

# PLANNING RATIONALE REPORT

## ZONING BY-LAW AMENDMENT PROPOSED INDUSTRIAL DEVELOPMENT

4325-4445 Cabana Road East (County Road 42),  
Windsor, ON

**June 27, 2025**

**Prepared by:**



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# 1.0 INTRODUCTION

I have been retained by Epic Properties Limited Partnership on behalf of EPIC PRODUCE INC. (herein the "Applicant") to provide a land use Planning Rationale Report (PRR) in support of a proposed industrial development located at 4325-4445 Cabana Road 42 (Cabana Road East), (herein the "Site") in the City of Windsor, Province of Ontario.

The Site is made up of one (1) parcel of land in Ward 9 in the Sandwich South Planning District.

The Site currently has several existing industrial buildings.

All existing buildings will remain.

It is proposed that the Site continue to be used for industrial purposes.

It is proposed that a new 1,875 m<sup>2</sup> building for a power generation facility be constructed.

The proposed development includes a new loading space and 10 new parking spaces.

Access to the Site will be from the existing driveways.

The Site has access to full municipal services.

Pre-consultation (stage 1) was completed by the Applicant. Comments dated May 22, 2024 (City File #PC-049/24) were received and have been incorporated into this PRR.

Pre-submission (stage 2) was completed by the Applicant. Comments dated June 27, 2025 (City File #PC-056/25) were received and have been incorporated into this PRR.

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

Once the ZBA has been approved, the Applicant will proceed with Site Plan Control (SPC) approval prior to the issuance of a building permit for any construction or site alterations.

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

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

## 2.0 SITE AND SURROUNDING LAND USES

### 2.1 Description of Site and Ownership

The Site has been owned by EPIC PRODUCE INC. since 2020.

The Site is in Ward 9 in the Sandwich South Planning District.

The Site is made up of one (1) irregularly-shaped corner parcel of land located on the south side of Cabana Road East (County Road 42) between 7th Concession Road and 8th Concession Road (see the area in **yellow** on Figure 1a – Site Location).

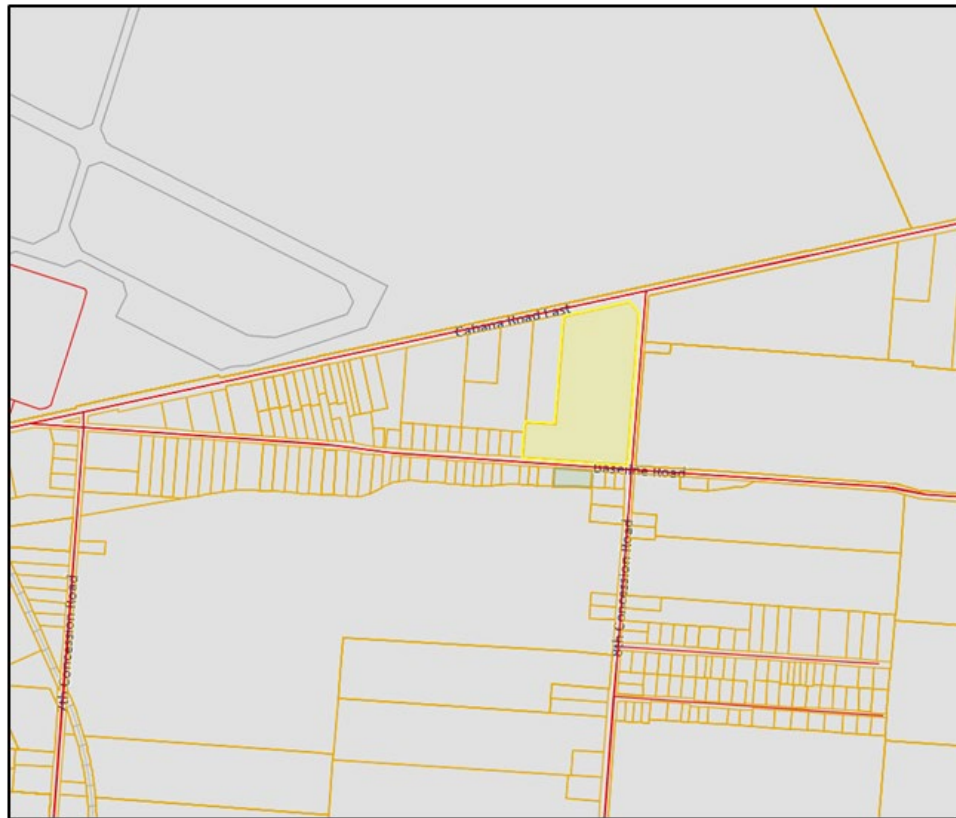


Figure 1a – Site Location (Source: City of Windsor GIS)

The Site is locally known as 4325-4445 Cabana Road East (County Road 42) and is legally described as PT LT 17 CON 7 SANDWICH EAST PT 3, 4 & 6 12R3910; S/E PTS 1, 2, 3, 7, 8, 9 & 10, 12R28421; SUBJECT TO AN EASEMENT AS IN R322593 PARTIALLY RELEASED BYR1278682 AND AMENDED BY CE975729; S/T R973303; CITY OF WINDSOR, PIN 75235-0032, ARN 37-39-090-010-04950.

## 2.2 Physical Features of the Site

### 2.2.1 Size and Site Dimension

The entire Site consists of a total area of 78,652 m<sup>2</sup>, with a lot frontage of 192.53 m along Cabana Road East (County Road 42) and a lot depth of 471.99 m along 8<sup>th</sup> Concession Road.

The Site also has approximately 259.23 m of frontage along Baseline Road.

### 2.2.2 Existing Structures and Previous Use

The Site currently has several existing industrial buildings (see Figure 1b – Site Street View from Cabana Road East).



Figure 1b – Site Street View from Cabana Road East (Source: Pillon Abbs Inc.)

Existing tenants in the Site include Fateh Securities Services, Canada Bread, Rose City Gymnastics, Chuks Truck Service Centre, Harvick Welds Windsor and Goodway Truck and Trailer Repair.

The previous use of the Site is unknown.

### **2.2.3 Vegetation**

The Site has an existing grassed area and landscaping.

There is a hedge row along Baseline Road.

### **2.2.4 Topography, Drainage and Soil**

The Site is flat and is within the regulated area of the Essex Region Conservation Authority (ERCA).

The Site is part of the Little River Subwatershed drainage area.

The Baseline Road Drain runs along the south portion of the Site. The North Townline Drain runs along the north portion of the Site.

The Site is part of a Source Water Protection area.

The soil is made up of Brookstone Clay (Bc) and Brookstone Clay Loam (Bcl).

### **2.2.5 Other Physical Features**

There are existing driveway accesses along Cabana Road East (County Road 42) and 8<sup>th</sup> Concession Road.

There is fencing along portions of the Site boundary.

### **2.2.6 Municipal and Other Services**

The property has access to full municipal services.

The closest existing transit route to this property is with the Walkerville 8. The closest existing bus stop to this property is located at the Windsor International Airport.

This area is serviced by Hydro One.

### **2.2.7 Nearby Amenities**

There are several schools, parks and libraries nearby.

There is nearby shopping in the form of plazas and malls, as well as employment, residential, medical facilities, an airport, places of worship and local amenities.

## **2.3 Surrounding Land Uses**

Overall, the Site is located in an area with a mix of uses, including residential, farmland and industrial.

A site visit was undertaken on April 20, 2024.



**North** – The lands directly north of the Site are used for industrial (City of Windsor Airport) (see Photo 1 - North).



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

**South** – The lands directly south of the Site, across Baseline Road, are used for residential (see Photo 2 - South).



Photo 2 – South (Source: Google Street View)

**East** – The lands east of the Site are used for agriculture (see Photos 3 - East).



Photos 3 – East (Source: Google Street View)

**West** – The lands west of the Site are used for industrial (The Storage Box) (see Photo 4 - West).



Photo 4 – West (Source: Google Street View)



## 3.0 PROPOSAL AND CONSULTATION

### 3.1 Development Proposal

The Site is made up of one (1) parcel of land in Ward 9 in the Sandwich South Planning District.

The Site currently has several existing industrial buildings.

All existing buildings will remain.

It is proposed that the Site continue to be used for industrial purposes.

It is proposed that a new 1,875 m<sup>2</sup> building for a power generation facility be constructed.

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

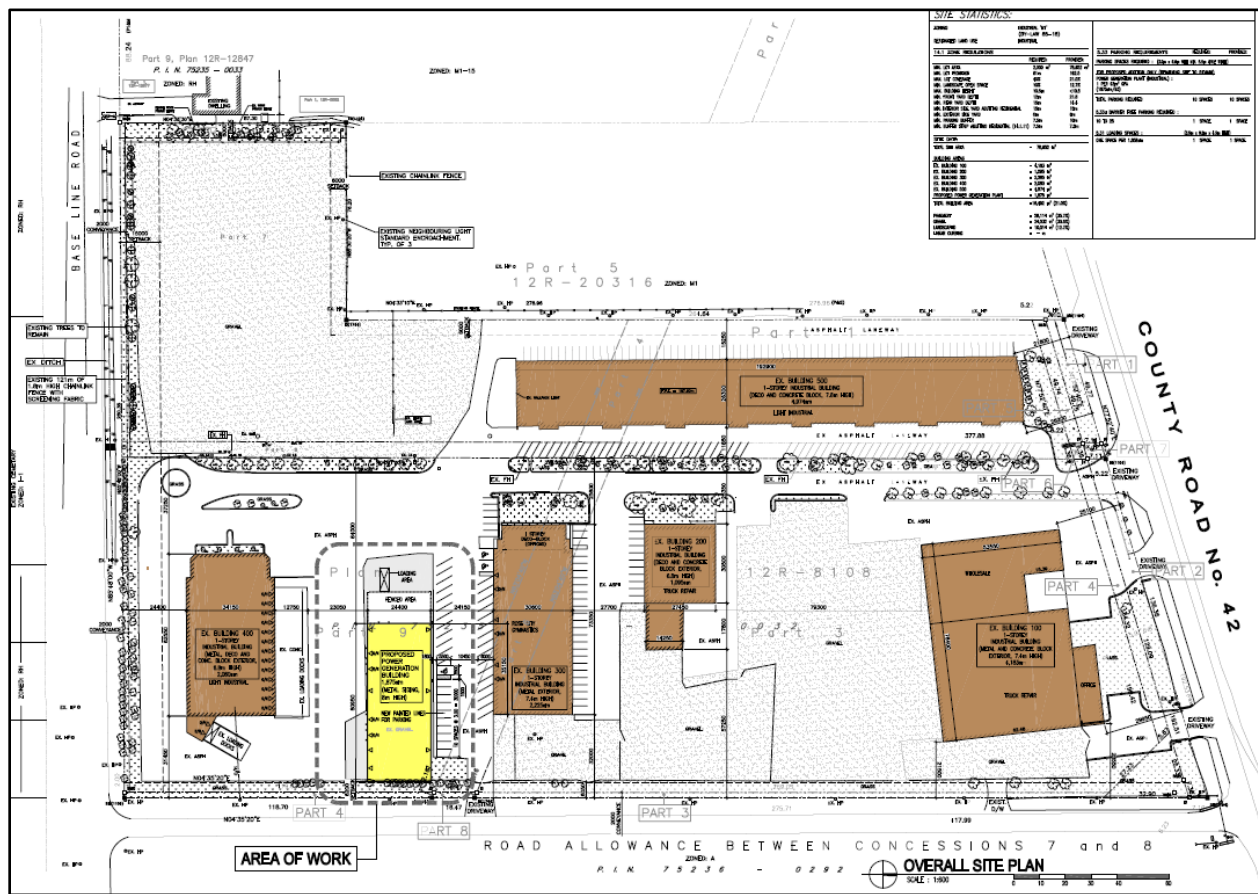


Figure 2a – Concept Plan

The concept plan illustrates a preliminary proposal.

The proposed building is shown in **yellow** on the Concept Plan.

A power generation facility's primary function is to convert energy from a primary source (like fuel and natural gas) into a usable form of electricity. This electricity is then distributed to consumers through a grid, powering homes, businesses, and industries.

The proposed building will be located between 2 existing buildings.

The area of the proposed building is currently an existing gravel and grass area. No trees are to be removed.

A sample elevation has been prepared (see Figure 2b – Sample Elevation).

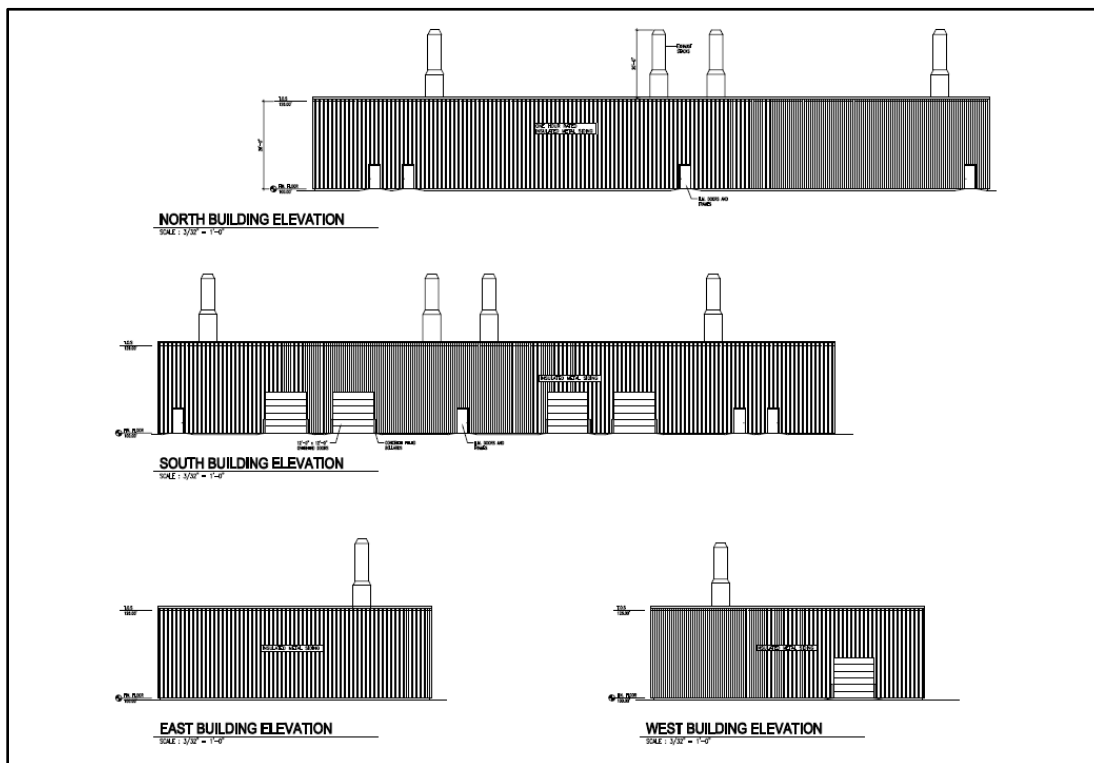


Figure 2b – Sample Elevation

The elevation illustrates a preliminary design of the proposed buildings.

The proposed building will not have any full-time employees. The normal operation is 1-2 hours per day. Scheduled maintenance will occur every 6 months for a week each time. The generators will be operated remotely.

The proposed development includes a new loading space and 10 new parking spaces.

Access to the Site will be from the existing driveways.

Professional landscaping and paved sidewalks will be provided.

All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

The Site has access to full municipal services.

## **3.2 Public Consultation Strategy**

In addition to the statutory public meeting, 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 public open house was held with area residents and property owners (200 m radius) on Tuesday, May 27, 2025, from 6:00 pm to 7:00 pm.

In person was held at the Site located at 4325-4445 Cabana Road East (County Road 42) in Unit #2, Windsor, ON and virtual was held via Zoom.

A total of 40 notices were mailed out.

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

There were no neighbours or property owners who attended the open house.

An email was received by the Windsor International Airport noting that submissions must be made to both Transport Canada and NAV Canada for their assessment and approval before any work begins.

## **4.0 APPLICATIONS AND STUDIES**

Pre-consultation (stage 1) was completed by the Applicant. Comments dated May 22, 2024 (City File #PC-049/24) were received and have been incorporated into this PRR.

Pre-submission (stage 2) was completed by the Applicant. Comments dated June 27, 2025 (City File #PC-056/25) were received and have been incorporated into this PRR.

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

The following explains the purpose of the application and other required approvals, as well as a summary of the required support studies.

### **4.1 Zoning By-Law Amendment**

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

The zoning for the Site is currently Industrial Zone (M1) category as shown on Map T12 of the City of Windsor Zoning By-Law (ZBL) #85-18 (former Tecumseh).

The zoning for the Site is proposed to be further amended to a site specific Industrial Zone (M1-XX) category to permit the proposed power generation facility as an additional permitted use.

The proposed development will comply with all zone provisions set out in the M1, with no relief being requested.

The ZBA is detailed, and the justification is set out in Section 5.1.3 of this PRR.

### **4.2 Other Applications**

Once the ZBA have been approved, the Applicant will proceed with Site Plan Control (SPC) approval prior to the issuance of a building permit for any construction or site alterations.

### **4.3 Supporting Studies**

The following studies have been prepared to support the ZBA application.

#### **4.3.1 Biology**

A Species At Risk Screening (SARS) has been prepared by MTE, dated June 17, 2025.

The purpose of the screening was to ensure that the proposed project maintains compliance with the provisions of the Endangered Species Act, 2007, S.O. 2007, c. 6 (ESA).

It was concluded that there are no SAR or potential SAR habitat expected to be present within or near the Site.

Therefore, it is not expected that the proposed development will have any negative impact on any SAR or SAR habitat or otherwise be in contravention of the Endangered Species Act, 2007 so long as work is contained to the specified Area of Work.

MTE has confirmed that the SARS document is not required to be filed with the Ministry.

#### **4.3.2 Traffic**

A Traffic Memo was prepared by D. C. McCloskey Engineering Ltd., dated May 6, 2025.

The purpose of the report was to determine the impact the proposed facility may have on the internal property traffic circulation and on the traffic flow on Cabana Road East (County Road 42).

The report concluded that the single trip generation to the Site each day to the new power generation building will not impact the traffic on Cabana Road East (County Road 42) or affect the internal traffic circulation within the current development.

## 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, providing for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environments.

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	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.	Windsor has directed growth where the Site is located, which will contribute positively to promoting efficient land use and development patterns.
Chapter 2.1.1: Building Homes, Sustaining Strong and Competitive Communities	As informed by provincial guidance, planning authorities shall base population and <b>employment</b> growth forecasts on Ontario Population Projections published by the Ministry of Finance and may modify, as appropriate.	The proposed development will support the City's need for employment growth.
2.1.6	Planning authorities should support the achievement of complete communities by:	The proposed development will support the City's requirement to accommodate for



PPS Policy #	Policy	Response
	a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, <b>employment</b> , 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;	employment to meet long-term needs.
2.3.1.1 – Settlement Areas	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, which is where growth should occur.
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;	The proposed development promotes an efficient development and land use pattern as it uses an existing parcel of land within a settlement area.  The Site has access to full municipal infrastructure and close to nearby public service facilities.
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 mixed uses to meet long-term needs; b) providing opportunities for a diversified economic base, including maintaining a range	The proposed development offers a new employment opportunity.  There is a need for the proposed development of a power generation facility in order to support the needs of the province.

PPS Policy #	Policy	Response
	<p>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;</p> <p>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;</p> <p>d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and</p> <p>e) addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses.</p>	<p>The proposed development will be suitable for the Site as it is already being used for industrial purposes.</p> <p>The proposed development uses the land in an appropriate way and is compact.</p> <p>Infrastructure is available.</p> <p>The proposed building has been designed to be compatible with the existing built-up area.</p> <p>There are no concerns with the transition between uses as the proposed location of the building is between 2 existing buildings on the Site.</p>
2.8.1.2	<p>Industrial, manufacturing and small-scale warehousing uses that could be located adjacent to sensitive land uses without adverse effects are encouraged in strategic growth areas and other mixed-use areas where frequent transit service is available, outside of employment areas.</p>	<p>The proposed use can be located near existing residential uses without adverse effects.</p> <p>The proposed building will be located between 2 existing buildings.</p> <p>Buffering and setbacks are provided as a way to mitigate uses.</p>
2.8.1.3	<p>In addition to policy 3.5, on lands within 300 metres of employment areas, development shall avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long term economic viability of</p>	<p>The proposed development is appropriate for the Site and does not cause any noise, dust, or vibration.</p>

PPS Policy #	Policy	Response
	employment uses within existing or planned employment areas, in accordance with provincial guidelines.	
2.8.2.1 – Employment Areas	Planning authorities shall plan for, protect and preserve employment areas for current and future uses, and ensure that the necessary infrastructure is provided to support current and projected needs.	The Site will continue to be used for employment, which is what it was intended to be used for.
2.8.2.3	Planning authorities shall designate, protect and plan for all employment areas in settlement areas by: a) planning for employment area uses over the long-term that require those locations including manufacturing, research and development in connection with manufacturing, warehousing and goods movement, and associated retail and office uses and ancillary facilities;	The proposed development has been designated by the City in their OP for Business Park use.
Chapter 3.1.1 – Infrastructure and Facilities	Infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs.	The Site has access to infrastructure and nearby public service facilities.
3.5.1 – Land Use Compatibility	Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.	The proposed development is appropriate for the Site and does not cause any noise, dust, or vibration which could impact the surrounding area.  The building will operate remotely.

PPS Policy #	Policy	Response
3.6.2 – Sewage, Water and Stormwater (SWM)	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 has access to full municipal services.  SWM will be addressed as part of SPC approval.
3.6.8	Planning for stormwater management shall: a) be integrated with planning for sewage and water services and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle; b) minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;	SWM will be reviewed as part of SPC approval.
4.1.1 – Natural Heritage	Natural features and areas shall be protected for the long term.	A SARS report will be completed.
4.2.1 - Water	Planning authorities shall protect, improve or restore the quality and quantity of water by: a) using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development; minimizing potential	The Site is within the regulated area of ERCA.  Permits from ERCA will be obtained as part of the SPC approval process.
4.6.1 - Cultural Heritage and Archaeology	Protected heritage property, which may contain built heritage	There are no cultural heritage features that apply to this Site.

PPS Policy #	Policy	Response
	resources or cultural heritage landscapes, shall be conserved.	
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.

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. The 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 "Business Park" according to Schedule "D" Land Use attached to the OP for the City of Windsor (see Figure 3 – OP).

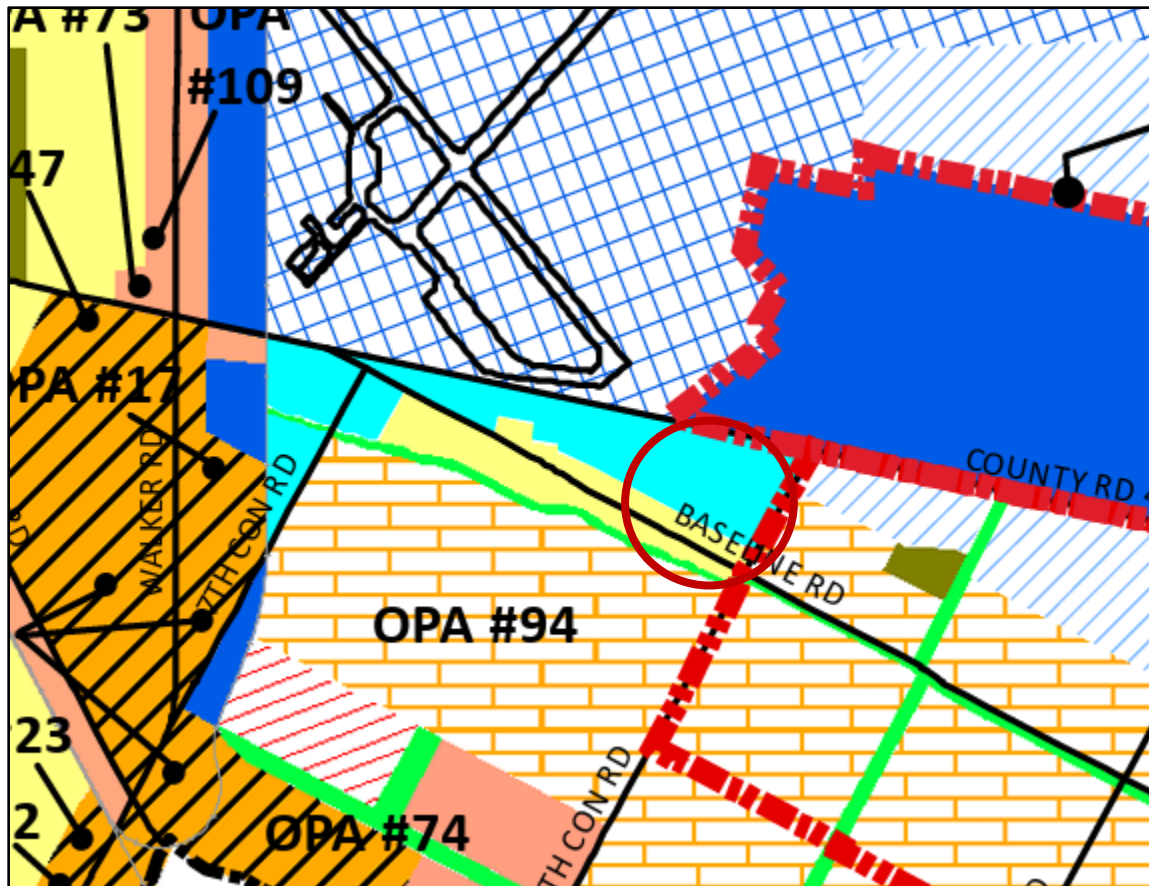


Figure 3 – OP

The Site is also subject to the following:

- Schedule A – Planning Districts & Policy Areas: “Sandwich South”
- Schedule A-1 – Special Policy Areas: Located adjacent to “Baseline Road Residential Corridor”
- Schedule C – Development Constraint Areas – Located within Airport Operating Area, Noise Exposure Forecast 25
- Schedule C-1 – Development Constraint Areas: Low Archaeological Potential
- Schedule F – Roads & Bikeways: County Road 42 is designated as a Class II Arterial Road; 8th Concession is designated as Class II Collector Road

It is proposed to maintain the existing OP 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 in an existing built-up area where citizens can live, work and play.
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.	<p>The proposed development will support the City's goal of promoting a healthy community.</p> <p>The proposed development is close to nearby transit, residential, shopping, local/regional amenities and parks.</p>
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.
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.
6.0 - Preamble	A healthy and livable city is one in which people can enjoy a <b>vibrant economy</b> 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 employment needs of the City.
6.1 - Goals	<p>In keeping with the Strategic Directions, Council's land use goals are to achieve:</p> <p>6.1.4 The retention and expansion of Windsor's employment base.</p>	<p>The proposed development supports the goals set out in the OP as it provides employment.</p> <p>Employment is encouraged in the area.</p>

OP Policy #	Policy	Response
	6.1.10 Pedestrian oriented clusters of residential, commercial, employment and institutional uses.	
6.4.1.1 – Employment (Positive Business Environment)	To ensure Windsor continues to be an attractive place to establish businesses and locate employees.	The proposed development supports this policy.  The Site is currently being used for industrial uses.
6.4.1.3 – Compatible Development	To ensure that employment uses are developed in a manner which are compatible with other land uses.	The proposed development supports this policy.  An expansion of existing industrial uses is proposed and is compatible with the surrounding area.  Buffering (ie fencing and landscaping) can be provided (subject to SPC approval).
6.4.1.4 – Range of Uses	To accommodate a full range of employment activities in Windsor.	The proposed development supports this policy.  The Site is currently used for industrial purposes.
6.4.2.2 – Attract Business	Council shall encourage businesses and industries to locate and expand in Windsor.	The proposed development supports this policy.  The use will attract more uses to the area.
6.4.2.4 – Site Plan Control (SPC)	Council shall require all development within areas designated as Industrial and Business Park to be subject to site plan control, with the exception of Public Open Space uses.	The proposed development will be subject to SPC approval.
6.4.4.1 – Business Park (Permitted Uses)	Uses permitted in the Business Park land use designation include:  (a) establishments devoted to research, development and	The current designation is Business Park.  The proposed development is appropriate for the Site and



OP Policy #	Policy	Response
	<p>information processing, business services, industrial research and/or training facilities, communication, production uses, printing and publishing; and</p> <p>(b)selected industrial uses which: (i) do not create nuisances such as noise, dust, vibration or odour; (ii) confine industrial operations within a building and/or structure; and (iii) do not require outside storage.</p>	<p>does not cause any noise, dust, or vibration.</p>
6.4.4.3 – Locational Criteria	<p>Business Park development shall be located where:</p> <p>(a) the business park use can be sufficiently separated and/or buffered from sensitive land uses; (b) the site will be accessible and highly visible from Controlled Access Highway or a Class I or Class II Arterial Road; (c) full municipal physical services can be provided; (d) business park related traffic can be directed away from residential areas; (e) public transportation service can be provided; and (f) there is access to designated truck routes.</p>	<p>The Site is located within a Business Park.</p> <p>Buffering from the abutting residential lots can be provided (ie fencing and landscaping).</p> <p>Full municipal services are available.</p> <p>Traffic can be directed away from residential areas.</p> <p>The Site is close to transit.</p> <p>There is access to a designated truck route.</p>
6.4.4.4 – Evaluation Criteria	<p>At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed business park development is:</p> <p>(a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies</p>	<p>This PRR has undertaken the required evaluation of provincial legislation in Section 5.1.1.</p> <p>There are no development constraint areas that impact this Site.</p>

OP Policy #	Policy	Response
	<p>for uses: (i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan; (ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust; (iii) within a site of potential or known contamination; (iv) where traffic generation and distribution is a provincial or municipal concern; and (v) adjacent to sensitive land uses and/or heritage resources. (b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area; (c) capable of being provided with full municipal physical services and emergency services; (d) provided with adequate off-street parking; and (e) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas.</p>	<p>The Site will provide for a new employment opportunity in an existing built-up area.</p> <p>No anticipated traffic or parking concerns.</p> <p>The proposed development will be strategically located to provide efficient ease of access to the Site.</p> <p>The Site is capable of accommodating the proposed development in terms of scale, massing, height and siting.</p> <p>The Site was always intended to be used for manufacturing.</p> <p>Zoning compliance can be achieved, with no requested relief.</p> <p>Municipal services are available.</p> <p>The Site is generally level, which is conducive to easy vehicular movements.</p> <p>Landscaping can be provided (subject to SPC).</p> <p>The proposed setbacks and the design features incorporated into the proposed development provide for infilling between existing buildings.</p>
6.4.4.5 – Design Guidelines	The following guidelines shall be considered when evaluating the proposed design of a Business Park	The proposed development will be designed appropriately.

OP Policy #	Policy	Response
	<p>development: (a) the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan; (b) the massing and scale of buildings, and the extent to which their orientation, form and siting help to enhance the well landscaped setting of the business park; (c) the provision of functional and attractive signage; (d) the provision of appropriate landscaping or other buffers to enhance: (i) all parking lots, and outdoor loading and service areas; and (ii) the separation between the use and adjacent sensitive uses, where appropriate; (e) motorized vehicle access is oriented in such a manner that business park related traffic will be discouraged from using Local Roads where other options are available; (f) loading bays and service areas are located to avoid conflict between pedestrian circulation, service vehicles and movement along the public right-of-way; (g) pedestrian and cycling access is accommodated in a manner which is distinguishable from the access provided to motorized vehicles and is safe and convenient; and (h) the design of the development encourages and/or accommodates public transportation services. (i) The design of the development encourages the</p>	<p>The final design will be subject to SPC.</p> <p>The Site is capable of accommodating the proposed development in terms of scale, massing, height and siting.</p> <p>The proposed development will provide buffering.</p> <p>The signage will be functional and attractive.</p> <p>The existing entrances will be used.</p> <p>On-site parking will be paved.</p> <p>Professional landscaping will be provided.</p> <p>Fencing will be provided.</p> <p>Loading space will be provided.</p>

OP Policy #	Policy	Response
	retention and integration of existing woodlots, vegetation and drainage corridors where feasible to provide amenity areas for employees and to enhance the visual appearance of business parks in Windsor	
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 proposed development is close to nearby transit, off a major transportation corridor and has access to full municipal services.
11.6.3.1 – Zoning By-law Amendment Policies	All amendments to the Zoning By-law(s) shall conform with this Plan. The Municipality will, on each occasion of approval of a change to the zoning by-law(s), specify that conformity with the Official Plan is maintained or that the change will be in conformity upon the coming into effect of an amendment to the Official Plan.	<p>The proposed ZBA does conform with the intent and purpose of the City of Windsor OP, as set out in this PRR.</p> <p>The conformity of the current OP is maintained.</p> <p>The Site was always intended to be used for manufacturing.</p>
11.6.3.3 – Evaluation Criteria	<p>When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:</p> <p>(a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans &amp; Special Policy Areas and other</p>	<p>The OP policies have been considered in the analysis of the ZBA.</p> <p>This PRR has undertaken the required evaluation of OP policies.</p> <p>There are no Secondary Plans that impact the Site.</p> <p>Support studies have been summarized in Section 4.3 of this PRR.</p>

OP Policy #	Policy	Response
	relevant standards and guidelines; (b) Relevant support studies; (c) The comments and recommendations from municipal staff and circularized agencies; (d) Relevant provincial legislation, policies and appropriate guidelines; and (e) The ramifications of the decision on the use of adjacent or similar lands.	<p>Comments and recommendations from staff and agencies have been provided as part of the Stage 2 application review.</p> <p>This PRR has undertaken the required evaluation of provincial legislation in Section 5.1.1.</p> <p>There are no design guidelines that impact this type of development.</p>
1.24.1 - Baseline Road Residential Corridor, Chapter 1, Special Policy Area	The Baseline Road Residential Corridor designated on Schedule A: Planning Districts and Special Policy Areas in the Primary Plan consists of existing residential development located immediately to the north and south of Baseline Road between the 7th Concession and 8th Concession.	<p>The proposed development will not impact the existing residential development located on Baseline Road.</p> <p>The proposed development will be located between 2 existing buildings on the Site.</p>
7.2.10.3 - Located within Airport Operating Area, Noise Exposure Forecast 25	Council shall ensure that new development in the vicinity of the Windsor Airport includes appropriate noise and vibration abatement measures in accordance with established off-airport land use planning practices.	The proposed development does not require any noise or vibration measures.
9.1.1 - Development Constraint Areas: Low Archaeological Potential	The identification, recognition, protection, conservation, enhancement and proper management of heritage resources.	No further action was required as the Site is listed as having low potential.
7.2.2.1 - Roads & Bikeways: County Road 42 is designated as a Class II Arterial Road; 8th	For the purpose of this Plan, the Transportation System refers to all modes of transportation and their corresponding facilities,	<p>No further action was required.</p> <p>The Site will not impact any transportation system.</p>

OP Policy #	Policy	Response
Concession is designated as Class II Collector Road	including walking, cycling, public transportation, roads, border crossings, rail, air and water transportation.	

Therefore, based on the above-noted analysis, the proposed development conforms to the purpose and intent of the City of Windsor OP, and an amendment is not 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 zoning for the Site is currently Industrial Zone (M1) category as shown on Map 11 of the City of Windsor Zoning By-Law (ZBL) #85-18 (former Tecumseh) (see Figure 4 – ZBL).

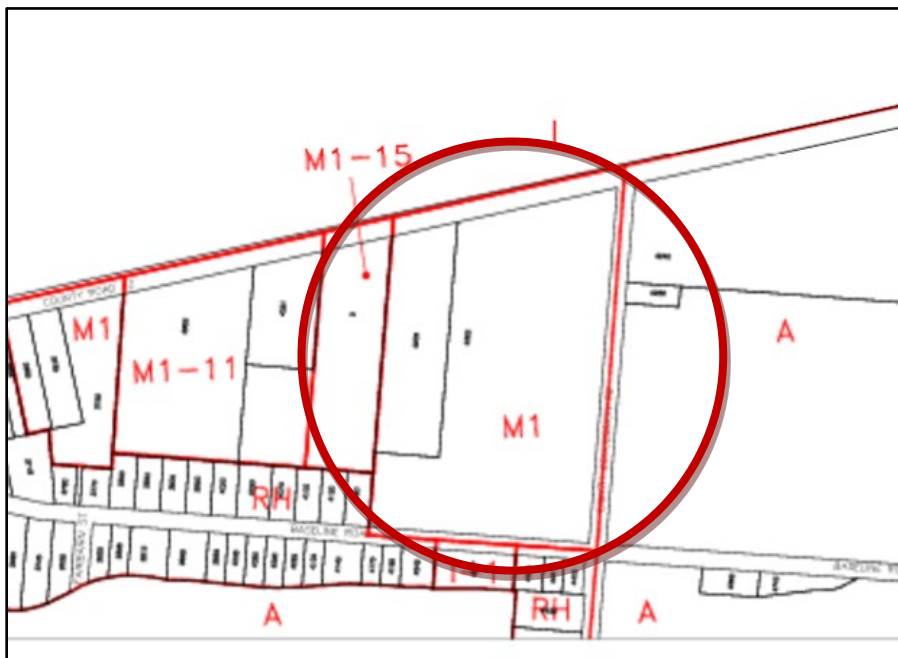


Figure 4 –ZBL

The zoning for the Site is proposed to be further amended to a site specific Industrial Zone (M1-XX) category to permit the proposed power generation facility as an additional permitted use.

According to Section 3 (Definitions) of the ZBL, a power generation facility is defined as follows:

*POWER GENERATION FACILITY is an industrial activity and means premises used to generate electricity and may include a power distribution station or a transformer station.*

A review of the M1 zone provisions, as set out in Section 14.1 of the ZBL is as follows:

Zone Regulations	Required M1 Zone	Proposed M1-XX Zone	Compliance and/or Relief Requested with Justification
Permitted Uses (sampling)	Automotive body repair shop Construction company Contractor's yard or shop Machine or welding shop Metal fabricating Repair depots, including machine repair shops Service shop Tire repair shop Tool and die companies Warehousing and supply or storage uses (outdoor and indoor) Woodworking shops Accessory buildings and uses	a power generation facility	Subject to the ZBA (additional permitted use),  The proposed use is needed and is appropriate to be located on the Site.
Min. Lot Area	2,000 m <sup>2</sup>	78,652 m <sup>2</sup>	Complies
Min. Lot Frontage	Count Road – 61 m  All other Roads – 30 m	Cabana Road East (County Road 42) – 192.5 m	Complies
Min. Lot Coverage	40 %	21.0 %	Complies
Min. Landscaped Open Space Yard	10 %	12.7 %	Complies
Max. Building Height	10.5 m	<10.5 m	Complies

<b>Zone Regulations</b>	<b>Required M1 Zone</b>	<b>Proposed M1-XX Zone</b>	<b>Compliance and/or Relief Requested with Justification</b>
Min. Front Yard Depth	12.0 m	21.8 m (existing)	Complies
Min. Side Yard Width	All other cases – 6.0 m	15 m / 6 m	Complies
Min. Rear Yard Depth	All other cases, except where the rear yard abuts a railway or railway spur, in which case no rear yard shall be required- 7.5 metres	14.4 m	Complies
Buffer Strip (S14.1.11)	A buffer strip with a minimum width of 7.5 metres (24.60') shall be provided abutting the side and rear lot lines, where they abut a residential, institutional or parks and open space zone in compliance with subsection 5.15	7.5 m	Complies

Therefore, the proposed development will conform with the purpose and intent of the ZBL. Further, no relief from the M1 zone provision is requested.



## **6.0 SUMMARY AND CONCLUSION**

### **6.1 Context and Site Suitability Summary**

#### **6.1.1 Site Suitability**

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

- The land area is sufficient to accommodate the proposed development,
- The Site is generally level, which is conducive to easy vehicular movements,
- The Site will be able to accommodate municipal water, storm and sewer systems,
- There are no anticipated traffic or parking concerns,
- There are no natural heritage concerns,
- There are no cultural heritage concerns,
- There are no hazards, and
- The location of the proposed development is appropriate.

#### **6.1.2 Compatibility of Design**

The proposed development has been designed to be compatible with the existing built-up area.

The proposed building will be located between 2 existing buildings.

The proposed development is an appropriate form of development which incorporates sufficient setbacks to allow for appropriate landscaping and buffering.

The Site is capable of accommodating the proposed development in terms of scale, massing, height and siting.

The proposed development is an appropriate use of the Site and does not cause any noise, dust or vibration.

The proposed development will help diversify employment opportunities needed in the area and create new jobs.

#### **6.1.3 Good Planning**

The proposal represents good planning as it addresses the need for the City to provide economic development and employment opportunities.

The Site currently has several existing industrial buildings.

The Site was always intended to be used for manufacturing.

The proposed use will provide for the needs of nearby residences and businesses by providing storage opportunities.

The proposed use of the Site represents an efficient development pattern that optimizes the use of land.

The proposed development will not change lotting or street patterns in the area.

#### **6.1.4 Natural Environment Impacts**

The proposal does not have any negative natural environmental impacts.

#### **6.1.5 Municipal Services Impacts**

Municipal services are available, which is the preferred form for development.

#### **6.1.6 Social, Heritage and/or Economic Conditions**

The proposed development does not negatively affect the social environment as the Site is in close proximity to major transportation corridors, transit, residential, open space and community amenities.

Development in an existing built-up area of the City contributes toward the goal of 'live, work and play' where citizens share a strong sense of belonging and a collective pride of place.

The proposal 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 infilling opportunity.

There are no cultural heritage resources that impact the Site.

## 6.2 Conclusion

In summary, it would be appropriate for Council for the City of Windsor to approve the ZBA application to permit the proposed development on the Site.

This PRR has shown that the proposed development is consistent with the PPS, conforms with the intent and purpose of the 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**

