

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: Conner O'Rourke	File No.: B-056/25
Author's Phone: (519) 255-6543 ext. 6918	Report Date: Sep 22, 2025
Author's E-mail: corourke@citywindsor.ca	Committee Meeting Date: Oct 02, 2025

To: Committee of Adjustment

Subject Application: Consent to create a new lot

Owner: Stephan Jacob Viselli

Location: 1188 Glidden Ave.

Legal Description: PLAN 857 LOT 77 LOT 78;PT CLOSED ALLEY

1. RECOMMENDATION:

That the Consent application of Stephan Viselli for the conveyance of part of the subject lands, described as Plan 857 Lot 77 Lot 78; Pt Closed Alley, municipally known as 1188 Glidden Avenue, for the creation of a new lot as shown on the drawing attached to the application **BE GRANTED** with the following conditions^{1,2}:

- I. Owner to demolish the existing detached accessory building on the severed portion of the property to the satisfaction of the City Planner.
- II. Provide Site Servicing drawings for the overall property, outlining all existing services.
- III. Abandon any existing redundant services as per BP1.3.3 and to the satisfaction of the City Engineer.
- IV. Obtain Right-of-Way permits for any work within the right-of-way.
- V. Obtain Right of Way permit to remove redundant curb cut on severed lot and restore boulevards to City standards.

¹ For questions regarding Planning conditions please contact Conner O'Rourke at (519) 255 6543 x6918 or corourke@citywindsor.ca

²For questions regarding Engineering conditions please contact Karen Kong at (519) 255 6257 x6216 or kkong@citywindsor.ca

Note: Severance conditions must be fulfilled within TWO (2) years after consent has been granted. If a condition is 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 application.

2. THE REQUESTED MUNICIPAL CONSENT:

Land conveyance of part of the subject land, 1188 Glidden Avenue, as shown on the attached drawing, for the purpose of creating a new lot.

3. PLANNING ANALYSIS:

The subject property consists of Plan 857 Lot 77 Lot 78;Pt Closed Alley, municipally known as 1188 Glidden Avenue. The property currently contains a single unit dwelling with a detached accessory building. The applicant proposes to sever the property, retaining part of it for the existing dwelling and creating a new vacant lot for future development. The subject land is designated Residential in the Official Plan. The proposed use for both the retained and severed lots are residential. The requested severance complies with Windsor's Zoning By-law 8600.

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 consent is subject to conditions outlined in Section 1 of this report which, when completed, will satisfy the evaluation criteria in Sections 11.4.3.4 related to municipal standards for construction.

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 11.4.3.4 and 11.4.3.5.

This consent also 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. The proposed use of the severed property is a single unit dwelling, which complies with the current Official Plan land use designation.

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; therefore, the applicant is required to complete the conditions noted in Section 1 of this report to the satisfaction of the City Planner and the City Engineer.

ZONING BY-LAW

The subject land is zoned Residential District 1.2 (RD1.2) which permits a single unit dwelling. The requested severance complies with Windsor's Zoning By-law 8600.

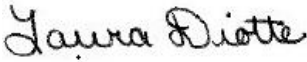
4. PLANNER'S OPINION:

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.



Conner O'Rourke
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; 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; 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:
- 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:
- 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

Consent to create a new lot.

Stefan Pavlica, Zoning Coordinator

Development, Projects & Right-of-Way

Proposed driveways must comply with BP2.2.1 and BP2.2.2. Any redundant driveways are to be abandoned and boulevard to be resorted to city standards. Obtain Right-of-Way permits for any work within the right-of-way.

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

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.
4. Obtain Right of Way permit to remove redundant curb cut on severed lot and restore boulevards to City standards.

Karen Kong, Technologist

Heritage Planner, Planning and Building

The subject property is located within the Archaeological Potential Zone (as per the recently adopted 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 & Building 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, ttang@citywindsor.ca, planningdept@citywindsor.ca

Windsor Manager of Culture and Events (A):

Michelle Staaedegaard, (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

Tracy Tang, Heritage Planner

Transportation Planner

Once the detached garage is removed, the applicant must confirm with the City of Windsor's Engineering Department whether the existing driveway entrance (curb-cut) can remain on the vacant property.

To confirm this, please contact the Right-of-Way Division at (519) 255-6257 ext. 6359 or 6483, or email engineeringdept@citywindsor.ca.

Elara Mehrilou, Transportation Planner

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 and security. 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, B.A., M.A., CLEP, CMM-III
Director of Planning & Physical Resources
WINDSOR POLICE SERVICE
Advanced Certified Law Enforcement Planner

Barry Horrobin, Director of Planning and Physical Resources

Environmental Policy

Environmental Policy staff have no objection to the proposal, and nothing further is required at this time. To maintain high regard for Natural Heritage in the City during development, the following applies:

1. Should Species at Risk or their habitat be found at any time on or adjacent to the site, cease activity immediately and contact MECP at SAROntario@ontario.ca for recommendations on next steps to prevent contravention of the Endangered Species Act (2007). The City of Windsor SAR hotline (519-816-5352) can also be used for relevant questions and concerns.
2. For a list of Species at Risk and other provincially tracked species with potential to be around the site, use the Natural Heritage Information Centre (NHIC) Make A Map tool, found at <https://www.ontario.ca/page/make-natural-heritage-area-map>
3. If trees or other vegetation (i.e., shrubs and unmaintained grasses) on/adjacent to the site are to be removed, damaged, or disturbed during the breeding bird season (April 1 – August 31), then sweeps for nesting birds should be conducted to prevent contravention of Migratory Bird

- Regulations (2022), the Migratory Birds Convention Act (1994), and section 7 of the Fish and Wildlife Conservation Act (1997). Visit <https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/reduce-risk-migratory-birds.html> for more information.
4. Beaver dams and dens of fur-bearing mammals are protected under section 8 of the Fish and Wildlife Conservation Act (1997) and are not to be damaged or destroyed without the proper authorization and/or license.
 5. The City of Windsor is a Bird Friendly City. Bird Friendly Design is encouraged, particularly window collision mitigation. Options for integrating bird friendly design can be found here: www.birdsafe.ca and bird friendly guidelines can be found here: Bird-Friendly Guidelines – City of Toronto.

Contacts:

Karen Alexander
City of Windsor Naturalist and Supervisor of Natural Areas
kaalexander@citywindsor.ca

Averil Parent
Planner II – Development Review
aparent@citywindsor.ca

Averil Parent, Planner

Landscape Architect

No concerns.

Ryan Gardiner-Upton, Landscape Architect