THE CITY OF WINDSOR
ONTARIO, CANADA

NOTICE OF ADOPTION
FOR OFFICIAL PLAN AMENDMENT NO. 159
TO THE CITY OF WINDSOR OFFICIAL PLAN

Issued Pursuant to Section 17(23) of The Planning Act
R.S.O. 1990 and Ontario Regulation 198/96

1. By-law 100-2022, which adopts Official Plan Amendment No. 159, was passed by City Council on July 11, 2022.

2. Official Plan Amendment No. 159 has the following purpose and effect.

   Copy/paste

3. Location of lands affected by Official Plan Amendment No. 159.

   City Wide

   Ward: N/A ***Planning District: N/A*** ***ZDM: N/A***

4. Copies of the Official Plan Amendment and Planning Department staff reports are available for review by contacting the City Clerk's Office at clerks@citywindsor.ca.

5. The last date for filing a notice of appeal is Tuesday, August 2, 2022.

6. (i) Any notice of appeal:

   (a) Must be filed with the City Clerk of the City of Windsor;

   (b) Must set out the reasons for the appeal and the specific part of the Official Plan Amendment to which the appeal applies;

   (c) Must include the fee required by the Tribunal ***($1,100.00 per person/per appeal)*** prescribed under the Ontario Land Tribunal. The fee is made payable to the ***'Minister of Finance' and must be a certified cheque or money order***. If you wish to appeal to the Ontario Land Tribunal (OLT), a copy of an appeal form is available from the OLT website at https://olt.gov.on.ca/appeals-process/forms/.

   (ii) The proposed Official Plan Amendment is exempt from approval by the Regional Director, of the Ministry of Municipal Affairs Municipal Services Office. The Decision of the Council is ***final if a notice of appeal is not received*** on or before the last day for filing a notice of appeal.

   (iii) Only individuals, corporations or public bodies may appeal a decision of the municipality or planning board to the Local Planning Appeal Tribunal. A notice of appeal may not be filed

by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

(iv) No person or public body shall be added as a party to the hearing of the appeal unless, before the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party.

7. **PLEASE BE ADVISED THAT** Council considered written and oral submissions related to the Official Plan Amendment or Zoning By-law Amendment before adoption. No edits were made to the Official Plan Amendment or Zoning By-law Amendment as a result of the written and oral submissions.

8. **FURTHER BE ADVISED** that the land to which the Official Plan Amendment applies is the subject of an application under The Planning Act, R.S.O. 1990 for the following:

(a)	Minor Variance Application	File No. (*Not applicable*)
(b)	Plan of Subdivision Application	File No. (*Not applicable*)
(c)	Zoning Amendment	File No (*Z-019/21 [ZNG/6756]*)

DATED at the City of Windsor this 15th day of July, 2022.

ANNA CIACELLI, DEPUTY CITY CLERK
WINDSOR, ONTARIO

AMENDMENT NO. 159

TO THE

OFFICIAL PLAN

CITY OF WINDSOR

Part B (The Amendment) of the following text, and attached map of the City of Windsor Official Plan constitute Amendment No. 159.

Also included, but not constituting part of the Amendment, are Part A – Basis (explanations of Purpose, Location, and Background), Part C - Implementation, and Schedule I (Results of Public Involvement)

This Official Plan Amendment contains the following Parts:

Part A – Basis

Part B – The Amendment

Part C – Implementation

PART A - BASIS

1.0 PURPOSE

The purpose of this amendment is to implement policies that will encourage the production of affordable and attainable housing within the City of Windsor. The Amendment will direct intensification to areas within the City where present and future residents will be in proximity to goods and services, public transportation and employment areas. It will build stronger, more complete neighbourhoods within the City while ensuring that the character of existing neighbourhoods is preserved.

2.0 LOCATION AND DESCRIPTION OF STUDY AREA

The study area includes all of the lands within the City currently designated Residential, Commercial Centres, Commercial Corridors and Mixed Use areas.

3.0 BACKGROUND

The City of Windsor passed Interim Control By-law 103-2020 on July 13, 2020 to prohibit the use on all lands, buildings, and structures for a Group Home, Shelter, Lodging House, and a Dwelling with five or more dwelling units, other than those excepted by the Interim Control By-law, in order to allow the municipality to review and, if deemed appropriate, implement the findings of the review.
There is a desire across Ontario to see existing communities intensify over time because, in accordance with Provincial Policy, intensification delivers on a number of key planning principles, including:

- A more efficient use of land and investments in municipal infrastructure, typically based on an urban structure of higher density centres and corridors;
- The establishment of transit supportive forms of development that will support transit system investment and promote more mobility options within the City; and,
- The delivery of a broader mix of housing types, including housing that is more affordable than the traditional housing stock.

However, there is concern that uncontrolled intensification can adversely impact the character of existing residential neighbourhoods within the City. The current Official Plan does not provide sufficient direction in this regard.
The City retained the services of a consulting team comprised on Municipal Planning Consultants, The Planning Partnership and Altus Consulting to assist in

understanding the issues and opportunities related to intensification within the City. The consulting team prepared three background reports including:

1. **MRICBL Planning Report** – Municipal Planning Consultants and The Planning Partnership - March 2022
2. **MRICBL Demographic and Economic** - Analysis Altus Group Economic Consulting - March 2022
3. **City of Windsor Infill and Intensification Design Guidelines** – The Planning Partnership – April 2022.

Key findings of those reports include:

- Population growth with the City will continue to strong over the next decade, placing the City within the top 10 fasters growing Cities in Canada. The population grew by 4,500 people per year between 2017 and 2020:
- Between 2021 and 2041 there will be demand for approximately 22,000 housing units in the City.
- This growth will result in higher demand for many forms of housing, especially rental apartments.
- The growth of the non-resident population, including short-term workers and students, will continue to be strong, placing higher demand on rental housing.
- There are significant opportunities to accommodate multiple residential buildings within the City's corridors and nodes.
- Changes in the retail sector have resulted in lower demand for some forms of retail uses and lands. These lands are ideally located in areas with full municipal services, including transit and can accommodate higher profile residential buildings without impacting the character of the area while supporting the commercial uses in proximity.
- There are many smaller neighbourhood nodes in the city that are the focal points of historic communities and neighbourhoods. Moderate residential intensification of these areas would strengthen the function of these nodes.
- Directing intensification to these areas will reduce reliance on the automobile and support efforts to mitigate climate change while developing healthier communities.
- Low profile residential neighbourhoods should accommodate intensification in a manner that is compatible with the existing density and built form in those neighbourhoods. Greater direction is required in the Official Plan to protect these areas and ensure that the City has the planning tools necessary to maintain the character of these areas.

To implement the proposed policies in this Amendment, the City will need to amend the Zoning By-law to provide greater permissions for residential uses in key areas and reduce the need for complex planning approvals. The amendments to

the Zoning By-law will reduce the time and costs associated with obtaining planning approvals for housing projects.

Approval of Design Guidelines that will ensure that the City and development industry understand how the city will assess the design of residential developments will reduce uncertainty and should expedite the approval process. The City will be able to use Site Plan Control to ensure that compatible and attractive intensification occurs in the appropriate locations in the City.

PART B – THE AMENDMENT

1. Volume 1, Chapter 6, the Land Use Policies, of the Official Plan for the City of Windsor is hereby amended as follows:

i) Adding the following Section after Section 6.1.13

RESIDENTIAL INTENSIFICATION	6.1.14	To direct residential intensification to those areas of the City where transportation, municipal services, community facilities and goods and services are readily available.

ii) Changing the names of the land use designations in Section 6.2.1.1 as follows:

d) Commercial Centre change to Mixed Use Centre

e) Commercial Corridor change to Mixed Use Corridor

i) Mixed Use Areas change to Mixed Use Node

iii) Deleting Section 6.3.1.3 and replacing it with the following:

INTENSIFICATION, INFILL AND REHABILITATION	6.3.1.3	To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.

iv) Deleting Section 6.3.2.1 and replacing it with the following:

PERMITTED USES	6.3.2.1	Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile, and Medium Profile dwelling units. High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors.

v) Deleting Section 6.3.2.4 and replacing it with the following:

LOCATIONAL CRITERIA	6.3.2.4	Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up 4 storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas. New residential development and intensification shall be located where: a) there is access to a collector or arterial road; b) full municipal physical services can be provided; c) adequate community services and open spaces are available or are planned; and d) public transportation service can be provided.

vi) Delete and replace Section 6.3.2.5(c):

EVALUATION CRITERIA FOR A NEIGHBOURHOOD DEVELOPMENT PATTERN	6.3.2.5(c)	In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas. In Mature Neighbourhoods as shown on Schedule A-1, compatible with the surrounding area, as noted above, and consistent with the streetscape, architectural style and materials, landscape character and setback between the buildings and streets;

vii) Delete Section 6.3.2.5 (f) and replace it with the following:

EVALUATION CRITERIA FOR A NEIGHBOURHOOD DEVELOPMENT PATTERN	6.3.2.5(f)	facilitating a gradual transition from Low Profile residential development to Medium and/or High Profile development and vice versa, where appropriate, in accordance with Design Guidelines approved by Council.

viii) Add the following paragraph at the start of Section 6.3.2.9:

Neighbourhood Commercial Evaluation Criteria	6.3.2.9	Neighbourhood Commercial uses shall be encouraged to locate in Mixed Use Corridors and Mixed Use Nodes as shown on Schedule D. Ideally these uses would form part of a multi-use building with residential uses located above or behind the non-residential uses on the street front.

i) Adding the following section after Section 6.3.2.28:

COMPATIBLE ADDITIONAL UNITS	6.3.2.29	The creation of additional units through renovation or redevelopment in existing residential neighbourhoods shall be done in a manner that is compatible and complimentary to the character of the neighbourhood. The Zoning By-law will establish regulations for height, density, and massing that will preserve the character of stable neighbourhoods. Council will adopt Design Guidelines to assist in the design and review of development applications within existing stable neighbourhoods.

ii) Deleting Section 6.5, COMMERCIAL, and replacing it with the following:

6.5 COMMERCIAL	Commercial lands provide the main locations for the purchase and sale of goods and services. In order to strengthen Windsor's economy, ensure convenient access and address compatibility concerns, Commercial land uses are provided under three designations on Schedule D: Mixed Use Centre, Mixed Use Corridor and Mixed Use Nodes. Over the lifetime of this Plan, the Mixed Use Centres will evolve to become vibrant mixed-use commercial and residential areas. Ideally, the predominant form of new or redeveloped housing should be Medium and High Profile residential buildings with ground floor and possibly second floor commercial uses and upper floor residential dwellings. The following objectives and policies establish the framework for development decisions in all Commercial areas.

iii) Adding the following after Section 6.5.1.7:

RESIDENTIAL INTENSIFICATION	6.5.1.8	To promote residential intensification with Medium and High Profile buildings to meet the housing needs of the City in appropriate areas in proximity to municipal services, transit and employment areas.

iv) Section 6.5.2 is hereby amended by changing the words “Commercial Centres” to “Mixed Use Centres” throughout the section.

v) Section 6.5.2 is hereby amended by add the following thereto;

These areas will evolve to become compact urban villages with a main street look of medium and High Profile mixed-uses supported by sustainable development practices, providing attractive and accessible places for diverse communities.

vi) Delete 6.5.2.2 and replace it with the following::

RESIDENTIAL AND ANCILLARY USES	6.5.2.2	Medium and High Profile residential uses either as stand-alone buildings or part of a commercial-residential mixed use buildings shall be integrated within the Mixed Use Centres in a manner that creates a mixed-use community in a modern and attractive urban environment that is more pedestrian oriented with outdoor amenity areas and open space. Institutional uses, community, cultural, recreational and entertainment facilities shall be permitted in stand-alone buildings, or in mixed-use buildings/developments. Hotels, institutional uses, community, cultural, recreational and entertainment facilities may be located on individual sites, or form part of a larger, comprehensively planned retail commercial centre.

vii) Add 6.5.2.6 (i) to 6.5.2.6:

(i) 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.

viii) Section 6.5.3 is hereby amended by changing the words “Commercial Corridor” to “Mixed Use Corridor” throughout the section.

ix) Delete and replace Section 6.5.3:

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 mixed-use 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.

x) Delete and replace Section 6.5.3.1:

PERMITTED USES	6.5.3.1	Uses permitted in the Mixed Use Corridor land use designation are primarily retail, wholesale store (added by OPA 58, 24 07 2006) and service oriented uses and, to a lesser extent, office uses. Medium and High Profile residential uses either as stand-alone buildings or part of a commercial-residential mixed use buildings shall be throughout the Corridors.

xi) Section 6.5.3.3 is hereby amended by deleting the section and replacing it with the following:

STREET PRESENCE	6.5.3.3	Council will encourage Mixed-Use Corridor development to provide a continuous street frontage and presence. Accordingly, development along a Mixed-Use Corridor shall be:

		a) no more than four storeys in height, except on lands at an intersection of any combination of the following roads: Class I Arterial Road, Class II Arterial Road, Class I Collector,or Class II Collector Road. The height of buildings shall generally not exceed the width of the road right-or-way abutting the development site; and b) Notwithstanding the identified maximum building height, the Council may consider additional height, where the Council is satisfied that the proposed height achieves compatible development, and where appropriate transitions to abutting lower scale development are established. Appropriate transitions may be achieved through the implementation of regulatory techniques including, but not limited to new height limitations, enhanced building setbacks and step backs, enhanced landscape buffers and planting requirements and/or the implementation of an angular plane. Permissions for taller buildings may be established through a site specific Zoning By-law Amendment. c) encouraged to locate the buildings at the street frontage lot line with parking accommodated at the rear of the site.

xii) Section 6.5.3.8 is hereby amended by adding the following after subsection (e);

DESIGN GUIDELINES	6.5.3.8	(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.

xiii) Section 6.9,Mixed Use, is hereby amended by changing the name “Mixed Use” to “Mixed Use Nodes” throughout the section.

xiv) Section 6.9, Mixed Use, is hereby amended by deleting and replacing it with the following:

6.9 MIXED USE NODES	The lands designated as “Mixed Use Nodes” on Schedule D: Land Use provide the main locations for compact clusters of commercial, office, institutional, open space and residential uses. These areas are generally located within 100 metres of intersections of arterial and collector roads however the size and scale of these Nodes range throughout the City and are defined by the proximity of the non-residential uses to the intersection. Mixed Use Nodes are intended to serve as the focal point for the surrounding neighbourhoods, community or community. As such, they will be designed with a pedestrian orientation and foster a distinctive and attractive area identity. The following objectives and policies establish the framework for development decisions in Mixed Use Areas.

xv) Section 6.9.2.1 is hereby amended by deleting d replacing it with the following;

PERMITTED USES	6.9.2.1	Uses permitted in the Mixed Use Nodes land use designation include retail and service commercial establishments, offices, cultural, recreation and entertainment uses, and institutional, open space and residential uses of up to four stories in height

xvi) Delete and replace Section 6.9.2.2:

“Intentionally Deleted”

xvii) Section 6.9.2.5 is hereby amended by deleting sub-sections (a) and (b) and replacing them with the following;

DESIGN GUIDELINES	6.9.2.5	a) the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan and Design Guidelines adopted by Council; b) the mass, scale, orientation, form, and siting of the development achieves a compact urban form and a pedestrian friendly environment. Buildings should not exceed 4 storeys in height;

2. Volume 1, Chapter 8, Urban Design, of the Official Plan is hereby amended by adding the following after Section 8.7.2.3 (i)

DESIGN GUIDELINES	8.7.2.3 (j)	(j) Council adopted Design Guidelines that will assist in the design and review of applications for development in accordance with the policies noted above

3. Volume 1,Chapter 10, Process of the Official Plan is hereby amended by adding the following:;

10.2.20 Design Briefs	A Design Brief identifies the character of a street or neighbourhood over a smaller area that an Urban Design Study. Where this Plan requires the preparation of a Design Brief the following steps shall be taken:

EXISTING SITE CONDITIONS AND SURROUNDING CONTEXT	10.2.20.1	The Urban Design Brief should provide a description and analysis of the site and surrounding context. Photographs and a context map showing the subject site in relation to the existing neighbourhood should be included.

PROJECT DESIGN ANALYSIS	10.2.20.2	The Urban Design Brief should provide an analysis of the design rationale for the building, landscape, and site design elements of the proposed development and explain why the proposed development represents the optimum design solution. Discussion should consider the following: i) How the design of the proposed development meets the intent of the City's applicable urban design guidelines and policies; ii) How the design addresses existing site conditions and constraints such as lot size, grading, or natural heritage features; iii) How the design of the proposed development integrates with the existing neighbourhood and enhances its function and aesthetics; and, iv) How the design of the proposed development will influence and integrate with future development in the neighbourhood.

DESIGN CONSIDERATIONS	10.2.20.3	The Urban Design Brief should include a written description, plans, elevations, diagrams, and/or photographs to illustrate the design choices of the proposed development and site design. Depending on the scale of the development proposal explain how the applicable design considerations have been addressed: i) Street and block pattern (e.g., connectivity, pedestrian access); ii) Lot sizes; iii) Building orientation and site layout; iv) Built form, height, scale, and massing; v) Building articulation and detailing; vi) Building materials; vii) Setbacks from adjacent properties and the street; viii) Building step back (if applicable); ix) Building transition to adjacent neighbourhoods; x) Heritage considerations (if applicable); xi) Location of parking (surface or underground), driveways, ramps, drop-off areas; xii) Access to transit; xiii) Bicycle parking/storage; xiv) Location of servicing, garbage, organics, and recycling storage and collection, and loading areas; xv) Streetscape elements (e.g., boulevard design, landscaping, street furniture, public art, signage, lighting, etc.); and, xvi) On-site landscaping and buffering.

4. Volume 1, Chapter 11, Tools of the Official Plan is hereby amended by adding the following subsection in Section 11.7.2:

APPLY SITE PLAN CONTROL	11.7.2.2(b)	iv) Located in a Mature Neighbourhood shown on Schedule A-1
	11.7.2.7	n) Design Guidelines adopted by Council

5. Volume 1, Schedule A-1, Special Policy Areas of the Official Plan is hereby amended by adding the Mature Neighbourhoods designation as shown and Appendix A.

6. Volume I, Schedule D is hereby amended by:

i) Changing the names of the designations in the Legend as follows:

a) Commercial Centres are changed to Mixed Use Centres,

b) Commercial Corridors are changed to Mixed Use Corridors, and,

c) Mixed Use areas are changed to Mixed Use Nodes;

All as shown on Appendix B**.**

7. Volume I, Schedule D is hereby amended by:

Changing the designations as follows:

i) Commercial Centres are changed to Mixed Use Centres,

ii) Commercial Corridors are changed to Mixed Use Corridors,

iii) Mixed Use areas are changed to Mixed Use Nodes

All as shown on Appendix B.

8. Volume II, Chapter I, Special Policy Areas, be amended by adding Section 1.52 Mature Neighbourhoods as Heritage Resource

MATURE NEIGHBIURHOODS AS HERITAGE RESOURCE	1.52	Schedule A-1 identifies Mature Neighbourhoods in the City. These areas are not designated as Heritage Areas or Heritage Conservation Districts. However, the areas reflect the cultural heritage of the City and should be protected. When considering the development of these areas, the policies of Section 9.3.7(d) shall be applied.
HERITAGE CONSERVATION	1.51.1	Infill and intensification within Mature Neighbourhoods, shown on Schedule A-1, shall be consistent with the built form, height, massing, architectural and landscape of the area. Council will adopt Design Guidelines to assist in the design and review of development in these areas.

9. Volume II, Chapter 6, Forest Glade Planning Area of the Official Plan is hereby amended as follows:

i) Section 6.4.1 is hereby amended by deleting the first paragraph and replacing it with the following:

SCHEDULE FGN-2: LAND USE PLAN	It is the intent of the Plan to create a major Mixed Use Node and prestige employment generating business park within the City of Windsor. The development concept for the Planning Area is illustrated on Schedule FGN-2: Land Use Plan. The Planning Area is proposed to consist of residential, commercial and business park type uses, consolidated into larger, comprehensively developed commercial and business park blocks.

ii) Section 6.4.1 is hereby amended by deleting the second paragraph and replacing it with the following:

MIXED USE CENTRE	The Mixed Use Centre designation pertains to lands in the eastern portion of the Planning Area, and is envisioned to consist ~~primarily~~ of large-format retail uses and Medium and High Profile residential uses.

iii) Section 6.5.2 is hereby deleted and replaced with the following:

EXPAND MIXED USE CENTRE	6.5.2	Expand the existing commercial centre to support a complete community comprised of places to live, work and play as well as offering a full range of goods and services;.

iv) Section 6.7 is hereby amended by changing the words “Commercial Centre” to “Mixed Use Centre” throughout the section.

v) Section 6.7.2.2 is hereby deleted and replaced with the following:

INTEGRATED COMMUNITY	6.7.2.2	Mixed Use Centre uses will evolve to become compact urban villages with a main street look of Medium and High Profile mixed-uses supported by sustainable development practices, providing attractive and accessible places for diverse communities.

vi) Section 6.7.2.3 is hereby deleted and replaced with the following:

COMMUNITY FOCAL POINT	6.7.2.3	The Mixed Use Centre will exhibit high development standards to strengthen its role as a community focal point in a manner that creates a mixed-use community in a modern and attractive urban environment that is more pedestrian oriented with outdoor amenity areas and open space.

vii) Section 6.7.2.5 is hereby deleted and replaced with the following;

URBAN DESIGN	6.7.2.5	The design guidelines associated with Mixed Use Centre uses and the urban design policies as contained in Volume 1: The Primary Plan, shall apply. In addition, Council may adopt Urban Design Guidelines for the Mixed Use Centre that will guide the development of the area to ensure that the design objectives of this Plan are implemented.

viii) Section 6.7.2. is hereby amended by adding the following after Section 6.7.2.5 with the following:

GUIDELINE PLAN	6.7.2.6	Prior to significant residential development being permitted in the Mixed Use Centre, Council may require the preparation of a **Guideline Plan** as described in Volume I, Section **10.2.6** of this Plan. The Precinct Plan will ensure that the area develops in accordance with the policies of this section of the Plan and will address development phasing, servicing, community amenities, including parkland and open space among other matters.

ix) Schedule FGN-2 to the Forest Glade Secondary Plan is hereby amended by changing the words “Commercial Centre” to “Mixed Use Centre” as shown on Appendix C.

C. IMPLEMENTATION:

i. Amend the text of Volume I and Volume II of the City of Windsor Official Plan, Schedule A-1, Schedule D and Schedule FGN-1 as outlined in OPA #159.

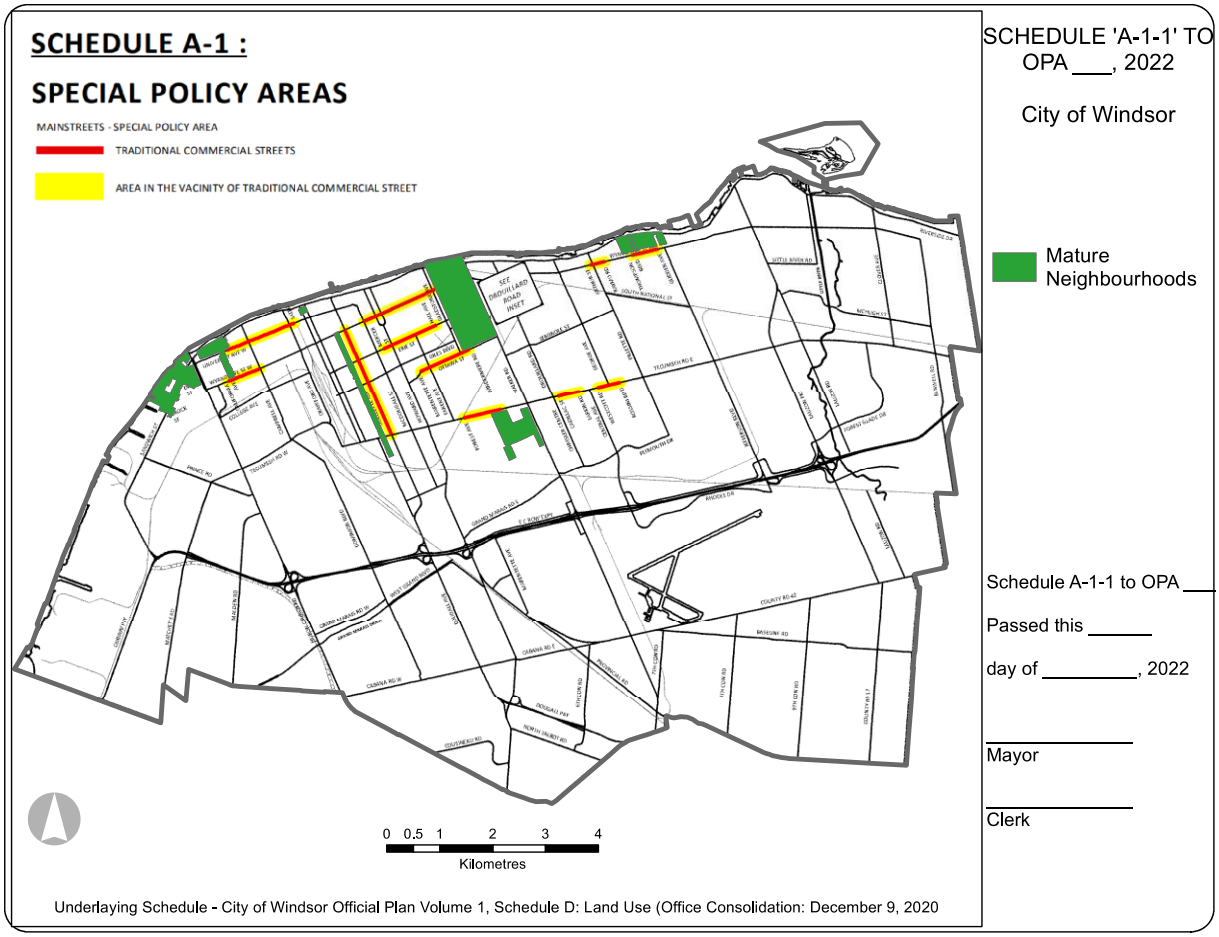
ii. This amendment shall be implemented through future amendments to the Zoning By-law 8600 as discussed in Report S64/2022.

iii. Site Plan Control shall be an additional implementation tool for this Official Plan Amendment (OPA #159).

This page was intentionally left blank.

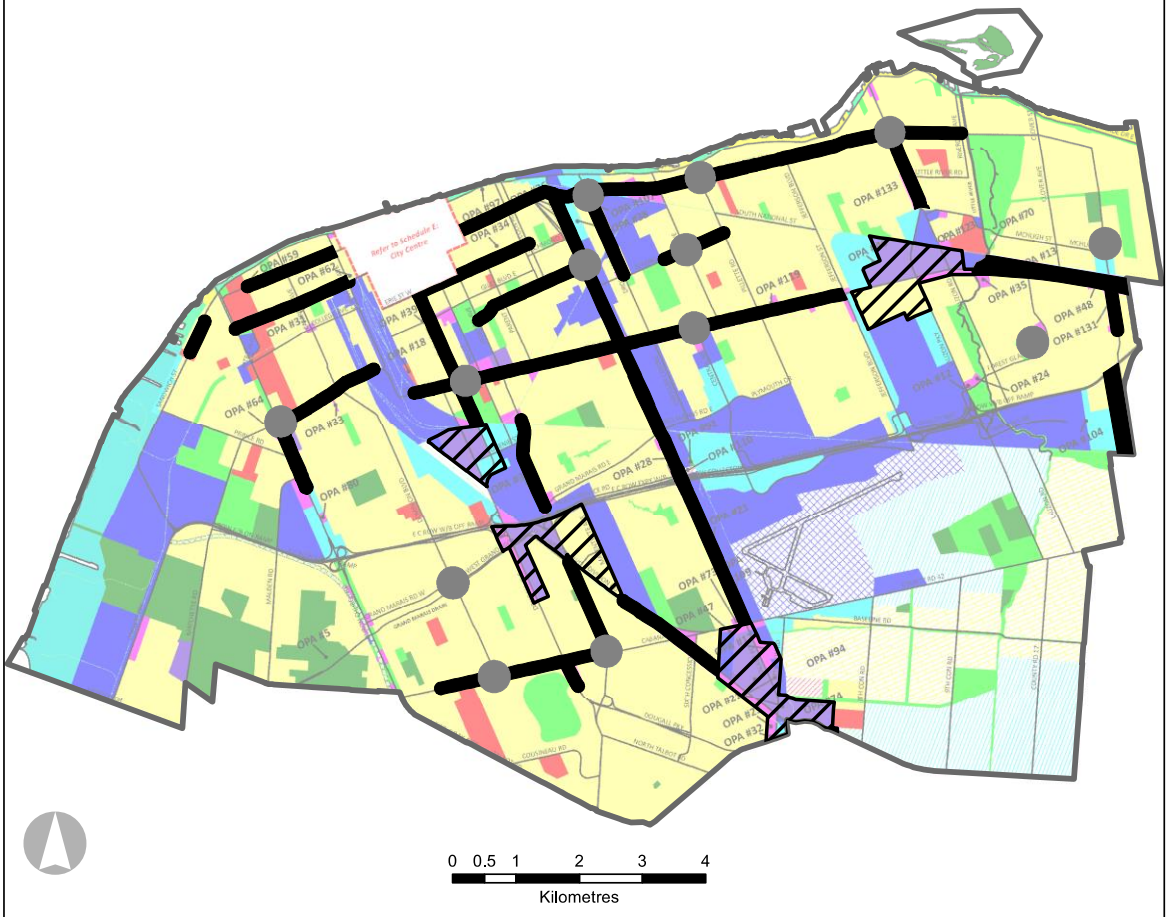
Appendix A to Official Plan Amendment No 159

City of Windsor Official Plan, Volume 1



Appendix B to Official Plan Amendment No 159

City of Windsor Official Plan, Volume 1



Underlaying Schedule - City of Windsor Official Plan Volume 1, Schedule D: Land Use (Office Consolidation: December 9, 2020

SCHEDULE 'D-1' TO OPA ___, 2022

City of Windsor

Lands to be redesignated to 'Mixed Use Corridor'

Lands to be redesignated to 'Mixed Use Node'

Lands to be redesignated to 'Mixed Use Centre'

Schedule D-1 to OPA ____

Passed this _____

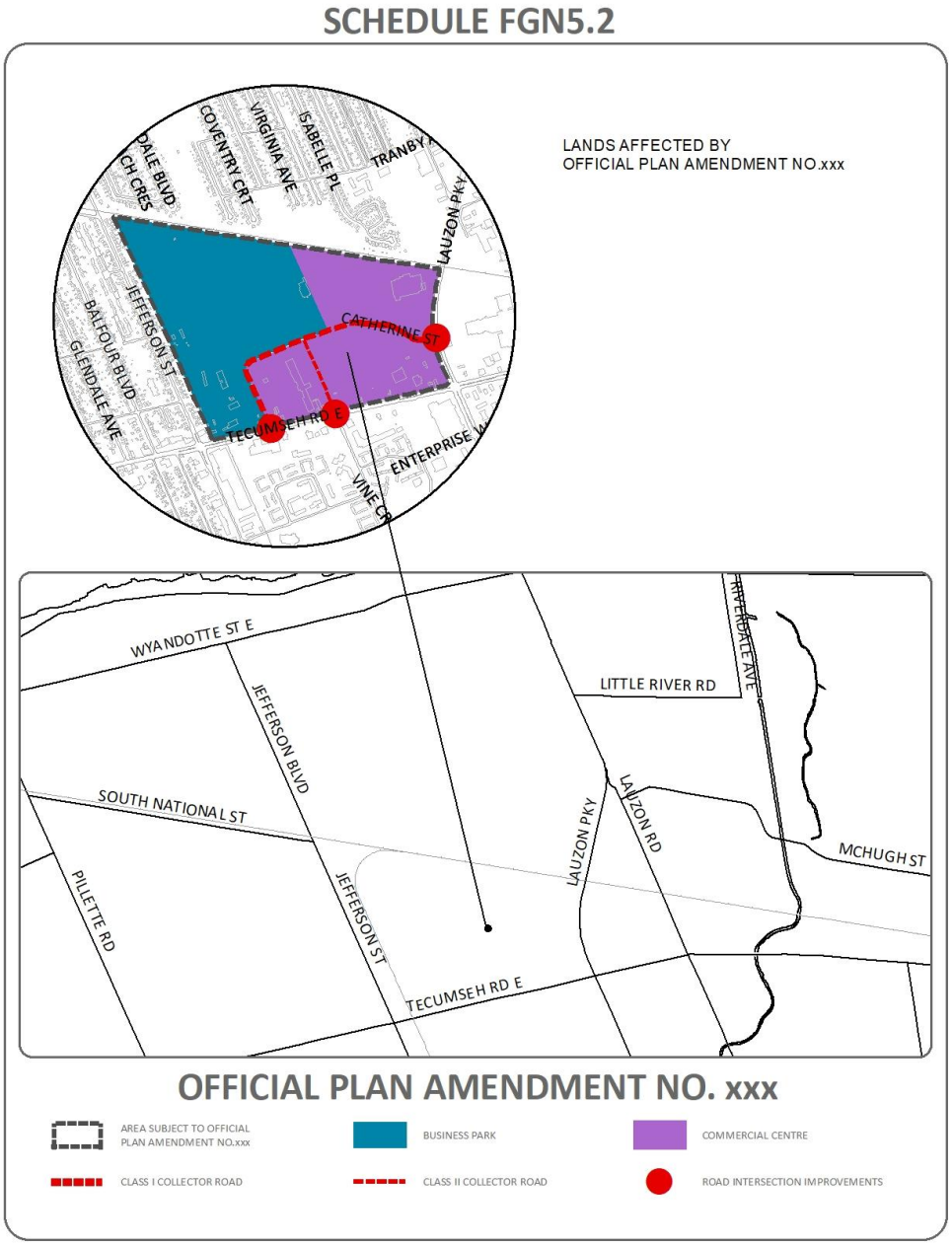
day of _____, 2022

_____
Mayor

_____
Clerk

Appendix C to Official Plan Amendment No 159

City of Windsor Official Plan, Volume 2



Schedule I

The following are the results of public notification of the amendments and the outcome of public meetings. Comments relate to the Official Plan amendment and the associated rezoning.

A public meeting of the Development & Heritage Standing Committee (DHSC), the statutory meeting, was held on June 6, 2022.

A meeting of City Council was held on June 13, 2022, at which time the subject Official Plan Amendment was considered along with the accompanying Zoning By-law Amendment application (File No.:Z 019-22 [ZNG-6756]). The recommended OPA #159 was adopted by CR264/2022. An extract from the minutes of the meeting are included.

THE CITY OF WINDSOR
ONTARIO, CANADA

OFFICE OF THE CITY CLERK
COUNCIL SERVICES

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

Fax: (519)255-6868
E-mail: clerks@citywindsor.ca
WEBSITE: www.citywindsor.ca

City Council
Decision
Monday, June 13, 2022

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR264/2022 DHSC 397

1. That the reports titled "MRICBL Background Study" prepared by Municipal Planning Consultants, dated April 2022, attached as Appendix B to Report S 64/2022 **BE ACCEPTED**.

2. That Volume 1: The Primary Plan of the City of Windsor Official Plan ("Official Plan") **BE AMENDED** as follows:

2A) Change the text of the Official Plan as follows:

a) "Commercial Corridor" changes to "Mixed Use Corridor"
b) "Commercial Centre" changes to "Mixed Use Centre"
c) "Mixed Use" changes to "Mixed Use Node"; and

That Schedule A-1: Special Policy Areas of the Official Plan **IS AMENDED** by adding the Mature Neighbourhoods designation as shown on Schedule A-1-1 attached to this report; and,

That Schedule D: Land Use of the Official Plan **IS AMENDED** by changing the names of the designations in the Legend as follows:

i. "Commercial Corridor" changes to "Mixed Use Corridor"
ii. "Commercial Centre" changes to "Mixed Use Centre"
iii. "Mixed Use" changes to "Mixed Use Node"; and

That Schedule D: Land Use of the Official Plan **IS FURTHER AMENDED** by changing the existing land use designations to the Mixed Use Corridor, Mixed Use Centre, and Mixed Use Node designations as shown on Schedule D-1 attached to this report.

2B) Add the following to the Chapter 6 – Land Use:

RESIDENTIAL INTENSIFICATION	6.1.14	To direct residential intensification to those areas of the City where transportation, municipal services, community facilities and goods and services are readily available

THE CITY OF WINDSOR
ONTARIO, CANADA

OFFICE OF THE CITY CLERK
COUNCIL SERVICES

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

Fax: (519)255-6868
E-mail: clerks@citywindsor.ca
WEBSITE: www.citywindsor.ca

2C) Delete 6.3.1.3 and replace it with the following:

INTENSIFICATION, INFILL & REDEVELOPMENT	6.3.1.3	To promote residential redevelopment, infill and intensification initiatives in appropriate locations in the City.

2D) Delete 6.3.2.1 and replace it with the following:

PERMITTED USES	6.3.2.1	Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile and Medium Profile dwelling units. High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors.

2E) Delete 6.3.2.3 and replace it with the following:

TYPES OF LOW PROFILE HOUSING	6.3.2.3	For the purposes of this Plan, Low Profile housing development is further classified as follows: (a) small scale forms: single detached, semi-detached, duplex and row and multiplexes with up to 8 units.

2F) Delete 6.3.2.4 and replace it with the following:

LOCATIONAL CRITERIA	6.3.2.4	Residential intensification shall be directed to the Mixed Use Nodes and areas generally within 200 metres of those Nodes. Within these areas mid-profile buildings, up 4 storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas. Residential development shall be located where: (a) there is access to a collector or arterial road; (b) full municipal physical services can be provided; (c) adequate community services and open spaces are available or are planned; and (d) public transportation service can be provided.

THE CITY OF WINDSOR
ONTARIO, CANADA

OFFICE OF THE CITY CLERK
COUNCIL SERVICES

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

Fax: (519)255-6868
E-mail: clerks@citywindsor.ca
WEBSITE: www.citywindsor.ca

2G) Delete 6.3.2.5 (c) and replace it with the following:

(c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.
In Mature Neighbourhoods as shown on Schedule A-1, compatible with the surrounding area, as noted above, and consistent with the streetscape, architectural style and materials, landscape character and setback between the buildings and streets;

2H) Delete 6.3.2.5 (f) and replace it with the following:

(f) facilitating a gradual transition from Low Profile residential development to Medium and/or High profile development and vice versa, where appropriate. In accordance with Design Guidelines approved by Council.

2I) Delete 6.3.2.9 and replace it with the following:

NEIGHBOURHOOD COMMERCIAL EVALUATION CRITERIA

6.3.2.9 Neighbourhood Commercial uses shall be encouraged to locate in Mixed Use Nodes as shown on Schedule J. Ideally these uses would form part of a multi-use building with residential uses located above or behind the non-residential uses on the street front.
At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed Neighbourhood Commercial development within a designated Residential area 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;

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

Fax: (519)255-6868
E-mail: clerks@citywindsor.ca
WEBSITE: www.citywindsor.ca

(ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust;
(iii) within a site of potential or known contamination;
(iv) where traffic generation and distribution is a provincial or municipal concern;
(v) adjacent to heritage resources; and
(vi) where market impact is identified as a municipal concern;

(b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;
(c) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas;
(d) capable of being provided with full municipal physical services and emergency services; and
(e) provided with adequate off-street parking.

2J) Delete 6.3.2.17 and replace it with the following:

HERITAGE CONSERVATION	6.3.2.17	Council shall encourage the retention, restoration and sensitive renovation of historic and/or architecturally significant residential buildings in accordance with the Heritage Conservation chapter of this Plan. Infill and intensification within Mature Neighbourhoods, shown on Schedule A-1, shall be consistent with the built form, height, massing, architectural and landscape of the area. Council will adopt Design Guidelines to assist in the design and review of development in these areas.

THE CITY OF WINDSOR
ONTARIO, CANADA

OFFICE OF THE CITY CLERK
COUNCIL SERVICES

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

Fax: (519)255-6868
E-mail: clerks@citywindsor.ca
WEBSITE: www.citywindsor.ca

2K) Delete 6.3.2.29 and replace it with the following:

COMPATIBLE ADDITIONAL UNITS	6.3.2.29	The creation of additional units through renovation or redevelopment in existing residential neighbourhoods shall be done in a manner that is compatible and complimentary to the character of the neighbourhood. The Zoning By-law will establish regulations for height, density, and massing that will preserve the character of stable neighbourhoods. Council will adopt Design Guidelines to assist in the design and review of development applications within existing stable neighbourhoods.

2L) Delete 6.5 and replace it with the following:

6.5 Commercial

Commercial lands provide the main locations for the purchase and sale of goods and services. In order to strengthen Windsor's economy, ensure convenient access and address compatibility concerns, Commercial land uses are provided under three designations on Schedule D: Mixed Use Centre, Mixed Use Corridor and Mixed Use Nodes.

Over the lifetime of this Plan, the Mixed Use Centres will evolve to become vibrant mixed-use commercial and residential areas. Ideally, the predominant form of new or redeveloped housing should be medium and high-density residential buildings with ground floor and possibly second floor commercial uses and upper floor residential dwellings.

The following objectives and policies establish the framework for development decisions in all Commercial areas.

2M) Add the 6.5.1.8 to the Chapter 6 – Land Use:

RESIDENTIAL INTENSIFICATION	6.5.1.8	To promote residential intensification with medium and high profile buildings to meet the housing needs of the City in appropriate areas where municipal services, transit and employment are in proximity.

THE CITY OF WINDSOR
ONTARIO, CANADA

OFFICE OF THE CITY CLERK
COUNCIL SERVICES

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

Fax: (519)255-6868
E-mail: clerks@citywindsor.ca
WEBSITE: www.citywindsor.ca

2N) Delete 6.5.2.2 and replace it with the following:

RESIDENTIAL AND ANCILLARY USES	6.5.2.2	Medium and high profile residential uses either as stand-alone buildings or part of a commercial-residential mixed use buildings shall be integrated within the Mixed Use Centres in a manner that creates a mixed-use community in a modern and attractive urban environment. Institutional uses, community, cultural, recreational and entertainment facilities shall be permitted in stand-alone buildings, or in mixed-use buildings/developments. Hotels, institutional uses, community, cultural, recreational and entertainment facilities may be located on individual sites, or form part of a larger, comprehensively planned retail commercial centre. In addition to the uses permitted above, Council may permit ancillary Open Space and Major Institutional uses in areas designated as Mixed Use Centre on Schedule D: Land Use without requiring an amendment to this Plan provided that: (a) the ancillary use is clearly incidental and secondary to, and complementary with, the main commercial use; and (b) the development satisfies the policies for the proposed land use.

2O) Add 6.5.2.6 (i) to 6.5.2.6:

(i) 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.

2P) Delete 6.5.3 and replace it with the following:

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 Mixed Use 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

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

Fax: (519)255-6868
E-mail: clerks@citywindsor.ca
WEBSITE: www.citywindsor.ca

uses that support investment in transit and the achievement of complete communities.

2Q) Delete 6.5.3.1 and replace it with the following:

PERMITTED USES	6.5.3.1	Uses permitted in the Mixed Use Corridor land use designation are primarily retail, wholesale store (added by OPA 58, 24 07 2006) and service oriented uses and, to a lesser extent, office uses. Medium and High profile residential uses either as stand-alone buildings or part of a commercial-residential mixed use buildings shall be throughout the Corridors.

2R) Delete 6.5.3.3 and replace it with the following:

STREET PRESENCE	6.5.3.3	Council will encourage Mixed Use Corridor development to provide a continuous street frontage and presence. Accordingly, development along a Mixed-Use Corridor shall be: (a) no more than four storeys in height, except on lands immediately adjacent to an intersection with a Class I or Class II Arterial Road or Class I or Class II Collector Road where the height of buildings shall generally not exceed the width of the road right-or-way abutting the development site; and

THE CITY OF WINDSOR
ONTARIO, CANADA

OFFICE OF THE CITY CLERK
COUNCIL SERVICES

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

Fax: (519)255-6868
E-mail: clerks@citywindsor.ca
WEBSITE: www.citywindsor.ca

(b) Notwithstanding the identified maximum building height, the City may consider additional height, where the City is satisfied that the proposed height achieves compatible development, and where appropriate transitions to abutting lower scale development are established. Appropriate transitions may be achieved through the implementation of regulatory techniques including, but not limited to new height limitations, enhanced building setbacks and step backs, enhanced landscape buffers and planting requirements and/or the implementation of an angular plane. Permissions for taller buildings may be established through a site specific zoning By-law Amendment;
(c) encouraged to locate the buildings at the street frontage lot line with parking accommodated at the rear of the site.

2S) Add 6.5.3.8 (f) to 6.5.3.8:

(i) Council will adopt Design Guidelines that will assist in the design and review of development applications in a manner that will ensure

2T) Delete 6.9 and replace it with the following:

The lands designated as “Mixed Use Nodes” on Schedule D: Land Use provide the main locations for compact clusters of commercial, office, institutional, open space and residential uses. These areas are intended to serve as the focal point for the surrounding neighbourhoods, community. As such, they will be designed with a pedestrian orientation and foster a distinctive and attractive area identity.
The following objectives and policies establish the framework for development decisions in Mixed Use Nodes areas.

2U) Delete 6.9.2.2

2V) Delete 6.9.2.3 and replace it with 6.9.2.2:

LOCATIONAL CRITERIA 6.9.2.2 Mixed Use Nodes development shall be located where:

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

Fax: (519)255-6868
E-mail: clerks@citywindsor.ca
WEBSITE: www.citywindsor.ca

(a) there is access to Class I or Class II Arterial Roads or Class I Collector Road;
(b) full municipal physical services can be provided;
(c) public transportation service can be provided; and
(d) the surrounding development pattern is compatible with Mixed Use Nodes development.

2W) Delete 6.9.2.5(b) and replace it with 6.9.2.4 (b):

(b) the mass, scale, orientation, form, and siting of the development achieves a compact urban form and a pedestrian friendly environment. Building should not exceed 4 storeys in height;

2X) Add 8.7.2.3 (j) to the Chapter 8 – Urban Design:

(j) Council may adopt Design Guidelines that will assist in the design and review of applications for development in accordance with the policies noted above.

2Y) Add 9.3.8 to Chapter 9 – Heritage Conservation:

RECOGNIZE MATURE NEIGHBOURHOODS AS HERITAGE RESOURCE	9.3.8	Schedule A-1 illustrates Mature Neighbourhoods in the City. These areas are not designated as Heritage Areas or Heritage Conservation Districts. However, the areas reflect the cultural heritage of the City and should be protected. When considering the development of these areas, the policies of Section 9.3.7(d) shall be applied.

3. That Zoning By-law 8600 **BE AMENDED** as follows:

3A) Delete Section 10.1.5.4 and substitute with a new Section 10.1.5.4 as follows:

		Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.4	Main Building Height - maximum	9.0 m	9.0 m	9.0 m

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

Fax: (519)255-6868
E-mail: clerks@citywindsor.ca
WEBSITE: www.citywindsor.ca

3B) Add Section 10.1.5.10 as follows:

		Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.10	Gross Floor Area - maximum	400 m^2	400 m^2	400 m^2

3C) Delete Section 10.2.5.4 and substitute with a new Section 10.2.5.4 as follows:

		Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.4	Main Building Height - maximum	9.0 m	9.0 m	9.0 m

3D) Add Section 10.2.5.10 as follows:

		Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.10	Gross Floor Area - maximum	400 m^2	400 m^2	400 m^2

3E) Delete Section 10.3.5.4 and substitute with a new Section 10.3.5.4 as follows:

		Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.4	Main Building Height - maximum	9.0 m	9.0 m	9.0 m

3F) Add Section 10.3.5.10 as follows:

		Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.10	Gross Floor Area - maximum	400 m^2	400 m^2	400 m^2

THE CITY OF WINDSOR ONTARIO, CANADA

OFFICE OF THE CITY CLERK
COUNCIL SERVICES

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

Fax: (519)255-6868
E-mail: clerks@citywindsor.ca
WEBSITE: www.citywindsor.ca

3G) Delete Section 10.4.5.4 and substitute with a new Section 10.4.5.4 as follows:

		Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.4	Main Building Height - maximum	9.0 m	9.0 m	9.0 m

3H) Add Section 10.4.5.10 as follows:

		Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.10	Gross Floor Area - maximum	400 m^2	400 m^2	400 m^2

3I) Delete Section 10.5.5.4 and substitute with a new Section 10.4.5.4 as follows:

.4	Main Building Height - maximum	9.0 m

3J) Add Section 10.5.5.10 as follows:

.10	Gross Floor Area - maximum	400 m^2

3K) Delete Section 11.1.5.4 and substitute with a new Section 11.1.5.4 as follows:

		Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.4	Main Building Height - maximum	9.0 m	9.0 m	9.0 m

THE CITY OF WINDSOR
ONTARIO, CANADA

OFFICE OF THE CITY CLERK
COUNCIL SERVICES

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

Fax: (519)255-6868
E-mail: clerks@citywindsor.ca
WEBSITE: www.citywindsor.ca

3L) Add Section 11.1.5.10 as follows:

		Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.10	Gross Floor Area - maximum	400 m^2	400 m^2	400 m^2

3M) Delete Section 11.2.5 and substitute with a new Section 11.2.5 as follows:

11.2.5 PROVISIONS

.1	Duplex Dwelling		
	.1	Lot Width – minimum	12.0 m
	.2	Lot Area – minimum	360.0 m^2
	.3	Lot Coverage – maximum	45.0%
	.4	Main Building Height – maximum	9.0 m
	.5	Front Yard Depth – minimum	6.0 m
	.6	Rear Yard Depth – minimum	7.50 m
	.7	Side Yard Width – minimum	1.20 m
	.10	Gross Floor Area – maximum	400 m^2
.2	Semi-Detached Dwelling		
	.1	Lot Width – minimum	15.0 m
	.2	Lot Area – minimum	450.0 m^2
	.3	Lot Coverage – maximum	45.0%
	.4	Main Building Height – maximum	9.0 m
	.5	Front Yard Depth – minimum	6.0 m
	.6	Rear Yard Depth – minimum	7.50 m
	.7	Side Yard Width – minimum	1.20 m
	.10	Gross Floor Area – maximum	400 m^2
.3	Single Unit Dwelling		
	.1	Lot Width – minimum	9.0 m
	.2	Lot Area – minimum	270.0 m^2
	.3	Lot Coverage – maximum	45.0%
	.4	Main Building Height – maximum	9.0 m
	.5	Front Yard Depth – minimum	6.0 m
	.6	Rear Yard Depth – minimum	7.50 m
	.7	Side Yard Width – minimum	1.20 m
	.10	Gross Floor Area – maximum	400 m^2

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

Fax: (519)255-6868
E-mail: clerks@citywindsor.ca
WEBSITE: www.citywindsor.ca

.4	Double Duplex Dwelling or Multiple Dwelling		
.1	Lot Width – minimum	18.0 m	
.2	Lot Area – minimum	540.0 m^2	
.3	Lot Coverage – maximum	45.0%	
.4	Main Building Height – maximum	9.0 m	
.5	Front Yard Depth – minimum	6.0 m	
.6	Rear Yard Depth – minimum	7.50 m	
.7	Side Yard Width – minimum	1.80 m	
.5	Townhome Dwelling		
.1	Lot Width – minimum	20.0 m	
.2	Lot Area – per *dwelling unit* – minimum	200.0 m^2	
.3	Lot Coverage – maximum	45.0%	
.4	Main Building Height – maximum	9.0 m	
.5	Front Yard Depth – minimum	6.0 m	
.6	Rear Yard Depth – minimum	7.50 m	
.7	Side Yard Width – minimum	1.50 m	

3N) Delete Section 11.3.5.4 and substitute with a new Section 11.3.5.4 as follows:

		Semi-Detached Dwelling	Single Unit Dwelling	Townhome Dwelling
.4	Main Building Height - maximum	9.0 m	9.0 m	9.0 m

3O) Add Section 11.3.5.10 as follows:

		Semi-Detached Dwelling	Single Unit Dwelling	Townhome Dwelling
.10	Gross Floor Area - maximum	400 m^2	400 m^2	400 m^2

THE CITY OF WINDSOR
ONTARIO, CANADA

OFFICE OF THE CITY CLERK
COUNCIL SERVICES

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

Fax: (519)255-6868
E-mail: clerks@citywindsor.ca
WEBSITE: www.citywindsor.ca

3P) Delete Section 11.4.5.4 and substitute with a new Section 11.4.5.4 as follows:

3Q) Add Section 11.4.5.10 as follows:	.4	Main Building Height - maximum	Semi-Detached Dwelling 9.0 m	Single Unit Dwelling 9.0 m
	.10	Gross Floor Area - maximum	Semi-Detached Dwelling 400 m^2	Single Unit Dwelling 400 m^2

3R) Delete Section 5.2.20.1

3. That Interim Control By-law 103-2020 **BE REPEALED** when the amending by-laws that implement the Official Plan Amendment and Zoning By-law amendments are in force.

4. That the City of Windsor Intensification Guidelines **BE ADOPTED** as the Design Guidelines referenced in the Official Plan to evaluate Infill and Intensification development proposals.

Carried.

Report Number: SCM 149/2022 & S 64/2022
Clerk's File: Z/14384 & Z/13872 8.4

Anna Ciacelli
Deputy City Clerk

June 24, 2022