

PLANNING RATIONALE REPORT

OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT PROPOSED MIXED USE DEVELOPMENT

2144 Huron Church Road
City of Windsor, Ontario

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Prepared by:



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1.0 INTRODUCTION

I have been retained by Bouzide Enterprises Ltd. (herein the "Applicant") to provide a land use Planning Rationale Report (PRR) in support of a proposed combined use building with commercial and residential uses located at 2144 Huron Church Road (herein the "Site") in the City of Windsor, Ontario.

The Site, in Ward 10 and within the South Cameron Planning Area and the Huron Church Road Corridor, is currently vacant and will be the remnant parcel of a severance from the existing commercial building to the north of the Site, which is the location of Fred's Farm Fresh.

It is proposed to keep the existing commercial building in the current land use designation and zone. Relief is requested in order to accommodate the retained parcel.

It is proposed to construct one 6 storey combined use building with 58 residential units on the main floor and above and 273.57 m² of commercial space located on the ground floor.

Parking for a total of 83 spaces to serve both the residents and workers/visitors to the commercial space will be located on-site and includes barrier free and visitor spaces. Loading and bicycle spaces are also provided.

Tenure will be ownership (condominium) with a focus on affordability. The building will include 1 and 2 bedroom units in addition to amenity spaces.

A site-specific Official Plan Amendment (OPA) and site-specific Zoning By-law Amendment (ZBA) are required in support of the proposed development. Relief is requested in order to accommodate the proposed development.

Once the OPA and ZBA applications have been approved, the Applicant will proceed with a Consent application and a Site Plan Control (SPC) application prior to the issuance of a building permit.

The development will then proceed to a Draft Plan of Condominium (CONDO) application in order to sell the residential and commercial units as freehold.

Pre-consultation (City Files #PS 080/21 and #PC-003/23) and pre-submission (City File #PC-034/23) were completed by the Applicant. Comments were received and have been incorporated into this PRR.

The purpose of this report is to review the relevant land use documents, including the Provincial Policy Statement (PPS) 2020, the City of Windsor Official Plan (OP) and the City of Windsor Zoning By-law (ZBL).

This PRR will show that the proposed development is suitable development of a vacant site for a combined use building, is consistent with the PPS, conforms to the intent and purpose of the City of Windsor OP and ZBL and represents good planning.

2.0 SITE AND SURROUNDING LAND USES

2.1 Legal Description and Ownership

The Site has been owned by Bouzide Enterprises Ltd., the Applicant, Since 2012.

The Site is in Ward 10 and within the South Cameron Planning Area and the Huron Church Road Corridor.

The Site is located on the east side of Huron Church Road, between Northwood Street and Kenora Street, with Daytona Avenue located to the east of the Site (see Figure 1 – Site Location).



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

The Site is currently vacant and will be the remnant parcel of a severance from the existing commercial building to the north of the Site, which is the location of Fred's Farm Fresh.

The Site is locally known as 2144 Huron Church Road and is currently legally described as LOTS 50 TO 66 (INCL.), PT LOTS 29 TO 41 (INCL.), PT LOT 67, PT BLK A (CREATED BY R1038232), PT OJIBWAY STREET (CLOSED BY R1069017), PT ALLEY (CLOSED BY R10475680), ALL ON PLAN 997, DESIGNATED AS PTS 1 TO 9 12R24779; S/T EASE OVER PTS 2, 4, 7, ON 12R24779 AS IN R1455555; S/T EASE OVER PT 3 ON 12R24779 AS IN R1455559; S/T EASE OVER PT 5 ON 12R24779 AS IN R1455562E; S/T EASE OVER PT 6 ON 12R24779 AS IN R1128865E; S/T EASE OVER PT 9 ON 12R24779 AS IN CE464476 SAVE & EXCEPT PARTS

1 TO 12 PL 12R24756; SUBJECT TO AN EASEMENT IN GROSS OVER PART 13 PL 12R24756 AS IN CE515741; CITY OF WINDSOR, PIN 01583-2726 (LT) (ARN 080-210-004200-0000).

There are no previous uses on the parcel of land subject to development, as it was confirmed that the Site has never been developed.

2.2 Physical Features of the Site

2.2.1 Size and Site Dimension

The entire Site has a total area of 1.26 ha with 198.73 m along Huron Church Road.

The Site, subject to the proposed development (severed parcel), consists of a total area of approximately 0.55 ha, with 99.38 m of frontage along Huron Church Road and a depth of 69.14 m.

The proposed retained parcel (Fred's Farm Fresh) consists of a total area of 0.71 ha, with 99.35 m of frontage along Huron Church Road and a depth of 72.22 m.

2.2.2 Existing Structures and Previous Use

The Site subject to the proposed development is currently vacant.

The retained lands have an existing building area of 1,706.17 m² with on-site parking and access from Huron Church Road and Daytona Avenue.

The previous use of the Site has been vacant since at least 1947.

2.2.3 Vegetation

The property currently has a mown lawn and scattered trees.

There are no natural heritage features however, there is an area with vegetation near the Basin Drain.

2.2.4 Topography and Drainage

The Site is flat.

A portion of the south boundary is within the regulated area of the Essex Region Conservation Authority (ERCA).

The soil is made up of Berrien Sand (Bes).

The Basin Drain is located along the south boundary of the Site. The Site is within the Turkey Creek subwatershed area.

There is an open ditch along Daytona Ave.

A portion of the Site is within a Source Water Protection Area, Event Based Area (EBA).

2.2.5 Other Physical Features

There are no other physical features on the Site.

2.2.6 Municipal Services

The property has access to municipal water, storm, and sanitary services.

Fire hydrants are provided along Huron Church Road, less than 45 m from the principal entrance of the proposed development.

Huron Church Road is classified as a Class 1 arterial road. The roadway is a 6 lane, 2-way roadway.

Streetlights and sidewalks are located along Huron Church Road.

The Site has access to transit with the closest bus stop located at the corner of Ambassador Drive and Industrial Drive (Stop ID 1391, Bus 3).

The Site is located close to major transportation corridors, including Hwy 401, Hwy 3 and the EC Row Expressway.

2.2.7 Nearby Amenities

There are several schools nearby, including St James Catholic Elementary School, Holy Names Catholic High School and Bellewood Public School.

There are many parks and recreation opportunities in close proximity to the Site, including Malden Park, Ojibway Street/South Cameron Park and Treehouse Park.

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

2.3 Surrounding Land Uses

Overall, the Site is located in a mixed use area with commercial and residential uses. Photos were taken on December 19, 2021, by Pillon Abbs Inc.

North – The lands north of the Site, are used for commercial use (see Photo 1 – North).



Photo 1 – North

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



Photo 2 – South

East – The lands east of the Site are vacant but will be used for residential with frontage along Daytona Ave (see Photo 3 - East).



Photo 3 – East

West – The lands west of the Site are used for commercial and industrial (see Photo 4 - West).



Photo 4 – West

3.0 PROPOSAL AND CONSULTATION

3.1 Development Proposal

The Site, in Ward 10 and within the South Cameron Planning Area and the Huron Church Road Corridor, is currently vacant and will be the remnant parcel of a severance from the existing commercial building to the north of the Site, which is the location of Fred's Farm Fresh.

A concept plan was prepared by BairdAE Architecture and Engineering, dated February 9, 2023 (see Figure 2a – Concept Plan).

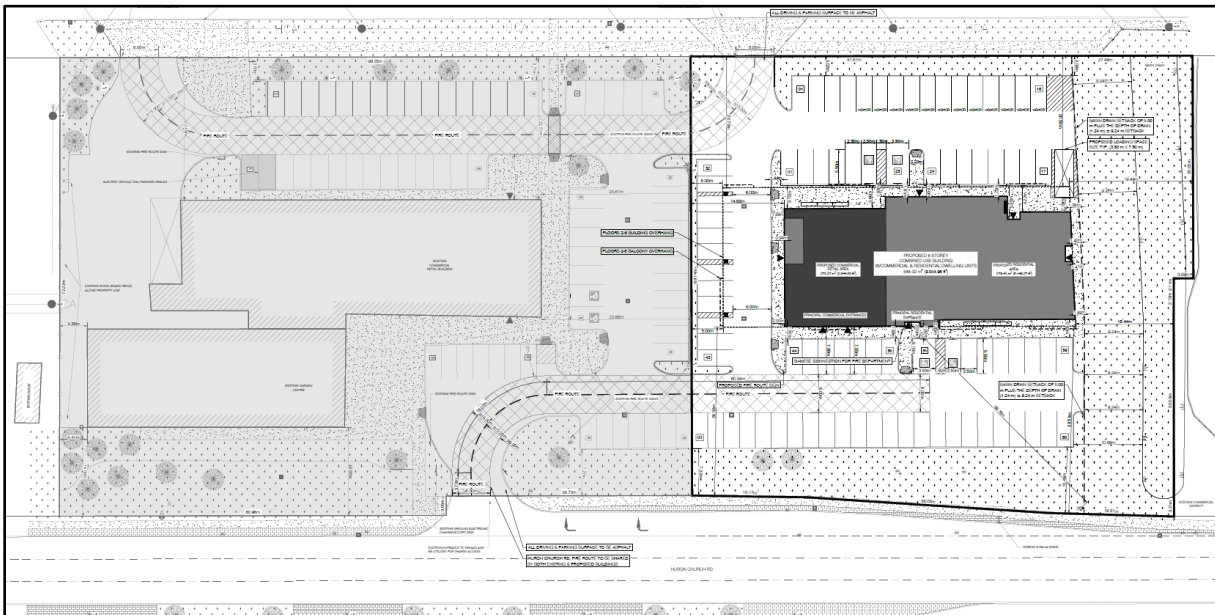


Figure 2a – Concept Plan

It is proposed to keep the existing commercial building in the current land use designation and zone.

It is proposed to construct one 6 storey combined use building with 58 residential units on the main floor and above and 273.57 m² of commercial space located on the ground floor.

The building will face Huron Church Road. The primary access into the building will be on the west side (see Figure 2b – Elevation, West View).

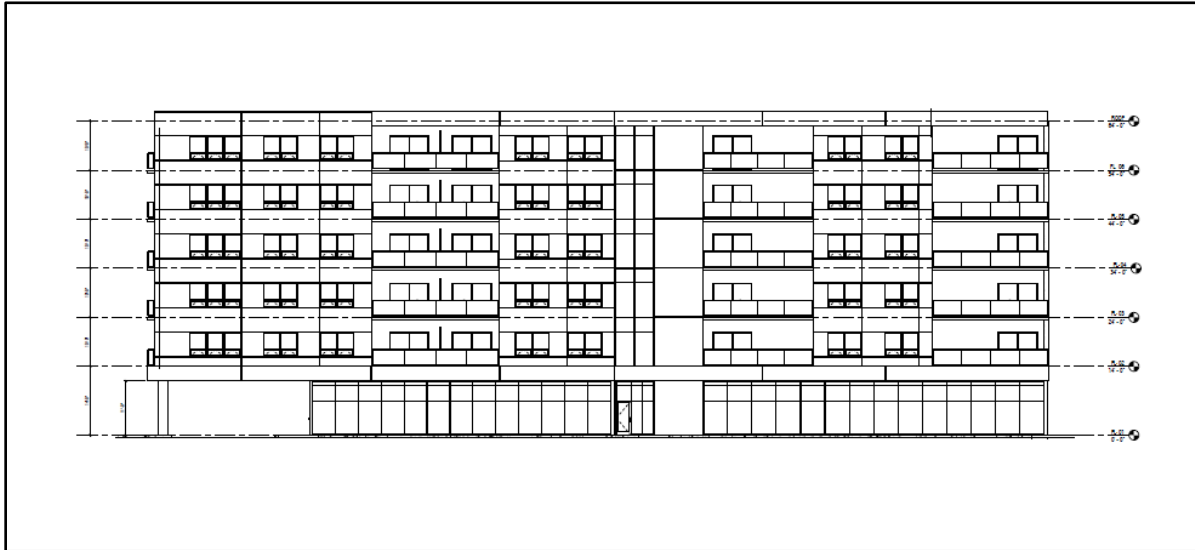


Figure 2b – Elevation, West View

The refuse from the commercial and residential uses will be located inside the building.

Parking for a total of 83 spaces to serve both the residents and workers/visitors to the commercial space will be located on-site and includes barrier free and visitor spaces. Loading and bicycle spaces are also provided.

The existing two access roads from Huron Church Road (Class 1 Arterial Road) and Daytona Ave (local two-way roadway) will be used.

A fire route will be provided.

An easement will be required for the internal access between the severed and retained parcels of land.

Tenure will be ownership (condominium) with a focus on affordability. The building will include 1 and 2 bedroom units.

Amenity spaces include outdoor seating, landscaped open space, an indoor common area, a lounge and a fitness room.

The proposed development will result in a density of 105.45 units per ha.

The Site will be professionally landscaped with pedestrian connections from the building to the parking area and to the municipal rights-of-way (row).

It is proposed to keep the Basin Drain open.

Prior to the issuance of a construction permit, the owner shall grant a 6 m easement along the south property line of 2144 Huron Church Rd for the maintenance and improvement of the Janisse Drain.

Development is anticipated to be completed in 2027.

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 for area residents (120 m radius) and property owners on Thursday, September 21, 2023, from 6:00 pm to 7:00 pm.

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

Other than one City of Windsor Planning Department Staff member and Pillon Abbs Inc. there were no persons from the public who attended.

One email was received with an overall interest in the proposed development was received.

4.0 APPLICATIONS AND STUDIES

Pre-consultation (City Files #PS 080/21 and #PC-003/23) and pre-submission (City File #PC-034/23) were completed by the Applicant. Comments were received and have been incorporated into this PRR.

The proposed development requires an application for an Official Plan Amendment (OPA) and an application for a Zoning By-law Amendment (ZBA).

The following explains the purpose of the applications and summarizes the support studies required as part of the submission.

4.1 Official Plan Amendment

A site-specific Official Plan Amendment (OPA) is required in support of the proposed development.

The Site is currently designated "Mixed Use Corridor" (previously called "Commercial Corridor") according to Schedule D: Land Use attached to the OP for the City of Windsor.

The Site is part of the South Cameron Planning Area and the Huron Church Road Corridor. The Site is also impacted by OPA #80 and OPA #159.

The OPA for the Site proposes to change the land use designation from "Mixed Use Corridor" to a site specific "Mixed Use Corridor" on Schedule D: Land Use.

It is requested that a 10 m landscape setback from Huron Church Road be permitted.

The OPA justification is set out in Section 5.1.2 of this PRR.

4.2 Zoning By-Law Amendment

A site-specific Zoning By-law Amendment (ZBA) is required in support of the proposed development.

According to Map 4 attached to the ZBL the Site is currently zoned Commercial District 2.1 (CD2.1) category. This includes both the severed and retained parcels of land.

The Site is also impacted by special provision S.20(1)278.

The zoning for the Site (severed lands) proposes to be changed from Commercial District 2.1 (CD2.1) category to a site-specific Commercial District 2.2 (CD 2.2 - S.20(1)XXX) category in order to permit a combined use building. Relief from specific regulations is also being requested.

The zoning for the Site (retained lands) proposes to be changed from Commercial District 2.1 (CD2.1) category to a site-specific Commercial District 2.1 (CD 2.1 - S.20(1)XXX) category in order to address various requested reliefs.

The ZBA is detailed, and the justification is set out in Section 5.1.3 of this PRR.

4.3 Other Applications

Once the OPA and ZBA applications have been approved, the Applicant will proceed with a Consent application with any required easements.

Site Plan Control (SPC) application will be required, prior to the issuance of a building permit.

The proposed development will be subject to a SPC agreement, which will include any required fees or securities, lighting, buffering, landscaping, signage, etc.

The development will then proceed to a Draft Plan of Condominium (CONDO) application in order to sell the residential and commercial units as freehold.

4.4 Supporting Studies

The following supporting studies have been prepared as part of the OPA and ZBA applications.

4.4.1 Noise and Vibration

An Acoustical and Vibration Report was prepared by BairdAE Architecture and Engineering, dated May 8, 2023.

The purpose of the study was to determine if there is a potential environmental noise impact from the traffic and stationary sources.

It was concluded that the proposed development could be designed to address impacts with the recommendation that mitigation measures such as units being equipped with air conditioning and forced air heating, wall, window and door requirements and a warning clause be implemented.

4.4.2 Engineering

A Functional Servicing Report (FSR) was prepared by BairdAE Architecture and Engineering, dated May 8, 2023 and further revised on December 21, 2023.

The report provided a review of the required municipal services, including drainage, sanitary sewer servicing, stormwater servicing and watermains.

The report concluded that the proposed development could be adequately serviced with the following recommendations:

- storm pipes will need to be relocated as a result of the severance,
- new sanitary service will need to be connected, and
- no new fire hydrants are required for the proposed development.

4.4.3 Traffic

A Traffic Impact Study (TIS) was prepared by BairdAE Architecture and Engineering, dated May 8, 2023 and further revised on December 19, 2023.

The report has been requested to examine the nearby intersection's existing and future operating conditions, individual turning movements and the impacts on traffic.

The development will generate 2555 daily vehicles, 103 morning vehicles and 94 evening peak vehicles.

The report concluded the following:

- the existing access road will accommodate the proposed traffic,
- all turning movements are acceptable,
- there are adequate sight lines, and
- the intersections of Huron Church Road and Northwood Street may require improvements in the future.

4.4.4 Parking

A Parking Justification Report was prepared by BairdAE Architecture and Engineering, dated May 8, 2023.

The purpose of the report has been to ensure parking requirements at the existing Fred's Farm Fresh are met and to determine the adequacy of parking provisions in meeting the requirements of the proposed development.

The report concluded that there would be sufficient parking for the following reasons:

- there is shared parking between residential and commercial uses, and
- the ZBL has overly conservative parking demands.

4.4.5 Energy

An Energy Strategy was prepared by BairdAE Architecture and Engineering, dated April 27, 2023.

The purpose of the report has been to review building and site design as it relates to achieving sustainability goals for the new development.

It was concluded that the building would be designed to address responsible material choices, indoor amenity space, and efficient building envelopes and systems.

Further, the Site will be designed to incorporate responsible infrastructure as well as access to active transportation, pedestrian connectivity and transit.

The City further confirmed that any revisions to the Energy Strategy can be completed as part of SPC approval.

4.4.6 Biology

A Species at Risk (SAR) Impact Assessment was prepared by Insight Environmental Solutions Inc., dated December 13, 2022.

The purpose of the report was to assess species at risk and the potential impacts on their habitat.

It was confirmed that the Site is not within 120 m of a natural heritage feature. However, the Site does contain vegetation.

Mitigation measures are recommended, including the following;

- Training
- Fencing
- Machinery and equipment cleaning
- Reporting

The report concluded that the proposed development would not likely impact any species or habitat if the mitigation measures were implemented.

The report has been filed with the Ministry.

4.4.7 Soils

A Phase One Environmental Site Assessment (ESA) was prepared by Pinchin Ltd., dated August 22, 2022.

The purpose of the report was to review records, site assessment and evaluation of the Site.

It was confirmed that the Site has never been developed.

The report concluded that the Site did not identify any results of potential environmental concerns. Further, there was nothing that would impact soil and groundwater.

A Phase Two assessment is not required.

A Record of Site Condition (RSC) will be submitted to the Ministry based on the Phase One ESA report.

5.0 PLANNING ANALYSIS

5.1 Policy and Regulatory Overview

5.1.1 Provincial Policy Statement

The Provincial Policy Statement, 2020 (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 is issued under Section 3 of the Planning Act and came into effect on May 1, 2020. It applies to all land use planning matters considered after this date.

The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The Site is within a “Settlement Area” as set out in the PPS.

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

PPS Policy #	Policy	Response
1.0Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns.....	This is an urban area with a mix of uses. There is infrastructure in place to support this type of development, and it would not put a burden on existing infrastructure.
1.1.1	Healthy, liveable and safe communities are sustained by: a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;	The proposed development is consistent with the policy to build strong, healthy and livable communities as it provides for a development with a combined use building for commercial and residential units. There are no environmental or public health and safety

PPS Policy #	Policy	Response
	<p>b) accommodating an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs;</p> <p>c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;</p> <p>d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;</p> <p>e) promoting.....cost-effective development patterns and standards to minimize land consumption and servicing costs;</p> <p>f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;</p> <p>h) promoting development and land use patterns that conserve biodiversity.</p>	<p>concerns as the area is established.</p> <p>The development pattern does not require expansion of the settlement area.</p> <p>The Site has access to full municipal services and is close to local amenities.</p> <p>Accessibility of units will be addressed at the time of the building permit.</p> <p>Public service facilities are available, such as local schools and transit.</p> <p>The development pattern is proposed to be an efficient development of vacant land.</p> <p>This development would not disturb any natural lands.</p>
1.1.2	Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected	The proposed development will help the City meet the full range of current and future

PPS Policy #	Policy	Response
	<p>needs for a time horizon of up to 25 years.</p> <p>Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.</p>	<p>residential needs through intensification.</p> <p>The Site will provide for residential infilling and intensification within an existing settlement area in the form of residential, while supporting commercial activity.</p>
1.1.3.1	Settlement areas shall be the focus of growth and development.	The proposed development enhances the vitality of the Municipality, as the Site is within an existing settlement area.
1.1.3.2	<p>Land use patterns within settlement areas shall be based on densities and a mix of land uses which:</p> <ul style="list-style-type: none"> a) efficiently use land and resources; b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; c) minimize negative impacts to air quality and climate change, and promote energy efficiency; d) prepare for the impacts of a changing climate; 	<p>The total density of the proposed development is considered appropriate as most of the existing area is a mix of uses.</p> <p>The Site offers an opportunity for intensification by developing a vacant parcel of land with a combined use building.</p> <p>The design and style of the proposed building will blend well with the scale and massing of the existing surrounding area.</p> <p>Residents will have immediate access to local amenities.</p> <p>Transit is available for the area.</p>

PPS Policy #	Policy	Response
	<p>e) support active transportation;</p> <p>f) are transit-supportive, where transit is planned, exists or may be developed; and</p> <p>g) are freight-supportive.</p>	<p>The Site is located close to major roadways.</p>
1.1.3.3	<p>Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.</p>	<p>The proposed development is located on a Site that is physically suitable.</p> <p>The Site is generally level, which is conducive to easy vehicular movements.</p> <p>The intensification can be accommodated for the proposed development as it is an appropriate development of a vacant parcel of land.</p> <p>Parking will be provided on-site, including space for tenants and visitors. Bicycle parking is also provided.</p>
1.1.3.4	<p>Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.</p>	<p>The proposed combined use building will be built with a high standard of construction, allowing a seamless integration with the existing area.</p> <p>There will be no risks to the public, as identified in the support studies.</p> <p>The Applicant will obtain any required ERCA permits as a</p>

PPS Policy #	Policy	Response
		<p>portion of the Site is within a regulated area.</p> <p>Support studies have been completed and recommended mitigation will be built into the design of the proposed development.</p>
1.1.3.5	<p>Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.</p>	<p>The City has established targets for intensification and development. The proposed development will assist in meeting those targets as the Site is located in an existing built-up area.</p>
1.1.3.6	<p>New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.</p>	<p>The proposed development does have a compact built form.</p> <p>The proposed building size will allow for the efficient use of land, pedestrian and vehicle access, infrastructure and public services.</p>
1.3.1 - Employment	<p>Planning authorities shall promote economic development and competitiveness by:</p> <p>a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;</p> <p>b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which</p>	<p>The proposed combined use building will provide for a place for people to live, work and play.</p> <p>A total of 273.57 m² of commercial space is proposed to be located on the ground floor as part of a compact, mixed use development.</p> <p>The closest residential uses will be located east of Daytona Ave.</p>

PPS Policy #	Policy	Response
	<p>support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;</p> <p>d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and</p>	<p>The proposed development does not cause any impacts on the enjoyment or privacy of abutting lands.</p>
1.4.1- Housing	<p>To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:</p> <p>a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and</p> <p>b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in</p>	<p>The proposed density and range of land uses encourage active transportation and promote the utilization of existing transit connections proximate to the Site to meet the health and well-being of future residents.</p> <p>The proposed development will provide for an infill and intensification opportunity in the existing built-up area.</p> <p>The Site offers an opportunity for intensification with a mix of commercial and residential uses.</p> <p>Municipal services are available, as set out in the support studies.</p>

PPS Policy #	Policy	Response
	draft approved and registered plans.	
1.4.3	<p>Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area.</p>	<p>The proposed development provides for a new housing choice in the area and utilizes the Site in an efficient manner.</p> <p>The Site is currently under-utilized, and the development will allow a new mixed use for residential and commercial.</p> <p>The proposed density will have a positive impact on the area as it will blend well with the existing built form.</p> <p>The Site is close to nearby amenities.</p> <p>There is suitable infrastructure, including transit.</p>
1.6.1	<p>Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.</p>	<p>The development can proceed on full municipal services as identified in the required support studies.</p> <p>Access to public transit is available.</p>
1.6.6.2	<p>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. Within settlement areas with existing municipal</p>	<p>The proposed development will be serviced by municipal sewer, water and storm, which is the preferred form of servicing for settlement areas.</p>

PPS Policy #	Policy	Response
	sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.	A FSR has been completed and confirmed that services can provided.
1.6.6.7	<p>Planning for stormwater management shall:</p> <p>a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;</p> <p>b) minimize, or, where possible, prevent increases in contaminant loads;</p> <p>c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;</p> <p>d) mitigate risks to human health, safety, property and the environment;</p> <p>e) maximize the extent and function of vegetative and pervious surfaces; and</p> <p>f) promote stormwater management best practices, including stormwater attenuation and re-use, water</p>	<p>The required support studies have been completed to support the proposed development.</p> <p>There will be no negative impacts on the municipal system, and it will not add to the capacity in a significant way.</p> <p>There will be no risk to health and safety.</p> <p>There are no natural heritage features located on the Site, however mitigation measures are recommended to protect the vegetation area.</p> <p>Support studies have identified mitigation measures for construction.</p>

PPS Policy #	Policy	Response
	conservation and efficiency, and low impact development.	
1.6.7.1	Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.	The Site is in close proximity to major roadways.
1.6.7.2	Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.	The proposed development contributes to the City's requirements for development within a built-up area. The area is serviced by transit.
1.6.7.4	A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.	The proposed development is near many local amenities, and residents would not have to travel far to access necessities.
2.1.1	Natural features and areas shall be protected for the long term.	There are no natural features that apply to this Site, except the vegetation area.
2.2.1	Planning authorities shall protect, improve or restore the quality and quantity of water.	The required support studies have been prepared in support of the proposed development.
2.6.1	Significant built heritage resources and significant cultural heritage landscapes shall be conserved.	There are no heritage resources that apply to this Site.
3.0	Development shall be directed away from areas of natural or human-made hazards where	There are no natural or human-made hazards.

PPS Policy #	Policy	Response
	there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.	

Therefore, the proposed development is consistent with the PPS and the Province's vision for long-term prosperity and social well-being.

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. 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 currently designated "Mixed Use Corridor" (previously called "Commercial Corridor") according to Volume I - Schedule D: Land Use attached to the OP for the City of Windsor (see Figure 3 – City of Windsor OP, Schedule D).

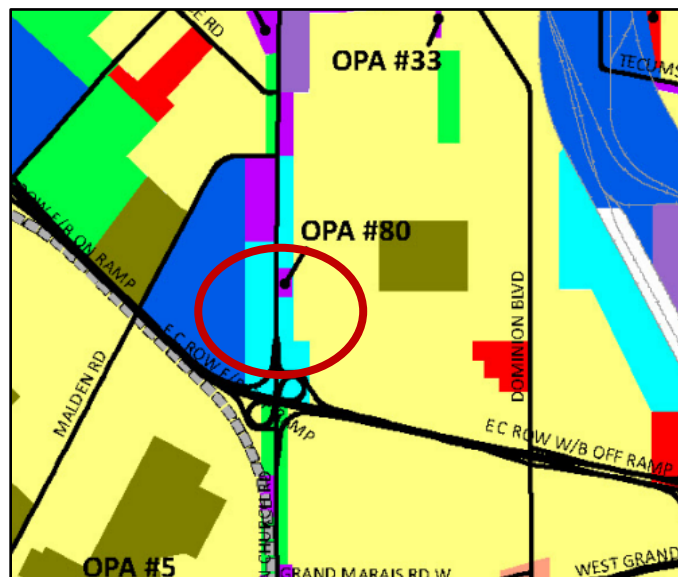


Figure 3 – City of Windsor OP, Schedule D

The Site is part of the South Cameron Planning Area.

The Site is also impacted by the following:

- Volume I - Schedule F: Roads & Bikeways - Huron Church is a Class I Arterial
- Volume I - Schedule G: Civic Image – Huron Church is designated as a “Civic Way”
- Volume II - Special Policy Areas - 1.2 - Huron Church Road Corridor
- Volume II - South Cameron Secondary Plan - Schedule SC-1: Development Concept - Commercial Corridor

It is proposed to change the designation of the Site to a site specific "Mixed Use Corridor".

It is requested that a 10 m landscape setback from Huron Church Road be permitted.

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	<p>The planning of Windsor's future is guided by the following vision taken from Dream Dare Do – The City of Windsor Community Strategic Plan:</p> <p>"Windsor is a quality city full of history and potential, with a diverse culture, a durable economy, and a healthy environment where citizens share a strong sense of belonging and a collective pride of place."</p>	<p>The proposed development will support the City's economy by providing a combined use building with commercial and residential development in an existing built-up area.</p> <p>The surrounding area has a mix of uses.</p>
3.2 – Growth Concept	<p>Mixed use developments will be encouraged with strong pedestrian orientations and to support public transit. This concept will enable Windsor to continue its growth and foster a vibrant economy, while ensuring a safe, caring and diverse community and a sustainable, healthy environment.</p>	<p>The proposed development provides a use that supports pedestrian orientations and public transit due to its location in an existing built-up area.</p>

OP Policy #	Policy	Response
3.2.3.1	Windsor will work toward achieving a sustainable transportation system where all modes of transportation can play a more balanced role. The creation of mixed use and employment centres will allow businesses and services to be closer to homes and allow greater opportunities for walking, cycling and transit.	The intent is to construct a combined use building in an area that has a mix of uses. This allows residents to easily access amenities, employment and public transit.
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.	<p>The proposed development will support the City's goal of promoting a healthy community in order to live, work and play.</p> <p>The proposed development is close to nearby transit, employment, shopping, local/regional amenities and parks/trails.</p>
6.0 - Preamble	A healthy and livable city is one in which people can enjoy a vibrant economy and a 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 proposed development supports the policy set out in the OP as it is suited for the residential and commercial needs of the City.
6.1 - Goals	<p>In keeping with the Strategic Directions, Council's land use goals are to achieve:</p> <p>6.1.1 Safe, caring and diverse neighbourhoods.</p> <p>6.1.3 Housing suited to the needs of Windsor's residents.</p>	<p>The proposed development supports the goals set out in the OP as it provides for the development of a vacant parcel of land.</p> <p>The proposed residential use will provide a new housing</p>

OP Policy #	Policy	Response
	<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>choice in an existing built-up area.</p> <p>The proposed commercial use is compatible with other land uses. The space will offer an opportunity for retail that will cater to the residents of the combined use building and the local neighbourhood.</p>
<p>6.2.1.2 – General Policies, Types of Development Profile</p>	<p>For the purpose of this Plan, Development Profile refers to the height of a building or structure. Accordingly, the following Development Profiles apply to all land use designations on Schedule D: Land Use unless specifically provided elsewhere in this Plan:</p> <p>(a) Low Profile developments are buildings or structures generally no greater than three (3) storeys in height;</p> <p>(b) Medium Profile developments are buildings or structures generally no greater than six (6) storeys in height; and</p> <p>(c) High Profile developments are buildings or structures generally no greater than fourteen (14) storeys in height.</p>	<p>The proposed development is considered a medium profile mixed use development as it is proposed to have 6 storeys constructed on the Site with both residential and commercial uses.</p>
<p>6.5.1.8 - Residential Intensification</p>	<p>To promote residential intensification with Medium and High Profile buildings to meet the housing needs of the City in appropriate areas in proximity to municipal services, transit and employment areas.</p>	<p>Medium profile residential is now permitted in the designation.</p>

OP Policy #	Policy	Response
6.5.3.1 – Mixed Use Corridor (Previously Commercial Corridor) Policies	<p>Uses permitted in the Mixed Use Corridor land use designation are primarily retail, wholesale store and service oriented uses and, to a lesser extent, office uses.</p> <p>Medium and High Profile residential uses either as stand-alone buildings or part of a commercial-residential mixed use buildings shall be throughout the Corridors.</p>	<p>Combined use buildings are now permitted in this designation.</p>
6.5.3.3 – Street Presence	<p>Council will encourage Mixed-Use Corridor development to provide a continuous street frontage and presence. Accordingly, development along a Mixed-Use Corridor shall be:</p> <p>a) no more than four storeys in height, except on lands at an intersection of any combination of the following roads: Class I Arterial Road, Class II Arterial Road, Class I Collector, or Class II Collector Road. The height of buildings shall generally not exceed the width of the road right-of-way abutting the development site; and</p> <p>b) Notwithstanding the identified maximum building height, the Council may consider additional height, where the Council is satisfied that the proposed height achieves compatible development, and where appropriate transitions to abutting lower scale development are established. Appropriate</p>	<p>Huron Church Road is considered a Class 1 arterial road according to Schedule F of the OP.</p> <p>The Site is not at an intersection.</p> <p>It is requested that Council consider the proposed 6 storeys as it addresses transition.</p> <p>The ZBL will have specific provisions.</p> <p>Most of the parking is located at the rear.</p>

OP Policy #	Policy	Response
	<p>transitions may be achieved through the implementation of regulatory techniques including, but not limited to new height limitations, enhanced building setbacks and step backs, enhanced landscape buffers and planting requirements and/or the implementation of an angular plane. Permissions for taller buildings may be established through a site specific Zoning By-law Amendment.</p> <p>c) encouraged to locate the buildings at the street frontage lot line with parking accommodated at the rear of the site.</p>	
6.5.3.7 – Evaluation Criteria	<p>At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed commercial development is:</p> <p>(a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:</p> <p>(i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;</p> <p>(ii) within a site of potential or known contamination;</p> <p>(iii) where traffic generation and distribution is a provincial or municipal concern; and</p> <p>(iv) adjacent to sensitive land uses and/or heritage</p>	<p>This PRR has addressed PPS policies.</p> <p>There are no constraint areas that impact the Site.</p> <p>Full municipal services are available.</p> <p>On-site parking is provided.</p> <p>There are no sensitive land uses adjacent to the Site.</p> <p>Support studies have been provided.</p> <p>The proposed development will be compatible with the uses in the area.</p>

OP Policy #	Policy	Response
	<p>resources.</p> <p>(b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;</p> <p>(c) capable of being provided with full municipal physical services and emergency services;</p> <p>(d) provided with adequate off-street parking;</p> <p>(e) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas; and</p> <p>(f) acceptable in terms of the proposal's market impacts on other commercial areas (see Procedures chapter).</p>	
6.5.3.8 – Design Guidelines	<p>The following guidelines shall be considered when evaluating the proposed design of a Commercial Corridor development:</p> <p>(a) the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan;</p> <p>(b) the provision of appropriate landscaping or other buffers to enhance:</p> <p>(i) all parking lots, and outdoor loading and service areas; and</p> <p>(ii) the separation between the use and adjacent sensitive uses, where appropriate;</p> <p>(c) as a general rule, the height of buildings are consistent with the height of buildings which characterize the Commercial</p>	<p>The proposed building will be designed to be compatible with the surrounding area.</p> <p>Landscaping will be professionally designed and will be reviewed at the time of SPC approval.</p> <p>No buffering is required as there are no sensitive land uses that abut the Site.</p> <p>The parking area will be located on-site.</p> <p>The proposed building height is appropriate for the area.</p> <p>The main floor will be designed for commercial use and residential use above.</p>

OP Policy #	Policy	Response
	<p>Corridor. Where Council deems it desirable that higher profile development be permitted in an existing Commercial Corridor, the development should be built at a human scale by utilizing one or both of the following measures:</p> <ul style="list-style-type: none"> (i) treatment of the lower floors of building(s) to provide continuity; and/or (ii) setting back the upper floors of building(s) from the street to avoid overpowering effects at-grade; (d) where possible, parking is located in the rear of the property to encourage continuous building facades adjacent to the street; (e) measures are taken in site design which provide for ease of access for pedestrians between the public sidewalk and building main entrances in a manner which is distinguishable from access provided for vehicles; and (f) Council will adopt Design Guidelines that will assist in the design and review of development applications in a manner that will ensure implementation of these policies. 	
8.11.2.12 – Streetscape (Civic Way)	<p>Council will promote the development of Civic Ways at the locations identified on Schedule G: Civic Image. Such Civic Ways will be designed to :</p> <ul style="list-style-type: none"> (a) promote and present an attractive and unifying image of Windsor; (b) maintain a sense of 	<p>Volume I - Schedule G: Civic Image – Huron Church is designated as a "Civic Way".</p> <p>The proposed development will blend with the type of development currently along the roadway.</p>

OP Policy #	Policy	Response
	welcome and arrival for travelers; (c) create a memorable impression of Windsor; and (d) complement and enhance the Municipality's capital investment in major infrastructure.	
8.11.2.13	Council will recognize the significance of roads designated as Civic Ways on Schedule G: Civic Image by: (a) enhancing the public rights-of-way along major entry points into Windsor consistent with a highly attractive and distinctive image using unifying elements such as landscaping, fixtures and boulevard and median treatments; and (b) protecting and enhancing significant views and vistas, public space and heritage resources along the Civic Way.	
1.2.2 – Huron Church Road Corridor	Notwithstanding the general policies contained in the Primary Plan, the following policy shall apply to all development along the Huron Church Road Corridor: (a) to create a uniform appearance along Huron Church Road and in keeping with its status as an international gateway route, any new development adjacent to Huron Church Road shall be required to provide a landscaped setback abutting the road. Specific land use requirements shall be as follows:	A 10 m landscape setback is provided. Relief is required as part of the OPA. Relief will allow the setback to be consistent with the existing abutting commercial building.

OP Policy #	Policy	Response
	<p>(i) where a non-residential development fronts Huron Church Road there shall be a minimum landscaped setback of ten (10) metres parallel to the road;</p> <p>(ii) where residential development is proposed adjacent to Huron Church Road a Public Open Space corridor having a minimum width of 30 metres shall be provided as shown on Schedule D: Land Use; save and except lot 62, Plan 967*, on Huron Church Road, shall have a 9 metre landscaped setback.</p> <p>(* - Added by OMB Decision #1635 – 11/29/2002)</p> <p>(b) where lands are proposed for redesignation to Commercial Centre or Commercial Corridor, such lands shall be located at a signalized intersection or be contiguous to lands designated Commercial Centre or Commercial Corridor with access to a signalized intersection by means of a service road.</p>	
4.2 - South Cameron Planning Area	<p>The extension of sanitary sewers has acted as a stimulus to development activity and interest. Environmental issues, noise problems, fragmented ownership and accessibility issues require more detailed development policies than are set out in Volume I: The Primary Plan. This secondary plan results from the intent of</p>	<p>The proposed development will support the purpose of the planning area.</p> <p>The Site is an opportunity for infill and intensification.</p> <p>The combined use building will be designed to support the orderly progression of development in the area.</p>

OP Policy #	Policy	Response
	the City of Windsor to set out objectives and policies regarding orderly progression of development within the planning district.	
4.5.1 - Goal	Promote land use patterns, residential densities and building forms that make efficient use of existing resources, services and infrastructure.	The proposed development is an efficient use of the Site as it is located in a built up area with an existing mix of uses.
4.5.5. - Noise	Facilitate noise reduction in development and protect residents from unacceptable levels of noise.	The required support studies have been prepared.
4.5.8 - Compatibility	Provide for a pattern of development in keeping with the scale and use of existing development in this district.	<p>The proposed development is compatible with the surrounding area.</p> <p>There are no sensitive land uses abutting the Site.</p> <p>The closest residential uses will be located east of Daytona Ave.</p> <p>The proposed development does not cause any impacts on the enjoyment or privacy of abutting lands.</p>
4.6.2	Locate medium /high profile residential uses adjacent to commercial areas.	The proposed medium profile use will be located adjacent to the commercial areas.
4.6.4	Provide for commercial uses along the arterial and collector road frontages with consideration of local nodes near medium/high profile residential areas.	Commercial uses are proposed.
4.7.7.2 – Commercial Corridors	The Commercial Corridors designated on Schedule SC-1 shall be subject to the policies contained within Volume I: The Primary Plan and the	The Mixed Use Corridor (previously Commercial Corridors) designation has been applied.

OP Policy #	Policy	Response
	special policy area provisions of Volume II, where appropriate.	
7.0	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 roadway, and has access to full municipal services.
8.1 – Urban Design	A memorable, attractive and liveable city is one where people feel comfortable and are inspired by their surroundings. The physical systems and built form of the city are also designed to protect, maintain and improve the quality of life for present and future generations by integrating the principles of sustainability and place making. In order for Windsor to be such a city, Council is committed to urban design principles that enhance the enjoyment and image of Windsor and its people.	<p>The proposed development has taken into account the urban design policies set out in this section.</p> <p>The design will be further evaluated as part of SPC approval.</p>
8.7.2.3 – Built Form, infill development	<p>Council will ensure that proposed development within an established neighbourhood is designed to function as an integral and complementary part of that area's existing development pattern by having regard for:</p> <p>(a) massing; (b) building height; (c) architectural proportion; (d) volumes of defined space;</p>	<p>The proposed development will be a natural integration of the established mixed use area.</p> <p>The proposed combined use building will provide an appropriate transition between uses.</p> <p>Massing – the proposed building will be limited to 6 storeys which will blend well</p>

OP Policy #	Policy	Response
	<p>(e) lot size; (f) position relative to the road; (g) building area to site area ratios; (h) the pattern, scale and character of existing development; (i) exterior building appearance; (j) Council adopt Guidelines that will assist in the design and review of applications for development in accordance with the policies noted above.</p>	<p>with the scale and massing of the existing surrounding area.</p> <p>Building height – there are no impacts on shadowing on abutting properties based on the proposed building height. There is future residential to be located on the east side of Daytona Ave.</p> <p>Relief is being requested for an increase in height. All other CD2.2 provisions can be complied with.</p> <p>Architectural proportion – the proposed visual effect of the relationship of the proposed development will blend well with the buildings in the immediate area.</p> <p>Volume of defined space – the proposed design and layout of the development includes appropriate setbacks and lot coverage.</p> <p>The parking area will be constructed in according to City standards, providing appropriate space. Minor relief is requested and supported by a parking study.</p> <p>Lot size – the existing parcel is appropriate for the development. It allows for on-site parking, fire route, sidewalks and landscaping.</p> <p>Building area – appropriate lot coverage is proposed. The proposed building will not</p>

OP Policy #	Policy	Response
		<p>negatively impact the private use and enjoyment of area residents and business owners.</p> <p>Pattern, scale and character – the style of development will blend well with the scale and massing of the existing surrounding area.</p> <p>Exterior building appearance – the proposed building will be designed professionally and aesthetically pleasing.</p>
Section 3.1 - City of Windsor Intensification Guidelines, June 2022	Mixed Use Corridors are located along Arterial or Collector Roads and are expected to accommodate Low and Medium Profile built forms that include mixed use , retail, office, and residential development.	<p>City of Windsor intensification guidelines have been reviewed as part of the proposed development.</p> <p>The proposed development is considered a medium profile mixed use development.</p> <p>Transition, height, scale and massing have been considered as part of the concept plan.</p> <p>The final design of the building will be addressed as part of SPC approval.</p>
3.2.2 – Mixed Use Corridors	Mixed Use Corridors can accommodate a full range of residential, office, recreational, entertainment cultural, and community uses and facilities over time. Mixed Use Corridors are the connective spines of the City and intensification is envisioned to develop as mixed use and transit supportive.	<p>Huron Church Road and in keeping with its status as an international gateway route.</p> <p>The building will face the street, has access to nearby transit, and provides access and frontage.</p> <p>The parking area is designed to be located on the Site with appropriate landscaping and buffering.</p>

OP Policy #	Policy	Response
	<ol style="list-style-type: none"> 1. Locate Low and Medium Profile forms of development and mixed uses along the Mixed Use Corridors and at gateways to create areas of community focus. 2. Ensure buildings relate to adjacent streets, particularly at transit stops. Block patterns should be permeable, providing access and frontage among buildings along the Mixed Use Corridors. 3. Design parking lots with planting strips and landscaped traffic islands, medians, or bump-outs to break up the expanse of hard surface areas. 4. Design buildings to be compatible with, and sensitively integrated with the surrounding land uses and built forms. Ensure appropriate transition to adjacent uses and built forms. 	<p>There are no sensitive land uses abutting the Site.</p>

Therefore, the proposed development will conform to the City of Windsor OP with the proposed amendment to request a 10 m landscape setback from Huron Church Road.

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 provide for its day-to-day administration.

According to Map 4 attached to the ZBL the Site is currently zoned Commercial District 2.1 (CD2.1) category (see Figures 4 – City of Windsor Zoning Map 4).

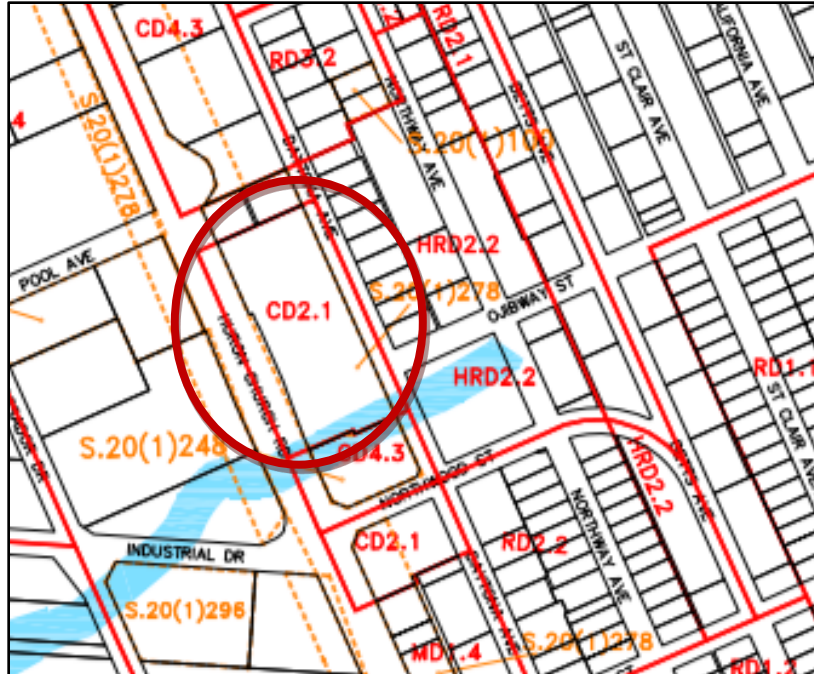


Figure 4 – City of Windsor Zoning Map 4

The Site is also impacted by special provision S.20(1)278, which states the following:

*For the lands situated on the east and west sides of Huron Church between the south limit of College Avenue and the north limit of Continental Avenue on the west side of Huron Church Road and the north limit of E C Row Expressway on the east side of Huron Church Road, a landscaped open space yard with a minimum depth of **10 metres along Huron Church Road shall be provided**, save and except for Parts 4 and 5, Plan 12R-12366 and Part Lots 1346 to 1360, Part Lot 1829 and Part Block A, Registered Plan 1059 (situated on the west side of Huron Church Road, north of Tecumseh Road West) a minimum landscaped open space yard with a minimum depth of 3 metres along Huron Church Road shall be provided. Buildings and the parking and display of motor vehicles are prohibited within this landscaped open space yard.*

The zoning for the Site (severed lands) proposes to be changed from Commercial District 2.1 (CD2.1) category to a site-specific Commercial District 2.2 (CD 2.2 - S.20(1)XXX) category in order to permit a combined use building. Relief from certain regulations is also being requested.

The zoning for the Site (retained lands) proposes to be changed from Commercial District 2.1 (CD2.1) category to a site-specific Commercial District 2.1 (CD 2.1 - S.20(1)XXX) category in order to address various requested reliefs.

COMBINED USE BUILDING means a *building having, as main uses, at least one dwelling unit and at least one non-residential use.*

A review of the CD2.2 zone provisions, as set out in Section 15.2 of the ZBL is as follows for the **severed** (new development) lands:

Zone Regulations	Required CD2.2 Zone	Proposed (severed lands)	Compliance and/or Relief Requested with Justification
Permitted Uses	Bakery Business Office Child Care Centre Commercial School Confectionery Food Outlet - Take-Out Funeral Establishment Medical Office Micro-Brewery Personal Service Shop Place of Entertainment and Recreation Place of Worship Professional Studio Public Hall Repair Shop – Light Restaurant Retail Store Veterinary Office Wholesale Store Dwelling Units in a Combined Use Building with any one or more of the above uses Gas Bar Outdoor Market Parking Garage Public Parking Area Tourist Home Existing Automobile Repair Garage	Commercial uses are permitted in the CD2.2 zone. Residential dwelling units in a combined use building.	Subject to the ZBA. There are residential units proposed above the commercial units as part of the proposed development. The commercial use will include retail space of 273.57 m ² to be located on the main floor.

Zone Regulations	Required CD2.2 Zone	Proposed (severed lands)	Compliance and/or Relief Requested with Justification
	<p>Existing Service Station</p> <p>Any use accessory to any of the preceding uses. An Outdoor Storage Yard is prohibited, save and except, in combination with the following main uses: Outdoor Market, Existing Automobile Repair Garage.</p>		
Main Building Height - maximum	14.0 m	20.12 m	<p>Relief is requested.</p> <p>6 storeys are proposed.</p> <p>The height of the commercial space generally has a greater ceiling height than the residential space.</p> <p>The proposed development is considered a medium profile mixed use development as it is proposed to have 6 storeys constructed on the Site with both residential and commercial uses.</p> <p>The scale and massing of the proposed building are suitable for the Site.</p> <p>The scale and massing do not cause any negative impact on the enjoyment of abutting properties.</p>

Zone Regulations	Required CD2.2 Zone	Proposed (severed lands)	Compliance and/or Relief Requested Justification with
			Privacy and enjoyment will not be impacted.
Amenity Area – Per Dwelling Unit – minimum	12.0 m2 per unit 12.0 x 58 = 696 m2	1,735.11 m2	Complies <i>AMENITY AREA means a landscaped open space yard or a recreational facility as an accessory use to a dwelling or a dwelling unit located on the same lot.</i>
Other	For a Combined Use Building, all dwelling units, not including entrances thereto, shall be located above the non-residential uses	Dwelling Units in a combined use building with commercial on the main floor and residential above the commercial space.	Subject to the ZBA. A total of 58 residential units are proposed. There are residential amenity areas proposed on the main floor.
Parking Requirements 24.20.5.1	Retail - 1 space/22.5 m2 = 12 Combined Use Building – 1.25 per dwelling unit = 72 Total = 84	12 commercial spaces provide 71 residential spaces provided	Relief for 1 parking space required for residential parking. A Parking Justification Report has been prepared to confirm that the provided parking spaces are appropriate for the proposed development.
Visitor Parking – minimum 24.22.1	15 percent of parking spaces shall be marked as visitor parking = 12	12	Complies
Accessible Parking Spaces 24.24.1	Type A – 2 spaces Type B – 2 spaces = 4	4	Complies
Bicycle Parking Spaces 24.30.1.1	6	6	Complies

Zone Regulations	Required CD2.2 Zone	Proposed (severed lands)	Compliance and/or Relief Requested with Justification
Parking Area Separation 25.5.20	<p>.2 any other street – 3.00 m</p> <p>.3 an interior lot line or alley – 0.90 m</p> <p>.5 A building wall in which is located a main pedestrian entrance facing the parking area – 2.0 m</p> <p>.6 A building wall containing a habitable room window or containing both a main pedestrian entrance and a habitable room window facing the parking area where the building is located on the same lot as the parking area - 4.50 m</p>	<p>2.9 m from a street</p> <p>0.90 m from a lot line</p> <p>1.82 m from the wall of the main entrance</p>	<p>Relief is required for the minimum setback from a street (Daytona Ave).</p> <p>There is an open ditch which provides additional setback on the municipality right-of-way.</p> <p>Relief is required for the minimum setback from the wall of the main entrance, as the building will be designed with a recessed entranceway. Sidewalk access is provided for pedestrian connectivity.</p>
Loading Spaces Required - minimum	1	1	Complies
S.20(1)278	a landscaped open space yard with a minimum depth of 10 metres along Huron Church Road shall be provided	10.48 m	Complies

Therefore, in addition to the request to permit a combined use building, the proposed development (severed lands) will comply with all zone provisions set out in the CD2.2 Zone except for the following, which requires site-specific relief:

1. *increase the required maximum height from 14.0 m to 20.12 m,*
2. *decrease the required minimum parking requirement for the residential use from 72 to 71 spaces,*
3. *to decrease the required parking area separation from 3 m to 2.9 m from a street, and*
4. *to decrease the required parking area separation from 2.0 m to 1.82 from the wall of the main entrance.*

A review of the CD2.1 zone provisions, as set out in Section 15.1 of the ZBL is as follows for the **retained** (Fred's Farm Fresh) lands:

Zone Regulations	Required CD2.1 Zone	Proposed (retained lands)	Compliance and/or Relief Requested with Justification
Permitted Uses	Bakery Business Office Child Care Centre Commercial School Confectionery Food Outlet - Drive-Through Food Outlet - Take-Out Funeral Establishment Garden Centre Gas Bar Medical Office Micro-Brewery Parking Garage Personal Service Shop Place of Entertainment and Recreation Place of Worship Professional Studio Public Hall Public Parking Area Repair Shop – Light	Existing commercial use	Complies

Zone Regulations	Required CD2.1 Zone	Proposed (retained lands)	Compliance and/or Relief Requested with Justification
	Restaurant Restaurant with Drive-Through Retail Store Temporary Outdoor Vendor's Site Tourist Home Veterinary Office Wholesale Store Existing Automobile Repair Garage Existing Service Station Any use accessory to any of the preceding uses. An Outdoor Storage Yard is prohibited, save and except, in combination with the following main uses: Garden Centre, Temporary Outdoor Vendor's Site, Existing Automobile Repair Garage		
Building Height – maximum	14.0 m	Existing	Complies
Gross Floor Area – maximum Bakery or Confectionary	550.0 m ²	Existing	Complies
Parking Requirements 24.20.5.1	Garden Centre – 1 space/22.5 m ² = 27 Retail - 1 space/22.5 m ² = 47	27 provided for the garden centre 40 provided for the retail Total = 67	Relief for 7 parking spaces is requested. This is considered a minor reduction.

Zone Regulations	Required CD2.1 Zone	Proposed (retained lands)	Compliance and/or Relief Requested with Justification
	Total = 74		A Parking Justification Report has been prepared to confirm that the provided parking spaces are appropriate for the retained lands.
Accessible Parking Spaces 24.24.1	Type A – 1 space Type B – 1 space = 2	2	Complies
Bicycle Parking Spaces 24.30.1.1	5	0	Relief is requested for 5 bicycle parking spaces. There were no previous spaces provided.
Parking Area Separation 25.5.20	.3 an interior lot line or alley – 0.90 m	0.32 m from an interior lot line	Relief is required for the minimum setback requirement from a lot line as the existing parking area is being transformed into two separate areas (retained and severed).
Loading Spaces Required - minimum	1	1	Complies
S.20(1)278	a landscaped open space yard with a minimum depth of 10 metres along Huron Church Road shall be provided	Existing	Complies

Therefore, the proposed development (retained lands) will comply with all zone provisions set out in the CD2.1 Zone except for the following, which requires site-specific relief:

- 1) *permit the required vehicle parking for the commercial use to be reduced from 74 spaces to 67 spaces;*

- 2) *permit the required bicycle parking for the commercial use to be reduced from 6 spaces to 0 spaces, and*
- 3) *to decrease the required parking area separation from 0.90 m to 0.32 m from an interior lot line.*

6.0 SUMMARY AND CONCLUSION

6.1 Context and Site Suitability Summary

6.1.1 Site Suitability

The Site is ideally suited for a combined use building with commercial and residential development for the following reasons:

- The land area is sufficient to accommodate the proposed development with adequate buffering from abutting land uses,
- 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 traffic or parking concerns,
- There are no noise or vibration concerns, and
- The location of the proposed development is appropriate.

6.1.2 Compatibility of Design

The proposed development will be limited to an 6 storey, medium profile combined use building, which is a compatible density for the Site and with the surrounding area.

The design has spoken to compatibility. It has taken into consideration a transition between land uses and an appropriate amount of setbacks.

The Site is capable of accommodating the proposed development in terms of scale, massing, height and siting. Parking, fire route, amenity area and landscaping will be provided.

The closest residential uses will be located east of Daytona Ave. The proposed development does not cause any impacts on the enjoyment or privacy of abutting lands.

All zone provisions set out in the CD2.1 zone and CD2.2 zone categories can be complied with, with the exception of some minor requested relief.

6.1.3 Good Planning

The proposal represents good planning as it addresses the need for the development of a vacant parcel of land, which contributes to affordability and intensification requirements set out in the PPS and the OP.

Residential and commercial uses on the Site represent an efficient development pattern that optimizes the use of land.

The Site is currently vacant and is underutilized.

6.1.4 Environment Impacts

The proposal does not have any negative natural environmental impacts or impacts on endangered species.

6.1.5 Municipal Services Impacts

There will be no negative impacts on the municipal system as the proposed use will not add to the capacity in a significant way.

6.1.6 Social, Cultural 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 and nearby amenities.

Infilling in an existing mixed use 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 proposed development promotes efficient development and land use patterns, which sustains the financial well-being of the Municipality.

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 the City of Windsor to approve the OPA and ZBA to permit the proposed development on the Site.

The proposed development is an appropriate use of an underutilized vacant property and offers a mix of uses that offers residents and consumers a new option for housing and economic activity.

This PRR has shown that the proposed development is consistent with the PPS, conforms with the intent and purpose of the City of Windsor OP and represents good planning.

The report components for this PRR have set out the following, as required under the City of Windsor OP:

10.2.13.2 Where a Planning Rationale Report is required, such a study should:

(a) Include a description of the proposal and the approvals required;

- (b) Describe the site's previous development approval history;*
- (c) Describe major physical features or attributes of the site including current land uses(s) and surrounding land uses, built form and contextual considerations;*
- (d) Describe whether the proposal is consistent with the provincial policy statements issued under the Planning Act;*
- (e) Describe the way in which relevant Official Plan policies will be addressed, including both general policies and site-specific land use designations and policies;*
- (f) Describe whether the proposal addresses the Community Strategic Plan;*
- (g) Describe the suitability of the site and indicate reasons why the proposal is appropriate for this site and will function well to meet the needs of the intended future users;*
- (h) Provide an analysis of the compatibility of the design and massing of the proposed developments and land use designations;*
- (i) Provide an analysis and opinion as to why the proposal represents good planning, including the details of any methods that are used to mitigate potential negative impacts;*
- (j) Describe the impact on the natural environment;*
- (k) Describe the impact on municipal services;*
- (l) Describe how the proposal will affect the social and/or economic conditions using demographic information and current trends; and,*
- (m) Describe areas of compliance and non-compliance with the Zoning By-law.*

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

