

PLANNING RATIONALE REPORT

ZONING BY-LAW AMENDMENT FOR PROPOSED MIXED USE DEVELOPMENT

**2525 Annie Street,
City of Windsor, Ontario**

September 08, 2025

Prepared by:



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1.0 INTRODUCTION

I have been retained by Larlyn Holdings Inc. (herein the 'Applicant'), to provide a land use Planning Rationale Report (PRR) in support of a proposed mixed use development for property located at 2525 Annie Street (herein the "Site") in the City of Windsor, Province of Ontario.

The Site is made up of 2 parcels of land with access over 2 rights-of-way within the Forest Glade Planning District (Ward 8).

The Site currently has an existing commercial building (currently vacant) and an on site parking area.

The Applicant is proposing to develop the Site for mixed use (residential and commercial).

It is proposed that a renovation and addition to the existing building be constructed.

A total of 13 residential units is proposed, with one 33.63 m² commercial unit for a business office.

The residential units are proposed to be located on the first and second floors, and the commercial unit on the first floor.

The proposed building will be 2 storeys in height.

There is existing parking on site for 10 vehicles. Seven additional parking spaces are proposed for a total of 17 on-site parking spaces.

Stage 1 pre-consultation (City File PC-105/24) was completed by the Applicant. Comments dated October 30, 2024, and further revised on November 19, 2024, were received and have been incorporated into the proposed application.

Stage 2 pre-submission (City File PC-064/25) was completed by the Applicant. Comments dated August 22, 2024, 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 required support studies.

The purpose of the ZBA is to provide more housing through intensification while retaining some commercial use.

Once the ZBA is considered, the application will proceed with a Site Plan Control (SPC) amendment application.

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 has been owned by Larlyn Holdings Inc., since 2006.

The Site is made up of 2 parcels of land with access over 2 rights-of-way within the Forest Glade Planning District (Ward 8).

The Site was subject to a past Consent (CON) application (B-071/01).

The Site currently has an existing commercial building (currently vacant) and an on-site parking area.

The Site is an interior parcel of land on the south side of Annie Street and the east side of Meadowbrook Lane and Sycamore Drive (see the area in **yellow** in the Key Map on Figure 1a).



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

The previous use of the Site was an outdoor storage yard/gravel parking area from at least 1966 to 1983 (Part 1, 12R-18901).

Rose Avenue (west portion) was realigned between 1969-1973.

The Site is legally described and locally known as follows:

Address	ARN	Legal	PIN
2525 Annie Street, City of Windsor, Province of Ontario	070-770-00700	PT ROSE AV PL 1151 SANDWICH EAST CLOSED BY R963716 AS IN R1023061; S/T R1017560E; WINDSOR	01380- 0077 (LT)
2525 Annie Street, City of Windsor, Province of Ontario	070-770-00700	PT ROSE AVE (CLOSED BY R844364) PL 1151 WINDSOR, PT 1 PL 12R18901 T/W R.O.W. OVER PTS 2 & 3 PL 12R18901 AS IN LT326049	01380- 0155 (LT)

2.2 Physical Features of the Site

2.2.1 Size and Site Dimension

The Site has a total area of 1,483 m² (0.1483) with 20.1 m frontage along Annie Street and a depth of 20.11 m.

The Site is a rectangular-shaped lot and has access from Annie Street (see street view of Site on Figure 1b).



Figure 1b – Street View, from Annie Street (Source: Pillon Abbs Inc.)

2.2.2 Vegetation and Soil

The Site largely has a maintained lawn, landscaping and trees.

Soil is made up of Brookston Clay (Bc).

2.2.3 Topography and Drainage

The Site is flat and 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 not impacted by a source water protection Event Based Area (EBA).

2.2.4 Other Physical Features

There is an existing right-of-way north of the vacant Site, which provides access to Annie Street.

A portion of this Site includes parking spaces for the property to the north and will need to be removed.

There is an existing access from Annie Street to the parking area of the Site with the existing building.

There is an existing 4.57 m wide Windsor Utilities Commission water easement along the south property line.

2.2.5 Municipal Services

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

There are fire hydrants located in the area of the Site.

Streetlights and sidewalks are located in the area of the Site.

Annie Street ends in front of the Site.

There is a signalized intersection at Annie Street and Tecumseh Road East.

The Site is close to major transportation networks, including Tecumseh Road East and Lauzon Parkway.

The Site has access to transit, with the nearest bus stop (290 m) located at the corner of Annie Street and Tecumseh Road East (Stop ID: 1177, Buses #1C, 4 and 10).

2.2.6 Nearby Amenities

There are several schools close to the Site, including Roseville Public School, Forest Glade Public School Primary Learning Centre and Forest Glade Public School.

There are many parks and recreation opportunities in proximity to the Site, including Teddie Park, Hawthorne Park, Meadowbrook Park, Bush Park Field and Bush Park.

There are nearby commercial uses, such as food service, personal service shops, and retail.

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

2.3 Surrounding Land Uses

Overall, the Site is located in an established build-up area of the City of Windsor with a mix of commercial and residential uses.

A site visit was conducted on October 28, 2024.

North – The lands to the north of the Site are used for commercial with frontage along Annie Street and Tecumseh Road East (see Photo 1 - North).



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

East – The lands directly to the east of the Site are used for residential with frontage along a private road which leads to Lauzon Road (see Photo 2 – East).



Photo 2 – East (Source: Google Maps)

South – The lands directly to the south of the Site are used for residential with frontage along Sycamore Drive (see Photos 3 - South).



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

West – The lands directly to the west of the Site are used for residential and commercial with frontage along Meadowbrook Lane (see Photos 4 – West).



Photos 4 – West (Source: Pillion Abbs Inc.)

The proposed dwellings will face north.

A rendering has been prepared (see Figure 2b – Rendering).



Figure 2b – Rendering

The rendering illustrates the proposed elevation of the dwelling.

The proposed building will be 2 storeys.

Based on the area of the Site with the existing structure (0.082 ha) and the number of proposed units (13), the proposed development will result in a gross density of 87.66 units per hectare (uph).

A total of 13 residential units is proposed, with one 33.63 m² commercial unit for a business office.

Units will include 1 or 2 bedrooms.

The tenure of the residential and commercial units will be rental.

Access will remain from Annie Street.

There is existing parking on site for 10 vehicles. Seven additional parking spaces are proposed for a total of 17 on-site parking spaces.

Paved sidewalks will be provided connecting the building to the parking area.

Garbage and recycling will be provided on-site in a fence enclosure, if required.

Existing trees will remain. Landscaping and amenity spaces will be provided.

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

The final design will be subject to SPC and building permit, at which the sewer connections, water services, encroachments and access will be confirmed.

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 hybrid (electronic and in person) public open house was held with area residents and property owners on Thursday, December 5, 2024, from 6:00 pm to 7:00 pm at 2525 Annie Street and via Zoom.

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

A total of **345** impacted properties were notified, which represents a **200 m** radius from the Site.

In addition to the applicant representatives and City Staff, there were no residents who registered or attended the open house in person or electronically.

No emails or phone calls were received.

4.0 PROPOSED APPLICATION AND STUDIES

Stage 1 pre-consultation (City File PC-105/24) was completed by the Applicant. Comments dated October 30, 2024, and further revised on November 19, 2024, were received and have been incorporated into the proposed application.

Stage 2 pre-submission (City File PC-064/25) was completed by the Applicant. Comments dated August 22, 2024, 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 "Commercial District 3.3 (CD3.3)" on Map 15 of the City of Windsor Zoning By-Law 8600.

It is proposed to further amend the zoning for the Site to a site specific "Commercial District 3.3 - XX (CD3.3-XX)" zone category to permit the proposed mixed use building (combined use building and/or multiple dwelling) with 13 residential units (first and second floors) and 1 commercial unit for a business office (first floor).

All CD3.3 zone provisions shall comply with the exception that some relief is requested.

Further analysis and additional information are provided in Section 5.1.3 of this PRR.

4.2 Other Applications

Once the ZBA is considered, the application will proceed with a Site Plan Control (SPC) amendment application.

If easements are required for services, Consent (CON) applications will be submitted to the Committee of Adjustment.

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

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 Sewer

A Servicing Assessment Report was prepared by Haddad Morgan & Associates Ltd., dated February 4, 2025, and a Video Inspection Report and Site Service Assessment Memo were prepared by Haddad Morgan & Associates Ltd., dated June 5, 2025.

The purpose of the report and memo was to locate the existing services at the Site and assess the impacts of the proposed development on the infrastructure.

It was concluded that the existing services are acceptable.

It was recommended that the sanitary private drain connection be excavated during construction, in order to ascertain the integrity of the pipe at the pipe size transition and cleanout.

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.

The following provides a summary of the key policy considerations of the PPS as it relates 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. A prosperous and successful Ontario will also support a strong and competitive economy that is investment-ready and recognized for its influence, innovation and diversity. Ontario's economy will continue to mature into a centre of industry and commerce of global significance. Central to this success will be the people who live and work in this province.	The proposed development provides more housing and employment opportunity in an existing built up area of the City of Windsor.

PPS Policy #	Policy	Response
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 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.	The proposed development will help provide for new housing options and densities to meet the needs of the City. Full municipal services are available.
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, longterm 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	The proposed development is consistent with the policy to achieve complete communities as the Site is located in an existing built up area. The proposed development will provide for new housing. The Site has access to transportation options, public service facilities, other institutional uses, and parks. Accessibility will be addressed at the time of a building permit.

PPS Policy #	Policy	Response
	barriers which restrict their full participation in society;	
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 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	The proposed development is a new housing option for the area. The proposed development supports the City's targets. The needs of the residents can be accommodated as the Site is located near local amenities. The Site offers an opportunity for intensification and infilling. The proposed density is appropriate for the Site. Residents will have access to nearby transit. The commercial use will provide for economic development.

PPS Policy #	Policy	Response
	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 transit, including corridors and stations.	
2.3.1.1 – 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.
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 on an existing vacant and underutilized parcel of land and a re-use of an existing structure on a lot. The proposed height and massing of the dwellings will blend with the existing residential uses in the area as there are a mix of profiles and uses in the surrounding area. Residents will have immediate access to

PPS Policy #	Policy	Response
		shopping, employment, transit, active transportation, recreational areas and institutional uses. Transit is available for the area. Active transportation is available in the area.
2.3.1.3	Planning authorities shall support general intensification and redevelopment to support 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 proposed development provides an infill opportunity for a vacant parcel of land and a re-use of an existing structure. The Site was always intended for development. The design of the proposed development has provided a compact form which will respect the character of the area. The Site is located in a transition area between existing commercial and residential uses.
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 and commercial uses.
2.8.1.1 - Employment	Planning authorities shall promote economic development and competitiveness by: a) providing for an appropriate mix and range of employment, institutional, and broader	The proposed development offers a new employment opportunity. There is a need. There have been many different types of office use in the past.

PPS Policy #	Policy	Response
	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; d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities;	The proposed development will be suitable. The proposed development uses the land in an appropriate way and is compact. Infrastructure is provided. The proposed development has been designed to be compatible with the existing built up area.
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 and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.	The proposed development will be serviced by municipal sewer, water and storm, which is the preferred form of servicing for settlement areas. A Sewer Memo has been provided and summarized in Section 4.3.1 of this PRR.

PPS Policy #	Policy	Response
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. The existing trees will remain.
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;	There is no anticipated impact on water quantity or quality.
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).

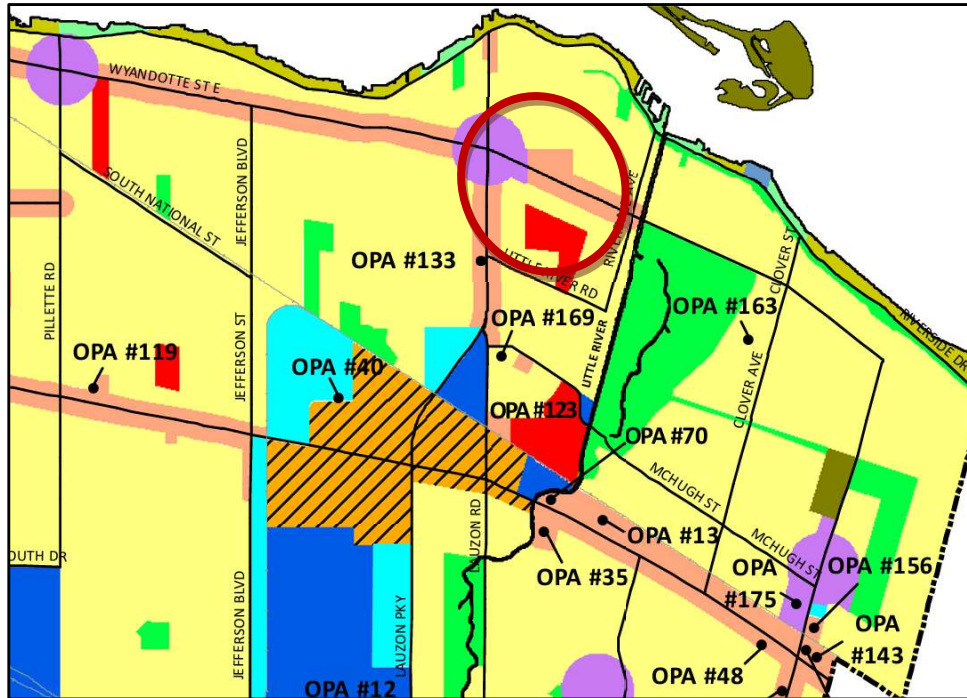


Figure 4 –OP

The Site is also subject to the following:

- Schedule 'C-1' – Archaeological Potential – located within a “Low Potential”

It is proposed to maintain the existing land use designation.

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

OP Policy #	Policy	Response
3.1	The planning of Windsor's future is guided by the following vision taken from Dream Dare Do – The City of Windsor Community Strategic Plan.	The proposed development will support the City's vision by providing employment and housing in an existing built up area where citizens can live, work and play. The proposed use will provide for the needs of nearby residences and businesses by providing residential and commercial uses.
3.2.1.2 – Housing Variety	Encouraging a range of housing types will ensure that	The proposed residential development supports one of

OP Policy #	Policy	Response
	people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives.	the City's overall development strategies of providing for a range of housing types. The proposed development is close to transit, active transportation 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 development will blend with the surrounding area taking inspiration from the area design and character. 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.
4.0 – Healthy Community	The implementing healthy community policies are interwoven throughout the	The proposed development will support the City's goal of promoting a healthy

OP Policy #	Policy	Response
	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.	community (live, work and play). The proposed development is close to nearby transit, employment, libraries, places of worship, schools, shopping, local/regional amenities, and parks.
4.2.6.1 – Employment Opportunities	To provide for a wide range of employment opportunities at appropriate locations throughout Windsor.	The proposed development will provide employment opportunities. The Site is currently underutilized. Employment (jobs) will include space for offices.
4.2.6.2 – Economic Development	To encourage a range of economic development opportunities to reach full employment.	The proposed development will support economic development in the area. The proposed development will help maintain employment opportunities needed in the area.
5.0 - Environment	A healthy and sustainable environment represents a balance between human activities and natural features and functions. In order to attain this balance, Council will enhance the quality of Windsor's natural environment and manage development in a manner that recognizes the environment as the basis of a safe, caring and diverse community and a vibrant economy.	The proposed development will support the City's goal of a healthy and sustainable environment. The Site is flat, which is conducive to easy vehicular movements. The Site will include new sidewalks which will connect the building to the parking areas. There are no anticipated traffic concerns, no environmental concerns, and no expected hazards.

OP Policy #	Policy	Response
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 and commercial 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. 6.1.4 The retention and expansion of Windsor's employment base. 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 and goods and services are readily available	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. The proposed development will be safe. Housing is suitable for the Site. Employment opportunities will remain. The Site has access to nearby amenities and is pedestrian-friendly. Services are available in the area as well as community facilities and nearby shopping.
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	The proposed development is considered low-profile building.

OP Policy #	Policy	Response
	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 existing structure is 2 storeys, and the proposed structure will be 2 storeys.
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, orderly and coordinated fashion.	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 the capacity in a significant way.
10.1.2 - Flexible Interpretation	The objectives and policies contained in this Plan are intended to assist in the achievement of the Strategic Directions described in Part II. The interpretation of these policies should allow for a limited degree of flexibility according to the following provisions: (c) The boundaries between the various land use designations on Schedule 'D': Land Use and Schedule 'E':	Although the lands are shown as 'Residential' on Schedule D of the City OP, the Site is being identified as being located within the 'Mixed Use Centre' land use designation. The Mixed Use Centre land use designation on Schedule D to the OP does not accurately capture the non-residential uses on the south side of Tecumseh Road East between Lauzon Parkway and Lauzon Road.

OP Policy #	Policy	Response
	City Centre Planning District are approximate, except where they relate to some well-defined physical feature such as a Controlled Access Highway, Arterial Road, railway line or watercourse. Minor adjustments to these boundaries shall not require an Official Plan amendment, provided that the intent of the Plan is maintained.	

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

5.1.3 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 "Commercial District 3.3 (CD3.3)" on Map 15 of the City of Windsor Zoning By-Law 8600 (see Figure 5 – ZBL).

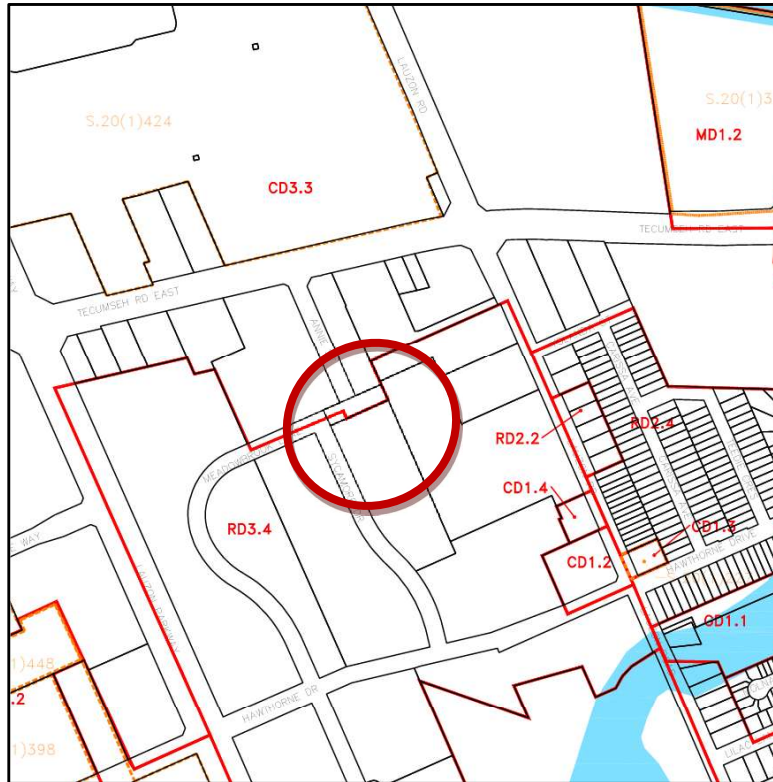


Figure 5 – ZBL

It is proposed to further amend the zoning for the Site to a site specific "Commercial District 3.3 - XX (CD3.3-XX)" zone category to permit the proposed mixed use building (combined use building and/or multiple dwelling) with 13 residential units (first and second floors) and 1 commercial unit for a business office (first floor).

COMBINED USE BUILDING means a building having, as main uses, at least one dwelling unit and at least one non-residential use.

BUSINESS OFFICE means an office of any one or more of the following: commercial business; financial services including a bank, credit union, payday lender, savings and loan office and trust company; government; industrial business; non-profit or charitable organization; professional person. A financial office is a business office. A medical office or veterinary office is not a business office.

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 CD3.3 zone provisions for the Site, as set out in Section 16.3 of the ZBL, is as follows:

Zone Regulations	Required CD3.3	Proposed CD3.3-XX	Compliance and/or Relief Requested with Justification
Permitted Uses	Ambulance Service Automobile Repair Garage Bakery Business Office Child Care Centre Commercial School Confectionery Food Outlet – Drive-Through Food Outlet – Take-Out Funeral Home Garden Centre Gas Bar Hotel Medical Appliance Facility Medical Office Micro-Brewery Parking Garage Personal Service Shop Place of Entertainment and Recreation Place Of Worship Print Shop Professional Studio Public Hall Public Parking Area Repair Shop – Light Restaurant Restaurant with Drive-Through Retail Store Service Station Temporary Outdoor Vendor's Site Veterinary Office Warehouse	Combine use building and / or Multiple dwelling. 3 residential units and 1 commercial unit for a business office. Residential on the main floor.	Complies, subject to the approved ZBA

Zone Regulations	Required CD3.3	Proposed CD3.3-XX	Compliance and/or Relief Requested with Justification
	Wholesale Store Workshop Existing Automobile Collision Shop Existing Industrial Use Existing Motor Vehicle Dealership Any use accessory to any of the above uses. An Outdoor Storage Yard is prohibited, save and except with the following main uses: Ambulance Service, Garden Centre, Temporary Outdoor Vendor's Site, Existing Automobile Collision Shop, Existing Industrial Use, Existing Motor Vehicle Dealership.		
Maximum Main Building Height	20.0 m	6.85 m (extension of the existing height)	Complies
Maximum Gross Floor Area –	a) Bakery or Confectionary - 500 m² b) Workshop – Percent of the gross floor area of the Retail	N/A	Complies

Zone Regulations	Required CD3.3	Proposed CD3.3-XX	Compliance and/or Relief Requested with Justification
	Store or Wholesale Store – 200.0 %		
Minimum Amenity Area – Per Dwelling Unit	None	430.07 m2 (29% landscaped area)	Complies <i>AMENITY AREA means a landscaped open space yard or a recreational facility as an accessory use to a dwelling or a dwelling unit located on the same lot.</i>
Other	A Temporary Outdoor Vendor's Site is prohibited in a Business Improvement Area.	N/A	Complies
Parking Requirements 24.20.5.1	Combined Use Building / Multiple Dwelling– Dwelling Units 1.25 for each dwelling unit 13 x 1.25 = 16.25 (16 rounded down) Business Office - 1 for each 45 m ² GFA 33.63 / 45 = 0.75 (1 rounded up) TOTAL – 16 + 1 = 17	10 – existing 7 – proposed 17 - total	Complies

Zone Regulations	Required CD3.3	Proposed CD3.3-XX	Compliance and/or Relief Requested with Justification
Minimum Visitor Parking Spaces 24.22.1.1	Multiple Dwelling with a minimum of five dwelling units = 15 % 17 spaces = 2.89 (2 rounding down)	2 spaces to be marked (Subject to SPC)	Shall comply
Minimum Accessible Parking Spaces 24.24.1.1	1 to 25 Total 1 Type A and 0 Type B = 1	1 – existing (to be marked) (Subject to SPC)	Complies
Minimum Bicycle Parking Spaces 24.30.1.1	10 to 19 Total = 2	2 - TBD (Subject to SPC)	Shall Comply
Minimum Loading Spaces 24.40.1.5	For a Multiple Dwelling with 1,000 m ² or less Total = 0	0	Complies
Parking Area Separation 25.5.20.1	Any Street – 3.00 m	Existing	Complies
	An interior lot line or alley – 0.90 m	0 m	Relief is required to reduce the parking separation between parking space 11 and the north property line.
	A building wall in which is located a main pedestrian entrance facing the parking area – 2.00 m	0 m	Relief is required to reduce the parking separation between the east entrance and the parking area

Zone Regulations	Required CD3.3	Proposed CD3.3-XX	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	TBD	Shall Comply More green space can be added to buffer between the parking space #10 and the building wall.

Therefore, the intent and purpose of the ZBL will be maintained, and all CD3.3 zone provisions shall comply with the exemption of the following requested relief;

1. *Reduce the parking separation between parking space 11 and the north property line from 0.90 m to 0 m, and*
2. *Reduce parking separation between the east entrance and the parking area from 2.00 m to 0 m.*

6.0 SUMMARY AND CONCLUSION

6.1 Context and Site Suitability Summary

6.1.1 Site Suitability

The Site is ideally suited for mixed use 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 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 proposed development provides for a transition between existing commercial and residential land uses.

The development pattern is proposed to be an efficient use of the Site. No new lot is being created.

The Site is not located in an area that is beneficial for commercial use as it is set back from the roadway and is better suited for housing.

6.1.3 Good Planning

The proposal represents good planning as it addresses the need for the City to provide more housing and commercial uses.

The proposed development will contribute toward infilling and intensification requirements.

Residential and commercial uses on the Site represent 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 and commercial 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 proposed 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 constraints.

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

