

## 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."*

<b>Author's Name:</b> Conner O'Rourke	<b>File No.:</b> A-101/25
<b>Author's Phone:</b> (519) 255-6543 e 6918	<b>Report Date:</b> Dec 29, 2025
<b>Author's E-mail:</b> corourke@citywindsor.ca	<b>Committee Meeting Date:</b> Jan 08, 2026

**To:** Committee of Adjustment

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

**Owner:** Hiatus House Of Windsor

**Applicant:** Lassaline Planning Consultants

**Location:** 0 Louis Ave

**Legal Description:** SANDWICH CON 1; PT LOT 88; PLAN 136 PT BLK A; LOTS 10 TO 12; PT LOTS 7 TO 9

### 1. RECOMMENDATION:

That the Minor Variance application of Hiatus House of Windsor for the relief from the provisions of By-Law 8600 to permit the construction of a combined use building with decreased minimum front yard depth, decreased required number of parking spaces, decreased minimum building separation from the point of intersection of two streets and decreased parking area separation from a habitable room window on the property municipally known as 0 Louis Avenue **BE GRANTED** with no conditions.

### 2. THE REQUESTED VARIANCES:

Requesting relief for decreased minimum front yard depth, decreased required number of parking spaces, decreased minimum parking area separation from a building wall containing a habitable room window and decreased minimum separation between a building and the point of intersection of any two streets, thereby seeking the following reliefs of Zoning By-law 8600:

	PROVISION	PROVISION DESCRIPTION	REQUIRED	PROPOSED
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1	S.20(1)250.a)	Minimum Front Yard Depth	6m	2.5m
2	25.20.5.1	Required Number of Parking Spaces	65	30
3	5.15.5	Minimum Building Separation from the Point of Intersection of any two Streets	6.0m	5.4m
4	25.5.20.1.6	Parking Area Separation from 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	4.50m	2.00m

### 3. PLANNING ANALYSIS:

The subject property, legally described as Sandwich Con 1; Pt Lot 88; Plan 136 Pt Blk A; Lots 10 To 12; Pt Lots 7 To 9, is currently vacant. The applicant proposes to construct a combined use building with the intent of providing a temporary shelter facility for women in need. To facilitate this, the applicant is seeking relief from Zoning By-law 8600 to permit the construction of a combined use building with reduced minimum front yard depth, reduced required number of parking spaces, reduced minimum building separation between a building and the point of intersection of two streets and reduced parking area separation from a wall containing a habitable room window.

The request for reduced parking has been reviewed with the understanding that this is a unique situation and not a typical combined use building. The women and children who will be utilizing this facility often do not own personal vehicles. This area also has access to public transit that can be utilized by those living in this facility. Further parking could be provided for this development, however, a decision has been made to provide additional outdoor recreational space to assist in this facilities healing processes. The Committee of Adjustment had previously approved a parking reduction to the amount of 37 parking spaces, this requested further reduction allows for the land to be utilized in a way that best meets the objectives of its designated function.

The requested reduction in front yard depth had also been previously approved by the Committee of Adjustment. This Committee of Adjustment decision (A-043/22) was approved on June 16, 2022 and expired on June 16, 2023. This reduction does not present an impact on the existing surrounding properties as they also share a significant reduction in front yard depth. The reduction in parking area separation from a building wall containing a habitable room window does not pose a significant concern given that the parking spaces that are within this reduced area are oriented away from the building, preventing headlights from shining into the windows or vehicle emissions from affecting them.

### 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 variances are 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 general intent and purpose of the Official Plan is maintained with the proposed development; the requested variances are minor in nature and desirable for the subject building.

The subject land is designated 'Residential' 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 reduced minimum front yard depth exceeds the 20 percent threshold outlined in Section 11.6.6.2(d) of the official plan. However, this variance is desirable to the proposed use of the land. Further, the proposed development does not pose any adverse impacts in the immediate neighbourhood. The other requested variances do not exceed a 20 percent variation above the bylaw regulations that are outlined in Section 11.6.6.2(d) and therefore complies with Section 11.6.6.2(d).

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 Residential District 2.2 with Site Specific Provision Section 20(1)255 per Zoning By-law 8600. The proposed use is permitted and complies with the applicable provisions with the exception of 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.

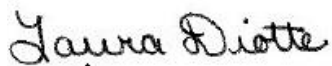


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**Conner O'Rourke**

## **Planner II - Development Review**

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



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**Laura Diotte MCIP, RPP**  
**Manager of Development Applications**

### **CONTACT:**

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### **APPENDICES:**

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

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

## APPENDIX “A”

### Excerpts From Official Plan Volume I

	<b>11.6.6</b>	<b>Minor Variance Policies</b>
<i>COMMITTEE OF ADJUSTMENT</i>	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.
<i>EVALUATION CRITERIA</i>	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"> <li>(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;</li> <li>(b) The general intent and purpose of the By-law being varied is maintained;</li> <li>(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;</li> <li>(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</li> <li>(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.</li> </ul>
<i>EXISTING UNDERSIZED LOTS</i>	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.
<i>TERMS &amp; CONDITIONS</i>	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.
<i>AGREEMENTS</i>	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	S.20(1)250.a)	Minimum Front Yard Depth	6m	2.5m
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*[Stefan Pavlica, Zoning Coordinator]*

#### Development, Projects & Right-of-Way

Our comments remain consistent with SPC-PCS 2025-37

*[Andrew Boroski, Technologist]*

#### Heritage Planner

The subject property is located within the Archaeological Potential Zone (APZ) and Archaeologically Sensitive Area (ASA) (as per the recently adopted Windsor Archaeological Management Plan, 2024; OPA 181; and updated 2024 archaeological potential model OP Volume I Schedule C-1). However, the proposed 6 storey multi-unit residential dwelling is on top of lands that have been previously disturbed, and thus an archaeological assessment is not requested at this time. Nevertheless, the Applicant should be notified of the following archaeological precaution.

1. Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
2. In the event that human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

#### Contacts:

Windsor Planning & Development Services Department:

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

Windsor Manager of Culture and Events (A):

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

Ontario Ministry of Citizenship and Multiculturalism

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

Windsor Police: 911

Ontario Ministry of Public and Business Service Delivery and Procurement

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

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

*[Tracy Tang, Heritage Planner]*

#### **Windsor Police Services**

This application involves a request for a reduction in onsite parking being supplied. Often, reductions in required parking translate into situations where parking demand subsequently spills over into the abutting neighbourhood, creating problems for residents and property owners therein. When this occurs, we often make note of our concerns as such. However, in this particular case, the very unique proposed use (Emergency Women's shelter accommodation facility) is not anticipated to create onsite parking demand that will become problematic. The rationale to substantiate this is well stated by the applicant's planning consultant and we concur with this reasoning. The Windsor Police Service possesses a strong relationship with Hiatus House and fully supports this application, as it involves the construction of a heavily needed facility within our community to meet the needs of a vulnerable population. For all the aforementioned reasoning, the Windsor Police Service has no concerns or objections with this application.

Barry Horrobin

Director of Planning & Physical Resources

Windsor Police Service

#### **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](http://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.

Contact:

Connor Wilson

Planner II – Revitalization & Policy Initiatives

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