

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.”

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| Author’s Name: Averil Parent | File No.: B-018/26 |
| Author’s Phone: 519-255-6100 ext.6397 | Report Date: June 02, 2026 |
| Author’s E-mail: aparent@citywindsor.ca | Committee Meeting Date: June 11, 2026 |

To: Committee of Adjustment

Subject Application: Consent to create a new lot.

Owner: 593067 Ontario Ltd

Applicant: Marcin Gajewski

Location: 3010 Pillette Road

Legal Description: Concession 2; Part Lot 110

1. RECOMMENDATION:

That the Consent application of 593067 Ontario Ltd for the conveyance of part of the subject lands, described as Concession 2; Part Lot 110 and municipally known as 3010 Pillette Road, to create a new lot as shown on the attached drawing **BE GRANTED** with conditions¹ to be completed by the applicant/owner:

- I. Provide Site Servicing drawings for the overall property, outlining all existing services.
- II. Abandon any existing redundant services as per BP1.3.3 and to the satisfaction of the City Engineer.
- III. Obtain Right-of-Way permits for any work within the right-of-way.
- IV. Demolish the existing single unit dwelling, attached garage and accessory building to the satisfaction of the City Planner.
- V. Submit a Noise Study, prepared by a qualified professional, to the satisfaction of the City Planner.
- VI. If required, enter into a Severance Agreement with the City of Windsor to address the mitigation measures identified in the submitted Noise Study, and incorporate any recommended warning clauses, to be registered on title to the satisfaction of the City Solicitor.
- VII. Consult with Forestry department on the protection of all City trees which may be impacted by the development.

¹For questions about conditions I – III contact Thomas Huynh at 519-255-6257 x6335 or thuynh@citywindsor.ca. For questions about conditions IV and V contact Averil Parent at aparent@citywindsor.ca. For questions about condition VI contact Aaron Farough at afarough@citywindsor.ca. For questions about condition VII contact Marc Edwards at medwards@citywindsor.ca.

Note: Severance conditions must be fulfilled after the consent has been granted. If the conditions are not satisfied within the required timeline, the application is deemed to be null and void. A new Committee of Adjustment application will be required for any expired decision order.

2. THE REQUESTED MUNICIPAL CONSENT: Consent to create a new lot, as shown on the attached drawing.

3. PLANNING ANALYSIS:

The subject property consists of Concession 2; Part Lot 110, also municipally known as 3010 Pillette Road. The parcel currently contains a single unit dwelling with attached garage and an accessory building (shed). The applicant proposes demolishing the existing dwelling and shed, and severing the parcel to create a new lot. A concurrent minor variance application has been submitted requesting relief from the Zoning By-law for reduces minimum lot width on both the severed and retained lots. No further development is proposed at this time. Future development on the proposed severed and retained lots shall comply with Zoning By-law 8600. Similar sized lots exist within the surrounding area, specifically along Loebach Drive. 2995 and 2989 Loebach Drive are similar in size and abut the subject property at the rear.

As noted in the recommendation, the applicant will be required to demolish the existing single unit dwelling, attached garage and shed before proceeding with lot creation.

As noted in the recommendation, a Noise Study is required as a condition of this consent application. The purpose of a Noise Study is to demonstrate that a proposed development may proceed in such a manner that the residential land use is protected from potential noise impacts from the surrounding industrial lands as well as Pillette Road and the nearby railway corridor.

PLANNING ACT

Subsection 53(1) of the Planning Act gives council the authority to grant consent if satisfied that a plan of subdivision of land is not necessary for the proper and orderly development of the municipality. Council for the Corporation of the City of Windsor has delegated its consent authority to the Committee of Adjustment of the City of Windsor in accordance with Section 54(5) of the Planning Act.

Subsection 51(25) of the Planning Act allows the approval authority to impose such conditions to the approval of an application as it considers reasonable having regard to the nature of the development proposed.

PROVINCIAL PLANNING STATEMENT (PPS) 2024

Planning Staff has reviewed the relevant policies of the PPS - “Building Homes, Sustaining Strong and Competitive Communities” (Policy statement 2.2.1.b of the PPS). The requested consent is consistent with these policies permitting and facilitating all housing options required to meet the social, health, economic, and well-being requirements of current and future residents.

OFFICIAL PLAN (OP)

The Consent Policies, Section 11.4.3 of the Official Plan provide evaluation criteria and conditions of approval for consent applications. Appendix “A” attached herein shows the Consent Policies 11.4.3.

This consent is for creation of a new lot, which represents an appropriate consent per Section 11.4.3.2(a).

The severed and retained lots have access to a public highway paved with a hard surface and are serviced by municipal sanitary and storm services, complying with sections Section 11.4.3.4 and 11.4.3.5.

This consent satisfies the evaluation criteria in Section 11.4.3.6 for continuation of an orderly development pattern.

The City of Windsor Official Plan designates the subject property as Residential and the proposed development maintains the same use and conforms to the associated objectives and policies; therefore, the requested consent meets the general intent and purpose of the Official Plan.

Section 11.4.3.7 of the Official Plan states that the Committee of Adjustment may attach conditions as deemed appropriate to the approval of a consent.

ZONING BY-LAW Zoning By-law 8600

The subject land is zoned Residential District 1.2 (RD1.2) per Windsor's Zoning By-law 8600. A concurrent minor variance application has been submitted requesting relief for reduced minimum lot width for both the severed and retained lots. Future development will be required to comply with the Zoning Bylaw.

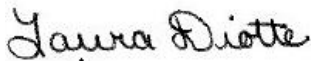
4. PLANNER'S OPINION:

This consent application is consistent with the Planning Act and Provincial Planning Statement 2024 and represents good planning. The requested Consent complies with the Official Plan and Zoning By-law 8600. The Planning Division recommends the approval of the applicant's request for consent with conditions.



Averil Parent
Planner II – Development Review

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



Laura Diotte, MCIP RPP
Manager of Development Applications

CONTACT:

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APPENDICES:

Appendix "A" - Excerpts from the Official Plan Volume I

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

APPENDIX "A"
Excerpts From Official Plan Volume I

| 11.4.3 Consent Policies | | |
|--|----------|---|
| COMMITTEE OF ADJUSTMENT | 11.4.3.1 | Council has delegated by by-law the authority to grant consents to the Committee of Adjustment. |
| APPROPRIATE REASONS FOR CONSENTS | 11.4.3.2 | Without limiting the relevant provisions of the Planning Act, Consents may only be granted where completing a subdivision process is deemed not to be necessary to ensure the proper and orderly development of the subject lands. The consent process will be used for matters such as granting easements and rights of way, leases or other interests in land lasting in excess of 21 years or lot line adjustments. Consents may be used for lot creation in the following circumstances; <ul style="list-style-type: none"> a) Small scale Infilling or intensification for development that is compatible with the neighbourhood; b) Lot line adjustments; c) An entire parcel is being developed and there are no remaining lands; d) There is no need to extend or improve municipal services outside of the subject lands; e) Where there is no phasing of the development; and f) Where parkland dedication may be cash-in-lieu. |
| CONFORM WITH PERMITTED USES | 11.4.3.3 | Consents shall only be granted for the creation of lots which comply with the Official Plan and Zoning By-law. |
| ACCESS TO A PUBLIC HIGHWAY | 11.4.3.4 | Consents shall only be granted for lots that will have access to a public road that meets municipal standards for construction. Where the abutting road requires improvement, the City may require the land owner to contribute to the improvement costs. |
| MUNICIPAL SERVICES | 11.4.3.5 | All new lots created by consent shall be serviced by municipal sanitary sewer and water services and provide for stormwater management. |
| EVALUATION CRITERIA | 11.4.3.6 | Without limiting the relevant provisions of the Planning Act, the approval authority shall evaluate applications for consent in the same manner as an application for plan of subdivision, including; <ul style="list-style-type: none"> a) Provincial legislation, provincial policies and applicable provincial guidelines; b) Conformity with the policies of this Plan, Volume II: Secondary Plans and Special Policy Areas and other relevant municipal standards and guidelines; c) Conformity with the recommendations of any support studies prepared as part of the application; d) The continuation of an orderly development pattern and the lot pattern in the neighbourhood; e) Impact of the development on adjacent properties and the lot pattern and density in the community; and f) The requirements or comments of Municipal departments and public agencies or authorities. |
| CONDITIONS OF APPROVAL | 11.4.3.7 | The approval authority may attach such conditions as it deems appropriate to the approval of a consent. Such conditions may include, but are not limited to, the following: <ul style="list-style-type: none"> a) The fulfillment of any financial requirement to the City; b) The conveyance of lands for public open space purposes or payments-in-lieu thereof in accordance with the Open Space policies of this Plan; c) The conveyance of lands for public highways or widenings as may be required; d) The conveyance of appropriate easements; e) The provision of municipal infrastructure or other services; f) The completion of a development or servicing agreement with the City if required; and g) Other such matters as the approval authority considers necessary and/or appropriate. |
| APPROPRIATE CIRCUMSTANCES FOR CONSENTS | 11.4.3.8 | Consents may only be granted when it is not necessary for the proper and orderly development of the city. Accordingly, consents will generally be limited to: <ul style="list-style-type: none"> a) Creation of lots for minor infilling; b) The mortgaging or leasing of land beyond 21 years; c) Lot boundary adjustments; and d) Easements and rights-of-ways. |

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 | 10.2.5.1 | Minimum Lot Width for the Retained Lot and Severed Lot each | 12.0m | 11.4m |

Development, Projects & Right-of-Way

A site servicing drawing is required to determine the location of existing services, as individual connections are required for each lot. Any redundant connections to the retained property are to be abandoned as per BP 1.3.3. Redundant driveway to be abandoned and boulevard to be restored to city standards.

This department has no objections to the proposed application, subject to the following condition:

1. Provide Site Servicing drawings for the overall property, outlining all existing services.
2. Abandon any existing redundant services as per BP1.3.3 and to the satisfaction of the City Engineer.
3. Obtain Right-of-Way permits for any work within the right-of-way.

Heritage Planner, Planning and Build

The subject property is located within the Archaeological Potential Zone (as per the Windsor Archaeological Management Plan, 2024; OPA 181; and updated 2024 archaeological potential model OP Volume I Schedule C-1). However, the subject property is not within an Archaeologically Sensitive Area (ASA). Thus, an archaeological assessment is not requested at this time. 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 Staadegaard, (O) 519-253-2300x2726, (C) 519-816-0711, mstaadegaard@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
Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures:
Ian Hember, 1-437-244-9840, Ian.hember@ontario.ca

Windsor Police Service

The Windsor Police Service has no concerns or objections with any of the applications listed in this agenda. In reviewing them, all are relatively minor in terms of their potential impact to public safety, security, or public disorder. None of the applications to be considered are therefore anticipated to create outcomes that will negatively impact the ability of the Windsor Police Service to provide proper and adequate response to incidents, whether emergency or non-emergency in nature, and other service delivery requirements.

Barry Horrobin
Director of Planning & Physical Resources

Landscape Architect

There are City owned trees adjacent to the subject property. City Trees are protected from damages and removal under City by-law 135-2004 and 131-2019. The Applicant will be required to consult with Forestry on the protection of all City trees which may be impacted by the development.

Contact:
Marc Edwards
Supervisor, Parks Forestry
medwards@citywindsor.ca

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.).