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Date: January 21, 2025

To: City of Windsor, Planning Department

RE: Planning Justification Report for
Proposed Application for Official Plan Amendment &
Zoning By-law Amendment
673 Wellington, Lots 43 to 53, Plan 68

Roll # 3739 040 230 00700

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Purpose

To provide an overview of the related land use planning considerations in support of a site-specific Official Plan and Zoning By-law amendment to:

- i) Amend the current designation of the subject lands to add a retail store (grocery) as an additional permitted use and address any necessary site-specific zoning provisions, and
- ii) rezone the subject lands to a site-specific Manufacturing District 1.2 (MD1.2) to"
 - a. limit permitted uses to implement the Official Plan amendment;
 - b. establish site specific regulations to address the following:
 - i. grant relief from the limitation of retail space specific to a retail store (grocery store), and;
 - ii. reduce or grant relief for the location of parking from the east and west lot lines.

Background

The property owner of 673 Wellington Ave. purchased the subject property with the hope of converting the existing building on the site to a grocery store. The applicant operates an existing market which is located to the north at 1165 Wyandotte St. W. The subject site will provide a new, larger location to better serve the existing needs of the surrounding area. The property is located on the west side of Wellington Ave, just south of Wyandotte St. W (See Figure One) It has a lot area of 0.4 ha (1 ac.) with 109.7 m (360 ft.) of frontage and a depth of 36.8 m (121 ft.). The existing building is approximately 1,780.2 sq. m (19,161.9 sq. ft.) and housed an automotive parts manufacturing business.



673 Wellington Ave



Looking northwest along the front of the existing building on the subject site



Looking west across the existing parking area to be redeveloped and expanded



Looking west at the additional lands to be used for parking



Looking north along Wellington Ave.



Planning Rationale

1) Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The lands are consider Employment and specifically designated Industrial by the Windsor Official Plan.

Section 2.8 Employment

2.8.1 Supporting a Modern Economy

1. Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet the long-term needs;

Comment: The intent of the OPA is to add a site-specific policy that will add the proposed grocery store use as an additional permitted use and not remove the lands from the Employment Area. This will provide immediate flexibility to permit the added use while also maintaining the lands within the Employment Area in the long-term.

- 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 exiting and future businesses;

Comment: There has not been a strong Employment type use presence in the area for some time. The subject property was one of very few active employment type uses however the property has been for sale for some time with little to no interest in industrial redevelopment. The reuse of the subject lands for a supportive type use to the surrounding residential area could act as spark of interest to the consideration of a different mix of uses.

- c) Identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;

Comment: The subject lands, based on the lack of industrial uses or redevelopment demonstrate that the site and the area as a whole may no longer be a strategic location for employment uses. Their location away from current industrial clusters and major transportation routes could be considered as a key barrier to investment in the area.

- d) Encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and

Comment: With a commercial corridor and residential uses to the north as well as residential use south and west the surrounding area of employment lands seems to an isolated island with limited demand for employment type redevelopment. Consideration of site-specific permission of the proposed use could be a good approach at testing what type of possible redevelopment might prove better suit to the long-term use of the area.

- e) Addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive lands uses.

Comment: Although the subject lands have been located next to a residential use for many years the proposed commercial development offers a more compatible use and a better transition between the sensitive residential area as well as providing a use that can support both the residential uses in the area and any potential industrial or mixed-use redevelopment into the future.

2.8.2 Employment Areas

4. Planning authorities shall assess, and update employment areas identified in official plans to ensure that this designation is appropriate to the planned function of employment areas. In planning for employment areas, planning authorities shall maintain land use compatibility between sensitive lands uses and employment areas in accordance with policy 3.5 to maintain the long-term operational and economic viability of the planned uses and function of these areas.

Comment: It appears clear from the lack of redevelopment and demand for the reuse of even existing facilities for employment use, in combination with surrounding uses that the planned function of the area for employment lands is in need of reassessment. A use such as that proposed could offer separation from more sensitive land uses and lead to a more mixed-use area and transition away from large scale, less compatible uses.

2) Official Plan – City of Windsor

Employment lands within the City of Windsor are the main locations for industrial and business activities. On Schedule D of the Official Plan these lands are either Industrial or Business Park. When reviewing Schedule D of the Official Plan (Figure Two) it is a reasonable assumption to conclude that the subject area's proximity to the rail lines is likely the rationale for its industrial designation. The subject property is located in an area between Wyandotte St W to the north,

College to the south, Cameron to the west and Crawford to the east. Within this area are three different designations, industrial, residential and mixed-use corridor.

The mixed use and residential areas have generally remained utilized for these uses and, in some cases, redeveloped or intensified. The industrial land uses in the same area appear to have not been fully used for many years with little evidence of redevelopment or even full utilization of what is in the area. The subject property has been for lease or sale on more than one occasion and the lands to the immediate east have been vacant for much of the last 8 to 10 years.

In reviewing Section 6.4 Employment (Objectives) there are items which I believe are applicable to the subject lands as follows:

6.4.1.3 To ensure that employment uses are developed in manner which are compatible with other land uses.

Comment: With residential uses to the north and south perhaps a transition to a more supportive use (commercial – grocery store) can be both more compatible and service the needs of the residents given the lack of industrial uses to service but also act as a buffer should employment uses return.

6.4.1.6 To locate employment activities in areas which have sufficient and convenient access to all modes of transportation.

Comment: Despite being close to rail lines none of the industrial uses have direct or easy access to the rail corridor. Wellington Ave is a local road and does not appear to be in a condition to support industrial traffic nor is it well located with direct access to truck routes.

6.4.1.9 To maintain and develop viable industrial areas.

Comment: From a review of the aerial mapping back to 2000 and the street view images back to 2009 this area, from an industrial standpoint, does not appear to be viable based on the lack of redevelopment or intensification of any kind.

6.4.1.10 To provide highly visible and attractive locations for business development.

Comment: The subject location is not what could be considered as “on the beaten path.” Wellington Ave is not a highly travelled street (see TIS for traffic volumes) and not designed as such. Although it can be accessed via Wyandotte or College neither of these are considered highly visible locations for industrial development.

General Policies 6.4.2

In this section 6.4.2.7 speaks of areas in transition and outlines the following:

“Council may support the redevelopment of older and/or abandoned Industrial or Business Park areas to other land uses provided:

- a) The proponent can demonstrate that:
 - i) The redevelopment of the area would not be detrimental to other Industrial or Business Park uses still operating in the area.

Comment: The subject property was the only active industrial use north of Elliott St West isolated at the north end of the industrial designation and across from a large industrial parcel that has been vacant for several years. It is also noteworthy that there has been a grocery store located to the east on Crawford for many years directly across from the BASF plant.

- ii) The redevelopment of the area is in keeping with the long-term transition of the entire area to similar uses;

Comment: There is no active redevelopment of the area in question, however a transition to mixed use and/or residential in the area would seem to be a compatible option versus the redevelopment or expansion of very limited industrial uses. Property at 700 Wellington had been chosen as the location of the new H4 Homelessness and Housing Help Hub. While this is no longer the case it does demonstrates that the continued use of the area for industrial purposes is not the potential preferred option moving forward. Based on this placing the lands within a site-specific policy area to permit the proposed grocery store could help lead to a future transition to a mixed use corridor or perhaps a mixed use node given the plans for the H4 hub.

Industrial Policies 6.4.3

The Industrial policies of the Official Plan would not be favourable to the consideration of a grocery store, even as a supportive use. The policies do however hold some relevance when considering the proposed amendment in terms of continuing industrial uses versus that of a mixed-use corridor.

For example, the locational criteria of Section 6.4.3.3 note that, “Industrial development shall be located where:

- a) The industrial use can be sufficiently separated and/or buffered from sensitive lands uses;

Comment: The existing property has been in close proximity to residential uses for quite some time. A change to a commercial use, although not entirely ideal can provide a greater degree of compatibility to that of ongoing or new industrial development.

- b) There is access to an arterial road;

Comment: Wyandotte St W is the only arterial road (Class II) to the north.

- d) Industry related traffic can be directed away from residential areas;

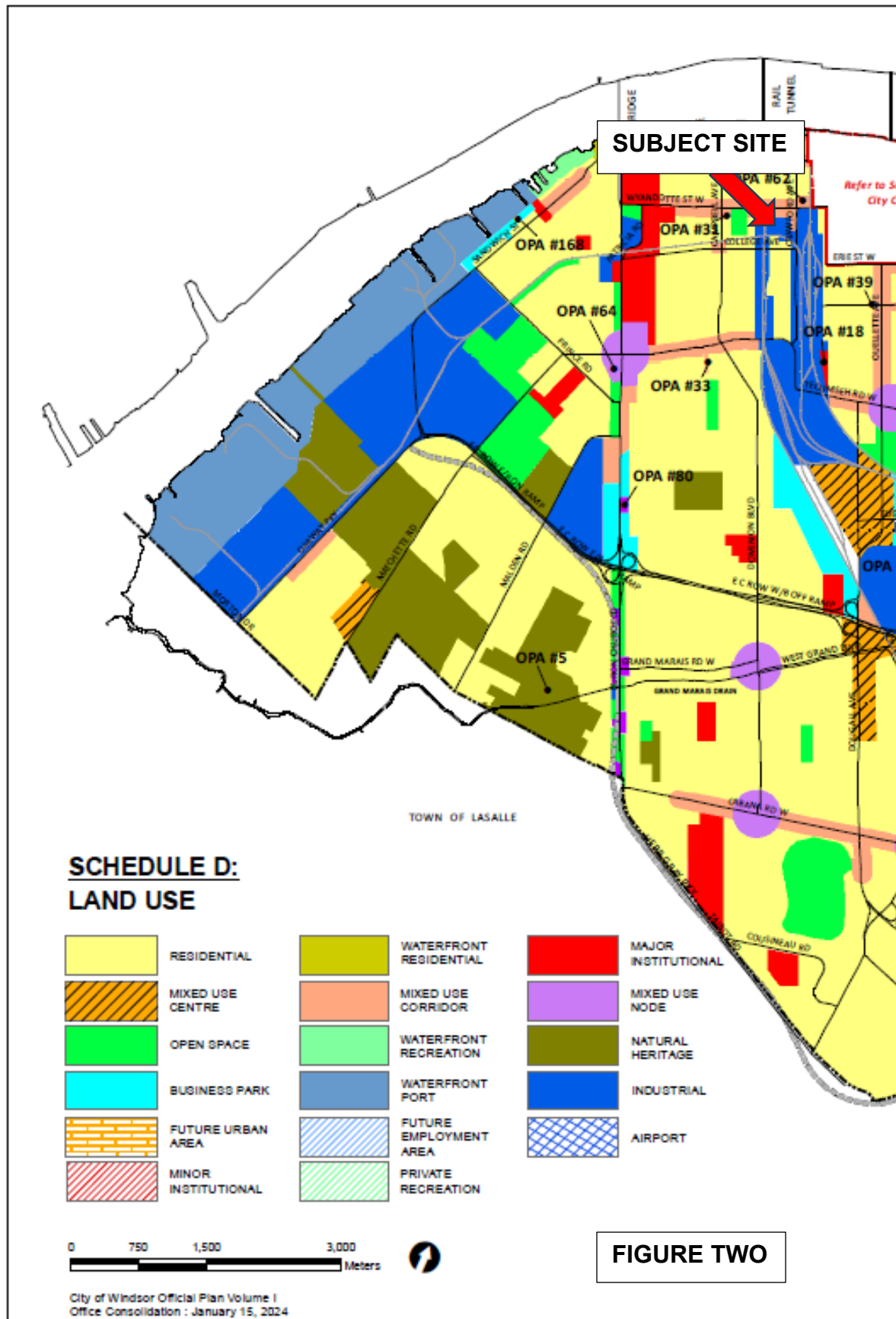
Comment: Related traffic must travel north to access Wyandotte St W as both an arterial and truck route. Alternatively, College Ave is a truck route however is a Class I collector and requires travel through more residential areas. (Figure Three)

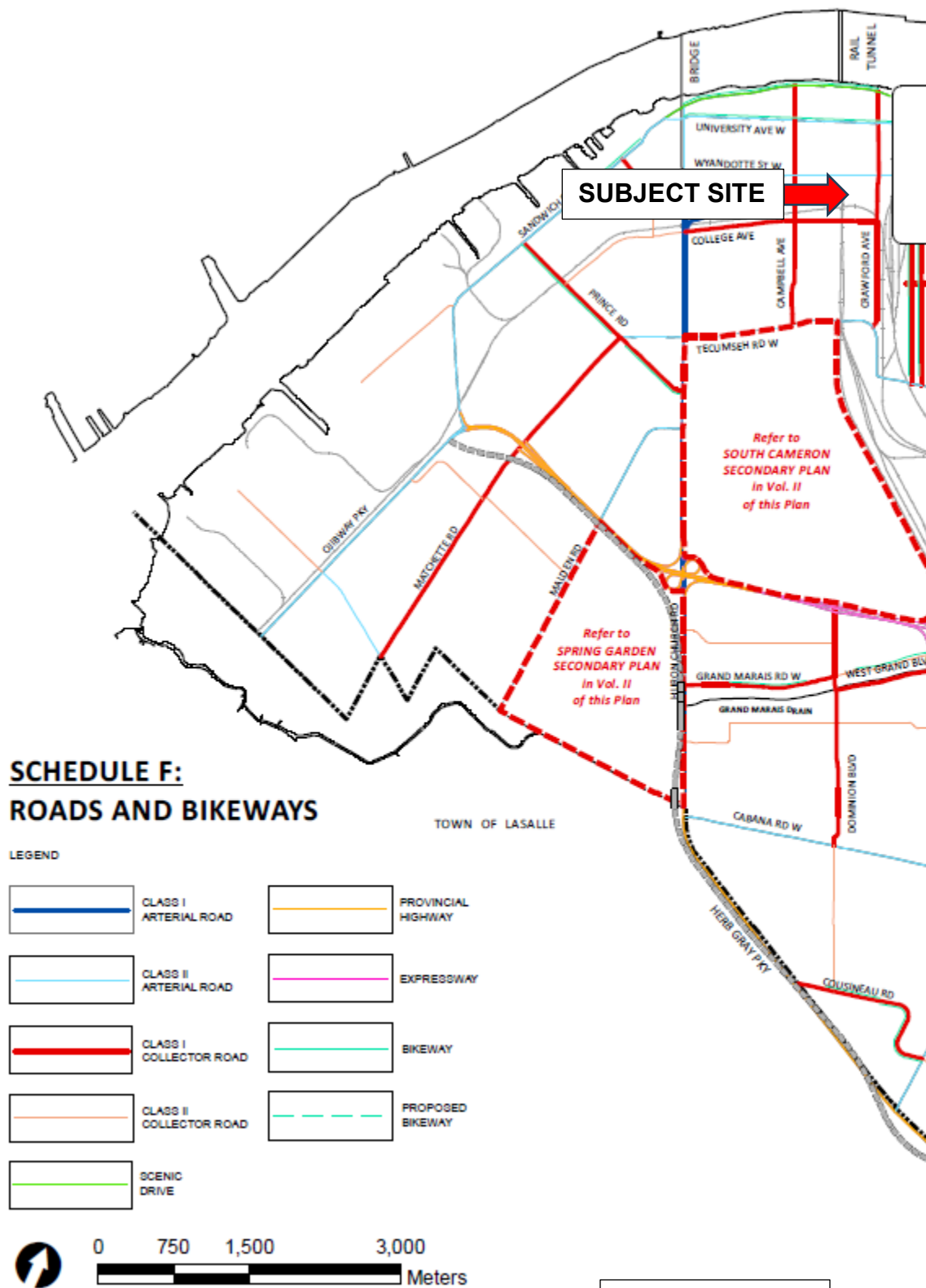
- f) There is access to designated truck routes

Comment: Wyandotte St W is a designated truck route to the north, while College Ave is a truck route to the south. (Figure Four)

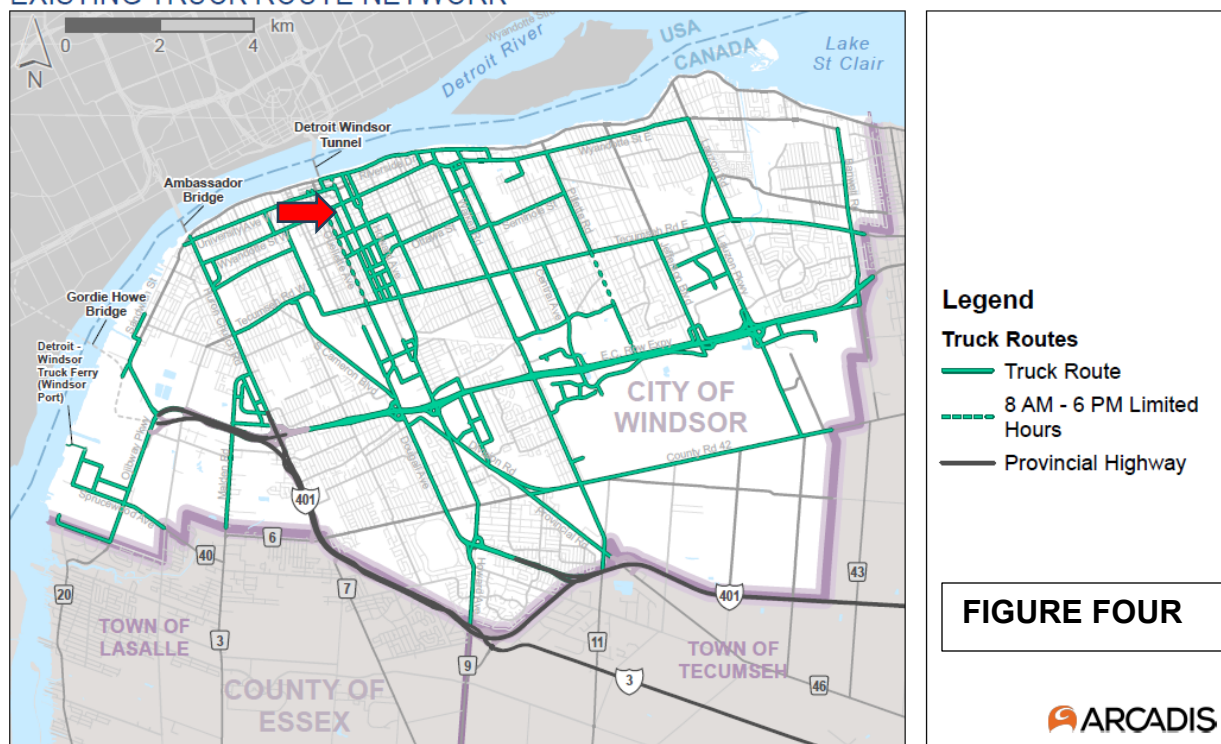
If the subject lands were being considered for new industrial uses, there are clearly some circumstances that make the site less desirable. The proposed grocery store will still require truck access for deliveries but offers a use that will be more supportive of the area and lend itself to better land use compatibility in the long term.

A draft of the proposed OPA is attached as Appendix A.





CITY OF WINDSOR TRUCK ROUTE STUDY EXISTING TRUCK ROUTE NETWORK



3) Site Plan Approval

If the proposed redevelopment is permitted through the addition of a site-specific special policy in the Official Plan and amended zoning the change in use of the property and building will result in the need for site plan approval. An initial concept site layout was prepared (Figure Five) in support of the current planning approval requests. There is no new building being proposed on the site. Much of the redevelopment will be interior improvements. The existing parking lot will require improvement and a small expansion toward the south to accommodate additional parking needs and future truck movements related to deliveries and is conceptual shown on the attached plan.

In anticipation of submitting application for site plan approval a full comprehensive set of site plan drawings are being prepared that will address the full range of City requirements needed for staff review and formal approval.

4) Comprehensive Zoning By-law

The subject property is currently zoned Manufacturing District 1.2 (MD1.2). In keeping with the addition of a grocery store as an additional permitted use in the Official Plan, specific to the site, the suggested zoning amendment for the subject property would be a site-specific Manufacturing District 1.2 (MD1.2).

The location of the building is recognized as existing so there are no setback regulations that require amendment. The conceptual site plan details related to dimensions of parking, loading and drive aisles is in compliance. Bike parking spaces have been included on Figure Five

Parking on the property would be less than that required for the change in use of the building in question however Appendix B includes a rationale in support of a reduction in the requirement as detailed in the zoning chart.

To maintain a compact site and avoid adding hard surface area relief is also being requested from certain provisions of Section 25.5.10.3 and 25.5.20.1 to address parking setback and/or curbing requirements along the east and west lot lines. The setback from the east lot line is providing close to the required setback versus the existing setback of 0. The west lot line setback is requesting recognition of no setback which abuts an unused alley with the rail tunnel corridor beyond that.

The following zoning chart outlines what the recommended zoning amendment would establish as site-specific regulations for the business:

| Category | Proposed Amendment |
|------------------------------------|--|
| Manufacturing District 1.2 (MD1.2) | Rezoned to a site-specific Manufacturing District 1.2 (MD1.2) |
| Additional Permitted Use | Retail Store (grocery) |
| Special Regulation A | Grant relief from Section 24.26.5 to recognize parking in the required front yard setback |
| Special Regulation B | Establish the required parking as 42 spaces (min) |
| Special Regulation C | Section 18.2.5.10 not apply to a retail store (grocery store) |
| Special Regulation D | Grant relief from Section 25.5.10.3 |
| Special Regulation E | Reduce the required setback in Section 25.5.20.1.2 from 3 m to 2.65 m abutting Wellington Ave. |
| Special Regulation F | Grant Relief from Section 25.5.20.1.3 from the west lot line |

Traffic Impact and Parking Needs Rationale

The City of Windsor, as part of the initial consultation process, requested that a Traffic Impact Study be completed. The entire report is attached as Appendix B. The study reviewed four intersections that could be potentially impacted by the proposed use on the subject site including Wyandotte at Wellington, Elliot at Wellington, College at Wellington and Elliot at Crawford. In each case the study concluded that the level of service at these intersections would continue to operate at a good to acceptable level through 2034. The study also included an assessment of the proposed accesses to the site, and each will operate at a good level.

Supplementary to the traffic report the study also undertook an assessment of the parking needs for the proposed use. The report concludes that the 42 parking spaces, 44 are proposed, for the site can adequately support the use based on the site's location near residential uses to the north and south as well as close proximity to a main transit line on Wyandotte St. W. The provision of reduced parking for the site is also in keeping with long-term goals to encourage the use of other forms of sustainable transportation, particularly walking and transit and helps to support the reuse of existing buildings.

Lastly, the existing business is a specialty grocery store which operates in a much smaller space just north of the subject property with roughly half the parking spaces of the new site. The new building, while much larger, is intend to provide a much improved shopping experience for the existing customer base and provide added storage and office space that are greatly lacking at the existing site. Even with a much larger space it is not anticipated that the parking needs would increase significantly enough to require more than the spaces being proposed.

Public Open House

In accordance with City policy a public open house was held on November 19, 2024 from 5 pm to 7 pm at the Windsor International Aquatic and Training Centre. All property owners within 200 m of the subject property were provided with notice (Appendix C) which was mailed October 31, 2024.

A total of two members of the public attended the open house along with the Ward Councilor, a member of the City planning staff and the applicant. E-mail feedback in objection to the proposed approvals was also sent by the owner of 799 Crawford (Appendix D).

There were no concerns specific to the proposed redevelopment expressed by the members of the public that attended the open house. Much of the comment was related to the overall redevelopment of the area and the future introduction of the H4 Hub.

The e-mail feedback from 799 Crawford expressed two concerns; 1) the potential negative economic impacts of having two ethnic food supermarkets in close proximity, and 2) what type of background work had been completed to address noise, traffic, site access, firefighting, loading and other major issues associated with a large supermarket.

Comment: The economic impact noted in the objection is a matter of competition and generally not considered a planning related issue. It is worth pointing out that the purpose of the redevelopment at 673 Wellington is to relocate an existing market that is currently just north of the subject property at 1165 Wyandotte St W. The new location will provide added space to accommodate the growth of the business but is not bringing a new or additional competitor to the area. It is also my understanding that the grocery store at 799 Crawford specializes in Asia food where the proposed relocated market specializes in Middle Eastern food.

In terms of background work that has been completed a comprehensive traffic study was prepared that did not highlight any negative impact to traffic in the area, looked at the safety of the access points to the site and provided feedback on the proposed parking needs. Noise was an item that was not specifically looked at based on the fact that the current zoning on the property is industrial and permits a wide variety of uses as-of-right that would have a much greater impact on the limited residential uses to the north. Any day-to-day noise generation would also be at the south end of the existing

building. The residential use and the industrial building have co-existed in this location for quite some time and there is no reason to believe that the addition of the grocery store use would change that. The remaining items noted in the feedback are more related to site plan approval which will be the follow-up step to the official plan and zoning amendment applications.

Conclusions

The subject site is clearly in a location that has been in decline as an industrial area. The subject site appears to have been one of the last active industrial uses up until its closure and sale. The area is ripe for redevelopment and likely transition to other uses. This was reinforced by the Cities selection of 700 Wellington to the immediate east of the subject property for the H4 Hub. Although this is no longer the plan for the area this would have seen a mix of uses added to the area as well as an influx of activity resulting from that change and supporting redevelopment and rejuvenation.

The proposal for the addition of the grocery store use on the property helps support the relocation and growth of an established business currently servicing the residents in the surrounding area. It further strengthens the area for mixed use redevelopment and provides a rationale for future consideration of a change from the industrial designation to perhaps that of a mixed use depending on the future needs to support the transition of the surrounding area.

To that end the requested approvals represent good land use planning and should be considered consistent with the direction for the City of Windsor for the Wellington Ave corridor.

Prepared by:



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