



Notice of Public Hearing - Committee of Adjustment Application

File # B-052/25	Date Mailed: August 20, 2025
Electronic hearing:	

By videoconference on September 4, 2025 at 3:30 PM

Why am I receiving this notice?

As an adjacent property owner you are receiving this courtesy notice of hearing because an application has been submitted for consent and/or minor variance to a property located close to you. Formal notice of the hearing was given by publication of the Committee of Adjustment's Agenda Record in the Windsor Star on August 20, 2025. as required by the Planning Act.

Sections 45(1) & 54(5) of the Planning Act authorize the Committee of Adjustment to consider these requests.

Application details are posted on the City of Windsor website along with the Administrative recommendation(s). For the latest Administrative comments check the City's website page for **Committee of Adjustment-Meeting Agenda** after 12:00 noon on the Friday prior to the hearing date.

APPLICANT AND PROPERTY INFORMATION

LEGAL DESCRIPTION: PT OF VICTORIA AVE CLOSED,;PLAN 83 ADJACENT TO LOTS 14;15 16 17 & 18 EAST SIDE VICT;AVE RP 254 & PT 19 RP 281

OFFICIAL PLAN DESIGNATION	ZONING OF SUBJECT LAND(S)
Mixed Use	Commercial CD3.6

Applicant/Owner(s)	Authorized Agent(s)	Subject Property
Owner Name: WINDSOR ESSEX COUNTY Y FOUNDATION		500 VICTORIA AVE
Applicant Name: Siskinds LLP		

PURPOSE OF APPLICATION

Consent - Validation of Title.



How do I participate if I have comments or concerns?

Submit written comments

Although neighbours cannot appeal a decision, you are entitled to notice and may make written submissions before the application is considered by the Committee of Adjustment. You can send your written comments regarding the application by email (preferred) or regular mail to the Secretary-Treasurer noted below. Include your name, address and application number or address of the property in which you are providing comments. To allow all Committee members the opportunity to review and consider your comments, please provide your written submissions to be received no later than noon the day before the hearing.

Participate in the hearing by videoconference (Microsoft Teams)

Two ways to register: 1) visit the City of Windsor website to self-register OR 2) call or email the Secretary-Treasurer noted below no later than noon the day before the hearing date. You are encouraged to pre-register as a delegation as soon as possible in order to facilitate an orderly registration process. Once registered you will receive confirmation by email including a link to join the virtual hearing.

Applicant(s) – Attendance is required. If you do not attend or send a representative, the Committee may proceed in your absence without any further notice to you or reschedule the meeting at a cost to you.

Notice of Decision

If you wish to be notified of the decision for this application, you must make a written request by email or regular mail to the Secretary-Treasurer (jwatson@citywindsor.ca). The written request must be received before noon the day before the hearing date. This will entitle you to be notified of any future Ontario Land Tribunal proceedings in the event of an appeal.



Contact Information:
Jessica Watson
Secretary-Treasurer
Committee of Adjustment
Suite 320, 350 City Hall Square West
Windsor, ON N9A6S1

Phone: 519-255-6543 ext. 6450 or 6436

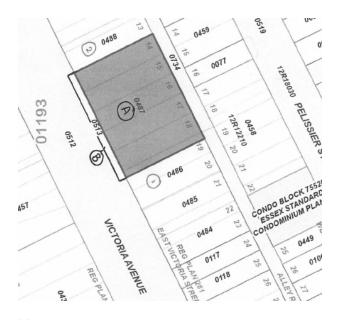
COAAdjustment@citywindsor.ca

BACKGROUND INFORMATION

The application is for a Validation Certificate under s. 57 of the *Planning Act*.

The subject property, 500 Victoria Avenue, Windsor, is comprised of two parcels (as illustrated below):

- A. PIN 01193-0487
- B. PIN 01193-0513



Merger:

On April 2, 1964, Parcel "A" was acquired by "The Windsor-Essex County Family Young Men's Christian Association".

On June 23, 1992, Parcel "B" was acquired by The Windsor-Essex County Family Young Men's Christian Association" from the City of Windsor.

At this point, since the adjoining parcels were owned under the same name, the parcels would have merged under the *Planning Act*.

Change of Corporate Ownership and Inadvertent Severance (without consent):

On November 10, 2010, Parcel A was transferred to "Windsor-Essex County Y Foundation" as part of winding down the corporate entity known as "The Windsor-Essex County Family Young Men's Christian Association". However, Parcel B was mistakenly not included in this transfer, in violation of Section 50 of the *Planning Act*. The result is that technically the transfer of Parcel A is invalid.

Escheats to the Crown:

While this issue might normally be rectified by transferring Parcel B into the same name as Parcel A (undoing the impermissible severance), this is not currently possible because the entity that owned Parcel B -- "The Windsor-Essex County Family Young Men's Christian Association" -- no longer exists.

When a corporation is dissolved, and their real property is not transferred to another person, the property reverts to Crown ownership under Ontario's *Escheats Act, 2015*.

While we are working with Infrastructure Ontario to have ownership of Parcel B returned to "The Windsor-Essex County Y Foundation," to truly fix the problem requires the municipality exercising its power to issue a Certificate of Validation for the 2010 transfer under section 57 of the Planning Act, which reads:

Validation certificate

57 (1) A council authorized to give a consent under section 53, other than a council authorized to give a consent pursuant to an order under section 4, may issue a certificate of validation in respect of land described in the certificate, providing that the contravention of section 50 or a predecessor of it or of a by-law passed under a predecessor of section 50 or of an order made under clause 27 (1) (b), as it read on the 25th day of June, 1970, of *The Planning Act*, being chapter 296 of the Revised Statutes of Ontario, 1960, or a predecessor of it does not have and shall be deemed never to have had the effect of preventing the conveyance of or creation of any interest in such land.