

**CITY PLANNING  
DEPARTMENT**



## Memorandum – FINAL

**To:** City Plan Commission  
**From:** Gregory Guertin, MA – Senior Planner  
**Date:** October 31, 2023  
**RE:** 45 Windsor Rd – Assessors Plat 2-2, Lot 2406  
**Use Variance**

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**Owner:** Brian Longo  
**Applicant:** Brian Longo  
**Location:** 45 Windsor Road  
**Zoning:** B1 – Residential (Two Family, 8,000 sq ft)  
**FLUM Designation:** Single/Two Family Residential – Less than 10.89 Units Per Acre.

**Subject Property:**

The subject property is located at 45 Windsor Road, identified as Plat 2/2, Lot 2406, and has a total land area of 6,000± sq ft. The existing structure and use of the site is pre-existing non-conforming (commercial) use located in a residential zoning district.

**Request:**

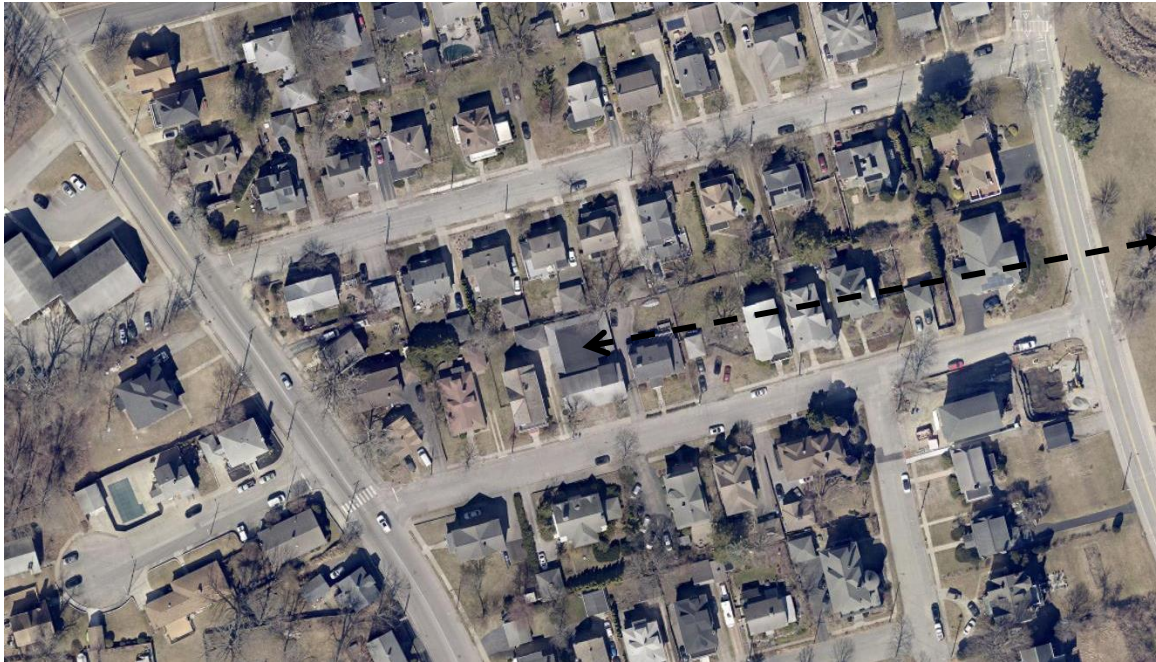
To allow for the conversion of a pre-existing non-conforming structure, from a non-conforming use to a conforming use (two-family residential) on an undersized lot. The required minimum lot area for a two-family residential building in a B1 zone is 8,000 sq. ft., where the Applicant is proposing 6,000 sq. ft.

**AERIAL PHOTO (SUBJECT PARCEL)**





**AERIAL PHOTO (SUBJECT PARCEL AND SURROUNDING HOMES)**

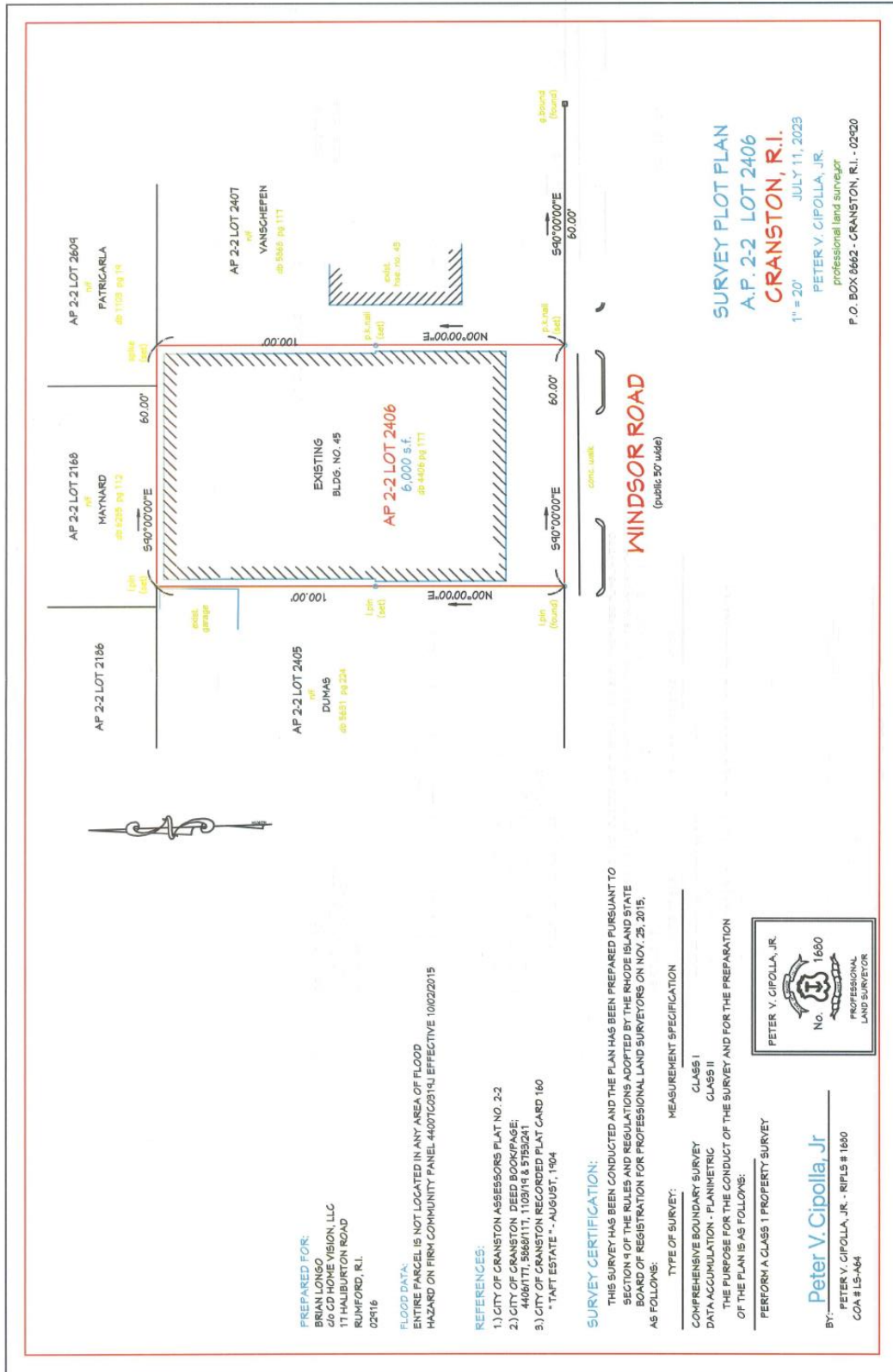


**SUBJECT  
PARCEL**

**STREET VIEW**

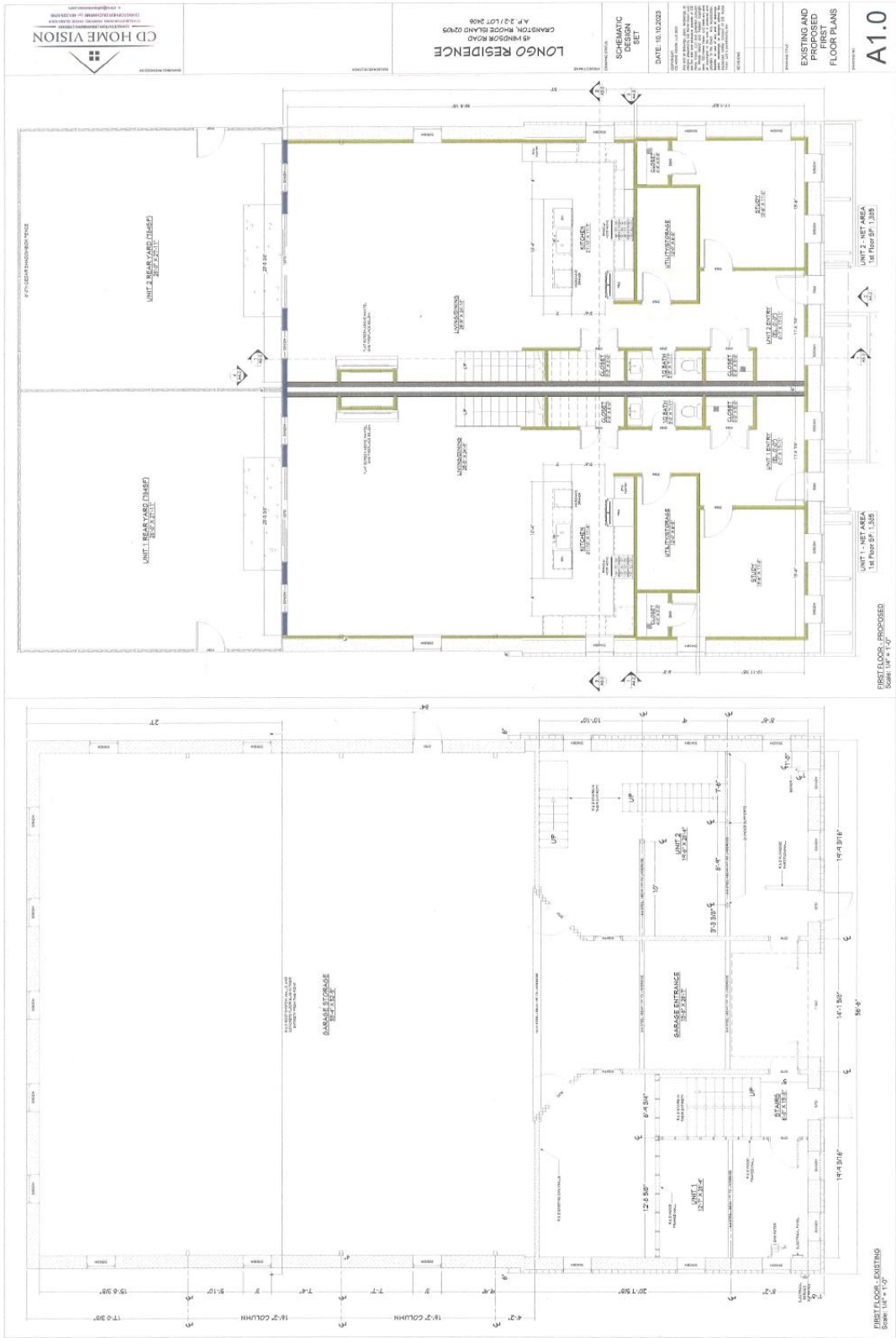


**PLAN (EXISTING CONDITIONS)**



**PLAN (EXISTING & PROPOSED FLOOR PLAN)**





CD HOME VISION  
 45 WINDSOR ROAD  
 CAMBRIDGE, ONTARIO N2H 2Y9

LONGO RESIDENCE  
 45 WINDSOR ROAD  
 CAMBRIDGE, ONTARIO N2H 2Y9  
 A # 2-LOT 2408

DATE: 10.10.2023  
 SCHEMATIC DESIGN SET

EXISTING AND PROPOSED FLOOR PLANS  
 A1.0

UNIT 1 - NET AREA  
 1st Floor SF: 1,355

UNIT 2 - NET AREA  
 1st Floor SF: 1,355

FIRST FLOOR - EXISTING  
 Scale: 1/8" = 1'-0"

FIRST FLOOR - PROPOSED  
 Scale: 1/8" = 1'-0"

## Planning Staff Analysis

- This application is sought to allow for the conversion of a pre-existing non-conforming structure, from a non-conforming use to a conforming use (two-family residential) on an undersized lot.
- The Applicant has *not* requested specific relief from the Zoning Ordinance in their application.
  - However, given the pre-existing nature of the structure to be altered and the contents of the Proposal, it appears that the relief necessary would fall under:
    - *17.20.120 – Schedule of Intensity Regulations – Minimum Lot Area*
- The required minimum lot area for a two-family residential building in a B1 zone is 8,000 sq. ft., where the Applicant is proposing 6,000 sq. ft.
- The required density for this area as prescribed by the Comprehensive Plan's Future Land Use Map (FLUM) is 10.89 units per acre, where the resulting density via this Proposal is 14.52 units per acre.
- Parcels of higher density than what is prescribed in the FLUM are not uncommon in this neighborhood; 16% of the parcels in the surrounding area have a density ranging between 13 and 78 Units Per Acre.
- Staff find that there are goals and policies outlined in the Comprehensive Plan which are relevant to this Proposal:
  - *LUG-9 Protect and stabilize existing residential neighborhoods.*
    - *LUP-9.1 Protect and stabilize existing residential neighborhoods by increasing open space, improving roadway conditions, and making the zoning conform to existing uses.*
    - *LUP-9.2 Continue to give attention to neighborhood revitalization through code enforcement and financing mechanisms, particularly in areas of aging housing stock and low median incomes.*
    - *LUP-9.3 Preserve the existing density of established neighborhoods.*
  - *HG-2 Permit a variety of residential development types to achieve multiple community objectives.*
    - *HP-2.2 Enact flexible development standards that attain desired community objectives, but also provide a wide range of building types, uses, subdivisions, and site plans.*
  - *HG-4 Promote housing opportunity for a wide range of household types and income levels.*
    - *HP-4.1 Maintain a varied housing stock, with units of different age, size and type that are affordable to a wide range of incomes.*
  - *HG-5 Conserve housing resources, especially affordable housing units, to preserve the base housing stock, as the costs of locating and constructing new housing units are significant.*
    - *HP-5.1 Reduce the burden of zoning and building regulations, to enable two- and three-family unit dwellings to be easily modified, maintained, and improved within the existing neighborhoods.*
    - *HP-5.2 Review zoning for existing residential neighborhoods to ensure the zoning matches, as closely as possible, the dimensions and unit types of what has already been built.*
- It is Staff's view that converting from a non-conforming commercial use to a conforming residential use brings the property into further compliance with the intentions set forth in the general purposes of the Zoning Ordinance and is seen to be supported by more of those goals and policies in the Comprehensive Plan than not as shown in Staff's Findings.

### **Findings of Fact:**

As supported by the analysis, Staff has made the following Findings:

- Staff finds that there are some inconsistencies between the proposal as submitted and the Comprehensive Plan, namely:
  - The required density for this area as prescribed by the FLUM is 10.89 units per acre, whereas the density offered via this proposal is 14.52 units per acre.
  - *LUP-9.3 Preserve the existing density of established neighborhoods.*
  - *LUP-9.2 Continue to give attention to neighborhood revitalization through code enforcement and financing mechanisms, particularly in areas of aging housing stock and low median incomes.*
  
- Staff finds the proposal to be consistent with following policies, goals, and/or actions as outlined in the Comprehensive Plan:
  - *LUP-9.1 Protect and stabilize existing residential neighborhoods by increasing open space, improving roadway conditions, and making the zoning conform to existing uses.*
  - *LUP-9.3 Preserve the existing density of established neighborhoods.*
  - *HP-2.2 Enact flexible development standards that attain desired community objectives, but also provide a wide range of building types, uses, subdivisions, and site plans.*
  - *HP-4.1 Maintain a varied housing stock, with units of different age, size and type that are affordable to a wide range of incomes.*
  - *HP-5.1 Reduce the burden of zoning and building regulations, to enable two- and three-family unit dwellings to be easily modified, maintained, and improved within the existing neighborhoods.*
  - *HP-5.2 Review zoning for existing residential neighborhoods to ensure the zoning matches, as closely as possible, the dimensions and unit types of what has already been built.*
  
- Staff finds that the proposal is consistent with the general character of the surrounding neighborhood in the following ways:
  - Two-Family, Three-Family and Multi-Family dwellings are not uncommon in this neighborhood, the vast majority (87%) of which are on undersized lots and have densities far exceeding the FLUM designation.
  - This change of use brings the subject lot into further conformance with the zoning code and with the general residential character of the surrounding neighborhood.

### **Recommendation:**

In accordance with RIGL §45-24-41(b), Staff finds this Application consistent with the goals and purposes of the Comprehensive Plan and is compatible with the general character of the surrounding neighborhood. Staff therefore recommends that the City Plan Commission adopt the Findings of Fact documented above and forward a **POSITIVE RECOMMENDATION** on the Application to the Zoning Board of Review.

Respectfully Submitted,  
Gregory Guertin, MA – Senior Planner