

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.”

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Author’s Phone: 519-255-6543 ext. 6820	Report Date: Mar 02, 2026
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To: Committee of Adjustment

Subject Application: Relief from the provisions of the Sign By-law 250-2004, 84-2019, and 93-2024.

Owner: GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

Applicant: DOW SIGNS (JEFF DOW)

Location: 4000 DUCHARME ST

Legal Description: PLAN 12M-524, BLOCK 150

1. RECOMMENDATION:

That the Minor Variance application of the **GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD** for the relief from the provisions of the **Sign By-law 250-2004 and 84-2019 and 93-2024**, to allow for an Electronic Change Copy Ground Sign with a reduced distance of 23.5 metres from a Residential Zoning District to be erected on the subject property, **BE APPROVED** with the following conditions:

CONDITONS:

- 1) That the sign will only be illuminated between the hours of 7:00AM to 8:00PM
- 2) The minimum interval between consecutive message changes shall not be less than 60 seconds.

2. THE REQUESTED VARIANCES:

Construct an electronic changing copy ground sign as shown on the drawings attached, thereby requesting the following relief:

	PROVISION	PROVISION DESCRIPTION	REQUIRED	PROPOSED
1	3.3.1.b	Electronic Changing Copy Erected within 60.0m of any Residential Zoning District	60.0m	23.5m

3. PLANNING ANALYSIS:

The subject property consists of PLAN 12M-524, BLOCK 150, also known municipally as 4000 Ducharme St, is an established institutional building (Talbot Trail Public School) and Zoned Commercial District (CD) 2.4 and designated as Minor Institutional in the City's Official Plan. The applicant is seeking to construct an Electronic Change Copy Ground Sign that is less than the required 60 metres separation from a Residential Zoning District.

Staff note that the proposed sign is oriented parallel to the adjacent residential properties, thereby limiting the direct visibility of the sign face from neighbouring homes. The residential dwelling with the closest potential view of the sign is located approximately 45 metres from the proposed sign location (see Figure 1). Based on the orientation and separation distance, the proposed sign is not anticipated to create significant visual or illumination impacts on the surrounding residential area.

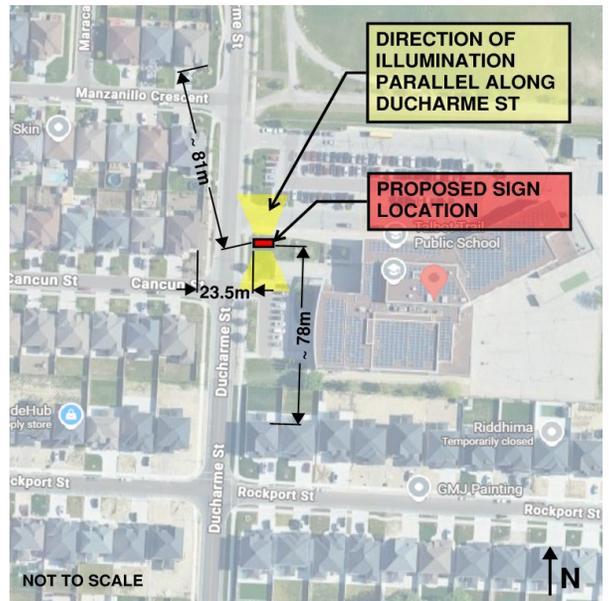


Figure 1: Distance of Sign to adjacent homes and direction of illumination.

In addition, the following conditions are recommended to further mitigate any potential impacts on neighbouring residential properties:

- 1) Hours of Illumination: The sign shall only be illuminated between the hours of 7:00 a.m. and 8:00 p.m. in order to minimize light spill and potential disturbance to nearby residential uses during evening hours.
- 2) Message Interval: The minimum interval between consecutive message changes shall not be less than 60 seconds.

Furthermore, the sign shall be designed and constructed in full compliance with the illumination standards of the City of Windsor Sign By-law applicable to Electronic Changeable Copy Signs.

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 2.2.1.b of the PPS). The requested minor variance is consistent with

these policies permitting and facilitating all housing options required to meet the social, health, economic, and well-being requirements of current and future residents.

OFFICIAL PLAN (OP)

The 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 Minor Institutional 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 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).

SIGN BY-LAW 250-2004, 84-2019 AND 93-2024

On February 6th, 2026, an application was submitted by Dow Signs on behalf of the owner, the Greater Essex County District School Board, for a minor variance from the Sign By-law, particularly Section 3 of By-law 250-2004, which states the following:

“3.3.1 (b) FLASHING ILLUMINATION, ELECTRONIC CHANGING COPY or electronic ANIMATION of SIGNS shall not be ERECTED within 60.0 meters of any Residential Zoning District, if the SIGN FACE will be directly visible from any point in the Residential.”

Non-conformity has been outlined in Section 2 (THE REQUESTED VARIANCES) of this report as requested variances to the Sign By-law. This Subsection references requirements for illumination regulations for Electronic Change Copy Ground Sign with respect to proximity of Residential Zoning Districts.

Variances for All Ground Signs

Under Section 3, subsection 3.3.1 (b) No flashing illumination, electronic changing copy or electronic animation signs shall be erected within 60.0 metres of any Residential Zoning District, if the SIGN FACE will be directly visible from any point in the Residential Zoning District.

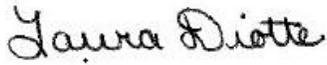
The proposed sign complies with all other prescribed regulations by the Sign By-laws including brightness, measurements control, etc.

4. PLANNER'S OPINION:

The requested variance is minor in nature and maintains the general intent and purpose of the Official Plan and the Sign By-law 250-2004 and 84-2019 and 93-2024. The Planning Division recommends approval of the applicant's request with the conditions noted on the recommendation.

Sophia Di Blasi
Planner III – Senior Urban Designer

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



Laura Diotte MCIP, RPP
Manager of Development Applications

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APPENDICES:

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

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

APPENDIX "A"

Excerpts From Official Plan Volume I

11.6.6 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 When reviewing an application for minor variance the Committee of Adjustment shall be satisfied that:

- (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	3.3.1.b	Electronic Changing Copy Erected within 60.0m of any Residential Zoning District	60.0m	23.5m

Development, Projects & Right-of-Way

This department has no objections to the proposed application, Right of way permits must be obtained for any work within the right of way. (Amy Kurek)

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.

Respectfully,

Barry Horrobin
Director of Planning & Physical Resources
Windsor Police Service