

PLANNING RATIONALE REPORT

ZONING BY-LAW AMENDMENT PROPOSED DEVELOPMENT

3858-3868 Peter Street
Windsor, Ontario

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Table of Contents

| | | |
|-------|--------------------------------------|----|
| 1.0 | INTRODUCTION | 3 |
| 2.0 | SITE AND SURROUNDING LAND USES | 4 |
| 2.1 | Description of Site and Ownership | 4 |
| 2.2 | Physical Features of the Site | 5 |
| 2.2.1 | Size and Site Dimension | 5 |
| 2.2.2 | Existing Structures and Previous Use | 5 |
| 2.2.3 | Vegetation | 5 |
| 2.2.4 | Topography, Drainage and Soil | 6 |
| 2.2.5 | Other Physical Features | 6 |
| 2.2.6 | Municipal Services | 6 |
| 2.2.7 | Nearby Amenities | 6 |
| 2.3 | Surrounding Land Uses | 6 |
| 3.0 | PROPOSAL AND CONSULTATION | 9 |
| 3.1 | Development Proposal | 9 |
| 3.2 | Public Consultation Strategy | 11 |
| 4.0 | APPLICATIONS AND STUDIES | 12 |
| 4.1 | Zoning By-Law Amendment | 12 |
| 4.2 | Other Applications | 12 |
| 4.3 | Supporting Studies | 13 |
| 4.3.1 | Archaeology | 13 |
| 4.3.2 | Waste Disposal | 13 |
| 4.3.3 | Trees | 13 |
| 5.0 | PLANNING ANALYSIS | 14 |
| 5.1 | Policy and Regulatory Overview | 14 |
| 5.1.1 | Provincial Planning Statement | 14 |
| 5.1.2 | Official Plan | 19 |
| 5.1.3 | Zoning By-law | 31 |
| 6.0 | SUMMARY AND CONCLUSION | 38 |

| | | |
|-------|---|----|
| 6.1 | Context and Site Suitability Summary | 38 |
| 6.1.1 | Site Suitability | 38 |
| 6.1.2 | Compatibility of Design | 38 |
| 6.1.3 | Good Planning | 38 |
| 6.1.4 | Natural Environment Impacts | 39 |
| 6.1.5 | Municipal Services Impacts | 39 |
| 6.1.6 | Social, Heritage and/or Economic Conditions | 39 |
| 6.2 | Conclusion | 40 |

1.0 INTRODUCTION

I have been retained by CK Mechanical Heating Cooling Inc. (herein the "Applicant") to provide a land use Planning Rationale Report (PRR) in support of a proposed development located at 3858-3868 Peter Street (herein the "Site") in the City of Windsor, Province of Ontario.

The Site is located in Ward 2 in the Sandwich Planning District.

The Site is made up of 1 existing parcel of land, which currently has an existing single detached dwelling and detached garage, which will be demolished.

It is proposed that the Site will be developed for manufacturing purposes.

It is proposed to construct a new one storey 871.43 m² (9,380 ft²) warehouse on the Site.

The proposed warehouse will be used for storage and will include equipment/stock items such as furnaces, air conditioners, toilets, tubs, plumbing fixtures, fireplaces, etc. The items will be new equipment in boxes stored on shelves.

A total of 9 parking spaces is proposed to be located within the front yard with access from Peter Street.

The Site has access to full municipal services.

The Applicant does own the abutting business (CK Mechanical Hearing and Colling Inc.), located at 3842 Peter Street and will keep the property separate from the Site. There is no intention to merge the parcels.

Pre-consultation (stage 1) was completed by the Applicant (City File #PC-129/24). Comments dated January 10, 2025, were received and have been incorporated into this PRR.

Pre-submission (stage 2) was completed by the Applicant (City File #PC-032/25). Comments dated July 22, 2025, 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 a Site Plan Control (SPC) application 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.

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 CK Mechanical Heating Cooling Inc. since 2022.

CK Mechanical Heating Cooling Inc. also owns the abutting lands to the north (3842 Peter Street). The Site will not be consolidated. There is no intention to merge the parcels.

The Site is made up of one (1) rectangular-shaped interior parcel of land located on the west side of Peter Street, north of Chappell Avenue and south of Hill Avenue (see the area in **yellow** on Figure 1a – Site Location).

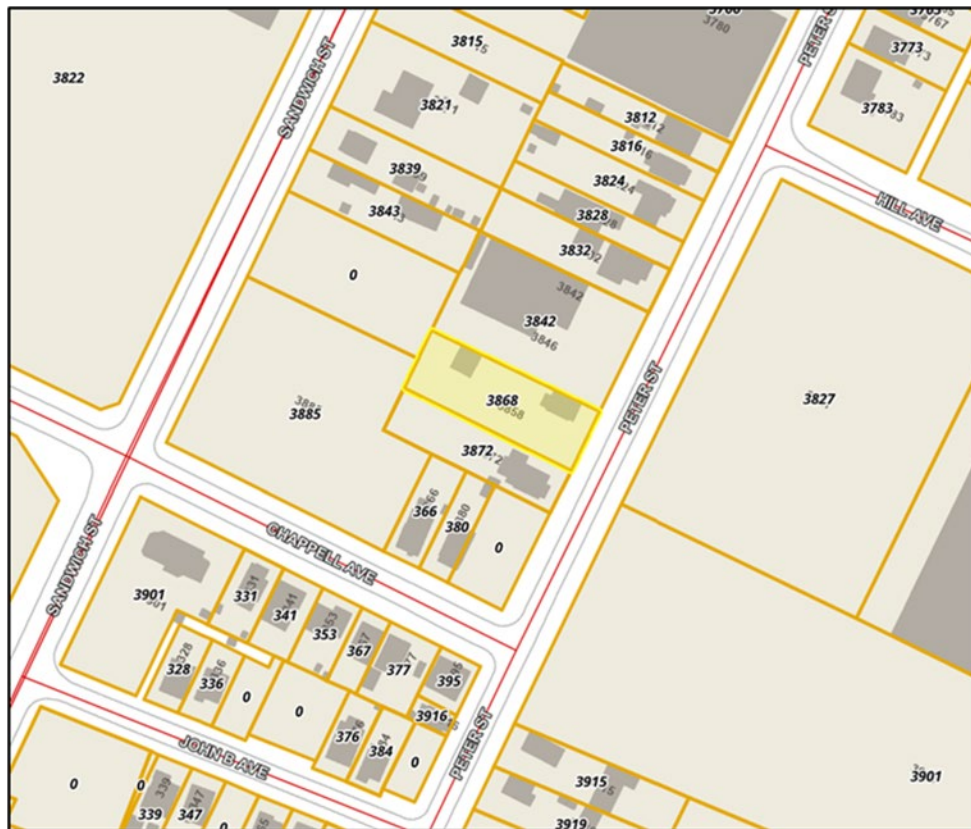


Figure 1a – Site Location (Source: City of Windsor GIS)

The Site is locally known as 3858-3868 Peter Street and is legally described as LT 27 W/S OF PETER ST PL 40 TOWN OF SANDWICH; PT LT 28 W/S OF PETER ST PL 40 TOWN OF SANDWICH AS IN R1354326; WINDSOR, PIN 01258-0188 LT (ARN 050-170-14800 and 050-170-14800-0030).

2.2 Physical Features of the Site

2.2.1 Size and Site Dimension

The Site, subject to the proposed development, consists of a total area of 1,406.79 m², with a lot width of 22.05 m along Peter Street and a lot depth of 63.80 m.

2.2.2 Existing Structures and Previous Use

The Site currently has an existing single detached dwelling and detached garage, which will be demolished (see Figure 1b – Site Street View).



Figure 1b – Site Street View (Source: Pillon Abbs Inc.)

The previous use of the Site is unknown.

2.2.3 Vegetation

The Site has an existing grass area and mature trees.

2.2.4 Topography, Drainage and Soil

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

The Site is part of the Windsor Area Drainage.

The Site is impacted by Source Water Protection (Significant Groundwater Recharge Area).

The soil is made up of Burford Loam (Bg).

2.2.5 Other Physical Features

There is existing fencing along portions of the Site.

There is an existing gravel driveway with access from Peter Street.

2.2.6 Municipal Services

The property has access to full municipal services.

Peter Street is a 2-way north/south road.

There is on-street parking in the area.

There are streetlights and sidewalks along Peter Street.

There is a fire hydrant located across the Site.

The Site is in close proximity to major transportation corridors, including Sandwich Street, Ojibway Parkway and Hwy 401.

The Site is close to transit, with the nearest bus stop located 300 m from the Site at the corner of Prince Road and Peter Street (Stop ID 1210, Bus 2).

2.2.7 Nearby Amenities

There are several schools, medical facilities, parks and libraries nearby.

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

2.3 Surrounding Land Uses

Overall, the Site is located in an existing built up area with a mix of uses.

Lot areas and frontages vary in size in the immediate area.

A site visit was undertaken on April 23, 2025. Photos were taken by Pilon Abbs Inc.

West – The lands directly west of the Site are currently vacant and are proposed to be used for residential with frontage along Sandwich Street (see Photo 1 - West).



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

South – The lands directly south of the Site are used for residential use (see Photo 2 - South).



Photo 2 – South (Source: Pillon Abbs Inc.)

East – The lands east of the Site are used for employment use (see Photo 3 - East).



Photo 3 – East (Source: Pilon Abbs Inc.)

North – The lands north of the Site are used for employment and owned by the Applicant (see Photo 4 - North).



Photo 4 – North (Source: Pilon Abbs Inc.)

3.0 PROPOSAL AND CONSULTATION

3.1 Development Proposal

The Site is made up of 1 existing parcel of land, which currently has an existing single detached dwelling and detached garage, which will be demolished.

The Applicant does own the abutting business (CK Mechanical Hearing and Colling Inc.), located at 3842 Peter Street and will keep the property separate from the Site. There is no intention to merge the parcels.

It is proposed that the Site will be developed for manufacturing purposes.

It is proposed to construct a new one storey 871.43 m² (9,380 ft²) warehouse on the Site.

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

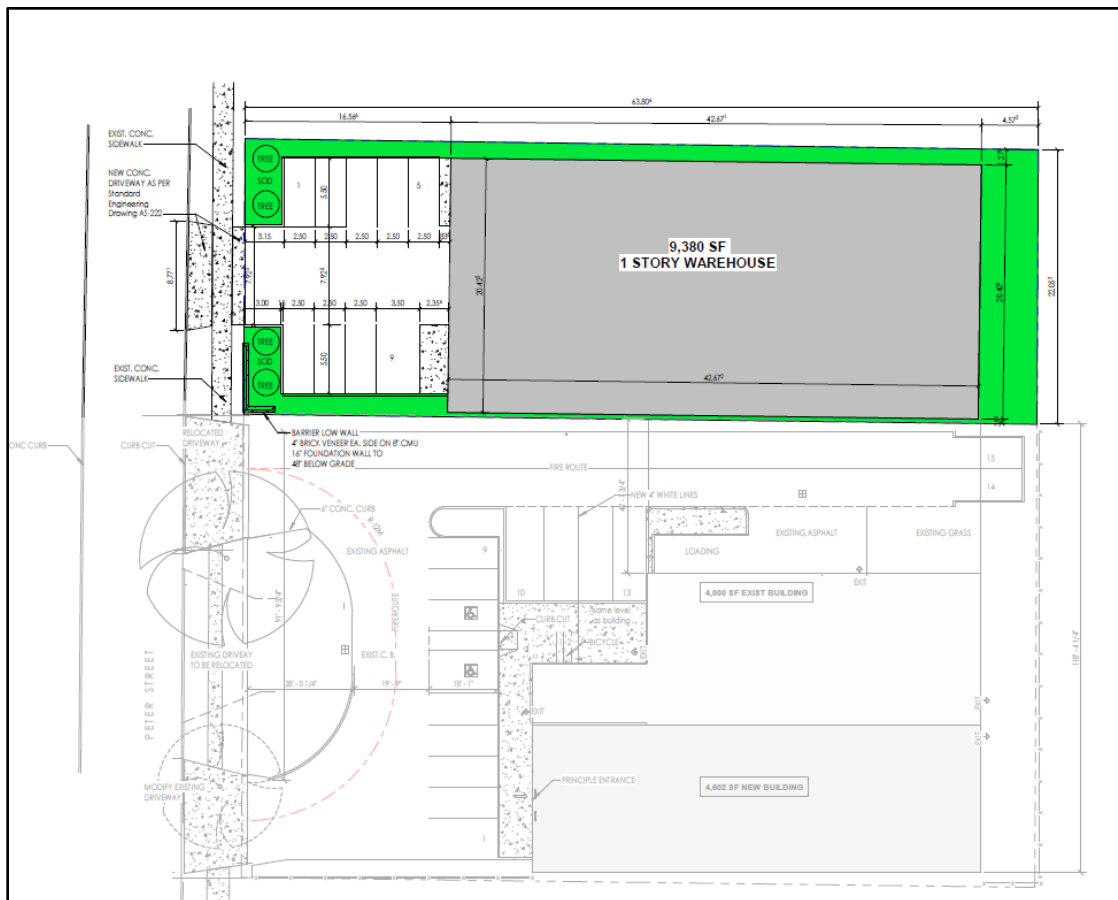


Figure 2a – Concept Plan

The concept plan illustrates a preliminary proposal.

The proposed warehouse will be used for storage. It will include equipment/stock items such as furnaces, air conditioners, toilets, tubs, plumbing fixtures, fireplaces, etc. The items will be new equipment in boxes stored on shelves.

There is no office space proposed.

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

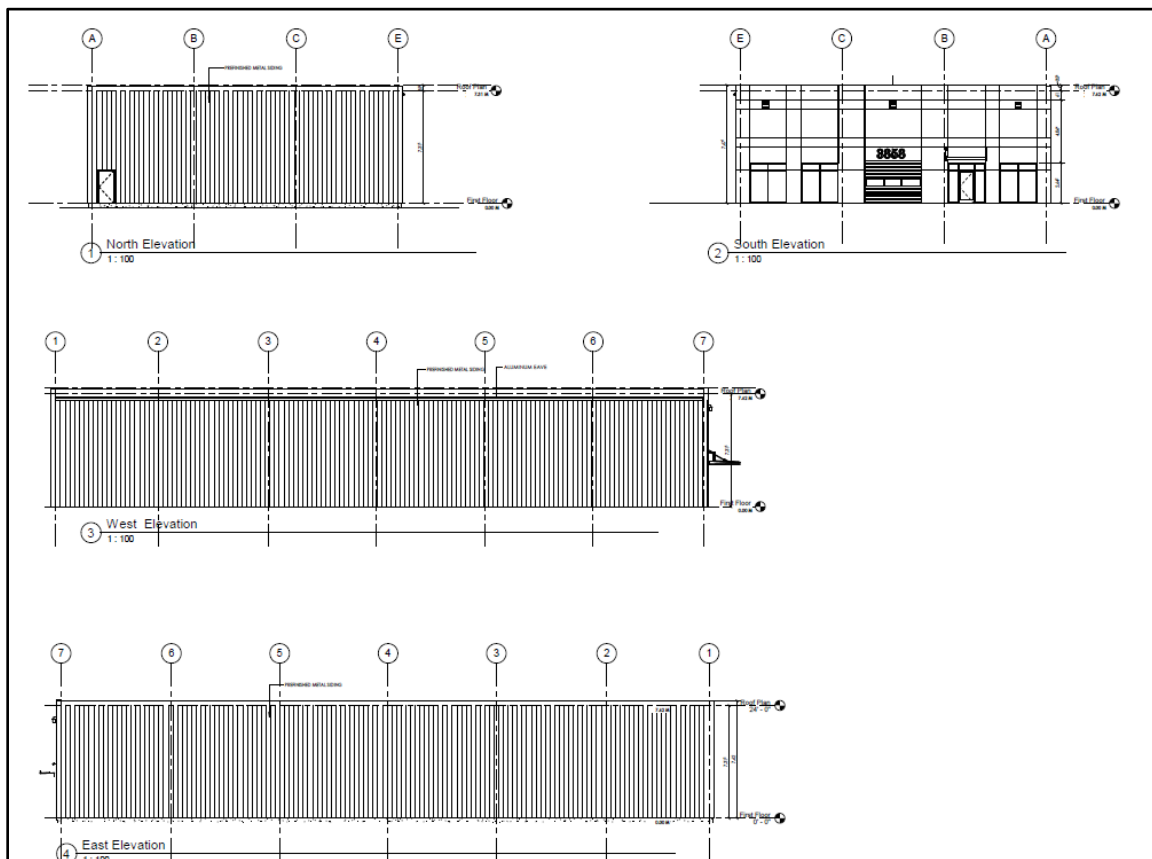


Figure 2b – Sample Elevation

The elevation illustrates a preliminary design of the proposed buildings.

A total of 9 parking spaces are proposed to be located within the front yard with access from Peter Street.

Parking will mainly be used for visitors. There is no staff parking required.

Landscaping will be provided around the proposed building, including tree plantings and a grass area in front of the proposed building.

Fencing can be provided.

The Site has access to full municipal services.

Refuse is proposed to be stored indoors.

There will be no outdoor storage yards.

As part of SPC and building permit requirements, driveway approaches and sewer connections will be provided as per the City standards.

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 electronic public open house was held with area residents and property owners on Tuesday, April 22, 2025, from 6:00 pm to 7:00 pm.

A total of 78 notices were mailed out (200 m radius).

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

Other than the City of Windsor staff and the applicant representatives, no other people attended.

No emails or phone calls were received.

4.0 APPLICATIONS AND STUDIES

Pre-consultation (stage 1) was completed by the Applicant (City File #PC-129/24). Comments dated January 10, 2025, were received and have been incorporated into this PRR.

Pre-submission (stage 2) was completed by the Applicant (City File #PC-032/25). Comments dated July 22, 2025, were received and have been incorporated into this PRR.

The purpose of pre-consultation was to identify what applications and support studies were required.

The proposed development requires a Zoning By-law Amendment (ZBA) and required support studies.

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.

According to Map 4, attached to the ZBL, the Site is currently zoned Development Reserve District 1.1 (DRD1.1) category.

The Site is also subject to S20(1)236, which regulates front yard setback, building height, parking and garages **for residential uses** in the Olde Sandwich Towne Community Improvement Area (CIP).

The zoning for the Site is proposed to be changed to a site specific Manufacturing District 1.2 (MD1.2 - S.20(1)(XXX)) category in order to permit the proposed warehouse.

The proposed development will comply with all zone provisions set out in the MD1.2 with the exception of some zoning relief.

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 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.

SPC is a technical review process and will address items such as lighting, landscaping and fencing.

4.3 Supporting Studies

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

4.3.1 Archaeology

A Stage 1 and 2 Archaeological Assessment was prepared by CRM Group, dated April 30, 2025, and revised on September 3, 2025.

A supplementary package was also prepared, dated September 3, 2025.

The purpose of the report was to undertake an archaeological assessment of the proposed development.

Additional work was completed, per the Ministry's request.

No archaeological features or cultural material were identified.

The report concluded that no further assessment was required.

The report has been submitted to the Ministry (MCM File Number 0023438).

4.3.2 Waste Disposal

A Waste Disposal Letter was prepared by CT Soil & Materials Engineering Inc., dated May 23, 2025.

The purpose of the report was to assess potential impacts from 2 active waste disposal sites located within a 500 m radius of the Site.

The report concluded that there is no potential impact on human health or the environment.

4.3.3 Trees

A Tree Inventory and Tree Root Protection Zone Plan was prepared by Bezaire Partners, dated August 20, 2025.

The purpose of the plan was to assess existing trees and their roots.

The report concluded that there are 10 private trees, many of which are in poor condition.

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.

Decisions affecting planning matters shall be consistent with policy statements issued under the Act.

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

| PPS Policy # | Policy | Response |
|--|---|--|
| Chapter 1 - Vision | 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 will contribute positively to promoting efficient land use and development patterns. Manufacturing use on the Site represents an efficient development pattern that optimizes the use of land. |
| Chapter 2.1.1: Building Homes, Sustaining Strong and Competitive Communities | As informed by provincial guidance, planning authorities shall base population and employment 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. |

| PPS Policy # | Policy | Response |
|----------------------------|--|--|
| 2.1.6 | Planning authorities should support the achievement of complete communities by: a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment , public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs; | The proposed development will support the City's requirement to accommodate for 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; | <p>The proposed development promotes an efficient development and land use pattern as it uses an existing parcel of land within a settlement area.</p> <p>The Site has access to full municipal infrastructure and is close to nearby public service facilities.</p> |
| 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; | <p>The proposed development offers a new employment opportunity.</p> <p>There is a need for the proposed warehouse.</p> |

| PPS Policy # | Policy | Response |
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| | <p>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;</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.</p> <p>The proposed development uses the land in an appropriate way and is compact.</p> <p>Infrastructure is provided.</p> <p>The proposed development has been designed to be compatible with the existing built-up area.</p> <p>Buffering can be provided.</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 adjacent to residential uses without adverse effects.</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</p> | <p>The proposed warehouse is appropriate for the Site and does not cause any noise, dust, or vibration.</p> |

| PPS Policy # | Policy | Response |
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| | economic viability of 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 'Industrial' 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 | The proposed warehouse is appropriate for the Site and does not cause any noise, dust, or vibration. |

| PPS Policy # | Policy | Response |
|--------------------------------------|---|--|
| | guidelines, standards and procedures. | |
| 3.6.2 – Sewage, Water and Stormwater | 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 development can proceed with 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; | Stormwater will be reviewed as part of SPC approval. |
| 4.1.1 – Natural Heritage | Natural features and areas shall be protected for the long term. | There are no natural heritage features that impact the Site. |
| 4.2.1 - 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 outside the regulated area of ERCA. |

| PPS Policy # | Policy | Response |
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| 4.6.1 - Cultural Heritage and Archaeology | Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved. | An assessment has been completed and included engagement. |
| 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 "Industrial" according to Schedule "D" Land Use attached to the OP for the City of Windsor (see Figure 3 – OP).

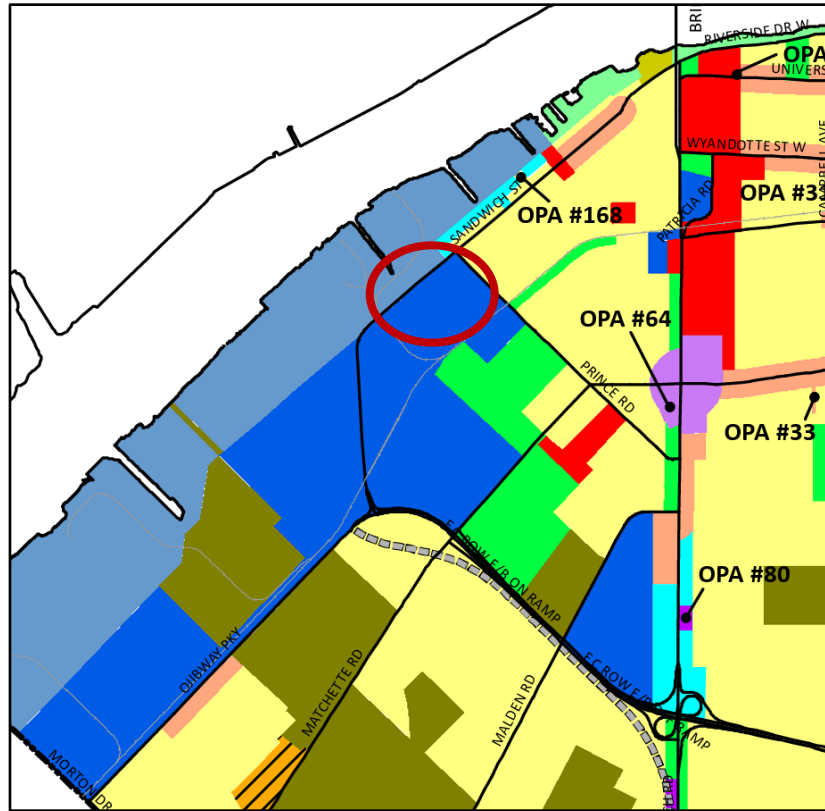


Figure 3 – OP

The Site is also subject to the following:

- Schedule C: Development Constraints - located to the north (+/-350m) of a "known or suspected former waste disposal site"
- Schedule C-1: Archaeological Potential – Located within a "Low Potential" area
- Schedule F: Roads & Bikeways – located on a Local Residential road (Peter Street)
- Schedule F-1: Railways - located to the East (+/-400m) of a railway

It is proposed to maintain the existing 'Industrial' 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 | The proposed development will support the City's vision by providing employment in an existing built-up area where |

| OP Policy # | Policy | Response |
|------------------------------------|--|---|
| | City of Windsor Community Strategic Plan. | citizens can live, work and play. The proposed use will provide for the needs of nearby businesses by providing storage opportunities. |
| 4.0 - Healthy Community | The implementing healthy community policies are interwoven throughout the remainder of the Plan, particularly within the Environment, Land Use, Infrastructure and Urban Design chapters, to ensure their consideration and application as a part of the planning process. | The proposed development will support the City's goal of promoting a healthy and complete community. The proposed development is close to nearby transit, residential, medical facilities, 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. Employment (jobs) will be created. |
| 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 diversify employment opportunities needed in the area. |
| 5.4.9.2 – Waste Disposal Site | Council shall require proponents of development within 500 metres of a Known or Suspected Waste Disposal Site to prepare a report in accordance with provincial legislation, policy and appropriate guidelines to demonstrate the site is suitable for development. | A portion of the Site is located within 500 m of a 'Known or Suspected Waste Disposal Site'. The required support study has been prepared and summarized in section 4.3.2 of this PRR. No concerns were identified. |
| 6.0 - Preamble | A healthy and livable city is one in which people can enjoy a vibrant economy and a | The proposed development supports the policy set out in the OP as the Site is suited for |

| OP Policy # | Policy | Response |
|--|--|--|
| | 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 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>6.1.10 Pedestrian oriented clusters of residential, commercial, employment and institutional uses.</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> |
| 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. |
| 6.4.1.3 – Compatible Development | To ensure that employment uses are developed in a manner which are compatible with other land uses. | <p>The proposed development supports this policy.</p> <p>Employment is proposed and is compatible with the surrounding area.</p> <p>Buffering (ie fencing and landscaping) can be provided (subject to SPC approval) where there are residential uses.</p> |
| 6.4.1.4 – Range of Uses | To accommodate a full range of employment activities in Windsor. | The proposed development supports this policy. |
| 6.4.2.2 – Attract Business | Council shall encourage businesses and industries to locate and expand in Windsor. | The proposed development supports this policy. |

| OP Policy # | Policy | Response |
|-------------------------------|--|--|
| 6.4.2.4 – Site Plan Control | 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. |
| 6.4.3.1 – Industrial Policies | Uses permitted in the Industrial land use designation identified on Schedule D: Land Use include establishments which may exhibit any or all of the following characteristics: (a) large physical size of site or facilities; (b) outdoor storage of materials or products; (c) large production volumes or large product size; (d) frequent or continuous shipment of products and/or materials; (e) long hours of production and shift operations; (f) likelihood of nuisances, such as noise, odour, dust or vibration; (g) multi-modal transportation facilities; (h) is dependent upon, serves or otherwise complements the industrial function of the area ; and (i) service and repair facilities. | The proposed warehouse is considered a permitted use in the Industrial land use designation and will complement the uses in the area. |
| 6.4.3.3 – Locational Criteria | Industrial development shall be located where: (a) the industrial use can be sufficiently separated and/or buffered from sensitive land uses; (b) there is access to an arterial road; (c) full municipal physical services can be provided; (d) industry related traffic can be directed away from residential areas; (e) peak period public transportation service can be provided; and (f) there is access to designated truck routes. | <p>The Site is located where industrial uses are intended for.</p> <p>Buffering can be addressed as part of SPC approval.</p> <p>There is access to nearby transportation corridors.</p> <p>The Site has access to full municipal services.</p> <p>The proposed use will not impact any nearby residential uses.</p> |

| OP Policy # | Policy | Response |
|-------------------------------|---|--|
| 6.4.3.4 – Evaluation Criteria | At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed industrial development is: (a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses: (i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan; (ii) within a site of potential or known contamination; (iii) where traffic generation and distribution is a provincial or municipal concern; and (iv) 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 siting, orientation, setbacks, parking and landscaped areas. | <p>The PPS has been assessed as part of Section 5.1.1 of this PRR.</p> <p>There are no constraint areas that impact the Site.</p> <p>There is no known contamination.</p> <p>The proposed development is not anticipated to have any impact on traffic.</p> <p>A waste disposal letter has been provided.</p> <p>An archaeology assessment has been provided and summarized in Section 4.3.1 of this PRR.</p> <p>Secondary plans are not impacted.</p> <p>Full municipal services are available.</p> <p>Off-street parking is provided.</p> <p>The proposed development can be constructed to be compatible with the surrounding area.</p> |
| 6.4.3.5 – Design Guidelines | The following guidelines shall be considered when evaluating the proposed design of an Industrial development: (a) the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan; (b) the provision of appropriate landscaping or other buffers to enhance: (i) (ii) (c) all parking | The final design of the proposed building will be revised as part of SPC approval. |

| OP Policy # | Policy | Response |
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| | lots, and outdoor loading, storage and service areas; and the separation between the industrial use and adjacent sensitive uses, where appropriate. motorized vehicle access is oriented in such a manner that industry related traffic will be discouraged from using Local Roads where other options are available; (d) pedestrian and cycling access is accommodated in a manner that is distinguishable from the access provided to motorized vehicles and is safe and convenient; (e) (f) loading bays and service areas are located to avoid conflict between pedestrian circulation, service vehicles and movement along the public right-of-way; and the design of the development encourages and/or accommodates public transportation services. (g) The design of the development encourages the retention and integration of existing woodlots, vegetation and drainage corridors where feasible to provide amenity areas for employees and to create a positive visual image of industry 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 municipal services. |

| OP Policy # | Policy | Response |
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| 9.3.7.1 - Archaeology | Council will integrate heritage conservation into the development and infrastructure approval process by: (a) An archaeological assessment is required as part of a complete application for all development or site alteration application, including municipal projects, if it is determined using the archaeological management plan potential mapping that any part of a potential development area possesses archaeological potential or known archaeological resources as set out in Schedule C-1 Archaeological Potential. | <p>The property is within an area of High Archaeological Potential and may require an Archaeological Assessment as part of any redevelopment.</p> <p>An assessment has been completed and summarized in Section 4.3.1 of this PRR.</p> |
| 11.6.3.1 – 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 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 & Special Policy Areas and other relevant standards and guidelines; (b) Relevant support studies; (c) The comments and recommendations from</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> <p>Comments and recommendations from staff</p> |

| OP Policy # | Policy | Response |
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| | 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>and agencies have been provided as part of the Stage 1 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> |
| 3.1.3 - Sandwich Town Community Improvement Plan (CIP) – Industrial Area, Target Area 3 | Target Area 3 comprises a large part of the Project Area and contains a range of uses. This includes residential, institutional, commercial and industrial uses. | The Site is designated Industrial in the OP. |
| | As noted in the Community Planning Study, the poor condition of the housing stock in much of the Project Area (and particularly much of Target Area 3) is a major concern. | The existing dwelling is in poor condition and will be removed. |
| 3.2 Olde Sandwich Towne – Community Improvement Plan (CIP) – Supplementary Development and Urban Design Guidelines | <p>Many of the properties related to industrial uses are large and have outdoor storage. It is the City's intention to concentrate on the front of the property to create an attractive streetscape and positive image of the area. The following guidelines apply to all development within the industrial area:</p> <p>1. Design new buildings and landscaping so that they dominate the streetscape in the industrial area. Ensure that landscape buffer strips are at least 3.0m wide.</p> | <p>The CIP urban design guidelines will be respected.</p> <p>The CIP is only a guideline.</p> <p>The final design of the proposed building will be provided as part of the SPC application. At that time, the character and materials used will be assessed.</p> <p>Landscaping will be provided around the parking area and the proposed warehouse.</p> <p>An appropriate amount of buffering is provided.</p> |

| OP Policy # | Policy | Response |
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| | | <p>Windows and door windows will be clear vision glass (not tinted), and there will be no lifestyle posters in the windows.</p> <p>Materials can also be made to be consistent with the properties in the area, including façade design.</p> <p>The current ZBA is a change in land use only.</p> |
| | <p>2. Limit parking in a building's front yard to visitor parking, with staff parking located at the side and/or rear of the building. Screen parking from the street with landscaping, fencing, berms or a combination of these features.</p> | <p>Parking will be provided in the front of the proposed building for visitors.</p> <p>Parking in the front yard is limited, not prohibited.</p> <p>There is no need for staff parking.</p> <p>Parking will be located where it is safe and visible from the street for visitors.</p> <p>Landscaping is provided.</p> |
| | <p>3. Locate the office component of a building closer to the street than the plant or warehouse component so that it is visible from the street and breaks up building mass.</p> | <p>There is no office proposed.</p> <p>The warehouse is set back from the road to use the Site more efficiently.</p> <p>The proposed setbacks also provide more privacy for the abutting properties.</p> <p>The landscape area distance adjacent to Peter Street will be consistent with the residential properties along Peter Street, with a combination of decorative fencing, low</p> |

| OP Policy # | Policy | Response |
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| | | masonry walls, and vegetation to be used to screen the parking area from the road. |
| | 4. Site and design buildings to recognize and incorporate the natural features of a site such as existing trees , contours, water course and ponds. Use Carolinian plant materials to promote the natural heritage of the area. | <p>There are no natural features on the Site or near the Site.</p> <p>A TIPP has been prepared and summarized in Section 4.3.3 of this PRR.</p> <p>New landscaping and tree plantings will be reviewed at the time of SPC.</p> |
| | 5. Set development back from existing natural features to create appropriate buffer areas. | <p>There are no natural features that impact the Site.</p> <p>Screening, buffering and fencing will be provided.</p> <p>Adjacent property can be protected with appropriate buffering.</p> |
| | 6. Site buildings to ensure that adjacent properties are protected from potential nuisances from the new building and the site, such as illumination, noise and odour where applicable. | <p>The proposed development is a low profile form of development which incorporates sufficient setbacks to allow for appropriate landscaping and buffering.</p> <p>Lighting and landscaping will be addressed as part of SPC approval.</p> <p>There are no anticipated nuisances as warehousing is generally a quiet use of land.</p> <p>There are no loading docks, emissions, truck traffic or noise generated by the warehouse.</p> |

| OP Policy # | Policy | Response |
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| | 7. Incorporate outdoor amenity areas, such as a patio for lunch, into the overall site design and define such areas by building façades, fencing or landscaping. | <p>Lighting and landscaping will be addressed as part of SPC approval.</p> <p>There are landscaped areas in the front yard.</p> <p>The zoning does not regulate amenity space in the ZBL for industrial uses. This is just a guideline.</p> <p>The overall design is subject to SPC approval. Façades, fencing and landscaping will be addressed at that time.</p> |
| | 8. Provide sufficient area on the site for truck turning and circulation. | <p>Vehicles will be able to access the building from the parking area.</p> <p>No large trucks will access the Site.</p> |
| | 9. Locate waste storage areas inside buildings wherever possible. Where outside, ensure that waste disposal areas and containers are not visible from the street through such screening measures as building design and siting, landscaping and planting, or fencing. | <p>There is no outdoor storage of waste or recycling.</p> <p>Refuse will be collected inside the proposed building.</p> |
| | 10. Locate loading and outdoor storage areas in the rear and/or interior side yard for new buildings. | No loading or outdoor storage areas are proposed. |
| | 11. Locate loading and servicing areas away from the street frontages and visually screen such areas from public views and adjacent residential properties by landscape features and/or fencing that is compatible with the building's architecture. | <p>Loading can be provided from the parking area.</p> <p>The ZBA requests relief from the ZBL regarding loading space, as none is proposed.</p> <p>Landscaping and fencing will be provided.</p> |

| OP Policy # | Policy | Response |
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| | | <p>The proposed building will create privacy from abutting properties.</p> <p>The final design is subject to SPC approval.</p> |
| | 12. Use landscaping as a major visual element in unifying the streetscape and softening long expanses of blank walls and fencing. | The landscape area distance adjacent to Peter Street will be consistent with the residential properties along Peter Street, with a combination of decorative fencing, low masonry walls, and vegetation to be used to screen the parking area from the road. |
| | 13. Develop stormwater management ponds as natural landscaped features that contribute to the landscaped environment on the site and the surrounding area. | There are no SWM ponds on or near the Site. |

Therefore, based on the above-noted analysis, the proposed development conforms to the purpose and intent of the OP.

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.

According to Map 4 attached to the ZBL the Site is currently zoned Development Reserve District 1.1 (DRD1.1) category (see Figure 4 – ZBL).

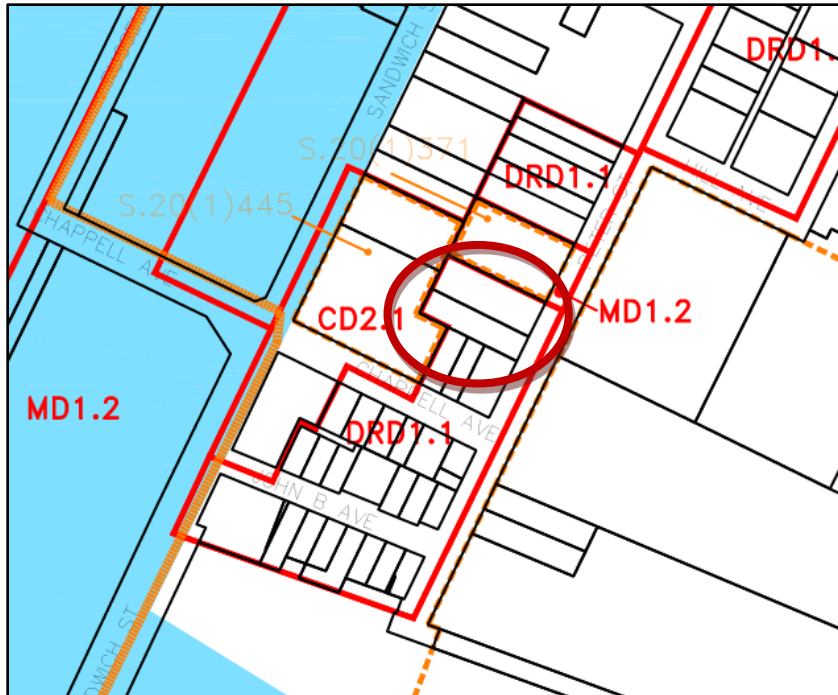


Figure 4 –ZBL

The Site is also subject to S20(1)236, which regulates front yard setback, building height, parking and garages for residential uses in the Olde Sandwich Towne Community Improvement Area (CIP).

The zoning for the Site is proposed to be changed to a site specific Manufacturing District 1.2 (MD1.2 - S.20(1)(XXX)) category in order to permit the proposed warehouse.

WAREHOUSE means a building used for the storage of parts, materials, equipment or other goods and products and may include their loading, unloading, packaging, repacking, or unpacking. A self-storage facility or transport terminal is not a warehouse.

A review of the MD1.2 zone provisions, as set out in Section 18.2 of the ZBL is as follows:

| Zone Regulations | Required MD 1.2 Zone | Proposed MD1.2 - S.20(1)(XXX) | Compliance and/or Relief Requested with Justification |
|------------------|---|-------------------------------|--|
| Permitted Uses | Ambulance Service Building Materials Recycling Store Bulk Storage Facility Business Office Contractor's Office | Warehouse | Subject to the ZBA The Site is big enough to accommodate the warehouse. |

| Zone Regulations | Required MD 1.2 Zone | Proposed MD1.2 - S.20(1)(XXX) | Compliance and/or Relief Requested with Justification |
|------------------|--|-------------------------------|--|
| | <p>Equipment Rental Shop Food Catering Service Food Processing Facility Laundry Plant Manufacturing Facility Medical Appliance Facility Micro-Brewery Public Parking Area Repair Shop – Heavy Repair Shop – Light Self-Storage Facility Towing Service Warehouse Water Transportation Facility Welding Shop Any of the following Ancillary Uses: Automobile Sales Lot Car Wash Automatic Car Wash Coin Operated Club Food Outlet – Drive-through Food Outlet – Take-out Gas Bar Health Studio Restaurant Restaurant with Drive-through Retail Store – Equipment & Supplies Veterinary Office Wholesale Store Any of the following Existing Uses: Transport Terminal Any use accessory to any of the above uses, including a</p> | | <p>The proposed use is compatible with the surrounding area.</p> <p>Buffering can be provided (appropriate setbacks, fencing and landscaping).</p> |

| Zone Regulations | Required MD 1.2 Zone | Proposed MD1.2 - S.20(1)(XXX) | Compliance and/or Relief Requested with Justification |
|-----------------------|--|--|---|
| | Caretaker's Residence or a Retail Store | | |
| Prohibited Uses | Outdoor storage of aggregate | No outdoor storage of aggregate proposed | Complies |
| Max. Building Height | 14.0 m | 9.0 m (1 storey) | Complies |
| Min. Front Yard Depth | 6.0 m | 16.54 m | Complies |
| Min. Side Yard Width | a) From a side lot line that abuts a lot on which a dwelling or dwelling unit is located – 6.0 m | South - 1.27 m | <p>Relief requested.</p> <p>The general intent of a side yard width requirement is to ensure privacy, natural light, ventilation, aesthetics, utilities, fire safety, maintenance, and to prevent encroachments.</p> <p>Access to the side yards and rear yard for maintenance and emergency services can be provided.</p> <p>There are no encroachments proposed.</p> <p>Additional landscaping is proposed as a buffer.</p> <p>Fencing can also be provided, subject to SPC approval.</p> <p>There will be no windows along the side of the proposed warehouse.</p> |

| Zone Regulations | Required MD 1.2 Zone | Proposed MD1.2 - S.20(1)(XXX) | Compliance and/or Relief Requested Justification with |
|---|--|--|--|
| | | | The building will provide privacy for the abutting properties. |
| Min. Landscaped Open Space Yard | 15.0% of lot area – 211.02 m2 (based on 1,406.79 m2 lot area) | 18.38 % of the lot area – 259.19 m2 | Complies |
| Max. Gross Floor Area – main building | Retail Store - 25.0% of the GFA of the main use | N/A – no retail proposed | Complies |
| Min. Parking Spaces Required (Table 24.20.20.5.1) | Warehouse - 1 for each 200 m ² GFA Based on 871.43 m2 = 4.36 (4 rounding down) | 9 total parking spaces proposed | Complies |
| Minimum Required Accessible Parking Spaces (24.24.1.1) | 1 to 25 = 1 Type A 0 Type B | 1 | Complies |
| Location of Parking, Visitor Parking or Accessible Parking Spaces (24.26.5) | A parking space, visitor parking space or accessible parking space is prohibited in a required front yard or a required landscaped open space yard, except on a lot occupied by a single-unit dwelling, semi-detached dwelling, duplex dwelling or a townhome dwelling | Parking spaces and accessible parking spaces be permitted in the required front yard. | Relief requested. The proposed parking space locations are preferred to be located near Peter Street as opposed to abutting the residential uses. Parking in the front will provide better safety for visitors as opposed to being located at the rear of the building. Parking will have clear visibility from the street. |

| Zone Regulations | Required MD 1.2 Zone | Proposed MD1.2 - S.20(1)(XXX) | Compliance and/or Relief Requested with Justification |
|---|--|--|--|
| | unit, a parking space, visitor parking space or accessible parking space is permitted in a required front yard. | | Landscaping, screening and buffering can be provided and will be subject to SPC approval. |
| Minimum Required Loading Spaces (24.40.1.9) | For any other non-residential building, the number of loading spaces - Over 275 m ² to 2,500 m ² Total = 1 loading space required | 0 | Relief required Loading can be provided from the parking area for vehicles. It is not anticipated that large trucks will access the Site.. |
| Minimum Parking Area Separation (25.5.20.1) | Any other street – 3.00 m | 3.00 m | Complies |
| | An interior lot line or alley - 0.90 m | 1.27 m | Complies |
| | A building wall in which is located a main pedestrian entrance facing the parking area – 2.00 m | 2.35 m | Complies |
| Required Yard in Manufacturing Districts 5.67.1 | In any MD1. or MD2. zoning district, a required yard shall be maintained exclusively as a landscaped open space yard, save and except that an access area may cross a required yard. | A required yard shall not be maintained exclusively as a landscaped open space yard. | Relief required. There is sufficient landscaped open space provided on the Site. The parking area will be properly screened. |

Therefore, based on the above-noted analysis, the proposed development conforms to the purpose and intent of the ZBL.

In addition to the proposed permitted use of a warehouse, the proposed development will comply with all zone provisions set out in the MD1.2, with the following requested relief:

1. *Decrease the minimum side yard width abutting residential from 6.0 m to 1.27 m,*
2. *Permit parking spaces and accessible parking spaces to be permitted in the required front yard,*
3. *Decrease the minimum loading space from 1 to 0, and*
4. *To permit a required yard to not be maintained exclusively as a landscaped open space yard.*

6.0 SUMMARY AND CONCLUSION

6.1 Context and Site Suitability Summary

6.1.1 Site Suitability

The Site is ideally suited for 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 noise, privacy, 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 development is a low profile 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 warehouse is an appropriate use of the Site and does not cause any noise, dust or vibration.

The proposed development will create a buffer between the existing residential and manufacturing uses.

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 was always intended to be used for manufacturing.

The proposed use will provide for the needs of nearby 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.

There are no parking or traffic concerns.

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

