

Committee of Adjustment

MISSION STATEMENT:

"Our City is built on relationships – between citizens and their government, businesses and public institutions, city and region – all interconnected, mutually supportive, and focused on the brightest future we can create together."

Author's Name: Zaid Zwayyed	File No.: A-001/26
Author's Phone: (519) 255-6543 ex 6198	Report Date: February 5, 2026
Author's E-mail: ZZwayyed@citywindsor.ca	Committee Meeting Date: February 12, 2026

To: Committee of Adjustment

Subject Application: Relief from the provisions of Zoning By-law 8600

Owner: Solcz Group Inc.

Location: 2560 & 2570 Jefferson Boulevard

Legal Description: CON 2; PT LOT 117; RP 12R23340; PARTS 1,3 & 5

1. RECOMMENDATION:

That the Minor Variance application of Solcz Group Inc. for relief from the provisions of By-Law 8600 to facilitate a lot addition with a reduced lot width for the retained lot and reduced landscaped open space yard requirements for the properties municipally known as 2560 and 2570 Jefferson Boulevard, **BE GRANTED** with no conditions.

2. THE REQUESTED VARIANCES:

Request for relief from the minimum lot width for the retained lot and minimum landscaped open space yard requirements, thereby seeking the following reliefs of Zoning By-law 8600:

	PROVISION	PROVISION DESCRIPTION	REQUIRED	PROPOSED
1	18.4.5.1	Minimum Lot Width (2560 Jefferson)	30.0 m	29.3 m
2	18.4.5.8	Minimum Landscaped Open Space Yard (2560 Jefferson)	15.0% of lot area	6.37% of lot area
3	18.4.5.8	Minimum Landscaped Open Space Yard (2570 Jefferson)	15.0% of lot area	4.67% of lot area

3. **PLANNING ANALYSIS:**

The subject lands are described as Concession 2, Part of Lot 117, identified as Parts 1, 3, and 5 on Registered Plan 12R-23340. The applicant proposes to transfer Parts 1, 2, and 3, as shown on the attached drawing, from the northern property municipally known as 2560 Jefferson Boulevard and add them to the abutting southern property at 2570 Jefferson Boulevard. A concurrent consent application (File No. B-001/26) has been submitted to facilitate the proposed lot addition. Both properties are currently deficient in the minimum required landscaped open space yard, and the proposal reflects a redistribution of these deficiencies. In addition, the retained portion of 2560 Jefferson Boulevard (identified as Part 4 on the attached drawing) will be deficient in minimum lot width as a result of the proposed lot addition. Accordingly, the applicant is seeking relief from Zoning By-law 8600 to permit reduced landscaped open space yard requirements for both properties and a reduced lot width for the retained parcel. Similar consent and minor variance applications were approved by the Committee of Adjustment in 2007 (Files A-084/07 and B-072/07) to transfer the same lands to 2560 Jefferson Boulevard with reduced landscaped open space yard requirements. No physical changes to the existing development are proposed, and the properties will continue to comply with all other applicable provisions of Zoning By-law 8600.

PLANNING ACT

Subsection 45(1) of the Planning Act states that the Committee of Adjustment “*may, despite any other Act, authorize minor variance from the provisions of the by-law, in respect of the land building or structure or the use thereof, as in its opinion is desirable for the appropriate development or use of the land, building or structure, if in the opinion of the committee the general intent and purpose of the by-law and of the official plan, if any, are maintained.*”

PROVINCIAL PLANNING STATEMENT (PPS) 2024

The Planning Staff has reviewed the relevant policies of the PPS - “Building Homes, Sustaining Strong and Competitive Communities” (Policy statement 2.8.1.1.b of the PPS). The requested minor variances are consistent with these policies, maintaining a range and choice of suitable sites for employment uses and taking into account the needs of existing and future businesses.

OFFICIAL PLAN (OP)

The Minor Variance Policies in Section 11.6.6 are hereto attached as **Appendix A**. Section 11.6.6.2 outlines the evaluation criteria for minor variance applications.

The subject land is designated Business Park per the Official Plan. The proposed development is permitted and conforms to the associated objectives and policies. Therefore, the requested variances meet the general intent and purpose of the Official Plan per Section 11.6.6.2(a).

The proposed development is permitted and conforms to the zoning by-law provisions, except for the requested variances. Therefore, the general intent and purpose of the by-law being varied is maintained as per Section 11.6.6.2(b).

The proposal will have minimal impact on the properties in the immediate neighbourhood. Therefore, the variances are minor in nature as per Section 11.6.6.2(c).

The requested variance for the retained lot width does not exceed a 20 per cent variation from the applicable by-law requirement and is consistent with Section 11.6.6.2(d). The variances related to the landscaped open space yard do not pertain to the building envelope provisions identified in this policy and reflect existing site deficiencies.

The variances are desirable for the appropriate use of the land, building, or structure and would not hinder the reasonable development and/or use of properties in the neighbourhood, thus complying with Section 11.6.6.2(e).

ZONING BY-LAW

The subject land is zoned Manufacturing District 1.4 (MD1.4) per By-law 8600. The proposal complies with the applicable provisions, except for the variances being requested. The requested variances will not result in undue hardship on the owner, adjoining properties, or the public realm; therefore, the variances are minor in nature. The proposed variances meet the intent of Zoning By-law 8600.

4. PLANNER'S OPINION:

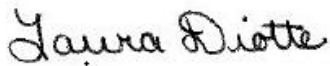
The requested variances are minor in nature and maintain the general intent and purpose of the Official Plan and Zoning By-law 8600. Therefore, the variances are consistent with section 45 (1) of the Planning Act. The Planning Division recommends approval of the applicant's request with no conditions.

Zaid Zwayyed MCIP, RPP

Planner II - Development Review – Development Review



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



Laura Diotte MCIP, RPP

Manager of Development Applications

APPENDICES:

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

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

APPENDIX "A"

Excerpts From Official Plan Volume I

11.6.6 Minor Variance Policies

COMMITTEE OF ADJUSTMENT	11.6.6.1	Council has appointed a Committee of Adjustment pursuant to the Planning Act to consider applications for minor variance from the Zoning By-law (s) and/or any other by-law that implements the Official Plan.
EVALUATION CRITERIA	11.6.6.2	<p>When reviewing an application for minor variance the Committee of Adjustment shall be satisfied that:</p> <ul style="list-style-type: none">(a) The general intent and purpose of the Official Plan, including the Strategic Directions, Goals and Objectives of the land use designation in which the property is located, is maintained;(b) The general intent and purpose of the By-law being varied is maintained;(c) The variance or the number of variances to the By-law are minor in nature, would not more appropriately be considered through an application to amend the Zoning By-law due to the cumulative impacts of the variances, preserves the pattern, scale and character of the blockface;(d) The variance(s) are generally not more than 20 percent above the By-law regulation being varied where the variances would increase the building envelope of a main building or accessory building containing a dwelling unit. For clarity this includes variances related to lot width; lot area; lot coverage; front, rear, and side yard depth; building height; and maximum gross floor area; and(e) The variance is desirable for the appropriate use of the land, building or structure and would not hinder the reasonable development and/or use of properties in the neighbourhood, would City of Windsor Official Plan1 Volume I 1 Tools 11 - 22 not cause a detriment, safety concerns, or would not detract from the character or amenity of nearby properties or the neighbourhood. The area of influence or the neighbourhood will vary with the scale of development and associated areas of potential impact.
EXISTING UNDERSIZED LOTS	11.6.6.3	Notwithstanding the provisions of sub-section (d) above, the Committee may give further consideration to variances required to enable appropriate development for existing undersized lots, where existing non-complying structures are being altered or where infilling and intensification is occurring provided that the Committee is satisfied that the provisions of 11.6.6.2 subsections (c) and (e) have been fully addressed.
TERMS & CONDITIONS	11.6.6.4	The Committee of Adjustment may attach such terms and conditions as it deems reasonable and appropriate to the approval of the application for a minor variance. The conditions shall relate directly to the impact of the variance and may include measures required to mitigate the impact of altering the zoning regulations on the resulting built form or property development, including but not limited to: a) Specifying architectural elements such as window location, outdoor amenity space, fencing or other screening and door location; b) Requiring additional landscaping including low impact design elements; c) Providing additional bicycle facilities in lieu of motor vehicle parking; and d) Improvement to grading and stormwater management.
AGREEMENTS	11.6.6.5	The Committee of Adjustment may require the owner of the land to enter into one or more agreements with the Municipality and address the impacts of the variance dealing with some or all of the terms and conditions of its decision. An agreement may be registered against the land to which it applies, and the Municipality is entitled to enforce the agreement against the owner and, subject to the Registry Act and the Land Titles Act, against any and all subsequent owners of the land.

APPENDIX "B"

Comments Received by the Secretary Treasurer of the Committee of Adjustment

Zoning Review

Requested variances of Zoning By-law 8600:

	PROVISION	PROVISION DESCRIPTION	REQUIRED	PROPOSED
1	18.4.5.1	Minimum Lot Width (2560 Jefferson)	30.0 m	29.3 m
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[*Stefan Pavlica- Zoning Coordinator*]

Development, Projects & Right-of-Way

While the following comments are not a condition of this application, they are noted for the applicant's future action:

Curbs and paved surface encroaching within the Right-of-Way. Remove encroaching items or apply for an encroachment agreement.

This department has no objections to the proposed application. Right-of-way permits must be obtained for any work within the right-of-way.

[*Dan Perissinoitti- Technologist*]

Transportation Planner

Transportation planning has no comments on this proposal.

[*Elara Mehirlou- Transportation Planning*]

Windsor Police Service

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

[*Barry Horrobin- Windsor Police Service*]

Landscape Architect

There are no comments from the Landscape Architect on this proposal.

[*Hoda Kameli- Landscape Architect*]

Environmental Policy

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

1. Should Species at Risk or their habitat be found at any time on or adjacent to the site, cease activity immediately and contact MECP at SAROntario@ontario.ca for recommendations on next steps to prevent contravention of the Endangered Species Act (2007). The City of Windsor SAR hotline (519-816-5352) can also be used for relevant questions and concerns.
2. For a list of Species at Risk and other provincially tracked species with potential to be around the site, use the Natural Heritage Information Centre (NHIC) Make A Map tool, found at <https://www.ontario.ca/page/make-natural-heritage-area-map>
3. Active nests of most bird species are protected under the Migratory Birds Convention Act (1994), the Fish and Wildlife Conservation Act (1997), and/or the Endangered Species Act (2007). If trees, shrubs or ground area on/adjacent to the site are to be removed, damaged, or disturbed during the breeding bird season (April 1 – August 31), then sweeps for nesting birds should be conducted to prevent contravention of these regulations. Protect any trees, shrub or ground area where an active nest is found, and leave the nest unharmed until the young have permanently left the vicinity of the nest. Visit <https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/reduce-risk-migratory-birds.html> for more information.
4. Beaver dams and dens of fur-bearing mammals are protected under section 8 of the Fish and Wildlife Conservation Act (1997) and are not to be damaged or destroyed without the proper authorization and/or license.
5. The City of Windsor is a Bird Friendly City. Bird Friendly Design is encouraged, particularly window collision mitigation. Options for integrating bird friendly design can be found here: www.birdsafe.ca and bird friendly guidelines can be found here: Bird-Friendly Guidelines – City of Toronto.
6. Ontario has a list of Regulated Species in the Ontario Invasive Species Act (ISA) (2015). If any species on this list are identified on site, it is recommended that Best Management Practices be followed to remove the invasive species from the site prior to starting development activities. If guidance is required, report the occurrence to the City Naturalist. For a list of ISA Regulated species: Ontario Invasive Species Act – Invasive Species Centre.

Contacts:

Karen Alexander

City of Windsor Naturalist and Supervisor of Natural Areas

kaalexander@citywindsor.ca

Connor Wilson

Planner II – Revitalization & Policy Initiatives

conwilson@citywindsor.ca (Connor Wilson)

Heritage Planner

There is no apparent built heritage concern with this property, and it is not located within an Archaeological Potential Zone (APZ). Nevertheless, the Applicant should be notified of the following archaeological precaution.

1. Should archaeological resources be found during grading, construction or soil removal activities, all work in area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism must be notified and confirm satisfaction of any archaeological requirements before work can recommence.

2. In the event that human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

Contacts:

Windsor Planning & Development Services Department:

519-255-6543 x6179, ttang@citywindsor.ca, planningdept@citywindsor.ca

Windsor Manager of Culture and Events (A):

Michelle Staaedegaard, (O) 519-253-2300x2726, (C) 519-816-0711, mstaadegaard@citywindsor.ca

Ontario Ministry of Citizenship and Multiculturalism

Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca

Windsor Police: 911

Ontario Ministry of Public and Business Service Delivery and Procurement

Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures:

Ian Hember, 1-437-244-9840, ian.hember@ontario.ca

[*Sohpia Di Blasi- Heritage Planning*]