

PLANNING RATIONALE REPORT

ZONING BY-LAW AMENDMENT FOR PROPOSED RESIDENTIAL DEVELOPMENT

**3025 Rivard Avenue,
City of Windsor, Ontario**

October 14, 2025

Prepared by:



Tracey Pillon-Abbs, RPP
Principal Planner
Chatham, ON
226-340-1232
tracey@pillonabbs.ca
www.pillonabbs.ca

Table of Contents

1.0	INTRODUCTION	3
2.0	SITE AND SURROUNDING LAND USES	5
2.1	Legal Description, Ownership and Previous Use	5
2.2	Physical Features of the Site	6
2.2.1	Size and Site Dimension	6
2.2.2	Vegetation and Soil	7
2.2.3	Topography and Drainage	7
2.2.4	Other Physical Features	7
2.2.5	Municipal Services	8
2.2.6	Nearby Amenities	8
2.3	Surrounding Land Uses	8
3.0	PROPOSAL AND CONSULTATION	12
3.1	Development Proposal	12
3.2	Public Consultation Strategy	14
4.0	PROPOSED APPLICATION AND STUDIES	18
4.1	Zoning By-law Amendment	18
4.2	Other Application	18
4.3	Supporting Studies	19
4.3.1	Archaeology	19
4.3.2	Parking	19
4.3.3	Services	19
5.0	PLANNING ANALYSIS	20
5.1	Policy and Regulatory Overview	20
5.1.1	Provincial Planning Statement	20
5.1.2	Official Plan	25
5.1.3	Windsor Intensification Guidelines	33
5.1.4	Zoning By-law	36
6.0	SUMMARY AND CONCLUSION	44

6.1	Context and Site Suitability Summary	44
6.1.1	Site Suitability	44
6.1.2	Compatibility of Design	44
6.1.3	Good Planning	44
6.1.4	Natural Environment Impacts	44
6.1.5	Municipal Services Impacts	45
6.1.6	Social, Cultural and/or Economic Conditions	45
6.2	Conclusion	45

1.0 INTRODUCTION

I have been retained by Raymax Construction Ltd. (herein the 'Applicant'), to provide a land use Planning Rationale Report (PRR) in support of a proposed residential development for property located at 3025 Rivard Avenue (herein the "Site") in the City of Windsor, Province of Ontario.

The Site is located within the Fountainbleu Planning District (Ward 8).

The Site is located on the west side of Rivard Avenue, north of Queen Elizabeth Drive and south of Grand Boulevard.

The Site is an irregularly shaped interior lot comprising one parcel of land, which was recently merged (following a previous severance from adjacent lands) and is currently vacant.

There is one accessory structure (shed) on the Site, which will be removed.

The Applicant intends to develop the Site for residential use.

It is proposed to construct a new 2-storey multiple dwelling with a total of 8 residential dwelling units.

On-site parking for 9 spaces is proposed, located in front of the proposed building, with access from Rivard Avenue.

The tenure of the units will be rentals.

The Site has access to full municipal services, including storm, sewer and water.

Stage 1 pre-consultation (City File PC-031/25) was completed by the Applicant. Comments dated May 12, 2025 (as revised), were received and have been incorporated into the proposed application.

Stage 2 pre-submission (City File PC-082/25) was completed by the Applicant. Comments were received and have been incorporated into the proposed application.

An application for a Zoning By-law Amendment (ZBA) is required in order to permit the proposed development, in addition to the required support studies.

The purpose of the ZBA is to provide for more housing through residential intensification and infilling.

The purpose of this report is to review the relevant land use documents, including the Provincial Planning Statement (PPS) 2024, the City of Windsor Official Plan (OP) and the City of Windsor Zoning By-law (ZBL) as they pertain to the ZBA application.

This PRR will show that the proposed development is consistent with the PPS, conforms with the intent and purpose of the OP and ZBL, and represents good planning.

2.0 SITE AND SURROUNDING LAND USES

2.1 Legal Description, Ownership and Previous Use

The Site is located within the Fountainbleu Planning District (Ward 8) and is currently vacant.

The Site was purchased by the Applicant in 2024.

A recent severance was approved (B-018-25), which added land from the abutting institutional property.

The lots have merged into 1 parcel of land in 2025.

There is one accessory structure (shed) on the Site, which will be removed.

The Site is an irregularly shaped interior parcel of land located on the west side of Rivard Ave, north of Queen Elizabeth Dr and south of Grand Blvd (see the area in **yellow** in the Key Map on Figure 1a).

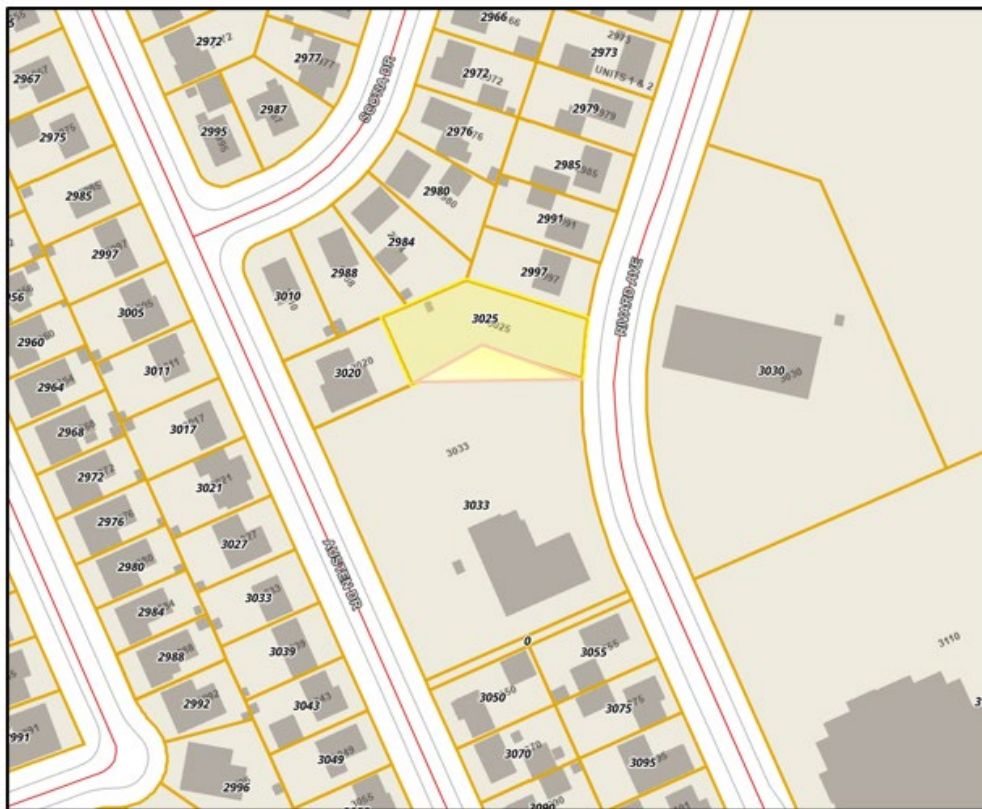


Figure 1a – Key Map (Source: City of Windsor GIS)

The previous use was vacant land for an institutional use (outdoor greenspace for a place of worship).

There is an existing easement [Part 1, Plan 12R-17820 (Bell Canada)] that impacts the Site.

The Site is legally described and locally known as follows:

Address	ARN	Legal	PIN
3025 Rivard Avenue, Windsor, Ontario,	070-440-14501	PT BLK E PL 1636 WINDSOR DESIGNATED AS PART 1 ON PLAN 12R-21843; CITY OF WINDSOR	01378 - 0476 LT
		BLK E PL 1636 WINDSOR BEING PTS 1 & 2 12R17820; S/T R411272; CITY OF WINDSOR	01378 - 0475 LT

2.2 Physical Features of the Site

2.2.1 Size and Site Dimension

The Site consists of a total area of 1,511.8 m² or 0.15 ha (based on 12R-17820 and 12R-21843).

The Site has a frontage of 18.29 m along Rivard Avenue and an irregular depth (see street view of Site in Figure 1b).



Figure 1b – Street View, from Rivard Avenue (Source: Pilon Abbs Inc.)

2.2.2 Vegetation and Soil

The Site has a maintained lawn and trees.

Soil is made up of Brookston Clay Loam (Bcl).

2.2.3 Topography and Drainage

The Site is flat.

The Site is outside the limit of the regulated area of the Essex Region Conservation Authority (ERCA).

The Site is part of the Little River Drainage Area.

The Site is outside of any source water protection Event Based Area (EBA).

2.2.4 Other Physical Features

There is no existing driveway.

There is fencing along a portion of the Site, owned by others.

2.2.5 Municipal Services

The property has access to municipal water, storm and sanitary services.

ENWIN Utilities Ltd services the Site.

There are fire hydrants located close to the Site.

There are streetlights along the west side of Rivard Avenue.

There are sidewalks along the east side of Rivard Avenue.

There is on-street parking and a bike route along Rivard Avenue.

Rivard Avenue is a Class II Collector Road with two-way traffic.

The Site is close to major transportation networks, including Pillette Road, Jefferson Blvd, E.C. Row Expressway and Tecumseh Road East.

The closest existing transit route to this property is the Ottawa 4. The nearest existing bus stop is located directly across the street from this property, on Rivard, at the Fontainebleau Public Library, providing direct transit access to the Site.

2.2.6 Nearby Amenities

There are several schools close to the Site, including WJ Langlois Catholic Elementary School and William G Davis Public School.

There are many parks and recreation opportunities near the Site, including Fountainbleu Park, Coletta Park, Shawnee Park, and Thurston Park.

There are nearby commercial establishments, including food service, personal service shops, and retail outlets.

There are also nearby employment lands, places of worship, medical facilities, libraries and local/regional amenities.

2.3 Surrounding Land Uses

Overall, the Site is located in a built-up area with a mix of residential and institutional uses.

There is a variety of densities, lot areas and lot frontages in the immediate area of the Site.

A site visit was conducted on April 23, 2025.

North – The lands to the north of the Site are used for residential (see Photo 1 - North).



Photo 1 – North (Source: Pillon Abbs Inc.)

East – The lands directly to the east of the Site are used for institutional (Windsor Public Library Fountainbleu Branch, WJ Langlois Catholic Elementary School and Fountainbleu Park) (see Photos 2 – East).





Photos 2 – East (Source: Pillon Abbs Inc.)

South – The lands directly to the south of the Site are used for institutional uses (Ambassador Community Church) (see Photo 3 - South).



Photo 3 – South (Source: Pillon Abbs Inc.)

West – The lands directly to the west of the Site are used for residential (rear yards of properties fronting along Austen Dr and Scotia Dr) (see Photo 4 – West).



Photo 4 – West (Source: Pillon Abbs Inc.)

3.0 PROPOSAL AND CONSULTATION

3.1 Development Proposal

The Site is an irregularly shaped interior lot comprising 1 parcel of land, which was recently merged and is currently vacant.

There is one accessory structure (shed) on the Site, which will be removed.

The Applicant intends to develop the Site for residential use.

It is proposed to construct a new multiple dwelling.

A concept plan has been prepared (see Figure 2a – Concept Plan).

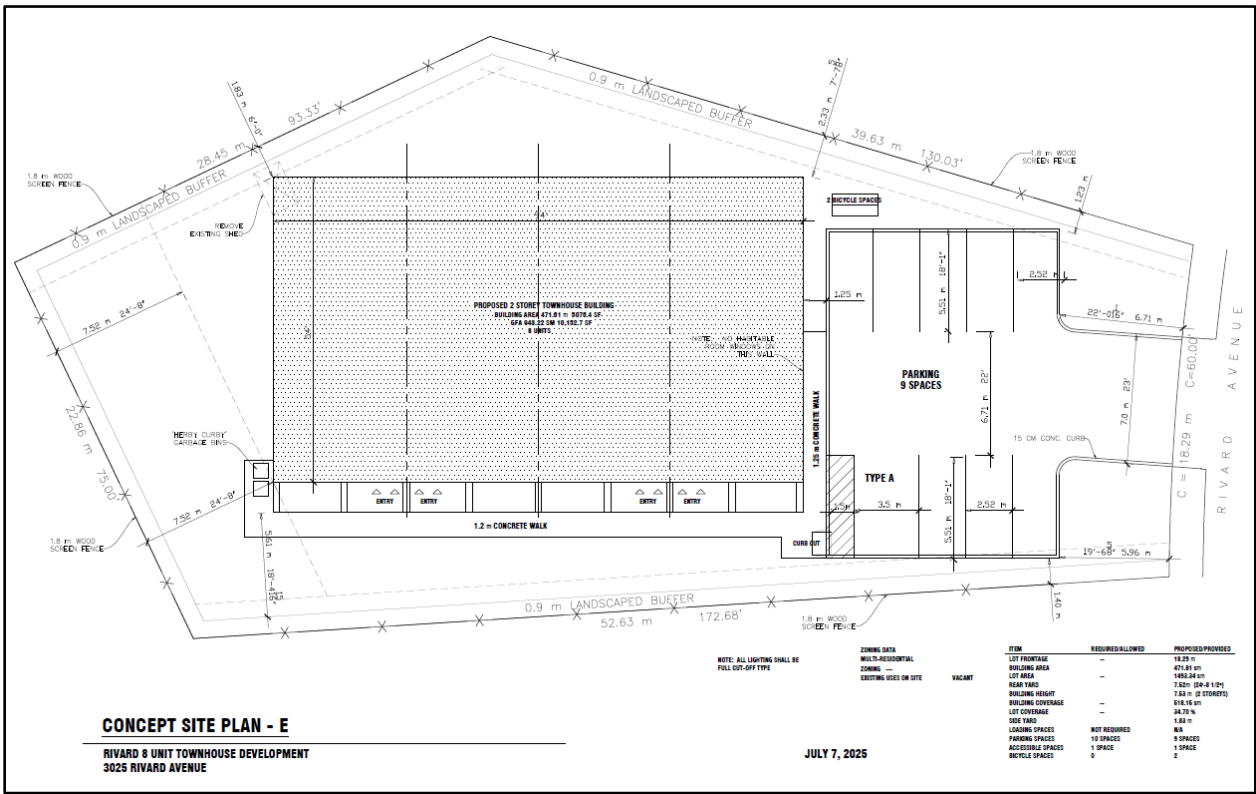


Figure 2a – Concept Plan

The concept plan illustrates the proposed layout of the lot. The plan is conceptual.

The proposed building will be 471.61 m² in size and 2 storeys (7.53 m) in height.

A total of 8 residential dwelling units is proposed.

Architectural drawing of the front elevation of a two-story townhouse. The drawing shows a symmetrical design with a central entrance and two side entrances. The roof is gabled with a central dormer. The facade features horizontal siding, vertical siding, and decorative elements like pilasters and cornices. Callouts identify various materials and dimensions. A title block at the bottom left reads "FRONT ELEVATION" and "BOWARD TOWNHOUSE". A date stamp at the bottom center reads "JULY 7, 2020".

The elevation illustrates the proposed dwelling from ground level. The elevation is conceptual.

Private balconies will be located only on the south side of the proposed building.

Tenure of the units will be rentals.

The final design of the proposed development and the Site will be addressed at the time of a building permit, including floor plan details.

A new 7.0 m driveway is proposed to access the paved parking area.

A 1.8 m high wood privacy fence along the north, south and west property lines is proposed to be provided.

Amenity space, landscaping and paved sidewalks will be proposed.

Garbage and recycling will be located behind the proposed building in bins.

The proposed development will be serviced by full municipal infrastructure, including water, storm and sanitary sewer.

3.2 Public Consultation Strategy

The Planning Act requires that the Applicant submit a proposed strategy for public consultation with respect to an application as part of the complete application requirements.

As part of a public consultation strategy, in addition to the statutory public meeting, an informal in person and electronic public open house was held with area residents and property owners on June 4, 2025, from 6:00 pm to 7:00 pm at the Ambassador Community Church, 3033 Rivard Ave, Windsor and via Zoom.

The open house provided members of the public with opportunities to review and comment on the proposed development.

A total of **153 owners** and tenants were notified, which represents a **200 m radius** from the Site.

In addition to the Applicant, Applicant representative, Ward Councillor and City Staff, **10 people** attended.

Phone or email comments were also received.

The following is a summary of the comments and questions received, along with the responses provided.

Topic Item	Comments and Questions	Response
Fencing	Will there be fencing?	Yes, fencing is proposed.
Timing	When will construction start?	The earliest would be spring 2026.
Building Type and Options	A semi or duplex would be a better option for development. You could include ADUs. How many bedrooms? You need to have 3 bedrooms per unit. The parcel of land should be kept as a park. Many people enjoy the space. The school uses the space as well. This is our favorite park.	A semi-detached dwelling with UDUs would total 6 units. The proposed development is 8 units, which is only 2 more units. Each unit will have 2 bedrooms. Density is appropriate as the Site is very deep and large. The Site is not a public park.

Topic Item	Comments and Questions	Response
	Will there be elevations? The unit is too big. We are not against new housing, just not in this area.	
Tenure and Maintenance	Will these be rentals? Will there be a condo corporation? Who will maintain the property? Rentals are a concern. How much would the rent be?	Yes, rentals are proposed. No condo corporation. A property management company will take care of grass cutting, snow removal, repairs, etc. At this time, the rent would be approximately \$2,000 to \$2,500 per month.
Flooding	There have been pipes that have broken (not sure what kind). Development will make this worse. Flooding on that land has also been an issue.	An FSR will be prepared.
PPS and Need	The development does not support the PPS policies. There is no need for housing. People are not desperate for a place to live. You will just attract Yuppies. There are no benefits to this development. Keep the zoning the same.	There is a need for more housing. Services and local amenities are available. The Site is outside of the ERCA regulated area.
Traffic	The development will make traffic congestion worse. There is already an issue with traffic in the area now with the	A traffic study was not warranted for this size of development. Rivard Ave has been built to accommodate traffic.

Topic Item	Comments and Questions	Response
	schools, church, library, tennis courts, etc. The road cannot take any more cars, especially fancy sports cars. Too many buses. Children use to walk to school.	It is not anticipated that the proposed development will have an impact on Rivard Ave.
Parking	The development will make parking congestion worse. There is already an issue with parking in the area now with the park, etc. Movie night in the park makes it hard to park in the area. The library parking is always full. The church even offers overflow parking for the school. You need to provide 2 cars per unit (total 16 parking spaces) because each unit will have 2 bedrooms. Each person will have their own car. People will get tickets if they park on the street. There is no street parking.	A parking study will be provided. If the study recommends more parking, then the Applicant will review. Parking is based on units and not bedrooms. There is on-street parking along Rivard Ave. The Site is pedestrian friendly with access to nearby transit and bike lanes.
Consultation	The developer should have done door-to-door. Why are we just hearing about this now?	The open house is the first step in engaging neighbours.
Safety and Neighbourhood	Children will be at risk because of this development. There are multiple schools in the area.	It is not anticipated that the development will impact safety. The proposed development will offer a new housing choice for the existing neighbourhood.

Topic Item	Comments and Questions	Response
	They are not well (mentally and physically) and always need help from teachers. Some will run off into the street. Some need to go for a walk. This is a very young and beautiful community. People are very active. Walking in the area is currently unsafe. This proposal is not good for the community. This will compromise the neighbourhood. People do not need a choice.	Multiple schools in the area is a benefit to the neighbourhood.
Trees and Shed	We are okay if the shed comes down. We are concerned about any trees being removed.	The Applicant will work with the City on any tree removal.
Amenity Space	There is not enough amenity space. Where are children supposed to play?	Amenity spaces will be provided, including outdoor seating. Children will have the option to use the nearby park and open space.
Property Values	How will this be impacted? Does the City not care about taxes?	Research has shown that values can either increase, or they can decrease. This is all dependent on the housing market. MPAC assess the properties, and the City applies a tax rate.
Noise	There is currently noise congestion.	The proposed development will not increase noise.
Past OMB Decision	We fought against a similar proposal for a 10-unit development of single detached dwellings in 1979-1980, and we won.	Noted.

Topic Item	Comments and Questions	Response
	We are going to fight this development as well.	

4.0 PROPOSED APPLICATION AND STUDIES

Stage 1 pre-consultation (City File PC-031/25) was completed by the Applicant. Comments dated May 12, 2025 (as revised), were received and have been incorporated into the proposed application.

Stage 2 pre-submission (City File PC-082/25) was completed by the Applicant. Comments were received and have been incorporated into the proposed application.

The required application and support studies were identified.

The following is a summary of the purpose of the required applications and the support studies.

4.1 Zoning By-law Amendment

A site specific application for Zoning By-law Amendment (ZBA) is required in order to permit the proposed development.

The Site is currently zoned "Residential District 1.1 (RD1.1)" on Map 11 of the City of Windsor Zoning By-Law 8600.

It is proposed to rezone the Site to a site-specific Residential District 3.1 (RD 3.1- S.20(1)XXX) category to permit the proposed multiple dwelling with eight (8) residential units.

All RD3.1 zone provisions shall comply with the exception of certain requirements which require relief.

The purpose of the ZBA is to provide for more housing through residential intensification and infilling.

Further analysis and additional information are provided in Section 5.1.4 of this PRR.

4.2 Other Application

Prior to any construction, the proposed development will require a building permit.

The proposed development is not subject to Site Plan Control (SPC).

4.3 Supporting Studies

The following supporting studies have been completed as part of this PRR in support of the application for the zoning amendment.

4.3.1 Archaeology

A Stage 1-2 Archaeological Assessment was prepared by AMICK Consultants Limited, dated July 7, 2025.

The purpose of the report is to assess the Site for any archaeological potential.

It was concluded that no archaeological resources were encountered, and no further assessment is warranted.

The report has been filed with the Ministry.

4.3.2 Parking

A Parking Study was prepared by RC Spencer Associates Inc., dated July 2025.

The purpose of this report is to assess whether the parking supply provided will meet the demand required for the proposed use of the development.

The proposed development requires 10 parking spaces, and 9 spaces are provided.

The Site is located near on-street parking on the west side of Rivard Avenue, close to existing active transportation facilities and near reliable transit options.

It was concluded that the parking requirement could be reduced, and the proposed 9 spaces should be adequate to accommodate the peak parking demand generated by the proposed development.

4.3.3 Services

A Functional Servicing Report (FSR) was prepared by RC Spencer Associates Inc., dated July 10, 2025, and further revised on October 14, 2025.

The purpose of the report is to assess the sanitary, storm and water services in relation to the proposed apartment development.

It was concluded that the proposed development can be serviced with the existing infrastructure.

5.0 PLANNING ANALYSIS

5.1 Policy and Regulatory Overview

5.1.1 Provincial Planning Statement

The Provincial Planning Statement, 2024 (PPS) provides policy direction on matters of provincial interest related to land use planning and development.

The PPS was issued under Section 3 of the *Planning Act* and came into effect on October 20, 2024.

All decisions affecting planning matters shall be consistent with the PPS.

The following provides a summary of the key policy considerations of the PPS as they relate to the proposed development.

PPS Policy #	Policy	Response
Chapter 1 - Vision	Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of housing options will support a diverse and growing population and workforce, now and for many years to come.	The proposed development provides more housing, which is an important part of the vision for the Province.
Chapter 2.1.4 – Buildings Homes, Sustaining Strong and Competitive Communities	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	The proposed development will help provide for a mix of housing options and densities in an existing built up area. Housing will help to meet the needs of the City. Full municipal services are available.

PPS Policy #	Policy	Response
	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, including units in draft approved or registered plans.	
2.1.6	Planning authorities should support the achievement of complete communities by: a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs; b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society;	The proposed development is consistent with the policy to achieve complete communities, as the Site is located near local amenities. The proposed development will provide a new housing option in an existing neighbourhood. The Site has access to transportation options, public service facilities, other institutional uses, and parks. Accessibility of the units will be addressed at the time of a building permit.
2.2.1 - Housing	Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by: a) establishing and implementing minimum targets for the provision of housing that is affordable to	The proposed development is a new housing choice for the neighbourhood. The proposed development supports the City's targets for providing new housing. The needs of the residents can be accommodated as the

PPS Policy #	Policy	Response
	low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs; b) permitting and facilitating: 1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and 2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3; c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to	Site is located near local amenities. The Site offers an opportunity for intensification and infilling. The proposed density is appropriate. There is a variety of lot frontages and lot areas in the area. Residents will have access to nearby transit and nearby active transportation.

PPS Policy #	Policy	Response
	transit, including corridors and stations.	
2.31.1 – Settlement Area	Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.	The Site is located in an existing settlement area of the City of Windsor, where development is encouraged. The Site has always been intended for residential use, as set out in the City OP.
2.3.1.2	Land use patterns within settlement areas should be based on densities and a mix of land uses which: a) efficiently use land and resources; b) optimize existing and planned infrastructure and public service facilities; c) support active transportation; d) are transit-supportive, as appropriate	The total density of the proposed development is considered appropriate. The Site offers an opportunity for infilling by creating new residential dwelling units. The proposed height and massing of the dwellings will blend with the existing residential uses in the area. Buffering can be provided (ie fencing and setbacks). The Site is a large parcel of land, which makes infilling and intensification appropriate. Residents will have immediate access to shopping, employment, recreational areas and institutional uses. Transit is available for the area. Active transportation is available in the area. The Site is pedestrian friendly.
2.3.1.3	Planning authorities shall support general intensification and redevelopment to support	The proposed development provides an infill opportunity for an existing parcel of land.

PPS Policy #	Policy	Response
	the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.	The Site was always intended for residential development. The design of the proposed development has provided a compact form.
2.3.1.4	Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.	The City has established targets. The proposed development will assist in meeting those targets as the Site is located in an existing built-up area and will add new residential housing.
2.3.1.6	Planning authorities should establish and implement phasing policies, where appropriate, to ensure that development within designated growth areas is orderly and aligns with the timely provision of the infrastructure and public service facilities.	The Site has access to existing infrastructure and nearby public service facilities.
Chapter 3.1.1 – Infrastructure and Facilities	Infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs.	The proposed development has access to full municipal services. There are nearby public service facilities.
3.3.3 - Transportation	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.	The proposed development will not have a negative impact on nearby transportation and infrastructure corridors.
3.6.2	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	The proposed development will be serviced by municipal sewer, water and storm, which is the preferred form of servicing for settlement areas.

PPS Policy #	Policy	Response
	and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.	An FSR has been provided and summarized in Section 4.3.3 of this PRR.
4.1.1 – Natural Heritage	Natural features and areas shall be protected for the long term.	There are no natural heritage features that impact the Site.
4.2 - Water	Planning authorities shall protect, improve or restore the quality and quantity of water by: b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;	An FSR has been provided and summarized in Section 4.3.3 of this PRR.
4.6.2 – Cultural Heritage and Archaeology	Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.	Stage 1 and 2 assessments has been provided and summarized in Section 4.3.1 of this PRR. Engagement was also included.
Chapter 5.1.1 – Protecting Public Health and Safety	Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.	There are no natural or human-made hazards that apply to this Site. There is no risk to the public. The Site is outside the ERCA regulated area.

Therefore, the proposed development is consistent with the PPS.

5.1.2 Official Plan

The City of Windsor Official Plan (OP) was adopted by Council on October 25, 1999, approved in part by the Ministry of Municipal Affairs and Housing (MMAH) on March 28, 2000, and the remainder approved by the Ontario Municipal Board (OMB) on November 1, 2002. Office consolidation version is dated September 7, 2012.

The OP implements the PPS and establishes a policy framework to guide land use planning decisions related to development and the provision of infrastructure and community services throughout the City.

The lands are designated "Residential" according to Schedule "D – "Land Use" attached to the OP for the City of Windsor (see Figure 4 –OP).

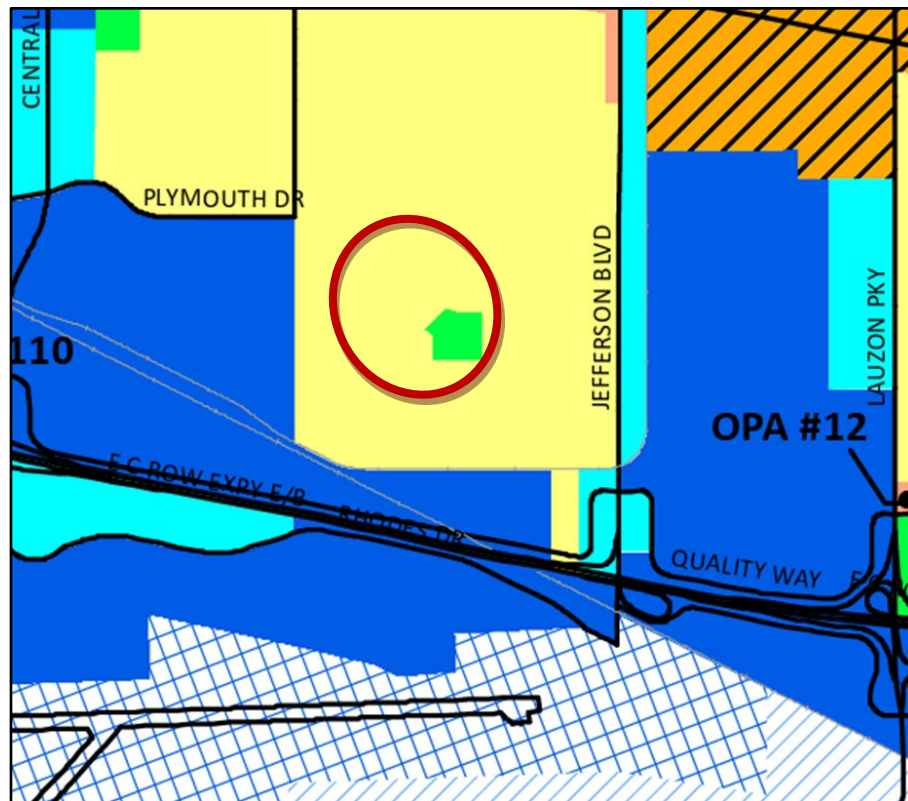


Figure 4 –OP

The Site is also subject to the following:

- Schedule A - Planning Districts & Policy Areas – Fountainbleu
- Schedule B - Greenway System - Proposed Recreationway (Rivard Avenue)
- Schedule 'C-1' - Archaeological Potential – Archaeological Potential Zone
- Schedule F - Roads & Bikeways - Class II Collector Road (Rivard Avenue)

The following provides a summary of the key policy considerations of the OP as it relates to the proposed development.

OP Policy #	Policy	Response
3.2.1.2 – Housing Variety	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.	The proposed residential development supports one of the City's overall development strategies of providing for a range of housing types. The proposed development is close to transit and local amenities.
3.3.3 - Neighbourhoods	Neighbourhoods are the most basic component of Windsor's urban structure and occupy the greatest proportion of the City. Neighbourhoods are stable, low-to-medium-density residential areas and are comprised of local streets, parks, open spaces, schools, minor institutions and neighbourhood and convenience scale retail services. The three dominant types of dwellings in Windsor's neighbourhoods are single detached, semi-detached and townhouses. The density range for Windsor's neighbourhoods is between 20 to 35 units per net hectare. This density range provides for low and some medium-density intensification to occur in existing neighbourhoods. Multiple dwelling buildings with medium and high-densities are encouraged at nodes identified in the Urban Structure Plan.	The proposed residential development is in an existing built-up area of the City. The proposed residential dwelling units will blend with the surrounding area. The Site offers appropriate infilling within the existing settlement area. The area has access to nearby amenities, such as public spaces, commercial nodes, and recreational activities. The proposed density offers an opportunity to efficiently use municipal infrastructure. The Site will provide for more housing in an existing built-up area.

OP Policy #	Policy	Response
4.0 – Healthy Community	The implementing healthy community policies are interwoven throughout the remainder of the Plan, particularly within the Environment, Land Use, Infrastructure and Urban Design chapters, to ensure their consideration and application as a part of the planning process.	The proposed development will support the City's goal of promoting a healthy community (live, work and play). The proposed development is close to nearby transit, employment, shopping, local/regional amenities, and parks.
6.0 - Preamble	A healthy and livable city is one in which people can enjoy a vibrant economy and a sustainable healthy environment in safe, caring and diverse neighbourhoods. In order to ensure that Windsor is such a city, Council will manage development through an approach which balances environmental, social and economic considerations.	The proposed development supports the policy set out in the OP as it is suited for the residential needs of the City.
6.1 - Goals	In keeping with the Strategic Directions, Council's land use goals are to achieve: 6.1.1 Safe, caring and diverse neighbourhoods. 6.1.3 Housing suited to the needs of Windsor's residents. 6.1.10 Pedestrian oriented clusters of residential, commercial, employment and institutional uses. 6.1.14 To direct residential intensification to those areas of the City where transportation, municipal services, community facilities	The proposed development supports the goals set out in the OP as it provides for housing that is suited to residents in this area of Windsor and is close to employment and schooling opportunities. Full municipal services are available to support infilling and intensification of the Site.

OP Policy #	Policy	Response
	and goods and services are readily available.	
6.2.1.2 – Types of Development Profile	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.	The proposed development of the residential dwelling units is considered a low-profile building. The proposed height is 2 storeys.
6.3.1.1 - Residential	To support a complementary range of housing forms and tenures in all neighbourhoods.	The proposed development provides for a new housing choice in an existing built-up area. The proposed development will blend with the built form of the neighbourhood.
6.3.1.2	To promote compact neighbourhoods which encourage a balanced transportation system.	The existing neighbourhood has access to transportation options, including transit.
6.3.1.3 – Intensification Infill & Redevelopment	To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.	The Site provides an opportunity for infilling within an existing built-up area and will connect existing neighbourhoods.

OP Policy #	Policy	Response
6.3.2.1 – Permitted Uses	Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile , and Medium Profile dwelling units. High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors.	It is proposed to construct a multiple dwelling, which is a permitted low profile use.
6.3.2.3 – Type of Low Profile Housing	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.	The proposed development is considered small scale. A total of 8 residential units are proposed.
6.3.2.4 - Location	Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up to four (4) storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas. New residential development and intensification 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.	The Site has access to major transportation networks. Full municipal services are available. Access to transit is available with bus stops nearby.

OP Policy #	Policy	Response
6.3.2.5 - Evaluation	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; (v) and 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) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas. In Mature Neighbourhoods as shown on Schedule A-1, compatible with the surrounding area, as noted above, and consistent with the streetscape, architectural style and materials, landscape character and setback	This PRR has addressed provincial legislation in Section 5.1.1. There are no constraints that impact the Site. There are no known nuisances. There is no known contamination. The Site has been vacant for several years. Traffic generated from the proposed development is not expected to have any negative impact. There are no heritage concerns that impact the Site. The proposed development is in keeping with policies and plans. There are no secondary plans that impact the Site. The proposed development is compatible with the area as it is in keeping with the character of the existing neighbourhood. There are many different densities, lot areas and lot frontages in the area. A Parking Study has been provided and summarized in Section 4.3.2 of this PRR. The proposed height of the buildings will be kept low

OP Policy #	Policy	Response
	between the buildings and streets; (d) provided with adequate off street parking; (e) capable of being provided with full municipal physical services and emergency services; and (f) facilitation a gradual transition from Low Profile residential development to Medium and/or High Profile development and vice versa, where appropriate, in accordance with Design Guidelines approved by Council.	profile, similar to the existing dwellings in the area. The massing of the development will fit well with the size of the existing lot. The Site is not in a mature neighbourhood, as shown on Schedule A-1 of the OP. Off street parking is provided, and the proposed reduction is not anticipated to have any negative impacts on the neighbourhood. Buffering can be provided. Full municipal services are available. The proposed development will be professionally designed. The City of Windsor intensification guidelines will be followed. All RD3.1 zone provisions shall comply with the exception of certain provisions. Justification is provided in Section 5.1.4 of this PRR.
7.0 - Infrastructure	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,	The Site is close to nearby transit, has access to major transportation networks and can be serviced with full municipal services. There will be no negative impacts on the municipal system, and it will not add to

OP Policy #	Policy	Response
	orderly and coordinated fashion.	the capacity in a significant way.
9.1.1 – Heritage Conservation	The identification, recognition, protection, conservation, enhancement and proper management of heritage resources.	The Site is considered low potential. The required study has been completed and summarized in Section 4.3.1 of this PRR.

Therefore, the proposed development conforms to the City of Windsor OP, and no amendment is required.

5.1.3 Windsor Intensification Guidelines

The City of Windsor Intensification Guidelines were approved in June 2022.

The document is guided by the community vision articulated in the OP and is built on the principles of 'compatible' development. The objective of the guidelines is to provide direction for the design of future uses that respect the unique character of Windsor's neighbourhoods.

The following provides a summary of the key policy considerations of the guidelines as they relate to the proposed development.

Guideline Policy #	Policy	Response
1.7 – Compatible Development	"Compatible Development" is an overarching principle of good planning, applicable throughout the City of Windsor, and its definition needs to be clearly understood, and applied in different ways, in different contexts throughout the City.	The proposed development is compatible with its surroundings. There are many different densities, lot areas and lot frontages in the neighbourhood. The Site is a large parcel of land, which makes infilling and intensification appropriate. The OP encourages a mix of densities and types of housing in an existing neighbourhood.

Guideline Policy #	Policy	Response
		The Site only impacts lots located at the rear and 1 side of the Site. There are no safety, privacy or shadowing impacts on abutting properties.
2.1 – Stable Neighbourhood	Achieving compatibility in Stable Neighbourhoods is not about replicating the existing form or reproducing architectural styles or details of nearby buildings. Rather, the focus is to direct how new development can be designed to maintain and preserve neighbourhood character. New development in Stable Neighbourhoods should be designed to respond to the basic neighbourhood patterns and reoccurring characteristics, such as lot patterns; placement and orientation; scale, height, and massing of dwellings; existing vegetation; topography; and other common or distinctive elements.	The proposed development can be designed to maintain and preserve the neighbourhood's character. The building can be placed on the Site to ensure appropriate setbacks from the abutting properties are provided. The height can be limited to 9.0 m, which is similar to the maximum height of a single detached dwelling allowed in the neighbourhood. Buffering and screening in the form of landscaping and fencing can be provided around the proposed parking area. Balconies can be limited to the south side of the proposed building. The Site is flat, making it conducive to vehicle access and maneuvering.
	Architecture - Architectural styles, in some cases vary dramatically, while in other neighbourhoods, convey consistency. While a rigorous adherence to a particular form or style is neither desirable nor realistic there are key elements of all building	The final design of the proposed multiple dwelling will be completed as part of the required building permit. The density is appropriate, and the lot coverage is low (34.70% of the land).

Guideline Policy #	Policy	Response
	designs that can be used to ensure that different forms and styles can coexist alongside one another in a compatible and complementary manner;	
	Lot Size/Frontage - Streets that display the most diversity in terms of lot size and street frontage are not necessarily negative in terms of community character. Varying lot sizes and frontages can accommodate a diversity of housing types and built forms. To support this variety and diversity as a positive attribute, it is important to ensure that the development is appropriate for the site and within the context of the surrounding built form;	The lot size and frontage are appropriate for the proposed development. No new lot is being created. Minor relief from the RD3.1 zone provisions is required.
	Setbacks - Front and side yard setbacks are character giving elements within these neighbourhoods that establish both the building's relationship with the street, and the visual separation between buildings. Consistency in building setbacks, regardless of built form, is a key character giving element of any street;	All setbacks will be evaluated as part of the ZBA and justified in Section 5.1.4 of this PRR.
	Parking - Dealing with the issue of parking is often a flashpoint in the conversation about residential intensification. Parking must be appropriately accommodated on the site of any specific residential development, and that parking supply may be augmented by onstreet parking, or in parking	Parking is proposed to be located at the rear of the Site. A Parking Study has been provided and summarized in Section 4.3.2 of this PRR. All setbacks will be evaluated as part of the ZBA and justified in Section 5.1.4 of this PRR.

Guideline Policy #	Policy	Response
	spaces provided in communal facilities. A lack of parking supply, with too much reliance on on-street parking has a significant negative impact on community character and may impact the functional operation of the street network.	

Therefore, the proposed development is in keeping with the guidelines.

5.1.4 Zoning By-law

The City of Windsor Zoning By-law (ZBL) #8600 was passed by Council on July 8, 2002, and then a further Ontario Municipal Board (OMB) decision was issued on January 14, 2003.

A ZBL implements the PPS and the City OP by regulating the specific use of property and providing for its day-to-day administration.

The Site is currently zoned "Residential District 1.1 (RD1.1)" on Map 11 of the City of Windsor Zoning By-Law 8600 (see Figure 5 – ZBL).

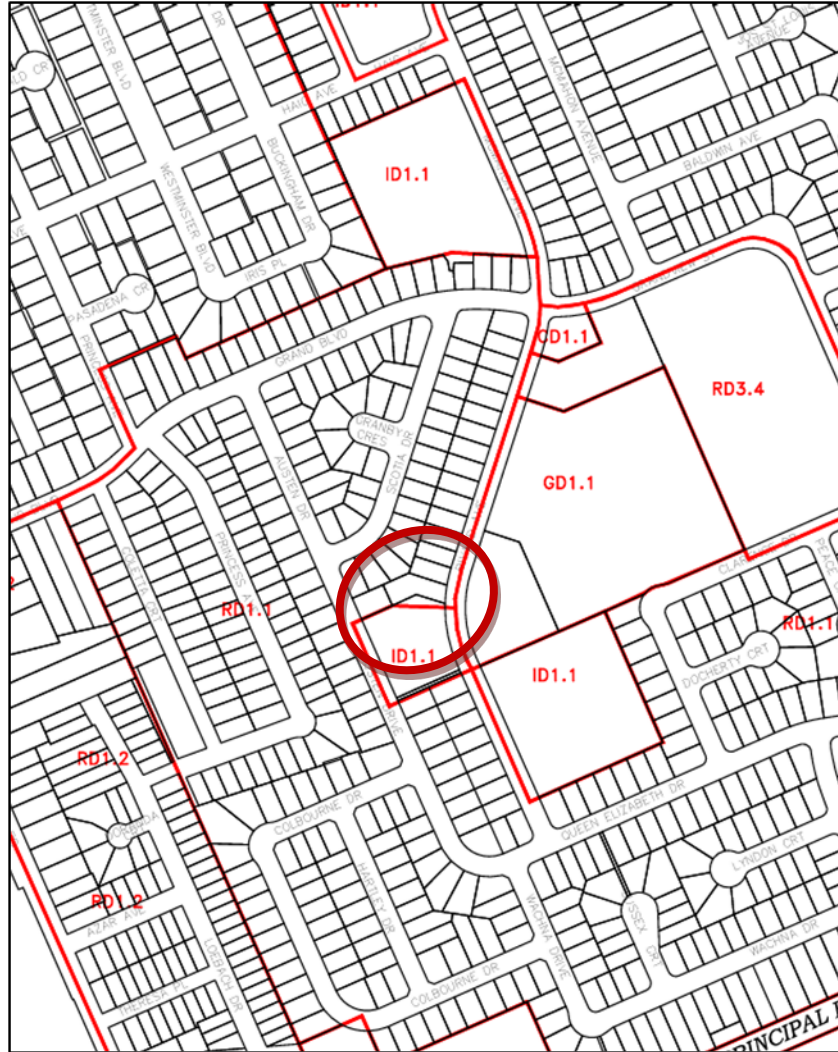


Figure 5 – ZBL

It is proposed to rezone the Site to a site-specific Residential District 3.1 (RD 3.1- S.20(1)XXX) category to permit the proposed multiple dwelling with eight (8) residential units.

MULTIPLE DWELLING means one dwelling containing a minimum of three dwelling units. A double duplex dwelling, semi-detached dwelling, stacked dwelling, or townhome dwelling is not a multiple dwelling.

A review of the RD3.1 zone provisions, as set out in Sections 12.1 of the ZBL, is as follows:

Zone Regulations	Required RD3.1	Proposed RD 3.1- S.20(1)XXX	Compliance and/or Relief Requested with Justification
Permitted Uses	Double Duplex Dwelling Duplex Dwelling Lodging House Multiple Dwelling Religious Residence Residential Care Facility Semi-Detached Dwelling Single Unit Dwelling (Existing) Townhome Dwelling Any use accessory to any of the preceding uses	Multiple Dwelling with 8 units	Complies, subject to the approved ZBA The Site is large enough to accommodate the proposed development. Parking, landscaping and buffering can be provided.
Minimum Lot Frontage	18.0 m	18.29 m	Complies Both parcels of land have merged into one.
Minimum Lot Area	For any other lot: a) For the first 4 dwelling units - 540.0 m2 b) For each additional dwelling unit - 85.0 m2 per unit TOTAL = 540.0 + 340 = 880 m2	1,511.81 m2	Complies
Maximum Lot Coverage	35.0%	33.4 % (517.8 m2 / 1,551.8 m2)	Complies

Zone Regulations	Required RD3.1	Proposed RD 3.1- S.20(1)XXX	Compliance and/or Relief Requested with Justification
Maximum Main Building Height	Interior Lot - 10.0 m	7.53 m (2 storeys)	Complies
Minimum Front Yard Depth	6.0 m	>6.0 m	Complies
Minimum Rear Yard Depth	7.50 m	7.52 m	Complies
Minimum Side Yard Width	a) Where a habitable room window of any dwelling unit faces a side lot line – 6.0 m b) Any other side yard - 3.0 m	North side – 1.83 m South side - 5.42 m	Relief is required for both sides of the proposed dwelling. The lot is irregular in space and only impacts the corners of the proposed building. Relief will allow the Site to be used more efficiently. Access for property maintenance and emergencies can still be provided. Privacy, showing, and the enjoyment of abutting lands will not be impacted.
Minimum Landscaped Open Space	35.0 % of lot area	>35.0 %	Complies

Zone Regulations	Required RD3.1	Proposed RD 3.1- S.20(1)XXX	Compliance and/or Relief Requested with Justification
Encroachment into a Yard Table 5.30.10	Balcony - Maximum Encroachment into Required Side Yard: 25% of the required side yard width 1.36 m (Required) (5.42 m x 0.25)	1.63 m (Provided)	Relief required. The difference is 0.27 m. Relief is considered minor.
Encroachment into a Yard Table 5.30.10	Porch - Minimum Separation from side lot line: Minimum side yard width required by the zoning district 5.42 m (Required)	3.82 m (Provided)	Relief required. The difference is 1.3 m. Relief is considered minor.
Minimum Parking Requirements 24.20.5.1	Multiple Dwelling containing a minimum of 5 Dwelling units - 1.25 for each dwelling unit Total 8 x 1.25 = 10	9	Relief required A reduction of 1 parking space is requested. A Parking Study has been prepared and summarized in Section 4.3.2 of this PRR. One parking space is provided for each proposed residential unit and 1 additional barrier-free parking space.

Zone Regulations	Required RD3.1	Proposed RD 3.1- S.20(1)XXX	Compliance and/or Relief Requested with Justification
			The proposed reduction will not have any impact the neighbourhood. The Site is close to transit, active transportation, and there is on street parking available in the area.
Minimum Visitor Parking Spaces 24.22.1.1	Multiple Dwelling with a minimum of five dwelling units = 15 %	TBD	Shall Comply
Minimum Accessible Parking Spaces 24.24.1.1	1 to 25 Total 1 Type A and 0 Type B	1	Complies
Minimum Bicycle Parking Spaces 24.30.1.1	1 to 9 Total = 0	2	Shall Comply
Minimum Loading Spaces 24.40.1.5	For a Multiple Dwelling with 9 - 1,000 m ² or less Total = 0	0	Complies
Parking Area Separation 25.5.20.1	Any Street – 3.00 m	East side – 6.71 m	Complies
	An interior lot line or alley – 0.90 m	North side – 1.23 m South side – 1.40 m	Complies
	A building wall in which is located a main pedestrian entrance facing the parking area – 2.00 m	N/A – no entrance along the east wall	Complies

Zone Regulations	Required RD3.1	Proposed RD 3.1- S.20(1)XXX	Compliance and/or Relief Requested with Justification
	A building wall containing a habitable room window or containing both a main pedestrian entrance and a habitable room window facing the parking area where the building is located on the same lot as the parking area – 4.50 m	N/A – no habitable room windows on the east wall	Complies
Location of Parking, Visitor Parking 24.26.5	A parking space, visitor parking space or accessible parking space is prohibited in a required front yard or required landscaped open space yard, except on a lot occupied by a single-unit dwelling, semi-detached dwelling, duplex dwelling or a townhome dwelling unit, a parking space, visitor parking space or accessible parking space is permitted in a	There are no parking spaces located in the front yard.	Complies Section 24.28.1.1 permits an access area to cross a required front yard to provide access to a parking space.

Zone Regulations	Required RD3.1	Proposed RD 3.1- S.20(1)XXX	Compliance and/or Relief Requested with Justification
	required front yard.		

Therefore, the proposed development does comply with the intent and purpose of the ZBL, with the exception of the following requested RD3.1 zone provisions relief:

- Decrease the minimum side yard width from 6.0 to 1.83 m (north side) and 5.42 m (south side),
- Increase the maximum encroachment into a side yard for a balcony from 1.36 m to 1.63 m,
- Decrease the minimum side yard width for porch encroachment from 5.42 m to 3.82 m, and
- Decrease the minimum parking requirement from 10 to 9.

6.0 SUMMARY AND CONCLUSION

6.1 Context and Site Suitability Summary

6.1.1 Site Suitability

The Site is ideally suited for residential development for the following reasons:

- The land area is sufficient to accommodate the proposed development,
- The Site is flat, which is conducive to easy vehicular movement,
- The Site has access to full municipal water, storm and sewer systems,
- There are no anticipated noise, traffic or parking concerns,
- There are no environmental concerns, and
- There are no hazards.

6.1.2 Compatibility of Design

The Site is compatible with the surrounding area in terms of scale, massing, height and siting.

The development of a multiple dwelling is proposed to be an efficient use of the Site.

The proposed density is appropriate for the Site and the surrounding area.

6.1.3 Good Planning

The proposal represents good planning as it addresses the need for more housing in an existing built-up area of the City.

The proposed residential dwelling units will contribute toward infilling and intensification requirements.

Residential use on the Site represents an efficient development pattern that optimizes the use of land in an existing built-up area that has residential uses surrounding the Site.

The additional residential dwelling units will not put any additional stress on municipal infrastructure or the current Site.

6.1.4 Natural Environment Impacts

The proposal does not have any negative natural environmental impacts, as there are no natural heritage features on the Site.

6.1.5 Municipal Services Impacts

There will be no negative impacts on the municipal system as the residential development is limited to low profile and will not add to the capacity in a significant way.

6.1.6 Social, Cultural and/or Economic Conditions

The proposed development does not negatively affect the social environment as the Site is in close proximity to major transportation networks, transit, parks, places of worship and community amenities.

The proposed development does not cause any public health and safety concerns.

The proposal represents a cost-effective development pattern that minimizes land consumption and servicing costs.

There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal development opportunity.

There are no cultural heritage concerns.

6.2 Conclusion

The proposed development on the Site is appropriate and should be approved by the City of Windsor.

This PRR has shown that the proposed development is consistent with the PPS, conforms with the intent and purpose of the City of Windsor OP and ZBL, and represents good planning.

Planner's Certificate:

I hereby certify that this report was prepared by Tracey Pillon-Abbs, a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.


Tracey Pillon-Abbs, RPP
Principal Planner

