

10 Procedures

This chapter was amended as part of Official Plan Amendments #84 as part of a 5-year review of the Official Plan. Official Plan Amendment #84 was approved by the Ministry of Municipal Affairs and Housing on 07/09/2012.

10.0 Preamble

For this Plan to remain relevant and appropriate the following policies provide procedures to allow for input and flexibility when implementing the goals, objectives and policies contained within this Plan.

In keeping with the Strategic Directions, this Plan will be implemented by Council and the Municipality in a manner which is responsive to changing demands and requirements.

10.1 Interpretation

The following policies are intended to provide guidance for the interpretation and understanding of the goals, objectives, policies and Schedules of this Plan.

APPLICATION

10.1.1

The Official Plan shall pertain to all lands located within the jurisdiction of The Corporation of the City of Windsor.

*FLEXIBLE
INTERPRETATION*

10.1.2

The objectives and policies contained in this Plan are intended to assist in the achievement of the Strategic Directions described in Part II. The interpretation of these policies should allow for a limited degree of flexibility according to the following provisions:

- (a) Changes to the preamble, goals, objectives, policies, tables and schedules of this Plan to correct grammatical or reference errors, punctuation, or to alter formatting, numbering, sequence or arrangement provisions may be made by the City Clerk without notice and without amendment to this Plan;
- (b) The delineation of the greenway system shown on Schedule 'B': Greenway System and the land designated on Schedule 'C': Development Constraint Areas are general in nature. The boundaries may be altered to permit minor revisions as more detailed information becomes available without requiring an amendment to the Plan. The precise delineation of any designation appearing on Schedule 'C': Development Constraint Areas should be confirmed with the Municipality in consultation with appropriate public agencies;
- (c) The boundaries between the various land use designations on Schedule 'D': Land Use and Schedule 'E': City Centre Planning

District are approximate, except where they relate to some well-defined physical feature such as a Controlled Access Highway, Arterial Road, railway line or watercourse. Minor adjustments to these boundaries shall not require an Official Plan amendment provided that the intent of the Plan is maintained;

- (d) The boundaries of future roads and bikeways designated on Schedule ‘F’: Roads & Bikeways are approximate. Minor adjustments to these boundaries shall not require an Official Plan amendment provided the intent of the Plan is maintained;
- (e) The boundaries of the designations appearing on Schedule G: Civic Image are approximate, except where they relate to some well-defined physical feature. Minor adjustments to these boundaries shall not require an Official Plan amendment provided the intent of the Plan is maintained;
- (f) Minor variations from the numerical requirements of the Plan may be permitted by Council without an Official Plan amendment, provided that the general intent and objectives of the Plan are maintained; and
- (g) Where lists or examples of permitted uses are provided in the policies related to specific land use designations, they are intended to indicate the possible range and type of uses to be considered. Specific uses which are not listed in the Plan, but which are considered by Council to be similar in nature to the listed uses and conform to the general intent and objectives of the applicable land use designation, may be recognized as permitted uses in the Zoning By-law.
- (h) In interpreting Schedule ‘D’: Land Use, the designations on either side of the rail lands as shown on Schedule ‘F-1’: Rail Lands would be considered to extend to the centre line of the rail corridor. (Added by OPA 43 – 06/13/2006 – OMB Order 1695)

PERMITTED USES IN ALL LAND USE DESIGNATIONS 10.1.3 Infrastructure and services may be permitted in all areas of Windsor without requiring an amendment to this Plan. (Amended by OPA 43 – 06/13/2006 – OMB Order 1695)

10.2 Development Applications

(Added by OPA #179– September 09, 2024– By law 138-2024)

The following policies describe how development applications will be submitted, reviewed and processed.

CONSULTATION 10.2.1 Formal consultation with the City and relevant commenting agencies shall be permitted prior to the submission of any development application required under the Planning Act. The objective of consultation shall be to inform an applicant of the approval process, including the City’s

requirements for supporting information and material to be submitted as part of a complete application.

PURPOSE 10.2.2 The purpose of the consultation will be to review a draft development proposal for the lands affected and identify the need for, and the scope of Supporting Technical Studies and other information and materials considered necessary by the City and other affected agencies to allow for a comprehensive assessment of the development application(s).

CONSULTATION STAGES 10.2.3 Consultation shall involve two stages:

- a) *Stage 1* - Identifying a preliminary list of required Supporting Technical Studies, plans, other information and material to be submitted with a complete application, including fees or approvals from other agencies as may be required. As part of this stage, the applicant will also be advised if a proposed development is identified as being “viable”. The term “viable” will be used to help the applicant to decide if they wish to proceed to Stage 2 of the application process or if they might also consider revising their proposal;
- b) *Stage 2* - The applicant will submit an application with fees together with copies of all Supporting Technical Studies identified as being required in Stage 1. All studies will be reviewed by Administrative Departments and local agencies. If a peer review is required, it will be completed at the expense of the applicant.

REQUIRED INFORMATION 10.2.4 The applicant shall initiate the consultation process by completing and submitting a Planning Consultation Stage 1 application that includes:

- a) Mapping that identifies the location of the Subject Site and surrounding context;
- b) A description of the existing Official Plan designation and Zoning affecting the Subject Site; and
- c) A preliminary description of the proposed development concept, including, where applicable, a description of the proposed Official Plan and/or Zoning amendments to be requested.

EXEMPTIONS 10.2.5 The City may forgo consultation, where the City has identified that due to the nature of the proposal, the need for and scope of required

information and materials can be determined without formal Stage 1 and/or Stage 2 consultation.

<i>INCOMPLETE APPLICATIONS</i>	10.2.6	Development applications submitted to the City prior to completion of the Stage 1 and Stage 2 consultation without the necessary supporting information and materials may be deemed as incomplete and returned to the applicant.
<i>COMPLETE APPLICATION REQUIREMENTS</i>	10.2.7	The City shall determine if the information and materials necessary for submission with the application based on the nature of the proposal and generally in accordance with the list of Supporting Technical Studies identified in this Plan.
<i>TECHNICAL STUDIES REQUIRED</i>	10.2.8	Any or all of the Supporting Technical Studies identified in this Plan may be requested from applicants to ensure that all relevant and required information pertaining to a development application is available at the time of submission, or, if subsequently deemed necessary, prior to a prescribed public meeting.
<i>STUDY PURPOSE</i>	10.2.9	<p>It is the intent of the Supporting Technical Studies to enable the City to make informed decisions within the time periods set out in the Planning Act. The City may require provision of Supporting Technical Studies at its sole discretion as part of a complete application, at any time during the processing of an application under the Planning Act: including but not limited to those Studies listed below:</p> <ul style="list-style-type: none">a) <i>Planning Rationale Report</i> - The purpose of the Planning Rationale Report is to provide a framework for an applicant seeking development approval to explain salient details of the application and provide supporting land use planning reasons and opinions why the proposal should be considered and approved. This document is also intended to assist staff with their review and processing responsibilities;b) <i>Urban Design Study</i> - The purpose of an Urban Design Study is to provide direction for the protection and enhancement of the character of a planning district, neighbourhood, corridor or any other identified area, and the thoughtful implementation of good urban design principles based on an assessment of the characteristics and opportunities of the surrounding community;c) <i>Built Heritage Impact Study</i> - The purpose of a Heritage Impact Study is to identify and evaluate cultural heritage resources and determine if any heritage resources, including listed or designated heritage resources, are impacted by development proposals and the potential need for mitigation measures;

- d) *Archaeological Assessment* - The purpose of an Archaeological Assessment is to ensure archaeological resources on site are evaluated, documented and mitigated prior to land disturbance/site development;
- e) *Block Plan* - The purpose of a Block Plan is to provide comprehensive and specific direction for areas where the existing land use designations are appropriate but more detailed guidance is required for areas experiencing transition or development pressures in order to optimize development potential and infrastructure;
- f) *Environmental Impact Study* - The purpose of an Environmental Impact Study is to demonstrate that a proposed development or infrastructure undertaking may proceed with consideration to species at risk, lands designated or adjacent to Natural Heritage, Environmental Policy Area A or B and/or Candidate Natural Heritage Site without causing negative impact on the feature or its associated ecological functions;
- g) *Watershed/Subwatershed Plan* - The purpose of a Watershed/Subwatershed Plan is to inventory, assess and present information about water resources and related features and how they should be protected and enhanced to ensure the long-term health of the ecosystem as land uses changes on the basis of an entire watershed, or subwatershed;
- h) *Stormwater Management Report* - The purpose of a Stormwater Management Report is to identify measures required to control the quantity, quality and runoff flowrate associated with the development of a specific area;
- i) *Functional Servicing Study* - The purpose of a Functional Servicing Study is to determine how an area proposed for development will be serviced taking into consideration the future sanitary, water and storm sewer servicing needs.;
- j) *Transportation Impact Study and/or Transportation Impact Statement* - The purpose of these studies is to identify the transportation network improvements and on-site design elements necessary to accommodate additional vehicle, cyclist, pedestrian and transit traffic and parking the proposed development will generate and ensure its impact on adjacent land uses is safe and acceptable;

- k) *Noise and/or Vibration Study* - The purpose of a Noise and/or Vibration Study is to demonstrate that a proposed development may proceed in such a manner that the sensitive land uses are protected from unacceptable levels of noise and vibration associated with uses such as industrial operations, public highways, rail corridors and yards, and airports;
- l) *Tree Inventory and Preservation Study* - The purpose of a Tree Inventory and Preservation Study is to investigate and inventory existing trees and vegetation within and adjacent to development and determine how protection and enhancement can coincide with proposed development;
- m) *Lighting Study* - The purpose of a Lighting Study is to evaluate the intensity and impact of light pollution generated by development, the potential impacts on residential property and wildlife, and to ensure visibility, safety and mitigation;
- n) *Climate Change and Energy Studies* - The purpose of a study regarding Climate Change or Energy is to evaluate how the proposed development could alter the climate by impacting: wind; shadow and sunlight penetration; urban heat island effects (extreme heat); flooding and to determine the appropriate design measures to reduce the impacts of climate change and mitigate the contribution of greenhouse gas emission;
- o) *Financial Impact Study* – The purpose of a Financial Impact Study is to evaluate the growth-related financial impact of proposed development, including impacts to the City's capital and operating budgets triggered by the proposed development. It is also used to estimate the cost and timing of local municipal capital infrastructure required to service the new development; and
- p) *Other Studies of Relevance* – recognizing that many applications are unique, the City reserves the ability to ask for any other special studies, reports or plans that may be required to effectively evaluate any development proposal.

TERMS OF REFERENCE

10.2.10

The City has prepared terms of reference for a number of the Supporting Technical Studies to provide information on the scope of work required in order to assist in the preparation and review of these studies.

STUDY SCOPE

10.2.11

Supporting Technical Studies may vary in scope, depending on the size, nature and intent of the proposal and the level of impact on the adjacent land use. Proponents of all development applications shall be advised

by the City of the required study contents during the Stage 1 consultation process.

*APPLICATION
DEEMED TO BE
COMPLETE*

10.2.12

Where the need for one or more Supporting Technical Studies has been identified, the application shall only be deemed to be complete when the required Supporting Technical Studies are prepared and submitted subject to the following requirements:

- a) Shall be prepared to the satisfaction of the City and, where appropriate, in consultation with relevant public agencies and affected parties;
- b) Shall be prepared in accordance with the policies of this Plan and any relevant federal and provincial legislation, policies and appropriate guidelines;
- c) Shall be prepared by an appropriately accredited qualified professional retained by, and at the sole expense of the applicant;
- d) May be subject to a peer review where the City:
 - i. Lacks the appropriate expertise and/or internal resources to review such Supporting Technical Studies; and/or
 - ii. Is not satisfied with the extent and quality of the work submitted by the applicant.
- e) Such peer review shall be completed by an appropriate agency or professional consultant retained by the City, at the applicant's expense;
- f) Where a peer review is requested by the City, the application may not be deemed complete until:
 - i. The peer review study has been submitted to the City, and the City is fully satisfied with the extent and quality of the work, including any requirements for additional or supplementary work identified through the peer review process; and

- ii. The City has been fully reimbursed by the applicant for the cost of the peer review study.

<i>ASSESSING MERITS</i>	10.2.13	To augment the policies in this Plan, the City may develop performance checklists or indices to assist with evaluating the merits of development applications in the context of the policies in this Plan addressing such matters as, but not limited to; healthy development, sustainability, climate change resiliency, green development and urban design.
<i>CONDITIONS OF APPROVAL</i>	10.2.14	All relevant mitigation recommendations included in a Supporting Technical Study shall be included as conditions of approval to be implemented by the proponent of a development.
<i>PUBLIC INFORMATION</i>	10.2.15	Council shall ensure that information and material provided by a person or public body that has submitted a complete application for development approval shall be available to the public for review once the application has been deemed complete.
<i>COMPLETE APPLICATION</i>	10.2.16	For any planning applications to be deemed complete, the following mandatory items shall be submitted to the City: <ul style="list-style-type: none"> a) Application Form; b) Explanatory Letter; c) Proof of Ownership or Completed Offer of Purchase; d) Plan of Survey; e) Materials required by the Planning Act or any other relevant legislation/regulation; f) Supporting Technical Studies as required by the City and applicable agencies; g) Required Fees and deposits, including a signed contingency deposit agreement where applicable; h) Lands for parkland dedication, if applicable, have been identified;

- i) All confirmations, clearances, permits, peer reviews, materials and information required during the Stage 1 and Stage 2 planning consultation have been submitted and considered to be satisfactory by the City;
- j) The required Development Application sign has been posted on the subject property; and
- k) If an Open House is required as part of the Stage 1 planning consultation, a record of the Open House is provided to the City.

INCOMPLETE APPLICATIONS 10.2.17 Incomplete applications submitted to the City will not be accepted and shall be returned to the applicant. The City may deem an application to be incomplete and refuse all information, supporting documents and materials, submitted as part of the application(s) if it considers the quality of the submission unsatisfactory.

NOTICE OF COMPLETE APPLICATION 10.2.18 Notification of an application deemed to be complete shall be given to the applicant, the public and all other parties by the Municipality in accordance with the Planning Act.

10.3 Partnerships

SUPPORT OTHER AGENCIES 10.3.1 Council will encourage federal, provincial and local participation in efforts to implement the goals, objectives and policies of this Plan.

SEEK VOLUNTEERS 10.3.2 Council will encourage volunteerism and citizen involvement throughout the city to implement this Plan.

JOINT USE 10.3.3 Council will explore opportunities for the joint use of facilities throughout the community.

EXAMINE GAPS & OVERLAP 10.3.4 Council will examine gaps and overlaps in the provision of community services and will identify areas where partnerships should be pursued.

10.4 Land Stewardship

STEWARDSHIP AGREEMENTS 10.4.1 When natural features and functions or heritage resources are not under public ownership, stewardship agreements between owners and the

Municipality may be pursued for their protection and conservation. Such agreements are not intended to challenge or deny property rights, but are used to plan the use, or change in use, of the land to protect the natural features and functions or heritage resources for the long term.

*STEWARDSHIP
TECHNIQUES*

10.4.2 Council may use one or more of the following stewardship techniques to pursue the protection and conservation of natural features and functions or heritage resources:

- (a) A covenant agreement that is registered with the plan of subdivision or property outlining specific provisions or actions that the owner must abide by;
- (b) Establishment of an education program to inform landowners of maintenance and stewardship options available to conserve and enhance the natural features and functions or heritage resources on the property;
- (c) Encourage the formation of non-profit organizations to pursue fundraising activities to purchase land and rehabilitate, create or conserve natural features and functions or heritage resources;
- (d) Enter into partnerships for the management of the natural features and functions or heritage resources; and
- (e) Any other suitable techniques.

10.5 Metropolitan Area Municipalities and the County of Essex
(Approved by MMAH – 01/25/2002)

The City of Windsor is adjacent to The Corporation of the County of Essex and two of its constituent municipalities: the Town of Tecumseh and the Town of LaSalle. The City recognizes the need to achieve orderly growth and the efficient provision of services to ensure the long-term health and prosperity of the census metropolitan area and region.

The City has in the past worked cooperatively with its neighbouring municipalities to provide improved rivers and drains, sewer and water capacity, and sewage treatment. The provision of these core services was facilitated through legal agreements and made possible in many instances through considerable senior level of government assistance. Similar funding assistance is no longer available nor expected in the future. There is a need, therefore, to establish equitable funding strategies, coordinated planning and engineering, and plans of action to foster effective and efficient growth and settlement.

The following policy framework provides direction for the continued coordination of inter-municipal infrastructure and development.

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| <i>LIAISON</i> | 10.5.1 | Council shall, in conjunction with the County of Essex and local Essex County municipalities, establish and maintain a formal protocol for on-going liaison on matters of mutual interest and concern. |
| <i>CO-ORDINATION</i> | 10.5.2 | <p>Council will work in a comprehensive, timely and equitable manner to achieve on-going cooperation and resolution of inter-municipal issues including, but not limited to, the following:</p> <ul style="list-style-type: none">(a) Growth management;(b) Transportation and physical service coordination;(c) Natural area conservation and watershed management;(d) Economic development; and(e) Coordination of overall planning activities. |
| <i>INFRASTRUCTURE
MASTER PLANS</i> | 10.5.3 | Council will, in conjunction with the County of Essex, Essex County municipalities, and municipalities situated in south-eastern Michigan, promote an effective and efficient system of infrastructure through the support and participation of regional, provincial and international infrastructure master plans. |
| <i>EXISTING
SERVICING
AGREEMENTS</i> | 10.5.4 | <p>Council will, when dealing with existing sanitary sewerage and water agreements that extend beyond the city limits:</p> <ul style="list-style-type: none">(a) Continue to utilize inter-municipal servicing agreements to recoup, on a fair market basis, the capital and operating costs associated with selling water and sanitary sewage capacity to Essex County municipalities;(b) Cooperate with and invite affected Essex County municipalities to participate in Municipal Class Environmental Assessments (EA's) for municipal infrastructure projects including roads, water and wastewater projects; and(c) Participate in the preparation of Municipal Class EA's of Essex County municipalities when the City is identified through the |

consultation requirements of the Class EA as potentially being affected by the subject undertaking.

- NEW SERVICING AGREEMENTS* 10.5.5 Council, in exercising its authority to extend infrastructure/servicing agreements by way of new servicing agreements, shall have regard to the policy statements issued under the Planning Act. In addition, the following matters shall be satisfied:
- (a) There is sufficient infrastructure, determined through provincial planning policies and guidelines, to accommodate the redevelopment, intensification and revitalization activity of existing neighbourhoods within Windsor; and
 - (b) There is sufficient infrastructure, determined through provincial planning policies and guidelines, to accommodate population growth and economic activity of the municipality's undeveloped areas.
- TRANSPORTATION COORDINATION* 10.5.6 Council shall promote the achievement of a sustainable, efficient and effective regional transportation system that meets the economic, social and environmental needs of the City and the County of Essex municipalities through the following:
- (a) Conducting regular review, monitoring and updating of the Windsor Area Transportation Master Plan with participation from the County of Essex, Essex County municipalities pursuant to policy 7.2.2.3 of this Plan;
 - (b) Preparing a biennial "State of the Transportation System Report" jointly written and prepared by the City, County of Essex and Essex County municipalities for submission to the respective Councils;
 - (c) Supporting the preparation of traffic impact analysis and studies for major developments that are proposed within the City and County of Essex municipalities, including an assessment of required regional transportation system improvements and equitable cost-sharing formulas; and
 - (d) Identifying, coordinating and implementing fair and equitable funding sources for sharing capital and operating costs of region-wide transportation system improvements.

10.6 Public Participation

(Added by OPA #179– September 09, 2024– By law 138-2024)

Individuals and organizations must be made aware of various development and related infrastructure proposals and be given the opportunity to express their views on such matters. The following public participation policies are intended to ensure public access to relevant information, provide opportunities for public involvement well in advance of decision formulation.

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| <i>PUBLIC
ENGAGEMENT</i> | 10.6.1 | The opinions and advice of the public will be sought as a part of the decision-making process. The community engagement process will be transparent, accessible and inclusive. |
| <i>PUBLIC
NOTIFICATION</i> | 10.6.2 | The City will ensure the public is notified on development applications in accordance with relevant provincial legislation and municipal policies. Where persons, groups or corporations regularly communicate with the City through email, the City may use email rather than postal mail. The City will adopt standards for posting of development application signs to be placed on properties where development applications have been proposed. |
| <i>PUBLIC
INFORMATION</i> | 10.6.3 | The City will provide interested parties affected by a development proposal with the information necessary to understand the nature of the proposal. In addition to providing hard copies of documents in the Planning Department, the City will ensure that digital copies of documents area available on the City’s website. |
| <i>TIMING OF
NOTICES</i> | 10.6.4 | Within 15 days after an affirmative notice of acceptance of a complete application is provided for applications made under the Planning Act requiring public notice, the City will provide a Notice of Application to the persons and public bodies prescribed under the Planning Act, and make the required information and material available to the public. |
| <i>LARGE SCALE
APPLICATIONS</i> | 10.6.5 | Council may consider using a variety of public participation techniques for development proposals issues having a broad scope such as Secondary Plans, Official Plan Amendments and large subdivisions including, but not limited to, open houses, public displays, area meetings, newspaper notices, signage, internet-based tools, city website and social media. |
| <i>OPEN HOUSE</i> | 10.6.6 | The applicant may be required to host an open house as part of the Stage 2 planning consultation process and produce an Open House Report summarizing the results of the open house. The purpose of the open house is to provide opportunity for consultation by the applicant with the area |

residents/property owners who may be impacted by the proposal before the application is deemed to be complete. The required open house:

- a) Will be hosted by the applicant and will be provided at the applicant's expense. The City will provide mailing labels;
- b) Should be held at a location that is accessible to the public and may be accessed by walking, bicycling and public transit and should be located within 1km of the Subject Site, when practical. The location should be in a structure that meets or exceeds the requirements of the Accessibility for Ontarians with Disabilities Act. In addition, virtual attendance shall be enabled;
- c) Should be comprised of the following components:
 - i. Notice to the area residents/property owners and Ward Councillor which contains sufficient information as determined by the City Planner;
 - ii. Attendance of assigned municipal staff as determined by the City Planner. The assigned Planner will be responsible for notifying staff;
 - iii. Display boards which provide the primary details of the application together with sufficient information as determined by the City Planner;
 - iv. Copies of any reports or studies that have been prepared as part of the application; and
 - v. The availability of the applicant or the applicant's agent to answer any questions that the public may have about the application.
- d) The required Open House Report shall be comprised of:
 - i. A summary of the results of the open house including issues raised and responses provided;
 - ii. A copy of the Notice provided;
 - iii. A copy of any presentation(s) and graphics;
 - iv. A copy of written questions from the public and written responses to these questions by the applicant; and

- v. A copy of the attendee sign-in sheet and list of persons who attended virtually.

ENGAGEMENT WITH FIRST NATIONS	10.6.7	Engagement with First Nations will take place as part of a development application or detailed planning study. Engagement will be the responsibility of the proponent in consultation with the City and at the cost of the applicant.
NO NOTICE REQUIRED	10.6.8	City Council may delegate authority to the City Planner to forego public notification as prescribed under the Planning Act to allow for changes of a minor nature to correct a technical error or omission contained in an Official Plan Amendment or Zoning By-law Amendment to change punctuation or format, or correct clerical, grammatical, mapping, or typographical errors; and to insert footnotes or similar annotations to indicate the origin and approval of each provision.

10.7 Service Delivery

The cumulative effect of development approvals and capital expenditures require on going monitoring and management to ensure the continued fiscal fitness of the City of Windsor. Therefore to manage the Municipality’s finances responsibly, Council will consider the short and long term financial impacts associated with growth and development.

<i>STABLE TAX BASE</i>	10.7.1	Council will ensure that the structure of the municipal tax base allows for reasonable level of service delivery and supports a standard of living and working environment required to attain the Municipality’s stated vision.
<i>TIMING OF SERVICES</i>	10.7.2	Council will manage the allocation, absorption and timing of development costs to facilitate the maintenance of efficient and cost effective growth.
<i>FISCAL FITNESS</i>	10.7.3	Council will identify and maintain the appropriate balance between the provision of services and the Municipality’s fiscal capability.
<i>CAPITAL WORKS</i>	10.7.4	Council shall ensure that any capital works undertaking conform with the goals and objectives of this Plan.
<i>ALTERNATIVE REVENUE GENERATION</i>	10.7.5	Council will seek alternative revenue sources to property taxation to assist in the reduction and control of municipal taxes.
<i>DEVELOPMENT CHARGES</i>	10.7.6	Council shall ensure that municipal costs attributable to new development are recovered through development charge levies or any other method of financing in accordance with provincial legislation.

*DEVELOPMENT &
INFRASTRUCTURE
REVIEW*

10.7.7

Council, in the review of any development or infrastructure proposal, shall consider the following matters to determine its financial impact on the city:

- (a) The ability of development charge levies to finance the required municipal services;
- (b) The effects of the proposal on the general tax levy and user rates;
- (c) The effects of the proposal on the level of service provided within Windsor;
- (d) The potential revenue-generating ability of the proposal; and
- (e) Any other financial considerations that Council may deem necessary.

PHASING

10.7.8

Council may phase new development in accordance with the following criteria:

- (a) The adequacy of, and proximity to, existing and planned infrastructure required to service the proposed development;
- (b) The need for, and timing of, capital works projects to accommodate the proposed development;
- (c) The need for, and timing of, any required approvals for community facilities;
- (d) The proximity of the proposed development to existing and future community facilities;
- (e) The logical and sequential extension of urban development to avoid scattered or disjointed development patterns;
- (f) The requirements of, or participation in, existing or required servicing and financial agreements under the Planning Act or Development Charges Act; and
- (g) The phasing of development reflects the principles of this Plan.

10.8 Provincial Policy

*PROVINCIAL
POLICY*

10.8.1

This Official Plan shall conform to provincial legislation and shall have regard to matters of provincial interest and shall be consistent with

provincial policy statements. This Plan has been prepared to meet these requirements within the context of both existing and emerging policy initiatives. (Amended by OPA 84 – 09/07/2012– Ministry Modification)

10.9 Monitoring and Review

The Official Plan provides guidance for the physical development of Windsor over a twenty-year planning horizon. To ensure the continued relevance of this Plan in view of changing social, economic and environmental conditions during this time frame, it is important that the Plan provide a method of addressing this change.

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| <i>5 YEAR REVIEW</i> | 10.9.1 | <p>Council Shall, at intervals of no more than five years, hold a public meeting to consider the need for revisions to this Plan. The following factors need to be taken into consideration when determining the need for preparing a 5 year review of an Official Plan:</p> <ul style="list-style-type: none">(a) That the Official Plan conforms or does not conflict with provincial plans;(b) Has regard to the matters of provincial interest that are identified in the <i>Planning Act</i>;(c) Is consistent with policy statements issued under the <i>Planning Act</i>;(d) The need for confirmation or amendment of employment land policies in the Official Plan; and(e) Any other matter that Council identifies as impacting an Official Plan. |
| <i>CRITERIA FOR AMENDMENT OR REVIEW</i> | 10.9.2 | <p>Council will monitor the relevance of the goals, objectives and policies of this Plan, and will identify the need for Official Plan amendments or review where:</p> <ul style="list-style-type: none">(a) A section of the Plan is outdated or inconsistent with the long term direction for Windsor’s growth;(b) The information on which the section is based has changed;(c) The section is deemed to be insufficient to provide the necessary guidance for future growth and development; and(d) Provincial legislation or policy has changed. |

10.9.3 Council will monitor Windsor's progress toward achieving a healthy and livable city through the review of a state of the environment report at intervals of no greater than once every five years (so as to coincide with the review of this Plan) that identifies, among other items, the following:

- (a) The size and quality of Windsor's natural areas;
- (b) Progress on watershed and subwatershed targets;
- (c) Progress on expanding and refining the Greenway System; and
- (d) Air quality.