

Committee of Adjustment

MISSION STATEMENT:

“Our City is built on relationships – between citizens and their government, businesses and public institutions, city and region – all interconnected, mutually supportive, and focused on the brightest future we can create together.”

Author’s Name: Olivia Laforet	File No.: A-028/26
Author’s Phone: (519) 255-6543 ext 6025	Report Date: Apr 08, 2026
Author’s E-mail: olaforet@citywindsor.ca	Committee Meeting Date: Apr 16, 2026

To: Committee of Adjustment

Subject Application: Relief from the provisions of Zoning By-law 8600

Owner: Dimaholdco Inc.

Location: 3278 Marentette Ave

Legal Description: PLAN 1415; LOTS 201 TO 203; 249 TO 251; PT LOTS 106 TO 108; PT BLOCK A; G AND O; RP 12R28964; PART 2

1. RECOMMENDATION:

That the Minor Variance application of Dimaholdco Inc. for the relief from the provisions of By-Law 8600, to permit the construction of a 2,794 sq.m. warehouse addition to the existing structure with relief from the maximum building height requirement and the number of required parking spaces at the subject lands municipally known as 3278 and 3298 Marentette Ave, **BE GRANTED** with no conditions.

2. THE REQUESTED VARIANCES:

Requesting relief for the construction of a 2,794 sq.m. warehouse addition with increased Maximum Building Height and decreased number of Required Parking Spaces, thereby seeking the following reliefs of Zoning By-law 8600:

	PROVISION	PROVISION DESCRIPTION	REQUIRED	PROPOSED
1	18.1.5.4	Maximum Building Height	14.0 m	18.3 m
2	24.20.5.1	Required Parking Spaces	31	22

3. **PLANNING ANALYSIS:**

The subject property, legally described as Plan 1415; Lots 201 To 203; 249 To 251; Pt Lots 106 To 108; Pt Block A; G And O; RP 12R28964; Part 2, and municipally known as 3278 Marentette Ave, is currently developed with industrial buildings. The applicant proposes to construct a 2,794 sq.m. warehouse addition and provide four (4) parking spaces. The proposed warehouse addition requires relief from the maximum building height to accommodate the operational requirements of the existing industrial use on the property. The proposed warehouse addition is located at the rear of the property, set back approximately 54.2m from the front lot line, and is situated behind an existing one-storey industrial building. As a result, the increased height will not be apparent from the public streetscape and will have limited negative impacts, such as shadowing or visual dominance, on surrounding industrial properties. These siting characteristics effectively mitigate potential impacts associated with increased building height and ensure that the proposal remains compatible with the established industrial character of the area.

The proposal also requires relief from the number of required parking spaces. A parking rationale, hereto attached as **Appendix C**, was provided by the owner that indicates that the existing parking supply is sufficient to meet the current number of employees per shift. The proposed warehouse addition will operate as an automated, lights-out ASRS system and is anticipated to require a maximum of two (2) parking spaces to accommodate staff. Based on this information, no additional parking demand beyond the existing and proposed supply is anticipated. The proposed development is subject to Site Plan Control and is currently proceeding through the approval process.

PLANNING ACT

Subsection 45(1) of the Planning Act states that the Committee of Adjustment “*may, despite any other Act, authorize minor variance from the provisions of the by-law, in respect of the land building or structure or the use thereof, as in its opinion is desirable for the appropriate development or use of the land, building or structure, if in the opinion of the committee the general intent and purpose of the by-law and of the official plan, if any, are maintained.*”

PROVINCIAL PLANNING STATEMENT (PPS) 2024

The Planning Staff has reviewed the relevant policies of the PPS - “Building Homes, Sustaining Strong and Competitive Communities” (Policy statement 2.8.2 of the PPS). The requested minor variance is consistent with these policies to protect and preserve employment areas for current and future uses.

OFFICIAL PLAN (OP)

The Minor Variance Policies in Section 11.6.6 are hereto attached as **Appendix A**. Section 11.6.6.2 outlines the evaluation criteria for minor variance applications. The general intent and purpose of the Official Plan is maintained with the proposed development; the requested variances are minor in nature and desirable for the subject building.

The subject land is designated Industrial per the Official Plan. The proposed development is permitted and conforms to the associated objectives and policies. Therefore, the requested variances meet the general intent and purpose of the Official Plan per Section 11.6.6.2(a).

The proposed development is permitted and conforms to the zoning by-law provisions, except for the requested variances. Therefore, the general intent and purpose of the by-law being varied is maintained as per Section 11.6.6.2(b).

The proposal will have minimal impact on the properties in the immediate neighbourhood. Therefore, the variances are minor in nature as per Section 11.6.6.2(c).

While the requested variances exceed 20 per cent variation above the bylaw regulations, Section 11.6.6.2(d) does not apply to industrial uses. This provision applies only to variances that *would increase the building envelope of a main building or accessory building containing a dwelling unit...*

The variances are desirable for the appropriate use of the land, building, or structure and would not hinder the reasonable development and/or use of properties in the neighbourhood, thus complying with Section 11.6.6.2(e).

ZONING BY-LAW

The subject land is zoned Manufacturing District 1.1 (MD1.1) - S.20(1)402 per By-law 8600. The proposed use is permitted and complies with the applicable provisions with the exception of the variances being requested. The requested variances will not result in undue hardship on the owner, adjoining properties, or the public realm; therefore, the variances are minor in nature. The proposed variances meet the intent of Zoning By-law 8600.


4. PLANNER'S OPINION:

The requested variances are minor in nature and maintain the general intent and purpose of the Official Plan and Zoning By-law 8600. Therefore, the variances are consistent with section 45 (1) of the Planning Act. The Planning Division recommends approval of the applicant's request with no conditions noted on the recommendation.



Olivia Laforet
Planner II - Development

I concur with the above comments and opinion of the Planner II.



Greg Atkinson MCIP, RPP
Deputy City Planner - Development

CONTACT:

Name: **Olivia Laforet**
Phone: (519)-255-6543 ext. 6025

Fax: (519) 255-6544
Email: olaforet@citywindsor.ca

APPENDICES:

Appendix “A” - Excerpts from the Official Plan Volume I

Appendix “B” - Comments received by the Secretary Treasurer of the Committee of Adjustment

Appendix “C” - Parking Rationale Provided by Dimaholdco Inc.

APPENDIX “A”

Excerpts From Official Plan Volume I

	11.6.6	Minor Variance Policies
<i>COMMITTEE OF ADJUSTMENT</i>	11.6.6.1	Council has appointed a Committee of Adjustment pursuant to the Planning Act to consider applications for minor variance from the Zoning By-law (s) and/or any other by-law that implements the Official Plan.
<i>EVALUATION CRITERIA</i>	11.6.6.2	<p>When reviewing an application for minor variance the Committee of Adjustment shall be satisfied that:</p> <ul style="list-style-type: none">(a) The general intent and purpose of the Official Plan, including the Strategic Directions, Goals and Objectives of the land use designation in which the property is located, is maintained;(b) The general intent and purpose of the By-law being varied is maintained;(c) The variance or the number of variances to the By-law are minor in nature, would not more appropriately be considered through an application to amend the Zoning By-law due to the cumulative impacts of the variances, preserves the pattern, scale and character of the blockface;(d) The variance(s) are generally not more than 20 percent above the By-law regulation being varied where the variances would increase the building envelope of a main building or accessory building containing a dwelling unit. For clarity this includes variances related to lot width; lot area; lot coverage; front, rear, and side yard depth; building height; and maximum gross floor area; and(e) The variance is desirable for the appropriate use of the land, building or structure and would not hinder the reasonable development and/or use of properties in the neighbourhood, would City of Windsor Official Plan1 Volume I 1 Tools 11 - 22 not cause a detriment, safety concerns, or would not detract from the character or amenity of nearby properties or the neighbourhood. The area of influence or the neighbourhood will vary with the scale of development and associated areas of potential impact.
<i>EXISTING UNDERSIZED LOTS</i>	11.6.6.3	Notwithstanding the provisions of sub-section (d) above, the Committee may give further consideration to variances required to enable appropriate development for existing undersized lots, where existing non-complying structures are being altered or where infilling and intensification is occurring provided that the Committee is satisfied that the provisions of 11.6.6.2 subsections (c) and (e) have been fully addressed.
<i>TERMS & CONDITIONS</i>	11.6.6.4	The Committee of Adjustment may attach such terms and conditions as it deems reasonable and appropriate to the approval of the application for a minor variance. The conditions shall relate directly to the impact of the variance and may include measures required to mitigate the impact of altering the zoning regulations on the resulting built form or property development, including but not limited to: a) Specifying architectural elements such as window location, outdoor amenity space, fencing or other screening and door location; b) Requiring additional landscaping including low impact design elements; c) Providing additional bicycle facilities in lieu of motor vehicle parking; and d) Improvement to grading and stormwater management.
<i>AGREEMENTS</i>	11.6.6.5	The Committee of Adjustment may require the owner of the land to enter into one or more agreements with the Municipality and address the impacts of the variance dealing with some or all of the terms and conditions of its decision. An agreement may be registered against the land to which it applies, and the Municipality is entitled to enforce the agreement against the owner and, subject to the Registry Act and the Land Titles Act, against any and all subsequent owners of the land.

APPENDIX “B”

Comments Received by the Secretary Treasurer of the Committee of Adjustment

Zoning Review

Requested variances of Zoning By-law 8600:

	PROVISION	PROVISION DESCRIPTION	REQUIRED	PROPOSED
1	18.1.5.4	Maximum Building Height	14.0 m	18.3 m
2	24.20.5.1	Required Parking Spaces	31	22

Stefan Pavlica, Zoning Coordinator

Development, Projects & Right-of-Way

Our comments remain consistent with PRE-CON-2026-13 (SPC S1):

1. Driveway Approaches – Do not conform to City of Windsor Standards, which must be constructed with straight flares and no raised curbs within the right-of-way.
 - Modify as per Standard Engineering Drawing AS-203.
 - Identify on drawings for boulevards to be restored to engineering best practice BP3.2.2
2. Sewer Connections – All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains.
 - Modify drawings to include all sewer connections and water services.
 - Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.
 - Sampling Manhole required to be installed at or near property line, if one does not already exist
3. Encroachment Agreement – There are existing items encroaching into the right-of-way, which require either removal or an encroachment agreement to legalize said items.
 - Modify drawings to remove encroaching items or identify that an encroachment agreement with the City of Windsor will be required for the raised headwall extensions, raised curbing, and landscaping boulders.
4. Land Conveyance - Prior to the issuance of a construction permit, the owner(s) shall agree to gratuitously convey to the Corporation, land sufficient to create 28 metre wide right-of-way on Marentette Ave. This conveyance shall be approximately 4 metres along the entire Marentette Ave. along the frontage of 3298 Marentette Ave property only.
 - Modify drawings to show land conveyance requirements

General Provisions (required prior to Building Permit Application):

All General Provisions not listed below shall be included in the Site Plan Control agreement; however, are not required prior to submission of a Building permit application or permit issuance.

	General Provision	Prior to Building Application
G-14	Driveway Approaches	X
G-15 (1)	Street Opening Permits	X
G-15 (2)	Site Servicing Drawings	X
G-28	Video Inspection	X

Special Provisions (to be included in Site Plan Control Agreement):

In addition to the general provisions outlined in the SPC agreement, the following special provisions will be required prior to submitting a building permit application:

Encroachment Agreement – The owner(s) agrees to submit application for and execute an agreement with the Corporation for the proposed encroachments into the right-of-way (for the raised headwall extensions, raised curbing, and landscaping boulders along Marentette Ave.) to the satisfaction of the City Engineer.

Land Conveyance - Prior to the issuance of a construction permit, the owner(s) agrees to gratuitously convey to the Corporation, land sufficient to create 28 metre wide right-of-way on Marentette Ave. This conveyance shall be approximately 4 metres along the entire Marentette Ave. for the frontage of 3298 Marentette Ave property only.

Sanitary Sampling Manhole - The owner(s) agrees for all non-residential uses, to install a sanitary sampling manhole accessible at the property line of the subject lands to the City Engineer at all times. The determination of the requirement or interpretation if a sampling manhole exists or exceptions to such, will be to the satisfaction of the City Engineer.

Site Plan Control Agreement - The applicant enters into an agreement with the City of Windsor for all requirements under the General Provisions of the Site Plan Control Agreement for the Engineering Department.

If you have any further questions or concerns, please contact Dan Perissinotti, of this department at dperissinotti@citywindsor.ca

Mark Schaffhauser, Technologist III

Heritage Planner

There is no apparent built heritage concern with this property, and it is not located within an Archaeological Potential Zone (APZ). Nevertheless, the Applicant should be notified of the following archaeological precaution.

1. Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Development Services Department, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
2. In the event that human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

Contacts:

Windsor Planning & Development Services Department:

519-255-6543 x6179, ktang@citywindsor.ca, planningdept@citywindsor.ca

Windsor Manager of Culture and Events (A):

Michelle Staaedegaard, (O) 519-253-2300x2726, (C) 519-816-0711, mstaaedegaard@citywindsor.ca

Ontario Ministry of Citizenship and Multiculturalism

Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca

Windsor Police: 911

Ontario Ministry of Public and Business Service Delivery and Procurement

Ryan Gardiner-Upton, Planner II – Development / Heritage

Transportation Planner

Comments stay same as provided in revised memo of PRE-CON-2025-13:

- Land Conveyance: As per the Official Plan, a gratuitous land conveyance of 3.95 metres along Marentette Avenue frontage is required; however, 2 metres will be requested at this time.
- Corner Cut-Off: Not Applicable.
- Sidewalk: A sidewalk contribution/construction along the frontage of Academy Dr. is required as per Engineering Right-of-Way's comments.
- Parking: All parking must comply with ZBL 8600.
- Transportation Impact Study (TIS): Not Applicable.
- Access: All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
 - Turning template is required if propose new warehouse addition has loading dock(s).
- Exterior Path: All new exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

Should you have any further questions or concerns, please contact Ellie MehriLou, of this department at tda@citywindsor.ca.

Ellie MehriLou, Supervisor, Corridor Maintenance (A)

Aashvi Sarvaiya, Transportation Planner I

Windsor Police Service

The Windsor Police Service has no objections with this application but would like to point out the requested onsite parking supply relief is a reduction of over 25%, which sometimes can be a cause for concern. Our non-objection, however, lies in the fact the land use in question (warehouse/storage) is not anticipated to create a “domino effect” of spillover parking demand within the surrounding area, which could be problematic. We will defer to the Transportation Planning Dept. but feel the requested relief here will not be problematic.

Barry Horrobin, Director of Planning & Physical Resources

Landscape Architect

There are private trees on the property that may be impacted by the development. The applicant is strongly encouraged to attempt to preserve existing privately owned trees on the subject site. If trees within the subject site are to be removed for development, it is strongly encouraged to plant replacement native trees for their various environmental benefits at a like-for-like trunk caliper size ratio (cumulative d.b.h.).

Olivia Laforet, Planner II – Development

APPENDIX "C"
Parking Rationale Provided by Dimaholdco Inc.



Dimachem Inc., 3258 Marente [REDACTED] dsor, Ontario N8X 4G4
Phone : [REDACTED]

March 16, 2026

City of Windsor Transportation Division,
1266 McDougall Street, Windsor, Ontario.

Regarding Dimachem's application for site plan control on a proposed expansion of our facility at 3278.

Dimachem operates a production line at 3278 Marentette that has about 9-10 people on each shift. We have 18 parking spaces at this site. Our proposal is to purchase 3298 Marentette and join the PIN's together to allow us to build a new automated warehouse. The additional employees in this warehouse will be 2 max as it is planned to be a lights out ASRS system. We do not anticipate any parking demands beyond the existing and proposed parking.

Additionally we have executed a parking agreement with our next-door neighbor (Myers) at 3300 Marentette for 10 spaces and are in negotiations for similar access (with NARMCO) regarding their parking lot across the street in order to exceed all the city's parking requirements.

If you have any questions you can contact me directly at [REDACTED] or Piero Aleo at [REDACTED] who is our consultant on this project.

Thank you for your assistance.

A handwritten signature in black ink, appearing to read "Andrew Conway".

Andrew Conway, VP