

PLANNING RATIONALE REPORT

1878 and 1918 Huron Church Road, Windsor, Ontario

Abstract

This Planning Rationale Report is in support of the redevelopment of the property at 1878 and 1918 Huron Church Road for a commercial retail and restaurant plaza

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1 Description of the Proposal

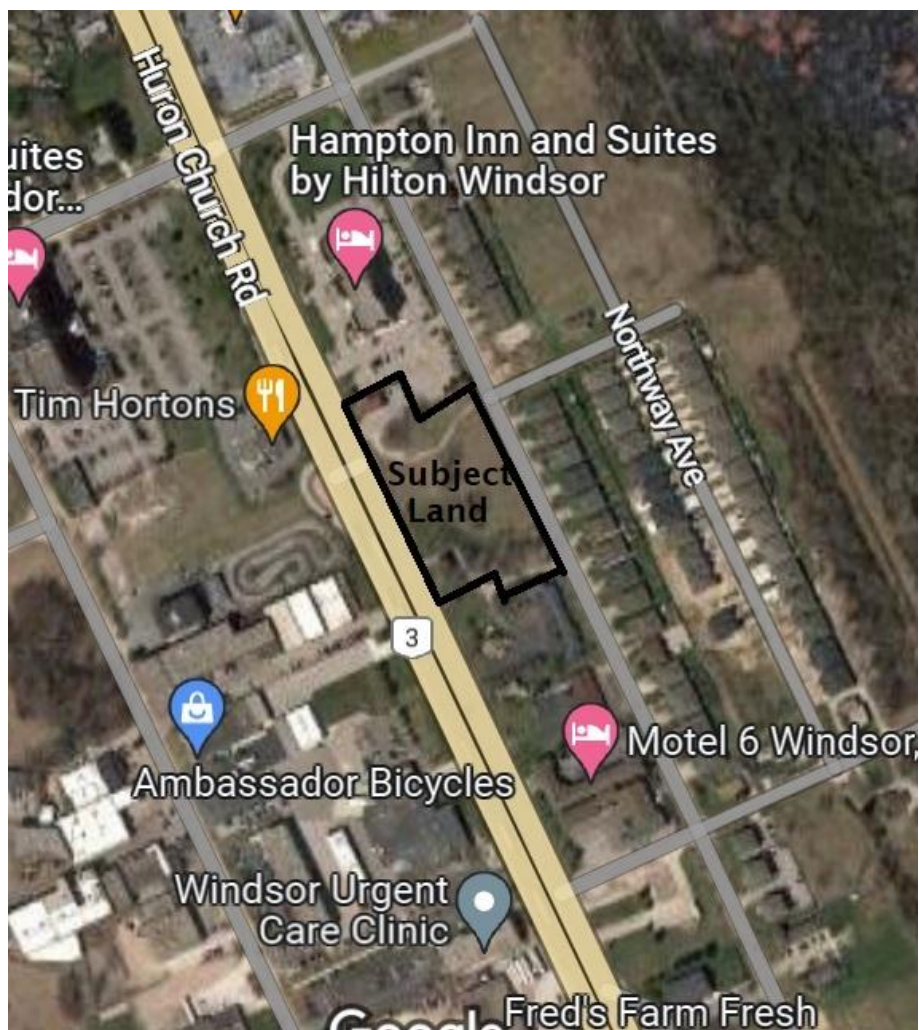
2188160 Ontario Limited, is the owner of lands described as:

Lots 12-18 (Inclusive), Part of Lots 5 to 11 (Inclusive), All of Block “A” (created by judge’s order registered as Instrument No. R1038232), and Part of Manitoba Street (closed by Instrument No. CE662669), Registered Plan 948, and Lots 102, 103 & 104, Part of Lots 1 & 2, and Part of Block “B” (created by judge’s order registered as Instrument No. R1038232), Registered Plan 997, hereinafter referred to as the “Subject Lands”.

The Subject Lands have an area of approximately 5.22 Hectares and approximately 134.5 metres of frontage on Huron Church Road, and 101 metres on Daytona Avenue.

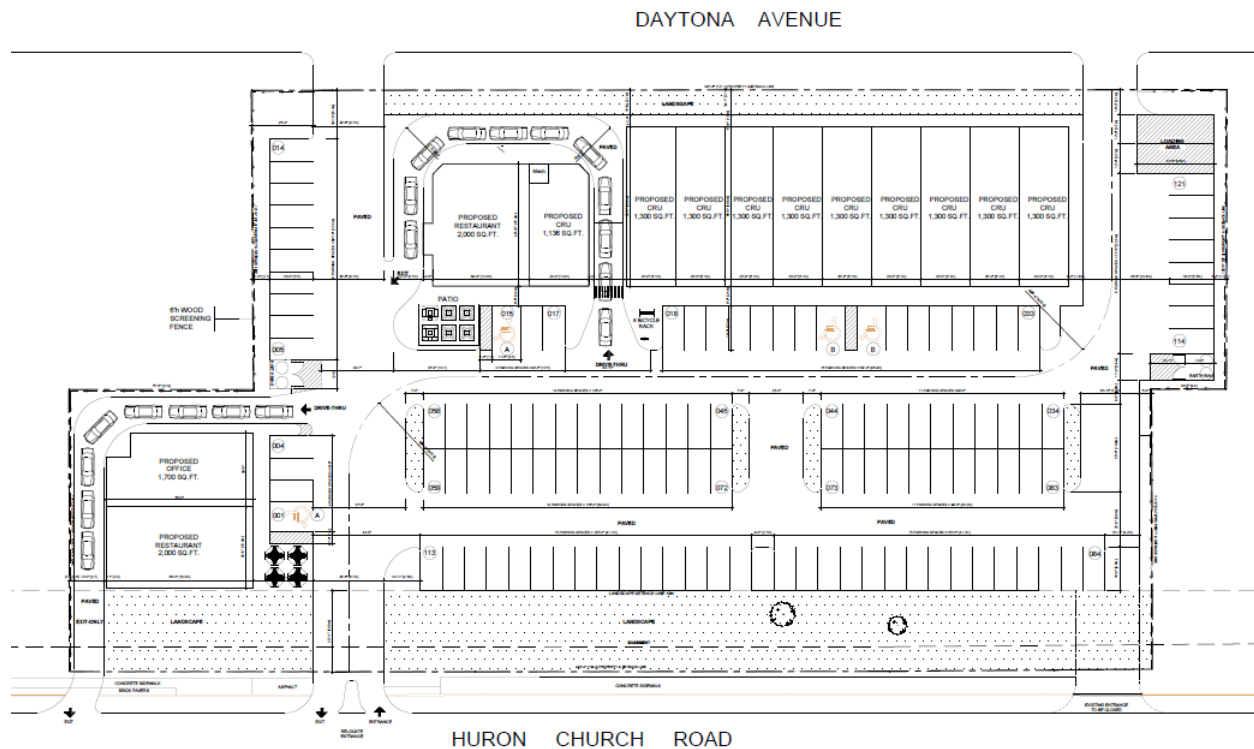
The Subject Lands comprise municipal addresses 1878 and 1918 Huron Church Road, see location map attached hereto as Figure 1.

FIGURE 1 LOCATION MAP



The owner proposes to demolish two existing buildings on the property and construct a commercial retail/restaurant development on the lands as depicted below.

Figure 2 Conceptual Site Plan



Although the lands currently have 2 access/egress driveways on Huron Church Road the proposal is to stop up and close the most southerly driveway and reconfigure the northerly driveway to a right-in/right-out only.

As discussed further in this planning rationale report the proposal requires an Official Plan Amendment, a Zoning By-law Amendment, and Site Plan Control approval from the City of Windsor.

2 History of the Property

The Subject Lands were acquired by the current owner on November 16, 2020. The transfer document registered as CE975246 identifies the Subject Lands as being a compilation of eight (8) former parcels of land.

The northern portion of the Subject Lands is inhabited by an insurance company office in what appears to be a former residence.

The southern portion of the property has a single residence located thereon.

3 Physical Features of Subject Property

Structures

There is a 1.5-storey brick and wood siding frame single detached residential dwelling fronting at 1918 Huron Church at the south end of the property. There is a single storey out-building at the rear of the structure at 1918 Huron Church Road.

At the north side of the property at 1878 Huron Church Road there is a 2-storey brick commercial building that appears to have had been a residence in the past. There is asphalt parking area on the south and east sides of the structure at 1878 Huron Church Road.

Both buildings on the property have access/egress at both Huron Church Road and Daytona Avenue.

Vegetation

There are a few deciduous trees in the central portion of the property, and deciduous trees located on the south and east sides of the structure at 1918 Huron Church Road. There is also scrub brush located in the rear yard of the structure at 1918 Huron Church Road.

Topography

The Subject Property is generally level.

Other Physical Features

There is a roadside drainage swale along the west side of Daytona Avenue and an overhead electrical service line running along the west side of Daytona Avenue.

There is a double billboard sign on a steel I-beam structure with electrical service facing southbound Huron Line Road traffic.

4 Surrounding Land Uses

North of the Subject Lands is the 7-storey Hampton Inn and Suites by Hilton hotel with surface parking on all four sides of the building.

South of the Subject Lands at 1954 Huron Church Road is the single storey Best Way motor hotel with an asphalt parking area.

East of the Subject Lands is Daytona Avenue with raised ranch style semi-detached residential buildings located and fronting onto Daytona Avenue.

West of the Subject Lands is Huron Church Road a 6-lane (3 in each direction with center median) arterial roadway with asphaltic pavement. There is a gap in the median

in front of the Subject Lands to facilitate northbound traffic to reverse direction to travel south on Huron Church Road.

5 Planning Policy Documents

5.1 Provincial Planning Statement 2024

The Provincial Planning Statement is a policy statement issued under the authority of section 3 of the *Planning Act* and came into effect on October 20, 2024. The Provincial Planning Statement applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after October 20, 2024.

The Provincial Planning Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic, health and social factors in land use planning. The Provincial Planning Statement supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

2.1 Planning for People and Homes, sub item 6. Provides:

Planning authorities should support the achievement of complete communities by:

- (a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, longterm care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;*
- (b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and*
- (c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.*

The commercial development proposal on the Subject Lands contributes to the pursuit of a complete community providing commercial services to the local community and the travelling public.

Subsection 2.3.1.1 Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.

Commercial development on the Subject Lands is within a designated Settlement Area.

2.8.2 Employment Areas

2.8.2.3 b) prohibiting residential uses, commercial uses, public service facilities and other institutional uses;

2.8.2.3 c) prohibiting retail and office uses that are not associated with the primary employment use;

2.8.2.5 Planning authorities may remove lands from employment areas only where it has been demonstrated that:

a) there is an identified need for the removal and the land is not required for employment area uses over the long term;

We contend that Windsor has a sufficient inventory of employment lands such that these lands are not required for employment use over the long term.

b) the proposed uses would not negatively impact the overall viability of the employment area by:

avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned employment area uses in accordance with policy 3.5 maintaining access to major goods movement facilities and corridors.

The employment area where these lands are located is a relatively narrow ribbon that has several other existing commercial uses; therefore this proposal does not impact the existing planned employment area.

c) existing or planned infrastructure and public service facilities are available to accommodate the proposed uses; and

There is adequate existing municipal infrastructure to accommodate the proposed use.

d) the municipality has sufficient employment lands to accommodate projected employment growth to the horizon of the approved official plan.

We contend that Windsor has a sufficient inventory of employment lands such that these lands are not required for employment use over the long term.

Section 2.9 of the PPS notes that planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate.

The owner of the proposed commercial development has a vested interest in energy conservation and will consider implementing energy saving measures, including EV charging stations that are becoming commonplace at commercial centres.

The proposal to develop the Subject Lands for commercial/retail uses is not consistent with the PPS policies for employment areas that prohibit commercial uses within employment areas.

Therefore, the proponent seeks an Official Plan Amendment to change the Official Plan designation from its current employment use designation to commercial use designation.

5.2 City of Windsor Official Plan

The Subject Lands are within the South Cameron planning district according to Schedule “A” Planning Districts & Policy Areas map attached to the Official Plan for the City of Windsor. The Subject Lands lies within the Huron Church Road Corridor Special Policy Area 2 as shown on Schedule “A” attached to the Official Plan. The Subject Lands are included in the South Cameron Secondary Plan that is described in Volume 2 of the Official Plan.

Subsection 3.3.2 Corridors, in the Official Plan provides in part that Corridors represent the backbones of the urban network structure. Neighbourhoods gravitate towards these corridors to serve their everyday needs or to connect with larger nodes, commercial centres, and employment centres to access a wider range of services and opportunities. Corridors have opportunities for intensification that would provide a wider range of services and opportunities for adjacent neighbourhoods but also more opportunities to live and work in the area.

As shown on Schedule B Greenway System of the Official Plan there is a designated proposed recreational way along Daytona Avenue to the east of the Subject Lands.

As shown on Schedule C-1: Archaeological Potential of the Official Plan, the lands are within an area shown as Archeological Potential Zone (APZ). Therefore, at a minimum a Stage 1 & 2 archaeological study is required to be undertaken.

The Subject Lands are designated “Business Park” according to Schedule “D” Land Use map attached to the Official Plan for the City of Windsor. According to Business Park OP policy 6.4.4 the Business Park land use designation provides for business and industrial uses of a similar quality and character to locate together in highly visible areas according to a comprehensive development plan.

Official Plan Subsection 6.4.4.2 Ancillary uses permitted in the Business Park land use designation without amendment to the OP include: commercial entities such as convenience stores, gas bars, service stations, personal services, restaurants,

warehouse, wholesale store, and financial institutions which, by their size are designed to serve the employees in the Business Park and which have access to an Arterial or Collector Road.

Official Plan subsection 6.4 EMPLOYMENT, defines lands designated "Business Park" as being "Employment Lands" as follows:

Employment lands provide the main locations for business and industrial activities. In order to strengthen Windsor's economy, meet the land and infrastructure needs of employment activities and address concerns over compatibility, employment land uses are provided under two designations on Schedule D as either Industrial or Business Park.

Given that the Provincial Planning Statement 2024 prohibits commercial uses within employment areas, and the Subject Lands are currently in an employment area, the proponent seeks an Official Plan Amendment from the "Business Park" designation to the "Mixed Use Corridor" designation.

Note that on Schedule SC-1 Development Concept for the South Cameron Planning Area, there are other nearby lands that are designated Commercial Corridor fronting onto Huron Church Road. More particularly, lands fronting on the east side of Huron Church Road north of Malden Road, and lands to the south of the Subject Lands on the east side of Huron Church Road (Fred's Farm Fresh) are designated Commercial Corridor on Schedule SC-1 for the South Cameron Planning Area.

Subsection 6.5.3 Mixed Use Corridor of the Official Plan provides: *The Mixed-Use Corridor land use designation is intended for areas which are designed for vehicle oriented Mixed-Use uses. Mixed-Use Corridors take the form of commercial strips along Arterial and Collector roads within Windsor. These Mixed-Use Corridors are expected to provide people-oriented employment and to accommodate higher density/intensity development, while maintaining a broad mix of land uses that support investment in transit and the achievement of complete communities.*

The Subject Lands are in full compliance with Subsection 6.5.3 noted above.

Commercial development on the Subject Lands complies with Official Plan policy 6.5.3.4 that provides Council shall promote the infilling and consolidation of existing Mixed-Use Corridors. There are lands designated Mixed Use Corridors to the north and south of the Subject Lands.

Commercial development on the Subject Lands meets the locational criteria of Official Plan policy 6.5.3.6 that provides:

- (a) Huron Church Road is a Class I Arterial Road.
- (b) Full municipal services can be provided.

(c) Commercial related traffic can be directed away from residential areas.

Official Plan policy 6.5.3.7 requires at the time of submission the proponent shall demonstrate to the satisfaction of the Municipality that a proposed mixed use corridor development is:

(a) Feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:

- (i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;* the Subject Lands are not within or adjacent to any constraint areas.
- (ii) within a site of potential or known contamination;* The Subject Lands are not within a site of potential or known contamination.
- (iii) where traffic generation and distribution is a provincial or municipal concern; and* Traffic matters are addressed by the proponent's consultant.
- (iv) adjacent to sensitive land uses and/or heritage resources.* The Subject Lands are not adjacent to sensitive land uses and/or heritage resources.

(b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area; This commercial development proposal is in keeping with the goals, objectives and policies of the South Cameron Secondary Plan as it: will serve the largely residential community; provides commercial uses along an arterial roadway; and, assists to establish a land use pattern to guide future development.

(c) capable of being provided with full municipal physical services and emergency services; The Subject Lands are fully serviced.

(d) provided with adequate off-street parking; This proposal meets with applicable required on-site parking.

(e) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas; and This proposal is compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas.

(f) acceptable in terms of the proposal's market impacts on other commercial areas.

Design Guidelines OP policy 6.5.3.8 provides that the following guidelines shall be considered when evaluating the proposed design of a Mixed-Use Corridor development:

(a) the ability to achieve the associated policies as outlined in the Urban Design chapter of the Official Plan.

(b) the provision of appropriate landscaping or other buffers to enhance:

- (i) all parking lots, and outdoor loading and service areas, and
 - (ii) the separation between the use and adjacent sensitive uses, where appropriate.
- (c) as a general rule, the height of buildings is consistent with the height of buildings which characterize the Mixed Use Corridor Commercial Corridor. Where Council deems it desirable that higher profile development be permitted in an existing Mixed Use Corridor Commercial Corridor, the development should be built at a human scale by utilizing one or both of the following measures:
- (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; and
- (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.
- (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.

The applicant will address all of the City's design guidelines through the mandatory site plan approval process.

Official Plan Volume 1 section 7.2.6.4(b)(iv) provides that no access shall be permitted on Huron Church Road. However, this proposal anticipates direct access on Huron Church Road as shown on the site plan, therefore an Official Plan Amendment is required to permit access to Huron Church Road.

In support of an Official Plan Amendment to facilitate access to Huron Church Road, the owner commissioned a Traffic Impact Report prepared by R C Spencer Associates Inc. dated April 2023 that concluded: based on the results of technical work, it is the engineer's opinion that the proposed development will not adversely impact area traffic operations. Furthermore, the traffic study acknowledged that geometric and/or traffic control improvements are not required to enhance horizon traffic operations.

5.3 South Cameron Secondary Plan

The Subject Lands are designated “Business Park” according to Schedule SC-1 Development Concept for the South Cameron Planning Area.

The northern portion of the area is shown as being in an area designated “Area for Future Development” on Schedule C-4 Action Areas in the South Cameron Planning Area.

Commercial Uses policy 4.6.4 in the South Cameron Secondary Plan provide for commercial uses along the arterial and collector road frontages with consideration of local nodes near medium/high profile residential areas.

This proposal is in keeping with the policy to provide commercial uses along arterial roads.

Subsection 4.7.5 Business Park, the Business Park policies are intended to limit these activities to the periphery of the district (i.e., along South Cameron Boulevard and Huron Church Road) as designated on Schedule SC-1.

Huron Church Business Park policy 4.7.5.2 applies to areas lying between Huron Church Road and Daytona south of Quebec that are designated Business Park on Schedule SC-1 and shall be subject to the policies contained within Volume I: The Primary Plan and the special policy area provisions of Volume 2.

Huron Church Road Corridor Policy Official Plan Volume 2 section 1.2.2(a)(i) provides that there shall be a minimum ten (10) metre setback parallel to Huron Church Road right-of-way limit.

The proposed development requests access/egress at Huron Church Road at one location, thus an Official Plan Amendment (OPA) is required to facilitate this proposal on the Subject Property.

5.4 Community Strategic Plan

The proposal is in keeping with the Community Strategic Plan which has as one of its four interrelated pillars “Our Economy: Cultivated and Competitive”. The proposal is supported by the pillar.

5.5 Intensification Guidelines 2022

The City’s Intensification Guidelines 2022 appear to be focused on residential intensification, however, provide some suggestions for how non-residential development may coexist with established residential neighbourhoods.

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.

Create a comfortable “human scale” experience along the streetscape and allow for physical and visual permeability.

This commercial development proposal will comply with all site planning guidelines in Section 3.3 of the City’s Intensification Guidelines 2022 through the site plan control process.

Avoid vehicular site access from higher order roads. Provide access from local roads or rear lanes where possible. The aforementioned guideline is not applicable in the case of the subject commercial development proposal as it would lead to a circuitous route for vehicular traffic through a residential neighbourhood to access the commercial uses. To minimize the infiltration of vehicular traffic into the adjacent residential neighbourhood a right-in/right-out only access is proposed on Huron Church Road.

Subsection 1.7 Compatible Development

Coexistence without undue, adverse impact on surrounding properties - this is quite an onerous test, usually related to easily identifiable/quantifiable impacts like shadow, privacy, traffic, and parking problems. In some instances, the concept of “visual impact” may be established as an important development review criteria. Visual impact analysis will need to be tied to the attributes that define the area’s character, either on a community-wide or defined vicinity basis.

The proposed commercial development is deemed compatible with the surrounding lands uses as it does not pose any adverse impacts on surrounding properties.

6 Zoning By-law

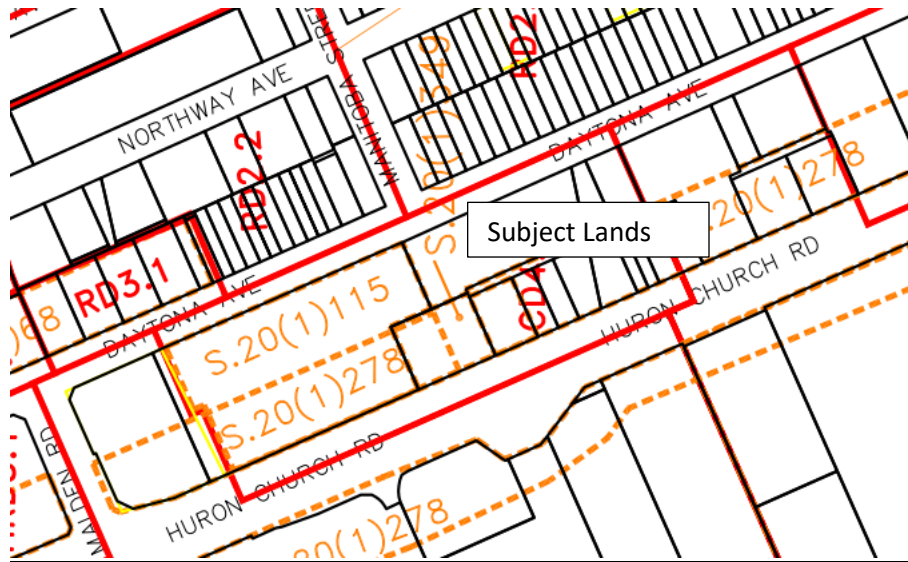
The Subject Property is in the Commercial District 4.3 (CD4.3) zone category in City of Windsor Comprehensive Zoning By-law 8600. Special Sections 20(1)278 and 20(1)349 apply to the Subject Lands, refer to Figure 3.

The portion of the Subject Lands fronting onto Huron Church Road with the Special Section 349 provision permits a Business Office and Retail Store as additional permitted uses.

The portion of the Subject Lands fronting onto Huron Church Road with the Special Section 278 provision requires a landscape open space yard with a minimum depth of 10 metres along Huron Church Road. The proposed site plan complies with the 10-metre landscape open space yard requirement.

The owner proposes a zoning by-law amendment from Commercial District 4.3 (CD4.3) to Commercial District 4.1 (CD4.1) to accommodate proposed restaurants with drive-thru, retail stores and business offices.

Figure 3 Zoning By-law 8600 Map



7 Site Suitability

The site is ideally suited for a commercial plaza with restaurants for the following reasons:

- The land area is sufficient to accommodate the proposed vehicular parking with adequate landscape buffer areas.
- The property is generally level which is conducive to easy vehicular movements.
- Convenient access to the proposed parking area if provided from Huron Church Road on the west and Daytona Avenue on the east.
- The property is fully serviced with municipal water, sanitary and storm sewers.
- There are no natural or man-made impediments to demolishing the existing structures and undertaking works necessary to accommodate construction.
- There are no environmental concerns caused by the proposed use of the property for a commercial plaza with restaurants.

The location of the proposed development is appropriate in that it is near the residential neighbourhood that it will serve, together with servicing the traveling public on Huron Church Road.

8 Compatibility of Design

The layout of the development is compatible with neighbouring residential uses as there is sufficient separation of uses, and through appropriate screening the proposed parking will not be visible to area residents from their properties.

The compatibility question is answered by the fact that there are similar developments located along both sides of Huron Church Road in close proximity to the subject lands.

9 Good Planning

The proposal represents good planning as it addresses needs for the economic strength of the nearby commercial uses, while at the same time not causing any nuisance to residents in the residential neighbourhood.

The fact that the proposal is supported by both provincial and municipal planning policy, and the site is suitable for the intended use on several criteria attests to the fact that the proposal represents good planning.

10. Summary of Supporting Materials

10.1 Traffic Impact Study

Traffic Impact Study prepared by R. C. Spencer Associates Inc., dated April 2023 concluded that:

- The existing signalized intersection of Malden Road at Huron Church Road is currently operating at a good level of service; even with the addition of the site generated and background traffic growth, It is anticipated that the intersection will continue to operate at a good level of serviced in all horizon traffic scenarios.
- The proposed westbound stop-controlled right-out site egress at Huron Church Road is expected to operate at a satisfactory level of service in all horizon scenarios.
- The proposed westbound stop-controlled right-in / right-out site access at Huron Church Road is expected to operate at a satisfactory level of service in all horizon scenarios.

- The proposed eastbound stop-controlled all-directional site access at Daytona Avenue are expected to operate at a good level of service in all horizon scenarios; no modelling was necessary to validate these conclusions.
- The existing signalized intersection of Industrial Drive / Northwood Street at Huron Church Road is currently operating at a satisfactory level of service; even with the addition of site generated and background traffic growth; it is anticipated that the intersection will continue to operate at a satisfactory level of service in all horizon scenarios.

Based on the results of the technical work, it is the engineers' opinion that the proposed development will not adversely impact area traffic operations. Geometric and / or traffic control improvements are not required to enhance horizon traffic operations.

10.2 Environmental Evaluation Report

The Subject Lands are not within or adjacent to any designated natural environment areas. Furthermore, the proposal does not anticipate any natural environment impacts.

The owner retained MTE Consultants to complete an Information Gathering Form (IGF) to ensure there are no contraventions to the *Endangered Species Act, 2007* (ESAct).

The MTE Consulting letter report dated June 9, 2023, acknowledges that an Environmental Evaluation Report is not required provided that the ESAct has been addressed. The site was investigated for potential species and found that White Colicroot, Eastern Foxsnake, and Butler's Gartersnake are not present. Additionally, the letter report provided that "while unlikely given plants observed in spring and early summer, plus knowledge of the species, it is extremely unlikely that Slender Bush-clover is present and unlikely but possible that Willowleaf Aster is present.

10.3 Species at Risk

Species at Risk Screening Report prepared by Myler Ecological Consulting dated November 14, 2024, concludes:

The Ministry of Environment, Conservation and Parks (MECP) Client's Guide to Preliminary Screening for Species at Risk describes that "clients must first determine whether any species at risk or their habitat exist at or near their proposed activity, and whether their proposed activity is likely to contravene the ESA". As this preliminary screening identified no SAR or SAR habitat on the property, the redevelopment of the property poses no threat of contravention of the ESA. And as the absence of SAR and SAR habitat at the property negates potential SAR concerns, the Phase 1: Information Gathering step is not triggered and an Information Gathering Form (IGF) is not required to be completed.

I trust that this SAR Screening Report has satisfactorily addressed the City's interest in confirming that redevelopment of the property will not impact SAR or SAR habitat and will therefore comply with the provincial Endangered Species Act.

10.4 Public Open House

The proponent held an open house from 1:pm to 4:pm at the Holiday Inn & Suites at 1855 Huron Church Road on June 14, 2025, to introduce the project to the public.

Notification of the open house was mailed to all addresses on the list provided by the City of Windsor Planning Department. The land owner and two consultants were on hand to greet attendees and address questions.

Two area residents attended the open house and signed the sign-in sheet. One the two residents completed a comment sheet noting “strong support the proposed ZBLA and OPA to accommodate the new project”.

11 Municipal Services Impacts

The proposed development will not negatively impact municipal services, in fact the proposal is infilling thus makes efficient use of municipal services.

12 Social and/or Economic Conditions

The subject proposal does not affect the social environment and bolsters the economic conditions in the area by supporting the area commercial uses with additional restaurant and retail shopping opportunities.

13 Conclusion

The proposal to use the Subject Property for a commercial plaza with restaurants to service the nearby residential neighbourhood and traveling public with access to Huron Church Road is appropriate and should be approved by the City of Windsor as it:

- Is consistent with the Provincial Planning Statement 2024.
- meets the intent and purpose of the policies within the Official Plan for the City of Windsor.
- is in keeping with the Community Strategic Plan in that it supports the local economy.
- is a site that is physically suitable to a commercial development.
- does not negatively impact the private use and enjoyment of area residents' lands.
- does not introduce the infiltration of vehicles into the residential neighbourhood.
- will not have any negative natural environment impacts.
- will make efficient use of municipal services.
- will not have any negative social environment impacts.
- will have a favourable positive impact on the City's economic environment.

For the above reasons it is appropriate for City of Windsor administrative staff to support, and for City Council to approve, an Official Plan Amendment and Zoning By-law Amendment, to permit a commercial plaza with restaurants on the Subject Lands.

HRK Realty Services Ltd.

Harold Kersey

Harold R. Kersey, RPP
President

Date: June 13, 2023

Revised: October 23, 2025

