m) Applicable Community Improvement Plans.  
(Amended by OPA #89 effective 19/11/12)

*AGREEMENTS*      11.7.2.8      All applicants will normally enter into one or more agreements which the City may register on title in accordance with the *Planning Act*. All applicants shall be required to post security to the Municipality to ensure the conditions of the site plan control agreement(s) are fulfilled. (Added by OPA #66-11/05/07-B/L209-2007)

*CONDITIONS OF APPROVAL*      11.7.2.9      The approval authority may attach such conditions as it deems appropriate to the approval of an application in accordance with the *Planning Act*. Such conditions may include, but are not limited to the following: (Added by OPA #66-11/05/07-B/L209-2007)

- (a) A gratuitous land dedication at no expense to the municipality for highway widening and intersection improvements in accordance with section 7.2.6 of this Plan;
- (b) The conveyance of property for daylighting triangles and corner roundings in accordance with the City of Windsor Development Standards;
- (c) Street furniture, curb ramps, waste and recycling containers, bicycle parking facilities and the sustainable design elements on any adjoining highway under the Municipality’s jurisdiction including trees, other vegetation and permeable paving materials; and, (Added by OPA #66-11/05/07-B/L209-2007)
- (d) Facilities designed to have regard for accessibility for persons with disabilities. (Added by OPA #66-11/05/07-B/L209-2007)

## 11.8      **Community Improvement**

The Community Improvement provisions of the Planning Act allow municipalities to prepare community improvement plans for designated community improvement project areas that require community improvement as the result of age, dilapidation, overcrowding, faulty

# Appendix D

## City of Windsor Zoning By-law 8600

<b>Section 11</b>	<b>RESIDENTIAL DISTRICTS 2 (Medium Density Housing)</b>	
	RD2.1	Single-unit, duplex, semi-detached dwelling 11.1
	RD2.2	Single-unit, duplex, semi-detached, double duplex, multiple (4 units max), townhome dwelling 11.2
	RD2.3	Single-unit, semi-detached & townhome dwelling 11.4
	RD2.4	Single-unit, semi-detached dwelling 11.5
	RD2.5	Single-unit, semi-detached, duplex, townhome, multiple dwelling 11.6
	RD2.6	Semi-detached dwelling 11.10
<b>Section 12</b>	<b>RESIDENTIAL DISTRICTS 3 (High Density Housing)</b>	
	RD3.1	Multiple (9 or 14 m height) & other dwellings 12.1
	RD3.2	Multiple (18 or 24 m height) & other existing dwellings 12.3
	<b>RD3.3</b>	<b>Multiple (24 or 30 m height) &amp; other existing dwellings 12.4</b>
	RD3.4	Townhome, multiple dwelling, residential care facility, lodging house, convent/monastery - all as existing 12.5
	RD3.5	Multiple dwelling, residential care facility 12.6
	RD3.6	Multiple & other dwellings 12.6
	RD3.7	Multiple dwelling (1.9 floor area ratio) 12.7
	RD3.9	Multiple dwelling (4:1 gross floor area ratio) 12.8
	RD3.10	Multiple dwelling (2.5:1 gross floor area ratio) 12.8
	RD3.11	Multiple dwelling (as existing) 12.8
	RD3.12	Multiple dwelling (2 storey building height) 12.9
	RD3.14	Multiple dwelling, assisted living, long term care facility 12.9
	RD3.15	Multiple dwelling, residential care facility, lodging house 12.10
<b>Section 13</b>	<b>INSTITUTIONAL DISTRICTS 1</b>	
	ID1.1	Church, School, Day Nursery 13.1
	ID1.2	Church, School, Hospital, Residential Care Facility 13.2
	ID1.3	College, University, Church, School 13.3
	ID1.4	Place of Entertainment and Recreation, other Institutional uses 13.5
	ID1.5	Correctional Facility 13.5
	ID1.6	Church, School, Day Nursery 13.6
	ID1.7	13.7
<b>Section 14</b>	<b>COMMERCIAL DISTRICTS 1</b>	
	CD1.1	Neighbourhood Convenience 14.1
	CD1.2	Neighbourhood Convenience, Combined Use Building 14.1
	CD1.3	Neighbourhood Convenience, Combined Use Building, Other Dwellings 14.2
	CD1.4	Office 14.3
	CD1.5	Club 14.4
	CD1.6	Restaurant 14.4
	CD1.7	Parking Area, Public Parking Area 14.5
	CD1.8	Grocery Store 14.5
	CD1.9	Place of Entertainment and Recreation, Restaurant 14.6
	CD1.11	Grocery Store, Place of Entertainment 14.6
	CD1.12	Neighbourhood Convenience 14.7
<b>Section 15</b>	<b>COMMERCIAL DISTRICTS 2</b>	
	CD2.1	General Commercial 15.1
	CD2.2	General Commercial, Combined Use Building 15.2
	CD2.3	Service Station, Gas Bar 15.3
	CD2.4	Marina 15.4
	CD2.5	General Commercial, Combined Use Building 15.4
	CD2.6	Automobile Sales Lot, Business Office 15.5
	CD2.7	General Commercial (East Riverside) 15.6

## 12.3 RESIDENTIAL DISTRICT 3.3 (RD3.3)

### 12.3.1 PERMITTED USES

*Lodging House*  
*Multiple Dwelling*  
*Religious Residence*  
*Residential Care Facility*

Any of the following *existing* dwellings:

*Double Duplex Dwelling*  
*Duplex Dwelling*  
*Semi-Detached Dwelling*  
*Single Unit Dwelling*

Any use accessory to any of the preceding uses

### 12.3.5 PROVISIONS

- |     |  |                              |
|-----|--|------------------------------|
| .1  | Lot Frontage – minimum   | 45.0 m                       |
| .2  | Lot Area – minimum   |                              |
|     | For a <i>corner lot</i> having a minimum <i>lot frontage</i> of 45.0 m on each of the <i>exterior lot lines</i> :  |                              |
|     | a) For the first 23 <i>dwelling units</i>  | 1,825.0 m <sup>2</sup>       |
|     | b) For each additional <i>dwelling unit</i>  | 37.0 m <sup>2</sup> per unit |
|     | For any other <i>lot</i> :   |                              |
|     | c) For the first 19 <i>dwelling units</i>  | 1,825.0 m <sup>2</sup>       |
|     | d) For each additional <i>dwelling unit</i>  | 45.0 m <sup>2</sup> per unit |
| .3  | Lot Coverage – maximum   | 35.0%                        |
| .4  | Main Building Height – maximum   |                              |
|     | <i>Corner Lot</i>  | 30.0 m                       |
|     | <i>Interior Lot</i>  | 24.0 m                       |
| .8  | Landscaped Open Space Yard – minimum   | 35.0% of <i>lot area</i>     |
| .13 | Dwelling Unit Density – <i>dwelling units</i> per hectare – maximum  |                              |
|     | For a <i>corner lot</i> having a minimum <i>lot frontage</i> of 45.0 m on each of the <i>exterior lot lines</i>  |                              |
|     |  | 225 units per ha             |
|     | For any other <i>lot</i>   |                              |
|     |  | 180 units per ha             |
| .50 | A <i>Lodging House</i> for the accommodation of 10 persons or less, and any use accessory thereto, shall comply with the <i>Single Unit Dwelling</i> provisions of Section 10.1.5 and further, the whole of the <i>building</i> shall be used for a <i>Lodging House</i> , including any <i>accessory use</i> . [ZNG/5630] |                              |
|     | (AMENDED by B/L 95-2019, Sept. 27/2019)  |                              |
| .55 | An addition to an existing <i>Double Duplex Dwelling</i> , existing <i>Duplex Dwelling</i> , existing <i>Semi-Detached Dwelling</i> or an existing <i>Single Unit Dwelling</i> and any use accessory to the foregoing uses, shall comply with the provisions of Section 11.2.5.  |                              |