

## City Council Meeting Agenda

**Date:** Monday, November 25, 2024

**Time:** 10:00 o'clock a.m.

**Location:** Council Chambers, 1<sup>st</sup> Floor, Windsor City Hall

All members will have the option of participating in person in Council Chambers or electronically and will be counted towards quorum in accordance with Procedure Bylaw 98-2011 as amended, which allows for electronic meetings. The minutes will reflect this accordingly. Any delegations have the option to participate in person or electronically.

### **MEMBERS:**

Mayor Drew Dilkens

Ward 1 – Councillor Fred Francis

Ward 2 - Councillor Fabio Costante

Ward 3 - Councillor Renaldo Agostino

Ward 4 - Councillor Mark McKenzie

Ward 5 - Councillor Ed Sleiman

Ward 6 - Councillor Jo-Anne Gignac

Ward 7 - Councillor Angelo Marignani

Ward 8 - Councillor Gary Kaschak

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison

## ORDER OF BUSINESS

<b>Item #</b>	<b>Item Description</b>
1.	<b>ORDER OF BUSINESS</b>

2.	<b>CALL TO ORDER</b> - Playing of the National Anthem
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READING OF LAND ACKNOWLEDGEMENT

We [] would like to begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations, which includes the Ojibwa, the Odawa, and the Potawatomi. The City of Windsor honours all First Nations, Inuit and Métis peoples and their valuable past and present contributions to this land.

3.	<b>DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF</b>
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4.	<b>ADOPTION OF THE MINUTES</b>
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4.1.	Adoption of the Windsor City Council minutes of its meeting held October 28, 2024 <b>(SCM 336/2024)</b>
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4.2.	Report of the Special Meeting of Council of its meeting held November 4, 2024 <b>(SCM 329/2024)</b>
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5.	<b>NOTICE OF PROCLAMATIONS</b>
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**Proclamations**

“International Day for the Elimination of Violence Against Women” – November 25, 2024

“World AIDS Day” – November 29, 2024

**Flag Raising Ceremony**

“International Day for the Elimination of Violence Against Women” – November 25, 2024

“World AIDS Day” – November 29, 2024



## **Illumination**

“World AIDS Day” – November 29, 2024

### **6. COMMITTEE OF THE WHOLE**

#### **7. COMMUNICATIONS INFORMATION PACKAGE** (This includes both Correspondence and Communication Reports)

7.1. Correspondence 7.1.1. through 7.1.8. **(CMC 15/2024)**

7.2. Strengthen the Core Update - City Wide **(CM 13/2024)**

### **8. CONSENT AGENDA**

8.1. 2025 Schedule of Council and Standing Committee Meetings - City Wide **(C 95/2024)**

8.2. Construction of Bus Bay at Monseigneur Jean Noel Elementary Catholic School (3225 California Avenue) - Cost Sharing - Conseil Scolaire Catholique Providence - Ward 1 **(C 135/2024)**

#### CONSENT COMMITTEE REPORTS

8.3. CQ 13-2023 - Front Yard Parking Best Practice 2.2.2 **(SCM 296/2024) (SCM 327/2023) (S 150/2023)**

**Clerk's Note:** Administration is providing the *attached* additional information memos **(AI 15/2024) & (AI 20/2024)**

8.4. Response to CQ 4-2024 – Options for Modernizing Parking Operations – City Wide **(SCM 165/2024) (S 46/2024)**

**Clerk's Note:** Administration is providing the *attached* additional information memo **(AI 14/2024)**

8.5. Response to CQ 29-2023 - Policy re: Capital Improvements at City Gateways - City Wide **(SCM 333/2024) & (S 134/2024)**

8.6. CQ-14-2023 - Use of Rumble Strips in an Urban Environment **(SCM 335/2024) & (S 144/2024)**

8.7. Zoning By-law Amendment Application for 3170 & 3178 California Avenue, Z-024/24 [ZNG-7227], Ward 1 **(SCM 337/2024) & (S 135/2024)**

8.8. Zoning By-Law Amendment Z027-24 (ZNG/7230) - Marko Agbaba – 180 California Avenue, Ward 2 **(SCM 338/2024) & (S 145/2024)**

- 8.9. Approval of a Draft Plan of Subdivision and Zoning By-law Amendment for the property known as 3990 Loon Street; Applicant: Olivia Construction Inc.; File Nos. SDN-003/24 [SDN/7212] and Z-018/24 [ZNG/7211]; Ward 5 **(SCM 339/2024) & (S 146/2024)**
- 8.10. Zoning By-law Amendment Application for 926-928 Giles Blvd E, Z-028/24 [ZNG-7232], Ward 1 **(SCM 340/2024) & (S 137/2024)**
- 8.11. Brownfield Property Tax Assistance/Rehabilitation Grant Community Improvement Plan (CIP) application submitted by Capital Plus Real Estate Corp. for 3841-3847 Howard Avenue (Ward 8) **(SCM 341/2024) & (S 138/2024)**
- 8.12. Part Closure of north/south alley located between Park Street West and Wyandotte Street West, Ward 3, SAA-7034 **(SCM 342/2024) & (S 140/2024)**

## **9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS**

## **10. PRESENTATIONS AND DELEGATIONS**

- 10.1. Windsor Firefighters – Sparky’s 2024 Toy Drive
- 10.2. Windsor Symphony Orchestra - Impact Report (season overview)

## **11. REGULAR BUSINESS ITEMS (Non-Consent Items)**

- 11.1. Award of Tender: 35-24 – University Avenue Corridor Improvements – Phase 1 (McEwan Avenue to Salter Avenue) – Ward 2 **(C 139/2024)**
- 11.2. Award of Tender 30-24 Supply & Installation LED Lighting - Various Facilities - Phase 3 - City Wide **(C 128/2024)**
- 11.3. 2025 Agency Grant Payments - City Wide **(C 136/2024)**
- 11.4. 2024 Third Quarter Operating Budget Variance - City Wide **(C 134/2024)**
- 11.5. International Charles Brooks Memorial Peace Fountain Replacement Project – Update – Ward 6 **(C 140/2024)**

## **12. CONSIDERATION OF COMMITTEE REPORTS**

- 12.1. (i) Report of the Special In-Camera meeting or other Committee as may be held prior to Council (if scheduled)

**13. BY-LAWS (First and Second Reading)**

- 13.1 **By-law 163-2024** - A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 20.12 METRE PORTION OF THE THIRD STREET RIGHT-OF-WAY NORTH OF THE E.C. ROW EXPRESSWAY, EAST OF HUDSON AVENUE, SOUTH OF CONTINENTAL AVENUE AND WEST OF HUDSON AVENUE, CITY OF WINDSOR, authorized by CR89/2024, dated February 26, 2024.
- 13.2 **By-law 164-2024** - A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 20.12 METRE PORTION OF THE THIRD STREET RIGHT-OF-WAY NORTH OF THE E.C. ROW EXPRESSWAY, EAST OF HUDSON AVENUE, SOUTH OF CONTINENTAL AVENUE AND WEST OF HUDSON AVENUE, CITY OF WINDSOR, authorized by CR89/2024, dated February 26, 2024.
- 13.4 **By-law 165-2024** - A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS GRAND MARAIS ROAD EAST IN THE CITY OF WINDSOR, authorized by CR76/2011, dated February 28, 2011.
- 13.5 **By-law 166-2024** - A BY-LAW TO AUTHORIZE THE ENTERING INTO OF AN AGREEMENT WITH ITALIAN CANADIAN HANDICAPABLE ASSOCIATION (WINDSOR & DISTRICT) FOR THE PROVISION OF A MUNICIPAL CAPITAL FACILITY AT MIC MAC PARK, authorized by CR839/99, dated July 19, 1999.
- 13.6 **By-law 167-2024** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR458/2024, dated October 28, 2024.
- 13.7 **By-law 168-2024** - A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.27 METRE NORTH/SOUTH ALLEY NORTH OF ALGONQUIN STREET, EAST OF ST. PATRICK'S AVENUE, SOUTH OF TECUMSEH ROAD WEST AND WEST OF RANDOLPH AVENUE, CITY OF WINDSOR, authorized by CR372/2023, dated September 5, 2023 and CR465/2024, dated October 28, 2024.
- 13.8 **By-law 169-2024** - A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.27 METRE NORTH/SOUTH ALLEY NORTH OF ALGONQUIN STREET, EAST OF ST. PATRICK'S AVENUE, SOUTH OF TECUMSEH ROAD WEST AND WEST OF RANDOLPH AVENUE, CITY OF WINDSOR, authorized by CR372/2023, dated September 5, 2023 and CR465/2024, dated October 28, 2024.
- 13.9 **By-law 170-2024** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR457/2024, dated October 28, 2024.
- 13.10 **By-law 171-2024** - A BY-LAW TO IMPOSE STORMWATER CHARGES IN THE CITY OF WINDSOR, authorized by CR473/2024, dated October 28, 2024.
- 13.11 **By-law 172-2024** - A BY-LAW TO IMPOSE A WASTEWATER SERVICE RATE IN THE CITY OF WINDSOR, authorized by CR473/2024, dated October 28, 2024.

13.12 **By-law 173-2024** - A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 25TH DAY OF NOVEMBER, 2024.

14. **MOVE BACK INTO FORMAL SESSION**

15. **NOTICES OF MOTION**

16. **THIRD AND FINAL READING OF THE BY-LAWS**

By-law 163-2024 through 173-2024 inclusive

17. **PETITIONS**

18. **QUESTION PERIOD**

18.1. Summary of Outstanding Council Questions as of November 14, 2024 (**SCM 344/2024**)

18.2. Outstanding Council Directives as of October 28, 2024 (**SCM 343/2024**)

19. **STATEMENTS BY MEMBERS**

20. **UPCOMING MEETINGS**

Development Charges Task Force  
Monday, November 18, 2024  
10:00 a.m., Room 140, 350 City Hall Square W

Environment, Transportation & Public Safety Standing Committee  
Wednesday, November 27, 2024  
4:30 p.m., Council Chambers

Environment, Transportation & Public Safety Standing Committee  
Sitting as the Transit Windsor Board of Directors  
Wednesday, November 27, 2024  
Immediately following the Environment, Transportation & Public Safety Standing  
Committee meeting  
4:30 p.m., Council Chambers

Environment & Climate Change Advisory Committee  
Thursday, November 28, 2024  
5:00 p.m., via Zoom

Development & Heritage Standing Committee  
Monday, December 2, 2024  
4:30 p.m., Council Chambers

Community Services Standing Committee  
Wednesday, December 4, 2024  
9:00 a.m., Council Chambers

Windsor Licensing Commission  
Thursday December 5, 2024  
9:30 a.m., Room 140, 350 City Hall Square W

City Council Meeting  
Monday, December 9, 2024  
10:00 a.m., Council Chambers

**21. ADJOURNMENT**

**Item No. 4.1**



**Committee Matters: SCM 336/2024**

**Subject: Adoption of the Windsor City Council minutes of its meeting held  
October 28, 2024**



## CITY OF WINDSOR MINUTES 10/28/2024

### City Council Meeting

Date: Monday, October 28, 2024

Time: 10:00 o'clock a.m.

#### **Members Present:**

##### **Mayor**

Mayor Drew Dilkens

##### **Councillors**

Ward 1 – Councillor Fred Francis

Ward 2 - Councillor Fabio Costante

Ward 3 - Councillor Renaldo Agostino

Ward 4 - Councillor Mark McKenzie

Ward 5 - Councillor Ed Sleiman

Ward 6 - Councillor Jo-Anne Gignac

Ward 7 - Councillor Angelo Marignani

Ward 8 - Councillor Gary Kaschak

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison

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### 1. ORDER OF BUSINESS

### 2. CALL TO ORDER

Following the playing of the Canadian National Anthem and reading of the Land Acknowledgement, the Mayor calls the meeting to order at 10:00 o'clock a.m.

### 3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

### 4. ADOPTION OF THE MINUTES

#### 4.1. Adoption of the Windsor City Council minutes of its meeting held September 23, 2024.

Moved by: Councillor Fred Francis

Seconded by: Councillor Jo-Anne Gignac

That the minutes of the Meeting of Council held September 23, 2024 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 290/2024

#### 4.2. Adoption of the Special Meeting of Windsor City Council minutes of its meeting held October 2, 2024

Moved by: Councillor Fred Francis

Seconded by: Councillor Jo-Anne Gignac

That the minutes of the Special Meeting of Council held October 2, 2024 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 304/2024

### 5. NOTICE OF PROCLAMATIONS

#### Proclamations

"Child Care Worker and Early Childhood Educator Appreciation Day" – October 24, 2024

"Dress Purple Day" – October 25, 2024

#### Flag Raising Ceremony

"Hungarian Heritage Month" – October 23, 2024

"Lebanese Heritage Month" – November 8, 2024



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### Illumination

“Hungarian Heritage Month” – October 23 – 30, 2024

“Annual Shine the Light Campaign” – November 1 – 7, 2024

“Remembrance Day” – November 8 – 12, 2024

## 6. COMMITTEE OF THE WHOLE

Moved by: Councillor Gary Kaschak

Seconded by: Councillor Angelo Marignani

That Council do now rise and move into Committee of the Whole with the Mayor presiding for the purpose of dealing with:

(a) communication items;

(b) consent agenda;

(c) hearing requests for deferrals, referrals and/or withdrawals of any items of business;

(d) hearing presentations and delegations;

(e) consideration of business items;

(f) consideration of Committee reports:

(g) Report of Special In-Camera Meeting or other Committee as may be held prior to Council (if scheduled); and

(h) consideration of by-laws 153-2024 through 160-2024 (inclusive)

Carried.

## 7. COMMUNICATIONS INFORMATION PACKAGE

### 7.1. Correspondence for Monday, October 28, 2024

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Mark McKenzie

Decision Number: CR440/2024

That the following Communication Items 7.1.1 through 7.1.7 (inclusive) as set forth in the Council Agenda **BE REFERRED** as noted.

No.	Sender	Subject
7.1.1	Town of Tecumseh	Notice of Public Meeting for Proposed Zoning By-law Amendment regarding a parcel of land located south of County Road 22, east of Lesperance Road, within the Manning Road Secondary Plan Area  City Solicitor City Planner Chief Building Official Commissioner, Community & Corporate Services Commissioner, Economic Development GM2024

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No.	Sender	Subject
		Note & File
7.1.2	City Planner	Application for Zoning By-law Amendment, Anthony Palermo, 5172 Joy Road, to permit an accessory building with increased maximum height.  <div style="text-align: right;">Z/14861 Note &amp; File</div>
7.1.3	City Planner	Application for Official Plan Amendment and Zoning By-Law Amendment, 1722912 Ontario Ltd.- HD Development Group, 4088-4096 Sixth Concession Road. 1. To permit a multiple dwelling with a building height of 11.21m as additional permitted use. 2. To permit a multiple dwelling with 21 units as an additional permitted use and reductions in required parking and landscaped open space yard.  <div style="text-align: right;">Z/14862 &amp; Z/14863 Note &amp; File</div>
7.1.4	City Planner	Application for Zoning By-law Amendment, Hausology Inc., 926-928 Giles Boulevard, to permit a multiple dwelling with six units.  <div style="text-align: right;">Z/14864 Note &amp; File</div>
7.1.5	City Planner	Application for Zoning By-law Amendment, Dardevco Inc., 0 North Service Road, to permit self-storage units.  <div style="text-align: right;">Z/14865 Note &amp; File</div>
7.1.6	City Planner	Application for Zoning By-law Amendment, Marko Agbaba, 180 California Avenue, to permit a semi-detached dwelling with a reduction in the minimum lot width and rear yard setback, and an increase in maximum lot coverage and maximum gross floor area.  <div style="text-align: right;">Z/14866 Note &amp; File</div>
7.1.7	Committee of Adjustment	Applications to be heard by the Committee of Adjustment/Consent Authority on Thursday, October 31, 2024.  <div style="text-align: right;">Z2024 Note &amp; File</div>

Carried.

Report Number: CMC 14/2024

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### 7.2. Windsor Canada Utilities Ltd. 2nd Quarter 2024 Financial Statements - City Wide

Moved by: Councillor Kieran McKenzie  
Seconded by: Councillor Mark McKenzie

Decision Number: CR441/2024

That the report of the Deputy Treasurer - Taxation, Treasury & Financial Projects, dated October 7, 2024, entitled "Windsor Canada Utilities Ltd. 2<sup>nd</sup> Quarter 2024 Financial Statements – City Wide"

**BE RECEIVED** for information.

Carried.

Report Number: C 125/2024

Clerk's File: MU2024

### 7.3. Housing Enabling Core Servicing and Water Systems Funding Update - Citywide

Moved by: Councillor Kieran McKenzie  
Seconded by: Councillor Mark McKenzie

Decision Number: CR442/2024

That the report of the Asset Coordinator dated October 11, 2024 entitled "Housing Enabling Core Servicing and Water Systems Funding Update – Citywide" **BE RECEIVED** for information.

Carried.

Report Number: C 129/2024

Clerk's File: SW/14743 & SW/14226

### 7.4. Engineering/Architectural Consultants Engaged via Roster – January 1 2024 to June 30, 2024 "City Wide"

Moved by: Councillor Kieran McKenzie  
Seconded by: Councillor Mark McKenzie

Decision Number: CR443/2024

That the report of the Manager of Purchasing & Risk Management dated July 23, 2024 entitled "Engineering/Architectural Consultants Engaged via Roster – January 1 2024 to June 30, 2024 City Wide" **BE RECEIVED** for information in compliance with section 163 of Bylaw 93-2012 (the "Purchasing Bylaw").

Carried.

Report Number: CM 10/2024

Clerk's File: SW/13041

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### 7.5. IT Deliverable Providers Engaged via Roster – January 1 2024 to June 30, 2024 "City Wide"

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Mark McKenzie

Decision Number: CR444/2024

That the report of the Manager of Purchasing and Risk Management dated July 23, 2024 entitled "IT Deliverable Providers Engaged via Roster – January 1 2024 to June 30, 2024 City Wide" **BE RECEIVED** for information in compliance with section 163 of Bylaw 93-2012 (the "Purchasing Bylaw").

Carried.

Report Number: CM 11/2024

Clerk's File: AL2024

## 8. CONSENT AGENDA

### 8.1. Confirm & Ratify Report--Road Rehabilitation Project Addition, Chrysler Centre – Ward 5

Moved by: Councillor Jim Morrison

Seconded by: Councillor Ed Sleiman

Decision Number: CR445/2024

That the results of the email poll to members of Council, conducted by the City Clerk on October 7, 2024, **BE CONFIRMED AND RATIFIED**:

That Council **APPROVE** the addition of the east side of Chrysler Centre (Tecumseh to Grand Marais) to the 2024 Road Rehabilitation Project plan; and,

Whereas on February 2, 2024, the 2024 Capital Budget was deemed approved via Mayoral Decision MD05-2024 and subsequently City Council **SUPPORTS** an expenditure of \$2,500,000 to be used for the purpose of partial road rehabilitation on the east side of Chrysler Centre (Tecumseh to Grand Marais); and,

That the City Treasurer **BE DIRECTED** to transfer \$2,500,000 in surplus funds remaining in the 2022 Road Rehabilitation Project ID 7221001 to the 2024 Road Rehabilitation Project ID 7241000 to fund such works; and,

That Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the Chrysler Centre road rehabilitation project, provided that the procurement(s) are within approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in financial content to the City Treasurer, in legal form to the City Solicitor; and in technical content to the City Engineer; and,

That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to take any such action required to effect the recommendation noted above and sign any required documentation for the Chrysler Centre road rehabilitation project, satisfactory in financial content to the City Treasurer, in legal form to the City Solicitor; and in technical content to the City Engineer; and,

That the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to effect the recommendation noted above, subject to all specification being satisfactory in financial content to the City Treasurer, and in technical content to the City Engineer; and,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any amendment(s) as may be required, provided that the amendment(s) are within approved budget amounts, satisfactory in financial content to the City Treasurer, in legal form to the City Solicitor; and in technical content to the City Engineer; and,

That the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders for any amendment(s) as may be required, provided that the amendment(s) are within approved budget amounts, satisfactory in financial content to the City Treasurer, and in technical content to the City Engineer; and,

That Administration **BE AUTHORIZED** to issue any change order(s) for any amendment(s) as may be required, if the amendment(s) are within approved budget amounts, satisfactory in financial content to the City Treasurer, and in technical content to the City Engineer.

Carried.

Report Number: C 131/2024 & C 118/2024  
Clerk's File: SW2024

## **8.2. Confirm & Ratify Report-Lauzon Parkway Reconstruction - Noise Bylaw Exemption - Ward 8**

Moved by: Councillor Jim Morrison  
Seconded by: Councillor Ed Sleiman

Decision Number: CR446/2024

That the results of the email poll to members of Council, conducted by the City Clerk on October 15, 2024, **BE CONFIRMED AND RATIFIED**:

That the following exemption request to the provisions of the Noise By-law 6716 (as amended), **BE GRANTED** to permit for the operation of construction equipment required to complete the Lauzon Parkway concrete pavement from Hawthorne Drive to Cantelon Drive.

### **a. Specific exemption request:**

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Construction activities during the noise by-law prohibited time between 8:00 p.m. through 6:00 a.m. to complete construction of concrete pavement on Lauzon Parkway.

### **b. Scope of Exemption:**

The completion of concrete pavement on Lauzon Parkway from Hawthorne Drive to Cantelon Drive.

### **c. Duration of Exemption:**

The request is tentatively scheduled for the period from October 21 to December 13 (once Council approval is granted) with the option of renewal to be approved by the CAO through Delegation of Authority report. There will be a total of 4–5 night shifts with no more than 2 night shifts occurring consecutively during this time period.

Carried.

Report Number: C 132/2024 & C 127/2024  
Clerk's File: SW/14805 & SW/14226

## **8.3. RFP No.70-24, Little River Pollution Control Plant (LRPCP) Bio-solids Odour Control System - Award - City Wide**

Moved by: Councillor Jim Morrison

Seconded by: Councillor Ed Sleiman

Decision Number: CR447/2024

Whereas in the opinion of the CFO/City Treasurer and the City Council, the proposed lease financing agreement will not materially impact the debt and financial obligation limit of the City of Windsor, and its risks, in combination with all the other lease financing agreements of that category entered into or proposed to be entered into this year by The Corporation of the City of Windsor, will not result in a material impact for the community be it resolved:

That **APPROVAL BE GIVEN** for a lease financing agreement between The Corporation of the City of Windsor and USP Technologies Inc. to lease a hydrogen peroxide storage & dosage system at the facility known as the Little River Pollution Control Plant (LRPCP), located at 9400 Little River Road, in accordance with the following terms:

### **BASIC TERMS:**

- a) Lease Term: 60 months
- b) Monthly Lease Cost: \$1,950 per month, (plus HST); lease renewal options (after the 5 yrs) are subject to an NPV analysis at that time to ensure the depreciated asset values are considered in formulating any future lease extension monthly costs beyond 5 years
- c) One-Time Mobilization Fee: \$19,000 (plus HST);
- d) Renewal Option(s): Available one year extensions on an evergreen basis;
- e) CPI Factor: Starting with the third anniversary of the successful hydrogen peroxide dosing system startup (Years 4 & 5), the chemical unit and monthly lease cost will be updated

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annually using the change of the CPI index for all-items, monthly, percentage change, not seasonally adjusted for Canada posted by Statistics Canada; and,

That Council **ACCEPT** USP Technologies Inc. proposal of up to a maximum of \$497,798.20, excluding HST, as the total all-inclusive cost for five (5) years' hydrogen peroxide bio-solids odour control services at the Little River Pollution Control Plant (LRPCP); and,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement with USP Technologies Inc. reflective of the terms set out in RFP 70-24 for a period of Five (5) YEARS with the option for renewal for one year extensions on an evergreen basis, satisfactory in form to the City Solicitor, in technical content to the City Engineer, and financial content to the City Treasurer; and,

That the City Treasurer **BE AUTHORIZED** to transfer an amount up to \$100,000 from the Pollution Control Reserve (Fund 208) to project 7211027 LRPCP – Dewatering Odour Control for the construction of the tank foundation.

Carried.

Report Number: C 93/2024  
Clerk's File: SW/1484

### 8.4. 2024/2025 Municipally Significant Event Status - Ward 6

Moved by: Councillor Jim Morrison

Seconded by: Councillor Ed Sleiman

Decision Number: CR448/2024

That the request from Windsor Thai Boxing & Fitness for approval of designation as 'municipally significant' for the purpose of applying for their Special Occasions Permit – Public Event **BE APPROVED** by City Council subject to the terms and conditions of the Special Event Agreement with the City; and further,

That City Council **APPROVE** the following proposed significant event dates for 2024 and 2025:

Friday December 6, 2024:

- King Striking Series (WFCU Centre Banquet Hall) - Amateur Kickboxing Event hosted by Windsor Thai Boxing & Fitness

Saturday February 6, 2025:

- King Striking Series (WFCU Centre Banquet Hall) - Amateur Kickboxing Event hosted by Windsor Thai Boxing & Fitness

Saturday May 24, 2025:

- King Striking Series (WFCU Centre Banquet Hall) - Amateur Kickboxing Event hosted by Windsor Thai Boxing & Fitness

Saturday September 20, 2025:

- King Striking Series (WFCU Centre Banquet Hall) - Amateur Kickboxing Event hosted by Windsor Thai Boxing & Fitness

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Saturday December 6, 2025:

- King Striking Series (WFCU Centre Banquet Hall) - Amateur Kickboxing Event hosted by Windsor Thai Boxing & Fitness

Carried.

Report Number: C 124/2024  
Clerk's File: SR2024

### **8.6. Minutes of the Environment & Climate Change Advisory Committee of its meeting held July 30, 2024**

Moved by: Councillor Jim Morrison  
Seconded by: Councillor Ed Sleiman

Decision Number: CR449/2024 ETPS 1022

That the minutes of the Environment & Climate Change Advisory Committee meeting held July 30, 2024 **BE RECEIVED**.

Carried.

Report Number: SCM 293/2024 & SCM 256/2024  
Clerk's File: MB2024

### **8.7. Minutes of the Windsor Licensing Commission of its meeting held August 28, 2024**

Moved by: Councillor Jim Morrison  
Seconded by: Councillor Ed Sleiman

Decision Number: CR450/2024 ETPS 1023

That the minutes of the Windsor Licensing Commission meeting held August 28, 2024 **BE RECEIVED**.

Carried.

Report Number: SCM 294/2024 & SCM 260/2024  
Clerk's File: MB2024

### **8.8. Report No. 157 of the Windsor Licensing Commission - Request to eliminate age limits for wheelchair accessible taxicabs**

Moved by: Councillor Jim Morrison  
Seconded by: Councillor Ed Sleiman

Decision Number: CR451/2024 ETPS 1024

That Report No. 157 of the Windsor Licensing Commission indicating:



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That the Windsor Licensing Commission RECEIVE the report of the Deputy Licence Commissioner entitled "Response to Request to Eliminate Age Limits for Wheelchair Accessible Taxicabs and Reduced Licence Fees"; and,

That the Windsor Licensing Commission RECOMMEND to City Council, an increase of the current ten-year vehicle age limit to a twelve-year vehicle age limit for licensed Wheelchair Accessible Taxicabs; and,

That the Windsor Licensing Commission RECOMMEND to City Council, that Public Vehicle By-law 150-2018 BE AMENDED to reflect the changes made to the maximum age limit for licensed Wheelchair Accessible Taxicabs; and further,

That upon City Council's decision, all late fees incurred for this year would BE WAIVED upon registration of any remaining wheelchair accessible taxicabs that are owned and operated by Canadian Checker Cab.

### **BE APPROVED.**

Carried.

Report Number: SCM 295/2024 & SCM 259/2024  
Clerk's File: MB2024

## **8.9. Fire Master Plan**

Moved by: Councillor Jim Morrison  
Seconded by: Councillor Ed Sleiman

Decision Number: CR452/2024 ETPS 1025

That City Council **ADOPT** the FIRE MASTER PLAN (Appendix A) including the Windsor Fire & Rescue Service (WFRS) suggestions for implementation (Appendix B); and further,

Whereas on February 2, 2024, the 2024 10-year capital budget was approved via Mayoral Decision MD05-2024 which included items suggested for implementation in the Fire Master Plan, be it further resolved:

That the City Treasurer **BE DIRECTED** to bring forward additional funding requests in future operating and capital budgets development processes for consideration over the 10 to 15-life cycle of the Fire Master Plan; and further,

That the City Solicitor **BE DIRECTED** to amend and update the Fire Services Establishing and Regulating By-Law to reflect services provided by Windsor Fire & Rescue.

Carried.

Report Number: SCM297/2024 & C 112/2024  
Clerk's File: SF/14852

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### 8.10. Update to Windsor/Essex Region Stormwater Manual & Response to CR195/2022 Flood Risk Monitoring and Mitigation Measures and Programs - City Wide

Moved by: Councillor Jim Morrison  
Seconded by: Councillor Ed Sleiman

Decision Number: CR453/2024 ETPS 1026

- I. That the report of the Water & Wastewater Engineer dated September 5, 2024 entitled "Update to Windsor/Essex Region Stormwater Manual & Response to CR195/2022 Flood Risk Monitoring and Mitigation Measures and Programs - City Wide" **BE RECEIVED** for information; and,
- II. That the Windsor/Essex Region Stormwater Manual update (v2, Amendment No. 1, dated: June 12, 2024) **BE RECEIVED**; and
- III. That City Council **ADOPT** the Manual as part of the standards for the design and review of stormwater infrastructure within the City.

Carried.

Report Number: SCM 298/2024 & S 114/2024  
Clerk's File: SW2024 & SW/13822

### 8.11. Matchett Road and Malden Road Ecopassage Review Study

Moved by: Councillor Jim Morrison  
Seconded by: Councillor Ed Sleiman

Decision Number: CR454/2024 ETPS 1027

That the report of the Policy Analyst, Transportation Planning dated September 8, 2024 entitled "Matchett Road and Malden Road Ecopassage Review Study – Ward 1," **BE RECEIVED** for information.

Carried.

Report Number: SCM 299/2024 & S 115/2024  
Clerk's File: SR2024

### 8.12. Minutes of the Community Public Art Working Group of its meeting held July 24, 2024

Moved by: Councillor Jim Morrison  
Seconded by: Councillor Ed Sleiman

Decision Number: CR455/2024 CSSC 258

That the minutes of the Community Public Art Working Group meeting held July 24, 2024 **BE RECEIVED**.

Carried.

**8.13. Response to CQ 19-2024 - Reaching Home Funding & Warming Bus - City Wide**

Moved by: Councillor Jim Morrison  
Seconded by: Councillor Ed Sleiman

Decision Number: CR456/2024 CSSC 259

That this report of the Manager - Homelessness & Housing Support dated September 12, 2024 entitled "Response to CQ 19-2024 - Reaching Home Funding & Warming Bus - City Wide" **BE RECEIVED** for information; and,

That Administration **BE DIRECTED** to lobby the Provincial and Federal governments for any available funding opportunities; and,

That Administration **BE DIRECTED** to approach local philanthropy groups to determine whether any potential funding partnerships can be explored.

Carried.

Report Number: SCM 301/2024 & S 127/2024  
Clerk's File: MD/14771

**8.15. Zoning By-law Amendment Application for 4461 Wyandotte Street East, Z-023/24 [ZNG-7221], Ward 5**

Moved by: Councillor Jim Morrison  
Seconded by: Councillor Ed Sleiman

Decision Number: CR457/2024 DHSC 658

- I. That Zoning By-law 8600 **BE AMENDED** for the lands located on the south side of Wyandotte Street East between Jos Janisse Avenue and Ellrose Avenue, described as Lot 27, Plan 1492, PIN No. 01097-1316 LT, by adding a site specific provision to permit *One Semi-Detached Dwelling*, subject to the following additional regulations:

**513. SOUTH SIDE OF WYANDOTTE STREET EAST BETWEEN JOS JANISSE AVENUE AND ELLROSE AVENUE**

- (1) For the lands comprising of Lot 27, Plan 1492, PIN No. 01097-1316 LT, a *Semi-Detached Dwelling* shall be subject to the following additional provisions:
  1. Notwithstanding Section 11.2.5.2.1, the minimum lot width shall be 13.7 metres.
  2. Notwithstanding Section 11.2.5.2.10, the maximum gross floor area for a main building shall be 851.6 m<sup>2</sup>.

[ZDM 10; ZNG/7221]

- II. That the holding (H) symbol **SHALL APPLY** to the lands located on the south side of Wyandotte Street East between Jos Janisse Avenue and Ellrose Avenue, described as Lot 27, Plan 1492, PIN No. 01097-1316 LT and that Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following clause to Section 95.20:

- (11) a) Gratuitously convey to the Corporation of the City of Windsor, a 1.50-metre-wide strip of land along the Wyandotte Street East frontage of the subject lands to the satisfaction of the City Engineer.
- b) Submission of a Revised Stormwater Management Plan in accordance with the Windsor Essex Region Stormwater Management Standards Manual to the satisfaction of the City Engineer.

[ZDM 10; ZNG/7221]

Carried.

Report Number: SCM 305/2024 & S 113/2024

Clerk's File: Z/14832

**8.16. Zoning By-Law Amendment Z001-24 (ZNG/7164) - Alta Nota Construction  
– 0 Windsor Ave & 1140 Goyeau St, Ward 3**

Moved by: Councillor Jim Morrison

Seconded by: Councillor Ed Sleiman

Decision Number: CR458/2024 DHSC 659

- I. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 46 to 51, Plan 447 (identified as Lot 1A on Appendix A to Report S 131/2024 and known municipally as 0 Windsor Avenue) from Commercial District 1.5 (CD1.5) to Commercial District 1.7 (CD1.7).
- II. That Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lot 183 and Part of Lot 182, Plan 1303 (identified as Lot 1B on Appendix A to Report S 131/2024 and known municipally as 1140 Goyeau Street) from Commercial District 1.5 (CD1.5) to Residential District 3.3 (RD3.3).
- III. That Zoning By-law 8600 **BE FURTHER AMENDED** by deleting and replacing Section 20(1)52 as follows:

**52. EAST SIDE OF GOYEAU STREET AND WEST SIDE OF WINDSOR AVENUE, NORTH OF GILES BOULEVARD EAST**

- A. For the lands comprising of LOT 46 TO LOT 51, PLAN 447 for an existing parking area, the following additional provisions shall apply:
- 1) Section 25.5.10.3 shall not apply.
- 2) Section 25.5.20 shall not apply.

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- 3) Section 25.5.40.6 and 25.5.40.7 shall not apply.
  - 4) Notwithstanding Section 25.5.50, the minimum *parking aisle* width shall be as existing.
- B. For the lands comprising of LOT 183 & PT LOT 182, PLAN 1303, the following additional provisions shall apply:
- 1) Lot Area – minimum 1,728 m<sup>2</sup>
  - 2) Lot Coverage – maximum 43.5%
  - 3) Main Building height – maximum 24.0 m
  - 4) Landscaped Open Space Yard – minimum 28%
  - 5) Section 12.3.5.13 shall not apply
  - 6) All required *parking spaces* (excluding accessible parking spaces and *loading spaces*) shall be located entirely on LOT 46 TO LOT 51, PLAN 447.
  - 7) Notwithstanding Section 25.5.20.1.6, where a *building* is located on the same *lot* as the *parking area*, for that portion of a *building* wall not containing a *habitable room window* within 4.0 m of the *ground*, the minimum parking area separation from that portion of the *building* wall shall be 3.1 m.

(ZDM 7)

IV. That, when Site Plan Control is applicable:

- A. Prior to the submission of an application for site plan approval, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer:
  - 1) Those documents submitted in support of the application for amendment to the Zoning By-law 8600 **BE UPDATED** to reflect the site plan for which approval is being sought, and any comments from municipal departments and external agencies included in Appendix E to Report S 131/2024.
- B. The Site Plan Approval Officer **BE DIRECTED** to incorporate the following, subject to any updated information, into an approved site plan and an executed and registered site plan agreement:
  - 1) Vibration Impact Assessment as requested by the City of Windsor Heritage Planner in Appendix E to Report S 131/2024.
  - 2) Requirements of the City of Windsor – Engineering Department (subject to the approval of the City Engineer), City of Windsor – Parks Development, in Appendix E of Report S 131/2024.
- C. The Site Plan Approval Officer **CONSIDER** all other comments contained in Appendix E of Report S 131/2024 and all recommendations in the documents submitted in support of the application for an amendment to Zoning By-law 8600.

Carried.

Report Number: SCM 306/2024 & S 131/2024  
Clerk's File: Z/14850

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### 8.17. Economic Revitalization Community Improvement Plan (CIP) application submitted by Agri-Box Inc. for 3324 Marentette Avenue (Ward 9)

Moved by: Councillor Jim Morrison

Seconded by: Councillor Ed Sleiman

Decision Number: CR459/2024 DHSC 661

- I. That the request made by Agri-Box Inc. to participate in the Small Business Investment Grant Program **BE APPROVED** for 100% of the municipal portion of the tax increment resulting from the proposed development of eligible uses located at 3324 Marentette Avenue for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization Community Improvement Plan.
- II. That Administration **BE DIRECTED** to prepare an agreement between the City and Agri-Box Inc. to implement the Small Business Investment Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Economic Revitalization Community Improvement Plan to the satisfaction of the City Planner for content, the City Solicitor as to form, and the City Treasurer as to financial content.
- III. That the CAO and City Clerk **BE AUTHORIZED** to sign the Small Business Investment Grant Agreement.
- IV. That the approval to participate in the Small Business Investment Grant Program **EXPIRE** if the grant agreement is not signed by the applicant within two years following Council approval.

Carried.

Report Number: SCM 307/2024 & S 124/2024

Clerk's File: SPL2024

### 8.18. Amendment to Sign By-law 250-04 for 9250 Tecumseh Rd E, File No. SGN-002/24 (BILLBOARD) - Ward #7

Moved by: Councillor Jim Morrison

Seconded by: Councillor Ed Sleiman

Decision Number: CR460/2024 DHSC 667

- I. That the application for a Site Specific Amendment to By-law 250-2004 (the "Sign By-law"), to allow for the installation of an Electronic Changing Copy Ground Sign at 9250 Tecumseh Road East, **BE APPROVED**;
- II. That Schedule "E" – "Special Provisions for Individual Signs" of the Sign By-law **BE AMENDED** by adding the following as a new section E. 23:

E. 23 Despite the provisions of this By-law, that an Electronic Changing Copy Sign, may be constructed at 9250 Tecumseh Road East situated on the north side of Tecumseh Road East, and immediately south of the Little River Corridor, subject to the following conditions:

- a. That the sign does not include flashing illumination, and that changing of the advertisement does not occur at intervals of less than 10 seconds;
  - b. That the manufacturer of the sign confirm compliance with the lighting restrictions in accordance with Section 3 for Electronic Changing Copy Signs;
  - c. That the sign does not have any animation including scrolling letters, television or video message, or any moving sign message objects;
  - d. That the owner complies with the illumination regulations in subsection 3.3.1.(c) of this By-law, and that the brightness of the sign be automatically controlled with an ambient light photo-sensor; and
  - e. That the sign may only be illuminated between the hours of 7am and 11pm.
- III. That the Chief Building Official **BE DIRECTED** to require, as a condition of approval of the installation of an Electronic Changing Copy Ground Sign at 9250 Tecumseh Road East, Pattison Outdoor Advertising apply for a Permit for Demolition to remove an existing quad-faced billboard ground sign located at 3124 Jefferson Avenue.; and,
- IV. That the City Solicitor **BE DIRECTED** to prepare the by-law to amend the Sign By-law.

Carried.

Report Number: SCM 308/2024 & S 111/2024  
Clerk's File: SPL2024

**8.19. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Farhi Holdings Corporation for 0 Riverside Drive West at Janette Avenue (Ward 3)**

Moved by: Councillor Jim Morrison  
Seconded by: Councillor Ed Sleiman

Decision Number: CR461/2024 DHSC 660

- I. That the request made by Farhi Holdings Corporation to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a Phase II Environmental Site Assessment Study and Remedial Work Plan for the property located at 0 Riverside Drive West at Janette Avenue pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,
- II. That the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$17,100 based upon the completion and submission of a Phase II Environmental Site Assessment Study and Remedial Work Plan completed in a form acceptable to the City Planner and City Solicitor; and,
- III. That the grant funds in the amount of \$17,100 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003) when the eligible work is completed to the satisfaction of the City Planner; and,

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- IV. That should the Phase II Environmental Site Assessment Study and Remedial Work Plan not be completed within two (2) years of Council approval, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.

Carried.

Report Number: SCM 309/2024 & S 123/2024

Clerk's File: Z/14427

### **8.20. Amendment to CR58/2021, as amended by CR285/2023 for Closure of east/west alley located between Matthew Brady Boulevard and east limit of 7730 St. Rose Avenue, Ward 6, SAA-5947**

Moved by: Councillor Jim Morrison

Seconded by: Councillor Ed Sleiman

Decision Number: CR462/2024 DHSC 662

- I. That CR58/2021, adopted on February 1, 2021, as amended by CR285/2023, adopted on July 10, 2023, **BE AMENDED** as follows:

By **DELETING** the following from Resolution IV in its entirety:

“, subject to the following:

- a. Easement, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
  - i. Owner of the property known municipally as 7720 St. Rose Avenue (legally described as Lot 50, Plan 1181) to enter, construct, maintain, inspect, alter, repair, remove, replace, reconstruct and enlarge the existing private sanitary sewer; and
  - ii. Owner of the property known municipally as 7730 St. Rose Avenue (legally described as Lot 49, Plan 1181) to enter, construct, maintain, inspect, alter, repair, remove, replace, reconstruct and enlarge the existing private sanitary sewer.”

Carried.

Report Number: SCM 310/2024 & S 117/2024

Clerk's File: SAA2024

### **8.21. Amendment to CR419/2023 for Closure of east/west alley between Dieppe Street and Genevieve Avenue, Ward 6, SAA-6844**

Moved by: Councillor Jim Morrison

Seconded by: Councillor Ed Sleiman

Decision Number: CR463/2024 DHSC 663

- I. That CR419/2023, adopted on October 16, 2023, **BE AMENDED** as follows:

By **DELETING** the following from Resolution V:



“, subject to the following:

- a. Easement over that portion of the subject east/west alley abutting 8415 Riverside Drive East, subject to there being accepted in the City’s standard form and in accordance with the City’s standard practice, be granted to:
  - i. The owner of 8415 Riverside Drive East for access to maintain their hedgerow bordering the said portion of the subject east/west alley.”

Carried.

Report Number: SCM 311/2024 & S 118/2024  
Clerk’s File: SAA2024

**8.23. Amendment to CR26/2024 for Conveyance of north/south alley located between Closed Manitoba Street right-of-way and 1954 Huron Church Road, Ward 10, Closed by Judge’s Order No. 2970/87**

Moved by: Councillor Jim Morrison  
Seconded by: Councillor Ed Sleiman

Decision Number: CR464/2024 DHSC 665

- I. That CR26/2024, adopted on January 15, 2024, **BE AMENDED** by **DELETING** subparagraphs ii), iii) and iv) under subsection a) of Resolution I in their entirety.

Carried.

Report Number: SCM 313/2024 & S 120/2024  
Clerk’s File: SAA2024

**8.24. Amendment to CR372/2023 for Closure of north/south alley located between Algonquin Street and 1429 Randolph Avenue, Ward 10, SAA-7025**

Moved by: Councillor Jim Morrison  
Seconded by: Councillor Ed Sleiman

Decision Number: CR465/2024 DHSC 669

- I. That CR372/2023, adopted on September 5, 2023, **BE AMENDED** by **DELETING** subsection b) of Resolution II in its entirety.

Carried.

Report Number: SCM 314/2024 & S 132/2024  
Clerk’s File: SAA2024

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### 8.25. Closure of east/west alley located between Alexis Road and Chandler Road, Ward 5, SAA-7197

Moved by: Councillor Jim Morrison

Seconded by: Councillor Ed Sleiman

Decision Number: CR466/2024 DHSC 666

- I. That the 5.59-metre-wide east/west alley located between Alexis Road and Chandler Road, and shown on Drawing No. CC-1851 (attached hereto as Appendix “A”), and hereinafter referred to as the “subject alley”, **BE ASSUMED** for subsequent closure.
- II. That the subject alley **BE CLOSED AND CONVEYED** in **as is condition** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
  - a. Easements, subject to being accepted in the City’s standard form and in accordance with the City’s standard practice, being granted to:
    - i. Bell Canada to accommodate existing aboveground infrastructure;
    - ii. Cogeco Connexion Inc. to accommodate existing aboveground infrastructure;
    - iii. ENWIN Utilities Ltd. to accommodate the existing overhead hydro distribution;
    - iv. Managed Network System Inc. (MNSi.) to accommodate existing aboveground infrastructure;
    - v. The Corporation of the City of Windsor to accommodate existing 250-millimetre PVC sanitary sewer.
- III. That Conveyance Cost **BE SET** as follows:
  - a. For alley conveyed to abutting lands zoned CD2.1, \$20.00 per square foot without easements plus HST (if applicable) and \$10.00 per square foot with easements plus HST (if applicable).
  - b. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable) and deed preparation fee.
- IV. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1851.
- V. That The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. That The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003 Carried.

Report Number: SCM 315/2024 & S 121/2024

Clerk’s File: SAA2024

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### 8.26. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Rykka Care Centres LP for 0 Hanna St (Ward 3)

Moved by: Councillor Jim Morrison

Seconded by: Councillor Ed Sleiman

Decision Number: CR467/2024 DHSC 668

- I. That the request made by Rykka Care Centres LP to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study and Remedial Work Plan for the property located at 0 Hanna St E (north of 600 Tecumseh Rd E) pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan.
- II. That the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$25,000 based upon the completion and submission of a Phase II Environmental Site Assessment Study and Remedial Work Plan completed in a form acceptable to the City Planner and City Solicitor.
- III. That the grant funds in the amount of \$25,000 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003) when the eligible work is completed to the satisfaction of the City Planner.
- IV. That should the proposed Phase II Environmental Site Assessment Study and Remedial Work Plan not be completed within two (2) years of Council approval, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.

Carried.

Report Number: SCM 316/2024 & S 129/2024

Clerk's File: SPL2024

### 11.1. Connecting Links Program Intake 2025-2026 Grant Funding - Huron Church Road - City Wide

Moved by: Councillor Jim Morrison

Seconded by: Councillor Ed Sleiman

Decision Number: CR468/2024

- 1) That City Council **APPROVE** an application to the Connecting Links 2025-2026 Program for the full reconstruction of Huron Church Road between Industrial Drive intersection and Pool Avenue provided the necessary expenditure is also supported as outlined in Recommendation 3 below; and,
- 2) That the Chief Administrative Officer **BE AUTHORIZED** to sign any documents required to submit an application to the Connecting Links 2025-2026 Program subject to the documents being satisfactory in form to the City Solicitor, in financial content to the City Treasurer, and in technical content to the City Engineer, or designates; and,

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Whereas on February 2, 2024, the 2024 Capital Budget was deemed approved via Mayoral Decision MD05-2024 and subsequently as a result of the request outlined in this report,

- 3) That City Council **SUPPORT** an additional expenditure of \$2,939,000 to allow for application to the Connecting Links 2025-2026 Program, and that the City Treasurer **BE DIRECTED** to affect the following transfers which total \$510,372 representing the City's share of total estimated project costs to the Connecting Links – Intake #10 project, OPS-002-25, with all funding deemed placeholder funding until such time that the City is successful in being awarded the Grant:
  - a) The transfer and pre-commitment of \$352,985 in 2028 Service Sustainability funding, Fund 221, from the Road Rehabilitation Program, OPS-001-07; and,
  - b) The transfer of \$152,706 in currently available Service Sustainability funding, Fund 221, from the Traffic Signal Upgrade and Replacement Project, 7209000; and,
  - c) The transfer of \$4,681 in currently available Service Sustainability funding, Fund 221, funding from the Citywide Streetlight Project, 7035011; and,
- 4) That in the event the City receives written confirmation on the Grant funding being awarded to the City, that the following additional Recommendations be approved:
  - a) That the CFO/City Treasurer **BE DIRECTED** to make available for immediate use the identified placeholder amount of 2028 funding in the amount of \$352,985 from the Connecting Links Intake 10 project (OPS-002-25); and,
  - b) That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to take any such action and to sign any agreements, declarations or approvals and any such documents required resulting from receiving grant funding approval for the Connecting Links Program, subject to such documents being satisfactory in form to the City Solicitor, in financial content to the City Treasurer and in technical content to the City Engineer, or designates; and,
  - c) That the Mayor, in addition to the CAO and City Clerk, also **BE AUTHORIZED** to sign any agreements, declarations and other such documents required as part of receiving funding for grants noted in this report, and only if deemed required by the grant provider; and,
  - d) That the Chief Administrative Officer **BE AUTHORIZED** to delegate signing of all claims, progress reports and applicable schedules and other such documents as may be required as part of receiving funding from the grant provider to the Executive Director, Operations or designate, subject to financial content approval from the area's Financial Planning Manager; and,
  - e) That Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the grant awarded project, provided that the procurement(s) are within approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in financial content to the City Treasurer, and in technical content to the City Engineer, or designates; and,
  - f) That the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to affect the recommendation noted above, subject to all specification being satisfactory in technical content to the City Engineer and financial content to the City Treasurer, or designates.

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5) That in the event that the City is not successful in their application to the Connecting Links Program 2025-2026, that the identified placeholder funding **BE RETURNED** to its original funding sources.

Carried.

Report Number: C 122/2024

Clerk's File: SW/12414

### 11.2. Update Regarding the Divestment of the East Riverside Shorewall; Supplementing Report C77/2023 and C149/2023 - Ward 7

Moved by: Councillor Jim Morrison

Seconded by: Councillor Ed Sleiman

Decision Number: CR469/2024

- I. That City Council **RECEIVE** this report to supplement reports with respect to Council Decisions B14/2019, CR444/2023 and CR260/2023, in regards to the City-owned shorewall along Lake St. Clair; and,
- II. That City Council **APPROVE** the additional costs for the required Reference Plans approved by CR444/2023, and that such amounts be charged to project 7192007 (Riverside Breakwall Study); and,
- III. That City Council **APPROVE** the transfer of \$65,000 from project 7191024 (Wellesley Rehab – Terminal to Ypres) to project 7192007 (Riverside Breakwall Study); and,
- IV. In order to correct the title deficiencies on title to portions of the Shorewall which appear to belong to the City:
  - a) That City Council **DIRECT** the City Solicitor or designate to prepare the required Document Generals; and,
  - b) That the required transactions **BE COMPLETED** electronically, pursuant to By-Law 366-2003; and,
  - c) That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to execute all documents necessary to complete the transactions, as required; and,
  - d) That the City Solicitor or designate **BE AUTHORIZED** to execute documents standard to a real estate transaction; and,
- V. That City Council **AUTHORIZE** the City Solicitor to commence legal proceedings in order to obtain Judge's Orders for portions of the Shorewall where there is potential for a claim of ownership by the City; and,
- VI. That the City Solicitor **BE AUTHORIZED** to execute and submit any forms, applications or other documents necessary, or take any steps as required in order to carry out the Recommendations herein.

Carried.

Report Number: C 123/2024

Clerk's File: SL2024

### **11.4. City Hall Square Ice Rink - Noise Bylaw Exemption - Ward 3**

Moved by: Councillor Jim Morrison  
Seconded by: Councillor Ed Sleiman

Decision Number: CR470/2024

- I. That the following exemption request to the provisions of the Noise By-law 6716 (as amended), **BE GRANTED** to permit for the operation of construction equipment required to complete the concrete pavement for the ice rink pavement at City Hall Square.

- a. **Specific Exemption Request:**

- Construction activities during the noise by-law prohibited time between 8:00 p.m. through 6:00 a.m. to complete construction of concrete pavement for the Ice Rink Project.

- b. **Scope of Exemption:**

- The completion of concrete pavement on the ice rink pavement at City Hall Square.

- c. **Duration of Exemption:**

- The request is tentatively scheduled for October 29, with the option of extension to October 30, 2024, should there be inclement weather.

Carried.

Report Number: C 133/2024  
Clerk's File: SR/14410 & SW2024

## **9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS**

### **8.22. Amendment to CR437/2023 for Closure of north/south alley located between Taylor Avenue and 1124-1224 Campbell Avenue, Ward 2, SAA-6848**

Moved by: Councillor Fabio Costante  
Seconded by: Councillor Angelo Marignani

Decision Number: CR471/2024 DHSC 664

That the report of the Development & Heritage Standing Committee of its meeting held October 7, 2024 regarding "Amendment to CR437/2023 for Closure of north/south alley located between Taylor Avenue and 1124-1224 Campbell Avenue, Ward 2, SAA-6848" **BE DEFERRED** to a future meeting of City Council to allow for further consultation with administration.

Carried.

Report Number: SCM 312/2024 & S 119/2024  
Clerk's File: SAA2024

## 10. PRESENTATIONS AND DELEGATIONS

### 8.5. Response to CQ 13-2024, CQ 16-2024 and CQ 30-2024 - Pickleball & Squash Courts within the City - City Wide

#### Patrick Brown, President, Windsor Pickleball Club

Patrick Brown President, Windsor Pickleball Club appears before City Council in support of the recommendation in the administrative report dated August 16, 2024, entitled “Response to CQ 13-2024, CQ 16-2024 and CQ 30-2024 Pickleball & Squash Courts within the City - City Wide” as it relates to outdoor courts; and concludes by suggesting further improvement of the indoor Pickleball courts at WFCU Centre as it relates to safety and functionality, and the Windsor Pickleball Club is offering to purchase enhanced nets and flooring to dedicate the gym for pickleball during the winter months.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

Decision Number: CR472/2024 CR415/2024 CSSC 256

That the report of the Community Services Standing Committee of its meeting held September 4, 2024 regarding “Response to CQ 13-2024, CQ 16-2024 and CQ 30-2024- Pickleball & Squash Courts within the City - City Wide” **BE REFERRED** to the 2025 Budget deliberation meeting for costing of the proposal.

Carried.

Report Number: SCM 267/2024 & S 108/2024

Clerk’s File: SR2024

### 11.3 2025 Stormwater and Wastewater Rate Setting Report – City Wide

#### Peter Simcisko, Managing Partner, Watson & Associates Economist Ltd.

Peter Simcisko appears before City Council regarding the administrative report dated, October 11, 2024, entitled “2025 Sewer Surcharge Report - City Wide” and is available for questions.

#### Elizabeth Treadway, Senior Vice President Water Resources & David Bulova, Senior Stormwater Planner, WSP

Elizabeth Treadway & David Bulova appear before City Council regarding the administrative report dated, October 11, 2024, entitled “2025 Sewer Surcharge Report - City Wide” and are available for questions.

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**Steven Salmons, President & CEO, Windsor Port Authority**

Steven Salmons President & CEO, Windsor Port Authority appears before City Council and expresses concern with the recommendation in the administrative report dated October 11, 2024, entitled “2025 Stormwater and Wastewater Rate Setting Report - City Wide”; and concludes by citing concerns related to the process; how the fee increases proposed in the report were evaluated; the negative impact the fee increase will have on the affected lands; suggests that the implementation timeline be extended up to five years to allow for businesses to adjust their increases over time and build the cost into future contracts; and propose an increase to the credit for port lands not connected to the municipal system of up to 100% for self-contained port lands, or at least the equivalent to the Hamilton model of 90%.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

Decision Number: CR473/2024

- I. That the following wastewater rates **BE APPROVED** and **IMPLEMENTED** as of January 1, 2025:
  - A. Fixed Charge - To be based on the meter size as detailed in Appendix A (\$12.89 for residential customers)
  - B. Water Consumption Charge - To be based on a rate per cubic metre of water (\$2.01 per m3 of water for residential users and \$1.66 per m3 for commercial customers); and,
- II. That City Council **DIRECT** the City Treasurer to bring forth the 2025 Wastewater budget based on the approved Wastewater Rates as part of the annual Budget process; and,
- III. That in order to avoid charging a surcharge on the water that is estimated to not have been returned to the sewer system, water consumption for the purpose of calculating the wastewater bills for the extended summer months (May through October) continue to **BE BASED** on the lower of actual consumption or average winter usage (November through April) and that Administration **DIRECT** Enwin Utilities Ltd. (acting for the Windsor Utilities Commission) to continue to use the appropriate billing methodology to achieve this goal; and,
- IV. That the City Solicitor **BE DIRECTED** to prepare the Wastewater Bylaw (formerly known as the Sewer Surcharge Bylaw) to reflect the new rates and the segregation of the Stormwater component from this rate; and,
- V. That the following Stormwater monthly rates **BE APPROVED** and **IMPLEMENTED** as of January 1, 2025:
  - A. Residential Rate - To be based on tiered Impervious Area
    - a. Tier 1: \$22.50
    - b. Tier 2: \$28.17
    - c. Tier 3: \$33.83



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- B. Multi-Residential/Non-Residential/Other Rate - To be based on measured impervious area at a rate of \$1.26 per square meter of impervious area; and,
- VI. That City Council **DIRECT** the City Treasurer to bring forth the 2025 Stormwater budget based on the approved Stormwater Rates as part of the annual Budget process; and,
- VII. That the City Solicitor **BE DIRECTED** to create a new Stormwater Surcharge Bylaw to reflect the rates and policies approved in this report; and,
- VIII. That City Council **APPROVE** the transfer of 44% of the balance in the Sewer Surcharge Reserve (F153) as of December 31, 2024 to the Stormwater Reserve (F234); and,
- IX. That the City Treasurer **BE AUTHORIZED** to process transfers of funds between the Wastewater Reserve (F153) and the Stormwater Reserve (F234) during the fiscal year, which do not change the overall approved Wastewater and Stormwater rates, to allow for the transition of funding to the stormwater financing program; and,
- X. That City Council **DIRECT** the City Treasurer to effect the transfers of pre-commitments from the Wastewater Reserve (F153) to be funded from the Stormwater Reserve (F234) as detailed in Appendix D; and,
- XI. That City Council **APPROVE** in principle the Stormwater Financing Incentives program for residential properties described in this report and **DIRECT** the City Treasurer to bring forth the required budget to implement the Stormwater Financing Incentives program during the annual Budget process; and,
- XII. That City Council **APPROVE** the amended Stormwater Fee Credit Program Manual (dated October 8, 2024) attached in Appendix B and **AUTHORIZE** the City Engineer to make future amendments to the forms and templates contained in the Appendices of the Stormwater Fee Credit Program Manual; and,
- XIII. That City Council **APPROVE** the finalized Stormwater Financing Definitions and Policies described in Appendix C.

Carried.

Report Number: C 130/2024

Clerk's File: SW2024

## 11. REGULAR BUSINESS ITEMS (Non-Consent Items)

### 8.14. Response to CQ 34-2024 – The Naming/Dedicating of Storm Water Ponds near Little River Corridor in Recognition of Teachers and Mentors – Ward 7

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Renaldo Agostino

Decision Number: CR474/2024 CSSC 260

That an amount of \$1750.00 plus applicable HST for the Naming/Dedicating of Storm Water Ponds near Little River Corridor in Recognition of Teachers and Mentors for appropriate signage, including supply and installation **BE APPROVED**; and, that the amount **BE FUNDED** through Ward Funds.

Carried.

Report Number: SCM 302/2024 & S 128/2024  
Clerk's File: SR2024

## **12. CONSIDERATION OF COMMITTEE REPORTS**

### **12.2. Report of the Special Meeting of Council - In-Camera of its meeting held September 23, 2024**

Moved by - Councillor Fred Francis  
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR436/2024

That the report of the Special In-Camera meeting held September 23, 2024 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 321/2024  
Clerk's File: ACO2024

### **12.3. Report of the Striking Committee of its meeting held September 23, 2024**

Moved by: Councillor Fred Francis  
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR435/2024

That the report of the Striking Committee of its meeting held September 23, 2024 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 322/2024  
Clerk's File: ACO2024

### **12.4. Report of the Special Meeting of Council - In-Camera of its meeting held October 8, 2024**

Moved by: Councillor Fred Francis  
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR439/2024

That the report of the Special In-Camera meeting held October 8, 2024 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 323/2024  
Clerk's File: ACO2024

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### 13. BY-LAWS (First and Second Reading)

Moved by: Councillor Gary Kaschak

Seconded by: Councillor Angelo Marignani

That the following By-laws No. 153-2024 through 160-2024 (inclusive) be introduced and read a first and second time:

**153-2024** - A BY-LAW TO AMEND BY-LAW NUMBER 15-2010 BEING A BY-LAW TO APPOINT CHIEF BUILDING OFFICIAL, DEPUTY CHIEF BUILDING OFFICIALS AND INSPECTORS TO ENFORCE THE *BUILDING CODE ACT* AND REGULATIONS IN WINDSOR, authorized by by-law 98/2011 Section 27.1 (l)(i), dated June 7, 2011.

**154-2024** - A BY-LAW TO FURTHER AMEND BY-LAW 188-2000, BEING A BY-LAW TO APPOINT PROVINCIAL OFFENCES OFFICERS FOR THE CORPORATION OF THE CITY OF WINDSOR, authorized by by-law 98/2011 Section 27.1 (l)(i), dated June 7, 2011.

**155-2024** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR369/2024, dated September 9, 2024.

**156-2024** - A BY-LAW TO ADOPT AMENDMENT NO. 185 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR, authorized by CR423/2024, dated September 23, 2024.

**157-2024** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR423/2024, dated September 23, 2024.

**158-2024** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR398/2024, dated September 23, 2024.

**159-2024** - A BY-LAW TO DESIGNATE THE LANDS AND PREMISES SITUATE WITHIN THE CITY OF WINDSOR, MUNICIPALLY KNOWN AS 1958-1998 WYANDOTTE STREET EAST, TO BE OF CULTURAL HERITAGE VALUE OR INTEREST UNDER THE PROVISIONS OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O.18, AS AMENDED, authorized by CR232/2024, dated May 27, 2024.

**160-2024** - A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 28TH DAY OF OCTOBER, 2024.

Carried.

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### 14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Mark McKenzie

That the Committee of the Whole does now rise and report to Council respecting the business items considered by the Committee:

- 1) Communication Items (as presented)
- 2) Consent Agenda (as amended)
- 3) Items Deferred Items Referred (as amended)
- 4) Consideration of the Balance of Business Items (as amended)
- 5) Committee Reports as presented
- 6) By-laws given first and second readings as presented

Carried.

### 15. NOTICES OF MOTION

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Fred Francis

Decision Number: CR475/2024

That Rule 13.9 of the Procedure By-law **BE WAIVED** to introduce a motion for consideration without prior notice regarding changes to the approved recommendation in the report of the Coordinator, Parking Services dated September 3, 2024, entitled "Response to CQ 36-2023 – Repurposing of Lot 16".

Carried.

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Fred Francis

Decision Number: CR476/2024

That administration **BE DIRECTED** to report back regarding changes to the administrative recommendation in the report of the Coordinator, Parking Services dated September 3, 2024, entitled "Response to CQ 36-2023 – Repurposing of Lot 16" for Council's consideration.

Carried.

Councillor Kieran McKenzie gives notice that at the next regular meeting of Council he will introduce a motion for consideration regarding Bill 212 - Reducing Gridlock, Saving You Time Act, 2024 - Framework for bike lanes that require removal of a traffic lane.

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### 16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Jim Morrison  
Seconded by: Councillor Ed Sleiman

That the By-laws No. 153-2024 through 160-2024 having been read a first and second time be now read a third time and finally passed and that the Mayor and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.

Carried.

### 17. PETITIONS

#### 17.1. Petition regarding the safety concerns at the intersection of Central Avenue & Temple Drive

Moved by: Councillor Renaldo Agostino  
Seconded by: Councillor Fabio Costante

Decision Number: CR477/2024

That the petition presented by Councillor Ed Sleiman on behalf of Parkwood Manor regarding the safety concerns at the intersection of Central Avenue & Temple Drive **BE RECEIVED** by the Clerk and the Clerk **BE DIRECTED** to forward the petition to the Commissioner, Infrastructure Services & City Engineer for the purpose of an examination of the requested works or undertakings.

Carried.

Clerk's File: ACO/14715

#### 17.2. Petition regarding parking and traffic concerns on Erskine Street

Moved by: Councillor Renaldo Agostino  
Seconded by: Councillor Fabio Costante

Decision Number: CR478/2024

That the petition presented by Councillor Ed Sleiman on behalf of the residents on Erskine Street regarding parking and traffic concerns **BE RECEIVED** by the Clerk and the Clerk **BE DIRECTED** to forward the petition to the Commissioner, Infrastructure Services & City Engineer for the purpose of an examination of the requested works or undertakings.

Carried.

Clerk's File: ACO/14715

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### 18. QUESTION PERIOD

#### 18.3. CQ 45-2024

Moved by: Councillor Fred Francis

Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR479/2024

That the following Council Question by Councillor Fred Francis **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011, as amended:

CQ 45-2024:

**Assigned to: Commissioner, Infrastructure Services & City Engineer**

Asks that Administration provide a traffic flow status report for City Council's review. This report should identify if changes, reviews, or updates need to be made to the current Transportation Master Plan. Also, the report should identify any problematic trends or patterns that have been seen regarding traffic flow throughout the city.

Carried.

Clerk's File: ACOQ2024 & ST2024

#### 18.4. CQ 46-2024

Moved by: Councillor Fred Francis

Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR480/2024

That the following Council Question by Councillor Fred Francis **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011, as amended:

CQ 46-2024:

**Assigned to: Commissioner, Community & Corporate Services**

Asks that Administration provide a report pertaining to the use of Artificial Intelligence software within City business and operations. What is our plan to utilize AI within the City business and operations? How are other cities and different levels of government moving forward with the usage of AI?

Carried.

Clerk's File: ACOQ2024 & SI2024

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Moved by: Councillor Fred Francis  
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR481/2024

That administration **BE DIRECTED** to write a letter to the Provincial Government and Members of Provincial Parliament to encourage more consultation with municipalities on matters of planning & development before legislation is enacted; and,

That administration **BE DIRECTED** to request an in-person meeting with local Members of Provincial Parliament (MPP's) related to the consultation process and the recent changes to the legislation as provided by the City's legal department; and,

That administration **BE DIRECTED** to report back for further consideration of initiatives or suggestions from council; and,

That our local board member of the Association of Municipalities of Ontario (AMO)-Councillor Kieran McKenzie **BE REQUESTED** to bring the City's concerns forward to the Association of Municipalities of Ontario (AMO) organization for their consideration as per their process.  
Carried.

#### 18.5. CQ 47-2024

Moved by: Councillor Fred Francis  
Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR482/2024

That the following Council Question by Councillor Renaldo Agostino **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011, as amended:

CQ 47-2024:

#### **Assigned to: Commissioner, Human & Health Services**

Asks that Administration write a letter to the provincial government reiterating our support for the Ontario Big City Mayor's recent motion on chronic homelessness, mental health safety and the addictions crisis and the need for immediate and swift action and should this result in new or expanded mandatory treatment programs, that Windsor be consulted and considered for any pilot project or initiative.

Carried.

Clerk's File: ACOQ2024 & MH2024

**21. ADJOURNMENT**

Moved by: Councillor Angelo Marignani  
Seconded by: Councillor Jo-Anne Gignac

That this Council meeting stand adjourned until the next regular meeting of Council or at the call of the Mayor.  
Carried.

Accordingly, the meeting is adjourned at 11:21 o'clock a.m.

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Mayor

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City Clerk



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Adopted by Council at its meeting held October 28, 2024 (CR435/2024)

SV/bm

Windsor, Ontario, October 28, 2024

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**REPORT OF THE STRIKING COMMITTEE**  
**of its meeting held**  
**September 23, 2024**

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**Members in Attendance:**

Mayor Drew Dilkens  
Councillor Renaldo Agostino  
Councillor Fabio Costante  
Councillor Jo-Anne Gignac  
Councillor Gary Kaschak  
Councillor Angelo Marignani  
Councillor Kieran McKenzie  
Councillor Mark McKenzie  
Councillor Jim Morrison  
Councillor Ed Sleiman  
Councillor Fred Francis

**Also in attendance:**

Joe Mancina, Chief Administrative Officer  
Andrew Daher, Commissioner, Human and Health Services  
David Simpson, Commissioner of Infrastructure Services/City Engineer  
Janice Guthrie, Commissioner of Finance/City Treasurer  
Ray Mensour, Commissioner Community and Corporate Services  
Jelena Payne, Commissioner Economic Development  
Steve Vlachodimos, City Clerk  
Wira Vendrasco, City Solicitor  
Dana Paladino, Acting Senior Executive Director Corporate Services  
Matthew Stubbings, Mayor's Chief of Staff

**Declarations of Pecuniary Interest:**

None declared.

Your Committee submits the following recommendation:

- (1) That the City Clerk **BE DIRECTED** to undertake a recruitment for additional members for the ***Community Public Art Working Group***.

MAYOR

CITY CLERK

**SPECIAL MEETING OF COUNCIL – IN CAMERA**  
**September 23, 2024**

**Meeting called to order at: 2:31 p.m.**

**Members in Attendance:**

Mayor Drew Dilkens  
Councillor Renaldo Agostino  
Councillor Fabio Costante  
Councillor Fred Francis  
Councillor Jo-Anne Gignac  
Councillor Gary Kaschak  
Councillor Angelo Marignani  
Councillor Kieran McKenzie  
Councillor Mark McKenzie  
Councillor Jim Morrison  
Councillor Ed Sleiman

**Also in attendance:**

Joe Mancina, Chief Administrative Officer  
Andrew Daher, Commissioner, Human and Health Services (Items 1-4)  
David Simpson, Commissioner of Infrastructure Services/City Engineer  
(Items 1-4)  
Janice Guthrie, Commissioner of Finance/City Treasurer (Items 1-4)  
Ray Mensour, Commissioner Community and Corporate Services  
(Items 1-4)  
Jelena Payne, Commissioner Economic Development  
Steve Vlachodimos, City Clerk  
Wira Vendrasco, City Solicitor  
Dana Paladino, Acting Senior Executive Director Corporate Services  
(Items 1-4)  
Matthew Stubbings, Mayor's Chief of Staff  
Neil Robertson, City Planner (Item 5)

**Verbal Motion is presented by Councillor Renaldo Agostino, seconded by Councillor Ed Sleiman, to move in Camera for discussion of the following item(s):**

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Item No.	Subject & Section - Pursuant to <i>Municipal Act, 2001</i> , as amended
1	Property matter – expropriation amendment, Section 239(2)(c)
2	Property matter – acquisition of land, Section 239(2)(c)
3	Property/Plan matter – agreement, Section 239(2)(c)(k)
4	Personal matter – about an identifiable individual – appointment, Section 239(2)(b)
5	Personal matter – about an identifiable individual – <u>verbal</u> report, Section 239(2)(b)

**Motion Carried.**

**Declarations of Pecuniary Interest:**

None disclosed.

**Discussion on the items of business.**

**Verbal Motion is presented by Councillor Fred Francis, seconded by Councillor Angelo Marignani, to move back into public session.**  
**Motion Carried.**

**Moved by Councillor Mark McKenzie, seconded by Councillor Fabio Costante,**  
**THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held September 23, 2024 directly to Council for consideration at the next Regular Meeting.**

1. That the recommendation contained in the in-camera report from the Manager of Real Estate Services, City Solicitor, Acting Senior Executive Director of Corporate Services, Commissioner of Community and Corporate Services, Executive Director of Engineering/Deputy City Engineer, Commissioner of Infrastructure Services and Commissioner of Finance/City Treasurer respecting a property matter – expropriation amendment **BE APPROVED.**

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2. That the in-camera report from the Executive Director of Parks and Facilities, City Solicitor, Senior Executive Director of Corporate Services, Commissioner of Community Services and Commissioner of Finance/City Treasurer respecting a property matter – acquisition of land **BE RECEIVED**, and further Administration **PROCEED** on the verbal direction of Council.
3. That the recommendation contained in the in-camera report from the Manager of Development Revenue and Financial Administration, Executive Director of Recreation and Culture, Manager of Corporate Projects, Commissioner of Community and Corporate Services and Commissioner of Finance/City Treasurer respecting a property/plan matter - agreement **BE APPROVED**.
4. That the recommendation contained in the in-camera report from the Executive Director of Human Resources, Senior Executive Director of Corporate Services, Commissioner of Community and Corporate Services and Commissioner of Finance/City Treasurer respecting a personal matter about an identifiable individual - appointment **BE APPROVED**.
5. That the confidential verbal report from the Chief Administrative Officer regarding a personal issue – about an identifiable individual **BE RECEIVED**.

**Motion Carried.**

**Moved by Councillor Kieran McKenzie, seconded by Councillor**

**Fabio Costante,**

**That the special meeting of council held September 23, 2024 BE ADJOURNED.**

**(Time: 3:02 p.m.)**

**Motion Carried.**

**Item No. 4.2**



**Committee Matters: SCM 329/2024**

**Subject: Report of the Special Meeting of Council of its meeting held November 4, 2024.**

**Special Meeting of Council**

**Date: Monday November 4, 2024**

**Time: 4:15 o'clock p.m.**

**Members Present:**

**Mayor**

Mayor Dilkens

**Councillors**

Ward 1 – Councillor Fred Francis

Ward 2 – Councillor Fabio Costante (Regrets conveyed)

Ward 3 – Councillor Renaldo Agostino (Participated electronically)

Ward 4 – Councillor Mark McKenzie

Ward 5 – Councillor Ed Sleiman (Participated electronically)

Ward 6 – Councillor Jo-Anne Gignac (Participated electronically)

Ward 7 – Councillor Angelo Marignani

Ward 8 – Councillor Gary Kaschak (Participated electronically)

Ward 9 – Councillor Kieran McKenzie

Ward 10 – Councillor Jim Morrison

**Clerk's Note:** Some members of Council participated via video conference in accordance with Procedure By-law 98-2011 as amended, which allows for electronic participation.

**1. ORDER OF BUSINESS**

**2. CALL TO ORDER**

The Mayor calls the meeting to order at 4:15 o'clock p.m.

**3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

None disclosed.

**4. COMMITTEE OF THE WHOLE**

Moved by: Councillor Jim Morrison

Seconded by: Councillor Angelo Marignani

That Council do now rise and move into Committee of the Whole with the Mayor presiding for the purpose of dealing with:

(a) consideration of by-law 161-2024 and 162-2024 (inclusive).

Carried.

**9. REQUESTS FOR DEFERRALS, REFERRALS OR WITHDRAWALS**

None requested.

**10. PRESENTATIONS AND DELEGATIONS**

None.



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## Special Meeting of Council Monday November 4, 2024

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### 13. BY-LAWS (First and Second Readings)

Moved by: Councillor Fred Francis  
Seconded by: Councillor Mark McKenzie

That the following By-laws No. 161-2024 and 162-2024 (inclusive) be introduced and read a first and second time:

13.1. **BY-LAW 161-2024** A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN REGISTERED PLAN 12M-676 IN THE CITY OF WINDSOR. Authorized by By-law 139-2013, dated August 26, 2013.

13.2. **BY-LAW 162-2024** A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS SPECIAL MEETING HELD ON THE 4TH DAY OF NOVEMBER, 2024.

### 14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Jim Morrison  
Seconded by: Councillor Kieran McKenzie

- 1) Items Deferred  
Items Referred
  - 2) By-laws given first and second readings
- Carried.

### 15. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Angelo Marignani  
Seconded by: Councillor Fred Francis

That the By-laws No. 161-2024 and 162-2024 having been read a first and second time be now read a third time and finally passed and that the Mayor and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.  
Carried.

**16. ADJOURNMENT**

Moved by: Councillor Jo-Anne Gignac  
Seconded by: Councillor Gary Kaschak

That this Council meeting stand adjourned until the next regular meeting of Council or at the call of the Mayor.

Carried.

Accordingly, the meeting is adjourned at 4:16 o'clock p.m.

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Mayor

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City Clerk



Correspondence Report: CMC 15/2024

ATTACHMENTS

Subject: Correspondence for Monday, November 25, 2024 City Council Meeting

No.	Sender	Subject
7.1.1	Enbridge Gas Inc	Enbridge Gas Inc - 2025 Federal Carbon Pricing Program (FCPP) Application - OEB Notice.  MU2024 Note & File
7.1.2	Dillon Consulting  and  Kevin Webb, Manager, Environmental Quality	Notice of Intention to Apply Non-Potable Groundwater Site Condition Standards – Record of Site Condition – 0 Riverside Drive West  Commissioner, Infrastructure Services & City Engineer Manager, Environmental Quality EI/11165 Note & File
7.1.3	Dragun Corporation  and  Kevin Webb, Manager, Environmental Quality	Notice of Use of Non-Potable Site Condition Standards at 245 Louis Avenue  Commissioner, Infrastructure Services & City Engineer Manager, Environmental Quality EI/11165 Note & File
7.1.4	City Planner	Application for Zoning By-law Amendment, 1495754 Ontario Inc. (Terry Rafih), 0 Esplanade Drive, to permit a 4-storey multiple dwelling residential building.  Z/14874 Note & File

7.1.5	City Planner	<p>Application for Zoning By-law Amendment, Rafco Property Trust Ltd., 0 Howard Avenue, to permit a new multiple unit residential dwelling as a permitted use where only a commercial building was permitted.</p> <p style="text-align: right;">Z/14877 Note &amp; File</p>
7.1.6	City Planner	<p>Application for Zoning By-law Amendment, Marko Agbaba, 1066 California Avenue, to permit a townhome dwelling as an additional permitted use where only an existing duplex, existing semi-detached, and one single unit dwelling are permitted.</p> <p style="text-align: right;">Z/14876 Note &amp; File</p>
7.1.7	City Planner	<p>Application for Zoning By-law Amendment, Baker Investments, Ltd., 0 Wyandotte Street East, to permit a new multiple-use dwelling building as an additional permitted use where only commercial development is permitted.</p> <p style="text-align: right;">Z/14875 Note &amp; File</p>
7.1.8	Committee of Adjustment	<p>Applications to be heard by the Committee of Adjustment/Consent Authority, Thursday, November 28, 2024</p> <p style="text-align: right;">Z2024 Note &amp; File</p>

### Enbridge Gas Inc. has applied to increase its natural gas distribution rates

Enbridge Gas Inc. has applied to increase its natural gas rates effective April 1, 2025, to recover costs associated with meeting its obligations under the *Greenhouse Gas Pollution Pricing Act* and the regulations under the *Ontario Emissions Performance Standards*, as well as to recover other related account balances.

If the application is approved as filed, a typical residential customer of Enbridge Gas Inc. would see the following total annual increase:

<b>EGD Rate Zone (2,400 m3)</b>	<b>\$70.84</b>
<b>Union South Rate Zone (2,200 m3)</b>	<b>\$63.83</b>
<b>Union North Rate Zone (2,200 m3)</b>	<b>\$64.10</b>

For a typical residential customer, these increases include an annual bill increase arising from the 2025 carbon charges of \$68.71 (EGD) and \$62.98 (Union South and Union North); plus, a one-time charge of \$2.13 (EGD), \$0.85 (Union South) and \$1.12 (Union North) to recover the balances in the related deferral and variance accounts.

Other customers, including businesses, will also be affected. It's important to review the application carefully to determine whether you may be affected by the proposed changes.

The federal government's *Greenhouse Gas Pollution Pricing Act* establishes a carbon pricing program under which a natural gas utility in Ontario, such as Enbridge Gas Inc., is required to pay a carbon charge to the federal government on the volume of natural gas that it delivers to its customers, and on the volume of natural gas used in the operation of Enbridge Gas Inc.'s natural gas distribution system. The federal carbon charge came into effect on April 1, 2019, has increased annually on April 1<sup>st</sup> between 2020 and 2024 and will increase again on April 1, 2025.

The *Ontario Emissions Performance Standards* program is the Ontario government's carbon pricing system for industrial emitters that came into effect on January 1, 2022, and replaced the federal government's Output-Based Pricing System in Ontario.

#### YOU SHOULD KNOW

There are three types of OEB hearings: oral, electronic and written. The applicant has applied for, and the OEB intends to proceed with, a written hearing. If you think a different hearing type is needed, you can write to us to explain why.

This hearing will be held under section 78 of the **Ontario Energy Board Act, 1998**.

Ce document est aussi disponible en français.

During this hearing, we will hear questions and arguments from participants about this case. We will also hear questions and arguments from participants that have registered as Intervenors. After the hearing, we will decide whether to approve the application.

#### HAVE YOUR SAY

You have the right to information about this application and to participate in the process.

Visit [www.oeb.ca/notice](http://www.oeb.ca/notice) and use file number **EB-2024-0251** to:

- Review the application
- File a letter with your comments
- Apply to become an intervenor

#### IMPORTANT DATES

You must engage with the OEB on or before **November 12<sup>th</sup>, 2024** to:

- Provide input on the hearing type (oral, electronic or written)
- Apply to be an intervenor

If you do not, the hearing will move forward without you, and you will not receive any further notice of the proceeding.

#### PRIVACY

If you write a letter of comment, your name and the content of your letter will be put on the public record and the OEB website. If you are a business or if you apply to become an intervenor, all the information you file will be on the OEB website.

#### LEARN MORE

##### Ontario Energy Board

☎ /TTY: 1 877-632-2727

🕒 Monday - Friday: 8:30 AM - 5:00 PM

🌐 [oeb.ca/notice](http://oeb.ca/notice)

##### Enbridge Gas Inc.

☎ 1 877-362-7434

🕒 Monday - Friday: 8:30 AM - 5:00 PM

🌐 <https://www.enbridgegas.com/en/about-enbridge-gas/regulatory>



Justin Egan  
Technical Manager  
Regulatory Applications  
Regulatory Affairs

Tel: 519-350-3398  
Email: justin.egan@enbridge.com  
EGIRegulatoryProceedings@enbridge.com

Enbridge Gas Inc.  
P.O. Box 2001  
50 Keil Drive N.  
Chatham, Ontario, N7M 5M1

September 26, 2024

**VIA RESS AND EMAIL**

Nancy Marconi  
Registrar  
Ontario Energy Board  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, ON M4P 1E4

Dear Nancy Marconi:

**Re: Enbridge Gas Inc. (Enbridge Gas)  
Ontario Energy Board (OEB) File No.: EB-2024-0251  
2025 Federal Carbon Pricing Program (FCPP) Application  
Application and Evidence**

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Enclosed is the application and pre-filed evidence of Enbridge Gas for its 2025 FCPP (the Application).

Enbridge Gas is seeking OEB approval of just and reasonable rates effective April 1, 2025, for the EGD and Union rate zones, to recover the costs associated with the FCPP as a pass-through to customers. Enbridge Gas is also seeking OEB approval to dispose of the 2023 balances recorded in its FCPP-related deferral and variance accounts, excluding the Customer Carbon Charge – Variance Accounts (CCCVAs), effective April 1, 2025.

Subject to the OEB's decision, Enbridge Gas intends to reflect 2025 increases to rates for the Federal Carbon Charge and Facility Carbon Charge, and the one-time billing adjustment related to the disposition of 2023 FCPP-related deferral and variance account balances as early as the April 1, 2025 Quarterly Rate Adjustment Mechanism (QRAM) application.

Enbridge Gas requests that the OEB issue orders granting the approvals requested on a final basis by February 6, 2025. Should the OEB determine that it is not possible to review and grant the approvals requested by such date, Enbridge Gas requests that the OEB grant approval of just and reasonable rates effective April 1, 2025 on an interim basis by February 6, 2025. Given the significance of Enbridge Gas's obligations related to the FCPP and considering the magnitude of the associated rate increases, it is appropriate to avoid continued accumulation of unbilled and uncollected amounts from customers that could result in a larger impact on bills when such amounts are recovered in the future.

If you have any questions, please contact the undersigned.

Sincerely,

Justin Egan  
Technical Manager Regulatory Applications

EXHIBIT LIST

A – ADMINISTRATION

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents</u>
A	1	1	Exhibit List
		2	Application
		3	Glossary of Acronyms and Defined Terms
	2	1	Overview
		2	Federal Carbon Charge Impact On Customer Consumption

B- FORECASTS

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents</u>
B	1	1	Forecasts – Overview
			Appendix A – Enbridge Gas Estimated EPS Compliance Obligation
	2	1	Forecasts - EGD Rate Zone
		2	EGD Rate Zone – 2024 Customer Related Volume Forecast by Rate Class (April 2024 to March 2025)
		3	EGD Rate Zone – 2024 Facility Related Volume Forecast
		4	EGD Rate Zone – 2024 Forecast Compressor Emissions
5	EGD Rate Zone - 2024 Forecast EPS Obligation		
6	EGD Rate Zone – 2024 Summary of Customer-Related and Facility-Related Costs		

EXHIBIT LIST

B- FORECASTS

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents</u>
	3	1	Forecasts - Union Rate Zones
		2	Union Rate Zones – 2024 Customer-Related Volume Forecast by Rate Class (April 2024 to March 2025)
		3	Union Rate Zones - 2024 Facility-Related Volume Forecast
		4	Union Rate Zones – 2024 Forecast Compressor Emissions
		5	Union Rate Zones – 2024 Forecast EPS Obligation
		6	Union Rate Zones – 2024 Summary of Customer-Related and Facility-Related Costs

C – DEFERRAL AND VARIANCE ACCOUNTS

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents</u>
C	1	1	Deferral and Variance Accounts

D - COST RECOVERY

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents</u>
D	1	1	Cost Recovery
	2	1	EGD Rate Zone – Derivation of Federal Carbon Charge and Facility Carbon Charge Unit Rates
		2	EGD Rate Zone - Bill Impacts
		3	EGD Rate Zone – FCPP-Related Deferral and Variance Accounts Balances and Allocation



EXHIBIT LIST

D - COST RECOVERY

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents</u>
D	2	4	EGD Rate Zone – FCPP-Related Deferral and Variance Account Clearance Unit Rates
		5	EGD Rate Zone – FCPP-Related Deferral and Variance Account Clearance Bill Impacts
	3	1	Union Rate Zones – Derivation of Federal Carbon Charge and Facility Carbon Charge Unit Rates
		2	Union Rate Zones – Bill Impacts
		3	Union Rate Zones – FCPP-Related Deferral and Variance Account Balances and Allocations
		4	Union Rate Zones – FCPP-Related Deferral and Variance Account Clearance Unit Rates and Ex-Franchise Amounts
		5	Union Rate Zones – FCPP - Related Deferral and Variance Account Clearance Bill Impacts

For the full application, please follow this link:

**Ontario Energy Board - File No.: ED-2024-0251**

<https://www.oeb.ca/applications/applications-oeb/current-major-applications/eb-2024-0251>



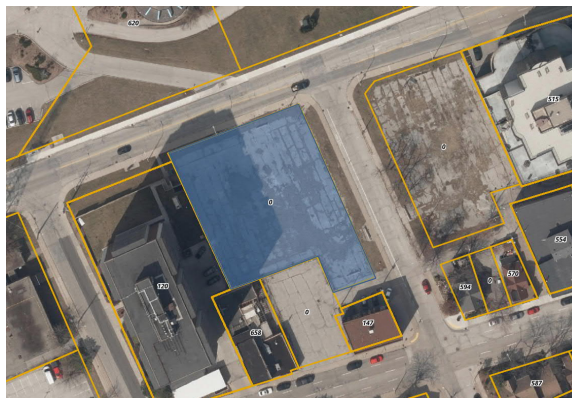
October 31, 2024

The Corporation of the City of Windsor  
350 City Hall Square West, Suite 320  
Windsor, Ontario  
N9A 6S1

Attention: Mr. Kevin Webb  
Manager Environmental Quality

*Notice of Intention to Apply Non-Potable Groundwater Site Condition Standards  
Record of Site Condition – 0 Riverside Drive West, Windsor*

Dillon Consulting Limited has been retained to obtain a Record of Site Condition for the property located at 0 Riverside Drive West, Windsor, Ontario (PIN 01196-0323 [LT]; see property boundary below). The property is located southwest at the intersection of Janette Avenue and Riverside Drive West.



We intend to apply Table 3 Full Depth Generic Site Condition Standards (SCSs) in a Non-Potable Ground Water Condition for Residential/Parkland/Institutional Property Use for Fine-Grained Soil for the property under O.Reg. 153/04 – Record of Site Condition – Part XV.1 of the Environmental Protection Act. Please confirm there is no objection with the application of these standards for this property. If a response is not received within 30 days of the date of this letter, Table 3 SCS will be considered acceptable for filing an RSC for the Site per O.Reg 153/04

Yours sincerely,  
DILLON CONSULTING LIMITED

Jeff Carson, P.Eng., QP<sub>ESA</sub>  
Environmental Engineer  
Our file: 20-3513

1 Riverside Drive West  
12<sup>th</sup> Floor  
Windsor, Ontario  
Canada  
N9A 5K3  
Telephone:  
519.992.7270  
Fax:  
519.948.5054

Dillon Consulting  
Limited

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**Subject:** FW: Letter of Notice on Non-Potable Standards -0 Riverside Drive West, Windsor (Janette at Riverside)  
**Attachments:** Letter - Notice of Non-Potable Standards Letter - 0 Riverside Drive West, Windsor.pdf

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**From:** Webb, Kevin <KWebb@citywindsor.ca>  
**Sent:** November 5, 2024 11:29 AM  
**To:** Antaya, Matthew <mantaya@dillon.ca>  
**Cc:** clerks <clerks@citywindsor.ca>; 'jcarson@dillon.ca' <jcarson@dillon.ca>  
**Subject:** FW: Letter of Notice on Non-Potable Standards -0 Riverside Drive West, Windsor (Janette at Riverside)

Good morning Matthew,

Regarding your request to apply non-potable groundwater condition standards to the subject property (0 Riverside Dr. W., Windsor, Ontario) , under regulation O.Reg. 153/04 – Record of Site Condition – Part XV.1 of the Environmental Protection Act. You have stated that you intend to apply Table 3 Full Depth Generic Site Condition Standards (SCSs) in a Non-Potable Ground Water Condition for Residential/Parkland/Institutional Property. Use for Fine-Grained Soil for the property under O.Reg. 153/04 – Record of Site Condition – Part XV.1 of the Environmental Protection Act.

Based on our own research in our EIS System and in consideration that the property has access to the Windsor Utilities Commission potable water distribution system, the City of Windsor has no objection to the application of non-potable ground water Standards for a Record of Site Condition at the property identified as (0 Riverside Dr. W., Windsor, Ontario).

If you have any questions please feel free to reply.

Kevin Webb | Manager Environmental Quality



Office of the Commissioner of Infrastructure Services | Pollution Control  
4155 Ojibway Parkway | Windsor ON | N9C 4A5  
Office: 519 253 7217 ext 3330  
Cell: 519 791 7844  
[kwebb@citywindsor.ca](mailto:kwebb@citywindsor.ca)

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2996 Deziel Drive, Unit B, Windsor, ON N8W 5H8 • Phone: 519.948.7300 • www.dragun.ca

October 29, 2024

City Clerk  
City of Windsor  
350 City Hall Square, Room 530  
Windsor, Ontario N9A 6S1

SUBJECT: Use of Non-Potable Site Condition Standards at  
245 Louis Avenue  
Windsor, Ontario  
Dragun Project # C31225-04

Attention: City Clerk, City of Windsor:

Dragun Corporation (Dragun), on behalf of Hiatus House, has plans to submit a Record of Site Condition (RSC) for the property located at 245 Louis Avenue in Windsor, Ontario (the Property). It is our intention to use Table 3: Full Depth Generic Site Condition Standard in a Non-Potable Groundwater Condition as allowed in Ontario Regulation 153/04 (amended by O. Reg. 511/09).

Our decision to use the Non-Potable Site Condition Standards is based on the following conditions being met:

- Municipal water is available at this property, as well as all properties within 250 metres (m).
- According to water-well data from the MECP, there are 11 water-well records located within 250 m of the Property. These well records are located on sites east and northeast of the Property. The wells were installed at depths of 7.6 metres below grade level (mbgl) or less. Five of those wells were installed as monitoring wells. Records for the six remaining wells document abandonment procedures. Static water levels at these wells were not recorded. Based on review of the well boring logs, the surficial soils consisted of clayey silt.
- The Property is currently zoned RD2.2 Residential District – Medium Density.
- According to the MECP Source Protection Information Atlas, the Property is not located in a source protection area.
- The Property is not located in an area designated on a municipal official plan as an Environmentally-Sensitive Area.
- The soil pH is between five and nine.
- The soil thickness exceeds 2 m throughout the Property.

City Clerk, City of Windsor

October 29, 2024

Page 2

- No water body is located on, or adjacent to, the Property. The Detroit River is located 210 m to the north of the Property.

If requested, we can provide copies of the water-well data provided by the MECP.

Ontario Regulation 153/04 requires that written notification be given “to the clerk of the local municipality, and any upper tier municipality, of the proposal to use Non-Potable Site Condition Standards.”

If Dragun does not receive a written response objecting to the use of Non-Potable Site Condition Standards within thirty (30) days, we will presume that the City of Windsor does not object to the use of Non-Potable Site Condition Standards at the above-noted property.

To expedite receipt of any documentation, please e-mail any response to the attention of Kevin Ho at [kho@dragun.com](mailto:kho@dragun.com).

If you have any questions, or if additional information is required, please do not hesitate to contact us at 519-948-7300.

Sincerely,

DRAGUN CORPORATION



Kevin Ho, GIT  
Environmental Scientist



Christopher G. Paré P. Geo  
Hydrogeologist

KH/CGP/amr

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**Subject:** FW: Record of Site Condition - Use of Non-Potable Site Condition Standards - 245 Louis Ave. Windsor, ON  
**Attachments:** C31225-04 Letter to City Clerk, 2024-10-29.pdf

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**From:** Webb, Kevin <KWebb@citywindsor.ca>  
**Sent:** November 6, 2024 7:39 AM  
**To:** 'Chris Pare' <cpare@dragun.com>; clerks <clerks@citywindsor.ca>  
**Cc:** Amy Reynolds <areynolds@dragun.com>; Kevin Ho <Kho@dragun.com>  
**Subject:** RE: Record of Site Condition - Use of Non-Potable Site Condition Standards - 245 Louis Ave. Windsor, ON

Good morning Chris,

Regarding your request to submit a Record of Site Condition (RSC) for the subject property (245 Louis Ave, Windsor, Ontario) , using Table 3: Full Depth Generic Site Condition Standard in a Non-Potable Groundwater Condition as allowed in Ontario Regulation 153/04 (amended by O.Reg. 511/09).

Based on our own research in our EIS System and in consideration that the property has access to the Windsor Utilities Commission potable water distribution system, the City of Windsor has no objection to the application of non-potable ground water Standards for a Record of Site Condition at the property identified as (245 Louis Ave., Windsor, Ontario).

If you have any questions please feel free to reply.

Kevin Webb | Manager Environmental Quality



Office of the Commissioner of Infrastructure Services | Pollution Control  
4155 Ojibway Parkway | Windsor ON | N9C 4A5  
Office: 519 253 7217 ext 3330  
Cell: 519 791 7844  
[kwebb@citywindsor.ca](mailto:kwebb@citywindsor.ca)

**PLANNING AND DEVELOPMENT SERVICES**

**Memo**

**To:** City Clerk  
**From:** City Planner/Executive Director  
**Date:** October 25, 2024  
**Subject:** TRANSMITTAL OF NEW FILE  
**Our File Number: Z-033/24 [ZNG-7238]**  
**RE:** Application For: (X) Zoning Amendment ( ) Official Plan Amendment  
( ) Part Lot Control ( ) Draft Plan of Subdivision/Condominium

Applicant: 1495754 ONTARIO INC.

Location: 0 ESPLANADE DRIVE

Description: The applicant proposes construction of a 4-storey multiple dwelling residential building covering 1,435.4m<sup>2</sup> (15,450 sq. ft) of the site. The proposal includes a total of 54 units and 77 parking spaces in a surface lot.

The ZONING BY-LAW AMENDMENT application submitted on SEPTEMBER 18, 2024 by 1495754 ONTARIO INC. for 0 ESPLANADE DRIVE has been deemed complete on OCTOBER 23, 2024.

Enclosures:

- (X) 1 copy of Application Form
- ( ) 1 copy of Drawings
- ( ) 1 copy of Site Plan



Neil Robertson, MCIP, RPP  
City Planner/Executive Director

NR/nm



October 24, 2024

Dillon Consulting Ltd.  
c/o Amy Farkas  
1 Riverside Dr. W., 12<sup>th</sup> floor  
Windsor, ON N9A 5K3

Dear Agent,

**Re: ZONING BY-LAW AMENDMENT APPLICATION**

**APPLICANT: 1495754 ONTARIO INC.**

**LOCATION: 0 ESPLANADE DRIVE**

**FILE NO.: Z-033/24 [ZNG/7238]**

I acknowledge receipt of a Zoning By-law Amendment Application. Per the delegation authority in By-Law 139-2013, the required information and material submitted on September 18, 2024 was deemed COMPLETE on October 23, 2024. Processing has begun.

Please be advised that following the passing of [Official Plan Amendment No. 181](#) on September 9, 2024 the site falls within an area of Archeological Potential, and as such, an [Archeological Assessment](#) will be required as part of the Site Plan Control approval process. As Archaeological Consultants can be difficult to schedule, it may be in the applicant's best interest to engage an Archeological Consultant as soon as possible.

You will be advised prior to the Development & Heritage Standing Committee and Council meetings of the position of Planning & Development Services on the application and the dates of the public meetings.

Please email me at [jabbs@citywindsor.ca](mailto:jabbs@citywindsor.ca), if you have any questions.

Sincerely,



Jim Abbs  
Planner III – Economic Development

JA/nm

## ZONING BY-LAW AMENDMENT APPLICATION

### INSTRUCTIONS

**Verify that you are using the most current application form.**

- Section 1: Before this application can be submitted, you must complete both Stage 1 and Stage 2 Planning Consultation Applications.
- Section 2: During the Stage 2 process, any required studies must be completed and submitted for review and comment. The final studies for Stage 2 must be included with this application and the proposal must remain unchanged.
- Section 3: Provide the full name, address, phone number, fax number and email address of the applicant, agent, and registered owner. If any of these are a corporation, provide the full corporate name. Include the full name of the contact person. If there is more than one person, corporation, or registered owner, use additional sheets.
- Section 4: Indicate if you are submitting other companion applications with this application. Please note that an application to amend the Official Plan or an application for Plan of Subdivision/Condominium are the only applications that will be accepted for processing concurrently with a Zoning Amendment.
- Section 5: Provide information about the subject land. This information is used to determine supporting information requirements and to assist in the review of the application.
- Section 6: Indicate the amendment, proposed uses and describe the nature and extent of the amendment being requested. Indicate why the amendment is being requested and how it is consistent with the Provincial Policy Statement and conforms to the City of Windsor Official Plan.
- Section 7: If there are any existing buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows this information.
- Section 8: If you propose to build any buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows the information.
- Section 9: Indicate how the property is accessed. Check all boxes that apply.
- Section 10: Provide information about water service, sanitary sewage disposal, and storm drainage.
- Section 11: Provide a sketch of the subject land showing, in metric units, the items listed or indicate if this information is provided on an existing plan or a conceptual site plan.
- Section 12: Please refer to the Stage 2 Planning Consultation letter for details regarding the fees needing to be paid.
- Section 13: Explain your proposed strategy for consulting with the public with respect to the application.
- Section 14: Complete and sign in the presence of a Commissioner of Taking Affidavits.
- Other: Read, complete in full, and sign Schedules A & E.

Submit application form, supporting information, and application fee to Senior Steno Clerk at Planning & Development Services, Suite 210, 350 City Hall Square West, Windsor ON N9A 6S1 or [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)

### TYPE OF REZONING AMENDMENT

### DATE RECEIVED STAMP

The type of amendment is stated in the Stage 2 Consultation letter.

#### **Minor Zoning Amendment:**

- Site zoned commercial, institutional, or manufacturing
  - Addition to the list of permitted uses
- Site already zoned
  - Change to existing regulations or to zoning district boundary to match lot lines
- Site designated in the Official Plan for residential use
  - Rezoning to accommodate a maximum of six dwelling units
- Site designated in the Official Plan for the proposed use other than residential
  - Site-specific zoning for a site with a lot area of less than 1,000.0 m<sup>2</sup>

**Major Zoning Amendment:** Any other amendment not listed as minor.

# ZONING BY-LAW AMENDMENT APPLICATION

## ZONING BY-LAW AMENDMENT PROCESS

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The application will be terminated without notice after 60 days of inactivity. The following is for your information only. Review the Planning Act and relevant regulations for statutory requirements. The processing of the application is subject to change. Direct all questions to the assigned Planner. The process is generally as follows:

1. The application is reviewed to ensure all prescribed and required information and the fee have been submitted. Within 30 days of the receipt of the application, you will be notified in writing that the application is deemed incomplete or complete.
2. If deemed incomplete, the application and fee will be returned. If deemed complete, fees are not refundable, the application is circulated to departments and external agencies for review and comment, and all submitted documents are made available to the public.
3. Following circulation, a draft staff report containing a recommendation and any conditions is prepared. The City Planner and other staff review the draft staff report.
4. When the staff report is approved by appropriate municipal staff, it will be scheduled for a future meeting of the Development and Heritage Standing Committee (DHSC).
5. The DHSC meeting is the public meeting required by the Planning Act. Public notice of the DHSC meeting is advertised in the Windsor Star, a local newspaper, at least 20 days in advance of the DHSC meeting. A courtesy notice may be mailed to property owners and/or tenants within 120 metres or more of the subject land.
6. 10 days prior to the DHSC meeting, the staff report is circulated to the applicant and DHSC members and made available to the public. All supporting documentation submitted by the applicant is available for review.
7. At the DHSC meeting, a staff planner may make a presentation. The applicant and other parties have an opportunity to provide verbal and/or written submissions. The DHSC may ask questions of staff, the applicant, agent, and other parties. The DHSC may decide to defer or recommend approval or denial of the application.
8. If deferred, the application along with any additional information or a new staff report will be considered at a future DHSC meeting. If recommended for approval or denial, the staff report, the minutes of the DHSC meeting, and the amending by-law are forwarded to City of Windsor Council for consideration at a future date. The applicant, agent and all interested parties will be notified by Council Services of the date, time, and location of the Council meeting. Call 311 or contact Council Services at 519-255-6211 or [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca).
9. The application may be placed on the Consent Agenda of the Council Meeting, a part of the meeting where Council approves several matters with a single motion. If the application is not on the Consent Agenda, the staff planner may introduce the application, review the staff recommendation and any additional information provided to Council, and advise Council of any differences between the staff and DHSC recommendations. The applicant and other interested parties have an opportunity to make verbal and/or written submissions. Council may decide to approve, deny, or defer the application. If Council approves the application, the amending by-law may be approved at the same Council meeting, otherwise it will be approved at a future Council meeting.
10. When the amending by-law is passed, Council Services will mail a notice of the passing of the amending by-law to property owners and various public agencies within 15 days. There is a 20-day appeal period commencing the day after this notice is given. The notice will include the last day to file an appeal. An appeal is made to the Ontario Land Tribunal (OLT) through Council Services. If no appeal is filed, the amending by-law is final and binding as of the date of Council's passing of the by-law. Contact Council Services at 519-255-6211 or [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca).
11. If the rezoning is subject to a holding symbol, it is the responsibility of the property owner to satisfy the conditions to remove the holding symbol, to apply, and to pay the fee to remove the holding symbol.

## CONTACT INFORMATION

---

Planning & Development Services  
Suite 210  
350 City Hall Square West  
Windsor ON N9A 6S1

Telephone: 519-255-6543  
Fax: 519-255-6544  
Email: [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)  
Web Site: [www.citywindsor.ca](http://www.citywindsor.ca)

# ZONING BY-LAW AMENDMENT APPLICATION

## 1. PLANNING CONSULTATION – Completion of Stage 2

Planning Consultation (Stage 2 Application) must be completed before this application can be submitted.

Has the Planning Consultation Stage 2 Application been completed? NO  YES  File Number: PC- \_\_\_\_\_

*Staff Use Only*

Signature of Staff Planner	Date of Consultation
<input type="checkbox"/> Jim Abbs <input type="checkbox"/> Brian Nagata <input type="checkbox"/> Adam Szymczak	<input type="checkbox"/> Kevin Alexander <input type="checkbox"/> Justina Nwaesei <input type="checkbox"/> _____
<input type="checkbox"/> Tracy Tang <input type="checkbox"/> Simona Simion	<input type="checkbox"/> Frank Garardo <input type="checkbox"/> Laura Strahl

## 2. REQUIRED SUPPORTING INFORMATION as Identified in the Planning Consultation Stage 2 Process:

For each document, provide one paper copy, and where possible, one digital copy on a USB flash drive or by email. All drawings or plans shall be in letter size (8.5 x 11 inches) in JPG and PDF format. All other document shall be provided in Word and PDF format. **All PDF documents shall be flattened with no layers.**

The City of Windsor reserves the right to require additional supporting information during the processing of the application. All supporting information submitted is made available for public review.

If you are submitting a companion application submit only one set of documents.

*Staff Use Only*

<input checked="" type="checkbox"/> Deed or Offer to Purchase	<input type="checkbox"/> Corporation Profile Report	<input checked="" type="checkbox"/> Site Plan Conceptual <i>(see Section 8)</i>	<input checked="" type="checkbox"/> Sketch of Subject Land <i>(see Section 11)</i>
<input type="checkbox"/> Archaeological Assessment – Stage 1	<input type="checkbox"/> Built Heritage Impact Study	<input type="checkbox"/> Environmental Evaluation Report	<input type="checkbox"/> Environmental Site Assessment
<input type="checkbox"/> Floor Plan and Elevations	<input type="checkbox"/> Geotechnical Study	<input type="checkbox"/> Guideline Plan	<input type="checkbox"/> Lighting Study
<input type="checkbox"/> Market Impact Assessment	<input type="checkbox"/> Micro-Climate Study	<input type="checkbox"/> Noise Study	<input type="checkbox"/> Planning Rationale Report
<input type="checkbox"/> Record of Site Condition <i>(see Schedule E)</i>	<input type="checkbox"/> Sanitary Sewer Study	<input type="checkbox"/> Species at Risk Screening	<input type="checkbox"/> Storm Sewer Study
<input type="checkbox"/> Storm Water Retention Scheme	<input type="checkbox"/> Topographic Plan of Survey	<input type="checkbox"/> Transportation Impact Statement	<input type="checkbox"/> Transportation Impact Study
<input type="checkbox"/> Tree Preservation	<input type="checkbox"/> Tree Survey Study	<input type="checkbox"/> Urban Design Study	<input type="checkbox"/> Vibration Study
<input type="checkbox"/> Wetland Evaluation Study	Other Required Information: _____		

# ZONING BY-LAW AMENDMENT APPLICATION

## 3. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

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Provide in full the name of the applicant, registered owner, and agent, the name of the contact person, and address, postal code, phone number, fax number and email address.

If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

All communication is with the Agent authorized by the Owner to file the application. If there is no Agent, all communication is with the Applicant.

### Applicant

Name: \_\_\_\_\_ Contact: \_\_\_\_\_  
*Name of Contact Person*

Address: \_\_\_\_\_

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

### Registered Owner Same as Applicant

Name: \_\_\_\_\_ Contact: \_\_\_\_\_  
*Name of Contact Person*

Address: \_\_\_\_\_

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

### Agent Authorized by the Owner to File the Application (Also complete Section A1 in Schedule A)

Name: \_\_\_\_\_ Contact: \_\_\_\_\_  
*Name of Contact Person*

Address: \_\_\_\_\_

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

## 4. COMPANION APPLICATIONS

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Are you submitting a companion Official Plan Amendment application? NO  YES

Are you submitting a companion Plan of Subdivision/Condominium application? NO  YES

Please note that if a development proposal requires site plan approval, that application can only be submitted after the zoning amendment has been considered by City Council and the appeal period has concluded.

# ZONING BY-LAW AMENDMENT APPLICATION

## 5. SUBJECT LAND INFORMATION

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Municipal Address \_\_\_\_\_  
\_\_\_\_\_

Legal Description \_\_\_\_\_  
\_\_\_\_\_

Assessment Roll Number \_\_\_\_\_  
\_\_\_\_\_

If known, the date the subject land was acquired by the current owner: \_\_\_\_\_

Frontage (m) \_\_\_\_\_ Depth (m) \_\_\_\_\_ Area (sq m) \_\_\_\_\_

Official Plan Designation \_\_\_\_\_

Current Zoning \_\_\_\_\_  
\_\_\_\_\_

Existing Uses \_\_\_\_\_  
\_\_\_\_\_

If known, the lengths of time that the existing uses have continued: \_\_\_\_\_

Previous Uses \_\_\_\_\_  
\_\_\_\_\_

List the names and addresses of the holders of any mortgages, charges, or other encumbrances in respect of the subject land:

\_\_\_\_\_  
\_\_\_\_\_

Are there any easements or restrictive covenants affecting the subject lands? NO  YES

If yes, describe the easement or restrictive covenant and its effect:

\_\_\_\_\_  
\_\_\_\_\_

If known, has the subject land ever been subject of: *(leave blank if unknown)*

An application for a Plan of Subdivision or Consent: NO  YES  File: \_\_\_\_\_

An application for an amendment to a Zoning By-law: NO  YES  File: \_\_\_\_\_

An application for approval of a Site Plan: NO  YES  SPC- \_\_\_\_\_

A Minister's Zoning Order (Ontario Regulation): NO  YES  OR#: \_\_\_\_\_

# ZONING BY-LAW AMENDMENT APPLICATION

## 6. DESCRIPTION OF AMENDMENT

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Amendment to Zoning By-law from: \_\_\_\_\_

to: \_\_\_\_\_

Proposed uses of subject land: \_\_\_\_\_

Describe the nature and extent of the amendment(s) being requested:

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Why is this amendment or these amendments being requested?

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Explain how the amendment to the Zoning By-law is consistent with the Provincial Policy Statement:

See Planning Rationale Report \_\_\_\_\_

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Explain how the application conforms to the City of Windsor Official Plan:

See Planning Rationale Report \_\_\_\_\_

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If this application is to remove land from an area of employment, details of the official plan or official plan amendment that deals with this matter:

See Planning Rationale Report                       See Official Plan Amendment

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# ZONING BY-LAW AMENDMENT APPLICATION

## 7. EXISTING BUILDINGS / STRUCTURES ON SUBJECT LAND

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Are there any buildings or structures on the subject land?

- NO Continue to Section 8
- YES Indicate the type of building or structure, the date of construction (if known), and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area.
  - See attached Existing Plan or Sketch of Subject Land

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## 8. PROPOSED BUILDINGS / STRUCTURES ON SUBJECT LAND

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Do you propose to build any buildings or structures on the subject land?

- NO Continue to Section 9
- YES Indicate the type of building or structure and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure, and its dimensions or floor area.
  - See attached concept plan

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# ZONING BY-LAW AMENDMENT APPLICATION

## 9. ACCESS TO SUBJECT LAND

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Indicate if access to subject land is by: *(check all that apply)*

- Municipal Road                       Provincial Highway                       Another public road or a right-of-way
- Water - If access to the subject land is by water only, describe the parking and docking facilities used or to be used and provide the approximate distance in metric of these facilities from the subject land and the nearest public road:

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## 10. WATER, SANITARY SEWAGE AND STORM DRAINAGE

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**WATER** – Indicate whether water will be provided to the subject land by:

- Publicly owned & operated piped water system
- Privately owned & operated individual well
- Privately owned & operated communal well
- Other \_\_\_\_\_

**SANITARY** - Indicate whether sewage disposal will be provided to the subject land by:

- Publicly owned & operated sanitary sewage system
- Privately owned & operated individual septic system - See Note below
- Privately owned & operated communal septic system - See Note below
- Other \_\_\_\_\_

Note: If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, you must submit a Servicing Options Report and a Hydrogeological Report.

**STORM DRAINAGE** - Indicate whether storm drainage will be provided by:

- Sewers                       Ditches                       Swales                       Other \_\_\_\_\_

# ZONING BY-LAW AMENDMENT APPLICATION

## 11. SKETCH OF SUBJECT LAND

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Provide a sketch showing, in metric units,

- a) the boundaries and dimensions of the subject land;
- b) the location, size, and type of all existing and proposed buildings and structures on the subject land, including their distance from the front lot line, rear lot line, and side lines;
- c) the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are located on the subject land and on land that is adjacent to it, and in the applicant's opinion, may affect the application;
- d) the current uses of all land that is adjacent to the subject land;
- e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road, or a right of way;
- f) if access to the subject land will be water only, the location of the parking and docking facilities to be used; and
- g) the location and nature of any easement affecting the subject land.

## 12. APPLICATION FEE & OTHER FEES

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The amendment type and corresponding application fees are identified in the Planning Consultation Stage 2 process.

Fees may be subject to change and are not refundable once the application is deemed complete. Method of payment: Cash, Mastercard, Visa or Certified Cheque or Personal Cheque payable to The Corporation of the City of Windsor. If paying by Mastercard or Visa, contact the Senior Steno Clerk for further direction at [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca) or 519-255-6543.

### APPLICATION FEE

Amendment Type	Code	<input type="checkbox"/> Minor Rezoning	<input type="checkbox"/> Major Rezoning
Base Fee	53001	\$4,347.00	\$5,837.40
GIS Fee	63024	+ \$50.00	+ \$50.00
Essex Region Conservation Authority Fee	53023	+ <u>\$200.00</u>	+ <u>\$300.00</u>
<b>Total Application Fee</b>		<b>= \$4,597.00</b>	<b>= \$6,187.40</b>

The following fees are provided for information purposes. They are not due at this time but may be assessed depending on the type(s) of applications associated with the development proposal

### OTHER FEES

- Re-Notification/Deferral Fee** Code 53016 \$2,258.40  
 Required when an applicant requests a deferral after notice of a public meeting has been given.
- Legal Fee - Servicing Agreement** Code 63002 \$597.64 plus \$50 per unit, lot, or block  
 Required when the preparation of a servicing agreement is a condition of approval.
- Removal of the Holding Symbol Application** Code 53001 \$1,536.00  
 It is the responsibility of the property owner to satisfy the conditions to remove the holding symbol and to apply and fee to remove the holding symbol.
- Ontario Land Tribunal (OLT) Appeal Fee** \$1,100.00  
 An appeal is made through Council Services (519-255-6211 or [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)). Fees, forms, and processes are subject to change. Visit <https://olt.gov.on.ca> for additional information

# ZONING BY-LAW AMENDMENT APPLICATION

## 13. PROPOSED PUBLIC CONSULTATION STRATEGY

Select or describe your proposed strategy for consulting with the public with respect to the application:

- Required Public Consultation (Public Notice & Public Meeting as required per the Planning Act)
- Open House       Website       Other \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

## 14. SWORN DECLARATION OF APPLICANT

Complete in the presence of a Commissioner for Taking Affidavits. If the declaration is to be administered remotely, you must be able to see, hear and communicate with the Commissioner and show documentation that confirms your identity.

I, \_\_\_\_\_, solemnly declare that the information required under Schedule 1 to Ontario Regulation 545/06 and provided by the applicant is accurate and that the information contained in the documents that accompany this application is accurate, that if this declaration was administered remotely that it was in accordance with Ontario Regulation 431/20, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.



Signature of Applicant

*Sign in the presence of a Commissioner  
For Taking Affidavits*

Location of Applicant at time of declaration

- This declaration was administered remotely in accordance with Ontario Regulation 431/20

Declared before me  at the \_\_\_\_\_

*Signature of Commissioner*

*Location of Commissioner*

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

*day*

*month*

*year*

PLACE AN IMPRINT OF YOUR STAMP BELOW

**MELANIE ANNE MUIR,**  
a Commissioner, etc., Province of Ontario,  
for Dillon Consulting Limited.  
Expires May 3, 2025.

**READ & COMPLETE SCHEDULES A & E IN FULL & SIGN**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements

### A1. Authorization of Registered Owner for Agent to Make the Application

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the agent is authorized to make the application must be included with this application form or the authorization below must be completed.

I, 1495754 Ontario Inc. c/o Terry Rafih, am the registered owner of the land that is  
*Name of Registered Owner*

subject of this application for an amendment to the City of Windsor Zoning By-law and I authorize

Dillon Consulting Limited to make this application on my behalf.  
*Name of Agent*



Signature of Registered Owner

If Corporation - I have authority to bind the corporation

Sept 15 / 2024  
Date

### A2. Authorization to Enter Upon the Subject Lands and Premises

I, 

*Name of Registered Owner*

hereby authorize the Development and Heritage Standing Committee or their successor, City Council, and staff of The Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 5 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as a condition of approval. This is their authority for doing so.



Signature of Registered Owner

If Corporation – I have authority to bind the corporation

Sept 15 / 2024  
Date

**SCHEDULE A CONTINUES ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements - *Continued*

### A3. Acknowledgements

#### Receipt, Fees, Additional Information, Termination, and Freedom of Information

I acknowledge that receipt of this application by the City of Windsor does not guarantee it to be a complete application, that further review of the application will occur, and that I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further acknowledge that after the application is deemed complete, fees are not refundable, additional information may be requested, and that after 60 days of inactivity the City of Windsor may terminate the application without notice.

I further acknowledge that pursuant to the provisions of the Planning Act and the Municipal Freedom of Information and Protection of Privacy Act, this application and all material and information provided with this application are made available to the public.

#### Species at Risk

Ontario's *Endangered Species Act* protects endangered and threatened species — animals and plants in decline and at risk of disappearing from the province by restricting activities that may affect these plants, animals or their habitats.

I acknowledge that it is my sole responsibility as the Applicant to comply with the provisions of the *Endangered Species Act, 2007, S. O. c.6*. This could require me to register an activity, get a permit or other authorization from the Ministry of the Environment, Conservation and Parks (MECP) prior to conducting an activity that could impact an endangered or threatened plant or animal or its habitat. I further acknowledge that any *Planning Act, R.S.O. 1990, c.P.13* approval given by the City of Windsor does not constitute an approval under the *Endangered Species Act*, nor does it absolve me from seeking the necessary authorization, approvals or permits from the MECP prior to conducting any activity that may affect endangered or threatened plant or animal or its habitat.

Additional information can be found at:

<https://www.ontario.ca/page/development-and-infrastructure-projects-and-endangered-or-threatened-species>

or by contacting MECP at [SAROntario@ontario.ca](mailto:SAROntario@ontario.ca)

#### Acknowledgement

I acknowledge that I have read and understand the above statements:



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Signature of Applicant or Agent

---

Date

**END OF SCHEDULE A**  
**COMPLETE SCHEDULE E ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E – Environmental Site Screening Questionnaire

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### Previous Use of Property

- Residential       Industrial       Commercial       Institutional  
 Agricultural       Parkland       Vacant       Other \_\_\_\_\_

- a) If previous use of the property is Industrial or Commercial, specify use:  
\_\_\_\_\_
- b) Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?  
 Yes       No       Unknown
- c) Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?  
 Yes       No       Unknown
- d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes       No       Unknown
- e) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes       No       Unknown
- f) Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been applied as pesticides and/or sewage sludge applied to the lands?  
 Yes       No       Unknown
- g) Have the lands or adjacent lands ever been used as a weapons firing range?  
 Yes       No       Unknown
- h) Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational/non-operational public or private waste disposal site, landfill or dump?  
 Yes       No       Unknown
- i) If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?  
 Yes       No       Unknown
- j) Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?\*

*\* Possible uses that can cause contamination include but are not limited to: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals that are present.*

- k) If current or previous use of the property is Industrial or Commercial, or if YES to any of a) to j) above, attach a previous use inventory showing all former uses of the subject land, or if applicable, the land(s) adjacent to the subject lands.

**SCHEDULE E CONTINUES ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E - CONTINUED

### Acknowledgement Clause

I hereby acknowledge that it is my responsibility to ensure that I am in compliance with all applicable laws, regulations, guidelines and the City's Official Plan policies pertaining to potentially contaminated sites, and to use all reasonable effort to identify the potential for contamination on the subject property.

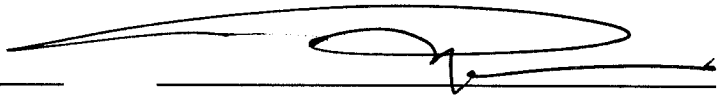
I acknowledge that as a condition of approval of this application that the City may require me to file a Record of Site Condition signed by a qualified person in the provincial Environmental Site Registry, and provide verification to the City of Windsor of acknowledgement of this Record of Site Condition by the Ministry of Environment.

I acknowledge that the City may require the qualified person signing the Record of Site Condition to submit to the City a Declaration acknowledging that the City of Windsor may rely on the statements in the Record of Site Condition.

I acknowledge that the City of Windsor is not responsible for the identification and/or remediation of contaminated sites, and I agree, whether in, through, or as a result of any action or proceeding for environmental clean-up of any damage or otherwise, I will not sue or make claim whatsoever against the City of Windsor, its officers, officials, employees or agents for or in respect of any loss, damage, injury or costs.

*Tony NAFIK*  
1495754 Centaire Inc

Name of Applicant (print)



Signature of Applicant

\_\_\_\_\_  
Date

Dillon Consulting Limited, c/o Amy Farkas

Name of Agent (print)



Signature of Agent

September 13, 2024

Date

**END OF SCHEDULE E**

# ZONING BY-LAW AMENDMENT APPLICATION

## DO NOT COMPLETE BELOW – STAFF USE ONLY

<b>Receipt and Assignment of Application</b>	Date Received Stamp
This application has been assigned to:	
<input type="checkbox"/> Adam Szymczak (AS)	<input type="checkbox"/> Brian Nagata (BN)
<input type="checkbox"/> Frank Garardo (FG)	<input type="checkbox"/> Tracy Tang (TT)
<input type="checkbox"/> Jim Abbs (JA)	<input type="checkbox"/> Justina Nwaesei (JN)
<input type="checkbox"/> Kevin Alexander (KA)	<input type="checkbox"/> Laura Strahl (LS)
<input type="checkbox"/> Simona Simion (SS)	<input type="checkbox"/> _____

<b>Complete Application</b>		
This application is deemed complete on _____ <div style="text-align: center;"><i>Date</i></div>		
_____		
<i>Signature of Delegated Authority</i>		
<input type="checkbox"/> Neil Robertson, MCIP, RPP Manager of Urban Design	<input type="checkbox"/> Greg Atkinson, MCIP, RPP Manager of Development	<input type="checkbox"/> Thom Hunt, MCIP, RPP City Planner & Executive Director

<b>Internal Information</b>			
Fee Paid: \$ _____	Receipt No: _____	Date: _____	
Payment Type: <input type="checkbox"/> Cash	<input type="checkbox"/> Certified Cheque	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Personal Cheque
NEW Zoning File No. ZNG/ _____	Z- _____		
Previous Zoning File No. ZNG/ _____	Z- _____		
Related OPA File No. OPA/ _____	OPA _____		
Other File Numbers: _____			
Notes: _____			
_____			

**THIS IS THE LAST PAGE OF THE APPLICATION FORM**



**PLANNING AND DEVELOPMENT SERVICES**

**Memo**

**To:** City Clerk  
**From:** City Planner/Executive Director  
**Date:** October 25, 2024  
**Subject:** TRANSMITTAL OF NEW FILE  
**Our File Number: Z-032/24 [ZNG/7237]**  
**RE:** Application For: (X) Zoning Amendment ( ) Official Plan Amendment  
( ) Part Lot Control ( ) Draft Plan of Subdivision/Condominium

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Applicant: RAFCO PROPERTY TRUST LTD.  
Location: 0 HOWARD AVE.  
Description: Application to amend Zoning By-law 8600 to permit a new multiple unit residential dwelling as a permitted use, where only a commercial building was permitted.

The ZONING BY-LAW AMENDMENT application submitted on SEPTEMBER 12, 2024 by RAFCO PROPERTY TRUST LTD. for 0 HOWARD AVE. has been deemed complete on OCTOBER 7, 2024.

Enclosures:

- (X) 1 copy of Application Form
- ( ) 1 copy of Drawings
- ( ) 1 copy of Site Plan



Neil Robertson, MCIP, RPP  
City Planner/Executive Director

NR/nm

October 25, 2024

ADA Architect Inc.  
c/o Olivia Byrne  
1670 Mercer St.  
Windsor, ON N8X 3P7

Dear Agent,

**Re: ZONING BY-LAW AMENDMENT APPLICATION**

**APPLICANT: RAFCO PROPERTY TRUST**

**LOCATION: 0 HOWARD AVE.**

**FILE NO.: Z-032/24 [ZNG/7237]**

I acknowledge receipt of a Zoning By-law Amendment Application. Per the delegation authority in By-Law 139-2013, the required information and material submitted on September 12, 2024 was deemed COMPLETE on October 7, 2024. Processing has begun.

You will be advised prior to the Development & Heritage Standing Committee and Council meetings of the position of Planning & Development Services on the application and the dates of the public meetings.

Please email me at [aszymczak@citywindsor.ca](mailto:aszymczak@citywindsor.ca), if you have any questions.

Sincerely,



---

Adam Szymczak  
Planner III – Development Review

AS/nm

## ZONING BY-LAW AMENDMENT APPLICATION

### INSTRUCTIONS

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**Verify that you are using the most current application form.**

- Section 1: Pre-Submission consultation with a staff Planner is mandatory per By-law 199-2007. If you do not have a valid Pre-Submission Letter, you must meet with a staff Planner who must sign and date this section.
- Section 2: During Pre-Submission consultation a staff Planner will indicate what supporting information must be submitted with the application.
- Section 3: Provide the full name, address, phone number, fax number and email address of the applicant, agent, and registered owner. If any of these are a corporation, provide the full corporate name. Include the full name of the contact person. If there is more than one person, corporation, or registered owner, use additional sheets.
- Section 4: Indicate if you are submitting other companion applications with this application.
- Section 5: Provide information about the subject land. This information is used to determine supporting information requirements and to assist in the review of the application.
- Section 6: Indicate the amendment, proposed uses and describe the nature and extent of the amendment being requested. Indicate why the amendment is being requested and how it is consistent with the Provincial Policy Statement and conforms to the City of Windsor Official Plan. If this information is in a Planning Rationale Report, check the box beside "See Planning Rationale Report".
- Section 7: If there are any existing buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows this information.
- Section 8: If you propose to build any buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows the information.
- Section 9: Indicate how the property is accessed. Check all boxes that apply.
- Section 10: Provide information about water service, sanitary sewage disposal, and storm drainage.
- Section 11: Provide a sketch of the subject land showing, in metric units, the items listed or indicate if this information is provided on an existing plan or a conceptual site plan.
- Section 12: Check the appropriate box based on a valid Pre-Submission Letter or pre-submission consultation.
- Section 13: Explain your proposed strategy for consulting with the public with respect to the application.
- Section 14: Complete and sign in the presence of a Commissioner of Taking Affidavits.
- Other: Read, complete in full, and sign Schedules A & E.

Submit application form, supporting information, and application fee to Senior Steno Clerk at Planning & Development Services, Suite 210, 350 City Hall Square West, Windsor ON N9A 6S1 or [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)

### TYPE OF REZONING AMENDMENT

### DATE RECEIVED STAMP

The type of amendment is determined by the City Planner or their designate.

#### Minor Zoning Amendment

- Site zoned commercial, institutional, or manufacturing
  - Addition to the list of permitted uses
- Site already zoned
  - Change to existing regulations or to zoning district boundary to match lot lines
- Site designated in the Official Plan for residential use
  - Rezoning to accommodate a maximum of six dwelling units
- Site designated in the Official Plan for the proposed use other than residential
  - Site-specific zoning for a site with a lot area of less than 1,000.0 m<sup>2</sup>

#### Major Zoning Amendment

- Any other amendment not listed as minor.

# ZONING BY-LAW AMENDMENT APPLICATION

## ZONING BY-LAW AMENDMENT PROCESS

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The application will be terminated without notice after 60 days of inactivity. The following is for your information only. Review the Planning Act and relevant regulations for statutory requirements. The processing of the application is subject to change. Direct all questions to the assigned Planner. The process is generally as follows:

1. The application is reviewed to ensure all prescribed and required information and the fee have been submitted. Within 30 days of the receipt of the application, you will be notified in writing that the application is deemed incomplete or complete.
2. If deemed incomplete, the application and fee will be returned. If deemed complete, fees are not refundable, the application is circulated to departments and external agencies for review and comment, and all submitted documents are made available to the public.
3. Following circulation, a draft staff report containing a recommendation and any conditions is prepared. The City Planner and other staff review the draft staff report.
4. When the staff report is approved by appropriate municipal staff, it will be scheduled for a future meeting of the Development and Heritage Standing Committee (DHSC).
5. The DHSC meeting is the public meeting required by the Planning Act. Public notice of the DHSC meeting is advertised in the Windsor Star, a local newspaper, at least 20 days in advance of the DHSC meeting. A courtesy notice may be mailed to property owners and/or tenants within 120 metres or more of the subject land.
6. 10 days prior to the DHSC meeting, the staff report is circulated to the applicant and DHSC members and made available to the public. All supporting documentation submitted by the applicant is available for review.
7. At the DHSC meeting, a staff planner may make a presentation. The applicant and other parties have an opportunity to provide verbal and/or written submissions. The DHSC may ask questions of staff, the applicant, agent, and other parties. The DHSC may decide to defer or recommend approval or denial of the application.
8. If deferred, the application along with any additional information or a new staff report will be considered at a future DHSC meeting. If recommended for approval or denial, the staff report, the minutes of the DHSC meeting, and the amending by-law are forwarded to City of Windsor Council for consideration at a future date. The applicant, agent and all interested parties will be notified by Council Services of the date, time, and location of the Council meeting. Call 311 or contact Council Services at 519-255-6211 or [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca).
9. The application may be placed on the Consent Agenda of the Council Meeting, a part of the meeting where Council approves several matters with a single motion. If the application is not on the Consent Agenda, the staff planner may introduce the application, review the staff recommendation and any additional information provided to Council, and advise Council of any differences between the staff and DHSC recommendations. The applicant and other interested parties have an opportunity to make verbal and/or written submissions. Council may decide to approve, deny, or defer the application. If Council approves the application, the amending by-law may be approved at the same Council meeting, otherwise it will be approved at a future Council meeting.
10. When the amending by-law is passed, Council Services will mail a notice of the passing of the amending by-law to property owners and various public agencies within 15 days. There is a 20-day appeal period commencing the day after this notice is given. The notice will include the last day to file an appeal. An appeal is made to the Ontario Land Tribunal (OLT) through Council Services. If no appeal is filed, the amending by-law is final and binding as of the date of Council's passing of the by-law. Contact Council Services at 519-255-6211 or [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca).
11. If the rezoning is subject to a holding symbol, it is the responsibility of the property owner to satisfy the conditions to remove the holding symbol, to apply, and to pay the fee to remove the holding symbol.

## CONTACT INFORMATION

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Planning & Development Services  
Suite 210  
350 City Hall Square West  
Windsor ON N9A 6S1

Telephone: 519-255-6543  
Fax: 519-255-6544  
Email: [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)  
Web Site: [www.citywindsor.ca](http://www.citywindsor.ca)

# ZONING BY-LAW AMENDMENT APPLICATION

## 1. PRE-SUBMISSION CONSULTATION

By-law 199-2007 requires pre-submission consultation with a staff Planner to determine what supporting information is required, to verify fee payable, and to review the process. This application is incomplete unless you have a valid Pre-Submission Letter or a staff Planner signs below.

Valid Pre-Submission Letter? NO  YES  File Number: PS- 054/22

*Staff Use Only*

Signature of Staff Planner	Date of Consultation
<input type="checkbox"/> Jim Abbs	<input type="checkbox"/> Kevin Alexander
<input type="checkbox"/> Brian Nagata	<input type="checkbox"/> Justina Nwaesei
<input type="checkbox"/> Adam Szymczak	<input type="checkbox"/> _____
<input type="checkbox"/> Greg Atkinson	<input type="checkbox"/> Frank Garardo
<input type="checkbox"/> Simona Simion	<input type="checkbox"/> Laura Strahl

## 2. REQUIRED SUPPORTING INFORMATION *(To be completed by a staff Planner)*

Unless you have a valid Pre-Submission Letter, a staff Planner will indicate below what supporting information must be submitted with the application during pre-submission consultation. The City of Windsor reserves the right to require additional supporting information during the processing of the application. All supporting information submitted is made available for public review.

For each document, provide one paper copy, and where possible, one digital copy on a CD or USB flash drive. All drawings or plans shall be in letter size (8.5 x 11 inches) in JPG and PDF format. All other document shall be provided in Word and PDF format. **All PDF documents shall be flattened with no layers.**

If you are submitting a companion application submit only one set of documents.

<input checked="" type="checkbox"/> Deed or Offer to Purchase	<input type="checkbox"/> Corporation Profile Report	<input checked="" type="checkbox"/> Site Plan Conceptual <i>(see Section 8)</i>	<input checked="" type="checkbox"/> Sketch of Subject Land <i>(see Section 11)</i>
<input type="checkbox"/> Archaeological Assessment – Stage 1	<input type="checkbox"/> Built Heritage Impact Study	<input type="checkbox"/> Environmental Evaluation Report	<input type="checkbox"/> Environmental Site Assessment
<input type="checkbox"/> Floor Plan and Elevations	<input type="checkbox"/> Geotechnical Study	<input type="checkbox"/> Guideline Plan	<input type="checkbox"/> Lighting Study
<input type="checkbox"/> Market Impact Assessment	<input type="checkbox"/> Micro-Climate Study	<input type="checkbox"/> Noise Study	<input type="checkbox"/> Planning Rationale Report
<input type="checkbox"/> Record of Site Condition <i>(see Schedule E)</i>	<input type="checkbox"/> Sanitary Sewer Study	<input type="checkbox"/> Species at Risk Screening	<input type="checkbox"/> Storm Sewer Study
<input type="checkbox"/> Storm Water Retention Scheme	<input type="checkbox"/> Topographic Plan of Survey	<input type="checkbox"/> Transportation Impact Statement	<input type="checkbox"/> Transportation Impact Study
<input type="checkbox"/> Tree Preservation	<input type="checkbox"/> Tree Survey Study	<input type="checkbox"/> Urban Design Study	<input type="checkbox"/> Vibration Study
<input type="checkbox"/> Wetland Evaluation Study	Other Required Information: _____		

# ZONING BY-LAW AMENDMENT APPLICATION

## 3. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

Provide in full the name of the applicant, registered owner, and agent, the name of the contact person, and address, postal code, phone number, fax number and email address.

If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

All communication is with the Agent authorized by the Owner to file the application. If there is no Agent, all communication is with the Applicant.

### Applicant

Name: RAFCO PROPERTY TRUST LTD Contact: ZEYAD RAFIH  
*Name of Contact Person*

Address: 9425 TECUMSEH ROAD EAST, WINDSOR

Address: \_\_\_\_\_ Postal Code: N8R 1A1

Phone: 519-567-5566 Fax: \_\_\_\_\_

Email: ZR@RAFIHAUTOGROUP.COM

### Registered Owner Same as Applicant

Name: \_\_\_\_\_ Contact: \_\_\_\_\_  
*Name of Contact Person*

Address: \_\_\_\_\_

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

### Agent Authorized by the Owner to File the Application (Also complete Section A1 in Schedule A)

Name: ADA INC., ARCHITECT Contact: OLIVIA BYRNE  
*Name of Contact Person*

Address: 1670 MERCER STREET, WINDSOR, ON

Address: \_\_\_\_\_ Postal Code: N8X 3P7

Phone: 519-254-3430 x 238 Fax: 519-254-3642

Email: obyrne@ada-architect.ca

## 4. COMPANION APPLICATIONS

Are you submitting a companion Official Plan Amendment application? NO  YES

Are you submitting a companion Plan of Subdivision/Condominium application? NO  YES

Are you submitting a companion Site Plan Control application? NO  YES

# ZONING BY-LAW AMENDMENT APPLICATION

## 5. SUBJECT LAND INFORMATION

Municipal Address 0 HOWARD AVENUE

Legal Description PLAN 1489; PT LOT 107; RP 12R11254; PT OF PART OF 1

Assessment Roll Number 080-060-01100

If known, the date the subject land was acquired by the current owner: \_\_\_\_\_

Frontage (m) 103.9 Depth (m) 26.57 Area (sq m) 2,760.8

Official Plan Designation RESIDENTIAL (SCHEDULE D: LAND USE)

Current Zoning ZONING BY-LAW 8600 - COMMERCIAL DISTRICT 1.1 (CD1.1) & S.20(1)272

Existing Uses VACANT PROPERTY (1990 - PRESENT)  
TEXACO SERVICE STATION

If known, the lengths of time that the existing uses have continued: VACANT PROPERTY (1990 - PRESENT)

Previous Uses TEXACO SERVICE STATION (PRE-1990, CONSTRUCTION & DEMOLITION DATES UNKNOWN)

List the names and addresses of the holders of any mortgages, charges, or other encumbrances in respect of the subject land:

N/A

Are there any easements or restrictive covenants affecting the subject lands? NO  YES

If yes, describe the easement or restrictive covenant and its effect:

If known, has the subject land ever been subject of: *(leave blank if unknown)*

An application for a Plan of Subdivision or Consent: NO  YES  File: \_\_\_\_\_

An application for an amendment to a Zoning By-law: NO  YES  File: \_\_\_\_\_

An application for approval of a Site Plan: NO  YES  SPC- \_\_\_\_\_

A Minister's Zoning Order (Ontario Regulation): NO  YES  OR#: \_\_\_\_\_

# ZONING BY-LAW AMENDMENT APPLICATION

## 6. DESCRIPTION OF AMENDMENT

Amendment to Zoning By-law from: CD1.1 & S.20(1)272  
to: RD3.10 OR Site Specific (TBD)

Proposed uses of subject land: \_\_\_\_\_  
Three (3), six (6) unit residential apartment buildings with 22 parking spaces.

Describe the nature and extent of the amendment(s) being requested:  
Rezoning site from commercial to residential.

Why is this amendment or these amendments being requested?  
To allow for residential development on the site.

Explain how the amendment to the Zoning By-law is consistent with the Provincial Policy Statement:  
 See Planning Rationale Report As there is no change proposed to the City of Windsor Official Plan (main vehicle for implementation of the Policy), the amendment would remain consistent with the Provincial Policy Statement.

Explain how the application conforms to the City of Windsor Official Plan:  
 See Planning Rationale Report \_\_\_\_\_  
Site falls within official plan residential designation.

If this application is to remove land from an area of employment, details of the official plan or official plan amendment that deals with this matter:  
 See Planning Rationale Report  See Official Plan Amendment  
N/A - Site falls within official plan residential designation.



# ZONING BY-LAW AMENDMENT APPLICATION

## 7. EXISTING BUILDINGS / STRUCTURES ON SUBJECT LAND

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Are there any buildings or structures on the subject land?

- NO Continue to Section 8
- YES Indicate the type of building or structure, the date of construction (if known), and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area.
  - See attached Existing Plan or Sketch of Subject Land

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## 8. PROPOSED BUILDINGS / STRUCTURES ON SUBJECT LAND

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Do you propose to build any buildings or structures on the subject land?

- NO Continue to Section 9
- YES Indicate the type of building or structure and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure, and its dimensions or floor area.
  - See attached Site Plan Conceptual

Three (3), six (6) unit residential apartment buildings with 22 parking spaces.

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# ZONING BY-LAW AMENDMENT APPLICATION

## 9. ACCESS TO SUBJECT LAND

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Indicate if access to subject land is by: *(check all that apply)*

- Municipal Road
- Provincial Highway
- Another public road or a right-of-way
- Water - If access to the subject land is by water only, describe the parking and docking facilities used or to be used and provide the approximate distance in metric of these facilities from the subject land and the nearest public road:

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## 10. WATER, SANITARY SEWAGE AND STORM DRAINAGE

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**WATER** – Indicate whether water will be provided to the subject land by:

- Publicly owned & operated piped water system
- Privately owned & operated individual well
- Privately owned & operated communal well
- Other \_\_\_\_\_

**SANITARY** - Indicate whether sewage disposal will be provided to the subject land by:

- Publicly owned & operated sanitary sewage system
- Privately owned & operated individual septic system - See Note below
- Privately owned & operated communal septic system - See Note below
- Other \_\_\_\_\_

Note: If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, you must submit a Servicing Options Report and a Hydrogeological Report.

**STORM DRAINAGE** - Indicate whether storm drainage will be provided by:

- Sewers
- Ditches
- Swales
- Other \_\_\_\_\_

# ZONING BY-LAW AMENDMENT APPLICATION

## 11. SKETCH OF SUBJECT LAND

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Provide a sketch showing, in metric units,

- a) the boundaries and dimensions of the subject land;
- b) the location, size, and type of all existing and proposed buildings and structures on the subject land, including their distance from the front lot line, rear lot line, and side lines;
- c) the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are located on the subject land and on land that is adjacent to it, and in the applicant's opinion, may affect the application;
- d) the current uses of all land that is adjacent to the subject land;
- e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road, or a right of way;
- f) if access to the subject land will be water only, the location of the parking and docking facilities to be used; and
- g) the location and nature of any easement affecting the subject land.

## 12. APPLICATION FEE & OTHER FEES

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The amendment type is determined by the City Planner or their designate.

Verify fees before submitting the application. Fees are subject to change and are not refundable when the application is deemed complete. Method of payment: Cash, Mastercard, Visa or Certified Cheque or Personal Cheque payable to The Corporation of the City of Windsor. If paying by Mastercard or Visa, contact the Senior Steno Clerk for further direction at [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca) or 519-255-6543.

### APPLICATION FEE

Amendment Type	Code	<input type="checkbox"/> Minor Rezoning	<input checked="" type="checkbox"/> Major Rezoning
Base Fee	53001	\$4,347.00	\$5,837.40
GIS Fee	63024	+ \$50.00	+ \$50.00
Essex Region Conservation Authority Fee	53023	+ <u>\$200.00</u>	+ <u>\$300.00</u>
<b>Total Application Fee</b>		<b>= \$4,597.00</b>	<b>= \$6,187.40</b>

### OTHER FEES

- Re-Notification/Deferral Fee** Code 53016 \$2,258.40  
 Required when an applicant requests a deferral after notice of a public meeting has been given.
- Legal Fee - Servicing Agreement** Code 63002 \$597.64 plus \$50 per unit, lot, or block  
 Required when the preparation of a servicing agreement is a condition of approval.
- Removal of the Holding Symbol Application** Code 53001 \$1,536.00  
 It is the responsibility of the property owner to satisfy the conditions to remove the holding symbol and to apply and fee to remove the holding symbol.
- Ontario Land Tribunal (OLT) Appeal Fee** \$1,100.00  
 An appeal is made through Council Services (519-255-6211 or [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)). Fees, forms, and processes are subject to change. Visit <https://olt.gov.on.ca> for additional information

# ZONING BY-LAW AMENDMENT APPLICATION

## 13. PROPOSED PUBLIC CONSULTATION STRATEGY

Select or describe your proposed strategy for consulting with the public with respect to the application:

Required Public Consultation (Public Notice & Public Meeting as required per the Planning Act)

Open House

Website

Other \_\_\_\_\_

## 14. SWORN DECLARATION OF APPLICANT

Complete in the presence of a Commissioner for Taking Affidavits. If the declaration is to be administered remotely, you must be able to see, hear and communicate with the Commissioner and show documentation that confirms your identity.

I, ZEYAD RAFIH, solemnly declare that the information required under Schedule 1 to Ontario Regulation 545/06 and provided by the applicant is accurate and that the information contained in the documents that accompany this application is accurate, that if this declaration was administered remotely that it was in accordance with Ontario Regulation 431/20, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.



Signature of Applicant

*Sign in the presence of a Commissioner  
For Taking Affidavits*

City of Windsor

Location of Applicant at time of declaration

This declaration was administered remotely in accordance with Ontario Regulation 431/20

Declared before me



Signature of Commissioner

at the

city of Windsor

Location of Commissioner

this

12

day

day of

September

month

2024

year

PLACE AN IMPRINT OF YOUR STAMP BELOW

**KELLY JESSICA JARRETT,**  
a Commissioner, etc., Province of Ontario,  
for Architectural Design Associates Inc.,  
Architect.

Expires May 22, 2027.

### READ & COMPLETE SCHEDULES A & E IN FULL & SIGN

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements

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### A1. Authorization of Registered Owner for Agent to Make the Application

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the agent is authorized to make the application must be included with this application form or the authorization below must be completed.

I, ZEYAD RAFIH, am the registered owner of the land that is  
*Name of Registered Owner*

subject of this application for an amendment to the City of Windsor Zoning By-law and I authorize

ADA INC. ARCHITECT to make this application on my behalf.  
*Name of Agent*

  
\_\_\_\_\_  
Signature of Registered Owner

SEP 12/24  
\_\_\_\_\_  
Date

If Corporation - I have authority to bind the corporation

### A2. Authorization to Enter Upon the Subject Lands and Premises

I, ZEYAD RAFIH,  
*Name of Registered Owner*

hereby authorize the Development and Heritage Standing Committee or their successor, City Council, and staff of The Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 5 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as a condition of approval. This is their authority for doing so.

  
\_\_\_\_\_  
Signature of Registered Owner

SEP 12/24  
\_\_\_\_\_  
Date

If Corporation – I have authority to bind the corporation

**SCHEDULE A CONTINUES ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements - *Continued*

### A3. Acknowledgements

#### Receipt, Fees, Additional Information, Termination, and Freedom of Information

I acknowledge that receipt of this application by the City of Windsor does not guarantee it to be a complete application, that further review of the application will occur, and that I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further acknowledge that after the application is deemed complete, fees are not refundable, additional information may be requested, and that after 60 days of inactivity the City of Windsor may terminate the application without notice.

I further acknowledge that pursuant to the provisions of the Planning Act and the Municipal Freedom of Information and Protection of Privacy Act, this application and all material and information provided with this application are made available to the public.

#### Species at Risk

Ontario's *Endangered Species Act* protects endangered and threatened species — animals and plants in decline and at risk of disappearing from the province by restricting activities that may affect these plants, animals or their habitats.

I acknowledge that it is my sole responsibility as the Applicant to comply with the provisions of the *Endangered Species Act, 2007, S. O. c.6*. This could require me to register an activity, get a permit or other authorization from the Ministry of the Environment, Conservation and Parks (MECP) prior to conducting an activity that could impact an endangered or threatened plant or animal or its habitat. I further acknowledge that any *Planning Act, R.S.O. 1990, c.P.13* approval given by the City of Windsor does not constitute an approval under the *Endangered Species Act*, nor does it absolve me from seeking the necessary authorization, approvals or permits from the MECP prior to conducting any activity that may affect endangered or threatened plant or animal or its habitat.

Additional information can be found at:


<https://www.ontario.ca/page/development-and-infrastructure-projects-and-endangered-or-threatened-species>

or by contacting MECP at SAROntario@ontario.ca

#### Acknowledgement

I acknowledge that I have read and understand the above statements:

  
\_\_\_\_\_  
Signature of Applicant or Agent

  
\_\_\_\_\_  
Date

**END OF SCHEDULE A  
COMPLETE SCHEDULE E ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E – Environmental Site Screening Questionnaire

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### Previous Use of Property

- Residential       Industrial       Commercial       Institutional  
 Agricultural       Parkland       Vacant       Other \_\_\_\_\_

- a) If previous use of the property is Industrial or Commercial, specify use:  
\_\_\_\_\_
- b) Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?  
 Yes       No       Unknown
- c) Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?  
 Yes       No       Unknown
- d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes       No       Unknown
- e) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes       No       Unknown
- f) Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been applied as pesticides and/or sewage sludge applied to the lands?  
 Yes       No       Unknown
- g) Have the lands or adjacent lands ever been used as a weapons firing range?  
 Yes       No       Unknown
- h) Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational/non-operational public or private waste disposal site, landfill or dump?  
 Yes       No       Unknown
- i) If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?  
 Yes       No       Unknown
- j) Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?\*
- Yes       No       Unknown
- \* Possible uses that can cause contamination include but are not limited to: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals that are present.*
- k) If current or previous use of the property is Industrial or Commercial, or if YES to any of a) to j) above, attach a previous use inventory showing all former uses of the subject land, or if applicable, the land(s) adjacent to the subject lands.

**SCHEDULE E CONTINUES ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E - CONTINUED

### Acknowledgement Clause

I hereby acknowledge that it is my responsibility to ensure that I am in compliance with all applicable laws, regulations, guidelines and the City's Official Plan policies pertaining to potentially contaminated sites, and to use all reasonable effort to identify the potential for contamination on the subject property.

I acknowledge that as a condition of approval of this application that the City may require me to file a Record of Site Condition signed by a qualified person in the provincial Environmental Site Registry, and provide verification to the City of Windsor of acknowledgement of this Record of Site Condition by the Ministry of Environment.

I acknowledge that the City may require the qualified person signing the Record of Site Condition to submit to the City a Declaration acknowledging that the City of Windsor may rely on the statements in the Record of Site Condition.

I acknowledge that the City of Windsor is not responsible for the identification and/or remediation of contaminated sites, and I agree, whether in, through, or as a result of any action or proceeding for environmental clean-up of any damage or otherwise, I will not sue or make claim whatsoever against the City of Windsor, its officers, officials, employees or agents for or in respect of any loss, damage, injury or costs.

**ZEYAD RAFIH**

Name of Applicant (print)

Signature of Applicant

Date

**OLIVIA BYRNE**

Name of Agent (print)

Signature of Agent

Date

**END OF SCHEDULE E**



# ZONING BY-LAW AMENDMENT APPLICATION

## DO NOT COMPLETE BELOW – STAFF USE ONLY

<b>Receipt and Assignment of Application</b>	Date Received Stamp
This application has been assigned to:	
<input type="checkbox"/> Adam Szymczak (AS)	<input type="checkbox"/> Brian Nagata (BN)
<input type="checkbox"/> Frank Garardo (FG)	<input type="checkbox"/> Greg Atkinson (GA)
<input type="checkbox"/> Jim Abbs (JA)	<input type="checkbox"/> Justina Nwaesei (JN)
<input type="checkbox"/> Kevin Alexander (KA)	<input type="checkbox"/> Laura Strahl (LS)
<input type="checkbox"/> Simona Simion (SS)	<input type="checkbox"/> _____

<b>Complete Application</b>		
This application is deemed complete on _____ Date		
_____ Signature of Delegated Authority		
<input type="checkbox"/> Neil Robertson, MCIP, RPP Manager of Urban Design	<input type="checkbox"/> Michael Cooke, MCIP, RPP Manager of Planning Policy	<input type="checkbox"/> Thom Hunt, MCIP, RPP City Planner & Executive Director

<b>Internal Information</b>			
Fee Paid: \$ _____	Receipt No: _____	Date: _____	
Payment Type: <input type="checkbox"/> Cash	<input type="checkbox"/> Certified Cheque	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Personal Cheque
NEW Zoning File No. ZNG/ _____	Z- _____		
Previous Zoning File No. ZNG/ _____	Z- _____		
Related OPA File No. OPA/ _____	OPA _____		
Other File Numbers: _____			
Notes: _____			
_____			

**THIS IS THE LAST PAGE OF THE APPLICATION FORM**

**PLANNING AND DEVELOPMENT SERVICES**

**Memo**

**To:** City Clerk  
**From:** City Planner/Executive Director  
**Date:** October 25, 2024  
**Subject:** TRANSMITTAL OF NEW FILE  
**Our File Number: Z-031/24 [ZNG/7236]**  
**RE:** Application For: (X) Zoning Amendment ( ) Official Plan Amendment  
( ) Part Lot Control ( ) Draft Plan of Subdivision/Condominium

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Applicant: MARKO AGBABA  
Location: 1066 CALIFORNIA AVE.  
Description: Application to amend Zoning Bylaw 8600 to permit a townhome dwelling as an additional permitted use, where only an existing duplex dwelling, existing semi-detached dwelling, and one single unit dwelling are permitted.

The ZONING BY-LAW AMENDMENT application submitted on SEPTEMBER 9, 2024 by MARKO AGBABA for 1066 CALIFORNIA AVE. has been deemed complete on OCTOBER 9, 2024.

Enclosures:

- (X) 1 copy of Application Form
- ( ) 1 copy of Drawings
- ( ) 1 copy of Site Plan



Neil Robertson, MCIP, RPP  
City Planner/Executive Director

NR/nm

October 25, 2024

Lassaline Planning Consultants  
c/o Jackie Lassaline  
P.O. Box 52  
1632 County Rd. 31  
St. Joachim, ON N0R 1S0

Dear Agent,

**Re: ZONING BY-LAW AMENDMENT APPLICATION**

**APPLICANT: MARKO AGBABA**

**LOCATION: 1066 CALIFORNIA AVENUE**

**FILE NO.: Z-031/24 [ZNG/7236]**

I acknowledge receipt of a Zoning By-law Amendment Application. Per the delegation authority in By-Law 139-2013, the required information and material submitted on September 9, 2024 was deemed COMPLETE on October 9, 2024. Processing has begun.

You will be advised prior to the Development & Heritage Standing Committee and Council meetings of the position of Planning & Development Services on the application and the dates of the public meetings.

Please email me at [ssimion@citywindsor.ca](mailto:ssimion@citywindsor.ca), if you have any questions.

Sincerely,



---

Simona Simion  
Planner III – Economic Development

SS/nm



## ZONING BY-LAW AMENDMENT APPLICATION

### INSTRUCTIONS

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**Verify that you are using the most current application form.**

- Section 1: Before this application can be submitted, you must complete both Stage 1 and Stage 2 Planning Consultation Applications.
- Section 2: During the Stage 2 process, any required studies must be completed and submitted for review and comment. The final studies for Stage 2 must be included with this application and the proposal must remain unchanged.
- Section 3: Provide the full name, address, phone number, fax number and email address of the applicant, agent, and registered owner. If any of these are a corporation, provide the full corporate name. Include the full name of the contact person. If there is more than one person, corporation, or registered owner, use additional sheets.
- Section 4: Indicate if you are submitting other companion applications with this application. Please note that an application to amend the Official Plan or an application for Plan of Subdivision/Condominium are the only applications that will be accepted for processing concurrently with a Zoning Amendment.
- Section 5: Provide information about the subject land. This information is used to determine supporting information requirements and to assist in the review of the application.
- Section 6: Indicate the amendment, proposed uses and describe the nature and extent of the amendment being requested. Indicate why the amendment is being requested and how it is consistent with the Provincial Policy Statement and conforms to the City of Windsor Official Plan.
- Section 7: If there are any existing buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows this information.
- Section 8: If you propose to build any buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows the information.
- Section 9: Indicate how the property is accessed. Check all boxes that apply.
- Section 10: Provide information about water service, sanitary sewage disposal, and storm drainage.
- Section 11: Provide a sketch of the subject land showing, in metric units, the items listed or indicate if this information is provided on an existing plan or a conceptual site plan.
- Section 12: Please refer to the Stage 2 Planning Consultation letter for details regarding the fees needing to be paid.
- Section 13: Explain your proposed strategy for consulting with the public with respect to the application.
- Section 14: Complete and sign in the presence of a Commissioner of Taking Affidavits.
- Other: Read, complete in full, and sign Schedules A & E.

Submit application form, supporting information, and application fee to Senior Steno Clerk at Planning & Development Services, Suite 210, 350 City Hall Square West, Windsor ON N9A 6S1 or [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)

### TYPE OF REZONING AMENDMENT

### DATE RECEIVED STAMP

The type of amendment is stated in the Stage 2 Consultation letter.

#### **Minor Zoning Amendment:**

- Site zoned commercial, institutional, or manufacturing
  - Addition to the list of permitted uses
- Site already zoned
  - Change to existing regulations or to zoning district boundary to match lot lines
- Site designated in the Official Plan for residential use
  - Rezoning to accommodate a maximum of six dwelling units
- Site designated in the Official Plan for the proposed use other than residential
  - Site-specific zoning for a site with a lot area of less than 1,000.0 m<sup>2</sup>

**Major Zoning Amendment:** Any other amendment not listed as minor.

# ZONING BY-LAW AMENDMENT APPLICATION

## ZONING BY-LAW AMENDMENT PROCESS

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The application will be terminated without notice after 60 days of inactivity. The following is for your information only. Review the Planning Act and relevant regulations for statutory requirements. The processing of the application is subject to change. Direct all questions to the assigned Planner. The process is generally as follows:

1. The application is reviewed to ensure all prescribed and required information and the fee have been submitted. Within 30 days of the receipt of the application, you will be notified in writing that the application is deemed incomplete or complete.
2. If deemed incomplete, the application and fee will be returned. If deemed complete, fees are not refundable, the application is circulated to departments and external agencies for review and comment, and all submitted documents are made available to the public.
3. Following circulation, a draft staff report containing a recommendation and any conditions is prepared. The City Planner and other staff review the draft staff report.
4. When the staff report is approved by appropriate municipal staff, it will be scheduled for a future meeting of the Development and Heritage Standing Committee (DHSC).
5. The DHSC meeting is the public meeting required by the Planning Act. Public notice of the DHSC meeting is advertised in the Windsor Star, a local newspaper, at least 20 days in advance of the DHSC meeting. A courtesy notice may be mailed to property owners and/or tenants within 120 metres or more of the subject land.
6. 10 days prior to the DHSC meeting, the staff report is circulated to the applicant and DHSC members and made available to the public. All supporting documentation submitted by the applicant is available for review.
7. At the DHSC meeting, a staff planner may make a presentation. The applicant and other parties have an opportunity to provide verbal and/or written submissions. The DHSC may ask questions of staff, the applicant, agent, and other parties. The DHSC may decide to defer or recommend approval or denial of the application.
8. If deferred, the application along with any additional information or a new staff report will be considered at a future DHSC meeting. If recommended for approval or denial, the staff report, the minutes of the DHSC meeting, and the amending by-law are forwarded to City of Windsor Council for consideration at a future date. The applicant, agent and all interested parties will be notified by Council Services of the date, time, and location of the Council meeting. Call 311 or contact Council Services at 519-255-6211 or [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca).
9. The application may be placed on the Consent Agenda of the Council Meeting, a part of the meeting where Council approves several matters with a single motion. If the application is not on the Consent Agenda, the staff planner may introduce the application, review the staff recommendation and any additional information provided to Council, and advise Council of any differences between the staff and DHSC recommendations. The applicant and other interested parties have an opportunity to make verbal and/or written submissions. Council may decide to approve, deny, or defer the application. If Council approves the application, the amending by-law may be approved at the same Council meeting, otherwise it will be approved at a future Council meeting.
10. When the amending by-law is passed, Council Services will mail a notice of the passing of the amending by-law to property owners and various public agencies within 15 days. There is a 20-day appeal period commencing the day after this notice is given. The notice will include the last day to file an appeal. An appeal is made to the Ontario Land Tribunal (OLT) through Council Services. If no appeal is filed, the amending by-law is final and binding as of the date of Council's passing of the by-law. Contact Council Services at 519-255-6211 or [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca).
11. If the rezoning is subject to a holding symbol, it is the responsibility of the property owner to satisfy the conditions to remove the holding symbol, to apply, and to pay the fee to remove the holding symbol.

## CONTACT INFORMATION

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Planning & Development Services  
Suite 210  
350 City Hall Square West  
Windsor ON N9A 6S1

Telephone: 519-255-6543  
Fax: 519-255-6544  
Email: [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)  
Web Site: [www.citywindsor.ca](http://www.citywindsor.ca)

# ZONING BY-LAW AMENDMENT APPLICATION

## 1. PLANNING CONSULTATION – Completion of Stage 2

Planning Consultation (Stage 2 Application) must be completed before this application can be submitted.

Has the Planning Consultation Stage 2 Application been completed? NO  YES  File Number: PC-\_\_\_\_\_

Staff Use Only

_____ Signature of Staff Planner		_____ Date of Consultation	
<input type="checkbox"/> Jim Abbs	<input type="checkbox"/> Kevin Alexander	<input type="checkbox"/> Tracy Tang	<input type="checkbox"/> Frank Garardo
<input type="checkbox"/> Brian Nagata	<input type="checkbox"/> Justina Nwaesei	<input type="checkbox"/> Simona Simion	<input type="checkbox"/> Laura Strahl
<input type="checkbox"/> Adam Szymczak	<input type="checkbox"/> _____		

## 2. REQUIRED SUPPORTING INFORMATION as Identified in the Planning Consultation Stage 2 Process:

For each document, provide one paper copy, and where possible, one digital copy on a USB flash drive or by email. All drawings or plans shall be in letter size (8.5 x 11 inches) in JPG and PDF format. All other document shall be provided in Word and PDF format. **All PDF documents shall be flattened with no layers.**

The City of Windsor reserves the right to require additional supporting information during the processing of the application. All supporting information submitted is made available for public review.

If you are submitting a companion application submit only one set of documents.

Staff Use Only

<input checked="" type="checkbox"/> Deed or Offer to Purchase	<input type="checkbox"/> Corporation Profile Report	<input checked="" type="checkbox"/> Site Plan Conceptual (see Section 8)	<input checked="" type="checkbox"/> Sketch of Subject Land (see Section 11)
<input type="checkbox"/> Archaeological Assessment – Stage 1	<input type="checkbox"/> Built Heritage Impact Study	<input type="checkbox"/> Environmental Evaluation Report	<input type="checkbox"/> Environmental Site Assessment
<input type="checkbox"/> Floor Plan and Elevations	<input type="checkbox"/> Geotechnical Study	<input type="checkbox"/> Guideline Plan	<input type="checkbox"/> Lighting Study
<input type="checkbox"/> Market Impact Assessment	<input type="checkbox"/> Micro-Climate Study	<input type="checkbox"/> Noise Study	<input type="checkbox"/> Planning Rationale Report
<input type="checkbox"/> Record of Site Condition (see Schedule E)	<input type="checkbox"/> Sanitary Sewer Study	<input type="checkbox"/> Species at Risk Screening	<input type="checkbox"/> Storm Sewer Study
<input type="checkbox"/> Storm Water Retention Scheme	<input type="checkbox"/> Topographic Plan of Survey	<input type="checkbox"/> Transportation Impact Statement	<input type="checkbox"/> Transportation Impact Study
<input type="checkbox"/> Tree Preservation	<input type="checkbox"/> Tree Survey Study	<input type="checkbox"/> Urban Design Study	<input type="checkbox"/> Vibration Study
<input type="checkbox"/> Wetland Evaluation Study	Other Required Information: _____		

# ZONING BY-LAW AMENDMENT APPLICATION

## 3. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

Provide in full the name of the applicant, registered owner, and agent, the name of the contact person, and address, postal code, phone number, fax number and email address.

If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

All communication is with the Agent authorized by the Owner to file the application. If there is no Agent, all communication is with the Applicant.

### Applicant

Name: Lassaline Planning Consultants Contact: Jackie Lassaline  
Name of Contact Person

Address: P.O. Box 52, 1632 County Road 31, St Joachim ON N0R 1S0

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: 519-563-8814 Fax: \_\_\_\_\_

Email: jackie@lasslaineplan.ca

### Registered Owner Same as Applicant

Name: Marko Agbaba Contact: \_\_\_\_\_  
Name of Contact Person

Address: 2121 Riverside Dr., Windsor ON N9B 1A8

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: 519-999-9425 Fax: \_\_\_\_\_

Email: agbahaholdings@gmail.com

### Agent Authorized by the Owner to File the Application (Also complete Section A1 in Schedule A)

Name: Lassaline Planning Consultants Contact: Jackie Lassaline  
Name of Contact Person

Address: P.O. Box 52, 1632 County Road 31, St. Joachim ON N0R 1S0

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: 519-563-8814 Fax: \_\_\_\_\_

Email: jackie@lassalineplan.ca

## 4. COMPANION APPLICATIONS

Are you submitting a companion Official Plan Amendment application? NO  YES

Are you submitting a companion Plan of Subdivision/Condominium application? NO  YES

Please note that if a development proposal requires site plan approval, that application can only be submitted after the zoning amendment has been considered by City Council and the appeal period has concluded.

# ZONING BY-LAW AMENDMENT APPLICATION

## 5. SUBJECT LAND INFORMATION

Municipal Address 1066 CALIFORNIA AVE

LOT 53 AND LOT 54 BLOCK D PLAN 50 TOWN OF SANDWICH; PT LOT 55

Legal Description BLOCK D PLAN 50 TOWN OF SANDWICH AS IN R1055130; WINDSOR

Assessment Roll Number PIN: 01220-0251

If known, the date the subject land was acquired by the current owner: \_\_\_\_\_

Frontage (m) 19.81 m Depth (m) \_\_\_\_\_ Area (sq m) 679.4 m2

Official Plan Designation 'Residential'

Current Zoning 'Residential District (RD1.3)'

Existing Uses residence

If known, the lengths of time that the existing uses have continued: 60 yrs

Previous Uses residential

List the names and addresses of the holders of any mortgages, charges, or other encumbrances in respect of the subject land:

Are there any easements or restrictive covenants affecting the subject lands? NO  YES

If yes, describe the easement or restrictive covenant and its effect:

If known, has the subject land ever been subject of: (leave blank if unknown)

An application for a Plan of Subdivision or Consent: NO  YES  File: \_\_\_\_\_

An application for an amendment to a Zoning By-law: NO  YES  File: \_\_\_\_\_

An application for approval of a Site Plan: NO  YES  SPC- \_\_\_\_\_

A Minister's Zoning Order (Ontario Regulation): NO  YES  OR#: \_\_\_\_\_



# ZONING BY-LAW AMENDMENT APPLICATION

## 6. DESCRIPTION OF AMENDMENT

Amendment to Zoning By-law from: \_\_\_\_\_

to: a site specific 'Residential District 2.2 (RD2.2(##))

Proposed uses of subject land: Residential

Describe the nature and extent of the amendment(s) being requested:

The owner is proposing the construction of a new, three unit townhouse building. The building consists of 2 storeys in height. Each townhouse unit consists of a main apartment unit, an ADU below the main in the basement and an ADU above the main on the second floor. The total lot coverage is 53% comprising TH 1 at 52%; TH 2 at 55% and TH 3 at 52%

Why is this amendment or these amendments being requested?

There are 4 site specific provisions: i) Lot Width (min) = 20 m required, with 19.8 m provided; ii) Side Yard (min) = 1.5 m required and 1.2 m provided; iii) Lot Coverage (max) 45% and 53% provided; iv) Rear Yard Setback 7.5 m minimum and 5.7 m provided.

Explain how the amendment to the Zoning By-law is consistent with the Provincial Policy Statement:

See Planning Rationale Report \_\_\_\_\_

§

Explain how the application conforms to the City of Windsor Official Plan:

See Planning Rationale Report \_\_\_\_\_

If this application is to remove land from an area of employment, details of the official plan or official plan amendment that deals with this matter:

See Planning Rationale Report  See Official Plan Amendment

# ZONING BY-LAW AMENDMENT APPLICATION

## 7. EXISTING BUILDINGS / STRUCTURES ON SUBJECT LAND

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Are there any buildings or structures on the subject land?

NO Continue to Section 8

YES Indicate the type of building or structure, the date of construction (if known), and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area.

See attached Existing Plan or Sketch of Subject Land

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## 8. PROPOSED BUILDINGS / STRUCTURES ON SUBJECT LAND

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Do you propose to build any buildings or structures on the subject land?

NO Continue to Section 9

YES Indicate the type of building or structure and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure, and its dimensions or floor area.

See attached concept plan

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# ZONING BY-LAW AMENDMENT APPLICATION

## 9. ACCESS TO SUBJECT LAND

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Indicate if access to subject land is by: *(check all that apply)*

- Municipal Road
- Provincial Highway
- Another public road or a right-of-way
- Water - If access to the subject land is by water only, describe the parking and docking facilities used or to be used and provide the approximate distance in metric of these facilities from the subject land and the nearest public road:

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## 10. WATER, SANITARY SEWAGE AND STORM DRAINAGE

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**WATER** – Indicate whether water will be provided to the subject land by:

- Publicly owned & operated piped water system
- Privately owned & operated individual well
- Privately owned & operated communal well
- Other \_\_\_\_\_

**SANITARY** - Indicate whether sewage disposal will be provided to the subject land by:

- Publicly owned & operated sanitary sewage system
- Privately owned & operated individual septic system - See Note below
- Privately owned & operated communal septic system - See Note below
- Other \_\_\_\_\_

Note: If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, you must submit a Servicing Options Report and a Hydrogeological Report.

**STORM DRAINAGE** - Indicate whether storm drainage will be provided by:

- Sewers
- Ditches
- Swales
- Other \_\_\_\_\_

# ZONING BY-LAW AMENDMENT APPLICATION

## 11. SKETCH OF SUBJECT LAND

Provide a sketch showing, in metric units,

- a) the boundaries and dimensions of the subject land;
- b) the location, size, and type of all existing and proposed buildings and structures on the subject land, including their distance from the front lot line, rear lot line, and side lines;
- c) the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are located on the subject land and on land that is adjacent to it, and in the applicant’s opinion, may affect the application;
- d) the current uses of all land that is adjacent to the subject land;
- e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road, or a right of way;
- f) if access to the subject land will be water only, the location of the parking and docking facilities to be used; and
- g) the location and nature of any easement affecting the subject land.

## 12. APPLICATION FEE & OTHER FEES

The amendment type and corresponding application fees are identified in the Planning Consultation Stage 2 process.

Fees may be subject to change and are not refundable once the application is deemed complete. Method of payment: Cash, Mastercard, Visa or Certified Cheque or Personal Cheque payable to The Corporation of the City of Windsor. If paying by Mastercard or Visa, contact the Senior Steno Clerk for further direction at [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca) or 519-255-6543.

### APPLICATION FEE

Amendment Type	Code	<input checked="" type="checkbox"/> Minor Rezoning	<input type="checkbox"/> Major Rezoning
Base Fee	53001	\$4,347.00	\$5,837.40
GIS Fee	63024	+ \$50.00	+ \$50.00
Essex Region Conservation Authority Fee	53023	+ <u>\$200.00</u>	+ <u>\$300.00</u>
<b>Total Application Fee</b>		<b>= \$4,597.00</b>	<b>= \$6,187.40</b>

The following fees are provided for information purposes. They are not due at this time but may be assessed depending on the type(s) of applications associated with the development proposal

### OTHER FEES

- Re-Notification/Deferral Fee** Code 53016 \$2,258.40  
Required when an applicant requests a deferral after notice of a public meeting has been given.
- Legal Fee - Servicing Agreement** Code 63002 \$597.64 plus \$50 per unit, lot, or block  
Required when the preparation of a servicing agreement is a condition of approval.
- Removal of the Holding Symbol Application** Code 53001 \$1,536.00  
It is the responsibility of the property owner to satisfy the conditions to remove the holding symbol and to apply and fee to remove the holding symbol.
- Ontario Land Tribunal (OLT) Appeal Fee** \$1,100.00  
An appeal is made through Council Services (519-255-6211 or [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)). Fees, forms, and processes are subject to change. Visit <https://olt.gov.on.ca> for additional information

# ZONING BY-LAW AMENDMENT APPLICATION

## 13. PROPOSED PUBLIC CONSULTATION STRATEGY

Select or describe your proposed strategy for consulting with the public with respect to the application:

Required Public Consultation (Public Notice & Public Meeting as required per the Planning Act)

Open House       Website       Other \_\_\_\_\_

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## 14. SWORN DECLARATION OF APPLICANT

Complete in the presence of a Commissioner for Taking Affidavits. If the declaration is to be administered remotely, you must be able to see, hear and communicate with the Commissioner and show documentation that confirms your identity.

I, Lassaline Planning Consultants, c/o Jackie Lassaline, solemnly declare that the information required under Schedule 1 to Ontario Regulation 545/06 and provided by the applicant is accurate and that the information contained in the documents that accompany this application is accurate, that if this declaration was administered remotely that it was in accordance with Ontario Regulation 431/20, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

Jacqueline Lassaline  
Signature of Applicant  
*Sign in the presence of a Commissioner  
For Taking Affidavits*

Municipality of Lakeshore  
Location of Applicant at time of declaration

This declaration was administered remotely in accordance with Ontario Regulation 431/20

Declared before me [Signature] at the Town of Kingsville  
Signature of Commissioner      Location of Commissioner

this 22nd day of July, 2024  
day      month      year

PLACE AN IMPRINT OF YOUR STAMP BELOW

Tammy Ann Snively, a Commissioner, etc.,  
Province of Ontario, for McGregor, Sims, Schmoranz  
Professional Corporation, Barristers and Solicitors.  
Expires April 25, 2026.

## READ & COMPLETE SCHEDULES A & E IN FULL & SIGN

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements

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### A1. Authorization of Registered Owner for Agent to Make the Application

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the agent is authorized to make the application must be included with this application form or the authorization below must be completed.

I, Agbaba Holdings Corporation (c/o Marko Agbaba), am the registered owner of the land that is  
*Name of Registered Owner*

subject of this application for an amendment to the City of Windsor Zoning By-law and I authorize

Lassaline Planning Consultants, c/o Jackie Lassaline to make this application on my behalf.  
*Name of Agent*

Authentisign  


June 22, 2024

07/22/24

Signature of Registered Owner

Date

If Corporation - I have authority to bind the corporation

### A2. Authorization to Enter Upon the Subject Lands and Premises

I, Agbaba Holdings Corporation (c/o Marko Agbaba),  
*Name of Registered Owner*

hereby authorize the Development and Heritage Standing Committee or their successor, City Council, and staff of The Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 5 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as a condition of approval. This is their authority for doing so.

Authentisign  


July 22, 2024

07/22/24

Signature of Registered Owner

Date

If Corporation – I have authority to bind the corporation

**SCHEDULE A CONTINUES ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements - *Continued*

### A3. Acknowledgements

#### Receipt, Fees, Additional Information, Termination, and Freedom of Information

I acknowledge that receipt of this application by the City of Windsor does not guarantee it to be a complete application, that further review of the application will occur, and that I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further acknowledge that after the application is deemed complete, fees are not refundable, additional information may be requested, and that after 60 days of inactivity the City of Windsor may terminate the application without notice.

I further acknowledge that pursuant to the provisions of the Planning Act and the Municipal Freedom of Information and Protection of Privacy Act, this application and all material and information provided with this application are made available to the public.

#### Species at Risk

Ontario's *Endangered Species Act* protects endangered and threatened species — animals and plants in decline and at risk of disappearing from the province by restricting activities that may affect these plants, animals or their habitats.

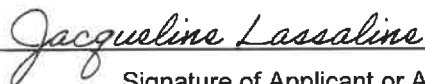
I acknowledge that it is my sole responsibility as the Applicant to comply with the provisions of the *Endangered Species Act, 2007, S. O. c.6*. This could require me to register an activity, get a permit or other authorization from the Ministry of the Environment, Conservation and Parks (MECP) prior to conducting an activity that could impact an endangered or threatened plant or animal or its habitat. I further acknowledge that any *Planning Act, R.S.O. 1990, c.P.13* approval given by the City of Windsor does not constitute an approval under the *Endangered Species Act*, nor does it absolve me from seeking the necessary authorization, approvals or permits from the MECP prior to conducting any activity that may affect endangered or threatened plant or animal or its habitat.

Additional information can be found at:

<https://www.ontario.ca/page/development-and-infrastructure-projects-and-endangered-or-threatened-species>  
or by contacting MECP at SAROntario@ontario.ca

#### Acknowledgement

I acknowledge that I have read and understand the above statements:



Signature of Applicant or Agent

July 22, 2024

Date

**END OF SCHEDULE A  
COMPLETE SCHEDULE E ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E – Environmental Site Screening Questionnaire

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**Previous Use of Property**

- |   |                                     |                                     |  |
|---|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial | <input type="checkbox"/> Institutional |
| <input type="checkbox"/> Agricultural           | <input type="checkbox"/> Parkland   | <input type="checkbox"/> Vacant     | <input type="checkbox"/> Other _____   |

- a) If previous use of the property is Industrial or Commercial, specify use:  
 \_\_\_\_\_
- b) Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?  
 Yes     No     Unknown
- c) Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?  
 Yes     No     Unknown
- d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes     No     Unknown
- e) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes     No     Unknown
- f) Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been applied as pesticides and/or sewage sludge applied to the lands?  
 Yes     No     Unknown
- g) Have the lands or adjacent lands ever been used as a weapons firing range?  
 Yes     No     Unknown
- h) Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational/non-operational public or private waste disposal site, landfill or dump?  
 Yes     No     Unknown
- i) If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?  
 Yes     No     Unknown
- j) Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?\*

*\* Possible uses that can cause contamination include but are not limited to: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals that are present.*

- k) If current or previous use of the property is Industrial or Commercial, or if YES to any of a) to j) above, attach a previous use inventory showing all former uses of the subject land, or if applicable, the land(s) adjacent to the subject lands.

**SCHEDULE E CONTINUES ON NEXT PAGE**



# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E - CONTINUED

### Acknowledgement Clause

I hereby acknowledge that it is my responsibility to ensure that I am in compliance with all applicable laws, regulations, guidelines and the City's Official Plan policies pertaining to potentially contaminated sites, and to use all reasonable effort to identify the potential for contamination on the subject property.

I acknowledge that as a condition of approval of this application that the City may require me to file a Record of Site Condition signed by a qualified person in the provincial Environmental Site Registry, and provide verification to the City of Windsor of acknowledgement of this Record of Site Condition by the Ministry of Environment.

I acknowledge that the City may require the qualified person signing the Record of Site Condition to submit to the City a Declaration acknowledging that the City of Windsor may rely on the statements in the Record of Site Condition.

I acknowledge that the City of Windsor is not responsible for the identification and/or remediation of contaminated sites, and I agree, whether in, through, or as a result of any action or proceeding for environmental clean-up of any damage or otherwise, I will not sue or make claim whatsoever against the City of Windsor, its officers, officials, employees or agents for or in respect of any loss, damage, injury or costs.

Jackie Lassaline, Lassaline Planning Consultants

Name of Applicant (print)

*Jacqueline Lassaline*

Signature of Applicant

July 22, 2024

Date

Jackie Lassaline, Lassaline Planning Consultants

Name of Agent (print)

*Jacqueline Lassaline*

Signature of Agent

July 22, 2024

Date

**END OF SCHEDULE E**

# ZONING BY-LAW AMENDMENT APPLICATION

## DO NOT COMPLETE BELOW – STAFF USE ONLY

<b>Receipt and Assignment of Application</b>	Date Received Stamp
This application has been assigned to:	
<input type="checkbox"/> Adam Szymczak (AS)	<input type="checkbox"/> Brian Nagata (BN)
<input type="checkbox"/> Frank Garardo (FG)	<input type="checkbox"/> Tracy Tang (TT)
<input type="checkbox"/> Jim Abbs (JA)	<input type="checkbox"/> Justina Nwaesei (JN)
<input type="checkbox"/> Kevin Alexander (KA)	<input type="checkbox"/> Laura Strahl (LS)
<input type="checkbox"/> Simona Simion (SS)	<input type="checkbox"/> _____

<b>Complete Application</b>
This application is deemed complete on _____ <span style="display: block; text-align: center;">Date</span>
_____ <i>Signature of Delegated Authority</i>
<input type="checkbox"/> Neil Robertson, MCIP, RPP Manager of Urban Design <input type="checkbox"/> Greg Atkinson, MCIP, RPP Manager of Development <input type="checkbox"/> Thom Hunt, MCIP, RPP City Planner & Executive Director

<b>Internal Information</b>
Fee Paid: \$ _____ Receipt No: _____ Date: _____
Payment Type: <input type="checkbox"/> Cash <input type="checkbox"/> Certified Cheque <input type="checkbox"/> Credit Card <input type="checkbox"/> Personal Cheque
NEW Zoning File No. ZNG/ _____ Z- _____
Previous Zoning File No. ZNG/ _____ Z- _____
Related OPA File No. OPA/ _____ OPA _____
Other File Numbers: _____
Notes: _____
_____

**THIS IS THE LAST PAGE OF THE APPLICATION FORM**

**PLANNING AND DEVELOPMENT SERVICES**

**Memo**

**To:** City Clerk  
**From:** City Planner/Executive Director  
**Date:** October 25, 2024  
**Subject:** TRANSMITTAL OF NEW FILE  
**Our File Number: Z-035/24 [ZNG/7243]**  
**RE:** Application For:  Zoning Amendment  Official Plan Amendment  
 Part Lot Control  Draft Plan of Subdivision/Condominium

---

Applicant: BAKER INVESTMENTS LTD.  
Location: 0 WYANDOTTE STREET EAST  
Description: Application to amend Zoning By-law 8600 to permit a new multiple dwelling building as an additional permitted use, where only commercial development is permitted.

The ZONING BY-LAW AMENDMENT application submitted on SEPTEMBER 25, 2024 by BAKER INVESTMENTS LTD. for 0 WYANDOTTE ST. E. has been deemed complete on OCTOBER 9, 2024.

Enclosures:

- 1 copy of Application Form
- 1 copy of Drawings
- 1 copy of Site Plan



Neil Robertson, MCIP, RPP  
City Planner/Executive Director

NR/nm

October 25, 2024

Pillon Abbs Inc.  
c/o Tracey Pillon-Abbs  
23669 Prince Albert Rd.  
Chatham, ON N7M 5J7

Dear Agent,

**Re: ZONING BY-LAW AMENDMENT APPLICATION**

**APPLICANT: BAKER INVESTMENTS LTD.**

**LOCATION: 0 WYANDOTTE STREET EAST**

**FILE NO.: Z-035/24 [ZNG/7243]**

I acknowledge receipt of a Zoning By-law Amendment Application. Per the delegation authority in By-Law 139-2013, the required information and material submitted on September 25, 2024 was deemed COMPLETE on October 9, 2024. Processing has begun.

You will be advised prior to the Development & Heritage Standing Committee and Council meetings of the position of Planning & Development Services on the application and the dates of the public meetings.

Please email me at [aszymczak@citywindsor.ca](mailto:aszymczak@citywindsor.ca), if you have any questions.

Sincerely,



---

Adam Szymczak  
Planner III – Development Review

AS/nm

## ZONING BY-LAW AMENDMENT APPLICATION

### INSTRUCTIONS

**Verify that you are using the most current application form.**

- Section 1: Before this application can be submitted, you must complete both Stage 1 and Stage 2 Planning Consultation Applications.
- Section 2: During the Stage 2 process, any required studies must be completed and submitted for review and comment. The final studies for Stage 2 must be included with this application and the proposal must remain unchanged.
- Section 3: Provide the full name, address, phone number, fax number and email address of the applicant, agent, and registered owner. If any of these are a corporation, provide the full corporate name. Include the full name of the contact person. If there is more than one person, corporation, or registered owner, use additional sheets.
- Section 4: Indicate if you are submitting other companion applications with this application. Please note that an application to amend the Official Plan or an application for Plan of Subdivision/Condominium are the only applications that will be accepted for processing concurrently with a Zoning Amendment.
- Section 5: Provide information about the subject land. This information is used to determine supporting information requirements and to assist in the review of the application.
- Section 6: Indicate the amendment, proposed uses and describe the nature and extent of the amendment being requested. Indicate why the amendment is being requested and how it is consistent with the Provincial Policy Statement and conforms to the City of Windsor Official Plan.
- Section 7: If there are any existing buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows this information.
- Section 8: If you propose to build any buildings or structures on the subject land, provide the required information or submit a sketch, drawing or plan that shows the information.
- Section 9: Indicate how the property is accessed. Check all boxes that apply.
- Section 10: Provide information about water service, sanitary sewage disposal, and storm drainage.
- Section 11: Provide a sketch of the subject land showing, in metric units, the items listed or indicate if this information is provided on an existing plan or a conceptual site plan.
- Section 12: Please refer to the Stage 2 Planning Consultation letter for details regarding the fees needing to be paid.
- Section 13: Explain your proposed strategy for consulting with the public with respect to the application.
- Section 14: Complete and sign in the presence of a Commissioner of Taking Affidavits.
- Other: Read, complete in full, and sign Schedules A & E.

Submit application form, supporting information, and application fee to Senior Steno Clerk at Planning & Development Services, Suite 210, 350 City Hall Square West, Windsor ON N9A 6S1 or [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)

### TYPE OF REZONING AMENDMENT

### DATE RECEIVED STAMP

The type of amendment is stated in the Stage 2 Consultation letter.

#### **Minor Zoning Amendment:**

- Site zoned commercial, institutional, or manufacturing
  - Addition to the list of permitted uses
- Site already zoned
  - Change to existing regulations or to zoning district boundary to match lot lines
- Site designated in the Official Plan for residential use
  - Rezoning to accommodate a maximum of six dwelling units
- Site designated in the Official Plan for the proposed use other than residential
  - Site-specific zoning for a site with a lot area of less than 1,000.0 m<sup>2</sup>

**Major Zoning Amendment:** Any other amendment not listed as minor.

# ZONING BY-LAW AMENDMENT APPLICATION

## ZONING BY-LAW AMENDMENT PROCESS

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The application will be terminated without notice after 60 days of inactivity. The following is for your information only. Review the Planning Act and relevant regulations for statutory requirements. The processing of the application is subject to change. Direct all questions to the assigned Planner. The process is generally as follows:

1. The application is reviewed to ensure all prescribed and required information and the fee have been submitted. Within 30 days of the receipt of the application, you will be notified in writing that the application is deemed incomplete or complete.
2. If deemed incomplete, the application and fee will be returned. If deemed complete, fees are not refundable, the application is circulated to departments and external agencies for review and comment, and all submitted documents are made available to the public.
3. Following circulation, a draft staff report containing a recommendation and any conditions is prepared. The City Planner and other staff review the draft staff report.
4. When the staff report is approved by appropriate municipal staff, it will be scheduled for a future meeting of the Development and Heritage Standing Committee (DHSC).
5. The DHSC meeting is the public meeting required by the Planning Act. Public notice of the DHSC meeting is advertised in the Windsor Star, a local newspaper, at least 20 days in advance of the DHSC meeting. A courtesy notice may be mailed to property owners and/or tenants within 120 metres or more of the subject land.
6. 10 days prior to the DHSC meeting, the staff report is circulated to the applicant and DHSC members and made available to the public. All supporting documentation submitted by the applicant is available for review.
7. At the DHSC meeting, a staff planner may make a presentation. The applicant and other parties have an opportunity to provide verbal and/or written submissions. The DHSC may ask questions of staff, the applicant, agent, and other parties. The DHSC may decide to defer or recommend approval or denial of the application.
8. If deferred, the application along with any additional information or a new staff report will be considered at a future DHSC meeting. If recommended for approval or denial, the staff report, the minutes of the DHSC meeting, and the amending by-law are forwarded to City of Windsor Council for consideration at a future date. The applicant, agent and all interested parties will be notified by Council Services of the date, time, and location of the Council meeting. Call 311 or contact Council Services at 519-255-6211 or [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca).
9. The application may be placed on the Consent Agenda of the Council Meeting, a part of the meeting where Council approves several matters with a single motion. If the application is not on the Consent Agenda, the staff planner may introduce the application, review the staff recommendation and any additional information provided to Council, and advise Council of any differences between the staff and DHSC recommendations. The applicant and other interested parties have an opportunity to make verbal and/or written submissions. Council may decide to approve, deny, or defer the application. If Council approves the application, the amending by-law may be approved at the same Council meeting, otherwise it will be approved at a future Council meeting.
10. When the amending by-law is passed, Council Services will mail a notice of the passing of the amending by-law to property owners and various public agencies within 15 days. There is a 20-day appeal period commencing the day after this notice is given. The notice will include the last day to file an appeal. An appeal is made to the Ontario Land Tribunal (OLT) through Council Services. If no appeal is filed, the amending by-law is final and binding as of the date of Council's passing of the by-law. Contact Council Services at 519-255-6211 or [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca).
11. If the rezoning is subject to a holding symbol, it is the responsibility of the property owner to satisfy the conditions to remove the holding symbol, to apply, and to pay the fee to remove the holding symbol.

## CONTACT INFORMATION

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Planning & Development Services  
Suite 210  
350 City Hall Square West  
Windsor ON N9A 6S1

Telephone: 519-255-6543  
Fax: 519-255-6544  
Email: [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)  
Web Site: [www.citywindsor.ca](http://www.citywindsor.ca)

# ZONING BY-LAW AMENDMENT APPLICATION

## 1. PLANNING CONSULTATION – Completion of Stage 2

Planning Consultation (Stage 2 Application) must be completed before this application can be submitted.

Has the Planning Consultation Stage 2 Application been completed? NO  YES  File Number: PC- \_\_\_\_\_

*Staff Use Only*

Signature of Staff Planner	Date of Consultation
<input type="checkbox"/> Jim Abbs <input type="checkbox"/> Brian Nagata <input type="checkbox"/> Adam Szymczak	<input type="checkbox"/> Kevin Alexander <input type="checkbox"/> Justina Nwaesei <input type="checkbox"/> _____
<input type="checkbox"/> Tracy Tang <input type="checkbox"/> Simona Simion	<input type="checkbox"/> Frank Garardo <input type="checkbox"/> Laura Strahl

## 2. REQUIRED SUPPORTING INFORMATION as Identified in the Planning Consultation Stage 2 Process:

For each document, provide one paper copy, and where possible, one digital copy on a USB flash drive or by email. All drawings or plans shall be in letter size (8.5 x 11 inches) in JPG and PDF format. All other document shall be provided in Word and PDF format. **All PDF documents shall be flattened with no layers.**

The City of Windsor reserves the right to require additional supporting information during the processing of the application. All supporting information submitted is made available for public review.

If you are submitting a companion application submit only one set of documents.

*Staff Use Only*

<input checked="" type="checkbox"/> Deed or Offer to Purchase	<input type="checkbox"/> Corporation Profile Report	<input checked="" type="checkbox"/> Site Plan Conceptual <i>(see Section 8)</i>	<input checked="" type="checkbox"/> Sketch of Subject Land <i>(see Section 11)</i>
<input type="checkbox"/> Archaeological Assessment – Stage 1	<input type="checkbox"/> Built Heritage Impact Study	<input type="checkbox"/> Environmental Evaluation Report	<input type="checkbox"/> Environmental Site Assessment
<input type="checkbox"/> Floor Plan and Elevations	<input type="checkbox"/> Geotechnical Study	<input type="checkbox"/> Guideline Plan	<input type="checkbox"/> Lighting Study
<input type="checkbox"/> Market Impact Assessment	<input type="checkbox"/> Micro-Climate Study	<input type="checkbox"/> Noise Study	<input type="checkbox"/> Planning Rationale Report
<input type="checkbox"/> Record of Site Condition <i>(see Schedule E)</i>	<input type="checkbox"/> Sanitary Sewer Study	<input type="checkbox"/> Species at Risk Screening	<input type="checkbox"/> Storm Sewer Study
<input type="checkbox"/> Storm Water Retention Scheme	<input type="checkbox"/> Topographic Plan of Survey	<input type="checkbox"/> Transportation Impact Statement	<input type="checkbox"/> Transportation Impact Study
<input type="checkbox"/> Tree Preservation	<input type="checkbox"/> Tree Survey Study	<input type="checkbox"/> Urban Design Study	<input type="checkbox"/> Vibration Study
<input type="checkbox"/> Wetland Evaluation Study	Other Required Information: _____		

# ZONING BY-LAW AMENDMENT APPLICATION

## 3. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

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Provide in full the name of the applicant, registered owner, and agent, the name of the contact person, and address, postal code, phone number, fax number and email address.

If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

All communication is with the Agent authorized by the Owner to file the application. If there is no Agent, all communication is with the Applicant.

### Applicant

Name: \_\_\_\_\_ Contact: \_\_\_\_\_  
*Name of Contact Person*

Address: \_\_\_\_\_

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: Jason@bakerinvestmentsltd.com

### Registered Owner Same as Applicant

Name: \_\_\_\_\_ Contact: \_\_\_\_\_  
*Name of Contact Person*

Address: \_\_\_\_\_

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

### Agent Authorized by the Owner to File the Application (Also complete Section A1 in Schedule A)

Name: \_\_\_\_\_ Contact: \_\_\_\_\_  
*Name of Contact Person*

Address: \_\_\_\_\_

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

## 4. COMPANION APPLICATIONS

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Are you submitting a companion Official Plan Amendment application? NO  YES

Are you submitting a companion Plan of Subdivision/Condominium application? NO  YES

Please note that if a development proposal requires site plan approval, that application can only be submitted after the zoning amendment has been considered by City Council and the appeal period has concluded.



# ZONING BY-LAW AMENDMENT APPLICATION

## 5. SUBJECT LAND INFORMATION

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Municipal Address \_\_\_\_\_  
\_\_\_\_\_

Legal Description \_\_\_\_\_  
\_\_\_\_\_

Assessment Roll Number \_\_\_\_\_  
\_\_\_\_\_

If known, the date the subject land was acquired by the current owner: \_\_\_\_\_

Frontage (m) \_\_\_\_\_ Depth (m) \_\_\_\_\_ Area (sq m) \_\_\_\_\_

Official Plan Designation \_\_\_\_\_

Current Zoning \_\_\_\_\_  
\_\_\_\_\_

Existing Uses \_\_\_\_\_  
\_\_\_\_\_

If known, the lengths of time that the existing uses have continued: \_\_\_\_\_

Previous Uses \_\_\_\_\_  
\_\_\_\_\_

List the names and addresses of the holders of any mortgages, charges, or other encumbrances in respect of the subject land:

\_\_\_\_\_  
\_\_\_\_\_

Are there any easements or restrictive covenants affecting the subject lands? NO  YES

If yes, describe the easement or restrictive covenant and its effect:

\_\_\_\_\_  
\_\_\_\_\_

If known, has the subject land ever been subject of: *(leave blank if unknown)*

An application for a Plan of Subdivision or Consent: NO  YES  File: \_\_\_\_\_

An application for an amendment to a Zoning By-law: NO  YES  File: \_\_\_\_\_

An application for approval of a Site Plan: NO  YES  SPC- \_\_\_\_\_

A Minister's Zoning Order (Ontario Regulation): NO  YES  OR#: \_\_\_\_\_

# ZONING BY-LAW AMENDMENT APPLICATION

## 6. DESCRIPTION OF AMENDMENT

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Amendment to Zoning By-law from: \_\_\_\_\_

to: \_\_\_\_\_

Proposed uses of subject land: \_\_\_\_\_

Describe the nature and extent of the amendment(s) being requested:

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Why is this amendment or these amendments being requested?

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Explain how the amendment to the Zoning By-law is consistent with the Provincial Policy Statement:

See Planning Rationale Report \_\_\_\_\_

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Explain how the application conforms to the City of Windsor Official Plan:

See Planning Rationale Report \_\_\_\_\_

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If this application is to remove land from an area of employment, details of the official plan or official plan amendment that deals with this matter:

See Planning Rationale Report                       See Official Plan Amendment

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# ZONING BY-LAW AMENDMENT APPLICATION

## 7. EXISTING BUILDINGS / STRUCTURES ON SUBJECT LAND

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Are there any buildings or structures on the subject land?

- NO Continue to Section 8
- YES Indicate the type of building or structure, the date of construction (if known), and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area.
  - See attached Existing Plan or Sketch of Subject Land

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## 8. PROPOSED BUILDINGS / STRUCTURES ON SUBJECT LAND

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Do you propose to build any buildings or structures on the subject land?

- NO Continue to Section 9
- YES Indicate the type of building or structure and, in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure, and its dimensions or floor area.
  - See attached concept plan

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# ZONING BY-LAW AMENDMENT APPLICATION

## 9. ACCESS TO SUBJECT LAND

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Indicate if access to subject land is by: *(check all that apply)*

- Municipal Road                       Provincial Highway                       Another public road or a right-of-way
- Water - If access to the subject land is by water only, describe the parking and docking facilities used or to be used and provide the approximate distance in metric of these facilities from the subject land and the nearest public road:

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## 10. WATER, SANITARY SEWAGE AND STORM DRAINAGE

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**WATER** – Indicate whether water will be provided to the subject land by:

- Publicly owned & operated piped water system
- Privately owned & operated individual well
- Privately owned & operated communal well
- Other \_\_\_\_\_

**SANITARY** - Indicate whether sewage disposal will be provided to the subject land by:

- Publicly owned & operated sanitary sewage system
- Privately owned & operated individual septic system - See Note below
- Privately owned & operated communal septic system - See Note below
- Other \_\_\_\_\_

Note: If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, you must submit a Servicing Options Report and a Hydrogeological Report.

**STORM DRAINAGE** - Indicate whether storm drainage will be provided by:

- Sewers                       Ditches                       Swales                       Other \_\_\_\_\_

# ZONING BY-LAW AMENDMENT APPLICATION

## 11. SKETCH OF SUBJECT LAND

Provide a sketch showing, in metric units,

- a) the boundaries and dimensions of the subject land;
- b) the location, size, and type of all existing and proposed buildings and structures on the subject land, including their distance from the front lot line, rear lot line, and side lines;
- c) the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are located on the subject land and on land that is adjacent to it, and in the applicant's opinion, may affect the application;
- d) the current uses of all land that is adjacent to the subject land;
- e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road, or a right of way;
- f) if access to the subject land will be water only, the location of the parking and docking facilities to be used; and
- g) the location and nature of any easement affecting the subject land.

## 12. APPLICATION FEE & OTHER FEES

The amendment type and corresponding application fees are identified in the Planning Consultation Stage 2 process.

Fees may be subject to change and are not refundable once the application is deemed complete. Method of payment: Cash, Mastercard, Visa or Certified Cheque or Personal Cheque payable to The Corporation of the City of Windsor. If paying by Mastercard or Visa, contact the Senior Steno Clerk for further direction at [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca) or 519-255-6543.

### APPLICATION FEE

Amendment Type	Code	<input type="checkbox"/> Minor Rezoning	<input type="checkbox"/> Major Rezoning
Base Fee	53001	\$4,347.00	\$5,837.40
GIS Fee	63024	+ \$50.00	+ \$50.00
Essex Region Conservation Authority Fee	53023	+ \$200.00	+ \$300.00
<b>Total Application Fee</b>		<b>= \$4,597.00</b>	<b>= \$6,187.40</b>

The following fees are provided for information purposes. They are not due at this time but may be assessed depending on the type(s) of applications associated with the development proposal

### OTHER FEES

- Re-Notification/Deferral Fee** Code 53016 \$2,258.40  
Required when an applicant requests a deferral after notice of a public meeting has been given.
- Legal Fee - Servicing Agreement** Code 63002 \$597.64 plus \$50 per unit, lot, or block  
Required when the preparation of a servicing agreement is a condition of approval.
- Removal of the Holding Symbol Application** Code 53001 \$1,536.00  
It is the responsibility of the property owner to satisfy the conditions to remove the holding symbol and to apply and fee to remove the holding symbol.
- Ontario Land Tribunal (OLT) Appeal Fee** \$1,100.00  
An appeal is made through Council Services (519-255-6211 or [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)). Fees, forms, and processes are subject to change. Visit <https://olt.gov.on.ca> for additional information

# ZONING BY-LAW AMENDMENT APPLICATION

## 13. PROPOSED PUBLIC CONSULTATION STRATEGY

Select or describe your proposed strategy for consulting with the public with respect to the application:

Required Public Consultation (Public Notice & Public Meeting as required per the Planning Act)

Open House       Website       Other \_\_\_\_\_

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## 14. SWORN DECLARATION OF APPLICANT

Complete in the presence of a Commissioner for Taking Affidavits. If the declaration is to be administered remotely, you must be able to see, hear and communicate with the Commissioner and show documentation that confirms your identity.

I, \_\_\_\_\_, solemnly declare that the information required under Schedule 1 to Ontario Regulation 545/06 and provided by the applicant is accurate and that the information contained in the documents that accompany this application is accurate, that if this declaration was administered remotely that it was in accordance with Ontario Regulation 431/20, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.


*Jason Baker*

Signature of Applicant

Sign in the presence of a Commissioner  
For Taking Affidavits

Location of Applicant at time of declaration

This declaration was administered remotely in accordance with Ontario Regulation 431/20

Declared before me  at the \_\_\_\_\_

Signature of Commissioner

Location of Commissioner

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
day month year

PLACE AN IMPRINT OF YOUR STAMP BELOW

Tracey Lynn Cecilia Pillon-Abbs, a Commissioner, etc.,  
Province of Ontario, for Pillon Abbs Inc.  
Expires August 4, 2026

## READ & COMPLETE SCHEDULES A & E IN FULL & SIGN

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements

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### A1. Authorization of Registered Owner for Agent to Make the Application

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the agent is authorized to make the application must be included with this application form or the authorization below must be completed.

I, \_\_\_\_\_, am the registered owner of the land that is  
*Name of Registered Owner*

subject of this application for an amendment to the City of Windsor Zoning By-law and I authorize

\_\_\_\_\_ to make this application on my behalf.  
*Name of Agent*

*Jason Baker*

Signature of Registered Owner

Date

If Corporation - I have authority to bind the corporation

### A2. Authorization to Enter Upon the Subject Lands and Premises

I, \_\_\_\_\_,  
*Name of Registered Owner*

hereby authorize the Development and Heritage Standing Committee or their successor, City Council, and staff of The Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 5 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as a condition of approval. This is their authority for doing so.

*Jason Baker*

Signature of Registered Owner

Date

If Corporation – I have authority to bind the corporation

**SCHEDULE A CONTINUES ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE A – Authorizations & Acknowledgements - *Continued*

### A3. Acknowledgements

#### Receipt, Fees, Additional Information, Termination, and Freedom of Information

I acknowledge that receipt of this application by the City of Windsor does not guarantee it to be a complete application, that further review of the application will occur, and that I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further acknowledge that after the application is deemed complete, fees are not refundable, additional information may be requested, and that after 60 days of inactivity the City of Windsor may terminate the application without notice.

I further acknowledge that pursuant to the provisions of the Planning Act and the Municipal Freedom of Information and Protection of Privacy Act, this application and all material and information provided with this application are made available to the public.

#### Species at Risk

Ontario's *Endangered Species Act* protects endangered and threatened species — animals and plants in decline and at risk of disappearing from the province by restricting activities that may affect these plants, animals or their habitats.

I acknowledge that it is my sole responsibility as the Applicant to comply with the provisions of the *Endangered Species Act, 2007, S. O. c.6*. This could require me to register an activity, get a permit or other authorization from the Ministry of the Environment, Conservation and Parks (MECP) prior to conducting an activity that could impact an endangered or threatened plant or animal or its habitat. I further acknowledge that any *Planning Act, R.S.O. 1990, c.P.13* approval given by the City of Windsor does not constitute an approval under the *Endangered Species Act*, nor does it absolve me from seeking the necessary authorization, approvals or permits from the MECP prior to conducting any activity that may affect endangered or threatened plant or animal or its habitat.

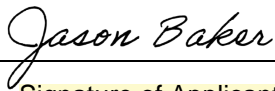
Additional information can be found at:

<https://www.ontario.ca/page/development-and-infrastructure-projects-and-endangered-or-threatened-species>

or by contacting MECP at [SAROntario@ontario.ca](mailto:SAROntario@ontario.ca)

#### Acknowledgement

I acknowledge that I have read and understand the above statements:



Signature of Applicant or Agent

Date

**END OF SCHEDULE A  
COMPLETE SCHEDULE E ON NEXT PAGE**



# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E – Environmental Site Screening Questionnaire

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### Previous Use of Property

- Residential       Industrial       Commercial       Institutional  
 Agricultural       Parkland       Vacant       Other \_\_\_\_\_

- a) If previous use of the property is Industrial or Commercial, specify use:  
\_\_\_\_\_
- b) Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?  
 Yes       No       Unknown
- c) Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?  
 Yes       No       Unknown
- d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes       No       Unknown
- e) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes       No       Unknown
- f) Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been applied as pesticides and/or sewage sludge applied to the lands?  
 Yes       No       Unknown
- g) Have the lands or adjacent lands ever been used as a weapons firing range?  
 Yes       No       Unknown
- h) Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational/non-operational public or private waste disposal site, landfill or dump?  
 Yes       No       Unknown
- i) If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?  
 Yes       No       Unknown
- j) Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?\*

*\* Possible uses that can cause contamination include but are not limited to: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals that are present.*

- k) If current or previous use of the property is Industrial or Commercial, or if YES to any of a) to j) above, attach a previous use inventory showing all former uses of the subject land, or if applicable, the land(s) adjacent to the subject lands.

**SCHEDULE E CONTINUES ON NEXT PAGE**

# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E - CONTINUED

### Acknowledgement Clause

I hereby acknowledge that it is my responsibility to ensure that I am in compliance with all applicable laws, regulations, guidelines and the City's Official Plan policies pertaining to potentially contaminated sites, and to use all reasonable effort to identify the potential for contamination on the subject property.

I acknowledge that as a condition of approval of this application that the City may require me to file a Record of Site Condition signed by a qualified person in the provincial Environmental Site Registry, and provide verification to the City of Windsor of acknowledgement of this Record of Site Condition by the Ministry of Environment.

I acknowledge that the City may require the qualified person signing the Record of Site Condition to submit to the City a Declaration acknowledging that the City of Windsor may rely on the statements in the Record of Site Condition.

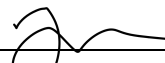
I acknowledge that the City of Windsor is not responsible for the identification and/or remediation of contaminated sites, and I agree, whether in, through, or as a result of any action or proceeding for environmental clean-up of any damage or otherwise, I will not sue or make claim whatsoever against the City of Windsor, its officers, officials, employees or agents for or in respect of any loss, damage, injury or costs.

\_\_\_\_\_  
Name of Applicant (print)

*Jason Baker*  
\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Agent (print)

  
\_\_\_\_\_  
Signature of Agent

\_\_\_\_\_  
Date

**END OF SCHEDULE E**

# ZONING BY-LAW AMENDMENT APPLICATION

## DO NOT COMPLETE BELOW – STAFF USE ONLY

<b>Receipt and Assignment of Application</b>	Date Received Stamp
This application has been assigned to:	
<input type="checkbox"/> Adam Szymczak (AS)	<input type="checkbox"/> Brian Nagata (BN)
<input type="checkbox"/> Frank Garardo (FG)	<input type="checkbox"/> Tracy Tang (TT)
<input type="checkbox"/> Jim Abbs (JA)	<input type="checkbox"/> Justina Nwaesei (JN)
<input type="checkbox"/> Kevin Alexander (KA)	<input type="checkbox"/> Laura Strahl (LS)
<input type="checkbox"/> Simona Simion (SS)	<input type="checkbox"/> _____

<b>Complete Application</b>		
This application is deemed complete on _____ <i>Date</i>		
_____ <i>Signature of Delegated Authority</i>		
<input type="checkbox"/> Neil Robertson, MCIP, RPP Manager of Urban Design	<input type="checkbox"/> Greg Atkinson, MCIP, RPP Manager of Development	<input type="checkbox"/> Thom Hunt, MCIP, RPP City Planner & Executive Director

<b>Internal Information</b>			
Fee Paid: \$ _____	Receipt No: _____	Date: _____	
Payment Type: <input type="checkbox"/> Cash	<input type="checkbox"/> Certified Cheque	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Personal Cheque
NEW Zoning File No. ZNG/ _____	Z- _____		
Previous Zoning File No. ZNG/ _____	Z- _____		
Related OPA File No. OPA/ _____	OPA _____		
Other File Numbers: _____			
Notes: _____			
_____			

**THIS IS THE LAST PAGE OF THE APPLICATION FORM**

## COMMITTEE OF ADJUSTMENT/CONSENT AUTHORITY AGENDA RECORD

**PLEASE BE ADVISED THIS MEETING IS CONDUCTED ELECTRONICALLY.**

The following applications are scheduled to be heard by the Committee of Adjustment/Consent Authority on Thursday, November 28, 2024 in the order stated below.

ITEM	TIME	ROLL #	FILE #	APPLICANT	LOCATION	REQUEST
1	3:30 PM	3739020210084000000	A-066/24	WAYNE HARRY ROLLINSON	1742 ONEIDA CRT	<b>RELIEF:</b> Replacement of garage with increased maximum lot coverage.
2	3:30 PM	3739040250034000000	A-067/24	REIGNS 740 INC.	633 JANETTE AVE	<b>RELIEF:</b> The construction of a new 4-unit multiple dwelling with reduced minimum lot width and lot area.
3	3:30 PM	3739010290124010000	B-043/24	TONI JEBRAN, RENEE JEBRAN	1576-1578 DROUILLARD RD	<b>CONSENT:</b> Create a new Lot (Part 1 & 2)
4	3:30 PM	3739010290124010000	B-044/24	TONI JEBRAN, RENEE JEBRAN	1582-1584 DROUILLARD RD	<b>CONSENT:</b> Create a new Lot (Parts 3 & 4)
5	3:30 PM	3739070890047000000	B-045/24	NICOLA DEROSE	3188 ROBINET RD	<b>CONSENT:</b> Create a new Lot (Part 2)
6	3:30 PM	3739070890047000000	A-068/24	NICOLA DEROSE	3188 ROBINET RD	<b>RELIEF:</b> Creation of a new lot with reduced minimum lot width.
7	3:30 PM	3739070890048000000	B-046/24	NICOLA DEROSE, ANITA DEROSE, CARLO DEROSE, ROSA CIPPARRONE	3188-3196 ROBINET RD	<b>CONSENT:</b> Create a new Lot (Parts 3 & 5) .
8	3:30 PM	3739070890048000000	A-069/24	NICOLA DEROSE, ANITA DEROSE, CARLO DEROSE, ROSA CIPPARRONE	3188-3196 ROBINET RD	<b>RELIEF:</b> Creation of a new lot with reduced minimum lot width
9	3:30 PM	3739070890048000000	B-047/24	ANITA DEROSE, CARLO DEROSE, ROSA CIPPARRONE	3196 ROBINET RD	<b>CONSENT:</b> Create a new Lot (Part 6),
10	3:30 PM	3739070890048000000	A-070/24	ANITA DEROSE, CARLO DEROSE, ROSA CIPPARRONE	3196 ROBINET RD	<b>RELIEF:</b> Creation of a new lot with reduced minimum lot width

If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written submissions to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

In addition, if you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed applications, you must make a written request to the Committee of Adjustment at the address shown below with the specific file number please emails [COAdjustment@citywindsor.ca](mailto:COAdjustment@citywindsor.ca) . **NOTE:** To access the Agenda Record, Comments for the upcoming meeting, and past Committee of Adjustment Minutes, please visit our website at: [Committee of Adjustment Meeting Agenda \(citywindsor.ca\)](http://Committee of Adjustment Meeting Agenda (citywindsor.ca))

**Subject: Strengthen the Core Update - City Wide**

**Reference:**

Date to Council: November 25, 2024  
Author: Nicole Anderson  
Senior Economic Development Officer  
519-255-6100, ext. 6440  
nanderson@citywindsor.ca  
Economic Development & Innovation  
Report Date: November 18, 2024  
Clerk's File #: MD/14771

**To:** Mayor and Members of City Council

**Recommendation:**

- I. **THAT** City Council **RECEIVE FOR INFORMATION** an update on the Strengthen the Core: Downtown Windsor Revitalization Plan approved by City Council on May 13, 2024 (CR 49/2024).

**Executive Summary:**

N/A

**Background:**

In fall of 2023, StrategyCorp Consultants were engaged to collaborate with City Council, Administration, Windsor residents, and local businesses to develop a comprehensive strategic action plan aimed at revitalizing the downtown core. Based on their findings and recommendations, the Strengthen the Core, Downtown Windsor Revitalization Plan (hereafter referred to as 'the STC Revitalization Plan'), was created that outlined seven action items to help achieve the overarching goal of downtown revitalization; (1) Safe Streets, (2) High Standards, (3) Healthy Spaces, (4) Place-Making, (5) Vibrant District, (6) 'Our Downtown', and (7) Stronger Together.

In April 2024, City Council endorsed and approved the STC Revitalization Plan. As part of a phased approach to the Plan's implementation, City Council approved the expansion of service hours for the Homelessness and Housing Help Hub (H4), the expansion of Windsor Police Service to provide more visibility and enforcement within the downtown core, the expansion of Auxiliary Officers in City parks and trails, the addition of a dedicated Building By-Law Officer for Ward 3 for enforcement within the

downtown core, and the addition of a Project Lead to coordinate and manage the STC Revitalization Plan, and execute the Council approved strategic plan to ensure momentum, results and success.

### **Discussion:**

Following City Council's endorsement, an Executive Committee for the STC Revitalization Plan was established to govern and oversee its implementation.

The roles and responsibilities outlined in the Strengthen the Core Downtown Windsor Revitalization Plan Project Charter, attached as Appendix A, define the governance structure, clarify decision-making responsibilities (both project-based and financial), establish a communication plan, and set accountability for project deliverables and objectives, reinforcing a commitment to the overall initiative.

The Executive Committee is chaired by Mayor Dilkens and currently meets bi-monthly to ensure regular updates and progress. The Corporate Leadership Team (CLT) are the Executive Leads for respective pillars and are responsible for setting strategic direction, allocating resources, fostering team collaboration, and monitoring progress through efficient management and decision-making.

The Senior Economic Development Officer in the Economic Development Department serves as the lead for the STC Revitalization Plan, responsible for overseeing and coordinating the comprehensive revitalization strategy for downtown Windsor. This includes monitoring the progress of key initiatives within the plan, working closely with various departments and external stakeholders to support and drive key projects, and establishing clear metrics to measure success across all action areas. Additionally, this role plays a critical part in championing communication strategies to support the efforts of the STC Revitalization Plan, promoting events and activities that foster community engagement, and build strong, collaborative relationships with local businesses, residents, and stakeholders. By facilitating these partnerships and ensuring all efforts align with the initiative's goals, the Senior Economic Development Officer provides the essential guidance and continuity needed to drive meaningful and lasting change in Windsor's core.

### **Data Collection**

On a monthly basis, Administration closely monitors various statistics to measure the impact of the STC Revitalization Plan and to validate the progress being made across the seven strategic components outlined within the plan. These statistics offer a data-driven understanding of the changes underway in the downtown core, demonstrating how specific interventions are addressing safety, property standards, community engagement, and economic vitality. A list of initial tracked metrics can be found in Appendix B.

### **1. Safe Streets**

- Nurse-Police Team and Crisis Response Team Statistics, Police Engagements in the Core and Officer Enforcement by Percentage are tracked to validate the effectiveness of high-visibility enforcement, particularly through Windsor Police Service's Central Patrol Team (CCPT). Additionally, data regarding the efforts of the Nurse-Police and Crisis Response Teams are being tracked to observe changes in the volume and impact of enforcement and on-site healthcare and mental health services, providing insights into how our enhanced police presence and real-time monitoring and care have led to reduced incidents of disorderly conduct, drug use, petty crime, and Emergency Room visits.

## **2. High Standards**

- By-Law Officer Hours Patrolled, Properties Under Enforcement, Voluntary Compliance Achieved, and Orders Issued highlight efforts to maintain property standards, showcasing how enforcement measures are encouraging compliance among property owners. By tracking Vacant Properties - Commercial and Vacant Properties - Residential, along with Candidates for Rehabilitation and Repurposing, Administration can assess the impact of incentives for property improvements, as well as conversions that support a more vibrant downtown environment.

## **3. Healthy Spaces**

- As municipalities advocate for intensive, wrap-around mental health and addiction services, metric such as Enhanced Mental Health Services at H4, Trauma-Informed Care Training Occurrences, and Women-Specific Programming Hours at H4 are tracked to measure support provided to vulnerable populations. These metrics reflect the City's commitment to creating safer, more supportive spaces for individuals facing homelessness, mental health challenges, and addiction issues.

## **4. Place-Making**

- To support the Community Improvement Plan (CIP), Financial Incentive Applications, Funding Allocated through Incentive Programs, and New Businesses Opened are key indicators of successes in attracting new developments and businesses. Further, by measuring New Residential Units Approved and Properties Brought Back into General Compliance, Administration can track growth in residential density and the return of previously unused properties to productive use.

## **5. Vibrant District**

- A thriving downtown relies on both residents and visitors, and Administration is measuring this through metrics such as Transit Ridership in Core, Downtown Foot Traffic, and DWBIA Event Attendance. By fostering diverse programming and entertainment options, the City is actively enhancing engagement and vibrancy in the downtown area. Additionally, Downtown Event Approvals and

Beautification Initiatives highlight Administration's commitment to creating a welcoming atmosphere. Physical improvements, such as new lighting and upgraded waste receptacles, are further elevating the appeal of public spaces and supporting a more attractive and inviting downtown environment.

## **6. “Our Downtown”**

- As part of the community engagement strategy, Public Communications Related to the STC Revitalization Plan and Business Engagements measure how effectively Administration is fostering an inclusive, welcoming image of Downtown Windsor. Event Attendance serves as a direct measure of “Destination Downtown” Committee partner efforts to create a vibrant, community-centered core that draws residents and visitors alike.

## **7. Stronger Together**

- Building partnerships is central to driving alignment. Tracking Partners Engaged ensures that Administration is leveraging key collaborations and partnerships, enhancing various efforts to reshape the public perception of the downtown core and co-creating solutions to complex challenges such as homelessness, addiction, and property revitalization.

Each data point provides evidence of Administration and Partners’ collective efforts, highlighting the importance of data-driven validation to assess the progress of our strategies and adapt where needed. By continually measuring and adjusting our approach, we’re making strides toward a Downtown that is safer, more vibrant, and more inclusive. The progress of key data points can be found Appendix C.

The below is a summary of 2024 planned activities that support the STC Revitalization Plan, as well as key Strengthen the Core milestones and initiatives to date.

### ***April***

- Launch of the STC Revitalization Plan.
- The City of Windsor and downtown stakeholders host Windsor’s NFL Draft Party, showcasing the vibrancy and appeal of the downtown area.

### ***May***

- City Council unanimously endorses the STC Revitalization Plan.
- Windsor Police Service welcomes 41 new members to their Auxiliary Patrol Service
- 12 new officers dedicated to Strengthen the Core
- Windsor Police Service, Windsor Regional Hospital and Hôtel-Dieu Grace Healthcare announce expansion of the Nurse Police Team to 7 days per week; and the Crisis Response Team pairing frontline police officers with social workers to better support individuals in mental health crisis, with hours expanded to 7 days per week, from 7:00 a.m. to 1:00 a.m. to provide overlap coverage during peak hours and reduce the number of calls to which patrol units must respond.



- Housing Solutions Made for Windsor launches Caron Avenue Site Expression of Interest (EOI), and two additional sites for development – former Grace Hospital Site, and the former Windsor Arena – with all three announcements representing development for prime downtown Windsor sites.

### **June**

- Development and Heritage Standing Committee approves proposed 16-storey, 88-unit residential development planned for Chatham Street and Caron Avenue.
- Adventure Bay Family Water Park announces expansion of hours at the park, increasing access to this downtown community amenity.
- City launches new Vacant Home Tax program to help increase housing supply and create more vibrant neighbourhoods across the city, including in the downtown core.
- Council approves construction of the new City Hall Square Outdoor Ice Rink and gathering space, as part of the Civic Esplanade project, to create a versatile, year-round space for public events, announcements, and concession opportunities in the heart of downtown.
- Windsor Police Service begins pilot of innovative local tech to provide real-time information on the location of WPS officers, and supply deployment of officers, adding in another layer of connectivity and bolstering community safety.
- City Council endorses and supports an expansion of hours at the City's Homelessness and Housing Help Hub (H4) from 8:00 a.m. to midnight, seven days per week, including holidays; and expanded amenities offered at the site in partnership with the Canadian Mental Health Association – Windsor-Essex County Branch, Housing Information Services, and many community stakeholder groups.
- City assigns a new dedicated By-law Property Standards Enforcement Lead in the downtown core and surrounding area.

### **July**

- City hires a new Senior Economic Development Officer to oversee implementation of Strengthen the Core, and work to integrate the plan's 7 initial action items into a cohesive framework.
- City moves historic Streetcar No. 351 out of storage and to its permanent home at the riverfront Legacy Park, as part of the process to create a new waterfront beacon and gathering/event space downtown.

### **September**

- City, in partnership with Downtown Windsor BIA, installs sections of year-round decorative lighting along Ouellette Avenue in the downtown core.
- As part of the "Fall in Love With Downtown Windsor" weekend, the City announces plans to name and theme the parking levels of the Pelissier Street Parking Garage after famous composers, in partnership with the Windsor Symphony Orchestra, and launches a public call for artists to create two new murals for the main level interior spaces of the garage.

### **October**

- City, in partnership with the Downtown Windsor Business Improvement Association, Tourism Windsor Essex Pelee Island, the Windsor-Detroit Tunnel,

AM800 CKLW, and local businesses and stakeholders in the city's downtown core, hosts three Canadian cheer zones to "Line the Drive" for the international half marathon, bringing the excitement of the Detroit Free Press Marathon to Windsor.

### **November**

- Housing Solutions Made for Windsor launches Pelissier Street Parking Lot Expression of Interest (EOI). The EOI closes January 28, 2025.

### **Partners for Progress**

Below is a list of partners who have been engaged to successfully execute the Strengthen the Core Downtown Revitalization Plan. This list will continue to expand over time as additional stakeholders are engaged in the downtown revitalization efforts:

- Art Windsor-Essex
- Canadian Mental Health Association (CMHA)
- Destination Downtown Windsor Committee
- Downtown Mission
- Downtown Windsor BIA (DWBIA)
- Downtown Windsor Farmer's Market
- Enbridge
- ENWIN Utilities
- Family Services Windsor-Essex (FSWE)
- Homelessness and Housing Help Hub (H4)
- Hotel Dieu Grace Healthcare (HDGH)
- House of Sophrosyne
- Invest Windsor-Essex (Small Business & Entrepreneurship Centre)
- Shoppers' Drug Mart
- St. Clair College
- Tourism Windsor-Essex Pelee Island (TWEPI)
- University of Windsor
- Windsor-Detroit Tunnel
- Windsor Essex County Health Unit (WECHU)
- Windsor Essex Community Housing Corporation (CHC)
- Windsor Essex Ontario Health Team
- Windsor International Film Festival (WIFF)
- Windsor Police Service (WPS)
- Windsor Regional Hospital (WRH)
- Windsor Symphony Orchestra

Since May, Administration has convened and/or participated in the following partner roundtables specific to the STC Revitalization Plan:

- **Marketing Roundtable:** Monthly discussions with STC Revitalization Plan partners to align events and initiatives with the Strengthen the Core plan. Participants include: WRH, HDGH, WECHU, CMHA, FSWE, Human & Health Services, Corporate Services, WPS, Mayor's Office
- **Glengarry Roundtable:** Monthly meetings to discuss the integration of WPS in CHC's Glengarry properties, with plans to expand partner involvement. Partners include: WPS, Human & Health Services, CHC, FSWE, CMHA, HDGH, WRH
- **Human & Health Services Roundtable:** Monthly meetings to discuss and develop "scorecard" to determine efficacy of programming of Nurse Police Team

and Crisis Response Team. Partners include: WPS, Human & Health Services, FSWE, HDGH, WRH

- **Downtown Safety Roundtable:** Monthly meeting hosted by WPS on general safety of downtown. Partners include: Councillor Agostino, WPS, Deputy CBO, DWBIA, Corporate Services
- **Destination Downtown Committee:** Periodic meetings that bring together partners from across the City to develop and determine activities that would benefit and compliment the STC Revitalization Plan. Partners include: Councillor Agostino, City of Windsor Economic Development, WIFF, Rocket Innovation, St. Clair College, City of Windsor Corporate Services, DWBIA, Caesars Windsor, Retro Suites, Cyber Systems, Felix Culpa Architecture, BK Cornerstone, and other downtown businesses.

## **Risk Analysis:**

There is a significant reputational risk in maintaining the status quo prior to the adoption of the STC Revitalization Plan, with respect to managing perceptions of safety within the downtown core.

As shown through the comments received in Strategy Corp's community consultation, there are major concerns related to perceived safety within the downtown core. Failure to continue with efforts as proposed in the STC Revitalization Plan could lead to a further decline in the number of visitors and businesses downtown, potentially deterring future investments not only in the downtown core but across the broader City of Windsor. Expansion of Windsor Police Services within the downtown core and expansion of Auxiliary Police as outlined in this report will help in achieving the action items within the scope of Safe Streets.

There is also a significant resource risk related to the pressures on Windsor Police in responding to non-policing and healthcare related issues. Without additional resources for mental health, addictions, and homelessness programs from upper levels of government, Windsor-Essex will continue to see increasing needs and experience pressure on human, health, and emergency services. Emergency services continue to be a costly response that has limited impact on the root of the underlying conditions contributing to mental health, addictions, and homelessness. Services to proactively reduce and stabilize crisis, such as the Nurse-Police Team and the Crisis Response Team, minimizes costs and traumatic outcomes for people cycling through emergency supports.

As part of the immediate action strategy, Administration is reviewing in more detail appropriate risk mitigation strategies. For example, use of surveillance cameras as a crime prevention measure are being carefully examined to ensure compliance with privacy laws, and how to better leverage existing infrastructure to meet crime prevention needs. Moreover, the effectiveness of surveillance systems in reducing crime must be balanced against the costs and risks associated with their implementation. Expansion and funding of Project SafeStreets will also require consideration of privacy and procurement laws. Therefore, a thorough evaluation of the legal implications is essential

as this action item is rolled out. As other action strategies are brought forward, further analysis will take place to ensure compliance with law and risk mitigation.

To ensure success, the STC Revitalization Plan must have a multi-pronged approach that is monitored, measured and championed on a regular basis.

## **Climate Change Risks**

### **Climate Change Mitigation:**

No critical or significant Climate Change risks have been identified with the progress of the Strengthen the Core plan.

Attracting new residents and businesses to the downtown core while increasing a sense of safety may reduce community greenhouse gas emissions, as residents living closer to places of employment, essential services, entertainment, and recreational amenities have the ability to participate in active transportation opportunities more easily.

### **Climate Change Adaptation:**

No critical or significant Climate Change Adaptation risks have been identified with the progress of the Strengthen the Core plan.

Downtown cores, including Windsor, are impacted by the urban heat island effect. Extreme heat can negatively impact the comfort of a space, reducing the length of time a visitor will spend in a location. Extreme heat can also exacerbate physical and mental health conditions.

Creating a Vibrant District through improved streetscaping will consider opportunities to improve the tree canopy and/or artificial shade. Mitigating the impacts of increasing temperatures and extreme heat by making façade and building improvements could be considered and property owners may leverage the Community Improvement Program (CIP) to support these efforts.

## **Financial Matters:**

The 2024 capital and operating budgets include \$1,000,000 for downtown capital improvements and \$3.2M for ongoing operating expenses.

A number of capital budget initiatives have been identified with funding allocated for camera enhancement, decorative lighting along Ouellette Avenue and street furniture totalling \$613,000. The Executive Committee is responsible for reviewing, prioritising and approving funding requests submitted by the various departments involved in the STC Revitalization Plan.

Operating expenses are being incurred as the various initiatives approved for funding are being carried out such as increased WPS and Auxiliary Police Officers' presence, increased hours of operations at H4 and the recruitment of the By-Law Officer and

Economic Development Project Lead. The STC operating expenses are projected to be on budget in 2024.

**Consultations:**

Emilie Dunnigan – Manager Development Revenue & Financial Administration

Neil Robertson – City Planner

Deputy Chief Jason Crowley – Windsor Police Service

**Conclusion:**

The progress to the STC Revitalization Plan represents the comprehensive and collaborative efforts taken to address the immediate and long-term challenges facing Windsor's downtown core. These include strategic actions focused on enhancing safety, increasing community engagement, and creating vibrant, healthy spaces for residents, businesses, and visitors alike. Progress to date demonstrates meaningful advancements across all action items, bolstered by strong partnerships with local organizations and stakeholders. Moving forward, Administration will continue to monitor these initiatives, report on key performance metrics, and provide City Council with regular updates.

**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Nicole Anderson	Senior Economic Development Officer
Matthew Johnson	Executive Director, Economic Development and Climate Change
Jelena Payne	Commissioner, Economic Development
Andrew Daher	Commissioner, Human & Health Services
Dana Paladino	Acting Senior Executive Director, Corporate Services
Lorie Gregg acting for Janice Guthrie	Acting Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
Canadian Mental Health Association		
Downtown Windsor BIA		
Family Services Windsor-Essex		
Hotel Dieu Grace Hospital		
Windsor Police Service		
Windsor Regional Hospital		

**Appendices:**

- A – STC Revitalization Plan Project Charter
- B – STC Revitalization Plan Metrics
- C – STC Revitalization Plan Data Points for Q1 to Q3



**Strengthen the Core**  
***Downtown Windsor Revitalization Plan***

**Project Charter**

July 2024

## 1.1 Background

Over the past several years, City Council has set the stage for Windsor to thrive as a compelling hub for investment and development. However, the City's downtown core struggles with challenges, which are exacerbated by ongoing crises as being experienced across the nation - mental health and addiction issues, and homelessness. StrategyCorp Consultants were engaged in the fall of 2023 to solicit public perceptions, comments, and concerns related to the downtown.

With the support of StrategyCorp, a made-in-Windsor solution-oriented plan was created for the downtown community. Seven action items were developed to help achieve the overarching goal of downtown revitalization:

1. **Safe Streets:** Implement a strong enforcement focused strategy to support safer streets.
2. **High Standards:** Increase enforcement of property standards and fill vacant buildings.
3. **Healthy Spaces:** Foster strong community partnerships with appropriate health organizations to help alleviate the strain on under-equipped emergency services.
4. **Place-Making:** Encourage people and businesses to locate downtown.
5. **Vibrant District:** Create vibrancy by attracting and engaging residents and visitors.
6. **'Our Downtown':** Enhance community engagement and implement a marketing strategy to celebrate and promote the core.
7. **Stronger Together:** Convene a table designed to improve collaboration, trust-building, and open communications between mental health and addictions service provider leadership, and all relevant stakeholders.

City Council endorsed and approved the Strengthen the Core - Downtown Revitalization Plan on May 13th, 2024 (CR198/2024).

The purpose of the Strengthen the Core Plan is to accomplish the following:

- Improve downtown Windsor's perception, physical condition, and image.
- Help businesses, customers, and residents feel more confident for their safety.
- Connect individuals to appropriate supports where and when needed.

There are ongoing efforts aimed at attaining objectives that may require further engagement from community organizations and additional resourcing.

Using all tools available to the municipality and working with external organizations to coordinate current and future initiatives, the Strengthen the Core Plan is anticipated to



change the perceptions of safety within the downtown, provide needed health supports, and increase economic development opportunities.

The boundaries of the downtown core should remain flexible in accordance with the work stream, priorities, and budget. Different departments use different boundaries in accordance with their historical files and definitions (e.g. Windsor Police Services, Planning, DWBIA). If any scope of work requires prescribed boundaries this can be brought forward to the Committee for discussion and direction (e.g. infrastructure projects for the core).

## 1.2 High Level Scope

The current scope of the Strengthen the Core initiative focuses on the seven identified action items or streams of work. To accomplish the overarching goal of strengthening the core, each of the seven action items includes a full list of objectives, as shown in **Appendix A**.

The objectives and action items are subject to change as the plan progresses. All changes must be reviewed and approved by the Strengthen the Core Executive Committee.

## 1.3 Roles & Responsibilities

### **Project Governance:**

The roles and responsibilities outlined below clarify decision-making responsibilities, sources of authority, communication to appropriate individuals, accountability for project deliverables and objectives, as well as commitment to the overall initiative.

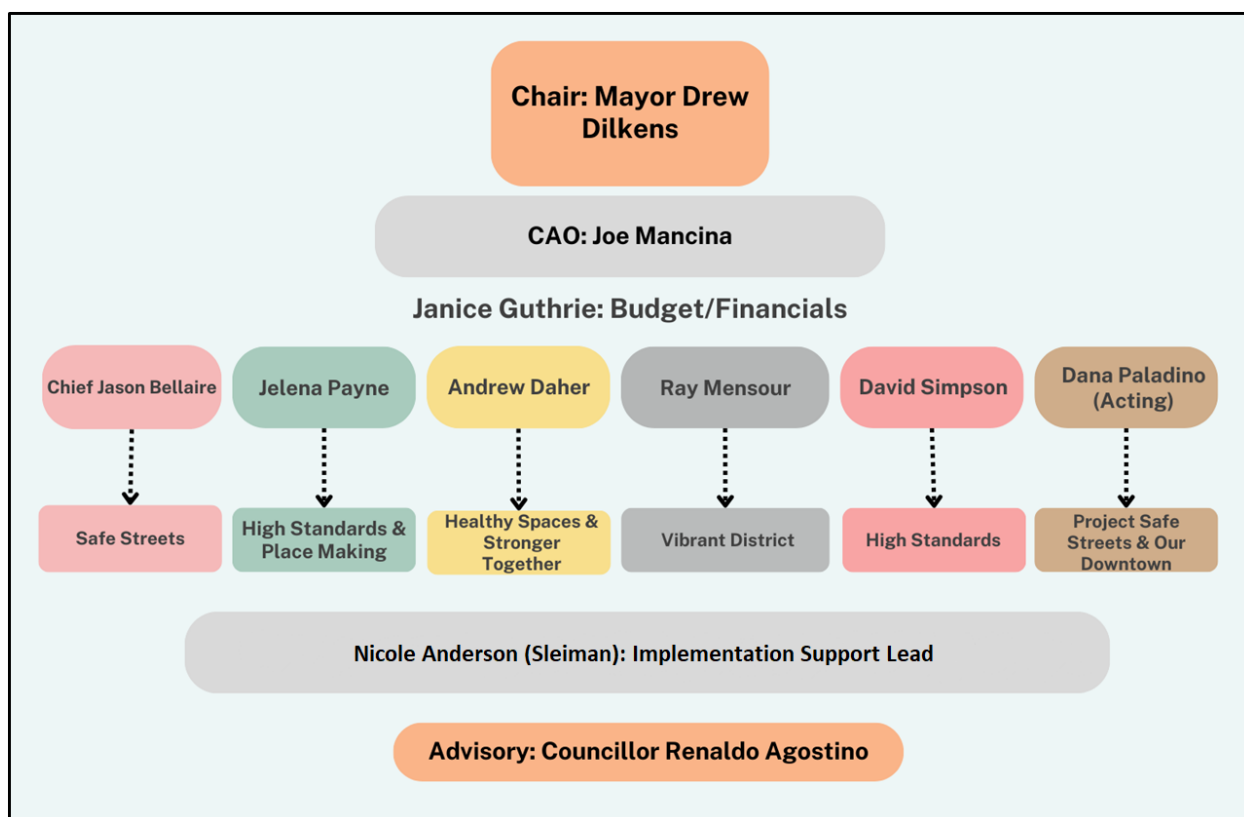
The reporting relationship for the Strengthen the Core Plan will be as follows:

- The Executive Committee in consultation with the CAO reports directly to the Chair of the Committee, Mayor Drew Dilkens and City Council.
- The Executive Leaders are responsible for setting strategic direction, allocating resources, fostering team collaboration, monitoring progress, through efficient management and decision-making.
- The Senior Economic Development Officer will lead the project implementation and reports to the Executive Director, Economic Development. Will be responsible for overseeing the implementation of the Strengthen the Core initiative in collaboration with the Executive Committee. Key responsibilities include coordinating all action item strategies, managing resource allocation and budget, identifying, tracking and reporting critical data, to demonstrate progress and make informed decision, monitoring and reporting performance, and serving as a central point of contact for City departments, the Mayor's office and stakeholders.

The Executive Leaders for each of the seven action items will report progress associated with each objective to the Strengthen the Core Executive Committee. Any requests for extensions to the completion dates must be brought forward to the Committee for consideration.

**Appendix B:** A key milestones document that outlines the lead for each objective and timelines for completion for each of the six goals within the scope of the City of Windsor Executive Committee.

### Strengthen the Core Executive Committee:



### 1.4 Communication Plan

Effective communication, both internal and external, is integral to Strengthen the Core. Corporate Communications will engage with all stakeholders and their respective Communications leads, to promote initiatives aligned with Strengthen the Core, with the intent of providing a unified and impactful message.

Under the leadership of the Commissioner of Corporate Services, Corporate Communications collaborates closely with the Mayor’s office to strategize and manage external communications. Corporate Communications liaises with key stakeholders to develop an ongoing, up-to-date, comprehensive list of communication opportunities. Working with the Mayor’s Office, communication opportunities are reviewed and various

opportunities are chosen to pursue. Corporate Communications provides support in carrying out each pursued opportunity for Strengthen the Core initiatives.

Three distinct groups of stakeholders have been established:

1. Promotional (ex. TWEPI, Invest Windsor Essex, DWBIA).
2. Medical/Police (ex. CMHA, WRH, HDGH, WPS).
3. Internal.

While Corporate Communications will be the lead liaison on communication initiatives with external stakeholders, each Executive Lead is responsible for ensuring that Corporate Communications receives timely updates regarding their respective initiatives, including information regarding external stakeholders. Executive Leads are responsible to utilize tools developed for this purpose, including regularly updating a shared Events Calendar on the project SharePoint site.

The Communication Plan will evolve as required over the course of the initiative.

## **2.1 Budget/Financials**

### **2.1.1. Immediate Action Strategy**

The proposed Downtown Revitalization Plan includes an immediate action strategy, which was approved by Council on May 13<sup>th</sup>. Three of the outlined items require additional operating funds; policing within the downtown core, auxiliary police at City parks and trails, and H4 hours. Total additional operating funding for the above noted expenditures is approximately \$3.2M and were not included in the 2024 Approved Operating budget. With Council's endorsement of the strategy, an increase to the overall tax levy of approximately 0.70% was approved. These expenditures will be considered part of the 2024 Base Operating budget and will be annualized to reflect a full year estimated cost for purposes of the 2025 Operating Budget development process.

Further, on February 10, 2024, the 2024 Operating and 10-year Capital plan was approved which included an amount of \$1,000,000 for downtown capital improvements.

Various capital expenditures such as lighting, additional surveillance, relocation of benches, etc., will be required as part of this plan. An amount of \$1 million was previously approved as part of the 2024 Capital Budget with funding made available in 2024 (\$200,000) and 2025 (\$800,000). This amount will be utilized to initiate improvements that will address this plan.

### **2.1.2. Future Expenditures**

Further expenditures will be required as the impacts of the initial plan are reviewed and further stages to the plan are considered. Financial requirements will be discussed by the Executive Committee and brought to City Council with further details as required and will bring forward any additional budget as may be deemed necessary to fully implement the strategy.

### **2.1.3. Existing Budgets**

There are several initiatives in the Strengthen the Core plan that may already be in progress or included in the future Capital or Operating budgets, such as corporate projects or downtown infrastructure upgrades. Consequently, existing budgets may cover some of these items. If any planned initiatives related to the Strengthen the Core plan, they should be presented to the Executive Committee for communication and financial discussions.

### **2.1.4 Requesting STC Capital Funding**

If Administration requests the use of unallocated STC capital funding, they must complete the “Strengthen the Core Capital Funding Request Form”.

Executive Committee can approve: Use of unallocated budget for any request.

CAO can approve: Unallocated budget up to \$50,000 per item to a maximum total use of up to 75% of the unallocated budget.

Executive leads can approve: Unallocated budget up to \$10,000 per item to a maximum total use of up to 50% of the unallocated budget.

All approvals are subject to confirmation of available funds by the City Treasurer and will be reported to the Executive Committee.

## **3.1 Assumptions**

The following assumptions are deemed to be factual during the project:

- Those involved in decision-making and issue resolution on the project will do so in a timely manner to prevent delays in Project progression.
- Decisions and recommendations made during the project will be based on information available at the time and are subject to modification during the project.
- Competent staff with required expertise are available or can be hired.
- Project objectives are fully supported by the Senior Executives of the City of Windsor.
- Purchases and contracts will be executed in compliance with the Purchasing By-law.

### 3.2 Project Charter Sign-Off Sheet

I am in agreement with the contents of this Project Charter.

<b>Name</b>	<b>Signature</b>	<b>Date</b>
Mayor Drew Dilkens		
Joe Mancina		
Jelena Payne		
David Simpson		
Janice Guthrie		
Dana Paladino		
Andrew Daher		
Ray Mensour		
Nicole Anderson		

## Appendix B: Key Metrics

	<b>Responsibility</b>
Properties Under Enforcement	Deputy Chief Building Official
Voluntary Compliance Achieved	Deputy Chief Building Official
Orders Issued	Deputy Chief Building Official
Brought back into General Compliance	Deputy Chief Building Official
Vacant Properties - Commercial (incl. registered as vacant)	Deputy Chief Building Official
Vacant Properties - Residential (incl. registered as vacant)	Deputy Chief Building Official
Occupancy Prohibited/Uninhabitable	Deputy Chief Building Official
Candidate for Rehabilitation	Deputy Chief Building Official
Candidate for Repurposing	Deputy Chief Building Official
On Market/For Sale	Deputy Chief Building Official
By-Law Officer Hrs Patrolled	Deputy Chief Building Official
Financial incentive applications	City Planner
Inquiries on Community Improvement Programs	City Planner
Funding allocated through incentive programs	City Planner
New Businesses Opened	DWBIA
Average Property Value in Core	(realtor - TBD)
Average Rent Price in Core	(realtor - TBD)
Transit Ridership in Core	Executive Director Transit Windsor
Foot Traffic Downtown	DWBIA
People Living Downtown	TBD
DWBIA Event Attendance	DWBIA
New residential units approved, located downtown (ex. Caron Ave., Jeanette, etc.)	City Planner/G. Atkinson
Event Approvals Downtown	Executive Director Parks, Recreation & Facilities
Renovated Spaces	Executive Director Parks, Recreation & Facilities
Beautification Efforts (ex. #hanging baskets)	Executive Director Parks, Recreation & Facilities
Events Occurring Downtown	Executive Director Parks, Recreation & Facilities
New motion/sensor lights	Executive Director Operations
Benches relocated	Executive Director Operations
New and upgraded garbage receptacles	Manager Environmental Services
Enhanced city-owned properties	Manager Facilities Operations
Labour hours to achieve higher standards in the core	Executive Director Operations
Additional cameras downtown	Senior Executive Director Corporate Services
Resolved 311 calls related to STC	Senior Manager Communications
Public communications related to STC	Senior Manager Communications

## Appendix B: Key Metrics

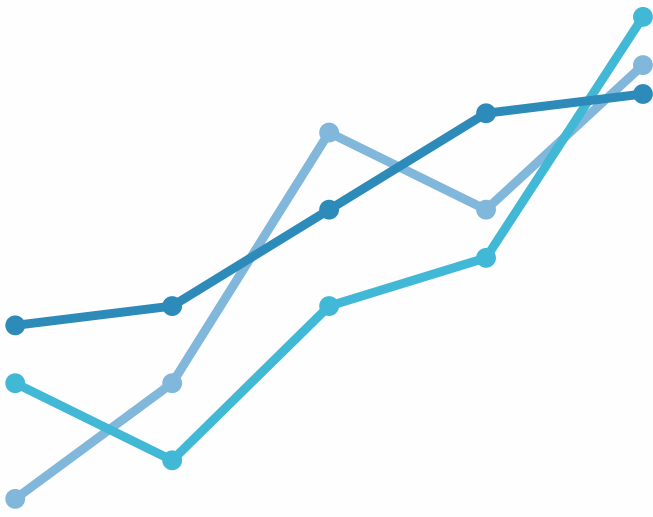
Persons lived experience advisory group meetings at H4	Manager Homelessness & Housing Support
Supports for Indigenous people experiencing homelessness at H4	Manager Homelessness & Housing Support
Enhanced mental health services at H4	Manager Homelessness & Housing Support
Trauma-informed care training occurrences for staff at H4	Manager Homelessness & Housing Support
Women-specific programming hours at H4	Manager Homelessness & Housing Support
Planned Recreational activities at H4	Manager Homelessness & Housing Support
Identification/vital documents stored and/or replaced at H4	Manager Homelessness & Housing Support
Jobs created at H4	Manager Homelessness & Housing Support
Expanded hours at H4	Manager Homelessness & Housing Support
Volume of overnight patrons at H4	Manager Homelessness & Housing Support
Hot meals provided at H4	Manager Homelessness & Housing Support
Showers taken at H4	Manager Homelessness & Housing Support
Enhancement of primary supports at H4	Manager Homelessness & Housing Support
Additional Funding received from Government for social services	Commissioner, Human & Health Services
Advocating to upper-levels of government social services	Commissioner, Human & Health Services
Sheltered Health rostered patrons	Manager Homelessness & Housing Support
Sheltered Health unrostered patrons	Manager Homelessness & Housing Support
Total Engagements in the Core	WPS
Officer Enforcement by Percentage	WPS
Provincial Offences Act Charges	WPS
Business Engagements	WPS
CRT & NPT Calls for Service	WPS
CRT & NPT Hours of Service	WPS
# Partners Engaged	Senior Economic Development Officer

**Note: More metrics from NPT and CRT are currently being developed.**

# Strengthen the CORE

Strengthen the Core plan progress from Q1-Q3, 2024

## SAFE STREETS



**5000+**

Resolved **311 calls** in the core

**40**

Additional **Auxiliary Police** within parks and trails in the downtown core

**12**

Additional **sworn officers** dedicated to City Centre Patrol

## HIGH STANDARDS

**1** New **bylaw officer** dedicated to Downtown

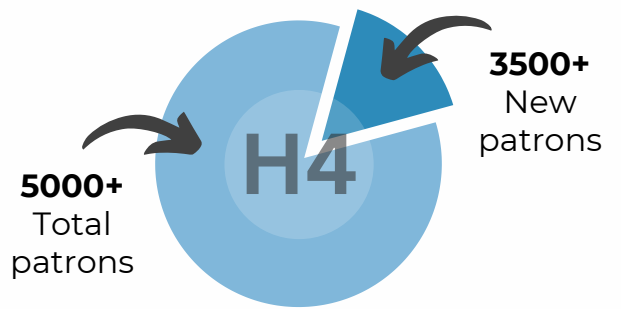
**12** **Orders issued** to non-compliant businesses

**300** Bylaw officer **hours patrolled** since Q2

**10** Benches **relocated** in the core

**10** New and upgraded **receptacles** in the core

## HEALTHY SPACES



**+increased** physician hours



**45+** extended hours at H4

**14K+** hot dinners provided at H4



## PLACE MAKING

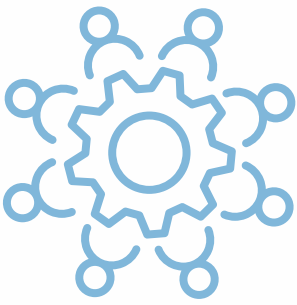
**\$4+ Million** Allocated through **incentive programs** to businesses downtown



**421**

New **residential units approved**, located downtown

## OUR DOWNTOWN



Collaborating with **DWBIA, TWEPI, WSO, and others** on marketing downtown events and initiatives.

## VIBRANT DOWNTOWN

**1000+** new, single **beautification efforts**

**90+** events **approved**

Downtown Windsor

**\$7.9M+** consumer spending in the core in Q3

**46K+** attendees at DWBIA events in Q3

## STRONGER TOGETHER

**4** roundtables created to drive **greater alignment and collaboration** between stakeholders



**25**

External **partners engaged** in STC activities

#strengthenthecoreyqg



**Subject: 2025 Schedule of Council and Standing Committee Meetings - City Wide**

**Reference:**

Date to Council: November 25, 2024  
Author: Steve Vlachodimos, City Clerk / Licence Commissioner  
svlachodimos@citywindsor.ca  
519-255-6100 ext. 6488  
Council Services  
Report Date: July 25, 2024  
Clerk's File #: ACO2024

**To:** Mayor and Members of City Council

**Recommendation:**

That the "Schedule of City Council and Standing Committee meetings for 2025" attached as Appendix A, along with the "Deadlines for Submission of Reports Scheduled for Consideration at City Council Meetings" attached as Appendix B, "Deadlines for Submission of Reports Scheduled for Consideration at In-Camera City Council Meetings" attached as Appendix C, and "Deadlines for Submission of Reports Scheduled for Consideration at Standing Committee Meetings" attached as Appendix D for January 1, 2025 to December 31, 2025 **BE APPROVED**.

**Executive Summary:**

N/A

**Background:**

City Council, at its June 7, 2011 meeting adopted the Procedure By-law 98-2011, as amended that includes provision 27.1(m) which states "The clerk shall present an annual meeting calendar in November for consideration by Council for the meeting schedule for the next year".

**Discussion:**

The procedure by-law is prescriptive in terms of when Council and Standing Committees of Council shall be held, with some flexibility built in to allow administration to put forward a schedule that is as efficient and effective as possible, taking into account statutory holidays, Halloween, the annual Association of Municipalities of Ontario (AMO) and Federation of Canadian Municipalities of Ontario (FCM) conferences, as well as a summer recess in the month of August.

Members of Council and the general public can participate in Council meetings and Standing Committee meetings in person in Council Chambers or electronically.

For reference purposes, attached is the schedule of proposed regular Council meeting dates and Standing Committee dates for the calendar year 2025, along with the deadlines for submitting administrative reports for both Council meetings as well as Standing Committee meetings.

**Risk Analysis:**

The calendar and deadline schedules will be provided to Administration to allow proper planning and scheduling of issues to be considered by Council and Standing Committees. The risk is minimal to non-existent.

**Climate Change Risks**

**Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

N/A

**Consultations:**

The Greater Essex County District School Board and the Windsor-Essex Catholic District School Board were both consulted in terms of March Break; the Association of Municipalities of Ontario (AMO) provided the dates for the annual AMO Conference, which will be held in Ottawa, Ontario, August 17-20, 2025; the Federation of Canadian Municipalities (FCM) provided the dates for the annual FCM Conference which will be held in Ottawa, Ontario, May 29 – June 1, 2025. These dates were taken into consideration when formulating the 2025 Council Calendar.

**Conclusions:**

As required by the Procedure By-law, it is recommended that the attached Schedule of City Council and Standing Committee meetings for January 1, 2025 to December 31, 2025 be approved. Once adopted, this 2025 schedule will be posted to [www.citywindsor.ca](http://www.citywindsor.ca) for citizens to reference, as well as on Dashboard for employee reference.

**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Anna Ciacelli	Deputy City Clerk/Supervisor of Council Services
Steve Vlachodimos	City Clerk / Licence Commissioner
Dana Paladino	(Acting) Senior Executive Director, Corporate Services
Ray Mensour	Commissioner, Community & Corporate Services
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Email</b>
Cliff Danby, YourTV	
Emily Moore, YourTV	
3Play Media Canada	

**Appendices:**

- Appendix A Schedule of City Council and Standing Committee meetings for 2025
- Appendix B Deadlines for Submission of Reports Scheduled for Consideration at City Council Meetings
- Appendix C Deadlines for Submission of Reports Scheduled for Consideration at In-Camera City Council Meetings
- Appendix D Deadlines for Submission of Reports Scheduled for Consideration at Standing Committee Meetings

## CITY OF WINDSOR SCHEDULE OF MEETINGS - 2025

JANUARY 2025						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

FEBRUARY 2025						
S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

MARCH 2025						
S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

APRIL 2025						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

MAY 2025						
S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JUNE 2025						
S	M	T	W	TH	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

JULY 2025						
S	M	T	W	TH	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

AUGUST 2025						
S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

SEPTEMBER 2025						
S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

OCTOBER 2025						
S	M	T	W	TH	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

NOVEMBER 2025						
S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

DECEMBER 2025						
S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

- Statutory Declared Holidays - Windsor City Hall Closed
- School Holidays - March Break - March 10-14, 2025
- Regular City Council Meetings (10:00 a.m. Council Chambers, 1st floor, Windsor City Hall)
- FCM Conference - May 29 - June 1, 2025 - Ottawa, Ontario
- AMO Conference - August 17-20, 2025, Ottawa, Ontario
- Ford Fireworks - June 23, 2025

### STANDING COMMITTEES

- Development & Heritage Standing Committee (5 members of Council + 8 citizens) 4:30 p.m.
- Community Services Standing Committee (5 members of Council) 9:00 a.m.
- Environment, Transportation & Public Safety Standing Committee (5 members of Council) 4:30 p.m.

**DEADLINES FOR SUBMISSION OF REPORTS  
SCHEDULED FOR CONSIDERATION AT  
CITY COUNCIL MEETINGS  
2025**

<b>DATE OF COUNCIL MEETING</b>	<b>DEADLINE FOR PROPOSED/DRAFT REPORTS FOR AGENDA REVIEW (Monday 12:00 p.m.)</b>	<b>DATE OF AGENDA REVIEW MEETING (Tuesday 11:00 a.m.)</b>	<b>DEADLINE FOR SIGNED REPORTS TO CAO (Wednesday 4:00 p.m.)</b>	<b>ISSUANCE OF COUNCIL AGENDA (Friday 9:00 a.m.)</b>
January 13	December 16	December 17	December 18	December 20
January 27	January 13	January 14	January 15	January 17
February 10	January 27	January 28	January 29	January 31
February 24	February 10	February 11	February 12	February 14
March 17	March 3	March 4	March 5	March 7
April 14	March 31	April 1	April 2	April 4
April 28	April 14	April 15	April 16	April 17*
May 12	April 28	April 29	April 30	May 2
May 26	May 12	May 13	May 14	May 16
June 9	May 26	May 27	May 28	May 30
July 14	June 30	July 2*	July 3*	July 4
July 28	July 14	July 15	July 16	July 18
September 8	August 25	August 26	August 27	August 29
September 22	September 8	September 9	September 10	September 12
October 20	October 6	October 7	October 8	October 10
November 10	October 27	October 28	October 29	October 31
November 24	November 10	November 12*	November 13*	November 14
December 8	November 24	November 25	November 26	November 28

**Directions:** Staff involved in drafting and/or approving Council reports are encouraged to keep this schedule handy to ensure that reports will appear on the Council meeting dates intended. Use Agenda.net to create all Council reports.

- ★ Early/late due to the holiday
- ✘ No supplementary items unless emergency.
- ✓ Each Council report must be created using Agenda.net.

**DEADLINES FOR SUBMISSION OF REPORTS  
SCHEDULED FOR CONSIDERATION AT  
IN CAMERA CITY COUNCIL MEETINGS  
2025**

<b>DATE OF IN CAMERA MEETING (if required)</b>	<b>DEADLINE FOR PROPOSED/DRAFT REPORTS FOR AGENDA REVIEW (Monday 12:00 p.m.)</b>	<b>DATE OF AGENDA REVIEW MEETING (Tuesday 11:00 a.m.)</b>	<b>DEADLINE FOR SIGNED REPORTS TO CAO (Wednesday 4:00 p.m.)</b>	<b>ISSUANCE OF COUNCIL AGENDA (Friday 9:00 a.m.)</b>
January 13	December 16	December 17	January 8	January 10
January 27	January 13	January 14	January 22	January 24
February 10	January 27	January 28	February 5	February 7
February 24	February 10	February 11	February 19	February 21
March 17	March 3	March 4	March 12	March 14
April 14	March 31	April 1	April 2	April 4
April 28	April 14	April 15	April 23	April 25
May 12	April 28	April 29	May 7	May 9
May 26	May 12	May 13	May 21	May 23
June 9	May 26	May 27	June 4	June 6
July 14	June 30	July 2 *	July 9	July 11
July 28	July 14	July 15	July 23	July 25
September 8	August 25	August 26	September 3	September 5
September 22	September 8	September 9	September 17	September 19
October 20	October 10*	October 14	October 15	October 17
November 10	October 27	October 28	November 5	November 7
November 24	November 10	November 12 *	November 19	November 21
December 8	November 24	November 25	December 3	December 5

**Directions:** Staff involved in drafting and/or approving In Camera reports are encouraged to keep this schedule handy to ensure that reports will appear on the Council meeting dates intended. Do not use Agenda.net to create In Camera reports.

- ★ Early/late due to the holiday
- ✘ No supplementary items unless emergency.

**DEADLINES FOR SUBMISSION OF REPORTS  
SCHEDULED FOR CONSIDERATION AT  
STANDING COMMITTEE MEETINGS  
2025**

<b>DATE OF STANDING COMMITTEE MEETING</b>	<b>NAME OF STANDING COMMITTEE</b>	<b>DATE OF AGENDA REVIEW MEETING (Tuesday 11:00 a.m.)</b>	<b>DEADLINE FOR SIGNED REPORTS TO CAO (Wednesday 4:00 p.m.)</b>	<b>ISSUANCE OF STANDING COMMITTEE AGENDA</b>
January 6	Development & Heritage	December 24	December 27*	December 27
January 29	Environment, Transportation & Public Safety	January 14	January 15	January 17
February 3	Development & Heritage	January 21	January 22	January 24
February 5	Community Services	January 21	January 22	January 24
February 26	Environment, Transportation & Public Safety	February 11	February 12	February 14
March 3	Development & Heritage	February 18	February 19	February 21
March 5	Community Services	February 18	February 19	February 21
March 26	Environment, Transportation & Public Safety	March 11	March 12	March 14
April 2	Community Services	March 18	March 19	March 21
April 7	Development & Heritage	March 25	March 26	March 28
April 30	Environment, Transportation & Public Safety	April 15	April 16	April 17*
May 5	Development & Heritage	April 22	April 23	April 25
May 7	Community Services	April 22	April 23	April 25
May 28	Environment, Transportation & Public Safety	May 13	May 14	May 16
June 2	Development & Heritage	May 20	May 21	May 23
June 4	Community Services	May 20	May 21	May 23
June 25	Environment, Transportation & Public Safety	June 10	June 11	June 13
July 2	Community Services	June 17	June 18	June 20
July 7	Development & Heritage	June 24	June 25	June 27
July 30	Environment, Transportation & Public Safety	July 15	July 16	July 18
August 5	Development & Heritage	July 22	July 23	July 25
September 2	Development & Heritage	August 19	August 20	August 22
September 3	Community Services	August 19	August 20	August 22
September 24	Environment, Transportation & Public Safety	September 9	September 10	September 12
October 1	Community Services	September 16	September 17	September 19
October 6	Development & Heritage	September 23	September 24	September 26
October 29	Environment, Transportation & Public Safety	October 14	October 15	October 17
November 3	Development & Heritage	October 21	October 22	October 24
November 5	Community Services	October 21	October 22	October 24
November 26	Environment, Transportation & Public Safety	November 12*	November 13*	November 14*
December 1	Development & Heritage	November 18	November 19	November 21
December 3	Community Services	November 18	November 19	November 21

**Directions:** Staff involved in drafting and/or approving Council reports are encouraged to keep this schedule handy to ensure that reports will appear on the intended Council/Standing Committee meeting dates. Use Agenda.net to create all standing committee reports.

**NOTE:** Development & Heritage Standing Committee reports from the meeting (first Monday of the month) will be brought to full Council at the last council meeting of the same month.

**Key:**

\* early/late due to holiday

Community Services = Community Services Standing Committee

Development & Heritage = Development & Heritage Standing Committee

Environment, Transportation & Public Safety = Environment, Transportation & Public Safety Standing Committee

**Subject: Construction of Bus Bay at Monseigneur Jean Noel Elementary Catholic School (3225 California Avenue) – Cost Sharing – Conseil Scolaire Catholique Providence – Ward 1**

**Reference:**

Date to Council: November 25, 2024

Author: Pierfrancesco Ruggeri

Technologist III

(519) 255-6257 Ext. 6506

[pruggeri@citywindsor.ca](mailto:pruggeri@citywindsor.ca)

Design – Engineering

Report Date: October 24, 2024

Clerk's File #: SW2024

**To:** Mayor and Members of City Council

**Recommendation:**

- I. THAT Council **APPROVE** the construction of a bus bay on private property at Monseigneur Jean Noel Elementary Catholic School (3225 California Avenue) at an estimated cost of \$480,000 excluding HST (final costs to be based on actual construction costs) to be funded through Project 7119001 – Bus Bay Program; and further,
- II. THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a cost sharing agreement with Conseil Scolaire Catholique Providence (the “School Board”, for the construction of a school bus bay at 3225 California Avenue, satisfactory in financial content to the City Treasurer, in legal form to the City Solicitor, and in technical content to the City Engineer with the following terms:
  - a. The City shall construct a bus bay on private property at 3225 California Avenue in accordance with the Lengthened Option design attached as Appendix B;
  - b. The City agrees to fund an estimated \$195,000 excluding HST (final to be based on actual construction costs) representing 50% of the total construction cost of the bus bay based on the Original Option design (attached as Appendix A) plus the 100% of costs of engineering and administration for the Lengthened Option; and
  - c. The School Board agrees to pay to the Corporation of the City of Windsor an estimated \$285,000 (final payment to be based on actual unit pricing received through a public tender in accordance with Purchasing by-law 93-2012) representative of the School Board’s share of the construction costs less 50% of the total construction costs (excluding engineering and



administration) for the Original Option design. Timing for the payment to be as follows:

- i. Payment in full of the above based on actual unit pricing following closing of the tender for the construction of the subject bus bay and prior to the commencement of construction;
- ii. Upon Substantial Completion of the bus bay construction, any outstanding payment for additional and/or unforeseen costs incurred above and beyond c.i. above, conditional upon such extra costs being agreed to in writing by the School Board prior to the extra costs being incurred.

- III. THAT Council **PRE-APPROVE** and AWARD any procurement(s) necessary that are related to this project, provided that the procurement(s) are within the approved budget amounts herein, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in legal content to the City Solicitor, in financial content to the City Treasurer and in technical content to the City Engineer; and further,
- IV. THAT the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to execute any required documentation/agreement(s) as may be required to bring effect to these resolutions, satisfactory in legal form to the City Solicitor, satisfactory in technical content to the City Engineer, and in financial content to the City Treasurer.

### **Executive Summary:**

N/A

### **Background:**

Conseil Scolaire Catholique Providence (“the School Board”) has designated Monseigneur Jean Noel Elementary Catholic School, located at 3225 California Avenue, as a priority for a bus bay to increase student safety during bus drop-off/pick-up by creating a separation from vehicles travelling on California Avenue. This bus bay would also reduce roadway congestion and enhance safety by removing queued buses from this section of California Avenue.

Administration began communications with the School Board in July 2023. Subsequently, on March 18, 2024 CR120/2024 approved updates to the Corporate Policy Library which included a new Cost-Sharing Policy for the Construction of School Bus Bays to replace CR383/2009. Because discussions were initiated prior to CR120/2024 being approved, Administration proceeded to negotiate a cost sharing arrangement in accordance with CR383/2009.

**Discussion:**

Administration reviewed the property at 3225 California Avenue to determine the feasibility of both, a public right-of-way bus bay option and a private property bus bay option. After thorough review, the public right-of-way option was determined not to be feasible due to the right-of-way width constraints.

CR383/2009 states:

*Wherein a School Drop-Off Zone Bus Bay, on private property, has been identified as a priority by the benefiting School Board, the lesser of:*

- i. 50% of the total construction cost (not including engineering and design costs), or*
- ii. 60% of the estimated construction cost of a bus bay located on the public right-of-way be paid by the City, and the remaining cost be paid by the benefiting School Board.*

As a public right-of-way option for the bus bay was determined not to be feasible, Administration reached an agreement in principle with the School Board wherein 50% of the total construction costs (not including engineering and design costs) would be paid by the benefiting School Board and the remaining costs would be paid by the City (case i. above).

Administration provided the School Board with a conceptual bus bay drawing in December 2023 which would have allowed for two (2) full size school buses to queue (the “Original Option”). The School Board reviewed the conceptual drawing and requested a longer bus bay option to accommodate 4-5 full size school buses to address their needs (the “Lengthened Option”).

As such, Administration advised the School Board that the City would pay 100% of the costs associated with engineering and administration of the Lengthened Option, however, would only pay 50% of the total actual construction cost for the Original Option provided. Anything above and beyond would be the responsibility of the School Board.

The following table presents overall costs for the Original Option and Lengthened Option.

<b>BUDGET – ORIGINAL OPTION (2 Full Size Buses)</b>	
Estimated Private Property Bus Bay Construction	\$250,000
Engineering – pre and post tendering (including design, survey, inspection, geomatics, and Geotechnical/Environmental Investigation)	\$50,000
Non-Recoverable HST	\$4,401
<b>ESTIMATED PROJECT COSTS</b>	<b>\$304,401</b>

<b>BUDGET – LENGTHENED OPTION (4-5 Full Size Buses)</b>	
Estimated Private Property Bus Bay Construction	\$410,000
Engineering – pre and post tendering (including design, survey, inspection, geomatics, and Geotechnical/Environmental Investigation)	\$70,000
Non-Recoverable HST	\$7,217
<b>ESTIMATED PROJECT COSTS</b>	<b>\$487,217</b>

**Risk Analysis:**

Associated risks to the Corporation, resulting from the undertaking of this project, include risks typical of construction projects, such as bodily injury, property damage, and matters arising from violations of the Occupational Health and Safety Act. These risks are to be transferred to the successful Contractor through the contract entered into with the City. As part of the contract with the successful Contractor, the Contractor will be required to provide sufficient insurances to cover the Corporation for the potential damage and claims that might arise from their work during or after construction in the maintenance period.

Additionally, there is a risk of delays in receiving timely reimbursement from the School Board which could potentially leave the project in a deficit position and as a result, the project would incur financing charges. To mitigate this financial risk, a cost-sharing agreement will be prepared, with a provision for a lump sum payment from the School Board prior to project commencement. This upfront funding will prevent the project from falling into a deficit position and aligns with both parties’ fiscal responsibilities.

Risks associated with not undertaking this project include the likely probability of pedestrian, school buses and vehicle conflicts during peak traffic times (bus drop-off/pick-up).

**Climate Change Risks**

**Climate Change Mitigation:**

Construction will result in GHG emissions that are accounted for within the Community GHG emissions inventory.

**Climate Change Adaptation:**

The life and service levels of the bus bay may be impacted by a number of climate variables including temperature extremes and precipitation. Proper drainage shall be incorporated into the design.

### Financial Matters:

As mentioned above, this arrangement will involve the City paying for all engineering and construction costs associated with this work, with the School Board reimbursing the City for all construction costs less 50% of the construction costs indicated in the Original Option, estimated at \$125,000, excluding HST. Assuming that the Lengthened Option is pursued, it is estimated that the School Board will reimburse the City a total of \$285,000, excluding HST. The City, after being reimbursed, will pay an estimated total of \$195,000, excluding HST.

DESCRIPTION	TOTAL	CITY	SCHOOL BOARD
Estimated Private Property Bus Bay Construction	\$410,000	\$125,000	\$285,000
Engineering – pre and post tendering (including design, survey, inspection, geomatics, and Geotechnical/Environmental Investigation)	\$70,000	\$70,000	\$0
<b>Subtotal</b>	<b>\$480,000</b>	<b>\$195,000</b>	<b>\$285,000</b>
Non-Recoverable HST	\$7,217	\$2,200	\$5,017
<b>ESTIMATED PROJECT COSTS</b>	<b>\$487,217</b>	<b>\$197,200</b>	<b>\$290,017</b>

There is currently \$276,319 in funding remaining in Project 7119001 – Bus Bay Program. The Financial Planning Administrator for Engineering has confirmed that there is sufficient funding in the project for the City’s estimated share to install a bus bay at Monseigneur Jean Noel Elementary Catholic School.

### Consultations:

Kathy Buis, Financial Planning Administrator  
Michael Dennis, Manager, Strategic Capital Budget Development & Control  
Alex Vucinic, Purchasing Manager  
Aaron Farough Senior Legal Counsel

### Conclusion:

Administration recommends the award of tender and the approval of the execution of a cost sharing agreement with Conseil Scolaire Catholique Providence for the construction of a private property bus bay at Monseigneur Jean Noel Elementary Catholic School.

**Planning Act Matters:**

N/A

**Approvals:**

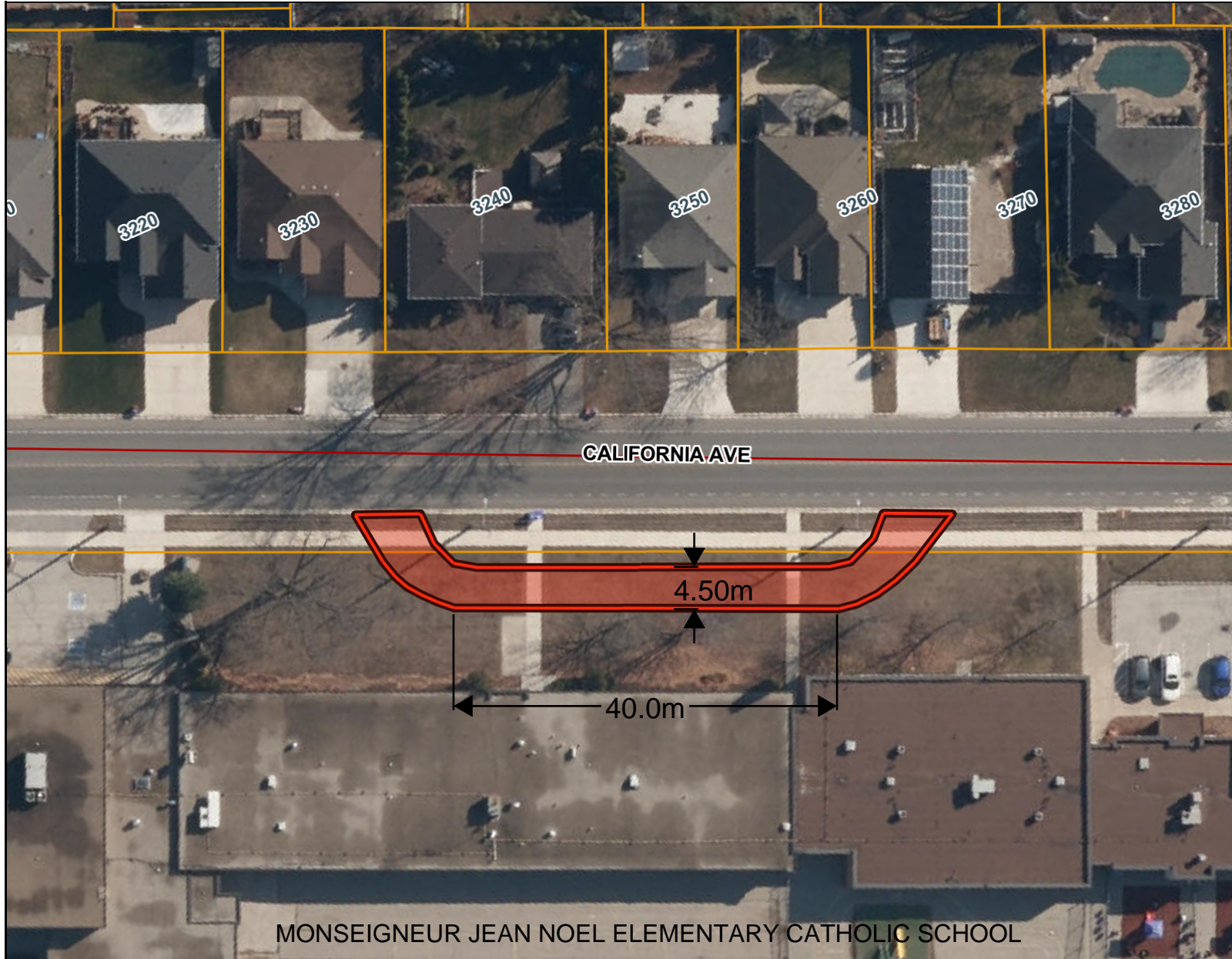
<b>Name</b>	<b>Title</b>
Mark Spizzirri	Manager, Performance Measurement & Business Case Development
Fahd Mikhael	Manager of Design
Stacey McGuire	Executive Director of Engineering/Deputy City Engineer
David Simpson	Commissioner, Infrastructure Services & City Engineer
Wira Vendrasco	City Solicitor
Janice Guthrie	Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
Diane Letarte		LetaDian@cscprovidence.ca

**Appendices:**

- 1 Appendix A - Monseigneur Jean Noel - Conceptual Bus Bay - Original Option
- 2 Appendix B - Monseigneur Jean Noel - Proposed Bus Bay - Lengthened Option



Legend



Property

Pending Parcels



Parcels



Right of Way

ROW Notes

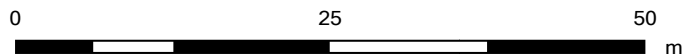


Transportation

Street Centreline



Notes

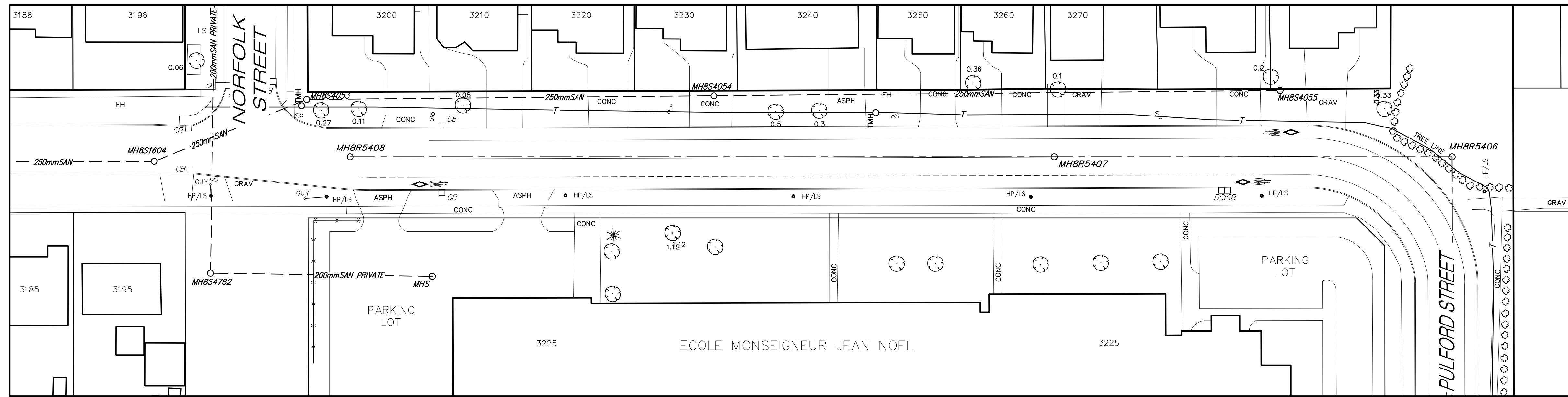
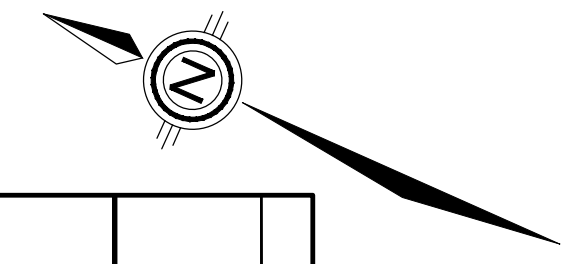


This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



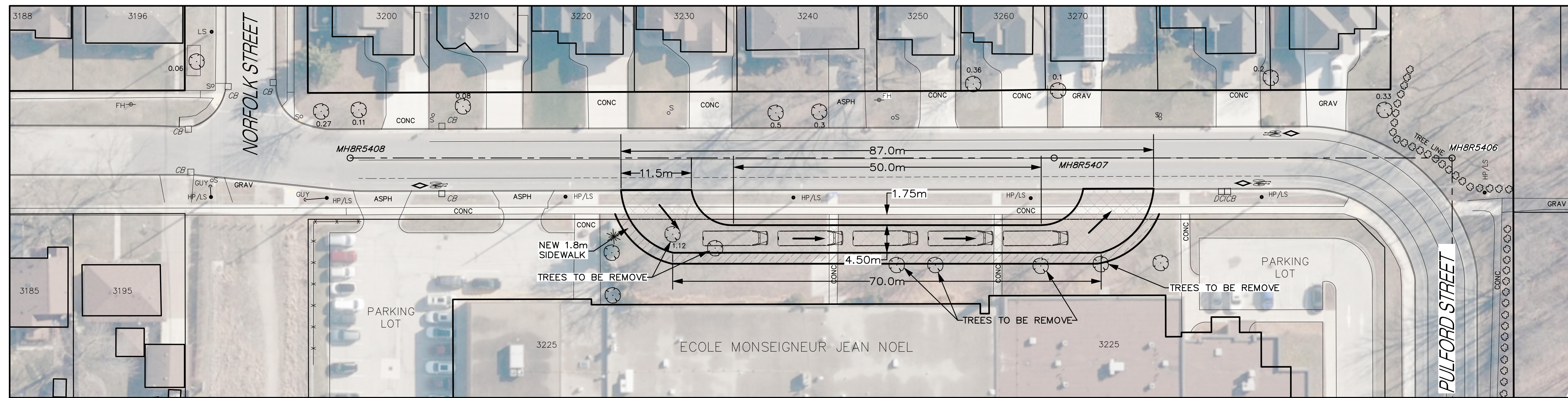
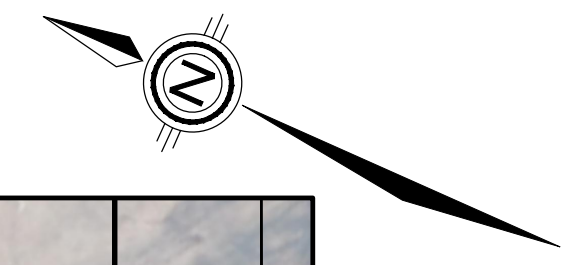
ATTENTION:  
CONTRACTOR IS RESPONSIBLE FOR THE EXACT  
LOCATION AND PROTECTION OF EXISTING  
UTILITIES DURING CONSTRUCTION.

# CALIFORNIA AVENUE



EXISTING CONDITIONS & REMOVALS

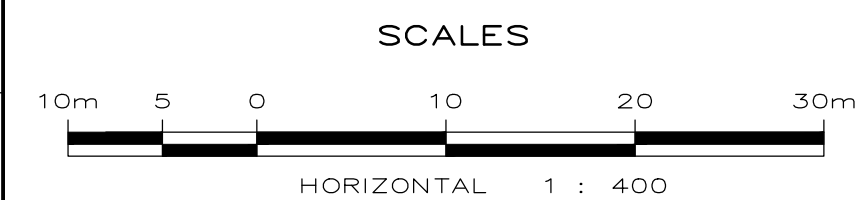
# CALIFORNIA AVENUE



PROPOSED BUS BAY FOR MONSEIGNEUR-JEAN-NOEL ELEMENTARY CATHOLIC SCHOOL

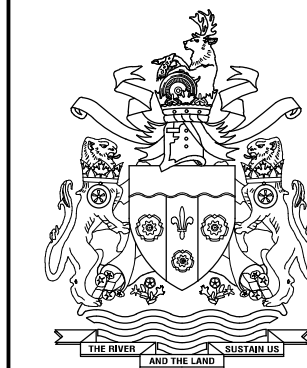
Oct 25, 2024 - 3:24pm K:\Users\EHernandez\Construction Drawings\2044 California\_Pulford\2044\_California\_Pulford.dwg

No.	REVISIONS	DATE	INIT.	ISSUED FOR TENDER DATE :
				ISSUED FOR CONSTRUCTION DATE :
				AS CONSTRUCTED DATE :



DATE DRAWN:  
MAY 2024  
DRAWN BY:  
E. HERNANDEZ  
CHECKED:  
P. UBENE  
DESIGN:  
P. RUGGERI  
CHECKED:  
P. MOURAD

MARK WINTERTON, P.Eng.  
CITY ENGINEER



THE  
CORPORATION  
OF THE  
CITY OF WINDSOR  
ENGINEERING DEPARTMENT

2024 BUS BAY PROGRAMME

PROPOSED BUS BAY  
CALIFORNIA AVENUE

TENDER No.	----
ACCOUNT No.	----
DRAWING No.	P-2044
SHEET	OF





**Committee Matters: SCM 296/2024**

**Subject: CQ 13-2023 - Front Yard Parking Best Practice 2.2.2**

Moved by: Councillor Mark McKenzie  
Seconded by: Councillor Renaldo Agostino

Decision Number: **ETPS 1028** CR11/2024 ETPS972

THAT the report of the Technologist II, dated November 9, 2023, entitled "CQ 13-2023 - Front Yard Parking Best Practice 2.2.2" **BE RECEIVED** for information; and,

THAT administration **BE DIRECTED** to adopt a pilot project in Ward 4 for a period of two years related to accessible parking and front yard parking.

Carried.

Councillors Kieran McKenzie and Fabio Costante voting nay.

Report Number: SCM 327/2023, S 150/2023 & AI 15/2024  
Clerk's File: ST2023

**Clerk's Note:**

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are **NOT** the same.
2. Please refer to Item 8.4 from the Environment, Transportation & Public Safety Standing Committee held on September 25, 2024
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241001/-1/10509>



**Subject: CQ 13-2023 - Front Yard Parking Best Practice 2.2.2**

Moved by: Councillor Mark McKenzie  
Seconded by: Councillor Renaldo Agostino

THAT the report of the Technologist II, dated November 9, 2023, entitled "CQ 13-2023 - Front Yard Parking Best Practice 2.2.2" BE RECEIVED for information; and,

THAT the City of Windsor Bylaw 9023 which regulates vehicular parking within the limits of the City of Windsor on municipal streets, municipal parking lots, and private property BE AMENDED to allow for residents to apply for a minor variance to permit front yard parking in a residential district.

The motion is **put** and **lost**.

Aye votes: Councillors Renaldo Agostino and Mark McKenzie.  
Nay votes: Councillors Kieran McKenzie, Fabio Costante, and Gary Kaschak.  
Absent: None.  
Abstain: None.

Moved by: Councillor Kieran McKenzie  
Seconded by: Councillor Gary Kashack

Decision Number: **ETPS 972**

THAT the report of the Technologist II, dated November 9, 2023, entitled "CQ 13-2023 - Front Yard Parking Best Practice 2.2.2" **BE RECEIVED** for information.

Carried.

Councillors Mark McKenzie and Renaldo Agostino voting nay.

Report Number: S 150/2023  
Clerk's File: ST2023

**Clerk's Note:**

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are the same.
2. Please refer to Item 8.2 from the Environment, Transportation & Public Safety Standing Committee held on November 29, 2023.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20231129/-1/9448>

**Subject: Response to CQ 13-2023 - Front Yard Parking Best Practice  
2.2.2**

**Reference:**

Date to Council: November 29, 2023

Author: Amy Kurek

Technologist II

(519) 255-6257 Ext. 6216

[akurek@citywindsor.ca](mailto:akurek@citywindsor.ca)

Right-of-Way – Engineering

Report Date: November 9, 2023

Clerk's File #: ST2023

**To:** Mayor and Members of City Council

**Recommendation:**

THAT the response to CQ 13-2023 **BE RECEIVED** for information.

**Background:**

On May 29, 2023, Councillor Mark McKenzie asked the following Council Question:

CQ 13-2023, **“Asks Administration re-examine the Driveway Requirement Policy regarding BP2.2.2 which deals with not allowing front parking, as well as the Official Plan to allow front driveways with report back to Council.”**

This report is in response to CQ 13-2023.

**Discussion:**

**By-law 9023**

City of Windsor Bylaw 9023 regulates vehicular parking within the limits of the City of Windsor on municipal streets, municipal parking lots and private property. Front yard parking is governed through Part V – Private Property, item 42 (3);

Notwithstanding Section 42(1) no personal shall park, stand or stop a motor vehicle on a front yard in a residential district except on a driveway or as authorized by statute, regulation, by law or otherwise by the Corporation.  
(ADDED B/L 182-2016 DEC 12/16)

Further policy support for restrictions on front yard parking is included later in this report.

### **Comparison to other Municipalities:**

Administration investigated policies in place in municipalities of similar size to Windsor and the responses received to date are provided below:

City of London: Currently does not permit front yard parking. If a property owner would like to seek permission for front yard parking, they are required to apply for a minor variance.

City of Hamilton: Currently does not have any restrictions in place for front yard parking.

City of Oshawa: Currently does not permit front yard parking.

City of Richmond Hill: Currently does not permit front yard parking.

City of Kitchener: Does not have a specific restriction for front yard parking however ensures that the addition of a driveway does not result in the loss of on street parking.

### **Impacts of Front Yard Parking on the Neighbourhood:**

#### 1. On street parking:

The majority of properties where front yard parking would be permitted are in areas where lot sizes would only allow for the addition of one (1) parking space to the front yard to avoid exceeding the maximum hard surface coverage of 50% of the required front yard. With the addition of the one (1) space to the front yard, up to three (3) spaces may be eliminated from the road depending on where the driveway can be located and the distance between the new driveway and the driveways of adjacent properties. This results in a sole benefit to the property owner and a loss to the neighbourhood.

#### 2. Urban Tree Canopy:

A substantial amount of the 70,000 city trees exist in locations where individuals might request driveways. As such, limiting the number of driveways, especially in those areas where trees are mature, will provide a benefit for the Urban Canopy Cover.

The Urban Tree Canopy Assessment Report 2020 indicates that the City needs to continue to plant, at a minimum, 2200 trees per year. This planting requires substantial planting spaces, part of which is attained by planting on City rights-of-way. One of the objectives of the City is to improve our Canopy Cover which is currently at 19%. This requires optimising the use of available potential planting areas (PPAs). Any act that will further fragment and/or reduce our PPAs should be avoided.

#### 3. City's Capital and Maintenance projects:

The cost to replace a driveway approach can be as much as seven (7) times the cost of reinstating seed or sod. This could have a measurable financial impact on budgeting for City Capital and maintenance projects such as road and sewer rehabilitation and local improvement projects in areas where front yard parking is not currently permitted.

#### 4. Public safety:

Multiple driveways in close proximity result in added safety concerns for pedestrians and bicycles, especially where vehicles are parked between the front face of the building and the road/sidewalk; more conflict points related to backing out of driveways results in a higher risk.

A vehicle parked between the road and the front face of a home, especially where the homes are close to the road such as in the downtown core, may cause sight line issues for pedestrians or other motorized vehicles using the right-of-way. As a result, accidents, near misses and security concerns may increase; making the use of streets for active transportation less appealing.

Maintaining the current practice of not allowing front yard parking when there is suitable paved alley access available for the property owner supports two key crime prevention through environmental design (CPTED) principles:

- Sustained, random, positive activity generation within the less observable and less travelled (compared to a roadway access) alley space by lawful users
- Enhanced natural surveillance of the alley because there are more property users regularly using the alley space, thus adding more regular periods of “eyes-on-the-alley”

Vehicles parked in a home’s front yard when a designated driveway is in place, versus the rear yard space off a paved alley, are more openly visible at all times, due to the frequency of the travelled (and thus observed) roadway environment. As a result, criminal activity such as vandalism and vehicle theft, as well as theft from vehicle is reduced. This benefit would not apply to allowing vehicles to park on grass/landscaped areas of a property’s front yard however, as that could result in cluttering the area, blocking sight lines, etc.

On-street parking provides a natural traffic calming impact. By reducing the number of cars parked on the road, there is a possibility that speeds will increase, as the perceived width of the road increases in the gaps.

#### 5. Neighbourhood Characteristics

The introduction of front yard parking is counterintuitive to the neighbourhood design, which favours front porches, open sight lines, traditional front door approaches and access through the alleys. Additionally, the benefit of front yard parking is limited to individual property owners and not to the community and City as a whole.

## **Impact on Additional Dwelling Units (ADUs)**

Section 5.99.80 of Zoning By-law 8600 permits Additional Dwelling Units (ADUs) throughout the City where a *single unit dwelling*, *semi-detached dwelling*, or *townhome dwelling* is permitted. The City is seeing an increase in construction of ADU's with a resulting increase in requests for front yard parking.

Currently, there are various areas within the City (Appendix C – Secondary Residential Units: Exempt Areas) that are exempt from requiring a parking space when adding an ADU. Some of these areas also have paved alleys available for access to parking at the rear.

If the restriction of front yard parking is removed from properties having paved alleys access, they would now qualify for parking off the front and rear yard, which would substantially increase hard surface and decrease greenspace. It should be noted, that the 50% minimum greenspace requirement for residentially zoned properties only applies to front yards. There is currently no obligation for greenspace within rear yards.

Encouraging parking in the rear yard from the alley (where available) for ADUs limits the impact to the boulevard/landscape area and helps reduce the conflict between vehicular and pedestrian movement.

## **Stormwater Financing Project**

Council received the most recent update on the Stormwater Financing Project on June 12, 2023, which estimates that the new stormwater finance program would be underway by January 1, 2025. This program confirms the amount of hard surface located within individual private properties and charges a fee based on that percentage. There will be no fees associated with privately owned objects within the city right-of-way, such as the driveways, landscaping, or lead walkways.

A vast majority of front yard parking spaces are located within the municipal rights-of-way, as these properties do not have sufficient side yard widths or a garage to park within, which minimizes the amount of driveway (hard surface) on private property. For this reason, many of these driveways would not be accounted for in the program and the respective properties would not be responsible for paying for that impermeable surface causing added stormwater runoff to the municipal sewer. Conversely, properties with side yard parking, would be assessed at a higher stormwater financing fee, as their driveways must extend eighteen feet (18'-0") past the home's front wall as per the current standards and would increase their impermeable percentage on private property.

## **The City of Windsor Official Plan**

The following sections of the Official Plan speak to front yard parking restrictions:

Chapter 8, Volume 1 - Urban Design, Section 8.11.2.22: Council will limit the construction of parking spaces in the required front yards of dwellings, in order to protect the aesthetic character of older residential neighbourhoods, ensure the

availability of on-street public parking, ensure unhampered pedestrian movement within the public right-of-way and prevent harm to boulevard trees.

Chapter 7, Volume 1 - Infrastructure: identifies protecting roadways from driveway proliferation as an objective of a safe, sustainable, effective and efficient transportation system;

Section 7.2; A safe, sustainable, effective and efficient transportation system is one which meets the needs of all users in a manner consistent with a healthy environment and vibrant economy. In order to achieve this balance, Council will manage Windsor's transportation system to enhance physical mobility and ensure that the economic, social and environmental needs of the community are met.

Section 7.2.1.12; To restrict driveway access based on road classification and minimize the number of driveway access points.

Chapter 2, Volume II: also identifies not permitting parking in the Prado Place and Sandwich Heritage Conservation Districts and within the vicinity of Traditional Commercial Streets;

Sections 1.22.17 & 1.26.18; No front yard parking as defined in the City's zoning by-law shall be permitted.

Section 1.39: Prohibits parking areas abutting the street including encroaching within the public right-of-way.

### **On-Street Accessible Parking Spaces-Residential Policy**

Section 4.3.2 Eligibility Requirements – Applicants for on-street accessible parking permits must meet the following criteria:

4.3.2.1 No off-street parking is provided for the property including:

4.3.2.1.1 A front yard, side yard, or rear yard parking area, including parking accessible by a paved alley.

### **Zoning Bylaw 8600**

Zoning Bylaw 8600 also restricts front yard parking in the following designations:

- Heritage Conservation Districts (Sandwich Town and Prado Place) and Areas (Walkerville)
- Sandwich Town, Target Area 3
- Within the Vicinity of Traditional Commercial Streets

The intent of the traditional commercial street-off-street parking provisions was also to discourage demolition of buildings for front yard parking areas and to preserve a building edge along the streets.

Urban Design Guidelines associated with Community Improvements Plans (CIPs) such as Sandwich, Ford City, Main Streets, and the recently adopted City of Windsor Intensification Guidelines for Mixed-Use, Corridors, Centres, nodes, and Mature Neighbourhoods encourage parking at the rear or side yard of dwellings. Front yard parking is restricted or discouraged given the impact to the neighbourhood.

### **Engineering Best Practices 2.2.1 & 2.2.2**

Further to the above mentioned Bylaws, sections of the City's Official Plan, and Design Guidelines, Administration adopted and follows the Engineering Best Practices to ensure consistency in applying policies for work in the City right-of-way. Additionally, Best Practices BP2.2.1 (Appendix A) & BP2.2.2 (Appendix B) provide standards, such as size and material specifications for front yard parking; which govern the issuance of permits. Per section 4.6 of BP2.2.2, front yard parking is permitted where no other parking is or may be made available on site (for example from a paved alley).

### **Risk Analysis:**

Waiving of the requirements of Engineering Best Practice BP2.2.2 to allow the construction of front yard parking access where other parking options exist will require the By-Laws and City Official Plan sections noted in the Discussion Section to be amended accordingly.

Additionally, allowing front yard driveways in these limited areas would also negatively impact:

- neighbourhood character/appearance, by interrupting the continuity established by the boulevard;
- the safety of residents/pedestrians by creating increased conflict with vehicles and restricting pedestrian movement along municipal sidewalks;
- the City's Tree Canopy initiative by reducing greenspace, the opportunity to plant trees and by encouraging the removal of existing trees;
- the availability of on-street parking spaces;
- the costs related to the City's capital and maintenance projects;
- increased risk of claims;
- the City's Climate Change Adaptation Plan; and,
- the Windsor Environment Master Plan.

### **Climate Change Risks:**

**Climate Change Mitigation Risks:**

N/A

**Climate Change Adaptation Risks:**

The addition of front yard parking would increase the amount of impermeable surfaces, in some cases pushing the impermeable area to close to 50%, as mentioned above. This would increase storm water run off volumes that could increase the risk of flooding depending on the number of front yard parking spaces permitted in a neighbourhood.

In addition, a reduction in front yard green space will directly affect the viability of tree plantings. Urban trees provide many climate change adaptation benefits including storm water retention, reduction of the urban heat island and biodiversity enhancements.

**Financial Matters:**

N/A

**Consultations:**

Planning – Neil Robertson

Operations (Right of Way & Field Services) – Andrew Lewis, Marc Ladouceur

Operations (Transportation Planning) – Shawna Boakes

Heritage Planner – Kristina Tang

Forestry – Yemi Adeyeye

Operations (Maintenance) – Roberta Harrison

Manager of Right-of-Way – Adam Pillon

Windsor Police Service – Barry Horrobin

Manager Design Engineering – Fahd Mikhael

Planner III Special Projects – Kevin Alexander

Supervisor of Sustainability and Climate Change – Karina Richters

Manager Purchasing – Alex Vucinic

**Conclusion:**

The above report provided information regarding the CQ 13-2023 for information.



It is Administration's belief that the existing restriction of Front Yard Parking in areas with paved alleys available for access and areas with preservation initiatives should be maintained.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Adam Pillon	Manager of Right-of-Way
Fahd Mikhael	Acting Executive Director of Engineering / Deputy City Engineer
Shawna Boakes	Executive Director of Operations/Deputy City Engineer
Mark Nazarewich	For City Solicitor
Joe Mancina	Chief Administrative Officer

**Notifications: N/A**

Name	Address	Email

**Appendices:**

- 1 Appendix A - Engineering Best Practice BP2.2.1
- 2 Appendix B - Engineering Best Practice BP2.2.2
- 3 Appendix C - Secondary Residential Units: Exempt Areas

**1. SUBJECT     DRIVEWAY REQUIREMENT POLICIES – RESIDENTIAL****2. DEFINITIONS**

Driveway – Paved area that provides access from a roadway to private property.

Frontage – Exterior lot line abutting a public right-of-way, not including an alley.

Single Car Garage– A garage having a front exterior door width of less than 5m (16ft). For this best practice, a one and a half garage is considered a single car garage.

Two Car Garage – A garage having a front exterior door width of 5m (16ft) or greater.

Shared Driveway – A single driveway constructed on or near a common property line between two or more properties which provides access to all such properties.

**3. DRAWINGS**

AS-542-A – Maximum Curb Cut for Residential Driveways with No Garage, Single & Double or More Car Garages

AS-542-B – Maximum Curb Cut for Residential Driveways on Corner Lots

AS-542-D – Maximum Curb Cut for Residential Driveways - Exceptions

**4. BEST PRACTICE**

One driveway approach will be permitted per lot frontage. A property may be accessed from an open, paved municipal alley.

The following residential driveway permit options are available:

**4.1. Proposed Residential Driveway with an Existing or Proposed Single Car Garage or Carport**

4.1.1 A driveway to a residence with a single car garage or carport shall not exceed a maximum curb cut or edge of pavement width of 4.5m (15ft) but no greater than 50% of the frontage width (AS-542-A).

4.1.2 A driveway to a residence on a cul-de-sac shall not protrude beyond the projected side yard property lines to said cul-de-sac.

**4.2. Proposed Residential Driveway with an Attached Garage or Carport (two car or greater)**

4.2.1 A driveway to a residence with a two car garage shall not exceed a maximum curb cut or edge of pavement width of 7.0m (23ft) but no greater than 50% of the frontage width (AS-542-A).

4.2.2 A driveway to a residence with a 3 or more car garage shall not exceed a maximum curb cut or edge of pavement width of 9.0m (30ft) but no greater than 50% of the frontage

4.2.3 A driveway to a residence on a cul-de-sac shall not protrude beyond the projected side yard property lines to a said cul-de-sac.

**4.3. Proposed Residential Driveway on Corner Lot, see drawing AS-542-B**

4.3.1 New driveways for homes on corner lots shall be constructed on the side of the house furthest from or opposite the intersection (AS-542-B). The new driveway shall be a minimum 11m (36ft) from the face of curb or edge of pavement of the intersecting street and be located on the lowest classified road.

4.3.2 A second driveway approach from a side street may be permitted only at the rear of the house and where a 5.5m (18ft) minimum clearance from property line on to private property is available, subject

to the approval of the City Engineer (AS-542). Driveway curb cut widths shall be determined as follows:

4.3.2.1 No Garage – maximum 4.5m (15ft)

4.3.2.2 One Car Garage – maximum 4.5m (15ft)

4.3.2.3 Two or Greater Car Garage – maximum 7m (23ft)

#### **4.4. Proposed Residential Driveway with an Existing or Proposed Shared Driveway**

4.4.1 Proposed New Shared Driveway – Construction of a new shared driveway for adjoining residential properties will not be permitted subject to reciprocal access agreement in form satisfactory to City Engineer/City Solicitor.

4.4.2 Reconstruction of an Existing Shared Driveway – An existing shared driveway serving two or more properties may be reconstructed as per its current dimensions provided a permit is issued for each property individually. The permit shall correspond to each property owner’s portion of the common approach. If the driveway is reconstructed in concrete, a saw-cut is required along the extension of the property line, from back of curb or edge of pavement to property line.

4.4.3 Proposed New Driveway Location for Properties with an Existing Shared Driveway – A property with an existing shared driveway is permitted to construct a new driveway approach, in an alternative location, provided the following is satisfied:

- a) Sufficient proof is provided indicating adjoining properties do not have access rights over the portion of the existing shared driveway fronting the subject property.
- b) The new driveway shall comply with the current requirements of this Best Practice [BP2.2.1].
- c) Their portion of the existing shared driveway must be removed as only one driveway approach is permitted per property frontage.

#### **4.5. Existing Driveways to be Re-Constructed**

4.5.1 An existing driveway to be re-constructed requires a permit and shall comply with the current driveway requirement policy BP 2.2.1. An existing curb cut width may be maintained where the existing curb cut is deemed to be proper, at the discretion of the City Engineer. A proper curb cut may include, but is not limited to, one of the following situations:

- there is a permit for the existing driveway;
- the driveway approach or curb cut was constructed by the City of Windsor; or
- the curb cut is existing and there is no evidence, based on the review of the City’s 2010 aerial map records that the curb cut has been altered in any way without the permission of the City.

#### **4.6. Leadwalks Adjacent to Driveways**

4.6.1 A maximum 1.2m (4ft) wide concrete leadwalk may be permitted in addition to, and may be constructed adjacent to a driveway, provided a curb cut is not provided for the leadwalk and the total width of the driveway and leadwalk does not exceed 50% of the frontage width.

4.6.2 Addition of concrete leadwalk adjacent to existing driveway to be permitted provided the following is satisfied:

- Leadwalk to be installed integral from the curb/edge of pavement or from back of sidewalk to the front face of the house, porch, or gate to rear yard.
- Existing driveway approach to be cut and full-depth isolation joint to be completed as per S-6 section 6.04.07.
- If an existing flare is present the flare must be removed to allow for the leadwalk.
- Leadwalk is not to be constructed for the intent of parking
- Width of leadwalk to be consistent from back of curb/sidewalk to a porch or side yard.’

**4.7. Exceptions, see drawing AS-542-D**

- 4.7.1 Subject to the approval of the City Engineer, where unique circumstances require, a variance in these standards may be provided.
- 4.7.2 Where a driveway leads to a front yard parking space Best Practice BP2.2.2 shall apply.
- 4.7.3 Where a two car garage consists of two independent doors a driveway curb cut may be permitted equal to the width of the garage doors (including the door separation) plus 0.3m (1ft) on either side but no greater than 50% of the frontage width. (AS-542-D)
- 4.7.4 Where an alley is not maintained and the applicant does not wish to pave the alley at their own expense, access to the property for the use of parking will not be permitted from the alley.
- 4.7.5 On arterial roads, at the discretion of the City Engineer, flares may be added to an approach to a maximum of 1m per side as per AS-221 and AS-222. Driveway width cannot be widened in the future to match the curb cut size.

**5. RELATED BEST PRACTICES**

Front Yard Parking – BP2.2.2.

**6. RELATED CITY SPECIFICATIONS**

S-4 – Selected Granular Base Courses

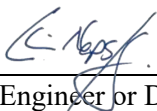
S-6 – Concrete Sidewalk and Driveway Approaches

S-9 – Concrete

S-10 – Hot Mix, Hot Laid Asphaltic Concrete

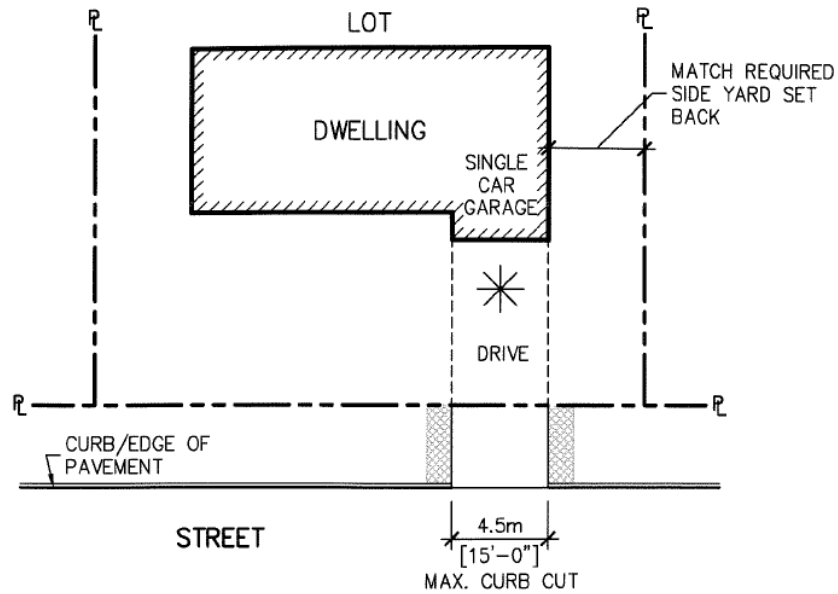
S-14 – Sodding and Topsoil

S-15 – Seeding Roadway Areas by Hydraulic Seeding and Mulch Cover Method

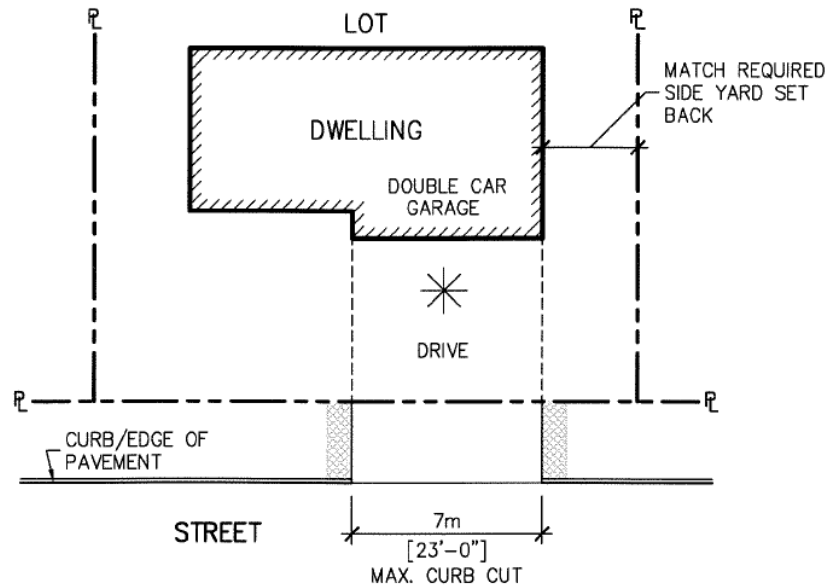
  
\_\_\_\_\_  
City Engineer or Designate

Attachments – AS-542-A; AS-542-B; AS-542-D

September 9/2022  
\_\_\_\_\_  
Date




**PROPOSED RESIDENTIAL DRIVEWAY WITH SINGLE CAR GARAGE OR CARPORT**




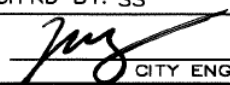
**PROPOSED RESIDENTIAL DRIVEWAY WITH GARAGE ( TWO CARS OR GREATER )**

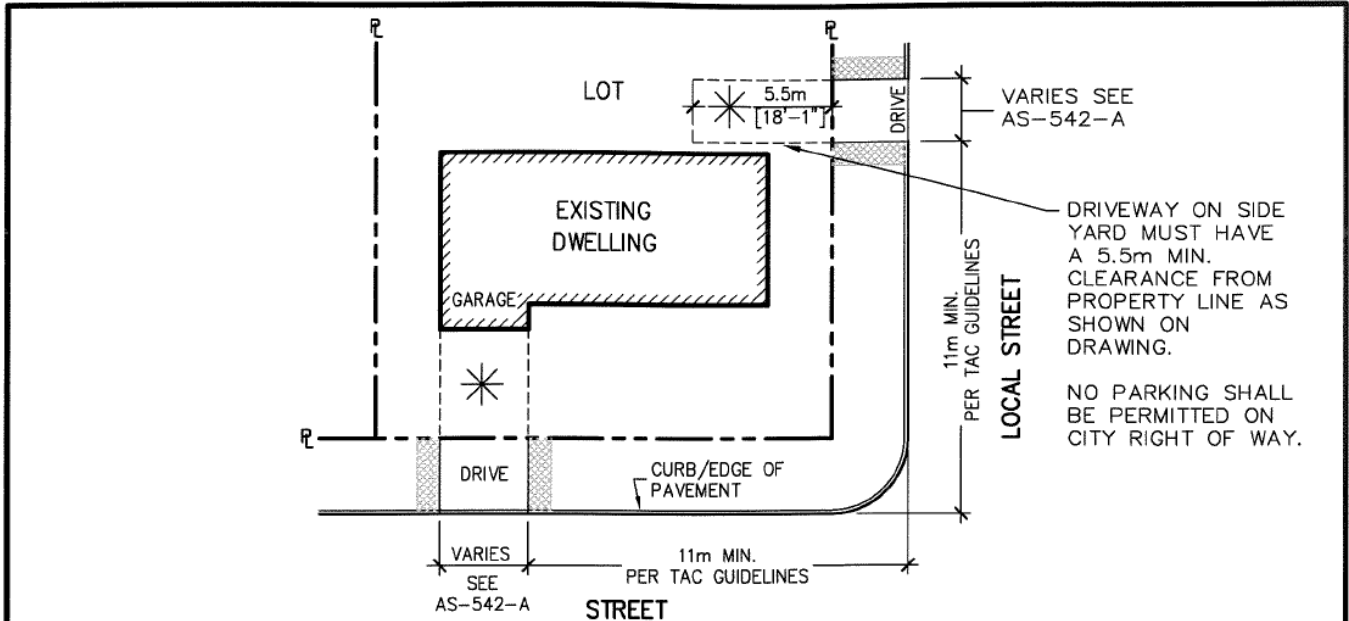
**NOTES:**

1. NO RADIUS OR RAISED CURBS ON CITY RIGHT OF WAY. STRAIGHT FLARES ONLY.
2. NOTWITHSTANDING THIS DRAWING CURB CUT WIDTH SHALL NOT EXCEED 50% OF FRONTAGE WIDTH.

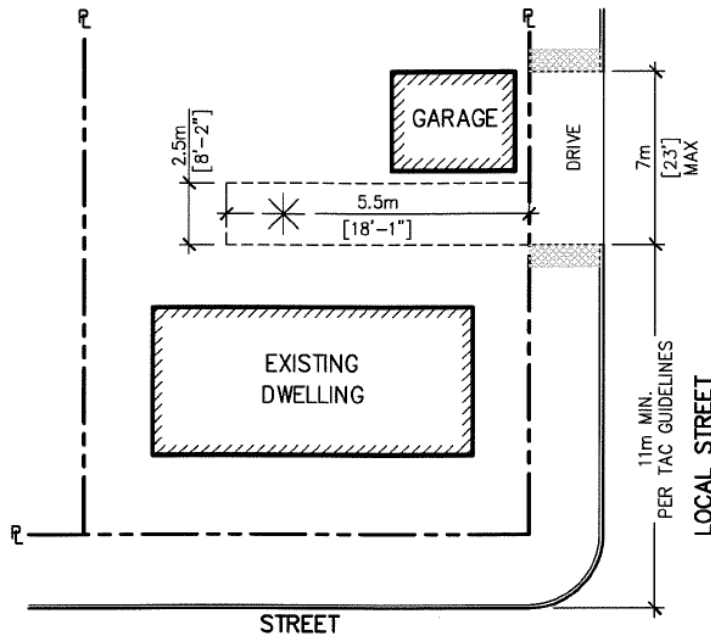
 DRIVEWAY PORTION ON PRIVATE PROPERTY IS TO COMPLY WITH AND BE APPROVED BY THE BUILDING DEPARTMENT AT THE CITY OF WINDSOR.

 DRIVEWAY MUST HAVE A MINIMUM SEPARATION OF 0.9m (3') OF ANY VERTICAL OBSTRUCTION. ie. HYDRO POLE, FIRE HYDRANT, CABLE BOX, TREE, ETC.

<b>CITY OF WINDSOR</b>	
ENGINEERING DEPARTMENT	
<b>Maximum Curb Cut For Residential Driveways with a Garage</b>	
DR'N BY: AJC, JL	DATE: JANUARY, 2011
REVISION: NOV, 2013	CH'KD BY: P. UBENE
CH'KD BY: SS	PASSED BY:
 CITY ENGINEER	<b>AS-542-A</b>



**PROPOSED RESIDENTIAL DRIVEWAY ON CORNER LOT WITH SIDE YARD**

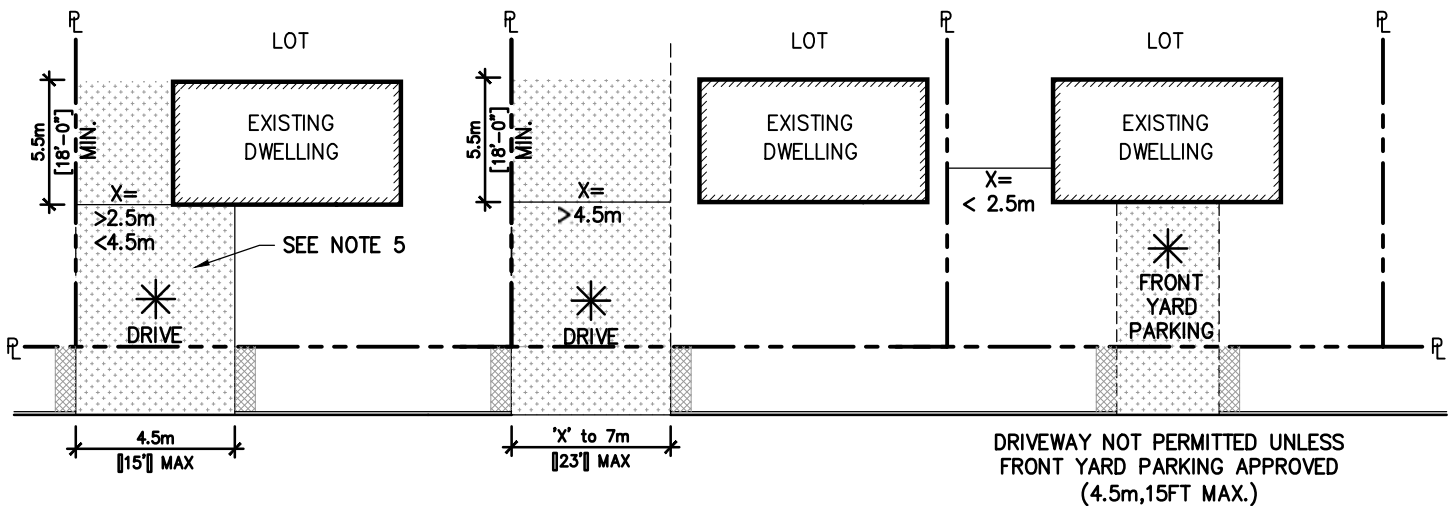


**PROPOSED RESIDENTIAL DRIVEWAY ON CORNER LOT WITH SIDE YARD GARAGE**

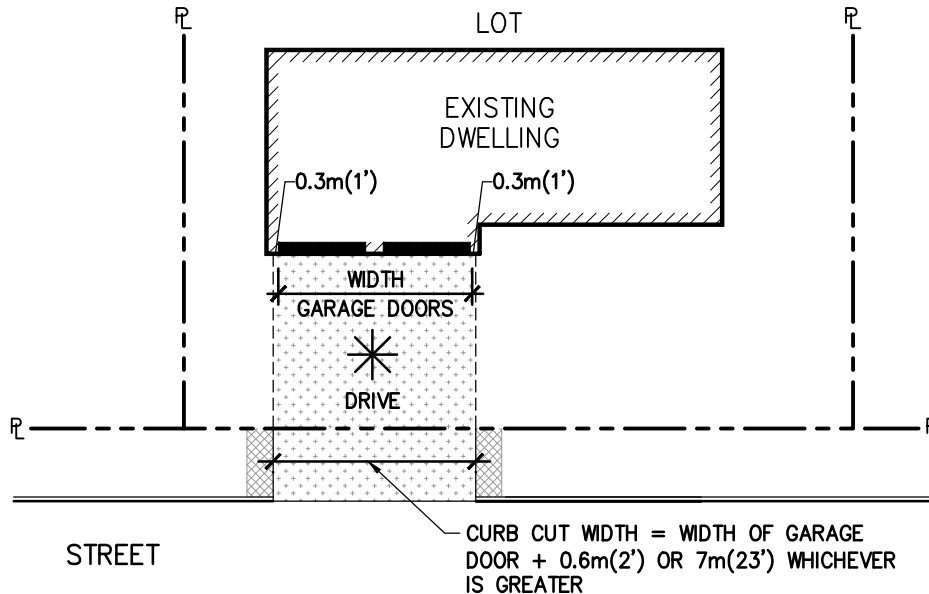
**NOTES:**

1. NO RADIUS OR RAISED CURBS ON CITY RIGHT OF WAY. STRAIGHT FLARES ONLY.
  2. NOTWITHSTANDING THIS DRAWING, CURB CUT WIDTH SHALL NOT EXCEED 50% OF FRONTAGE WIDTH.
  3. NEW DRIVEWAYS FOR HOMES ON CORNER LOTS SHALL BE CONSTRUCTED ON THE SIDE OF THE HOUSE OPPOSITE OF THE INTERSECTION.
- DRIVEWAY PORTION ON PRIVATE PROPERTY IS TO COMPLY WITH AND BE APPROVED BY THE BUILDING DEPARTMENT AT THE CITY OF WINDSOR.
- DRIVEWAY MUST HAVE A MINIMUM SEPARATION OF 0.9m (3') OF ANY VERTICAL OBSTRUCTION. ie. HYDRO POLE, FIRE HYDRANT, CABLE BOX, TREE, ETC.

<b>CITY OF WINDSOR</b>	
ENGINEERING DEPARTMENT	
<b>Maximum Curb Cut For Residential Driveways on Corner Lots</b>	
DR'N BY: AJC, JL	DATE: JANUARY, 2011
REVISION: NOV, 2013	CH'KD BY: P. UBENE
CH'KD BY: SS	PASSED BY:
 CITY ENGINEER	<b>AS-542-B</b>



**DRIVEWAY TO SIDE YARD / GARAGE IN REAR**



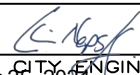
**SEPARATE GARAGE DOORS**

**NOTES:**

1. NO RADIUS OR RAISED CURBS ON CITY RIGHT OF WAY. STRAIGHT FLARES ONLY.
2. NOTWITHSTANDING THIS DRAWING, CURB CUT WIDTH SHALL NOT EXCEED 50% OF FRONTAGE WIDTH.
3. ONE ACCESS IS PERMITTED PER LOT FRONTAGE. A PROPERTY MAY BE ACCESSED FROM AN OPEN, PAVED MUNICIPAL ALLEY.
4. NEW DRIVEWAYS FOR HOMES ON CORNER LOTS SHALL BE CONSTRUCTED ON THE SIDE OF THE HOUSE OPPOSITE OF THE INTERSECTION.
5. ANY PORTION OF DRIVEWAY THAT DOES NOT EXTEND 18FT INTO SIDE YARD IS TO COMPLY WITH FRONT YARD PARKING REQUIREMENTS.

DRIVEWAY PORTION ON PRIVATE PROPERTY IS TO COMPLY WITH AND BE APPROVED BY THE BUILDING DEPARTMENT AT THE CITY OF WINDSOR.

DRIVEWAY MUST HAVE A MINIMUM SEPARATION OF 0.9m (3') OF ANY VERTICAL OBSTRUCTION. ie. HYDRO POLE, FIRE HYDRANT, CABLE BOX, TREE, ETC.

<b>CITY OF WINDSOR</b>	
ENGINEERING DEPARTMENT	
<b>EXCEPTIONS</b>	
DR'N BY: AJC, JL, BC, AC, SS	DATE: JANUARY, 2011
REVISION: AUG, 2022	CH'KD BY: P. UBENE
CH'KD BY: AK	PASSED BY:
 CITY ENGINEER	<b>AS-542-D</b>



**1. SUBJECT FRONT YARD PARKING****2. DEFINITIONS**

Front yard parking – Paved area that provides a single parking space located in the front yard of an existing dwelling.

**3. DRAWINGS**

AS-542-C – Front Yard Parking

AS-542-A – Maximum Curb Cut for Residential Driveways with No Garage, Single & Double or More Car Garages

AS-542-B – Maximum Curb Cut for Residential Driveways on Corner Lots

AS-221 – Residential Drive – Asphalt

AS-222 – Residential Drive – Concrete

**4. BEST PRACTICE**

The following residential driveway options are available:

1. A driveway for a front yard parking space shall not exceed a maximum curb cut or edge of pavement width of 4.5m (15') (in accordance with AS-542-C).
2. A front yard parking space and driveway is required to be hard surfaced within twelve (12) months from the issuance of a driveway permit.
3. A minimum distance of 5.5m (18') in length and 2.5m (8') in width is required to create one parking space. Where insufficient area is available for the parking space to be entirely on private property, this space may extend into the right-of-way, however, shall commence at the front face of dwelling without any obstruction of the sidewalk.
4. Approval by the Building Department and compliance with the zoning by-law are required for front yard parking to be permitted.
5. Front yard parking is permitted where existing side yard widths are less than 2.5m (8').
6. Front yard parking is permitted where no other parking is or may be made available on site. (for example from a paved alley)

**5. RELATED BEST PRACTICES**

Driveway Requirement Policies – BP2.2.1

Alley Access – BP2.3.2

**6. RELATED CITY SPECIFICATIONS**

S-4 - Selected Granular Base Courses

S-6 – Concrete Sidewalk and Driveway Approaches

S-9 – Concrete

S-10 – Hot Mix, Hot Laid Asphaltic Concrete

S-14 – Sodding and Topsoil

S-15 – Seeding Roadway Areas by Hydraulic Seeding and Mulch Cover Method

Mario Sonego  
City Engineer or Designate

January 2, 2014  
Date

Attachments – By-law 92-2003 information, AS-542-C

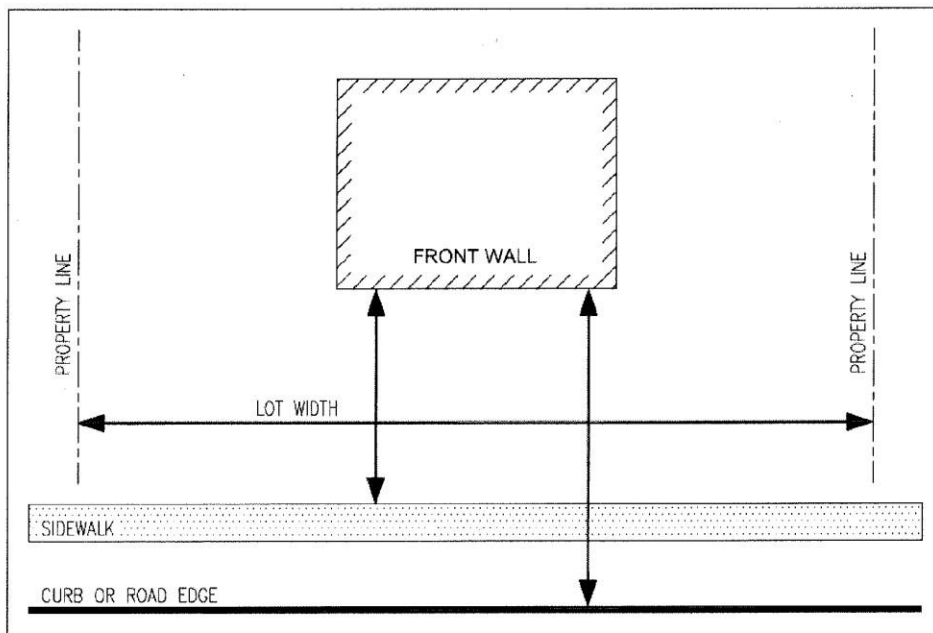




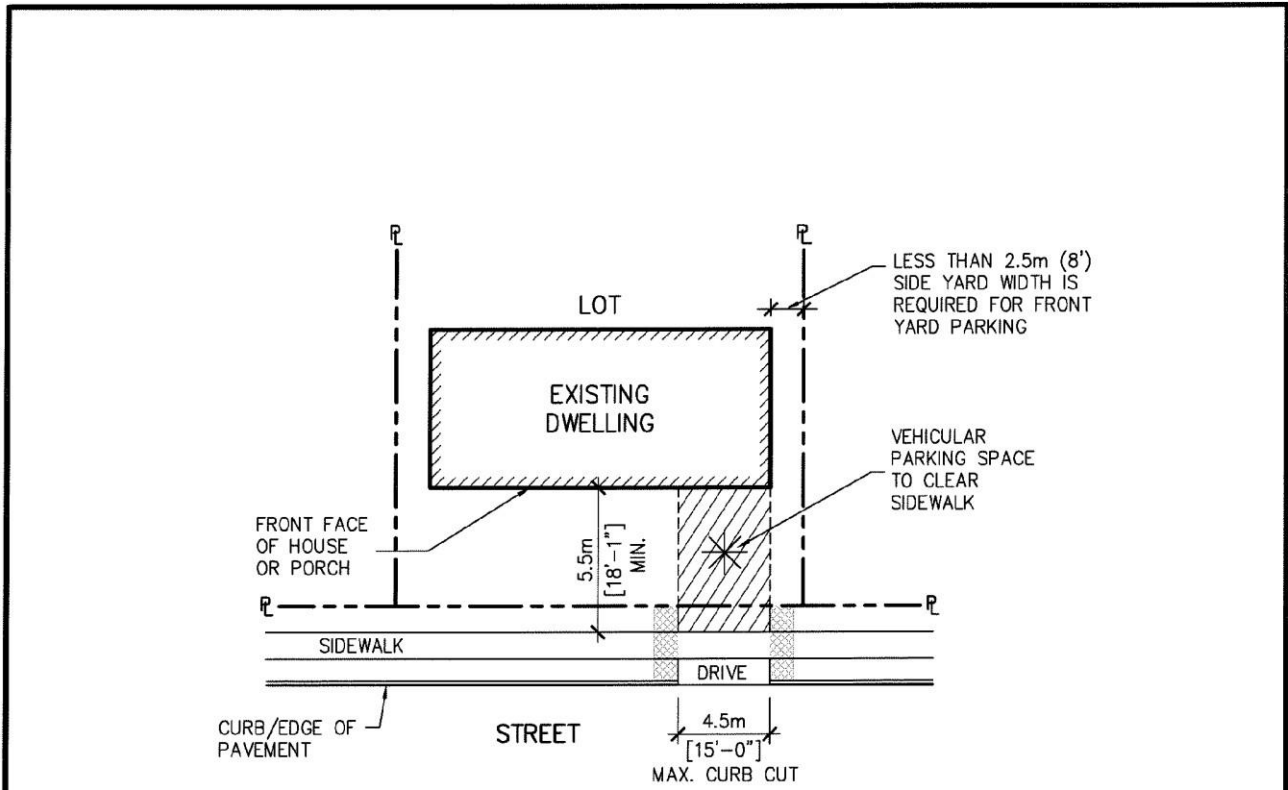
**THE CORPORATION OF THE CITY OF WINDSOR  
ENGINEERING – DEVELOPMENT & GEOMATICS  
DRIVEWAY APPROACHES – FRONT YARD PAVING**

According to By-law 92-2003, the following conditions will apply to front yard paving where the purpose is other than the standard side yard driveway and garage access:

- The pavement must be one (1) metre from any above ground utilities structure (i.e. fire hydrants, pedestals, light poles, etc)
- Must pave your driveway AND approach within 12 months – extensions to be considered separately
- Interlocking brick must have a 12” (30.5 cm) base of stone
- Full depth black expansion joints apply at the curb/sidewalk
- Corner lot properties cannot be paved at radius of curb on road
- If pavement is within one (1) metre of the base of a tree, you must contact Parks and Forestry at 253-2300 for approval
- Any deviation from the permit requirements must be made with an approved dimensioned site plan and brought to the Building Department (4<sup>th</sup> Floor). See diagram below for example of site plan information
- Inspection required – 255-6257
  - Must call for base inspection **BEFORE** pouring or paving
  - Please allow one (1) day notice for inspection
  - Call for final inspection when complete – forms removed, saw-cuts complete, backfill levelled.
- All concrete within the right-of-way must have a broomed or non-slip finish
- When cleanout is located in driveway, City recommends a cast iron cleanout cap be used
- Subject to re-inspection fee
- 45 days after final inspection is approved, indemnity deposit refunded by mail



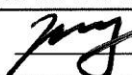
*Updated November 25, 2013*



**PROPOSED FRONT YARD PARKING FOR RESIDENTIAL DRIVEWAY**

**NOTES:**

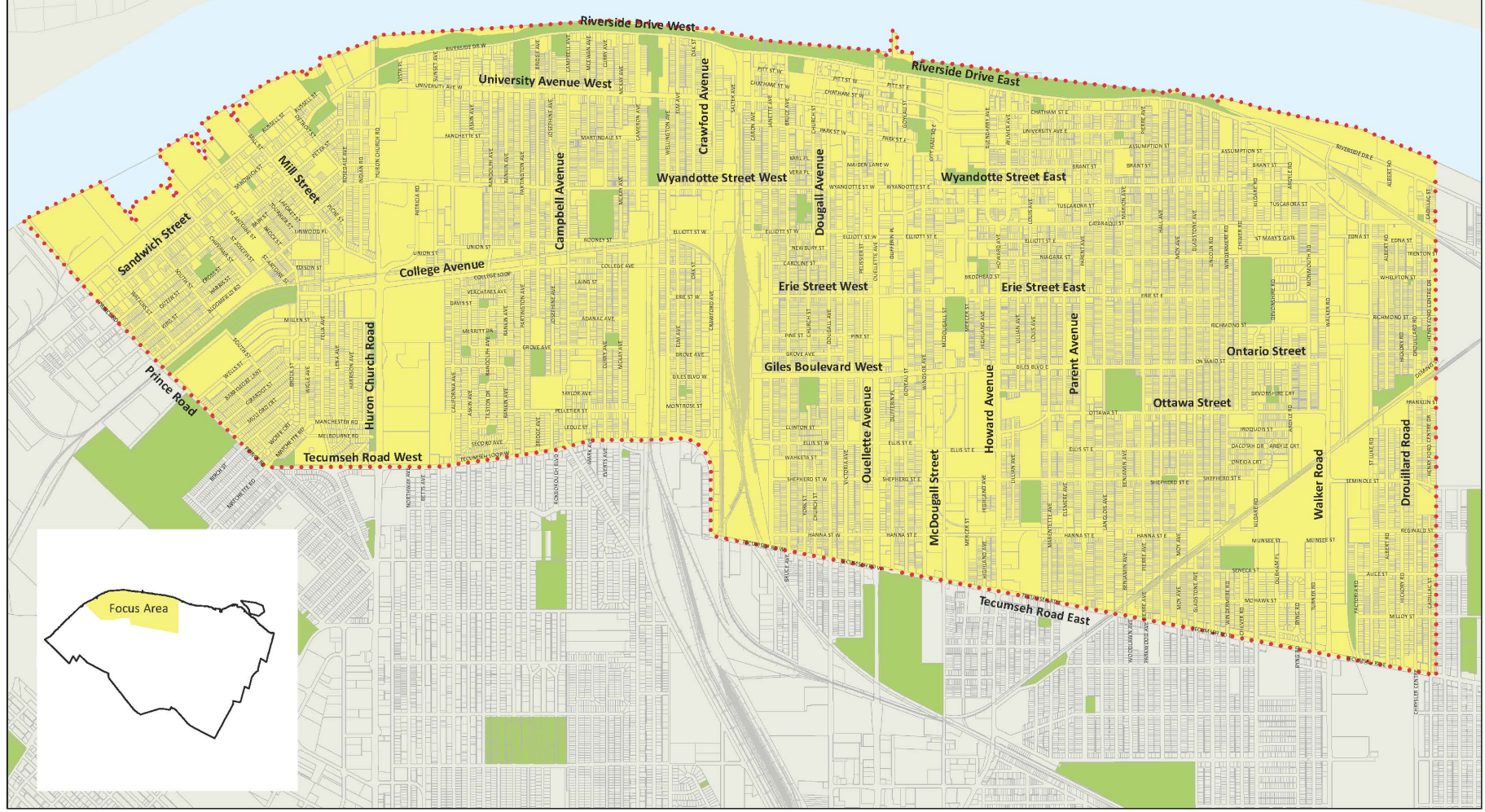
1. NO RADIUS OR RAISED CURBS ON CITY RIGHT OF WAY. STRAIGHT FLARES ONLY.
  2. NOTWITHSTANDING THIS DRAWING CURB CUT WIDTH SHALL NOT EXCEED 50% OF FRONTAGE WIDTH.
- \* DRIVEWAY PORTION ON PRIVATE PROPERTY IS TO COMPLY WITH AND BE APPROVED BY THE BUILDING DEPARTMENT AT THE CITY OF WINDSOR.
- DRIVEWAY MUST HAVE A MINIMUM SEPARATION OF 0.9m (3') OF ANY VERTICAL OBSTRUCTION. ie. HYDRO POLE, FIRE HYDRANT, CABLE BOX, TREE, ETC.

<b>CITY OF WINDSOR</b>	
ENGINEERING DEPARTMENT	
<b>Front Yard Parking For Residential Driveways</b>	
DR'N BY: AJC, JL	DATE: JANUARY, 2011
REVISION: DEC, 2013	CH'KD BY: P. UBENE
CH'KD BY: SS	PASSED BY:
 CITY ENGINEER	<b>AS-542-C</b>



# Secondary Residential Units: Exempt Areas

**Legend**  
 Area Where Additional Parking Space is Not Required to Create a Second Residential Unit



**Subject: Additional Information Memo to Report # S 150/2023 – CQ-13-2023 – Front Yard Parking Best Practice 2.2.2. – City Wide**

**Reference:**

Date to Council: July 31, 2024

Author: Adam Pillon

Manager of Right-of-Way

(519) 255-6257 Ext. 6612

[apillon@citywindsor.ca](mailto:apillon@citywindsor.ca)

Right-of-Way - Engineering

Report Date: July 12, 2024

Clerk's File #: ST2024

**To:** Environmental, Transportation & Public Safety Standing Committee

**Additional Information:**

This memo provides additional information as requested by Councillor Mark McKenzie under CR11/2024, “to provide more options to amend the by-law regarding front yard parking within residential districts near business districts”.

Subsequent to the meeting of Council, Administration met with internal departments and peer municipalities to discuss the request and potential options to address residential districts near business districts and below are the resulting recommendations:

**Option 1: Residential On-Street Parking Passes**

Residential neighbourhoods looking to obtain access to parking over and above their existing rear accessed alley parking space(s), can submit a “Request for Residential On-Street Parking Passes”. Through this process, a comprehensive review of the surrounding neighbourhood will be completed to ensure parking issues would not be shifted to an adjacent street as a result. If approved, this would provide exclusive on-street parking to residents living in the area, thus eliminating concerns of visitors utilizing this parking to access neighbouring business districts. The following information is available online in further detail and should be reviewed prior to initiating the process:

1. 95% community support is required.
2. Annual permit renewals and the associated fees are applicable.

3. Quantity limitations - two (2) residential vehicle permits per property and one (1) additional visitor permit

## **Option 2: Referral to the Ad Hoc Alley Standards Committee**

On May 27<sup>th</sup>, Council approved CR236-2024, which established the need for an internal team to identify all paved alleys and classify them in an effort to help guide the prioritization of future actions, including maintenance and enforcement. Based on the priority level identified for alley maintenance, a set of enhanced enforcement standards are currently being developed by the resulting Ad Hoc Alley Standards Committee.

Administration recommends that where there is a concern with the specific condition and/or maintenance of a paved alley, that the newly created Ad Hoc Alley Standards Committee review and provide recommendations based on criteria such as usage, condition, and other relevant characteristics.

The options identified above align with existing Community Improvement Plans such as Sandwich, Ford City and Downtown, which support the maintenance of alleys as alternative pedestrian and bike routes.

Section 8.7.2 (d) - Policies of the Official Plan “Encourages the creation of attractive residential streetscapes through architectural design that reduces the visual dominance of front drive garages, consideration of rear lanes where appropriate, planting of street trees and incorporation of pedestrian scale amenities. (added by OPA #60–05/07/07-B/L85-2007 – OMB Decision/Order No.2667, 10/05/2007)”. This would all be compromised if front yard parking were to be permitted in these areas.

The recently implemented additional dwelling unit (ADU) policies do not require additional parking for second and third units (1<sup>st</sup> and 2<sup>nd</sup> ADUs). Despite this, from a practical perspective, the increased presence of ADUs in residential neighbourhoods with alleys is likely to result in requests for additional parking spaces both off the alley and in the front yard (if permitted) to accommodate the residents in the additional units. In addition to the concerns raised in report S150/2023, this would increase the impervious surface for such properties, resulting in additional stormwater runoff to the adjacent sewers. While the impact of one property on the sewer system may be negligible, the cumulative impact of ADU’s and additional parking spaces throughout a large area may affect the capacity of the existing sewer network.

Administration has reached out to several Ontario municipalities to discuss specific front yard parking restrictions for residential properties with paved rear alleys, adjacent to Business Districts. While the feedback was limited, no responding Municipalities have exceptions listed in their Driveway Standards or Best Practices for residential properties near Business Districts.

Municipality	Notes
Aurora	<ul style="list-style-type: none"> <li>Permits front yard parking where parking at the rear is not permitted or available.</li> <li>Does not have residential street parking passes in areas close to business districts.</li> <li>If on street parking is available, residents are to utilize it.</li> </ul>
Brant	<ul style="list-style-type: none"> <li>Residential properties are only permitted one entrance per property.</li> <li>If there is alley access to the rear, front yard parking is not permitted.</li> </ul>
Whitby	<ul style="list-style-type: none"> <li>If there is a paved alley, front yard driveways are not permitted.</li> </ul>

Amending City by-laws or Best Practices to accommodate front yard parking, where paved alleys already provide access to these properties, is in conflict with the intent of the Ad Hoc Alley Standards Committee. Administration does not recommend taking such action, as the concerns raised in report S 150/2023 are not addressed through such amendments.

**Consultations:**

Andrew Lewis - Field Services Coordinator, Operations

Marc Ladouceur - Enforcement Administrator, Operations

Shawna Boakes - Executive Director, Operations

Roberta Harrison - Maintenance Coordinator, Operations

Kevin Alexander - Planner III Special Projects, Planning

**Approvals:**

Name	Title
Adam Pillon	Manager of Right-of-Way
Stacey McGuire	Executive Director Engineering/Deputy City Engineer

Name	Title
Mark Winterton	Commissioner, Infrastructure Services/City Engineer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**



**Subject: Second Additional Information Memo to Reports S-150/2023 & AI-15/2024 – CQ-13-2023 – “Front Yard Parking Best Practice 2.2.2.” – City Wide**

**Reference:**

Date to Council: November 25, 2024

Author: Amy Olsen

Technologist III

(519) 255-6257 ex 6562

[aolsen@citywindsor.ca](mailto:aolsen@citywindsor.ca)

Engineering

Report Date: November 7, 2024

Clerk's File #: ST2024

**To:** Mayor and Members of City Council

**Additional Information:**

As a result of Decision Number ETPS 1028 CR11/2024 ETPS972, THAT the report of the Technologist II, dated November 9, 2023, entitled “CQ 13-2023 - Front Yard Parking Best Practice 2.2.2” BE RECEIVED for information; and, THAT administration BE DIRECTED to adopt a pilot project in Ward 4 for a period of two years related to accessible parking and front yard parking, this memo provides supplemental information with respect to the adoption and impacts of a two-year front yard parking pilot program in Ward 4.

**Engineering Considerations**

The average lot width in Ward 4 is approximately 30-feet by 110-feet, totaling 3,300 square feet. Under current City best practices, residents with front yard parking are required to pave up to the front of their house with a maximum curb cut of 15-feet. As a result, allowing front yard parking on eligible lots could increase the hard surface on the average property and the adjacent right-of-way by roughly 300 square feet (10 percent per driveway permitted). Given that each on-street parking space requires 19-feet, the cumulative impact resulting from the introduction of front yard parking in Ward 4 has the potential to lead to reductions in available on-street parking. Specifically, for every property that creates a front yard parking space, up to two (2) on-street parking spaces may be lost.

Although a front yard parking pilot program in Ward 4 could be implemented to provide residents exclusive on-site parking, it should be noted that these driveways will become permanent infrastructure as they cannot practically be removed at the end of the pilot



period. As such, careful consideration must be given to the implications of allowing additional driveways under a two-year pilot program.

Appendix A provides a case study representing a typical street (Hall Ave) in Ward 4 and the potential impacts of front yard parking on existing on-street parking spaces. Under scenario 1, the creation of 13 private front yard driveway spaces will result in the loss of 14 on-street parking spaces that would otherwise be available for use by the entire neighbourhood. In scenario 2 (worst-case scenario), the loss of on-street parking is increased to 18 of the currently 21 available on-street parking spaces, as it is unlikely that neighbours will work collectively to optimize driveway spacing on the street.

The Traffic Department has advised that of the 144 Personal Accessible Parking (PAP) permits currently issued within the City of Windsor, roughly 30 percent or 42 accessible spaces reside in Ward 4. While these spaces are placed as close to the requesting residence as possible, new driveways constructed as a result of this pilot program could require relocation of an existing PAP space, presumably at a greater distance from the original location. PAP spaces take priority over general on-street parking and this repositioning would likely result in the further loss of standard parking spaces.

### **Planning Considerations**

The Walkerville Theming and Districting Plan (2022) was developed to reshape Walkerville into a more interconnected, pedestrian-friendly community that honours its heritage through improved public spaces, sustainable green infrastructure and thematic wayfinding systems. Additionally, the ongoing Walkerville Heritage & Conservation District Study (WHCD) is in its initial phase and expected to be finalized in the first quarter of 2025, with a public engagement session planned for late November 2025. The WHCD highlights the public realm as a vital heritage feature, and if the Council chooses to advance with a Heritage Conservation District Plan and Guidelines (Phase 2), comprehensive policies and regulations will be established to effectively manage development within the district.

For the requested front yard parking Ward 4 pilot program to proceed, at a minimum, section 20(1) 267 of Zoning By-law 8600 would have to be amended to allow a front yard parking permit to be issued within the Walkerville Heritage Area. The timeline for a Zoning By-law Amendment is 6-8 months. Policies in the City of Windsor Official Plan may also have to be amended, which would add 2-3 months to the timeline depending on the supporting information that is required to accompany the proposed amendments.

Council approved an exemption from the requirement to provide on-site parking for Additional Dwelling Units (ADUs) anywhere north of Tecumseh Road as part of Windsor's ADU policy and zoning framework based on the narrow lot patterns in much of the older part of the City, walkability and availability of transit service. The area south of Tecumseh Road generally has wider lots with side driveways that facilitate tandem parking. ADUs proposed south of Tecumseh Road must provide one additional off-street parking space (i.e. total of two) where either one or two ADUs are proposed. The *Planning Act* does not provide authority for municipalities to require off-site parking for a second ADU.

If directed by Council, Planning will review the ADU parking exemption area north of Tecumseh Road, which stretches from Prince Road to Henry Ford Centre Drive / Cadillac Street.

### **Urban Tree Canopy Considerations**

The Urban Tree Canopy Assessment Report (2020) indicates that the overall Urban Tree Canopy (UTC) in Windsor is 19% and the UTC varies across the wards from 10% to 32%. The UTC in Ward 4 stands at 20% where trees cover about 158 hectares out of the total 799 hectares. It should be noted that a substantial number of the trees in the Ward are in spaces where individuals might want to locate a driveway. As such, for the benefit of Ward-level and Citywide UTC, there should be continuous limits to the development of driveways.

Additionally, the City needs to continue to plant, at a minimum, 2200 trees per year to maintain present UTC. This planting requires substantial planting spaces, part of which is attained by planting on City ROWs. One of the objectives of the City for Canopy Cover is to improve our Canopy Cover above 19%. This requires optimizing the use of available potential planting areas (PPAs). Any act that will further fragment and/or reduce our PPAs should be discouraged.

### **Amendments Required for a Ward 4 Pilot Program**

Should Council elect to approve this pilot program, the following amendments are required to allow residents of Ward 4 to apply for and obtain driveway permits, regardless of the presence of a paved alley, prior to implementation:

1. Front Yard Parking Best Practice 2.2.2.
2. Zoning By-law 8600
3. City of Windsor Official Plan
4. Heritage Alteration Permit (for some properties designated under the *Ontario Heritage Act*)

### **Consultations:**

Neil Robertson – City Planner

Greg Atkinson – Deputy City Planner - Development

Bill Kralovensky – Coordinator, Parking Services

Yemi Adeyeye – City Forester/Manager, Forestry and Natural Areas

### **Approvals:**

Name	Title
Adam Pillon	Manager of Right-of-Way

Name	Title
Stacey McGuire	Executive Director Engineering/Deputy City Engineer
David Simpson	Commissioner, Infrastructure Services/City Engineer
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email
List provided to Clerks office.		

**Appendices:**

Appendix A – Ward 4 Front Yard Parking Overview

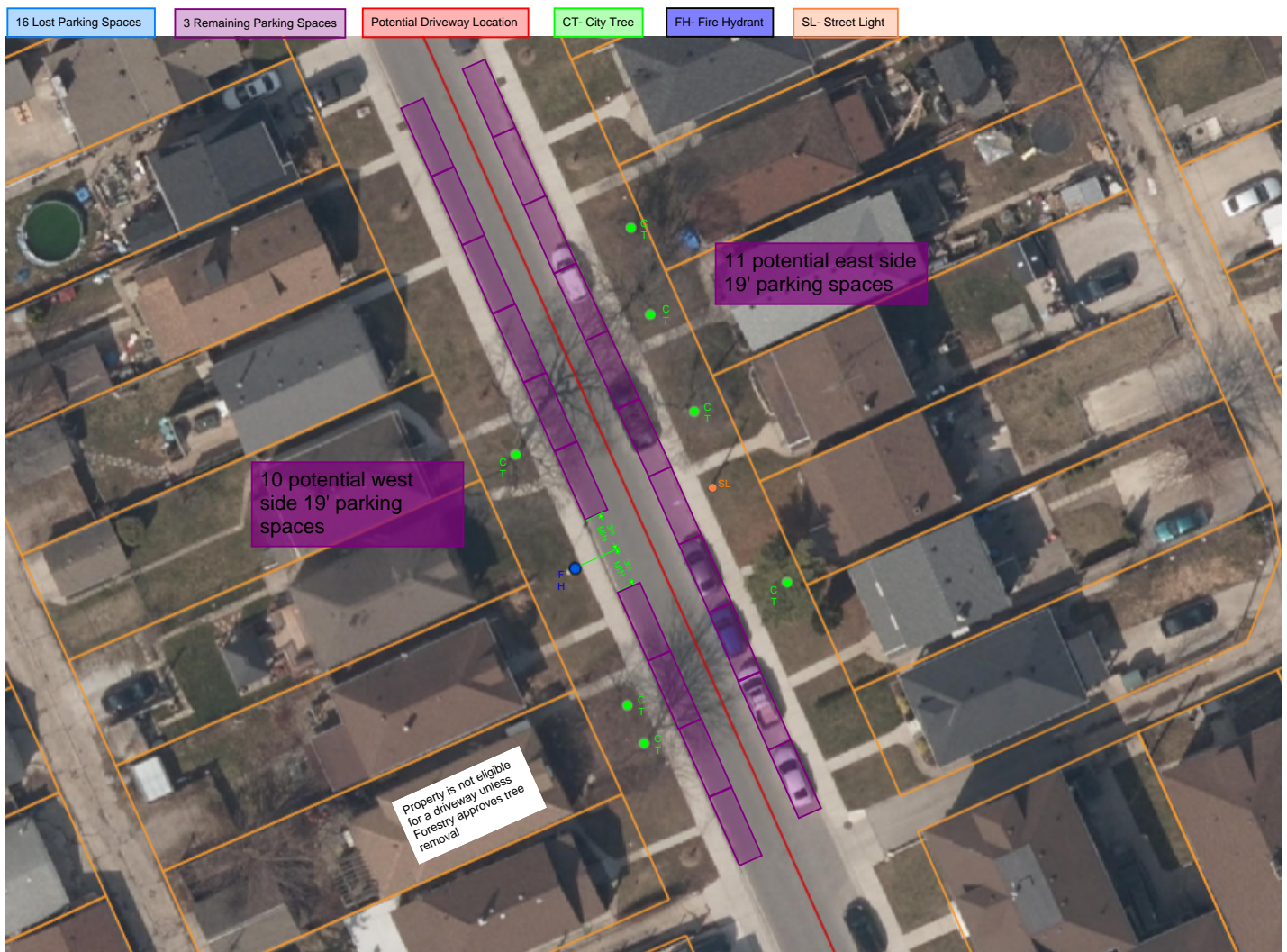
# Appendix A

## Front Yard Parking Pilot Program

### Ward 4

#### Current Parking Situation

In Ward 4, many properties have access to paved alleyways that provide rear on-site parking for 3+ vehicles (depending on their frontage width). In the below example, 13 of the 14 properties would be eligible to take advantage of front yard parking; however, due to the presence of two City trees, one property would require further consultation with the Forestry Department, as this would limit their eligibility without considering tree removal, further complicating the situation.

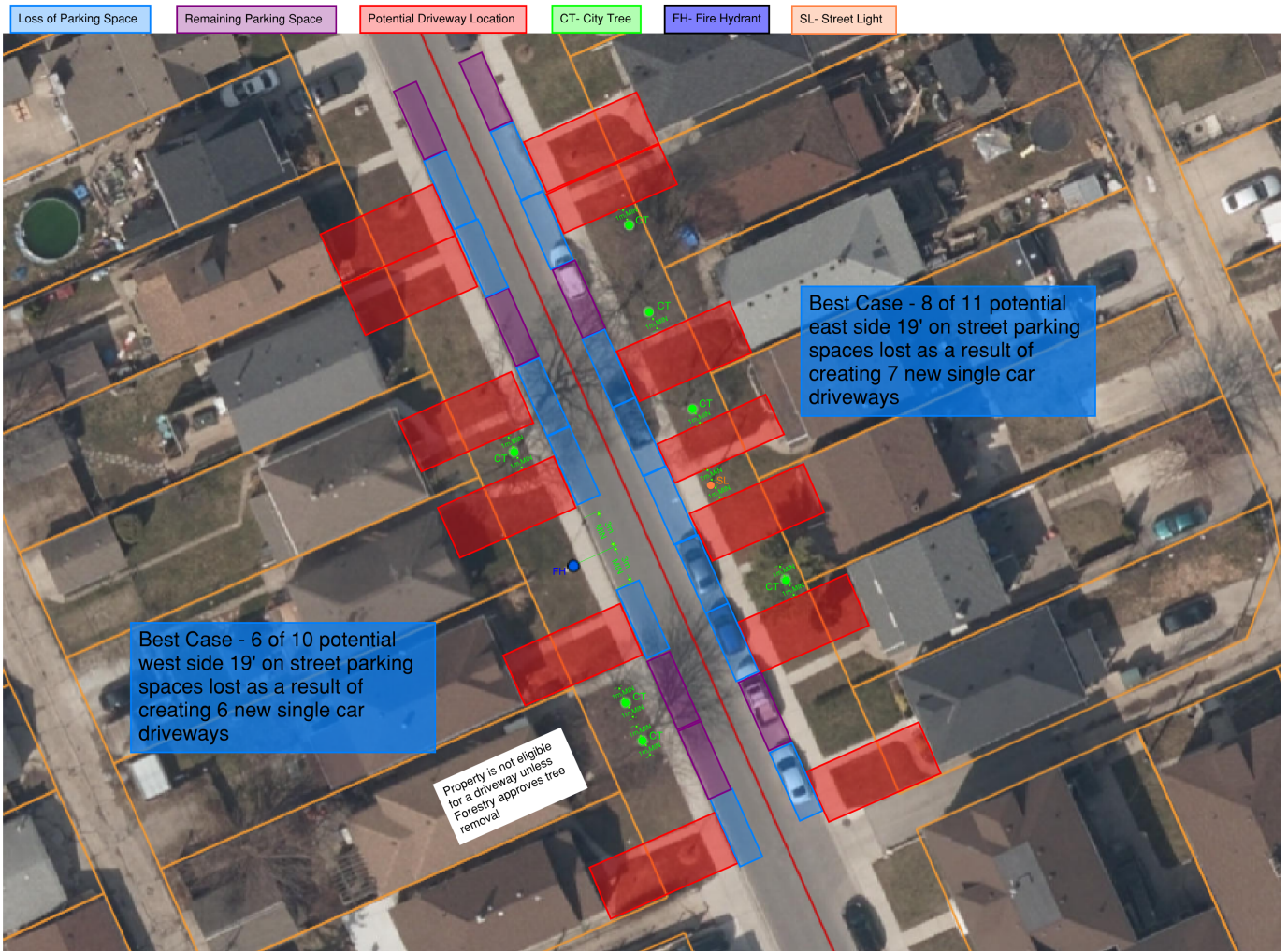




# Potential Impacts

## Scenario 1:

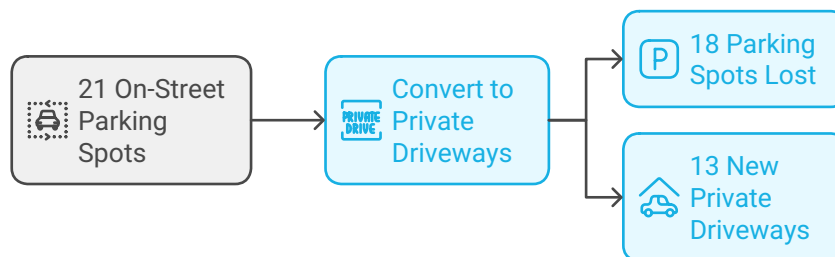
Understanding that residents are unlikely to coordinate their driveway configurations with neighbouring properties, the image below depicts a "best-case" scenario with the placement of four new driveways abutting each other. Introducing 13 new single car exclusive front yard driveways to this block would result in the loss of 14 on street parking spaces out of the 21 currently in place.



Balancing parking spaces and driveways.

## Scenario 2:

The "worst-case" scenario (shown below) indicates the potential for this block to lose up to 18 of the 21 available on-street parking spaces, severely limiting parking options for those who currently use on-street parking. This does not take into account any existing or future Accessible Parking Permits, which would further reduce the general on-street parking availability within this block.







**Committee Matters: SCM 165/2024**

**Subject: Response to CQ 4-2024 – Options for Modernizing Parking Operations – City Wide**

Moved by: Councillor Renaldo Agostino  
Seconded by: Councillor Kieran McKenzie

Decision Number: **ETPS 1006**

THAT the report of Coordinator, Parking Services dated April 25, 2024 entitled “Response to CQ 4-2024 – Options for Modernizing Parking Operations – City Wide” **BE RECEIVED** for information; and further,

Whereas on February 2, 2024, the 2024 10-year Capital Plan was approved via Mayoral Directive MD05-2024 and subsequently City Council **SUPPORTS** improvements to parking meters as outlined in Option 1 which requires additional capital funding of \$144,745.04, be it further resolved:

THAT the City Treasurer **BE DIRECTED** to transfer funding in the amount of \$144,745.04 from the On-Off Street Parking Reserve Fund 138 to the Parking Equipment Replacement Project 7135001; and further,

THAT Council **DIRECT** Administration as to which, if any, additional parking revenue sources identified in the report to implement; and further,

THAT if required, the 2024 Fees and Charges By-Law **BE UPDATED** to reflect any changes to parking fees.

Carried.

Councillor Mark McKenzie voting nay.

Report Number: S 46/2024

Clerk’s File: ST2024

**Clerk’s Note:**

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are the same.
2. Please refer to Item 8.4 from the Environment, Transportation & Public Safety Standing Committee held on May 29, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240529/-1/10487>

**Subject: Response to CQ 4-2024 – Options for Modernizing Parking Operations – City Wide**

**Reference:**

Date to Council: May 29, 2024  
Author: Bill Kralovensky  
Coordinator, Parking Services  
(519) 255-6247 ext. 6103  
bkralovensky@citywindsor.ca

Public Works - Operations  
Report Date: April 25, 2024  
Clerk's File #: ST2024

**To:** Mayor and Members of City Council

**Recommendation:**

**THAT** City Council **RECEIVE** report S46/2024, “response to CQ 4-2024 – Options for Modernizing Parking Operations” **FOR INFORMATION**; and further,

Whereas on February 2, 2024, the 2024 10-year Capital Plan was approved via Mayoral Directive MD05-2024 and subsequently City Council **SUPPORTS** improvements to parking meters as outlined in Option 1 which requires additional capital funding of \$144,745.04, be it further resolved:

**THAT** the City Treasurer **BE DIRECTED** to transfer funding in the amount of \$144,745.04 from the On-Off Street Parking Reserve Fund 138 to the Parking Equipment Replacement Project 7135001; and further,

**THAT** Council **DIRECT** Administration as to which, if any, additional parking revenue sources identified in the report to implement; and further,

**THAT** if required, the 2024 Fees and Charges By-Law be updated to reflect any changes to parking fees.

**Executive Summary:**

N/A

**Background:**

On Monday, January 15, 2024, Councillor Agostino asked the following Council Question:



**CQ 4-2024:**

*Asks that Administration look into removing parking meters across the city and replacing them with modern technology. I would like to know the costs of upgrading our system and the savings we could realize or any additional revenue sources.*

This report is provided in response to CQ 4-2024.

**Discussion:**

The City of Windsor's current parking meter system primarily relies on traditional coin and card payments. However, these methods have become increasingly outdated in the era of digital transactions. In early 2018, the City entered into an agreement with Passport Canada for a mobile Pay-for-Parking app. After months of making a Windsor based zone system, this app was put for public use at both meters and in lots, in December of 2018. Since then 750,000 transactions have been recorded. The percentage number of app transactions to cash and or payment card continues to grow each month. The 2023 breakdown of the revenue earned through the app versus cash/debit/credit at meters and lots is as follows:

<b>Payment Method</b>	<b>Percentage</b>	<b>Amount</b>
Credit/Debit Cards	15%	\$321,977
Cash Deposits	58%	\$1,224,593
App Payments	27%	\$561,697
<b>Total Revenue</b>	<b>100%</b>	<b>\$2,108,267</b>

The City currently has 1,440 coin, and app payment operated on-street meters. These are in use between Walker Rd to the east to Huron Church to the west, Tecumseh Rd northerly to Riverside Dr. Given the shift towards digital payments, the following changes are proposed to align the City's parking management practices with current trends.

**Proposed Changes:**

**App-Only System on Streets**

Implementing an app-only payment system for street parking will encourage users to transition to digital payments, reducing the need for physical cash handling and maintenance. Cash and card users would be directed to use parking lots and garages.

## Handheld and Mobile Licence Plate Recognition (LPR) Technology

The current industry standard is what is known as LPR, License Plate Recognition technology. Either a handheld device, or mobile vehicle mounted, reader scans a vehicle's license plate, and processes this plate to see the validity of the current parking area. This technology works for parking payments as well as permit parking locations. This technology will be expanded to include permit areas, residential and pay for parking, to widen in customer service and satisfaction. A trial of handheld LPR devices to enforce parking regulations more effectively and efficiently is currently being undertaken since March, 2024. If successful, this technology will be expanded to vehicle-mounted LPR systems, which will promote further cost reductions and enhanced customer service, and be funded from the Parking equipment replacement capital program, Project OPS-001-13.

## Meter Head Retention

Existing meter heads will remain in place as parking space number identifiers. These are currently in use with the app, and located on the street side of each meter head, (Figure A below) and will remain until such time as we are in the position to rezone parking areas.

**Figure A.**



Vehicle mobile LPR will handle the larger zone areas, allowing the removal of individual space numbers. Each vehicle will be identified by its license plate number. Coin slots will be blocked and the internal electronics will be disabled to prevent coin payments.

## Updated Pay and Display Machines

Pay and Display machines, currently used in the City's off street parking lots, will replace individual space meters, and be centrally located within a city block of on street pay for parking areas. One (1) machine will be able to replace up to twenty (20) individual meters. These newer-style and most recent up to date technology, Pay and

Display machines may be installed within restructured streets and new pay-for-parking areas if Council so chooses. However, due to costs for this hardware, it is recommended that for street parking areas, the city remain with app-only purchases. For example, to replace Ouellette Ave. meters with new single location Pay & Display machines, at 1 unit per block, per side of traffic, would require 22 new technology machines. The price per unit is \$8,720 excluding HST. Installing the Pay & Display machines on Ouellette Ave would currently cost \$191,840 excluding HST plus additional cost for associated infrastructure (i.e. electrical power hookups). Other associated costs are discussed further in the Financial Matters section below. Pay and Display, dashboard presented tickets, would be phased out over time as vehicle-mounted LPR systems are installed, enhancing cost reductions and promoting further customer service enhancements.

### **Pros and Cons of Parking Modernization**

Modernizing the city's parking system to be cashless, app-based, and utilizing smart meters can have several pros and cons including the following:

#### **Pros:**

1. **Convenience:** Using the App offers greater convenience for users, who can easily pay for parking using their smartphones without needing to carry coins.
2. **Efficiency:** Smart meters cover multiple spots and reduce the number of physical individual meters required, making the system more streamlined and easier to manage as well as requiring less maintenance.
3. **Dynamic Pricing:** Modern systems can allow for dynamic pricing based on demand, time of day, or special events, which can optimize parking space utilization and potentially increase revenue.
4. **Data Collection:** Digital systems can collect valuable data on parking patterns.
5. **Accessibility:** The App offers features such as reminders and notifications thereby enhancing the user experience.
6. **Security:** A cashless system reduces the temptation of theft and vandalism of cash containing meters and vault intrusions of Pay and Display hardware.
7. **Keeping up with changing industry standards:** Typical municipal comparator cities throughout the Province are adapting to more modern technologies, such as these mentioned in this report.

#### **Cons:**

1. **Digital Divide:** Not all residents and visitors may have access to smartphones or be comfortable with using the App style payment methods to pay, potentially excluding some demographics. Currently, in the Downtown core area, there are 22 defined privately owned parking lots consisting of approximately 1,037 parking

spaces that may be utilized by customers wishing to continue to pay by traditional means.

2. **Privacy Concerns:** The collection of data through digital systems raises concerns about privacy and the security of personal information. While the technology is Payment Card Industry (PCI) compliant, hardware can be tampered with.
3. **Dependence on Technology:** System outages or technical issues can disrupt the parking system and inconvenience users. If a system outage lasts too long in duration, the City will lose revenue.
4. **Implementation Costs:** The initial investment in modernizing the parking system can be significant, including costs for new meters, software and enforcement technology upgrades.
5. **Resistance to Change:** There may be resistance from residents and visitors who are accustomed to the traditional parking system, requiring a concentrated effort to educate and persuade them about the benefits of the new system.

## **Options for Moving Forward**

### **Option #1: Immediate cessation of cash payments at all metered street parking**

This is the swiftest and most cost-efficient of the three options presented in this report. Parking Maintenance staff can convert the meters by placing stickers over the coin acceptance slots, over one weekend. These parking spots are already listed in the Passport app and can be utilized immediately as the meter poles would remain for space number indicators. As the right of ways are upgraded where these meters exist, poles will be removed and replaced with larger zone sizes and indicated with signage throughout these areas where individual space numbers will no longer be required. This will enable Parking Services and Signs and Markings to efficiently incorporate new zones. While current handheld LPR devices can be utilized immediately, these devices are less efficient and require more labour-intensive efforts as the enforcement officers are required to snap a photo of each licence plate with the device. Mobile LPR units would be acquired, installed, and put into operation as soon as possible to improve enforcement efficiency. The City's collaboration with Windsor Police Services on outstanding fines and stolen vehicle detection programs will be significantly improved through the use of mobile-mounted LPR technology, enabling the scanning of a greater number of legally parked vehicles. Delivery and installation are the unknown inhibitors to a quick start of mobile LPR. Through the communications department, social media tutorials can be taped and posted to guide customers on the new processes for parking payments. These tutorials would also address the locations where cash payments will still be accepted for those wishing to do so.

Option #1 would also allow for different pay-for-parking time models as fees can be structured for different reasons i.e.: time of day, day of week, sponsored parking, discounted parking, etc.

**Option 1 – estimated time to implement:** 1 month from approval.

**Table 1 - Option 1 – Estimated Costs and Funding:**

Purchase	Price / Unit (Excluding HST)	Quantity	Cost (Excluding HST)	Funding Source
Stickers to close meters	\$1.99	1,500	\$2,985.00	Transfer from the On-Off Street Parking Reserve Fund 138 to the Parking Equipment Replacement Project 7135001
Mobile LPR Cameras and software including hardware, installation, and extended warranty	\$44,955.47	3	\$134, 866 .41	
Annual Licencing and Support for LPR cameras			\$6,893.63	
<b>TOTAL ESTIMATED 1<sup>ST</sup> YEAR UP FRONT COST</b>			<b>\$144,745.04</b>	

Administration’s preferred option is Option #1. Option #1, the immediate cessation of cash payments at all metered street parking is the fastest and most economical solution among the available options. The simple installation of stickers over coin slots during a single weekend allows for an instant transition without substantial downtime or disruption.

This option, with the aid of educational tutorials uploaded to social media and local news outlets will aid customers in the switch from coin-operated street meters.

**Option #2: Phased-in approach to new technology Pay-and-Display machines**

This option would entail remapping the current parking zone structure and installing new signage in the affected areas appropriately for customer notification. The app provider would also be required to assist in the zone renumbering to ensure that these new zone numbers are available for use. Option 2 would require mobile LPR set up prior to engaging, as this option would result in an increase in the size of the zones that existing officers would be required to patrol without the current individual meter indicating a “No Payment” flash for the officer to see. Officers would have to check each license plate in a zone by hand to see if the vehicle was in fact in contravention. All efforts will be made to strategically place hardware near current power sources to reduce costs, but this option may not always be available. All improvements listed in Option 1 above also apply to Option 2, just over a longer implementation time frame. If current budget funding models are insufficient, Administration will bring a recommendation back to Council detailing a proposed funding plan.

**Option 2 – estimated time to implement:** 1-year from approval.

**Table 2 - Option 2 – Estimated Costs and Funding:**

Purchase	Price Per Unit (Excluding HST)	Quantity	Cost (Excluding HST)	Funding Source
APP zone signage plus installation labour and materials	\$462.33	3 per city block <b>144</b> blocks = 432 signs	\$199,726.56	On-Off Street Parking Reserve Fund 138
New Technology Pay and Display Machines	\$8,720.00	1 per city block <b>144</b> blocks = 144 machines	\$1,255,680.00	On-Off Street Parking Reserve Fund 138
Mobile LPR Cameras and software including hardware, installation, and extended warranty	\$44,955.47	3	\$134, 866 .41	On-Off Street Parking Reserve Fund 138
Annual Licencing and Support for LPR cameras			\$6,893.63	On-Off Street Parking Reserve Fund 138, 1 <sup>st</sup> year  Annual operating budget increase required
Infrastructure Connection – Power Source Prep	\$105	Per 400 meters 144 – 400 meter sections <i>ESTIMATED</i>	\$42,000 / section \$6,048,000 total	On-Off Street Parking Reserve Fund 138
Infrastructure Connection – Machine Hook Up	\$5,000	144 machines	\$720,000	On-Off Street Parking Reserve Fund 138

**Option #3: Status quo with gradual hardware upgrades**

In this option, the status quo would be maintained and upgrades of current hardware would occur as areas are renewed by either street or sidewalk upgrades. The costs would be the same as Option #2 above but would occur gradually over time. This option allows for necessary parking infrastructure upgrades to be completed simultaneously as street repairs are undertaken, thus lowering infrastructure costs.

**Option 3 – estimated time to implement:** As resources permit and projects occur.

### **Implementation Plan**

If approved, the modernization project implementation can begin immediately following the news release, with exact timelines to be determined based on the Option chosen and the LPR trial phase results. Administration recommends implementation of all changes simultaneously to minimize disruption and consolidate the period of public adjustment.

A news release along with social media tutorials would be issued to inform the public about the upcoming changes, emphasizing the benefits of the modernized system.

The accompanying confidential memo to Council details the impact that modernizing parking operations will have on current staff.

### **Additional Parking Revenue Sources**

CQ 4-2024 also requested any additional parking revenue sources be identified. Listed below are additional parking revenue sources that, if Council so chooses, can be implemented. Council may select any, all or none of the following:

1. Increased time of enforcement at meters by the hour. Each hour of extra enforcement time will add approximately \$118,000 in revenue. Council may choose the amount, if any, of extra enforcement time.
2. Parking lot Flat Fee can be raised from the current \$3.00 to \$5.00 per hour. This change is expected to add approximately \$92,000 in revenue.
3. Parking lot flat fee for lots that do not currently have an after six p.m. flat fee. Currently, six off-street lots in various BIA areas do not have this fee added and will bring an estimated \$8,850 of additional revenue.
4. Lot 22, Aquatic Centre area, all-day fee. The current fee is \$5.00 per day and falls below the per-hour rate. This rate is requested to be increased to \$10.00 per day with a total increase of approximately \$52,000.
5. Over Stay Fee. Several complaints consistently received are that the meter times are sometimes not long enough for business and or pleasure outings. A \$5.00 overstay fee is suggested. Once a maximum stay period has been passed, an option to extend will be offered. The \$5.00 fee, plus the hourly rate for the amount of time needed will be added. This increase is unquantifiable at this time.
6. Sunday enforcement. Currently, there are no parking fees or any parking enforcement on Sundays. All current fees and regulations could be added on Sundays. If all 52 Sundays throughout the year were added this would bring in an estimated \$267,000 in revenue.

7. Riverfront Parking Lots. Currently, there are several parking lots along Riverside Drive, stretching from the Ambassador Bridge easterly to Sandpoint Beach, which have no fees for use. Pay and Display machines can be added to these lots and the revenues could be used for the maintenance and upgrading of these locations. Estimated revenue increases resulting from this change are not quantifiable at this time.
8. Extension of Pay-for-Parking areas. Currently, the Pay-for-Parking areas border Walker Rd. westerly to Huron Church and Tecumseh Rd. northerly to Riverside Drive. These boundaries could be extended to other parking locations in both the east and west ends of the city. Estimated revenue increases resulting from this change are not quantifiable at this time.

### **Risk Analysis:**

One of the primary concerns is public resistance to the shift to an app-only system. This resistance may be particularly pronounced among individuals who are less tech-savvy or prefer traditional payment methods. To mitigate this risk, it is essential to provide clear communication about the benefits of the new system and offer support to help users adapt to the changes.

Technical issues also pose a significant risk, as the implementation of new technologies such as handheld and mobile LPR devices and app-based payment systems can be prone to glitches, connectivity problems, and software bugs.

Data security is another concern, given the increased reliance on digital payments. Protecting user information and payment details from potential data breaches or cyber-attacks requires stringent security measures and regular monitoring. These security measures are dictated to the City through the Payment Card Industry, and all vendors must provide their proof of PCI compliance. With on the street payment transaction hardware, corporate staff must ensure and document regular checks that no visible tampering or signs of security breaches have infiltrated revenue processing devices. Compliance and regulatory issues related to digital payments and data privacy must be carefully managed to avoid legal complications and ensure user trust in the system.

A heavy dependence on technology for parking management increases the vulnerability to system failures, which can disrupt operations and enforcement. Developing rapid response protocols in place will help mitigate this risk.

Equity concerns may arise due to the app-only system, particularly for individuals without access to smartphones or digital payment methods.

### **Climate Change Risks**

#### **Climate Change Mitigation:**

N/A

#### **Climate Change Adaptation:**

N/A



## **Financial Matters:**

Option 1 for the immediate cessation of cash payments at all metered street parking is the quickest more cost effective option for modernizing parking operations. As outlined above in Table 1, the estimated first year up-front cost of implementation is \$144,745.04. The estimated funding required for option 1 would be transferred from the On-Off Street Parking Reserve Fund 138 to the Parking Equipment Replacement Project 7135001 as there are currently no capital funding allocations approved for this implementation. Operating funding for the annual licencing and support costs for the LPR cameras will be referred to the 2025 operating budget. An increase in operating expenses for On-Off Street Parking results in a decreased transfer of net revenues to the On-Off Street Parking Reserve Fund 138.

Option 2 for the full modernization plan will incur additional costs for new zone signage, LPR equipment and licensing fees, and the purchase and installation of updated Pay and Display machines. The cost of implementing a full modernization plan is estimated above, Option 2, in Table 2. More detailed cost estimates can be provided upon the completion of a LPR trial phase. Funding for all modernization costs would be provided from the Parking Equipment Replacement Project OPS-001-13, which is funded from the On-Off Street Parking Reserve Fund 138. The current 10-year capital plan for Project OPS-001-13 includes annual funding allotments for equipment replacement of \$110,000 in 2024 (approved) with annual capital budget allotments increasing each year, up to \$129,010 in 2033.

Any additional funding required to implement a modernization plan would need to be funded from additional transfers from the On-Off Street Parking Reserve Fund 138 to the Parking Equipment Replacement Project OPS-001-13. Ongoing annual operating costs associated with the LPR equipment would require an increase in the On-Off Street Parking operating budget. Administration will submit future operating budget requests for approval. Administration will also include funding for modernization as required in the 2025 capital budget submission for On-Off Street Parking as well as the 10-year reserve projections. The balance in the On-Off Street Parking Reserve Fund as at December 31, 2023 is \$2,212,820.

Additional revenues generated provide additional funding which would be deposited to the On-Off Street Parking Reserve annually, net operating revenue. This additional revenue could provide additional funding required to implement modernization of the equipment as outlined in this report.

The Parking Operations division is deemed commercial for the purposes of HST collection and payment, and therefore, non-refundable HST costs are not applicable. The City receives a 100% credit of any HST paid.

## **Consultations:**

Rob Slater, Executive Initiatives Coordinator

**Conclusion:**

The modernization of the City’s parking operation will result in improved efficiency in parking enforcement and revenue collection, increased convenience for users through app-based payments, and the adoption of modern technology in parking management. Total app-only payment systems will further streamline enhancements to software such as curbside, off-street lot, and garage parking space availability and reservations. Additionally, current scofflaw and stolen vehicle detection programs, in conjunction with Windsor Police Services, will be further enhanced with mobile-mounted LPR as more legally parked vehicles can be scanned.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Cindy Becker	Financial Planning Administrator – Public Works
Ian Day	(A) Senior Manager Traffic Operations and Parking Services
Shawna Boakes	Executive Director of Operations
Mark Winterton	(A) Commissioner, Infrastructure Services and City Engineer
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**

**Subject: Additional Information to the report Response to CQ 4-2024 – Options for Modernizing Parking Operations**

**Reference:**

Date to Council: July 22, 2024  
Author: Bill Kralovensky  
Coordinator, Parking Services  
(519) 255-6247 ext. 6103  
bkralovensky@citywindsor.ca

Public Works - Operations  
Report Date: July 4, 2024  
Clerk's File #: AF/14508 and AF2024

To: Mayor and Members of City Council

**Additional Information:**

**Recommendation:**

THAT City Council **RECEIVE** report S 46/2024, “response to CQ 4-2024 – Options for Modernizing Parking Operations” for information; and further,

Whereas on February 2, 2024, the 2024 10-year Capital Plan was approved via Mayoral Directive MD05-2024 and subsequently City Council **SUPPORTS** improvements to parking meters as outlined in Option 1 which requires additional capital funding of \$144,745.04, be it further resolved:

THAT the City Treasurer **BE DIRECTED** to transfer funding in the amount of \$144,745.04 from the On-Off Street Parking Reserve Fund 138 to the Parking Equipment Replacement Project 7135001; and further,

THAT Council **DIRECT** Administration as to which, if any, additional parking revenue sources identified in the report to implement; and further,

THAT if required the 2024 Fees and Charges By-Law **BE UPDATED** to reflect any changes to parking fee.

**Background:**

On Monday, January 15, 2024, Councillor Agostino asked the following Council Question:

#### **CQ 4-2024:**

*Asks that Administration look into removing parking metres across the city and replacing them with modern technology. I would like to know the costs of upgrading our system and the savings we could realize or any additional revenue sources.*

On the regular scheduled Council meeting of Monday June 10, 2024, report number SCM 165/2024 & S 46/2024 was presented to Council. The decision of this presentation is listed below as:

*Decision Number: CR258/2024*

*That the report of the Environment, Transportation & Public Safety Standing Committee of its meeting held May 29, 2024 regarding "Response to CQ 4-2024 – Options for Modernizing Parking Operations – City Wide" **BE REFERRED** back to administration to allow for administration to respond to issues brought forward and provide payment options and details related to implementation location; to allow for consultation with the BIAs and that the information **BE BROUGHT** forward to a future Council Meeting (within 4 months) for Council's consideration.*

#### **Discussion:**

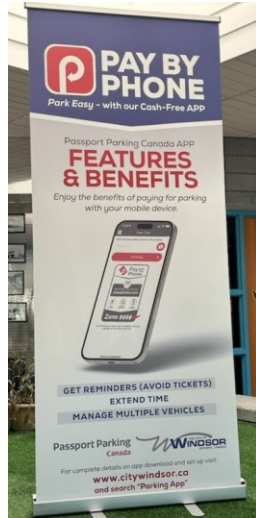
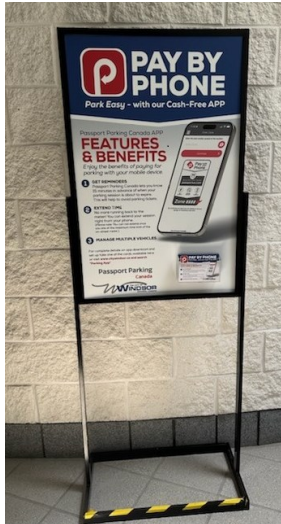
Since this decision, administration has been working diligently to meet Council's directive in a timely fashion. To date, three BIA boards and executives of the majority of metered On Street parking areas, have been met with and their questions and concerns have been addressed. After meeting with the Via Italia, Ottawa, and Olde Walkerville BIA boards, administration feels these organizations have been educated on the origin of this report as well as any and all resident educational tutorials, and business promotions and aids, that can and will be offered to effected cash paying parking customers.

#### **Resident Education**

A number of initiatives have been started by Parking Operations. APP education and "How To" placards have been placed throughout a number of the City's high user community centres, Arenas and the Aquatic Centre. These placards, pictured below, are also equipped with take home post card info sheets on the proper fashion to start an account with Passport Canada, our current APP software provider. How to pamphlets were inserted into parking infraction notice envelopes and fine notices that are sent from Parking Enforcement. A link to the City's website/APP page will also be added to all ticket screening reply letters. In working with the Communications department, a number of social media tutorials have been created and filmed to begin placement on these immediately. On the City's web page under the tab "How Do I" an extensive video has been placed for those using the **citywindsor.ca** platform.

A number of concerns were heard that Windsor's more senior population may be affected by this cashless proposal. Information sessions are being scheduled at both Life After 50 locations in the City to aid and advise these members on where and how

they may be able to park in any pay-for-parking areas. Parking Enforcement office staff will be utilized to aid any customers, either walk-in or by phone, who wish to seek assistance as well.



## Payment Assistance

For those who do not wish to have their credit card numbers left permanently on an e-commerce site, a user wallet can be made on the APP and advance funds can be paid for either online, or at the Parking Enforcement office located at 1266 McDougall St. This allows users to apply funds without having their card info left on the provider's site.

Businesses within on-street parking areas may also choose to help APP reluctant parkers by submitting payment for these through their own set-up APP accounts. Once the payment is made, the business has the option to take remuneration for this transaction or use it as a business incentive for visiting their establishment. Those establishments wishing to partake in this incentive may be provided a window decal, such as the one pictured below, indicating that they are an APP-friendly business and they are there for assistance. Administration is working with APP provider to supply or fund these stickers, as this initiative will directly benefit them.



## Implementation Plan

If approved, Administration is recommending a start date of October 15, 2024, the first date after Thanksgiving, as an implementation date. This allows current On-street parking procedures to continue through the 2024 tourist season and gives Parking Operations time for further educational tutorials as well as enforcement tools to be purchased and installed.

Appropriate news releases along with social media tutorials will be issued and the extended time will be used to aid in the informing of the public about the upcoming changes, emphasizing the benefits of the modernized system.

The accompanying confidential memo to Council details the impact that modernizing parking operations will have on current staff

## Financial Matters:

There are no additional financial matters to note as part of this Additional Information Memo. The financial comments from report SCM 165/2024 & S 46/2024 attached are still applicable.

## Consultations:

Rob Slater, Executive Initiatives Coordinator

## Conclusion:

Modernizing the City's parking operation will result in improved efficiency in parking enforcement and revenue collection, increased convenience for users through app-based payments, and modern technology in parking management. Total app-only payment systems will further streamline enhancements to software such as curbside, off-street lot, and garage parking space availability and reservations. Additionally, current scofflaw and stolen vehicle detection programs, in conjunction with Windsor Police Services, will be further enhanced with mobile-mounted LPR as more legally parked vehicles can be scanned

## Approvals:

Name	Title
Cindy Becker	Financial Planning Administrator – Public Works
Shawna Boakes	Executive Director of Operations
Mark Winterton	(A) Commissioner, Infrastructure Services and City Engineer

<b>Name</b>	<b>Title</b>
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

**Appendices:**



**Committee Matters: SCM 333/2024**

**Subject: Response to CQ 29-2023 - Policy re: Capital Improvements at City Gateways - City Wide**

Moved by: Councillor Kieran McKenzie  
Seconded by: Councillor Mark McKenzie

Decision Number: **ETPS 1030**

THAT the report in response to CQ 29-2023 regarding a policy related to capital improvements at city gateways to provide options for further enhancements when budget allotments do not allow for them **BE RECEIVED** for information.

Carried.

Report Number: S 134/2024  
Clerk's File: ACO2024 & ACOQ2024

**Clerk's Note:**

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are the same.
2. Please refer to Item 8.2 from the Environment, Transportation & Public Safety Standing Committee held on October 30, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241030/-1/10517>



**Subject: Response to CQ 29-2023 - Policy re: Capital Improvements at City Gateways - City Wide**

**Reference:**

Date to Council: October 30, 2024  
Author: Shawna Boakes  
Executive Director, Operations  
sboakes@citywindsor.ca  
(519) 255-6247 ext. 6415

Public Works - Operations  
Report Date: September 27, 2024  
Clerk's File #: ACO2024/ACQ2024

**To:** Mayor and Members of City Council

**Recommendation:**

THAT the report in response to CQ 29-2023 regarding a policy regarding capital improvements at city gateways to provide options for further enhancements when budget allotments do not allow for them **BE RECEIVED** for information.

**Executive Summary:**

N/A

**Background:**

On October 30, 2023, Councillor Francis asked the following Council Question:  
*"Asks that Administration report back to City Council about a policy regarding capital improvements at city gateways to provide options for further enhancements when budget allotments do not allow for them".*

This report is provided in response to the Councillor's question.

**Discussion:**

This Council Question stemmed from a project involving the milling and paving of a road designated as a Civic Way in the City's Official Plan. However, as per the nature of the maintenance work, upgrades were only performed to the surface asphalt while medians and other infrastructure elements were outside of the project scope of work. As these other elements were not upgraded as part of this project, a perception of patchwork appearance of the completed work may have resulted. A concern was raised about the

visual inconsistency of mixing new and old materials in a prominent location and how to ensure that projects like this present a complete and cohesive look.

This report will identify the various types of streets of interest within the City and explain the processes involved in conducting maintenance work versus undertaking major capital projects at prominent locations in the City.

Streets of interest in the City of Windsor include Gateways, Civic Ways, Main Streets, and Heritage Areas as identified in “*Schedule G: Civic Image*” of the City’s Official Plan (see **Appendix A**).

### **Gateways:**

The City of Windsor has eleven distinct Gateways. These Gateways include a variety of access points such as major roads and highways, along with notable infrastructure including the Ambassador Bridge, the Windsor-Detroit Tunnel Plaza, Windsor Airport, the VIA train station, and the nautical port at the foot of Ouellette Avenue, as well as Lakeview Park Marina. Other key Gateway locations include:

- Ojibway Parkway (near Morton Drive,
- Riverside Drive East (near Lesperance Road,
- E.C. Row Expressway (near Banwell Road,
- Walker Road (Provincial/County Rd 46); and
- Dougall Parkway (near Roseland Drive East).

As the City continues to grow, the introduction of new infrastructure, like the Gordie Howe International Bridge, plays a pivotal role in redefining its access points. Once operational, this bridge will become a major Gateway, enhancing Windsor’s transportation network. Its opening is expected to prompt updates to “*Schedule G: Civic Image*” of the City’s Official Plan, formally recognizing it as an iconic entry point.

Gateways not only support the City’s transport logistics but also bolster its economic and cultural exchanges, contributing to the overall vibrancy of the urban landscape.

As noted in the Financial Matters section, the City of Windsor’s 2024 Capital Budget includes several projects that are specifically focussed on the City’s Gateways.

## **Civic Ways:**

In the City of Windsor's Official Plan, "Civic Ways" are designated roads within the City that are intended to serve several key purposes:

1. **Promote and Present an Attractive and Unifying Image:** Civic Ways are designed to enhance the visual appeal of Windsor, presenting a cohesive and aesthetically pleasing image of the City.
2. **Maintain a Sense of Welcome and Arrival:** These roads are meant to create a welcoming atmosphere for travelers entering the City, making a positive first impression.
3. **Create a Memorable Impression:** The design and features along Civic Ways are intended to leave a lasting and favorable memory of Windsor for those who pass through.
4. **Complement and Enhance Infrastructure:** Civic Ways are strategically designed to complement Windsor's major infrastructure investments, ensuring that these key routes contribute to the overall urban design goals of the City.

These roads are often marked by special landscaping, signage, and architectural elements that align with Windsor's broader urban design and development strategies.

## **Main Streets:**

Main Streets are defined as crucial commercial corridors central to community life and economic activity. They are selected based on their existing or potential economic significance, community importance, and development potential.

## **Heritage Areas:**

The City of Windsor's Official Plan outlines policies for preserving and enhancing historical and cultural resources within Heritage Areas. These designated areas are identified on Schedule 'G': Civic Image, which highlights neighbourhoods containing significant collections of heritage resources.

## **Maintenance versus Reconstruction / Major Capital Projects**

For maintenance projects, the focus is solely on the functionality of the asset (e.g. road, median, sidewalk, etc.) without considering the overall visual aesthetics. (i.e. sodding, plantings, signage, streetscaping, etc.). Accordingly, the maintenance scope of work does not allocate funding for such ancillary features.

In contrast, major capital projects involve a comprehensive review of all elements, including aesthetics. During the planning phase of a capital project, the scope of the

required work is thoroughly reviewed, and coordination between departments is conducted as appropriate.

When a major capital project involves a Gateway, funding for the overall project is coordinated with the Parks and Planning departments.

Once the budget is approved, the goal is to complete all required work proximate to the Gateway within the allotted budget, which may necessitate value engineering. If the necessary work exceeds the available budget, the following steps are taken:

- Consider reallocation of budget dollars from other similar approved projects.
- Submit a report to Council seeking additional funds for consideration.

It is Administration's position that in lieu of derivation of a new policy, the current process is sufficient for ensuring that major capital projects undergo a comprehensive business review, incorporating visual gateway enhancements to ensure a cohesive and appealing cityscape and that any additional funding, if necessary, will be reallocated from other approved projects or communicated to Council for their consideration.

### **Risk Analysis:**

Allocating resources to maintain infrastructure such as sidewalks, medians, or other assets that, while not aesthetically perfect, are still in functional condition allows the City to ensure their continued usability and safety, preventing deterioration that could lead to higher costs or more significant issues in the future.

By focusing on strategic maintenance, the City can extend the lifespan of its infrastructure and reduce the risk of unexpected failures.

### **Climate Change Risks**

N/A

### **Climate Change Mitigation:**

N/A

### **Climate Change Adaptation:**

N/A

## **Financial Matters:**

As indicated above, the City endeavours to include, where needed, an allotment of funding specifically for city gateways within project budgets as assets are constructed. In addition, if additional funding not originally contemplated as part of establishing the project budget is required for the building of a new or enhancement of an existing city gateway, Administration could seek to transfer surplus funding from other capital projects or alternative funding sources such as unallocated reserve funding.

In addition, the City has a number of capital projects that contain funding that could be used for enhancements of city gateways. These projects include:

- Beautification of Civic Gateways and Other Open Spaces (PFO-011-12);
- Orphan Monuments, Gateways, and Miscellaneous Installations and Maintenance (OPS-005-22); and
- Gateway Signage (OPS-003-24).

In total, these three projects have \$362,857 in currently available funding and continue to be assessed annually as part of the capital budget development process for any incremental funding needs.

## **Consultations:**

Phong Nguy, Manager, Contracts, Field Services & Maintenance

Jason Campigotto, Deputy City Planner - Growth

Fahd Mikhael, Manager, Design

Wadah Al-Yassiri, Manager, Parks Development

Michael Dennis, Manager, Strategic Operating Budget Development & Control

Cindy Becker, Financial Planning Administrator – Operations

Erika Benson, Financial Planning Administrator - Parks

Mark Spizzirri, Manager, Performance Measurement & Business Case Development

Natasha Gabbana, Senior Manager, Asset Planning

## **Conclusion:**

The City of Windsor's current approach to Gateway projects emphasizes a crucial distinction between maintenance and major capital initiatives. Maintenance efforts prioritize the functionality of existing assets, such as roads and sidewalks, without focusing on aesthetics. In contrast, major capital projects undergo a comprehensive review, incorporating visual enhancements to ensure a cohesive and appealing cityscape.

Administration is confident that the current process effectively ensures that major capital projects undertaken at streets of interest identified in “*Schedule G: Civic Image*” of the City’s Official Plan are comprehensively reviewed. If additional funding for a major capital project is required, the funding would be reallocated from other approved projects or a request for additional funding would be presented to Council for consideration.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Phong Nguy	(A) Executive Director of Operations
David Simpson	Commissioner, Infrastructure Services
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

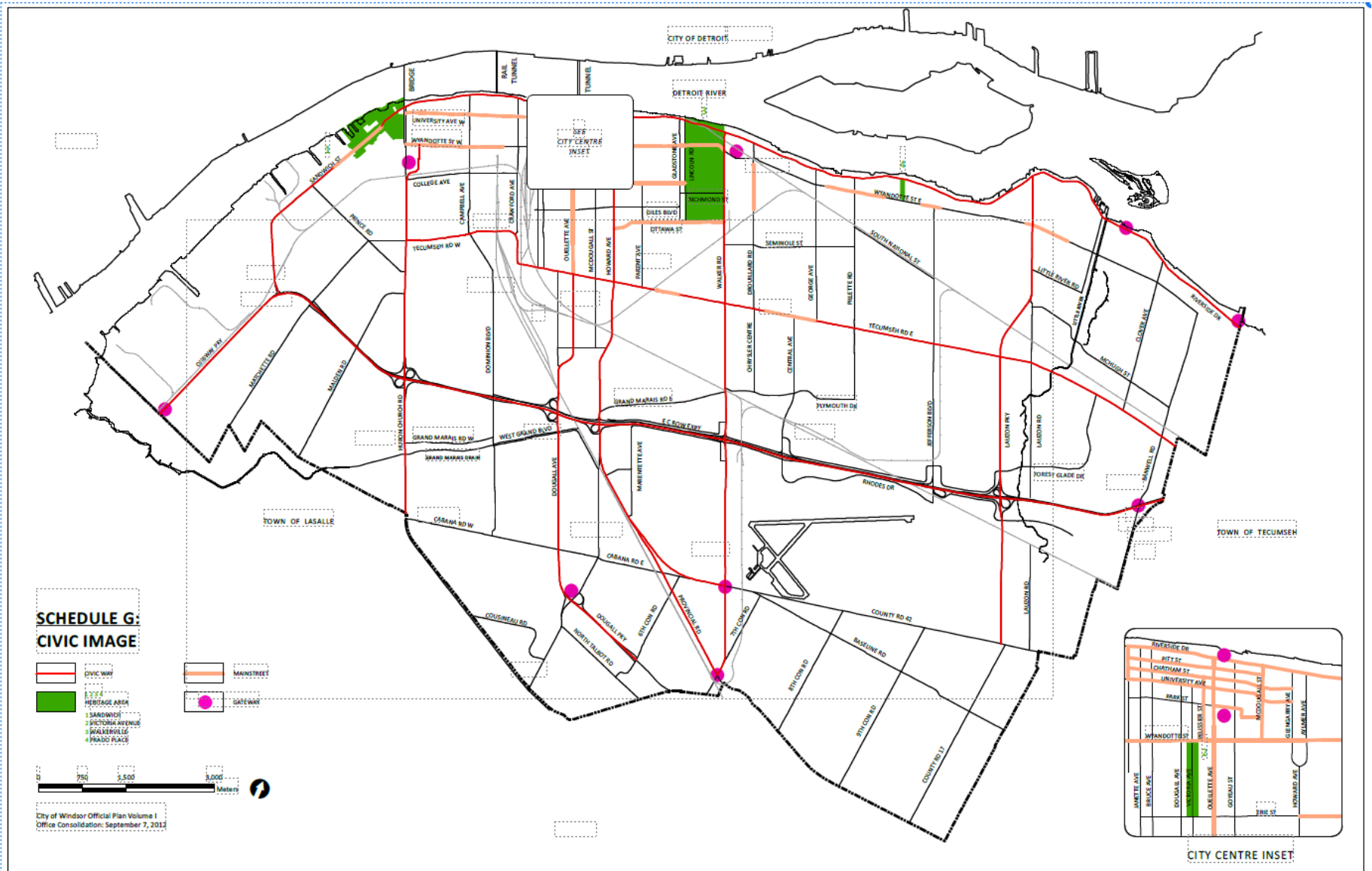
**Notifications:**

Name	Address	Email

**Appendices:**

- 1 Appendix A - Schedule G Civic Image

# Appendix A – Schedule G: Civic Image





**Committee Matters: SCM 335/2024**

**Subject: CQ-14-2023 - Use of Rumble Strips in an Urban Environment**

Moved by: Councillor Gary Kaschak  
Seconded by: Councillor Mark McKenzie

Decision Number: **ETPS 1032** THAT the report of the Acting Senior Manager of Traffic and Parking dated October 15, 2024, entitled “Response to CQ 14-2023 – Use of Rumble Strips in an Urban Environment – City Wide” **BE RECEIVED** for information; and,

THAT administration **BE DIRECTED** to include information related to rumble strips in the coming report related to traffic calming.  
Carried.

Report Number: S 144/2024  
Clerk's File: ST2023 & ACOQ2024

**Clerk's Note:**

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are **NOT** the same.
2. Please refer to Item 8.5 from the Environment, Transportation & Public Safety Standing Committee held on October 30, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.slig.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241030/-1/10517>



**Subject: Response to CQ 14-2023 – Use of Rumble Strips in an Urban Environment – City Wide**

**Reference:**

Date to Council: October 30, 2024  
Author: Ian Day  
Senior Manager of Traffic and Parking (A)  
519-255-6247 x6053  
iday@citywindsor.ca  
Public Works - Operations  
Report Date: October 15, 2024  
Clerk's File #: ST2023 & ACOQ2024

**To:** Mayor and Members of City Council

**Recommendation:**

THAT the report in response to CQ 14-2023 – “Use of Rumble Strips in an Urban Environment.” **BE RECEIVED** by Council for information.

**Background:**

At the City Council meeting of May 29, 2023, Councillor Kaschak asked the following question:

CQ 17-2023

“Asks that Administration investigate the use of rumble strips in an urban environment within the City of Windsor through a pilot installation on Grand Marais Avenue between Plymouth and Pillette Road and that information as to their effectiveness be collected, analyzed and reported back to Council once sufficient data has been collected to determine both the benefits and concerns of their use in an urban setting.”

This report is in response to CQ 17-2023.

**Discussion:**

As a result of two collisions in May 2023 near the residence at 2544 Pillette Road, Traffic Operations/Transportation Planning was asked to investigate various measures to traffic calm Grand Marais Road East and alert drivers of the stop sign at the Grand Marais and Pillette intersection. It should be noted that both collisions involved impaired drivers. Radar feedback signs and traffic calming bollards were installed between Plymouth and Pillette on Grand Marais Road East and a flashing LED was

installed on the stop sign at the intersection of Pillette Road. The stop sign size was also increases from 600 mm x 600 mmm to 750 mm x 750 mm.

The installation of traffic calming measures combined with an oversized stop sign with an LED flasher has contributed to a reduction in accidents in 2023/2024. From 2019 to May 2023, there were 8 collisions/accidents involving east bound traffic on Grand Marais at the intersection of Pillette. Since the installation of the above noted measures, there have been no recorded incidents with east bound traffic. Ongoing monitoring will further validate the effectiveness of these measures.

### **Transverse rumble strips (TRS)**

At the City Council meeting of May 29, 2023, Councillor Kaschak asked if rumble strips could be installed to alert drivers on Grand Marais Road of the upcoming stop sign at Pillette. Traffic Operations was tasked with implementing a pilot project for the use of rumble strips in an urban environment.

Rumble strips are a set of groves or ridges along or across a road that cause noise and shaking when they are driven over. Transverse rumble strips (TRS) are used to alert drivers of a need to slow down or stop, or to other upcoming changes that may not be anticipated by an inattentive driver. TRS are placed in the travel lane perpendicular to the direction of travel and have traditionally been used in highway or rural settings as their use in urban areas can be problematic.

Most provinces and jurisdictions do not recommend the use of TRS in an urban environment. British Columbia restricts the use of TRS in an urban environment within 200m of any residence. Alberta recommends not installing TRS within 300m of any residence and does not use them on roadways with a posted speed of 70km/hr or less. The Ontario Traffic Manual Book 11 does not recommend TRS in residential areas.

The three primary concerns for TRS in urban settings are:

- Inconvenience for bicyclists. Standard TRS dimensions are difficult to traverse if bicycle gaps are not provided, as they make the rider uncomfortable and may lead to a loss of control.
- External noise pollution. TRS alert motorists through noise and vibration. The noise generated by TRS is different that background traffic noise and is intermittent. This can create a disturbance for nearby residents.
- Pavement durability. There is a concern that milling TRS into the wearing course of asphalt roads can allow water infiltration, which will cause premature pavement deterioration.

## TRS Pilot Project

Poor pavement conditions from Arthur Road to Pillette Avenue dictated that traditional rumble strips which are milled into the pavement could not be used and alternative products were investigated and used. Two different types of temporary TRS were found and their pilot application and results are discussed below.

- *Adhesive TRS*: A rubber based self adhesive TRS which is typically used for temporary traffic control and advanced warning in construction zones was applied to the road surface in July of 2023. Durability was a problem as the product lost adhesion in approximately 6 weeks. The product was reapplied and again delaminated within 7 weeks. The remainder of the product was removed at the end of October for the winter control season. Overall, the Product did not perform well enough to warrant a full evaluation.
- *Moulded Plastic TRS*: A molded polypropylene TRS that is mounted into the road with an epoxy anchor was installed in June 2024. As of September 2024, the product is still in place. The effectiveness of this product is difficult to quantify as the installation already puts them in a 40 km/hr roadway and the noise and vibration generated by this product can be considered minimal. Typically, a TRS is designed for speeds above 70 km/hr to produce the desired effects. In this application the product acts more like a small speed bump and may marginally increase driver awareness. There has only been one noise complaint received about this product. This product is again intended to be a temporary measure as it will need to be removed November 1 for winter control.

The pilot area was located on Grand Marais Road East between Plymouth Road and Pillette Road, this area has a posted speed limit of 40 km/hr. Radar feed back signs were used collect speed data in the test area during the pilot project. Data was collected for 2 weeks before any measures were put in place and with the displays on the signs turned off. Average vehicle speeds were 38.7 km/hr during this time with approximately 4.7% of vehicles exceeding the speed limit. Traffic bollards and TRS were added, and the radar feed back sign displays were activated. Average vehicle speeds dropped to 36.1 km/hr with approximately 1.9% of vehicles exceeding the speed limit.

The pilot project results indicate that TRS would have had a minimal benefit as vehicle speeds were far below the minimum recommended 70 km/hr threshold for their use. Within these environments, TRS are not required due to shorter stopping distances and heightened driver expectation of encountering stop conditions. TRS are much more effective to alert drivers to an upcoming stop condition after travelling on a monotonous roadway at higher rates of speed. Temporary TRS may provide a benefit until permanent measures can be put in place to alert drivers of an upcoming stop sign. These measures may include advanced warning of the stop sign, oversized stop signs or LED flashers on the stop sign.

While Administration's pilot project was short term in duration and limited in product selection, the Transportation Association of Canada published Best Practice Guidelines for the Design and Application of Transverse Rumble Strips, which highlights the findings of a much broader, nationwide testing of TRS. Research shows that "the effectiveness of TRS on speed reduction ranges from minimal to no effect."

It also discourages the widespread use of TRS and adds "Locations where there is an over representation and where conventional warning methods, such as signs and signals, are inadequate could be considered for TRS installation." "TRS are not traffic calming devices and shall not be used as a traffic calming measure."

**Risk Analysis:**

There is no risk in receiving this report for information.

**Climate Change Risks**

**Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

While there is no financial impact to receiving this report for information, there is a financial impact should Council choose to move forward with future installations of TRS. There is a cost related to the purchase of materials, stocking of materials, installation and re-installation, monitoring of product while installed and removal during the winter as they are not durable enough to remain in place during winter control. Should City Council direct that this work be undertaken a full cost analysis would need to be prepared inclusive of any additional budgetary requirements which may be needed.

**Consultations:**

Cindy Becker, Financial Planning Administrator – Public Works

**Conclusion:**

Should Council choose to move forward with the use of TRS, Administration recommends this be done through the Traffic Calming policy and procedures. TRS could be added to the tools in the Expedited Traffic Calming Procedure and be funded through this program. However, Administration recommends that the use of TRS be similar to other tools in the toolbox and be done so at the recommendation of the Road Authority. The Traffic Calming Policy and Procedures will be coming to Council for a more wholesome update and can be added at that time should that be Council's direction.

**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Mark Spizzirri	Manager of Performance Measurement and Business Case Development
Phong Nguy	(A) Executive Director of Operations
David Simpson	Commissioner, Infrastructure Services and City Engineer
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**



**Subject: Zoning By-law Amendment Application for 3170 & 3178 California Avenue, Z-024/24 [ZNG-7227], Ward 1**

Moved by: Councillor Kieran McKenzie  
Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 670**

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning for the lands located on the east side of California Avenue between Balmoral Street and Norfolk Street, described as Lots 1291 to 1294, Plan 1023 (PIN No. 01277-0254 LT), by adding a site specific provision to permit a *Semi-Detached Dwelling* as an additional permitted *main use*, subject to additional regulations:

**514. EAST SIDE OF CALIFORNIA AVENUE BETWEEN BALMORAL STREET AND NORFOLK STREET**

(1) For the lands comprising of Lots 1291 to 1294, Plan 1023, PIN No. 01277-0254 LT, a *Semi-Detached Dwelling* shall be an additional permitted *main use* subject to the following additional provisions:

1. The *Semi-Detached Dwelling* provisions of Section 10.4.5 shall apply; and
2. Section 5.99.80.1.1.b) shall not apply.

[ZDM 8; ZNG/7227]

Carried.

Councillor Fred Francis voting nay.

Member Daniel Grenier discloses an interest and abstains from voting on this matter.

Report Number: S 135/2024  
Clerk's File: Z/14849

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 7.1 from the Development & Heritage Standing Committee held on November 4, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.slig.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241105/-1/10519>

**Subject: Zoning By-law Amendment Application for 3170 & 3178  
California Avenue, Z-024/24 [ZNG-7227], Ward 1**

**Reference:**

Date to Council: November 4, 2024  
Author: Brian Nagata, MCIP, RPP  
Planner II - Development Review  
(519) 255-6543 ext. 6181

Planning & Building Services  
Report Date: October 3, 2024  
Clerk's File #: Z/14849

**To:** Mayor and Members of City Council

**Recommendation:**

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning for the lands located on the east side of California Avenue between Balmoral Street and Norfolk Street, described as Lots 1291 to 1294, Plan 1023 (PIN No. 01277-0254 LT), by adding a site specific provision to permit a *Semi-Detached Dwelling* as an additional permitted *main use*, subject to additional regulations:

**514. EAST SIDE OF CALIFORNIA AVENUE BETWEEN BALMORAL  
STREET AND NORFOLK STREET**

(1) For the lands comprising of Lots 1291 to 1294, Plan 1023, PIN No. 01277-0254 LT, a *Semi-Detached Dwelling* shall be an additional permitted *main use* subject to the following additional provisions:

1. The *Semi-Detached Dwelling* provisions of Section 10.4.5 shall apply;  
and
2. Section 5.99.80.1.1.b) shall not apply.

[ZDM 8; ZNG/7227]

**Executive Summary:**

N/A

**Background:**

**Application Information:**

**Location:** 3170 & 3178 California Avenue  
(Lots 1291 to 1294, Plan 1023; Roll No. 080-190-14000; PIN No. 01277-0254 LT)

**Ward:** 1

**Planning District:** South Windsor

**Zoning District Map:** 8

**Owner:** Hani Yacoub & Noura Yacoub

**Applicant:** Andi Shallvari

**Authorized Agent:** Pillon Abbs Inc. (Tracey Pillon-Abbs)

**Proposal:**

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning for the lands located on the east side of California Avenue between Balmoral Street and Norfolk Street, known municipally as 3170 & 3178 California Avenue (the subject property), to add a site-specific provision to permit a semi-detached dwelling as an additional permitted main use.

**Figure 1**



The applicant intends to construct two (2) semi-detached dwellings on the subject property. The subject property is comprised of four (4) underlying lots of record, namely Lots 1291, 1292, 1293 and 1294, Registered Plan of Subdivision 1023, registered on August 22, 1921. The lots have merged on title and therefore will need to be separated by way of a Transfer/Deed of Land through the Essex Land Registry Office to subdivide the subject property into two (2) equal

sized lots. This will be achieved through the applicant Transferring Lots 1291 and 1292 or 1293 and 1294 to another party (Refer to Figure 1). The *Planning Act* permits whole lots on a Registered Plan of Subdivision to be conveyed without the granting of a



Consent to sever from the Committee of Adjustment. This is a necessary step for compliance with Residential District 1, which does not permit two (2) semi-detached dwellings on a lot within any of its sub districts.

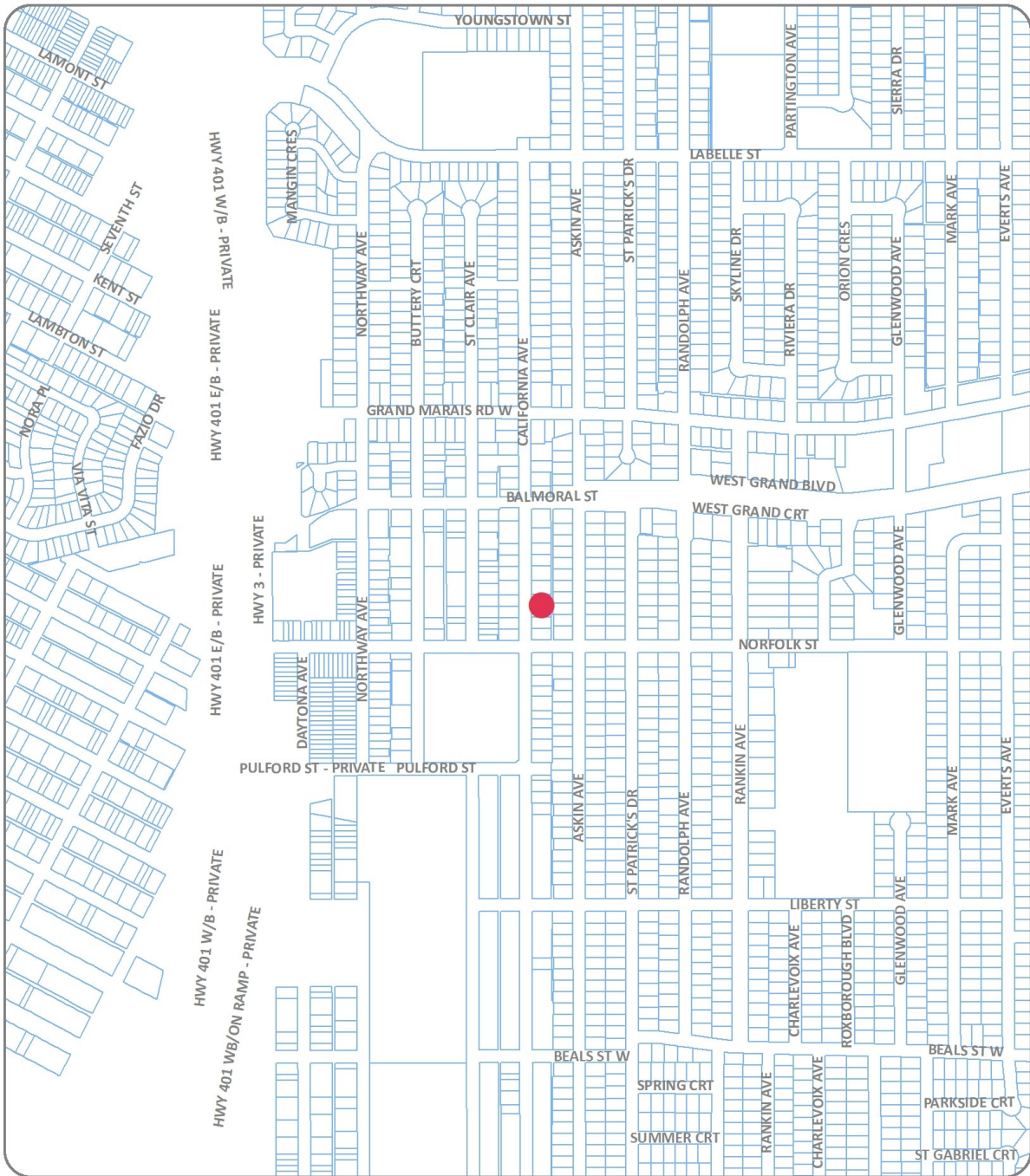
The applicant intends to establish one (1) additional dwelling unit (ADU) within each semi-detached dwelling unit for an overall total of four (4) dwelling units per semi-detached dwelling.

**Submitted Information:** Conceptual Plans (See Appendix A), Deed, Planning Rationale Report (See Appendix H), Topographic Survey and Zoning By-law Amendment Application Form

**Site Information:**

Official Plan	Zoning	Current Use	Previous Use
Residential	Residential District 1.4 (RD1.4)	Vacant Land	Agricultural
Lot Width	Lot Depth	Lot Area	Lot Shape
36.6 m	31.4 m	1,149.2 m <sup>2</sup>	Rectangular
<i>All measurements are based on Registered Plan of Subdivision No. 1023</i>			

The subject property is vacant and maintained as landscaped open space. There is a driveway approach off California Avenue that was not removed when the single unit dwelling formerly occupying the subject property was demolished in 2021-2022.



KEY MAP - Z-024/24, ZNG/7227



● SUBJECT LANDS



PART OF ZONING DISTRICT MAP 8

N.T.S.

## REQUESTED ZONING AMENDMENT

Applicant: Andi Shallvari



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : AUGUST, 2024  
FILE NO. : Z-024/24, ZNG/7227





NEIGHBOURHOOD MAP - Z-024/24, ZNG/7227



SUBJECT LANDS

## **Neighbourhood Characteristics:**

The subject property is located on the western side of the South Windsor neighbourhood. The South Windsor neighbourhood constitutes the area north of Cabana Road West, east of the Huron Church Road, south of E. C. Row Expressway and west of the Canadian Pacific Railway corridor.

## **Surrounding Land Uses:**

### ***North:***

- Grand Marais Drain
- Low density residential

### ***East:***

- Low density residential

### ***South:***

- Capri Pizzeria Recreation Complex
- Ecole Monseigneur Jean Noel
- Low density residential
- Oakwood Park Wetland

### ***West:***

- King's Highway 3
- King's Highway 401
- Low density residential
- Natural area

## **Municipal Infrastructure:**

- California Avenue is classified as a local road, which has a two-lane cross section with curbs and gutters, and sidewalks on both sides.
- Sanitary sewer, storm sewer and watermain are located within the California Avenue right-of-way.

## **Discussion:**

The Provincial Planning Statement, 2024 (PPS) provides policy direction on matters of provincial interest related to land use planning and development sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

The following policies of the PPS are considered relevant in discussing provincial interests related to this amendment:

## Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

### 2.1 Planning for People and Homes

Policy 2.1.6 states:

*Planning authorities should support the achievement of complete communities by:*

- a) *accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, longterm care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;*
  - a. This amendment will allow for the construction of two (2) semi-detached dwellings, further diversifying the range and mix of housing options available in the South Windsor neighbourhood.
- b) *improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and*
  - a. Compliance with the Barrier-Free Design requirements of the *Ontario Building Code* and accessibility requirements under *Ontario Regulation 191/11 Integrated Accessibility Standards to the Accessibility for Ontarians with Disabilities Act, 2005* will be addressed through the Building Permit application process.
- c) *improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.*
  - a. This amendment will allow for a more affordable and attainable housing option for individuals who wish to live or remain within the South Windsor neighbourhood.

### 2.2 Housing

Policy 2.2.1 states:

*Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:*

- b) *permitting and facilitating:*
  1. *all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and*
    - i. Refer to the response provided to PPS policy 2.1.6.c) herein.

2. *all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;*
    - i. Refer to the response provided to PPS policy 2.1.6.a) herein.
- c) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and*
1. This amendment will allow for the redevelopment of the subject property at a higher density (intensification), optimizing existing municipal infrastructure and public service facilities, and avoiding unnecessary land consumption.
    - i. The subject property is serviced by municipal electrical, sanitary, storm and water services.
    - ii. There is a community centre, public libraries and schools within proximity to the subject property.
    - iii. California Avenue is a signed bike route.
- d) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.*
1. This amendment will allow for the redevelopment of the subject property at a higher density (intensification).
  2. This factor, in conjunction with the subject property being on a bus route (Dominion 5 Northbound) and within walking distance of transit stops constitutes a transit-supportive development.
    - i. 400.0 metres is typically used as an acceptable walking distance to a transit stop.
    - ii. This is reflected within Transit Windsor's 2019 Transit Master Plan and the City of Windsor's Active Transportation Master Plan.

## **2.3 Settlement Areas and Settlement Area Boundary Expansions**

### **2.3.1 General Policies for Settlement Areas**

Policy 2.3.1.1 states:

*Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.*

- The subject property is located within a Settlement area.

One or more of the responses provided to the policies of PPS Chapter 2 and/or the Official Plan referenced herein also speak to the following relevant PPS Policies:

<b>Chapter 2: Building Homes, Sustaining Strong and Competitive Communities</b>	
<b>2.3 Settlement Areas and Settlement Area Boundary Expansions</b>	
<b>2.3.1 General Policies for Settlement Areas</b>	
Policy 2.3.1.2 ( <i>Land use patterns within settlement areas should be based on densities and a mix of land uses which:</i> )	Sub Policies a) ( <i>efficiently use land and resources</i> ), b) ( <i>optimize existing and planned infrastructure and public service facilities</i> ), c) ( <i>support active transportation</i> ), and d) ( <i>are transit-supportive, as appropriate</i> )
Policy 2.3.1.3 ( <i>Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning....</i> )	
<b>2.9 Energy Conservation, Air Quality and Climate Change</b>	
Policy 2.9.1 ( <i>Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that:</i> )	Sub Policy a) ( <i>support the achievement of compact, transit-supportive, and complete communities</i> )
<b>Chapter 3: Infrastructure and Facilities</b>	
<b>3.6 Sewage, Water and Stormwater</b>	
Policy 3.6.2 ( <i>Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety</i> )	



## Official Plan

Relevant excerpts from Volume I of the Official Plan are attached as Appendix C. The following policies from these excerpts are considered relevant in discussing this amendment's conformity with the Official Plan.

**Table 1 - Volume I Schedules**

Schedule	Designation
Schedule A - Planning Districts & Policy Areas	South Windsor
Schedule A-1 - Special Policy Areas	N/A
Schedule B - Greenway System	Recreationway (namely California Avenue)
Schedule C - Development Constraints	N/A
Schedule C-1 - Archaeological Potential	Low Potential
Schedule D - Land Use	Residential
Schedule E - City Centre Planning District	N/A
Schedule F - Roads & Bikeways	N/A
Schedule F-1 - Railways	N/A
Schedule G - Civic Image	N/A
Schedule H - Baseplan Development Phasing	N/A
Schedule J - Urban Structure Plan	Proximity to Regional Institutional Centre (namely St. Clair College)

## Volume I

### Chapter 3 - Development Strategy

This amendment complies with the following applicable key policy direction for managing growth consistent with the Vision of the City of Windsor Community Strategic Plan.

#### 3.2 - Growth Concept

##### 3.2.1 - Safe, Caring and Diverse Communities

*Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands (Policy 3.2.1.2).*

## **Chapter 6 - Land Use:**

### **6.1 Goals**

This amendment complies with the following applicable land use goals:

- *Safe, caring and diverse neighbourhoods.* (Goal 6.1.1)
- *Housing suited to the needs of Windsor's residents.* (Goal 6.1.3)
- *To direct residential intensification to those areas of the City where transportation, municipal services, community facilities and goods and services are readily available.* (Goal 6.1.14)

### **6.3 Residential**

#### **6.3.1 Objectives**

The amendment complies with the following applicable Residential land use objectives:

- *To support a complementary range of housing forms and tenures in all neighbourhoods.* (Objective 6.3.1.1)
- *To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.* (Objective 6.3.1.3)

#### **6.3.2 Policies**

##### **Permitted Uses**

*Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile, and Medium Profile dwelling units.* (Policy 6.3.2.1)

- A semi-detached dwelling is classified as a Low-Profile dwelling.

##### **Types of Low-Profile Housing**

*For the purposes of this Plan, Low Profile housing development is further classified as follows:* (Policy 6.3.2.3)

- *(a) small scale forms: single detached, semi-detached, duplex and row and multiplexes with up to 8 units; and*

##### **Locational Criteria**

*Residential intensification shall be directed to the Mixed-Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up to four (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: (Policy 6.3.2.4)*

- *(a) There is access to a collector or arterial road;*
  - The subject property is located within approximately 35.0 metres of Norfolk Street, a Class II Collector Road.
- *(b) Full municipal physical services can be provided;*
  - Refer to the response provided to PPS Policy 2.2.1.c) herein.
- *(c) Adequate community services and open spaces are available or are planned; and*
  - Refer to the response provided to PPS Policy 2.2.1.c) herein.
  - Surrounding Land Uses section herein.
- *(d) Public transportation service can be provided.*
  - Refer to the response provided to PPS Policy 2.2.1.d) herein.

### **Evaluation Criteria for a Neighbourhood Development Pattern**

*At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is: (Policy 6.3.2.5)*

- *(a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:*
  - *(iv) where traffic generation and distribution is a provincial or municipal concern; and*
    - The Transportation Planning Department did not identify any concerns with traffic generation and distribution.
- *(c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.*
  - This amendment will allow for a development that is compatible with the established built environment found within the block and surrounding neighbourhood.
  - The RD1.4 zoning provisions for an existing semi-detached dwelling and single unit dwelling are identical, save and except for minimum lot width and minimum lot area (see Table 2 below).

**Table 2 - Comparison of RD1.4 Zoning Provisions**

<b>Dwelling Type</b>	<b>Lot Width</b>	<b>Lot Area</b>
Single Unit Dwelling	18.0 m	540.0 m <sup>2</sup>
Existing Semi-Detached Dwelling	15.0 m	450.0 m <sup>2</sup>

- Notwithstanding, the proposed lots will have a lot width of 18.3 metres and lot area of 574.6 m<sup>2</sup>.
- The proposed development will comply with all the existing semi-detached dwelling provisions of the RD1.4 zoning.
- *(d) provided with adequate off-street parking;*
  - The proposed development will accommodate the required number of parking spaces onsite.
  - Transportation Planning, through their comments, confirmed that a parking study is not required so long as the required number of parking spaces are being provided onsite.
- *(e) capable of being provided with full municipal physical services and emergency services; and*
  - Refer to the response provided to PPS Policy 2.2.1.c) herein for details on the municipal physical services available to the subject property.
  - The subject property is served by Essex-Windsor EMS, Windsor Fire & Rescue Services (Fire Hall No. 5) & Windsor Police Service.

**Chapter 11 - Tools:**

Land use compatibility throughout Windsor is an implementation goal to be achieved when administering a planning tool under this Chapter. Compatibility between land uses is also an objective of the Zoning By-law Amendment planning tool (Policy 11.6.1.2).

- Land use compatibility was considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

Policy 11.6.3.3 states

- *When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:*
  - *(a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;*
  - *(b) Relevant support studies;*

- (c) The comments and recommendations from municipal staff and circularized agencies;
  - (d) Relevant provincial legislation, policies and appropriate guidelines; and
  - (e) The ramifications of the decision on the use of adjacent or similar lands.
- This amendment is not anticipated to have any ramifications on the use of adjacent or similar lands.

The aforesaid matters were considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

### Zoning By-Law

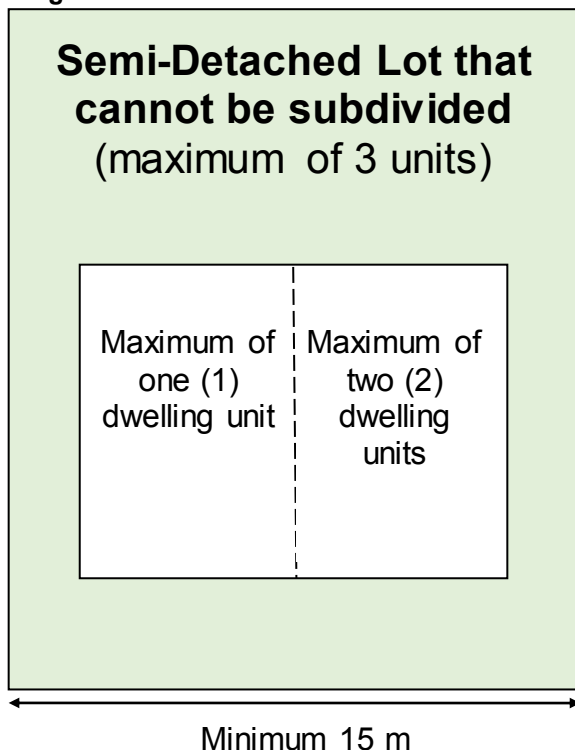
Relevant excerpts from Zoning By-law 8600 are *attached* as Appendix D.

The subject property is within a RD1.4 zone of Zoning By-law 8600, which does not permit a semi-detached dwelling use.

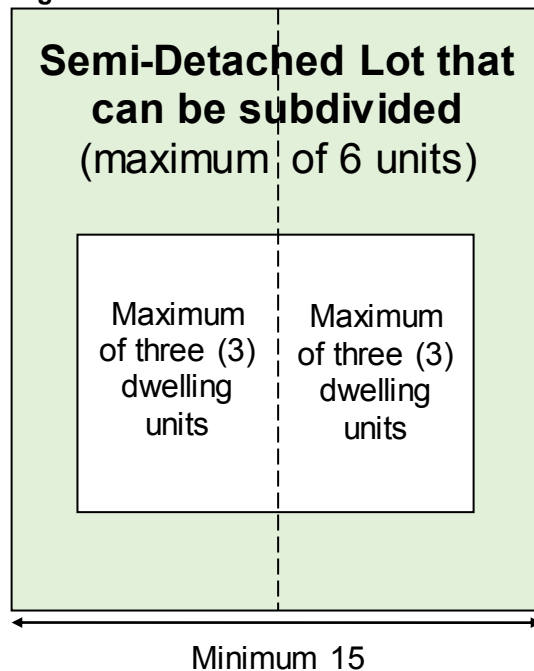
The applicant is requesting an amendment to Zoning By-law 8600 to add a site-specific provision to allow a semi-detached dwelling as an additional permitted use.

The applicant's request for a site-specific provision in the Planning Rationale Report has been considered and is supported in this

**Figure 3**



**Figure 2**



report in conjunction with an additional provision nullifying the Second Units / Additional Dwelling Units provision that defines when a semi-detached dwelling unit is considered to be on its own parcel of urban residential land.

Section 35.1 of the *Planning Act* (Restrictions for residential units) does not allow a zoning by-law to restrict the establishment of three (3) dwelling units on a parcel of urban residential land (lot) where a

single unit dwelling, semi-detached dwelling, or townhome dwelling is a permitted use.

Section 5.99.80.1.1.b) (Second Units / Additional Dwelling Units) of Zoning By-law 8600 states that: *“For the purposes of this provision each semi-detached dwelling unit or townhome dwelling unit is considered to be located on its own parcel of urban residential land if it conforms with the provisions of the applicable zoning district and can be subdivided.”*

Generally, this means that a semi-detached dwelling unit or townhome dwelling unit is considered to be on its own parcel of urban residential land if the lot can be subdivided without a minor variance. This is beneficial where all units within a dwelling are in common ownership. For a semi-detached dwelling this would permit two (2) ADU's within each dwelling unit resulting in a maximum of six (6) dwelling units on a single lot, as illustrated in Figure 2.

In the scenario where this criterion cannot be met, the Second Units / Additional Dwelling Units provisions (ADU Provisions) allow a semi-detached dwelling to have a maximum of one (1) ADU. This equates to a maximum of three (3) dwelling units on a single lot, as illustrated in Figure 3. This is the same number of dwelling units allowed for a single unit dwelling under the ADU Provisions.

The difference in density between the two scenarios as it pertains to the proposed development is illustrated in Table 1 below.

**Table 3 - Density Comparison**

Scenario	Max. No. Dwelling Units	Density
Semi-detached dwelling on a single lot that can be subdivided without a minor variance (maximum of 6 dwelling units per single lot)	12	104.4 units per hectare
Semi-detached dwelling on a single lot that cannot be subdivided without a minor variance, or a single unit dwelling (maximum of 3 dwelling units per single lot)	6	52.2 units per hectare

The Planning Department has concerns with the potential maximum density that can be achieved with this development as a result of the combination of:

- Section 35.1 of the *Planning Act* allowance of three (3) dwelling units on each parcel of urban residential land;
- Zoning Bylaw 8600 ADU Provisions recognizing each semi-detached dwelling unit as its own parcel of urban residential land (if can be subdivided without a minor variance); and
- Zoning Bylaw 8600 ADU Provisions allowing up to two (2) ADU's for each semi-detached dwelling unit on its own parcel of urban residential land.
- Not consistent with the density of the surrounding neighbourhood under the scenario where each single unit dwelling has two (2) ADU's. This is illustrated in the Zoning Analysis, attached as Appendix G, completed by the Planning

Department for the surrounding neighbourhood. The Planning Department used a catchment area of 120 metres for the purpose of this exercise, based on that for giving Notice of public meeting under the *Planning Act*.

The applicant has confirmed that they intend to establish an ADU within each semi-detached dwelling unit for a total of eight (8) dwelling units, resulting in a density of 69.6 units per hectare.

Should Council adopt the Planning Department's recommendation to remove the applicability of Section 5.99.80.1.1.b) from the subject property, the result would limit each semi-detached dwelling to a maximum of three (3) dwelling units for an overall total maximum of six (6) dwelling units and a density of 52.2 units per hectare.

Should the current or future owner(s) wish to establish further ADUs a Consent granted by the Committee of Adjustment, or a by-law passed by Council granting an Exemption from Part Lot Control must be approved, which would establish each semi-detached dwelling on a separate parcel.

No other zoning deficiencies have been identified or supported.

A draft amending by-law is attached as Appendix G. Subsection 24 (1) of the *Planning Act*, R.S.O. 1990, c. P.13., prohibits a by-law from being passed that does not conform with the Official Plan. As discussed through the Official Plan section herein, the proposed amendment conforms to the applicable policies of the Official Plan.

### **Risk Analysis:**

N/A

### **Climate Change Risks**

#### **Climate Change Mitigation:**

The proposed dwelling units implement Environmental Master Plan Objective C1: Encourage in-fill and higher density in existing built areas. Residential intensification minimizes the impact on the community greenhouse gas emissions. Development within existing communities and neighbourhoods while using currently available infrastructure such as sewers, sidewalks, and public transit helps to mitigate development impact. Situating development in areas with access to active transportation and transit increases the likelihood of residents utilizing various non-vehicular means of utilitarian transportation which collectively reduced the amount of greenhouse gas emissions within the City of Windsor.

## **Climate Change Adaptation:**

The new building may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process.

## **Financial Matters:**

N/A

## **Consultations:**

Comments received from City Departments, external agencies and members of the public on this application were taken into consideration when preparing this report. A record of the comments is included as Appendix E herein.

There are no objections to the proposed amendment.

The applicant hosted a virtual public open house on March 26, 2024, via Zoom. Notice of the open house was issued to owners of properties within 120.0 metres of the subject property. The open house was attended by nine (9) residents. Comments from residents were also received by phone and email.

Section 3.2 of the PRR summarizes the comments and questions and includes corresponding responses.

Comments received were taken into consideration when preparing this report.

Public Notice: Statutory notice was advertised in the Windsor Star, a local daily newspaper. A courtesy notice was mailed to property owners and residents within 200 metres of the subject property.

## **Conclusion:**

The *Planning Act* requires that a decision of Council in respect of the exercise of any authority that affects a planning matter, “shall be consistent with the” *Provincial Planning Statement 2024*. The recommended zoning amendment has been evaluated for consistency with the *Provincial Planning Statement 2024* and conformity with the policies of the City of Windsor Official Plan.

The recommended Zoning By-law amendment is consistent the PPS, conforms with the policy direction of the City of Windsor Official Plan, is compatible with existing and permitted uses in the surrounding neighbourhood and constitutes good planning.



**Planning Act Matters:**

I concur with the above comments and opinion of the Registered Professional Planner.

*Greg Atkinson, MCIP, RPP*  
*Manager of Development*

*Neil Robertson, MCIP, RPP*  
*City Planner*

I am not a Registered Professional Planner and have reviewed as a Corporate Team Leader

*JP JM*

**Approvals:**

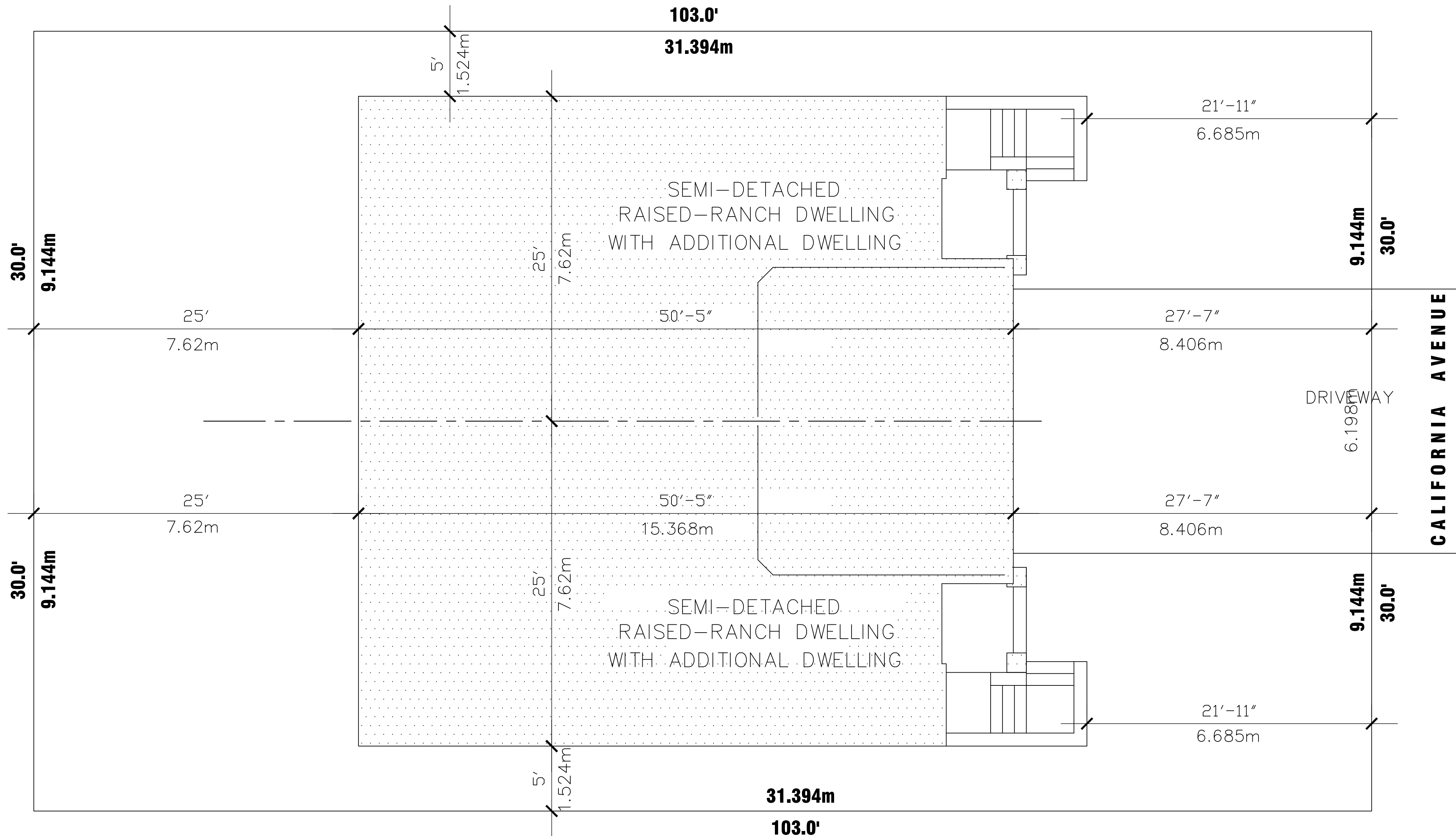
<b>Name</b>	<b>Title</b>
Brian Nagata	Planner II - Development Review
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	City Planner / Executive Director, Planning & Development Services
Aaron Farough	Senior Legal Counsel, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
Abutting property owners, tenants/occupants within 200-meter (656 feet) radius of the subject property		

**Appendices:**

- 1 Appendix B - Site Images
- 2 Appendix C - Excerpts from Official Plan Volume I
- 3 Appendix D - Excerpts from Zoning By-law 8600
- 4 Appendix E - Consultations
- 5 Appendix F - Draft Amending By-law
- 6 Appendix G - Zoning Analysis (200 metre Catchment Area)
- 7 Appendix H - Planning Rationale Report (Scoped)
- 8 Appendix A - Conceptual Plans



MAIN FLOOR & GARAGE	2389.8 SF	222.02 SM
BASEMENT	1915.7 SF	177.97 SM
<b>GROSS FLOOR AREA</b>	<b>4305.5 SF</b>	<b>399.99 SM</b>

LOT AREA	6180.0 SF	574.14 SM
GROSS FLOOR AREA	2389.8 SF	222.02 SM
COVERED PORCH	91.4 SF	8.49 SM
TOTAL COVERAGE	2481.2 SF	230.51 SM
<b>LOT COVERAGE</b>	<b>40.15 %</b>	

JULY 21, 2024

APRIL 27, 2024

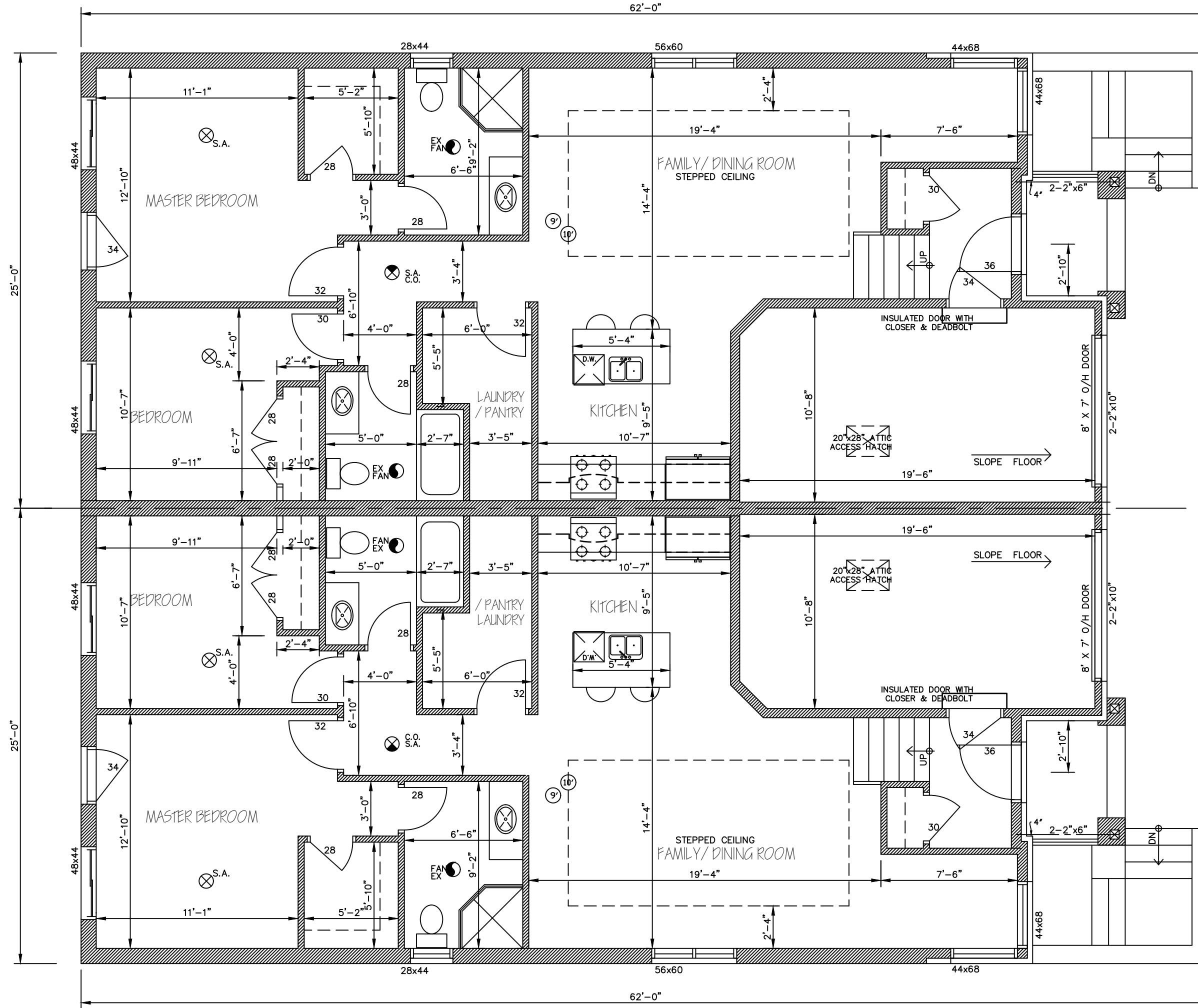
FEBRUARY 19, 2024

**SITE PLAN**

SCALE: 3/16" = 1'-0"

3178 CALIFORNIA AVENUE

SEMI-DETACHED DWELLINGS + ADDITIONAL UNITS



**FLOOR AREA 1128 SF - EACH SIDE**

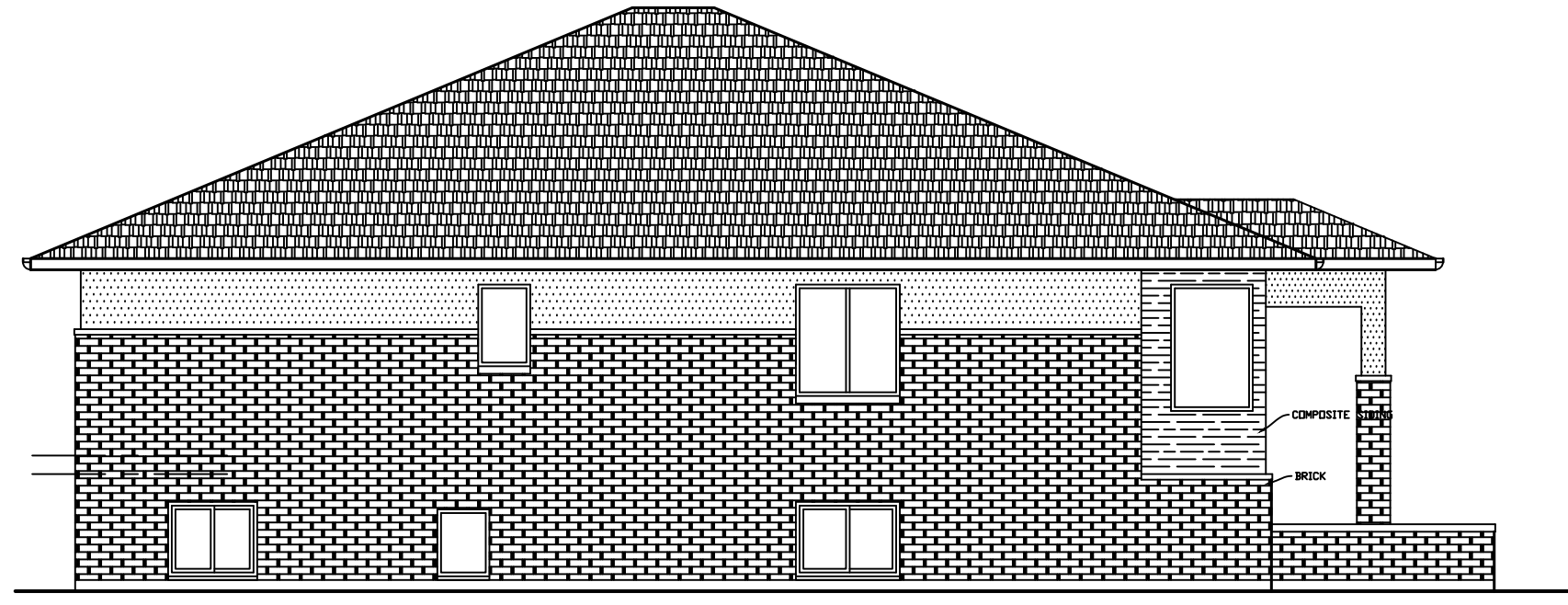
**MAIN FLOOR PLAN**

SCALE: 3/16" = 1'-0"

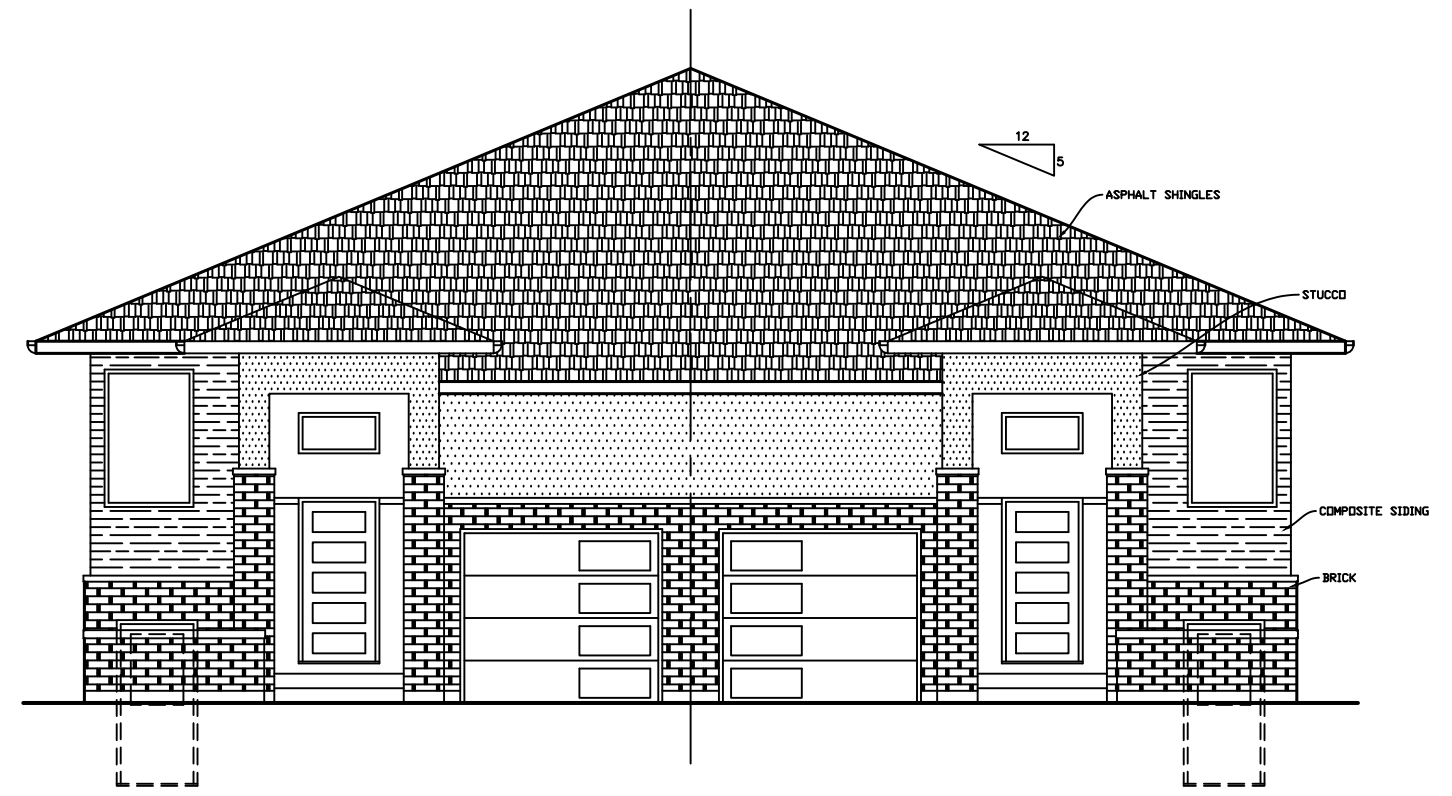
3178 CALIFORNIA AVENUE

APRIL 27, 2024  
FEBRUARY 19, 2024

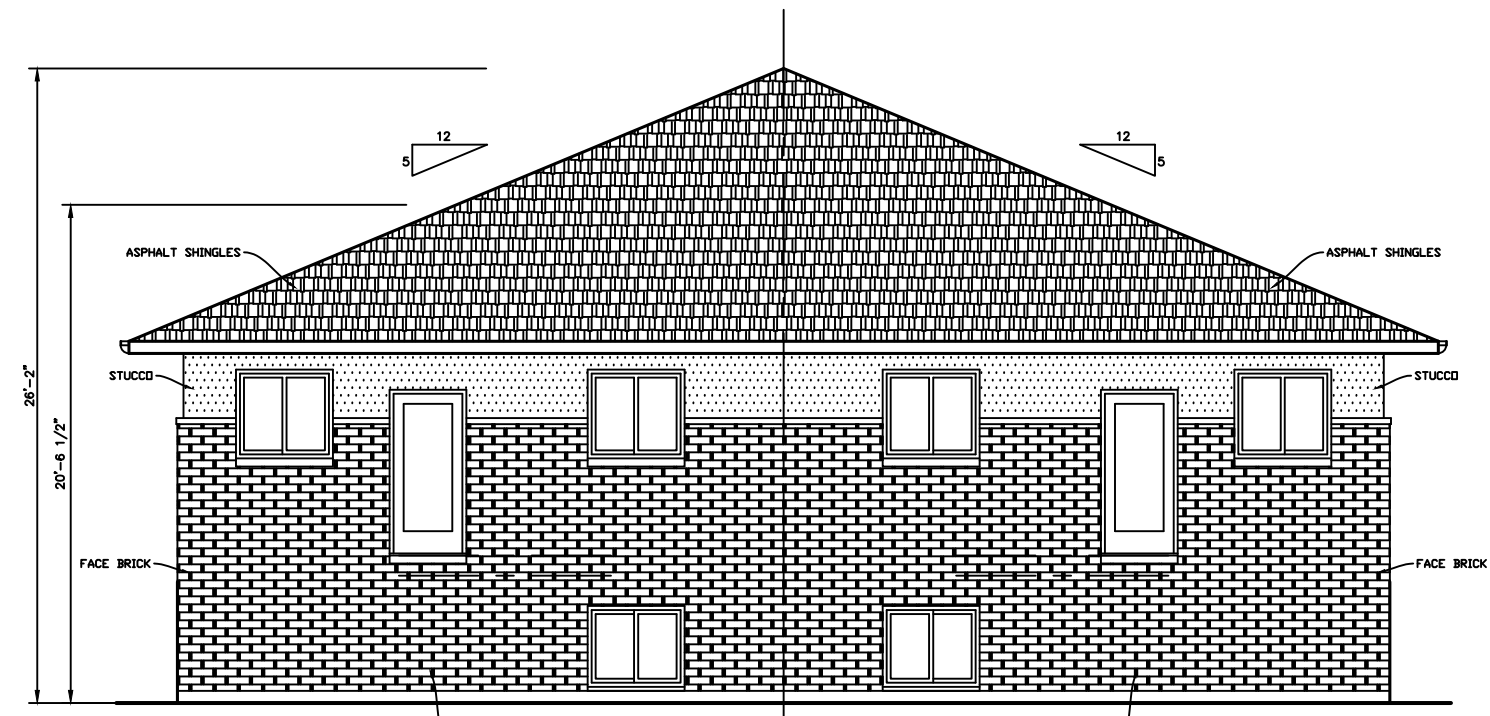
SEMI-DETACHED DWELLINGS + ADDITIONAL UNITS



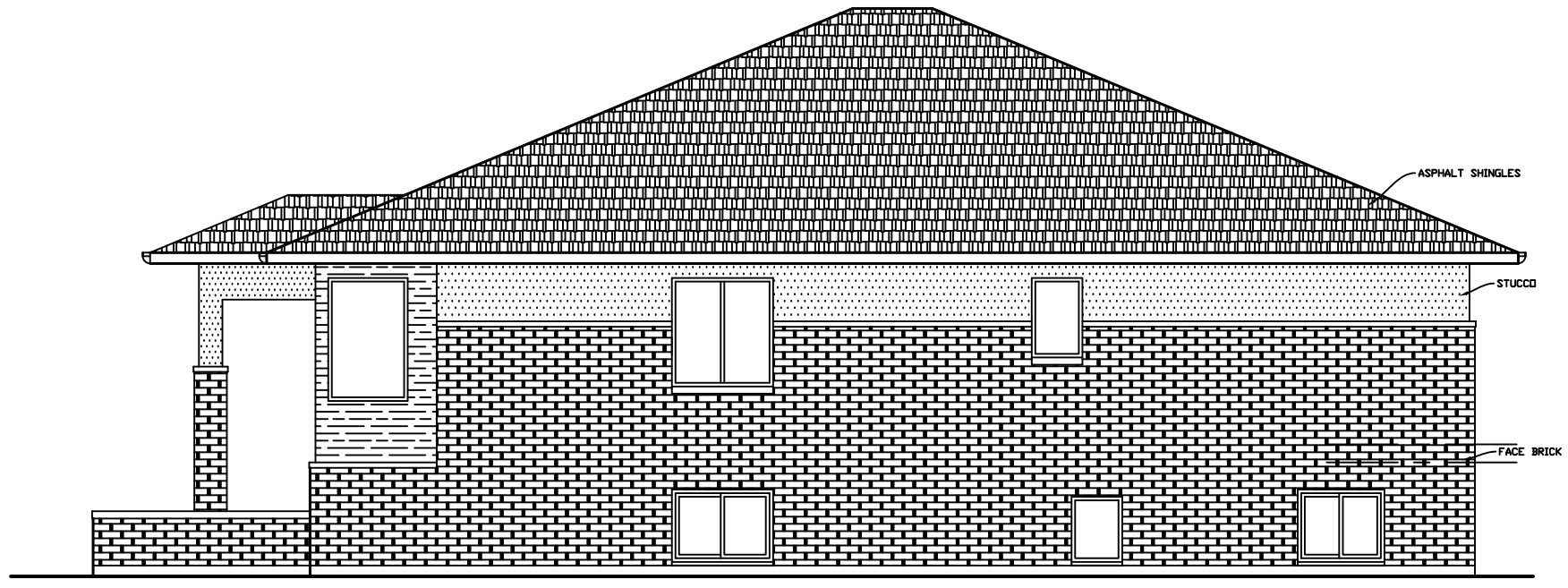
LEFT ELEVATION



FRONT ELEVATION



BACK ELEVATION



RIGHT ELEVATION

**APPENDIX "B"**  
**Site Photos (Google Street View - July 2021)**



*Figure 1 - Looking southeast towards subject property from California Avenue  
(prior to demolition of single unit dwelling and detached garage) (3160 California Avenue on left)*

**APPENDIX “C”**  
**Excerpts from Official Plan Volume I**

**3. Development Strategy**

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**3.2 Growth Concept**

**3.2.1 Safe, Caring and Diverse Community**

*NEIGHBOURHOOD  
HOUSING VARIETY*

3.2.1.2 Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands.

**6. Land Use**

---

**6.1 Goals**

In keeping with the Strategic Directions, Council’s land use goals are to achieve:

*NEIGHBOURHOODS*

6.1.1 Safe, caring and diverse neighbourhoods.

*RESIDENTIAL*

6.1.3 Housing suited to the needs of Windsor’s residents.

*RESIDENTIAL  
INTENSIFICATION*

6.1.14 To direct residential intensification to those areas of the City where transportation, municipal services, community and goods and services are readily available. (added by OPA #159 –AP PROVED July 11, 2022, B/L# 100-2022)

**6.3 Residential**

**6.3.1 Objectives**

*RANGE OF FORMS & TENURES*      6.3.1.1

To support a complementary range of housing forms and tenures in all neighbourhoods.

**6.3.2 Policies**

*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.  
(Added by OPA #159 – APPROVED July 11, 2022 , B/L# 100-2022)

*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; and

*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 to four (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

- (c) Adequate community services and open spaces are available or are planned; and
- (d) Public transportation service can be provided.  
(Added by OPA #159 – APPROVED July 11, 2022, B/L# 100-2022)

*EVALUATION  
CRITERIA FOR A  
NEIGHBOURHOOD  
DEVELOPMENT  
PATTERN*

6.3.2.5

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is:

- (a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:
  - (iv) where traffic generation and distribution is a provincial or municipal concern; and
- (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; (Added by OPA #159 – APPROVED July 11 2022, B/L# 100-2022)
- (d) provided with adequate off street parking;
- (e) capable of being provided with full municipal physical services and emergency services; and



**11. Tools**

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**11.6 Zoning**

**11.6.1 Objectives**

*COMPATIBLE  
USES*

11.6.1.2 To ensure compatibility between land uses.

**11.6.3 Zoning By-law Amendment Policies**

*EVALUATION  
CRITERIA*

11.6.3.3 When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:

- (a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II:
- (b) Relevant support studies;
- (c) The comments and recommendations from municipal staff and circularized agencies;
- (d) Relevant provincial legislation, policies and appropriate guidelines; and
- (e) The ramifications of the decision on the use of adjacent or similar lands.

**APPENDIX “D”**  
**Excerpts from Zoning By-law 8600**

**SECTION 5 - GENERAL PROVISIONS**

(AMENDED by B/L 274-1998, Oct. 2, 1998; B/L 31-2013, March 28/2013; DELETED By B/L 117-2016, Dec. 28, 2016; ADDED by B/L 177-2016, Dec. 28, 2016; AMENDED by B/L 95-2019, Sept. 27/2019; B/L 52-2024 Apr 22/2024)

**5.99 ADDITIONAL USE PROVISIONS**

**5.99.80 SECOND UNITS / ADDITIONAL DWELLING UNITS**

.1 For any *zoning district* that permits a *single unit dwelling, semi-detached dwelling, duplex dwelling, or townhome dwelling*, the following additional provisions shall apply:

.1 **Additional Permitted Uses**

- a) Two additional *dwelling units* shall be permitted on a *parcel of urban residential land*. This may be either:
  - i) Two additional *dwelling units* within the primary *dwelling unit* located in the *main building*, or
  - ii) One additional *dwelling unit* in the primary *dwelling unit* located in the *main building* and one additional *dwelling unit* in a *building* accessory to said *dwelling*.

For clarity, this provision permits a maximum of three *dwelling units* in total on a *parcel of urban residential land* as shown in Tables 5.99.80.11 and 5.99.80.12.

<b>TABLE 5.99.80.11</b>			
<b>Dwelling Type</b>	<b>Dwelling Units – Maximum</b>		
	<b>Main Building</b>	<b>Accessory Building</b>	<b>Total</b>
Single Unit Dwelling	3	0	3
Semi-detached Dwelling Unit	3	0	3
Duplex Dwelling	3	0	3
Townhome Dwelling Unit	3	0	3

<b>TABLE 5.99.80.12</b>			
<b>Dwelling Type</b>	<b>Dwelling Units – Maximum</b>		
	<b>Main Building</b>	<b>Accessory Building</b>	<b>Total</b>
Single Unit Dwelling	2	1	3
Semi-detached Dwelling Unit	2	1	3
Duplex Dwelling	2	1	3
Townhome Dwelling Unit	2	1	3

- b) For the purposes of this provision each *semi-detached dwelling*

*unit or townhome dwelling unit* is considered to be located on its own *parcel of urban residential land* if it conforms with the provisions of the applicable *zoning district* and can be subdivided.

## SECTION 10 - RESIDENTIAL DISTRICTS 1. (RD1.)

(B/L 10358 Jul 16/1990; B/L 11093 Jul 20/1992; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233; B/L 370-2001 Nov 15/2001; B/L 363-2002 Dec 31/2002; B/L 220-2002, Feb 24/2003; B/L 10-2004 OMB Order PL040143, File No. R040023, Decision/Order No. 0055, Issued Jan 12/2005 B/L 114-2016 Sep 19/2016); B/L 164-2017, Dec. 7/2017 [ZNG/5270]; B/L 95-2019, Sept. 27/2019 B/L 101-2022 Jul 11/2022; B/L 52-2024 Apr 22/2024)

### 10.1 RESIDENTIAL DISTRICT 1.4 (RD1.4)

#### 10.4.1 PERMITTED USES

- Existing Duplex Dwelling*
- Existing Semi-Detached Dwelling*
- One Single Unit Dwelling*
- Any use accessory to the preceding uses

#### 10.4.5 PROVISIONS

	Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.1 Lot Width – minimum	9.0 m	15.0 m	18.0 m
.2 Lot Area – minimum	360.0 m <sup>2</sup>	450.0 m <sup>2</sup>	540.0 m <sup>2</sup>
.3 Lot Coverage – maximum	45.0%	45.0%	45.0%
.4 Main Building Height – maximum	9.0 m	9.0 m	9.0 m
.5 Front Yard Depth – minimum	6.0 m	6.0 m	6.0 m
.6 Rear Yard Depth – minimum	7.50 m	7.50 m	7.50 m
.7 Side Yard Width – minimum	1.20 m	1.20 m	1.20 m
.8 Gross Floor Area – main building – maximum	400 m <sup>2</sup>	400 m <sup>2</sup>	400 m <sup>2</sup>

(AMENDED by B/L 101-2022, July 11, 2022; B/L 52-2024 Apr 22/2024)

## **APPENDIX “E” Consultations**

### **CALDWELL FIRST NATION COMMUNITY**

No comments provided

### **ENGINEERING - DEVELOPMENT**

#### **December 11, 2023 (Comments to Stage 1: Planning Consultation Application)**

No supporting information required

#### **[Shannon Mills - Technologist III]**

### **ENGINEERING - R.O.W.**

#### **Required Drawing Revisions:**

1. Driveway Approaches - Do not conform to City of Windsor Standards, which must be constructed with straight flares and no raised curbs within the right-of-way.
  - a. Modify as per Standard Engineering Drawing AS-221 or AS-222.
  - b. Remove and restore all redundant curb cuts.
2. Sewer Connections - All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/watermains.
  - a. Modify drawings to include all sewer connections and water services.
  - b. Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.

#### **Right-of-Way Permit Requirements:**

**Alley Closing** - Prior to the issuance of a Building Permit, the owner shall apply to the Street and Alley Closing Committee to close the existing alley adjacent to the subject property.

**Driveway Approaches** - The Owner further agrees that driveway approaches shall be constructed in such width and location as shall be approved by the City Engineer, with straight flare driveway approaches and no raised curbs within the right-of-way. The Owner shall have the option of constructing said driveway approaches as follows:

1. Residential Property
  - a. Asphalt in accordance with City of Windsor Standard Drawing AS-221; or
  - b. Concrete in accordance with City of Windsor Standard Drawing AS-222

**CCTV Sewer Inspection** - The Owner further agrees to provide at its entire expense

CCTV inspection satisfying City of Windsor Standard Specification S-32, for all existing and newly constructed sanitary and storm sewer infrastructure. The inspection shall include both mainline sewers and private drain connections, and shall be required to be submitted prior to the issuance of construction permits

**Sewer Connections** - The site is serviced by a 250 mm sanitary sewer and a 300 mm sewer located within the California Ave Street right-of-way. All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains.

- Modify drawings to include all sewer connections and water services.
- Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.

If you have any further questions or concerns, please contact Thomas Huynh of this department at [thuynh@citywindsor.ca](mailto:thuynh@citywindsor.ca).

**[Mark Schaffhauser - Technologist II]**

### **ENWIN UTILITIES LTD. - HYDRO ENGINEERING**

**December 15, 2023 (Comments to Stage 1: Planning Consultation Application)**

No Objection provided adequate clearances are achieved and maintained.

ENWIN has existing overhead pole lines along the east limits with 120/240 volt secondary hydro distribution.

Prior to working in these areas, we would suggest notifying your contractor and referring to the *Occupational Health and Safety Act* and Regulations for Construction Projects to confirm clearance requirements during construction.

Also, we suggest referring to the *Ontario Building Code* for permanent required clearances for New Building Construction.

**[Steve Zambito - Senior Hydro Engineering Technologist]**

### **ENWIN UTILITIES LTD. - WATER ENGINEERING**

**December 15, 2023 (Comments to Stage 1: Planning Consultation Application)**

Water Engineering has no objections. The existing 25 mm services for each address will need to be upgraded to suit the proposed developments.

**[Bruce Ogg - Water Project Review Officer]**

**FORESTRY****December 11, 2023 (Comments to Stage 1: Planning Consultation Application)**

There are two city owned trees in front of this property.

To preserve the health of the locust and silver maple during construction please have the contractor follow section 3.1 Existing tree from our site control plan.

**[Yemi Adeyeye - Manager of Forestry & Natural Areas]**

**PARKS DESIGN & DEVELOPMENT****December 15, 2023 (Comments to Stage 1: Planning Consultation Application)**

The proposed site is one block north of Oakwood Park, and as such, the associated NHIC list of SAR is extensive. The Plan of Survey provided, dated March 11, 2022, shows an existing dwelling on the property, but the site is now vacant (vacant in June 2022 Google Earth aerial imagery). The site appears to have been regularly mowed/maintained during this time, which has likely prevented nearby SAR plants, and/or snake habitat, from regenerating. As long as the site is regularly maintained prior to development, and workers are made aware of the potential for SAR snakes, then impact to SAR/habitat is unlikely.

**[Chris Hart - Biodiversity Coordinator]**

**PLANNING DEPARTMENT - HERITAGE****December 13, 2023 (Comments to Stage 1: Planning Consultation Application)**

There is no apparent built heritage concern with this property, and it is located on an area of low archaeological potential.

Nevertheless, the Applicant should be notified of the following archaeological precaution.

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

**Contacts:**

Windsor Planning & Building Department:

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

Windsor Manager of Culture and Events (A):

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

Ontario Ministry of Citizenship and Multiculturalism

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

Windsor Police: 911

Ontario Ministry of Government & Consumer Services

A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery  
Closures, 1-416-212-7499, Crystal.Forrest@ontario.ca

**[Tracy Tang - Planner III - Economic Development]****PLANNING DEPARTMENT - POLICY****December 6, 2023 (Comments to Stage 1: Planning Consultation Application)**

The proposed development is below the threshold for site plan control and the scale is appropriate contextual to the character of the neighbourhood. Therefore, no additional studies required from a landscape architectural or urban design perspective.

There are however 3 municipal trees shared between the two lots. The applicant will require to consult with the City Forester to ensure that these trees are preserved.

**[Stefan Fediuk - Senior Urban Designer]****TRANSIT WINDSOR****December 5, 2023 (Comments to Stage 1: Planning Consultation Application)**

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Dominion 5. The closest existing bus stop to this property is located on Norfolk at California Northeast Corner. This bus stop is approximately 90 metres from this property falling well within our 400 metre walking distance guidelines to a bus stop. This will be further enhanced with our City Council approved 2023 service plan as a new local route will be introduced for this area replacing the Dominion 5 here. This will be a new route with two way conventional transit service versus the existing one way loop. A new bus stop will be implemented on California at Norfolk Northeast Corner reducing the walking distance further and providing direct transit access to this property. This will be maintained with our City Council approved Transit Master Plan.

**[Jason Scott - Manager of Transit Planning]**

**TRANSPORTATION PLANNING**

**December 6, 2023 (Comments to Stage 1: Planning Consultation Application)**

All parking must comply with ZBL 8600 otherwise a parking study would be required.

All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings, driveway must comply with AS-203 and AS-204, straight flares only.

All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

**[Siddharth Dhiman - Transportation Planner I]**

**WALPOLE ISLAND FIRST NATION**

No comments provided



**APPENDIX "F"**  
**Draft Amending By-law**

B Y - L A W N U M B E R -2024

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600  
CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the            day of            , 2024.

**WHEREAS** it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

**THEREFORE** the Council of The Corporation of the City of Windsor enacts as follows:

- 1. That subsection 1 of Section 20, of said by-law, is amended by adding the following clause:

**514. EAST SIDE OF CALIFORNIA AVENUE BETWEEN BALMORAL STREET AND NORFOLK STREET**

For the lands comprising of Lots 1291 to 1294, Plan 1023, PIN No. 01277-0254 LT, a *Semi-Detached Dwelling* shall be an additional permitted use and the following shall apply:

- 1. The Semi-Detached Dwelling provisions of Section 10.4.5 shall apply; and
- 2. Section 5.99.80.1.1.b) shall not apply.

[ZDM 8; ZNG/7227]

- 2. The said by-law is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of said by-law and made part thereof, so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 5:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Zoning Symbol	5. New Zoning Symbol
1	8	Lots 1291 to 1294, Plan 1023, PIN No. 01277-0254 LT (located on the east side of California Avenue between Balmoral Street and Norfolk Street)	RD1.4	RD1.4 S.20(1)514

DREW DILKENS, MAYOR

CLERK

First Reading - , 2024

Second Reading - , 2024

Third Reading - , 2024

**SCHEDULE 2**

1. By-law \_\_\_\_\_ has the following purpose and effect:

To amend the zoning of the lands located on the east side of California Avenue between Balmoral Street and Norfolk Street, legally described as Lots 1291 to 1294, Plan 1023, PIN No. 01277-0254 LT, to permit the development of two (2) semi-detached dwellings on the subject lands.

The amending by-law maintains the RD1.4 zoning on the subject lands and adds a special zoning provision permitting a semi-detached dwelling as an additional permitted main use, and nullifying the Second Units / Additional Dwelling Units General Provision regulation that defines when a semi-detached dwelling unit is considered to be on its own parcel of urban residential land.

2. Key map showing the location of the lands to which By-law \_\_\_\_\_ applies.



PART OF ZONING DISTRICT MAP 8

N.T.S.

## SCHEDULE 2

Applicant: Andi Shallvari



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : AUGUST, 2024  
FILE NO. : Z-024/24, ZNG/7227

**APPENDIX "G"**  
**Zoning Analysis (120 metre Catchment Area)**

Municipal Address	Use	Age of Main Building	Lot Width (m) (Approximate)	Lot Area (m2) (Approximate)	Main Building Area (m2) (Approximate)	Total Building Area (m2) (Approximate)	Lot Coverage Main Building Only (Approximate)	Lot Coverage (Approximate)	Density (Approximate) (uph)	Density with ADU's (Approximate) (uph)
3107 California Ave	Single Unit Dwelling	1954	36.6	1,193.0	208.1	208.1	17.4%	17.4%	8.4	25.1
3110 California Ave	Single Unit Dwelling	1969	30.5	957.4	232.8	232.8	24.3%	24.3%	10.4	31.3
3130 California Ave	Single Unit Dwelling	1930	24.4	766.0	119.0	170.8	15.5%	22.3%	13.1	39.2
3134 California Ave	Single Unit Dwelling	1990	18.3	574.4	211.4	211.4	36.8%	36.8%	17.4	52.2
3135 California Ave	Single Unit Dwelling	1950	18.3	596.4	122.5	186.9	20.5%	31.3%	16.8	50.3
3140 California Ave	Single Unit Dwelling (1 ADU)	1950	18.3	574.3	95.2	100.4	16.6%	17.5%	34.8	52.2
3147 California Ave	Single Unit Dwelling	1968	18.3	595.8	123.9	162.7	20.8%	27.3%	16.8	50.3
3150 California Ave	Single Unit Dwelling	1956	22.9	717.8	112.1	192.1	15.6%	26.8%	13.9	41.8
3151 California Ave	Single Unit Dwelling	1948	22.8	744.8	142.1	247.4	19.1%	33.2%	13.4	40.3
3160 California Ave	Single Unit Dwelling	1950	22.9	717.7	167.5	240.0	23.3%	33.4%	13.9	41.8
3165 California Ave	Single Unit Dwelling	1968	22.8	744.8	273.3	291.6	36.7%	39.2%	13.4	40.3
3175 California Ave	Single Unit Dwelling	1940	18.3	595.9	146.0	182.0	24.5%	30.5%	16.8	50.3
3181 California Ave	Single Unit Dwelling	1968	18.3	595.9	220.8	226.7	37.1%	38.0%	16.8	50.3
3185 California Ave	Single Unit Dwelling	1945	18.3	595.9	141.7	147.9	23.8%	24.8%	16.8	50.3
3188 California Ave	Single Unit Dwelling	1951	18.3	573.9	155.0	161.8	27.0%	28.2%	17.4	52.3
3195 California Ave	Single Unit Dwelling	1968	18.3	595.9	106.9	178.7	17.9%	30.0%	16.8	50.3
3196 California Ave	Single Unit Dwelling	1968	18.3	573.9	99.4	160.8	17.3%	28.0%	17.4	52.3
3200 California Ave	Single Unit Dwelling	1998	19.8	661.9	185.5	185.5	28.0%	28.0%	15.1	45.3
3210 California Ave	Single Unit Dwelling	2011	16.8	560.2	208.3	208.3	37.2%	37.2%	17.8	53.5
3220 California Ave	Single Unit Dwelling	2012	16.8	560.4	221.2	228.2	39.5%	40.7%	17.8	53.5
3230 California Ave	Single Unit Dwelling	2011	16.8	560.6	212.7	212.7	37.9%	37.9%	17.8	53.5
3105 Askin Ave	Single Unit Dwelling	1965	19.6	725.3	133.8	156.4	18.4%	21.6%	13.8	41.4
3110 Askin Ave	Single Unit Dwelling	1965	18.3	590.4	111.8	119.4	18.9%	20.2%	16.9	50.8
3115 Askin Ave	Single Unit Dwelling	1965	18.3	578.5	139.8	148.1	24.2%	25.6%	17.3	51.9
3120 Askin Ave	Single Unit Dwelling	1965	18.3	590.4	117.1	184.4	19.8%	31.2%	16.9	50.8
3125 Askin Ave	Single Unit Dwelling	1965	18.3	577.0	126.6	180.1	21.9%	31.2%	17.3	52.0
3130 Askin Ave	Single Unit Dwelling	1965	18.3	590.4	127.0	193.6	21.5%	32.8%	16.9	50.8
3135 Askin Ave	Single Unit Dwelling	1965	18.3	575.4	124.9	193.5	21.7%	33.6%	17.4	52.1
3140 Askin Ave	Single Unit Dwelling	1965	18.3	590.4	130.2	197.4	22.1%	33.4%	16.9	50.8
3145 Askin Ave	Single Unit Dwelling	1965	18.3	573.9	115.4	127.5	20.1%	22.2%	17.4	52.3
3150 Askin Ave	Single Unit Dwelling	1965	18.3	590.4	125.9	125.9	21.3%	21.3%	16.9	50.8
3155 Askin Ave	Single Unit Dwelling	1965	18.3	572.3	117.5	123.5	20.5%	21.6%	17.5	52.4
3160 Askin Ave	Single Unit Dwelling	1965	18.3	590.4	137.4	182.9	23.3%	31.0%	16.9	50.8
3165 Askin Ave	Single Unit Dwelling	1965	18.3	570.9	135.8	194.1	23.8%	34.0%	17.5	52.6
3169 Askin Ave	Single Unit Dwelling	1966	18.3	569.2	143.8	143.8	25.3%	25.3%	17.6	52.7
3170 Askin Ave	Single Unit Dwelling	1965	18.3	590.4	132.8	156.2	22.5%	26.5%	16.9	50.8
3175 Askin Ave	Single Unit Dwelling	1965	18.3	567.7	142.2	188.7	25.0%	33.2%	17.6	52.8
3176 Askin Ave	Single Unit Dwelling	1965	18.3	590.4	137.7	205.2	23.3%	34.8%	16.9	50.8
3180 Askin Ave	Single Unit Dwelling	1965	18.3	590.4	139.1	156.0	23.6%	26.4%	16.9	50.8
3185 Askin Ave	Single Unit Dwelling	1965	18.3	566.1	156.6	212.3	27.7%	37.5%	17.7	53.0
3195 Askin Ave	Single Unit Dwelling	1965	23.3	705.5	168.5	168.5	23.9%	23.9%	14.2	42.5
3196 Askin Ave	Single Unit Dwelling	1965	23.3	721.6	211.9	211.9	29.4%	29.4%	13.9	41.6
3200 Askin Ave	Single Unit Dwelling	1964	22.9	738.4	189.7	194.3	25.7%	26.3%	13.5	40.6
3209 Askin Ave	Single Unit Dwelling	1964	22.8	748.3	164.9	164.9	22.0%	22.0%	13.4	40.1
3210 Askin Ave	Single Unit Dwelling	1965	19.4	626.0	159.9	164.8	25.5%	26.3%	16.0	47.9
3219 Askin Ave	Single Unit Dwelling	1964	19.4	635.0	135.3	186.3	21.3%	29.3%	15.7	47.2
3220 Askin Ave	Single Unit Dwelling	1965	18.3	590.7	126.9	158.4	21.5%	26.8%	16.9	50.8

Vacant properties fronting the unconstructed Betts Avenue and St Clair Avenue right-of-ways and the Ecole Montclair Junior High property have been excluded

**APPENDIX "G"**  
**Zoning Analysis (120 metre Catchment Area)**

3229 Askin Ave	Single Unit Dwelling	1963	18.3	560.3	124.4	180.4	22.2%	32.2%	17.8	53.5
3239 Askin Ave	Single Unit Dwelling	1964	18.3	596.0	135.1	142.6	22.7%	23.9%	16.8	50.3
3115 St Patrick's Ave	Single Unit Dwelling	1964	18.3	590.6	129.7	213.4	22.0%	36.1%	16.9	50.8
3125 St Patrick's Ave	Single Unit Dwelling	1962	18.3	590.7	127.1	208.0	21.5%	35.2%	16.9	50.8
3135 St Patrick's Ave	Single Unit Dwelling	1965	18.3	590.6	121.1	174.3	20.5%	29.5%	16.9	50.8
3145 St Patrick's Ave	Single Unit Dwelling	1963	18.3	590.6	130.0	205.1	22.0%	34.7%	16.9	50.8
3155 St Patrick's Ave	Single Unit Dwelling	1961	18.3	590.6	126.1	176.5	21.4%	29.9%	16.9	50.8
3165 St Patrick's Ave	Single Unit Dwelling	1962	18.3	590.6	138.3	179.8	23.4%	30.4%	16.9	50.8
3175 St Patrick's Ave	Single Unit Dwelling	1964	18.3	590.6	164.0	164.0	27.8%	27.8%	16.9	50.8
3185 St Patrick's Ave	Single Unit Dwelling	1963	18.3	590.6	152.4	160.2	25.8%	27.1%	16.9	50.8
3195 St Patrick's Ave	Single Unit Dwelling	1963	22.4	721.9	126.3	191.8	17.5%	26.6%	13.9	41.6
3205 St Patrick's Ave	Single Unit Dwelling	1964	22.9	738.5	180.3	196.5	24.4%	26.6%	13.5	40.6
3215 St Patrick's Ave	Single Unit Dwelling	1964	19.4	626.0	204.4	204.4	32.6%	32.6%	16.0	47.9
<b>Average</b>			19.7	633.0	147.8	182.9	23.9%	29.2%	16.4	93.5

# PLANNING RATIONALE REPORT (SCOPED)

## ZONING BY-LAW AMENDMENT PROPOSED RESIDENTIAL DEVELOPMENT

3170 & 3178 California Avenue,  
Windsor, Ontario

August 06, 2024

Prepared by:



Tracey Pillon-Abbs, RPP  
Principal Planner  
Chatham, ON  
226-340-1232  
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www.pillonabbs.ca

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# 1.0 INTRODUCTION

I have been retained by Andi Shallvari on behalf of Hani Yacoub (herein the "Applicant") to provide a land use Scoped Planning Rationale Report (PRR) in support of a proposed development to be located at 3170 and 3178 California Avenue (herein the "Site") in the City of Windsor, Province of Ontario.

The Site is currently vacant and consists of one (1) parcel of land that can be legally divided into two (2) parcels.

It is proposed that the Site be developed for residential use with two (2) new semi-detached dwellings, one (1) being on each lot.

Each semi-detached dwelling unit will have one (1) Additional Dwelling Unit (ADU) on the lower level.

A total of eight (8) new residential units are proposed.

On-site parking is proposed.

The Site has access to full municipality services.

A site-specific Zoning By-law Amendment (ZBA) is required in support of the proposed development.

Once the ZBA application has been approved, the Applicant will proceed with a building permit.

Pre-consultation (stage 1) was completed by the Applicant (City File #PC-059/23).

An informal public open house was held electronically on March 26, 2024. The open house provided members of the public with opportunities to review and comment on the proposed development. Based on the comments received, the concept plan has been amended.

The purpose of this report is to review the relevant land use documents, including the Provincial Policy Statement 2020 (PPS), the City of Windsor Official Plan (OP), and the City of Windsor Zoning By-law (ZBL).

This PRR will show that the proposed development is suitable development, is consistent with the PPS, conforms to the intent and purpose of the OP and ZBL, and represents good planning.

## 2.0 SITE AND SURROUNDING LAND USES

### 2.1 Legal Description and Ownership

The Site is currently vacant and made up of one (1) parcel of land, which can be legally split into two (2) parcels of land in the South Windsor Planning District (City of Windsor Ward 1).

The Site is located on the east side of California Avenue, north of Norfolk Street and south of Balmoral Street (see the area in red on Figure 1 – Site Location).



Figure 1 – Site Location (Source: Windsor GIS)

3170 & 3178 California Ave., Windsor, Ontario

The Site is owned, locally known as and legally described as follows:

Address	Legal Description	PIN	ARN	Owner	Purchased Date
3170 and 3178 California Ave	LT 1291 PL 1023 Sandwich West; LT 1292 PL 1023 Sandwich West; LT 1293 PL 1023 Sandwich West; Lt 1294 PL 1023 Sandwich West; City of Windsor	01277-0254 LT	080-190-14000	Hani Yacoub	2019

## 2.2 Physical Features of the Site

### 2.2.1 Size and Site Dimension

The Site, subject to the proposed development, consists of a total area of 1,148.28 m<sup>2</sup> (0.1148 ha), with 36.576 m of frontage and 31.394 m of depth.

### 2.2.2 Existing Structures and Previous Use

The Site is currently vacant.

The previous use was for residential purposes with a single-unit dwelling, which was demolished in 2021.

### 2.2.3 Vegetation

The property currently has a mown lawn.

### 2.2.4 Topography

The Site is generally level.

### 2.2.5 Other Physical Features

There is 1 remnant driveway access from California Avenue.

Fencing is located along a portion of the Site owned by others.

### 2.2.6 Municipal Services

The property has access to municipal water, storm, and sanitary services.

There are sidewalks located in the area. There are no streetlights.

The Site has access to transit.

The Site has access to major transportation corridors.

### **2.2.7 Nearby Amenities**

There are many schools, parks and libraries in close proximity to the Site.

There is nearby shopping in the form of plazas and malls, as well as employment, places of worship, and local amenities.

## **2.3 Surrounding Land Uses**

Overall, the Site is in an existing built up area made up of residential uses.

There is a variety of lot sizes and lot frontages in the area.

The following is a summary of the abutting land uses:

<b>Direction</b>	<b>Abutting Land Use</b>
North	Residential
South	Residential
East	Residential
West	Residential

# 3.0 PROPOSAL AND CONSULTATION

## 3.1 Development Proposal

The Site is currently vacant and made up of one (1) parcel of land, which can be legally split into two (2) parcels of land.

It is proposed to develop the Site for residential purposes.

It is proposed to construct two (2) new semi-detached dwellings, one (1) on each lot.

A concept plan was prepared (see Figure 2a –Concept Plan).

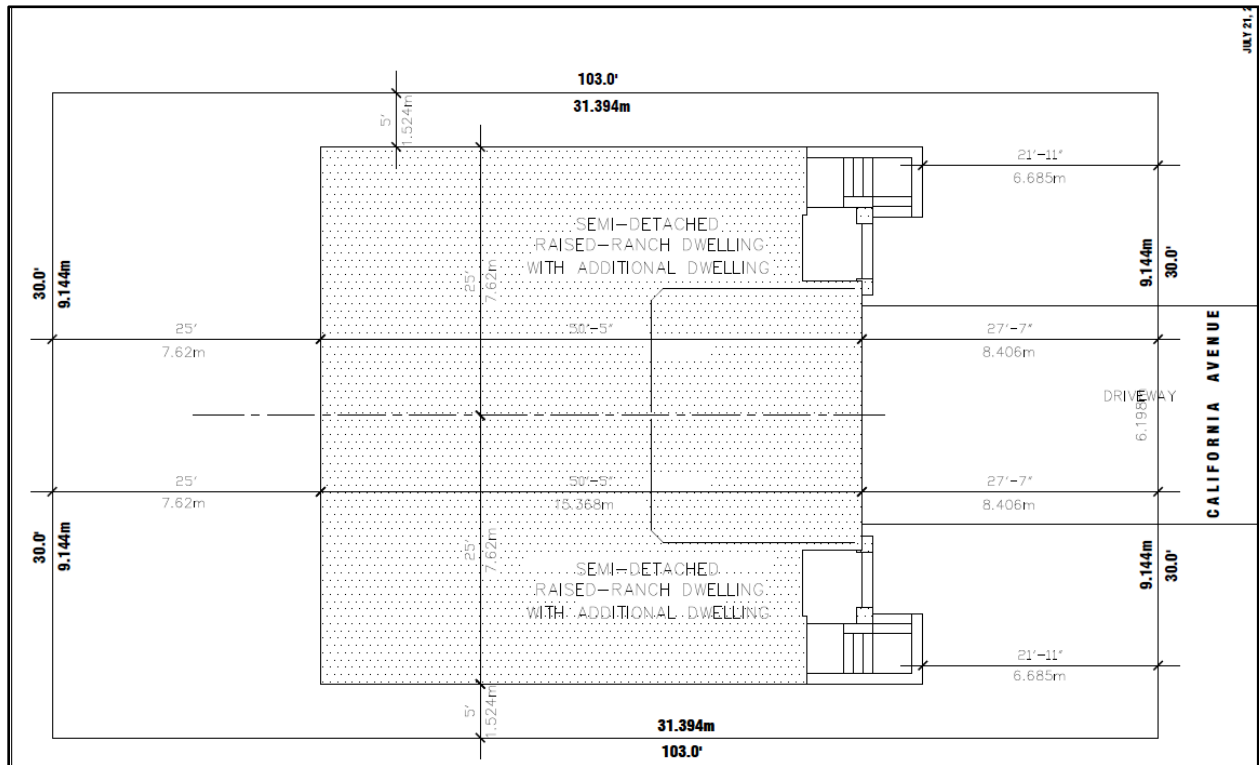


Figure 2a –Concept Plan

The Concept Plan is preliminary in order to illustrate how one (1) of the semi-detached on the Site can be developed.

Based on the comments received at the open house, the concept plan has been amended.

Each semi-detached dwelling unit will have one (1) Additional Dwelling Unit (ADU) on the lower level.

Each semi-detached dwelling lot will have a frontage of 18.288 m and a lot area of 574.14 m<sup>2</sup>.  
A total of eight (8) new residential units are proposed.

Elevations of the proposed building have been prepared (see Figure 2b – Elevations).

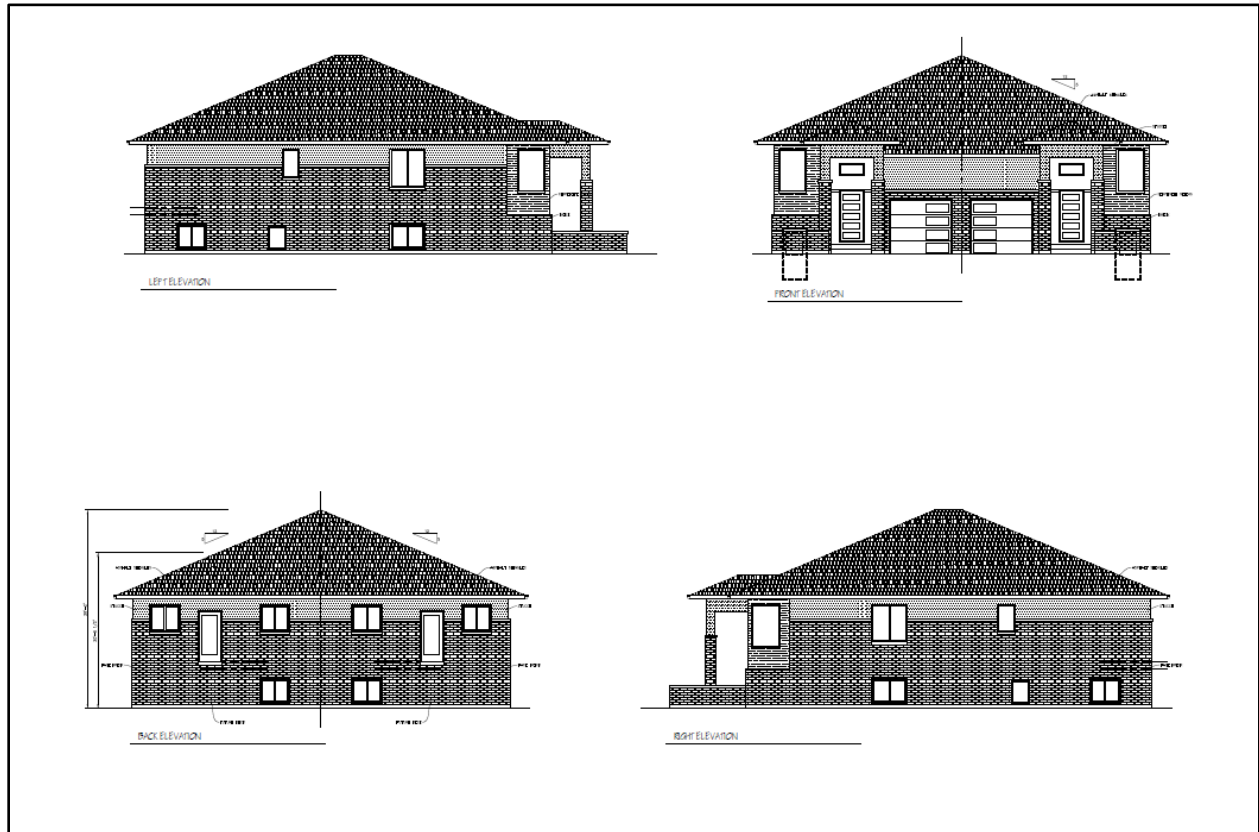


Figure 2b – Elevation

The Elevation is preliminary in order to illustrate how one of the semi-detached on the Site can be developed.

The semi-detached dwelling will be designed similarly to a raised-ranch dwelling with a separate front porch leading into the units.

Each unit will have a gross floor area (GFA) of 399.99 m<sup>2</sup>.

On-site parking is proposed with private garages.

The Site has access to full municipality services.

Pedestrian connections, landscaping and private amenity areas will be provided.

The refuse (garbage and recycling) will be located in individual units and taken to the curb.

## 3.2 Public Consultation Strategy

In addition to the statutory public meeting, the *Planning Act* requires that the Applicant submit a proposed strategy for public consultation with respect to an application as part of the complete application requirements.

As part of a public consultation strategy, in addition to the statutory public meeting, an informal electronic public open house was held with area residents and property owners on Tuesday, March 26, 2024, from 6:00 pm to 7:00 pm.

The open house provided members of the public with opportunities to review and comment on the proposed development.

A total of 59 owners and tenants were notified, which represents a 120 m radius from the Site.

In addition to the Applicant representatives and City Staff, 12 people registered, and 9 attended the open house.

Phone messages, calls, and emails were also received.

The following is a summary of the comments and questions received, along with the responses provided.

Topic Item	Comments and Questions	Response
Density	<p>This is considered an 8-plex.</p> <p>There are too many units proposed.</p> <p>Too many people.</p> <p>This exceeds what is permitted.</p> <p>These are just 30 ft lots.</p>	<p>Two semi-detached dwellings are proposed, each with an ADU.</p> <p>The PPS supports infilling and intensification.</p>
Traffic	<p>The development will cause more traffic.</p> <p>There are schools nearby.</p> <p>There are too many cars now.</p>	<p>No TIS is warranted.</p> <p>An increase in traffic is not anticipated.</p>
Sight Lines	<p>People will not be able to back out of their cars safely.</p> <p>Neighbours will need to remove landscaping.</p>	<p>The required minimum front yard setback is proposed to comply with the zoning by-law.</p> <p>The concept plan will be reviewed.</p>



<b>Topic Item</b>	<b>Comments and Questions</b>	<b>Response</b>
Parking	Where will people park?  Based on 8 units, there will be 12 cars.	On-site parking and a garage are provided.  The required parking complies with the zoning by-law.
Housing Type	One 2-plex would be better.  There are no other houses like this in the area.  There is no housing crisis.	Two semi-detached dwellings are proposed, each with an ADU.  The Site is large enough to accommodate the proposed development.
Tenure	Rentals are unattractive.  Not in support of condos either.	Tenure has yet to be determined.
Location	This development should be located downtown.  Build somewhere else, such as greenfield sites.  Just because you can, it should not be supported.	The OP supports a mix of housing types in all neighbourhoods.
Setbacks	The buildings will be too close to the road.	The front yard setbacks are proposed to comply with the zoning by-law.  The concept plan will be reviewed for possible revisions.
Safety	Children will be unsafe.	Not a planning issue.
Owner	Why is the one not in attendance?  The owner does not care.	The applicant representatives are in attendance.
Lot Coverage	Lot coverage is too high.	The lot coverage is proposed to comply with the zoning by-law.  The concept plan will be reviewed to confirm.
Noise	Rental units will make too much noise.  There will be 8 tenants.  Most likely students.	Not a planning issue.

Topic Item	Comments and Questions	Response
	There will be door slamming.	
Garbage	There are already mice and rats in the area.	Garbage will be managed.
Quality	We do not want low-quality development.	The proposed buildings are subject to a building permit, which has building standards.
Fit and Enjoyment	We are all retirees. This does not fit.  This will reduce the enjoyment of the neighbourhood.  Less green space.  Increase in stress after work.	Proposed elevations have been provided.
Height	What is required?	9.0 m is required, and 6.0 m (2 storeys – raised ranch style dwelling) is proposed.
Porch	The porch should not be allowed to encroach.	Any front yard or required rear yard – 2.50 m (max) and 1.20 m (min)
Alley	Will you be using the alley?	No, the alley is not included in the proposed development.
Infrastructure	There will be a strain on services, such as hydro and sewers.	Full services are available.
Design	Consider a wider driveway and removing the porch.	The concept plan will be reviewed.

Based on the comments received, the concept plan has been amended.

## **4.0 APPLICATION AND STUDIES**

Pre-consultation (stage 1) was completed by the Applicant (City File #PC-059/23).

Comments were received and have been incorporated into this PRR.

The proposed development requires an application for a Zoning By-law Amendment (ZBA).

The following explains the purpose of the application as well as a summary of the required support studies.

### **4.1 Zoning By-law Amendment**

A site-specific Zoning By-law Amendment (ZBA) is required in support of the proposed development.

The current zoning of the Site, subject to development, is the Residential District 1.4 (RD1.4) zone category, as shown on Map 8 of the City of Windsor Zoning By-law #8600.

It is proposed to further amend the zoning to Residential District 1.4 (RD1.4 - S.20(1)(XXX)) category to permit a semi-detached dwelling as an additional permitted use.

No site-specific relief from specific regulations is required.

The ZBA is detailed, and the justification is set out in Section 5.1.3 of this PRR.

### **4.2 Other Application**

Once the ZBA application has been approved, the Applicant will proceed with a building permit.

### **4.3 Supporting Studies**

No supporting studies were required as part of the ZBA application.

## 5.0 PLANNING ANALYSIS

### 5.1 Policy and Regulatory Overview

#### 5.1.1 Provincial Policy Statement

The Provincial Policy Statement, 2020 (PPS) provides policy direction on matters of provincial interest related to land use planning and development providing for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environments.

The PPS is issued under Section 3 of the Planning Act and came into effect on May 1, 2020. It applies to all land use planning matters considered after this date.

The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The Site is within a 'Settlement Area', as defined by the PPS.

The following provides a summary of the key policy considerations of the PPS as it relates to the proposed development.

PPS Policy #	Policy	Response
1.0	.....Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns.....	The City has directed growth where the Site is located, which will contribute positively to promoting efficient land use and development patterns.
1.1.1	Healthy, liveable and safe communities are sustained by: a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term; b) accommodating an appropriate affordable and market-based range and mix	The proposed development is consistent with the policy to build strong, healthy, and livable communities as it provides for a new housing choice in an existing built up area.  There are no environmental or public health and safety concerns as the area is established.

PPS Policy #	Policy	Response
	<p>of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs;</p> <p>c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;</p> <p>d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;</p> <p>e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;</p> <p>f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;</p> <p>h) promoting development and land use patterns that conserve biodiversity;</p>	<p>The development pattern does not require expansion of the settlement area.</p> <p>The Site has access to full municipal services.</p> <p>Accessibility of units will be addressed at the time of the building permit.</p> <p>Public service facilities are available, such as local schools.</p> <p>The development pattern is proposed to be an efficient development of land.</p> <p>Existing semi-detached dwellings are permitted in the area. Also, ADUs are permitted as of right.</p>

PPS Policy #	Policy	Response
	g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.	
1.1.3.1	Settlement areas shall be the focus of growth and development.	The Site is within an existing settlement area.
1.1.3.2	<p>Land use patterns within settlement areas shall be based on densities and a mix of land uses which:</p> <ul style="list-style-type: none"> <li>a) efficiently use land and resources;</li> <li>b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;</li> <li>c) minimize negative impacts to air quality and climate change, and promote energy efficiency;</li> <li>d) prepare for the impacts of a changing climate;</li> <li>e) support active transportation;</li> <li>f) are transit-supportive, where transit is planned, exists or may be developed; and</li> <li>g) are freight-supportive.</li> </ul>	<p>The Site offers an opportunity for intensification.</p> <p>The design and style of the proposed building will blend well with the scale and massing of the existing surrounding area.</p> <p>Residents will have immediate access to local amenities.</p> <p>Transit is available for the area.</p> <p>The Site is located close to major roadways.</p>

PPS Policy #	Policy	Response
1.1.3.3	<p>Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.</p>	<p>The proposed development is located on a Site that is physically suitable.</p> <p>The Site is generally level, which is conducive to easy vehicular movements.</p> <p>The intensification can be accommodated for the proposed development as it is an appropriate development of the Site.</p> <p>Parking will be provided on-site (including private garages).</p>
1.1.3.4	<p>Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.</p>	<p>The proposed building will be built with a high standard of construction.</p> <p>There will be no risks to the public.</p>
1.1.3.6	<p>New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.</p>	<p>The proposed development does have a compact built form.</p> <p>The proposed building size will allow for the efficient use of land, pedestrian and vehicle access, infrastructure, and public services.</p>
1.4.1- Housing	<p>To provide for an appropriate range and mix of housing options and densities required to meet projected</p>	<p>The proposed development is consistent with the PPS in that it provides for a new housing choice.</p>

PPS Policy #	Policy	Response
	<p>requirements of current and future residents of the regional market area, planning authorities shall:</p> <p>a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and</p> <p>b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.</p>	<p>The proposed development will make efficient use of land, resources, existing infrastructure, and public service facilities by increasing the number of residential dwelling units within the settlement area.</p> <p>The proposed development encourages the utilization of existing transit stops located close to the Site to meet the health and well-being of future residents.</p> <p>The proposed development will provide for an infill and intensification opportunity in the existing built-up area.</p> <p>Municipal services are available.</p>
1.4.3	<p>Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area.</p>	<p>The proposed development provides for a new housing choice and utilizes the Site in an efficient manner.</p> <p>The development will allow a new building to be used for residential purposes. This will address the need for housing in the area.</p> <p>The proposed density is appropriate and will have a positive impact on the area. Existing semi-detached</p>



PPS Policy #	Policy	Response
		<p>dwelling are permitted in the area. Also, ADUs are permitted as of right.</p> <p>The Site is close to nearby amenities.</p> <p>There is suitable infrastructure, including transit.</p>
1.6.1 - Infrastructure	Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.	The development can proceed on full municipal services.
1.6.6.2	Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.	The proposed development will be serviced by municipal sewer, water and storm, which is the preferred form of servicing for settlement areas.
1.6.6.7	<p>Planning for stormwater management shall:</p> <p>a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and</p>	There will be no negative impacts on the municipal system, and it will not add to the capacity in a significant way.

PPS Policy #	Policy	Response
	<p>financially viable over the long term;</p> <p>b) minimize, or, where possible, prevent increases in contaminant loads;</p> <p>c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;</p> <p>d) mitigate risks to human health, safety, property and the environment;</p> <p>e) maximize the extent and function of vegetative and pervious surfaces; and</p> <p>f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.</p>	<p>There will be no risk to health and safety.</p> <p>There are no natural heritage features located on the Site.</p>
1.6.7.1	<p>Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.</p>	<p>The Site is in close proximity to major roadways.</p>
1.6.7.2	<p>Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand</p>	<p>The proposed development contributes to the City's requirements for development within a built-up area.</p>

PPS Policy #	Policy	Response
	management strategies, where feasible.	The area is serviced by transit.
1.6.7.4	A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.	The proposed development is near many local amenities, and residents would not have to travel far to access necessities.  The density is appropriate for the surrounding area.
2.2.1 - Water	Planning authorities shall protect, improve or restore the quality and quantity of water.	No water issues are anticipated.
3.0 – Healthy and Safety	Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.	There are no natural or human-made hazards.

Therefore, the proposed development is consistent with the PPS and the Province's vision for long-term prosperity and social well-being.

### 5.1.2 Official Plan

The City of Windsor Official Plan (OP) was adopted by Council on October 25, 1999, approved in part by the Ministry of Municipal Affairs and Housing (MMAH) on March 28, 2000, and the remainder approved by the Ontario Municipal Board (OMB) on November 1, 2002. The office consolidation version is dated September 7, 2012.

The OP implements the PPS and establishes a policy framework to guide land use planning decisions related to development and the provision of infrastructure and community services throughout the City.

The Site is part of the South Windsor Planning Area, as shown on Schedule A: Planning Districts & Policy Areas.

The current land use designation of the Site, subject to development, is ' Residential', as shown on Schedule D: Land Use Plan of the City of Windsor Official Plan (see Figure 3 –OP).

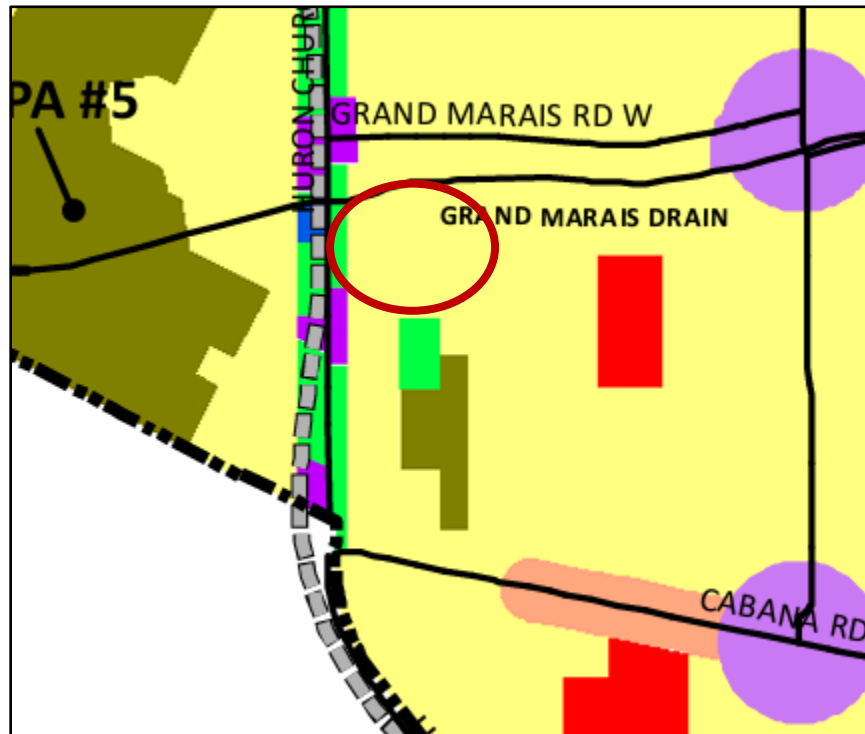


Figure 3 – OP

The Site is also subject to the following:

- adjacent to a Recreationway (namely California Avenue) on Schedule B - Greenway System, and
- within proximity to a Regional Institutional Centre (namely St. Clair College) on Schedule J - Urban Structure Plan.

The following provides a summary of the key policy considerations of the OP as it relates to the proposed development.

OP Policy #	Policy	Response
3.2.1.2	Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives.	The proposed residential development supports one of the City's overall development strategies of providing for a range of housing types.

<b>OP Policy #</b>	<b>Policy</b>	<b>Response</b>
4.0 – Healthy Community	The implementing healthy community policies are interwoven throughout the remainder of the Plan, particularly within the Environment, Land Use, Infrastructure and Urban Design chapters, to ensure their consideration and application as a part of the planning process.	<p>The proposed development will support the City's goal of promoting a healthy community in order to live, work, and play.</p> <p>The proposed development is close to nearby transit, employment, shopping, local amenities, and parks.</p>
6.0 - Preamble	A healthy and livable city is one in which people can enjoy a vibrant economy and a sustainable healthy environment in safe, caring and diverse neighbourhoods. In order to ensure that Windsor is such a city, Council will manage development through an approach which balances environmental, social and economic considerations.	The proposed development supports the policy set out in the OP as it is suited for addressing the residential needs of the City.
6.1 - Goals	<p>In keeping with the Strategic Directions, Council's land use goals are to achieve:</p> <p>6.1.1 Safe, caring and diverse neighbourhoods.</p> <p>6.1.3 Housing suited to the needs of Windsor's residents.</p> <p>6.1.10 Pedestrian oriented clusters of residential, commercial, employment and institutional uses.</p>	<p>The proposed development supports the goals set out in the OP.</p> <p>The proposed residential use will provide a new housing choice in an existing built-up area.</p>
6.1.14 – Residential Intensification	To direct residential intensification to those areas of the City where transportation, municipal services, community facilities and goods and services are readily available.	The Site is in close proximity to nearby transit, transportation corridors and local amenities.

OP Policy #	Policy	Response
6.2.1.2 – General Policies, Types of Development Profile	<p>For the purpose of this Plan, Development Profile refers to the height of a building or structure. Accordingly, the following Development Profiles apply to all land use designations on Schedule D: Land Use unless specifically provided elsewhere in this Plan:</p> <p><b>(a) Low Profile developments are buildings or structures generally no greater than three (3) storeys in height;</b></p> <p>(b) Medium Profile developments are buildings or structures generally no greater than six (6) storeys in height; and</p> <p>(c) High Profile developments are buildings or structures generally no greater than fourteen (14) storeys in height.</p>	The proposed development is considered a <b>low profile</b> development as it is proposed to have 2 storeys.
6.3 - Residential	The lands designated as "Residential" on Schedule D: Land Use provide the main locations for housing in Windsor outside of the City Centre Planning District. In order to develop safe, caring and diverse neighbourhoods, opportunities for a broad range of housing types and complementary services and amenities are provided. The following objectives and policies establish the framework for development decisions in Residential areas.	The Site is designated Residential.

OP Policy #	Policy	Response
6.3.1.1 –Range and Forms & Tenures	To direct residential intensification to those areas of the City where transportation, municipal services, community facilities and goods and services are readily available.	The Site has access to full municipal services and local amenities.  Tenure to be confirmed at a later date.
6.3.1.2 - Neighbourhoods	To promote compact neighbourhoods which encourage a balanced transportation system.	The proposed development will help promote a more compact neighbourhood.
6.3.1.3 – Intensification, Infill and Redevelopment	To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.	Existing semi-detached dwellings are permitted in the area. Also, ADUs are permitted as of right.
6.3.2.1 – Permitted Uses	Uses permitted in the Residential land use designation identified on Schedule D: Land Use include <b>Low Profile</b> , 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.	Residential is proposed.
6.3.2.3 – Types of Low Profile Housing	For the purposes of this Plan, Low Profile housing development is further classified as follows: (a) small scale forms: single detached, <b>semi-detached, duplex</b> and row and multiplexes with up to 8 units; and (b) large scale forms: buildings with more than 8 units.	The proposed development is considered small scale.
6.3.2.4 – Location Criteria	Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up to four (4) storeys in height shall be	The Site is appropriately located within an existing built-up area.  The Site is located close to transit and major transportation corridors.

OP Policy #	Policy	Response
	<p>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.</p>	<p>The Site is located near local amenities.</p>
<p>6.3.2.5 – Evaluation Criteria (For a Neighbourhood Development Pattern)</p>	<p>At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern 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; (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; and (v) adjacent to heritage resources. (b) in keeping with the goals, objectives and</p>	<p>This PRR has addressed the provisions of the OP and provincial legislation.</p> <p>There are no development constraint areas.</p> <p>There are no secondary plans that impact the Site.</p> <p>The proposed development will include pedestrian connections, landscaping, and private amenity space.</p> <p>The proposed scale and massing do not cause any negative impact on the enjoyment of abutting properties.</p> <p>The proposed building will provide an appropriate transition between uses, including an appropriate amount of setbacks.</p> <p>All setbacks comply to the zoning regulations.</p>



OP Policy #	Policy	Response
	<p>policies of any secondary plan or guideline plan affecting the surrounding area; (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; (d) provided with adequate off street parking; (e) capable of being provided with full municipal physical services and emergency services; and (f) Facilitation 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.</p>	
7.0 - Infrastructure	<p>The provision of proper infrastructure provides a safe, healthy and efficient living environment. In order to accommodate transportation and physical service needs in Windsor, Council is committed to ensuring that infrastructure is provided in a sustainable, orderly and coordinated fashion.</p>	<p>The proposed development is close to nearby transit, off a major roadway, and has access to full municipal services.</p>
8.1 – Urban Design	<p>A memorable, attractive and liveable city is one where</p>	<p>The final design of the proposed building will be</p>

OP Policy #	Policy	Response
	<p>people feel comfortable and are inspired by their surroundings. The physical systems and built form of the city are also designed to protect, maintain and improve the quality of life for present and future generations by integrating the principles of sustainability and place making. In order for Windsor to be such a city, Council is committed to urban design principles that enhance the enjoyment and image of Windsor and its people.</p>	<p>addressed as part of Building Permit approval.</p>
<p>8.7.2.3 – Built Form, infill development</p>	<p>Council will ensure that proposed development within an established neighbourhood is designed to function as an integral and complementary part of that area's existing development pattern by having regard for:</p> <ul style="list-style-type: none"> <li>(a) massing;</li> <li>(b) building height;</li> <li>(c) architectural proportion;</li> <li>(d) volumes of defined space;</li> <li>(e) lot size;</li> <li>(f) position relative to the road;</li> <li>(g) building area to site area ratios;</li> <li>(h) the pattern, scale and character of existing development;</li> <li>(i) exterior building appearance; and</li> <li>(j) Council adopted Design Guidelines that will assist in the design and review of applications for development in accordance with the policies noted above</li> </ul>	<p>The proposed development will be a natural integration of the established area.</p> <p>The proposed building will provide an appropriate transition.</p> <p>Massing – the proposed building will be limited to 2 storeys, which will blend well with the low profile scale and massing of the existing surrounding area.</p> <p>Building height – there are no impacts on privacy or shadowing on abutting properties based on the proposed building height.</p> <p>Architectural proportion – the proposed visual effect of the relationship of the proposed development will blend well with the immediate area.</p> <p>Volume of defined space – the proposed design and layout of</p>

OP Policy #	Policy	Response
		<p>the development includes appropriate setbacks and lot coverage.</p> <p>Lot size – the existing parcel size and the proposed density are appropriate for the development.</p> <p>Building area – appropriate lot coverage is proposed. The proposed building will not negatively impact the private use and enjoyment of area residents.</p> <p>Pattern, scale, and character – the style of development will blend well with the scale and massing of the existing low profile surrounding area.</p> <p>Exterior building appearance – the proposed building will be designed professionally and aesthetically pleasing.</p>

Therefore, the proposed development will conform with the purpose and intent of the City of Windsor OP.

**5.1.3 Zoning By-law**

The City of Windsor Zoning By-law (ZBL) #8600 was passed by Council on July 8, 2002, and then a further Ontario Municipal Board (OMB) decision was issued on January 14, 2003.

A ZBL implements the PPS and the City OP by regulating the specific use of property and providing for its day-to-day administration.

According to Map 8 attached to the ZBL the Site is currently zoned Residential District 1.4 (RD1.4) category (see Figures 4 – ZBL).



Figure 4 – ZBL

A site-specific ZBA is required for the proposed development to permit a semi-detached dwelling as an additional permitted use.

*SEMI-DETACHED DWELLING means one dwelling divided vertically into two dwelling units by a common interior wall having a minimum area above grade of 10.0 sq. m., and may include, where permitted by Section 5.99.80, up to two additional dwelling units.*

*An additional dwelling unit is a separate residential dwelling unit consisting of a separate access, kitchen, washroom, and living space that is located within a single detached, semi-detached, duplex dwelling, or rowhouse dwelling (i.e. the primary dwelling unit) or a building accessory to the primary dwelling unit located on the same lot (OP Policy 6.3.2.22).*

It is proposed to further amend the zoning to Residential District 1.4 (RD1.4 - S.20(1)(XXX)) category to permit a semi-detached dwelling.

A review of the RD1.4 zone provisions, as set out in Section 10.3 of the ZBL is as follows:

Zone Regulations	Required RD1.4 Zone (semi-detached dwelling)	Proposed	Compliance and/or Relief Requested with Justification
Permitted Uses	Existing Duplex Dwelling <b>Existing Semi-Detached</b> Dwelling One Single Unit Dwelling Any use accessory to the preceding uses	Two new semi-detached dwelling (one on each lot)	Complies with the approval of the site specific ZBA to permit anew semi-detached dwelling as an additional permit use.
Additional Dwelling Units (Section 5.99.80.1)	For any zoning district that permits a single unit dwelling, <b>semi-detached dwelling</b> , duplex dwelling, or townhome dwelling, the following additional provisions shall apply: .1 Additional Permitted Uses <b>a) Two additional dwelling units shall be permitted on a parcel of urban residential land.</b> This may be either: i. Two additional dwelling units within the primary dwelling unit located in the main building, or ii. One additional dwelling unit in the primary dwelling unit located in the main building and one additional dwelling unit in a building accessory to said dwelling.	1 ADUs within each semi detached dwelling	Complies
Lot Width – minimum	15.0 m	18.288 m (each lot)	Complies

Zone Regulations	Required RD1.4 Zone (semi-detached dwelling)	Proposed	Compliance and/or Relief Requested Justification with
Lot Area – minimum	450.0 m <sup>2</sup>	574.14 m <sup>2</sup> (each lot)	Complies
Lot Coverage – maximum	45.0 %	40.15 %	Complies
Main Building Height - maximum	9.0 m	6.0 m (2 storeys – raised ranch style dwelling)	Complies
Front Yard Depth – minimum	6.0 m	8.406 m	Complies
Porch Encroachment (Table 5.30.10.60)	Any front yard or Required rear yard – 2.50 m (max) and 1.20 m (min)	6.685 m	Complies
Rear Yard Depth – minimum	7.50 m	7.62 m	Complies  Note: Rear yard depth will comply and no reduced is required
Side Yard Width – minimum	1.20 m	1.524 m	Complies
Gross Floor Area – Main Building– maximum	400 m <sup>2</sup>	399.99 m <sup>2</sup>	Complies
Dwelling – Semi-Detached & Townhomes - Additional Provisions (Section 5.23.1)	For a dwelling unit in a semi-detached dwelling or in a townhome dwelling, a <b>door that opens to the rear yard</b> shall be located a minimum of 1.20 m from the centreline of the common wall between the dwelling units.	N/A – no door that opens to the rear yard	Complies

Zone Regulations	Required RD1.4 Zone (semi-detached dwelling)	Proposed	Compliance and/or Relief Requested with Justification
Dwelling – Semi-Detached & Townhomes - Additional Provisions (Section 5.23.5)	<p>When a lot on which a semi-detached dwelling or townhome dwelling has been erected and is subsequently severed by a common interior lot line that separates the dwelling units, for each dwelling unit the following additional provisions shall apply:</p> <p>1 Lot Width – minimum – equal to the width of the dwelling unit plus any exterior side yard <b>as existing at the time of the lot severance</b></p> <p>2 Lot Area – minimum – <b>as existing at the time of the lot severance</b></p> <p>3 Lot Coverage – Total – <b>maximum – 50% of lot area</b></p> <p>7 An interior side yard shall not be required along the common interior lot line for that part of the dwelling unit lawfully existing at</p>	TBD	Complies

Zone Regulations	Required RD1.4 Zone (semi-detached dwelling)	Proposed	Compliance and/or Relief Requested with Justification
	the time of the lot severance		
Parking Requirements 24.20.5.1	Semi-detached - 1 for each dwelling unit = 2  ADU – 1 for the first dwelling unit and 1 for the second and 0 for the third = 2  TOTAL = 3	4 (includes private garage)	Complies  Note: Increased garage interior width to 3.5 m

Therefore, the proposed development will comply with all zone provisions set out in the RD1.4 Zone and no site-specific relief is required.



## **6.0 SUMMARY AND CONCLUSION**

### **6.1 Context and Site Suitability Summary**

#### **6.1.1 Site Suitability**

The Site is ideally suited for residential development for the following reasons:

- The land area is sufficient to accommodate the proposed development,
- The Site is generally level,
- The Site will be able to accommodate municipal water, storm and sewer systems,
- There are no anticipated traffic or parking concerns, and
- The location of the proposed development is appropriate.

#### **6.1.2 Compatibility of Design**

The proposed development will be limited to a 2 storey (raised-ranch style), low profile (small scale) dwelling, which is a compatible density for the Site and with the surrounding area.

The proposed residential use will provide a new housing choice in an existing built-up area.

The design of the proposed building will address compatibility.

The Site is capable of accommodating the proposed development in terms of scale, massing, height, and siting.

Parking, amenity areas, and landscaping will be provided.

#### **6.1.3 Good Planning**

The proposal represents good planning as it addresses the need for the development of a parcel of land, which contributes to affordability and intensification requirements.

Residential use on the Site represents an efficient development pattern that optimizes the use of land.

#### **6.1.4 Environment Impacts**

The proposal does not have any negative impact on the natural environment.

#### **6.1.5 Municipal Services Impacts**

There will be no negative impacts on the municipal system as the proposed use will not add to the capacity in a significant way.

### **6.1.6 Social, Cultural, and Economic Conditions**

The proposed development does not negatively affect the social environment as the Site is in close proximity to major transportation corridors and nearby amenities.

Infilling in an existing built-up area of the City contributes toward the goal of 'live, work and play' where citizens share a strong sense of belonging and a collective pride of place.

The proposed development promotes efficient development and land use patterns which sustains the financial well-being of the Municipality.

The proposal does not cause any public health and safety concerns.

The proposal represents a cost-effective development pattern that minimizes land consumption and servicing costs.

There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal infilling opportunity.

There are no cultural heritage resources that impact the Site.

## **6.2 Conclusion**

In summary, it would be appropriate for the City of Windsor to approve the ZBA application to permit the proposed development on the Site.

This PRR has shown that the proposed development is consistent with the PPS, conforms with the intent and purpose of the OP and ZBL and represents good planning.

The report components for this PRR have set out the following, as required under the City of Windsor OP:

*10.2.13.2 Where a Planning Rationale Report is required, such a study should:*

- (a) Include a description of the proposal and the approvals required;*
- (b) Describe the Site's previous development approval history;*
- (c) Describe major physical features or attributes of the Site including current land uses(s) and surrounding land uses, built form and contextual considerations;*
- (d) Describe whether the proposal is consistent with the provincial policy statements issued under the Planning Act;*
- (e) Describe the way in which relevant Official Plan policies will be addressed, including both general policies and site-specific land use designations and policies;*
- (f) Describe whether the proposal addresses the Community Strategic Plan;*

*(g) Describe the Suitability of the Site and indicate reasons why the proposal is appropriate for this Site and will function well to meet the needs of the intended future users;*

*(h) Provide an analysis of the compatibility of the design and massing of the proposed developments and land use designations;*

*(i) Provide an analysis and opinion as to why the proposal represents good planning, including the details of any methods that are used to mitigate potential negative impacts;*

*(j) Describe the impact on the natural environment;*

*(k) Describe the impact on municipal services;*

*(l) Describe how the proposal will affect the social and/or economic conditions using demographic information and current trends; and,*

*(m) Describe areas of compliance and non-compliance with the Zoning By-law.*

**Planner's Certificate:**

I hereby certify that this report was prepared by Tracey Pillon-Abbs, a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.



**Tracey Pillon-Abbs, RPP  
Principal Planner**





Committee Matters: SCM 338/2024

**Subject: Zoning By-Law Amendment Z027-24 (ZNG/7230) - Marko Agbaba – 180 California Avenue, Ward 2**

Moved by: Councillor Mark McKenzie

Seconded by: Member Anthony Arbour

Decision Number: **DHSC 671**

I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of PLAN 804 LOT 5 and PART 7 on 12R22710, situated on the east side of California Avenue between Riverside Drive East and University Avenue, known municipally as 180 California Avenue, by adding a site-specific exception to Section 20(1) as follows:

**XX. EAST SIDE OF California Avenue, south of Riverside DR E**

For the lands comprising of PLAN 804 LOT 5; the following additional regulations shall apply:

- |       |   |                      |
|-------|---|----------------------|
| 1) a) | Lot Width – minimum                               | 13.5 m               |
| b)    | Lot Coverage – maximum                            | 46.5%                |
| c)    | Gross Floor Area – <i>Main Building</i> – maximum | 758.0 m <sup>2</sup> |

(ZDM 3)

II. THAT the H symbol **SHALL APPLY** to PLAN 804 LOT 5 and PART 7 on 12R22710, situated on the east side of California Avenue between Riverside Drive East and University Avenue, known municipally as 180 California Avenue and that Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following clause to Section 95.20:

- (12) a) Stage 1 Archaeological Assessment to the satisfaction of the Heritage Planner.

Carried.

Report Number: S 145/2024  
Clerk's File: Z/14866

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 7.2 from the Development & Heritage Standing Committee held on November 4, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241105/-1/10519>

**Subject: Zoning By-Law Amendment Z027-24 (ZNG/7230) - Marko Agbaba – 180 California Avenue, Ward 2**

**Reference:**

Date to Council: November 4, 2024  
Author: Diana Radulescu  
Planner II – Development Review  
T. (519) 255-6543 x 6918  
E. dradulescu@citywindsor.ca  
Planning & Building Services  
Report Date: October 17, 2024  
Clerk's File #: Z/14866

**To:** Mayor and Members of City Council

**Recommendation:**

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of PLAN 804 LOT 5 and PART 7 on 12R22710, situated on the east side of California Avenue between Riverside Drive East and University Avenue, known municipally as 180 California Avenue, by adding a site-specific exception to Section 20(1) as follows:

**XX. EAST SIDE OF California Avenue, south of Riverside DR E**

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(ZDM 3)

- II. THAT the H symbol **SHALL APPLY** to PLAN 804 LOT 5 and PART 7 on 12R22710, situated on the east side of California Avenue between Riverside Drive East and University Avenue, known municipally as 180 California Avenue and that Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following clause to Section 95.20:

- (12) a) Stage 1 Archaeological Assessment to the satisfaction of the Heritage Planner.

**Executive Summary:**

N/A

**Background:**

**Application Information**

**Municipal Address:** 180 California Avenue

**Ward:** 2      **Planning District:** River West      **Zoning District Map:** 3

**Applicant/Agent:** Lassaline Planning Consultants (Jackie Lassaline)

**Owner:** Marko Agbaba

**Submitted Materials:** Attached to Report S 145/2024 as an Appendix:

- Appendix A - Conceptual Site Plan
- Appendix B - Conceptual Elevations
- Appendix C - Conceptual Floor Plans
- Appendix D - Planning Rationale Report
- Appendix E – Comments
- Appendix F – Site Photos
- Appendix G – Zoning Analysis

**Proposal:**

The applicant is proposing to construct a 757.4m<sup>2</sup> (total GFA) semi-detached building with up to 6 dwelling units (each section of the building is proposed to contain one main unit and two additional dwelling units). The applicant is requesting an amendment to Zoning By-law 8600 to add a site-specific exception to the existing zoning designation of Residential District 2.2 (RD2.2) to allow for a reduction in the

minimum lot width and rear yard setback, and an increase in maximum lot coverage and maximum gross floor area (GFA).

The development as proposed is not subject to Site Plan Control. All plans, elevations and renderings are conceptual and subject to change.

**Site Information**

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Residential	Residential District 2.2 (RD2.2)	Single detached dwelling	Residential
LOT FRONTAGE	LOT DEPTH	LOT AREA	LOT SHAPE
13.72 m	36.18 m	469 m <sup>2</sup>	Rectangular
<i>All measurements are provided by the applicant and are approximate.</i>			

Figure 1: Key Map



KEY MAP - Z-027/24, ZNG/7230



● SUBJECT LANDS



Figure 2: Neighbourhood Map



NEIGHBOURHOOD MAP - Z-027/24, ZNG/7230



SUBJECT LANDS

## Neighbourhood:

Site images are provided in Appendix F and Section 1 of the Planning Rationale Report (Appendix D).

The subject parcel is located within a Mature Neighbourhood with low, medium and high profile residential uses, commercial and institutional uses (academic and religious institutions) as well as public parks.

To the west are a mix of low and medium profile residential uses, commercial uses and academic buildings. To the east are low and medium profile residential, a public park and public pool. To the south are several religious institutions, the University of Windsor main campus, low to high profile residential and commercial uses. To the north is Riverside Drive West, the Windsor Sculpture Park and the Detroit River.

The Essex Terminal Railway is located approximately 1.14 km to the south.

The neighbourhood includes the University of Windsor main campus and associated colleges, which are designated as a Regional Institutional Centre on *Schedule J - Urban Structure Plan* of the Official Plan. The Canada Benson Academy (high school) is 1km to the southeast.

There are several parks nearby including Ernest Atkinson Soccer Park, Atkinson Pool and Ryan Barron Memorial Skate Park 200 m to the east, Windsor Sculpture Park 100m to the north and Assumption Park 330 m to the west. The nearest libraries are the University of Windsor Leddy Library 260m to the southwest and Windsor Public Library's Central Branch 2.3 km to the east.

California Avenue is classified as a Local Road per *Schedule F: Roads and Bikeways* and has two travel lanes with curbs and sidewalks on both sides with alternate on-street parking. University Avenue West is classified as a Class 1 Arterial Road and has two travel lanes with curbs and sidewalks on both sides of the road with on-street parking. It is designated a Recreationway as per *Schedule B - Greenway System* and a Main Street as per *Schedule G - Civic Image*. Riverside Drive West is recognized as a Scenic Drive as per *Schedule F - Roads & Bikeways* and a Civic Way as per *Schedule G - Civic Image*.

Active transportation infrastructure in the form of bikes lanes is available along University Avenue West and Riverside Drive West. The City of Windsor Active Transportation Master Plan identifies California Avenue and University Avenue West as high priorities on the Proposed Bicycle Network. University Avenue and Riverside Drive West are designated bikeways as per *Schedule F - Roads & Bikeways*.

Public transit is available via the Transway 1C route along University Avenue West. The closest existing bus stop to this property is located on University at California southeast corner. This bus stop is approximately 170 metres from this property falling within Transit Windsor's 400 metre walking distance guidelines to a bus stop. This will be maintained with Transit Windsor's City Council-approved Transit Master Plan.

The site is serviced by a 300mm combined sewer located within the California Avenue right-of-way.

**Figure 3: Subject Parcel – Rezoning**



PART OF ZONING DISTRICT MAP 3

N.T.S.

## REQUESTED ZONING AMENDMENT

Applicant: Marko Agbaba



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : OCTOBER, 2024  
FILE NO. : Z-027/24, ZNG/7230



## **Discussion:**

### **Planning Rationale Report (Lassaline Planning Consultants Inc. – August 23, 2024)**

The Planning Rationale Report (PRR), attached as Appendix D to Report S 145/2024, notes that *“the proposed infilling of a new semi-detached building that is a comparable building to the neighbourhood makes sound development. The proposed development creating a low profile, 4 square building that is sensitive in design, massing, and style to the existing neighbourhood is appropriate in this location and compatible with the existing residential neighbourhood.”*

The PRR concludes that *“the proposed site specific ZBA to allow for a compatible style, massing and designed building is sound and represents a complimentary and compact built form of housing alternative styles and tenure that supports a healthy community.”* The Planning Department generally concurs with the PRR.

### **Urban Design Brief (Section 5.0, Planning Rationale Report, Lassaline Planning Consultants – August 23, 2024)**

The Urban Design Brief included in Section 5 of the PRR noted that *“the details of the building such as the red brick front facade, the front veranda/porch, the black roof, etc make for a building that is sensitive to the neighbourhood existing building form and provides for details that are sensitive to the existing important heritage built form.”*

It further noted that *“the new residential building has been designed with a sensitivity to the heritage buildings presently across the street and adjacent on the street. The new residential building is a four-square style residence, height, comparable in design, sensitivity to the Arts and Crafts period, and massing to other residential buildings on the street, particularly across the street and next door.”*

It concluded that *“the proposed built form is consistent in massing, height and number of units with the neighbourhood.”* The Planning Department generally concurs with the Urban Design Brief.

### **Provincial Planning Statement (2024)**

The Provincial Planning Statement (PPS) provides direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario. An update to the PPS came into effect on October 20, 2024, which replaces the previous PPS from 2020. Subject to any possible transitional provisions, all municipal decisions, as well as advice, comments and submissions shall now be consistent with the PPS 2024. Due to the date of the submitted application, the Planning Rationale Report (Appendix D) was written with analysis of the PPS 2020. This report includes an analysis of PPS 2024. Planning Staff are of the opinion that the proposed development is in line with both PPS 2020 and PPS 2024.

Policy 2.1.6 of PPS 2024 states that *“complete communities”* shall be supported by *“accommodating an appropriate range and mix of land uses, housing options, ... and other uses to meet long-term needs”, “improving accessibility for people of all ages and*

*abilities”, and “improving social equity and overall quality of life for people of all ages, abilities, and incomes”.*

The proposed semi-detached dwelling will provide a form of housing that is appropriate in terms of the range and mix of the surrounding neighbourhood context. It represents an appropriate housing option that will meet long-term needs, and improves accessibility, social equity & overall quality of people of all ages, abilities, & incomes. The proposed amendment is consistent with Policy 2.1.6 of the PPS.

Policy 2.2 requires that an *“appropriate range and mix of housing options and densities”* be provided by *“permitting and facilitating...all housing options required to meet the social, health, economic and well-being requirements of current and future residents...and all types of residential intensification ... development and introduction of new housing options within previously developed areas”*. Densities should promote the efficient use of land and infrastructure and support the use of active transportation.

Policy 2.3.1 provides general policies for settlement areas. Growth should be focused in the settlement area. Land use patterns should be based on the efficient use of land and resources, optimizing existing and planned infrastructure, and supporting multimodal transportation.

The proposed semi-detached dwelling represents a housing option that will meet the various requirements of current and future residents, is a type of residential intensification, and promotes the efficient use of land, resources, and infrastructure. Transit and active transportation options are or will be available. The proposed amendment is consistent with Policy 2.2 and Policy 2.3.1.

Policy 2.9 requires that the impacts of a changing climate and reduction in greenhouse gas emissions shall be supported with compact, transit-supportive, and complete communities, consider stormwater management systems, and promote active transportation.

The proposed semi-detached dwelling is a residential infill and intensification project, thereby not requiring settlement area expansion. It is a compact development with access to existing and planned transit and active transportation and is located within an area that is serviced by municipal sewage and water services. The proposed amendment is consistent with Policy 2.9.

The proposed development of a semi-detached dwelling represents an efficient development and land use pattern that will have no adverse impact on the financial well-being of the City of Windsor, land consumption and servicing costs, accommodates an appropriate range of residential uses, and optimizes existing investments in transit and infrastructure. There are no anticipated environmental or public health and safety concerns with the proposed use of land.

The agent indicates that the objectives of the PPS have been considered and have informed their professional planning opinion and concept design for the project site. These objectives are discussed in the Planning Rationale Report (Appendix D). Planning & Development Services generally concurs with this and is of the opinion that the proposed amendment to Zoning Bylaw 8600 is consistent with the PPS 2024.

## **City of Windsor Official Plan**

The subject property is located within the River West Planning District in *Schedule A – Planning Districts & Policy Areas* of Volume I of the Official Plan.

The subject parcel has a Residential land use designation in *Schedule D – Land Use Plan*. Section 6.3.2.1 stipulates that low profile and medium profile dwelling units are permitted within the Residential land use designation. The proposed development of a semi-detached dwelling is classified as a Low Profile development under Section 6.2.1.2 (a) and is compatible and complementary with the surrounding land uses (Section 6.3.2.5 (c)). The development is of a scale that is compatible with the profile and uses of the surrounding neighbourhood. No deficiencies in municipal physical and emergency services have been identified (Section 6.3.2.5 (e)). The proposed rezoning conforms to the policies in Sections 6.3.2 of the Official Plan.

The Official Plan has policies that encourage redevelopment and intensification. Objective 6.3.1.1 supports a complementary range of housing forms and tenures in all neighbourhoods. Objective 6.3.1.2 seeks to promote compact neighbourhoods and balanced transportation systems. Objective 6.3.1.3 seeks to promote selective residential redevelopment, infill and intensification initiatives. The proposed low profile semi-detached dwelling represents a complementary and compact form of housing, redevelopment, and intensification that is located near active and public transportation. The proposed rezoning satisfies the objectives set out in Section 6.3.1 of the Official Plan.

The subject parcel is located within a Mature Neighbourhood as per the *Schedule A-1 - Special Policy Areas* of the Official Plan. The Official Plan has policies to ensure development within Mature Neighbourhoods is consistent with the streetscape, architectural style and materials, landscape character and setbacks (6.3.2.5(c)). Objectives 6.3.2.24(e) and 6.3.2.29 seek to ensure that additional dwelling units (ADUs) within Mature Neighbourhoods are compatible and complementary to the character of the neighbourhood. The proposed development encapsulates all dwelling units within the footprint of the main building, which has been designed to complement the character of the Mature Neighbourhood as outlined in Section 5 of the PRR (Appendix D). Objective 1.52 of *Chapter 1 - Special Policy Areas* of Volume II of the Official Plan identifies Mature Neighbourhoods as heritage resources and seeks to protect cultural heritage. The proposed rezoning satisfies the Mature Neighbourhood objectives of the Official Plan.

The proposed amendment to Zoning By-law 8600 will conform to the general policy direction of the Official Plan. Planning and Development Services generally concurs with the Official Plan analysis in Section 8 of the PRR submitted by the Applicant (Appendix D).

## **City of Windsor Intensification Guidelines**

The City of Windsor Intensification Guidelines provide direction for infill and intensification within existing neighbourhood patterns. The intent is to guide new development to become distinctive, while relating harmoniously to the use, scale, architecture, streetscapes, and neighbourhoods of Windsor, as well as meeting the needs of its citizens and visitors.

The subject parcel is located within an established neighbourhood area and a defined Mature Neighbourhood as per the Official Plan. The PRR notes that “there are existing buildings in the neighbourhood of a similar size, scale, and massing to the proposed development.”

Planning and Development Services is of the opinion that the proposed rezoning amendment is consistent with the general direction of the Windsor Intensification Guidelines.

### **Zoning By-Law 8600**

The subject land is zoned Residential District 2.2 (RD2.2) which permits the construction of a semi-detached dwelling. The applicant is requesting a rezoning to add a site-specific exception to allow for a reduction in the minimum lot width and an increase in maximum lot coverage and maximum gross floor area (GFA).

The Applicant’s request for a change in zoning with site-specific provisions is supported in principle. A discussion of the site specific provisions follows.

Site specific provision a) recognizes a reduced lot width of 13.5m which reflects the existing width of the parcel. Appendix G includes a zoning analysis of comparable parcels within the same block and identifies the reduced lot width to be compatible and complementary with other parcels within the block.

Site specific provision b) recognizes an increase in the maximum lot coverage over the maximum for the RD2.2 zone by 1.5 percent. Appendix G identifies other lot coverages of comparable parcels within the same block. The increased lot coverage is compatible and complementary with other comparable parcels in the block.

Site specific provision c) recognizes an increased maximum gross floor area (GFA) of 758.0 m<sup>2</sup>, which is greater than the maximum for the RD2.2 zone of 400 m<sup>2</sup>. Since the basement is proposed to contain two additional dwelling units (one on each side of the semi-detached dwelling), this has been included in the total GFA count as per Section 5.99.80.5(c)2. of Zoning Bylaw 8600. Without the basement, the applicant has indicated the GFA would be approximately 464 m<sup>2</sup>. Appendix G includes a desktop analysis of GFAs for building within the same block both with and without the inclusion of basement dwelling units. The proposed increased GFA is compatible and complementary with other comparable parcels in the same block.

The applicant has also requested a reduction in the rear yard setback. Since the applicant has purchased a portion of the abutting alleyway, the rear yard setback requirement within Zoning Bylaw 8600 has been met and no exception is required.

The proposed development complies with all other applicable zoning provisions.

### **Site Plan Control**

The proposed semi-detached dwelling is not subject to Site Plan Control.

### **Risk Analysis:**

N/A

## Climate Change Risks

### Climate Change Mitigation:

The proposed dwelling units implement Environmental Master Plan Objective C1: Encourage in-fill and higher density in existing built areas. The subject land is located within an existing neighbourhood on existing municipal services, therefore reducing the impacts of climate change by locating within the existing built-up area. In general, residential intensification minimizes the impact on community greenhouse gas emissions as these developments create complete communities and neighbourhoods while using available infrastructure such as sewers, sidewalks, and public transit.

### Climate Change Adaptation:

The new building may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process. The proposed development of a low-profile semi-detached dwelling provides an opportunity to increase resiliency for the development and surrounding area through supporting a complementary and compact form of housing, redevelopment, and intensification that is near existing and future transit and active transportation options.

### Financial Matters:

N/A

### Consultations:

A virtual Open House was held on June 26, 2024. Notification of this meeting was distributed to residents and property owners within 120m of the subject site. There was one attendee. Details of the Open House are summarized in Section 6 of the PRR (Appendix D).

Comments received from municipal departments and external agencies are attached as Appendix E. Statutory notice was advertised in the Windsor Star. A courtesy notice was mailed to property owners within 200m of the subject lands. Submitted documents were posted on the City of Windsor [website](#).

### Conclusion:

The *Planning Act* requires that a decision of Council in respect of the exercise of any authority that affects a planning matter, “*shall be consistent with*” Provincial Planning Statement 2024. Based on the supporting documents submitted by the Applicant and the analysis in this report, it is my opinion that the requested amendment to Zoning By-law 8600 is consistent with the PPS 2024 and is in conformity with the City of Windsor Official Plan.

The proposed amendment permits a semi-detached dwelling with 6 units which is compatible with existing uses in the surrounding neighbourhood. The proposed development represents an incremental increase in density and provides an opportunity



for residential intensification, while also supporting a complementary form of housing located near multimodal transportation options and institutional uses.

The recommendation to amend Zoning By-law 8600 constitutes good planning. Staff recommend approval.

**Planning Act Matters:**

*Diana Radulescu*

Planner II – Development Review

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

*Greg Atkinson, MCIP, RPP*

*Neil Robertson, MCIP, RPP*

Deputy City Planner - Development

City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP JM

**Approvals:**

<b>Name</b>	<b>Title</b>
Diana Radulescu	Planner II – Development Review
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	City Planner
Aaron Farough	Senior Legal Counsel
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

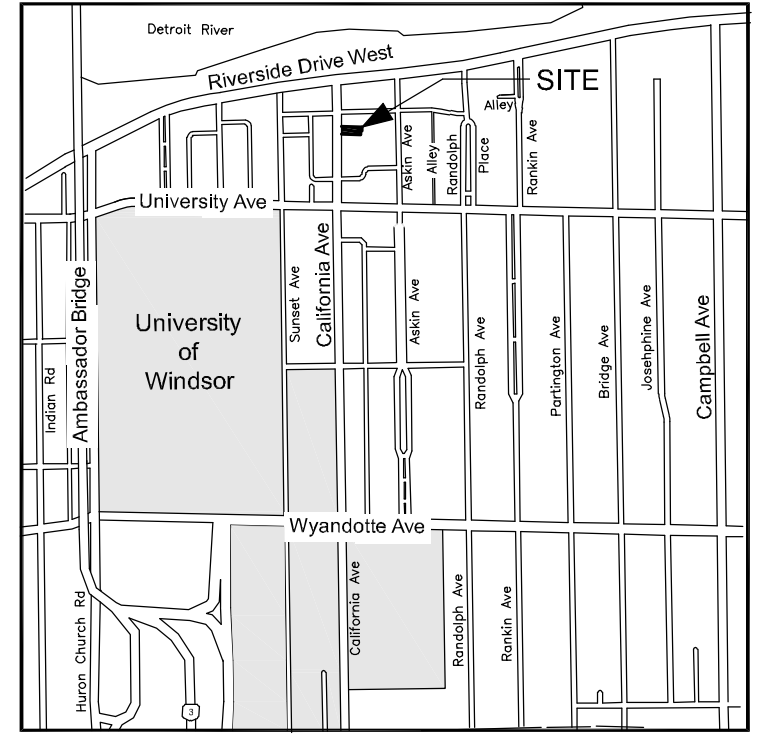
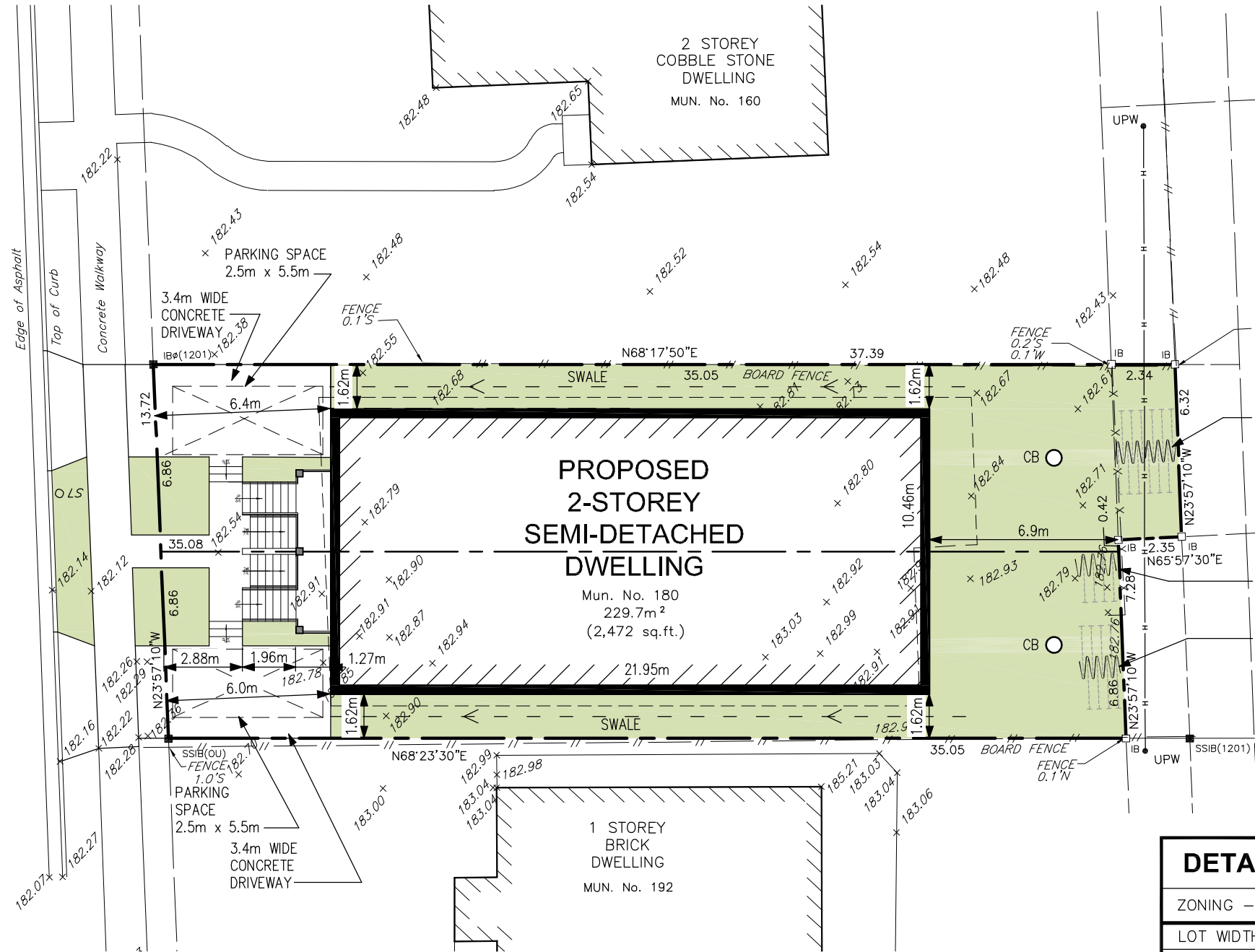
**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
Property owners and tenants within 200 m of the subject lands		

**Appendices:**

1. Appendix A - Conceptual Site Plan
2. Appendix B - Conceptual Elevations
3. Appendix C - Conceptual Floor Plans
4. Appendix D - Planning Rationale Report
5. Appendix E – Comments
6. Appendix F – Site Photos
7. Appendix G – Zoning Analysis

CALIFORNIA AVENUE



Location Map

SCALE: Not to scale

Site Plan

SCALE: 1:200



**LEGAL DESCRIPTION:**  
 LOT 5,  
 REGISTERED PLAN 804,  
 And  
 PART OF ALLEY  
 REGISTERED PLAN 51  
 In The  
 CITY OF WINDSOR,  
 COUNTY OF ESSEX, ONTARIO

DETAILS OF DEVELOPMENT (SEMI-DETACHED)				
ZONING - TO BE DETERMINED	RD2.2 REQUIRED	PROVIDED	COMMENTS	VARIANCE REQUIRED
LOT WIDTH (MINIMUM)	15.0m	13.72m		✓
LOT AREA (MINIMUM)	450m <sup>2</sup>	496m <sup>2</sup>		
LOT COVERAGE (MAXIMUM)	45%	46.3%		✓
BUILDING HEIGHT	9.0m	9.0m (FROM GRADE)	9.75m FROM CROWN	
FRONT YARD (MINIMUM)	6.0m	6.0m		
REAR YARD (MINIMUM)	7.5m	6.9m		✓
SIDE YARD (MINIMUM)	1.2m	1.62m		
DWELLING UNITS		6	2 ADU PER DWELLING	
PARKING SPACES	2	2		
BICYCLE SPACES	-	24		
BUILDING AREA	-	229.7m <sup>2</sup> (2,472 sq.ft.)		
GROSS FLOOR AREA	400m <sup>2</sup>	757.4m <sup>2</sup> (8,151.4 sq.ft.)		✓

**MEO & ASSOCIATES INC.**  
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 3600 Seven Lakes Dr., Suite 200, LaSalle, Ontario, Canada, N9H 0E5  
 Tel. 519-250-8088; Fax 519-250-8070; rmeo@meoassociates.com

CLIENT:  
**AGBABA HOLDINGS CORPORATION**

PROJECT:  
 180 CALIFORNIA AVENUE

DRAWING TITLE:  
**PRELIMINARY SITE PLAN**

DATE:  
**May 10, 2024**

PROJECT NUMBER:  
**4761**

SHEET NUMBER:  
**P1**

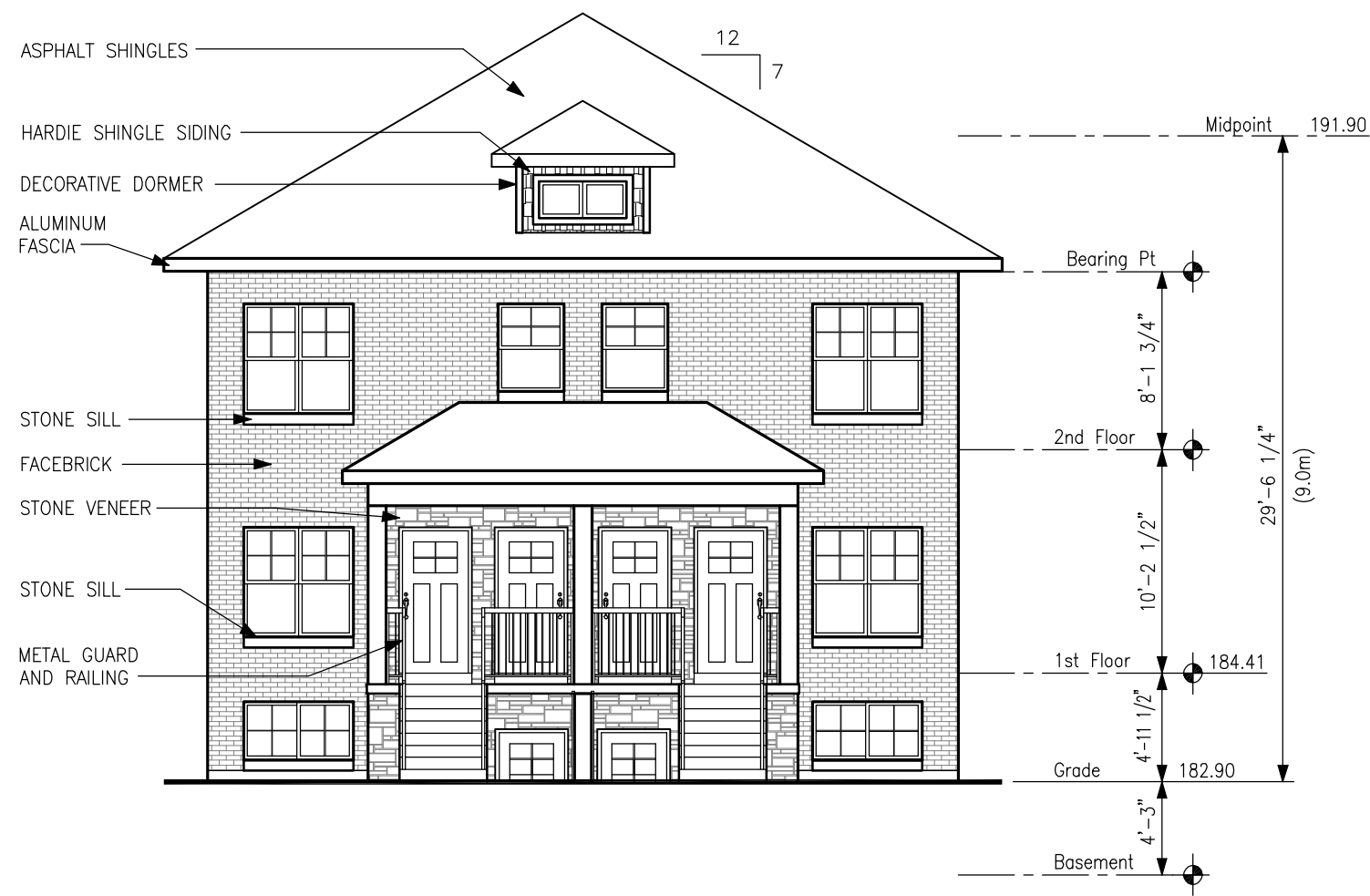
SCALE:  
**1:200**

ACAD REFERENCE:  
**4761 -P1- Site Plan**

DRAWN BY:  
**IA.Z.**

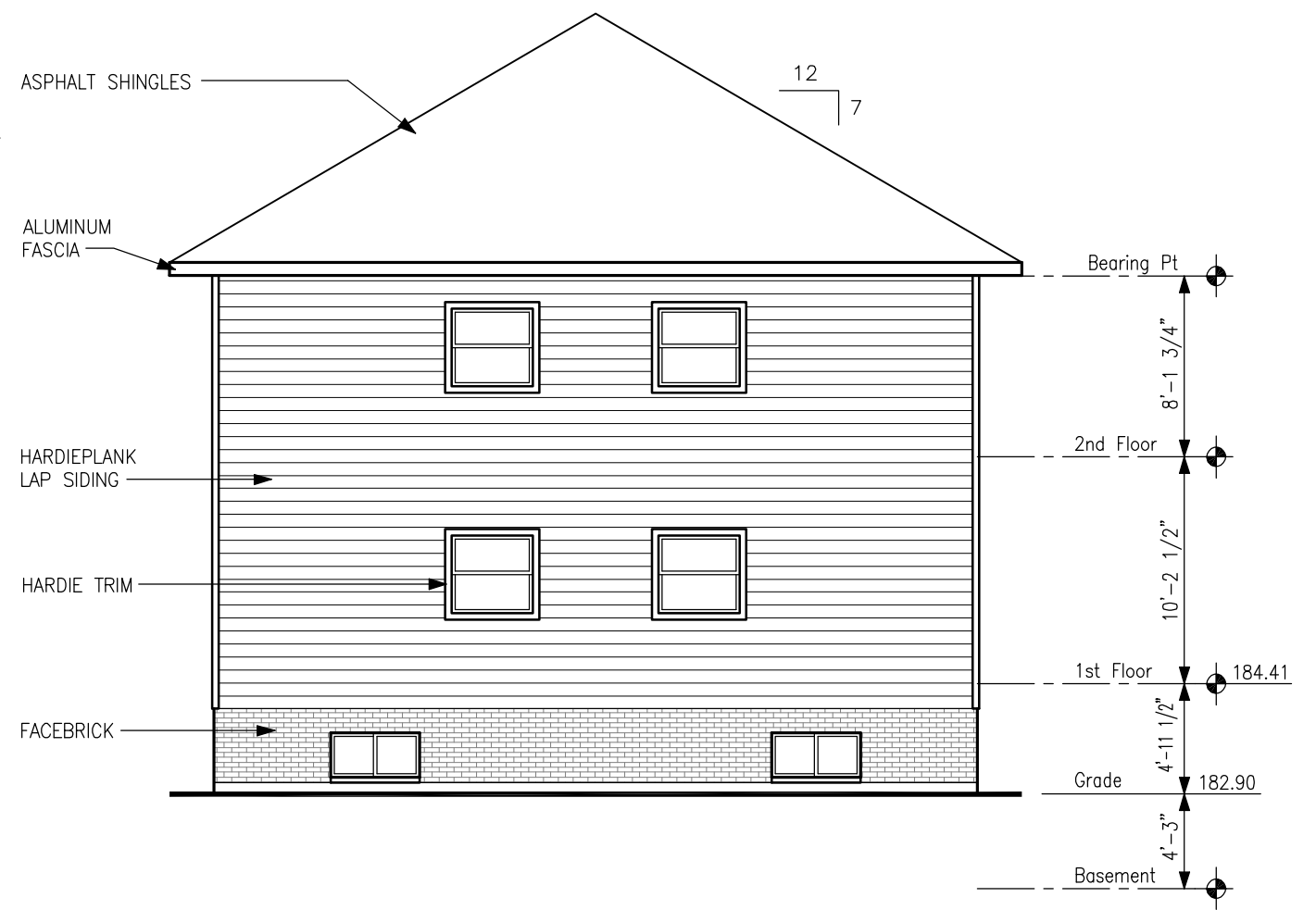
4761 -P1- Site Plan.dwg, (Site Plan) May 10, 2024 - 3:16pm

Exterior Colour Schedule	
Material	Colour
BRICK	RED
STONE	LIGHT BROWN (CASHMERE)
HARDIEPLANK LAP SIDING, TRIM AND SHINGLE	BEIGE (NAVAJO)
HARDIEBOARD COLUMNS AND BEAMS	BROWN
ASPHALT SHINGLES	BROWN (CHESTNUT)
WINDOWS, DOORS	BROWN (COMMERCIAL BROWN)
METAL FASCIA, GUTTERS	BROWN
STONE SILL/BAND	GREY



### West Elevation

SCALE: 1/8"=1'-0"



### East Elevation

SCALE: 1/8"=1'-0"

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Architectural & Engineering Consultants  
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Tel. 905-632-6952; Fax 905-632-8870; mpiskovk@meosscadates.com  
3600 Seven Lakes Dr., Suite 200, LaSalle, Ontario, Canada, N9H 0E5  
Tel. 519-250-8088; Fax 519-250-8070; rmeo@meosscadates.com

CLIENT:  
**AGBABA HOLDINGS CORPORATION**

PROJECT:  
**180 CALIFORNIA AVENUE**

Windsor, Ontario  
City Council Meeting Agenda - Monday, November 25, 2024  
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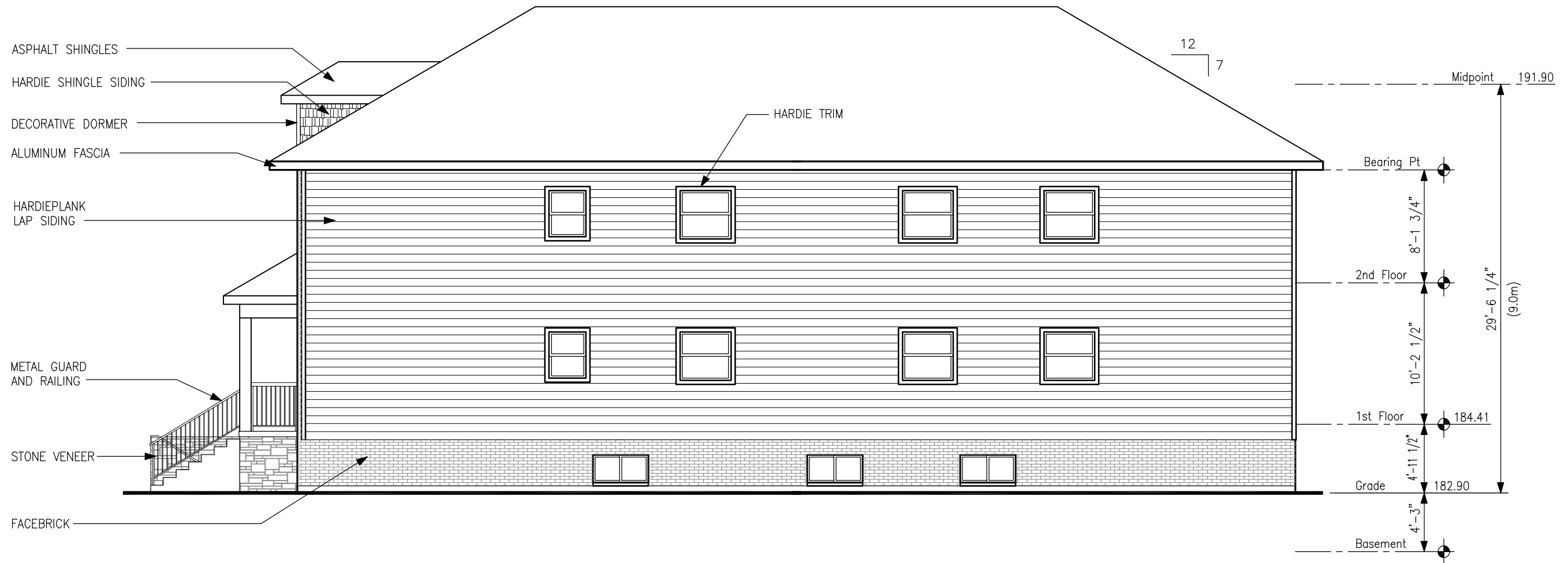
DRAWING TITLE:  
**West & East Elevation**  
SCALE: **1/8" = 1'-0"**

DATE:  
**August 19, 2024**  
DRAWN BY:  
**I.A.Z.**

PROJECT NUMBER:  
**4761**

SHEET NUMBER:  
**P6**

4761 -P6- Elevs.dwg, (Elevations) Aug 19, 2024 - 5:08pm



## South Elevation

SCALE: 1/8" = 1'-0"

See Drawing P6 for Colour Schedule

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180 CALIFORNIA AVENUE

Windsor, Ontario  
City Council Meeting Agenda - Monday, November 25, 2024  
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DRAWING TITLE:  
**South Elevation**

SCALE:  
1/8" = 1'-0"

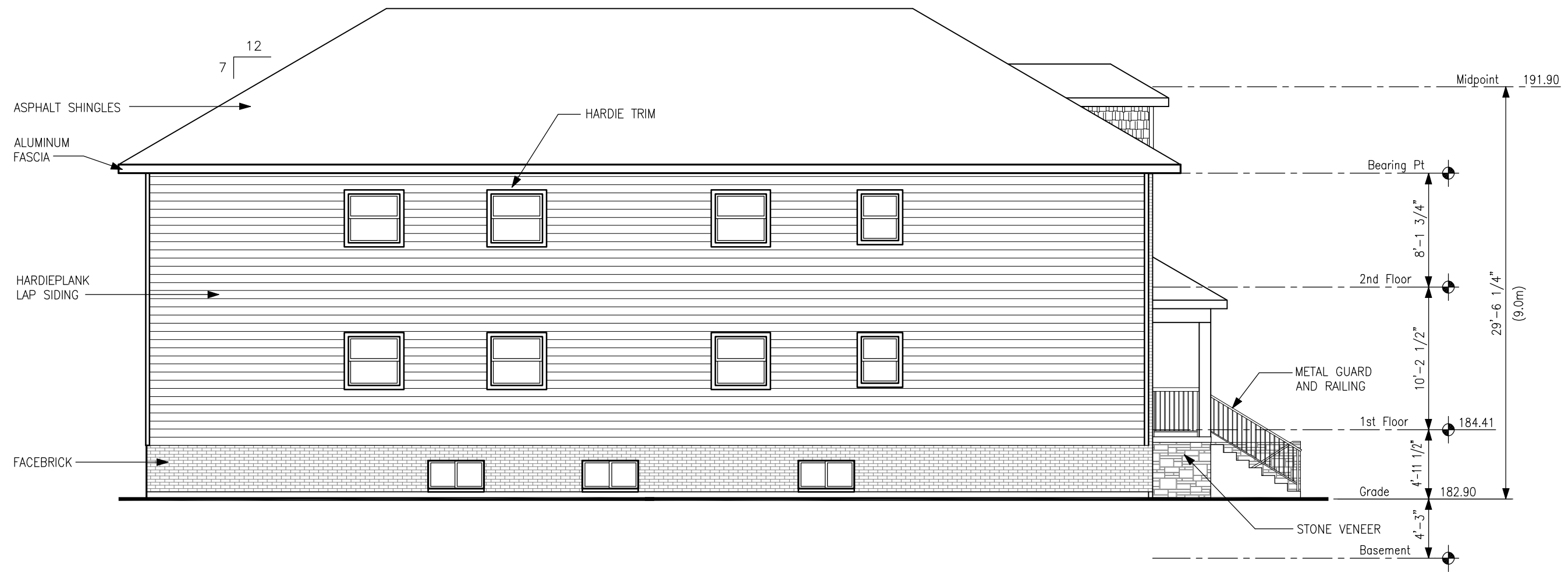
ACAD REFERENCE:  
4761 -P6- Fl Plan

DATE:  
**August 19, 2024**

DRAWN BY:  
I.A.Z.

PROJECT NUMBER:  
**4761**

SHEET NUMBER:  
**P7**



# North Elevation

SCALE: 1/8" = 1'-0"

See Drawing P6 for Colour Schedule

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CLIENT:  
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PROJECT:  
**180 CALIFORNIA AVENUE**

Windsor, Ontario  
City Council Meeting Agenda - Monday, November 25, 2024  
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DRAWING TITLE:  
**North Elevation**

SCALE:  
**1/8" = 1'-0"**

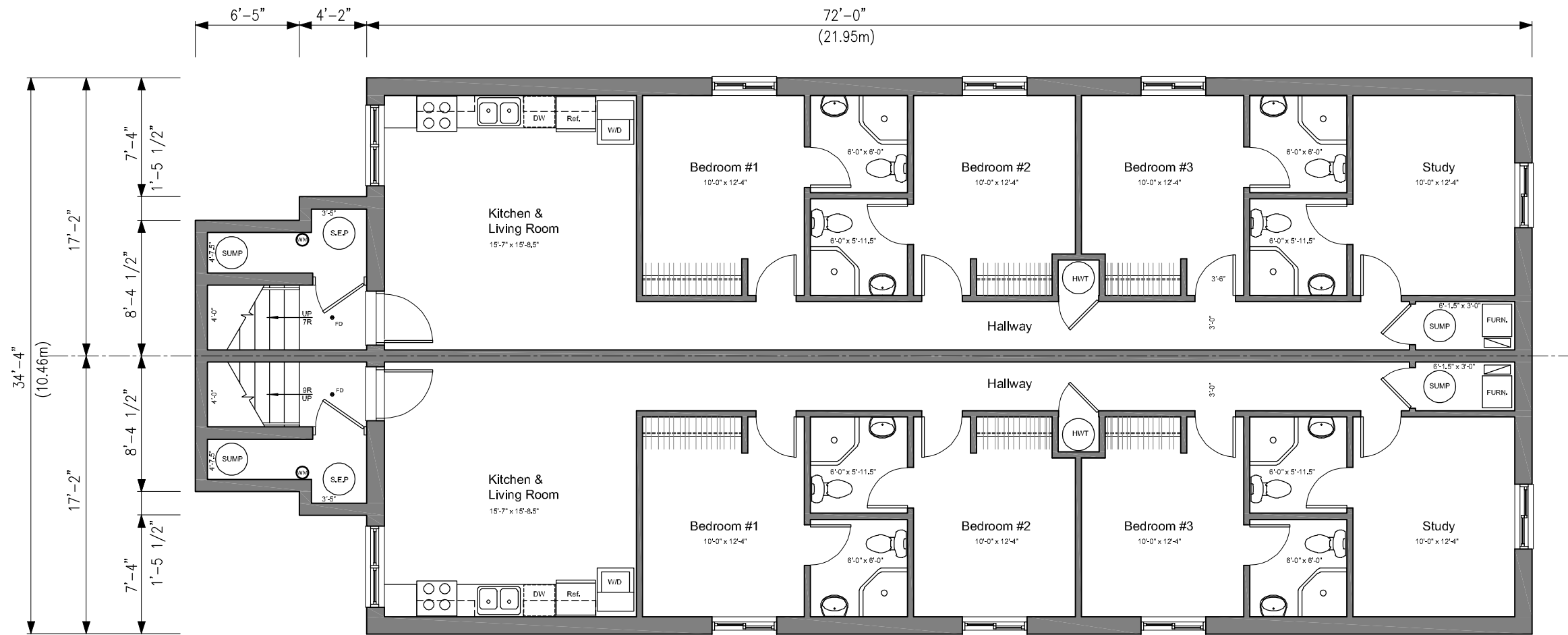
ACAD REFERENCE:  
**4761 -P6- Fl Plan**

DATE:  
**August 19, 2024**

DRAWN BY:  
**I.A.Z.**

PROJECT NUMBER:  
**4761**

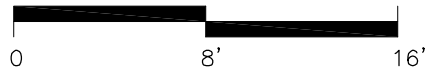
SHEET NUMBER:  
**P8**



### Basement Plan

SCALE: 1/8" = 1'-0"

AREA = 2,472 sq.ft. (229.7m<sup>2</sup>)



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3600 Seven Lakes Dr., Suite 200, LaSalle, Ontario, Canada, N9H 0E5  
Tel. 519-250-8088; Fax 519-250-8070; rmea@meoassocates.com

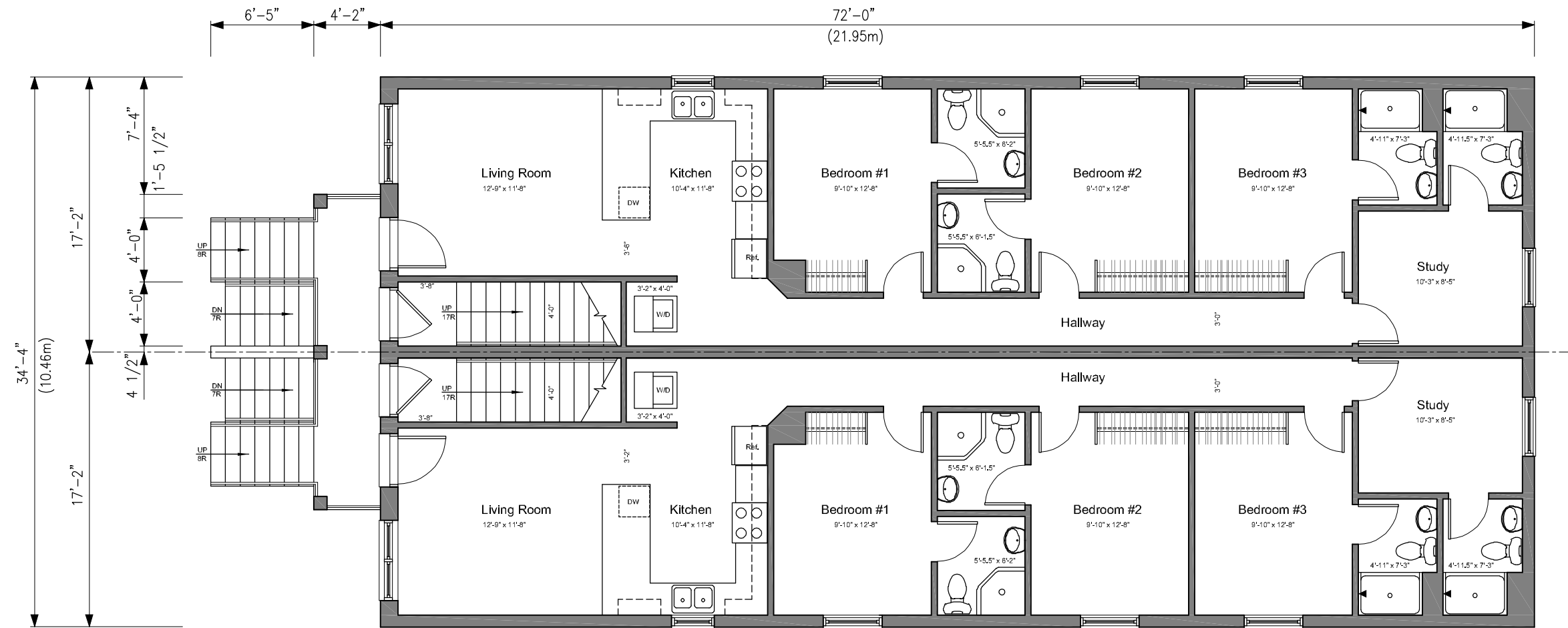
CLIENT:  
**AGBABA HOLDINGS CORPORATION**

PROJECT:  
**180 CALIFORNIA AVENUE**  
City Council Meeting Agenda - Monday, November 25, 2024

DRAWING TITLE:  
**Basement Plan**  
SCALE: **1/8" = 1'-0"**

DATE:  
**May 10, 2024**  
DRAWN BY:  
**I.A.Z.**

ISSUED FOR:	
PROJECT NUMBER: <b>4761</b>	SHEET NUMBER: <b>P2</b>



# 1st Floor Plan

SCALE: 1/8" = 1'-0"

AREA = 2,472 sq.ft. (229.7m<sup>2</sup>)



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CLIENT:  
**AGBABA HOLDINGS CORPORATION**

PROJECT:  
**180 CALIFORNIA AVENUE**

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DRAWING TITLE:  
**1st Floor Plan**

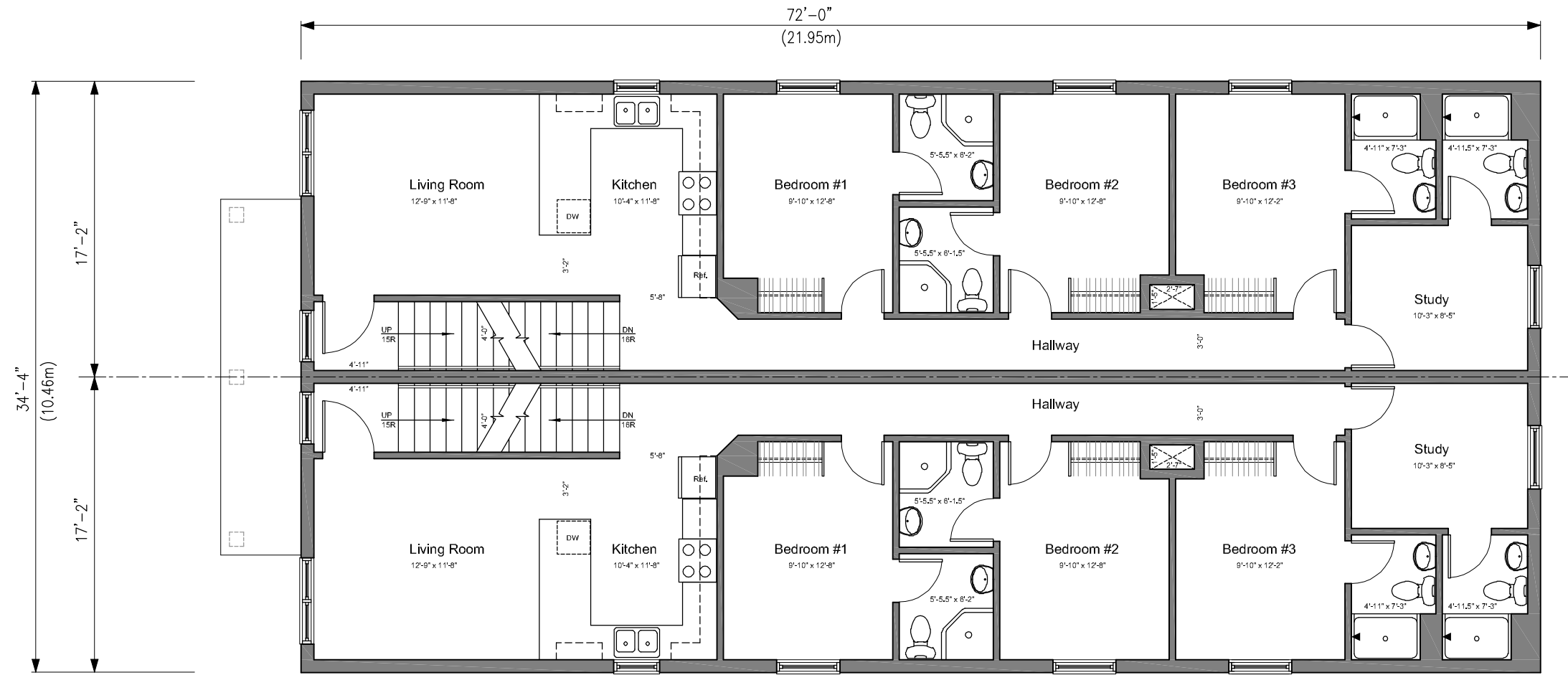
SCALE:  
**1/8" = 1'-0"**

ACAD REFERENCE:  
**4761 -P2- FI Plan**

DATE:  
**May 10, 2024**

DRAWN BY:  
**I.A.Z.**

ISSUED FOR:	
PROJECT NUMBER: <b>4761</b>	SHEET NUMBER: <b>P3</b>



## 2nd Floor Plan

SCALE: 1/8" = 1'-0"

AREA = 2,472 sq.ft. (229.7m<sup>2</sup>)



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Tel. 519-250-8088; Fax 519-250-8070; rmeo@meoassociates.com

CLIENT:  
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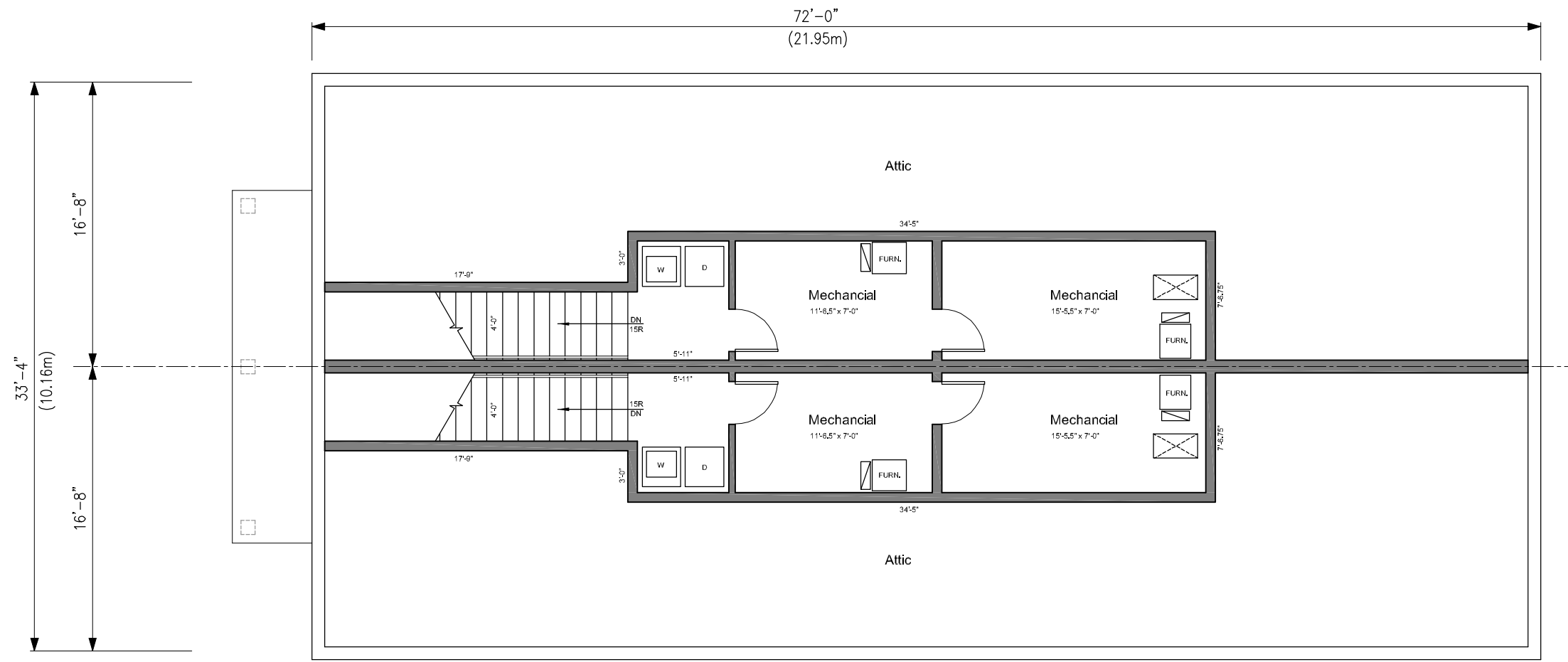
PROJECT:  
**180 CALIFORNIA AVENUE**  
City Council Meeting Agenda, Monday, November 25, 2024  
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DRAWING TITLE:  
**2nd Floor Plan**  
SCALE:  
**1/8" = 1'-0"**

DATE:  
**May 10, 2024**  
ACAD REFERENCE:  
**4761 -P2- FI Plan**  
DRAWN BY:  
**I.A.Z.**

ISSUED FOR:	
PROJECT NUMBER: <b>4761</b>	SHEET NUMBER: <b>P4</b>

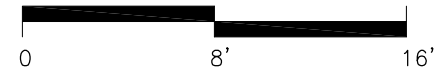




### Attic Plan

SCALE: 1/8" = 1'-0"

AREA = 735.4 sq.ft. (68.3m<sup>2</sup>)



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CLIENT:  
**AGBABA HOLDINGS CORPORATION**

PROJECT:  
**180 CALIFORNIA AVENUE**

DRAWING TITLE:  
**Attic Plan**

DATE:  
**May 10, 2024**

PROJECT NUMBER:  
**4761**

SHEET NUMBER:  
**P5**

SCALE:  
**1/8" = 1'-0"**

ACAD REFERENCE:  
**4761 -P2- FI Plan**

DRAWN BY:  
**I.A.Z.**

August 23, 2024

Diana Radulescu, Planner  
City of Windsor, ON

(Delivered via email)

REGARDING: ZONING BYLAW AMENDMENT  
180 California Ave, Windsor  
Semi-detached residence

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Subject property is known municipally as 180 California Avenue in the City of Windsor. The subject lands have a legal description of: LOT 5 PLAN 804 TOWN OF SANDWICH CITY OF WINDSOR; PT ALLEY PL 51 (CLOSED BY CE248037) DESIGNATED AS PT 7 ON PL 12R22710 SUBJECT TO AN EASEMENT IN GROSS OVER PT 7 ON PL 12R22710 AS IN CE248163 CITY OF WINDSOR.

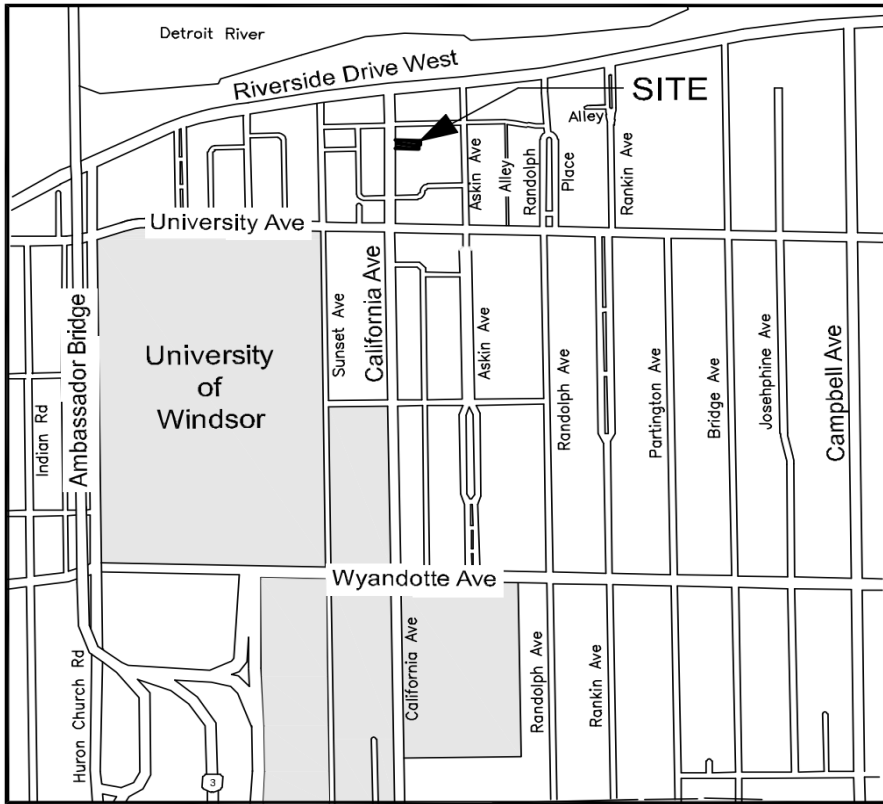
## 1. INTRODUCTION:

The subject lands are located within an established residential neighbourhood within the urban area of the City of Windsor. The lands are presently designated 'Residential' and are zoned 'Residential District 2.2 (RD2.2)'. The land use is presently residential and is to continue as residential.

The minor ZBA application purports to add new, site specific regulations under the existing 'Residential District 2.2 (RD2.2)'. The ZBA will not be changing the zone category or allowing for new or additional uses, rather the ZBA will allow for site specific provisions:

- i) **Lot Width** (minimum) = 15 m required and 13.7 m provided;
- ii) **Lot Coverage** (maximum) = 45% max and 46% provided;
- iii) **Rear Yard Setback** (minimum) = 7.5 m required and 6.9 m provided;
- iv) **Gross Floor Area** (maximum) = 400 m<sup>2</sup> max and 757.4 m<sup>2</sup> provided (includes main, ADU's, and attic mechanical floor space).

# LOCATIONAL MAP: 180 CALIFORNIA

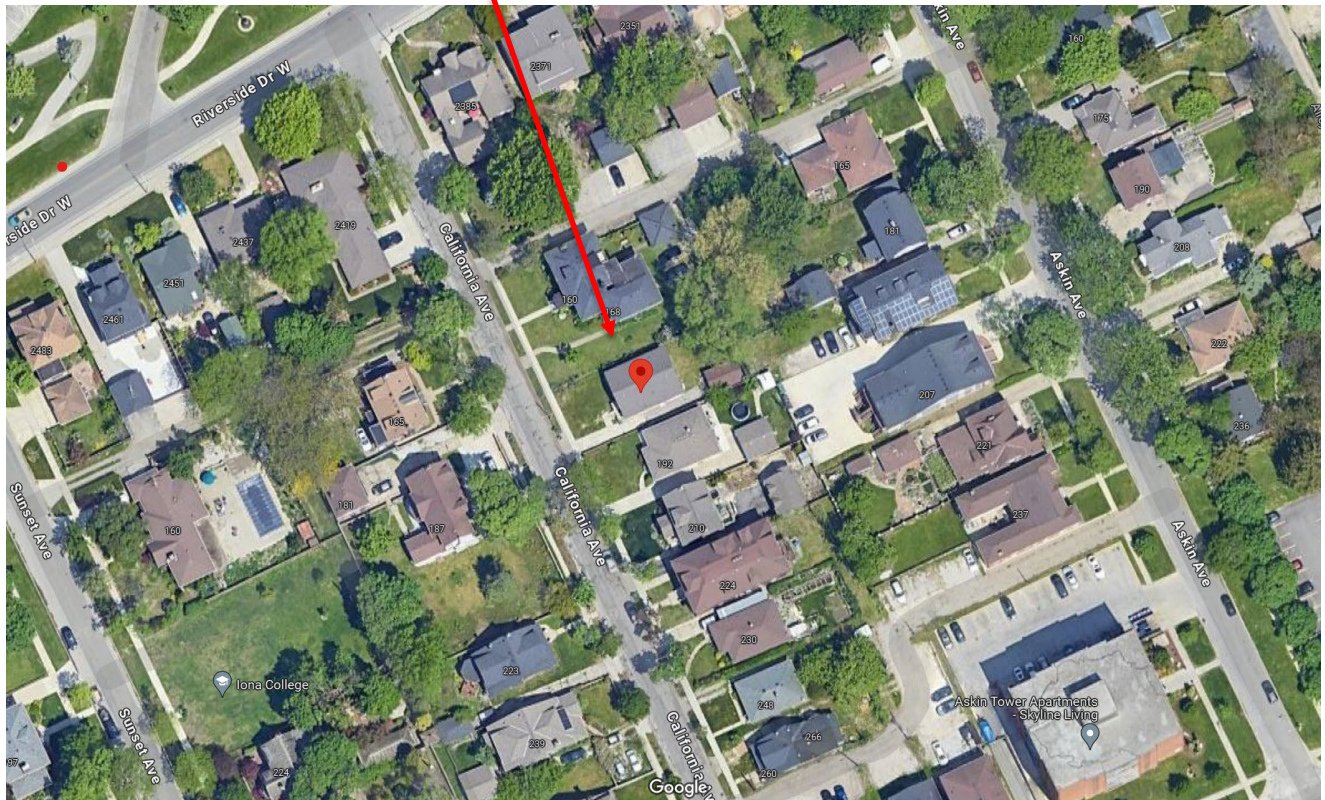


## Location Map

SCALE: Not to scale

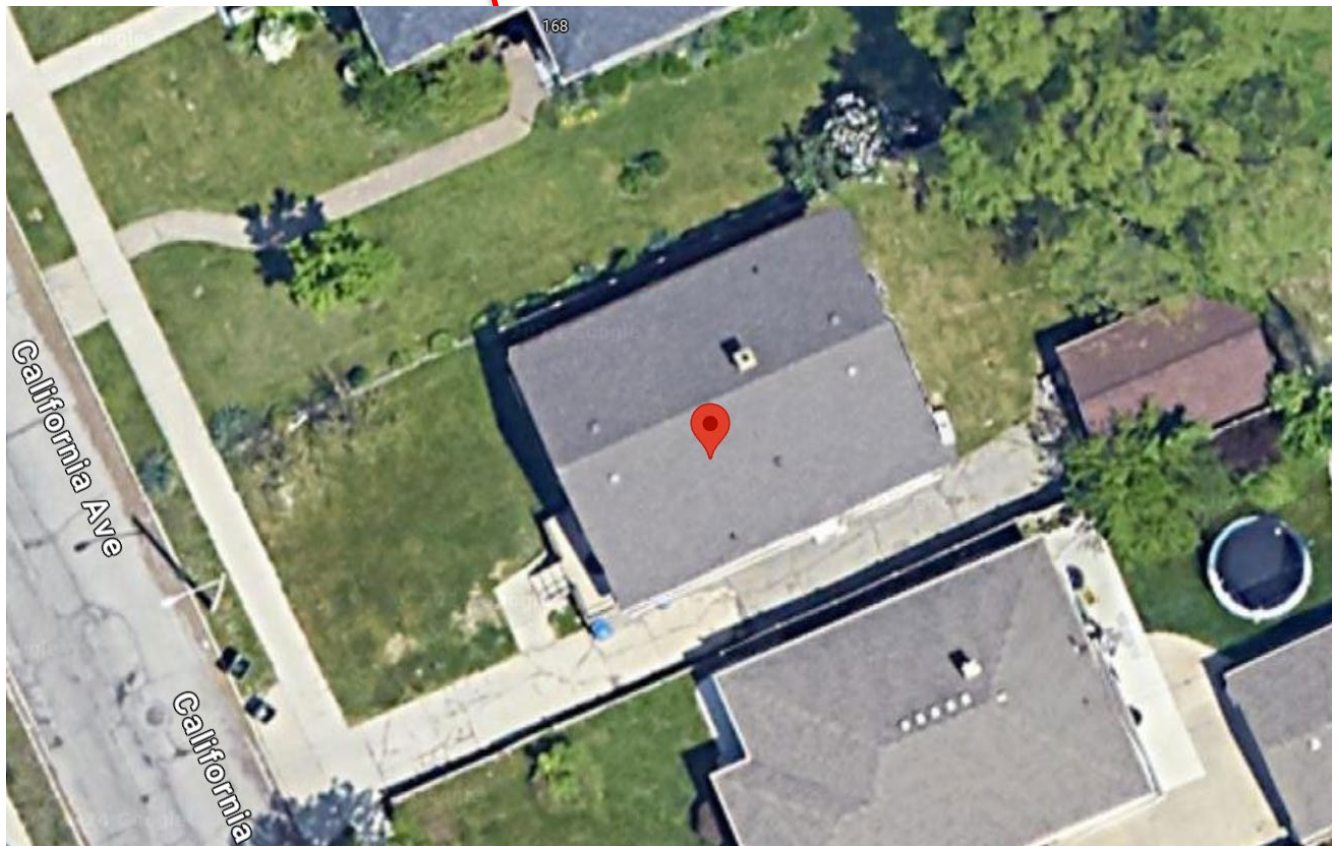


# NEIGHBOURHOOD AERIAL: 180 CALIFORNIA AVE





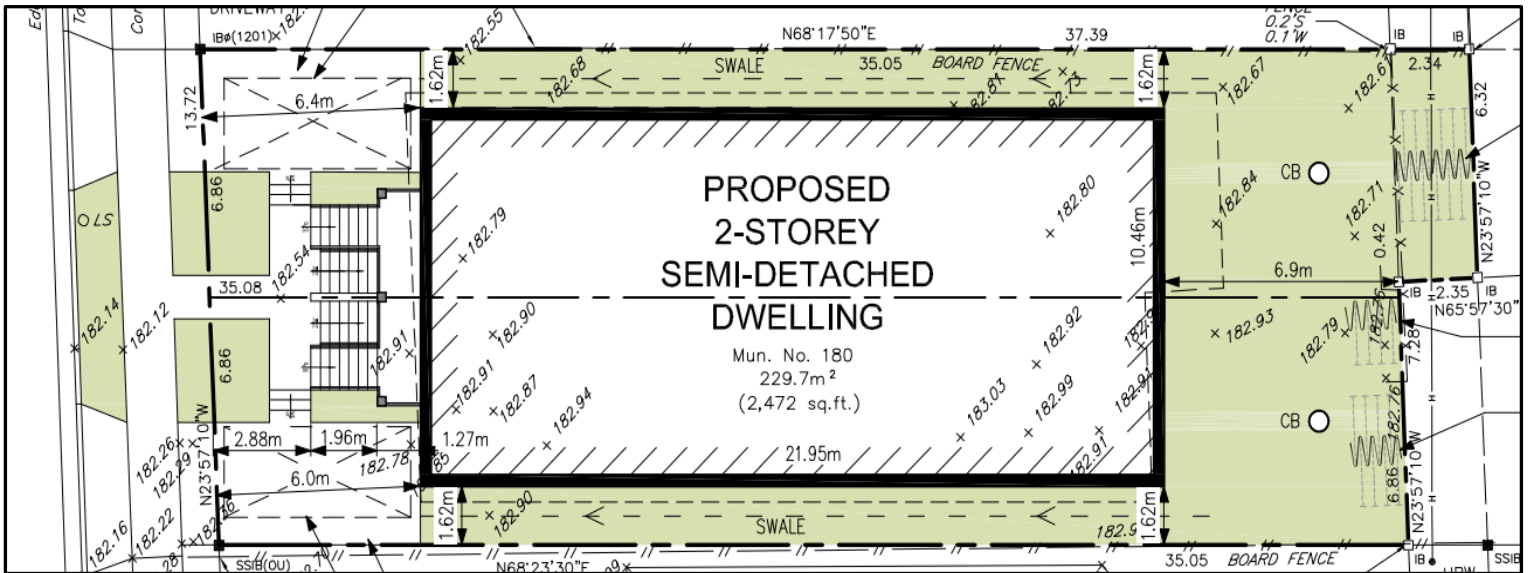
**LOT AERIAL: 180 CALIFORNIA AVE**



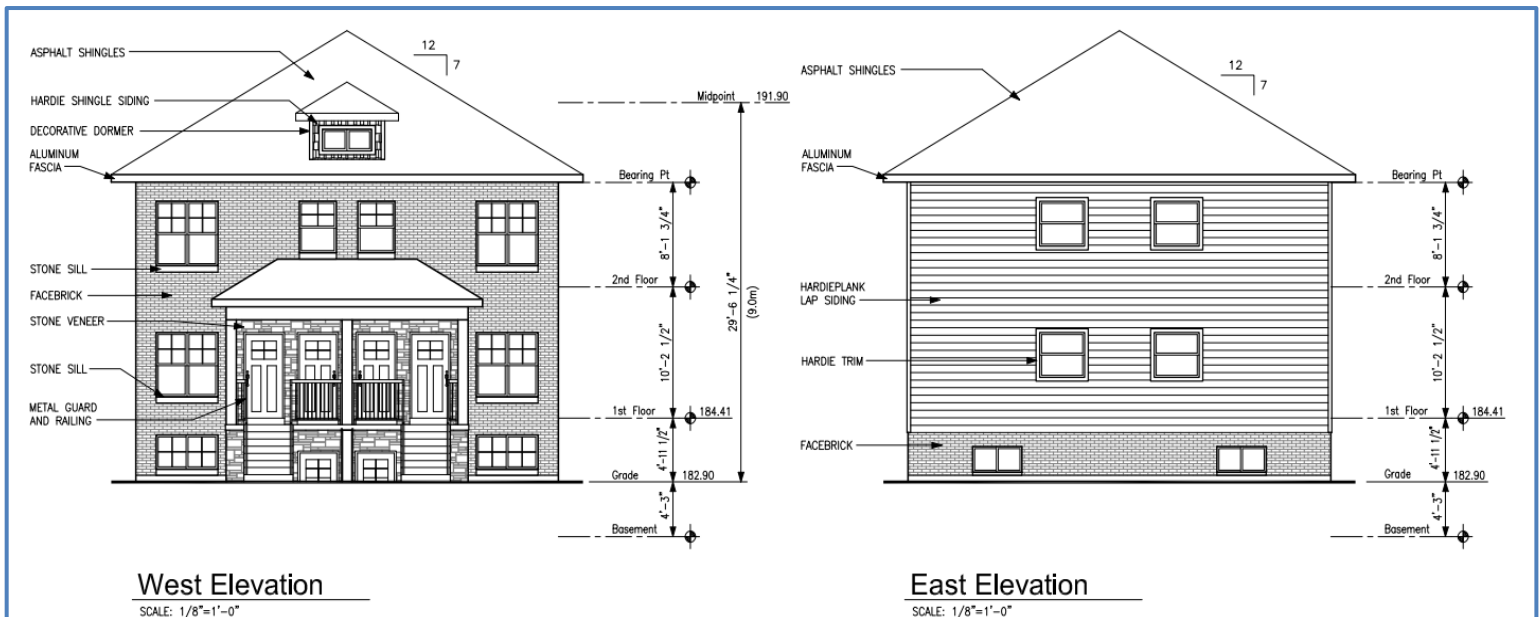
## 2. PROPOSED DEVELOPMENT:

The owner is proposing the construction of a new residential semi-detached building with a GFA with 757.4 m<sup>2</sup> (including the main, the ADU, and the attic/mechanical room). The building is proposed with 2 main floor units, 2 ADU's below the main floor, and 2 ADU's above the main floor. There will be a total of 6 units within the semi-detached building. At a future time, when the lot is divided into two separate lots, there will be one semi-detached unit on each lot containing 1 main unit and 2 ADU's.

### SITE PLAN: 180 CALIFORNIA AVE



### PROPOSED BUILDING ELEVATIONS: 180 CALIFORNIA



West Elevation

SCALE: 1/8"=1'-0"

East Elevation

SCALE: 1/8"=1'-0"



**HERITAGE DISCUSSION:**

Critical for an established, older neighbourhood, it is important that the new building colours, design and massing are sensitive and compatible with the existing neighbourhood. The existing neighbourhood consists of housing typically built between 1880-1920.

**ACROSS THE STREET: 185 CALIFORNIA AVE**

**165 CALIFORNIA AVE**



**TO THE WEST- SAME SIDE ST: 270 CALIFORNIA AVE**

**224 CALIFORNIA AVE**





**TO THE EAST- SAME SIDE ST: 166 CALIFORNIA AVE      180 CALIFORNIA AVE**



**TO THE WEST- SAME SIDE ST: 2368 UNIVERSITY AVE**



The proposed four square (Arts and Crafts) building is a style and design, height, and massing that is very comparable to other existing residences in the neighbourhood.

## PROPOSED BUILDING ELEVATIONS: 180 CALIFORNIA



When addressing the inclusion of new development within an established neighbourhood such as California, the following Official Plan policies must be regarded:

### ***“Section 2.2.2 Developments within Heritage Contexts***

- 1. Locate and design buildings to respect and complement the scale, character, form, and siting of on-site and surrounding cultural heritage resources.*
- 2. Ensure that conceptual design and massing of development or redevelopment projects are compatible with adjacent listed heritage buildings and/or sites.*
- 3. New buildings located adjacent to built cultural heritage resources will be compatible with existing historical building types, colours, and material palettes having regard for modern building designs, techniques, and materials.” (City of Windsor Intensification Guidelines June 2022)*



- The proposed four square residence (aka as Arts and Crafts) building is a style and design, height, and massing that has distinct characteristics that are prevalent in the neighbourhood on existing residences: red brick façade, wood or Hardie Board (cement board cladding) at the side and rear; muted complimentary colours to the red brick around the windows (white, grey, beige), for the back porch or additions, etc; black roofs; typically 2-2.5 storeys in height; and a modest but distinctive front verandah/porch.
- Materials for the subject building will consist of colours and architectural features taken from the neighbourhood:
  - the front façade will be comprised of red brickwork for the full frontage from grade to roofline;
  - To provide a distinctive front entrance/vestibule known for the A&C period, brickwork that looks like field stone will be used for around the front doors;
  - concrete board (Hardie Board) will be used to look like shiplap/clapboard will be placed along the side and back. The Hardie Board colour will be 'Navajo Beige' to compliment the red brick.
- The new residence will have the same height at 9 m (2-2.5 storeys) with other neighbourhood residences.
- In addition to the comparable style, design and massing of the buildings, the semi-detached and ADU's are consistent with the multiple unit use of the buildings within the neighbourhood.

It is my professional opinion as a heritage planner that the proposed building respects and is comparable with the existing heritage located within the neighbourhood. The new building is similar in massing, height, material and colours of the existing heritage buildings in the neighbourhood and adjacent to the subject lot.

In my professional opinion, the ZBA will support the establishment of a residence as a semi-detached with ADU's in the building that are comparable and compatible as an infill within the established neighbourhood.

The ZBA will provide for construction of a new, appropriate residence that is sensitive to the existing beautiful heritage buildings within the neighbourhood.

#### 4. PARKING AND DRIVEWAY:

- a) Section 24.20.5.1 Parking regulations under the CZB 8600 requires 1 parking space per residential semi-detached unit:
- The driveway for each lot provides for 1 parking space for each semi-detached residential unit.
  - The provision of the one parking space per semi-detached residential unit complies with the CZB.
- b) Engineering Best Practices, BP2.2.1 allows for one driveway approach per property:
- Two driveways are required: one for each of the two residential units for the semi-detached building (2 unit building).
  - A severance will be required to divide the property down the common wall of the semi-detached building into the two separate residential lots, each lot with one single, attached residential unit. After the division of the property there will be one driveway on one lot, consistent with BP2.2.1 policy direction of the engineering department.
  - The proposed building is a semi-detached residence consisting of two residential units on one property. With the consent to sever to create the two, single attached units on separate lots, having two driveways serving two separate units on one property is consistent with the BP2.2.1 direction to provide for needed, appropriate access.
- c) Is there sufficient parking to accommodate the 2 residential units and the ADU's?
- Section 5.99.80 of the CZB 8600 does not require parking for the proposed ADU's, only for the semi-detached units;
  - To the north within 200 m is the Riverside Dr. bike trail;
  - To the south within 500 m is the University Ave. bike trail;
  - Considering the close proximity to the University and to the College, the units will likely be rented by students that are able to bike to the university which is only a few blocks away.

- There will be 12 bicycle racks for each of the semi units: these racks will provide for the tenants of each of the two ADU's, guests and provide for extra parking for the semi units.

It is my professional opinion that the two parking spaces in the two driveways comply with the parking requirements of the bylaw for 1 parking space for each semi-detached unit.

The placement of two driveways on the single lot for a semi-detached residence for a parking space for each unit is appropriate and will conform with the BP2.2.1 after consent.

It is also my professional opinion that the amount of bike parking will support alternative transit for the residents in the ADU's. Being so close to bike lanes along University Ave and Riverside Dr. as well as bus along Wyandotte, the bike racks support alternative transit and a healthy, walkable community.

## 5. URBAN DESIGN REVIEW:

**Section 8.7.2 Policies of the Official Plan for Urban Design** provides policy direction with the following objections:

### ***“8.7.1.1 Built Form***

*To achieve a varied development pattern which supports and enhances the urban experience.*

### **8.7.1.2 COMPLEMENTARY DESIGN**

*To achieve a complementary design relationship between new and existing development, while accommodating an evolution of urban design styles.*

### **8.7.1.3 VISUAL INTEREST**

*To maximize the variety and visual appeal of building architecture.*

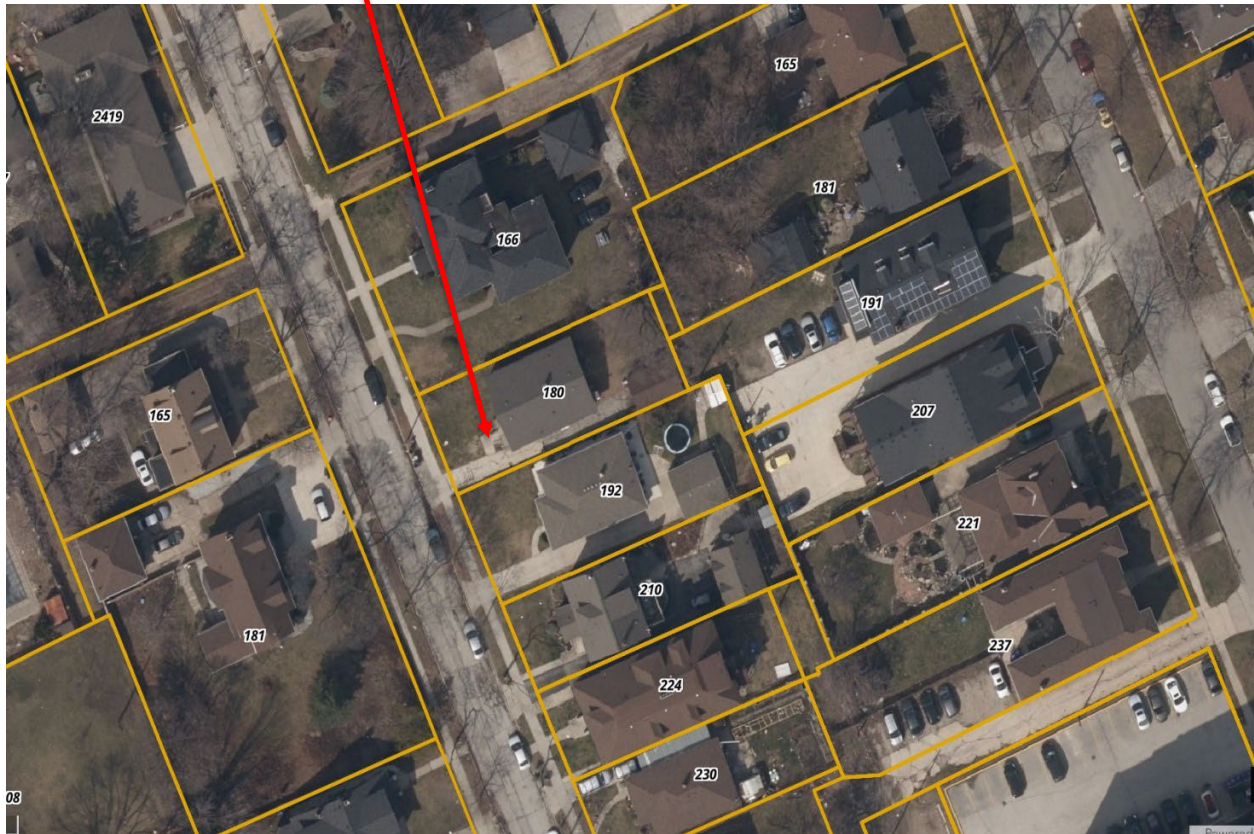
### **8.7.1.5 UNIQUE CHARACTER**

*To enhance the unique character of a district, neighbourhood, prominent building or grouping of buildings.”*

When considering an infill of a new residence within an established residential neighbourhood, it is critical to ensure that the new proposal is compatible with the neighbourhood.

It is my professional opinion that the proposed new residence will provide a complementary design between the existing heritage neighbourhood and the proposed new building in conformity with Official Plan Policies.

### NEIGHBOURHOOD 180 CALIFORNIA AVE



#### ***“Section 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);*
  - There is a sidewalk from the front door to the sidewalk to provide connectivity.
- ii) Lot sizes;*
  - The lot is existing and the size will not be changing through the ZBA.
  - A minor adjustment to the lot size has been requested to recognize the deficiency of width under the bylaw between a single detached to a semi-detached.

- The modification to the width of a semi-detached building at 15 m to 13.7 m, a difference of 1.3 m can be considered minor to allow for gentle intensification from one to two residences.
- It is my professional opinion that the modification will not be recognizable; is negligible in impact; is appropriate and in keeping with the neighbourhood multiple unit buildings; and can be considered appropriate to allow for more residential units.

iii) *Building orientation and site layout;*

- The building will be oriented consistent with the existing established residences.

iv) *Built form, height scale, and massing;*

<b>PROPERTY ADDRESS</b>	<b>GFA</b>	<b>STOREYS</b>	<b>SINGLE or MULTIPLE UNITS</b>
166 CALIFORNIA (NEXT DOOR)	8,085 GFA	2.5	SINGLE UNIT
180 CALIFORNIA (SUBJECT)	8,100 GFA	2.5	2 UNIT
181 CALIFORNIA (ACROSS ST)	5,820 GFA	2.5	4 PLEX
224 CALIFORNIA	7,875 GFA	2.5	5 PLEX
2386 UNIVERSITY AVE	7,278 GFA	3.0	12 PLEX

Please note, all GFA Calculations were completed using Geowarehouse and are not exact figures. All GFA calculations are including basement Sqft to stay consistent with the proposed development.

- As noted above in the table, there are other multiple unit buildings adjacent to the proposed subject building and in the neighbourhood. In addition, the massing of the proposed building is comparable to the size and massing of other residences within the neighbourhood.
- In my professional opinion, the proposed built form is consistent in massing, height and number of units with the neighbourhood.

v) *Building articulation and detailing;*

- As discussed above in the Heritage section, the design details of the four square building is consistent with the neighbourhood.

- The details of the building such as the red brick front facade, the front veranda/porch, the black roof, etc make for a building that is sensitive to the neighbourhood existing building form and provides for details that are sensitive to the existing important heritage built form.
- It is my professional opinion that that the proposed built form and detailing are sensitive and appropriate for the neighbourhood existing built form.

vi) *Building materials;*

- Based on the above analysis, it is my professional opinion that the building materials are appropriate for a new, infilling residence within an existing older neighbourhood.

vii) *Setbacks from adjacent properties and the street;*

- The proposed new residence side yard setback from the adjacent properties are in compliance with the bylaw.
- The lot is an older existing parcel. A rear yard adjustment has been requested for 0.6 m to accommodate the inclusion of the ADU's, that in my professional opinion, is a minor adjustment.
- The proposed building setback conforms with the intent of the official plan policies to allow for an appropriate setback for an appropriate building.

viii) *Building step back (if applicable);*

- The building setback is consistent with the existing built form.

ix) *Building transition to adjacent neighbourhoods;*

- The proposed building is consistent with the neighbourhood. In my professional opinion, there is no transition required.

x) *Heritage considerations (if applicable);*

- Refer to Subsection 3 above. It is my professional opinion that the proposed four square is sensitive to the existing built heritage within the neighbourhood and is a sound, appropriate development that will be a positive infilling development.



*xi) Location of parking (surface or underground), driveways, ramps, drop-off areas;*

- The proposed parking complies with CZB 8600 and with the bike racks, is appropriate for the two unit building. It is my professional opinion that the two driveways for the two unit building is appropriate and conforms with the intent of the OP policies and the intent of the BP2.2.1 for providing appropriate driveways in residential areas.

*xii) Access to transit;*

- The proposed building is located within close proximity to the bike trail along Riverside Drive and University Ave and within a few blocks to the bus route. It is my professional opinion that the subject property has great access to transit in support of the healthy, walkable community policies.

*xiii) Bicycle parking/storage;*

- There are 12 bike racks for each unit to support the ADU's and the intent to provide alternative transportation. It is my professional opinion that there is sufficient alternative transportation being provided for each resident.

*xiv) Location of servicing, garbage, organics, and recycling storage and collection, and loading areas;*

- The site will be serviced by existing services, garbage collection etc.

*xv) Streetscape elements (e.g, boulevard design, landscaping, street furniture, public art, signage, lighting, etc.); and,*

- The proposed building has been respectful to existing streetscape and viewscape along California Ave. It is my professional opinion that the new building will be a positive addition to the streetscape.

*xvi) On-site landscaping and buffering.”*

- There will be landscaping provided as visual buffer from the existing residential neighbourhood.

The new residential building has been designed with a sensitivity to the heritage buildings presently across the street and adjacent on the street.

The new residential building is a four-square style residence, height, comparable in design, sensitivity to the Arts and Crafts period, and massing to other residential buildings on the street, particularly across the street and next door. It is my professional opinion that the proposed development conforms with the urban design guidelines.

## 6. OPEN HOUSE RESULTS:

There was one person who attended the virtual open house: (Lisa Y). Lisa wanted an explanation of what was being proposed. Once she saw the plans and heard the proposal, she had no issues with the development proposal. She was quite pleased with the proposed look of the residence.

A second person reached out and spoke with the owner about development within the city. There were no complaints or concerns (Mike C.).

City of Windsor Planner, Diana Radulescu, also attended virtually.

## 7. PROVINCIAL POLICY STATEMENT 2020 (PPS):

The following PPS 2020 policies apply to the proposal:

***“Section 1.1.1 Healthy, liveable and safe communities are sustained by:***

- (a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- (b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;”*

***“Section 1.4.3 Housing policies:***

*Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*

- b) permitting and facilitating:*
  - 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*



2. *all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*
  - c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
  - d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;”*

The proposed development is consistent, in my professional opinion, with PPS 2020 for the following reasons:

- The subject site is located within the settlement area of the City of Windsor;
- The subject property is within an area designed and designated for residential uses;
- Municipal services are available to the site and there is sufficient servicing capacity to
- The gentle intensification will allow for efficient and effective utilization of municipal services;
- The ZBA supports the development of the site for a new semi-detached residence providing for new, alternative housing;
- The ZBA will support a positive infilling of a comparable and compatible building style and tenure within an existing residential neighbourhood;
- The proposed building is low profile and is consistent in design with existing residences in the neighbourhood;
- The building has had regard for the heritage within the neighbourhood with a two and half storey, four square building design, comparable to other residences immediately across the street and adjacent;
- The ZBA will provide for additional range of housing styles and tenures appropriate for the neighbourhood.

In my professional opinion, the requested ZBA for a site specific residential zone to allow for the development of the site for a new low profile semi-detached residence is consistent with the PPS 2020 policy direction.

The proposal can be considered consistent with healthy community policies of the PPS by providing for an appropriate range and mix of housing types, densities and tenure.

## 8. CITY OF WINDSOR OFFICIAL PLAN (OP):

The subject lands are designated 'Residential' in the Official Plan for the City of Windsor with the following relevant policies applied to the proposed development:

***"Section 6.1.3 Goals: RESIDENTIAL***

*In keeping with the Strategic Directions, Council's land use goals are to achieve: Housing suited to the needs of Windsor's residents."*

***"Section 6.3.1 Objects: RESIDENTIAL***

*In order to develop safe, caring and diverse neighbourhoods, opportunities for a broad range of housing types and complementary services and amenities are provided. The following objectives and policies establish the framework for development decisions in Residential areas.*

***6.3.1.1*** *To support a complementary range of housing forms and tenures in all neighbourhoods.*

***6.3.1.2*** *To promote compact neighbourhoods which encourage a balanced transportation system.*

***6.3.1.3*** *To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan."*

***"Section 6.3.2 Policies: RESIDENTIAL***

***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;*

*(c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas."*

The proposed development and requested ZBA conforms with Windsor OP for the following reasons:

- The proposed four square (Arts and Crafts) building is a style and design, height, and massing that is very comparable to other existing residences in the immediate neighbourhood of housing that was constructed between 1880-1920.

- The proposed new residence infilling within an existing residential buildings styles and densities that are comparable with the new proposed semidetached promotes compatible uses and buildings of similar height within the neighbourhood of low profile, residences.
- OP policies encourage and support infilling such as the proposal when the building and use when it is compatible with the existing residential neighbourhood such as the proposed building.
- The proposal conforms with OP policies that encourage complimentary and compact built form housing within an existing neighbourhood.
- The requested ZBA will maintain the existing (RD2.2) zone with site specific provisions to provide for a regulatory framework for the proposed alternative tenure and style of residential units that will support a healthy, diversified residential neighbourhood.

In my professional opinion, the Bylaw Amendment from (RD2.2) to (RD2.2(##)) will authorize the new semi-detached with ADU's, in my professional opinion, conforms with the relevant policies of the Official Plan.

The minor ZBA will allow for appropriate new residence that is compatible for this neighbourhood and will support a diversity of housing style and tenure within an existing residential neighbourhood. The proposed ZBA conforms with relevant policies of the Official Plan in support of sound residential development.

- Materials for the building will consist of colours and aspects from the neighbourhood: red brickwork, concrete board to look like shiplap, welcoming front porch and windows that are sensitive to the neighbourhood period.
- The new residence will have the same height at 9 m with the neighbourhood. Colours and material will be similar to the existing four square residences within the neighbourhood.
- In addition to the comparable style, design and massing of the buildings, the semi-detached and ADU's are consistent with the multiple unit use of the buildings within the neighbourhood.

In my professional opinion, the ZBA will support the establishment of a four square, Arts and Craft residence as a semi-detached with ADU's in the building, comparable and compatible as an infill within the established neighbourhood.

The ZBA will provide for construction of a new appropriate residence that is sensitive to the existing beautiful heritage buildings within the neighbourhood.

**7. CITY OF WINDSOR CZB 8600:**

The subject site is presently zoned 'Residential District 2.2 (RD2.2)' in the Comprehensive Zoning By-law 8600. Proposed is the infilling of a new semi-detached residence and associated ADU's in the building for the property. The neighbourhood is comprised of other RD2.2 residences that are also multi-unit buildings containing ADU's.

It is my professional opinion that the requested ZBA will make site specific lot configuration adjustments under the ZBA that can be considered minor in light that the provisions do not change the land use or allow for new building styles.

The following is a review of the (RD2.2) zone and the required minor ZBA provisions:

	(RD2.2) PROVISIONS	SUBJECT SITE
PERMITTED BLDG	SEMI-DETACHED	SEMI-DETACHED
LOT AREA	450 m <sup>2</sup>	469 m <sup>2</sup>
LOT WIDTH	15 m	13.7 m
FRONT YARD SETBACK	6 m	6 m
INTERIOR SIDE YARD	1.2 m	1.8 m
REAR YARD	7.5 m	6.9 m
LOT COVERAGE	45 %	46.3 %
MAXIMUM BLDG HEIGHT	9 m	9 m (calculated from grade on site) 9.75 m (calculated from centre line rd)
PARKING	2 spaces	2 spaces
GROSS FLOOR AREA	400 m <sup>2</sup>	757.4 m <sup>2</sup>

Historically, the calculation of height was from average grade of the lands to midpoint between peak and eavestrough. In this circumstance, the height is measured at 9 m and the building is in compliance with the bylaw.

Calculation of **height of building** is determined through the **definition** of height:

***“BUILDING HEIGHT means: 1. For any building with a flat roof, a roof having a slope of less than 20.0 degrees, or a roof with at least two contiguous slopes, where the lowest slope is greater than the uppermost slope, the vertical distance in metres between the grade and the highest point of the roof. Where a building height provision is expressed in storeys, the building height in metres shall be the number of storeys permitted multiplied by 4.0 m. Example: If the minimum building height is 2 storeys and the maximum building height is 3 storeys, multiplying 2 storeys by 4.0 m results in a minimum building height of 8.0 m and multiplying 3 storeys by 4.0 m results in a maximum building height of 12.0 m. 2. 3. For a main building with a roof other than that described in clause 1 of this subsection, the vertical distance in metres between the grade and the mid-point between the lowest eaves and the highest point of the roof.”***

***“GRADE 1. 2. For the purpose of Section 5.10.9, (accessory structures) means the average elevation of the finished surface of the ground adjacent to the accessory building. For the remainder of the By-law, means the average elevation of the crown of that part of the street abutting the front lot line. Where the elevation of a point on a building located on the lot is equal to the grade elevation, that point is deemed to be "at grade".***

There are four minor provisions to be adjusted to allow for the appropriate land use of a semi-detached residential building:

- i) **Lot Width** (minimum) = 15 m required and 13.7 m provided;
- ii) **Lot Coverage** (maximum) = 45% max and 46% provided;
- iii) **Rear Yard Setback** (minimum) = 7.5 m required and 6.9 m provided;
- iv) **Gross Floor Area** (maximum) = 400 m<sup>2</sup> max and 757.4 m<sup>2</sup> provided (includes main floor, ADU's, and attic mechanical floor space).

In my professional opinion, the proposed new semi-detached residence will comply with the Comprehensive Zoning Bylaw 8600 when the bylaw is passed changing the zoning regulations to a site specific 'Residential District 2.2 (RD2.2 (##))'.

## 8 CONCLUSIONS:

The proposed infilling of a new semi-detached building that is a comparable building to the neighbourhood makes sound development. The proposed development creating a low profile, 4 square building that is sensitive in design, massing, and style to the existing neighbourhood is appropriate in this location and compatible with the existing residential neighbourhood.

The proposed site specific ZBA to allow for a compatible style, massing and designed building is sound and represents a complimentary and compact built form of housing alternative styles and tenure that supports a healthy community.

In my professional opinion the proposed minor ZBA and proposed infilling development:

- 1) is consistent with the policies of the 2020 Provincial Policy Statements;
- 2) conforms with the relevant policies of the City of Windsor Official Plan;
- 3) once the site specific ZBA is passed, the development will comply the regulations of the Comprehensive Zoning Bylaw 8600; and
- 4) makes sound planning.

I hereby certify that this report was prepared by Jackie Lassaline RPP MCIP, a Registered Professional Planner within the meaning of the Ontario Professional Planners Institute Act, 1994.

Regards,

**Lassaline Planning Consultants**

*Jacqueline Lassaline*  
Jackie Lassaline BA MCIP RPP

## Appendix A- 'RESIDENTIAL DISTRICT 2.2 (RD2.2)'

### SECTION 11 - RESIDENTIAL DISTRICTS 2. (RD2.)

(B/L 10358 Jul 16/1990; B/L 11093 Jul 20/1992; B/L 12651 Approved by OMB Order R960323, Feb 25/1997  
B/L 169-2001 Jun 1/2001; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233  
B/L 370-2001 Nov 15/2001; B/L 363-2002 Dec 31/2002; B/L 142-2006 Aug 24/2006; B/L 114-2016 Sep 19/2016)  
B/L 164-2017, Dec. 7/2017 [ZNG/5270]

#### 11.1 RESIDENTIAL DISTRICT 2.1 (RD2.1)

##### 11.1.1 PERMITTED USES

One *Duplex Dwelling*  
One *Semi-Detached Dwelling*  
One *Single Unit Dwelling*  
Any use accessory to the preceding uses

##### 11.1.5 PROVISIONS

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

(AMENDED by B/L 101-2022, July 11, 2022)

## APPENDIX E – CONSULTATION COMMENTS

### ENVIRONMENTAL SERVICES – JIM LEETHER

No issues on our end, all waste/recycle/yard waste and pending organics collection (October 2025) would be at the curb.

### TRANSIT WINDSOR – JASON SCOTT

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Transway 1C. The closest existing bus stop to this property is located on University at California Southeast Corner. This bus stop is approximately 170 metres from this property falling within Transit Windsor's 400 metre walking distance guidelines to a bus stop. This will be maintained with Transit Windsor's City Council approved Transit Master Plan.

### BELL CANADA – JUAN CORVALAN

The information that municipalities provide to Bell Canada is instrumental to the provisioning of telecommunications infrastructure and we appreciate the opportunity to be proactively engaged in development applications and infrastructure and policy initiatives.

Bell Canada will provide a response should any comments / input be required on the information included in the circulation received. Bell Canada kindly requests that even if a specific comment is not provided at this time that you continue to circulate us at [circulations@wsp.com](mailto:circulations@wsp.com) on any future materials related to this development project or infrastructure / policy initiative so that we can continue to monitor its progress and are informed of future opportunities for engagement.

#### 1) Bell Canada Responses to Pre-Consultation & Complete Development Application Circulations:

##### Pre-consultation Circulations

Please note that Bell Canada does NOT generally comment on pre-consultation circulations unless the information provided identifies that a future draft plan of subdivision, draft plan of condominium and/or site plan control application will be required to advance the development proposal.

##### Complete Application Circulations & Recirculations

Please note that Bell Canada does NOT generally comment on the following development applications - official plan and zoning by-law amendments, part lot control, temporary use and interim control by-laws. However, Bell Canada does generally comment on site plan approval, draft plans of subdivision and draft plan of condominium applications.

Bell Canada will generally comment on recirculations where the change modifies the proposed residential dwelling unit count and/or non-residential gross floor area in a draft plan of subdivision, draft plan of condominium and/or site plan control application.

#### 2) Bell Canada Responses to Infrastructure and Policy Initiative Circulations:

If required, a follow-up email will be provided by Bell Canada to outline any input to be considered on the infrastructure / policy initiative circulation received at this time.

#### Concluding Remarks:

If you have any other specific questions, please contact [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) directly.



We note that WSP operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. **However, all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP.** WSP is not responsible for the provision of comments or other responses.

### **SITE PLAN CONTROL**

Site Plan is not applicable for this proposed development pursuant to the Planning Act and City of Windsor By-law 1-2004.

### **CALDWELL FIRST NATION – NATALYA GARROD**

Thank you for providing notification of the proposed development. Caldwell does not have any comments at this time.

### **ZONING COORDINATOR – PIERE BORDEAUX**

- **Current Zoning Designation:** Residential District 2.2
- **Proposed Zoning Designation:** Residential District 2.2
  
- **Existing Use [as per historical Building Permit(s) / Planning Act Applications(s)]:**
  - Single-family dwelling unit
  
- **Proposed Use:**
  - Severable, Semi-Detached Dwelling Unit with a total of 4 additional dwelling units situated within the main building in the upper floor and the basement.
  
- **Section 5 – General Provisions:**
  - [COMPLY]
  
- **Section [11.2] – [RESIDENTIAL DISTRICT 2.2] [RD2.2]:**
  - [DOES NOT COMPLY]
  
  - [11.2.5.2.3] Minimum Lot Coverage:
    - [45.0%] (Required)
    - [48.0%] (Provided)
  
  - 
  
  - [11.2.5.2.6] Minimum Rear Yard Depth:
    - [7.50 m] (Required)
    - [6.90 m] (Provided)
  
  - 
  
  - [11.2.5.2.10] Maximum Gross Floor Area – Main Building:
    - [400 m<sup>2</sup>] (Required)
    - [757 m<sup>2</sup>] (Provided)
  
- **Section 20 – Site Specific Zoning Exemptions:**

- [NOT APPLICABLE]
- **Section 24 – Parking, Loading, and Stacking Provisions:**
  - [DOES NOT COMPLY]
  - [24.28] Front Yard Paving and Surfacing in Residential Districts:
    - [24.28.1.3.1] The Total Area of the Required Front Yard Occupied by a Hard Surface Cannot Exceed
      - 50% of the Required Front Yard (Required)
      - 79% of the Required Front Yard (Provided)
- **Section 25 – Parking Area Regulations:**
  - [NOT APPLICABLE]

## **ENWIN**

HYDRO ENGINEERING: **Jerry Raniwsky**

No Objection to Re-Zoning

ENWIN has the following hydro plant at the above noted location:

- Existing ENWIN 16kV primary overhead hydro distribution along the rear alley at the east limit of the site
- Existing ENWIN 120/240V secondary overhead hydro distribution along the rear alley at the east limit of the site
- Existing ENWIN 120/240V overhead hydro service at the rear of the above noted building

We recommend referring to the Occupational Health and Safety Act for minimum safe limits of approach during construction and also the Ontario Building Code for adequate clearance requirements.

WATER ENGINEERING: **Bruce Ogg**

ENWIN Water has no objections. The existing water service is to be upgraded to suit the proposed development.

## **HERITAGE PLANNING – TRACY TANG**

### **Built Heritage**

Please be advised that the subject property is located adjacent to heritage resources recognized by Council on the Windsor Municipal Heritage Register, including:

- R | 160 California Ave | L. McGill Allan House | c1922 | Prairie Style; Stucco | Sandwich
- R | 165 California Ave | David M. Eagle House - Mayor of Sandwich | c1925 | Classical Revival | Sandwich
- R | 181 California Ave | Henry T.W. Ellis House | c1922 | Colonial Revival | Sandwich

The property is also located within the Mature Neighbourhood area as per Official Plan Schedule A-1. The proposal is designed in respect to Windsor Intensification Guidelines for Stable and Mature Neighbourhoods 2.2.2.

However, please see the coloured suggestion below with regards to the Hardie Board material and stone veneer material. A darker colour palette would be more compatible with this Mature Neighbourhood and provide less contrast between material types.



### **Archaeology**

Please be advised that the updated archaeological potential model as per the 2024 WAMP and associated Official Plan Schedule C-1 recently adopted by City Council on July 22, 2024 indicates the subject property to be within an Archaeological Potential Zone (APZ) and Archaeologically Sensitive Area (ASA) with special interest factors. A Stage 1 archaeological assessment and any further recommended assessments are required to be entered into the Ontario Public Register of Archaeological Reports to the satisfaction of the City of Windsor and the Ontario Ministry of Citizenship and Multiculturalism, prior to any additional land disturbances. A final copy of these relevant archaeological reports and GIS study area must be submitted to the City of Windsor.

## **RIGHT OF WAY – MARK SCHAFFHAUSER**

### **Required Drawing Revisions:**

1. **Leadwalk** – as per AS-401, leadwalk is not permitted to straddle property line if the property is intended to be severed
2. **Sewer Connections** – All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains.
  - o Modify drawings to include all sewer connections and water services.
  - o Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.

### **Right-of-Way Permit Requirements**

**Alley Acquisition** – Based on the drawing, the owner shall agree prior to issuance of a Building Permit, to acquire any portion of the closed alley abutting the property that is not currently owned by the applicant.

**CCTV Sewer Inspection** – The Owner further agrees to provide at its entire expense

CCTV inspection satisfying City of Windsor Standard Specification S-32, for all existing and newly constructed sanitary and storm sewer infrastructure. The inspection shall include both mainline sewers and private drain connections, and shall be required to be submitted prior to the issuance of construction permits;

**Driveway Approaches** – The Owner further agrees that driveway approaches shall be constructed in such width and location as shall be approved by the City Engineer, with straight flare driveway approaches and no raised curbs within the right-of-way. The Owner shall have the option of constructing said driveway approaches as follows:

1. Residential Property
  - a. Asphalt in accordance with City of Windsor Standard Drawing AS-221; or
  - b. Concrete in accordance with City of Windsor Standard Drawing AS-222

**Sewer Connections** – The site is serviced by a 300mm combined sewer located within the California Avenue Street right-of-way. All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains.

- o Modify drawings to include all sewer connections and water services.
- o Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.

#### **Additional notes to the applicant**

If the intent is to sever the property and individual connections to each unit are provided;

- Each unit will be permitted a driveway as per engineering best practices.
- At the time of permit application a site plan including the right of way to the road will be required showing the layout and dimensions of the driveway and any leadwalks.
- Permits from Public Works are required for driveways and sewers.

If you have any further questions or concerns, please contact Lea Marshall, of this department at [lmarshall@citywindsor.ca](mailto:lmarshall@citywindsor.ca)

#### **TRANSPORTATION PLANNING – ELARA MEHRILOU**

- The Official Plan classifies California Ave as a local residential road with a required right-of-way width of 20 metres. The current right-of-way width is not sufficient; However, no land conveyance is required.
- All parking must comply with Zoning By-Law 8600.
- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
- All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

#### **DEVELOPMENT ENGINEERING – JUAN PARAMO**

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We have reviewed the subject Rezoning application and have the following comments:

##### **Sewers**

The site may be serviced by a 300mm combined sewer located within the California Avenue right-of-way. If possible existing connections should be utilized. Any redundant connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3.

The level of service for the sewer system in this neighborhood is not expected to experience any significant degradation as a result of this development.

### **Right of-Way**

California Avenue is classified as a Local Residential Road according to the Official Plan requiring a right-of-way width of 20.1 m. The current right-of-way width is 15.2 m, however no conveyance is required at this time.

In summary we have no objection to the proposed development.

If you have any further questions or concerns, please contact Daniel Lopez, of this department at [dlopez@citywindsor.ca](mailto:dlopez@citywindsor.ca)

### **ENBRIDGE – SANDRO AVERSA**

After reviewing the provided information, and consulting our mapping system, please note that Enbridge Gas has active infrastructure within the proposed area. A PDF drawing have been attached for reference.

#### **Please Note:**

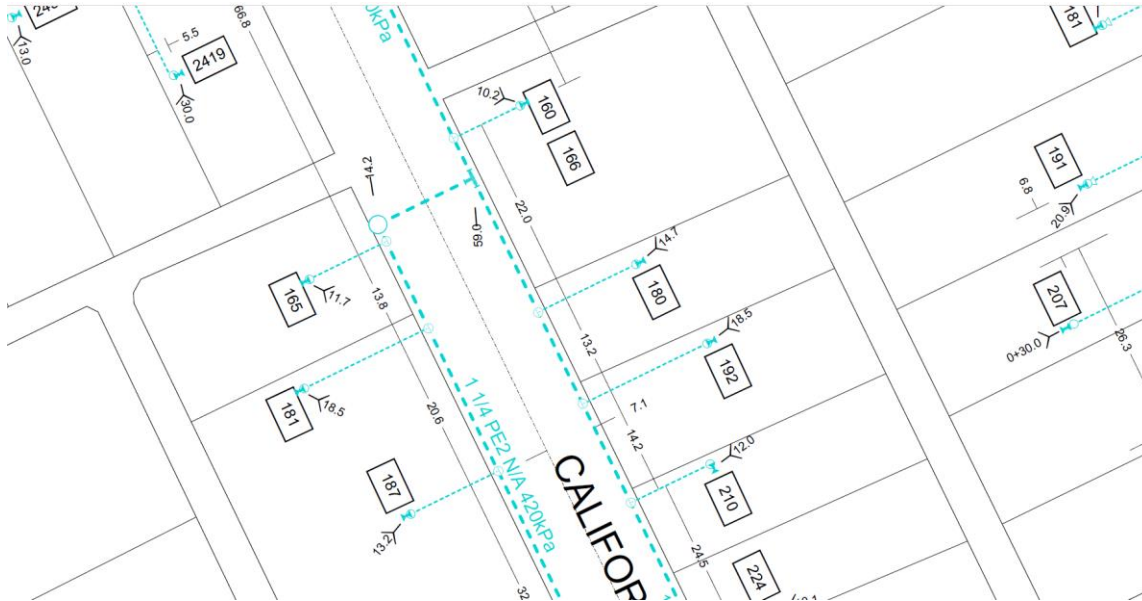
- 1. The shown piping locations are approximate and for information purposes only**
- 2. The drawings are not to scale**
- 3. This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc**

Enbridge Gas requires a minimum separation of 0.6m horizontal and 0.3m vertical from all our plant less than NPS 16 and a minimum separation 1.0m horizontal and 0.6m vertical between any CER-regulated and vital pipelines. For all pipelines (including vital pipelines), when drilling parallel to the pipeline, a minimum horizontal clearance measured from the edge of the pipeline to the edge of the final bore hole of 1 m (3.3 ft) is required. Please ensure that this minimum separation requirement is maintained, and that the contractor obtains locates prior to performing any work and utilizes safe excavation practices while performing any work in the vicinity.

Also, please note the following should you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live.
- If during any job, any pipe is found that is not on the locate sheet and conflicts with your work, please call our emergency number (1-877-969-0999), and one of our Enbridge representatives will respond to determine if that plant is in fact live or dead.
- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly.

Please contact me if you have any further questions or concerns.



**FORESTRY – YEMI ADEYEYE**

There are No City trees associated with this lot.

There appears to be a single large tree towards the back of this lot on the boundary with neighbours. The owner/developers will have to consult with their neighbours in regards to the fate of this 'shared' tree during development.

Forestry suggests preparing a detailed site plan prior to development that shows an adequate Tree Root protection zones for the tree if it is to be preserved on-site through the development process. Details regarding the protection area required and type of fencing for Tree Root protection zones can be provided by Forestry.

Forestry requests the opportunity to review landscaping plans in order to provide comment and suggestion that would maximize future on-site Tree Canopy and Tree Canopy Resilience.

**NATURAL AREAS – KAREN ALEXANDER**

If they remove trees – no harming active bird nests (Migratory Bird Act)



**APPENDIX F – SITE PHOTOS**



View of the subject parcel, looking east



View from the subject parcel, looking west





View along California Avenue looking north



View along California Avenue looking south



**APPENDIX “G”  
Zoning Analysis**

Municipal Address	Storeys	Lot Width (m) (Approximate)	Lot Area (m2) (Approximate)	Main Building Area (m2) (Approximate)	Total Building Area (m2) (Approximate)	Lot Coverage Main Building Only (Approximate)	Lot Coverage (Approximate)	GFA main building with basement (m2) (Approximate)	GFA main building without basement (m2) (Approximate)
180 California Ave (existing)	1	13.7	496.0	121.8	157.0	24.6%	31.7%	314.0	121.8
180 California Ave (proposed)	2.5	13.7	496.0	229.7	229.7	46.3%	46.3%	757.4	464.0
181 California Ave	2.5	42.7	1,547.5	173.0	238.5	11.2%	15.4%	834.8	432.5
160-166 California Ave	2.5	26.2	1,027.0	253.2	300.1	24.7%	29.2%	1,050.3	633.1
223 California Ave	1.5	15.2	544.5	151.6	189.7	27.8%	34.8%	474.4	227.4
224 California Ave	2.5	12.9	430.2	236.5	236.5	55.0%	55.0%	827.9	591.4
230 California Ave	1	12.2	424.2	144.5	157.4	34.1%	37.1%	314.9	144.5
248 California Ave	1	12.2	378.4	109.5	109.5	28.9%	28.9%	219.1	109.5
260-266 California Ave	3	10.7	323.3	137.1	141.7	42.4%	45.0%	566.6	411.4
386 UNIVERSITY AV	3	23.4	710.9	234.9	234.9	33.0%	33.0%	939.5	704.6
207 Askin Ave	2.5	15.2	743.1	268.4	268.4	36.1%	36.1%	939.3	671.0
<b>Average</b>	<b>1</b>	<b>18</b>	<b>647</b>	<b>187</b>	<b>206</b>	<b>33.2%</b>	<b>35.8%</b>	<b>658</b>	<b>410</b>



**Committee Matters: SCM 339/2024**

**Subject: Approval of a Draft Plan of Subdivision and Zoning By-law Amendment for the property known as 3990 Loon Street; Applicant: Olivia Construction Inc.; File Nos. SDN-003/24 [SDN/7212] and Z-018/24 [ZNG/7211]; Ward 5.**

Moved by: Councillor Mark McKenzie  
Seconded by: Councillor Fred Francis

Decision Number: **DHSC 672**

**I** THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of the land located west of Tourangeau Road, between Plymouth Drive and Grand Marais Road East, described as Pt Lot 105, Concession 2, designated as PART 1, Plan 12R-26347 [PIN 01360-0291 (LT)] and PART BLOCK 21 Plan 12M417 Windsor being PARTS 4, 5 & 6 Plan 12R27878 [PIN 01360-0301 (LT)], from RD2.1 to RD2.2, subject to s.95.20.

**II** THAT the holding (H) symbol **SHALL APPLY** to the land described as Pt Lot 105, Concession 2, designated as PART 1, Plan 12R-26347 [PIN 01360-0291 (LT)] and PART BLOCK 21 Plan 12M417 Windsor being PARTS 4, 5 & 6 Plan 12R27878 [PIN 01360-0301 (LT)] and that Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following clause to Section 95.20:

(2) Registration of a Final Plan of Subdivision.

**III** THAT the application of Olivia Construction Homes Inc. for Draft Plan of Subdivision approval for Pt Lot 105, Concession 2, designated as PART 1, Plan 12R-26347 [PIN 01360-0291 (LT)] and PART BLOCK 21 Plan 12M417 Windsor being PARTS 4, 5 & 6 Plan 12R27878 [PIN 01360-0301 (LT)], **BE APPROVED** subject to the following conditions:

- A. That the Draft Plan Approval shall lapse on \_\_\_\_\_ (3 years from the date of approval);
- B. That this approval applies to the draft plan of subdivision presented on attached Map No. SDN-003/24-1, prepared by VERHAEGEN Land Surveyors for Olivia Construction Homes Inc., showing 4 Blocks for townhome dwellings, 1 Block to be conveyed to the Corporation of the City of Windsor for the accommodation of existing municipal drain south of the subject land, 1 Block for Road Reserve, and two proposed road allowances (Street A and extension of Loon Street);
- C. That the owner shall enter into a subdivision agreement with the Corporation of the City of Windsor for the proposed development on the subject lands;

- D. That the owner shall submit for approval of the City Planner/Executive Director of Planning & Building a final draft M-Plan, which shall include the names of all road allowances within the plan, as approved by the Corporation.
- E. That the subdivision agreement between the owner and the Corporation of the City of Windsor be registered on title and shall contain, among other matters, the following provisions:
1. The owner shall include all items as set out in the Results of Consultation (attached hereto as Appendix D) with further amendments as required, all requirements under the General Provisions of the Plan of Subdivision Agreement for the Engineering Department, and other relevant matters set out in CR 233/98 (Standard Subdivision Agreement).
  2. The owner shall, prior to the issuance of a construction permit for any and all phases of the development, finalize an engineering analysis to identify stormwater quality and quantity measures as necessary to control any increase in flows in downstream watercourses, in accordance with the *Windsor-Essex Region Stormwater Management Standards Manual* and any other relevant municipal/provincial, standards or guidelines, in consultation, with the Essex Region Conservation Authority (ERCA), to the satisfaction of the City Engineer and Essex Region Conservation Authority.
  3. The Owner shall install the stormwater management measures, for each phase of the development, identified in the final engineering analysis completed, as part of the development for the site and undertake to implement the recommendations contained therein, to the satisfaction of the City Engineer and the Essex Region Conservation Authority.
  4. The owner shall, prior to the issuance of a construction permit, provide the Essex Region Conservation Authority a copy of the fully executed subdivision agreement between the Owner and the Municipality, containing provisions to carry out the recommendations of the final plans, reports, and requirements noted above in paragraphs III.E.2 & III.E.3, and obtain the necessary ERCA approvals for each phase or phases seeking final approval.
  5. Prior to undertaking construction or site alteration activities, the owner shall obtain all necessary approvals from the Essex Region Conservation Authority, in accordance with Section 28 of the *Conservation Authorities Act*, any other legislation, and applicable conditions specified herein.
  6. Notice is required in every agreement of purchase and sale for the units within Block 4, that the properties are subject to Section 28 approvals by ERCA under the *Conservation Authorities Act*. Additionally, the notice should specify that the rear portion of the lots with 8m plus the depth of the drain may not meet the minimum setback requirement for additional

structures. The ERCA permit process will assess the feasibility of constructing buildings and structures in proximity to the regulated watercourse, Pillette Drain No. 1.

7. Right-of-Way - Prior to the issuance of a construction permit, the owner shall
  - a) Construct on all future municipal right-of-way, pavements, including curbs and gutters, driveway approaches and the necessary drainage facilities according to City of Windsor standard specifications, complete with a 20-meter right-of-way. Pavements may be 7.4 meters in width, as shown on Standard City Drawing AS-206C. The cul-de-sac pavements shall have a minimum radius of 9.5 meter. The owner further agrees that one (1) full winter shall elapse following the laying of base asphalt, prior to the laying of surface asphalt. All work to be to the satisfaction of the City Engineer.
  - b) Construct at the easterly limit of Street A a cul-de-sac bulb wide enough to accommodate a minimum boulevard width of 2.5m for utilities as stipulated by the City of Windsor Standard Drawing AS-206C, and the radius shall be large enough for garbage collection trucks and emergency vehicles to turn around in. All work to be to the satisfaction of the City Engineer.
8. Sidewalks – Prior to the issuance of a construction permit, the owner shall construct, at their entire expense and according to City of Windsor Standard Specifications, concrete sidewalks at the following locations, to the satisfaction of the City Engineer:
  - a) New Street A – along the north boulevard to Allyson Avenue
  - b) Loon Street – along the north boulevard between Allyson Avenue and Tourangeau Road
9. Private Storm Drainage Connection - The owner agrees that private storm drain connections from residential units shall not be provided, and further agrees that the proposed townhouses shall be constructed with slabs on grade and shall be drained on grade via splash-blocking.
10. Catch Basins – Prior to the issuance of a construction permit, the owner shall install two sets of catch basins on each of Street 'A' and Loon Street, as a factor of safety, and install rear yard drain catch basins that shall outlet to shared rear-yard drainage piping, all to the satisfaction of the City Engineer.
11. Servicing Study – Prior to the issuance of a construction permit, the owner shall, at its own expense, retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems, satisfactory in content to the City Engineer. The study shall review the proposed impact and recommend mitigating measures and implementation of those measures.

12. Site Servicing Plans – The owner shall submit a site servicing plan for the subject lands to the satisfaction of the Chief Building Official, the City Engineer, and ERCA in regulated areas, prior to the issuance of any construction permits.
13. Servicing Charges – The owner shall pay owed servicing fees in the amount of \$11,557.70 + HST + an annual interest charge applied based on the Infrastructure Ontario 5-year borrowing rate plus 1%.
14. Conveyance Requirements - The owner shall, prior to the issuance of a construction permit, gratuitously convey to the Corporation of the City of Windsor
  - i) Block 5 on Map No. SDN-003/24-1 for the municipal Pillette Drain No.1. This conveyance shall be approximately 4.7 meters;
  - ii) Block 6 (*0.3m wide strip of land along the dead-end of Street A*) on Map No. SDN-003/24-1, for land reserve purposes;
  - iii) A 6.0m wide easement along the southerly limit of Block 4 on Map No. SDN-003/24-1, for the maintenance and improvement of the Pillette No. 1 Drain. Should the municipal drain be abandoned, the easement would still be necessary for the maintenance of the municipal ditch; and all conveyances shall be to the satisfaction of the City Engineer and the City Solicitor.
15. Drainage Engineering Report – The owner agrees that the subject site shall be serviced by the Pillette Drain No. 1, situated to the south of the property; and further agrees that any new storm sewer outlet connection to the drain shall be completed in accordance with City of Windsor Engineering Best Practice BP.1.3.2, which includes an Engineer's Report, and any other requirements specified under the Drainage Act. Therefore, the owner shall retain, at its own expense, a Consulting Engineer to provide, prior to the issuance of a construction permit, a detailed Drainage Report in accordance with the Drainage Act, to the satisfaction of the City Engineer and the Essex Region Conservation Authority.
16. Climate Change considerations - The owner shall compensate at caliper-per-caliper rate any trees not able to be retained on the site, in addition to the standard payment for one new tree per unit requirement at the time of building permit, to the satisfaction of the City Forester as per the Schedule of Fees.
17. Tree Removal & Replacement - The owner shall pay to the Corporation, prior to the issuance of a construction permit, the sum of \$74,392.00 being tree replacement cost for the removal of trees with a total of 547 cm tree diameter, which requires replacement with a total of 110 new caliper trees.
18. Tree Protection Fencing - The owner shall install tree protection fence for Tree Root protection zones for each tree, prior to commencement of

pre-grading activities, and shall further retain a Certified Arborist to inspect the tree protection fencing prior to and during construction to ensure that the fencing remains intact and in good repair throughout the stages of development.

19. Parkland Conveyance: The owner shall, prior to the issuance of a construction permit, pay cash-in-lieu of the 5% of lands to be developed, in accordance with By-law 12780, to the satisfaction of the Executive Director of Parks and the City Planner.
20. Archaeological Assessment - Prior to final Plan approval and prior to any additional land disturbances, the owner shall undertake a Stage 1 archaeological assessment and any further recommended assessments. The required assessment(s) shall be entered into the Ontario Public Register of Archaeological Reports to the satisfaction of the City of Windsor and the Ontario Ministry of Citizenship and Multiculturalism.
21. Prior to the issuance of a construction permit, the owner shall submit a final copy of the relevant archaeological reports mentioned above, in paragraph 20, and GIS study area to the City of Windsor.
22. The owner shall adhere to the recommended mitigation and avoidance measures in section 4.4 of the Fisheries Act Review prepared by MTE, dated May 14, 2024.
23. The owner shall:
  - i) Relocate, at their own cost, any existing Bell Canada facilities or easements found to be in conflict with the proposed development;
  - ii) Provide Bell Canada with servicing plans/CUP to confirm the provision of communication/telecommunication infrastructure needed to service the development. The owner shall be responsible for providing entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the owner may be required to pay for the extension of such network infrastructure. If the owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

#### **NOTES TO DRAFT APPROVAL (File # SDN-003/24)**

1. *The applicant is directed to Section 51(39) of The Planning Act 1990 regarding appeal of any imposed conditions to the Local Planning Appeal Tribunal. Appeals are to be directed to the City Clerk of the City of Windsor.*
2. *It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the City of Windsor, to the attention of the City Planner /*

*Executive Director of Planning and Development, quoting the above-noted file number.*

3. *Required agreements with the Municipality will be prepared by the City Solicitor.*
4. *The applicant should consult with an Ontario Land Surveyor for this proposed plan concerning registration requirements relative to the Certification of Titles Act.*
5. *The final plan approved by the Corporation of the City of Windsor must be registered within thirty (30) days or the Corporation may withdraw its approval under Section 51(59) of The Planning Act 1990.*
6. *All plans of subdivision/condominium are to be prepared and presented in metric units and certified by the Ontario Land Surveyor that the final plan is in conformity to the approved zoning requirements.*
7. *Where agency conditions are included in the City's Subdivision Agreement, the Applicant is required to forward a copy of the agreement to the agencies in order to facilitate their clearance of conditions for final approval of this plan.*

**IV** THAT the City Clerk **BE AUTHORIZED** to issue the required notice respecting approval of the draft plan of subdivision under Section 51(37) of The Planning Act.

**V** THAT the subdivision agreement shall **BE REGISTERED** against lands to which it applies prior to the final registration of the Plan of Subdivision.

**VI** THAT prior to the final approval by the Corporation of the City of Windsor, the City Planner / Executive Director of the Planning and Development shall **BE ADVISED**, in writing, by the appropriate agencies that conditions have been satisfied.

**VII** THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary agreements and documents approved as to form and content satisfactory to the City Solicitor

**VIII** THAT Administration from the Parks Department **BE DIRECTED** to comment on the potential sale of vacant land on Plymouth Street; and,

**IX** THAT this information be **BE BROUGHT FORWARD** when this item proceeds to Council for their consideration.

Carried.

Member Daniel Grenier discloses an interest and abstains from voting on this matter.

Report Number: S 146/2024  
Clerk's File: Z/14851 Z/14853

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are **NOT** the same.
2. Please refer to Item 7.3 from the Development & Heritage Standing Committee held on November 4, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241105/-1/10519>



**Subject: Approval of a Draft Plan of Subdivision and Zoning By-law Amendment for the property known as 3990 Loon Street; Applicant: Olivia Construction Inc.; File Nos. SDN-003/24 [SDN/7212] and Z-018/24 [ZNG/7211]; Ward 5.**

**Reference:**

Date to Council: November 4, 2024  
Author: Justina Nwaesei, MCIP, RPP  
Planner III - Development  
519-255-6543, ext. 6165  
jnwaesei@citywindsor.ca

Planning & Building Services  
Report Date: October 15, 2024  
Clerk's File #: Z/14851 Z/14853

**To:** Mayor and Members of City Council

**Recommendation:**

**I** THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of the land located west of Tourangeau Road, between Plymouth Drive and Grand Marais Road East, described as Pt Lot 105, Concession 2, designated as PART 1, Plan 12R-26347 [PIN 01360-0291 (LT)] and PART BLOCK 21 Plan 12M417 Windsor being PARTS 4, 5 & 6 Plan 12R27878 [PIN 01360-0301 (LT)], from RD2.1 to RD2.2, subject to s.95.20.

**II** THAT the holding (H) symbol **SHALL APPLY** to the land described as Pt Lot 105, Concession 2, designated as PART 1, Plan 12R-26347 [PIN 01360-0291 (LT)] and PART BLOCK 21 Plan 12M417 Windsor being PARTS 4, 5 & 6 Plan 12R27878 [PIN 01360-0301 (LT)] and that Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following clause to Section 95.20:

(2) Registration of a Final Plan of Subdivision.

**III** THAT the application of Olivia Construction Homes Inc. for Draft Plan of Subdivision approval for Pt Lot 105, Concession 2, designated as PART 1, Plan 12R-26347 [PIN 01360-0291 (LT)] and PART BLOCK 21 Plan 12M417 Windsor being PARTS 4, 5 & 6 Plan 12R27878 [PIN 01360-0301 (LT)], **BE APPROVED** subject to the following conditions:

- A. That the Draft Plan Approval shall lapse on \_\_\_\_\_ (3 years from the date of approval);
- B. That this approval applies to the draft plan of subdivision presented on attached Map No. SDN-003/24-1, prepared by VERHAEGEN Land Surveyors

for Olivia Construction Homes Inc., showing 4 Blocks for townhome dwellings, 1 Block to be conveyed to the Corporation of the City of Windsor for the accommodation of existing municipal drain south of the subject land, 1 Block for Road Reserve, and two proposed road allowances (Street A and extension of Loon Street);

- C. That the owner shall enter into a subdivision agreement with the Corporation of the City of Windsor for the proposed development on the subject lands;
- D. That the owner shall submit for approval of the City Planner/Executive Director of Planning & Building a final draft M-Plan, which shall include the names of all road allowances within the plan, as approved by the Corporation.
- E. That the subdivision agreement between the owner and the Corporation of the City of Windsor be registered on title and shall contain, among other matters, the following provisions:
  - 1. The owner shall include all items as set out in the Results of Consultation (attached hereto as Appendix D) with further amendments as required, all requirements under the General Provisions of the Plan of Subdivision Agreement for the Engineering Department, and other relevant matters set out in CR 233/98 (Standard Subdivision Agreement).
  - 2. The owner shall, prior to the issuance of a construction permit for any and all phases of the development, finalize an engineering analysis to identify stormwater quality and quantity measures as necessary to control any increase in flows in downstream watercourses, in accordance with the *Windsor-Essex Region Stormwater Management Standards Manual* and any other relevant municipal/provincial, standards or guidelines, in consultation, with the Essex Region Conservation Authority (ERCA), to the satisfaction of the City Engineer and Essex Region Conservation Authority.
  - 3. The Owner shall install the stormwater management measures, for each phase of the development, identified in the final engineering analysis completed, as part of the development for the site and undertake to implement the recommendations contained therein, to the satisfaction of the City Engineer and the Essex Region Conservation Authority.
  - 4. The owner shall, prior to the issuance of a construction permit, provide the Essex Region Conservation Authority a copy of the fully executed subdivision agreement between the Owner and the Municipality, containing provisions to carry out the recommendations of the final plans, reports, and requirements noted above in paragraphs III.E.2 & III.E.3, and obtain the necessary ERCA approvals for each phase or phases seeking final approval.
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6. Notice is required in every agreement of purchase and sale for the units within Block 4, that the properties are subject to Section 28 approvals by ERCA under the *Conservation Authorities Act*. Additionally, the notice should specify that the rear portion of the lots with 8m plus the depth of the drain may not meet the minimum setback requirement for additional structures. The ERCA permit process will assess the feasibility of constructing buildings and structures in proximity to the regulated watercourse, Pillette Drain No. 1.
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  - a) Construct on all future municipal right-of-way, pavements, including curbs and gutters, driveway approaches and the necessary drainage facilities according to City of Windsor standard specifications, complete with a 20-meter right-of-way. Pavements may be 7.4 meters in width, as shown on Standard City Drawing AS-206C. The cul-de-sac pavements shall have a minimum radius of 9.5 meter. The owner further agrees that one (1) full winter shall elapse following the laying of base asphalt, prior to the laying of surface asphalt. All work to be to the satisfaction of the City Engineer.
  - b) Construct at the easterly limit of Street A a cul-de-sac bulb wide enough to accommodate a minimum boulevard width of 2.5m for utilities as stipulated by the City of Windsor Standard Drawing AS-206C, and the radius shall be large enough for garbage collection trucks and emergency vehicles to turn around in. All work to be to the satisfaction of the City Engineer.
8. Sidewalks – Prior to the issuance of a construction permit, the owner shall construct, at their entire expense and according to City of Windsor Standard Specifications, concrete sidewalks at the following locations, to the satisfaction of the City Engineer:
  - a) New Street A – along the north boulevard to Allyson Avenue
  - b) Loon Street – along the north boulevard between Allyson Avenue and Tourangeau Road
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the existing municipal sewer systems, satisfactory in content to the City Engineer. The study shall review the proposed impact and recommend mitigating measures and implementation of those measures.

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  - i) Block 5 on Map No. SDN-003/24-1 for the municipal Pillette Drain No.1. This conveyance shall be approximately 4.7 meters;
  - ii) Block 6 (*0.3m wide strip of land along the dead-end of Street A*) on Map No. SDN-003/24-1, for land reserve purposes;
  - iii) A 6.0m wide easement along the southerly limit of Block 4 on Map No. SDN-003/24-1, for the maintenance and improvement of the Pillette No. 1 Drain. Should the municipal drain be abandoned, the easement would still be necessary for the maintenance of the municipal ditch; and all conveyances shall be to the satisfaction of the City Engineer and the City Solicitor.
15. Drainage Engineering Report – The owner agrees that the subject site shall be serviced by the Pillette Drain No. 1, situated to the south of the property; and further agrees that any new storm sewer outlet connection to the drain shall be completed in accordance with City of Windsor Engineering Best Practice BP.1.3.2, which includes an Engineer’s Report, and any other requirements specified under the Drainage Act. Therefore, the owner shall retain, at its own expense, a Consulting Engineer to provide, prior to the issuance of a construction permit, a detailed Drainage Report in accordance with the Drainage Act, to the satisfaction of the City Engineer and the Essex Region Conservation Authority.
16. Climate Change considerations - The owner shall compensate at caliper-per-caliper rate any trees not able to be retained on the site, in addition to the standard payment for one new tree per unit requirement at the time of building permit, to the satisfaction of the City Forester as per the Schedule of Fees.
17. Tree Removal & Replacement - The owner shall pay to the Corporation, prior to the issuance of a construction permit, the sum of \$74,392.00 being tree replacement cost for the removal of trees with a total of 547 cm tree diameter, which requires replacement with a total of 110 new caliper trees.

18. Tree Protection Fencing - The owner shall install tree protection fence for Tree Root protection zones for each tree, prior to commencement of pre-grading activities, and shall further retain a Certified Arborist to inspect the tree protection fencing prior to and during construction to ensure that the fencing remains intact and in good repair throughout the stages of development.
19. Parkland Conveyance: The owner shall, prior to the issuance of a construction permit, pay cash-in-lieu of the 5% of lands to be developed, in accordance with By-law 12780, to the satisfaction of the Executive Director of Parks and the City Planner.
20. Archaeological Assessment - Prior to final Plan approval and prior to any additional land disturbances, the owner shall undertake a Stage 1 archaeological assessment and any further recommended assessments. The required assessment(s) shall be entered into the Ontario Public Register of Archaeological Reports to the satisfaction of the City of Windsor and the Ontario Ministry of Citizenship and Multiculturalism.
21. Prior to the issuance of a construction permit, the owner shall submit a final copy of the relevant archaeological reports mentioned above, in paragraph 20, and GIS study area to the City of Windsor.
22. The owner shall adhere to the recommended mitigation and avoidance measures in section 4.4 of the Fisheries Act Review prepared by MTE, dated May 14, 2024.
23. The owner shall:
  - i) Relocate, at their own cost, any existing Bell Canada facilities or easements found to be in conflict with the proposed development;
  - ii) Provide Bell Canada with servicing plans/CUP to confirm the provision of communication/telecommunication infrastructure needed to service the development. The owner shall be responsible for providing entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the owner may be required to pay for the extension of such network infrastructure. If the owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

#### **NOTES TO DRAFT APPROVAL (File # SDN-003/24)**

1. *The applicant is directed to Section 51(39) of The Planning Act 1990 regarding appeal of any imposed conditions to the Local Planning Appeal Tribunal. Appeals are to be directed to the City Clerk of the City of Windsor.*
2. *It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the City of Windsor, to the attention of the City Planner / Executive Director of Planning and Development, quoting the above-noted file number.*

3. *Required agreements with the Municipality will be prepared by the City Solicitor.*
4. *The applicant should consult with an Ontario Land Surveyor for this proposed plan concerning registration requirements relative to the Certification of Titles Act.*
5. *The final plan approved by the Corporation of the City of Windsor must be registered within thirty (30) days or the Corporation may withdraw its approval under Section 51(59) of The Planning Act 1990.*
6. *All plans of subdivision/condominium are to be prepared and presented in metric units and certified by the Ontario Land Surveyor that the final plan is in conformity to the approved zoning requirements.*
7. *Where agency conditions are included in the City's Subdivision Agreement, the Applicant is required to forward a copy of the agreement to the agencies in order to facilitate their clearance of conditions for final approval of this plan.*

**IV** THAT the City Clerk **BE AUTHORIZED** to issue the required notice respecting approval of the draft plan of subdivision under Section 51(37) of The Planning Act.

**V** THAT the subdivision agreement shall **BE REGISTERED** against lands to which it applies prior to the final registration of the Plan of Subdivision.

**VI** THAT prior to the final approval by the Corporation of the City of Windsor, the City Planner / Executive Director of the Planning and Development shall **BE ADVISED**, in writing, by the appropriate agencies that conditions have been satisfied.

**VII** THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary agreements and documents approved as to form and content satisfactory to the City Solicitor

### **Executive Summary:**

The planning department received applications for zoning by-law amendment (ZBA) and draft plan of subdivision approval (SDN) for the property known as 3990 Loon Street in electoral Ward 5. Olivia Construction Homes Inc. is the applicant. The planning department assigned file numbers SDN-003/24 [SDN/7212] and Z-018/24 [ZNG/7211] to the applications. The applications were deemed complete on September 3, 2024. A 'Notice of Complete Application' was placed in the Windsor Star.

Materials received for the proposed development applications (SDN-003/24 and Z-018/24) were uploaded on the city's website and can be found by copying this link: <https://www.citywindsor.ca/residents/planning/land-development/development-applications/current-development-applications/3990-loon-street>

The Planning Department circulated the applications package to municipal departments and external agencies for comments. The comments received from those who were consulted are attached as APPENDIX D to this report. Those comments were considered in the preparation of this planning report. The required support studies in the application package were also considered in the preparation of this report.

This planning report contains different sections and subsections (headings and subheadings). The intent of this executive summary is to assist the reader in

understanding the contents of this report. Below is a chronological synopsis of the content of each section in this report:

The **RECOMMENDATION** SECTION contains the recommendation to Council. This report recommends approval of the zoning by-law amendment subject to a holding provision, and approval of the draft plan of subdivision with conditions. The conditions of approval address concerns/comments provided by municipal departments and external agencies (see Appendix D attached to this report.)

The **EXECUTIVE SUMMARY** – provides a synopsis of the entire report to guide the reader.

The **BACKGROUND** SECTION includes (i) the Key Map showing the location of the subject land, (ii) Application Information (including a description of the proposed development), (iii) Site Information, (iv) Rezoning Map, and (v) Neighbourhood characteristics – Neighbourhood Map, Surrounding land uses and existing Municipal infrastructure.

The **DISCUSSION** SECTION contains planning analysis - a review and analysis of the (i) Provincial Planning Statement 2024, (ii) Official Plan Volume 1, (iii) Zoning By-law 8600, (iv) Holding Provision, and (v) Site Plan Control. This section demonstrates that the zoning by-law amendment and draft plan of subdivision are consistent with the PPS 2024 and maintain conformity with the City of Windsor Official Plan (OP).

The **RISK ANALYSIS** SECTION is 'not applicable' to this Planning Act matter.

The **CLIMATE CHANGE RISKS** SECTION addresses Climate Change Mitigation and Adaptation pertaining to the proposed development on the subject land.

The **FINANCIAL MATTERS** SECTION is 'not applicable' to this Planning Act matter.

The **CONSULTATION** SECTION provides a brief summary of public consultations such as Open House (led by the applicant) and other consultations that are yet to occur, such as the statutory Public meeting and Council meeting that will occur later. This section also includes consultation with municipal departments and external agencies and some highlights of their comments. Appendices D and E contain the results of the Open House consultation and Municipal department and external agencies consultation.

The **CONCLUSION** SECTION contains planning opinion on the subject rezoning and draft plan of subdivision approval. The opinion rendered is that the amendment and plan of subdivision are consistent with the PPS 2024, maintain conformity with the OP, and constitute good planning. Planning staff recommend approval as noted already.

The **APPROVALS** SECTION contains names and titles of Administration with approval authority over the subject report.

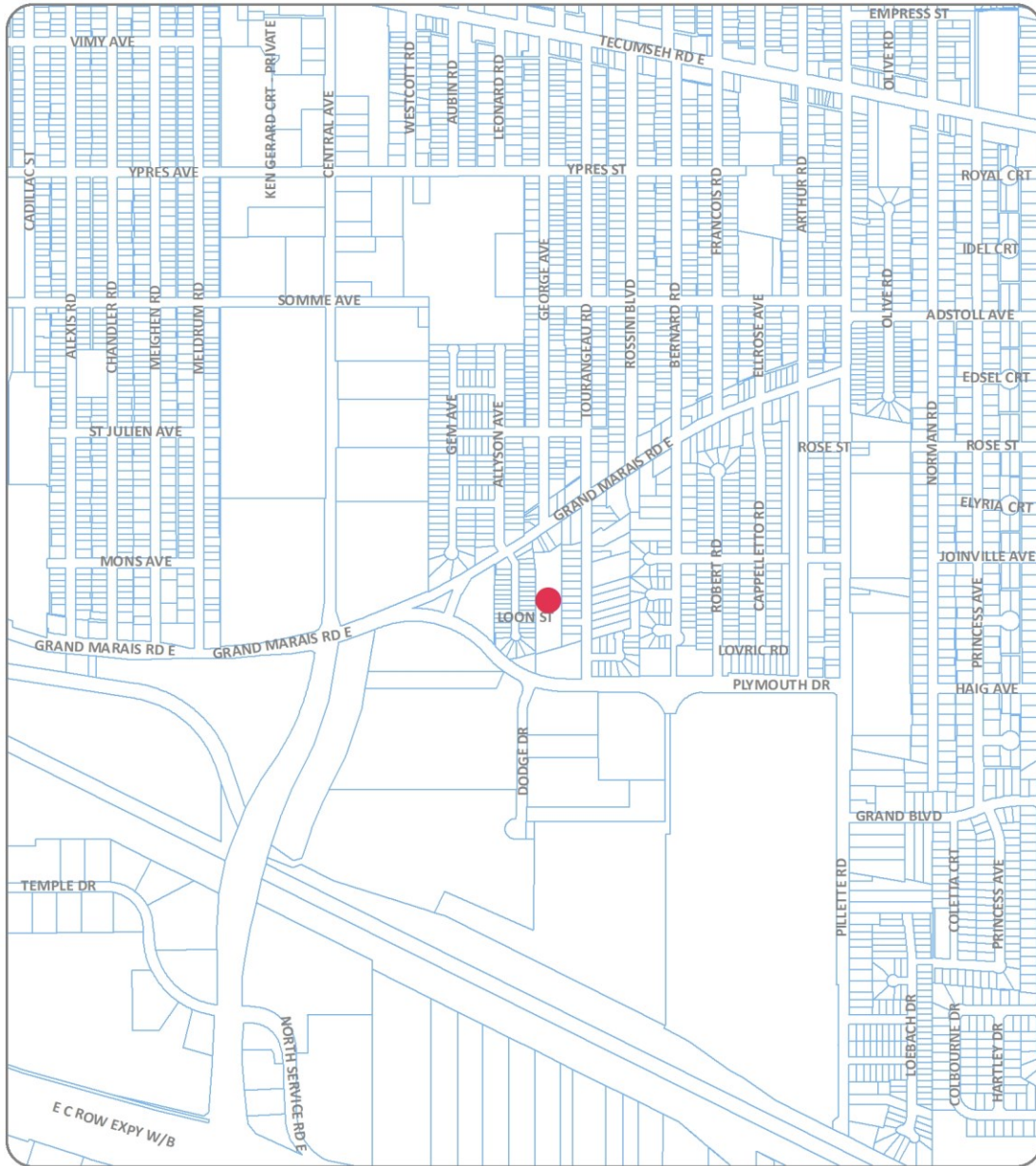
The **APPENDICES** SECTION contains the list of appendices attached to this report.

This planning report provides evidence in support of the zoning by-law amendment (ZBA) and draft plan of subdivision approval (SDN) applications by Olivia Construction Homes Inc. for the property known as 3990 Loon Street. This report confirms that the recommended ZBA and SDN are consistent with the Provincial Planning Statement 2024 and maintain conformity with the applicable policies of Official Plan Volume I.



**Background:**

**1. KEY MAP:**



KEY MAP - SDN 003-24, SDN-7212 & Z-018-24, ZNG-7211

● SUBJECT LANDS



**2. APPLICATION INFORMATION**

**LOCATION:** 3990 Loon Street (west of Tourangeau Road, between Plymouth Drive and Grand Marais Road East)



**APPLICANT:** OLIVIA CONSTRUCTION HOMES INC. (c/o Ashraf Botros)

**AGENT:** PILLON ABBS INC., (c/o Tracey Pillon-Abbs)

**REGISTERED OWNER:** SAME AS APPLICANT

**PROPOSAL:** The applicant is proposing to develop a residential subdivision comprising 4 blocks for townhome dwellings with a total of 28 townhome dwelling units, one Block for 1-foot land reserve along the east limit of a proposed new R.O.W (Street A), and another Block (part of the existing southerly open drain) to be conveyed to the city. The draft plan also shows two proposed internal rights-of-way (Loon St. extension and Street A) connecting to Allyson Avenue, and proposed Loon Street extension also connecting to Tourangeau Road.

The subject land is designated Residential on Schedule D – Land Use, Official Plan Vol. 1, and zoned Residential District 2.1 (RD2.1) by Bylaw 8600. The RD2.1 zoning category does not permit townhome dwellings; therefore, the applicant is requesting an amendment to the zoning by-law 8600 to change the zoning of the subject land from RD2.1 to RD2.2 to permit the proposed townhome dwellings.

The development as proposed is not subject to Site Plan Control. Official Plan Amendment is also not required.

**SUBMISSIONS BY APPLICANT:**

- Plan of Subdivision and Zoning By-law Amendment Application Forms
- Draft Plan, dated July 10, 2024, by Verhaegen Land Surveyors
- Concept Development Plan with Data Matrix
- Planning Justification Report, dated August 28, 2024, and revised September 26, 2024, by Pillon Abbs Inc.
- Servicing Report, dated May 5, 2024, by Haddad Morgan & Associates Ltd.
- Servicing Report Drawings – (Legend; Lot Grading; Misc Notes & Details; Sanitary & Storm drainage; Infrastructure Plan & Profile – Loon Street; Infrastructure Plans and Profiles – Storm Sewer Easement & Street A) by Haddad Morgan & Associates Ltd.
- Fisheries Act Review, dated May 14, 2024, by MTE
- Pre-Screening for Species at Risk, dated December 2, 2021, by MTE
- Clearance letter from MECP, dated August 29, 2023
- Tree Inventory and Preservation Plan, dated March 13, 2023, by Bezaire and Partners
- Notice of Electronic Public Open House by Pillon Abbs Inc.
- Open House PowerPoint Presentation by Pillon Abbs Inc.
- Public Consultation Summary, dated September 19, 2024, by Pillon Abbs Inc.
- Survey, dated August 4, 2015
- Topographic Plan of Survey, dated December 17, 2021

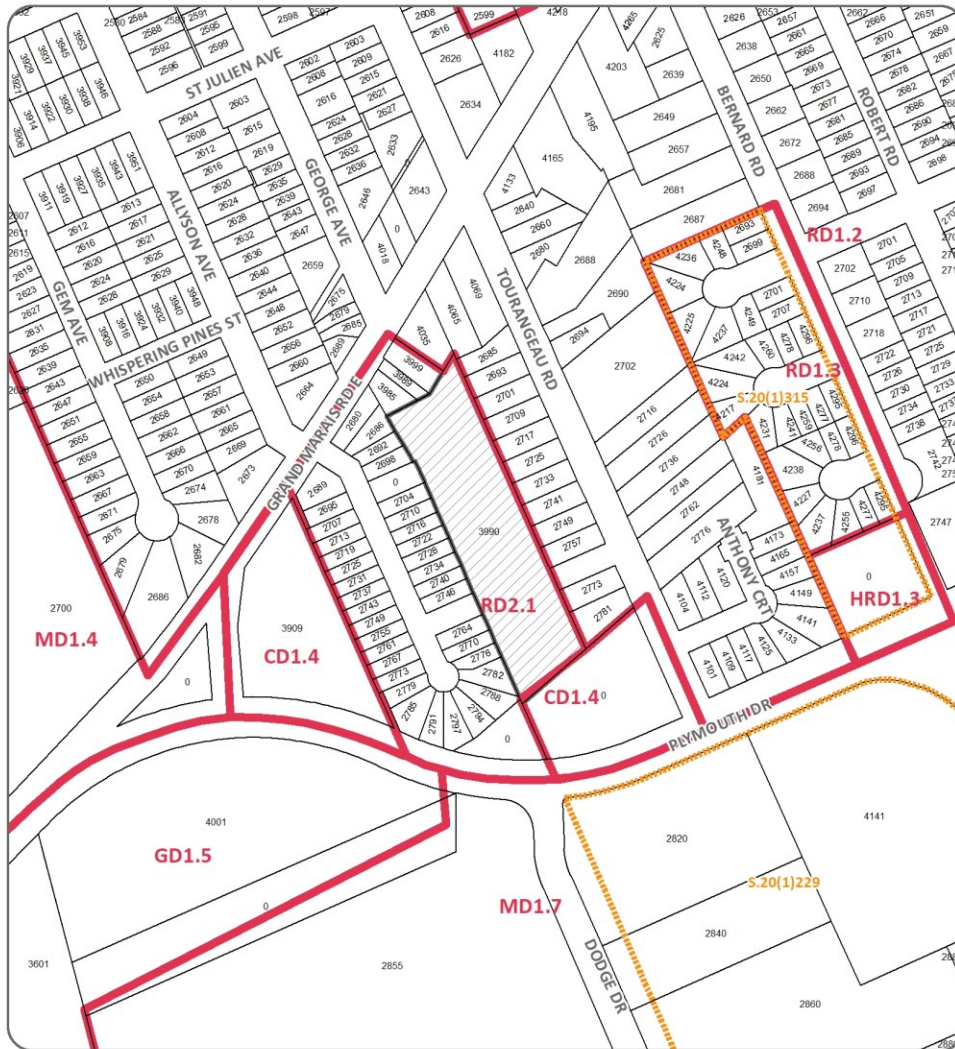
Copy the link below to access the above materials located on the City's website:

<https://www.citywindsor.ca/residents/planning/land-development/development-applications/current-development-applications/3990-loon-street>

### 3. SITE INFORMATION

OFFICIAL PLAN	ZONING & ZDM	CURRENT USE(S)	PREVIOUS USE(S)
RESIDENTIAL [Sch. D: OP Vol. 1)	RESIDENTIAL DISTRICT 2.1 (RD2.1); ZDM11	Vacant	unknown
FRONTAGE	DEPTH	AREA	SHAPE
15.24m along Loon St	irregular	10,599.99sq.m. [1.06 ha]	irregular
Note: All measurements are in accordance with Plan 12R-12694 approximate			

### 4. REZONING MAP



PART OF ZONING DISTRICT MAP 11

N.T.S.

## REQUESTED ZONING AMENDMENT

Applicant: Olivia Construction Homes Inc.

 SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : SEPTEMBER, 2024  
FILE NO. : SDN 003-24, SDN-7212 & Z-018-24, ZNG-7211



# 5. NEIGHBOURHOOD CHARACTERISTICS

## NEIGHBOURHOOD MAP



NEIGHBOURHOOD MAP - SDN 003-24, SDN-7212 & Z-018-24, ZNG-7211



SUBJECT LANDS



The subject neighbourhood is located west of Tourangeau Road, between Plymouth Drive and Grand Marais Road E. and is an established residential neighbourhood characterized by low profile residential subdivisions containing single detached and semi-detached dwellings.

## **SURROUNDING LAND USE**

North side of the subject land, along the south side of Grand Marais Road E., is zoned RD2.1 and contains low profile residential uses of the single detached and semi-detached form of housing.

West side of the subject land, along both sides of Allyson Avenue, is zoned RD2.1 and contains low profile residential use of the semi-detached form of housing. Further west, zoned CD1.4, is an office building (formerly Canadian Red Cross).

East side of the subject land, along Tourangeau Road, RD1.2 zoning category, contains low profile residential developments of the single detached form of housing.

South side of the subject land, along the north side of Plymouth Drive, zoned CD1.4, vacant commercial parcel.

Nearby Municipal Parks within 800m to 1.0km distance of the subject land:

- Municipal Parks - Robert Park (850m distance), Robert McDonald Park and Central Park Athletics (each 800m distance), and Plymouth Park (1.0km distance.)

This development falls within the attendance boundaries of the following schools:

- William G. Davis Public School (K-8)
- W. F. Herman Academy Secondary (9-12)
- W.J. Langlois Catholic Elementary School
- F.J. Brennan Catholic High School

Attached to this report as **Appendix A** are site photos and imagery from google photos.

## **MUNICIPAL INFRASTRUCTURE**

- The City's records show there is a 250 mm diameter PVC sanitary sewer and a 375 mm diameter PVC storm sewer on Allyson Avenue, plus the Pillette Drain No.1 available to accommodate the servicing needs of the proposed residential subdivision.
- There are hydro poles and municipal watermains (200mm diameter PVC) located on Loon Street and Allyson Avenue, and fire hydrant on Allyson Avenue.
- There are concrete curbs and gutters within Allyson Avenue, Loon Street and Zelda Court rights-of-way, but there is no sidewalk.
- The closest existing transit route to this property is with the Central 3. The closest existing bus stop to this property is located on Plymouth at Tourangeau Northwest Corner (approximately 220 metres from the subject property).
- Allyson Avenue, Zelda Court, Loon Street, and Tourangeau Road, are local roads.
- Grand Marais Road East and Plymouth Drive are classified as Class I Collector Roads and are nearby collector roads accessible to the subject land through Allyson Avenue and Tourangeau Road.

## Discussion:

### PLANNING ANALYSIS:

#### 1. PROVINCIAL PLANNING STATEMENT (PPS) 2024

The Provincial Planning Statement (PPS) 2024 was approved by the Lieutenant Governor in Council, Order in Council No. 1099/2024.

##### *CHAPTER I – INTRODUCTION, PPS 2024:*

**Vision** - Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of housing options will support a diverse and growing population and workforce, now and for many years to come. A prosperous Ontario will see the building of more homes for all Ontarians. This is why the province has set a goal of getting at least 1.5 million homes built by 2031.

**Role of the Provincial Planning Statement** - The Provincial Planning Statement provides policy direction on matters of provincial interest related to land use planning and development. The Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians. Zoning and development permit by-laws should be forward-looking and facilitate opportunities for an appropriate range and mix of housing options for all Ontarians.

**Legislative Authority** - The Provincial Planning Statement is a policy statement issued under the authority of section 3 of the Planning Act and came into effect on October 20, 2024. It replaces the Provincial Policy Statement that came into effect on May 1, 2020. The Provincial Planning Statement applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after October 20, 2024.

In respect of the exercise of any authority that affects a planning matter, section 3 of the Planning Act requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act.

Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government shall be consistent with the Provincial Planning Statement.

The applicant's consultant submitted a revised Planning Rationale Report (PRR) dated September 26, 2024, which addresses relevant policies of the Provincial Planning Statement (PPS) 2024. The PRR and other required support studies, reports, and information received for the subject applications can be accessed on the city's website by copying the this link: <https://www.citywindsor.ca/residents/planning/land-development/development-applications/current-development-applications/3990-loon-street>

The PRR provides an analysis of the following key policy considerations of the Provincial Planning Statement as it relates to the proposed development on the subject land:

## *Chapter 2: Building Homes, Sustaining Strong and Competitive Communities*

### **2.1 Planning for People and Homes**

2.1.4. To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area...

2.1.6. Planning authorities should support the achievement of complete communities by: a) accommodating an appropriate range and mix of land uses, housing options...

### **2.2 Housing**

2.2.1. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by: ...

### **2.3 Settlement Areas and Settlement Area Boundary Expansions**

#### 2.3.1 General Policies for Settlement Areas

2.3.1.1. Settlement areas shall be the focus of growth and development...

2.3.1.2. Land use patterns within settlement areas should be based on densities and a mix of land uses which: a) efficiently use land and resources; b) optimize existing and planned infrastructure and public service facilities; c) support active transportation; d) are transit-supportive, as appropriate; ...

2.3.1.3. Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options...

2.3.1.4. Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.

2.3.1.6. Planning authorities should establish and implement phasing policies, where appropriate...

## *Chapter 3: Infrastructure and Facilities*

### **3.1 General Policies for Infrastructure and Public Service Facilities**

3.1.1. Infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs...

### **3.3 Transportation and Infrastructure Corridors**

3.3.3. Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

### **3.6 Sewage, Water and Stormwater**

3.6.2. Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety.

*Chapter 4: Wise Use and Management of Resources*

**4.1 Natural Heritage**

4.1.1. Natural features and areas shall be protected for the long term.

**4.2 Water**

4.2.1. Planning authorities shall protect, improve or restore the quality and quantity of water by: b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;

*Chapter 5: Protecting Public Health and Safety*

**5.1 General Policies for Natural and Human-Made Hazards**

5.1.1. Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards

The applicant’s planning consultant analyzed the above PPS policies in section 5.1 of their revised Planning Rationale Report (PRR) dated September 26, 2024. I have reviewed the planning analysis in the revised PRR and deem the Planning Consultant’s analysis to be acceptable.

It is a fact that the proposed development provides more housing and will help provide for a range and mix of housing options and densities to meet the needs of the city. The PRR and the Servicing Report confirm that municipal services are available to accommodate the proposed development in the subject neighbourhood. The PRR confirms that the proposed development on the subject site will have access to transportation options, public service facilities, other institutional uses, and parks. The proposed development will also connect to existing neighbourhoods and area residents will have access to nearby transit.

The proposed development is a new housing option in an existing settlement area (the City of Windsor). The subject site offers an opportunity for intensification and infilling. The recommended zoning by-law amendment and draft plan of subdivision will result in the infilling and intensification of the subject site. The proposed 4 blocks for new residential dwellings (28 townhome dwelling units) will increase the number of dwelling units from 0 to 28 on the vacant subject land; thereby, resulting in an increase in density. Consequently, the recommended amendment and draft plan of subdivision promote residential intensification

The ZONING section of this report contains a detailed analysis of the densities of the proposed development and demonstrate that the proposed development will result in appropriate densities for the intensification of the subject land.

The recommended amendment and draft plan of subdivision will facilitate the development of townhome dwellings that can be designed to complement the existing building stock in the subject area.

The subject zoning by-law amendment and plan of subdivision will achieve a more compact, low profile residential development that will efficiently use land, resources, and existing infrastructure, including existing and planned active transportation options.



Therefore, the recommended amendment and draft plan of subdivision will result in a development that is cost effective and will sustain the financial well-being of the City and Province.

The subject lands are within an area that is serviced by municipal sewage services and municipal water services. The applicant's Servicing Report, dated April 5, 2024, confirms that (i) the current property is serviced by Roads, Sanitary Sewers, Pillette Drain No. 1, Watermains, Electrical plant and Gas piping; (ii) the storm sewers were designed in accordance with parameters outlined in the Windsor/Essex Region Stormwater Management Standards Manual, dated December 6, 2018; and (iii) the sewers were designed to handle the 100-year storm event without flooding the streets.

With respect to natural heritage features, a Fisheries Act Review dated May 14, 2024, was submitted with the subject applications. The review completed included an aquatic habitat assessment in the Pillette Drain No.1 where the storm sewer outlet is proposed. Potential impacts of the storm sewer system outlet were assessed to determine the likelihood of causing the death of fish and/or a harmful alteration, disruption, or destruction (HADD) of fish habitat, which is prohibited under subsection 34.4(1) and subsection 35(1) of the Fisheries Act (1985). Upon the completion of the background review, it was determined that there were no records of aquatic SAR and/or SAR habitat being present within 1 km (upstream or downstream) of the work area. It is the opinion of MTE that the proposed activities will not result in the death of fish and/or a HADD of fish habitat provided that the recommended mitigation and avoidance measures (Section 4.4) are implemented, and monitoring occurs throughout construction to ensure maintenance is completed as and when required. The recommended mitigation and avoidance measures in section 4.4 of the Fisheries Act Review can be accessed by copying this link: <https://www.citywindsor.ca/documents/residents/planning/land-development/development-applications/current-development-applications/SDN%20003-24,%20SDN-7212%20&%20Z-018-24,%20ZNG-7211%20-%20Fisheries%20Act%20Review.pdf>

The recommended zoning by-law amendment and draft plan of subdivision will

- promote a mix of housing types, a higher density than currently exists on the subject land, and facilitate a net increase in residential units or accommodation.
- create an opportunity for a more compact development in an established residential area containing low density developments that are mostly single unit dwellings and semi-detached dwellings; thereby, result in intensification of the subject site and area.
- provide a form of housing that is appropriate in terms of density, range and mix, and meet the social, health and well-being of current and future residents;
- facilitate the municipality's ability to accommodate residential growth through intensification;
- efficiently use land and resources, and optimize existing and planned infrastructure and public service facilities in the subject neighbourhood.
- be transit-supportive, and support existing and planned active transportation;
- will bring about an efficient development with no adverse impact on the financial well-being of the City of Windsor, land consumption, and servicing costs, and
- will not cause any environmental or public health and safety concerns.



In summary, the recommended zoning by-law amendment and plan of subdivision are consistent with the relevant Policies of PPS 2024. It should also be noted that the planning analysis provided in the applicant's Planning Rationale Report (PRR) dated September 26, 2024, demonstrates that the subject zoning by-law amendment is consistent with the relevant Policies of the PPS 2024. See excerpts from the PRR attached hereto as **Appendix F**. The applicant's planning consultant concludes as follows: *"This PRR has shown that the proposed development is consistent with the PPS, conforms with the intent and purpose of the City of Windsor OP and ZBL, and represents good planning."*

#### OFFICIAL PLAN:

The site is designated "Residential" in the Land Use Schedule D of City of Windsor Official Plan. The objectives and policies of the Residential land use designation establish the framework for development decisions in Residential areas within the City of Windsor. Copy this link to access Chapter 6 - Land Use, OP Vol. 1: <https://www.citywindsor.ca/Documents/residents/planning/plans-and-community-information/windsor-official-plan/Chapter%206%20-%20Land%20Use.pdf>

#### SECTION 6.3.1 OF OP VOL. 1 – RESIDENTIAL OBJECTIVES

The Residential objectives of the Official Plan include the following: (i) s.6.3.1.1 - to support a complementary range of housing forms and tenures in all neighbourhoods, (ii) s.6.3.1.2 - to promote compact neighbourhoods which encourage a balanced transportation system, and (iii) s.6.3.1.3 to promote residential redevelopment, infill and intensification initiatives in locations in accordance with the City of Windsor Official Plan.

The above noted objectives of the OP are satisfied by the proposed development on the subject land. The amendment and plan of subdivision support a complementary housing form in the subject neighbourhood. The amendment also provides opportunity for residential infill and intensification; thereby, promoting a compact neighbourhood as shown in the concept plan SDN-003/24-2, attached hereto as **Appendix C**.

#### SECTION 6.3.2 OF OP VOL. 1 – RESIDENTIAL POLICIES

The Residential policies facilitate the orderly development and integration of housing in Windsor.

Permitted Uses (s.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. The recommended amendment is for a proposed low-profile development on the subject land; therefore, policy 6.3.2.1 is satisfied.

The recommended amendment and plan of subdivision are for the development of townhome dwellings that are classified as small-scale low-profile housing form; therefore, policy 6.3.2.3 is satisfied.

The subject land provides opportunity for residential infilling within an established residential neighbourhood with access to collector roads (Grand Marais Road East and Plymouth Drive). The development can be serviced by full municipal physical services.

Community services and open spaces are available and public transportation is provided. As noted already in this report, the closest existing transit route to the subject land is the Central 3 transit route with an existing bus stop located on Plymouth at Tourangeau northwest corner, approximately, 220 metres from the subject land. Therefore, the recommended amendment and draft plan satisfy the Locational Criteria set out in s.6.3.2.4 of OP Vol. 1.

The applicant's PRR contains information that indicates conformity with the policy requirements in s.6.3.2.5 of OP Vol. 1. The proponent's planner has demonstrated in the PRR that s.6.3.2.5 (a) is satisfied. However, conditions of approval have been noted and inserted in the recommendation section of this report. The recommended zoning by-law amendment and draft plan of subdivision satisfy the Evaluation Criteria for a Neighbourhood Development Pattern, section 6.3.2.5 (a), OP Vol. 1.

The subject land is not within a Mature neighbourhood per schedule A-1 of OP Vol. 1. However, the subject land is within an existing neighbourhood, so s.6.3.2.5 (c) applies. The applicant's PRR demonstrates that the proposed development satisfies the compatibility requirement in s.6.3.2.5 (c).

Regarding s.6.3.2.5 (d) & (e), the proposed development has adequate off-street parking per the requirements of the zoning by-law 8600 and full municipal services can be provided.

#### *SECTION 5.4.6 OF OP VOL. 1 - FLOODPLAIN AREAS POLICIES.*

The subject land is within a Floodplain Area per Schedule C – Development Constraints, OP Vol. 1. Therefore, the *SECTION 5.4.6* of the OP applies to the proposed development on the subject land. Consequently, the applicant submitted sufficient information including Servicing Report with the applications to show that the proposed development and its occupants will be protected from the effects of a Regulatory Flood. The Servicing Report by Haddad Morgan & Associates provides the required information to address s.5.4.6.4 (a, b, and c). The report states that “*the storm sewers were designed in accordance with parameters outlined in the Windsor/Essex Region Stormwater Management Standards Manual, dated December 6, 2018*”, and “*the sewers were designed to handle the 100-year storm event without flooding the streets*”. In addition, ERCA approvals are required for any development on the subject site.

#### *SECTION 11.4.2.3 OF OP VOL. 1 - EVALUATION CRITERIA (SUBDIVISION POLICIES)*

The recommended draft plan of subdivision in Map No. SDN-003/24-1 shows a continuation of an orderly development pattern with no adverse impact on adjacent properties. The draft plan is consistent with relevant policies of the PPS as demonstrated in this report and in the applicant's PRR. The draft plan conforms with the applicable policies of the Official Plan. There is no Secondary Plan applicable to the subject area. The requirements and comments of municipal departments and public agencies have been considered and most of the requirements are included in the recommendation section of this report. It should be noted that some of the requirements or comments of municipal departments and public agencies are already addressed in the General Provisions of the City of Windsor's subdivision agreement. Consequently, the recommended draft plan of subdivision satisfies the above evaluation criteria set out in s.11.4.2.3 of the OP.

**SECTION 11.6.3 OF OP VOL. 1 – ZONING BY-LAW AMENDMENT POLICIES**

The recommended zoning by-law amendment is consistent with the relevant policies of the PPS noted in this report and conforms with the applicable OP policies as demonstrated in this report.

Support studies were received as noted earlier in this report and those studies were considered in the preparation of this report. The requirements, comments and recommendations from municipal departments and circularized agencies have been considered as noted in this report, particularly, in the CONSULTATION section.

The zoning by-law amendment promotes opportunity for residential infill and intensification, which creates a compact form of neighbourhood and ensures continuation of an orderly development pattern in the subject area. The zoning by-law amendment will provide additional housing supply / opportunities in the area with no adverse impact on the adjacent properties.

Based on the above analysis in this report, the recommended Zoning By-law Amendment maintains conformity with the Official Plan per section 11.6.3.1 and meets the criteria set out above under section 11.6.3.3 of the OP Vol. 1.

**3. ZONING**

The subject land is zoned Residential District 2.1 (RD2.1) by City of Windsor Zoning By-law 8600. A copy of By-law 8600 can be found on the city’s website by copying this link: <https://www.citywindsor.ca/city-hall/by-laws-online> or <https://www.citywindsor.ca/documents/city-hall/by-laws-online/City%20of%20Windsor%20Consolidated%20Zoning%20By-law%208600%20-%202024%20OCT%207.pdf>

Permitted uses within the RD2.1 zoning district include:

- (a) One Duplex Dwelling
- (b) One Semi-Detached Dwelling
- (c) One Single Unit Dwelling
- (d) Any use accessory to the preceding uses

Permitted uses within the RD2.2 zoning district include:

- (a) One Double Duplex Dwelling
- (b) One Duplex Dwelling
- (c) One Semi-detached Dwelling
- (d) One Multiple Dwelling containing a maximum of four dwelling units
- (e) One Single Unit Dwelling
- (f) Townhome Dwelling
- (g) Any use accessory to the preceding uses

The recommended ZBA provides an opportunity to develop the underutilized/vacant land for four townhome dwellings containing 28 townhome dwelling units.

As noted in the attached Appendix E, area residents expressed concerns about the proposed townhouse development on the subject lands. The proposed density for the subject development was noted as a concern.

**DENSITY:** The RD2.1 and RD2.2 zoning districts permit a single unit dwelling on a parcel with a minimum lot area of 270m<sup>2</sup>, which results in a maximum density of 37.03 units per hectare. Similarly, densities for duplex dwellings, semi-detached dwellings and townhome dwellings have been examined using the provisions of the RD2.1 and RD2.2 zoning districts; the results can be found in Table 1 below.

Tables 1 and 2 below would help the reader understand the density discussion in the subject area. As shown in Table 2 below, the proposed densities are appropriate for townhome dwellings in the subject area.

TABLE 1	SINGLE UNIT DWELLING		DUPLEX DWELLING		SEMI-DETACHED DWELLING		TOWNHOME DWELLING
	RD2.1	RD2.2	RD2.1	RD2.2			RD2.2
By-law 8600	RD2.1	RD2.2	RD2.1	RD2.2			RD2.2
Lot Area - minimum required	270m <sup>2</sup>	270m <sup>2</sup>	360m <sup>2</sup>	360m <sup>2</sup>	450m <sup>2</sup>	450m <sup>2</sup>	200m <sup>2</sup> per unit
Density (maximum per net ha)	37 units/ha	37 units/ha	27.8 units/ ha	27.8 units/ ha	44.4 units/ha	44.4 units/ha	50 units/ha

TABLE 2	PROPOSED DENSITIES FOR THE PROPOSED TOWNHOME DEVELOPMENT			
SDN-003/24-1 (APPENDIX B)	Block 1	Block 2	Block 3	Block 4
Proposed Lot Area	2001.1m <sup>2</sup>	1856.4m <sup>2</sup>	2041.1m <sup>2</sup>	2336.0m <sup>2</sup>
Proposed Number of dwelling units	7	7	7	7
Proposed Minimum Lot Area per unit	285.87m <sup>2</sup>	265.20m <sup>2</sup>	291.58m <sup>2</sup>	333.71m <sup>2</sup>
Proposed Density in units per net hectare	34.98 units per ha	37.7 units per ha	34.29 units per ha	29.96 units per ha

Table 2 shows the proposed densities for the townhome dwellings are more in line with the maximum density requirement for single unit dwellings in RD2.1 and RD2.2.

The draft plan shows that the overall site area (including proposed road allowances, easement and land reserve) is 1.0611 hectares, and the proposed overall density is 26.4 townhome units per gross hectare.

Based on the above density calculations, the proposed densities for the subject land are appropriate.

**PARKING:** Parking requirement for the proposed townhome dwellings is as follows:

*Townhome Dwelling*

- having an attached garage or carport 1 parking space for each dwelling unit
- without an attached garage or carport 1.25 parking spaces for each dwelling unit

**4. HOLDING PROVISION**

A holding provision is recommended for this zoning by-law amendment to ensure that construction permit is not issued for any of the permitted uses in the RD2.2 zoning

district (save & except for those uses currently permitted in the RD2.1 zoning category) until such time when the final plan of subdivision is registered.

This holding provision also creates the opportunity for the City and the applicant to address outstanding planning issue(s) through a subdivision agreement, which will be executed and registered on title before a final plan of subdivision can be registered. The holding provision can be removed when an application is made for the removal of the H symbol and all applicable conditions are satisfied.

A draft by-law is attached as **Appendix G**.

## 5. SITE PLAN

The proposed amendment is NOT a “development” as defined in section 41(1) of the Planning Act and the City of Windsor By-law 1-2004. Therefore, the applicant is NOT required to submit application for Site Plan Approval.

**Risk Analysis:** N/A. See Climate Change risk analysis below.

### **Climate Change Risks**

#### **Climate Change Mitigation:**

The proposed development implements Environmental Master Plan Objective C1: Encourage in-fill and higher density in existing built areas. Residential intensification minimizes the impact on the community greenhouse gas emissions. Development within existing communities and neighbourhoods use available infrastructure such as sewers, sidewalks, and public transit and, as such, help to mitigate development impact.

#### **Climate Change Adaptation:**

The new building may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process. Trees and other landscaping features help create better living conditions and support climate change adaptation. Implementation of the lot-grading plan for this proposed development would help mitigate adverse impacts on climate change. Stormwater management facilities also help to support climate change adaptation.

**Financial Matters:** N/A

### **Consultations:**

#### 1. PUBLIC OPEN HOUSE [Developer-led Public Information Centre (PIC)]

*DATE:* September 19, 2024.

*VENUE:* Virtual

*TIME:* 6:00 pm to 7:00 pm

*NEIGHBOURHOOD PARTICIPATION:* Attended by 13 members of the public (neighbours). It is noted that 245 invitations were mailed to the landowners and tenants within a 200 m radius of the subject land.

Summary of comments/concerns/input from the area residents and the response from the applicant’s planning consultant can be found in **Appendix E** attached to this report.

Note also that, with respect to traffic volume, the development did not require submission of a Traffic Impact Statement. However, the city's Transportation Planning division requests that the developer:

- Consider location of existing driveways on Tourangeau when designing proposed intersection of Loon St and Tourangeau Rd.
- Follow the City's New Neighbourhood Traffic Calming Procedure to mitigate the impact of the cut-through on Loon St.

## 2. DEPARTMENT AND AGENCIES

Attached as **Appendix D**, to this report, are comments from the municipal departments and external agencies. There are no objections; however, there are conditions and/or recommendations for the approval of the subject application. This planning report takes into consideration those conditions and recommendations found in Appendix D hereto attached, and the recommendations within the required studies and reports submitted by the applicant.

The following items, detailed in the attached Appendix D, are best addressed within a subdivision agreement.

The Engineering Department recommends these conditions be included as requirements for the approval of both the zoning amendment and plan of subdivision:

- Right-of-Way – mostly addressed in the City of Windsor Subdivision Agreement General Provisions G-5(2)(a)&(b)
- Reserves – addressed in the City of Windsor Subdivision Agreement General Provisions G-5(4)
- Easements – 6m wide along the southerly property boundary.
- Land Conveyance – Approximately 4.7 meters to accommodate the municipal drain.
- Sidewalks - along Street A and Loon Street extension.
- Plan of Subdivision Agreement – including all requirements for the Engineering Department under the General Provisions of the Plan of Subdivision Agreement.
- Servicing Study – retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems.
- Site Servicing Plans – submit Servicing Plans to the satisfaction of the Chief Building Official, the City Engineer, and ERCA in regulated areas.
- ERCA Requirements – follow all drainage and flood proofing recommendations of the Essex Region Conservation Authority (ERCA) with respect to the subject land. This is addressed under the City of Windsor Subdivision Agreement General Provisions G-2 (14)
- Servicing Charges – pay owned serving fees in the amount of \$11,557.70 + HST + an annual interest charge applied based on the Infrastructure Ontario 5-year borrowing rate plus 1%.

***Other important information to be noted:***

- ENWIN has existing underground and overhead infrastructure. Proposed buildings and/or building additions must have adequate clearance requirements from all hydro distribution and services.
- Enbridge Gas has no active infrastructure in the proposed area.
- ERCA's requirement for stormwater management analysis is addressed under the City of Windsor Subdivision Agreement General Provisions G-2 (4).
- Bell Canada's Easement requirement is addressed under the City of Windsor Subdivision Agreement General Provision G-5 (3).
- Canada Post Developer requirements are addressed under the City of Windsor Subdivision Agreement General Provisions G-2 (11) (a) to (e).
- A Stage 1 archaeological assessment is required.
- Consider location of existing driveways on Tourangeau when designing proposed intersection of Loon St and Tourangeau Rd.
- Follow the City's New Neighbourhood Traffic Calming Procedure to mitigate the impact of the potential cut-through on Loon Street.

### **Conclusion and Planner's Opinion:**

The applications have been evaluated considering the Provincial Planning Statement 2024, Planning Act, City of Windsor Official Plan policies, and comments received from municipal staff and outside agencies.

The Planning Rationale Report submitted by the applicant explains salient details of the applications and provides information and supporting reasons why the draft plan of subdivision and the zoning by-law amendment applications should be considered and approved. As part of this planning report, I have provided additional planning analysis in support of the proposed Plan of Subdivision and the Zoning By-law Amendment, based on relevant provincial legislation and Official Plan policies.

In my professional opinion, the recommended Zoning By-law Amendment and Draft Plan of Subdivision are consistent with the policies of the Provincial Planning Statement 2024 and maintain conformity with the City of Windsor Official Plan.

The proposed Draft Plan of Subdivision meets the requirements under section 51(17) of the Planning Act and can be designed in compliance with the Zoning By-law 8600 (as amended). The Draft Plan of Subdivision will provide housing opportunities in an established area.

Administration is recommending that the Draft Plan of Subdivision be approved subject to the conditions as in Recommendations III to VII (inclusive) of this report and the Zoning By-law Amendment be approved as in Recommendation I of this report, subject to a holding prefix as in Recommendation II of this report. The recommended zoning by-law amendment and plan of subdivision constitute good planning.

A decision to approve this zoning by-law amendment and the draft plan of subdivision is consistent with the Provincial Planning Statement (PPS) 2024.

**Planning Act Matters:**

I concur with the above comments and opinion of the Registered Professional Planner.

Greg Atkinson, MCIP, RPP  
Manager of Development/Deputy City Planner

Neil Robertson, MCIP, RPP  
City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

**JP**

**JM**

**Approvals:**

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	City Planner / Executive Director, Planning & Development Services
Aaron Farough	Senior Legal Counsel, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

**Notifications:**

Name	Address	Email
Abutting property owners, tenants/ occupants within 200 meters (665feet) radius of the subject land		

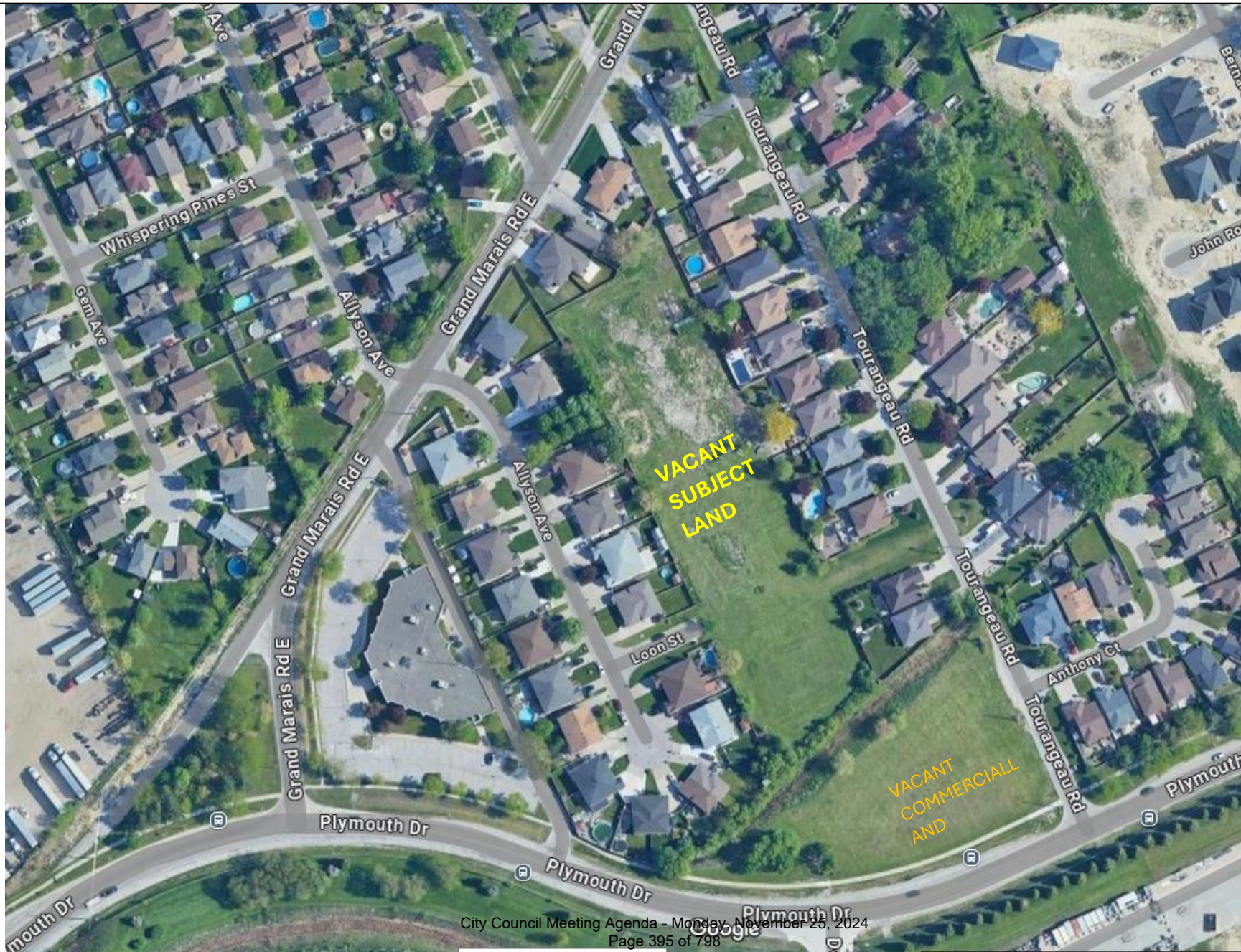
**Appendices:**

- 1 Appendix A - Site Photos
- 2 Appendix B - Draft Plan of Subdivision, SDN-003/24-1
- 3 Appendix C - Development Concept Plan, SDN-003/24-2
- 4 Appendix D - Results of Consultation with municipal departments & external agencies
- 5 Appendix E - Open House Summary
- 6 Appendix F - Excerpts from Planning Rationale Report dated September 26, 2024
- 7 Appendix G - Draft By-law for Z-018/24



## APPENDIX A, SITE PHOTOS

2024 Google imagery showing the vacant subject land, the abutting vacant commercial land and surrounding uses





## APPENDIX A, SITE PHOTOS



2021 Google Photo of vacant commercial land fronting on Plymouth Drive, abutting the south limit of the subject land.

## APPENDIX A, SITE PHOTOS



2021 Google Photo showing Tourangeau Road intersection with Plymouth Drive



## APPENDIX A, SITE PHOTOS



2014 Google Photo of Loon Street intersection with Allyson Avenue



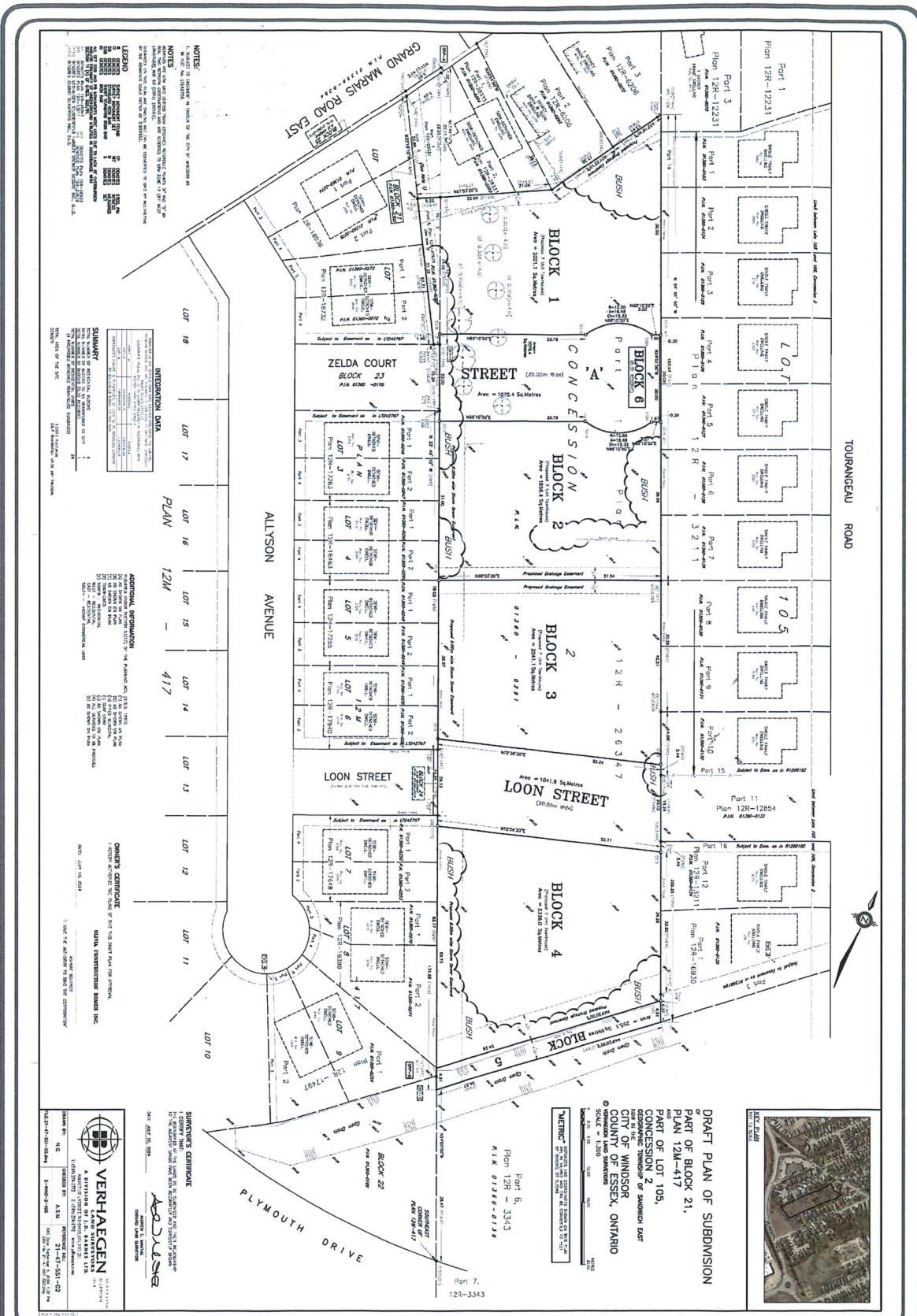
2014 Google Photo of Zelda Court intersection with Allyson Avenue

## APPENDIX A, SITE PHOTOS



2014 Google Photo Grand Marais Road East and Allyson Avenue intersection





NOTE : FOR INFORMATION ONLY. SEE LARGE SCALE DRAWINGS FOR FURTHER DETAILS.

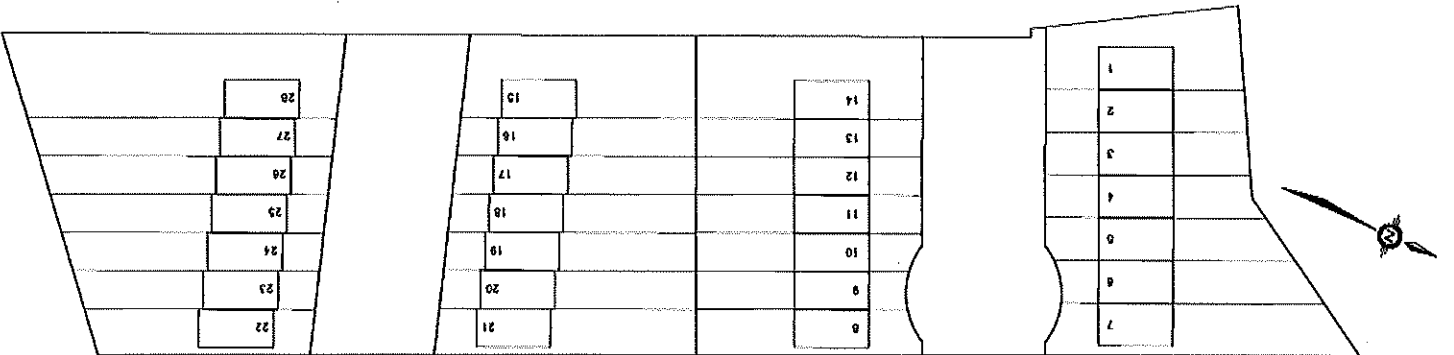
# DRAFT PLAN OF SUBDIVISION

# APPENDIX B

MAP NO : SDN-003/24-1 (DRAFT PLAN)  
 APPLICANT : OLIVIA CONSTRUCTION HOMES INC.  
 DATE: SEPTEMBER, 2024

# APPENDIX C – DEVELOPMENT CONCEPT PLAN

SITE DATA TABLE			
REFERENCE NUMBER	DESCRIPTION	REQUIRED	PROPOSED
	ZONING	--	RD 2.2
11.2.5.5.1	LOT FRONTAGE		
	LOTS 1-7	20 m (MIN.)	53 m
	LOTS 8-14	20 m (MIN.)	51.4 m
	LOTS 15-21	20 m (MIN.)	52 m
	LOTS 22-28	20 m (MIN.)	52.1 m
11.2.5.5.4	BUILDING HEIGHT	9.0 m (MAX.)	9.0 m
LOTS 1-7	LOT AREA 11.2.5.5.2	200 m <sup>2</sup> (MIN.) / UNIT	1,995.4 m <sup>2</sup>
	BUILDING AREA		583.4 m <sup>2</sup>
11.2.5.5.3	LOT COVERAGE	45 % (MAX.)	29.2 %
11.2.5.5.7	SIDE YARDS	1.5 m (MIN.)	1.5 / 4.1 m
LOTS 8-14	LOT AREA 11.2.5.5.2	200 m <sup>2</sup> (MIN.) / UNIT	1,855.0 m <sup>2</sup>
	BUILDING AREA		520.3 m <sup>2</sup>
11.2.5.5.3	LOT COVERAGE	45 % (MAX.)	28 %
11.2.5.5.7	SIDE YARDS	1.5 m (MIN.)	1.2 / 7.2 m
LOTS 15-21	LOT AREA 11.2.5.5.2	200 m <sup>2</sup> (MIN.) / UNIT	2,041.4 m <sup>2</sup>
	BUILDING AREA		520.3 m <sup>2</sup>
11.2.5.5.3	LOT COVERAGE	45 % (MAX.)	25.5 %
11.2.5.5.7	SIDE YARDS	1.5 m (MIN.)	1.2 / 7.2 m
LOTS 22-28	LOT AREA 11.2.5.5.2	200 m <sup>2</sup> (MIN.) / UNIT	2,335.4 m <sup>2</sup>
	BUILDING AREA		520.3 m <sup>2</sup>
11.2.5.5.3	LOT COVERAGE	45 % (MAX.)	22.3 %
11.2.5.5.7	SIDE YARDS	1.5 m (MIN.)	1.2 / 7.46 m
24.20.5.1	PARKING SPACES	1 PER UNIT W/ GARAGE	28



MAP NO : SDN-003/24-2

APPLICANT : OLIVIA CONSTRUCTION HOMES INC.

DATE: SEPTEMBER, 2024

CITY OF WINDSOR PLANNING DEPARTMENT

# APPENDIX D

## RESULTS OF CONSULTATION

with Municipal Departments and External Agencies

### **BELL CANADA – JUAN CORVALAN**

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

#### **Bell Canada Condition(s) of Approval**

1) The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

2) The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

Upon receipt of this comment letter, the Owner is to provide Bell Canada with servicing plans/CUP at their earliest convenience to [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

#### **Concluding Remarks:**

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.

If you believe that these comments have been sent to you in error or have questions regarding Bell's protocols for responding to municipal circulations and enquiries, please contact [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) directly.

We note that WSP operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. **However, all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP.** WSP is not responsible for Bell's responses and for any of the content herein.

### **ASSET MANAGEMENT – JOSE MEJALLI**

No objection to the change from RD2.1 to RD2.2 to permit the proposed townhome dwellings on the subject land.

### **ENBRIDGE – SANDRO AVERSA**

After reviewing the provided drawing, and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.



Also, please note the following should you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live
- If during the course of any job, any pipe is found that is not on the locate sheet and is in conflict with your work, please call our emergency number (1-877-969-0999), and one of our Union Gas representatives will respond to determine if that plant is in fact live or dead
- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly

Please contact me if you have any further questions or concerns.

### **TRANSIT WINDSOR – JASON SCOTT**

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Central 3. The closest existing bus stop to this property is located on Plymouth at Tourangeau Northwest Corner. This bus stop is approximately 220 metres from this property falling within Transit Windsor's 400 metre walking distance guidelines to a bus stop. This will be maintained with Transit Windsor's City Council approved Transit Master Plan.

### **CANADA POST – BRUNO DESANDO**

Thank you for contacting Canada Post regarding plans for a new development in the City of Windsor. Please see Canada Post's feedback regarding the proposal, below.

#### **Service type and location**

1. Canada Post will provide mail delivery service to the subdivision through centralized Community Mail Boxes (CMBs).
2. If the development includes plans for (a) multi-unit building(s) with a common indoor entrance, the developer must supply, install and maintain the mail delivery equipment within these buildings to Canada Post's specifications.

#### **Municipal requirements**

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this subdivision application be approved, please provide notification of the new civic addresses as soon as possible.

#### **Developer timeline and installation**

1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the CMB(s).

**Please see Appendix A for any additional requirements for this developer.**

### **Appendix A**

#### **Additional Developer Requirements:**

- The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.

- The developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
  - The developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
  - The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.
  - The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
    - Any required walkway across the boulevard, per municipal standards
    - Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications)
- A Community Mailbox concrete base pad per Canada Post specifications.

## **ZONING COORDINATION – PIERE BORDEAUX**

- **Current Zoning Designation:** Residential District 2.1 [RD2.1]
- **Proposed Zoning Designation:** Residential District 2.2 [RD2.2]
- **Existing Use:**
  - Vacant
- **Proposed Use:**
  - Residential Development - 7-unit townhome dwellings of 28 total residential units
- **Section 5 – General Provisions:**
  - [COMPLY]
    - [5.40] Flood Protection & Natural Hazards Provisions
      - The lot is situated within Detroit River/Lake St-Clair flood prone area
        - An input from ERCA is required
- **Section [11.2] – [RESIDENTIAL DISTRICT 2.2] [RD2.2]:**
  - [COMPLY]
  - [11.2.5.5.1] Minimum Lot Width:
    - [20.0 m] (Required)
    - [51.0 m] (Provided)
  - - [11.2.5.5.2] Minimum Lot Area
      - [200.0 m<sup>2</sup>] (Required)
      - [264.5 m<sup>2</sup>] (Provided)
- **Section 20 – Site Specific Zoning Exemptions:**
  - [NOT APPLICABLE]

- **Section 24 – Parking, Loading, and Stacking Provisions:**
  - [APPLIES]
- **Section 25 – Parking Area Regulations:**
  - [NOT APPLICABLE]

**GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD & WINDSOR ESSEX CATHOLIC DISTRICT SCHOOL BOARD – JORDAN COOK**

On behalf of the Greater Essex County District School Board and the Windsor Essex Catholic District School Board, we confirm receipt of the Zoning By-law Amendment and Draft Plan of Subdivision application dated September 10, 2024. A total of 28 residential townhouse units are proposed for this development. With respect to this application, the following comments are submitted:

Greater Essex County District School Board

Comments:

This development falls within the attendance boundaries of:

- William G. Davis Public School (K-8)
- W. F. Herman Academy Secondary (9-12)

At this time, sufficient space exists within the local elementary and secondary schools to accommodate additional students from the development as proposed.

Windsor Essex Catholic District School

Comments:

This development falls within the attendance boundaries of:

- W.J. Langlois Catholic Elementary School
- F.J. Brennan Catholic High School

Although the impact of this development will be minimal, the local elementary school is operating near capacity and may not accommodate all students from new development. Interim accommodation measures such as portables or a holding area/boundary change may be required to accommodate students from this proposed development.

At this time, sufficient space exists within the local secondary school to accommodate additional students from the development as proposed.

**General Comments:**

We will continue to monitor development growth in the City of Windsor on behalf of both the GECDSB and WECDSB as it relates to the cumulative impact on local schools. The GECDSB and WECDSB also request notification of any modifications, community consultations, appeals, or notices of decision related to this application.

Please note that further to the comments provided, the GECDSB and WECDSB reserve the right to revise their position as needed without further notice. Should you require additional information regarding these comments, please contact [vw@watsoncon.ca](mailto:vw@watsoncon.ca).

## **WINDSOR POLICE – BARRY HORROBIN**

I have reviewed the draft plan of subdivision associated with this Zoning By-law amendment to create four (4) blocks comprising a total of 28 townhome dwelling units and would advise as follows:

### **EMERGENCY VEHICULAR ACCESS**

- The Windsor Police Service has no objections to the plan/layout being proposed for this plan of subdivision. The plan as proposed will fully support and facilitate the ability of the Windsor Police Service to carry out incident response (both emergency and non-emergency in nature) and general police patrolling activities, once constructed.

### **SPECIFIC SAFETY ISSUES & CONSIDERATIONS**

The following issues are hereby raised for due consideration, with the goal being to optimize public safety in a practical manner (particularly since site plan control will not apply here):

- When responding to incidents, particularly those with high risk/priority, it is critical for police responders to accurately locate the right address where an emergency call for assistance is required. This is particularly important for a situation such as this, whereby the built form of the 28 townhomes is likely to be visually identical. Therefore, it is very important that each separate dwelling unit have a prominently displayed address number that is at least 5" high, is of a contrasting colour to the backdrop onto which it is mounted and can be easily seen from the adjacent roadway (Street 'A' and Loon Street) by police responders without obstruction. This will optimize the address identification by Police/Fire/Ambulance during an emergency response.
- Pedestrian safety is very important in all residential neighbourhoods. This includes ensuring appropriate sidewalk infrastructure is provided to keep pedestrians off the roadway and to connect to adjacent areas. Proper street lighting is very important as well. Lighting provided should be LED, in keeping with the current municipal standard, which helps in promoting public safety.
- Proper lighting is critical for ensuring public safety of each residential property and its occupants. At a minimum, the following illumination levels should be provided:

Each exterior door should have a porch light that yields, ideally, 4.0 to 4.5 foot-candles of illumination

## **ENWIN**

### **HYDRO ENGINEERING: Tia McCloskey**

No Objection

Please note the following distribution and services:

- Underground 16kV primary distribution cable going from Allyson Ave to Loon St.
- Existing underground minipad transformer, 100kVA, 120/240V on Loon St.
- Secondary underground cable servicing multiple properties on Allyson Ave.
- Overhead to underground secondary cables servicing multiple properties on Tourangeau Rd.
- Overhead secondary cables servicing multiple properties on Tourangeau Rd.
- Overhead 16kV Primary distribution pole line on Tourangeau Rd, over the entrance of Loon St.
- Existing 120/240V secondary overhead transformer bank on Tourangeau Rd, at the entrance of Loon St.

- Overhead 120/240V secondary triplex distribution pole line on Tourangeau Rd, over the entrance of Loon St.
- Underground 120v Street light duplex adjacent to Plymouth Dr.
- Overhead to underground secondary cables servicing multiple properties on Grand Marais Rd E.
- Overhead secondary cables servicing multiple properties on Grand Marais Rd E.

\*Proposed buildings and/or building additions must have adequate clearance requirements from all hydro distribution and services.

We recommend referring to the Occupational Health and Safety Act for minimum safe limits of approach during construction and the Ontario Building Code for adequate clearance requirements for New Buildings and/or Building Additions.

**WATER ENGINEERING: Bruce Ogg**

ENWIN Water has no objections.

**DEVELOPMENT ENGINEERING – JUAN PARAMO**

The Applicant is requesting draft plan of subdivision approval and zoning by-law amendments to develop a residential subdivision.

The Engineering Development Division has conducted a preliminary review of the supporting documents pertaining to the subject application and have the following comments:

**Sanitary and Storm Servicing**

A Functional Servicing Study, dated April 2024 by Haddad Morgan & Associates, has been received and reviewed. The applicant's consultant has confirmed that the existing 250mm PVC sanitary sewer on Allyson Avenue and the municipal Pillette Drain No.1 will effectively accommodate the servicing needs of the proposed residential subdivision. The study demonstrates that the municipal sanitary sewer and municipal drain has adequate capacity, and no adverse impacts are expected on the surrounding areas as a result of the proposed development. The servicing study has been deemed acceptable, and the proposed servicing strategy is supported by the Engineering Development department.

As part of detailed design, a revised servicing study must be submitted, to address minor comments that have been provided separately. The revised servicing study must be to the satisfaction of the City Engineer, and should include a detailed design of both the internal subdivision sanitary and storm sewer systems, adhering to all applicable standards.

The Pillette Drain No. 1 is a municipal drain governed by by-laws under the Drainage Act. At the applicant's request, the City has initiated the process to abandon this drain. This process is currently ongoing, and any new storm outlet to the municipal drain is subject to the completion and approval of the abandonment process.

A portion of the Pillette No.1 municipal drain currently runs through the subject property. A land conveyance of approximately 4.7 metres along the southern property boundary is required to accommodate the entire municipal drain within City-owned property. In addition, a 6-metre municipal easement is required from the new southern property line to permit maintenance of the municipal drain or, should the abandonment process is completed, municipal ditch.

The development site are within the regulated area under the jurisdiction of the Essex Region Conservation Authority (ERCA), and the drain is classified as a Class F drain by the Department of Fisheries and Oceans Canada (DFO). Any impact or alterations to the drain would be subject to permits from ERCA and the DFO, working easements for drain maintenance, and to the

provisions of the Drainage Act administered through the City of Windsor. The Developer shall obtain a permit, or clearance, from the Essex Region Conservation authority (ERCA) for the outlet(s) to drain.

### **Roads and Right-of-Way**

Street A shall be classified as a Local road in accordance with the direction of the Official Plan, requiring a right-of-way width of 20.0 meters. Furthermore, the right-of-way around the proposed permanent cul-de-sac will require a consistent boulevard width as stipulated by the City of Windsor Standard Drawing AS-206C, and a 0.3m reserve at the terminus of Street A.

The Loon Street extension shall be classified as a Local road in accordance with the direction of the Official Plan, requiring a right-of-way width of 20.0 meters.

All new roadways are to be designed to City of Windsor Standard AS-206C, the City's Standard Urban Cross Section, and the City of Windsor Development Manual. Curbs and Gutters to be constructed as per City of Windsor Standard AS-208. Pavements may be 7.4 meters in width, as shown on Standard City Drawing AS-206C. The owner further agrees that cul-de-sac pavements shall have a minimum radius of 9.5 meters

In summary, we have no objection to the proposed plan of subdivision approval and the associated zoning by-law amendment. The Engineering Department recommends the following conditions be included as requirements for the approval of both the zoning amendment and plan of subdivision:

#### **Right-of-Way:**

1. The Owner agrees to dedicate to the Corporation on the registered subdivision plan, all public highways as shown on the approved draft plan of subdivision.
2. The owner shall arrange to have all public highways named and obtain street numbers for all lots, all to the satisfaction of the Corporation.
3. The owner agrees to construct on all future municipal right-of-way, pavements, including curbs and gutters, driveway approaches and the necessary drainage facilities according to City of Windsor standard specifications, complete with a 20-meter right-of-way. Pavements may be 7.4 meters in width, as shown on Standard City Drawing AS-206C. The cul-de-sac pavements shall have a minimum radius of 9.5 meter. The owner further agrees that one (1) full winter shall elapse following the laying of base asphalt, prior to the laying of surface asphalt. All work to be to the satisfaction of the City Engineer.

**Reserves** – The owner covenants and agrees that dead-ended highways shall terminate in 0.3 metre reserve blocks. The owner further agrees to gratuitously convey to the Corporation those 0.3 metre reserves in fee simple and without encumbrance and prior to the issuance of any construction permits.

**Easements** – Prior to the issuance of a construction permit, the owner shall gratuitously grant a 6m easement along the southern property boundary for the maintenance and improvement of the Pillette No. 1 Drain. Should the municipal drain be abandoned, the easement would still be necessary for the maintenance of the municipal ditch.

**Land Conveyance** – Prior to the issuance of a construction permit, the owner(s) shall agree to gratuitously convey to the Corporation, land sufficient to fully accommodate the municipal Pillette Drain No.1 within City-owned property located southerly of the drain. This conveyance shall be approximately 4.7 meters.

**Sidewalks** -The owner(s) agrees, to construct at their expense and according to City of Windsor Standard Specifications, concrete sidewalks constructed to the satisfaction of the City Engineer. Sidewalks are to be constructed at the following locations:

- New Street A – along the north boulevard to Allyson Avenue
- Loon Street – along the north boulevard between Allyson Avenue and Tourangeau Road

**Plan of Subdivision Agreement** - The applicant enter into an agreement with the City of Windsor for all requirements under the General Provisions of the Plan of Subdivision Agreement for the Engineering Department.

**Servicing Study** – The owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall review the proposed impact and recommend mitigating measures and implementation of those measures.

**Site Servicing Plans** – The owner agrees to submit a site servicing plan for the subject lands to the satisfaction of the Chief Building Official, the City Engineer, and ERCA in regulated areas, prior to the issuance of any construction permits for the subject lands.

**ERCA Requirements** – The owner(s) further agrees to follow all drainage and flood proofing recommendations of the Essex Region Conservation Authority (ERCA) may have with respect to the subject land, based on final approval by the City Engineer. If applicable, the Owner will obtain all necessary permits from ERCA with respect to the drainage works on the subject lands.

**Servicing Charges** – The owner agrees to pay owned serving fees in the amount of \$11,557.70 + HST + an annual interest charge applied based on the Infrastructure Ontario 5-year borrowing rate plus 1%.

If you have any further questions or concerns, please contact Juan Paramo, of this department at 519-255-6100, ext. 6353

### **ERCA – ALICIA GOOD**

Our office has reviewed this proposal based on the mandate of the Essex Region Conservation Authority and we provide the following comments.

The City of Windsor has received application for Draft Plan of Subdivision approval SDN-003/24 and Zoning By-law Amendment Z-018/24 for the above noted subject lands.

The applicants propose to develop a residential subdivision comprising 4 blocks for townhome dwellings with a total of 28 townhome units, one Block for 1-foot land reserve along the east limit of a proposed new R.O.W. (Street A), and another Block (part of the existing southerly open drain) to be conveyed to the city. The draft plan also shows two proposed internal rights-of-way (Loon St. extension and Street A) connecting to Allyson Avenue.

The subject land is designated Residential on Schedule D – Land Use, Official Volume 2, and zoned Residential District 2.1 (RD2.1) by Bylaw 8600.

The applicant is also requesting a change from RD2.1 to RD2.2 to permit the proposed townhome dwellings on the subject land.

### **NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT, O. REG 686/21, PPS**

The following comments reflect ERCA's role in protecting people and property from the threats of natural hazards and regulating development hazards lands under Section 28 of the *Conservation Authorities Act*.

The above noted lands are subject to our Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 41/24). The parcel falls within the regulated area of the Grand Marais Drain and Pillette No.1 Drain. The property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

### **FINAL RECOMMENDATION**

Our office has **no objection** to Application for Zoning By-Law Z 018-24.

We request the following draft conditions for inclusion in the Notice of Decision and implementing Subdivision Agreement:

1. That the subdivision agreement, between the Owner and the Municipality, contain provisions, to the satisfaction of the Municipality and the Essex Region Conservation Authority, that stipulates, that prior to obtaining final approval, for any and all phases of the development, that the Owner will finalize an engineering analysis, to identify stormwater quality and quantity measures, as necessary to control any increase in flows in downstream watercourses, in accordance with the *Windsor-Essex Region Stormwater Management Standards Manual* and any other relevant municipal/provincial, standards or guidelines, in consultation, with the ERCA;
2. That the subdivision agreement between the Owner and the Municipality contain provisions that require that the Owner install the stormwater management measures, for each phase of the development, identified in the final engineering analysis completed, as part of the development for the site and undertake to implement the recommendations contained therein, to the satisfaction of the Municipality and the Essex Region Conservation Authority;
3. That prior to final approval, the Essex Region Conservation Authority shall require a copy of the fully executed subdivision agreement between the Owner and the Municipality, in wording acceptable to the Essex Region Conservation Authority, containing provisions to carry out the recommendations of the final plans, reports and requirements noted above and obtain the necessary ERCA approvals for each phase or phases seeking final approval;
4. That prior to undertaking construction or site alteration activities, the owner shall obtain all necessary approvals from the Essex Region Conservation Authority, in accordance with Section 28 of the *Conservation Authorities Act*, any other applicable legislation, and Conditions specified herein.
5. That the subdivision agreement between the Owner and the Municipality contain provisions, to the satisfaction of the Essex Region Conservation Authority (ERCA), that require notice in every agreement of purchase and sale for the units within Block 4, that the properties are subject to Section 28 approvals by ERCA under the *Conservation Authorities Act*. Additionally, it should specify that the rear portion of the lots with 8m plus the depth of the drain may not meet the minimum setback requirement for additional structures. The ERCA permit process will assess the feasibility of constructing buildings and structures in proximity to the regulated watercourse, Pillette Drain No. 1.

If you have any questions or require any additional information, please contact the undersigned.



## **FORESTRY – YEMI ADEYEYE**

### ***Additional Comment: October 17, 2024***

FORESTRY: Tree Replacement Valuation - Z 018-24 [ZNG-7211] & SDN 003-24 [SDN-7212] - Olivia Construction Homes Inc. | 3990 Loon St.

As of October 16, 2024, all trees identified in the tree inventory conducted by Mr. Bill Rosel on the 3990 Loon St project site have now been removed or are slated to be removed. In addition, there are 8 trees along the current right-of-way for Zelda Crt. that will be lost when that roadway is extended for the project. The City requires full Tree Replacement compensation, diameter-for-diameter, for lost tree canopy for all the trees previously identified in Mr. Rosel's inventory as well as the Zelda Crt. trees.

For the trees in the inventory at 3990 Loon St. there was a total of 285 cm of tree diameter that requires replacement with 57 new caliper trees...

Valuation \$38,700.00 (based on 2024 Rates).

For the existing 8 trees along the Zelda Crt right-of-way, there is a total of 262 cm of tree diameter that requires replacement with 53 new caliper trees...

Valuation \$35,632.00 (based on 2024 Rates).

Total Canopy replacement valuation for the 3990 Loon St. project: 110 replacement trees...

Total Tree Valuation: \$74,392.00 (based on 2024 Rates).

Please let us know if you have any further questions regarding these Tree Replacement issues. Forestry will continue to monitor the progress of this construction work.

*Gaspar Horvath*

*ISA Certified Arborist/ Municipal Specialist ON-2330AM, TRAQ, TPAQ  
Forestry Supervisor, City of Windsor*

### ***Original Comment: September 24, 2024***

There are NO City trees identified on this lot. There are an estimated 40-45 private trees across portions of this lot, primarily along the South and West boundaries. The South boundary borders a drainage/ waterway, while the West backs on to existing private residences and these trees may have been planted by those residents.

The developer is requested to provide a detailed tree inventory for all live trees over 10cm DBH on the lot. The inventory should identify ownership and provide sub-meter accuracy GPS location, species, diameter (DBH) and condition for each tree. Indication should be made for each tree if it is to be preserved & protected or removed during development. A qualified, Arborist, Urban Forester or Landscape Architect should conduct the tree survey.

Forestry will require detailed site plans that show adequate Tree Root protection zones for each individual tree if they are to be preserved on-site through the development process. Details regarding the protection area required and type of fencing for Tree Root protection zones can be provided by Forestry.

If the trees are NOT to be preserved through the development process, and a request is made that specific trees be removed, the Removal & Canopy Replacement cost will be calculated based on a Diameter-for-Diameter replacement ratio for both City owned and private trees.

Forestry requests the opportunity to review landscaping plans in order to provide comment and suggestion that would maximize future on-site Tree Canopy and Tree Canopy Resilience. One suggestion at this time would be to consider maximizing tree canopy preservation particularly to the south end of the lot.

Please let us know if you have any further questions regarding Tree Protection and Replacement issues. Forestry will continue to monitor the progress of this construction work.

### **NATURAL AREAS – KAREN ALEXANDER**

- Recommends fence along Pilette Drain be installed on the north side of the existing vegetation to preserve the existing vegetation along that drain (OP 8.5 Design with Nature objectives and policies).
- Any removal of shrubs/trees must not harm active birds nests (Migratory Birds Act)

### **TRANSPORTATION PLANNING – ELARA MEHRILLOU**

Transportation Planning Comments – Revised 10-2-2024:

- Sidewalk is required on one side of Local Residential Roads, therefore, sidewalk construction per Engineering Right-of-Way requirements is required along Zelda Crt/Street A and along Loon St.
- All parking must comply with ZBL 8600 otherwise a parking study would be required.
- Consider location of existing driveways on Tourangeau when designing proposed intersection of Loon St and Tourangeau Rd.
- Potential cut through traffic to Tourangeau Rd is a concern. Follow the City's New Neighbourhood Traffic Calming Procedure to mitigate the impact of the cut-through on Loon St.
- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
- Cul-de sac on Zalda Cret/Street A and Loon Street extension/connection to Tourangeau Rd must meet the City Standard Engineering Drawings.
- All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

### **HERITAGE PLANNING – TRACY TANG**

Please find attached Heritage Planning comments for the rezoning and subdivision application noted. Since the 2024 WAMP has been adopted, we will require a Stage 1 AA before any land disturbances (Building Permit Stage).

**Required:** Stage 1 Archaeological Assessment

The updated archaeological potential model as per the 2024 WAMP and associated Official Plan Schedule C-1 recently adopted by City Council on July 22, 2024, indicates the subject property to be within an Archaeological Potential Zone (APZ). A Stage 1 archaeological assessment and any further recommended assessments are required to be entered into the Ontario Public Register of Archaeological Reports to the satisfaction of the City of Windsor and the Ontario Ministry of Citizenship and Multiculturalism, prior to any additional land disturbances. A final copy of these relevant archaeological reports and GIS study area must be submitted to the City of Windsor.

**ZONING BY-LAW AMENDMENT  
AND  
DRAFT PLAN OF SUBDIVISION  
FOR PROPOSED  
RESIDENTIAL DEVELOPMENT**

**3990 Loon Street  
Windsor, Ontario**

**PUBLIC CONSULTATION SUMMARY**

**September 19, 2024**

**Prepared by:**



Tracey Pillon-Abbs, RPP  
Principal Planner  
Chatham, ON  
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In addition to the statutory public meeting, the *Planning Act* requires that the Applicant submit a proposed strategy for public consultation with respect to an application as part of the complete application requirements.

As part of a public consultation strategy, in addition to the statutory public meeting, an informal electronic public open house was held with area residents and property owners on Thursday, September 19, 2024, from 6:00 pm to 7:00 pm.

The open house provided members of the public with opportunities to review and comment on the proposed development.

A total of **245** owners and tenants were notified, which represents a **200 m** radius from the Site.

In addition to the applicant's representatives and City Staff, 13 residents registered for the open house.

In addition, emails and phone calls were received.

The following is a summary of the comments and questions received, along with the responses provided.

Topic Item	Comments and Questions	Response
Tenure / Ownership	Are these townhomes 'geared to income housing (low income)'?  Are they individually owned?	The units will be individually owned and sold at market value.  The sales price has yet to be determined.
Trees	All trees have now been removed.	Note.
Construction	How will the environment be controlled (health issues).  Who long will construction last?	The Draft Plan of Subdivision will have requirements for construction (ie fencing, screening, etc).  There are no construction plans at this time.
Extra Property	Is there extra property that you can sell to neighbours?	Information has been forwarded to the applicant.
Drainage	Concerns about drainage issues.  Will the Grand Marais Drain / Ditch be covered?	Servicing plans will be prepared.  Grand Marais will remain an open channel section.
Traffic	Concerns with an increase in traffic.  The local roads are too narrow.	No TIS was warranted for the proposed development.

Topic Item	Comments and Questions	Response
	<p>The snow plow drive cuts into the grass every year.</p> <p>Grand Marais is too busy now.</p> <p>Can a roadway be connected to Plymouth Drive.</p> <p>Amazon will increase traffic in the area.</p> <p>There are no curbs on the local roads now.</p> <p>There are bus stops in the area that will back up traffic.</p> <p>Children's safety is at risk.</p>	<p>The Draft Plan of Subdivision will set out any road improvement required by the developer.</p> <p>The Site does not abut Plymouth Drive in order to have access.</p>
Timing of Development	What is the timing of construction?	Unknown at this time.
Open House	Purpose of the meeting?	<p>The open house provided members of the public with opportunities to review and comment on the proposed development.</p> <p>No formal application has yet been deemed complete by the City.</p>
Parking	<p>Where will people park?</p> <p>There is not enough on street parking now?</p> <p>Move the buildings back and make longer driveways.</p> <p>What side of the street will on street parking be located.</p> <p>How much street parking is proposed, and on what side of the road?</p>	<p>Each unit will provide for its own on site parking.</p> <p>Driveway length can be reviewed.</p> <p>There are minimum rear yard setback requirements set out by the City zoning by-law.</p> <p>On street parking is regulated by the City.</p>

Topic Item	Comments and Questions	Response
	We need more parking in the area.	
Building Height	You need to respect the height of the neighbourhood.  What is the maximum height allowed?	The neighbourhood is made up of a variety of different building heights.  The proposed height complies with the City of Windsor zoning by-law (9.0 m max).
Noise	Noise will be bad.	Not a planning-related issue.
Children	There are already too many school kids and buses now.	Not a planning-related issue.
Timing	When will construction start?	Pending approval of the ZBA and Draft Plan of Subdivision
Costs	How much will the units be selling for?	This has yet to be determined.
Setbacks		
Sidewalks	What side of the road will sidewalks be built?  There are no sidewalks along Allyson.	This will be set out by the City under the development agreement.
Building Type	Not in favors of townhomes.  Semi's would be better.	The density of the development most likely will be the same.
Zoning	Will the new zoning allow apartments (say 12 units)?  Can the developer change the proposal?	No, the proposed zoning will only allow a 4 unit multiple dwelling in addition to the proposed townhomes.
Soil	The site was previously used as a tree nursery, and there may be soil contamination.  There is a sample station on the Site.	No soil report is required as part of the ZBA.
Next Steps	Will be get notice of the public meeting.  Where on the City website can we find information? How often is it updated?	The City will provide the notice of the public meeting.  Search "current development applications" for the application file once it has been deemed complete.
Parcel and Block Sizes	What is the size of the entire parcel and what size are the blocks>	The Site consists of a total area of approximately 10,599.99 m <sup>2</sup> or 1.06 ha.

Topic Item	Comments and Questions	Response
		<p>The Site is an irregularly shaped lot with an approximate frontage of 15.24 m along Loon Street.</p> <p>Block 1 – 1,995.4 m<sup>2</sup>  Block 2 – 1,855.0 m<sup>2</sup>  Block 3 – 2,041.4 m<sup>2</sup>  Block 4 – 2,335.4 m<sup>2</sup></p>

Based on the comments received, there are no proposed changes to the concept plan.

## **APPENDIX F -**

Excerpts from Planning Rationale Report dated September 26, 2024

### **4.4 Supporting Studies**

The following supporting studies have been completed as part of this PRR in support of the application for the zoning amendment.

#### **4.4.1 Servicing**

A Servicing Report was prepared by Haddad Morgan & Associates Ltd, Consulting Engineers, dated July 7, 2023, and further revised on April 5, 2024.

The purpose of the report is to provide the proposed site servicing for the Site and include the stormwater storage and servicing requirements.

The proposed development requires the installation of a storm sewer system with an outlet into the adjacent municipal drain (Pilette Drain No. 1) at the southwest corner of the Site.

The report also included protection from flooding and erosion.

It was determined that full services could be provided.

#### **4.4.2 Trees**

A Tree Inventory and Preservation Plan was prepared by Bezaire Partners, dated December 2022.

The purpose of the plan is to provide the location of all existing trees and vegetation.

#### **4.4.3 Fish**

A Fisheries Act Review was prepared by MTE Consultants Inc., dated May 14, 2024.

The purpose of the plan is to complete a fish and fish habitat self-assessment to maintain compliance with the federal Fisheries Act.

It was concluded that the proposed activities would not result in the death of fish and/or fish habitat provided that the recommended mitigation and avoidance measures.

Mitigation measures include such recommendations as timing of work, sediment and erosion control fencing, response plan, machinery cleaning and erosion control.

#### **4.4.4 Habitat**

A Species At Risk (SAR) preliminary screening was prepared by MTE Consultants Inc., dated December 2, 2021.

The purpose of the screening was to assess the potential for habitat.



It was concluded that the Site is unlikely to contain suitable critical habitat for any Protected Species. No floral or faunal Protected Species were identified during field investigations, and no potential suitable habitat for protected species exists within the Site.

Further, the proposed activity on the Site will not contravene the Endangered Species Act (ESA) as long as recommended best management practices and mitigation measures are followed.

The assessment was filed with the Ministry, and clearance was received.

# 5.0 PLANNING ANALYSIS

## 5.1 Policy and Regulatory Overview

### 5.1.1 Provincial Planning Statement

The Provincial Planning Statement, 2024 (PPS) provides policy direction on matters of provincial interest related to land use planning and development.

The PPS was issued under Section 3 of the *Planning Act* and came into effect on October 20, 2024.

The following provides a summary of the key policy considerations of the PPS as it relates to the proposed development.

PPS Policy #	Policy	Response
Chapter 1 - Vision	Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of housing options will support a diverse and growing population and workforce, now and for many years to come.	The proposed development provides more housing.
Chapter 2.1.4 – Buildings Homes, Sustaining Strong and Competitive Communities	To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall: a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated	The proposed development will help provide for a mix of housing options and densities to meet the needs of the City.  Full municipal services are available.

PPS Policy #	Policy	Response
	<p>and available for residential development; and</p> <p>b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.</p>	
2.1.6	<p>Planning authorities should support the achievement of complete communities by:</p> <p>a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, longterm care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;</p> <p>b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society;</p>	<p>The proposed development is consistent with the policy to achieve complete communities.</p> <p>The proposed development will provide for a range and mix of housing options.</p> <p>The Site has access to transportation options, public service facilities, other institutional uses, and parks.</p> <p>Accessibility will be addressed at the time of a building permit.</p>
2.2.1 - Housing	<p>Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:</p> <p>a) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income</p>	<p>The proposed development is a new housing option for the area.</p> <p>The proposed development support the City's targets.</p> <p>The needs of the residents can be accommodated as the Site is located near local amenities.</p>



PPS Policy #	Policy	Response
	<p>households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;</p> <p>b) permitting and facilitating:</p> <ol style="list-style-type: none"> <li>1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and</li> <li>2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;</li> </ol> <p>c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and</p> <p>d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to</p>	<p>The Site offers an opportunity for intensification and infilling.</p> <p>The proposed development will connect to existing neighbourhoods.</p> <p>The proposed density is appropriate for the Site.</p> <p>Residents will have access to nearby transit.</p>

PPS Policy #	Policy	Response
	transit, including corridors and stations.	
2.31.1 – Settlement Area	Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.	The Site is located in an existing settlement area of the City of Windsor.
2.3.1.2	Land use patterns within settlement areas should be based on densities and a mix of land uses which: a) efficiently use land and resources; b) optimize existing and planned infrastructure and public service facilities; c) support active transportation; d) are transit-supportive, as appropriate	<p>The total density of the proposed development is considered appropriate.</p> <p>The Site offers an opportunity for infilling by creating new residential dwelling lots on a vacant parcel of land.</p> <p>The proposed height and massing of the dwellings will blend with the existing residential uses in the area.</p> <p>Residents will have immediate access to shopping, employment, transit, active transportation, recreational areas and institutional uses.</p> <p>Transit is available for the area.</p> <p>Active transportation is available in the area, along Plymouth Dr.</p>
2.3.1.3	Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and	<p>The proposed development provides an infill opportunity of a vacant parcel of land.</p> <p>The Site was always intended for development.</p>

PPS Policy #	Policy	Response
	investment in the necessary infrastructure and public service facilities.	The design of the proposed development has provided a compact form.
2.3.1.4	Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.	The City has established targets. The proposed development will assist in meeting those targets as the Site is located in an existing built-up area and will add new residential housing.
2.3.1.6	Planning authorities should establish and implement phasing policies, where appropriate, to ensure that development within designated growth areas is orderly and aligns with the timely provision of the infrastructure and public service facilities.	The Site has access to existing infrastructure and nearby public service facilities.
Chapter 3.1.1 – Infrastructure and Facilities	Infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs.	The proposed development has access to full municipal services.  There are nearby public service facilities.
3.3.3 - Transportation	Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.	The proposed development will not have a negative impact on nearby transportation and infrastructure corridors.
3.6.2	Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized	The proposed development will be serviced by municipal sewer, water and storm, which is the preferred form of servicing for settlement areas.  A Servicing Report has been provided and summarized in Section 4.4.1 of this PRR.



PPS Policy #	Policy	Response
	servicing systems and decentralized servicing systems.	
4.1.1 – Natural Heritage	Natural features and areas shall be protected for the long term.	There are no natural heritage features that impact the Site.  Tree, Fish and Habitat reports have been prepared and summarized in Section 4.4.2 of this PRR.
4.2 - Water	Planning authorities shall protect, improve or restore the quality and quantity of water by: b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;	Permits will be obtained by ERCA in order to address the regulated area.  Support studies have been provided to address the floodplain including the Servicing Report summarized in section 4.4.1 of this PRR
Chapter 5.1.1 – Protecting Public Health and Safety	Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.	There are no natural or human-made hazards that apply to this Site.  There is no risk to the public.  The Site is within the ERCA regulated area, and permits will be obtained if required.

Therefore, the proposed development is consistent with the PPS.

### 5.1.2 Official Plan

The City of Windsor Official Plan (OP) was adopted by Council on October 25, 1999, approved in part by the Ministry of Municipal Affairs and Housing (MMAH) on March 28, 2000, and the remainder approved by the Ontario Municipal Board (OMB) on November 1, 2002. Office consolidation version is dated September 7, 2012.

The OP implements the PPS and establishes a policy framework to guide land use planning decisions related to development and the provision of infrastructure and community services throughout the City.

The lands are designated "Residential" according to Schedule "D – "Land Use" attached to the OP for the City of Windsor (see Figure 4 –OP).

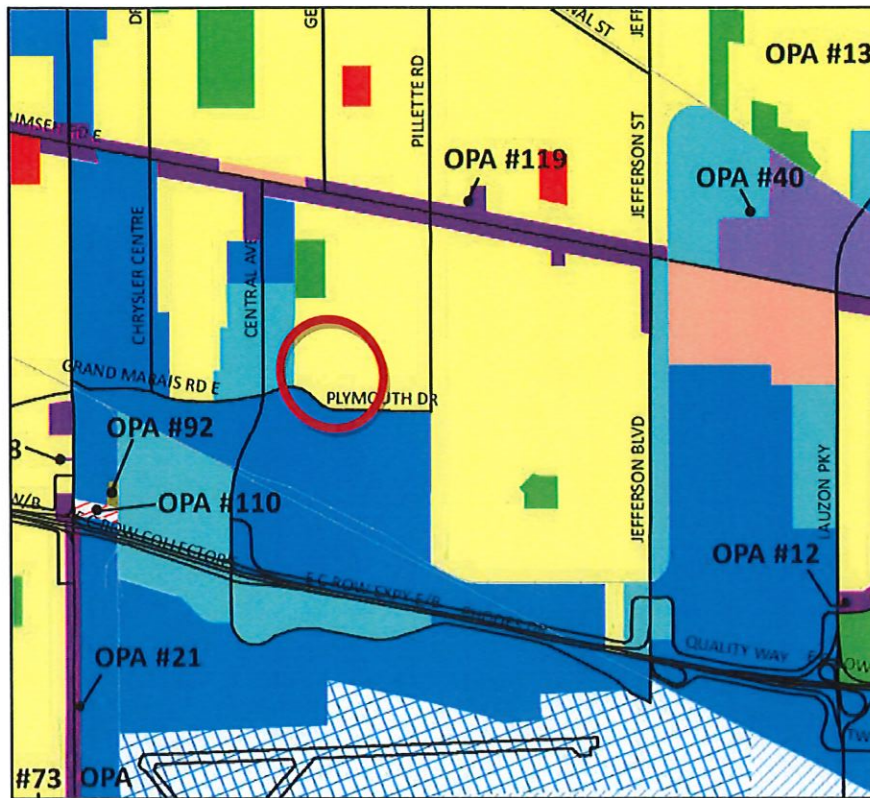


Figure 4 –OP

The following provides a summary of the key policy considerations of the OP as it relates to the proposed development.

OP Policy #	Policy	Response
3.2.1.2 – Housing Variety	Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives.	The proposed residential development supports one of the City's overall development strategies of providing for a range of housing types.  The proposed development is close to transit and local amenities.
3.3.3 - Neighbourhoods	Neighbourhoods are the most basic component of Windsor's urban structure and occupy the greatest proportion of the	The proposed residential development is in an existing built-up area of the City.



OP Policy #	Policy	Response
	<p>City. Neighbourhoods are stable, low-to-medium-density residential areas and are comprised of local streets, parks, open spaces, schools, minor institutions and neighbourhood and convenience scale retail services.</p> <p>The three dominant types of dwellings in Windsor's neighbourhoods are single detached, semi-detached and townhouses.</p> <p>The density range for Windsor's neighbourhoods is between 20 to 35 units per net hectare.</p> <p>This density range provides for low and some medium-density intensification to occur in existing neighbourhoods. Multiple dwelling buildings with medium and high-densities are encouraged at nodes identified in the Urban Structure Plan.</p>	<p>The proposed lots will blend with the surrounding area and will connect existing neighbourhoods.</p> <p>The Site offers appropriate infilling within the existing settlement area.</p> <p>The area has access to nearby amenities, such as public spaces, commercial nodes, and recreational activities.</p> <p>The proposed density offers an opportunity to efficiently use municipal infrastructure.</p> <p>The Site will provide for more housing in an existing built-up area.</p>
4.0 – Healthy Community	The implementing healthy community policies are interwoven throughout the remainder of the Plan, particularly within the Environment, Land Use, Infrastructure and Urban Design chapters, to ensure their consideration and application as a part of the planning process.	<p>The proposed development will support the City's goal of promoting a healthy community (live, work and play).</p> <p>The proposed development is close to nearby transit, employment, shopping, local/regional amenities, and parks.</p>
5.0 - Environment	A healthy and sustainable environment represents a balance between human activities and natural features	The proposed development will support the City's goal of a healthy and sustainable environment.

OP Policy #	Policy	Response
	<p>and functions. In order to attain this balance, Council will enhance the quality of Windsor's natural environment and manage development in a manner that recognizes the environment as the basis of a safe, caring and diverse community and a vibrant economy.</p>	<p>The Site is flat, which is conducive to easy vehicular movements.</p> <p>The Site will include new sidewalks.</p> <p>There are no anticipated traffic concerns, no environmental concerns, and no expected hazards.</p>
5.4.6.4 – Development Criteria (Floodplain)	<p>Council may permit development in a <b>floodplain</b> in recognized flood fringe areas outside of the floodway, including behind flood control dykes (so as to address the matter of the potential failure of protective works) provided: (a) sufficient information accompanies the application to show that the proposed development and its occupants will be protected from the effects of a Regulatory Flood; (b) the potential upstream and downstream impacts of the development proposal will not significantly affect the hydrology or hydraulics of the floodplain; (c) and that adequate floodproofing measures, determined in consultation with the Essex Region Conservation Authority, are incorporated in the development.</p>	<p>The Site is subject to ERCA regulations.</p> <p>Permits will be obtained if required prior to any building construction.</p> <p>A permit has been obtained for the placement and grading of fill for earthwork modifications.</p> <p>Support studies have been provided to address the floodplain including the Servicing Report summarized in section 4.4.1 of this PRR.</p>
6.0 - Preamble	<p>A healthy and livable city is one in which people can enjoy a vibrant economy and a sustainable healthy environment in safe, caring and diverse neighbourhoods.</p>	<p>The proposed development supports the policy set out in the OP as it is suited for the residential needs of the City.</p>

OP Policy #	Policy	Response
	In order to ensure that Windsor is such a city, Council will manage development through an approach which balances environmental, social and economic considerations.	The Site will provide for more housing and will connect existing neighbourhoods.
6.1 - Goals	<p>In keeping with the Strategic Directions, Council's land use goals are to achieve:</p> <p>6.1.1 Safe, caring and diverse neighbourhoods.</p> <p>6.1.3 Housing suited to the needs of Windsor's residents.</p> <p>6.1.10 Pedestrian oriented clusters of residential, commercial, employment and institutional uses.</p>	The proposed development supports the goals set out in the OP as it provides for housing that is suited to residents in this area of Windsor and is close to employment and schooling opportunities.
6.2.1.2 – Types of Development Profile	<p>For the purpose of this Plan, Development Profile refers to the height of a building or structure. Accordingly, the following Development Profiles apply to all land use designations on Schedule D: Land Use unless specifically provided elsewhere in this Plan:</p> <p>(a) <b>Low Profile developments are buildings or structures generally no greater than three (3) storeys in height;</b></p> <p>(b) <b>Medium Profile developments are buildings or structures generally no greater than six (6) storeys in height; and</b></p> <p>(c) <b>High Profile developments are buildings or structures generally no greater than fourteen (14) storeys in height.</b></p>	The proposed development of the lots is considered low-profile building.



OP Policy #	Policy	Response
6.3.1.1 - Residential	To support a complementary range of housing forms and tenures in all neighbourhoods.	The proposed development provides for a new housing choice in an existing built-up area.  The proposed development will blend with the built form of the neighbourhood.
6.3.1.2	To promote compact neighbourhoods which encourage a balanced transportation system.	The existing neighbourhood has access to transportation options, including transit.
6.3.1.3 – Intensification Infill & Redevelopment	To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.	The Site provides an opportunity for infilling within an existing built-up area and will connect existing neighbourhoods.
6.3.2.1 – Permitted Uses	Uses permitted in the Residential land use designation identified on Schedule D: Land Use include <b>Low Profile</b> , 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.	It is proposed to construct townhomes, which are a permitted low profile use.
6.3.2.3 – Type of Low Profile Housing	For the purposes of this Plan, <b>Low Profile</b> housing development is further classified as follows: (a) small scale forms: single detached, semi-detached, duplex <b>and row</b> and multiplexes with up to 8 units; and (b) large scale forms: buildings with more than 8 units.	The proposed development is considered small scale.
6.3.2.4 - Location	Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium	The Site has access to major transportation networks.  Full municipal services are available.

OP Policy #	Policy	Response
	<p>Profile buildings, up to four (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.</p>	<p>Access to transit is available with bus stops nearby.</p>
6.3.2.5 - Evaluation	<p>At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern 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; (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) and adjacent to heritage</p>	<p>This PRR has addressed provincial legislation in Section 5.1.1.</p> <p>The main constraint that impacts this Site is that it is located within the limit of the regulated area of ERCA. The required permits will be obtained.</p> <p>There are no nuisances.</p> <p>There is no contamination.</p> <p>Traffic generated from the proposed development is not expected to have any negative impact.</p> <p>There are no heritage resources.</p> <p>The proposed development is in keeping with policies and plans.</p>



OP Policy #	Policy	Response
	<p>resources. (b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area; (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; (d) provided with adequate off street parking; (e) capable of being provided with full municipal physical services and emergency services; and (f) facilitation 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.</p>	<p>There are no secondary plans that impact the Site.</p> <p>The proposed development is compatible with the area as it is in keeping with the character of the existing neighbourhood.</p> <p>The proposed height of the buildings will be kept low profile, similar to the existing dwellings in the area.</p> <p>The massing of the development will fit well on the size of the lot.</p> <p>The Site is not in a mature neighbourhood as shown on Schedule A-1 of the OP.</p> <p>Off street parking is provided in private driveways.</p> <p>Full municipal services are available.</p> <p>The proposed development will be professionally designed.</p> <p>The City of Windsor intensification guidelines will be followed.</p> <p>All RD2.2 zone provisions shall comply.</p>
7.0 - Infrastructure	<p>The provision of proper infrastructure provides a safe, healthy and efficient living environment. In order to accommodate transportation and physical service needs in Windsor, Council is committed</p>	<p>The Site is close to nearby transit, has access to major transportation networks and can be serviced with full municipal services.</p>

OP Policy #	Policy	Response
	to ensuring that infrastructure is provided in a sustainable, orderly and coordinated fashion.	There will be no negative impacts on the municipal system, and it will not add to the capacity in a significant way.

Therefore, the proposed development conforms to the City of Windsor OP, and no amendment is required.

### 5.1.3 Zoning By-law

The City of Windsor Zoning By-law (ZBL) #8600 was passed by Council on July 8, 2002, and then a further Ontario Municipal Board (OMB) decision was issued on January 14, 2003.

A ZBL implements the PPS and the City OP by regulating the specific use of property and providing for its day-to-day administration.

The Site is currently zoned "Residential District 2.1 (RD2.1)" on Map 11 of the City of Windsor Zoning By-Law 8600 (see Figure 5 – ZBL).

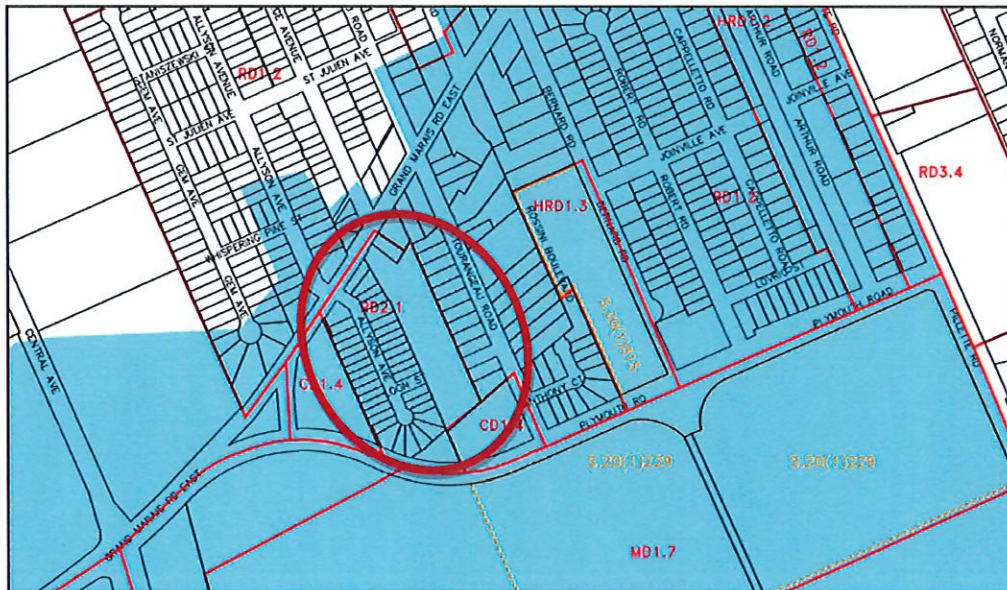


Figure 5 – ZBL

It is proposed to change the zoning to "Residential District 2.2 (RD2.2)" to permit the proposed townhome dwellings.



TOWNHOME DWELLING means *one dwelling vertically divided into a row of three or more dwelling units attached by common interior walls, each wall having a minimum area above grade of 10.0 sq. m., and may include, where permitted by Section 5.99.80, additional dwelling units. A semi-detached dwelling is not a townhome dwelling.*

A review of the RD2.2 zone provisions, as set out in Sections 11.2 of the ZBL, are as follows:

Zone Regulations	Required RD2.2	Proposed (Townhome Dwelling)	Compliance and/or Relief Requested with Justification
Permitted Uses	One Double Duplex Dwelling One Duplex Dwelling One Multiple Dwelling containing a maximum of four dwelling units One Semi-Detached Dwelling One Single Unit Dwelling <b>Townhome Dwelling</b> Any use accessory to any of the preceding uses	<b>Townhome Dwelling</b>	Complies, subject to the ZBA.  The proposed use is considered low profile and is compatible with the area.
Minimum Lot Width	20.0 m	Block 1 – 53 m Block 2 – 51.4 m Block 3 – 52 m Block 4 - 52.1 m	Complies
Minimum Lot Area	Per dwelling unit - 200.0 m <sup>2</sup>  200.0 x 7 =1,400 m <sup>2</sup>	Block 1 – 1,995.4 m <sup>2</sup> Block 2 – 1,855.0 m <sup>2</sup> Block 3 –2,041.4 m <sup>2</sup> Block 4 – 2,335.4 m <sup>2</sup>	Complies  As shown on the concept plan.
Maximum Lot Coverage	45.0%	Block 1 – 29.2 % Block 2 – 28 % Block 3 – 25.5 % Block 4 - 22.3 %	Complies



Zone Regulations	Required RD2.2	Proposed (Townhome Dwelling)	Compliance and/or Relief Requested with Justification
Maximum Main Building Height	9.0 m	9.0 m	Complies
Minimum Front Yard Depth	6.0 m	Shall comply	Complies
Minimum Rear Yard Depth	7.50 m	Shall comply	Complies
Minimum Side Yard Width	1.20 m	Block 1 – 1.5/4.1 m Block 2 – 1.2/7.2 m Block 3 – 1.2/7.2 m Block 4 - 1.2/7.46 m	Complies
Parking Requirements 24.20.5.1	Townhome Dwelling having an attached garage or carport - 1 for each dwelling unit	2, includes garages and driveways  (28 parking spaces in total)	Complies

Therefore, all RD2.2 zone provisions shall comply, and no relief is required.

## **6.0 SUMMARY AND CONCLUSION**

### **6.1 Context and Site Suitability Summary**

#### **6.1.1 Site Suitability**

The Site is ideally suited for residential development for the following reasons:

- The land area is sufficient to accommodate the proposed development,
- The Site is flat, which is conducive to easy vehicular movement,
- The Site has access to full municipal water, storm and sewer systems,
- There are no anticipated traffic concerns,
- There are no environmental concerns, and
- There are no hazards.

#### **6.1.2 Compatibility of Design**

The Site is compatible with the surrounding area in terms of scale, massing, height and siting.

The development pattern is proposed to be an efficient use of the Site and will connect existing neighbourhoods.

#### **6.1.3 Good Planning**

The proposal represents good planning as it addresses the need for the City to provide housing.

The proposed lots will contribute toward infilling requirements.

Residential use on the Site represents an efficient development pattern that optimizes the use of land in an existing built-up area that has residential uses surrounding the Site.

The additional residential lots will not put any additional stress on municipal infrastructure or the current Site.

#### **6.1.4 Natural Environment Impacts**

The proposal does not have any negative natural environmental impacts, as there are no natural heritage features on the Site.

#### **6.1.5 Municipal Services Impacts**

There will be no negative impacts on the municipal system as the residential development is limited to low profile and will not add to the capacity in a significant way.

### **6.1.6 Social and/or Economic Conditions**

The proposed development does not negatively affect the social environment as the Site is in close proximity to major transportation networks, transit, parks, places of worship and community amenities.

The proposed development does not cause any public health and safety concerns.

The proposal represents a cost-effective development pattern that minimizes land consumption and servicing costs.

There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal development opportunity.

## **6.2 Conclusion**

The proposed development on the Site is appropriate and should be approved by the City of Windsor.

This PRR has shown that the proposed development is consistent with the PPS, conforms with the intent and purpose of the City of Windsor OP and ZBL, and represents good planning. The report components for this PRR have set out the following, as required under the City of Windsor OP:

*10.2.13.2 Where a Planning Rationale Report is required, such a study should:*

- (a) Include a description of the proposal and the approvals required;*
- (b) Describe the Site's previous development approval history;*
- (c) Describe major physical features or attributes of the Site, including current land uses(s) and surrounding land uses, built form and contextual considerations;*
- (d) Describe whether the proposal is consistent with the provincial policy statements issued under the Planning Act.*
- (e) Describe the way in which relevant Official Plan policies will be addressed, including both general policies and site specific land use designations and policies;*
- (f) Describe whether the proposal addresses the Community Strategic Plan;*
- (g) Describe the suitability of the Site and indicate reasons why the proposal is appropriate for this Site and will function well to meet the needs of the intended future users;*
- (h) Provide an analysis of the compatibility of the design and massing of the proposed developments and land use designations;*

- (i) Provide an analysis and opinion as to why the proposal represents good planning, including the details of any methods that are used to mitigate potential negative impacts;*
- (j) Describe the impact on the natural environment;*
- (k) Describe the impact on municipal services;*
- (l) Describe how the proposal will affect the social and/or economic conditions using demographic information and current trends; and,*
- (m) Describe areas of compliance and non-compliance with the Zoning By-law.*

**Planner's Certificate:**

I hereby certify that this report was prepared by Tracey Pillon-Abbs, a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.



**Tracey Pillon-Abbs, RPP  
Principal Planner**





**APPENDIX G – DRAFT BY-LAW**

B Y - L A W N U M B E R                      -2024

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600  
CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the                      day of                      , 2024.

**WHEREAS** it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

**THEREFORE** the Council of The Corporation of the City of Windsor enacts as follows:

1. By-law Number 8600 is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of the by-law and made part thereof, so that the zoning district symbol of the lands described in Column 3 shall be changed from that shown in Column 5 to that shown in Column 6:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol	6. New Zoning Symbol
1	11	Pt Lot 105, Concession 2, designated as PART 1, Plan 12R-26347 [PIN 01360-0291 (LT)] and PART BLOCK 21 Plan 12M417 Windsor being PARTS 4, 5 & 6 Plan 12R27878 [PIN 01360-0301 (LT)] (located west of Tourangeau Road, between Plymouth Drive and Grand Marais Road East.)	-	RD2.1	H(2)RD2.2

2. THAT the holding (H) symbol SHALL APPLY to the land described as Pt Lot 105, Concession 2, designated as PART 1, Plan 12R-26347 [PIN 01360-0291 (LT)] and PART BLOCK 21 Plan 12M417 Windsor being PARTS 4, 5 & 6 Plan 12R27878 [PIN 01360-0301 (LT)] and that Zoning By-law Number 8600 be further amended by adding the following clause to Section 95.20:

(2) Registration of a Final Plan of Subdivision.

DREW DILKENS, MAYOR

CLERK

First Reading                      -                      , 2024  
Second Reading                      -                      , 2024  
Third Reading                      -                      , 2024

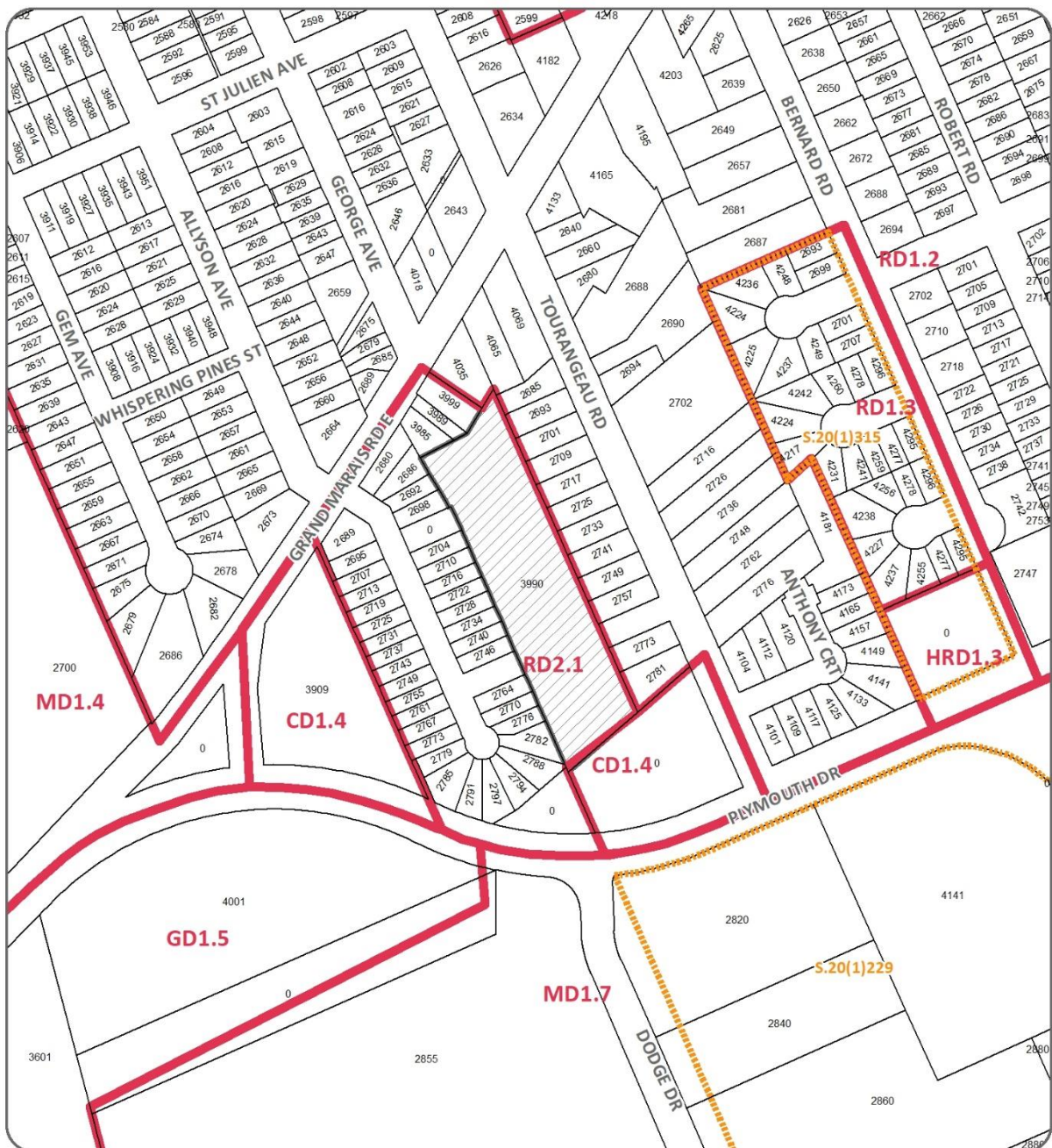
## SCHEDULE 2

1. By-law \_\_\_\_\_ has the following purpose and effect:

To amend the zoning of the land described as Pt Lot 105, Concession 2, designated as PART 1, Plan 12R-26347 [PIN 01360-0291 (LT)] and PART BLOCK 21 Plan 12M417 Windsor being PARTS 4, 5 & 6 Plan 12R27878 [PIN 01360-0301 (LT)], located west of Tourangeau Road, between Plymouth Drive and Grand Marais Road East, by changing the zoning from Residential District 2.1 to Residential District 2.2 (with a holding prefix) to facilitate the development of a residential plan of subdivision containing 4 townhome dwellings with a total of 28 townhome dwelling units on the subject land.

This amendment provides the opportunity for the creation of 4 blocks for low profile residential development in the form of townhouses on the subject lands. This amendment supports a more compact development and helps optimize the use of existing municipal infrastructure and public facilities in the subject area. The amendment provides the opportunity to develop the subject underutilized land without an amendment to the official plan.

2. Key map showing the location of the lands to which By-law \_\_\_\_\_ applies.



PART OF ZONING DISTRICT MAP 11

N.T.S.

## SCHEDULE 2

Applicant: Olivia Construction Homes Inc.



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : SEPTEMBER, 2024

FILE NO. : SDN 003-24, SDN-7212 & Z-018-24, ZNG-7211



**Committee Matters: SCM 340/2024**

**Subject: Zoning By-law Amendment Application for 926-928 Giles Blvd E, Z-028/24 [ZNG-7232], Ward 1**

Moved by: Councillor Kieran McKenzie  
Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 673**

THAT Zoning By-law 8600 **BE AMENDED** for the lands located on the north side of Giles Blvd between Parent Ave and Langlois Ave, described as Lot 53 Plan 937, PIN 01155-0034, by adding a site-specific provision to permit one *Multiple Dwelling* containing a maximum of six *dwelling units*, subject to the following additional regulations:

**515. NORTH SIDE OF GILES BLVD BETWEEN PARENT AVE AND LANGLOIS AVE**

(1) For the lands comprising Lot 53 Plan 937, PIN 01155-0034, one *Multiple Dwelling* containing a maximum of six *dwelling units* shall be an additional permitted main use subject to the following additional provisions:

1. Notwithstanding Section 11.2.5.4.1, the minimum lot width shall be 11.2 m.
2. Notwithstanding Section 11.2.5.4.2, the minimum lot area shall be 470.2 m<sup>2</sup>.
3. Notwithstanding Section 24.20.5.1, the minimum required parking spaces shall be four (4) parking spaces.

[ZDM 7; ZNG/7232]

Carried.

Member Daniel Grenier discloses an interest and abstains from voting on this matter.

Report Number: S 137/2024  
Clerk's File: Z/14864

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 7.4 from the Development & Heritage Standing Committee held on November 4, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241105/-1/10519>



**Subject: Zoning By-law Amendment Application for 926-928 Giles Buslvd E, Z-028/24 [ZNG-7232], Ward 4**

**Reference:**

Date to Council: November 4, 2024  
Author: Simona Simion, MCIP, RPP  
Planner III – Economic Development (Acting)  
(519) 255-6543 ext. 6449

Planning & Building Services  
Report Date: October 8, 2024  
Clerk's File #: Z/14864

**To:** Mayor and Members of City Council

**Recommendation:**

- I. THAT Zoning By-law 8600 **BE AMENDED** for the lands located on the north side of Giles Blvd between Parent Ave and Langlois Ave, described as Lot 53 Plan 937, PIN 01155-0034, by adding a site-specific provision to permit one *Multiple Dwelling* containing a maximum of six *dwelling units*, subject to the following additional regulations:

**515. NORTH SIDE OF GILES BLVD BETWEEN PARENT AVE AND LANGLOIS AVE**

- (1) For the lands comprising Lot 53 Plan 937, PIN 01155-0034, one *Multiple Dwelling* containing a maximum of six *dwelling units* shall be an additional permitted main use subject to the following additional provisions:
  1. Notwithstanding Section 11.2.5.4.1, the minimum lot width shall be 11.2 m.
  2. Notwithstanding Section 11.2.5.4.2, the minimum lot area shall be 470.2 m<sup>2</sup>.
  3. Notwithstanding Section 24.20.5.1, the minimum required parking spaces shall be four (4) parking spaces.

[ZDM 7; ZNG/7232]

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning for the lands located on the north side of Giles Blvd E between Parent Ave and Langlois Ave, municipally known as 926-928 Giles Blvd E (the subject property), from Residential District 2.2 (RD2.2) to Residential District 2.2 (RD2.2) with site-specific zoning provisions. The site-specific provisions will support the additional two (2) basement units for a total of six (6) dwelling units on site, the reduction in parking required from 7 spaces to 4 spaces, and the reduction in lot width/lot area. The reduction in lot width and lot area reflects existing condition and were previously approved by Committee of Adjustment when the use on the site changed from duplex to multiple dwelling with four dwelling units (application for minor variance A014/23).

The current footprint of the building will not change from the approved building permit construction for the multiple dwelling with four dwelling units. To be noted that the current building footprint does not exceed the maximum lot coverage (45%).

The minimum parking requirement for a multiple dwelling with six (6) dwelling units is seven (7) parking spaces. Current site plan indicates a total of four (4) parking spaces with access from alley, resulting in a deficiency of three (3) parking spaces. The agent submitted a Parking Review letter that was deemed satisfactory by Transportation Planning Division. The subject site is located within a walkable area, served by two (2) bus routes, with stops less than 150 metres from the subject site. A total of six (6) bicycle parking spaces are to be provided on the site. Each of the units will have a storage area within the unit where the bikes can be stored. Bike lanes are available on Parent Ave. There is also an ample supply of on-street parking along the north side Giles Boulevard East and the east side of Parent Avenue, which can be utilized by any visitors to the site.

To be noted that the alley maintenance contribution as requested by Engineering Department was paid by the applicant.

**Submitted Information:** Site Plan (See Appendix A), Parking Review, Deed, Plan of Survey, Alley Paving Receipt, Floor Plan (See Appendix C), and Zoning By-law Amendment Application Form.

**Site Information:**

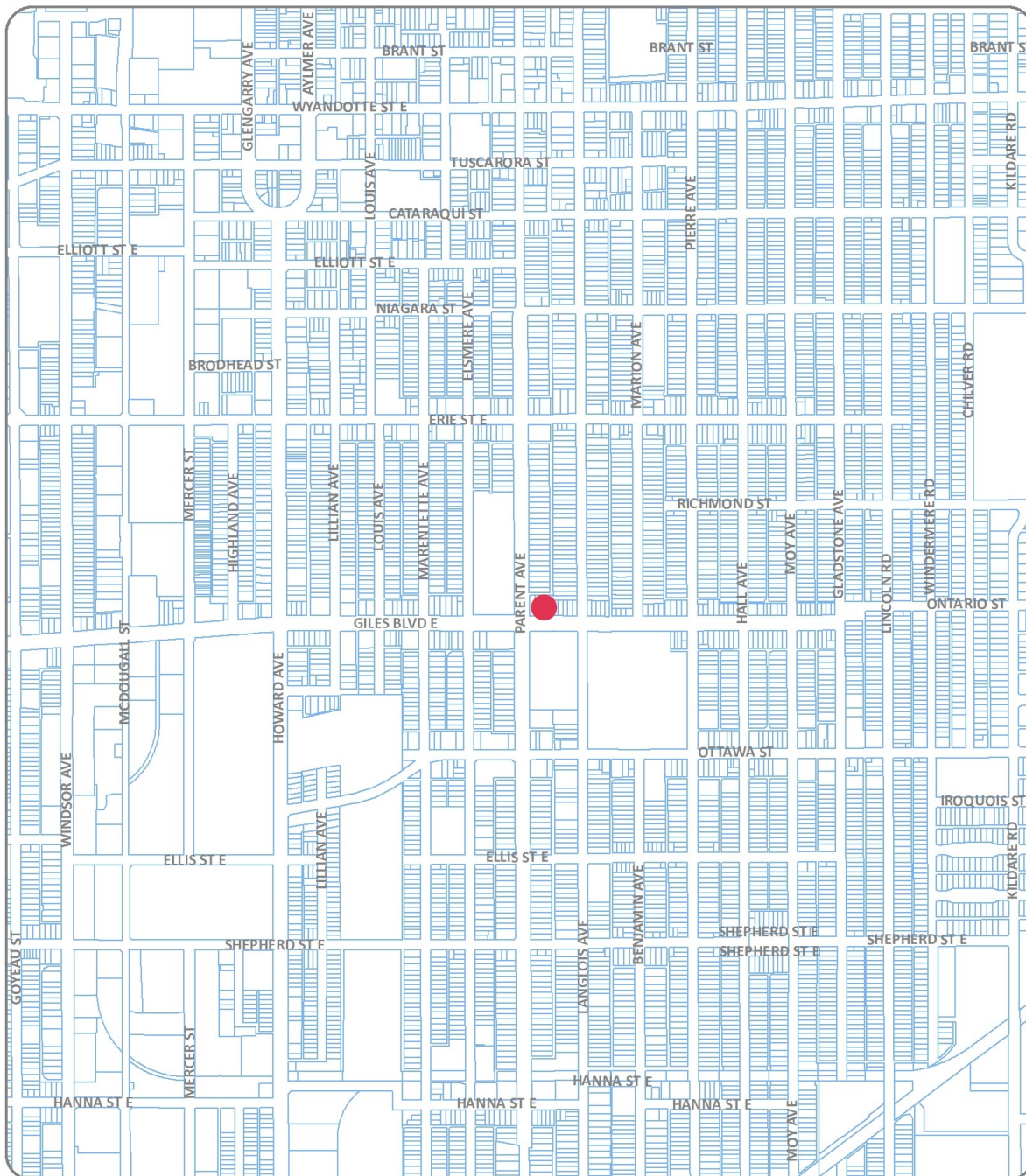
Official Plan	Zoning	Current Use	Previous Use
Residential	Residential District RD2.2 (RD2.2)	Multiple Dwelling with 4 units	Duplex
Lot Width	Lot Depth	Lot Area	Lot Shape
11.20 m	42.11 m	470.2 m <sup>2</sup>	Rectangular
<i>All measurements are based on Plan of Survey, dated May 10, 2023, completed by Verhaegen Land Surveyors</i>			

To be noted that the alley maintenance contribution as requested by Engineering Department was paid by the applicant.

**Submitted Information:** Site Plan (See Appendix A), Parking Review, Deed, Plan of Survey, Alley Paving Receipt, Floor Plan (See Appendix C), and Zoning By-law Amendment Application Form.

**Site Information:**

Official Plan	Zoning	Current Use	Previous Use
Residential	Residential District RD2.2 (RD2.2)	Multiple Dwelling with 4 units	Duplex
Lot Width	Lot Depth	Lot Area	Lot Shape
11.20 m	42.11 m	470.2 m <sup>2</sup>	Rectangular
<i>All measurements are based on Plan of Survey, dated May 10, 2023, completed by Verhaegen Land Surveyors</i>			



KEY MAP - Z-028/24, ZNG/7232



● SUBJECT LANDS



PART OF ZONING DISTRICT MAP 7

N.T.S.

## REQUESTED ZONING AMENDMENT

Applicant: Hausology Inc.



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : SEPTEMBER, 2024  
FILE NO. : Z-028/24, ZNG/7232





NEIGHBOURHOOD MAP - Z-028/24, ZNG/7232



SUBJECT LANDS

**Neighbourhood Characteristics:**

The subject property is located on the Walkerville Planning District. This district constitutes the area south of Riverside Dr E, east of Parent Ave, west of Walker Rd, and north of Essex Terminal Railway corridor.

**Surrounding Land Uses:**

**North:** Low density residential; **East:** Low density residential; **South:** Institutional, Low density residential, Open Space; **West:** Institutional, Low density residential

## Municipal Infrastructure:

- Giles Blvd E is classified as a Class I Collector Road with sidewalks on both sides.
- Sanitary sewer, storm sewer and watermain are located within the Giles Blvd E right-of-way.
- Sidewalks are present on Parent Ave (both sides) and Langlois Ave (one side).
- Bike lane is existing on Parent Ave.

## Discussion:

The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario. The planning analysis was completed for the 2020 PPS and there are no changes in the 2024 PPS that would cause the subject Zoning Bylaw Amendment to be inconsistent.

The following policies of PPS 2020 are considered relevant in discussing provincial interests related to this amendment:

### 1.0 Building Strong Healthy Communities

Policy 1.1.1 states:

- *Healthy, liveable and safe communities are sustained by:*
  - a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term.*
    - Refer to the response provided to PPS Policy 1.1.1 e) herein.
  - b) *accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), ..... to meet long-term needs.*
    - This amendment will allow for the addition of 2 units to a multiple unit dwelling with 4 units on a smaller lot, further diversifying the range of housing stock available in the Walkerville neighbourhood.
  - c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns.*
    - This amendment will not cause any environmental or public health and safety concerns.
  - o e) *promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit*

*investments, and standards to minimize land consumption and servicing costs.*

- This amendment will allow for the redevelopment of the subject property through intensification, optimizing existing municipal infrastructure and public service facilities, and avoiding unnecessary land consumption.
- The redevelopment of the subject property at a higher density, in conjunction with it being within walking distance of transit stops, also represents a transit-supportive development.
  - A distance of 400.0 metres is typically used as an acceptable walking distance to a transit stop.
  - This is reflected within Transit Windsor's 2019 Transit Master Plan and the City of Windsor's Active Transportation Master Plan.

*f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society.*

- The interior layout and exterior site design for a multiple dwelling is exempt from having to comply with the Barrier-Free Design requirements of the *Ontario Building Code*.
- The *Accessibility for Ontarians with Disabilities Act* does not apply to a multiple dwelling.

*g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.*

- The site may be serviced by a 900mm combined sewer and a 2425 mm storm sewer located within the Giles Blvd right-of-way. As per Engineering Department, the level of service for the sewer system in this neighborhood is not expected to experience any significant degradation as a result of this development.
- The subject property is serviced by overhead hydro lines along the north limit of the site with a 120/240-volt secondary hydro distribution.
- The closest existing bus stop to this property is located on Parent at Giles Northeast Corner. This bus stop is approximately 50 metres from this property falling within Transit Windsor's guidelines of 400 metres to a bus stop.
- The subject property has direct access to a public highway via paved alley.



- Lanspeary Park is located to the east across the street from the subject site
- Prince Edward Public School is located across the street from the subject site

Policy 1.1.3.1 states:

- *Settlement areas shall be the focus of growth and development.*

The subject property is located within a Settlement area.

Policy 1.4.3 states:

- *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*

*b) permitting and facilitating:*

- *2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*

- Refer to the responses provided to PPS Policy 1.1.1 e) herein.

*c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*

- Refer to the response provided to PPS Policy 1.1.1 g) herein.

One or more of the aforesaid responses to PPS Policy 1.1.1 also speak to the following relevant PPS Policy:

- *1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*

*a) efficiently use land and resources;*

*b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*

- *1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water*

*services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services;*

The requested amendment to Zoning By-law 8600 is consistent with the relevant policies of PPS 2020.

## **Official Plan**

The following policies from these excerpts are considered relevant in discussing this amendment's conformity with the Official Plan.

The subject property is located within the Walkerville Planning District on *Schedule A - Planning Districts & Policy Areas* and within a Residential land use designation on *Schedule D - Land Use Plan*.

## **Volume I**

### **Chapter 3 - Development Strategy**

This amendment complies with the following applicable key policy direction for managing growth consistent with the Vision of the City of Windsor Community Strategic Plan.

#### **3.2 - Growth Concept**

##### **3.2.1 - Safe, Caring and Diverse Communities**

*Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands (Policy 3.2.1.2).*

- Refer to the response provided to PPS Policy 1.1.1 b) herein.

#### **3.3 - Urban Structure Plan**

This amendment complies with the following applicable key policy direction for managing the structural elements within the municipality:

##### **3.3.3 Neighbourhoods**

The three dominant types of dwellings in Windsor's neighbourhoods are single detached, semi-detached and townhouses. The density range for Windsor's neighbourhoods is between 20 to 35 units per net hectare. This density range provides for low and some medium-density intensification to occur in existing neighbourhoods such as the subject area.

## **Chapter 6 - Land Use:**

### **6.1 Goals**

This amendment complies with the following applicable land use goal:

- *Housing suited to the needs of Windsor residents (Goal 6.1.3).*
- *To direct residential intensification to those areas of the City where transportation, municipal services, community facilities and goods and services are readily available (Goal 6.1.14).*

## **6.3 Residential**

### **6.3.1 Objectives**

The amendment complies with the following applicable Residential land use objectives:

- *To support a complementary range of housing forms and tenures in all neighbourhoods (Objective 6.3.1.1).*
- *To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan (Objective 6.3.1.3).*

### **6.3.2 Policies**

#### **Permitted Uses**

*Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile, and Medium Profile dwelling units. (Policy 6.3.2.1)*

- A multiple unit dwelling with six (6) units is classified as a Low Profile dwelling.

#### **Locational Criteria**

*New residential development and intensification shall be located where: (Policy 6.3.2.4)*

- *(a) There is access to a collector or arterial road;*

The subject property has access to Giles Blvd E a Class 1 collector road and Parent Ave a Class 2 collector road

- *(b) Full municipal physical services can be provided;*

Refer to the response provided to PPS Policy 1.1.1 g) herein.

- *(c) Adequate community services and open spaces are available or are planned;  
and*

Refer to the responses provided to PPS Policy 1.1.1 g) and the Surrounding Land Uses section herein.

- *(d) Public transportation service can be provided.*

The closest existing bus stop to this property is located on Parent at Giles Northeast Corner. This bus stop is approximately 50 metres from this

property falling within Transit Windsor's guidelines of 400 metres to a bus stop.

## **Evaluation Criteria**

Policy 6.3.2.5 states:

- *At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is:*

*(c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.*

- The proposed development takes place within the basement of an existing building.

*(d) provided with adequate off street parking;*

- The proposed development will a reduced number of parking spaces onsite. The parking reduction has been supported by a Parking Review letter. The subject property is in proximity of a bus stop.

*(e) capable of being provided with full municipal physical services and emergency services; and*

- Refer to the response provided to PPS Policy 1.1.1 g) herein for details on the municipal physical services available to the subject property.
- The subject property is served by Essex-Windsor EMS, Windsor Fire & Rescue Services (Fire Hall No. 2) and Windsor Police Service.

## **Chapter 11 - Tools:**

Land use compatibility throughout Windsor is an implementation goal to be achieved when administering a planning tool under this chapter. Compatibility between land uses is also an objective of the Zoning By-law Amendment planning tool (Policy 11.6.1.2).

- Land use compatibility was considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

Policy 11.6.3.3 states:

- *When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:*

- (a) *The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;*
- (b) *Relevant support studies;*
- (c) *The comments and recommendations from municipal staff and circularized agencies;*
- (d) *Relevant provincial legislation, policies and appropriate guidelines; and*
- (e) *The ramifications of the decision on the use of adjacent or similar lands.*

- This amendment is not anticipated to have any ramifications on the use of adjacent or similar lands.

### **City of Windsor Intensification Guidelines:**

- The Intensification Guidelines provide further direction for infill and intensification within existing neighbourhood patterns. The intent is to guide new development to become distinctive, while relating harmoniously to the use, scale, architecture, streetscapes, and neighbourhoods of Windsor, as well as meeting the needs of its citizens and visitors.
- The subject land is located within an established neighbourhood area but not within a defined Mature Neighbourhood or a Mixed-Use Corridor as per the Official Plan. The general guidelines for all development state that low profile development includes single-detached, semi-detached, duplex, townhouses, and apartments [multiple dwelling] that are generally no greater than three storeys in height and should be compatible and sensitively integrated with residential buildings in the surrounding neighbourhood.
- The existing multiple dwelling is two storeys in height and is designed to be sensitively integrated in the surrounding neighbourhood. The proposed ZBA is consistent with the general directives of the Intensification Guidelines.

The aforesaid matters were considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

The requested amendment to Zoning By-law 8600 conforms to the policies of the Official Plan.

### **Zoning By-Law**

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning from Residential District 2.2 (RD2.2) allowing a multiple dwelling with four (4) units to Residential District 2.2 (RD2.2) with site-specific zoning provisions. The site-specific provisions will support the additional two (2) basement units for a total of six (6) dwelling units on site, the reduction in parking required from seven (7) spaces to four (4) spaces, and the reduction in lot width/lot area. The reduction in lot width and lot area reflects existing condition and were previously approved by Committee of Adjustment when the use on the site changed from duplex to multiple dwelling with four dwelling units (application for minor variance A014/23).

The applicant's request has been considered and is supported within this report.

A draft amending by-law is attached as Appendix D. Subsection 24 (1) of the *Planning Act*, R.S.O. 1990, c. P.13., prohibits a by-law from being passed that does not conform with the Official Plan. As discussed through the Official Plan section herein, the proposed amendment conforms to the applicable policies of the Official Plan.

### **Risk Analysis:**

N/A

### **Climate Change Risks**

#### **Climate Change Mitigation:**

The proposed dwelling units implement Environmental Master Plan Objective C1: Encourage in-fill and higher density in existing built areas. Residential intensification minimizes the impact on the community greenhouse gas emissions. Development within existing communities and neighbourhoods while using currently available infrastructure such as sewers, sidewalks, and public transit helps to mitigate development impact.

#### **Climate Change Adaptation:**

The new building may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of Building Code, which would be implemented through the building permit process.

### **Financial Matters:**

N/A

### **Consultations:**

Comments received from City Departments, external agencies and members of the public on this application were taken into consideration when preparing this report. A record of the comments is included as Appendix B herein.

Public Notice: Statutory notice was advertised in the Windsor Star, a local daily newspaper. A courtesy notice was mailed to property owners and residents within 200 metres of the subject parcel.

### **Conclusion:**

The *Planning Act* requires that a decision of Council in respect of the exercise of any authority that affects a planning matter, "*shall be consistent with*" Provincial Policy Statement 2020. The recommended zoning amendment has been evaluated for consistency with the Provincial Policy Statement 2020 and conformity with the policies of the City of Windsor Official Plan.

The recommended zoning by-law amendment is consistent the PPS, with the policy direction of the City of Windsor Official Plan, is compatible with existing and permitted uses in the surrounding neighbourhood and constitutes good planning.

**Planning Act Matters:**

I concur with the above comments and opinion of the Registered Professional Planner.

*Greg Atkinson, MCIP, RPP*  
*Manager of Development*

*Neil Robertson, MCIP, RPP*  
*City Planner*

I am not a Registered Professional Planner and have reviewed as a Corporate Team Leader

**JP**

**JM**

**Approvals:**

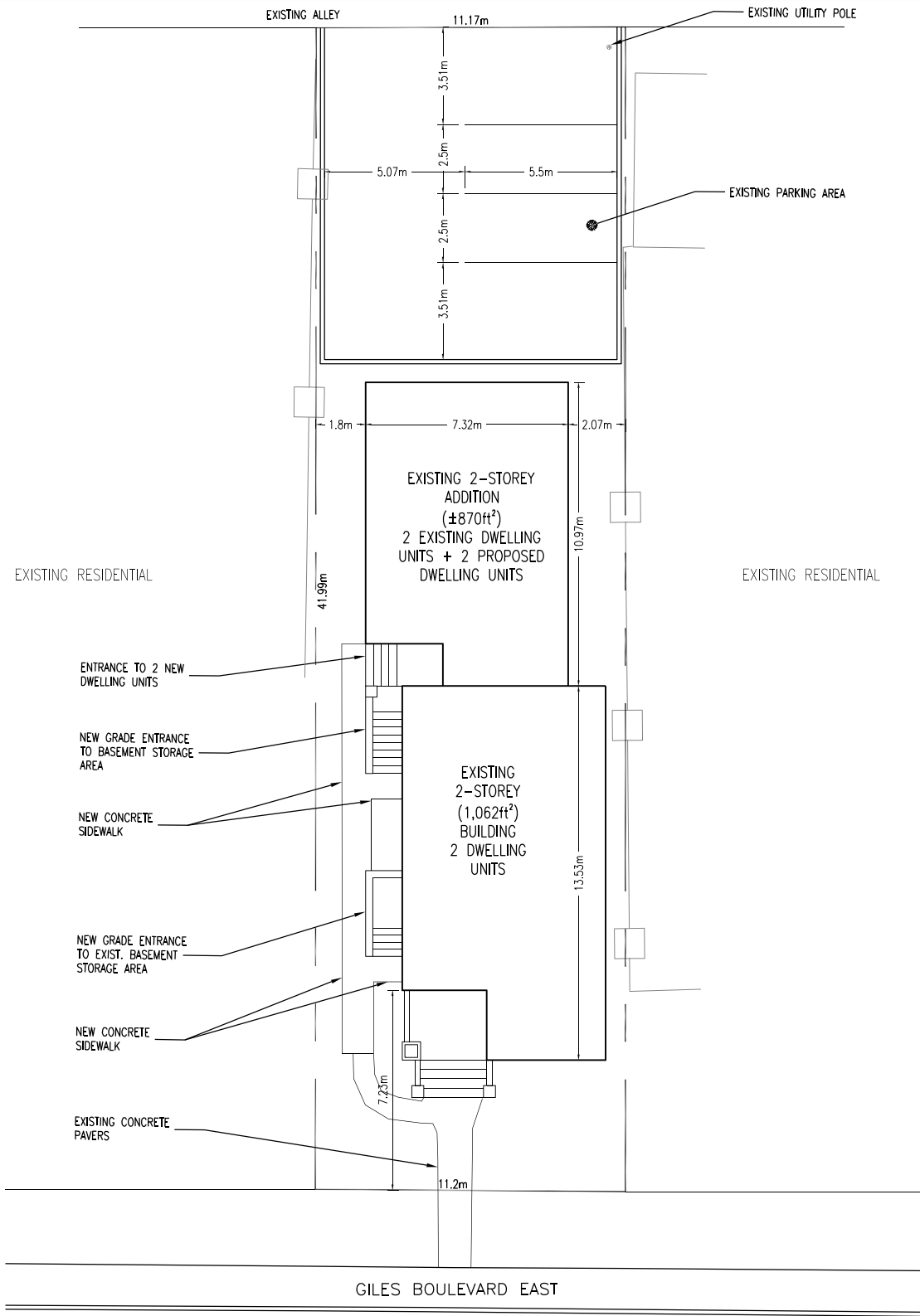
Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	City Planner / Executive Director, Planning & Development Services
Aaron Farough	Senior City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

**Notifications:**

Name	Address	Email
Abutting property owners, tenants/occupants within 200-meter radius of the subject property		

**Appendices:**

- 1 Appendix A - Site Plan
- 2 Appendix B - Comments
- 3 Appendix C - Floor Plan
- 4 Appendix D - Draft Amending By-law



**PROPOSED ZONING BY-LAW AMENDMENT**

926-928 GILES BOULEVARD EAST

**CONCEPTUAL SITE PLAN**

--- SUBJECT SITE

NOTE: PROPOSED NEW UNITS (2) TO BE LOCATED IN THE BASEMENT OF THE EXISTING ADDITION.



CREATED BY: MAM  
CHECKED BY: MAM  
DESIGNED BY: MAM

File Location:  
c:\users\m32mam\Desktop\current

SCALE: N.T.S.





## APPENDIX D – CONSULTATION

### **DEVELOPMENT ENGINEERING – JUAN PARAMO**

---

We have reviewed the subject Rezoning application and have the following comments:

#### **Sewers**

The site may be serviced by a 900mm combined sewer and a 2425mm storm sewer located within the Giles Blvd right-of-way. If possible existing connections should be utilized. Any redundant connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3.

The level of service for the sewer system in this neighborhood is not expected to experience any significant degradation as a result of this development.

#### **Right of-Way**

The current Giles Boulevard right-of-way width is sufficient, and no land conveyance for road widening purposes is necessary at this time.

In summary we have no objection to the proposed development.

If you have any further questions or concerns, please contact Juan Paramo, of this department at [jparamo@citywindsor.ca](mailto:jparamo@citywindsor.ca)

### **WINDSOR FIRE – MICHAEL COSTE**

No issue from Fire

### **ENBRIDGE – SANDRO AVERSA**

After reviewing the provided drawing, and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.

Also, please note the following should you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live
- If during the course of any job, any pipe is found that is not on the locate sheet and is in conflict with your work, please call our emergency number (1-877-969-0999), and one of our Union Gas representatives will respond to determine if that plant is in fact live or dead
- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly

Please contact me if you have any further questions or concerns.



**TRANSIT WINDSOR – JASON SCOTT**

Transit Windsor has no objections to this development. The closest existing transit routes to this property are with the Ottawa 4 and the Parent 14. The existing peak weekday frequency of the Ottawa 4 is every 20 minutes and the Parent 14 is every 40 minutes. The Ottawa 4 will be replaced with Route 200 as part of Transit Windsor’s City Council approved 2023 service plan. The proposed implementation of this route is sometime in 2025. The peak weekday frequency of this route will be reduced to 30 minutes from the existing 20 minutes. The closest existing bus stop to this property is located on Parent at Giles Northeast Corner. This bus stop is approximately 50 metres from this property falling within Transit Windsor’s guidelines of 400 metres to a bus stop. This will be maintained with Transit Windsor’s City Council approved Transit Master Plan.

**BELL CANADA – JUAN CORVALAN**

The information that municipalities provide to Bell Canada is instrumental to the provisioning of telecommunications infrastructure and we appreciate the opportunity to be proactively engaged in development applications and infrastructure and policy initiatives.

Bell Canada will provide a response should any comments / input be required on the information included in the circulation received. Bell Canada kindly requests that even if a specific comment is not provided at this time that you continue to circulate us at [circulations@wsp.com](mailto:circulations@wsp.com) on any future materials related to this development project or infrastructure / policy initiative so that we can continue to monitor its progress and are informed of future opportunities for engagement.

**1) Bell Canada Responses to Pre-Consultation & Complete Development Application Circulations:**

### **Pre-consultation Circulations**

Please note that Bell Canada does NOT generally comment on pre-consultation circulations unless the information provided identifies that a future draft plan of subdivision, draft plan of condominium and/or site plan control application will be required to advance the development proposal.

### **Complete Application Circulations & Recirculations**

Please note that Bell Canada does NOT generally comment on the following development applications - official plan and zoning by-law amendments, part lot control, temporary use and interim control by-laws. However, Bell Canada does generally comment on site plan approval, draft plans of subdivision and draft plan of condominium applications.

Bell Canada will generally comment on recirculations where the change modifies the proposed residential dwelling unit count and/or non-residential gross floor area in a draft plan of subdivision, draft plan of condominium and/or site plan control application.

### **2) Bell Canada Responses to Infrastructure and Policy Initiative Circulations:**

If required, a follow-up email will be provided by Bell Canada to outline any input to be considered on the infrastructure / policy initiative circulation received at this time.

### **Concluding Remarks:**

If you have any other specific questions, please contact [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) directly.

We note that WSP operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. **However, all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP.** WSP is not responsible for the provision of comments or other responses.

Should you have any questions, please contact the undersigned.

### **ENVIRONMENTAL SERVICES – JIM LEETHER**

No issue on my end, all waste/recycle/yard waste and future organic collection will occur at the curb on Gilles.

### **CANADA POST – BRUNO DESANDO**

Canada Post has no comments for this application.

### **TRANSPORTATION PLANNING – ELARA MEHRILLOU**

- Schedule X of the Official Plan classifies Giles Blvd E as a Class I Collector Road with a required right-of-way width of 30.5 metres. The current right-of-way width is 30.5m; therefore, land conveyance is not required.

- Further consultation is required with Engineering right-of-way regarding a contribution for paving the alley adjacent to the development.
- All parking must comply with ZBL 8600.
- Transportation Planning received Parking Review titled 926 Giles Boulevard East Parking Review, dated Jun 21, 2024, by Dillion Consulting limited. Transportation Planning has no comments.
- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
- All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

### **FORESTRY – YEMI ADEYEYE**

There are no City owned trees on this lot.

There are no Private trees on this lot.

There is minimal opportunity to establish new or increase existing tree canopy cover within the current expansion plans as proposed.

Forestry requests the opportunity to review landscaping plans in order to provide comment and suggestion that would maximize future on-site Tree Canopy and City-wide Tree Canopy Resilience.

Please let us know if you have any further questions regarding Tree Protection and Replacement issues.

Forestry will continue to monitor the progress of this construction work.

### **NATURAL AREAS – KAREN ALEXANDER**

Ensure no harm to active bird nests (Migratory Birds Act).

### **RIGHT OF WAY – MARK SCHAFFHAUSER**

#### **Required Drawing Revisions:**

1. **Alley Drainage** – Proposal includes access off existing alley.
  - Parking area to be graded to private property, no drainage permitted to alley.

#### **Right-of-Way Permit Requirements:**

**CCTV Sewer Inspection** – The Owner further agrees to provide at its entire expense CCTV inspection satisfying City of Windsor Standard Specification S-32, for all existing and newly constructed sanitary and storm sewer infrastructure. The inspection shall include both mainline sewers and private drain connections, and shall be required to be submitted prior to the issuance of construction permits;

**Sewer Connections** – The site is serviced by a 900mm brick combined sewer located within the Giles Blvd E. right-of-way. All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains.

- Modify drawings to include all sewer connections and water services.
- Identify any redundant connections to be abandoned in accordance with Engineering Best Practice BP1.3.3.

If you have any further questions or concerns, please contact Lea Marshall, of this department at [lmarshall@citywindsor.ca](mailto:lmarshall@citywindsor.ca)

## ENWIN

### HYDRO ENGINEERING: Anwar Nagar

No Objection, provided adequate clearances are achieved and maintained. Enwin has an existing overhead pole line along the north limit of the site with a 120/240-volt secondary hydro distribution.

Prior to working in these areas, we would suggest notifying your contractor and referring to the Occupational Health and Safety Act and Regulations for Construction Projects to confirm clearance requirements during construction.

Also, we suggest referring to the Ontario Building Code for permanent required clearances for New Building Construction.

### WATER ENGINEERING: Bruce Ogg

ENWIN Water has no objections.

There is currently a ¾" water service going into the building. This will need to be upgraded to accommodate the proposed units. There is an existing 1.5" water service to the property line shut-off that they can upgrade the service to.

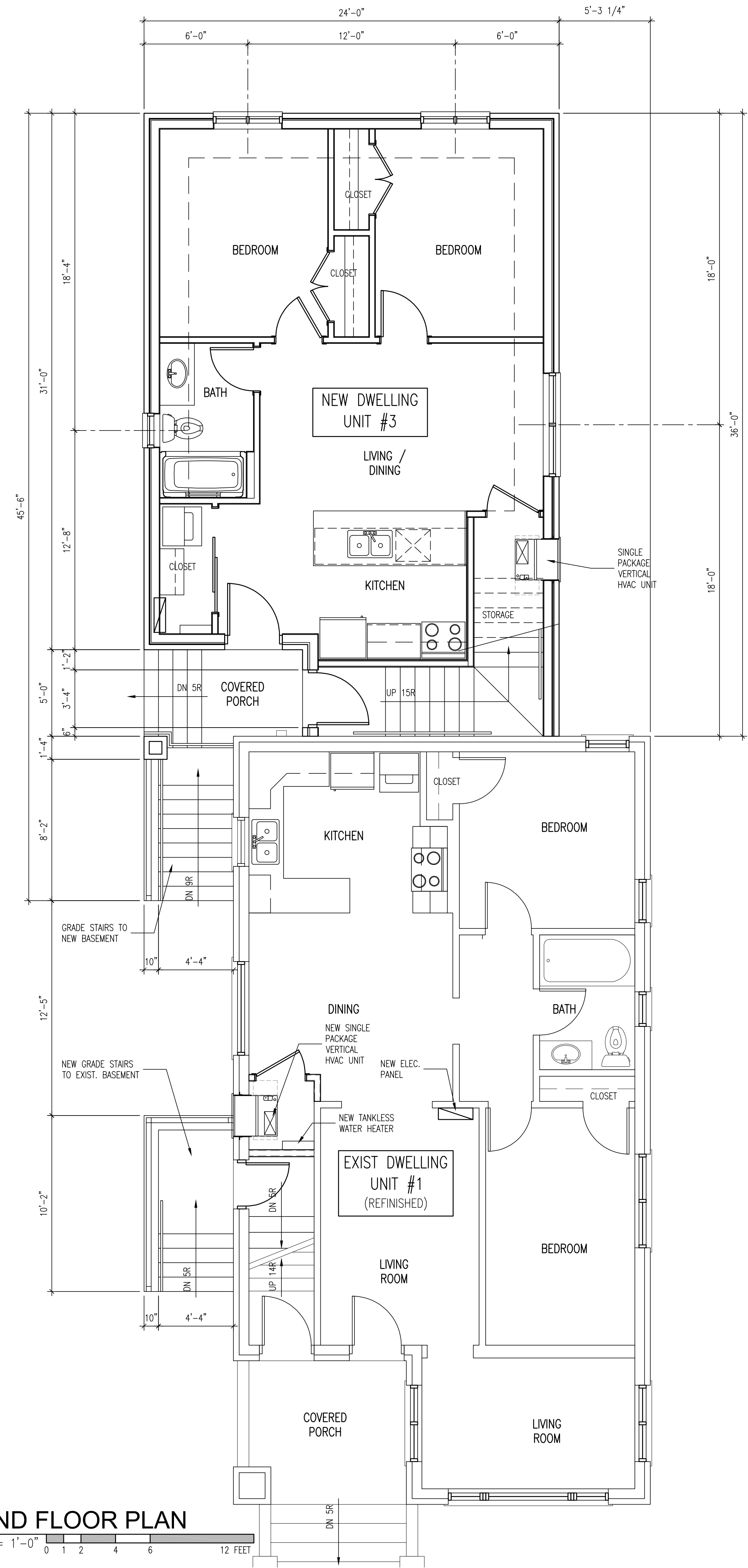
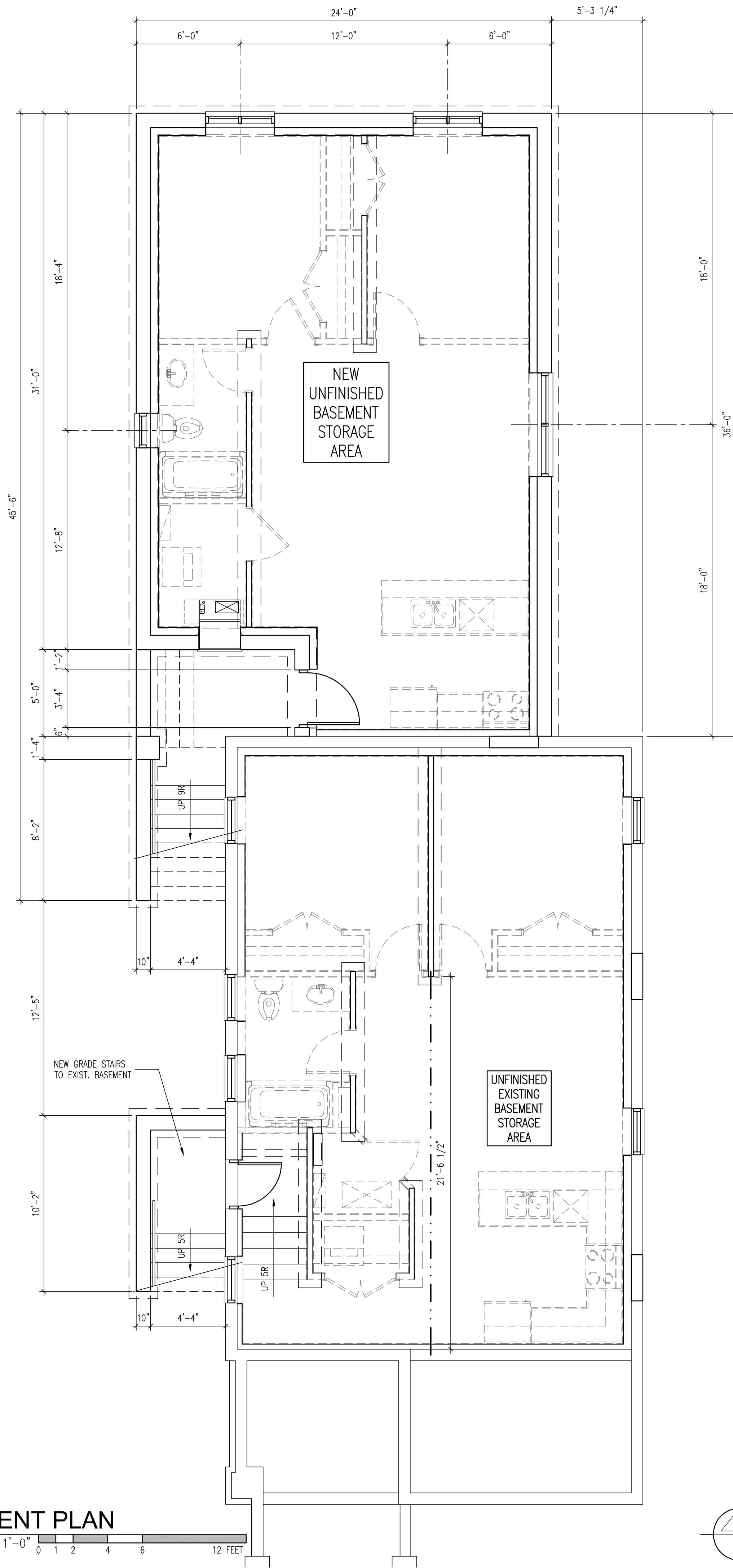
## ZONING COORDINATION – STEFAN PAVLICA

Below is the zoning review summary for the *above-mentioned property*; circulated on September 25, 2024:

- **Current Zoning Designation:** Residential District 2.2 (RD2.2)
- **Proposed Zoning Designation:** Residential District 2.2 (RD2.2) with site specific to support an additional two (2) dwelling units to a four (4) unit building
- **Existing Use [as per historical Building Permit(s) / Planning Act Applications(s)]:**
  - Multiple Dwelling containing a maximum of four dwelling units
- **Proposed Use:**
  - Multiple Dwelling with six (6) dwelling units
    - **Not permitted in RD2.2 zoning district**
- **Section 5 – General Provisions:**
  - COMPLIES
- **Section 11.2.5.4 – Multiple Dwelling containing a maximum of four dwelling units:**
  - Minimum Lot Width [11.2.5.4.1]:
    - 18.0m (Required)
      - A-014/23 – minor variance application approval for relief in the required lot width
    - **11.2m (Provided)**

- Minimum Lot Area [11.2.5.4.2]:
    - 540.0m<sup>2</sup> (Required)
      - A-014/23 – minor variance application approval for relief in required lot area
    - 469.1m<sup>2</sup> (Provided)
  - Maximum Lot Coverage [11.2.5.4.3]:
    - 45.0% (Required)
    - 37.3% (Provided)
  - Maximum Main Building Height [11.2.5.4.4]:
    - 9.0m (Required)
    - As existing (Provided)
  - Minimum Front Yard Depth [11.2.5.4.5]:
    - 6.0m (Required)
    - 4.7m – as existing (Provided)
  - Minimum Rear Yard Depth [11.2.5.4.6]:
    - 7.50m (Required)
    - 12.82m (Provided)
  - Minimum Side Yard Depth [11.2.5.4.7]:
    - 1.20m (Required)
    - 0.71m – as existing (Provided)
- **Section 20 – Site Specific Zoning Exemptions:**
- NOT APPLICABLE
- **Section 24 – Parking, Loading, and Stacking Provisions:**
- Required Number of Parking Spaces [24.20.5.1]:
    - 7 (Required)
    - 4 (Provided)
  - Required Number of Visitor Parking Spaces [24.22.1]:
    - 1 (Required)
    - 0 (Provided)
  - Required Number of Type A Accessible Parking Spaces [24.24.1]:
    - 1 (Required)
    - 0 (Provided)
- **Section 25 – Parking Area Regulations:**
- Construction and Maintenance of Parking Area:
    - [25.5.10.15] Where a parking area abuts an alley that provides access to the parking area, a screening fence that is located within 6.00 metres of the access area shall have a height of 0.90 metres.
  - Parking Area Separation [25.5.20]:
    - Parking Area Separation from an interior lot line [25.5.20.1.3]:
      - 0.90m (Required)
      - 0.14m (Provided)
    - Parking Area Separation from an alley [25.5.20.1.3]:
      - 0.90m (Required)
      - 0.00m (Provided)
    - Parking Area Separation from a building wall in which is located a main pedestrian entrance facing the parking area [25.5.20.1.5]:
      - 2.00m (Required)

- Unknown (Provided)
  - Parking Area Separation from a building wall containing a habitable room window or containing both a main pedestrian entrance and a habitable room window facing the parking area where the building is located on the same lot as the parking area [25.5.20.1.6]:
    - 4.50m (Required)
    - Unknown (Provided)
- Access Area [25.5.30.4]:
  - 7.00m – minimum (Required)
  - 5.09m (Provided)
- Parking Aisle [25.5.50.3.3]:
  - 6.00m (Required)
  - 5.07m (Provided)



YYYYMMDD XXXXXXXXXXXX  
 date (yyyy/mm/dd): issued for:

- general notes:
- THIS PRINT IS AN INSTRUMENT OF SERVICE ONLY AND IS THE PROPERTY OF THE ARCHITECT.
  - DRAWINGS SHALL NOT BE SCALED.
  - CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE MUST BE NOTIFIED OF ANY VARIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS.
  - ATTENTION IS DIRECTED TO PROVISIONS IN THE GENERAL CONDITIONS REGARDING CONTRACTOR'S RESPONSIBILITIES IN REGARD TO SUBMISSION OF SHOP DRAWINGS.
  - IN THE EVENT THE ARCHITECT IS RETAINED TO REVIEW SHOP DRAWINGS, SUCH REVIEW IS ONLY TO CHECK FOR CONFORMANCE WITH DESIGN CONCEPT AND WITH THE INFORMATION GIVEN IN THE CONTRACT DOCUMENTS.
  - CONTRACTORS SHALL PROMPTLY NOTIFY THE ARCHITECT IN WRITING OF THE EXISTENCE OF ANY OBSERVED VARIATIONS BETWEEN THE CONTRACT DOCUMENTS AND ANY APPLICABLE CODES OR BY-LAWS.
  - THE ARCHITECT IS NOT RESPONSIBLE FOR THE CONTRACTOR'S MEANS, METHODS AND OR TECHNIQUES IN THE CONSTRUCTION OF THIS FACILITY.

stamp:

**A architectural  
 D design  
 A associates inc. architect**

1670 mercer street  
 windsor ontario canada n8x 3p7  
 ph 519.254.3430 fax 519.254.3642  
 email - info@ada-architect.ca www.ada-architect.ca

project:  
**MULTI-UNIT RESIDENTIAL ADDITION**

client:  
**PE REAL ESTATE  
 926 GILES BLVD E.**

title:  
**FLOOR PLANS**

scale:  
 AS SHOWN

drawn by:  
 TK

checked by:  
 SMB / TC

date:  
 MAY 2023

comm. no.:  
 2023-053

sheet no.:

**A1.1**



---

**DATE:** October 15, 2024  
**TO:** City Solicitor  
**FROM:** City Planner / Executive Director  
**RE:** ZONING AMENDMENT BY-LAW FOR COUNCIL CONSIDERATION  
Planning File Number: Z-028/24 ZNG/7232  
Clerk's File:  
Agenda.Net: S 137/2024

---

**APPLICANT:** Hausology Inc.

Address: 380 Manning Road, Tecumseh, Ontario N8N 4W5

Phone: (226) 787-7842 Email: daniel@perealestatesolutions.com

**AGENT:** Dillon Consulting Limited

Address: 3200 Deziel Dr, Suite 608, Windsor, ON N8W 5K8

Phone: (519) 791-2221 Email: mmuir@dillon.ca

**OWNER:** Same as Applicant

Address:

Phone:

Email:

**ROLL NO:** 030-070-07600-0000

**ADDRESS/LOCATION:** 926-928 Giles Blvd E

**COUNCIL APPROVAL DATE:** TBD/ 2024

**CRXXX/2024** DHSC XXX

**ENCLOSURES:**

Schedule 1 - Draft Zoning Amendment

Schedule 2 - Purpose and effect of the By-law and, if applicable, a Key Map

After approval, forward all schedules to City Clerk for submission to Council and public notification.

**REQUIREMENTS PRIOR TO BY-LAW ENACTMENT AND NOTIFICATION:**

1. Official Plan Amendment By-law Enactment:  NO  YES - Amendment No. XXXX

2. Executed Servicing Agreement:  NO  YES

3. Other:

SIGNED \_\_\_\_\_

NR:ap

B Y - L A W N U M B E R -2024

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600  
CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**WHEREAS** it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

**THEREFORE**, the Council of The Corporation of the City of Windsor enacts as follows:

1. That subsection 1 of Section 20, of said by-law, is amended by adding the following clause:

**515. NORTH SIDE OF GILES BLVD BETWEEN PARENT AVE AND LANGLOIS AVE**

(1) For the lands comprising Lot 53 Plan 937, PIN 01155-0034, one *Multiple Dwelling* containing a maximum of six *dwelling units* shall be an additional permitted main use subject to the following additional provisions:

1. Notwithstanding Section 11.2.5.4.1, the minimum lot width shall be 11.2 m.
2. Notwithstanding Section 11.2.5.4.2, the minimum lot area shall be 470.2 m<sup>2</sup>.
3. Notwithstanding Section 24.20.5.1, the minimum required parking spaces shall be 4 parking spaces.

[ZDM 7; ZNG/7232]

2. The said by-law is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of said by-law and made part thereof, so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 5:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Zoning Symbol	5. New Zoning Symbol
1	7	Lot 53 Registered Plan 937, and PIN No. 01155-0034 (located on the north side of Giles Blvd E between Parent Ave and Langlois Ave)	RD2.2	S.20(1)515

DREW DILKENS, MAYOR

CLERK

First Reading - , 2024  
Second Reading - , 2024  
Third Reading - , 2024

## SCHEDULE 2

1. By-law \_\_\_\_\_ has the following purpose and effect:

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning for the lands located on the north side of Giles Blvd E between Parent Ave and Langlois Ave, municipally known as 926-928 Giles Blvd E (the subject property), from Residential District 2.2 (RD2.2) to Residential District 2.2 (RD2.2) with site-specific zoning provisions. The site-specific provisions will support one *Multiple Dwelling* containing a maximum of six *dwelling units* shall be an additional permitted main use, subject to additional provisions: reduced parking from 7 spaces to 4 spaces, and the reduction in lot width/lot area.

2. Key map showing the location of the lands to which By-law \_\_\_\_\_ applies.



PART OF ZONING DISTRICT MAP 7

N.T.S.

# SCHEDULE 2

Applicant: Hausology Inc.

 SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : SEPTEMBER, 2024  
FILE NO. : Z-028/24, ZNG/7232



**Committee Matters: SCM 341/2024**

**Subject: Brownfield Property Tax Assistance/Rehabilitation Grant Community Improvement Plan (CIP) application submitted by Capital Plus Real Estate Corp. for 3841-3847 Howard Avenue (Ward 8)**

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 674**

- I. THAT the request made by Capital Plus Real Estate Corp. to participate in the Brownfield Rehabilitation Grant Program **BE APPROVED** for 70% (or 100% if LEED certified) of the municipal portion of the tax increment resulting from the proposed redevelopment at 3841-3847 Howard Avenue for up to 10 years, not to exceed 100% of the eligible costs, pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,
- II. THAT Administration **BE DIRECTED** to prepare an agreement between Capital Plus Real Estate Corp., the City, and any persons legally assigned the right to receive grant payments to implement the Brownfield Rehabilitation Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Brownfield Redevelopment Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implications; and,
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Rehabilitation Grant Agreement; and,
- IV. THAT the approval to participate in the Brownfield Rehabilitation Grant Programs **EXPIRE** if the agreement is not signed by applicant within two years following Council approval.

Carried.

Report Number: S 138/2024  
Clerk's File: SPL2024

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.1 from the Development & Heritage Standing Committee held on November 4, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241105/-1/10519>

**Subject: Brownfield Property Tax Assistance/Rehabilitation Grant  
Community Improvement Plan (CIP) application submitted by Capital  
Plus Real Estate Corp. for 3841-3847 Howard Avenue (Ward 8)**

**Reference:**

Date to Council: November 4, 2024  
Author: Simona Simion, MCIP, RPP  
Planner III - Economic Development Planner (Acting)  
ssimion@citywindsor.ca  
519-255-6543 x 6449  
Planning & Building Services  
Report Date: October 8, 2024  
Clerk's File #: SPL2024

**To:** Mayor and Members of City Council

**Recommendation:**

- I. THAT the request made by Capital Plus Real Estate Corp. to participate in the Brownfield Rehabilitation Grant Program **BE APPROVED** for 70% (or 100% if LEED certified) of the municipal portion of the tax increment resulting from the proposed redevelopment at 3841-3847 Howard Avenue for up to 10 years, not to exceed 100% of the eligible costs, pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,
- II. THAT Administration **BE DIRECTED** to prepare an agreement between Capital Plus Real Estate Corp., the City, and any persons legally assigned the right to receive grant payments to implement the Brownfield Rehabilitation Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Brownfield Redevelopment Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implications; and,
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Rehabilitation Grant Agreement; and,
- IV. THAT the approval to participate in the Brownfield Rehabilitation Grant Programs **EXPIRE** if the agreement is not signed by applicant within two years following Council approval.

## **Executive Summary:**

N/A

## **Background:**

### **Brownfield Redevelopment Community Improvement Plan (CIP)**

Brownfield sites are properties that may be contaminated due to previous industrial or commercial uses such as a manufacturing facility or gas station. City Council approved a Brownfield Redevelopment CIP at its April 19, 2010 meeting for the purpose of encouraging the study, clean-up, and redevelopment of contaminated properties. The approval of the CIP was the result of nearly five years of study and consultation, which began in October 2005.

### **Importance of Brownfield Redevelopment**

Historically, there has been little interest in redeveloping brownfield sites due to the uncertainty surrounding the extent of contamination and the potential cost of clean-up. The Brownfield Redevelopment CIP was adopted in 2010 and provides financial incentives to undertake the necessary studies and remedial work necessary to redevelop brownfield sites and reduce the potential negative impacts to the City's environment and neighbourhoods.

The benefits associated with brownfield redevelopment go far beyond the boundaries of the property. For example, they are often strategically located within existing built-up areas of the City where services and other infrastructure, such as roads, schools, community facilities and public transit are already available, therefore additional infrastructure costs are not incurred to service these areas. The redevelopment of these sites also removes the negative stigma often associated with brownfield properties, which increases the value of the subject property and adjacent properties.

### **Site Background**

The subject site 3841-3847 Howard Avenue is located at the southwest corner of the intersection of Cabana Road East and Howard Ave. The subject property is 0.1 hectares (or 0.24 acres) in size and is currently vacant land. See Appendix 'A' for a location map.

The first building present on the site was constructed in 1946. The Phase I Environmental Site Assessment (ESA) identified the first use of the parcel as various commercial operations, included but not limited to restaurants, variety stores, salons/barber shop, an office and various commercial retailers, as well as residential apartments. In 2005, the building was demolished based on a review of aerial photographs and satellite imagery. The principal owner of Capital Plus Real Estate



Corporation is Doreen Aiello. The Capital Plus Real Estate Corporation proposes to redevelop the property for combined use, including residential dwellings, which requires the filing of a Record of Site Condition (RSC) under Ontario Regulation 153/04. The property owner has undergone a Zoning By-law Amendment (approved in September 5, 2023 by CR368/2023) to facilitate the development proposal.

The subject property is designated 'Mixed Use Node' on Official Plan Schedule D: Land Use and zoned Commercial District CD2.2 (General Commercial, Combined Use Building) with special zoning provisions to allow for a Combined Use Building with dwelling units alongside a Business Office, provided that the Business Office shall not be located above a dwelling unit; one building wall located on an exterior lot line and oriented to the street; and minimum 1 parking space per dwelling unit.

Council approved an Environmental Site Assessment (ESA) Grant for this property in July 10, 2023 through Council Resolution CR284/2023 for the completion of a Phase II ESA study. The approved ESA grant total was \$12,875. The applicant is still in the process of undertaking the Phase II ESA. The findings to-date from the Phase II ESA sampling analysis revealed that contamination is present on the site, thus remediation is required.

Capital Plus Real Estate Corp has submitted the grant application. Capital Plus Real Estate Corp is incurring the eligible remediation costs and, should the application be approved, would receive the grant payment.

### **Discussion:**

#### **Brownfield Rehabilitation Grant Program**

The Brownfield Rehabilitation Grant Program encourages the remediation, rehabilitation, and adaptive re-use of brownfield sites by providing grants to help pay for remediation costs as well as non-environmental rehabilitation costs normally associated with brownfield site redevelopment (e.g. development application and building permit fees, and upgrading on-site / off-site infrastructure).

The program offers annual grants funded through the increase in municipal property tax levy created by the investment for up to 10 years to help offset eligible costs. The CIP specifies Brownfield Rehabilitation Grants will equal 70% of the municipal property tax increase for a project that employs standard construction methods and 100% of the municipal property tax increase for projects that achieve any level of Leadership in Energy and Environmental Design (LEED) certification.

Annual grants are paid out following the filing of a RSC, reassessment of the property and the payment of the property taxes for the year in which the grant is to be provided. Issuance of the first grant payment typically occurs at least two years after approval to participate in the program.

## **CIP Goals**

City staff are supportive of the application as it meets all the eligibility requirements specified within the Brownfield Redevelopment CIP. The proposed filing of a RSC and redevelopment of the property supports the following CIP goals:

- To promote the remediation, rehabilitation, adaptive re-use and redevelopment of brownfield sites throughout the City of Windsor in a fiscally responsible and sustainable manner over the long term;
- Improve the physical and visual quality of brownfield sites;
- Improve environmental health and public safety;
- Provide opportunities for new housing, employment uses, and commercial uses;
- Increase tax assessment and property tax revenues;
- Improve the land use compatibility of potential brownfield sites with surrounding land uses;
- Increase community awareness of the economic, environmental, and social benefits of brownfield redevelopment; and
- Utilize public sector investment to leverage significant private sector investment in brownfield remediation, rehabilitation, adaptive re-use, and redevelopment.

## **Policy Support**

The study of brownfield sites to support clean up and redevelopment is supported by policies within the 2020 Provincial Policy Statement, the City's Official Plan, and the City's Environmental Master Plan.

## **Risk Analysis:**

As with all brownfield sites, there is a degree of risk associated related to the potential presence of contamination. In this case, there is also a risk of the property remaining in a vacant state, which negatively affects the surrounding properties. The proposed study and remediation will assist in mitigating these risks. The City would retain a copy of the study for future reference.

## **Climate Change Risks**

### **Climate Change Mitigation:**

The proposed redevelopment implements Environmental Master Plan Objective C1: Encourage in-fill and higher density in existing built areas. In particular, the redevelopment would implement the action that supports the existing Brownfields Redevelopment Strategy and achieve its work plan.

### **Climate Change Adaptation:**

The proposed redevelopment may be affected by climate change, in particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process. The site would also be required to incorporate storm water management best practices.

### **Financial Matters:**

Based on the proposed redevelopment plan submitted by the owner, administration estimates the post-development property value assessment to increase by \$2,508,000 (i.e. from \$177,000 to \$2,685,000). The post-development total annual tax levy is estimated to increase by \$54,087 (i.e. from \$4,838 to \$58,925), with the increase to the municipal portion of taxes totalling \$50,235. As the Brownfield Rehabilitation Grant is calculated at 70% of the increase in municipal taxes, the estimated annual grant is \$35,164. This would yield a total grant value of \$351,640 over ten years under the Brownfield Rehabilitation Grant Program for standard construction.

The total eligible cost is estimated to be \$1,184,325. This includes \$14,375 for Remedial Work Plan, \$119,950 for remediation and filing a RSC, \$50,000 for placing clean fill and grading, \$500,000 for development application fees and building permit fee, \$450,000 for on-site infrastructure, and \$50,000 for off-site infrastructure. The program is funded by the municipal portion of the tax increment resulting from the completed redevelopment for up to 10 years, not to exceed 100% of the eligible costs.

The Brownfield Redevelopment grants are calculated and paid back to the applicant annually after redevelopment has occurred, property assessment value has been reassessed by MPAC, and total taxes as it relates to the redevelopment have been paid to the City in full. Assuming the building is constructed to comply with the minimum Building Code provisions the recommended grants would reimburse 30% of the eligible costs under the Brownfield Rehabilitation Grant Program. If constructed to LEED standard—42% of the eligible costs would be reimbursed.

Environmental Study Grant (approved through CR284/2023)	\$12,875
Brownfield Rehabilitation Grants (standard construction) (Years 1-10)	\$351,640

---

**Total                    \$364,515**

Throughout the lifespan of the grant, the City would retain \$19,909 annually, assuming the building is constructed to comply with the minimum Building Code provisions (current annual tax plus 30% of the annual municipal taxes increase). After the grant program ceases, the full amount of increased annual municipal taxes or \$58,925, would be retained by the City in perpetuity.

**Consultations:**

The development and approval of the Brownfield Redevelopment CIP was subject to extensive stakeholder and public consultation, which sought input from a wide range of stakeholders and internal City departments.

Planning staff have consulted with the applicant prior to accepting the application for the Brownfield Rehabilitation Grant Program. Greg Atkinson, Manager of Development, Planning & Building Services Department; Jose Mejalli, Assessment Management Officer, Taxation & Financial Projects; Carolyn Nelson, Manager of Property Valuation & Administration, Taxation & Financial Projects; and Kate Tracey, Senior Legal Counsel, Legal Department were consulted in the preparation of this report.

**Conclusion:**

City Staff recommend Council approve the request from Capital Plus Real Estate Corp. to participate in the Brownfield Rehabilitation Grant Program. In the opinion of planning staff, the proposed remediation and redevelopment conforms to the Brownfield Redevelopment CIP and assists the City in the achievement of a number of the CIP goals.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Emilie Dunnigan	Manager, Development Revenue and Financial Administration

Name	Title
Jason Campigotto	Deputy City Planner – Growth (Acting)
Neil Robertson	City Planner
Kate Tracey	Senior Legal Counsel, Legal Services & Real Estate
Lorie Gregg	Deputy Treasurer, Taxation & Financial Projects
Janice Guthrie	Commissioner, Finance & City Treasurer
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**

1. Appendix A - Map



## LOCATION MAP : 3841, 3843, 3847 HOWARD AVENUE



SUBJECT PROPERTY







**Committee Matters: SCM 342/2024**

**Subject: Part Closure of north/south alley located between Park Street West and Wyandotte Street West, Ward 3, SAA-7034**

Moved by: Councillor Mark McKenzie  
Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 675**

- I. THAT part of the 5.90-metre-wide north/south alley located between Park Street West and Wyandotte Street West, namely south of Lot 27, Plan 281, and shown on Drawing No. CC-1857 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in **as is condition** to the owner of 170 Wyandotte Street West, 564 Victoria Avenue and 569 Pelissier Street, and as necessary, in a manner deemed appropriate by the City Planner, subject to the following conditions being satisfied by the owner/applicant at their sole expense:
  - a. Removal and/or relocation of Bell Canada's overhead telecommunications infrastructure from the subject alley, in coordination with and to the satisfaction of Bell Canada and the City Engineer.
  - b. Removal and/or relocation of ENWIN Utilities Ltd.'s underground high voltage conductors, and overhead high-voltage power lines and utility pole with guy wire and anchor from the subject alley, in coordination with and to the satisfaction of ENWIN Utilities Ltd. and the City Engineer.
  - c. Removal and/or relocation of ENWIN Utilities Ltd.'s utility pole and guy wires and anchors from that part of the north/south alley to remain open, across from the property known municipally as 563 and 567 Pelissier Street, legally described as Lot 27, Plan 281, in coordination with and to the satisfaction of ENWIN Utilities Ltd. and the City Engineer.
  - d. Removal and/or relocation of Telus Communications Inc.' overhead and underground telecommunications infrastructure from the subject alley, in coordination with and to the satisfaction of Telus Communications Inc. and the City Engineer.
  - e. Construction of a new east/west alley over and along Lot 26, Plan 281, constituting the north half of the property known municipally as 564 Victoria Avenue, legally described as Lots 26 and 27, Plan 281, which shall connect the remaining part of the north/south alley to the Victoria Avenue right-of-way, as shown on Drawing No. CC-1857, and hereinafter referred to as the "east/west alley", in coordination with and to the satisfaction of the City Engineer.

- f. Obtain necessary permits for and construct new driveway approach off Victoria Avenue for the east/west alley in coordination with and to the satisfaction of the City Engineer.
  - g. Obtain necessary permits for and complete any required modifications to the existing drainage within the part of the north/south alley to remain open to accommodate the east/west alley in coordination with and to the satisfaction of the City Engineer.
  - h. Obtain necessary permits to remove the old driveway approach on Victoria Avenue and restore the redundant curb cut and boulevard to City Standards and to the satisfaction of the City Engineer.
  - i. Obtain necessary permits to remove the old alley driveway approach and restore the redundant curb cut and commercial sidewalk on Wyandotte Street West to City Standards and to the satisfaction of the City Engineer.
  - j. Obtain necessary permits to construct the new east/west alley as per AS-201 and to install drainage for the new alley as per City Standards and to the satisfaction of the City Engineer.
  - k. Provide a 12R Reference Plan to describe the subject alley and the east/west alley to the satisfaction of the City Engineer.
  - l. Gratuitously convey to The Corporation of the City of Windsor:
    - i. the east/west alley to the satisfaction of the City Engineer.
- III. THAT Conveyance Cost **BE SET** as follows:
- a. For alley conveyed to abutting lands zoned CD3.6, no charge contingent upon the owner satisfying all the conditions set forth under Recommendation II herein.
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1857.
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003
- VIII. THAT the City Solicitor or designate **BE AUTHORIZED** to prepare a by-law to dedicate the lands described under Section e. of Recommendation II herein as a public highway **PRIOR TO** the subject alley being closed.

Carried.

Report Number: S 140/2024  
 Clerk's File: SPL2024



**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 11.2 from the Development & Heritage Standing Committee held on November 4, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241105/-1/10519>

**Subject: Part Closure of north/south alley located between Park Street West and Wyandotte Street West, Ward 3, SAA-7034**

**Reference:**

Date to Council: November 4, 2024  
Author: Brian Nagata, MCIP, RPP  
Planner II - Development Review  
(519) 255-6543 ext. 6181

Planning & Building Services  
Report Date: October 10, 2024  
Clerk's File #: SAA2024

**To:** Mayor and Members of City Council

**Recommendation:**

- I. THAT part of the 5.90-metre-wide north/south alley located between Park Street West and Wyandotte Street West, namely south of Lot 27, Plan 281, and shown on Drawing No. CC-1857 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject alley **BE CLOSED AND CONVEYED** in **as is condition** to the owner of 170 Wyandotte Street West, 564 Victoria Avenue and 569 Pelissier Street, and as necessary, in a manner deemed appropriate by the City Planner, subject to the following conditions being satisfied by the owner/applicant at their sole expense:
  - a. Removal and/or relocation of Bell Canada's overhead telecommunications infrastructure from the subject alley, in coordination with and to the satisfaction of Bell Canada and the City Engineer.
  - b. Removal and/or relocation of ENWIN Utilities Ltd.'s underground high voltage conductors, and overhead high-voltage power lines and utility pole with guy wire and anchor from the subject alley, in coordination with and to the satisfaction of ENWIN Utilities Ltd. and the City Engineer.
  - c. Removal and/or relocation of ENWIN Utilities Ltd.'s utility pole and guy wires and anchors from that part of the north/south alley to remain open, across from the property known municipally as 563 and 567 Pelissier Street, legally described as Lot 27, Plan 281, in coordination with and to the satisfaction of ENWIN Utilities Ltd. and the City Engineer.
  - d. Removal and/or relocation of Telus Communications Inc.' overhead and underground telecommunications infrastructure from the subject alley, in coordination with and to the satisfaction of Telus Communications Inc. and the City Engineer.

- e. Construction of a new east/west alley over and along Lot 26, Plan 281, constituting the north half of the property known municipally as 564 Victoria Avenue, legally described as Lots 26 and 27, Plan 281, which shall connect the remaining part of the north/south alley to the Victoria Avenue right-of-way, as shown on Drawing No. CC-1857, and hereinafter referred to as the “east/west alley”, in coordination with and to the satisfaction of the City Engineer.
  - f. Obtain necessary permits for and construct new driveway approach off Victoria Avenue for the east/west alley in coordination with and to the satisfaction of the City Engineer.
  - g. Obtain necessary permits for and complete any required modifications to the existing drainage within the part of the north/south alley to remain open to accommodate the east/west alley in coordination with and to the satisfaction of the City Engineer.
  - h. Obtain necessary permits to remove the old driveway approach on Victoria Avenue and restore the redundant curb cut and boulevard to City Standards and to the satisfaction of the City Engineer.
  - i. Obtain necessary permits to remove the old alley driveway approach and restore the redundant curb cut and commercial sidewalk on Wyandotte Street West to City Standards and to the satisfaction of the City Engineer.
  - j. Obtain necessary permits to construct the new east/west alley as per AS-201 and to install drainage for the new alley as per City Standards and to the satisfaction of the City Engineer.
  - k. Provide a 12R Reference Plan to describe the subject alley and the east/west alley to the satisfaction of the City Engineer.
  - l. Gratuitously convey to The Corporation of the City of Windsor:
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- III. THAT Conveyance Cost **BE SET** as follows:
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- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003
- VIII. THAT the City Solicitor or designate **BE AUTHORIZED** to prepare a by-law to dedicate the lands described under Section e. of Recommendation II herein as a public highway **PRIOR TO** the subject alley being closed.

# Executive Summary:

N/A



## STREET & ALLEY CLOSING (SAA/7034)

1:750 

APPLICANT : 2695185 ONTARIO LTD

-  APPLICATION TO CLOSE
-  RECOMMENDED TO BE AN OPEN RIGHT-OF-WAY
-  ADJACENT PROPERTIES OWNED BY APPLICANT

PLANNING DEPARTMENT - PLANNING POLICY

DATE: SEPTEMBER, 2024

## **Background:**

The applicant, Amanda Fernandes, authorized agent for 2695185 Ontario Ltd., owner of the properties known municipally as 170 Wyandotte Street West, 564 Victoria Avenue and 569 Pelissier Street (the subject property), applied to close part of the 6.10-metre-wide north/south alley located between Park Street West and Wyandotte Street West, namely south of Lot 27, Plan 281 (the alley), and shown on Drawing No. CC-1857 attached hereto as Appendix “A”, and also shown on the aerial photo attached hereto as Appendix “B”.

The applicant wishes to close the alley for the purpose of consolidating it with the subject property to establish one large contiguous parcel to accommodate a proposed combined use development (the development). Conceptual Drawings for the development and a Topographic Survey for the subject property are attached hereto as Appendix “F” and Appendix “G” respectively.

The Planning Department investigated the possibility of closing the entire north/south alley, however, determined that the part not being requested for closure (the open alley) is indispensable for the following reasons:

1. It serves as the only vehicular means of access to rear parking areas or garages where the property has insufficient lot width for a side drive.
2. It serves commercial properties as the only vehicular means of access for refuse collection and/or the shipping/receiving of goods.
3. It serves properties that front on Park Street West, a Class I Collector Road and/or Pelissier Street or Victoria Avenue, both Class II Collector Roads.

The alley is maintained and composed primarily of asphalt. The alley contains a utility pole with guy wire and anchor, concrete bumper curbs and poured in place concrete curbs. The alley provides access from a curb cut off Wyandotte Street West for the City’s garbage collection vehicles, and commercial and personal vehicles serving the properties abutting the open alley. There are no Encroachment Agreements on record for the use of the alley.

## **Discussion:**

The decision to recommend closure of an alley is derived from the City’s *Classification of Alleys and Suitability for Closure* guideline document (the document), attached hereto as Appendix “E”. The document includes the following four classifications of alleys based on their usefulness and provides the following corresponding criteria for determining their suitability for closure. The use of the document is referenced under Part I of CR146/2005.

### **Classification of Public Right-of-Ways**

1. Alley that is indispensable.
  - a. Does the alley serve commercial properties?
    - i. The alley serves the subject property as a secondary vehicular means of access to the parking areas thereon, all of which will be removed to accommodate the development.

- ii. The alley indirectly serves the commercial properties abutting the open alley as a necessary secondary vehicular means of access for refuse collection and the shipping/receiving of goods.
  - 1. The City does not permit its garbage collection vehicles to reverse out of an alley due to the following nuisances and risks to public safety:
    - a. Increased potential for conflict between motor vehicles, and motor vehicles and pedestrians due to reduced visibility.
    - b. Loud pulsating beeping noise from the vehicle's backup alarm.
  - 2. Commercial vehicles and private garbage collection vehicles will also have to reverse out of the alley.
  - 3. Vehicular access to abutting properties will be restricted for extended periods of time during garbage collection and/or the shipping/receiving of goods.
- b. Does the alley serve properties fronting on heavily traveled streets i.e. major arterial routes?
  - i. The alley serves the subject property which fronts Wyandotte Street West, a Class II Arterial Road, and Pelissier Street and Victoria Avenue.
  - ii. The alley indirectly serves the aforesaid commercial properties that front on Park Street West and/or Pelissier Street or Victoria Avenue.
- c. Does the alley contain sewers, and must the alley remain accessible for servicing?
  - i. The alley does not contain any sewers.
- d. Does the alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?
  - i. The alley does not serve as the only vehicular means of access to any rear parking areas or garages.
- e. Does the alley contain Fire Department connections that are deemed to be necessary for firefighting access?
  - i. The alley does not contain any Fire Department connections.
- 2. Alley that, has some usefulness, are nevertheless dispensable and may or may not be a complete liability.
  - a. The alley is deemed to be useful for the reasons noted herein.

- b. The owner, as a condition of closure, must subsequently construct and gratuitously convey a new east/west alley connecting the open alley with the Victoria Avenue right-of-way to the City prior to the closure of the alley.
3. Alleys that appear to serve no useful purpose, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
  - a. The alley is deemed to be useful for the reasons noted herein.
  - b. The owner, as a condition of closure, must subsequently construct and gratuitously convey a new east/west alley connecting the open alley with the Victoria Avenue right-of-way to the City prior to the closure of the alley.
4. Alley lying in Holding zones and other similar undeveloped areas where the alley system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.
  - a. The alley does not lie within a Holding zone or similar undeveloped area.

### Suitability for Closing

1. Indispensable alley should not be closed, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof.
2. Alleys having some usefulness should be considered for closing only upon request of abutting owners rather than by encouragement of the City.
3. Alleys that serve no useful purpose should be closed if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
4. Alleys that are clearly obsolete should not be closed unless there is a municipal need or specific development proposals acceptable to the City are submitted.

Based on the above, the Planning Department deems the alley “indispensable”.

Notwithstanding the alley being deemed indispensable, the Planning Department is recommending that it be closed and conveyed in **as is condition** to the owner of the subject property for the following reasons:

- The aforesaid factors that deem the alley indispensable stem solely from the subject property’s use of the alley.
- The owner, as a condition of closure, must construct and gratuitously convey a new east/west alley connecting the open alley with the Victoria Avenue right-of-way to the City.
  - This will ensure that two alley accesses are continuously maintained.

It is our recommendation that, upon closure, the owner of the subject property be given a chance to acquire the alley. Hence the recommendation is to close and convey the alley in **as is condition** to the owner of the subject property, which is contrary to the



standard manner of conveyance of offering abutting properties first right to acquire their half of the alley.

**Risk Analysis:**

The recommended closure will divest the City of associated liability risks and maintenance costs. The recommended closure poses no known risk to City.

**Climate Change Risks**

**Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

There is no charge for the alley property being gratuitously conveyed by the City, contingent upon the owner satisfying all the conditions set forth under Recommendation II herein. The Essex Land Registry Office registration costs to dedicate the lands described under Section e. of Recommendation II herein as a public highway is estimated at \$300 and will be absorbed by the Planning Department's operating budget.

There are no financial impacts to approving the Recommendations outlined in this report.

**Consultations:**

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in attached hereto as Appendix "C".

Notice of this application was issued to property owners abutting the alley and open alley by regular mail, with no objections being received as of the date of writing this report.

Notice of Development & Heritage Standing Committee meeting and Council meeting are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

**Conclusion:**

The Planning Department recommends closure of the alley shown on attached Appendix "A", subject to the conditions as in Recommendation II of this report.

The closed alley is to be conveyed in **as is condition** to the owner of the subject property as in Recommendation II report.



**Planning Act Matters:**

I concur with the above comments and opinion of the Registered Professional Planner.

*Greg Atkinson, MCIP, RPP  
Manager of Development*

*Neil Robertson, MCIP, RPP  
City Planner*

I am not a registered Planner and have reviewed as a Corporate Team Leader

*JP JM*

**Approvals:**

Name	Title
Brian Nagata	Planner II - Development Review
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	City Planner / Executive Director, Planning & Development Services
Emilie Dunnigan	Manager of Development Revenue & Financial Administration
Kate Tracey	Senior Legal Counsel, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administration Officer

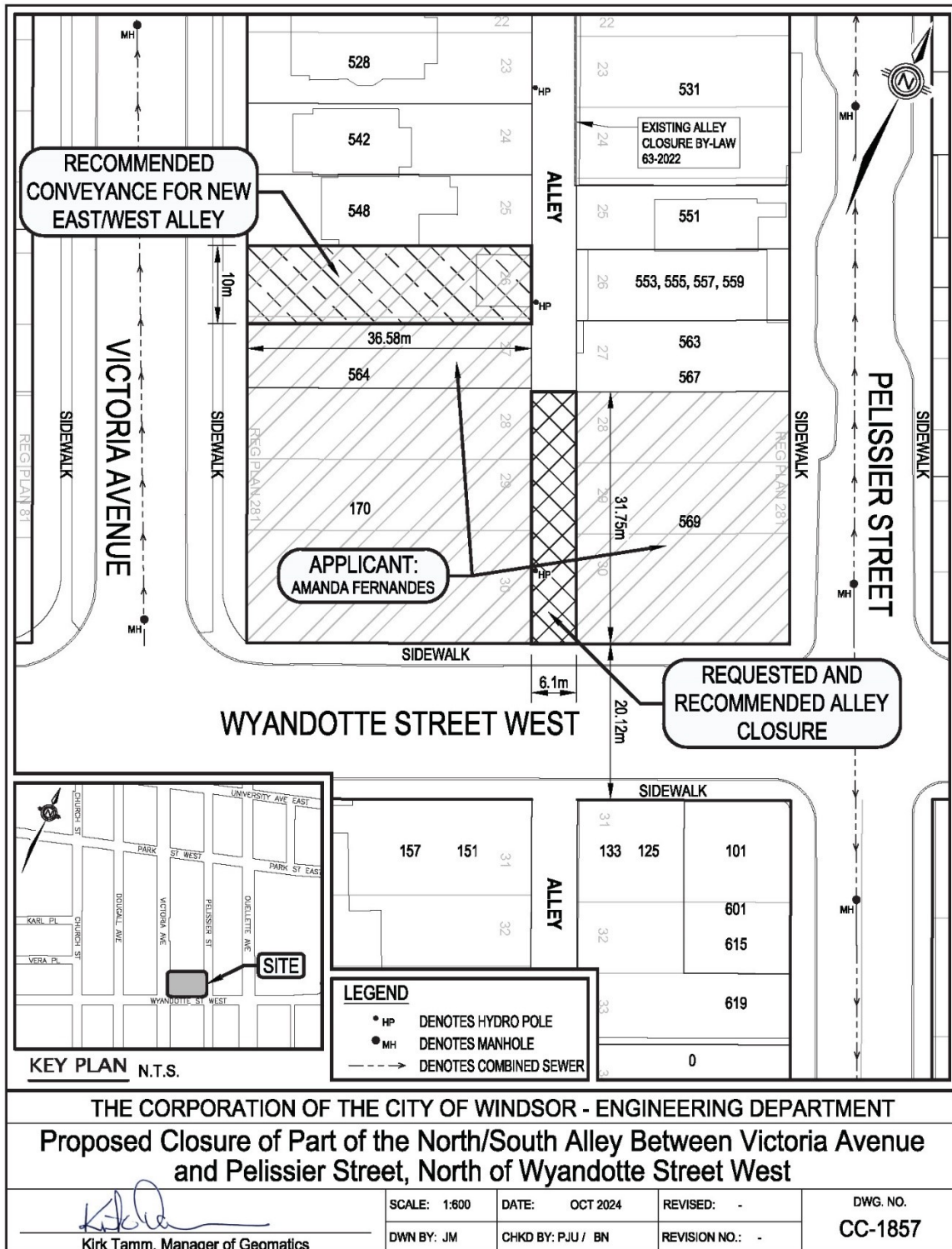
**Notifications:**

Name	Address	Email
List of mailing labels for property owners abutting the alley issued to Clerks office		

**Appendices:**

- 1 Appendix A - Drawing No. CC-1857
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultation
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure
- 6 Appendix F - Conceptual Drawings
- 7 Appendix G - Topographic Survey

### APPENDIX "A" Drawing No. CC-1857



# APPENDIX "B" EIS Drawing - Aerial Photo





## STREET & ALLEY CLOSING (SAA/7034)

1:750 

APPLICANT : 2695185 ONTARIO LTD

 APPLICATION TO CLOSE

 RECOMMENDED TO BE AN OPEN RIGHT-OF-WAY

 ADJACENT PROPERTIES OWNED BY APPLICANT

PLANNING DEPARTMENT - PLANNING POLICY

DATE: SEPTEMBER, 2024



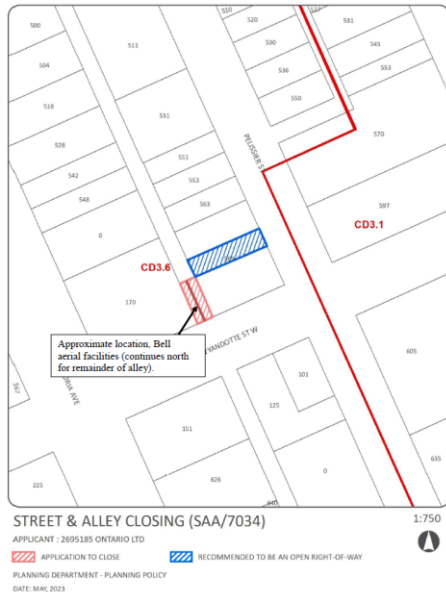
## APPENDIX “C”

### Consultations with Municipal Departments and Utility Companies

#### **BELL CANADA WSP**

**May 29, 2023**

Bell Canada requests a 3.0 m easement, to measure 1.5 m on either side of existing aerial facilities. If this cannot be accommodated, we request the easement over the entire closure area.



**July 24, 2023**

Bell has significant infrastructure within the alley and will require easement protection prior to the city's disposal of the lands.

**July 25, 2023**

Our facilities provide essential access to the network. Of major concern is the ability to access our equipment, particularly in the event of an interruption, or emergency. The easement would allow Bell Canada to restore service to regular telephone lines, alarm services, internet access, and most importantly ensure the continuity of 911 service.

#### **[Charleyne Hall - Bell Canada External Liaison, Right of Way & Indigenous Relations]**

##### **Note:**

EnWin Utilities is requesting that the closure be conditional on all their aboveground and below grade infrastructure being removed or relocated from the. Bell Canada's aboveground infrastructure is located on EnWin Utilities hydro poles, and consequently will need to be removed or relocated.

**COGECO**

No comments provided

**DEVELOPMENT ENGINEERING****May 2, 2024**

We are in favor of the development however our preference would be to close the N/S section of the alley as proposed but to not create the additional E/W section to Pelissier.

A new alley would have to be maintained by the City & since Environmental Services is in agreement with the property owner about their trucks travelling south down the N/S alley exiting onto Victoria though private property I don't see the reason to open a new alley to Pelissier St. I know you mentioned wanting to keep access for the residents to the north, but we close one end of alleys all the time, they can still enter and exit at Park Street.

Regardless of if we open a new alley to Pelissier St, our truck route will be through private property so we should have an easement for access in favor of the City. That would prevent the current and any future property owner from fencing or restricting that access as it would be registered on title. I would still have the owner sign a waiver as Anne-Marie noted but an easement will ensure us access through time. I see no need to grant easements for all the properties to the north, ours would ensure it is never blocked.

If we must have a public alley to Pelissier St as proposed, then maybe it can be created in the same manner as Maiden Lane - east of Ouellette where the underground parking area is private property and only the surface is ROW as we do not support an encroachment agreement for the parking garage under an alley and reconfiguring the underground parking would be a complete site redesign. But again, our preference would be to leave this area private property and only move forward with the closure area. If you want to ensure access is maintained to Pelissier and Victoria that can be done with the easement and would better for the City because it's the owner's responsibility to maintain their property. The owner would need to understand that vehicles using the alley may choose to exit via the easement areas as they won't be able to restrict access over those parts but if they were willing to put an alley through their property, I don't see an easement being any different for them.

**July 25, 2024**

I think this new plan resolves all the prior concerns. Engineering is in support.

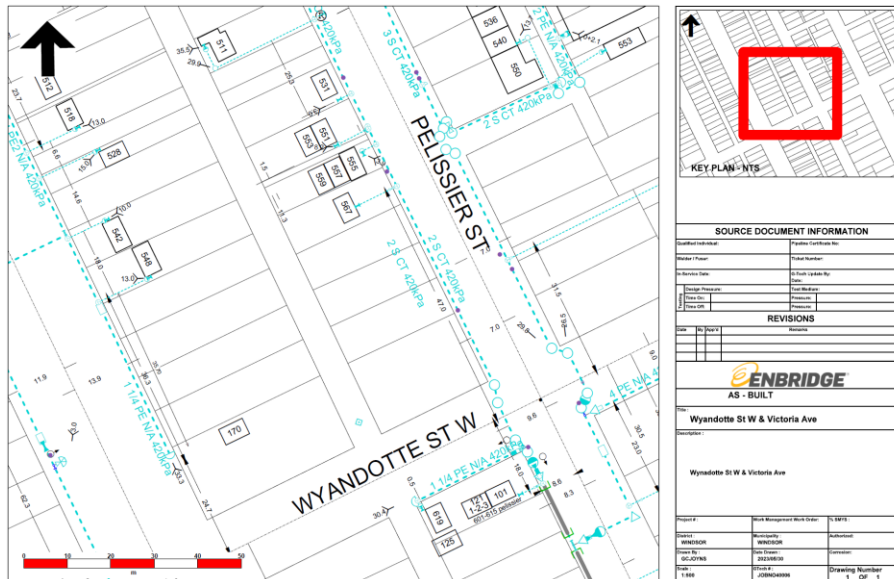
**[Shannon Mills - Technologist III]****ENBRIDGE GAS**

After reviewing the provided drawing at Wyandotte St E. & Victoria Ave. and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.

Also, please note the following should you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live
- If during the course of any job, any pipe is found that is not on the locate sheet and is in conflict with your work, please call our emergency number (1-877-969-0999), and one of our Union Gas representatives will respond to determine if that plant is in fact live or dead
- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly

**[Gord Joynson - Drafter Estimator]**



**ENVIRONMENTAL SERVICES**

**July 2024 Phone Conversation with Jim Leether (Manager of Environmental Services)**

No objection contingent on the provision of a minimum clearance of 6.8 metres from grade to any aboveground wires in the area where refuse bins are emptied.

**Note:**

This matter will be addressed through the Site Plan Control process.

**ENWIN UTILITIES - HYDRO ENGINEERING**

No objection contingent on the removal and relocation of EnWin’s overhead and underground hydro plant.

Please be advised EnWin has underground high voltage conductors in the north / south alley between Victoria and Pelissier.

Please be advised EnWin has overhead high voltage power lines in the north / south alley between Victoria and Pelissier.

The applicant will be required to cover all costs associated with the removal and/or relocation of EnWin's underground and overhead hydro plant customer to contact & coordinate with EnWin.

Prior to working in these areas, we suggest notifying your contractor and referring to the *Occupational Health And Safety Act* and regulations for construction projects to confirm clearance requirements during construction. also, we suggest referring to the *Ontario Building Code* for required clearances for new building construction.

**[Nillavon Balachandran - Hydro Engineering Technologist]**

**ENWIN UTILITIES - WATER ENGINEERING**

Water Engineering has no objections.

**[Bruce Ogg - Water Project Review Officer]**

**LEGAL DEPARTMENT**

**June 23, 2023**

It should be a condition of site plan that we do a land exchange rather than gratuitous conveyance. Therefore, no price will be set for the alley.

**[Stephanie Santos - Coordinator of Real Estate Services]**

**July 24, 2024**

I have now had the opportunity to review the revised conceptual plan.

From my perspective, there are no legal issues with the revised plan. We needed them to propose a solution allowing for access to Victoria Avenue from the existing north/south alley. This has now been provided.

It is my suggestion that should we seek Council approval for this closure, that it be conditional upon the owner first constructing the new east/west alley to the City's specifications. Once approved by the City, then we will pass the by-law to close and convey. I will assist with the wording of these recommendations in the Council report, should we get to that point.

**[Kate Tracey - Senior Legal Counsel]**

**MNSi**

No comments provided

**PARKS & FACILITIES**

No issues from Natural Areas

**[Karen Alexander - Naturalist & Outreach Coordinator]**

No issue from Parks Design & Development as well

**[Sherif Barsom - Landscape Architect]**

No issue for Forestry as well

**[Yemi Adeyeye - City Forester / Manager Forestry & Natural Areas]**

### **PLANNING DEPARTMENT - LANDSCAPE ARCHITECT**

No objections from a Landscape Architectural or Urban Design perspective.

**[Stefan Fediuk - Landscape Architect]**

### **PUBLIC WORKS - ENGINEERING**

ROW agrees with Transportation Planning's comments. We do not support any parking in the alley. The original drawings showed it as a loading space, not parking spaces. The parking will impede larger vehicles trying to access the alley.

**[Adam Pillon - Manager of Right-of-Way]**

### **PUBLIC WORKS - OPERATIONS**

**April 21, 2023**

From a maintenance perspective, we would not oppose the "relocation" of the alley to another portion of one of the subject properties. Any costs to redirect affected drainage, paving of the new alley to suit, utility relocation (if any) would be the responsibility of the development. New pavement composition of the alley would be as per City Standards and specifications.

Any turning radii etc. necessary to accommodate garbage and recycling would also be required subject to Anne Marie's comments on whether this would be even possible, from her collection's perspective.

**[Roberta Harrison - Coordinator Maintenance]**

**November 8, 2023**

We do not have city sewer in this alley. When purchased, the drainage for this portion of the alley would be the new owner's responsibility therefore I have no issue with it.

**[Phong Nguy - Manager of Contracts, Field Services]**

### **ROGERS COMMUNICATIONS**

No comments provided



**TELUS COMMUNICATIONS**

Existing TELUS structure will need to be relocated.

Previously had conversation with Phillip Fernandes late last year and gave him a high level relocation cost.

**[Fred Sua - TELUS Communications]**

**TRANSPORTATION PLANNING**

Transportation Planning has no comment on the attached Conceptual Plans for the partial closure of the subject alley.

**[Ellie Mehrilou - Transportation Planner I]**

**TRANSIT WINDSOR**

Transit Windsor has no objections.

**[Jason Scott - Supervisor, Planning]**

**WINDSOR FIRE**

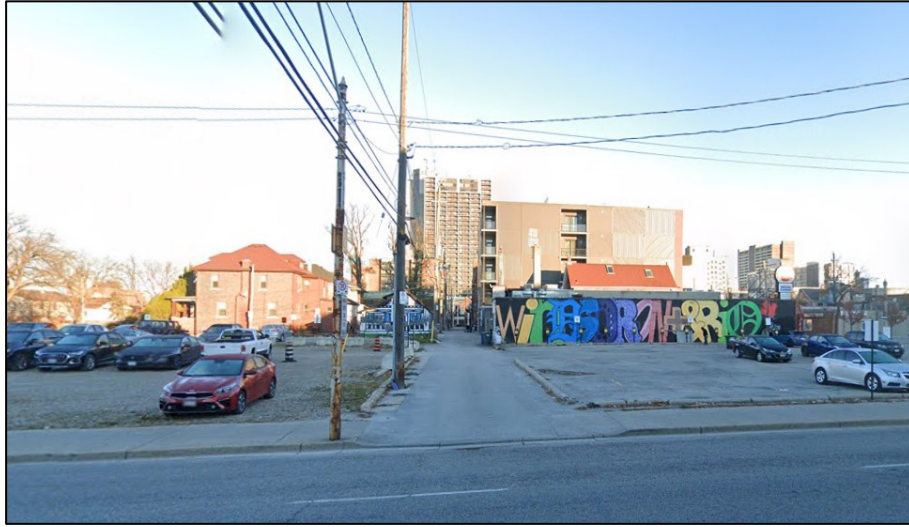
No comments provided

**WINDSOR POLICE**

The Windsor Police Service has no concerns or objections with the closure of this section of alley and the creation of the access route. It is our understanding this closure is a necessary component of a redevelopment plan for the broader property. The outcome from these changes will not impair the ability of the police to respond to incidents or carry out service delivery, so there is no anticipated impact on public safety.

**[Barry Horrobin - Director of Planning & Physical Resources]**

**APPENDIX “D”**  
**Site Photos (Google Street View - November 2023)**



*Figure 1 - Looking north towards alley from Wyandotte St W (170 Wyandotte St W on left)*



*Figure 2 - Looking east towards location of proposed E/W Alley from Victoria Ave (548 Victoria Ave on left)*



Figure 3 - Looking northeast towards alley from Wyandotte St W (170 Wyandotte St W on left)

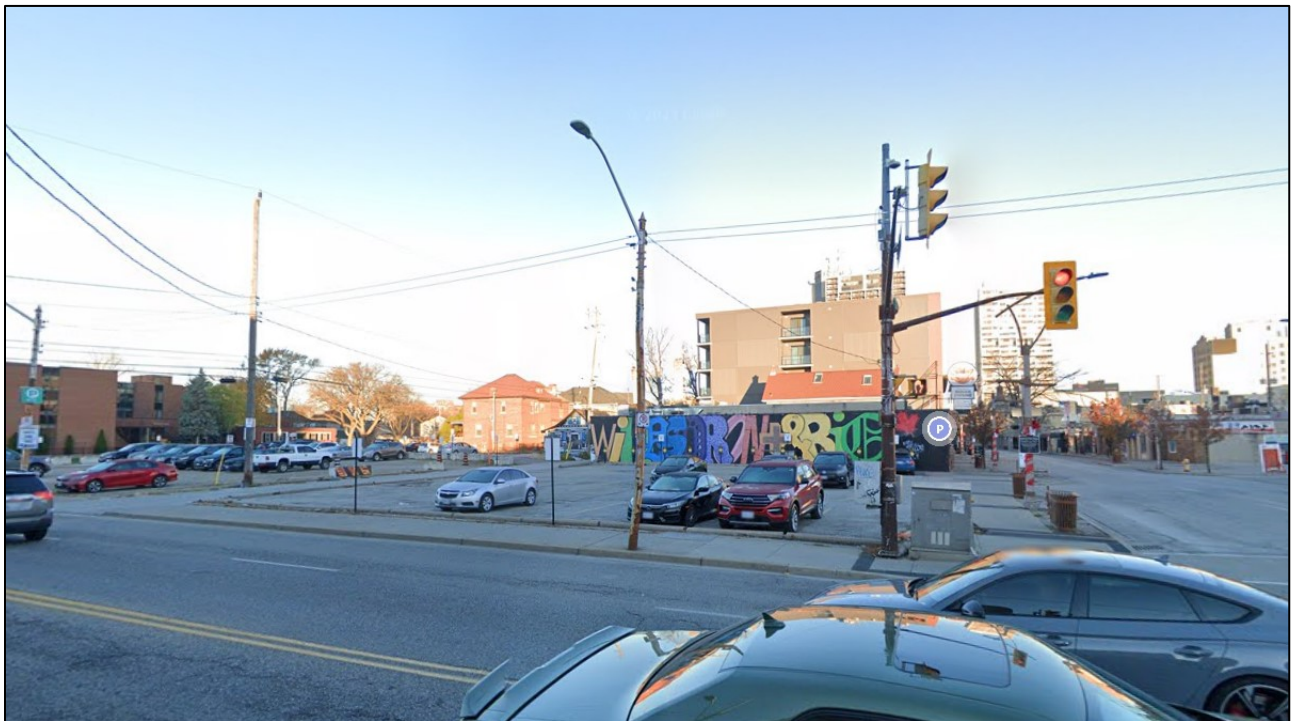


Figure 4 - Looking northwest towards alley from Wyandotte St W (Pelissier St on right)





Figure 5 - Looking northeast towards location of proposed E/W alley from Victoria Ave (170 Wyandotte St W on right)

## **APPENDIX “E”**

### **Classification of Alleys and Suitability for Closure**

#### **Classification of Public Rights-of-Ways:**

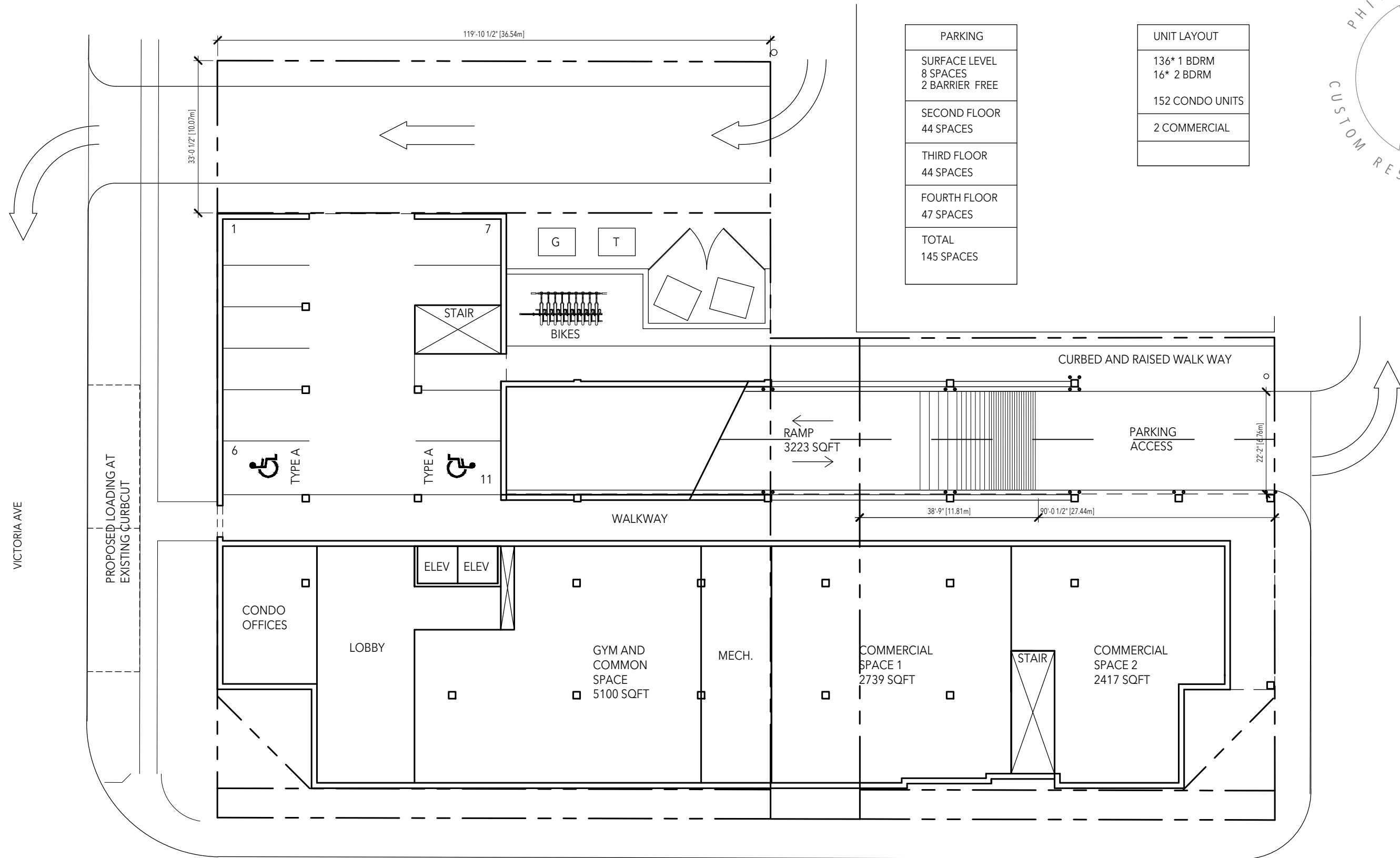
Currently streets and alleys fall into four classifications on the basis of their usefulness:

- 1) Alleys that are **indispensable**. These would be alleys serving commercial properties and properties fronting on heavily traveled streets i.e. major arterial routes and alleys which contain sewers and must remain accessible for servicing; alleys or streets which serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive; and, alleys which contain Fire Department connections that are deemed to be necessary for firefighting access.
- 2) Alleys that, **have some usefulness**, are nevertheless dispensable and may or may not be a complete liability.
- 3) Alleys that appear to serve **no useful purpose**, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
- 4) Alleys lying in Holding zones and other similar undeveloped areas where the alley system is **clearly obsolete** and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

#### **Suitability for Closing:**

Following are the criteria and suitability for closing alleys in each of the above classifications:

- 1) Indispensable alleys should **not be closed**, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof. They are essential from the viewpoint of fire protection, police protection, emergency services (i.e. ambulance) and loading or unloading of goods, refuse collection, servicing of blocked sewers and utility services. Without such alleys, the above noted services would at least be more costly if not impossible to complete or adequately access; and would noticeably interfere with street traffic, thereby reducing the access capacity of the adjacent arterial, collector, or street for business.
- 2) Alleys having some usefulness should **be considered for closing** only upon request of abutting owners rather than by encouragement of the City.
- 3) Alleys that serve no useful purpose should **be closed** if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- 4) Alleys that are clearly obsolete should **not be closed** unless there is a municipal need or specific development proposals acceptable to the City are submitted.



PARKING
SURFACE LEVEL 8 SPACES 2 BARRIER FREE
SECOND FLOOR 44 SPACES
THIRD FLOOR 44 SPACES
FOURTH FLOOR 47 SPACES
TOTAL 145 SPACES

UNIT LAYOUT
136* 1 BDRM 16* 2 BDRM
152 CONDO UNITS
2 COMMERCIAL

WYANDOTTE

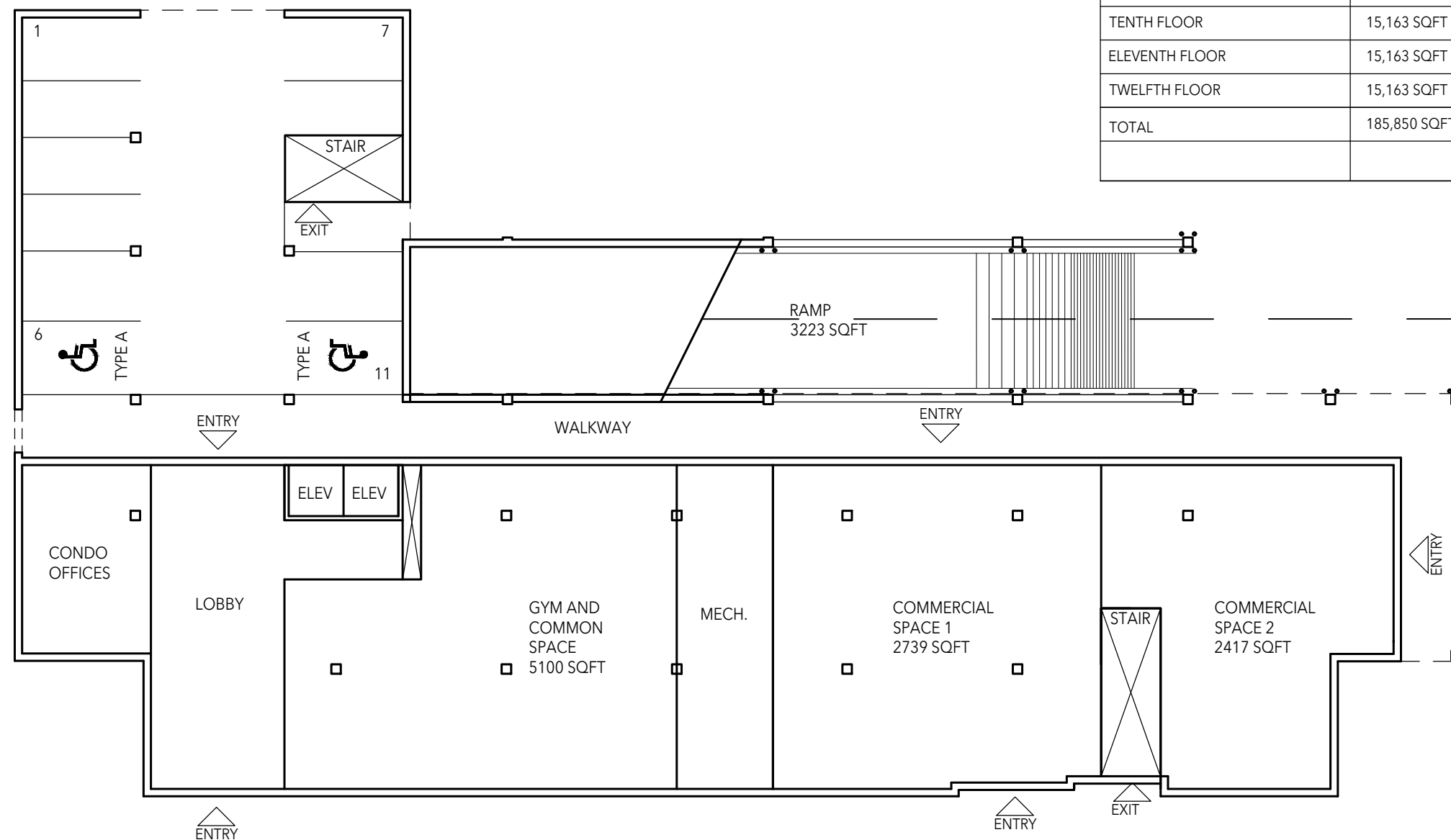
# S I T E P L A N

City Council Meeting Agenda - Monday, November 25, 2024  
Page 504 of 798

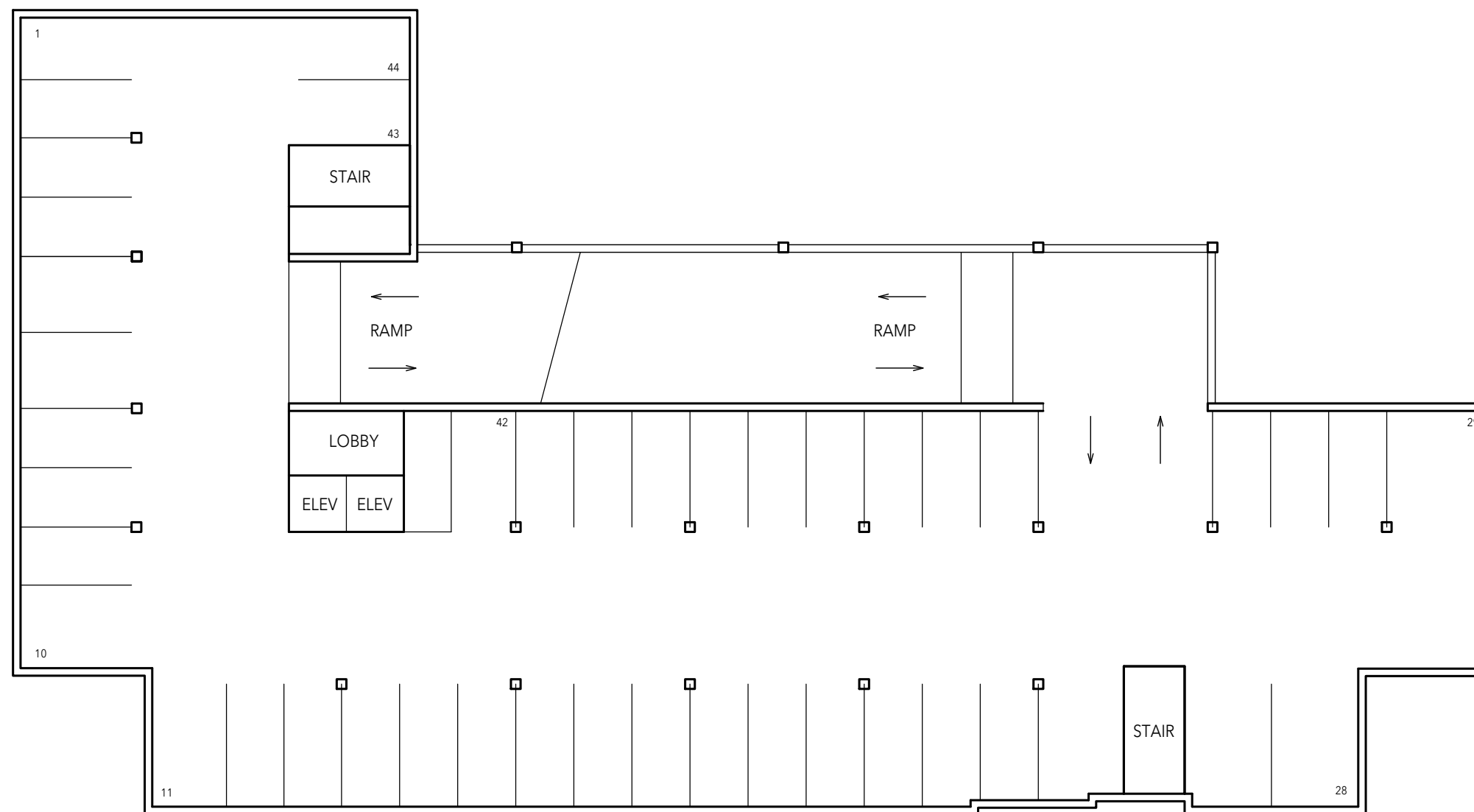


UNIT MATRIX	
COMMERCIAL SPACES	2
CONDOMINIUM LOBBY AND ENTRY 2097 SQFT	1
COMMON AREA 3540 SQFT	1
TOTAL	4

BUILDING FOOTAGE	
FIRST FLOOR (RAMP 3223 SQFT)	14,315 SQFT
SECOND FLOOR (PARKING)	20,553 SQFT
THIRD FLOOR (PARKING)	20,553 SQFT
FOURTH FLOOR (PARKING)	20,553 SQFT
FIFTH FLOOR	18,898 SQFT
SIXTH FLOOR	15,163 SQFT
SEVENTH FLOOR	15,163 SQFT
EIGHTH FLOOR	15,163 SQFT
NINTH FLOOR	15,163 SQFT
TENTH FLOOR	15,163 SQFT
ELEVENTH FLOOR	15,163 SQFT
TWELFTH FLOOR	15,163 SQFT
TOTAL	185,850 SQFT

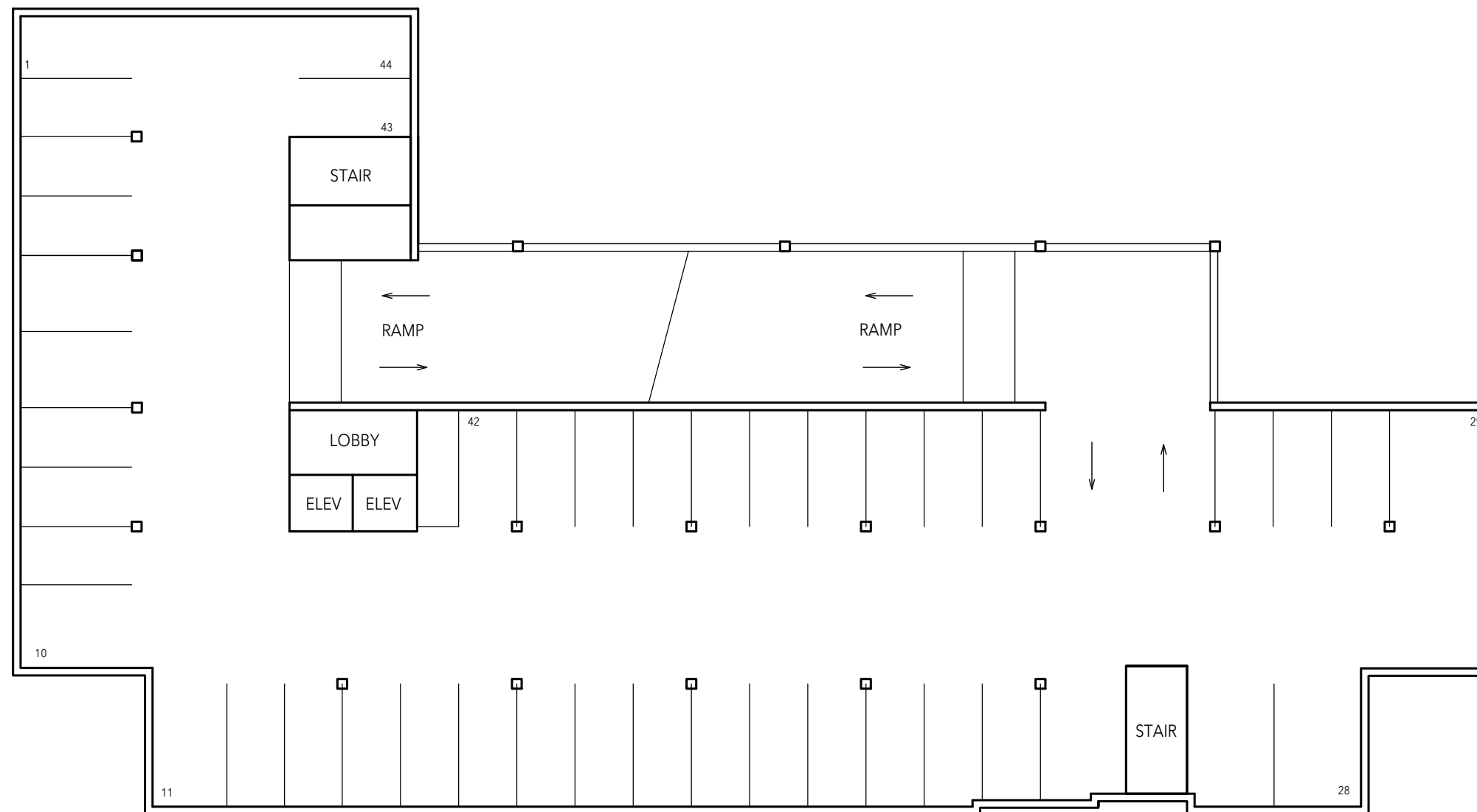


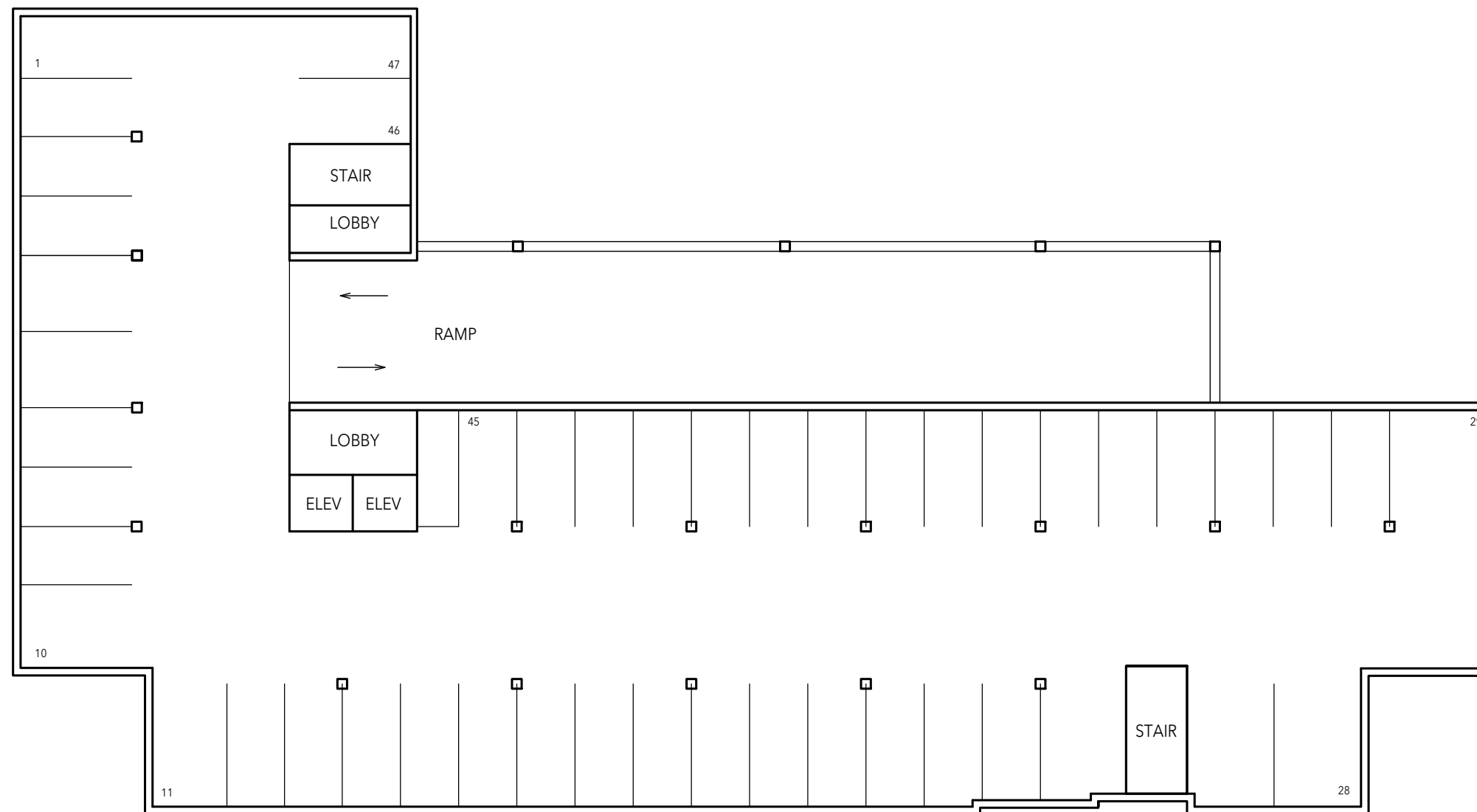
# FIRST FLOOR PLAN

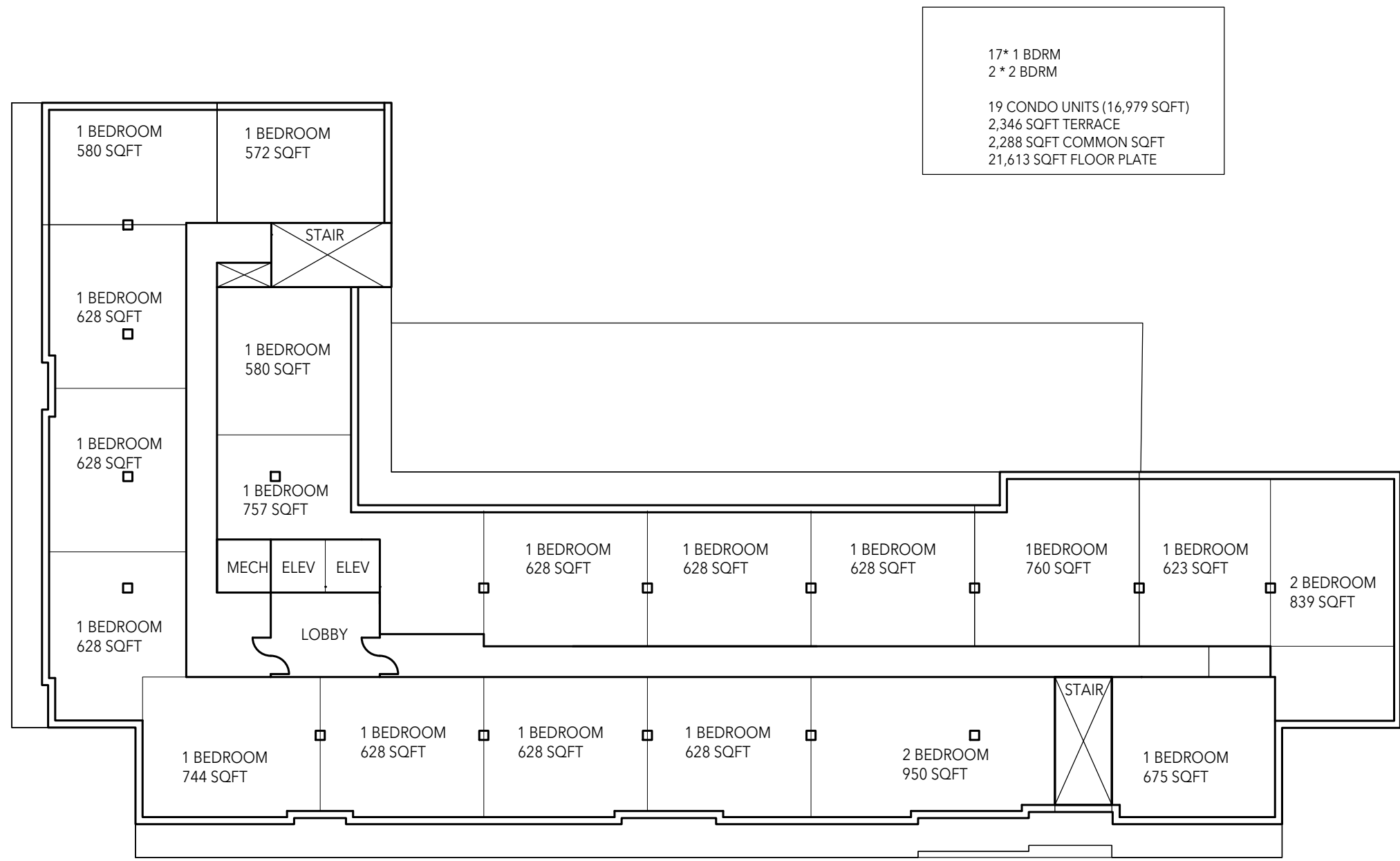


## SECOND FLOOR PARKING - P 2

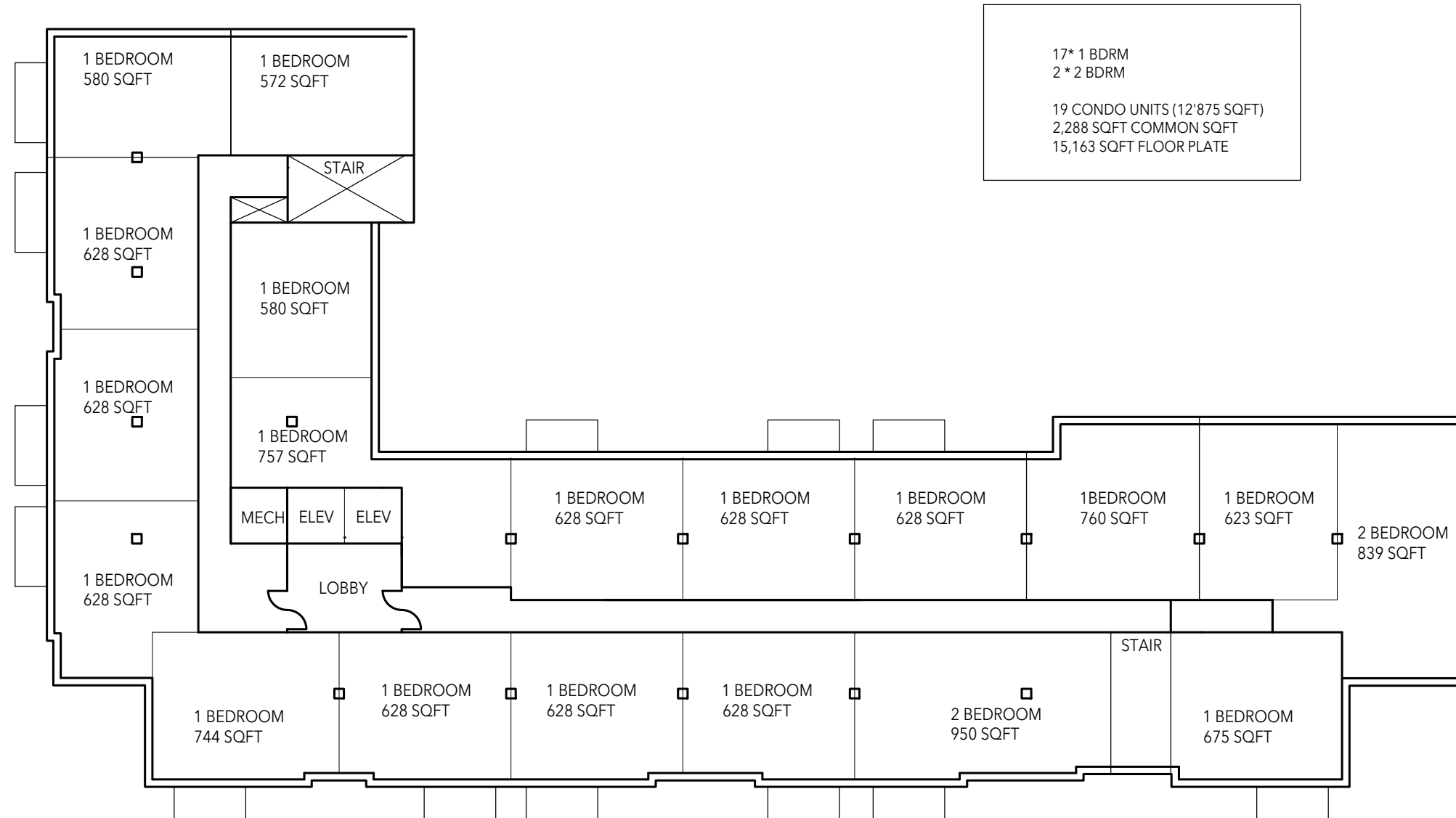






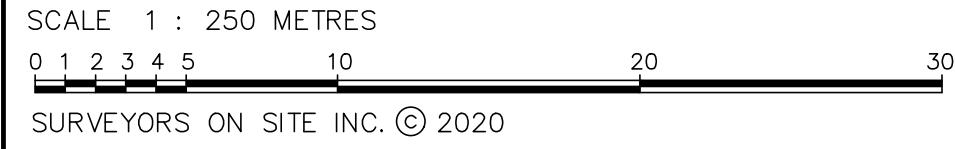


# F I F T H F L O O R P L A N



# SIXTH - TWELFTH PLAN

PLAN OF SURVEY SHOWING TOPOGRAPHICAL DETAILS OF  
 ALL OF LOTS 26 TO 30 (INCLUSIVE)  
 EAST SIDE OF VICTORIA AVENUE  
 ALL OF LOTS 28, 29 & 30  
 WEST SIDE OF PELISSIER STREET  
 REGISTERED PLAN 281  
 CITY OF WINDSOR  
 COUNTY OF ESSEX



LEGEND

□	MONUMENT PLANTED
■	MONUMENT FOUND
○	IRON BAR
⊕	CUT CROSS
PK	PK NAIL
M	MEASURED
S	SET
P1	REGISTERED PLAN 281
P2	POS BY STUBBERFIELD & HARTLEY LTD. AT THE OFFICES OF VERHAEGEN, STUBBERFIELD, HARTLEY, BREWER, BEZAIRE INC. INTERNAL FILE NUMBER E-281-W/S PEL-2.
P3	PL 12R-8666 BUILDING LOCATION SURVEY CLARKE, MATTHEWS LIMITED AT THE OFFICES OF CLARKE SURVEYORS, INTERNAL FILE NUMBER L-281-2-E/S VICTORIA AVE.
P4	PL 12R-8666 CLARKE SURVEYORS INC.
1201	ORIGIN UNKNOWN
OU	ANCHOR
AN	BOLLARD
BL	BIKE RACK
BR	CATCH BASIN - ELEVATION AT TOP CENTRE
CB	CLEANOUT
CO	FIRE HYDRANT
FH	GAS METER
GM	GAS VALVE
GV	JUNCTION BOX
JB	LIGHT STANDARD
LS	MANHOLE - ELEVATION AT TOP CENTRE
MH	REAR YARD CATCH BASIN - ELEVATION AT TOP CENTRE
RYCB	TRAFFIC LIGHT
TL	UTILITY POLE
UP	WATER VALVE
WV	UNDERGROUND BELL LINE
BE	UNDERGROUND FIBER OPTIC CABLE
FOC	UNDERGROUND GAS LINE
G	UNDERGROUND HYDRO LINE
H	OVERHEAD UTILITY WIRES
OH	UNDERGROUND WATER LINE
W	

NOTES

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE AVERAGE COMBINED SCALE FACTOR OF 0.99991090.

BEARINGS ARE UTM GRID DERIVED FROM NETWORK RTK GPS OBSERVATIONS (SMARTNET) ON MONUMENTS (A) AND (B) AS SHOWN HEREON, HAVING A GRID BEARING OF N24°18'20"W, NAD83 CSRS (2010.0) AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° W LONGITUDE).

SITE BENCHMARK SHOWN HEREON AS THE TOP NUT OF A FIRE HYDRANT LOCATED ON THE NORTH EASTERLY CORNER OF WYANDOTTE STREET WEST AND VICTORIA AVENUE AS HAVING AN ELEVATION OF 184.011m.

ELEVATIONS ARE GEODETIC AND REFERRED TO THE CANADIAN GEODETIC VERTICAL DATUM (CGVD28) BY DIRECT MEASUREMENT TO A REAL TIME NETWORK (SMARTNET).

FOR BEARING COMPARISONS, THE FOLLOWING ROTATIONS WERE APPLIED:  
 P2 - 0°26'50" CLOCKWISE.  
 P3 - 1°02'50" CLOCKWISE.  
 P4 - 1°16'40" CLOCKWISE.

COORDINATES BELOW ARE DERIVED FROM NETWORK RTK GPS OBSERVATIONS (SMARTNET) AND ARE REFERRED TO UTM ZONE 17, NAD83 (CSRS) (2010.0).

COORDINATES COMPLY WITH THE URBAN ABSOLUTE ACCURACY PER SEC. 14(2) OF O.REG. 216/10.

POINT ID	NORTHING	EASTING
(A)	4686613.23	332064.80
(B)	4686684.79	332032.48
(C)	4686603.00	331992.72
(D)	4686691.04	331953.05

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

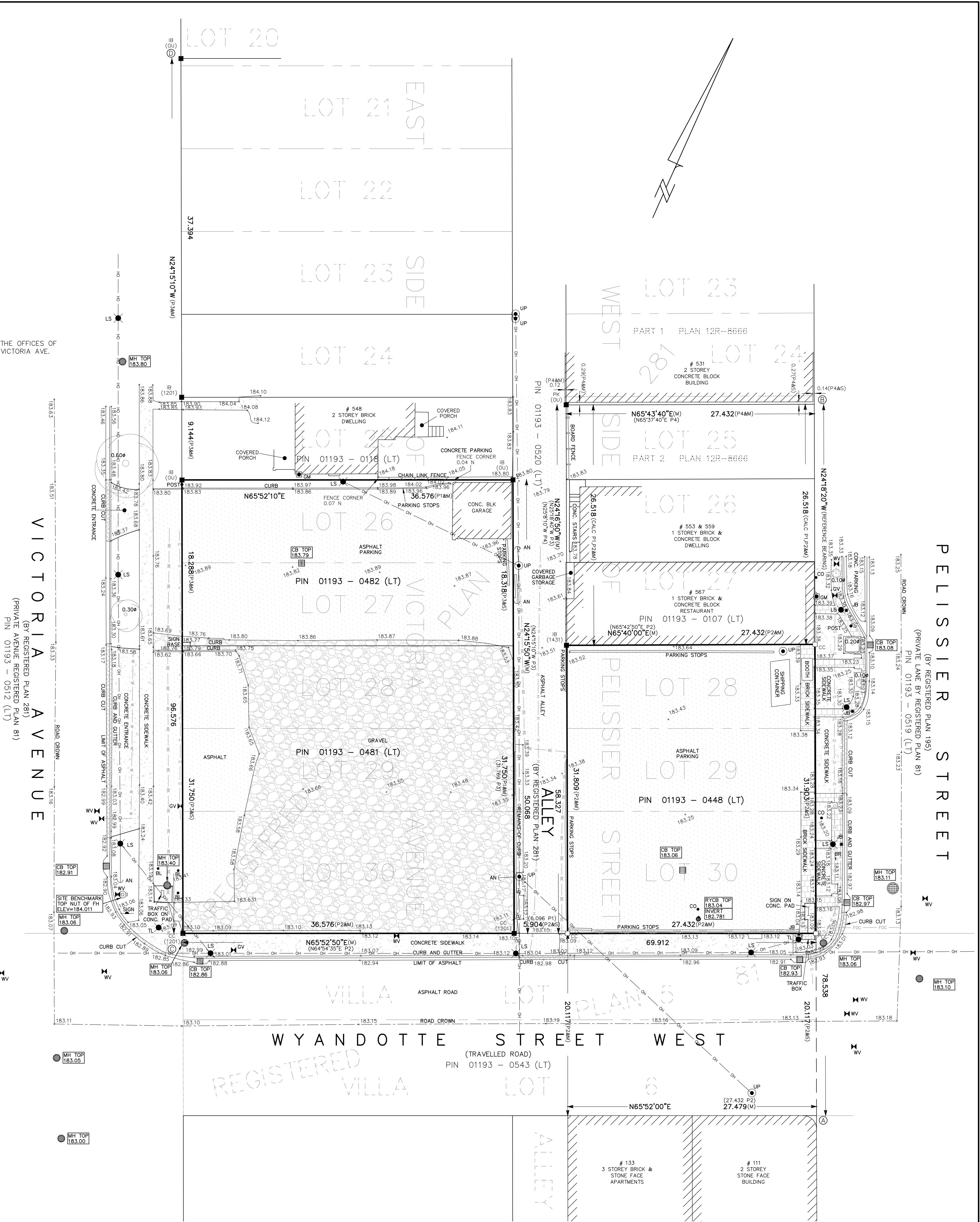
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 25th DAY OF OCTOBER, 2020.

NOVEMBER 6, 2020

*Ryan W. Secuin*  
 RYAN W. SECUIN  
 ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO LAND SURVEYORS  
 PLAN SUBMISSION FORM  
 2128333

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR in accordance with Regulation 1026, Section 29(3).



3244 WALKER ROAD, UNIT 3  
 WINDSOR, ONTARIO  
 N8W 3R8  
 519-818-0767  
 www.surveyorsonsite.com

ASSOCIATION OF ONTARIO LAND SURVEYORS  
 PLAN SUBMISSION FORM  
 2128333

NOVEMBER 6, 2020

DRAWN BY: AKR CHECKED BY: RWS DATE: NOVEMBER 6, 2020 FILE: 2020-257 TOPO\_w1



**Subject: Award of Tender: 35-24 – University Avenue Corridor Improvements – Phase 1 (McEwan Avenue to Salter Avenue) – Ward 2**

**Reference:**

Date to Council: November 25, 2024

Author: Aojeen Issac

Engineer II

(519) 255-6257 ext. 6368

[aissac@citywindsor.ca](mailto:aissac@citywindsor.ca)

Engineering

Report Date: November 7, 2024

Clerk’s File #: SW/14886

To: Mayor and Members of City Council

**Recommendation:**

I. THAT Council **APPROVE** the following low tender:

TENDERER:	D’Amore Construction (2000) Ltd.
TENDER NO:	35-24
	University Avenue Corridor Improvements - Phase 1
TOTAL TENDER PRICE:	\$15,920,073 (excluding HST)
ACCOUNT CHARGED:	007-5410-9998-02942-7221052

and,

II. THAT the CAO and City Clerk **BE AUTHORIZED** to execute an agreement with the low bidder, D’Amore Construction (2000) Ltd, in the amount of \$15,920,073 plus tax (RFT# 35-24), with said contract being satisfactory in technical content to the City Engineer, satisfactory in form to the City Solicitor, and satisfactory in financial content to the City Treasurer; and,

III. THAT Council **AUTHORIZE** administration to issue any change order(s) and to use any funds in approved Capital Budget Project ID 7221052 allocated for University Avenue Corridor Improvements – Phase 1, as detailed herein for any change order requirements/directives related to RFT# 35-24, provided that the change order amounts do not exceed the approved budget amounts, satisfactory in financial content to the City Treasurer, and in technical content to the City Engineer; and,

IV. Whereas on February 2, 2024, the Capital Budget was deemed approved via Mayoral Decision MD05-2024 and subsequently City Council **SUPPORT** an expenditure up to \$19,517,070, be it further resolved that the City Treasurer **BE DIRECTED** to effect the transfer of \$2,700,000 of surplus funds from Grove Campbell McKay Storm Sewer Project (ID #7062004) to the University Avenue Corridor Improvements Project (ID #7221052).

**Executive Summary:**

N/A

**Background:**

As per CR89/2014, Report #17088, City Council approved the University Avenue road diet project and the Class Environmental Assessment (EA) Study, from Huron Church Road to McDougall Street. The associated Class EA Study Notice of Study completion was issued August 31, 2022.

The University Avenue Corridor Improvements, from McEwan Avenue to Salter Avenue, represents the first phase of the University Avenue project, which includes implementation of cycle tracks (dedicated cycling facilities on both sides separated from the curb lane), sidewalks, on-street parking, utility relocation, lining of existing sanitary sewer, new storm sewer, new watermain, streetlight, and road rehabilitation.

As per the Class EA Study, approved by City Council, a road diet was recommended through the University Avenue Corridor to best balance active transportation needs (University students, residents, etc.) and vehicular movement, given the lower traffic volumes and ample width of the road right-of-way in this area. The Class EA Study identified that the preferred solution would not increase operational issues or traffic concerns compared to the existing situation and opportunities to reduce existing issues could be considered as part of detailed design (e.g. road narrowing, speed reduction).

**Discussion:**

The tendering process for University Avenue Corridor Improvements – Phase 1 was carried out per the Purchasing By-Law 93-2012. Tender 35-24 closed on October 25, 2024. The following is the summary of bids received.

<b>VENDORS</b>	<b>TENDERED PRICE (excluding HST)</b>
<b>D'Amore Construction (2000) Ltd.</b>	\$15,920,073.00
<b>J &amp; J Lepera Infrastructures Inc.</b>	\$16,469,000.00
<b>Sterling Ridge Infrastructure Inc.</b>	\$16,536,427.47

The tenders were reviewed by LEA Consulting Ltd. and City Administration with all bids being deemed compliant and accurate.

The lowest bid cost of construction for this project is higher than originally estimated, due to ongoing supply chain issues, increased cost of materials (concrete, sewer relining, plastic pipe, wiring, streetscaping, etc.), increased cost of fuel, as well as the additional costs associated with the new excess soil management regulations. During project detailed design, it was further discovered that the existing Bell duct that was originally designed to remain in place, requires significant redesign and relocation due to conflicts with the new roadway design (lowered elevation) that could not otherwise be avoided.

As a result of these circumstances, Administration has suggested a potential funding source to allow the project to proceed.

### **Risk Analysis:**

Associated risks to the Corporation, resulting from the undertaking of this project, include risks typical of construction projects, such as bodily injury, property damage, and matters arising from violations of the Occupational Health and Safety Act. These risks are to be transferred to the successful proponents through the contract that the City of Windsor and D'Amore Construction (2000) Ltd. enter into for University Avenue Corridor Improvements – Phase 1. As part of this contract, there are sufficient insurances in place to cover the Corporation for the potential damage and claims that might arise from their work during or after construction in the maintenance period.

Additionally, there is a risk that the construction schedule could be impacted due to supply chain issues. Administration has an expedited purchase order process, and a purchase order could be issued following the approval of project funding, at which point, a delivery date can be confirmed.

If the requested additional funds are not transferred, the construction of University Avenue Corridor Improvements – Phase 1 (Project ID #7221052) will be postponed until further funding can be allocated to this project.

### **Climate Change Risks**

#### **Climate Change Mitigation:**

Construction of the project will result in greenhouse gas emissions that are accounted for within the annual community greenhouse gas emissions inventory. It is anticipated that construction emissions in general will be offset by the improved drivability and functionality of the new roadway over time.

Reducing transportation related greenhouse gas emissions associated with the burning of fossil fuels will help reduce the impact of climate change. Active transportation which includes walking, cycling and use of public transport, is a sustainable mode of travel that avoid or greatly reduce greenhouse gas emissions. By expanding the active transportation network and by encouraging the use of sustainable modes of transport,



the City continues to take steps toward reaching its sustainability and greenhouse gas reduction goals and targets. The Community Energy Plan estimates that for every two percent mode shift to active transportation results in emissions reductions of about 8,000 tonnes CO2, or about one percent of the total transportation emissions in 2041.

**Climate Change Adaptation:**

N/A

**Financial Matters:**

The low bidder for Tender #35-24 was D’Amore Construction (2000) Ltd. with a total tender amount of \$15,920,073 plus tax.

Currently, there is \$15,524,856 in the University Avenue Corridor Improvements – Phase 1 Project (ID #7221052), which includes previously approved funding of \$10,524,856, as well as pre-committed funds in the amount of \$5,000,000, approved by City Council through CR424/2024 on September 23, 2024 (C109/2024).

Based on the low tender for the University Avenue Corridor Improvements – Phase 1 project, the estimated total project budget required is as follows:

<b>EXPENSES</b>	
Low Tender – D’Amore Construction (2000) Ltd.	\$15,920,073
Bell duct relocation (Estimated for Consultant and Contractor)	\$1,000,000
LEA Consulting Ltd.	\$351,560
Other Consulting Services (Geotechnical, Environmental Investigation, Archaeological Assessment, Geophysics Survey, Field Survey, etc.)	\$400,000
Miscellaneous (Advertising, Legal Searches, etc.)	\$300,000
Non-Recoverable HST	\$317,000
Financing Charges	\$695,000
Internal Engineering Costs (Administration, Field Inspection, Geomatics, etc.)	\$533,437
<b>GROSS ESTIMATED PROJECT COSTS</b>	<b>\$19,517,070</b>
<b>REVENUE</b>	

Previously Approved Funding in Project ID 7221052	\$15,524,856
Recoveries from Windsor Utilities Commission (including tax)	\$1,292,214
<b>TOTAL REVENUE</b>	<b>\$16,817,070</b>
Additional Funding Required	\$2,700,000

As shown in the above table, additional funding of \$2,700,000 is required to complete this project.

The transfer of surplus funds of \$2,700,000 from the Grove Campbell McKay Storm Sewer Project (ID #7062004), as per Recommendation IV, will provide the funding required to complete this work. The funding in the Grove Campbell McKay Storm Sewer project was previously used for the separation of combined sewers within the catchment area of the Campbell/University Combined Sewer Separation and Stormwater Management Strategy study (the Catchment Study). Subsequently the Sewer and Coastal Flood Projection Master Plan (SMP) established a new level of service and sewer separation strategy for the Catchment Study area, which rendered the Catchment Study recommendations no longer valid. As such, moving forward, the separation of combined sewers in the Catchment Study area, formerly funded through Project 7062004, are anticipated to proceed in one of two ways; as prioritized through the SMP Implementation Project (ENG-002-19) or the City Wide Sewer Rehabilitation Program (ECP-035-07) as funding permits.

At the present time, the unused funding remaining in project 7062004 has not been dedicated for a specific project within the Catchment Study area. The majority of the subject section of University Avenue falls within the Catchment Study area and includes full sewer separation within the project area in accordance with the SMP. As such, this is an appropriate use of the surplus funds within Project # 7062004. Any remaining funds in Project 7062004 following the recommended transfer will be addressed through the subsequent Capital variance report.

The financing charges for utilizing pre-committed funds of \$5,000,000 from 2028 is estimated to be approximately \$695,000. The project will continue to incur financing charges until the future years funding is transferred into the capital project. This transfer is also necessary to allow for the timely execution of Tender 35-24, so as to manage the noted risk as identified within this report.

**Consultations:**

Kathy Buis – Financial Planning Administrator

Michael Dennis – Manager of Strategic Capital Budget Development & Control

Alex Vucinic – Purchasing Manager

**Conclusion:**

Administration recommends the transfer of funds to Project 7221052 - University Avenue Corridor Improvement – Phase 1 (McEwan Avenue to Salter Avenue) and the award of Tender 35-24 to the low bidder D’Amore Construction (2000) Ltd.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Mark Spizzirri	Manager of Performance Measurement & Business Case Development
Fahd Mikhael	Manager of Design
Stacey McGuire	Executive Director of Engineering/Deputy City Engineer
David Simpson	Commissioner of Infrastructure Services & City Engineer
Wira Vendrasco	City Solicitor
Tony Ardovini	On behalf of Commissioner of Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email
Nuno Lopes	3914 North Service Road East, Windsor, Ontario. N8W 5X2	<a href="mailto:nlopes@pieragroup.ca">nlopes@pieragroup.ca</a>

**Appendices:**



October 30th, 2024

**Reference Number: 24144**

Aojeen Issac, M.Eng., P.ENG.  
 ENGINEER II  
 Engineering Department  
 350 City Hall Square | Suite 310 | Windsor, ON  
 N9A 6S1  
 Mobile: (519) 791-2708  
 Office: (519) 255-6100 ex. 6368

Dear Aojeen,

**RE: Bid Evaluation Report and Recommendation for Award of TENDER 35-24 - UNIVERSITY AVENUE WEST CORRIDOR IMPROVEMENTS PHASE 1 - McEwan Avenue to Salter Avenue**

The TENDER 35-24 - UNIVERSITY AVENUE WEST CORRIDOR IMPROVEMENTS PHASE 1 - McEwan Avenue to Salter Avenue on 09/25/2024. The tender closed on 10/25/2024 11:30:59 AM ET

**Opening**

Contracts opened for bids on 10/25/2024. Three (3) bids were received they are:

- D'Amore Construction (2000) Ltd.
- J & J Lepera Infrastructures Inc.
- Sterling Ridge infrastructure Inc.

<b>VENDORS</b>	<b>TENDERED PRICE (excluding HST)</b>
D'Amore Construction (2000) Ltd.	<b>\$15,920,073.00</b>
J & J Lepera Infrastructures Inc.	<b>\$16,469,000.00</b>
Sterling Ridge Infrastructure Inc.	<b>\$16,536,427.47</b>

All bids have been reviewed; the calculations and totals for pricing were math checked, no errors were found in the form of tender submission for the lowest bid.

**Completeness of Bid**

Unless the bidding documents have specifically allowed partial bids—permitting bidders to quote for only select items or for only partial quantities of a particular item—bids not offering all of the required items should ordinarily be considered nonresponsive.

All bidders provide experience references and the required amount of project references.



### Project Schedule

The contractor to the completion date of November 28<sup>th</sup>, 2025, stipulated in the Tender documents.

### Qualifications

If the lowest evaluated bidder fails post-qualification, its bid should be rejected, and the next ranked bidder should then be subject to post-qualification examination. If successful, this bidder should receive the award. If not, the process continues.

The rejection of a bid for reasons of qualification requires substantial justification, which should be clearly documented in attachments to the report. A history of poor performance may be considered a substantial justification.

### Attempt to Contact

Bidders frequently attempt to contact the Beneficiary during bid evaluation, directly or indirectly, to query progress of evaluation, to offer unsolicited clarifications, or to provide criticisms of their competition. We did not have any attempt by the low bid to contact the beneficiary.

### Evaluation Summary

A summary of the bid submission along with notes can be found below in **Table 1**. As noted below, the low bid is by Sterling Ridge Utilities Inc. and the high bid by Black and McDonald Ltd.

**Table 1: Bids Summary**

<b>VENDORS</b>	<b>TENDERED PRICE (excluding HST)</b>
D'Amore Construction (2000) Ltd.	<b>\$15,920,073.00</b>
J & J Lepera Infrastructures Inc.	<b>\$16,469,000.00</b>
Sterling Ridge Infrastructure Inc.	<b>\$16,536,427.47</b>

### Recommendation for Award of Contract

Based on the above and a review of the tender submission, LEA recommends that D'Amore Construction (2000) Ltd. be recommended for the award.



Yours truly,

**LEA CONSULTING LTD.**

A handwritten signature in blue ink, appearing to read 'Lorne Emery', is written over a light blue horizontal line.

Lorne Emery, C. Tech, PMP  
Project Manager



**Subject: Award of Tender 30-24 Supply & Installation LED Lighting - Various Facilities - Phase 3 - City Wide**

**Reference:**

Date to Council: November 25, 2024  
Author: Cole Nadalin  
Supervisor of Energy Contracts  
cnadalin@citywindsor.ca  
(519) 255-6100 Ext. 6151

Report Date: October 10, 2024  
Clerk's File #: SW/14871

To: Mayor and Members of City Council

**Recommendation:**

**THAT** as it relates to Phases 1 & 2 of the Corporate LED Lighting Conversion City Wide project that City Council **ENDORSE** the project change orders as described in Appendix A: LED Project Change Orders, Phases 1 and 2; and,

**THAT** consistent with the provisions contained in Tender 30-24, and in accordance with Purchasing By-law 93-2012 and amendments thereto, City Council **APPROVE** the low bid submitted by Dynamic Energy Services Inc. for the supply and installation of Phase 3 of the Corporate LED Lighting Conversion City Wide project as approved by CR 776/2017; and,

**THAT** the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to execute a contract with Dynamic Energy Services Inc., for a total cost not to exceed \$1,269,638.26 (exclusive of HST), satisfactory in technical content to the Senior Manager of Asset Planning, in financial content to the City Treasurer, and in legal content to the City Solicitor, or their designates; and,

Whereas on February 2, 2024, the 2024 Capital Budget was deemed approved via Mayoral Decision MD05-2024 and subsequently City Council **SUPPORTS** an additional expenditure to support Phase 3 of the Corporate LED Lighting Conversion City Wide project, that the City Treasurer **BE DIRECTED** to increase the project budget to \$5,846,705 inclusive of all anticipated Phase 1, 2 & 3 costs, which represents a net budget increase of \$1,215,235, to be covered by estimated operational savings of

\$446,500 from project implementation which will be realized in 2028 (an extended period of 2.7 years); and,

**THAT** the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any amendment(s) as may be required, provided that the amendment(s) are within approved budget amounts, satisfactory in financial content to City Treasurer, in legal form to the City Solicitor and in technical content to the Senior Manager, Asset Planning; and,

**THAT** the Purchasing Manager **BE AUTHORIZED** to issue any change order(s) for any amendment(s) as may be required, provided that the amendment(s) are within approved budget amounts, satisfactory in financial content to the City Treasurer and in technical content to the Senior Manager of Asset Planning, or their designates; and,

**THAT** Administration to **BE DIRECTED** to assess the opportunity for annual utility cost savings at the Windsor Airport (YQG) with the intention of adding YQG facilities to the project scope as an additional project phase.

**Background:**

LED lighting provides a significant reduction in electricity consumption when compared to earlier technologies, which results in annual cost savings to the Corporation. This reduced electrical requirement also lessens the City of Windsor’s carbon footprint and supports the Corporation’s long-term goals of net-zero emissions by 2050.

In 2017, Council approved the undertaking of a corporate-wide LED retrofit project encompassing a number of the City’s highest electricity consuming corporate properties. RFP 22-17 awarded a contract to MCW Custom Energy Solutions Ltd. to provide project consultation services and aid in developing the technical content of forthcoming project tenders. Prequalification RFP 25-18 subsequently produced a prequalified group of Contractors from which the lowest bid for each of the LED Project Phases would be accepted. The identified LED project properties were divided into three project phases to be sequentially tendered to the prequalified group.

Project Phase 1, consisting of 8 properties, was completed through Tender 91-18, Supply & Install LED Lighting - Various Facilities - Phase 1 by lowest bidder, PowerServe Inc.

Phase 1 - 2020/2021 (Complete)	
1	WFCU Centre
2	Windsor International Aquatic & Training Centre
3	Parking Garage 1
4	Parking Garage 2
5	International Transit Terminal
6	Fire Station #1 – Headquarters
7	Fire Station #7



8	Windsor Joint Justice Facility
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Project Phase 2, consisting of 12 properties, was completed through Tender 160-20, Supply & Install LED Lighting - Various Facilities - Phase 2 by lowest bidder, Mid South Contractors ULC.

Phase 2 -2022/2023 (Complete)	
1	400 City Hall
2	Lou Romano Water Reclamation Plant
3	Transit Windsor
4	Little River Pollution Control Plant
5	Gino and Liz Marcus Community Complex
6	Adie Knox Herman Recreation Complex (arena only)
7	Capitol Theatre
8	Art Gallery of Windsor
9	Roseland Golf and Curling Club (outbuildings only)
10	Lanspeary Park and Rink
11	Mackenzie Hall
12	Capri Pizza Recreation Complex

This Report considers “Project Phase 3” encompassing the remaining 11 facilities previously identified for LED lighting retrofits under the Corporate LED Lighting Conversion City Wide Project.

**Discussion:**

Project Phase 3, consisting of 11 properties, was tendered through Tender 30-24, Supply & Install LED Lighting - Various Facilities - Phase 3.

Phase 3 – 2024/2025 (Pending)	
1	Huron Lodge Long Term Care Facility
2	Department of National Defence
3	Crawford Yard
4	Forest Glade Arena
5	Parks & Rec Administration
6	Parks & Rec Maintenance Yard
7	Traffic Yard
8	John Atkinson Community Centre
9	Public Works Administration Office
10	Environmental Drop-off Depot
11	Optimist Community Centre

Two submissions were received from the prequalified group for Phase 3 of the project: resulting in Dynamic Energy Services Inc. as the lowest bidder.

<b>Vendors</b>	<b>Total Tendered Price (excluding HST)</b>
Dynamic Energy Services Inc.	\$1,269,638.26
PowerServe Inc.	\$1,346,287.78
Mid South Contractors ULC	No submission
Vollmer Inc.	No submission

As with previous phases of this project, the Corporate LED Lighting Conversion City Wide Project's third phase will repay its capital cost through annual utility cost savings. Upon completion of the project payback period, the utility cost savings will be distributed to the various funds identified in the 2017 Council approval, which include:

- The Sewer Surcharge/Pollution Control Plant Reserve in order to repay project implementation costs and then transfer savings due to electricity consumption reductions the Pollution Control Plant Facilities;
- The Off-Street Parking Reserve in order to repay project implementation costs and allow for savings to accrue to the fund in order to fund future parking-related expenditures;
- The Corporate Facilities Maintenance Reserve Fund which provides funding for the maintenance of various energy-related items; and
- The Corporate Energy Reserve Fund to allow for future identified energy projects to be implemented.

These allocations will be dependant upon realizing the total projected annual utility cost savings, including those projected as part of the project's third phase.

Further to the completion of Phase 3, an opportunity to for LED conversion at Windsor Airport (YQG) has also been identified. Administration is seeking approval to work with staff at YQG to investigate potential opportunities and to develop a business case in support of a potential additional phase to the LED retrofit program to incorporate this facility. The findings of this work, along with project requirements should it prove feasible, will be brought back to Council for approval at the appropriate time.

This project provides measurable reductions in energy consumption and directly supports the City of Windsor's 2024 - 2028 Energy Management Plan which targets a reduction in overall energy consumption of at least 6% (10,874,807 ekWh) and continued pursuit of net-zero emissions by 2050.

**Risk Analysis:**

Combining several facilities under one contract for LED lighting retrofits brings significant cost savings when compared to drawing on departmental budgets to conduct periodic replacement of light fixtures as they fail. By replacing these outdated power consumptive technologies sooner, the annual utility cost savings to the Corporation can be realized earlier as future utility cost avoidance.

The primary risk associated with not executing the final phase of the project is the loss of annual utility cost savings and their positive impacts to both departmental budgets and corporate energy consumption. Conducting whole-building retrofits with the aid of a lighting consultant results in best value to the Corporation through a more systematic and holistic approach to lighting redesign.

## **Climate Change Risks**

### **Climate Change Mitigation:**

The corporate-wide LED lighting retrofit project is expected to reduce the Corporation's electricity consumption by over 4 million kWh annually. This decrease in electrical consumption reflects an annual reduction of 112 tonnes CO<sub>2e</sub>.

### **Climate Change Adaptation:**

N/A

### **Financial Matters:**

An initial project budget of \$157,525 was approved via CR 245/17 to execute an agreement with MCW Customer Energy Solutions Ltd. to provide a lighting audit, detailed redesign, and construction management. CR 776/2017 approved additional funding of \$3,454,460, net of provincial incentives in the amount of \$195,727, to carry out the Corporate LED Lighting Conversion City Wide Project, bringing the overall approved project budget to \$3,807,712.

Bids for project phases 1 (2020/2021) and 2 (2022/2023) each exceeded their 2017 forecasted costs, and additional project costs were observed relating to:

- a. areas within buildings which were later added to the project scope for increased annual cost savings;
- b. unknown asset conditions e.g. obscured damage to existing equipment/wiring;
- c. recommendations of property Supervisors for remedies or improvements based on staff/public requests (where electricity cost savings were also improved);
- d. requests of property Supervisors for enhanced safety or security in previously underlit areas (where electricity cost savings were also improved).
- e. pandemic related materials cost increases (supply chain disruption)

Project change orders associated with the above are described in **Appendix A: LED Project Change Orders, Phases 1 and 2**. In each instance of a change order approval, considerations included:

- a. the boundaries of the project scope: utility (electricity) cost savings;
- b. cost-benefit to the Corporation's annual utility budget and project payback period;
- c. unrealized/delayed annual cost avoidance by leaving opportunities unaddressed;
- d. added cost to affected Departmental budgets in later mobilizing work crews;
- e. safety and security requirements for workers and employees of the Corporation;
- f. quality of service offered to the public.

In addition to the above noted change orders, some areas of buildings scheduled for later project phases were completed early to address rapidly failing lighting or outstanding safety issues. These are included as change orders in **Appendix A: LED Project Change Orders, Phases 1 and 2**.

Offsetting the increased project costs is reimbursement from the Windsor Justice Facility Capital Maintenance Trust (Fund #403) to the project budget in the amount of \$624,758, which will support offsetting the additional costs associated with an increase in scope at the Windsor Justice Facility. Enhanced provincial incentives of an additional \$199,000 over the original budget of \$195,727, for a total of \$394,727, have also provided incremental funding to the project.

The table below provides an update on the financial status of the project taking into consideration the impact of the change order requests, increased funding and incentives, internal financing charges and other contingency amounts as of the completion of Phase 2 of the LED lighting retrofit project and outlines the updated requirements for Phase 3.

<b>Project Financials</b>	
Project Phase 1	\$2,093,042
Project Phase 2	\$1,553,453
Project Phase 3 (performed early, requested by Facilities)	\$56,905
Internal financing charges	\$79,729
<b>Total Project Expenses at September 30, 2024</b>	<b>\$3,783,129</b>
Outstanding Phase 2 invoices and holdbacks	\$437,592
<b>Total Phase 1 &amp; 2 Costs</b>	<b>\$4,220,721</b>
Project Phase 3, Tender 30-24, inclusive of non-recoverable HST	\$1,291,984
Other project related expenditures (project management, internal financing, contingency, etc.)	\$334,000
<b>Total Revised Project Budget – All Phases</b>	<b>\$5,846,705</b>

<b>Approved Budget</b>	<b>\$3,807,712</b>
Incremental Provincial incentives	\$199,000
Phase 1 reimbursement from Fund #403	\$624,758
<b>Total Project Funding</b>	<b>\$4,631,470</b>
<b>Net Budget Requirement</b>	<b>\$1,215,235</b>
<b>Project Payback</b>	
Projected annual savings	\$446,506
<b>Project Payback Extension</b>	<b>2.7 years</b>

The implementation of Phase 3 of the LED retrofit project requires an overall project budget of \$5,846,705, representing an increase of \$1,215,235 over the original project cost estimate of \$3,807,712. Based on the revised budget and electricity cost savings, a 2.7 year extension of the project payback period is required to fully fund this project. This requested extension shifts the forecasted project payback from Q3 2025 to Q1 2028.

The Corporation has been realizing electricity cost savings from the Corporate LED Lighting Conversion City Wide Project since the first properties retrofits were completed in 2020, totalling \$695,857 to date for Phase 1 & 2 retrofits. Upon completion of the project payback period (2027), the forecasted cost savings to the Corporation is estimated at \$446,506 annually; totalling more than \$4 million as the first properties' lighting reaches the end of its' anticipated 15-year lifecycle in 2036.

**Consultations:**

Kristen Karam – FPA, Finance Department

**Conclusion:**

The Corporate LED Lighting Conversion City Wide Project represents the Corporation's commitment to energy consumption and greenhouse gas emissions reductions. This project has brought significant annual savings in electricity cost avoidance to date and is expected to further increase those savings with its third and final phase.

Overall, the project will continue to deliver greenhouse gas emissions reductions for the community, allow for the relocation of annual utility expense to serve as capital and operational support throughout the Corporation, and deliver a greater quality of service to the public while neutralizing its own project cost.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Sokol Aliko	Manager of Energy Initiatives
Natasha Gabbana	Senior Manager, Asset Planning
David Soave	Manager, Strategic Operating Budget Development & Control
Dawn Lamontagne	Purchasing Manager (A)
Natasha Gabbana	On behalf of Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Dynamic Energy Services Inc.		
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**Appendices:**

- 1 Appendix A – LED Project Change Orders, Phases 1 and 2

Project Phase 1 (2020/2021)			
Property	Change Order / Cost Allowance #	Change Order Cost	Description
Parking Garage 1	CA 001	\$38,117	Changed design to City requested fixture for enhanced safety/security (Traffic)
Parking Garage 2	CA 002	\$11,883	Changed design to City requested fixture for enhanced safety/security (Traffic)
Parking Garage 2	CO 001	\$1,191	Changed design to City requested fixture for enhanced safety/security (Traffic)
Fire Hall 5 and WFCU Centre	CO 002	\$4,407	Additional work (scope additions)
Windsor International Aquatic and Training Centre	CO 003	\$24,252	Additional controls
Lou Romano Water Reclamation Plant	CO 004	\$2,969	Added lights for enhanced safety (Pollution Control)
Roseland Golf and Curling Club	CO 005	\$37,479	Redesign for 48 Lights in the Curling Rink
Forest Glade Community Centre	CO 006	\$50,656	Redesign for 72 Lights for the 2 Pads (6L T5HO to 213W LED HB - 3,000 hours)
Lou Romano Water Reclamation Plant	CO 007	-\$2,969	Removed the CO for larger scope in CO 008
Lou Romano Water Reclamation Plant	CO 008	\$27,685	Additional lights/plugs added for safety in the plant (Pollution Control)
Lou Romano Water Reclamation Plant	CO 009	\$1,097	Additional plugs added for safety (Pollution Control)
Lou Romano Water Reclamation Plant	CO 010	\$1,043	Additional lights/plugs added for safety in the plant (Pollution Control)
Mackenzie Hall	CO 011	\$5,655	1,000W Halogen lights to new 8" Downlights (50% not operational)
Windsor International Aquatic and Training Centre	CO 012	\$1,112	New control panel
Windsor International Aquatic and Training Centre	CO 013	\$29,255	Additional lights added around diving board as requested by staff (Parks and Recreation)
Windsor Joint Justice Facility	CO 014	\$61,263	Cost increase - 3 year delay (Infrastructure Ontario)
Windsor International Aquatic and Training Centre	CO 015	\$8,461	Recessed round fixtures in lobby retrofitted from T5 to T5 LED
		\$303,555	

Project Phase 2 (2022/2023)			
Property	Change Order / Cost Allowance #	Change Order Cost	Description
Capri Pizzeria Recreation Complex	CA 001	\$13,155	Adder of 48 fixture to South Windsor Arena (scope addition)
Transit Windsor	CA 002	\$31,482	Voltage Change
Lanspeary Park	CA 003	\$1,635	Voltage Change
Lanspeary Park	CA 004	\$1,751	Replace Damaged Wiring
Capri Pizzeria Recreation Complex	CA 005	\$1,975	Lighting Controls Upgrade
Capri Pizzeria Recreation Complex	CO 001	\$14,596	Lighting Controls Upgrade
Capri Pizzeria Recreation Complex	CO 002	\$37,970	Upgrade rest of Building to LED (scope addition)
Lou Romano Water Reclamation Plant	CO 003	\$17,024	61 new 4' LED vapor lights and 8 x new 8' LED vapor lights due to rusted fixtures (Pollution Control)
Mackenzie Hall	CO 004	\$2,954	Scaffold and wood built around antique chest
Art Windsor-Essex	CO 005	\$1,246	Low Voltage wire and dimmer for pot lights
Transit Windsor	CO 006	\$6,839	Take down lenses and tie wrap 497 lenses (Transit)
Transit Windsor	CO 007	\$1,132	Demo light and repair skylight including scaffold
Lou Romano Water Reclamation Plant	CO 008	\$5,265	Replace 20 fixtures with new LED Vapor. Premium for new vs retrofit (Pollution Control)
Capri Pizzeria Recreation Complex	CO 009	\$6,662	Replace 45 fixtures in lobby with new flat panel fixtures.
Lou Romano Water Reclamation Plant	CO 010	\$1,254	Temporary Lunchroom and Bathroom (worker safety requirement)
Little River Pollution Control Plant	CO 011	\$2,629	Temporary Lunchroom and Bathroom (worker safety requirement)
400 City Hall Square East	CO 012	\$975	Supply 16 New lenses
Art Windsor-Essex	CO 013	\$2,254	Supply Install 6 LED corn lights - remove old pole head fixtures (scope addition)
Little River Pollution Control Plant	CO 014	\$14,037	Supply install exterior wall packs and pole lights and reassemble
Roseland Golf and Curling Club	CO 015	\$15,009	Supply install exterior new track lighting and down lights (Roseland Golf & Curling Club)
Capitol Theatre	CO 016	\$1,940	Supply install screw in lamps, LED surface mount round fixtures
Lou Romano Water Reclamation Plant	CO 017	\$9,561	Installation of fixture and scaffold on mezzanine level (worker safety requirement)
Capri Pizzeria Recreation Complex	CO 018	\$6,452	43 Pot Light Retrofit Kits (scope addition)
Lou Romano Water Reclamation Plant	CO 019	\$7,182	Additional outdoor and signage lighting and hard to reach lights that were not operational (scope addition)
Adie Knox Herman Recreation Complex	CO 020	\$59,429	Installation of new High Bay Lighting in Arena along with Wavelinx Lighting Control
400 City Hall Square East	CO 021	\$46,262	Government of Canada Adder (scope addition)
400 City Hall Square East	CO 022	\$24,562	Lighting Controls Upgrade (Human & Health Services)
400 City Hall Square East	CO 023	\$2,625	LED Touch Screen (Human & Health Services)
400 City Hall Square East	CO 024	\$12,005	Lighting Control Wiring (Human & Health Services)
		\$349,860	

**Subject: 2025 Agency Grant Payments - City Wide**

**Reference:**

Date to Council: November 25, 2024

Author: Dave Soave

Manager, Strategic Operating Budget Development & Control

519-255-6100 Ext. 1911

dsoave@citywindsor.ca

Financial Planning

Report Date: October 24, 2024

Clerk's File #: AF/14854

**To:** Mayor and Members of City Council

**Recommendation:**

That Council **APPROVE** the funding for City Funded Agencies in 2025 up to a maximum of 50% of the 2024 approved grant amounts as outlined in this report.

**Executive Summary:**

N/A

**Background:**

As in previous years when the budget has not been approved prior to the start of the fiscal year, Council has approved payments to City funded agencies up to a maximum of 50% of the prior year's approved budget.

**Discussion:**

It is anticipated that the City's 2025 Operating Budget, along with approval for agency funding, will not be finalized until late January of 2025. In the interim, a number of agencies rely on annual City of Windsor grant funding in order to sustain their operations. Any necessary adjustments to these agencies' payment schedules resulting from the 2025 budget discussions and final budget approval will be made and communicated to the appropriate agency(s) accordingly.

**Risk Analysis:**

As these agencies rely on the financial support of the City of Windsor to maintain their operations, they may experience financial difficulties if funds are not made available until the 2025 budget is approved. In the interim, administration is seeking approval to release payments up to a maximum of 50% of their 2024 approved amounts.



## Climate Change Risks

### Climate Change Mitigation:

N/A

### Climate Change Adaptation:

N/A

### Financial Matters:

The table below outlines the agencies funded by the City of Windsor; their 2024 approved budgeted amounts, and the maximum level they would be funded prior to the approval of the 2025 Operating Budget. As per normal practice, up to 50% of the previous year's grant is recommended.

Agencies Requiring Transfer Payments	2024 Approved Budget	% of the 2024 Budget Requested for Transfer	Maximum Transfer Approved for 2025
<b>Statutory Agencies</b>			
Land Ambulance Services	\$15,743,700	50%	\$7,871,850
Windsor-Essex County Health Unit	\$3,920,192	50%	\$1,960,096
Essex Region Conservation Authority	\$1,609,876	50%	\$804,938
<b>Non-Statutory Agencies:</b>			
Invest Windsor/Essex	\$1,366,661	50%	\$683,331
Handi Transit	\$1,337,770	50%	\$668,885
Life After Fifty	\$172,438	50%	\$86,219
Windsor Symphony	\$150,000	50%	\$75,000
The Safety Village	\$91,250	50%	\$45,625
Arts Council	\$15,000	50%	\$7,500
Artcite Inc.	\$15,000	50%	\$7,500
<b>Total</b>	<b>\$24,421,887</b>		<b>\$12,210,944</b>

In total, the maximum level of funding required based on the recommended pre-approval is \$12,210,944.

**Consultations:**

N/A

**Conclusion:**

The 2025 budget process has not yet been finalized and therefore the payment schedules for the City of Windsor funded agencies, as outlined above, cannot be completed. Payments to these agencies up to a maximum of 50% of their 2024 approved budget would assist in avoiding any financial difficulties that they may experience and would also allow for further adjustments to their budgets prior to the finalization of the 2025 budget.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
David Soave	Manager, Operating Budget Development & Control
Tony Ardovini	Deputy Treasurer - Financial Planning
Tony Ardovini	On behalf of Commissioner , Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices: N/A**

**Subject: 2024 Third Quarter Operating Budget Variance - City Wide**

**Reference:**

Date to Council: 11/25/2024

Author: David Soave

Manager, Strategic Operating Budget Development & Control

519-255-6100 Ext. 1911

Financial Planning

Report Date: 10/24/2024

Clerk's File #: AF/14854

**To:** Mayor and Members of City Council

**Recommendation:**

That City Council **RECEIVE FOR INFORMATION** the 2024 3<sup>rd</sup> Quarter Operating Budget Variance Report; and further,

That the Chief Administrative Officer and the City Treasurer **BE DIRECTED** to continue to monitor the 2024 Operating Budget's projected variance and continue to seek further means for offsetting any potential variances that may arise.

**Executive Summary:**

N/A

**Background:**

Annual operating budgets are traditionally established at the beginning of the calendar year and are based on the best available information and trends. Key inputs to the operating budget include professional estimates, the current legislative environment, macroeconomic trends (such as currency fluctuations, commodity prices, unemployment figures, and business investment), and other relevant local information available at the time of approval. Inflationary pressures related to municipal expenditures and services continue to place significant pressures on service budgets. Impacts of inflation are reflected in the departmental year-end variance projections within this report.

## **Discussion:**

### ***General Considerations***

The financial position of the Corporation is directly impacted by uncontrollable factors such as weather conditions, unemployment rates, tax appeals, fuel and utility costs, interest rates, settlement of litigation brought against the City in addition to general inflationary pressures. As a result, material fluctuations in the projected variances provided as at 3<sup>rd</sup> quarter could still occur in the wake of significant unforeseen events.

### ***Municipal Levy***

As at Q3, Administration projects that the total overall net municipal year-end financial impact for 2024 will result in a deficit of approximately (\$56,000). The overall projected corporate variance is comprised of a projected surplus of \$3,262,000 for city departments offset by a projected deficit of (\$3,318,000) for Agencies, Boards & Committees (ABCs). Many of the City Department surpluses are one-time in nature with departments having mitigated cost increases, while still delivering services to the public. The overall projected year-end deficit is largely the result of ABCs that are outside of City Administration's control.

Details by department are provided in Appendix A to the report. To mitigate external pressures, which arise after the budget has been approved, is a Budget Stabilization Contingency of \$2.4 million. As in past practice, this contingency can be used to offset any negative budget variances at year-end. Alternatively, should the actual year-end variance result in a surplus, any unused Budget Stabilization Contingency may be transferred to the Budget Stabilization Reserve.

Administration will continue to monitor both positive and negative variances to mitigate any unanticipated events, which may materially change the projections as currently provided. Mitigation strategies as outlined will be utilized to maximize available funding while maintaining service levels across the Corporation.

### ***One Time Funding Approved in 2024 Budget***

The final approval of the 2024 Budget included \$7.8 million in one-time funding from the Budget Stabilization Reserve (BSR), capital and other sources. It is important to note that these recoveries will only be made if the department ends the year in a deficit. Based on the current Q3 projections, \$3.7 million of the total one-time funding has been included in the variance projections leaving a projected balance of \$4.1 million to be retained within the reserve for unexpected or unanticipated events, which may occur prior to the end of the year.

### ***Other Non-Tax Levy Funding Sources***

In addition to the Municipal levy variance, other non-tax levy funding sources are estimated to result in a \$7.7 million net surplus. Included in this amount are the following which will be transferred to/from noted Reserves; On-Off Street Parking

Reserve deficit \$397,000, Sewer Surcharge \$638,000 surplus, and Building Permit Reserve \$7.5 million surplus. Details are also included in Appendix A.

## **Hiring Freeze**

In anticipation of significant 2025 budget pressures, the Mayor announced a hiring freeze for all permanent full-time positions in the City of Windsor on September 12, 2024, in accordance with Part VI.1 of the Municipal Act, 2001. This decision was made in advance of anticipated 2025 budget pressures. While a hiring freeze will result in some immediate operational savings, it also gives the Mayor, Council and Administration options when developing the 2025 Operating Budget.

It is however, recognized that it may be essential to fill certain positions so as to not interrupt municipal services, and therefore the CAO has made exemptions under certain circumstances. The Q3 Variance report includes gapping savings resulting from the hiring freeze that were quantifiable at the time of this report.

## **Risk Analysis:**

There are a number of potential risks that can impact the year-end financial results as follows:

1. Current macro and micro economic conditions such as fuel costs, changes to local unemployment rates, volatility of energy costs, commodity prices and interest rates, as well as supply and demand for products and services. Although Consumer Price Index rates have been decreasing in 2024 (currently at 2.6% average for the year), inflationary factors, which affect municipal expenditures continue to remain high and will continue to impact City costs going forward. Municipal costs drivers and service pressures have resulted in a higher inflation rate than the basic basket of goods used to calculate the standard CPI rates.
2. Seasonal variability with respect to revenues (e.g. recreation fees) and expenses (e.g. winter control & storm damage) could impact current year end projections.
3. Continued increase in staffing costs due to factors such as sick leave replacement, modified duties (particularly in mandated or 24/7 operational areas), WSIB, joint job evaluation or other arbitration decisions, and health benefit usage (Green Shield) may require additional funding. Some of these costs may be covered by corporate provisions/reserves.
4. Potential increase to unavoidable expenditures such as emergency repairs and maintenance, related purchases of materials and supplies, legal expenses, streetlight maintenance, etc.
5. The significant use of estimates, historical knowledge and judgement in developing budget and projecting actual expenses for the year implies that actual year-end revenues and expenditures may differ significantly from quarterly projections.

Mitigation strategies have been identified and will be implemented as required to manage the year-end final financial position.

### **Climate Change Risks**

#### **Climate Change Mitigation:**

Climate Change Mitigation initiatives are budgeted throughout the corporation and any variances form part of the departmental and ABC variance descriptions.

#### **Climate Change Adaptation:**

Climate Change Adaptation initiatives are budgeted throughout the corporation and any variances form part of the departmental and ABC variance descriptions.

#### **Financial Matters:**

As at Q3, Administration has highlighted significant factors, which are projected to impact the 2024 year-end operating results including transfers to various reserve accounts. Details with regards to each operating departmental variance is included in Appendix A. Included in Appendix B are a list of relevant operational and economic statistics (extracted from various sources) as background information and is depicted graphically for the current quarter, along with each of the preceding nine years for ease of reference and comparison purposes.

#### **Consultations:**

All departments and ABC's provided comments to augment and clarify the analysis performed by the Financial Planning Department.

#### **Conclusion:**

Administration is projecting an overall corporate levy operating year-end deficit estimated to be (\$56,000). As part of the 2024 budget, City Council approved a Budget Stabilization Contingency budget of \$2.4 million. Administration will continue to monitor expenditures and revenues to the end of the year with a vision to mitigate any final deficit that may result. As is past practice, the Corporate Contingency could be used to mitigate any budget variances at year-end, with any remaining balance transferred to/from the Budget Stabilization Reserve.

A surplus as it relates to other funding sources of approximately \$7.7 million is projected however as noted, any surplus or deficit within these other funding sources will be retained within the specified reserve. Administration will continue to monitor the year-end projections inclusive of mitigation measures that may be required.

#### **Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
David Soave	Manager, Operating Budget Development & Control
Tony Ardovini	On behalf of Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

- 1 Appendix A - 2024 Operating Budget Variance (Q3)
- 2 Appendix B - 2024 Operational & Economic Statistics

#### Operating Budget Variance Summary by Department

Department	2024 Gross Budget	2024 Net Budget	Q1 Projected Variance	Q2 Projected Variance	Q3 Projected Variance	Year-End Final Variance	% of Gross Budget
Fire & Rescue	\$57,607,535	\$55,504,013	n/a	(\$1,551,000)	(\$1,426,000)		(2.69%)
Legal	\$14,462,972	\$6,765,382	n/a	(\$665,000)	(\$543,000)		(4.60%)
Taxation & Financial Projects	\$4,191,258	\$649,312	n/a	(\$582,000)	(\$500,000)		(13.89%)
Corporate Security	\$3,998,394	\$1,404,244	n/a	\$34,000	(\$399,000)		0.85%
Public Works	\$64,702,367	\$33,482,267	n/a	\$775,000	(\$357,000)		1.20%
Human Resources	\$7,746,698	\$6,761,299	n/a	(\$353,000)	(\$353,000)		(4.56%)
Parks & Facilities	\$40,973,329	\$31,499,349	n/a	(\$34,000)	(\$142,000)		(0.08%)
Building Services	\$9,493,128	\$1,449,696	n/a	(\$171,000)	(\$141,000)		(1.80%)
Financial Accounting	\$3,404,853	\$2,731,303	n/a	\$0	\$0		0.00%
Asset Planning	\$1,598,313	\$739,513	n/a	\$0	\$0		0.00%
CAO's Office	\$1,200,218	\$1,200,218	n/a	\$0	\$0		0.00%
Economic Development	\$2,285,949	\$2,194,123	n/a	\$0	\$0		0.00%
Library Services	\$9,068,428	\$8,196,393	n/a	\$0	\$0		0.00%
Mayor's Office	\$504,893	\$504,893	n/a	\$0	\$0		0.00%
Pollution Control	\$25,201,078	\$0	n/a	\$0	\$0		0.00%
Transit Windsor	\$45,840,469	\$17,618,928	n/a	\$0	\$0		0.00%
Planning & Development	\$5,561,286	\$3,560,106	n/a	\$10,000	\$0		0.18%
Information Technology	\$11,480,842	\$8,920,319	n/a	\$0	\$40,000		0.00%
City Council	\$1,149,967	\$992,976	n/a	\$0	\$49,000		0.00%
Financial Planning	\$4,922,080	\$3,379,996	n/a	\$28,000	\$100,000		0.57%
Equity & Diversity	\$472,345	\$359,072	n/a	\$56,000	\$105,000		11.86%
Engineering	\$10,024,571	\$2,923,403	n/a	\$57,000	\$122,000		0.57%
Communications	\$4,374,801	\$3,693,768	n/a	\$77,000	\$122,000		1.76%
Recreation & Culture	\$27,592,532	\$14,706,566	n/a	(\$83,000)	\$280,000		(0.30%)
Council Services	\$7,251,786	\$4,013,349	n/a	\$67,000	\$294,000		0.92%
Housing & Children Services *	\$159,319,871	\$16,256,853	n/a	(\$751,000)	\$356,000		(0.47%)
Huron Lodge	\$35,232,654	\$10,152,534	n/a	\$545,000	\$590,000		1.55%
Employment & Social Services	\$149,452,140	\$8,395,577	n/a	\$630,000	\$797,000		0.42%
Corporate Accounts	\$194,461,508	\$92,228,244	n/a	\$2,444,000	\$4,268,000		1.26%
<b>Sub-Total: City Departments</b>	<b>\$903,576,265</b>	<b>\$340,283,696</b>	<b>n/a</b>	<b>\$533,000</b>	<b>\$3,262,000</b>	<b>\$0</b>	<b>0.06%</b>
Police Services	\$123,958,993	\$103,576,858	n/a	(\$3,000,000)	(\$3,500,000)		(2.42%)
Housing Corporation	\$25,608,108	\$16,831,885	n/a	(\$482,000)	(\$486,000)		(1.88%)
Agencies	\$24,522,485	\$24,421,887	n/a	\$668,000	\$668,000		2.72%
<b>Sub-Total: ABC's</b>	<b>\$174,089,586</b>	<b>\$144,830,630</b>	<b>n/a</b>	<b>(\$2,814,000)</b>	<b>(\$3,318,000)</b>	<b>\$0</b>	<b>(1.62%)</b>
<b>Total: Municipal</b>	<b>\$1,077,665,851</b>	<b>\$485,114,326</b>	<b>n/a</b>	<b>(\$2,281,000)</b>	<b>(\$56,000)</b>	<b>\$0</b>	<b>(0.21%)</b>




**CAO's Office**

**DEPARTMENTAL OVERVIEW**

The Chief Administrative Officer (CAO) works closely with the Mayor and City Council, as well as City Administration through its senior leaders, to ensure Council's goals and objectives are achieved. This is realized through strategic leadership to the Corporation, managing the daily operations of service delivery, and leading ongoing improvements with a goal of greater efficiency.

Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	\$0	\$0	\$0	\$0
Annual Expense Budget	\$1,336,637	\$1,106,545	\$1,103,044	\$1,070,193
<b>Annual Net Budget</b>	<b>\$1,336,637</b>	<b>\$1,106,545</b>	<b>\$1,103,044</b>	<b>\$1,070,193</b>
<b>Annual Net Variance</b>	<b>\$114,810</b>	<b>\$3,656</b>	<b>\$160,731</b>	<b>\$30,288</b>
<b>Variance as a % of Gross Budget</b>	<b>8.6%</b>	<b>0.3%</b>	<b>14.6%</b>	<b>2.8%</b>

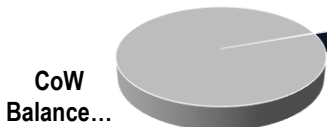
**2024 Budgeted Full Time Equivalent (FTE)**



	<u>FTE</u>
Sr. Mngr.	1.0
Management:	1.0
Non-Union:	<u>3.0</u>
<b>Total</b>	<b>5.0</b>

**2024 Portion of Net Municipal Tax Levy**

<u>Department</u>	<u>CoW Balance</u>	<u>Net Levy</u>
\$1,200,218	\$431,045,100	\$432,245,318



**Department**  
**0.3%**

2024 Year-End Projection: \$0

Second Quarter

**VARIANCE SUMMARY & DESCRIPTION**

The CAO's Office budget contains provisional budgets for corporate matters and it is difficult to anticipate until very close to year end, what these budgets may be used for. A year-end variance is not projected at this time.


**Corporate Security**

**DEPARTMENTAL OVERVIEW**

The Security and Special Activities Unit provides facilities management services to the City Hall Square campus and proactive and reactive security measures to the Corporation at large working synergistically with existing agencies, departments and tenants.

Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	n/a	n/a	(\$2,515,286)	(\$2,670,764)
Annual Expense Budget	n/a	n/a	\$3,701,829	\$3,883,870
<b>Annual Net Budget</b>	<b>n/a</b>	<b>n/a</b>	<b>\$1,186,543</b>	<b>\$1,213,106</b>
<b>Annual Net Variance</b>	<b>n/a</b>	<b>n/a</b>	<b>\$343,282</b>	<b>(\$261,565)</b>
<b>Variance as a % of Gross Budget</b>	<b>n/a</b>	<b>n/a</b>	<b>9.3%</b>	<b>(6.7%)</b>

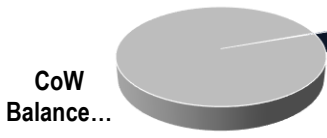
**2024 Budgeted Full Time Equivalent (FTE)**



	<u>FTE</u>
Management:	1.0
Non-Union:	1.0
Local 543:	<u>17.2</u>
<b>Total</b>	<b>19.2</b>

**2024 Portion of Net Municipal Tax Levy**

<u>Department</u>	<u>CoW Balance</u>	<u>Net Levy</u>
\$1,404,244	\$430,841,074	\$432,245,318



Department **0.3%**

CoW Balance...

2024 Year-End Projection: (\$399,000)

Third Quarter Deficit

## Corporate Security

### VARIANCE SUMMARY & DESCRIPTION

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
Other Miscellaneous Revenue	n/a	\$10,000	\$10,000	
<b>Expenses:</b>				
Purchased Services	n/a	\$0	(\$450,000)	
Salaries & Benefits	n/a	\$24,000	\$41,000	
<b>Net Total</b>	<b>n/a</b>	<b>\$34,000</b>	<b>(\$399,000)</b>	<b>\$0</b>

<b>Other Miscellaneous Revenue</b>	<b>\$10,000</b>
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A year end surplus of \$10,000 is being projected in revenue due to ad hoc enhanced cleaning services provided to tenants at 400 City Hall Square that is above contractual service agreement.

<b>Purchased Services</b>	<b>(\$450,000)</b>
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A year end deficit of (\$450,000) is being projected in Purchased Services as a result of the new security guard services contract with pricing terms higher than anticipated. This variance is consistent with what was previously reported to Council.

<b>Salaries &amp; Benefits</b>	<b>\$41,000</b>
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A year end surplus of \$41,000 in Salaries is being projected due to salary gapping.

### MITIGATING MEASURES

Corporate Security will continue to review it's usage of corporate security guards and ensure external services are used in the most efficient and cost-effective manner. A Corporate Security master plan is also expected to result in operational efficiencies.


**City Council**

**DEPARTMENTAL OVERVIEW**

Ontario Municipalities are governed by municipal councils. The role of municipal councils is to provide direction on matters governing municipal services, and the various regulatory frameworks. These functions are performed based on the delegated authority contained within the Municipal Act and other legislation and regulations. In Windsor, City Council is composed of the Mayor (Head of Council) and 10 Councillors (1 for each of the 10 Wards).

Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	(\$185,000)	(\$156,991)	(\$175,641)	(\$156,991)
Annual Expense Budget	\$1,031,469	\$1,029,184	\$1,050,834	\$1,125,767
<b>Annual Net Budget</b>	<b>\$846,469</b>	<b>\$872,193</b>	<b>\$875,193</b>	<b>\$968,776</b>
<b>Annual Net Variance</b>	<b>\$48,836</b>	<b>\$57,963</b>	<b>\$164,560</b>	<b>\$17,355</b>
<b>Variance as a % of Gross Budget</b>	<b>4.7%</b>	<b>5.6%</b>	<b>15.7%</b>	<b>1.5%</b>

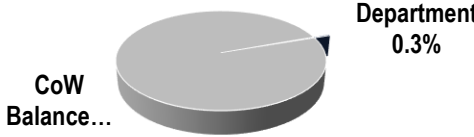
**2024 Budgeted Full Time Equivalent (FTE)**



	<u>FTE</u>
Mayor:	1.0
Councillors:	<u>10.0</u>
<b>Total</b>	<b>11.0</b>

**2024 Portion of Net Municipal Tax Levy**

<u>Department</u>	<u>CoW Balance</u>	<u>Net Levy</u>
\$992,976	\$431,252,342	\$432,245,318



CoW Balance...      Department 0.3%

**2024 Year-End Projection:**

**\$49,000**

**Second Quarter**

**Surplus**

**City Council**

**VARIANCE SUMMARY & DESCRIPTION**

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
Other Miscellaneous Revenue	n/a	\$0	\$25,000	
<b>Expenses:</b>				
Purchased Services	n/a	\$0	\$11,000	
Other Miscellaneous Expenditures	n/a	\$0	\$13,000	
<b>Net Total</b>	<b>n/a</b>	<b>\$0</b>	<b>\$49,000</b>	<b>\$0</b>

<b>Other Miscellaneous Revenue</b>	<b>\$25,000</b>
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There is a projected \$25,000 surplus in miscellaneous revenue due to increased recoveries from Boards and Commissions.

<b>Purchased Services</b>	<b>\$11,000</b>
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A surplus is projected in Purchased Services due to small surpluses in items such as business meetings and travel.

<b>Other Miscellaneous Expenditures</b>	<b>\$13,000</b>
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There is projected \$13,000 surplus related to unspent funds within the Council Committee's overall budget. The surplus is one-time and is not expected to continue in 2025.

**Mayor's Office**

**DEPARTMENTAL OVERVIEW**


The Mayor is the Head of City Council the Chief Executive Officer (CEO) of the Corporation of the City of Windsor. As Head of Council he presides over all meetings of Council. The Mayor ensures that the laws governing the Municipality are properly executed and enforced. The Mayor has primary responsibility for seeing that the policies of the Municipality are implemented, and he works closely with Council to ensure that this occurs.

As CEO, the Mayor has responsibility for all actions taken on behalf of the municipal corporation. Based on the approval of Council, the Mayor has responsibility for directing municipal spending priorities in accordance with local needs and preferences, and oversees the Municipality's administration to ensure that all actions taken by administration are consistent with Council policies.

The Mayor has a staff of contract employees hired directly by the Mayor to facilitate the operations of the Mayor's Office.

Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	\$0	\$0	\$0	\$0
Annual Expense Budget	\$905,325	\$1,455,705	\$505,705	\$504,338
<b>Annual Net Budget</b>	<b>\$905,325</b>	<b>\$1,455,705</b>	<b>\$505,705</b>	<b>\$504,338</b>
<b>Annual Net Variance</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Variance as a % of Gross Budget</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>

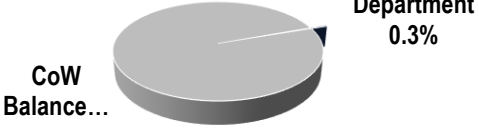
**2024 Budgeted Full Time Equivalent (FTE)**



<b>FTE</b>
n/a

**2024 Portion of Net Municipal Tax Levy**

<b>Department</b>	<b>CoW Balance</b>	<b>Net Levy</b>
\$504,893	\$431,740,425	\$432,245,318



Department 0.3%

CoW Balance...

**2024 Year-End Projection: \$0**

**Second Quarter**

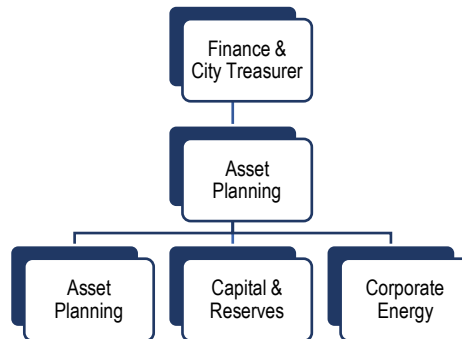
**VARIANCE SUMMARY & DESCRIPTION**

A year-end variance is not projected at this time.

## Asset Planning


### DEPARTMENTAL OVERVIEW

The Asset Planning department provides asset planning, capital budget development and monitoring, corporate energy management services and capital grant funding programs to the organization.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	n/a	n/a	(\$1,010,920)	(\$803,211)
Annual Expense Budget	n/a	n/a	\$1,875,527	\$1,547,581
<b>Annual Net Budget</b>	<b>n/a</b>	<b>n/a</b>	<b>\$864,607</b>	<b>\$744,370</b>
Annual Net Variance	n/a	n/a	(\$35,651)	\$72,293
Variance as a % of Gross Budget	n/a	n/a	(1.9%)	4.7%

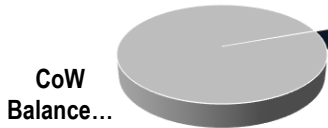
#### 2024 Budgeted Full Time Equivalent (FTE)



Management:	<u>FTE</u> 4.0
Non-Union:	6.0
<b>Total</b>	<b>10.0</b>

#### 2024 Portion of Net Municipal Tax Levy

<u>Department</u>	<u>CoW Balance</u>	<u>Net Levy</u>
\$739,513	\$431,505,805	\$432,245,318



**Department**  
**0.2%**

## 2024 Year-End Projection: \$0

Third Quarter

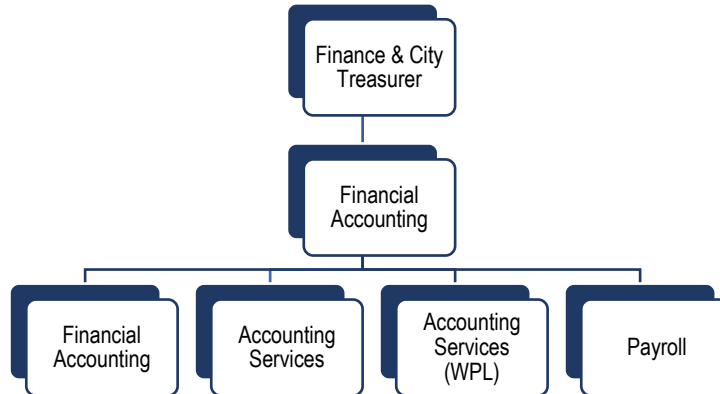
### VARIANCE SUMMARY & DESCRIPTION

A year-end variance is not projected at this time.

## Financial Accounting


### DEPARTMENTAL OVERVIEW

The Accounting department provides accounts payable, accounts receivable, accounting and payroll services to the organization.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	n/a	n/a	(\$833,103)	(\$632,556)
Annual Expense Budget	n/a	n/a	\$3,162,235	\$3,218,530
<b>Annual Net Budget</b>	<b>n/a</b>	<b>n/a</b>	<b>\$2,329,132</b>	<b>\$2,585,974</b>
<b>Annual Net Variance</b>	<b>n/a</b>	<b>n/a</b>	<b>\$55,004</b>	<b>\$0</b>
<b>Variance as a % of Gross Budget</b>	<b>n/a</b>	<b>n/a</b>	<b>1.7%</b>	<b>0.0%</b>

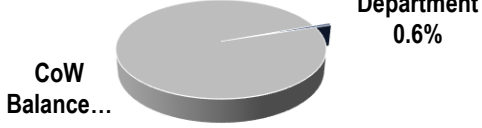
#### 2024 Budgeted Full Time Equivalent (FTE)



	<u>FTE</u>
Management:	6.0
Non-Union:	6.0
Local 543:	17.0
<b>Total</b>	<b>29.0</b>

#### 2024 Portion of Net Municipal Tax Levy

<u>Department</u>	<u>CoW Balance</u>	<u>Net Levy</u>
\$2,731,303	\$429,514,015	\$432,245,318



CoW Balance... Department 0.6%

## 2024 Year-End Projection: \$0

### Third Quarter

### VARIANCE SUMMARY & DESCRIPTION

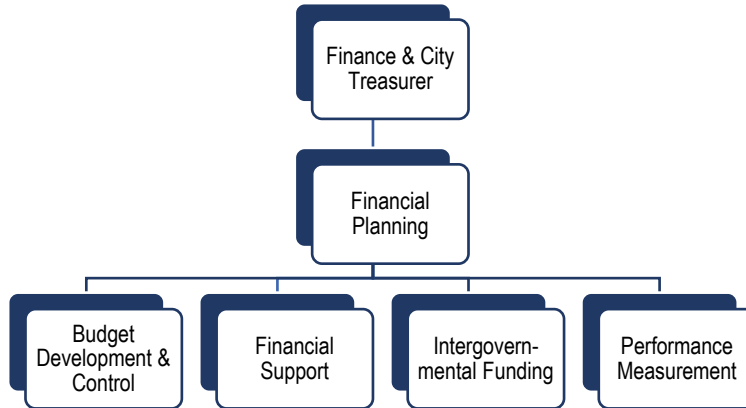
A year-end variance is not projected at this time.



**Financial Planning**


**DEPARTMENTAL OVERVIEW**

The Financial Planning department provides operating budget development and monitoring services along with performance measurement and overall financial planning leadership for the Corporation and Council.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	n/a	n/a	(\$1,125,237)	(\$1,258,340)
Annual Expense Budget	n/a	n/a	\$3,971,534	\$4,270,004
<b>Annual Net Budget</b>	<b>n/a</b>	<b>n/a</b>	<b>\$2,846,297</b>	<b>\$3,011,664</b>
<b>Annual Net Variance</b>	<b>n/a</b>	<b>n/a</b>	<b>\$100,336</b>	<b>(\$71,298)</b>
<b>Variance as a % of Gross Budget</b>	<b>n/a</b>	<b>n/a</b>	<b>2.5%</b>	<b>(1.7%)</b>

**2024 Budgeted Full Time Equivalent (FTE)**

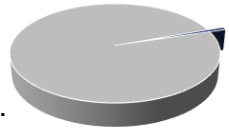


	FTE
Management:	6.0
Non-Union:	26.0
Local 543:	3.0
<b>Total</b>	<b>35.0</b>

**2024 Portion of Net Municipal Tax Levy**

Department	CoW Balance	Net Levy
\$3,379,996	\$428,865,322	\$432,245,318

Department 0.8%



CoW Balance...

**2024 Year-End Projection: \$100,000**

**Third Quarter Surplus**

**Financial Planning**

**VARIANCE SUMMARY & DESCRIPTION**

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Expenses:</b>				
Minor Capital	n/a	(\$10,000)	\$0	
Salaries & Benefits	n/a	\$50,000	\$100,000	
Other Miscellaneous Expenditures	n/a	(\$12,000)	\$0	
<b>Net Total</b>	<b>n/a</b>	<b>\$28,000</b>	<b>\$100,000</b>	<b>\$0</b>

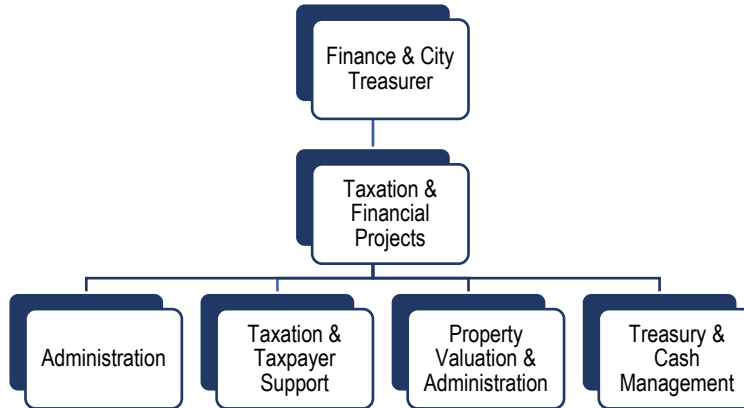
<b>Salaries &amp; Benefits</b>	<b>\$100,000</b>
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A year-end surplus of \$100,000 in Salaries is being projected as a result of gapping.

**Taxation & Financial Projects**


**DEPARTMENTAL OVERVIEW**

The Taxation department provides property billing and tax collection services, cash management and leadership on corporate financial projects.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	n/a	n/a	(\$2,870,561)	(\$3,006,735)
Annual Expense Budget	n/a	n/a	\$3,475,392	\$3,704,444
<b>Annual Net Budget</b>	<b>n/a</b>	<b>n/a</b>	<b>\$604,831</b>	<b>\$697,709</b>
<b>Annual Net Variance</b>	<b>n/a</b>	<b>n/a</b>	<b>(\$268,259)</b>	<b>(\$241,779)</b>
<b>Variance as a % of Gross Budget</b>	<b>n/a</b>	<b>n/a</b>	<b>(7.7%)</b>	<b>(6.5%)</b>

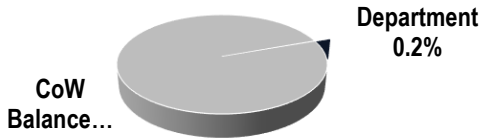
**2024 Budgeted Full Time Equivalent (FTE)**



	FTE
Sr. Mngr.	1.0
Management:	5.0
Non-Union:	11.0
Local 543:	14.0
<b>Total</b>	<b>31.0</b>

**2024 Portion of Net Municipal Tax Levy**

Department	CoW Balance	Net Levy
\$649,312	\$431,596,006	\$432,245,318



Department **0.2%**

CoW Balance...

**2024 Year-End Projection: (\$500,000)**

**Third Quarter Deficit**

## Taxation & Financial Projects

### VARIANCE SUMMARY & DESCRIPTION

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
User Fees, Permits & Charges	n/a	(\$565,000)	(\$498,000)	
<b>Expenses:</b>				
Purchased Services	n/a	(\$50,000)	(\$58,000)	
Salaries & Benefits	n/a	\$33,000	\$56,000	
<b>Net Total</b>	<b>n/a</b>	<b>(\$582,000)</b>	<b>(\$500,000)</b>	<b>\$0</b>

<b>User Fees, Permits &amp; Charges</b>	<b>(\$498,000)</b>
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A year-end deficit of (\$498,000) is projected for net external revenues as a result of lower than anticipated volume of transactions.

<b>Purchased Services</b>	<b>(\$58,000)</b>
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A year-end deficit of (\$58,000) is projected for Purchased Services as a result of anticipated postage & courier, imaging & printing, other professional services including armoured car services and mailing services related to property tax billings.

<b>Salaries &amp; Benefits</b>	<b>\$56,000</b>
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A year-end surplus of \$56,000 is projected within Salaries & Benefits a result of staff gapping.

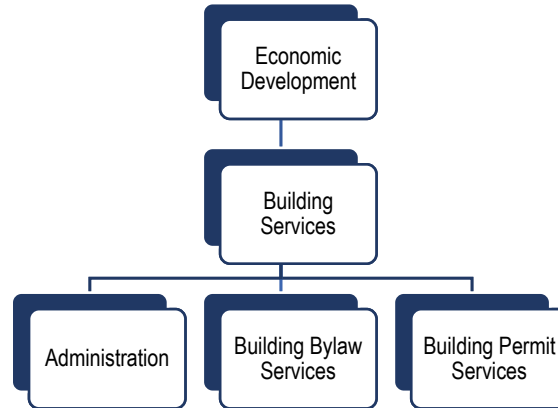
### MITIGATING MEASURES

Every effort will be made where possible to limit spending on discretionary expenses in order to minimize the impact of this deficit, however, revenues are subject to external factors which are beyond the control of the department.

**Building Services**


**DEPARTMENTAL OVERVIEW**

Building Services is responsible for the application and enforcement of the Ontario Building Code and property related Municipal Bylaws. This includes issuing permits and performing inspections for all construction projects, and investigating and enforcing maintenance & land use Bylaws for all private properties.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	n/a	(\$5,779,256)	(\$5,842,761)	(\$7,320,864)
Annual Expense Budget	n/a	\$7,752,491	\$7,871,886	\$8,633,939
<b>Annual Net Budget</b>	<b>n/a</b>	<b>\$1,973,235</b>	<b>\$2,029,125</b>	<b>\$1,313,075</b>
<b>Annual Net Variance</b>	<b>n/a</b>	<b>\$61,833</b>	<b>(\$113,227)</b>	<b>(\$162,074)</b>
<b>Variance as a % of Gross Budget</b>	<b>n/a</b>	<b>0.8%</b>	<b>(1.4%)</b>	<b>(1.9%)</b>

**2024 Budgeted Full Time Equivalent (FTE)**

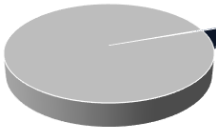


	FTE
Management:	10.0
Non-Union	9.0
Local 543:	<u>52.0</u>
<b>Total</b>	<b>71.0</b>

**2024 Portion of Net Municipal Tax Levy**

Department	CoW Balance	Net Levy
\$1,449,696	\$430,795,622	\$432,245,318

Department 0.3%



CoW Balance...

**2024 Year-End Projection: (\$141,000)**

**Third Quarter Deficit**

## Building Services

### VARIANCE SUMMARY & DESCRIPTION

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
User Fees, Permits & Charges	n/a	(\$364,000)	(\$525,000)	
<b>Expenses:</b>				
Financial Expenses	n/a	(\$7,000)	(\$8,000)	
Minor Capital	n/a	(\$2,000)	\$0	
Operating & Maintenance Supplies	n/a	\$1,000	\$0	
Purchased Services	n/a	\$21,000	\$29,000	
Salaries & Benefits	n/a	\$240,000	\$363,000	
Other Miscellaneous Expenditures	n/a	(\$60,000)		
<b>Net Total</b>	<b>n/a</b>	<b>(\$171,000)</b>	<b>(\$141,000)</b>	<b>\$0</b>

<b>User Fees, Permits &amp; Charges</b>	<b>(\$525,000)</b>
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The Building By-Law Division is expecting a revenue shortfall by year end due to fewer number of orders levied by By-Law Officers given the greater emphasis by By-Law Officers put on home owner education work versus enforcement. In addition, a revenue deficit for Residential Rental Licensing of \$185,000 is projected due to a legal challenge from local landlords that has delayed the full implementation of the pilot program.

<b>Financial Expenses</b>	<b>(\$8,000)</b>
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The Building department is expecting to end the year with a deficit of (\$8,000) in Financial Expenses due to the higher number of credit card transaction charges that are anticipated in 2024.

<b>Purchased Services</b>	<b>\$29,000</b>
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The surplus in Purchased Services is due to Building Inspections fleet rental fees projected to be lower than budgeted.

<b>Salaries &amp; Benefits</b>	<b>\$363,000</b>
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A year-end surplus of \$363,000 is projected due to salary gapping.

### MITIGATING MEASURES

The Department is actively recruiting new By-Law Officers which would assist the department in increasing the number of inspections and therefore, increase user fee revenue.

**Economic Development**


**DEPARTMENTAL OVERVIEW**

Economic Development is responsible for attracting new business development to the region and helping retain existing businesses that foster a vibrant, economically diverse city.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	n/a	n/a	\$0	(\$263,523)
Annual Expense Budget	n/a	n/a	\$1,364,556	\$2,116,390
<b>Annual Net Budget</b>	<b>n/a</b>	<b>n/a</b>	<b>\$1,364,556</b>	<b>\$1,852,867</b>
<b>Annual Net Variance</b>	<b>n/a</b>	<b>n/a</b>	<b>\$0</b>	<b>\$491,637</b>
<b>Variance as a % of Gross Budget</b>	<b>n/a</b>	<b>n/a</b>	<b>0.0%</b>	<b>23.2%</b>

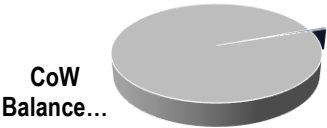
**2024 Budgeted Full Time Equivalent (FTE)**



	FTE
Sr. Mngr.	1.0
Management:	2.0
Non-Union:	5.0
Local 543:	<u>2.0</u>
<b>Total</b>	<b>10.0</b>

**2024 Portion of Net Municipal Tax Levy**

Department	CoW Balance	Net Levy
\$2,194,123	\$430,051,195	\$432,245,318



Department 0.5%

**2024 Year-End Projection: \$0**

**Third Quarter**

## Economic Development

### VARIANCE SUMMARY & DESCRIPTION

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
Other Miscellaneous Revenue	n/a	\$10,000	\$10,000	
<b>Expenses:</b>				
Minor Capital	n/a	(\$11,300)	(\$11,300)	
Operating & Maintenance Supplies	n/a	\$20,700	\$22,400	
Purchased Services	n/a	\$45,900	\$46,800	
Salaries & Benefits	n/a	\$300,000	\$154,100	
Transfers to Reserves & Capital Funds	n/a	(\$365,300)	(\$217,200)	
Other Miscellaneous Expenditures	n/a	\$0	(\$4,800)	
<b>Net Total</b>	<b>n/a</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>Other Miscellaneous Revenue</b>	<b>\$10,000</b>
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The surplus in revenue is related to a one-time \$10,000 payment received from Enbridge as a Municipal incentive for municipal climate action.

<b>Minor Capital</b>	<b>(\$11,300)</b>
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The projected deficit for year end is (\$11,300) which is mainly to due to the start up cost of ergonomics office equipment and laptops purchased for new employees.

<b>Operating &amp; Maintenance Supplies</b>	<b>\$22,400</b>
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The overall projected surplus for year end is \$22,400 which mainly due to program supplies and promotional material & products being under-spent.

<b>Purchased Services</b>	<b>\$46,800</b>
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A surplus of \$46,800 is projected for the end of the year mainly due to external professional services fees that are not anticipated to be utilized.

<b>Salaries &amp; Benefits</b>	<b>\$154,100</b>
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A year-end surplus of \$154,100 is projected due to salary gapping.

<b>Transfers to Reserves &amp; Capital Funds</b>	<b>(\$217,200)</b>
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As the Economic Development Office continues to build itself to full staffing capacity, the balance of staffing related costs will be requested to be carried forward until such time that the department is at its full staffing level.

<b>Other Miscellaneous Expenditures</b>	<b>(\$4,800)</b>
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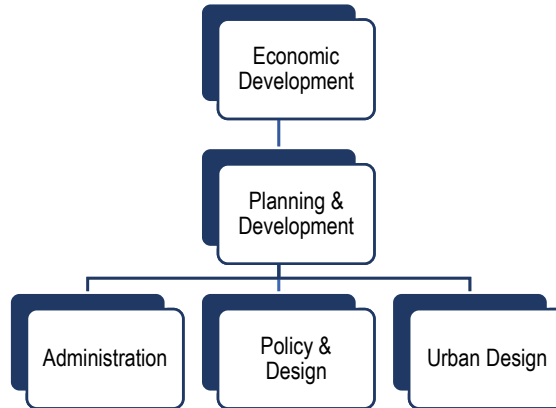
The projected deficit for year end is (\$4,800) which is mainly due to memberships fees, dues and training being over spent.



**Planning & Development**


**DEPARTMENTAL OVERVIEW**

Planning Services is responsible for the preparation and implementation of plans regarding land use and development including the Official Plan & Zoning By-law. The division reviews, processes and makes recommendations to Council on land development applications as set out in the Planning Act of Ontario.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	n/a	(\$897,846)	(\$934,271)	(\$1,850,430)
Annual Expense Budget	n/a	\$4,059,564	\$4,109,297	\$5,178,686
<b>Annual Net Budget</b>	<b>n/a</b>	<b>\$3,161,718</b>	<b>\$3,175,026</b>	<b>\$3,328,256</b>
<b>Annual Net Variance</b>	<b>n/a</b>	<b>\$793,151</b>	<b>\$622,677</b>	<b>\$92,214</b>
<b>Variance as a % of Gross Budget</b>	<b>n/a</b>	<b>19.5%</b>	<b>15.2%</b>	<b>1.8%</b>

**2024 Budgeted Full Time Equivalent (FTE)**

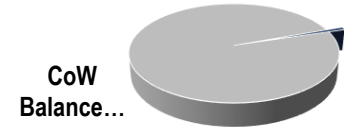


	FTE
Management:	6.0
Non-Union	21.0
Local 543:	11.0
<b>Total</b>	<b>38.0</b>

**2024 Portion of Net Municipal Tax Levy**

Department	CoW Balance	Net Levy
\$3,560,106	\$428,685,212	\$432,245,318

Department 0.8%



**2024 Year-End Projection: \$0**

**Third Quarter**

**Planning & Development**

**VARIANCE SUMMARY & DESCRIPTION**

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
User Fees, Permits & Charges	n/a	(\$662,000)	(\$681,200)	
<b>Expenses:</b>				
Financial Expenses	n/a	\$0	(\$8,300)	
Minor Capital	n/a	\$0	\$0	
Operating & Maintenance Supplies	n/a	\$14,000	\$13,300	
Purchased Services	n/a	\$21,000	(\$21,100)	
Salaries & Benefits	n/a	\$630,000	\$691,400	
Other Miscellaneous Expenditures	n/a	\$7,000	\$5,900	
<b>Net Total</b>	<b>n/a</b>	<b>\$10,000</b>	<b>\$0</b>	<b>\$0</b>

**User Fees, Permits & Charges (\$681,200)**

Revenues related to planning applications are expected to be in a deficit in 2024. While applications are expected to be processed on time, the current fee levels are not sufficient to fully recover services costs.

**Financial Expenses (\$8,300)**

A deficit is anticipated as expenditures related to credit card fees on revenue transactions.

**Operating & Maintenance Supplies \$13,300**

A surplus is anticipated as expenditures related to maintenance and office supplies are likely to be under-spent.

**Purchased Services (\$21,100)**

A deficit in legal and document registration expenses is expected in 2024 but will be offset by a surplus projected in maintenance and supply expenditures that will not be fully spent.

**Salaries & Benefits \$691,400**

A year-end surplus of \$691,400 is being projected due to salary gapping.

**Other Miscellaneous Expenditures \$5,900**

An anticipated surplus in miscellaneous expenditures is anticipated as a result of public relations related expenses that will not be incurred.

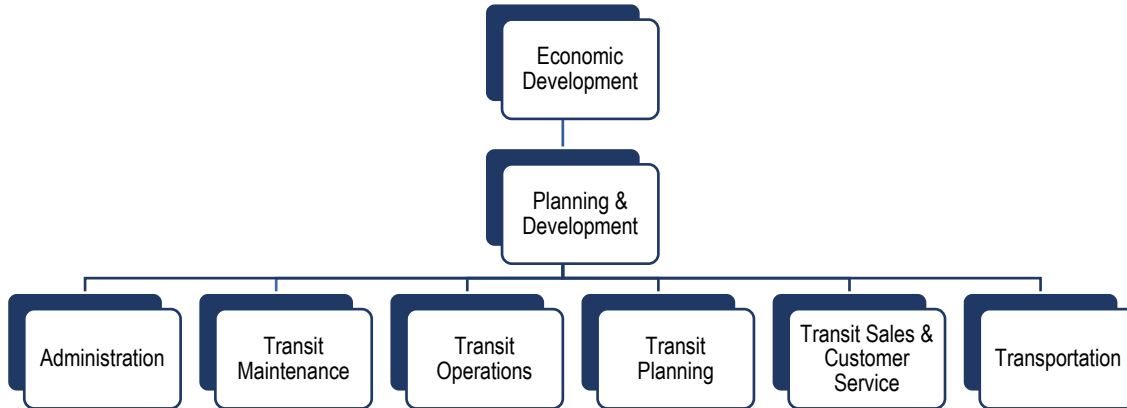
**Mitigating Steps**

The Planning department is currently working with an outside consultant to review their current user fee so the department actual planning application fees can be in line with revenue budgets.

**Transit Windsor**


**DEPARTMENTAL OVERVIEW**

Transit Services provides residents of and visitors to the City with a variety of transit options that allow for mobility throughout the City for various purposes (employment, school, health care, shopping, etc.).



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	(\$21,175,090)	(\$21,264,650)	(\$22,896,391)	(\$24,776,135)
Annual Expense Budget	\$36,294,433	\$36,851,094	\$39,317,934	\$42,357,601
<b>Annual Net Budget</b>	<b>\$15,119,343</b>	<b>\$15,586,444</b>	<b>\$16,421,543</b>	<b>\$17,581,466</b>
<b>Annual Net Variance</b>	<b>\$658,202</b>	<b>\$792,839</b>	<b>(\$1,048,416)</b>	<b>(\$2,605,339)</b>
<b>Variance as a % of Gross Budget</b>	<b>1.8%</b>	<b>2.2%</b>	<b>(2.7%)</b>	<b>(6.2%)</b>

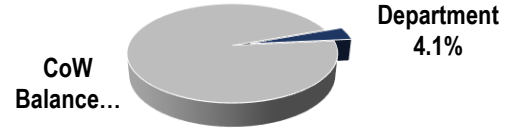
**2024 Budgeted Full Time Equivalent (FTE)**



	FTE
Management:	14.0
Non-Union	18.0
Hourly:	271.0
<b>Total</b>	<b>303.0</b>

**2024 Portion of Net Municipal Tax Levy**

Department	CoW Balance	Net Levy
\$17,618,928	\$414,626,390	\$432,245,318



**2024 Year-End Projection: \$0**

**Third Quarter**

**Transit Windsor**

**VARIANCE SUMMARY & DESCRIPTION**

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
Grants & Subsidies	n/a	(\$1,186,000)	(\$1,186,000)	
User Fees, Permits & Charges	n/a	(\$124,000)	(\$566,200)	
<b>Expenses:</b>				
Operating & Maintenance Supplies	n/a	\$1,931,000	\$1,748,400	
Purchased Services	n/a	\$94,000	\$3,800	
Salaries & Benefits	n/a	(\$715,000)	\$0	
<b>Net Total</b>	<b>n/a</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Grants & Subsidies (\$1,186,000)**

Transit Windsor is projecting a deficit of (\$1,186,000) in this category. This is on account of an increase to the Gas Tax revenue budget that was anticipated gas tax funding based on increased overall ridership experienced in 2023. As per the 2023/24 Gas Tax letter received by the City, the actual funding approved was substantially lower.

**User Fees, Permits & Charges (\$566,200)**

Transit Windsor is projecting a deficit of (\$566,200) for Transit related revenue. One of the main factors contributing to this deficit is a reduction in ridership on the Tunnel Bus route compared to pre-pandemic levels. Another main factor contributing to this deficit is a delay in the implementation of elements of recent Transit Windsor Service Plan changes. The remainder of the service changes are anticipated to be launched in the fall of 2024, thereby increasing the projected revenue deficit from the Q2 projection. These revenue shortfalls due to the service implementation delays also result in expenditure savings in the operating & maintenance supplies category, as identified in other categories below.

Transit Windsor has continued to see a sharp rise in student ridership, coinciding with the influx of international students. The increased student ridership rates are anticipated to continue for the remainder of the year. These increases have helped reduce the overall projected revenue deficit. One time funding of \$731,000 was approved in the 2024 Operating budget to address the shortfall related to Ontario Works revenue loss. Once this one-time funding is applied, the projected year end net revenue loss is projected at (\$566,200). Recovery from one-time funding will only occur if the department ends the year in a deficit position.

**Operating & Maintenance Supplies \$1,748,400**

A projected surplus of approximately \$1,748,400 related to operating & maintenance supplies is expected for 2024. This surplus can be mainly attributed to reduction in fuel prices as compared to budget, as well a slower than budgeted consumption given the delay in implementing certain Transit Windsor Service Plan changes. Other contributing factors to this surplus are lower than anticipated expenditures related to vehicle maintenance and parts, Oil and lubricants as well as program supplies given Special Events recent move to an online booking system.

**Transit Windsor**

**Purchased Services \$3,800**

Transit is projecting a net surplus of \$3,800 under this category, comprised of surpluses attributable to reduced toll expenses due to service changes on the Tunnel Bus and lower than anticipated spending in Advertising. Slightly offsetting these surpluses is a projected deficit in security costs. The hourly cost for security staff has increased and the need for additional security in the Downtown Windsor Terminal due to security reasons also has increased. Additionally, during the Transit collective bargaining negotiations, additional security services were contracted, which were one-time costs that were not budgeted.

**Salaries & Benefits \$0**

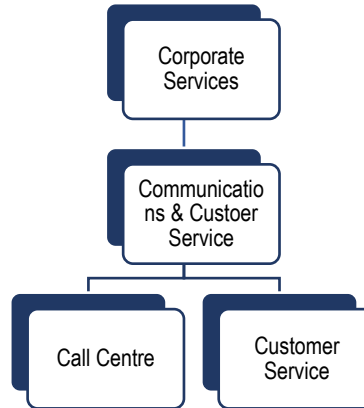
Transit Windsor is projecting no variance in this account after applying one time time funding approved in the 2024 Operating Budget. Prior to applying this one time funding, this account is projecting a deficit of (\$275,900) in overall Salaries and Wages for 2024. This deficit is mainly attributable to additional wages paid (projected at \$1.5 million at year-end) due to new legislation recently passed, which mandates 10 medical leave days to be paid by federally regulated employers. One time funding of up to \$1.2 million has been approved as part of the 2024 operating budget process. Recovery from one-time funding will only occur if the department ends the year in a deficit position.

Slightly offsetting this deficit are net savings in salaries attributable to gapping for new positions approved for Transit Windsor Service Plans. A delay in implementing the Service Plan changes has resulted in recruitments being completed later than planned. The other factor for these savings is attributable to other vacant positions filled by new/temporary staff who are hired at lower steps than the budgeted levels.

**Communications**


**DEPARTMENTAL OVERVIEW**

The Communications Department is the primary point of contact for communication and customer service, internally and externally including the 211/311 Contact Centre, for the City of Windsor.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	(\$722,783)	(\$722,465)	(\$715,502)	(\$718,928)
Annual Expense Budget	\$3,826,234	\$3,914,452	\$4,058,175	\$4,264,283
<b>Annual Net Budget</b>	<b>\$3,103,451</b>	<b>\$3,191,987</b>	<b>\$3,342,673</b>	<b>\$3,545,355</b>
<b>Annual Net Variance</b>	n/a	(\$68,774)	(\$112,141)	\$58,880
<b>Variance as a % of Gross Budget</b>	n/a	(1.8%)	(2.8%)	1.4%

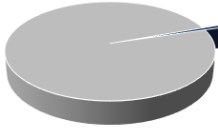
**2024 Budgeted Full Time Equivalent (FTE)**



	<b>FTE</b>
Management:	4.0
Non-Union:	8.0
Local 543:	17.0
<b>Total</b>	<b>29.0</b>

**2024 Portion of Net Municipal Tax Levy**

<b>Department</b>	<b>CoW Balance</b>	<b>Net Levy</b>
\$3,693,768	\$428,551,550	\$432,245,318



CoW Balance...      **Department 0.9%**

**2024 Year-End Projection:      \$122,000**

**Third Quarter      Surplus**

## Communications

### VARIANCE SUMMARY & DESCRIPTION

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
Other Miscellaneous Revenue	n/a	\$22,000	\$27,000	
<b>Expenses:</b>				
Purchased Services	n/a	\$55,000	\$17,000	
Salaries & Benefits	n/a	\$0	\$78,000	
<b>Net Total</b>	<b>n/a</b>	<b>\$77,000</b>	<b>\$122,000</b>	<b>\$0</b>

<b>Other Miscellaneous Revenue</b>	<b>\$27,000</b>
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The other Miscellaneous Revenues is expected to be in a surplus as the "Ontario 211 Services agreement" has variable funding approved for several initiatives outside of the regular monthly RSP Funding Schedule budget.

<b>Purchased Services</b>	<b>\$17,000</b>
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The surplus is a result of 2024 Motorola invoice being processed in 2023.

<b>Salaries &amp; Benefits</b>	<b>\$78,000</b>
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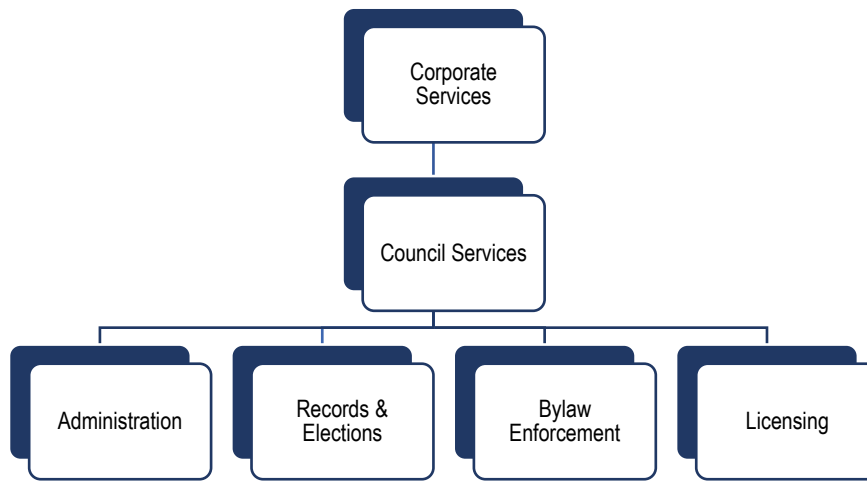
The department is projecting a surplus of approximately \$78,000 in Salaries and Benefits at the end of 2024, due to gapping savings in various positions.

**Council Services**

**DEPARTMENTAL OVERVIEW**


The Council Services Department administers the city’s legislative processes including Elections, Council and Committee meetings, and the maintenance of public records, as a service to City Council, Administration and the citizens of the City of Windsor.

Licensing & By-Law Enforcement oversees several categories of business licenses and enforcement of the licensing and various regulatory by-laws to ensure compliance and public health and safety. For example, public vehicles, hospitality, lodging, dirty yards etc. Coordinate licensing hearings for the Windsor Licensing Commission. Also acts as gaming regulator for the AGCO/OLG i.e. Bingo, raffles.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	n/a	(\$2,983,945)	(\$3,203,000)	(\$2,965,377)
Annual Expense Budget	n/a	\$6,732,357	\$6,585,297	\$6,646,823
<b>Annual Net Budget</b>	<b>n/a</b>	<b>\$3,748,412</b>	<b>\$3,382,297</b>	<b>\$3,681,446</b>
<b>Annual Net Variance</b>	<b>n/a</b>	<b>(\$484,420)</b>	<b>(\$395,074)</b>	<b>\$187,943</b>
<b>Variance as a % of Gross Budget</b>	<b>n/a</b>	<b>(7.2%)</b>	<b>(6.0%)</b>	<b>2.8%</b>

**2024 Budgeted Full Time Equivalent (FTE)**

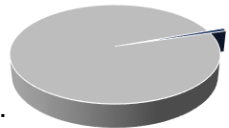


	FTE
Management:	7.0
Non-Union	4.0
Local 543:	34.0
<b>Total</b>	<b>45.0</b>

**2024 Portion of Net Municipal Tax Levy**

Department	CoW Balance	Net Levy
\$4,013,349	\$428,231,969	\$432,245,318

Department 0.9%



CoW Balance...



**Council Services**

2024 Year-End Projection:	\$294,000
Second Quarter	Surplus

**VARIANCE SUMMARY & DESCRIPTION**

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
Recovery of Expenditures	n/a	\$5,000	\$5,000	
User Fees, Permits & Charges	n/a	(\$230,000)	(\$278,000)	
Other Miscellaneous Revenue	n/a	(\$30,000)	(\$29,000)	
<b>Expenses:</b>				
Minor Capital	n/a	\$10,000	\$8,000	
Operating & Maintenance Supplies	n/a	(\$12,000)	(\$7,000)	
Purchased Services	n/a	\$223,000	\$206,000	
Salaries & Benefits	n/a	\$91,000	\$323,000	
Other Miscellaneous Expenditures	n/a	\$10,000	\$66,000	
<b>Net Total</b>	<b>n/a</b>	<b>\$67,000</b>	<b>\$294,000</b>	<b>\$0</b>

**Recovery of Expenditures                                  \$5,000**

A minor surplus is expected in Recovery of Expenditures due to unanticipated salary recoveries.

**User Fees, Permits & Charges                                  (\$278,000)**

The projected deficit in User Fees, Permits & Charges is largely due to reduced by-law enforcement revenue generated from the Division’s Repeat Offender Fee for land maintenance matters. This penalty fee has been in place since 2019 and was adopted by Council as a deterrent to property owners who may fail to maintain their property. The original revenue was projected based on the number of work orders that were issued in the previous year. Fewer orders to comply are being issued, therefore less repeat offender fees are being charged, which corresponds with the original intent of the fee.

The number of residential rental licence applications has been lower than originally projected due to the ongoing litigation and court decision appeal. Although the by-law is still in place and the program remains active, the City is currently standing down on enforcement measures and has been actively encouraging and educating potential licensees of the by-law licensing requirements.

Helping offset this deficit is increased revenue from Information and Records User fees for Death Registrations, Civil Ceremonies, FOI etc. The licensing department business licenses are also helping offset the deficit by creating a new license agreement with Lyft and increased quarterly trip count payments from Uber. The lottery licenses have also more than recovered since the pandemic and are bringing in a surplus of revenue.

## Council Services

<b>Other Miscellaneous Revenue</b>	<b>(\$29,000)</b>
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A projected deficit in other miscellaneous revenue is due to reduced re-inspection fee revenue being generated.

<b>Minor Capital</b>	<b>\$8,000</b>
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A surplus is projected in Minor Capital due to lower expenditures.

<b>Operating &amp; Maintenance Supplies</b>	<b>(\$7,000)</b>
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A deficit in operating and maintenance supplies is mainly due to the purchase of unanticipated office supplies purchased for the By Law Enforcement division.

<b>Purchased Services</b>	<b>\$206,000</b>
---------------------------	------------------

A surplus is projected in Purchased Services due to several factors which include Humane Society Animal Control contract, less revenue sharing related to the Humane Society dog licenses contract, as well as surpluses in the Civic Corner Advertising (Windsor Star Ads) and Printing Services and Mail Room Budgets due to digitization efforts.

<b>Salaries &amp; Benefits</b>	<b>\$323,000</b>
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The projected surplus in Salary & Benefits is due to gapping mainly in the Licensing & Enforcement, Info & Records Mgmt and By-Law divisions. Temporary positions for the Residential Rental Licensing Program are also vacant.

<b>Other Miscellaneous Expenditures</b>	<b>\$66,000</b>
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A surplus is projected in Other Miscellaneous Expenditures due to surpluses items such as membership fees, conference registrations and training courses. The contingency budget for the Residential Licensing Program also has zero expenses due to the on-going litigation.

## Equity & Diversity


### DEPARTMENTAL OVERVIEW

The Equity, Diversity, and Inclusion (EDI) department is committed to fostering a culture of equality, respect, and inclusivity within our organization. Our mission is to cultivate an environment where every individual feels valued, respected, and empowered to contribute their unique perspectives and talents while striving to eliminate discrimination, bias, and systemic barriers that may impede the full participation and advancement of individuals from underrepresented groups.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	n/a	n/a	n/a	n/a
Annual Expense Budget	n/a	n/a	n/a	n/a
<b>Annual Net Budget</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>
<b>Annual Net Variance</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>
<b>Variance as a % of Gross Budget</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>

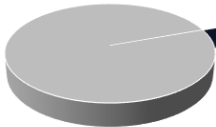
### 2024 Budgeted Full Time Equivalent (FTE)



	FTE
Management:	1.0
Non-Union:	1.0
<b>Total:</b>	<b>2.0</b>

### 2024 Portion of Net Municipal Tax Levy

Department	CoW Balance	Net Levy
\$359,072	\$431,886,246	\$432,245,318



CoW Balance...

Department  
0.1%

## 2024 Year-End Projection:

**Third Quarter**

# \$105,000

**Surplus**

## Equity & Diversity

### VARIANCE SUMMARY & DESCRIPTION

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Expenses:</b>				
Minor Capital	n/a	\$0	\$10,000	
Operating & Maintenance Supplies	n/a	(\$10,000)	\$1,000	
Purchased Services	n/a	(\$9,000)	(\$9,000)	
Salaries & Benefits	n/a	\$75,000	\$103,000	
<b>Net Total</b>	<b>n/a</b>	<b>\$56,000</b>	<b>\$105,000</b>	<b>\$0</b>

<b>Minor Capital</b>	<b>\$10,000</b>
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A year-end surplus of \$10,000 is projected for Minor Capital due to a surplus in Furniture and Fixtures as a result of the delayed hiring of the Executive Director of Diversity, Equity and Inclusion.

<b>Operating &amp; Maintenance Supplies</b>	<b>\$1,000</b>
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A year-end surplus of \$1,000 is projected for Operating & Maintenance in Office Supplies and Program Supplies and as a result of the delayed hiring of the Executive Director of Diversity, Equity and Inclusion.

<b>Purchased Services</b>	<b>(\$9,000)</b>
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A year-end deficit of (\$9,000) is projected for Purchased Services as a result of the one time expenditure related to recruitment services provided by an outside agency for the position of Executive Director of Diversity, Equity and Inclusion.

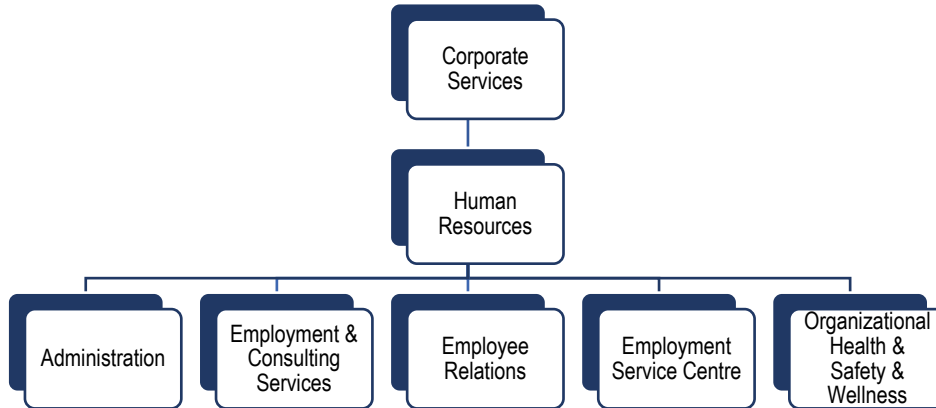
<b>Salaries &amp; Benefits</b>	<b>\$103,000</b>
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A year-end surplus of \$103,000 is projected for Salaries & Benefits a result of staff gapping.

## Human Resources


### DEPARTMENTAL OVERVIEW

The Human Resources Department provides various services such as recruitment, compensation management, benefit administration, health and safety initiatives, and employee relations. As an equal opportunity employer, the City's HR Department also endeavours to provide succession management, professional skills development, and mental health initiatives to our corporate employees and retirees.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	(\$663,879)	(\$408,842)	(\$919,342)	(\$842,764)
Annual Expense Budget	\$6,296,537	\$6,556,998	\$7,252,526	\$7,543,216
<b>Annual Net Budget</b>	<b>\$5,632,658</b>	<b>\$6,148,156</b>	<b>\$6,333,184</b>	<b>\$6,700,452</b>
<b>Annual Net Variance</b>	<b>\$36,310</b>	<b>\$6,783</b>	<b>\$4,009</b>	<b>(\$56,105)</b>
<b>Variance as a % of Gross Budget</b>	<b>0.6%</b>	<b>0.1%</b>	<b>0.1%</b>	<b>(0.7%)</b>

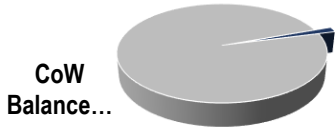
### 2024 Budgeted Full Time Equivalent (FTE)



Management:	<u>FTE</u>
Non-Union	<u>41.0</u>
<b>Total</b>	<b>47.0</b>

### 2024 Portion of Net Municipal Tax Levy

<u>Department</u>	<u>CoW Balance</u>	<u>Net Levy</u>
\$6,761,299	\$425,484,019	\$432,245,318



CoW Balance...      **Department 1.6%**

## 2024 Year-End Projection:

**Third Quarter**

## (\$353,000)

**Deficit**

## Human Resources

### VARIANCE SUMMARY & DESCRIPTION

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Expenses:</b>				
Minor Capital	n/a	\$4,000	\$7,000	
Operating & Maintenance Supplies	n/a	(\$2,000)	(\$4,000)	
Purchased Services	n/a	(\$307,000)	(\$276,000)	
Salaries & Benefits	n/a	(\$59,000)	(\$88,000)	
Other Miscellaneous Expenditures	n/a	\$11,000	\$8,000	
<b>Net Total</b>	<b>n/a</b>	<b>(\$353,000)</b>	<b>(\$353,000)</b>	<b>\$0</b>

<b>Minor Capital</b>	<b>\$7,000</b>
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A year-end surplus of \$7,000 is projected for Minor Capital a result of a surplus in Furniture and Furnishings.

<b>Operating &amp; Maintenance Supplies</b>	<b>(\$4,000)</b>
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A year-end deficit of (\$4,000) is projected for Operating & Maintenance Supplies as a result of ID badge supplies expenses.

<b>Purchased Services</b>	<b>(\$276,000)</b>
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A year-end deficit of (\$276,000) is projected for Purchased Services a result of anticipated external legal fees for investigations of workplace harassment and violence. There is currently no dedicated budget to fund these expenditures. These expenses are difficult to predict and fluctuate from year to year depending on both the number of complaints and cost of each investigation. The related costs are tracked and realized centrally in the Human Resource department.

<b>Salaries &amp; Benefits</b>	<b>(\$88,000)</b>
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A year-end deficit of (\$88,000) is projected for Salaries & Benefits is largely a result of a heavy work load position hired to complete critical tasks. Included in the Salaries & Benefits projection is one-time funding through BSR to fund a Human Resources Business Partner position and two Employee Relations Specialist positions.

<b>Other Miscellaneous Expenditures</b>	<b>\$8,000</b>
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A year-end surplus of \$8,000 is projected for Other Miscellaneous Expenditures as a result of a surplus in the Training Courses expense.

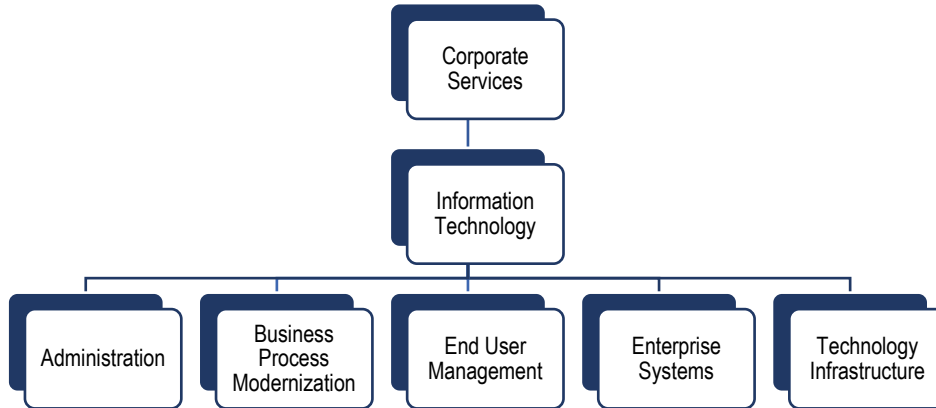
### MITIGATING MEASURES

Every effort will be made where possible to limit spending on discretionary expenses in order to minimize the impact of this deficit. New programs to assist in improving employee experiences are being implemented as previously outlined to City Council. Focused attention will be given to those departments where there are higher instances of complaints to proactively address conflict in the workplace.

## Information Technology


### DEPARTMENTAL OVERVIEW

*Provides technology planning, support and operations, which enables City services, and drives efficiencies. Committed to providing innovative, reliable, responsive and secure solutions that align business, process and technology. Provides and supports the systems, applications, computers, networks, data, internet access, security and policies that are critical to the delivery of City services.*



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	(\$1,275,439)	(\$1,362,554)	(\$1,709,375)	(\$1,709,375)
Annual Expense Budget	\$8,224,564	\$8,702,573	\$9,076,667	\$9,879,728
<b>Annual Net Budget</b>	<b>\$6,949,125</b>	<b>\$7,340,019</b>	<b>\$7,367,292</b>	<b>\$8,170,353</b>
<b>Annual Net Variance</b>	<b>\$32,736</b>	<b>\$179,778</b>	<b>(\$31,070)</b>	<b>\$181,264</b>
<b>Variance as a % of Gross Budget</b>	<b>0.4%</b>	<b>2.1%</b>	<b>(0.3%)</b>	<b>1.8%</b>

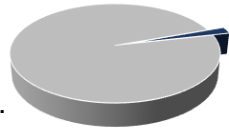
#### 2024 Budgeted Full Time Equivalent (FTE)



	<u>FTE</u>
Management:	13.0
Non-Union	16.0
Local 543:	<u>48.0</u>
<b>Total</b>	<b>77.0</b>

#### 2024 Portion of Net Municipal Tax Levy

<u>Department</u>	<u>CoW Balance</u>	<u>Net Levy</u>
\$8,920,319	\$423,324,999	\$432,245,318



CoW Balance... Department 2.1%

## 2024 Year-End Projection:

**Second Quarter**

## \$40,000

**Surplus**

**Information Technology**

**VARIANCE SUMMARY & DESCRIPTION**

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
User Fees, Permits & Charges	n/a	(\$20,000)	(\$20,000)	
<b>Expenses:</b>				
Minor Capital	n/a	\$10,000	\$10,000	
Purchased Services	n/a	\$25,000	\$30,000	
Salaries & Benefits	n/a	(\$60,000)	(\$25,000)	
Other Miscellaneous Expenditures	n/a	\$45,000	\$45,000	
<b>Net Total</b>	<b>n/a</b>	<b>\$0</b>	<b>\$40,000</b>	<b>\$0</b>

**User Fees, Permits & Charges (\$20,000)**

A year end deficit in User Fees, Permits & Charges is projected due to lower than budgeted revenues tied to externally driven sources.

**Minor Capital \$10,000**

A slight surplus in Minor Capital expenses is anticipated due to pooled data for air cards used for mobile devices in the field.

**Purchased Services \$30,000**

Purchased Services are anticipated to end the year in a slight surplus position mainly due to line items such as travel, business meetings and some one-time savings in software maintenance not incurred.

**Salaries & Benefits (\$25,000)**

A slight deficit of approximately (\$25,000) in salary and wages is projected at year-end as a result of hiring of heavy workload and co-op students to assist with critical projects in some divisions.

**Other Miscellaneous Expenditures \$45,000**

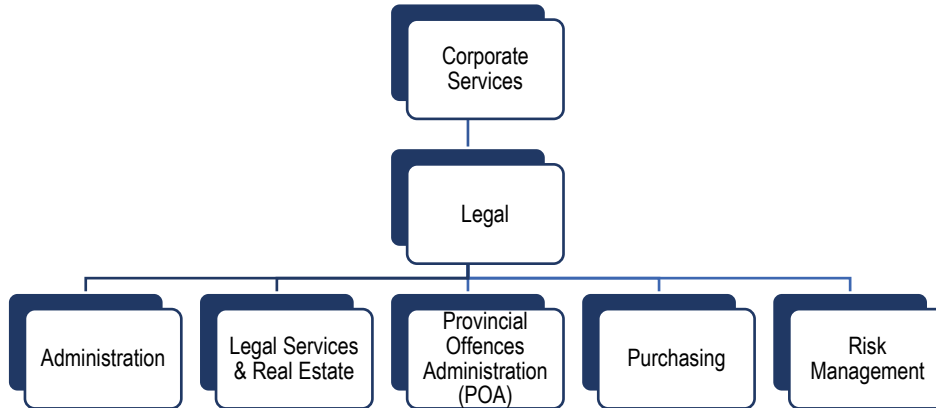
A small surplus is projected in Other Miscellaneous Expenditures due to surpluses in items such as memberships, conference registrations and training courses which have been placed on hold.



**Legal**


**DEPARTMENTAL OVERVIEW**

The Legal & Real Estate Services Department provides legal services in connection with administrative tribunal/court litigation, contracts and agreements, expropriations, labour/employment matters, real estate transactions and leases.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	n/a	n/a	(\$9,276,121)	(\$7,592,357)
Annual Expense Budget	n/a	n/a	\$16,095,141	\$14,430,670
<b>Annual Net Budget</b>	<b>n/a</b>	<b>n/a</b>	<b>\$6,819,020</b>	<b>\$6,838,313</b>
<b>Annual Net Variance</b>	<b>n/a</b>	<b>n/a</b>	<b>\$199,563</b>	<b>(\$806,091)</b>
<b>Variance as a % of Gross Budget</b>	<b>n/a</b>	<b>n/a</b>	<b>1.2%</b>	<b>(5.6%)</b>

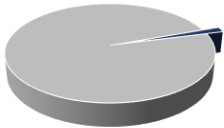
**2024 Budgeted Full Time Equivalent (FTE)**



	FTE
Sr. Mngr.	1.0
Management:	7.0
Non-Union:	34.0
Local 543	8.0
<b>Total</b>	<b>50.0</b>

**2024 Portion of Net Municipal Tax Levy**

Department	CoW Balance	Net Levy
\$6,765,382	\$425,479,936	\$432,245,318



CoW Balance... Department 1.6%

**2024 Year-End Projection: (\$543,000)**

**Second Quarter Deficit**

**Legal**

**VARIANCE SUMMARY & DESCRIPTION**

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
User Fees, Permits & Charges	n/a	(\$737,000)	(\$691,000)	
<b>Expenses:</b>				
Financial Expenses	n/a	\$59,000	\$94,000	
Minor Capital	n/a	\$17,000	\$19,000	
Operating & Maintenance Supplies	n/a	\$10,000	\$15,000	
Purchased Services	n/a	\$45,000	(\$40,000)	
Salaries & Benefits	n/a	\$210,000	\$288,000	
Utilities, Insurance & Taxes	n/a	(\$282,000)	(\$247,000)	
Other Miscellaneous Expenditures	n/a	\$13,000	\$19,000	
<b>Net Total</b>	<b>n/a</b>	<b>(\$665,000)</b>	<b>(\$543,000)</b>	<b>\$0</b>

**User Fees, Permits & Charges (\$691,000)**

The Provincial Offences Division (POA) is projecting a revenue shortfall in 2024. The main cause of this shortfall is a reduction of court hours resulting from a lack of judicial resources. A portion of the deficit is partially due to less than anticipated revenue generated through legal services user fees such as servicing agreements, deeds, easements, encroachment agreements and mortgage preparations.

**Financial Expenses \$94,000**

A surplus is projected in financial expenses due to there no longer being a retrieval fee in POA, as it has moved online.

**Minor Capital \$19,000**

A surplus is projected in Minor Capital due to less than anticipated costs related to furniture and computer supplies.

**Operating & Maintenance Supplies \$15,000**

A surplus is projected in Operating and Maintenance Supplies due to less than anticipated costs related to office supplies being spent.

**Purchased Services (\$40,000)**

A projected deficit of (\$433,000) in purchased services is related to higher than anticipated litigation & arbitration costs. These costs are hard to predict and fluctuate from year to year depending on both the number of claims and the cost of each claim. Some of these cases are expected to be particularly large in 2024.

Offsetting this deficit is a \$325,000 projected surplus attributed to red light camera expenses which are expected to be significantly less than anticipated. There is also a \$44,000 surplus expected due to a new contract with WPS for POA security services that is expected to be in place by Q3. Also offsetting the deficit is a \$24,000 surplus in miscellenous items such as travel and consulting services.

**Legal**

<b>Salaries &amp; Benefits</b>	<b>\$288,000</b>
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The projected surplus in Salaries and Benefits is a result of salary gapping mainly in the POA and Risk divisions.

<b>Utilities, Insurance &amp; Taxes</b>	<b>(\$247,000)</b>
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The projected deficit in Risk and Insurance is due to the Insurance Premium.

<b>Other Miscellaneous Expenditures</b>	<b>\$19,000</b>
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A surplus is projected in Other Miscellaneous Expenditures due to small surpluses in other miscellaneous items such as membership fees and dues, training courses and conference registrations not incurred.

**MITIGATING MEASURES**

In the second quarter of 2024 the POA division continued to underperform due to the lack of judicial resources that has been experienced for the last several years. On occasion, additional resources have been offered to the Windsor POA court. On August 1, 2024 an additional Justice of the Peace was transferred to the Windsor – West Region and by the end of September an additional two Justices of the Peace were added to our region.

**Fire & Rescue**


**DEPARTMENTAL OVERVIEW**

Services to the community include public education, code enforcement, fire plans examination, emergency dispatch, emergency response and fire cause determination. Along with structure fires, firefighters respond to a broad range of emergency incidents including vehicle fires, motor vehicle collisions, medical related emergencies, technical rescue incidents and hazardous materials incidents.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	(\$1,481,166)	(\$1,518,324)	(\$1,952,731)	(\$2,001,430)
Annual Expense Budget	\$51,947,069	\$52,177,165	\$52,491,089	\$52,507,897
<b>Annual Net Budget</b>	<b>\$50,465,903</b>	<b>\$50,658,841</b>	<b>\$50,538,358</b>	<b>\$50,506,467</b>
<b>Annual Net Variance</b>	<b>(\$553,373)</b>	<b>(\$812,297)</b>	<b>(\$3,464,816)</b>	<b>(\$1,536,849)</b>
<b>Variance as a % of Gross Budget</b>	<b>(1.1%)</b>	<b>(1.6%)</b>	<b>(6.6%)</b>	<b>(2.9%)</b>

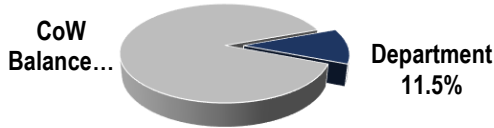
**2024 Budgeted Full Time Equivalent (FTE)**



	FTE
Management:	4.0
Non-Union	2.0
WFA:	<u>302.0</u>
<b>Total</b>	<b>308.0</b>

**2024 Portion of Net Municipal Tax Levy**

Department	CoW Balance	Net Levy
\$55,504,013	\$429,005,440	\$432,245,318



CoW Balance... Department 11.5%

**2024 Year-End Projection: (\$1,426,000)**

**Third Quarter Deficit**

**Fire & Rescue**

**VARIANCE SUMMARY & DESCRIPTION**

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
User Fees, Permits & Charges	n/a	\$0	(\$30,000)	
<b>Expenses:</b>				
Minor Capital	n/a	(\$21,000)	(\$30,000)	
Operating & Maintenance Supplies	n/a	\$100,000	\$150,000	
Salaries & Benefits	n/a	(\$1,630,000)	(\$1,516,000)	
<b>Net Total</b>	<b>n/a</b>	<b>(\$1,551,000)</b>	<b>(\$1,426,000)</b>	<b>\$0</b>

**User Fees, Permits & Charges (\$30,000)**

User fee revenue for Fire & Rescue is projected to (\$30,000) deficit. Fire Prevention division is behind in workload and Fire Rescue Division is seeing less demand for billable calls such as gas line strikes and multiple false alarms.

**Minor Capital (\$30,000)**

A deficit of (\$30,000) is anticipated for Fire Prevention and Fire Communication divisions due to office fit-up and ergonomic equipment.

**Operating & Maintenance Supplies \$150,000**

A surplus of approximately \$150,000 in fuel is anticipated for 2024.

**Salaries & Benefits (\$1,516,000)**

Net Salary variance for WFRS is projected to be in a deficit of (\$1,516,000) which includes overtime (\$936,000) and salary accounts (\$580,000). Ongoing WSIB claims are creating a deficit in other salary accounts and putting pressure on the need for overtime. WFRS management is mitigating the full impact by staffing over complement firefighters approved by Council. There are 5 over complement staff as of September 2024 and all are expected to be absorbed within the full time complement through planned retirements in 2024.

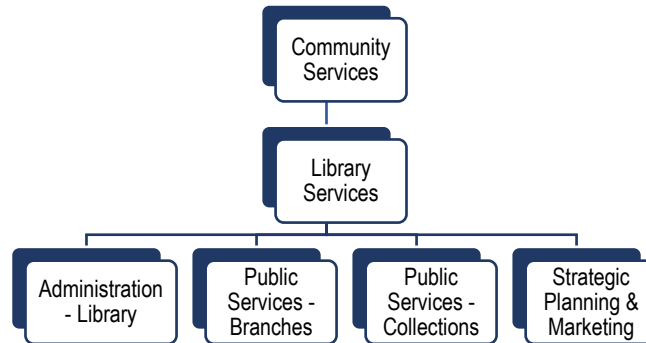
**MITIGATING MEASURES**

To mitigate the overtime deficit, WFRS management is using over complement firefighters approved by Council and through the attendance management process while maintaining approved service levels. Administration is reviewing alternatives to deal with the overtime pressures.

**Library Services**

**DEPARTMENTAL OVERVIEW**


The Windsor Public Library consists of 10 library branches of varying sizes that provide a physical space where people can gather, attend programs, gain access to the internet and access the libraries' collections.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	(\$1,071,621)	(\$1,032,621)	(\$964,895)	(\$961,195)
Annual Expense Budget	\$9,276,250	\$9,302,368	\$9,284,880	\$9,210,381
<b>Annual Net Budget</b>	<b>\$8,204,629</b>	<b>\$8,269,747</b>	<b>\$8,319,985</b>	<b>\$8,249,186</b>
Annual Net Variance *	\$658,270	\$799,040	\$461,895	\$112,150
Variance as a % of Gross Budget	7.1%	8.6%	5.0%	1.2%

\* As per the Library Act, the Windsor Public Library's annual surplus is transferred to their reserve.

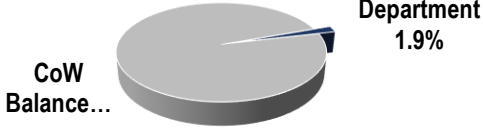
**2024 Budgeted Full Time Equivalent (FTE)**



	FTE
Management:	6.0
Non-Union	1.0
Local 2067.1:	<u>70.4</u>
<b>Total</b>	<b>77.4</b>

**2024 Portion of Net Municipal Tax Levy**

Department	CoW Balance	Net Levy
\$8,196,393	\$424,048,925	\$432,245,318



CoW Balance... Department 1.9%

**2024 Year-End Projection: \$0**

**Third Quarter**

### Library Services

#### VARIANCE SUMMARY & DESCRIPTION

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
Other Miscellaneous Revenue	n/a	\$25,000	\$70,000	
<b>Expenses:</b>				
Financial Expenses	n/a	(\$122,100)	(\$122,100)	
Operating & Maintenance Supplies	n/a	(\$60,000)	(\$62,000)	
Salaries & Benefits	n/a	\$175,000	\$168,000	
Transfers to Reserves & Capital Funds	n/a	(\$84,400)	(\$104,200)	
Other Miscellaneous Expenditures	n/a	\$66,500	\$50,300	
<b>Net Total</b>	<b>n/a</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Other Miscellaneous Revenue                         \$70,000**

WPL is projecting a \$70,000 surplus in other miscellaneous revenue for 2024. Approximately \$10,000 is attributed to the sale of the old bookmobile and maintenance van and \$25,000 is due to eligible donation spending, which has allowed funding to be transferred into operating from deferred revenue. An additional \$35,000 is attributed to other grant funding.

**Financial Expenses   (\$122,100)**

As WPL has entered into a lease agreement with the City of Windsor for leasing space within the Paul Martin Building to continue operating the Central Branch location, the payments required to satisfy this lease will lead to a (\$122,100) deficit in the Financial Expenses category for 2024.

**Operating & Maintenance Supplies                         (\$62,000)**

This projected year-end deficit of (\$62,000) is mainly attributed to the rising costs of books and their associated processing fees, as well as the cost of digital resources, including ebooks and databases.

**Salaries & Benefits   \$168,000**

The Windsor Public Library is projecting to end 2024 with a surplus of \$168,000 in Salaries and Benefits. The timing of the new bookmobile delivery led to delays in hiring for the driver positions; however, the positions have recently been filled as the bookmobile is expected to be delivered very soon. Additionally, retirements in various positions led to a delay in filling positions, and gaps in other roles within WPL have also contributed to the overall surplus in Salaries and Benefits.

**Transfers to Reserves & Capital Funds                         (\$104,200)**

It should be noted that the financial position of WPL at the end of each fiscal year is not included with all other City departments to calculate the final City surplus/deficit. Although WPL's financial statements are consolidated with the City's, WPL, as per the Public Libraries Act, is a standalone entity with its own audited financial statements, including an accumulated surplus or deficit. While the City provides WPL with operational support consistent with other departments, the overall surplus or deficit is reported within the financial results of WPL and is not reported in the overall position of the City at year-end. However, it is provided here for informational purposes.

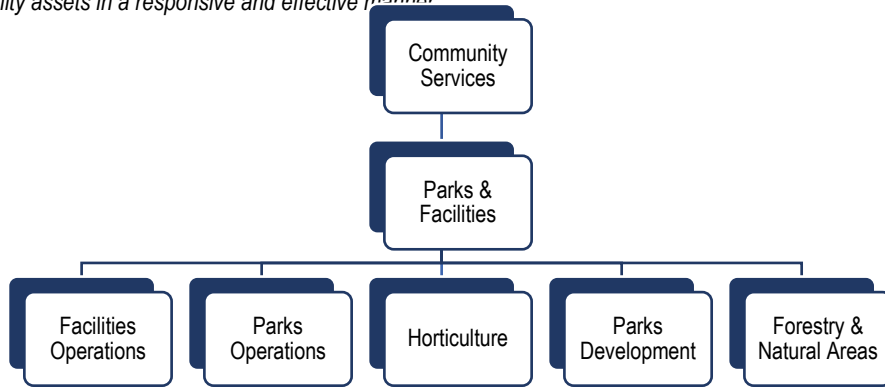
**Other Miscellaneous Expenditures                         \$50,300**

WPL is projecting a year-end surplus of \$50,300 in other miscellaneous expense accounts. The majority of this surplus is attributed to reduced vehicle maintenance costs, as the new bookmobile has not been acquired year-to-date and therefore no maintenance has been required. Additionally, WPL has not needed to purchase additional furniture and furnishings in 2024, which has also resulted in a surplus under this account. Other small surpluses in miscellaneous expenses also contribute to this overall projected surplus.

**Parks & Facilities**


**DEPARTMENTAL OVERVIEW**

*Parks & Facilities is responsible for 206 parks, with over 2,500 acres of parkland, 175 km of hard surface trails, 300,000 square feet of horticultural beds, 2300 self watering planters, and 90,000 City owned trees within the urban forest, the Ojibway Nature Centre and the most species diverse parks in Canada. Provides building maintenance and operations, caretaking, security, planning, building construction & renovations, project management, lease administration, and asset management. Also responsible for creating unique park experiences, supporting numerous special events and is committed to supporting the corporation and community by providing safe, clean, well-maintained community assets in a responsive and effective manner.*



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	(\$13,513,046)	(\$11,523,724)	(\$9,267,862)	(\$9,812,747)
Annual Expense Budget	\$41,450,753	\$40,045,445	\$36,841,100	\$39,883,357
<b>Annual Net Budget</b>	<b>\$27,937,707</b>	<b>\$28,521,721</b>	<b>\$27,573,238</b>	<b>\$30,070,610</b>
<b>Annual Net Variance</b>	<b>\$240,604</b>	<b>\$37,321</b>	<b>(\$326,853)</b>	<b>(\$1,186,970)</b>
<b>Variance as a % of Gross Budget</b>	<b>0.6%</b>	<b>0.1%</b>	<b>(0.9%)</b>	<b>(3.0%)</b>

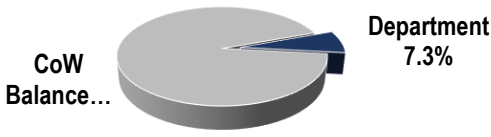
**2024 Budgeted Full Time Equivalent (FTE)**



	FTE
Sr. Mngr.:	1.0
Management:	26.0
Non-Union:	9.0
Local 543:	53.4
Local 82:	108.4
<b>Total</b>	<b>197.8</b>

**2024 Portion of Net Municipal Tax Levy**

Department	CoW Balance	Net Levy
\$31,499,349	\$400,745,969	\$432,245,318



**2024 Year-End Projection: (\$142,000)**

**Third Quarter Deficit**



## Parks & Facilities

### VARIANCE SUMMARY & DESCRIPTION

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
Grants & Subsidies	n/a	\$29,000	\$29,000	
<b>Expenses:</b>				
Minor Capital	n/a	(\$63,000)	(\$26,000)	
Operating & Maintenance Supplies	n/a	(\$21,000)	(\$2,000)	
Purchased Services	n/a	(\$145,000)	(\$95,000)	
Salaries & Benefits	n/a	\$147,000	(\$74,000)	
Other Miscellaneous Expenditures	n/a	\$19,000	\$26,000	
<b>Net Total</b>	<b>n/a</b>	<b>(\$34,000)</b>	<b>(\$142,000)</b>	<b>\$0</b>

**Grants & Subsidies** **\$29,000**

The Canada Summer Jobs program provides funding for expenditures related to student employment and offset the Parks Department temporary staffing expenditures. A grant application is submitted every year in early fall based on forecasted eligible costs and student placements. Since it varies every year and is subject to change, the grant funding is not budgeted. For 2024, the grant funding is projected at \$29,000 based upon forecasts of student employment in Parks.

**Minor Capital** **(\$26,000)**

A deficit of (\$26,000) is expected due to market fluctuations in the costs of infrastructure and construction materials.

**Operating & Maintenance Supplies** **(\$2,000)**

A projected deficit of approximately (\$2,000) related to fuel usage and pricing is expected for 2024.

**Purchased Services** **(\$95,000)**

A net deficit of (\$95,000) is expected due to the increase in vandalism within Parks in addition to general increase in service pricing for contractors.

**Salaries & Benefits** **(\$74,000)**

A year end net deficit of (\$74,000) in Salaries is being projected as a result of higher overtime costs required to maintain service levels and perform work to bridge the employee gapping from full time vacant positions.

**Other Miscellaneous Expenditures** **\$26,000**

A year end surplus is being projected in Other Miscellaneous Expenses related to training, equipment rentals, office supplies and other miscellaneous items not incurred.

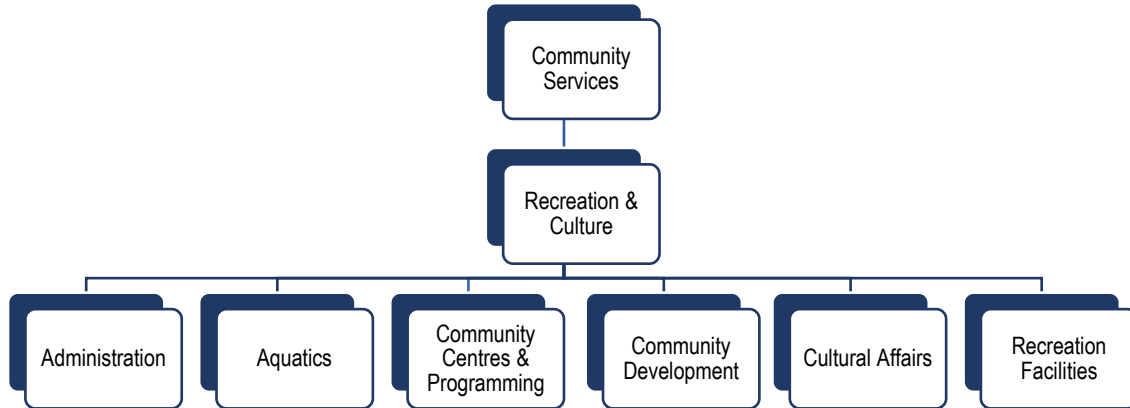
### MITIGATING MEASURES

Parks & Facilities administration will continue to monitor the prices in contractual agreements as well as the supplies and materials used for maintenance. They have also placed upset limits on minor capital and purchased services expenses to mitigate costs while maintaining service levels where possible for the remainder of the year.

**Recreation & Culture**


**DEPARTMENTAL OVERVIEW**

Recreation services builds vibrant, healthy, active and connected communities by providing facilities (arenas, pools, community centres) and programs that allow residents to participate in recreational activities. The Culture division provides programs, events and services that express the City’s cultural identity, celebrates traditions and improves the quality of life for Windsor residents.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	(\$12,014,378)	(\$11,949,514)	(\$12,161,940)	(\$12,763,081)
Annual Expense Budget	\$25,364,844	\$24,992,464	\$25,738,985	\$26,551,319
<b>Annual Net Budget</b>	<b>\$13,350,466</b>	<b>\$13,042,950</b>	<b>\$13,577,045</b>	<b>\$13,788,238</b>
<b>Annual Net Variance</b>	<b>(\$1,362,395)</b>	<b>(\$157,936)</b>	<b>\$3,133</b>	<b>\$1,794,704</b>
<b>Variance as a % of Gross Budget</b>	<b>(5.4%)</b>	<b>(0.6%)</b>	<b>0.0%</b>	<b>6.8%</b>

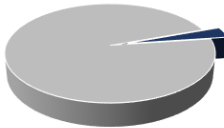
**2024 Budgeted Full Time Equivalent (FTE)**



	FTE
Management:	21.0
Non-Union	10.0
Local 543:	34.7
Local 82:	<u>20.5</u>
<b>Total</b>	<b>86.2</b>

**2024 Portion of Net Municipal Tax Levy**

Department	CoW Balance	Net Levy
\$14,706,566	\$417,538,752	\$432,245,318



CoW Balance... Department 3.4%

**2024 Year-End Projection: \$280,000**

**Third Quarter Surplus**

## Recreation & Culture

### VARIANCE SUMMARY & DESCRIPTION

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
User Fees, Permits & Charges	n/a	\$0	\$250,000	
<b>Expenses:</b>				
Operating & Maintenance Supplies	n/a	(\$83,000)	(\$190,000)	
Salaries & Benefits	n/a	\$0	\$220,000	
<b>Net Total</b>	<b>n/a</b>	<b>(\$83,000)</b>	<b>\$280,000</b>	<b>\$0</b>

#### User Fees, Permits & Charges \$250,000

The year end projection for User Fees, Permits & Charges is a surplus of approximately \$250,000. While revenues from membership fees are trending a deficit, the variance is offset by the sales for Adventure Bay passes and admissions for other outdoors pools this summer. In addition, there is an increase in registration of programming.

#### Operating & Maintenance Supplies (\$190,000)

The Operating & Maintenance Supplies is projecting a deficit of approximately \$190,000 at the end of 2024. The deficit projection is partially due to the refrigeration repairs and maintenance work required at the Capri Recreation Center and WFCU ice rinks during the year. In addition, there were clean up and replacement work at WFCU due to flood damages. The insurance claim is still in process and the outcome is still to be determined. Should the outcome of the claim becomes known by the year end, the insurance payout will be accrued.

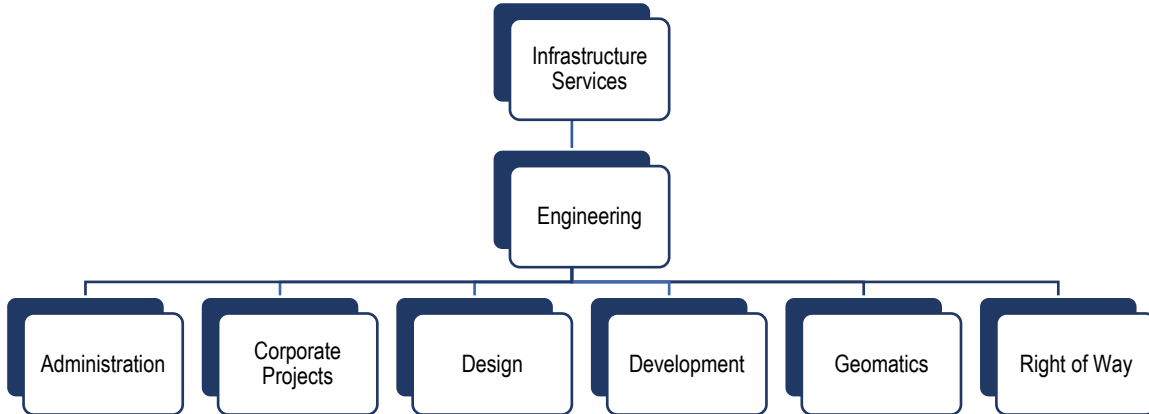
#### Salaries & Benefits \$220,000

The year end projection for Salary & Benefits is a surplus of approximately \$220,000. There have been a number of vacant positions in the departmental complement due to retirement, leaving the corporation, or the staff acting in positions outside of the Department.

**Engineering**


**DEPARTMENTAL OVERVIEW**

Engineering is responsible for; project management of municipal infrastructure projects, new buildings and non-building projects; development services; right-of-way permits; GIS system, and CAD services.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	n/a	n/a	(\$5,338,928)	(\$6,597,807)
Annual Expense Budget	n/a	n/a	\$7,913,993	\$9,443,767
<b>Annual Net Budget</b>	<b>n/a</b>	<b>n/a</b>	<b>\$2,575,065</b>	<b>\$2,845,960</b>
<b>Annual Net Variance</b>	<b>n/a</b>	<b>n/a</b>	<b>(\$243,858)</b>	<b>\$495,697</b>
<b>Variance as a % of Gross Budget</b>	<b>n/a</b>	<b>n/a</b>	<b>(3.1%)</b>	<b>5.2%</b>

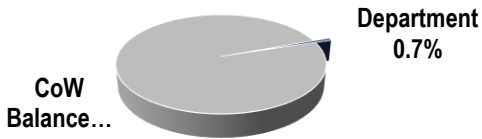
**2024 Budgeted Full Time Equivalent (FTE)**



	<b>FTE</b>
Sr. Mngr.	1.0
Management:	10.0
Non-Union:	34.0
Local 543:	<u>25.0</u>
<b>Total</b>	<b>70.0</b>

**2024 Portion of Net Municipal Tax Levy**

<b>Department</b>	<b>CoW Balance</b>	<b>Net Levy</b>
\$2,923,403	\$429,321,915	\$432,245,318



**Department**  
**0.7%**

2024 Year-End Projection:	\$122,000
Second Quarter	Surplus

**Engineering**

**VARIANCE SUMMARY & DESCRIPTION**

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
Recovery of Expenditures	n/a	\$82,000	\$11,000	
Transfers from Other Funds	n/a	(\$70,000)	(\$70,000)	
User Fees, Permits & Charges	n/a	\$174,000	\$307,000	
Other Miscellaneous Revenue	n/a	\$21,000	\$70,000	
<b>Expenses:</b>				
Financial Expenses	n/a	(\$59,000)	(\$66,000)	
Minor Capital	n/a	\$3,000	(\$12,000)	
Operating & Maintenance Supplies	n/a	\$0	\$5,000	
Purchased Services	n/a	\$0	(\$12,000)	
Salaries & Benefits	n/a	(\$94,000)	(\$107,000)	
Other Miscellaneous Expenditures	n/a	\$0	(\$4,000)	
<b>Net Total</b>	<b>n/a</b>	<b>\$57,000</b>	<b>\$122,000</b>	<b>\$0</b>

**Recovery of Expenditures                      \$11,000**

A surplus of \$11,000 is projected at year-end for recovery of expenditures. This is primarily due to salary recoveries higher than budgeted within the Design division and Office of the City Engineer. This is slightly offset by a deficit in the Geomatics division due to salary recoveries being lower than budgeted.

**Transfers from Other Funds                      (\$70,000)**

Transfers from Other Funds are projected to be in a deficit of (\$70,000) at the end of 2024. The budgeted amount is one-time funding for waived sidewalk fees, which is not expected to be transferred to the Engineering department at year end.

**User Fees, Permits & Charges                      \$307,000**

A surplus of \$307,000 is projected for 2024 primarily related to an increase in one-time GIS User Fees received largely from one-time economic growth and development related to the NextStar plant permits. This is slightly offset by a small deficit in the Right of Way division, due to a decrease in the number of utility permits issued.

**Other Miscellaneous Revenue                      \$70,000**

Other Miscellaneous Revenue is projecting a surplus of \$70,000 in Right-of-Way due to increased revenues from Outdoor Advertising and Indemnity Deposits seized.

**Financial Expenses                                      (\$66,000)**

A deficit of (\$66,000) in bank charges is being projected for year end. This is a continuing trend caused by the increased use of credit cards for payments made to Right of Way and Geomatics.

**Minor Capital    (\$12,000)**

A deficit of (\$12,000) is projected in the Minor Capital category, related to higher than budgeted Geomatics computer software costs.

**Engineering**

**Operating & Maintenance Supplies                    \$5,000**

A surplus of \$5,000 is projected in Operating & Maintenance Supplies.

**Purchased Services    (\$12,000)**

A deficit of (\$12,000) is projected in Purchased Services at year end largely due to recruitment and relocation costs for the City Engineer.

**Salaries & Benefits    (\$107,000)**

A deficit of (\$107,000) is projected at year-end in the Salaries & Benefits category, largely attributed to the secondment of staff working on special projects (stormwater financing and e-permitting), requiring additional heavy workload positions. Offsetting these deficits is a surplus in Geomatics due to staff vacancies.

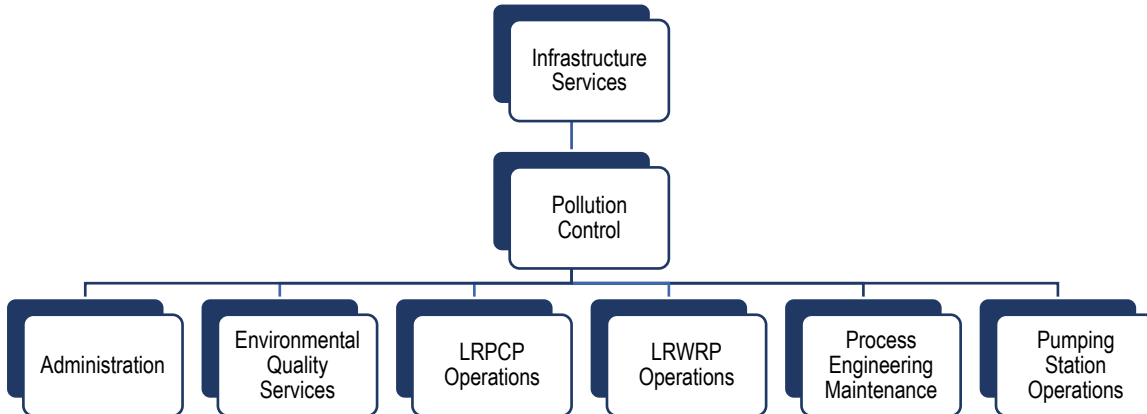
**Other Miscellaneous Expenditures                    (\$4,000)**

A deficit of (\$4,000) is anticipated in the category of Other Miscellaneous Expenses due to expected increase of employee attendance at training courses and conferences.

**Pollution Control**


**DEPARTMENTAL OVERVIEW**

Pollution Control manages and oversees 49 pumping stations, 2 wastewater treatment plants (treatment of wastewater from Windsor and surrounding municipalities) & the biosolid processing facility.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	n/a	n/a	(\$21,337,790)	(\$24,120,651)
Annual Expense Budget	n/a	n/a	\$21,337,790	\$24,120,651
<b>Annual Net Budget</b>	<b>n/a</b>	<b>n/a</b>	<b>\$0</b>	<b>\$0</b>
<b>Annual Net Variance</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>
<b>Variance as a % of Gross Budget</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>	<b>n/a</b>

**2024 Budgeted Full Time Equivalent (FTE)**



	FTE
Management:	9.0
Non-Union:	3.0
Local 543:	8.7
Local 82:	<u>45.0</u>
<b>Total</b>	<b>65.7</b>

**2024 Portion of Net Municipal Tax Levy**

Department	CoW Balance	Net Levy
n/a	n/a	n/a

**2024 Year-End Projection: \$0**  
**Second Quarter**

### Pollution Control

#### **VARIANCE SUMMARY & DESCRIPTION**

The Pollution Control Department does not have a municipal levy component within their budget and therefore, no variance should be projected for municipal levy purposes. All costs related to the Pollution Control Department are recovered through the Sewer Surcharge.

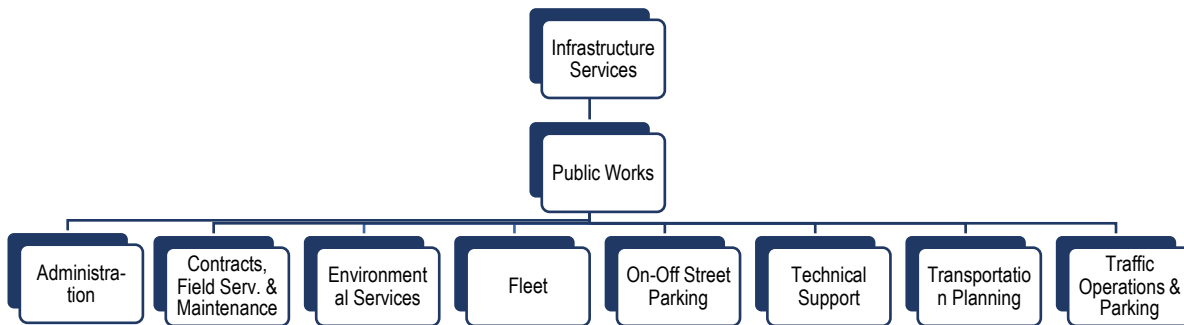
Refer to the Sewer Surcharge submission later on in this Appendix for details related to the Pollution Control variance. The Pollution Control Department is in a projected surplus position for year-end.



**Public Works**


**DEPARTMENTAL OVERVIEW**

The Roads and Infrastructure Services area provides a variety of services related to the planning, design, construction, operation and maintenance of roadways, sanitary and storm sewers, traffic control (signals & signs) and the City’s fleet of vehicles. Services also include the City’s street lighting, municipal parking and seasonal maintenance including snow clearing. Environmental Services ensures that all residential and municipal waste, recyclables and yard waste are collected in a manner consistent with current standards, Council approved service levels, and environmental requirements.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	(\$30,629,406)	(\$27,330,228)	(\$29,641,435)	(\$32,474,213)
Annual Expense Budget	\$59,855,262	\$56,609,038	\$58,680,331	\$64,764,224
<b>Annual Net Budget</b>	<b>\$29,225,856</b>	<b>\$29,278,810</b>	<b>\$29,038,896</b>	<b>\$32,290,011</b>
<b>Annual Net Variance</b>	<b>(\$1,407,608)</b>	<b>(\$2,606,219)</b>	<b>(\$2,935,920)</b>	<b>\$203,873</b>
<b>Variance as a % of Gross Budget</b>	<b>(2.4%)</b>	<b>(4.6%)</b>	<b>(5.0%)</b>	<b>0.3%</b>

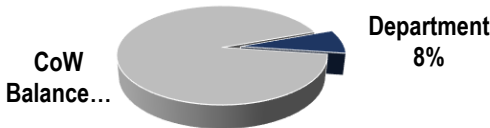
**2024 Budgeted Full Time Equivalent (FTE)**



	FTE
Management:	31.0
Non-Union:	26.0
Local 543:	84.0
Local 82:	83.2
<b>Total</b>	<b>224.2</b>

**2024 Portion of Net Municipal Tax Levy**

Department	CoW Balance	Net Levy
\$33,482,267	\$398,763,051	\$432,245,318



**2024 Year-End Projection: (\$357,000)**

**Third Quarter Deficit**

**Public Works**

**VARIANCE SUMMARY & DESCRIPTION**

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
Recovery of Expenditures	n/a	(\$220,000)	(\$157,000)	
User Fees, Permits & Charges	n/a	(\$225,000)	(\$1,000,000)	
<b>Expenses:</b>				
Purchased Services	n/a	\$485,000	\$150,000	
Salaries & Benefits	n/a	\$735,000	\$650,000	
<b>Net Total</b>	<b>n/a</b>	<b>\$775,000</b>	<b>(\$357,000)</b>	<b>\$0</b>

**Recovery of Expenditures (\$157,000)**

A total net deficit of (\$157,000) is estimated for 2024 related to recovery revenue variances in the Field Services, Enforcement, and Contracts Divisions due to several staff vacancies and heavy workload staffing in place.

**User Fees, Permits & Charges (\$1,000,000)**

A deficit of (\$1,000,000) is projected for 2024 related to reduced parking ticket and Fleet rental and recovery revenues. Parking ticket issuance continues to be below anticipated volumes. Fleet rental and recovery rentals are reduced due to a backlog of vehicle addition purchases and lower than expected recovery revenues. As a result, corresponding surpluses will result in other departmental budgets.

**Purchased Services \$150,000**

A net surplus of approximately \$150,000 is possible for 2024 related to the expected variances for purchased services for the winter control service, streetlight maintenance, and waste collection. A five-year average for the final five months of the year was utilized to project winter control purchased services, resulting in a decrease to the surplus for purchased services when compared to the Q2 projection.

**Salaries & Benefits \$650,000**

A projected net surplus of approximately \$650,000 is estimated for 2024 related to salary and wage for all staff in Public Works. The projected surplus is the net total of the expected WSIB surpluses for pensions, medical, salary, and admin costs and the surpluses and deficits expected related to salary and wage gapping due to a number of vacancies across the department resulting from retirements and staff appointments into new positions offset with the hiring of extra staff to accommodate heavy work load situations where required.

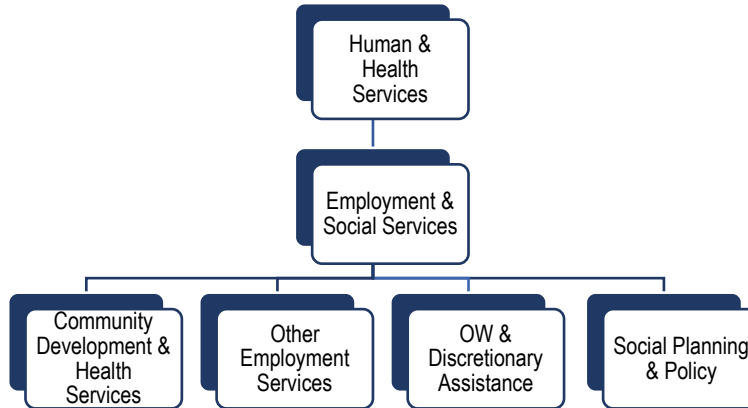
**MITIGATING MEASURES**

Public Works administration will continue to monitor prices in contractual agreements as well as the supplies and materials used for maintenance in order to attempt to mitigate costs and reduce the budget variance projected while maintaining current service levels for the remainder of the year.

**Employment & Social Services**


**DEPARTMENTAL OVERVIEW**

Employment & Social Services provides basic financial, social and employment assistance for individuals who are in temporary financial need in Windsor, Essex County and Pelee Island. Employment & Social Services also leads the provision of Employment Ontario Services for Windsor-Essex, Chatham-Kent and Sarnia-Lambton.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	(\$108,882,445)	(\$108,913,554)	(\$93,448,255)	(\$115,187,574)
Annual Expense Budget	\$116,969,007	\$116,559,418	\$101,037,567	\$123,194,263
<b>Annual Net Budget</b>	<b>\$8,086,562</b>	<b>\$7,645,864</b>	<b>\$7,589,312</b>	<b>\$8,006,689</b>
<b>Annual Net Variance</b>	<b>\$1,673,697</b>	<b>\$1,568,805</b>	<b>\$1,267,504</b>	<b>(\$109,330)</b>
<b>Variance as a % of Gross Budget</b>	<b>1.4%</b>	<b>1.3%</b>	<b>1.3%</b>	<b>(0.1%)</b>

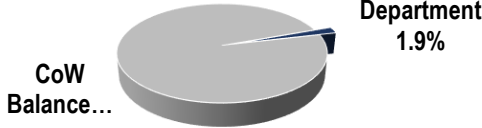
**2024 Budgeted Full Time Equivalent (FTE)**



	FTE
Sr. Mngr.:	1.0
Management:	20.0
Non-Union:	10.0
Local 543:	190
<b>Total</b>	<b>221.0</b>

**2024 Portion of Net Municipal Tax Levy**

Department	CoW Balance	Net Levy
\$8,395,577	\$423,849,741	\$432,245,318



Department 1.9%

**2024 Year-End Projection: \$797,000**

**Third Quarter Surplus**

**Employment & Social Services**

**VARIANCE SUMMARY & DESCRIPTION**

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
Grants & Subsidies	n/a	\$0	(\$149,000)	
Recovery of Expenditures	n/a	(\$142,000)	(\$240,000)	
<b>Expenses:</b>				
Financial Expenses	n/a	(\$21,000)	(\$24,000)	
Minor Capital	n/a	(\$34,000)	\$123,000	
Operating & Maintenance Supplies	n/a	(\$22,000)	(\$17,000)	
Purchased Services	n/a	(\$30,000)	(\$107,000)	
Salaries & Benefits	n/a	(\$225,000)	\$93,000	
Transfers for Social Services	n/a	\$1,064,000	\$1,096,000	
Other Miscellaneous Expenditures	n/a	\$40,000	\$22,000	
<b>Net Total</b>	<b>n/a</b>	<b>\$630,000</b>	<b>\$797,000</b>	<b>\$0</b>

*The Employment & Social Services department is funded primarily through Provincial, Federal and County funding, with the net City cost of the budget representing less than 6% of the gross cost. The variances outlined below are expressed in gross dollars.*

**Grants & Subsidies (\$149,000)**

Ontario Works Program Delivery expenditures are partially funded by the Ministry of Children, Community and Social Services. Lower budgeted expenditures are projected at the year-end resulting in (\$149,000) less subsidy.

**Recovery of Expenditures (\$240,000)**

Ontario Works Program Delivery expenditures are cost shared with the County of Essex. Lower budgeted expenditures are projected at year-end, therefore County Revenue is projected to be lower by (\$255,000). Additional cost recoveries within the Social Policy & Planning area is expected to reduce this amount by \$15,000

**Financial Expenses (\$24,000)**

As Ontario Works caseloads rise, the increased use of Reloadable Payment cards (RPC) instead of cheques is resulting in higher than budgeted bank fees associated with this service. The projected deficit of (\$24,000) is expected to be offset by savings in other accounts such as postage and paper.

**Minor Capital \$123,000**

Lower than budgeted furniture and fixtures purchases related to new staff is projected by year end. This \$123,000 under-expenditures will be offset deficits in other expense categories.

**Operating & Maintenance Supplies (\$17,000)**

The deficit of \$17,000 is projected in this category which includes computer and program supplies. These costs are offset by savings in other accounts.

**Employment & Social Services**

**Purchased Services (\$107,000)**

Purchased Services is expected to be higher than budget (\$107,000) primarily due to increased costs in contracted services.

**Salaries & Benefits \$93,000**

Salaries and Fringes for vacant regular full time Ontario Works Program Delivery positions have not been included in the projections for the remainder of the year due to the hiring freeze. This is projected to result in a \$93,000 surplus.

**Transfers for Social Services \$1,096,000**

\$1,046,000 of the year-end surplus for Transfers for Social Services relates to one-time provincial funding from Ministry of Children, Community and Social Services for the delivery of the Ontario Work Program. Although the expenditures associated with this funding were budgeted to the Transfers for Social Service category, the actual costs are charged to other expense accounts, shown above, leaving a net surplus in expense accounts for salaries & benefits and purchased services. Only \$50,000 of the surplus, related to the Community Investment Fund for Social Policy and Planning, is the projected at year end for this expense category.

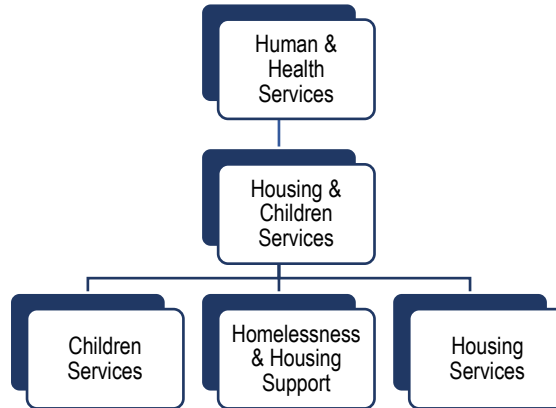
**Other Miscellaneous Expenditures \$22,000**

A projected year end surplus of \$22,000 is primarily due to lower than expected training costs

**Housing & Children Services**


**DEPARTMENTAL OVERVIEW**

Social Housing administers program requirements and funding for 7,800 units including over 34 social housing providers in Windsor and Essex County. The division administers various programs related to homelessness and works with residents in Emergency Shelters and Housing with Supports Homes to ensure basic needs are met and provides assistance with transition back into the community.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	(\$87,488,107)	(\$83,644,514)	(\$93,310,462)	(\$129,202,225)
Annual Expense Budget	\$99,172,643	\$95,941,104	\$107,209,475	\$142,844,245
<b>Annual Net Budget</b>	<b>\$11,684,536</b>	<b>\$12,296,590</b>	<b>\$13,899,013</b>	<b>\$13,642,020</b>
<b>Annual Net Variance</b>	<b>\$1,664,625</b>	<b>\$43,423</b>	<b>(\$1,406,961)</b>	<b>(\$1,420,791)</b>
<b>Variance as a % of Gross Budget</b>	<b>1.7%</b>	<b>0.0%</b>	<b>(1.3%)</b>	<b>(1.0%)</b>

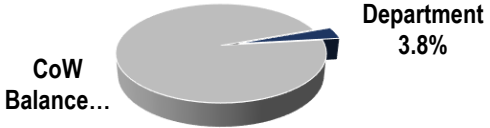
**2024 Budgeted Full Time Equivalent (FTE)**



	FTE
Management:	9.0
Non-Union:	12.0
Local 543:	<u>60.5</u>
<b>Total</b>	<b>81.5</b>

**2024 Portion of Net Municipal Tax Levy**

Department	CoW Balance	Net Levy
\$16,256,853	\$415,988,465	\$432,245,318



Department **3.8%**

**2024 Year-End Projection: \$356,000**

**Third Quarter Surplus**

## Housing & Children Services

### VARIANCE SUMMARY & DESCRIPTION

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
Grants & Subsidies	n/a	\$231,000	\$31,000	
Recovery of Expenditures	n/a	\$233,000	\$484,000	
Transfers from Other Funds	n/a	(\$200,000)	(\$239,000)	
<b>Expenses:</b>				
Minor Capital	n/a	(\$14,000)	(\$21,000)	
Operating & Maintenance Supplies	n/a	\$0	(\$1,000)	
Purchased Services	n/a	(\$33,000)	\$165,000	
Salaries & Benefits	n/a	(\$99,000)	(\$209,000)	
Transfers for Social Services	n/a	(\$877,000)	\$153,000	
Other Miscellaneous Expenditures	n/a	\$8,000	(\$7,000)	
<b>Net Total</b>	<b>n/a</b>	<b>(\$751,000)</b>	<b>\$356,000</b>	<b>\$0</b>

*The Housing & Children's Services department is funded primarily through Provincial, Federal and County revenues, with the net City cost of the budget representing less than 11% of the gross cost. The variances outlined below are expressed in gross dollars.*

<b>Grants &amp; Subsidies</b>	<b>\$31,000</b>
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Emergency Preparedness received one-time funding **\$31,000** in-year related to the Emergency Nuclear Program Grant. This revenue offsets the \$31,000 expenditure deficit in the Transfer for Social Services category.

<b>Recovery of Expenditures</b>	<b>\$484,000</b>
---------------------------------	------------------

Of the total surplus, **\$44,000** relates to higher than budgeted County revenue for all cost shared programs, the balance of the surplus of **\$440,000** relates to additional cost recoveries from the county for their share of increased program costs and salary cost recoveries from other programs.

<b>Transfers from Other Funds</b>	<b>(\$239,000)</b>
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At this time, funding from the Budget Stabilization Reserve of **(\$200,000)** for Rent Supplement program is not anticipated to be drawn on in 2024, due to one time provincial funding approved by Ministry of Municipal of Affairs and Housing (MMAH). In addition, **(\$39,000)** of BSR will not be fully utilized due to projecting lower actual staffing cost for the Regional Affordable Housing Strategy Temporary Coordinator.

<b>Minor Capital</b>	<b>(\$21,000)</b>
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A deficit of **(\$21,000)** is projected in this account primarily due to furniture related purchases.

<b>Operating &amp; Maintenance Supplies</b>	<b>(\$1,000)</b>
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A deficit of **(\$1,000)** is projected in this account for office supplies related purchases.

## Housing & Children Services

<b>Purchased Services</b>	<b>\$165,000</b>
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The Reaching Home program is projecting a deficit of approximately **(\$45,000)**. This deficit will be offset by **\$6,000** in projected savings in Housing Administration area and **\$204,000** projected savings in RHI operating for 2024.

<b>Salaries &amp; Benefits</b>	<b>(\$209,000)</b>
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The projected additional temporary staffing **(\$209,000)** cost (not budgeted) will be offset by reallocation to other housing programs noted in Recovery of Expense section. Children's Service is not projecting a city variance at this time. Should there be a surplus in administration, a budget carry forward may be requested at year end to help offset projected budget pressures in 2025.

<b>Transfers for Social Services</b>	<b>\$153,000</b>
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Non-Profit Housing is projecting a gross deficit of approximately **(\$216,000)** due to higher subsidy costs, as well as from the reconciliation of Service Providers year end reports. The costs in the Non-profit housing portfolio are legislated, and mitigation of these costs may not be possible. These increased costs will be offset by additional County Revenue referenced in the Recovery of Expense section. Emergency Preparedness is projecting a deficit of approximately **(\$31,000)** related to expenses incurred for the Emergency Nuclear Program which has been recovered by revenue received in Grants & Subsidies section. Unbudgeted one-time expenditures of approximately **(\$46,000)** were incurred due to the fire at 333 Glengarry and operation of a temporary emergency shelter at the WFCU to accommodate displaced residents. A **\$205,000** WEHB city surplus is projected primarily related to the full carryover funding not being utilized. Housing Administration is projecting a **\$6,000** surplus due to reallocation of cost to another account. In addition, a **(\$125,000)** deficit is estimated in the Homelessness Prevention Program as a result of the significant demand for one-time emergency rent as well as the increasing number of families experiencing homelessness, and the need to utilize overflow motel rooms because the local family shelter is overcapacity. The projected deficit was higher in the Q2 report (\$500,000), but has been reduced in Q3 as a result of an in-year, one time Provincial funding (\$444,000) in the HPP-funded rent supplement program. Pathway to Potential is projecting a **\$360,000** surplus due to an unexpected delay in issuing an RFP for community program partners as 2024 is a strategy renewal transitional year.

<b>Other Miscellaneous Expenditures</b>	<b>(\$7,000)</b>
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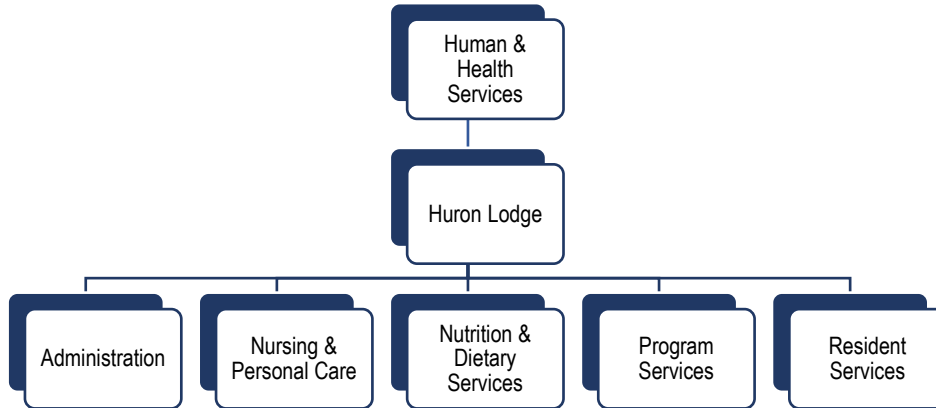
A deficit of **(\$7,000)** is being projected in this major account for Housing, primarily due to CHC Rent Supplement Admin funding.



**Huron Lodge**


**DEPARTMENTAL OVERVIEW**

Huron Lodge is a long-term care facility committed to providing compassionate, quality care in a home-like setting for those who require 24-hour nursing and personal care.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	(\$16,950,506)	(\$18,004,118)	(\$18,059,248)	(\$22,410,512)
Annual Expense Budget	\$24,747,809	\$26,132,683	\$26,521,327	\$31,984,347
<b>Annual Net Budget</b>	<b>\$7,797,303</b>	<b>\$8,128,565</b>	<b>\$8,462,079</b>	<b>\$9,573,835</b>
<b>Annual Net Variance</b>	<b>\$1,033,330</b>	<b>\$522,202</b>	<b>\$1,060,768</b>	<b>\$1,178,839</b>
<b>Variance as a % of Gross Budget</b>	<b>4.2%</b>	<b>2.0%</b>	<b>4.0%</b>	<b>3.7%</b>

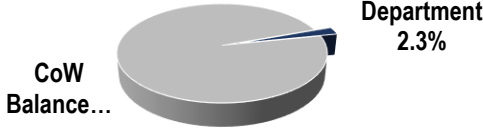
**2024 Budgeted Full Time Equivalent (FTE)**



	FTE
Management:	10.0
Non-Union:	7.0
ONA:	26.0
Local 543:	<u>207.2</u>
<b>Total</b>	<b>250.2</b>

**2024 Portion of Net Municipal Tax Levy**

Department	CoW Balance	Net Levy
\$10,152,534	\$422,092,784	\$432,245,318



CoW Balance... Department 2.3%

**2024 Year-End Projection: \$590,000**

**Third Quarter Surplus**

## Huron Lodge

### VARIANCE SUMMARY & DESCRIPTION

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
Grants & Subsidies	n/a	(\$100,000)	(\$270,000)	
Transfers from Other Funds	n/a	(\$125,000)	(\$125,000)	
User Fees, Permits & Charges	n/a	\$18,000	\$80,000	
Other Miscellaneous Revenue	n/a	\$7,000	\$30,000	
<b>Expenses:</b>				
Minor Capital	n/a	(\$135,000)	(\$150,000)	
Operating & Maintenance Supplies	n/a	(\$150,000)	(\$275,000)	
Purchased Services	n/a	\$30,000	\$100,000	
Salaries & Benefits	n/a	\$1,000,000	\$1,200,000	
<b>Net Total</b>	<b>n/a</b>	<b>\$545,000</b>	<b>\$590,000</b>	<b>\$0</b>

<b>Grants &amp; Subsidies</b>	<b>(\$270,000)</b>
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The department is expected to end the year in a (\$270,000) deficit position in annualized MLTC funding streams due to unforeseen variables such as the Case Mix Index reducing the per diems received.

<b>Transfers from Other Funds</b>	<b>(\$125,000)</b>
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As part of the 2024 approved budget, council approved a one-time transfer of \$125,000 to offset the cost of an alternative service delivery model for laundering linen at Huron Lodge. At this time, it is expected that the \$125,000 transfer from BSR will not occur as Huron Lodge is expecting an overall departmental surplus and some costs associated with new service delivery were incurred in 2023.

<b>User Fees, Permits &amp; Charges</b>	<b>\$80,000</b>
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This estimated surplus is due to higher than budgeted Accommodation Revenue expected in 2024. Budgets are set based on historical trends for occupancy in the home and accommodation rates that are determined by the MLTC.

<b>Other Miscellaneous Revenue</b>	<b>\$30,000</b>
------------------------------------	-----------------

Huron Lodge receives rebates based on spending levels for various supplies such as incontinence and food items. Budgets are set for expected rebates and are based on historical trends. It is projected to end the year with a \$30,000 surplus in this category.

<b>Minor Capital</b>	<b>(\$150,000)</b>
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Necessary repairs in the kitchen for plumbing and humidification and refrigeration equipment contribute to the majority of the estimated year-end variance in minor capital at Huron Lodge.

<b>Operating &amp; Maintenance Supplies</b>	<b>(\$275,000)</b>
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The expected overage in the Operating & Maintenance Supplies category is predominately due to the supplies in the Nursing division of Huron Lodge. In addition to the rising prices of nursing supplies, residents are coming in more fragile and majority from hospital requiring additional supplies for their plan of care.

<b>Purchased Services</b>	<b>\$100,000</b>
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This surplus is one-time in nature as it is due to the timing of the new physiotherapy agreement commencing in the third quarter of 2024.

**Huron Lodge**

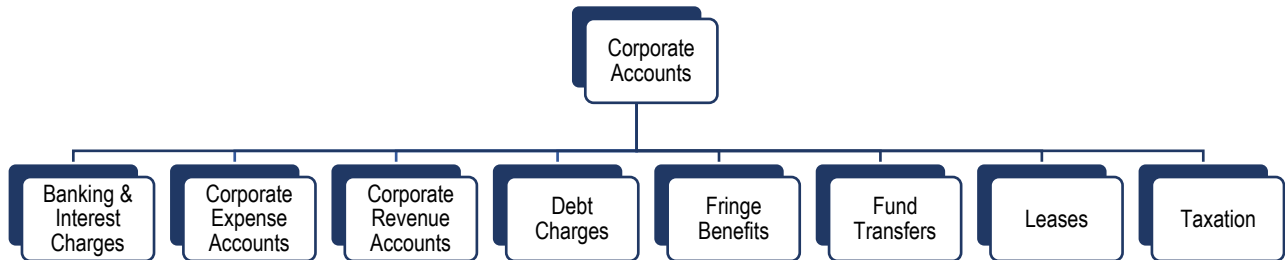
<b>Salaries &amp; Benefits</b>	<b>\$1,200,000</b>
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The projected surplus in salary and benefit accounts represents the net impact of all salary and benefit accounts at Huron Lodge and is largely due to the additional funded expense for staff additions that have not been filled yet. The department is working with Human Resources to fill positions necessary as approved by S172/2021 CR 35/2022 to meet the staffing targets set by the MLTC.

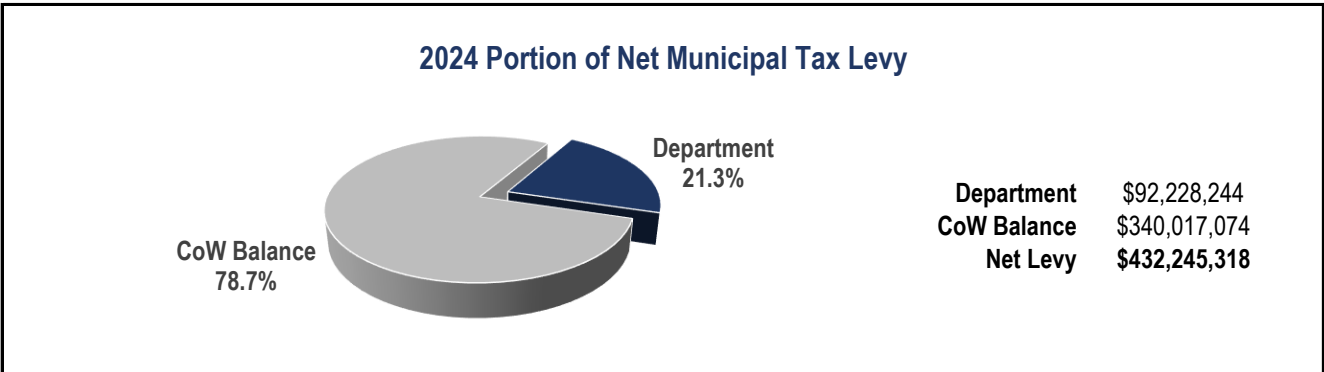
## Corporate Accounts

### DEPARTMENTAL OVERVIEW

The Corporate Accounts encompass a number of financial revenue and expense accounts which are not directly attributable to specific departments of the Corporation. The budgets contained in this section relate to expenditures incurred or revenues generated that impact on the Corporation as a whole as opposed to a specific department.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	(\$217,748,697)	(\$131,127,456)	(\$135,372,275)	(\$130,354,324)
Annual Expense Budget	\$242,097,940	\$162,129,721	\$219,926,715	\$220,807,900
<b>Annual Net Budget</b>	<b>\$24,349,243</b>	<b>\$31,002,265</b>	<b>\$84,554,440</b>	<b>\$90,453,576</b>
<b>Annual Net Variance</b>	<b>\$3,648,165</b>	<b>\$2,491,934</b>	<b>\$5,297,210</b>	<b>\$946,628</b>
<b>Variance as a % of Gross Budget</b>	<b>1.5%</b>	<b>1.5%</b>	<b>2.4%</b>	<b>0.4%</b>



## 2024 Year-End Projection:

**Third Quarter**

# \$4,268,000

**Surplus**

**Corporate Accounts**

**VARIANCE SUMMARY & DESCRIPTION**

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
Investment Income & Dividends	n/a	\$1,000,000	(\$550,000)	
Recovery of Expenditures	n/a	\$362,000	\$355,000	
Taxes - Municipal	n/a	\$82,000	\$135,000	
User Fees, Permits & Charges	n/a	\$1,000,000	\$2,417,000	
<b>Expenses:</b>				
Financial Expenses	n/a	\$0	\$716,000	
Purchased Services	n/a	\$0	\$19,000	
Salaries & Benefits	n/a	\$0	\$900,000	
Transfers to External Agencies	n/a	\$0	(\$361,000)	
Utilities, Insurance & Taxes	n/a	\$0	\$637,000	
<b>Net Total</b>	<b>n/a</b>	<b>\$2,444,000</b>	<b>\$4,268,000</b>	<b>\$0</b>

**Investment Income & Dividends (\$550,000)**

Interest on Investments & Capital Interest Income/Interest Paid to Reserves: \$1,000,000

A year-end surplus of \$1,000,000 is projected in Capital Interest Income due to several large projects drawing upon funds in advance. This surplus is offset by Investment Interest as a result of draws to fund capital projects.

YQG & Windsor-Detroit Tunnel Dividends: (\$1,050,000)

Cross border and air travel have been severely restricted during the pandemic and its recovery stage, resulting in significant revenue losses for tunnel tolls and airport operations. As the recovery period is ongoing, only \$700,000 of the \$1,000,000 YQG dividend was declared in 2024. Furthermore, it is anticipated that only \$750,000 of the \$1,500,000 Windsor-Detroit Tunnel dividend is expected to be received in 2024.

Casino Revenue: (\$500,000)

As a result of Caesars Windsor's post pandemic recovery, less than anticipated hosting fee revenues are expected to be received during the year.

**Recovery of Expenditures \$355,000**

A year-end surplus of \$355,000 is being projected in Program Support Recoveries due to additional program funding available within Employment & Social Services.

**Taxes - Municipal \$135,000**

A year-end surplus of \$135,000 is being projected in Taxes-Municipal as a result of the increase in the 'Heads and Beds' levy from increased student enrollment and a projected surplus in Payment in Lieu of Taxes for previously exempt properties.

**User Fees, Permits & Charges \$2,417,000**

A year-end surplus of \$2,417,000 is being projected in Interest and Penalties on Taxes and Receivables and Airport Lease Revenues.

## Corporate Accounts

<b>Financial Expenses</b>	<b>\$716,000</b>
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A year-end surplus of \$716,000 is projected in Net Tax Additions/Reductions.

<b>Purchased Services</b>	<b>\$19,000</b>
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A year-end surplus of \$19,000 is projected as a result of lower than anticipated MPAC fees as a result of the reassessment freeze.

<b>Salaries &amp; Benefits</b>	<b>\$900,000</b>
--------------------------------	------------------

Corporate Salary & Wage Provision: \$900,000

The Corporate Salary & Wage Provision is projected to end the year with a surplus of approximately \$900,000. This budget contains provisions for joint job evaluation (JJE), non-union job evaluations (NUJE), unanticipated WSIB costs, an overtime provision for eligible non-union members, and a general contingency provision. This budget also includes provisions for various collective agreements which will either be disbursed to the appropriate departments as collective agreements are approved or accrued at year-end in the event that they are still outstanding.

<b>Transfers to External Agencies</b>	<b>(\$361,000)</b>
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Waiver of Fees: (\$34,000): A year-end deficit of (\$34,000) in waived fees is projected based on year to date City Council approvals.

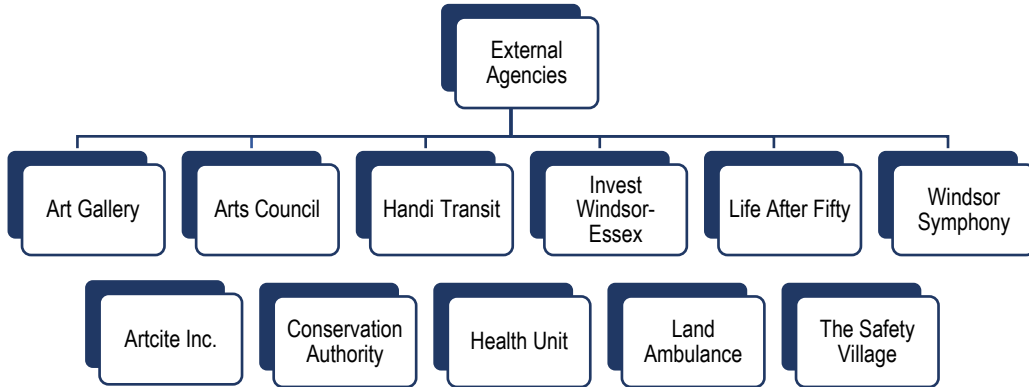
CIP Property Tax Rebates (\$327,000): A year-end deficit of (\$327,000) is projected a result of an increase in the amount of total eligible grants required to be paid under the CIP property tax rebates program.

<b>Utilities, Insurance &amp; Taxes</b>	<b>\$637,000</b>
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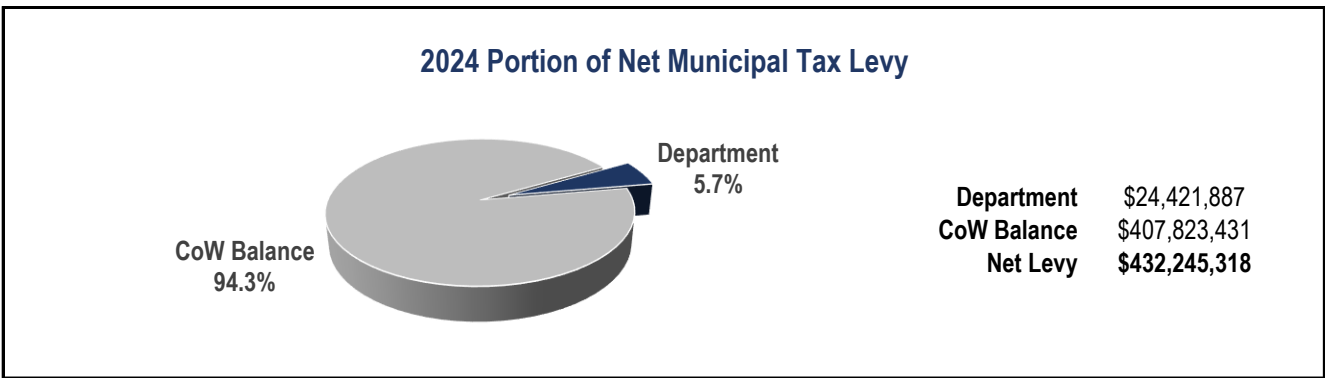
A year end Surplus of \$637,000 in being projected in Corporate Utilities largely as a result of surpluses in Natural Gas and Electricity driven by rate and consumption, respectively.

**Agencies**

**DEPARTMENTAL OVERVIEW**



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	(\$100,598)	(\$100,598)	(\$100,598)	(\$100,598)
Annual Expense Budget	\$19,996,396	\$20,558,892	\$20,858,514	\$22,634,432
<b>Annual Net Budget</b>	<b>\$19,895,798</b>	<b>\$20,458,294</b>	<b>\$20,757,916</b>	<b>\$22,533,834</b>
<b>Annual Net Variance</b>	<b>\$1,056,508</b>	<b>\$167,535</b>	<b>\$1,114,860</b>	<b>\$289,178</b>
<b>Variance as a % of Gross Budget</b>	<b>5.3%</b>	<b>0.8%</b>	<b>5.3%</b>	<b>1.3%</b>



**2024 Year-End Projection: \$668,000**

**Third Quarter Surplus**

**Agencies**

**VARIANCE SUMMARY & DESCRIPTION**

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Expenses:</b>				
Transfers to External Agencies	n/a	\$668,000	\$668,000	
<b>Net Total</b>	<b>n/a</b>	<b>\$668,000</b>	<b>\$668,000</b>	<b>\$0</b>

<b>Transfers to External Agencies</b>	<b>\$668,000</b>
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**EMS / Land Ambulance: \$16,000 Surplus**

A projected year-end surplus of \$16,000 is anticipated as this represents the City's share of the 2023 adjustment resulting from an increase in Provincial funding over what was reported at 2023 Year End.

**Windsor Essex County Heath Unit: \$645,000 Surplus**

A projected year-end surplus of \$645,000 is anticipated as this represents the City's share of the 2023 Mitigation Funding adjustment approved by the Ministry of Health.

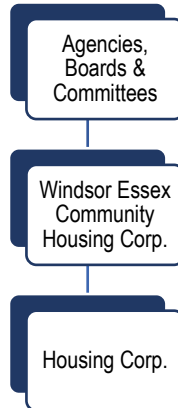
**Essex Region Conservation Authority (ERCA): \$7,000 Surplus**

The Essex Region Conservation Authority's budget was approved subsequent to the City's budget being approved and has resulted in a \$7,000 surplus.

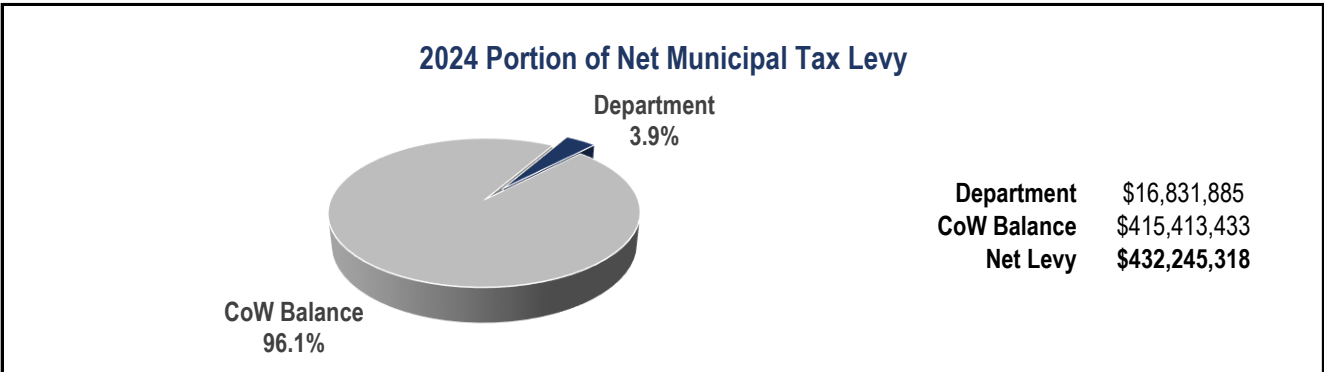


**Windsor Essex Community Housing Corporation**

**DEPARTMENTAL OVERVIEW**



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	(\$9,916,237)	(\$7,963,294)	(\$8,307,760)	(\$8,293,990)
Annual Expense Budget	\$21,999,658	\$20,524,712	\$21,991,253	\$23,920,525
<b>Annual Net Budget</b>	<b>\$12,083,421</b>	<b>\$12,561,418</b>	<b>\$13,683,493</b>	<b>\$15,626,535</b>
<b>Annual Net Variance</b>				
Variance as a % of Gross Budget	0.0%	0.0%	0.0%	0.0%



**2024 Year-End Projection: (\$486,000)**

**Third Quarter Deficit**

# Windsor Essex Community Housing Corporation

## VARIANCE SUMMARY & DESCRIPTION

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
Recovery of Expenditures	n/a	\$348,000	\$350,000	
<b>Expenses:</b>				
Transfers for Social Services	n/a	(\$830,000)	(\$836,000)	
<b>Net Total</b>	n/a	<b>(\$482,000)</b>	<b>(\$486,000)</b>	<b>\$0</b>

<b>Recovery of Expenditures</b>	<b>\$350,000</b>
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Social Housing provided through Windsor Essex Community Housing Corporation's (CHC) is cost shared with the County of Essex. The County revenue surplus is associated with the additional Transfers for Social Services, noted below, is projected to **\$350,000** higher than budgeted.

<b>Transfers for Social Services</b>	<b>(\$836,000)</b>
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CHC is an arm's-length organization owned by the City of Windsor. CHC is a separate legal entity and operates as a non-profit governed by a Board of Directors (the "Board"). The Board oversees the organization, while the daily operational functions are executed by the CEO and staff employed at CHC. The City as Service Manager for Social Housing provides operating subsidy to CHC through the Approved Housing Budget to maintain CHC operations. CHC is projecting a gross deficit in their Public Housing portfolio of approximately **(\$836,000)** primarily due to increased costs in building repair and maintenance.

## MITIGATING MEASURES

Housing Services is working with CHC administration to monitor expenditures, in key controllable categories such as increased costs related to utilities, and maintenance.

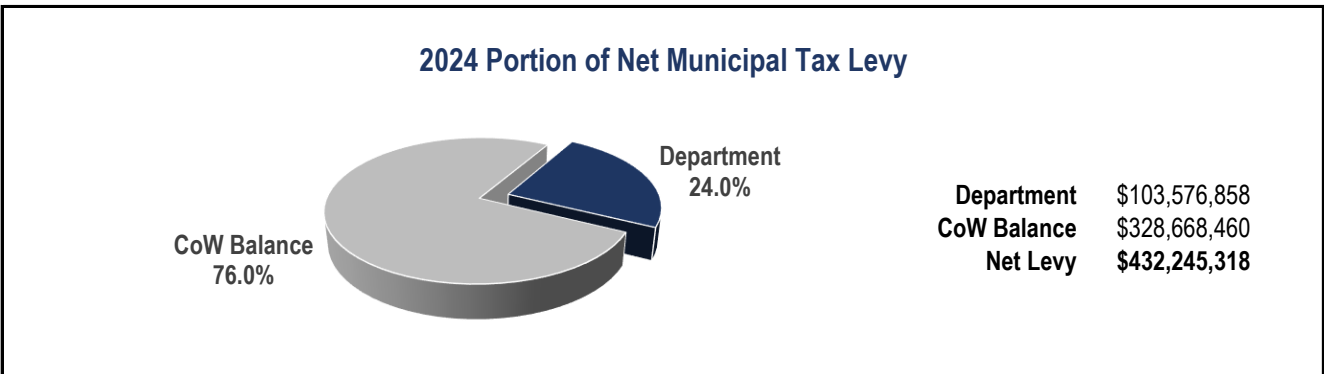
**Windsor Police Services**

**DEPARTMENTAL OVERVIEW**

The Windsor Police Service (WPS) provides crime prevention, law enforcement, assistance to victims of crime, public order maintenance and emergency response. WPS operates in accordance with principles that ensure the safety and security of all persons and property, safeguarding the fundamental rights guaranteed by the Canadian Charter of Rights and Freedoms and the Human Rights Code.



Historical Financial Summary	2020	2021	2022	2023
Annual Revenue Budget	(\$17,364,207)	(\$17,384,673)	(\$18,042,140)	(\$18,862,655)
Annual Expense Budget	\$109,490,813	\$111,317,082	\$115,019,577	\$117,868,133
<b>Annual Net Budget</b>	<b>\$92,126,606</b>	<b>\$93,932,409</b>	<b>\$96,977,437</b>	<b>\$99,005,478</b>
<b>Annual Net Variance</b>	<b>\$571,091</b>	<b>\$1,530,708</b>	<b>\$620,859</b>	<b>(\$72,756)</b>
<b>Variance as a % of Gross Budget</b>	<b>0.5%</b>	<b>1.4%</b>	<b>0.5%</b>	<b>(0.1%)</b>



**2024 Year-End Projection: (\$3,500,000)**

**Second Quarter Deficit**

**Windsor Police Services**

**VARIANCE SUMMARY & DESCRIPTION**

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Expenses:</b>				
Salaries & Benefits	n/a	(\$3,000,000)	(\$3,500,000)	
<b>Net Total</b>	<b>n/a</b>	<b>(\$3,000,000)</b>	<b>(\$3,500,000)</b>	<b>\$0</b>

**Salaries & Benefits** **(\$3,500,000)**

Once adjusted for impending wage settlements, known timing issues, fringes, and utilities; the third quarter report provided to City Administration projects that the WPS will experience a \$3.5M budget deficit by year end. The most significant contributing factor is the settlement of the 2023-2026 Collective Bargaining Agreements with the Windsor Police Association. This requires the WPS to remit retroactive settlements for both the 2023 and 2024 fiscal years.

**MITIGATING MEASURES**

WPS will continue to manage and monitor discretionary spending where possible to mitigate the impacts of negotiated salary increases.

**On-Off Street Parking Reserve**

<b>2024 Year-End Projection:</b>	<b>(\$397,000)</b>
<b>Third Quarter</b>	<b>Deficit</b>

**VARIANCE SUMMARY & DESCRIPTION**

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
User Fees, Permits & Charges	n/a	(\$450,000)	(\$450,000)	
<b>Expenses:</b>				
Salaries & Benefits	n/a	\$125,000	\$100,000	
Utilities, Insurance & Taxes	n/a	\$0	(\$47,000)	
<b>Net Total</b>	<b>n/a</b>	<b>(\$325,000)</b>	<b>(\$397,000)</b>	<b>\$0</b>

<b>User Fees, Permits &amp; Charges</b>	<b>(\$450,000)</b>
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A total deficit of (\$450,000) is estimated for 2024 related to reduced hourly and monthly parking revenue at meters, in lots, and in garages. This estimate is based on year to date trends in 2024 as compared to previous years both pre and post pandemic.

<b>Salaries &amp; Benefits</b>	<b>\$100,000</b>
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A projected overall surplus of approximately \$100,000 is estimated for 2024 related to salary and wage for all staff in the On-Off Street Parking Division of Public Works. The projected surplus is the net total of the surpluses expected in the WSIB pension, medical, salary, and admin fee accounts for the year as well as the surpluses expected related to salary and wage gapping due to a number of vacancies across the department resulting from retirements and staff appointments into new positions.

<b>Utilities, Insurance &amp; Taxes</b>	<b>(\$47,000)</b>
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A projected overall deficit of (\$47,000) is expected for 2024 related to the property taxes paid for all parking lots in the On-Off Street Parking Division of Public Works.

**MITIGATING MEASURES**

A draw from the Off Street Parking Reserve will be required should revenue projections remain below anticipated volumes.

**Building Permit Reserve**

**2024 Year-End Projection: \$7,460,000**  
**Third Quarter Surplus**

**VARIANCE SUMMARY & DESCRIPTION**

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
User Fees, Permits & Charges	n/a	\$7,500,000	\$7,518,000	
<b>Expenses:</b>				
Financial Expenses	n/a	(\$30,000)	(\$43,000)	
Minor Capital	n/a	(\$209,000)	(\$267,000)	
Operating & Maintenance Supplies	n/a	(\$3,000)	(\$4,000)	
Purchased Services	n/a	(\$495,000)	(\$505,000)	
Salaries & Benefits	n/a	\$734,000	\$821,000	
Other Miscellaneous Expenditures	n/a	(\$66,000)	(\$60,000)	
<b>Net Total</b>	<b>n/a</b>	<b>\$7,431,000</b>	<b>\$7,460,000</b>	<b>\$0</b>

**User Fees, Permits & Charges \$7,518,000**

Building permit revenue is expecting a year end surplus of \$7,518,000. The surplus in permit revenue is largely due to larger building construction projects.

**Financial Expenses (\$43,000)**

The Building department is expecting to end the year with a deficit of (\$43,000) due to the higher number of transactions that are anticipated to be paid by credit card in 2024.

**Minor Capital (\$267,000)**

The Minor Capital is expected to have a short fall of (\$267,000) for the renovation of the 2nd floor in the 350 City Hall Building as well as computer equipment required for new employees and software.

**Operating & Maintenance Supplies (\$4,000)**

The Building Department is expecting to end the year with an overall deficit of (\$4,000) mainly due to promotional material that was purchased for job fairs and other community events.

**Purchased Services (\$505,000)**

A deficit in Purchased Services is due to the allocation of indirect program support costs to the Building Permit Fee Reserve as well as for advertising and telephone purchases for hiring new employees. The deficit is expected to be offset by a surplus due to fewer fleet expenses reallocation.

**Building Permit Reserve**

**Salaries & Benefits** **\$821,000**

Staff gapping savings of \$821,000 is expected due to the number of retirements in 2024 and new positions created by the 2023 staff reorganization (BI2023-0069) that have not been filled.

**Other Miscellaneous Expenditures** **(\$60,000)**

The expected Deficit in Other Miscellaneous Expenditures is mainly due to (\$56,000) in training and (\$4,000) for Document registrations.

**Sewer Surcharge Reserve**

**2024 Year-End Projection: \$638,000**  
**Third Quarter Surplus**

**VARIANCE SUMMARY & DESCRIPTION**

Description	Q1 Projection	Q2 Projection	Q3 Projection	Year-End Variance
<b>Revenue:</b>				
Recovery of Expenditures	n/a	\$289,000	\$289,000	
User Fees, Permits & Charges	n/a	\$674,000	\$674,000	
Other Miscellaneous Revenue	n/a	(\$1,264,000)	(\$1,264,000)	
<b>Expenses:</b>				
Minor Capital	n/a	(\$24,000)	(\$24,000)	
Operating & Maintenance Supplies	n/a	(\$605,000)	(\$641,000)	
Salaries & Benefits	n/a	(\$146,000)	\$340,000	
Transfers to Reserves & Capital Funds	n/a	\$1,264,000	\$1,264,000	
<b>Net Total</b>	<b>n/a</b>	<b>\$188,000</b>	<b>\$638,000</b>	<b>\$0</b>

**Recovery of Expenditures \$289,000**

A surplus of \$289,000 is projected from recoveries in Environmental Quality Services from the Windsor Salt Evaporation Facility. The net recoveries of \$289k were also for expenses from prior year.

**User Fees, Permits & Charges \$674,000**

A surplus of \$232,000 is projected in septic services revenue within the Pollution Control division. The sewage that Enviroland has been bringing LRWRP is part of a special project for a trailer park lagoon repair. Enviroland has been hauling for the trailer park since 2023, and the project has now been completed in 2024. Additionally, sewer rates were increased in 2024 and are projected to yield a \$410,000 surplus, due to the timing of the fee increase.

The Engineering division is projecting a surplus of approximately \$32,000 in User Fees, Permits & Charges. This is the automated Sewer Surcharge Work Auth entries fully recover costs allocated in the Right of Way division variance attributable to Construction Contracts (PDC Replacement Rebates paid out). This is offset by a deficit in Minor Capital.

**Other Miscellaneous Revenue (\$1,264,000)**

There is an anticipated deficit for other Sewer Surcharge-related miscellaneous revenue of approximately (\$1,264,000) for 2024 which is due to the timing of the implementation of the 2024 rates. This is currently being offset by a surplus in Transfers to Reserves & Capital Funds as noted below. Based on current patterns, no additional loss of revenue is expected to be incurred. However, there is a risk that a change in consumption patterns could further impact revenue during the remainder of the year. Revenue and expenses will continue to be assessed and appropriate adjustments will continue to be made throughout the year.



## Sewer Surcharge Reserve

<b>Minor Capital</b>	<b>(\$24,000)</b>
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The Engineering division is projecting a deficit of approximately (\$24,000) due to large value of PDC Replacement Rebates expected to be paid out by Right of Way division. This is offset by a surplus in User Fees, Permits and Charges.

<b>Operating &amp; Maintenance Supplies</b>	<b>(\$641,000)</b>
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Chemicals are projected to be in a deficit of (\$363,000) and Maintenance is projected to be in a deficit of (\$278,000) by the end of 2024 within the Pollution Control division.

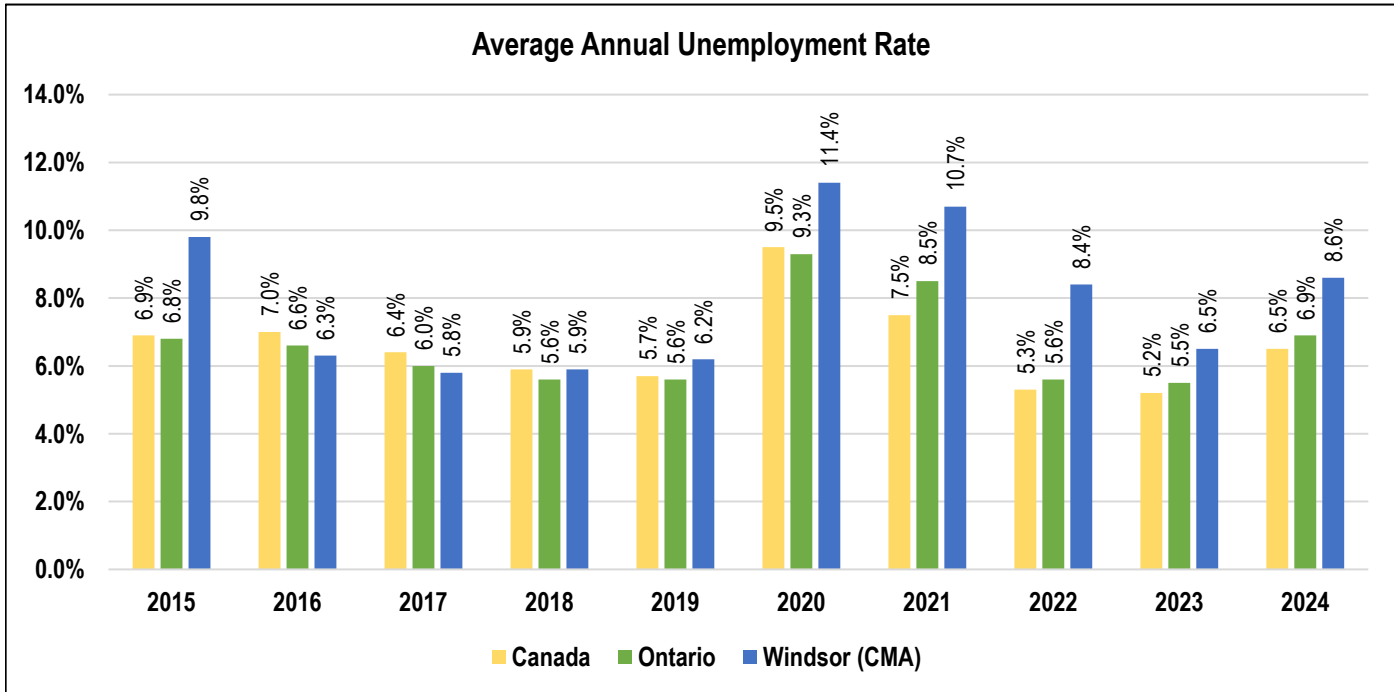
<b>Salaries &amp; Benefits</b>	<b>\$340,000</b>
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A projected overall surplus of approximately \$340,000 in Public Works is estimated for 2024 related to salary and wage for all staff in Public Works. The projected surplus is the net total of the surpluses and deficits expected related to salary and wage gapping due to a number of vacancies across the department resulting from retirements and staff appointments into new positions offset with the hiring of extra staff to accommodate heavy work load situations where required. In addition, the department is expecting a surplus in the WSIB accounts for 2024 related to pensions, medical, salary, and admin fees.

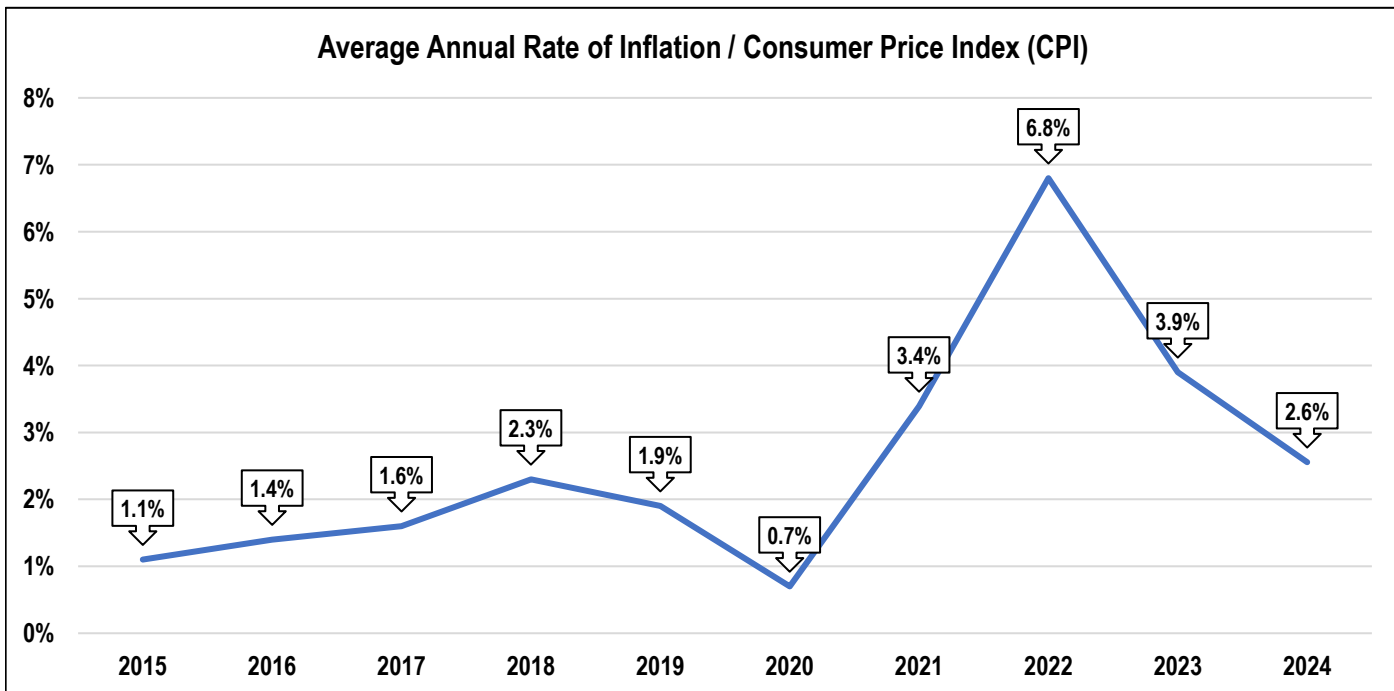
<b>Transfers to Reserves &amp; Capital Funds</b>	<b>\$1,264,000</b>
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Transfer to Capital Funds is anticipated to be in a surplus of approximately \$1,264,000, which is due to a holdback in sewer surcharge capital transfers. This is to offset the anticipated deficit of Sewer Surcharge revenue due to the timing of the implementation of the 2024 rates as noted above. Based on current patterns, no additional loss of revenue is expected to be incurred. However, there is a risk that a change in consumption patterns could further impact revenue during the remainder of the year. Revenue and expenses will continue to be assessed and appropriate adjustments will continue to be made throughout the year.

**ECONOMIC STATISTICS**

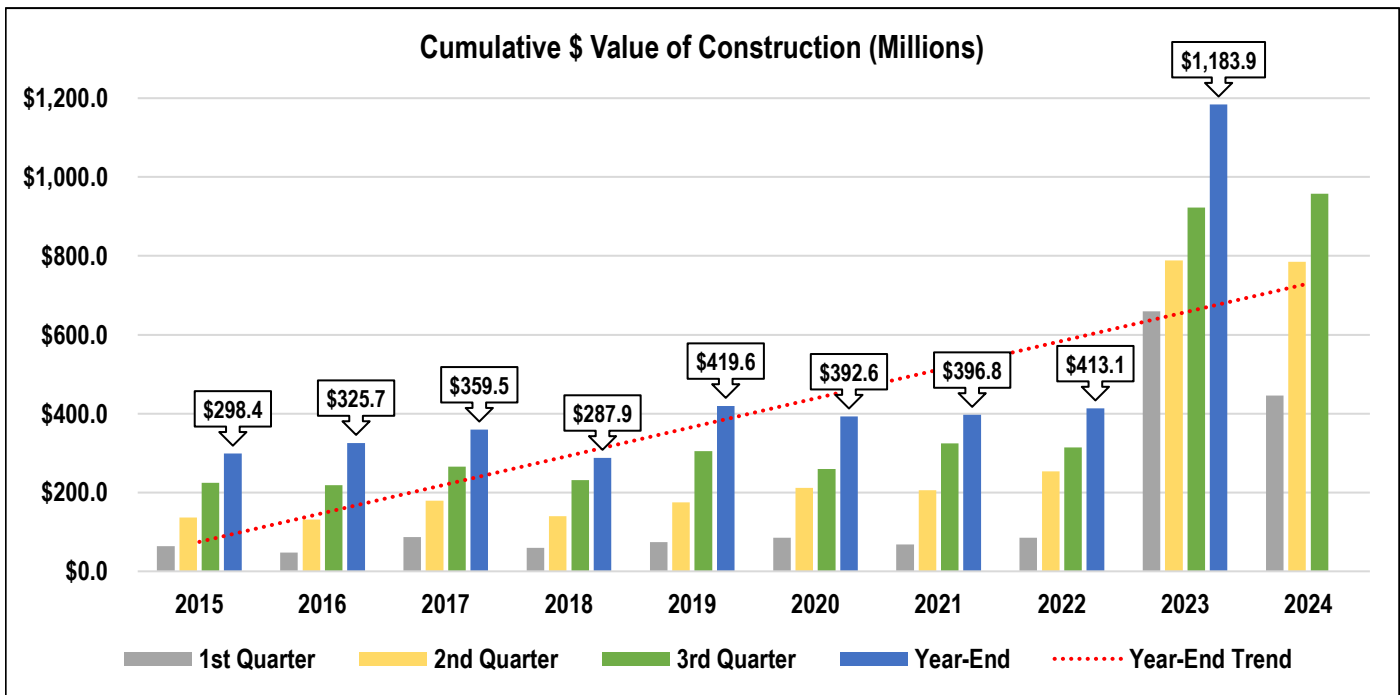
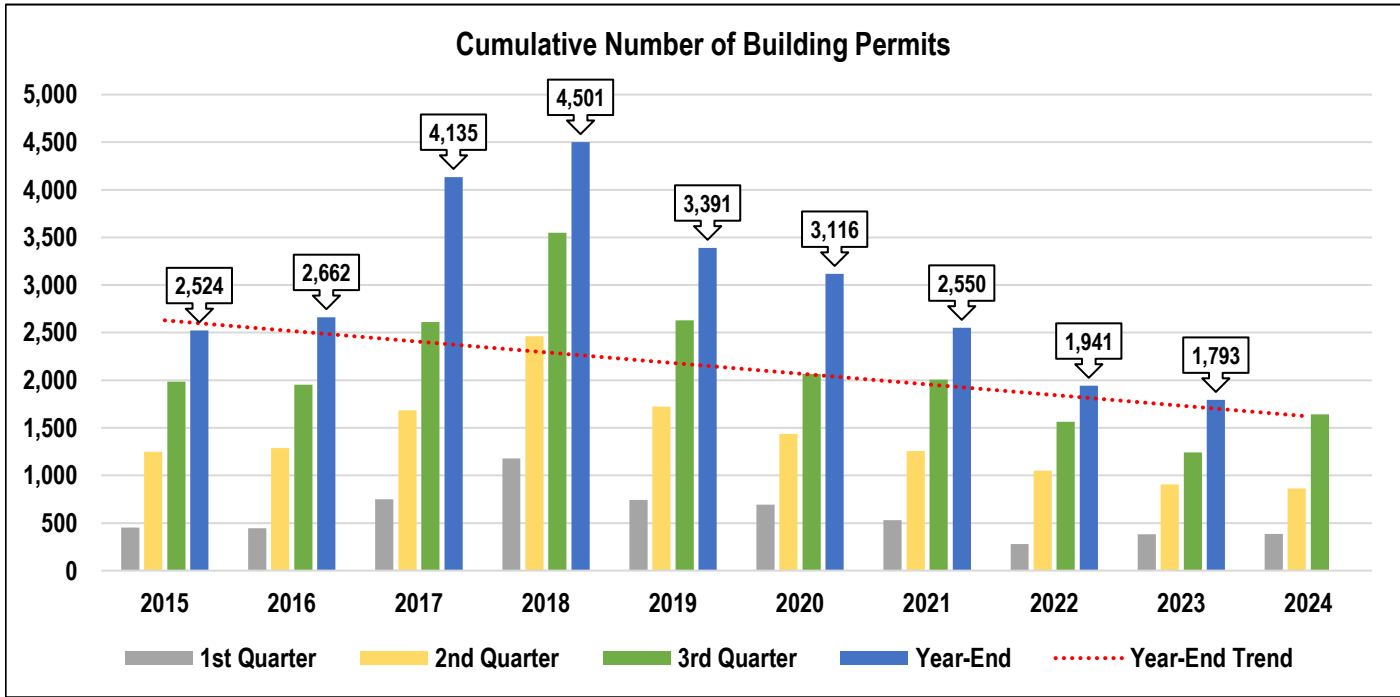


Source: Statistics Canada (3-Month Moving Average, Unadjusted)

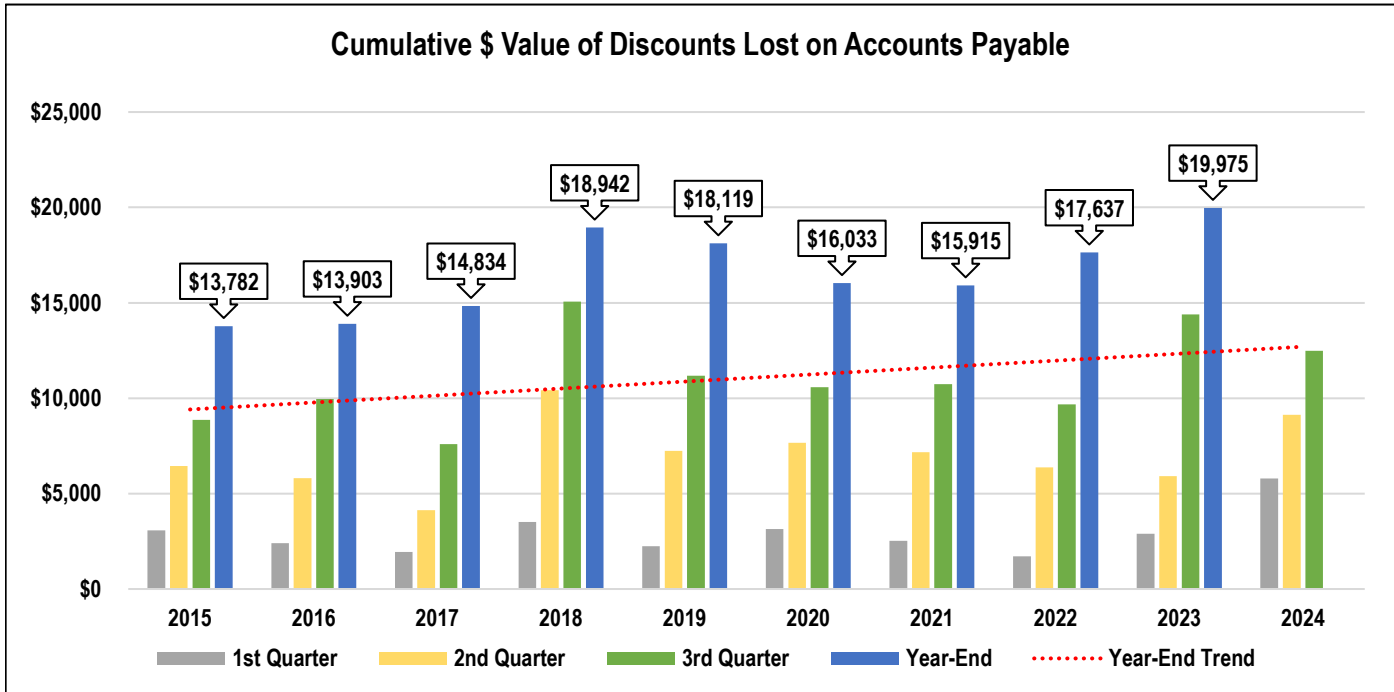


Source: Statistics Canada (All Items, Unadjusted)

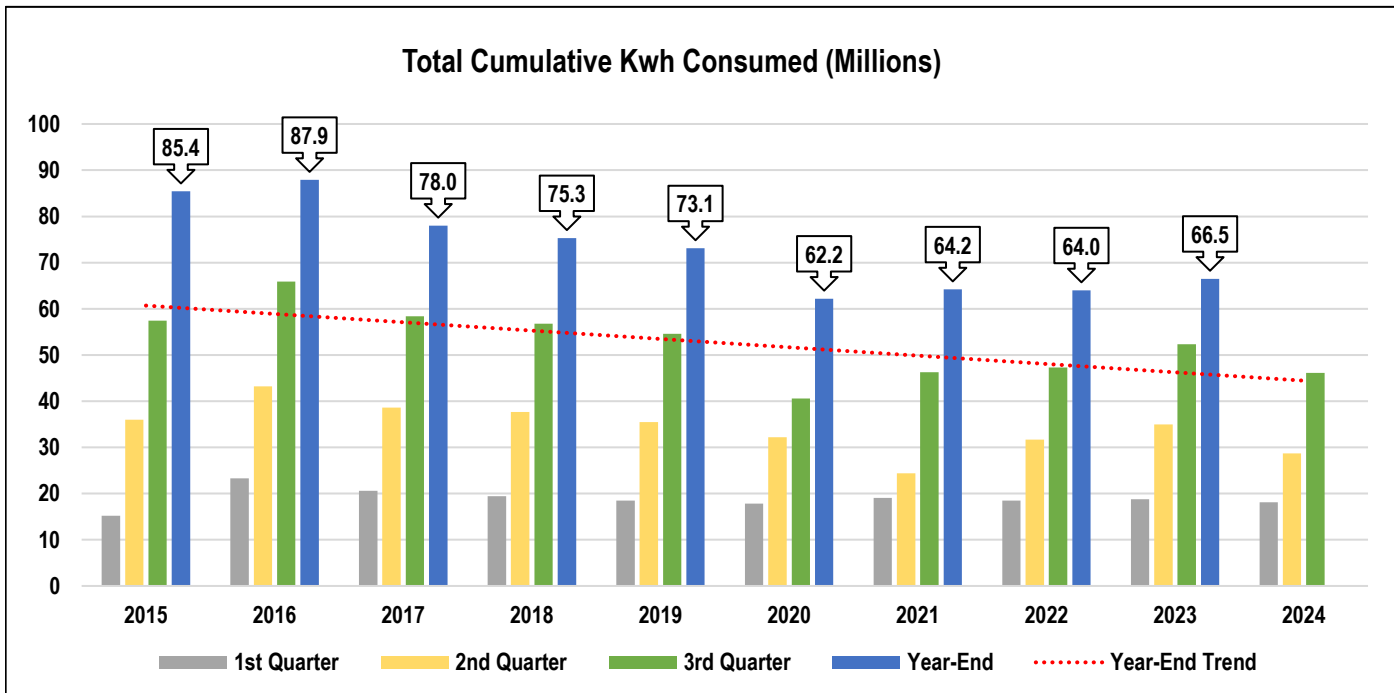
**BUILDING SERVICES**



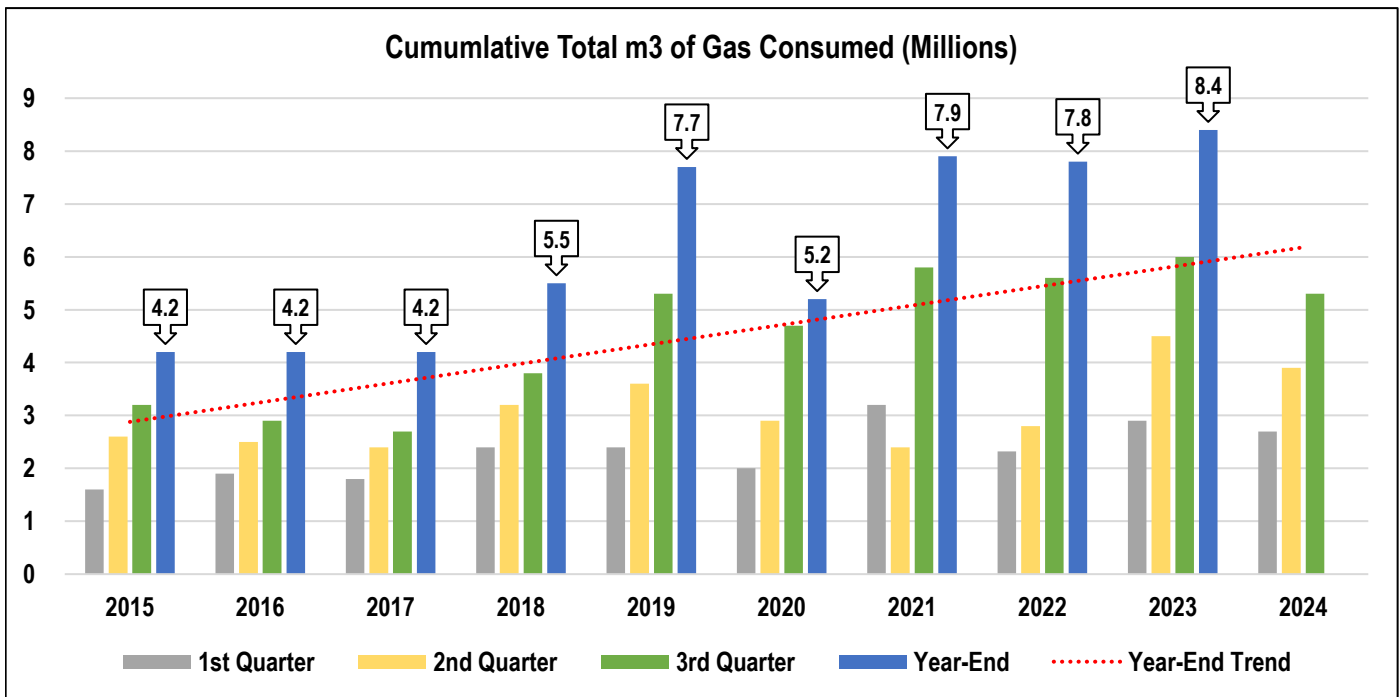
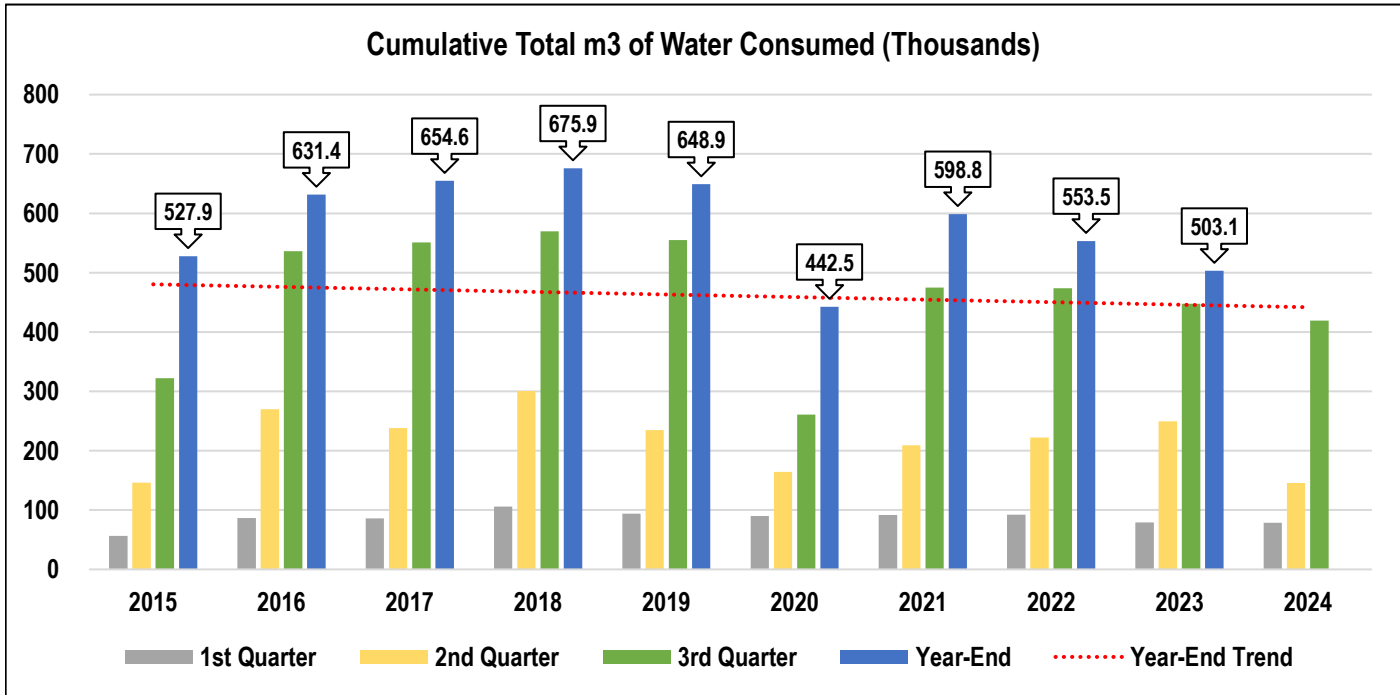
### FINANCIAL ACCOUNTING



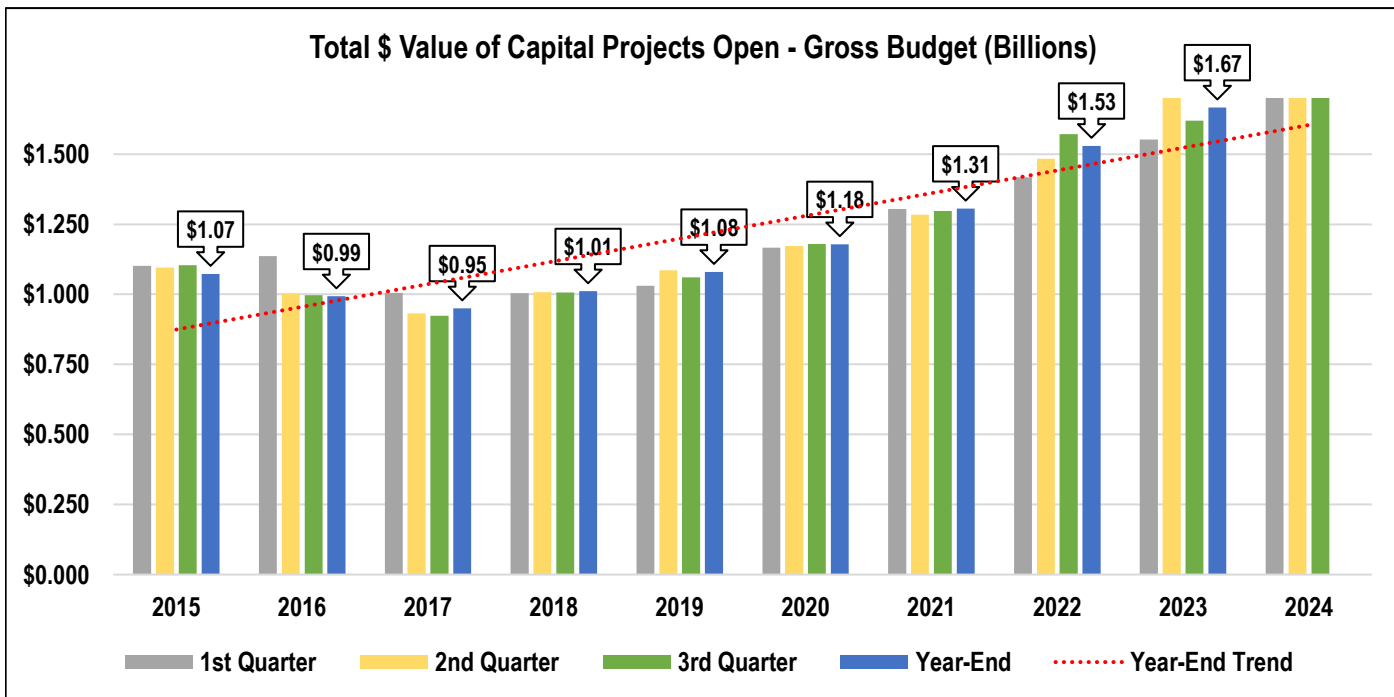
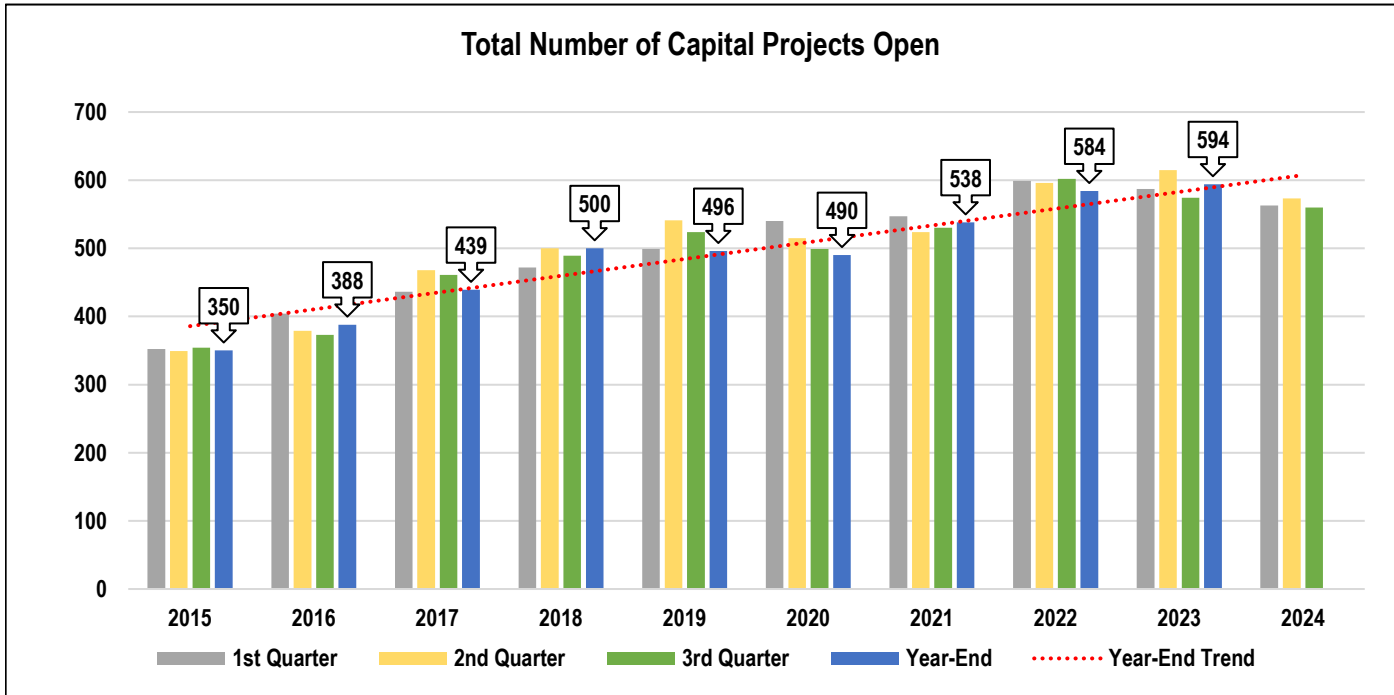
### ASSET PLANNING



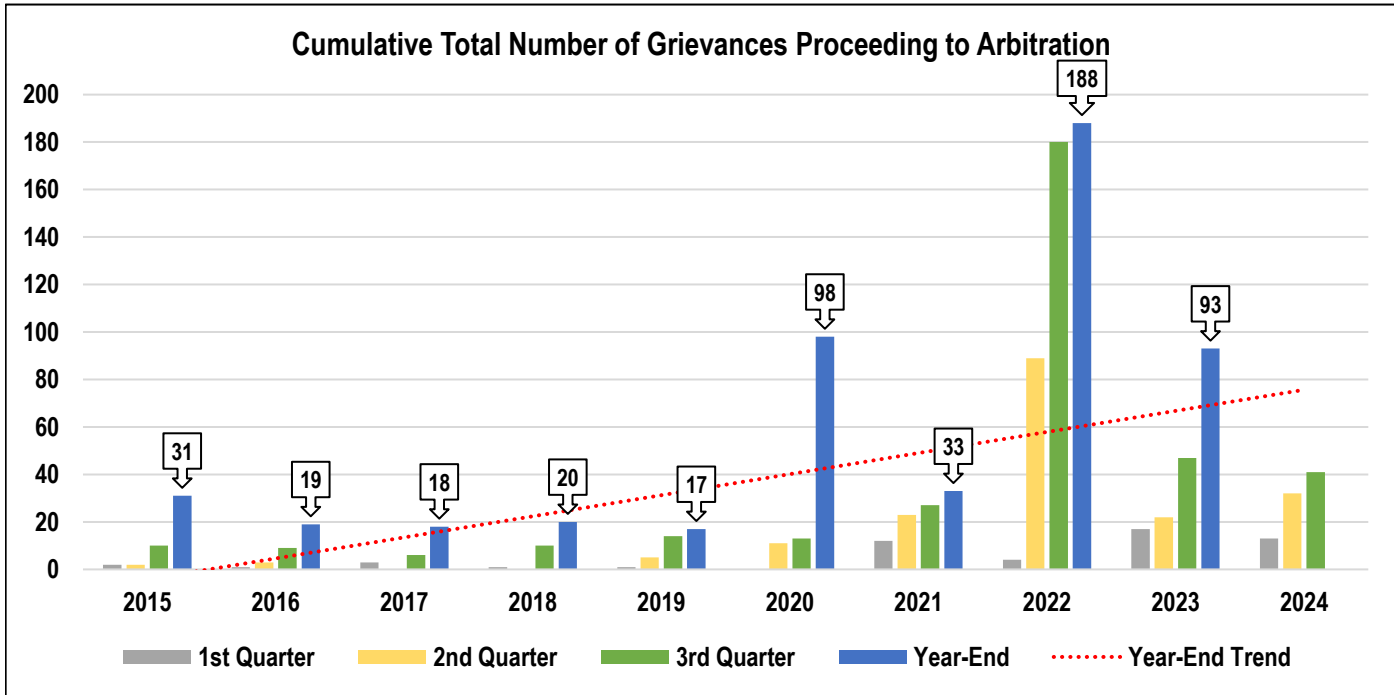
ASSET PLANNING



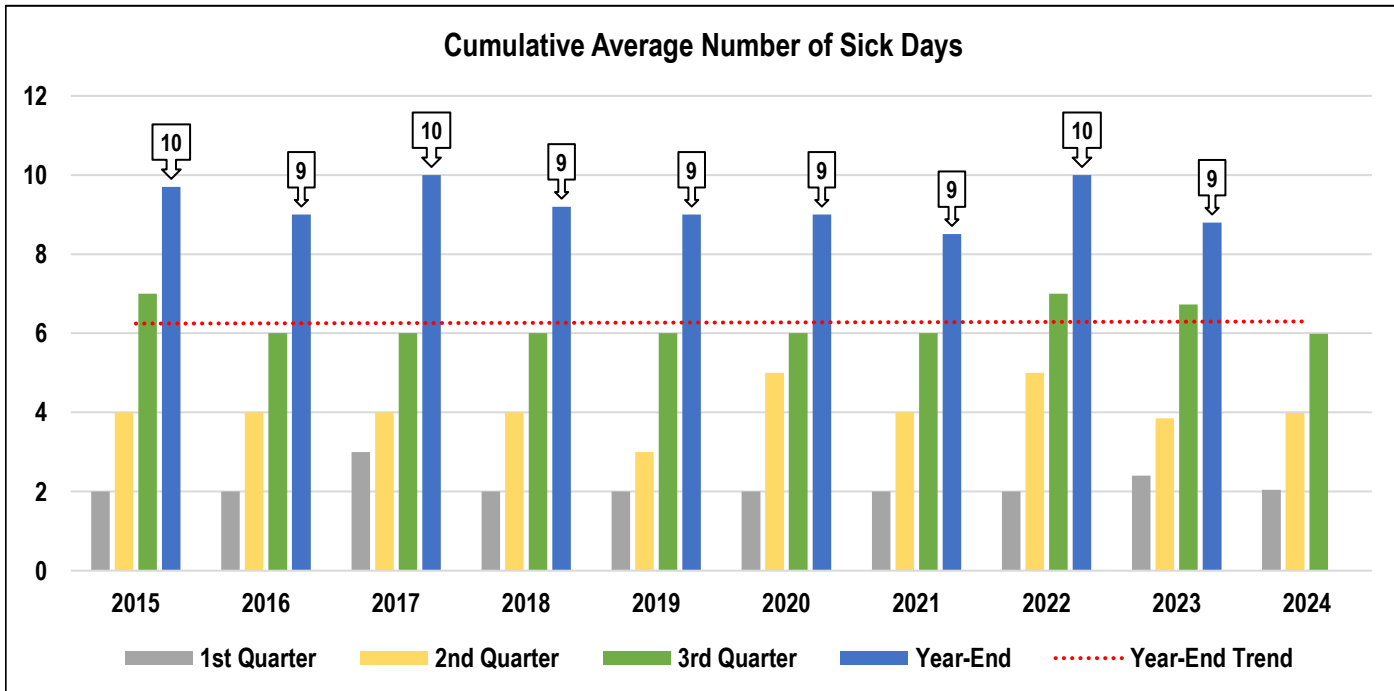
### ASSET PLANNING



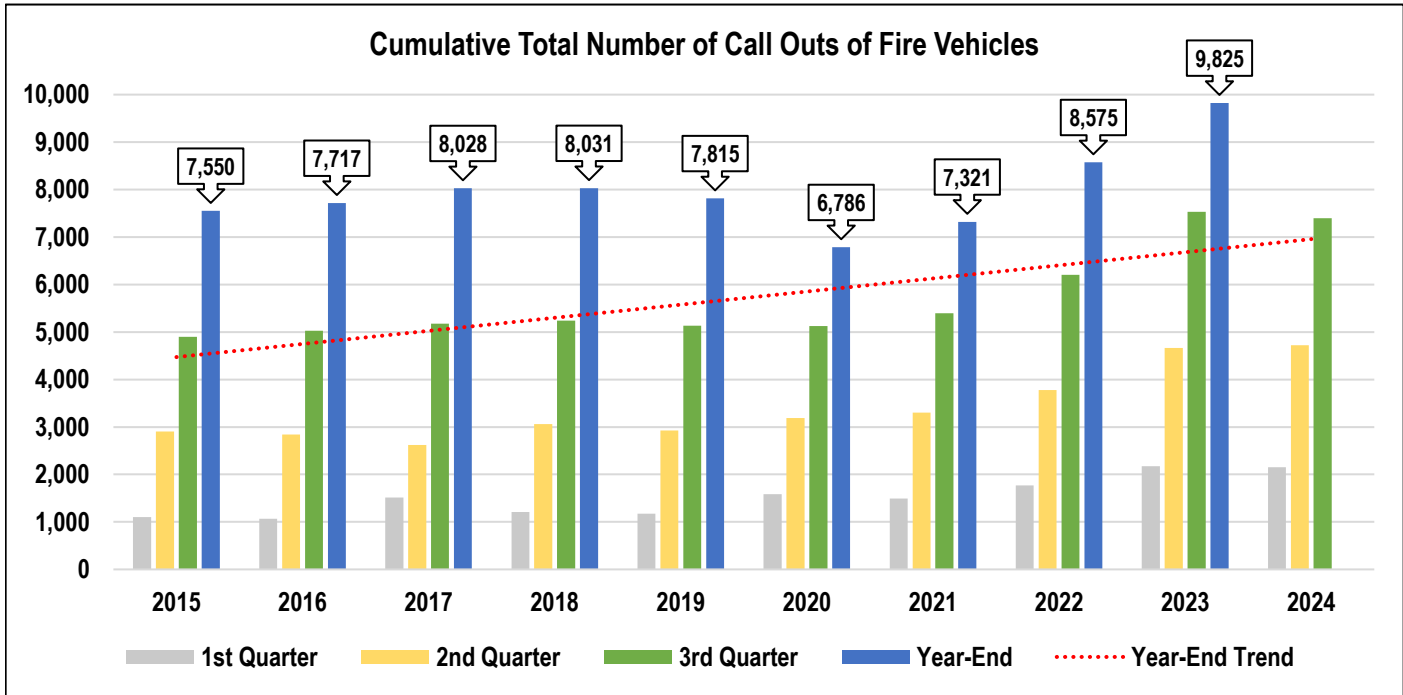
### HUMAN RESOURCES



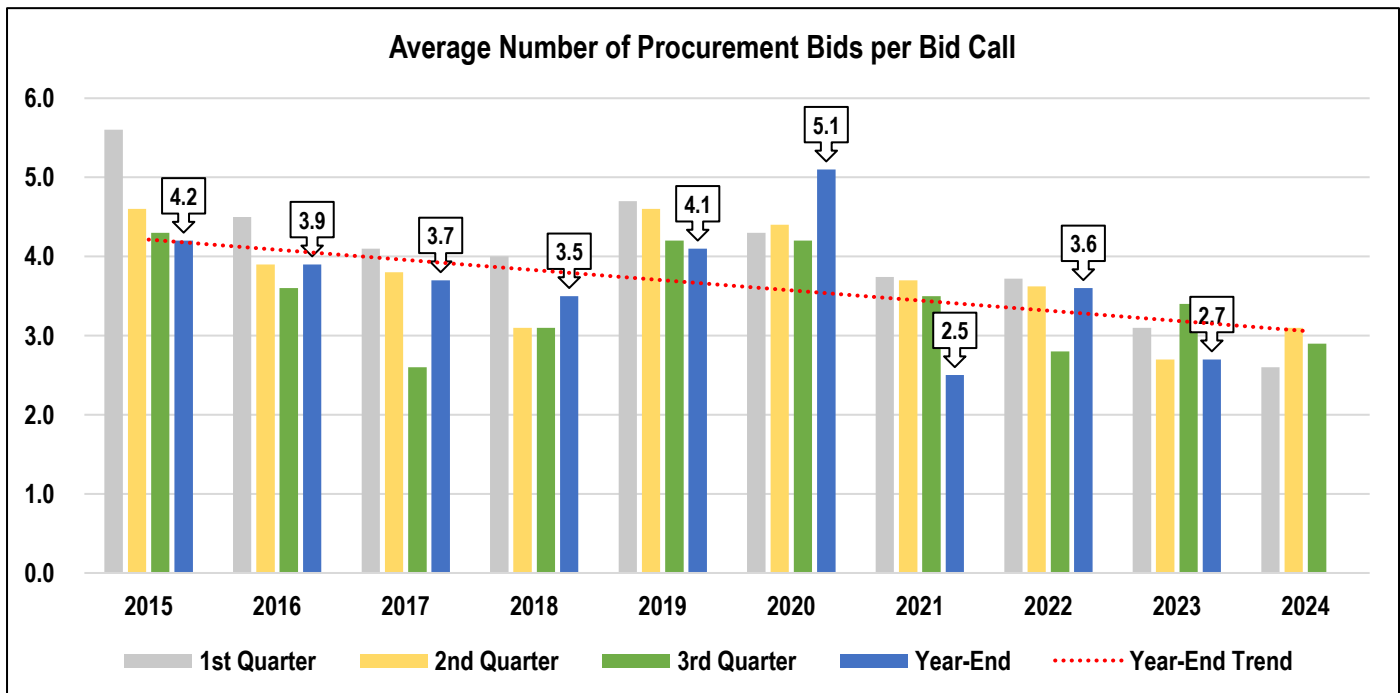
Note: In 2020, 64 of 98 grievances are attributed to Transit Windsor.



**FIRE & RESCUE**

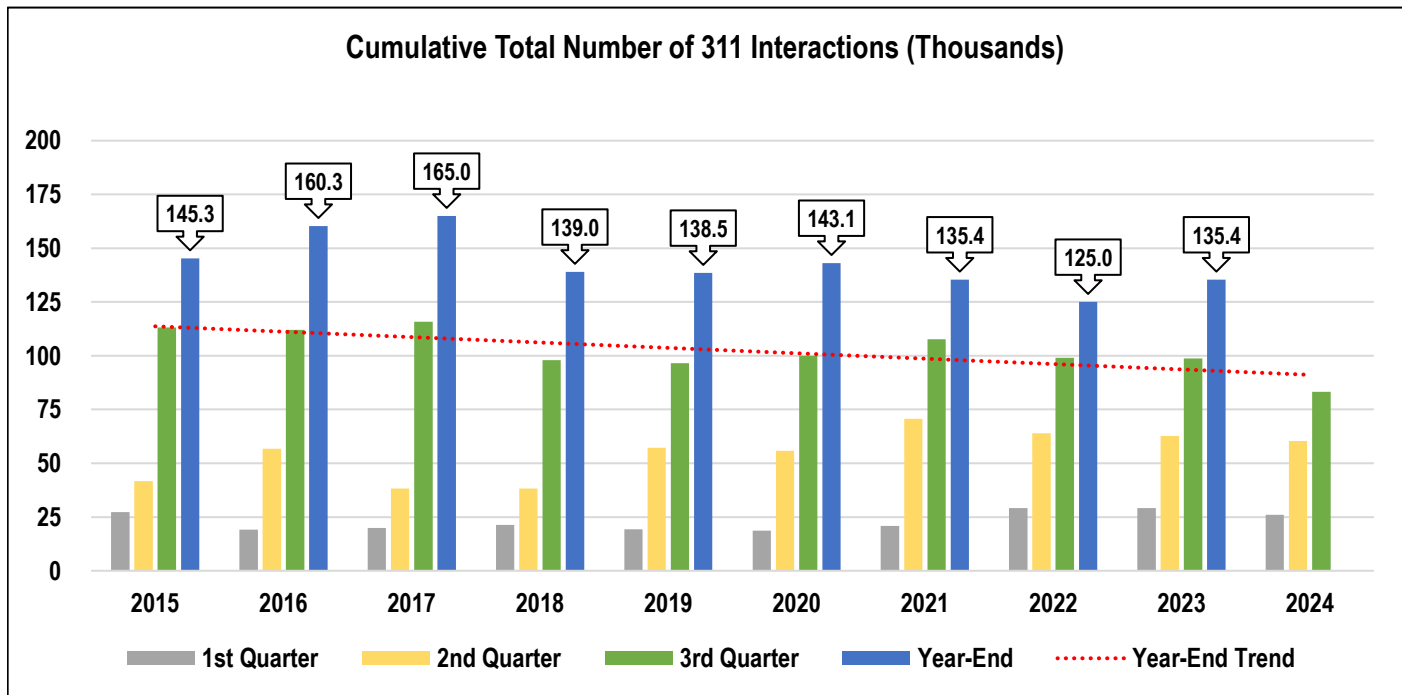


**POA, PURCHASING & RISK**

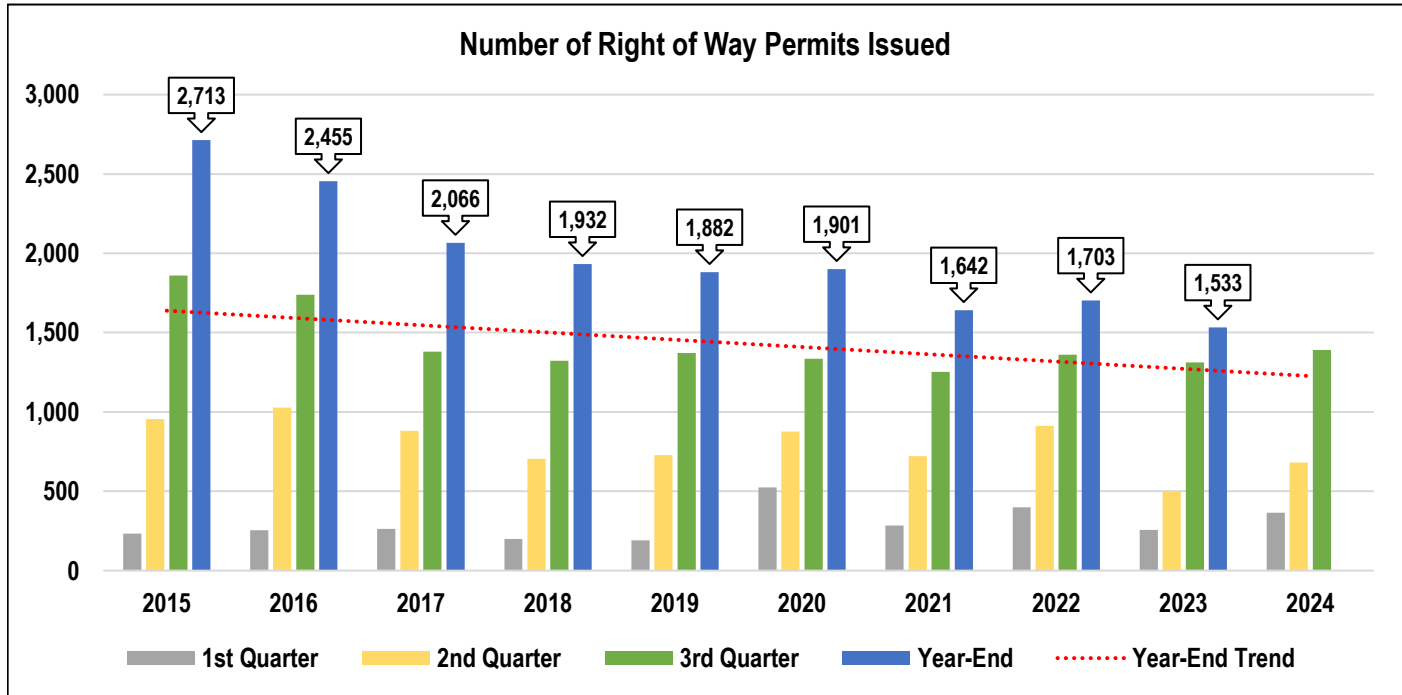




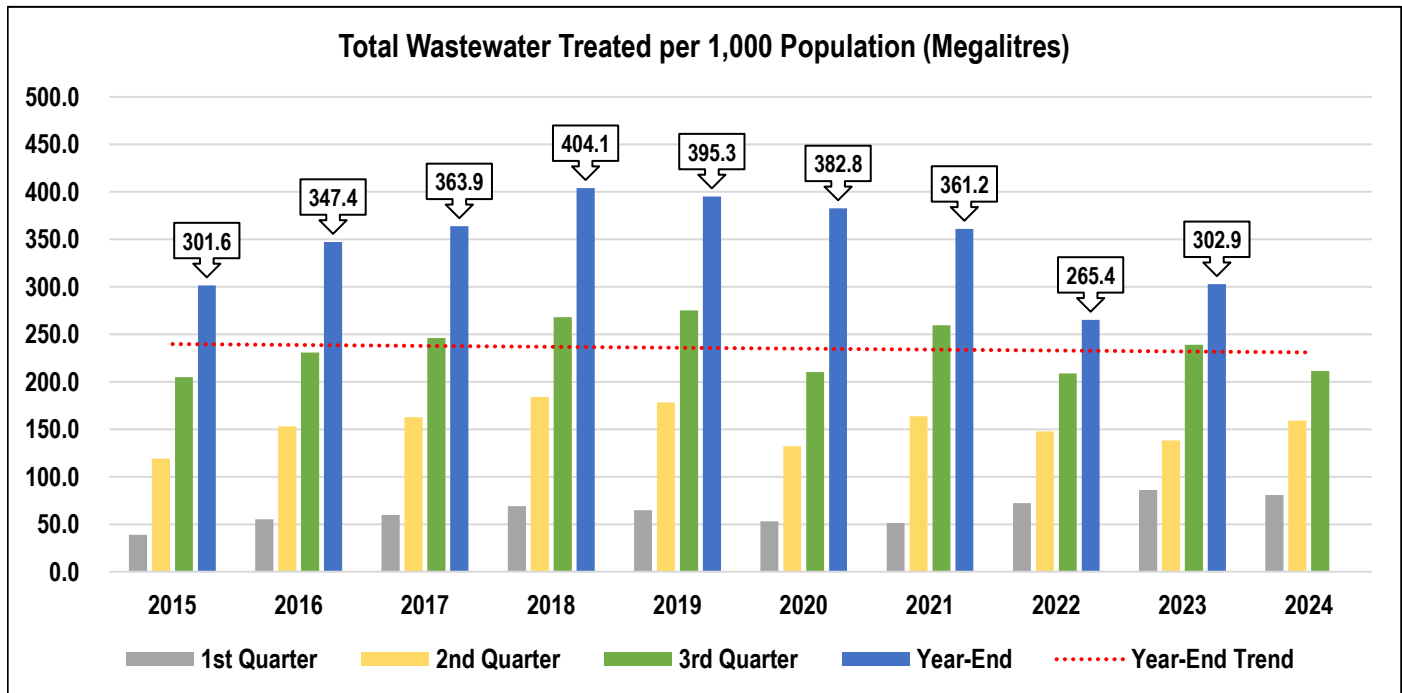
**COMMUNICATIONS & CUSTOMER SERVICE**



**ENGINEERING**

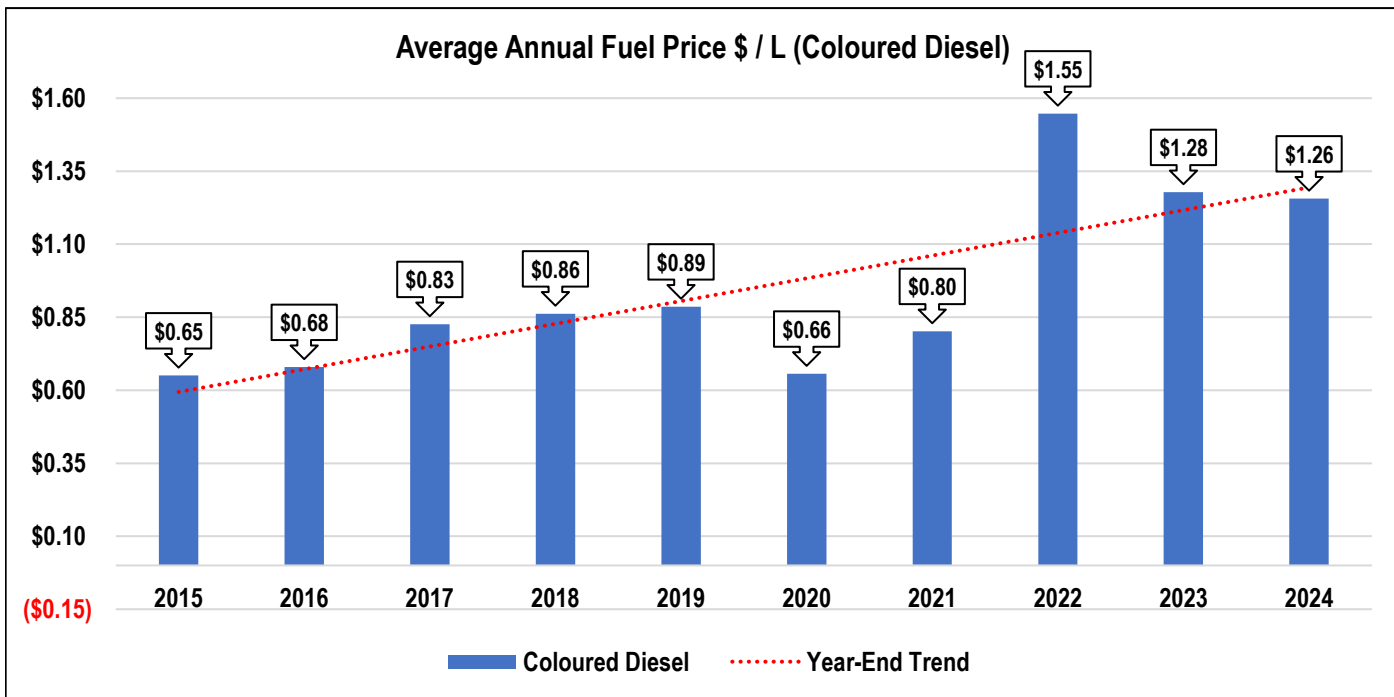
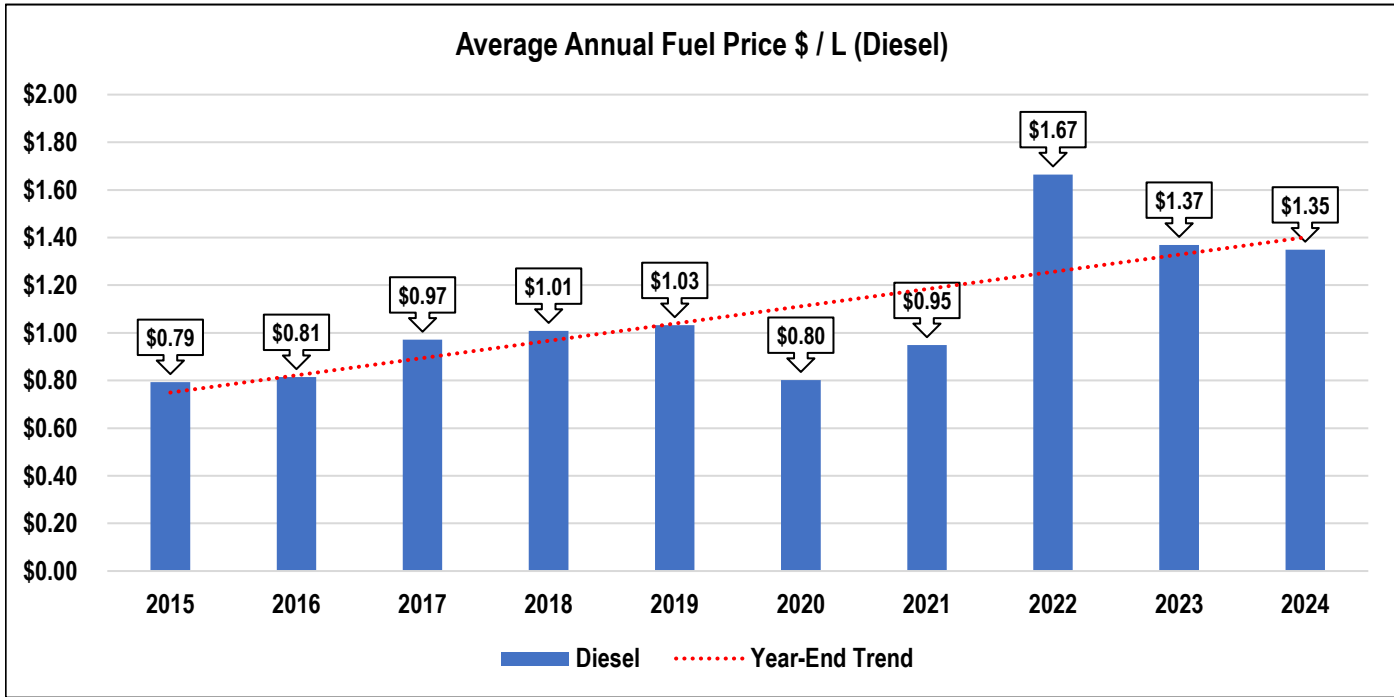


**POLLUTION CONTROL**

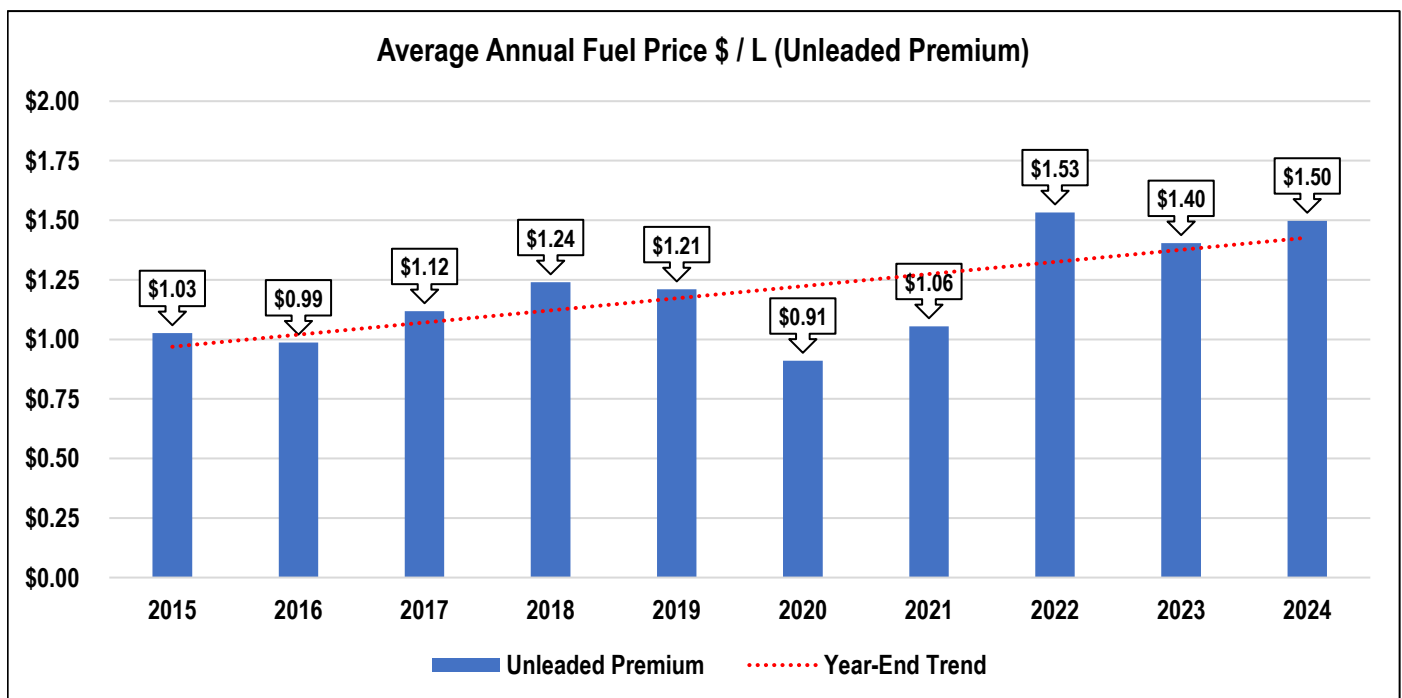
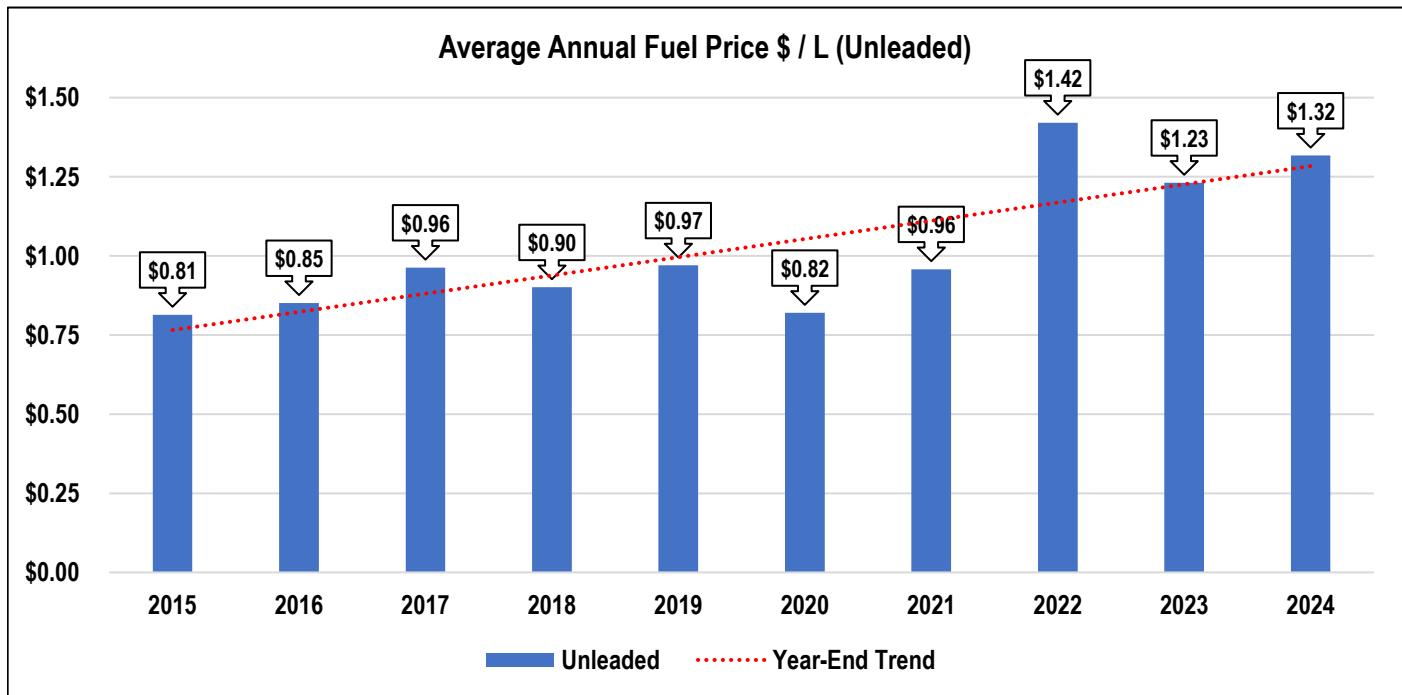


*Fluctuations are partially due to changes in precipitation patterns as additional water is treated during heavy storms due to combined sewers.*

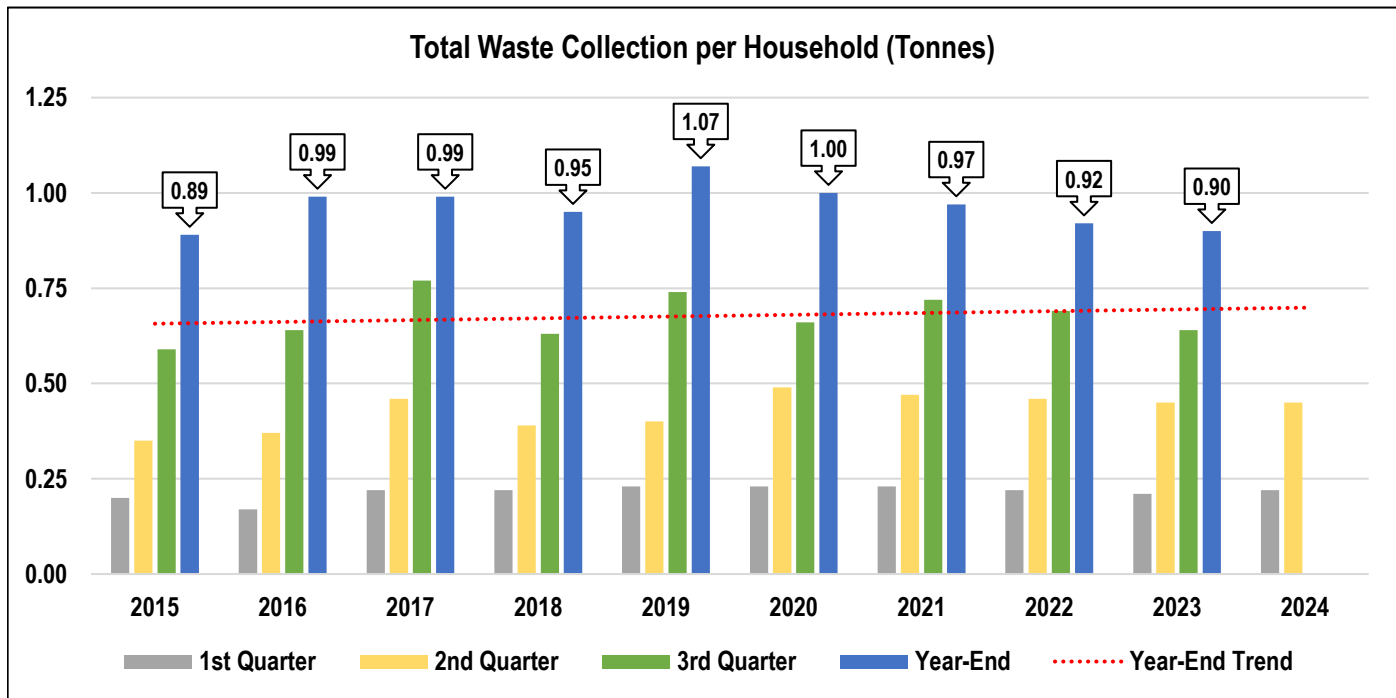
**PUBLIC WORKS**



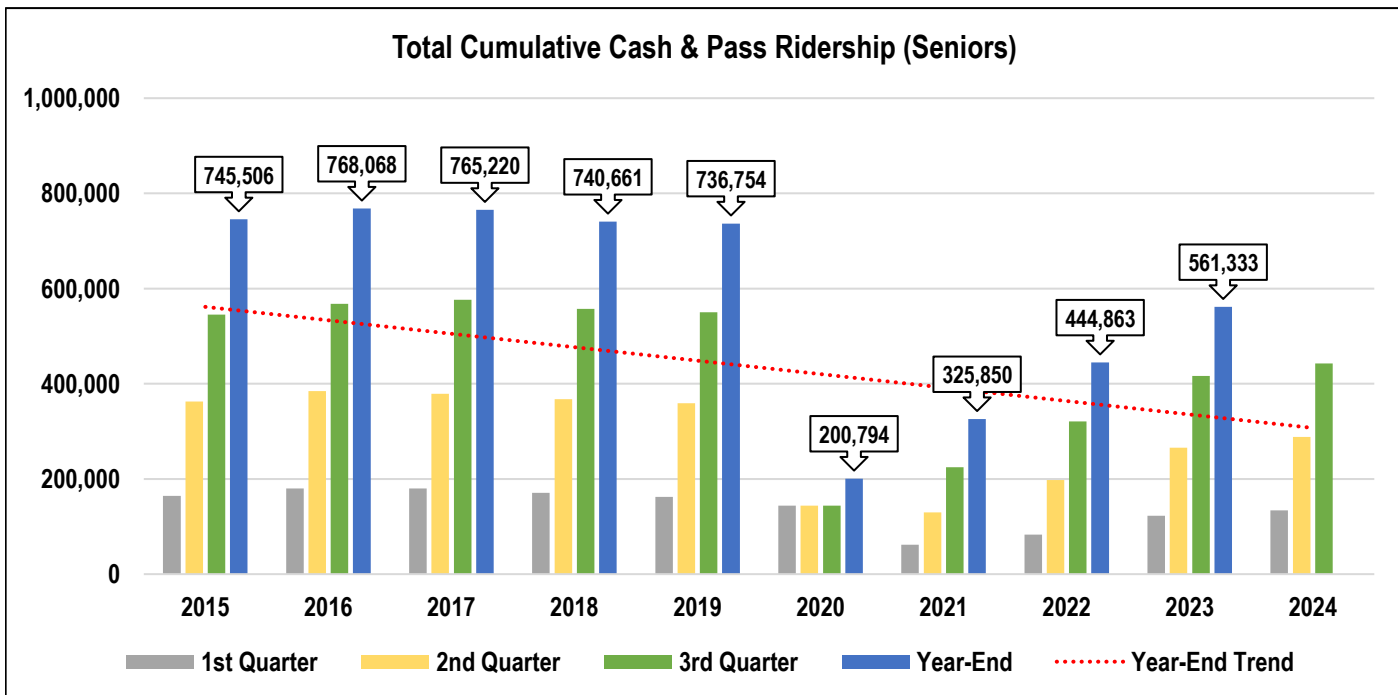
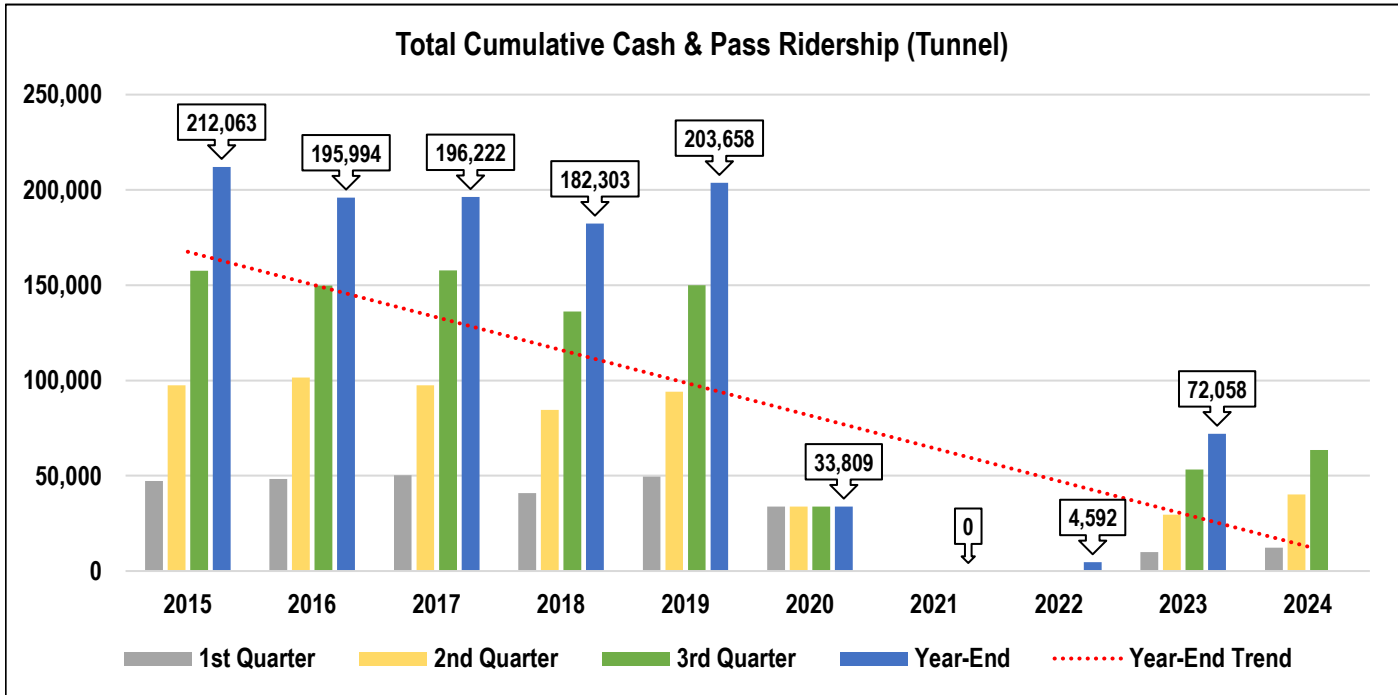
**PUBLIC WORKS**



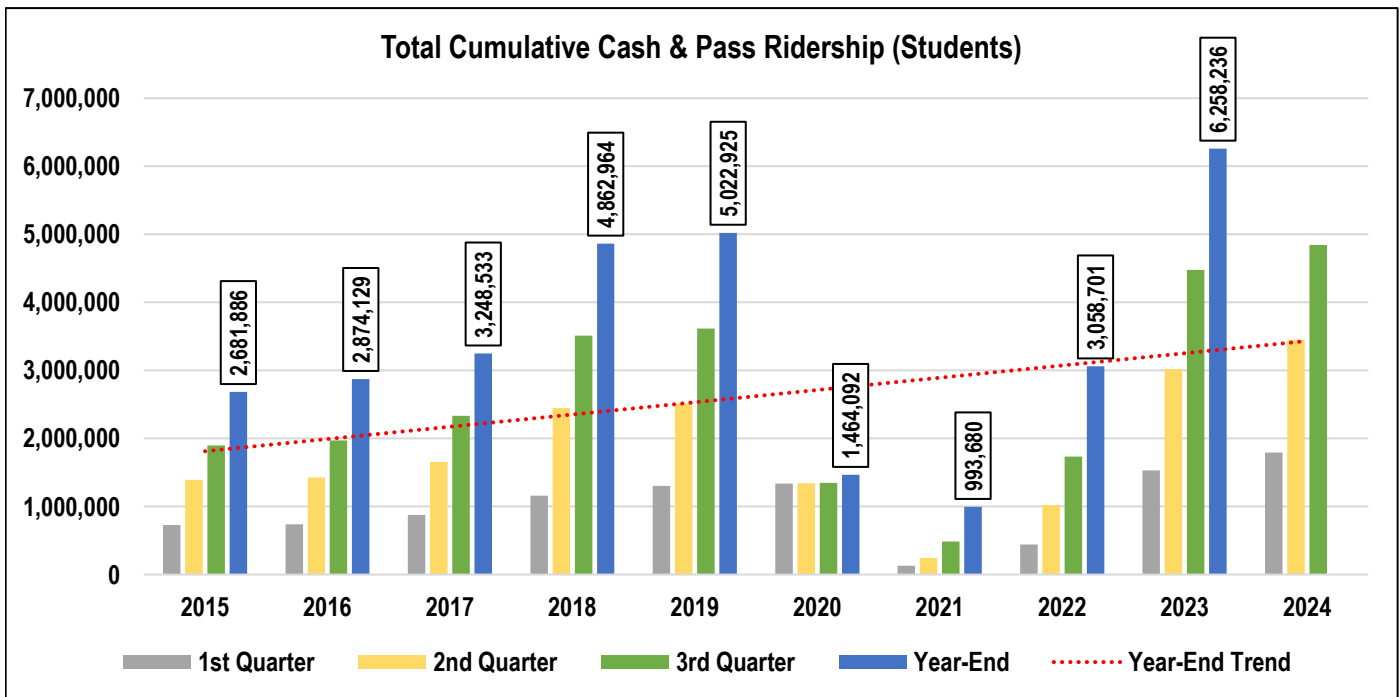
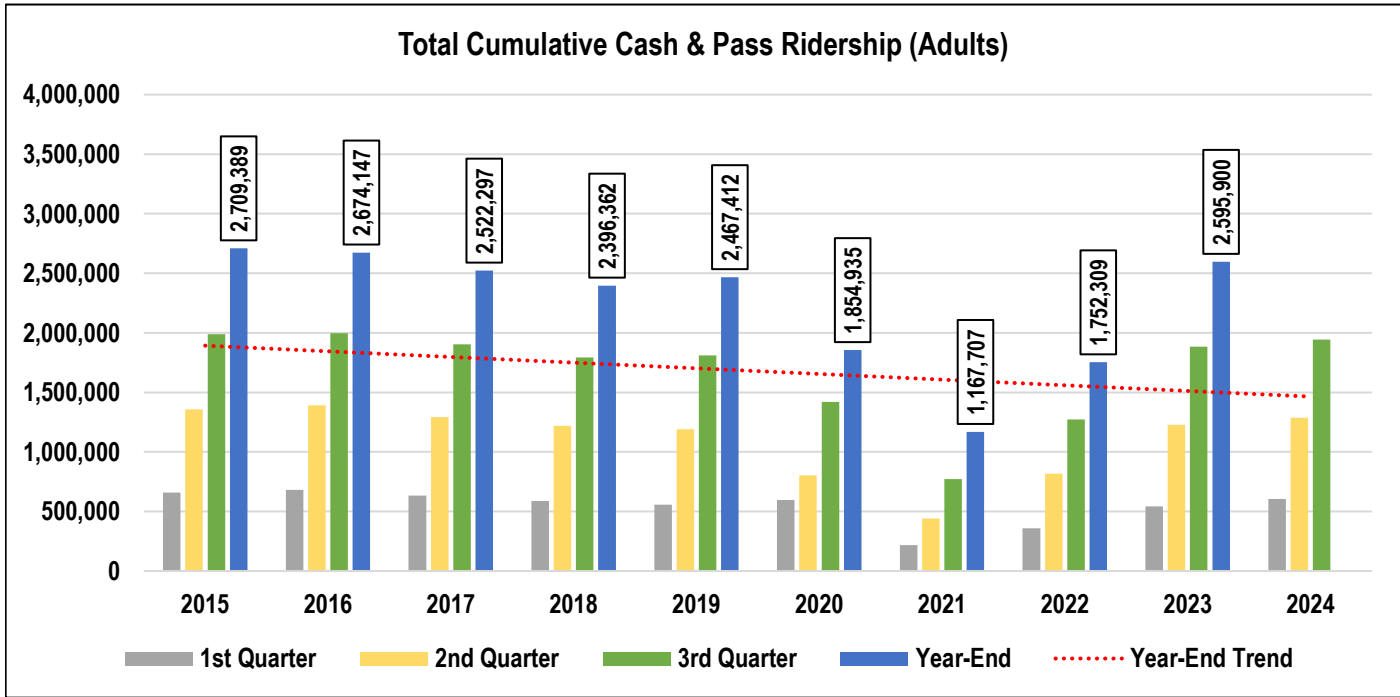
**PUBLIC WORKS**



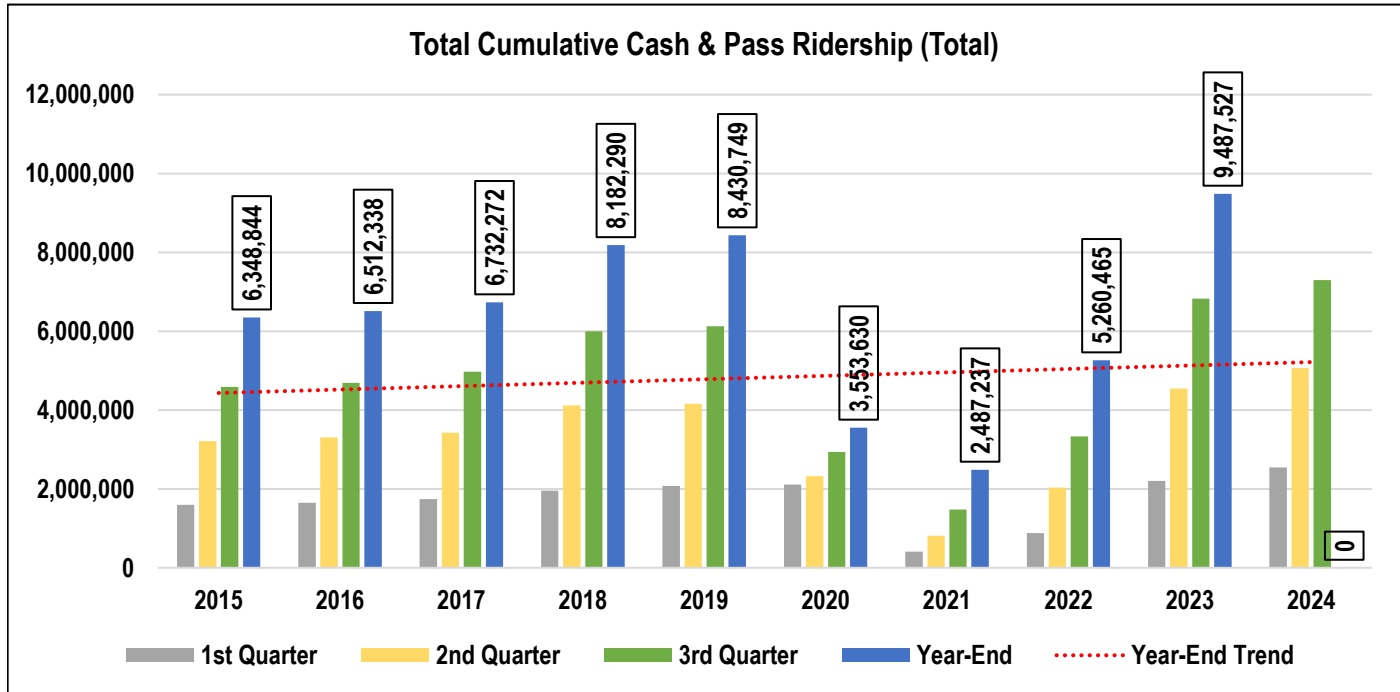
TRANSIT WINDSOR



TRANSIT WINDSOR

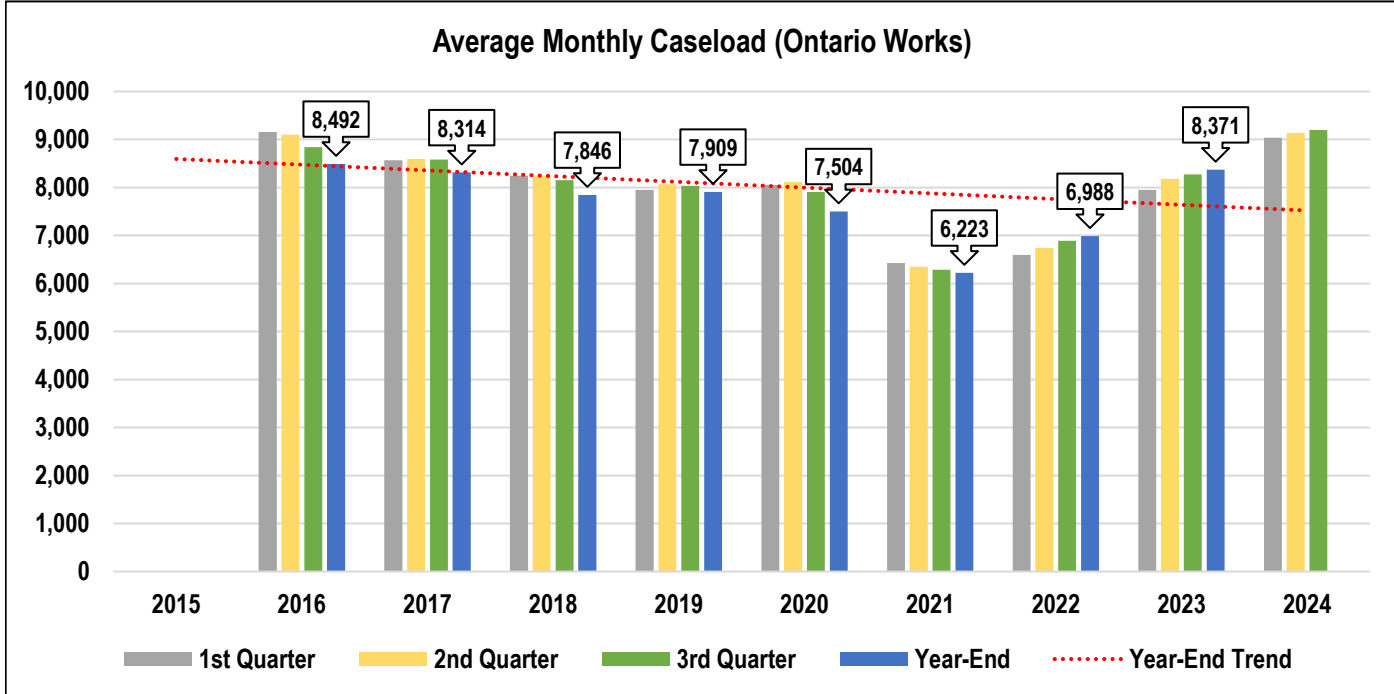


TRANSIT WINDSOR

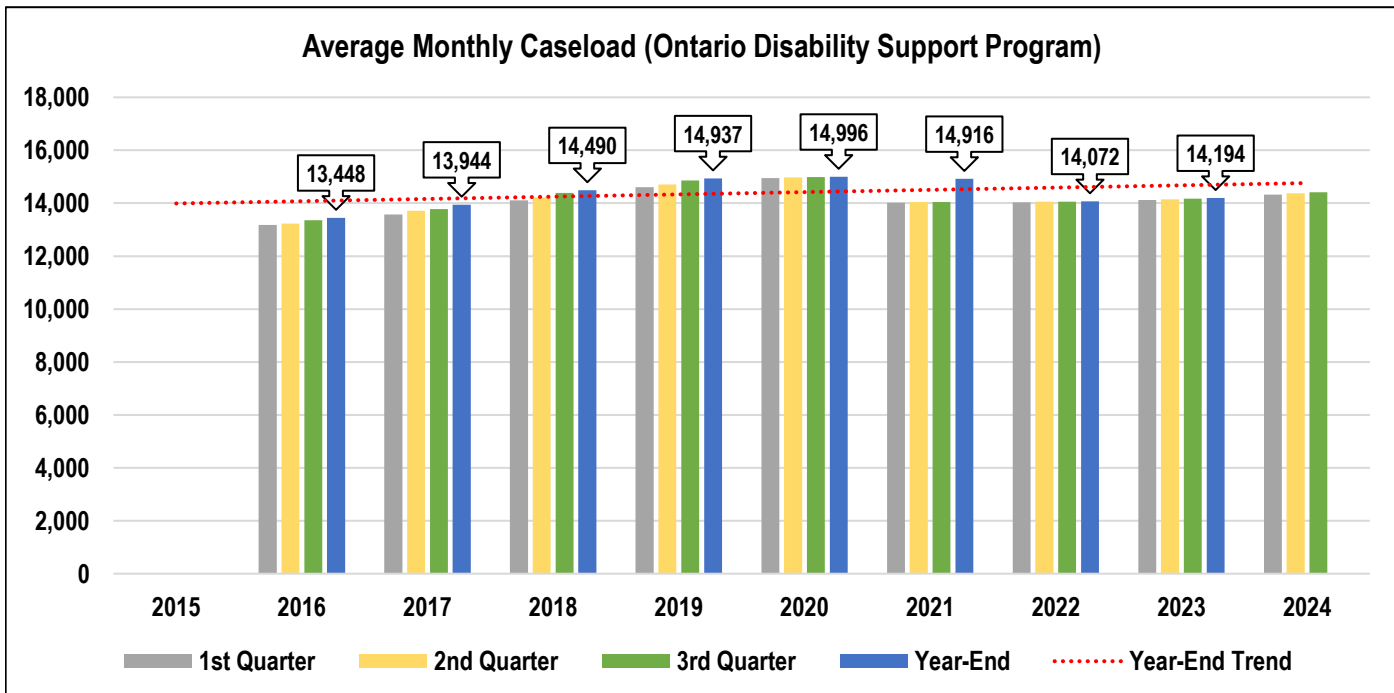




### EMPLOYMENT & SOCIAL SERVICES

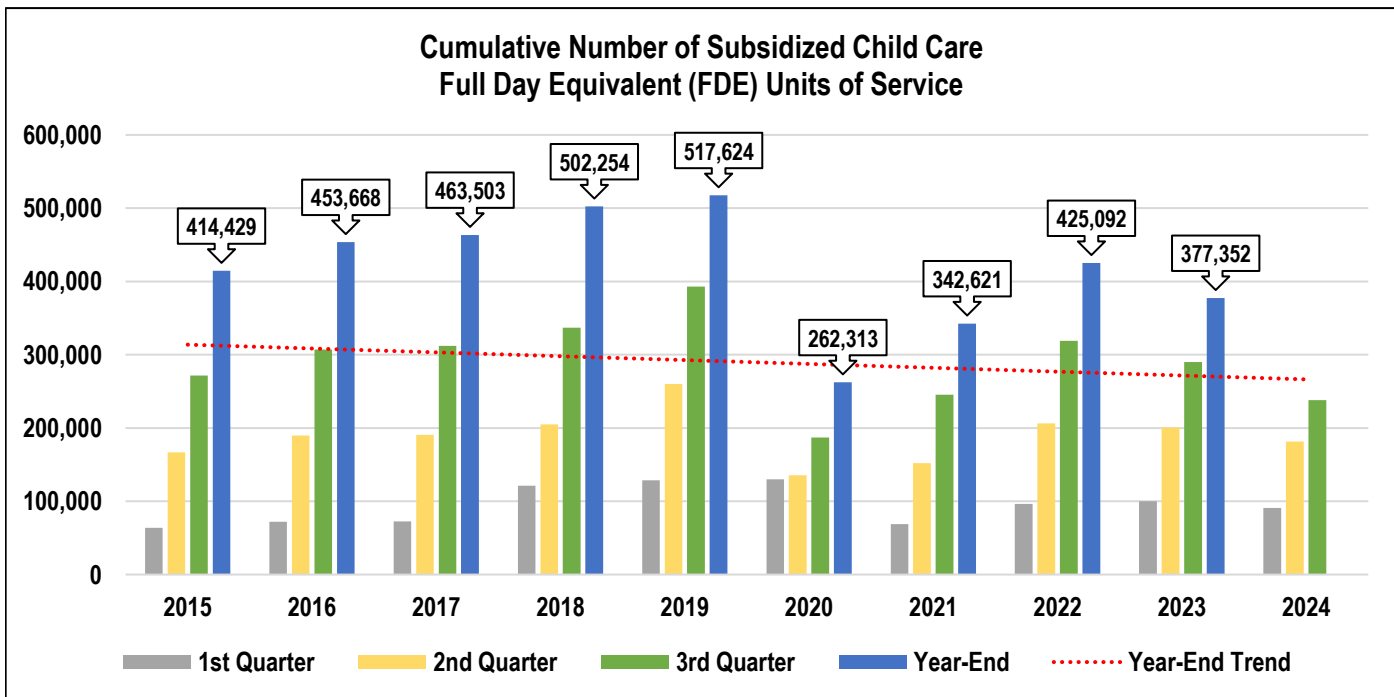
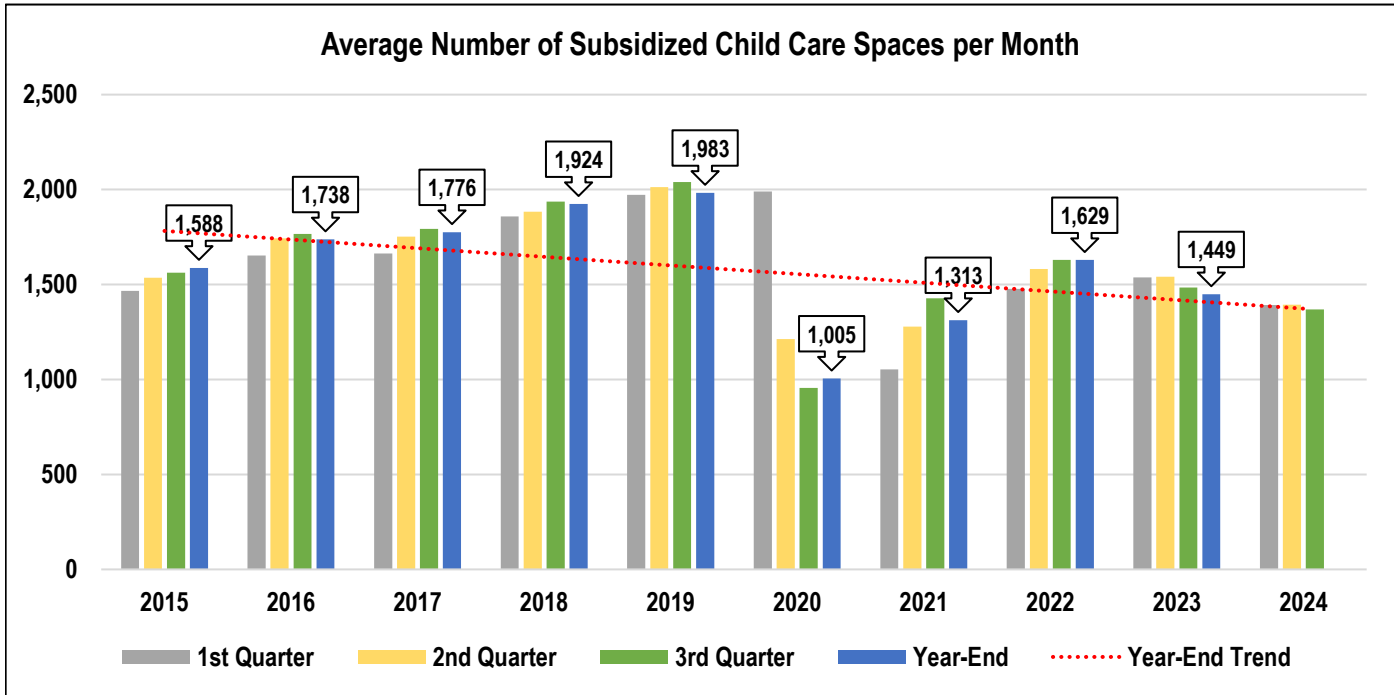


Please note that due to the Provincial OW database change in October 2015, OW caseload figures are not directly comparable to previous years as the methodology used to calculate the caseload has also changed.

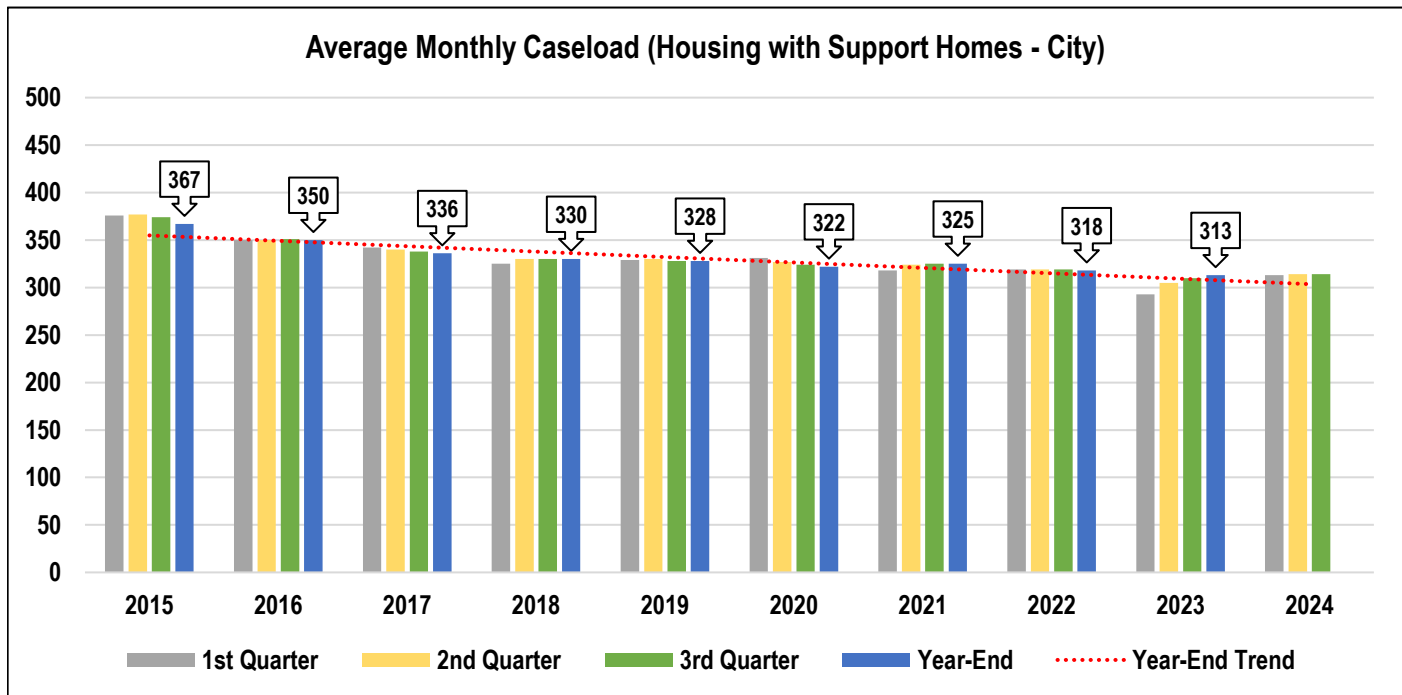


Please note that due to the Provincial ODSP database change in October 2015, ODSP caseload figures are not directly comparable to previous years as the methodology used to calculate the caseload has also changed.

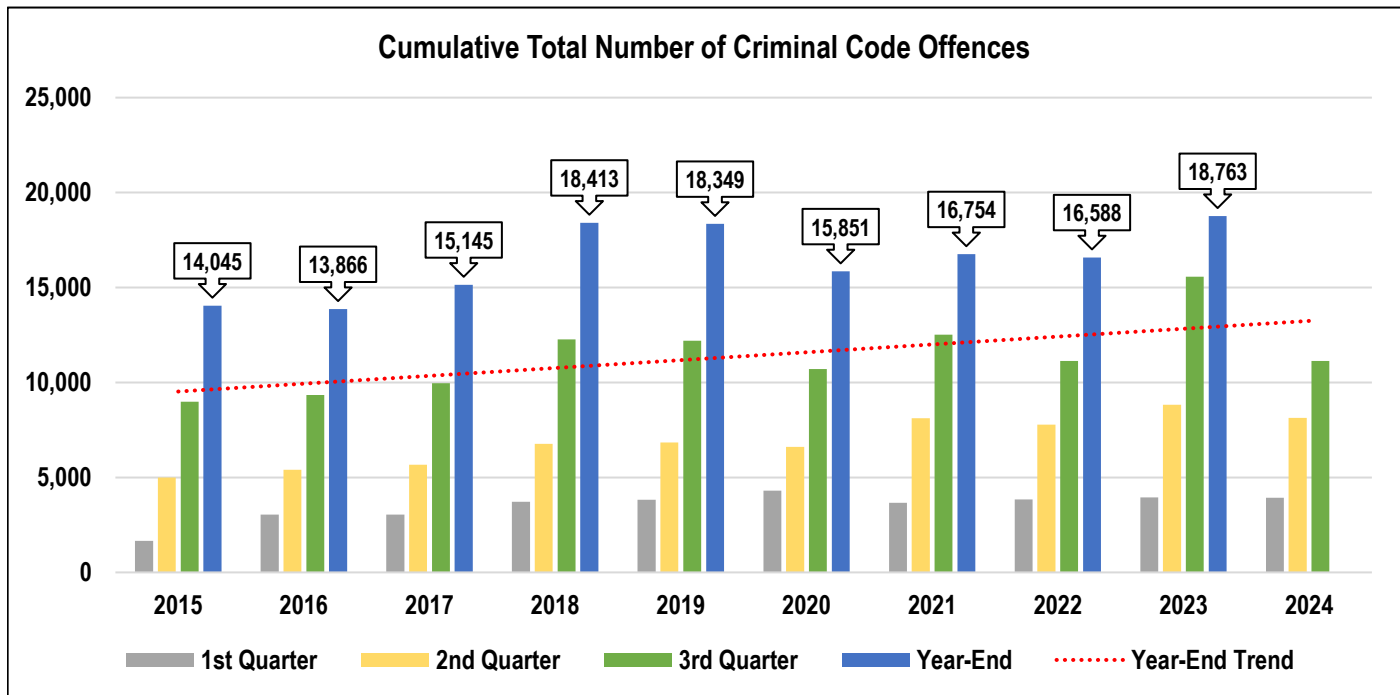
HOUSING & CHILDREN SERVICES



**HOUSING & CHILDREN SERVICES**



**WINDSOR POLICE SERVICES**





## Council Report: C 140/2024

**Subject: International Charles Brooks Memorial Peace Fountain Replacement Project – Update – Ward 6**

**Reference:**

Date to Council: November 25, 2024

Author: Graziano Nazzani

Project Administrator

(519) 255-6100 Ext. 6825

gnazzani@citywindsor.ca

Corporate Projects – Engineering

Engineering

Report Date: November 8, 2024

Clerk's File #: SR/14084

To: Mayor and Members of City Council

**Recommendation:**

- I. **THAT** City Council **RECEIVE** the International Charles Brooks Memorial Peace Fountain Replacement Project update outlined in this report; and further,
- II. **THAT** City Council **DIRECT** Administration to **MOVE FORWARD** with Option 1: Floating Fountain design, outlined in the body of this report; and further,
- III. Whereas on February 2, 2024, the 2024 Capital Budget was deemed approved via Mayoral Decision MD05-2024 which includes a total \$10,501,220 being allocated for this project, therefore the City Treasurer **BE DIRECTED TO** pre-commit funding previously approved in principle from PFO-002-19 - Fountain Restoration and Repairs as follows:
  - \$624,046, \$363,522, and \$500,000, respectively, of 2025, 2026 and 2027 Pay-As-You-Go (Fund 169) funding
  - \$4,454,250 of 2026 Canada Community-Building Fund (Fund 176) funding
  - \$1,250,000 of 2025 Tourism Development Investment Infrastructure (Fund 214) funding
  - \$1,000,000, \$192,000, and \$160,000, respectively, of 2025, 2026 and 2027 Service Sustainability (Fund 221) funding; and further,
- IV. **THAT** City Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the above recommendation, provided that the procurement(s) are within approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendment thereto, satisfactory in legal content to the City Solicitor, in

financial content to the City Treasurer and in technical content to the Executive Director of Parks, Recreation and Facilities and the City Engineer; and further,

- V. **THAT** the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to effect the recommendation noted above, subject to all specification being satisfactory in financial content to the City Treasurer, and in technical content to the Executive Director of Parks, Recreation and Facilities and the City Engineer; and further,
- VI. **THAT** Administration **BE AUTHORIZED** to take any other steps as may be required to bring effect to these resolutions, and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any required documentation/agreement(s) for that purpose, satisfactory in legal content to the City Solicitor, in financial content to the City Treasurer and technical content to the Executive Director of Parks, Recreation and Facilities and the City Engineer; and further,
- VII. **THAT** the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any amendment(s) as may be required, provided that the amendment(s) are within approved budget amounts, satisfactory in legal content to the City Solicitor, in financial content to the City Treasurer and technical content to the Executive Director of Parks, Recreation and Facilities and the City Engineer; and further,
- VIII. **THAT** Administration **BE AUTHORIZED** to use available funds within the project budget for any amendment(s) or change requirement(s)/directive(s) and additional documents relating to executed agreement(s), pursuant to the Purchasing By-Law 93-2012 and amendments thereto, satisfactory in legal content to the City Solicitor, in financial content to the City Treasurer, and in technical content to the Executive Director of Parks, Recreation and Facilities and the City Engineer.

### **Executive Summary:**

N/A

### **Background:**

At the July 22, 2024 meeting, City Council directed Administration (CR341/2024, attached as **Appendix A**) to work with its consultant Dillon Consulting Ltd (Dillon) to undertake a technical feasibility review of two potential fountain options (like-for-like floating and land-based), and to report back with the results. At that same meeting, City Council directed Administration to undertake consultation with relevant stakeholders, including the local labour community and the Brooks family, as the feasibility process moves forward.

This report is in response to that direction.

Detailed historical background information is outlined in the July 22, 2024 Council Report (C 60/2024), which is available in **Appendix B**.

## **Discussion:**

### **Design Options**

Subsequent to the July 22, 2024 Council meeting, Dillon undertook a feasibility study including updated operating and maintenance cost estimates, capital budget estimates, and a revised milestone schedule, for the two (2) potential fountain options. A copy of Dillon's report outlining their findings is attached as **Appendix C**.

Highlights of the report are listed below:

#### *Option 1 – Floating Fountain 'Like-for-Like' without an In-Water Winter Component and Interactive Audio and Lighting*

This option includes a close replacement of the previous floating fountain with minimal design and size deviations from the existing iconic design. The new floating fountain design includes modern technology, including LED lighting, controls for display, monitoring and variable speed pumps, propelling water up to 21 meters (70 feet) in the air. The fountain would be constructed using durable materials such as 316 stainless steel as the main components.

The size of the fountain would be approximately 9 meters (30 feet) in diameter and 1.2 meters (4 feet) in height. All existing supporting infrastructure would be replaced with new, including structural supports, water piping, electrical cabling and distribution

This option carries the same concerns noted previously by the public of the 'eyesore' of on-land storage of the fountain during the winter months. Dillon has reviewed this, and consideration has been given to on-land winter storage of the fountain in a dedicated space within Reaume Park. If on-site storage at Reaume Park were not pursued, this option would mimic the existing winter maintenance and operations procedure, involving removal of the fountain by means of a barge, and on-land storage at Lakeview Park Marina, or at a potential alternative location.

Dillon's order of magnitude **construction** cost estimate for this option is \$9,000,000, which includes provisions for on-site storage at Reaume Park.

Renderings for the Floating Fountain option, including on-site storage are attached in **Appendix D**.

*Option 2 – Land Based Fountain*

This option includes a land-based fountain similar in concept to the ‘Boardwalk’ presented in the Partisans’ May 2022 report.

This option includes a fixed fountain with LED lighting, variable speed pumps and 137 programmable swivel nozzle jets. This design would create a visually appealing and dynamic feature similar to the spirit of the “Boardwalk” concept, propelling water up to 12 meters (40 feet) into the river in an oscillating wave pattern with potential for other highly animated programs.

The size of the fountain would be approximately 107 meters (350 feet) in length along the belvedere around the bay at Reaume Park. The existing guardrail would be replaced by a series of repeating precast concrete enclosures approx. 1.2 x 1-meter (4 x 3 foot) high with new guardrail. The precast elements would house all the fountain nozzles and pipes and provide a flood barrier for the belvedere.

The structural infrastructure would be constructed new along the belvedere with the fountain offering upgraded controls for display and lighting programming and programmable logic control monitoring for repair and maintenance.

Dillon undertook a feasibility review of this option and compared to the Partisan's report the factors that increased the total costs for this option were a result of exclusions in civil, electrical and plumbing work. Dillon’s order of magnitude **construction** cost estimate for this option is \$16,400,000.

Renderings for the Land Based Fountain option are attached in **Appendix E**.

**Stakeholder Consultation**

During consultation with the family of Charles Brooks, both options were presented for feedback and recommendation. The family’s preference would be to move forward with Option 1 – Floating Fountain using modernized and efficient equipment. Administration continues to apprise Local Labour Unions of the ongoing progress of the new fountain at Reaume Park. These discussions will continue once a decision is made in regards to the approval of a final design.

**Recommendation**

Based on Dillon’s recent analysis, Administration is recommending proceeding with Option 1 - Floating Fountain. This option closely aligns with Council’s previously



preferred 'Floating Fountain' concept option in that it would be close in appearance to the previous fountain, and it supports the public consultation and engagement conducted in 2021 and 2022. The options were presented in November 2024 to the family of Charles Brooks with an enthusiastic support for the Floating Fountain option. There are funds earmarked within the first 5 years of the approved 2024 10-year Capital budget (PFO-002-19 - Fountain Restoration and Repairs) to cover the estimated cost to implement this option.

### **Next Steps**

Depending on Council direction and detailed design, planning could start later this year, with tendering anticipated in 2025, and construction to start in early 2026. The new fountain would be expected to open for public enjoyment in the following year.

### **Risk Analysis:**

#### *Option 1 - Floating Fountain 'Like-for-Like' without an In-Water Winter Component*

With this option, additional concerns will exist for the existing riverbed, including elevations and geotechnical sub-grade conditions.

#### *Option 2 – Land Based Fountain*

With this option, there is uncertainty whether the existing sheet pile along the riverbed is able to support the new precast housing as shown in the land-based fountain.

### **Climate Change Risks**

#### **Climate Change Mitigation:**

The updated fountain designs will take advantage of the newest electrical and mechanical technology to maximize energy efficiencies. Both designs will improve and reduce electrical consumption from the previous fountain design. The design of the land-based fountain would add additional flood barrier protection along the belvedere around the bay at Reaume Park.

#### **Climate Change Adaptation:**

The added flood barrier protection offered in Option 2 may provide some benefit in reduction of the impacts of increased river levels and high winds resulting from global warming. Both designs will incorporate safety measures including wind sensors to control the fountains jet propulsions over spilling onto land surface.

### **Financial Matters:**

#### **A. Capital Budget Estimate**

The order of magnitude project budget estimates for the two (2) options is outlined in the table below. All estimates are based on 2024 dollars and may be subject to further inflationary adjustments dependent on construction start dates.

Item	Capital Budget Estimate	
	Option 1 Floating Fountain	Option 2 Land-Based Fountain
<b>General &amp; Professional Fees</b> (permits, approvals, legal fees, advertising, communication, financing charges, contingency, site investigations, design, contract admin, project management, etc.)	\$1,500,000	\$2,440,000
<b>Construction Costs</b>	\$ 7,500,000	\$ 16,400,000
<b>Site works to allow for on Site Storage at Reaume Park (Option 1 Only)</b>	\$ 1,500,000	\$0
<b>Total Estimated Project Capital Costs</b>	<b>\$10,500,000</b>	<b>\$18,840,000</b>

Previously approved funding totalling \$1,957,402 is currently available for this work. In addition, there is \$8,543,818 of approved in principle funding for 2025-2027 in PFO-002-19 - Fountain Restoration and Repairs that, if pre-committed, would result in total available funding of \$10,501,220 for this work. These funds are meant to address design, construction and other costs related to the Peace Fountain. It is anticipated that there are sufficient funds available to proceed with Option 1 – Floating Fountain.

## B. Maintenance and Operating Costs

Item	Annual Maintenance & Operating Budget Estimate	
	Option 1 Floating Fountain	Option 2 Land-Based Fountain
<b>Maintenance and Operations</b> (including electrical utilities)	\$ 100,000	\$ 114,000
<b>Winterization Costs *</b>	\$ 60,000	\$ 20,000
<b>Total Estimated Annual Maintenance and Operating Costs</b>	<b>\$ 160,000 *</b>	<b>\$ 134,000</b>

The estimated annual maintenance and operating costs of \$160,000 noted in the table above for Option 1 Floating Fountain would not require any additional operating funds, as it is similar with the historical cost of the previous peace fountain, which is already in the Operating Budget for the Parks and Facilities department.

The budget estimates, both in terms of Capital and Operating costs, for each of the design options are based on renderings and concept designs. Cost estimates will be further refined during the detailed design stage which include material specifications, site conditions and construction approach. While they are considered preliminary, the cost estimates include contingency provisions, which should be sufficient to ensure that actual tenders are within the budgeted funding allocated to the project.

Administration will continue to explore sponsorship, partnerships with local unions and grant funding opportunities to reduce the funding required for the completion of this project.

**Consultations:**

Erika Benson – Financial Planning Administrator

Nora Bertram-Romero – Communications & Customer Services

Kathy Buis – Financial Planning Administrator

Michael Dennis – Manager of Strategic Capital Budget Development & Control

Emilie Dunnigan – Manager Development Revenue & Financial Administration

Marc Di Domenico – Project Administrator, Engineering

Patrick Robitaille – Project Administrator, Engineering

Donovan Tremblay – Supervisor, Parks & Facilities

**Conclusion:**

The International Charles Brooks Memorial Peace Fountain opened in 1978. When it was installed, it was the only international floating fountain in the world. Should council decide to rebuild this Windsor landmark they will invigorate a new generation of Windsorites.

Administration is recommending proceeding with the new Floating Fountain option that closely mimics the current fountain design, which operated for over 43 years. It also maintains the fountain design configuration, which the majority of Windsorites responded to most when envisioning a reimagined Peace Fountain.

**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Mark Spizzirri	Manager, Performance Measurement & Business Case Development
Dawn Lamontagne	(A) Purchasing Manager
Colleen Middaugh	Manager of Corporate Projects
Stacey McGuire	Executive Director of Engineering / Deputy City Engineer
David Simpson	Commissioner, Infrastructure Services & City Engineer
James Chacko	Executive Director, Parks, Recreation & Facilities
Michael Chantler	Senior Executive Director, Community Services
Ray Mensour	Commissioner, Community & Corporate Services
Wira Vendrasco	City Solicitor
Tony Ardovini	On behalf of Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
George Brooks and Patricia Hayes		
Rick Labonte Unifor Local 444 Community Environment Rep		
Kenneth Acton, Local 138		

**Appendices:**

1. Appendix A – CR341/2024 (2 pages)
2. Appendix B – C60/2024 (7 pages)

3. Appendix C – Dillon Consulting Report: Charles Brooks Memorial Peace Fountain – Replacement Alternatives, November 2024 (11 pages)
4. Appendix D – Floating Fountain Renderings (2 pages)
5. Appendix E – Land & Water Based Option ‘The Boardwalk’ (Appendix B) from Reimagining the Peace Fountain (May 2022) – Partisans Report (8 pages)



## OFFICE OF THE CITY CLERK COUNCIL SERVICES

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### City Council Decision Monday, July 22, 2024

Moved by: Councillor Angelo Marignani  
Seconded by: Councillor Kieran McKenzie

Decision Number: CR341/2024

- I. That City Council **RECEIVE FOR INFORMATION** the International Charles Brooks Memorial Peace Fountain Replacement Project Update outlined in this report; and further,
- II. That City Council **DIRECT** Administration to proceed with Option 1 and Option 2 as identified herein, for the International Charles Brooks Memorial Peace Fountain Replacement Project; and further,
- III. That City Council **PRE-APPROVE** and **AWARD** any further procurement(s) necessary that are related to the above noted project, provided that the procurement(s) are within the funds allocated to this project by Council, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in financial content to the City Treasurer, in legal form to the City Solicitor; and in technical content to the Executive Director of Parks and Facilities and the City Engineer; and further,
- IV. That Administration **BE AUTHORIZED** to take any other actions as may be required to bring effect to these resolutions, and that the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to execute any required documentation/agreement(s) for that purpose, satisfactory in financial content to City Treasurer, in legal form to the City Solicitor; and in technical content to the Executive Director of Parks and Facilities and City Engineer; and further,
- V. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any amendment(s) as may be required, provided that the amendment(s) are within approved budget amounts, satisfactory in financial content to City Treasurer, in legal form to the City Solicitor; and in technical content to the Executive Director of Parks and Facilities and City Engineer; and further,
- VI. That Administration **BE AUTHORIZED** to issue any change order(s) for any amendment(s) as may be required, provided that the amendment(s) are within approved budget amounts, satisfactory in financial content to City Treasurer, and

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in technical content to the Executive Director of Parks and Facilities and City Engineer; and,

- VII. That Administration **BE DIRECTED** to undertake consultation with relevant stakeholders including the local labour community and the Brooks family as the feasibility process moves forward.

Carried.

Report Number: C 60/2024 11.8

Clerk's File: SR/14084

*Anna Ciacelli*

Deputy City Clerk

July 29, 2024

Department Distribution

Patrick E. Robitaille	Project Administrator
Alex Vucinic	Purchasing Manager
Colleen Miiddaugh	Manager, Corporate Projects
Stacey McGuire	Executive Director of Engineering / Deputy City Engineer
David Simpson	Commissioner, Infrastructure Services & City Engineer
James Chacko	Executive Director, Parks & Facilities
Ray Mensour	Commissioner, Community & Corporate Services
Wira Vendrasco	City Solicitor
Janice Guthrie	Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer
Tony Ardovini	Deputy Treasurer Financial Planning
Natasha Gabanna	Senior Manager of Asset Planning
Dana Paladino	Senior Executive Director, Corporate Services



## Council Report: C 60/2024

### Subject: International Charles Brooks Memorial Peace Fountain Replacement Project Update - Ward 6

#### Reference:

Date to Council: July 22, 2024  
 Author: Patrick E. Robitaille  
 Project Administrator  
 (519) 255-6100 ext. 6675  
[probitaille@citywindsor.ca](mailto:probitaille@citywindsor.ca)  
 Corporate Projects - Engineering  
 Report Date: May 10, 2024  
 Clerk's File #: SR/14084

To: Mayor and Members of City Council

#### Recommendation:

- I. **THAT** City Council **RECEIVE FOR INFORMATION** the International Charles Brooks Memorial Peace Fountain Replacement Project Update outlined in this report; and further,
- II. **THAT** City Council **DIRECT** Administration to proceed with Option 1 and Option 2 as identified herein, for the International Charles Brooks Memorial Peace Fountain Replacement Project; and further,
- III. **THAT** City Council **PRE-APPROVE** and **AWARD** any further procurement(s) necessary that are related to the above noted project, provided that the procurement(s) are within the funds allocated to this project by Council, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in financial content to the City Treasurer, in legal form to the City Solicitor; and in technical content to the Executive Director of Parks and Facilities and the City Engineer; and further,
- IV. **THAT** Administration **BE AUTHORIZED** to take any other actions as may be required to bring effect to these resolutions, and that the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to execute any required documentation/agreement(s) for that purpose, satisfactory in financial content to City Treasurer, in legal form to the City Solicitor; and in technical content to the Executive Director of Parks and Facilities and City Engineer; and further,



- V. **THAT** the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any amendment(s) as may be required, provided that the amendment(s) are within approved budget amounts, satisfactory in financial content to City Treasurer, in legal form to the City Solicitor; and in technical content to the Executive Director of Parks and Facilities and City Engineer; and further,
- VI. **THAT** Administration **BE AUTHORIZED** to issue any change order(s) for any amendment(s) as may be required, provided that the amendment(s) are within approved budget amounts, satisfactory in financial content to City Treasurer, and in technical content to the Executive Director of Parks and Facilities and City Engineer.

### **Executive Summary:**

N/A

### **Background:**

At the meeting on May 30, 2022, through CR250/2022 (Appendix A), Council directed Administration to move forward with the 'Floating Fountain' design concept developed by Partisans Architects Inc. ("Partisans") for the replacement of the International Charles Brooks Memorial Peace Fountain. It is important to note that this concept specifically included a component for the main fountain raft to remain in the water as an illuminated winter feature, in lieu of the removal by barge with on-land winter storage, which was typical of the previous fountain system.

In the subsequent months following City Council's direction, Administration explored several different procurement approaches to ensure the proper experts were engaged to undertake this specialized and complex project. Several Requests for Proposals (RFPs) for consulting services were issued, with no response. Administration proactively reached out to various fountain vendors to gauge interest in the project, and to better understand why no responses were received to the previously issued RFPs. Based on the feedback gathered, it was determined that a 'Design-Build' procurement may garner more interest, as it would allow the fountain vendors to be more involved and integrated in the design and construction of the fountain, rather than just one or the other.

As a result of these discussions, Administration elected to pursue a 'Design-Build' procurement strategy and subsequently retained Dillon Consulting Ltd., along with international water feature design sub-consultant, Dan Euser Waterarchitecture Inc. (DEW Inc.), to provide Compliance Consulting services. In the following months Dillon proceeded to prepare the Owner's Statement of Requirements (OSR) required for the Design-Build specifications in collaboration with input from the City for Operations and Maintenance (O&M) needs while following the Partisans 'Floating Fountain' concept.

A pre-qualification process was undertaken for the Design-Build team, which resulted in two (2) pre-qualified proponents. RFP 149-23 for Design-Build services was released in late November 2023 with an initial closing date in January 2024 however after a request for an extension due to the complexity of the project and the level of effort required to develop a design-build proposal submission, the closing date was extended to late February 2024 with bids received from both proponents. Only one of the two proponents passed the technical submission requirements.

The single compliant proponent's bid costing envelope was subsequently opened and found to greatly exceed the estimate of \$8.1M (C95/2022) provided in the Partisan's report for the 'Floating Fountain' concept.

Administration had several discussions with the proponent in the weeks following the proposal submission. The intent of these discussions was to identify and ascertain what elements of the design were driving the bid price so far above the estimate provided by Partisans and to review what could be potentially 'value-engineered' to reduce the cost closer to the original budgeted range.

Feedback received from the proponent indicated that there are significant unknowns and risks at the concept level associated with the required in-water works including but not limited to riverbed elevations, geotechnical sub-grade conditions including archaeological potentials, varying river levels, permits/approvals, as well as winter features subject to significant damage from ice flows over the life of the fountain.

### **Discussion:**

Based on the feedback received from the proponents of RFP 149-23, specifically related to the winter weather constraints with the in-water feature, the unknowns and risks identified, and the significant cost implications to implement, Administration does not recommend proceeding with awarding the RFP.

An update on the RFP negotiations went before Council at the In-Camera session held July 8, 2024. At that time, Council directed Administration to cease further negotiations with the single submission proponent, cancel RFP 149-23 and to bring back additional cost-effective options for council's consideration in a future Council report.

Administration is seeking City Council's direction on next steps and has outlined two (2) potential options below for consideration.

### **Option 1 - Explore a 'Like-for-Like' Floating Fountain Alternative without an In-Water Winter Component**

This option represents pursuing a scaled down true like-for-like replacement of the fountain system in line with the previous floating raft details. This option would mimic the existing winter maintenance and operations procedure, involving removal of the fountain

by means of a barge, and on-land storage at Lakeview Park Marina, or at a potential alternative location.

This option closely aligns with the Council's preferred 'Floating Fountain' concept option in that it would be close in appearance to the previous fountain and would likely result in considerable savings in its implementation. Unfortunately, this option carries the same difficulties in maintenance and operations as the previous fountain as well the same concerns noted by the public of the 'eyesore' of on-land storage of the fountain during the winter months.

Consideration could be given to on-land winter storage of the fountain in a dedicated space within Reaume Park. Further, it is expected that this option would incorporate new technology and readily available replacement components with as much infrastructure on-land as possible for improved maintenance and operational purposes.

Should Council wish to pursue exploring this option, Administration recommends engaging Dillon Consulting (current Compliance Consultant) to undertake a technical feasibility review, risk analysis, and provide an updated Class D cost estimate for the design and construction, as well as revised milestone schedule.

It is estimated that this exercise could be completed at an upset limit of \$20,000 (excluding taxes) from funds currently available within the existing approved project budget.

## **Option 2 - Explore a Land-Based Fountain Alternative**

This option represents pursuing a land-based option for the fountain system which could if desired by Council follow closely in the spirit of the 'The Boardwalk' concept presented by Partisans in 2022 (C95/2022). This fountain concept places all infrastructure on land and consists of nozzles located along the perimeter of the existing belvedere projecting water into the bay. This would significantly reduce risks associated with in-water works including improved ease of operations and maintenance. Further, this concept permits the potential for some form of updated programming for a winter lighting display.

It is also important to note that this alternative may not result in cost savings in comparison to the 'Floating Fountain' concept with winter feature. Based upon Partisans' analysis in 2022, the land option was identified as being slightly higher in costs (\$8.3M - \$9.5M in \$2022) in comparison with the Floating Fountain design option (\$7M - \$8.1M in \$2022) due to some increased infrastructure requirements.

Should Council wish to pursue exploring this option, Administration recommends engaging Dillon Consulting (current Compliance Consultant) to undertake a technical feasibility review, risk analysis, and provide an updated Class D cost estimate for the design and construction, as well as revised milestone schedule.

Similar to Option 1, it is estimated that this exercise could be completed at an upset limit of \$20,000 (excluding taxes) from funds currently available within the existing approved project budget.

## **Next Steps**

Administration would report back to Council later this year with the results of the technical feasibility review, budget estimates for each option along with updated operating and maintenance cost estimates, for further consideration and direction from Council.

At that time, should Council wish to move ahead further with a selected alternative, a consultant would be retained to prepare a tender-ready design followed by procurement.

## **Risk Analysis:**

The existing Peace Fountain was permanently decommissioned and removed from Reaume Park in the Fall of 2023.

The single submission proponent for RFP 149-23 has reported a number of concerns with current unknowns within the riverbed as well as concerns with ice flows that require further engineering investigations, as well as potential issues acquiring permits and approvals from various agencies and authorities having jurisdiction.

As a result, the previous timeline to have a fully commissioned and operational fountain in 2025 is not practical and a new timeline will need to be considered which is fully dependent on the direction moving forward with the various options presented.

## **Climate Change Risks**

### **Climate Change Mitigation:**

Energy efficiency shall be considered during any future design components. The operation of the Peace Fountain required a significant amount of electricity. Future designs should consider the full lifecycle of the fountain including the on-going energy needs and corresponding greenhouse gas emissions as well as the climate change projections for lake level extremes.

### **Climate Change Adaptation:**

As mentioned above, one of the concerns of the proponent includes the varying water levels. The development of the technical feasibility study or a design should consider climate change impacts to Great Lakes water levels. Other climate change considerations such as high winds, overland flooding, and extreme heat should be considered during design.

**Financial Matters:**

The previously anticipated funding required for the new Peace Fountain design had been based on the Council approved conceptual plan provided for in C95/2022, CR250/2022 and has been earmarked in the Capital Budget.

To date, funds totaling \$2,838,182 have been approved for the overall Peace Fountain Replacement project. Currently, there is \$2,226,058 in funding available in Project #7211054 – Peace Fountain Design. Additional capital funding has also been identified in the 10 year capital plan pending council’s annual budgetary approval.

As part of next steps, should Administration be directed to proceed with Option 1 and/or Option 2, funding opportunities to address the ultimate design will also be explored and reported back to Council in a future report.

**Consultations:**

Mark Nazarewich – Deputy City Solicitor

Jen Knights – Executive Director of Recreation & Culture

Karina Richters – Supervisor, Environmental Sustainability and Climate Change

Natasha Gabbana – Senior Manager, Asset Planning

Kathy Buis – Financial Planning Administrator

Mike Dennis – Manager, Strategic Capital Budget Development & Control

**Conclusion:**

The RFP 149-23 results for the design and construction of the replacement of the existing Peace Fountain based on Partisan’s ‘Floating Design’ concept far exceed the budget amount estimated by Partisans in 2022. Should Council desire, Administration could pursue a technical feasibility review of Options 1 and 2 as identified herein, and report back to Council later this year with the results of the review, along with updated operating and maintenance cost estimates, budget estimates, and a revised schedule for further consideration and direction.

**Approvals:**

Name	Title
Alex Vucinic	Purchasing Manager
Colleen Miiddaugh	Manager, Corporate Projects
Stacey McGuire	Executive Director of Engineering / Deputy City Engineer

Mark Winterton	Commissioner, Infrastructure Services
James Chacko	Executive Director, Parks & Facilities
Ray Mensour	Commissioner, Community Services
Wira Vendrasco	City Solicitor
Janice Guthrie	Commissioner, Finance CFO/City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**

- 1 Appendix A - CR 250/2022 (2 pages)

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**City Council  
Decision  
Monday, May 30, 2022**

Moved by: Councillor Gignac  
Seconded by: Councillor Francis

Decision Number: CR250/2022

- I. That the report of the Project Administrator, Corporate Projects, dated May 18, 2022 entitled "Peace Fountain Replacement – Ward 6" and its appendices (*attached*) **BE RECEIVED** for information; and,
- II. That Council **DIRECT** Administration to **MOVE FORWARD** with Option 1: Floating Fountain design concept, and that Administration **PERFORM** public consultation and **BRING FORWARD** final design, costing and funding options for presentation to Council for the 2023 Capital Budget; and,
- III. That City Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary related to the approved option, provided that the procurement(s) are within approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in legal content to the Commissioner of Legal & Legislative Services, in financial content to the Chief Financial Officer/City Treasurer, and in technical content to the Commissioner of Infrastructure Services; and,
- IV. That Administration **BE AUTHORIZED** to take any other steps as may be required to bring effect to these resolutions, and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any required documentation/agreement(s) for that purpose, subject to legal approval by the Commissioner of Legal & Legislative Services, financial approval by the Chief Financial Officer/City Treasurer, and technical approval by the Commissioner of Infrastructure Services; and,
- V. That a committee **BE STRUCK** to begin fundraising to assist in covering costs associated with the Charles Brooks Peace Fountain replacement; and further,

Carried.

Councillors Costante and Sleiman were absent from the meeting when the vote was taken on this matter.



## **Charles Brooks Memorial Peace Fountain**

**Replacement Alternatives**

**Corporation of the City of Windsor**



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## 1.0

## Project Background

The Charles Brooks Memorial Peace Fountain was put into service in 1978, is now at its end of service life and has been decommissioned. A report by Partisans entitled “Reimagining the Peace Fountain Report”, dated May 2022, provided three (3) conceptual design options. The City of Windsor tendered a design-build RFP in early 2024 for the floating fountain concept listed in the Partisans report and the tender results came in significantly over budget. As a result the tender was canceled and no contractor was engaged.

Dillon Consulting Limited was engaged by the City of Windsor to provide consulting services to provide budget costing for two conceptual design options for an innovative new water feature. Dillon has retained DEW Inc. as a sub-consultant for the fountain feature components. The two design options the City requested for costing are as follows:

Option 1 - Floating fountain. This includes a full fountain replacement similar to the existing design.

Option 2 - Land-based fountain. This option is similar in concept to the ‘Boardwalk’ option presented in the Partisan’s report.

This report will provide an option of probable cost for both options and what would need to be scaled back to meet the City’s budget, if required.

The report will also provide a revised schedule for each option and include costs for supply, installation, design, tendering, construction administration, operation, and maintenance.

## 2.0 Option 1 – Floating Fountain

This option includes a close replacement of the previous floating fountain with some minor upgrades. The design includes some improvements, but the intent is to present a more economical solution to allow the City to replace the fountain.

### 2.1 System Description

#### 2.1.1 General

The new fountain replacement system is expected to:

1. Closely follow where practical and cost effective, the aesthetic, operational and maintenance aspects of the existing floating Peace Fountain;
2. Provide ease of access for maintenance for all systems and components; and
3. Be provided with all new fountain equipment, pumping, intake, structural support, electrical, mechanical, lighting, controls system, and programming.

#### 2.1.2 Design Considerations

The following is a summary of the design considerations that have been included with Option 1.

**Fountain Type:** A floating ring fountain with LED lighting, variable speed pumps and water jets. This design will create a visually appealing and dynamic feature resembling the spirit of the original Peace Fountain and propelling water up to 21 meters in the air.

**Materials:** Durable materials such as 316 stainless steel will be used for the main fountain components to promote longevity and reduce maintenance costs. The fountain raft is assumed to be constructed of 5 mm stainless steel plate.

**Size and Scale:** The fountain will be approximately 9 meters in diameter and 1.2 meters high, similar to the physical size and shape of the existing fountain.

**Supporting Infrastructure:** The supporting infrastructure will be replaced including new in-water structural supports (new fountain well and new fountain pylons), water piping, power cabling, and electrical distribution.

**Controls:** The new fountain will come with upgraded controls for fountain display programming, lighting programming and PLC monitoring.

## 2.1.3

**Provisional Items**

Winter storage and maintenance at Reaume Park: The City wishes to reduce annual maintenance costs associated with barging and storage of the fountain at the marina during the winter months. Provisional items have been included to store the fountain on land at the park during the winter. This would include a new access road, crane pad and partial below grade concrete storage structure for a mobile crane to be brought to the site and the fountain lifted from the water to the storage structure. The estimated costs also include lighting, and drainage with the storage ring for maintenance and access to the fountain. The fountain would be covered and shrink wrapped each year to protect it from the elements during the winter months.

## 2.2

**Assumptions**

The following assumptions have been considered:

- Fountain will be removed by barge and stored offsite (Lakeview Marina) during the winter. Provisional costing has been provided to store and maintain the fountain on land in Reaume Park;
- Existing motor control centre (MCC) to be replaced with new simplified distribution system;
- Existing transformer to be replaced;
- Existing site and service building lighting to remain;
- The fountain pylon and caisson anchors will be replaced and the existing in-water infrastructure will be abandoned in place;
- Existing controls to be upgraded;
- Pumps will be located on the fountain and will be variable frequency drive (VFD) controlled;
- New RBGW, programmable LED lighting will significantly reduce the number of lighting fixtures on the fountain and increase the level of dynamic lighting control available;
- Re-routing of the vent tubes for the foam jets will eliminate the need for compressed air to these jets;
- Compressed air will be provided to the ballasts;
- Reaume Park landscaping upgrades and repairs would be completed by the City;
- Fountain operation would be taken over by City staff upon project completion; and
- A two (2) year warranty would be provided by the contractor.

## 2.3

**Technical Feasibility and Risks**

- Site Lighting – Loss of site lighting and along the boardwalk during construction. Use of temporary power will be required during transformer and MCC replacement.
- Permits – New permitting is expected to be required and was as identified in the previous Partisans report. The exact permitting costs and requirements are unknown at this time. An allowance has been used for the costing.

- Pump Procurement – A number of fountain pump suppliers were identified in North America but the pumps will likely be manufactured overseas.
- Archaeological Risk – The archaeology at the site, including underwater, is not fully understood and could cause delays or additional project costs.
- Display Choreography – Choreographing the display to music is a highly specialized programming exercise and costs for this work are highly variable and depends on song complexity and length. An allowance has been used for costing purposes.

**2.4 Schedule**

The following is the anticipated schedule required for Option 1:

Milestone Task	Target Date
Issue of RFP for Engineering Design	January 2025
Contract Award for Engineering Design	February 2025
30% Design Submission	May 2025
60% Design Submission	July 2025
90% Design Submission	September 2025
100% Design Submission	November 2025
Issued for Tender	December 2025
Construction Award	January 2026
Substantial Completion and Commissioning	May 2027
End of two (2) year Warranty Period	May 2029

**2.5 Costs**

**2.5.1 Capital Costs**

The estimated capital costs include permitting, supply, and installation. These costs exclude engineering design or consultant construction support.

The total estimated capital cost for this option is \$7.5M excluding HST.

Should the City elect to go with the provisional item of providing winter storage and maintenance for the fountain at Reaume Park this cost would be increased by approximately \$1.5M for a total capital cost of \$9.0M excluding HST.



**2.5.2 Operation & Maintenance Costs**

Maintenance: \$50,000 per year  
Winterization Costs: \$160,000 per year (\$60,000 per year with storage at Reaume Park)  
Utilities (Electricity): \$50,000 per year (Based on 12 hours of run time per day for 6 months, \$0.15/kWh)  
Total Annual Cost: \$260,000 (\$160,000 with storage at Reaume Park)

**2.5.3 Cost Savings Opportunities**

While not included in the costing, the following are additional cost savings opportunities that could further reduce costs on this project for the floating fountain option:

Reuse and Repair of the Existing Fountain Raft: The existing fountain raft contains a large amount of stainless steel that is appears to be in fair to good condition. Considering a replacement cost is estimated at \$530,000, significant saving could be achieved through reuse and repair of the existing raft.

Rehabilitation and Reuse of the Existing Fountain Well and Pylons: The existing fountain well and pylons were reported by City maintenance staff to be in poor condition, but the extent and feasibility that they could be repaired is unknown at this time. Considering the replacement cost is estimated at \$800,000, it is recommended that an under-water investigation and condition assessment of the fountain well and pylons be undertaken to determine if these elements are suitable for rehabilitation and reuse. If these elements are suitable for rehabilitation and reuse, significant cost savings could be recognized.

Elimination of 10” O/C Lighting Ring on Fountain Raft: The existing fountain raft contains a large number of white lights on the Fountain Raft. These outer lights could be eliminated with an estimated cost savings of \$256,500.



## 3.0 Option 2 – Land Based Fountain

This option includes land-based fountain similar in concept to the 'Boardwalk' presented in the Partisan's report.

### 3.1 System Description

#### 3.1.1 General

The new fountain replacement system is expected to:

1. Closely follow the 'Boardwalk' land-based option presented in the Partisan's report;
2. Provide ease of access for maintenance for all systems and components; and
3. Be provided with all new fountain equipment, pumping, intake, structural support, electrical, mechanical, lighting, controls system, and programming.

#### 3.1.2 Design Considerations

The following is a summary of the design considerations that have been included for in Option 2.

**Fountain Type:** A fixed fountain with LED lighting, variable speed pumps and 137 programmable swivel nozzle jets. This design will create a visually appealing and dynamic feature similar to the spirit of the 'Boardwalk' concept propelling water up to 12 meters into the river in an oscillating wave pattern and potential for other highly animated programs.

**Materials:** Durable materials such as 316 stainless steel for the main fountain components and polished precast concrete for the fountain enclosure will be used to ensure longevity and reduce maintenance costs.

**Size and Scale:** The fountain will be approximately 107 meters in length situated along the belvedere at Reaume Park. Fountain components would be placed within a 1.2 x 1-meter-high precast concrete enclosure with handrail.

**Supporting Infrastructure:** The supporting infrastructure will be new, including structural footings, underground pump chamber, water piping, power cabling, and electrical distribution.

**Controls:** The new fountain will come with upgraded controls for fountain display programming, lighting programming and PLC monitoring.

## 3.2

## Assumptions

The following assumptions have been considered:

- Existing MCC and transformer to be replaced and pumps are to be VFD controlled;
- The existing sheet pile wall can support the new fountain infrastructure;
- The existing service building would not be expanded to house the new pumps. The new pumps would be located in an underground wet well outside the building;
- Existing site and service building lighting to remain;
- Landscaping upgrades and repairs would be completed by the City;
- Seating and park benching would be provided by the City;
- Interactive handrails/stations or luminous floor surfaces have not been included;
- Fountain operation would be taken over by City staff upon project completion;
- Design for additional flood protection has not been considered at this time;
- Permanent access for heavy equipment to maintain the fountain will not be required; and
- A two (2) year warranty would be provided by the contractor.

## 3.3

## Technical Feasibility and Risks

- Site Lighting – Loss of site lighting and along the boardwalk during construction. Use of temporary power will be required during transformer and MCC replacements.
- Permits – New permitting is expected to be required and was as identified in the previous Partisans report. The exact permitting costs and requirements are unknown at this time. An allowance has been used for the costing.
- Excess Soils – Requirements regarding excess soils are expected to be required. The exact costs and requirements are unknown at this time.
- Existing Sheet Pile Wall – The underwater condition and capacity of the existing sheet pile wall for its ability to support the new fountain infrastructure is currently unknown. Reinforcement or upgrade costs have not been included.
- Pump Procurement – A number of fountain pump suppliers were found in North America but pumps will likely be required to be manufactured overseas.
- Interferences with Underground Services – The exact location and condition of underground services are unknown at this time and could cause some conflicts with locations of the new piping.
- Archaeological Risk – The archaeology at the site is not fully understood and could cause delays or additional project costs.
- Display Choreography – Choreographing the display to music is a highly specialized programming exercise and costs for this work are highly variable and depends on song complexity and length. An allowance has been used for the costing.



### 3.4 Schedule

The following is the expected schedule required for the project:

Milestone Task	Target Date
Issue of RFP for Engineering Design	January 2025
Contract Award for Engineering Design	February 2025
30% Design Submission	May 2025
60% Design Submission	July 2025
90% Design Submission	September 2025
100% Design Submission	November 2025
Issued for Tender	December 2025
Construction Award	January 2026
Substantial Completion and Commissioning	May 2027
End of two (2) year Warranty Period	May 2029

### 3.5 Costs

#### 3.5.1 Capital Costs

The estimated capital costs include permitting, supply, and installation. These costs exclude engineering design or consultant construction support.

The total estimated capital cost for this option is \$16.4M excluding HST.

#### 3.5.2 Operation & Maintenance Costs

Maintenance: \$65,000 per year

Winterization Costs: \$20,000 per year

Utilities (Electricity):

Pumps: \$43,000 per year (Based on 12 hours of run time per day for 6 months, \$0.15/kWh)

Nozzles: \$6,000 per year (Based on 10 min show during each hour of runtime)

Total Annual Cost: \$134,000

## 4.0

## Conclusions and Recommendations

In conclusion, both fountain options for the Peace Fountain Replacement in Reaume Park are technically feasible and provide substantial community benefits. Each will enhance the park's aesthetic appeal, providing a focal point for community activities, and improving the overall visitor experience.

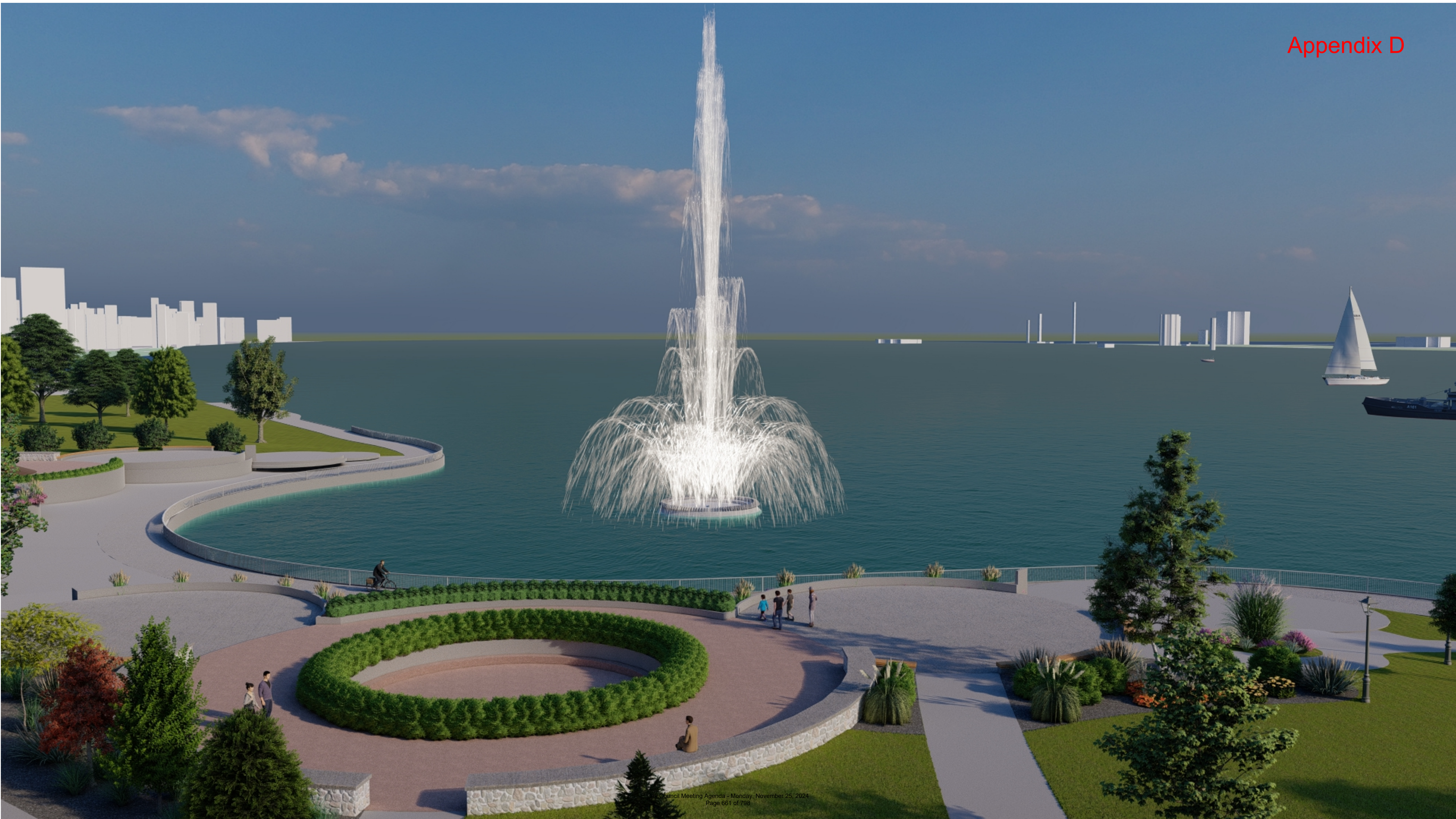
Option 1 is expected to be slightly below the City's stated budget of \$8.1M and restore the likeness of the original Peace Fountain with reduced energy usage. Winterization costs can be reduced by the inclusion of the provisional item to store the fountain at Reaume Park.

Option 2 will remove the fountain components from the water and reduce maintenance costs but comes at a significant capital cost that will exceed the City's current budget due to the swivel nozzles and required infrastructure improvements near the shoreline.

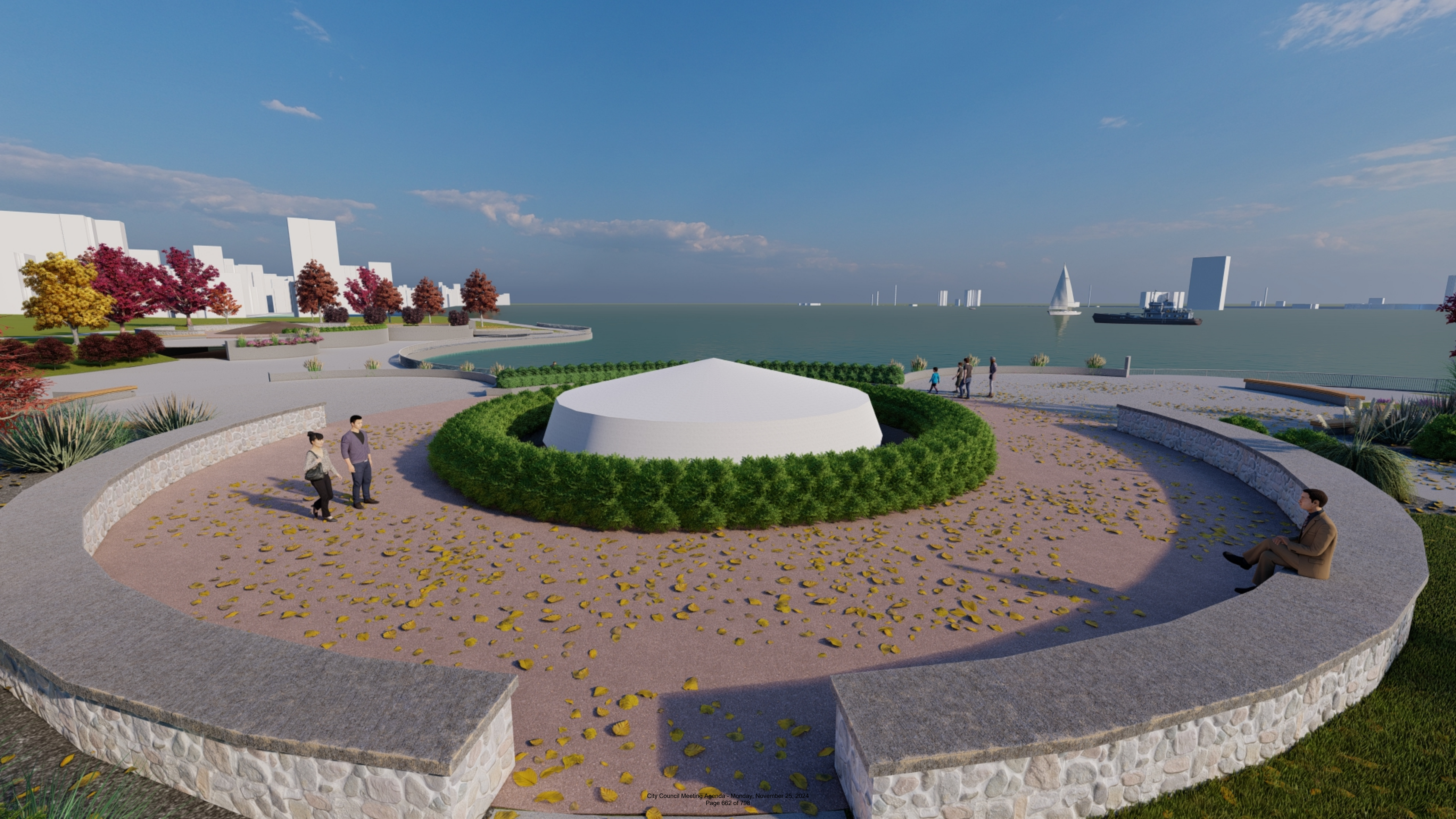
While both schedules will allow for completion for the 2027 spring season, Option 1 has the best chance of being constructed to meet that timeline due to the reduced complexities with the overall design.

Based on the above conclusions and to align with the City's budget Dillon recommends proceeding with Option 1.











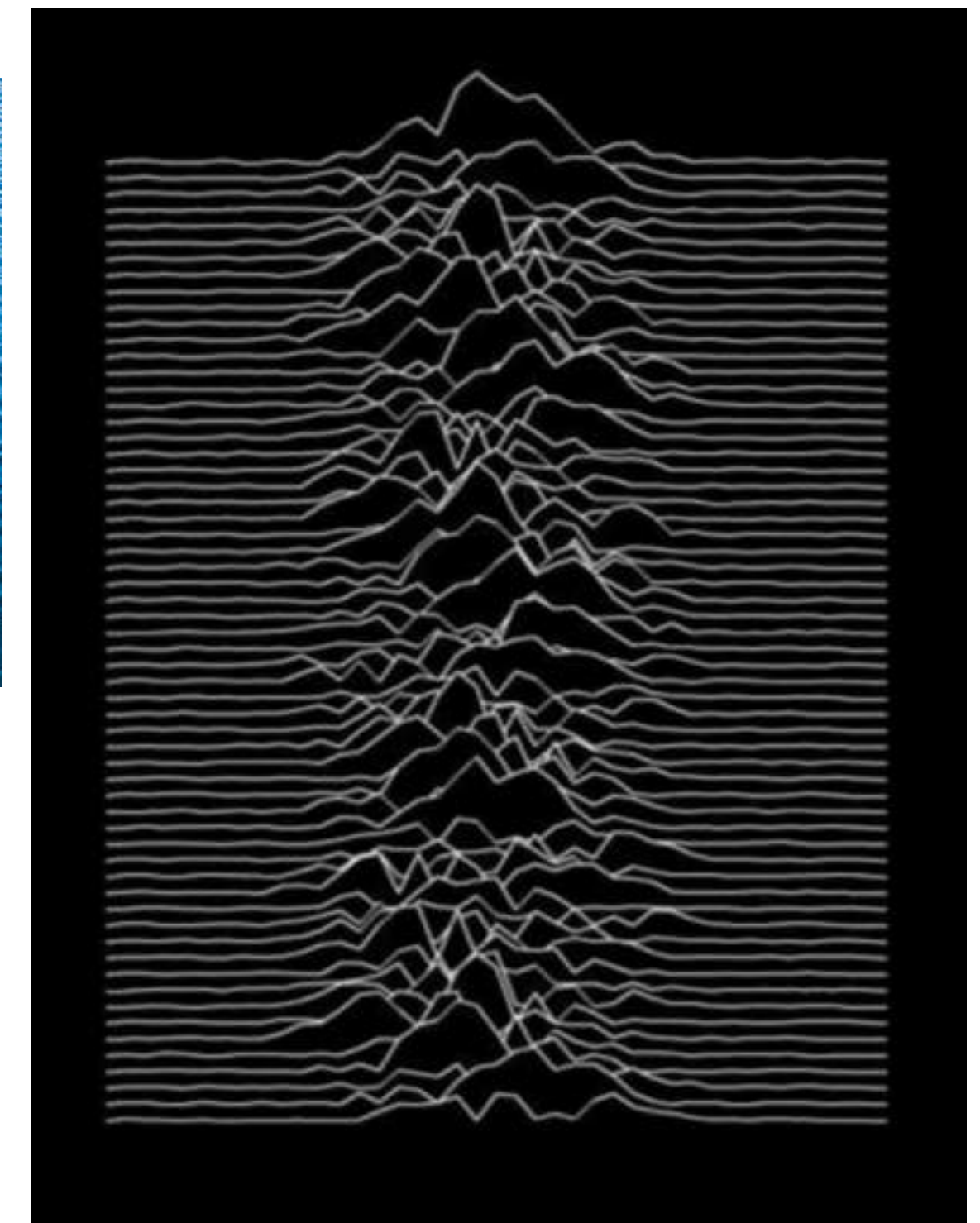
# THE BOARDWALK

## CONCEPT

### The Detroit River is the artery of Windsor-Detroit.

For millennia the river has been a vital site of connection, trade, and ecology. It's also been a site of constant dynamism, with the river changing throughout the seasons and years. The current Peace Fountain floats on the Detroit River, however this results in a number of technical challenges responding to the constant changes of the river. The Boardwalk is a fountain that recognizes the importance of the river, and rather than floating in the river, rings the belvedere at Reaume Park creating a fountain that reimagines the relationship of public experience and the Detroit River. The Boardwalk builds on the qualities of calmness and peacefulness in Reaume Park by focusing attention to the Detroit River—the fountain jettisons water out into the bay, creating a direct connection between land and water. It also integrates new seating and lighting, creating better experiences for park goers. The Boardwalk creates a flood barrier, limiting or reducing flooding in parts of Reaume Park caused by high water levels in the River.

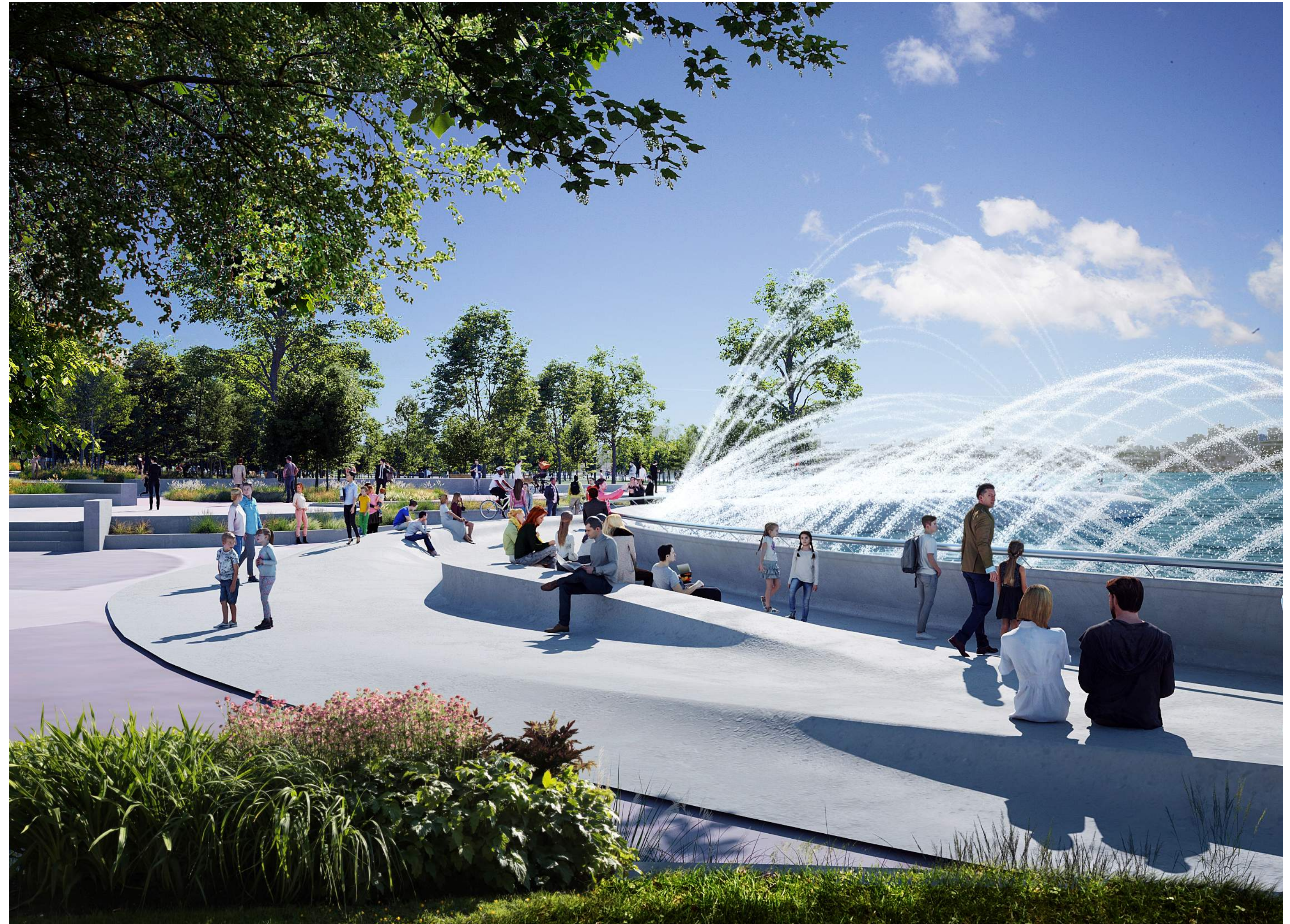
As the Boardwalk is situated on the belvedere at Reaume Park, its proximity to people creates a unique opportunity for interactivity. All around the walkway, the presence and movement of visitors trigger different fountain effects, such as water shapes during the day, and shape and color at night. It is family oriented and becomes a vast playground both for the kids during the day and for the older kid of all ages during the evening. The Boardwalk can operate in all seasons and can help transform Reaume Park into a year-round destination of unique seasonal experiences.









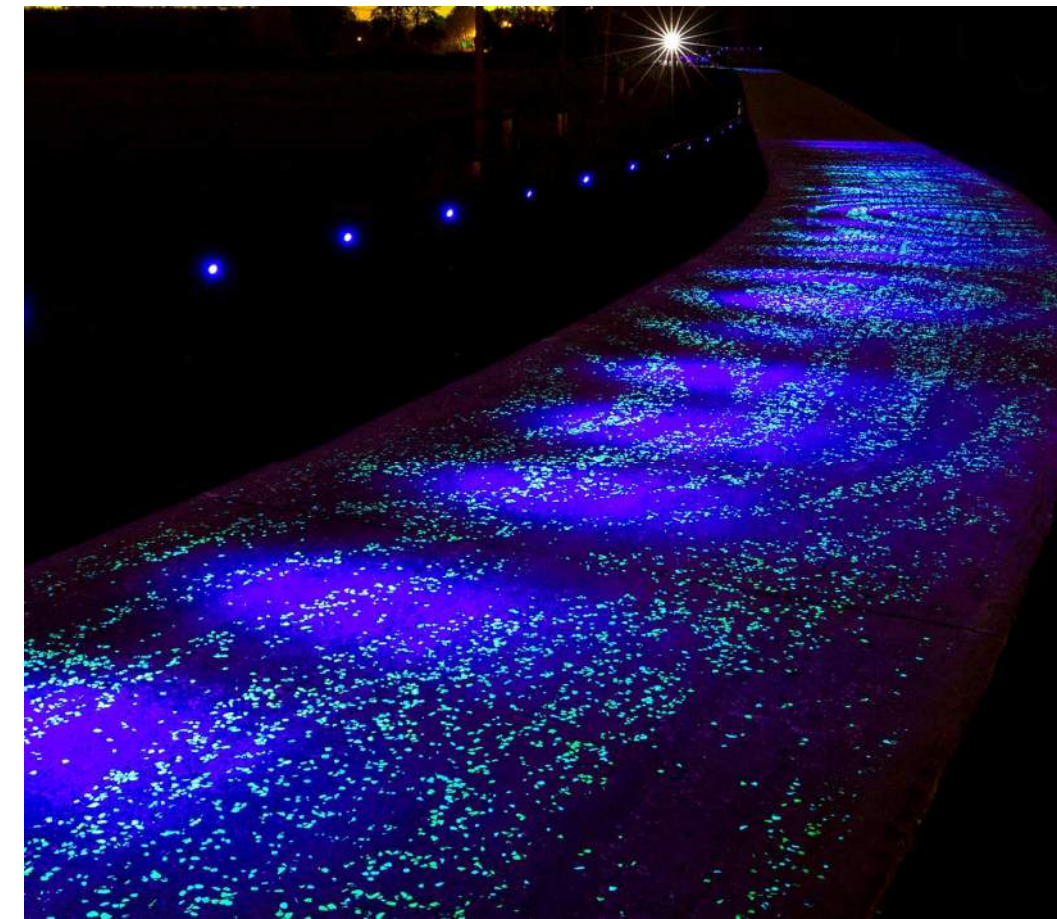


## REIMAGINED PLAZA

The Boardwalk reinvigorates the belvedere around the bay at Reaume Park, introducing a new fountain that also serves to improve the plaza itself. The Boardwalk replaces the existing guardrail around the bay with a new fountain infrastructure housed in a series of repeating precast concrete enclosures. These precast units fulfil a number of functions: they house all the fountain nozzles and pipes (locating all the equipment on land for easy maintenance access), creates an integrated guardrail, and creates a flood barrier for the belvedere. These precast elements also include a 'engagement hand rail' along its edge which houses sensors and interactive components that allow visitors actions to have an effect on the fountain's water movements and lighting schemes. Rippling out and away from this new fountain is a new surface treatment for the plaza that incorporates additional seating and engaging lighting.

## ILLUMINATED BOARDWALK

The plaza would include integrated 'glow-in-the-dark' pebbles that create exciting lighting effects at night. On cloudy days, or day with less sunlight, the pebbles can be activated or augmented with artificial lighting integrated in the handrail of the fountain infrastructure.







## SUMMER PROGRAMMING

The fountain is designed to operate in a number of different modes at different times of day.

- **Fountain – Interactive Mode**

Visitors will have the opportunity to interact with the fountain in different manners. First their presence will be detected which will cause a wave to form and follow their movement. Second 12 interactive stations around the bay will allow the visitors to control a certain part of the fountain, in terms of shape and colors. Even their heartbeat will translate into fountain effect. Also, integrated into the floor, a luminous installation will also react to the people's presence.

- **Fountain – Idle Mode**

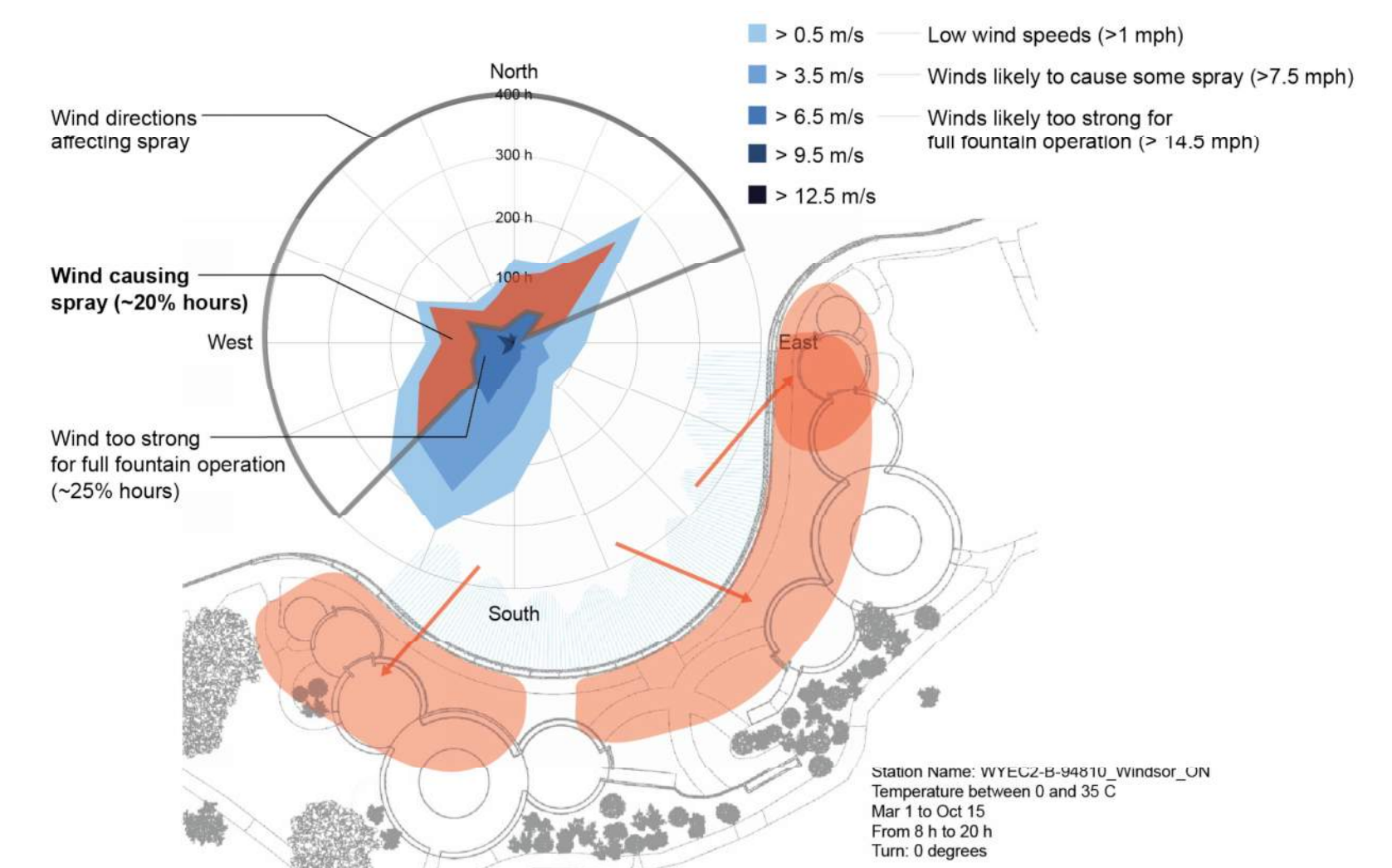
When nobody is interacting with the fountain, a calming a pre-program sequence of fountain movement will animate space.

- **Fountain – Magical Moment**

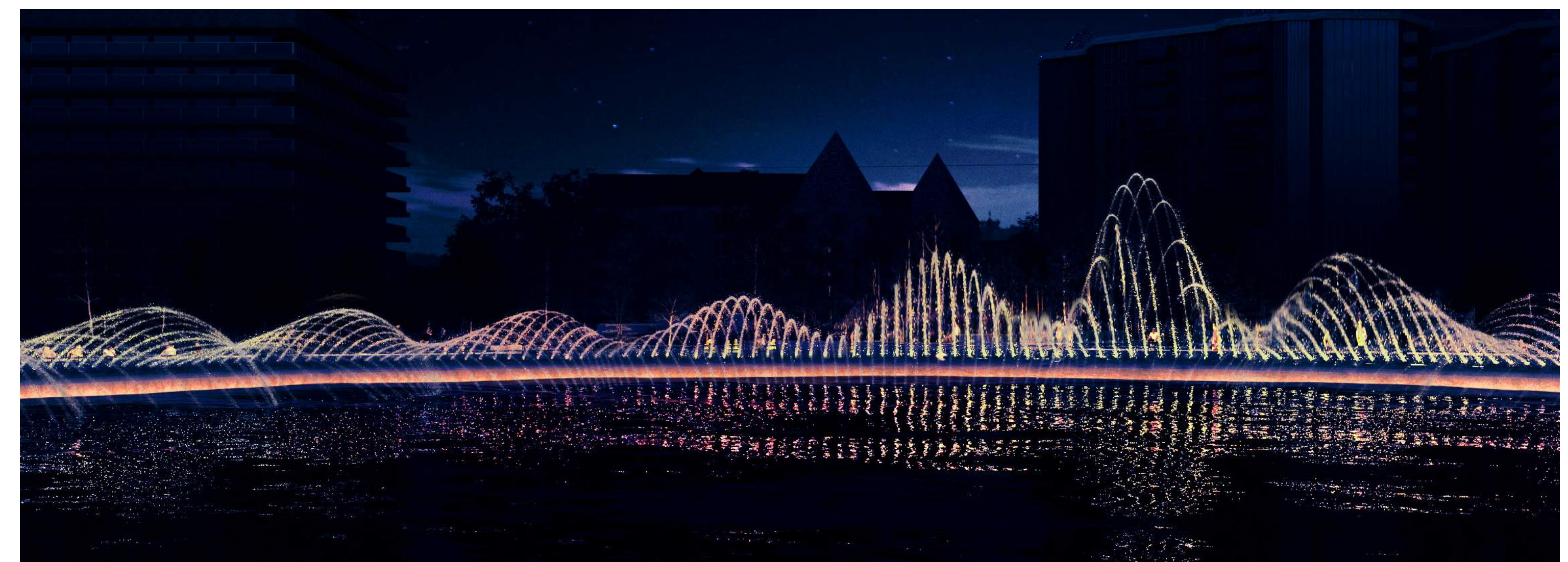
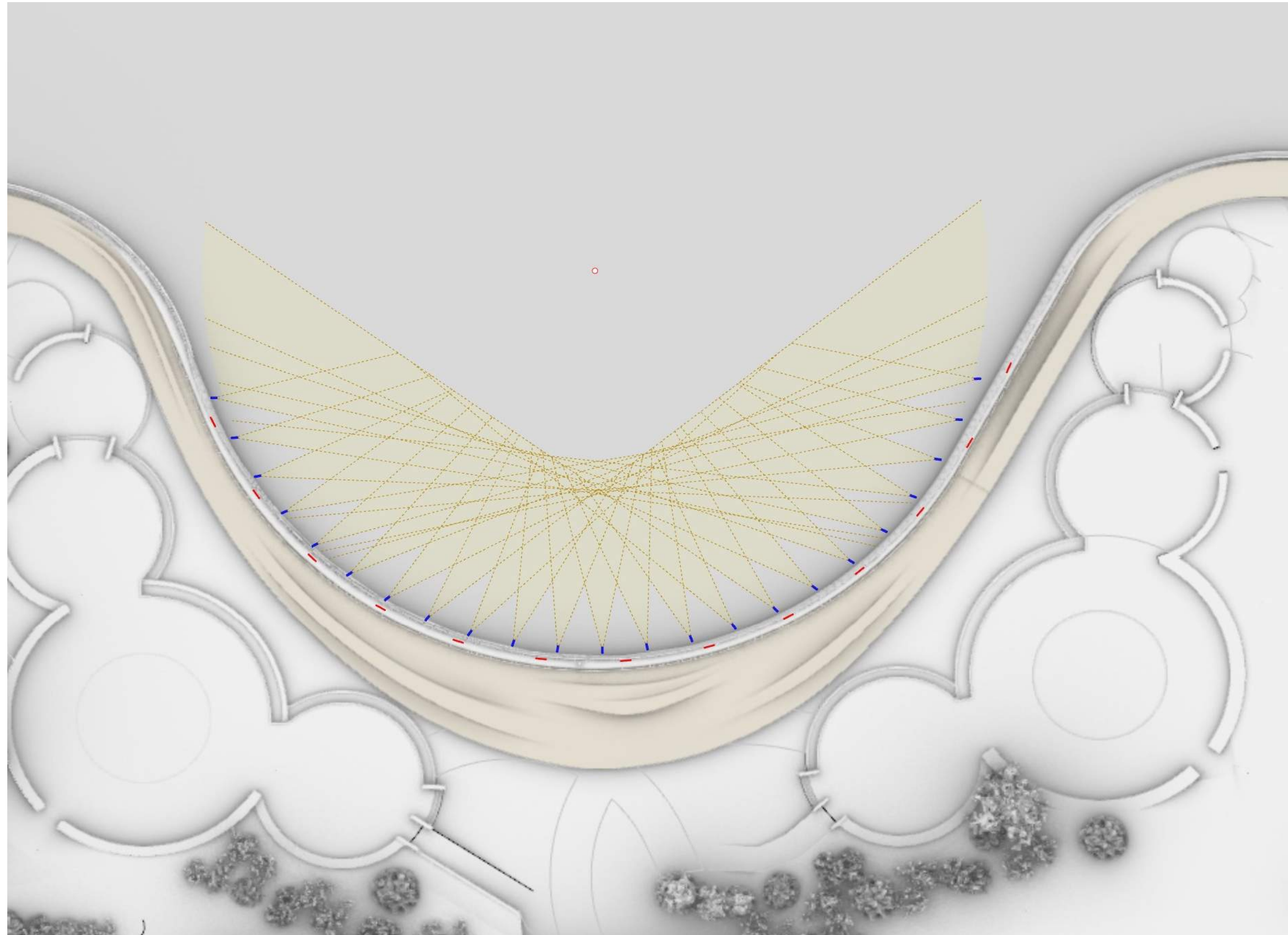
At specific times of day, such as sunset and later in the evening, a amore elaborate activation will take place with memorable music and fountain shows. Eventually, different versions of the show can alternate during the week to renew the visitor's interest

### Effects of Wind

Between May 1 and October 15, approximately 20% of operating hours are likely to experience conditions where wind can cause water spray on the plaza. The red arrows and shaded areas on the diagram show the most likely directions to be affected by wind. During this same period, approximately 25% of operating hours are likely to experience wind speeds above 6.5 m/s which may be too strong for full fountain operation. Excess fountain spray may be mitigated by decreasing the height of water jets or by using wind sensors to limit the use of nozzles facing the wind. Water spray would be beneficial to outdoor comfort during periods of hot outdoor temperatures.







## LIGHTING

The lighting approach aims to go beyond what an ordinary fountain show offers and make out of Reaume Park a must-see touristic attraction.

### Integrated Fountain Lighting

Each fountain nozzle would include integrated lighting that follows the path of the waterflow. Both nozzles and lighting are fully programmable with DMX controls.

### Land-based Lighting

Additional mechanized multifunction lighting instruments located around the perimeter of the bay will augment the fountain show with layers of magic, adding depth of color, materiality, and texture, magnifying the water's presence. Also, these lighting instruments allow directing light rays in any direction and will offer a wide variety of artistic fresco marrying light patterns and water movement.

## INTERACTIVITY

This option is family oriented. It become a vast playground both for the kids during the day and for the older kid of all ages during the evening. All around the walkway, the presence and movement of visitor trigger different fountain & multimedia effects.

- **Interactive Mode 1 - "Walk by"**  
As visitor walk closer to the edge of water their presence is detected and a wave begin to follow . This liquid twin will also induce a sound effect that will also follow the visitor.
- **Interactive Mode 2 - "Artful Play"**  
Gives the interactors control over the shape and color of the effect the water jet produces. 12 interactive position will be spread around the perimeter of the safety fence.





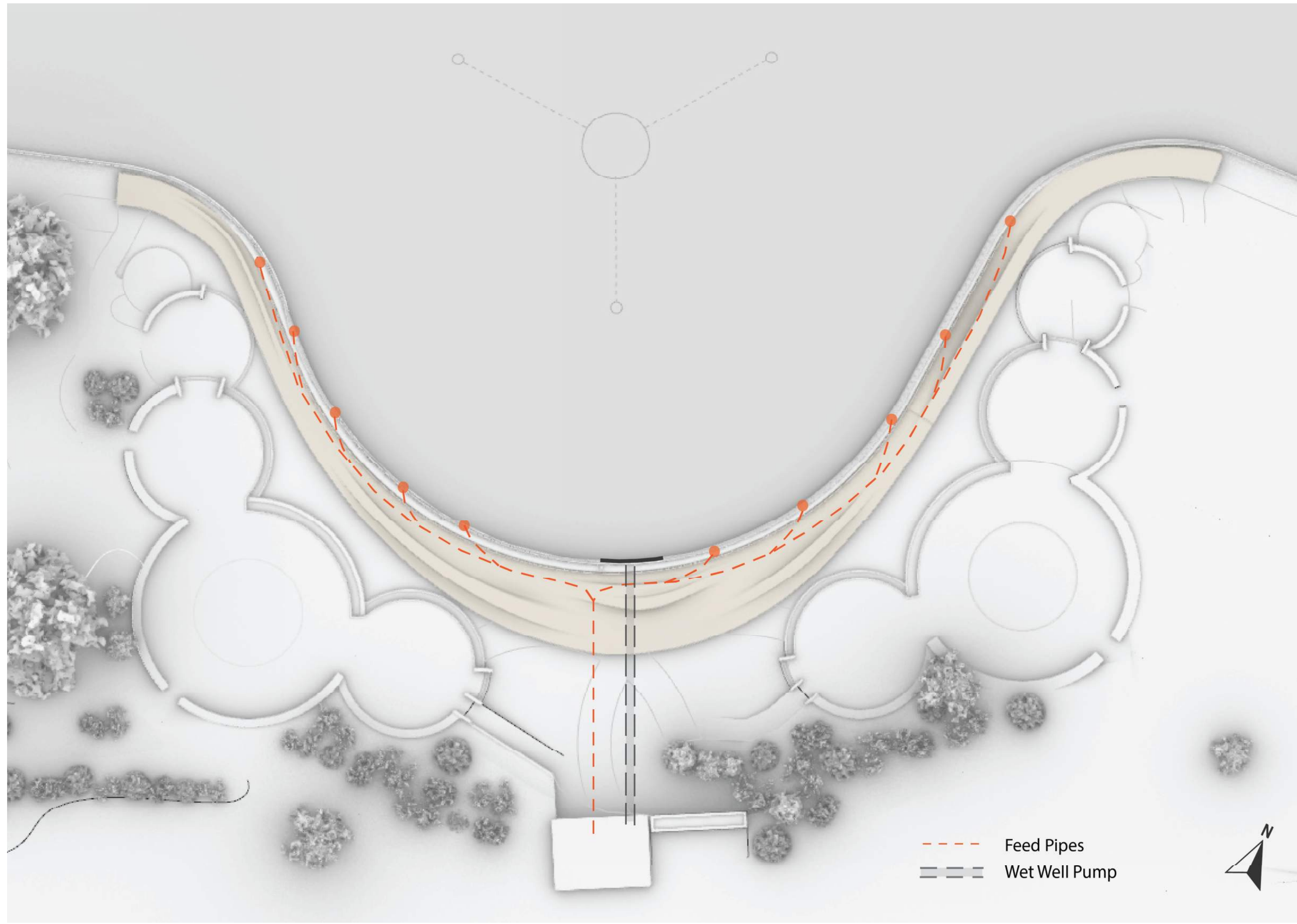


## WINTER PROGRAMMING

In winter, the Boardwalk's primary programming is lighting. Taking advantage of long nights and short days, lighting effects are enhanced, including programmed lighting in the plaza, fully programmable illumination effects along the boardwalk, as well as interactive components. The interactive sensors and inputs that are integrated into the handrail can remain active in winter, though rather than influencing waterflow it can affect lighting on the boardwalk.

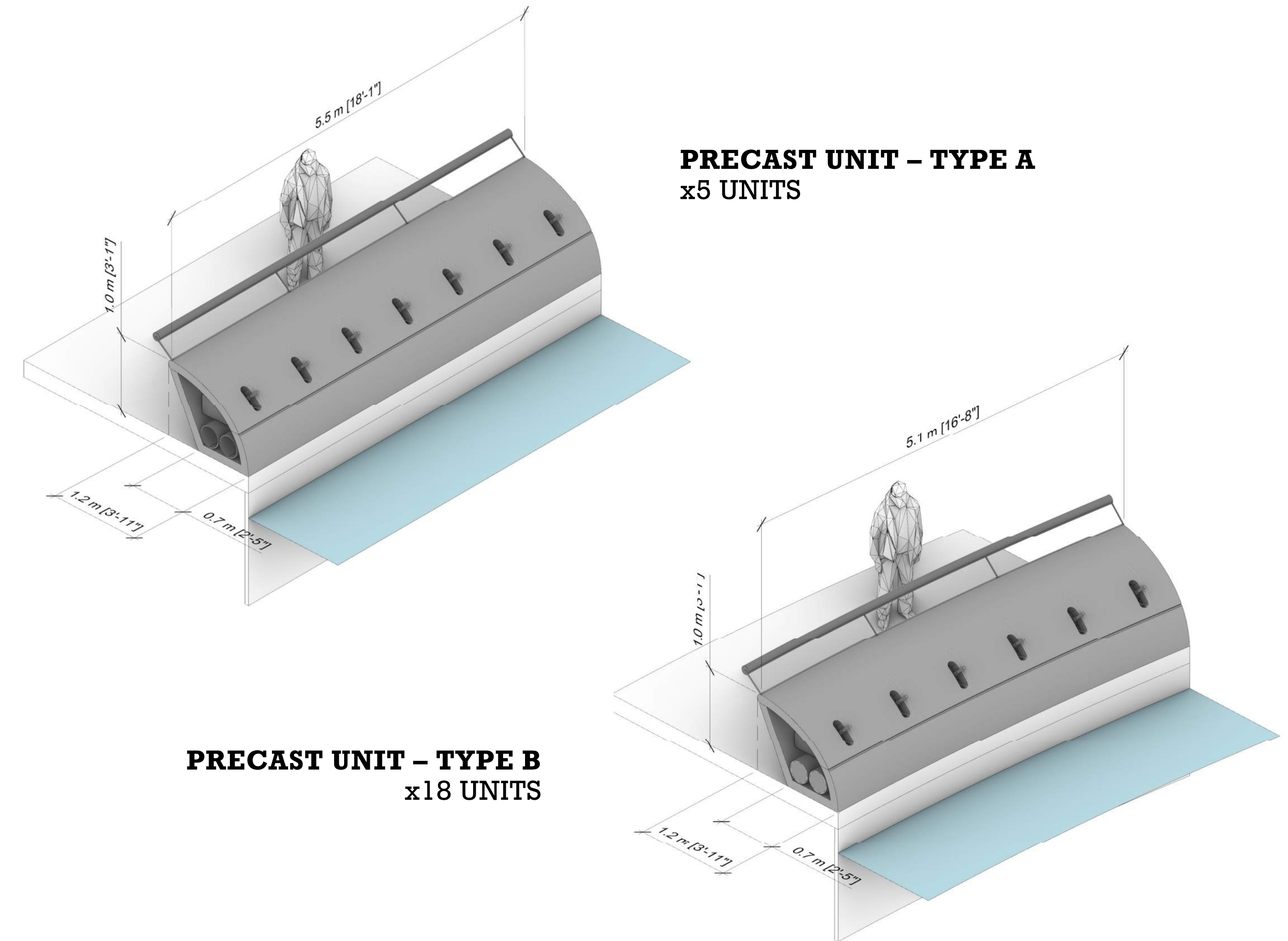






## FOUNTAIN INFRASTRUCTURE

The existing service building would be expanded (roughly double the size) to house the pumps and new programming equipment for the fountain and lighting. This expanded service building would be built beside the existing service building and integrated into the landscape similar to the current building. A series of new underground pipes and electrical runs would be laid to service the fountain, and a 48" intake pipe would be required to connect from this expanded service building to the bay. Transformers for 24v control will be located on the fountain structures.



## CONSTRUCTION STRATEGY

The Boardwalk replaces the existing guardrail around the bay with a new fountain infrastructure housed in a series of repeating precast concrete enclosures. These precast units fulfil a number of functions: they house all the fountain nozzles and pipes (locating all the equipment on land for easy maintenance access), creates an integrated guardrail, and creates a flood barrier for the belvedere. These precast elements also include a 'engagement hand rail' along its edge which houses sensors and interactive components that allow visitors actions to have an effect on the fountain's water movements and lighting schemes.







BY-LAW NUMBER 163-2024

A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 20.12 METRE PORTION OF THE THIRD STREET RIGHT-OF-WAY NORTH OF THE E.C. ROW EXPRESSWAY, EAST OF HUDSON AVENUE, SOUTH OF CONTINENTAL AVENUE AND WEST OF HUDSON AVENUE, CITY OF WINDSOR

Passed the 25<sup>th</sup> day of November, 2024.

**WHEREAS** the 20.12 metre portion of the Third Street right-of-way north of the E.C. Row Expressway, east of Hudson Avenue, south of Continental Avenue and west of Hudson Avenue, City of Windsor, more particularly described in Schedule "A" hereto annexed, is assumed for subsequent closure;

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. That the 20.12 metre portion of the north/south Third Street right-of-way north of the E.C. Row Expressway, east of Hudson Avenue, south of Continental Avenue, and west of Hudson Avenue, City of Windsor, more particularly described in Schedule "A" hereto annexed and forming part of this by-law, be and the same is hereby assumed for subsequent closure.
2. That this by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

CITY CLERK

First Reading – November 25, 2024  
Second Reading – November 25, 2024  
Third Reading – November 25, 2024

**SCHEDULE "A"**  
**TO BY-LAW 163-2024**

Third Street, Plan 972; Third Street Plan 1209, designated as Parts 1 to 8, Plan 12R29868; City of Windsor

Being all of PIN 01262-1922 (LT)

City of Windsor  
County of Essex

BY-LAW NUMBER 164-2024

A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 20.12 METRE PORTION OF THE THIRD STREET RIGHT-OF-WAY NORTH OF THE E.C. ROW EXPRESSWAY, EAST OF HUDSON AVENUE, SOUTH OF CONTINENTAL AVENUE AND WEST OF HUDSON AVENUE, CITY OF WINDSOR

Passed the 25<sup>th</sup> day of November, 2024.

**WHEREAS** it is deemed expedient to close, stop up and convey the 20.12 metre portion of the Third Street right-of-way north of the E.C. Row Expressway, east of Hudson Avenue, south of Continental Avenue and west of Hudson Avenue, City of Windsor, more particularly described in Schedule "A" attached hereto;

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. That the 20.12 metre portion of the Third Street right-of-way north of the E.C. Row Expressway, east of Hudson Avenue, south of Continental Avenue and west of Hudson Avenue, City of Windsor, more particularly described in Schedule "A" attached hereto and forming part of this by-law, be and the same is hereby closed and stopped up.
2. That any required easements pursuant to Council Resolution CR89/2024, be registered prior to conveyance.
3. That the lands be conveyed to the abutting owners, and that the conveyance cost be set as follows:
  - a. For portions of the alley conveyed to abutting lands zoned MD2.1, \$10.00 per square foot plus HST (if applicable) and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor without easements, and \$5.00 per square foot plus HST (if applicable) and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor with easements.
4. That the Chief Administrative Officer and City Clerk be authorized and directed to execute on behalf of The Corporation of the City of Windsor and to seal with the seal thereof, any and all documents necessary to implement the foregoing; and that the transaction be completed electronically, for property where it is available, pursuant to By-law Number 366-2003, as amended from time to time.

5. This by-law shall come into force and take effect the day upon which it is registered in the Land Registry Office for the County of Essex (No. 12).

DREW DILKENS, MAYOR

CITY CLERK

First Reading – November 25, 2024  
Second Reading – November 25, 2024  
Third Reading – November 25, 2024



**SCHEDULE "A"**  
**TO BY-LAW 164-2024**

Third Street, Plan 972; Third Street Plan 1209, designated as Parts 1 to 8, Plan 12R29868; City of Windsor

Being all of PIN 01262-1922 (LT)

City of Windsor  
County of Essex

BY-LAW NUMBER 165-2024

A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS  
GRAND MARAIS ROAD EAST IN THE CITY OF WINDSOR

Passed the 25<sup>th</sup> day of November, 2024.

**WHEREAS** the lands described in Schedule "A" annexed hereto and forming part of this by-law are vested in The Corporation of the City of Windsor.

**AND WHEREAS** it is deemed expedient to establish the said lands hereinafter described as a public highway.

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. That the lands described in said Schedule "A" annexed hereto are established as a public highway known as **GRAND MARAIS ROAD EAST**.
2. That this by-law shall come into force and take effect after the final passing thereof on the day on which it is electronically registered in the Land Registry Office of Essex (12).

DREW DILKENS, MAYOR

CITY CLERK

First Reading – November 25, 2024  
Second Reading – November 25, 2024  
Third Reading – November 25, 2024

SCHEDULE "A"  
TO BY-LAW 165-2024

PT LT 99 CON 2 SANDWICH EAST PT 9 and 10, 12R21694; WINDSOR  
**Part of PIN 01352-0155(LT)**  
**Grand Marais Road East, Windsor**

BY-LAW NUMBER 166-2024

A BY-LAW TO AUTHORIZE THE ENTERING INTO OF AN AGREEMENT WITH ITALIAN CANADIAN HANDICAPABLE ASSOCIATION (WINDSOR & DISTRICT) FOR THE PROVISION OF A MUNICIPAL CAPITAL FACILITY AT MIC MAC PARK

Passed the 25<sup>th</sup> day of November 2024.

**WHEREAS** Section 110(1) of the *Municipal Act, 2001* provides that the Council of a municipality may enter into agreements for the provision of municipal capital facilities by any person and may pass by-laws exempting from property taxation for municipal and school purposes land, or a portion of it, on which municipal capital facilities are located;

**AND WHEREAS** Paragraph 16 of Section 2(1) of Ontario Regulation 603/06, as amended, prescribes municipal facilities used for cultural, recreational or tourist purposes as eligible municipal capital facilities;

**AND WHEREAS** Italian Canadian Handicapable Association (Windsor & District) (the "ICHA") will be occupying a portion of the premises known as Mic Mac Park, located at 1125 Prince Road, Windsor, being more particularly described as the Novelletto Centre (the "Premises"), owned by The Corporation of the City of Windsor, for cultural, recreational, or tourist purposes;

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. The Corporation of the City of Windsor is authorized to enter into an agreement pursuant to section 110 of the *Municipal Act, 2001* as amended, with the ICHA for the provision of a municipal capital facility for a cultural, recreational, or tourist facility at the Premises, in accordance with Ontario Regulation 603/06, as amended (the "Agreement").
2. The Premises are exempt from taxation for municipal and school purposes.
3. This by-law shall be deemed repealed if:
  - a. the ICHA or any approved successor ceases to use the Premises for cultural, recreational or tourist purposes; or,
  - b. if the Agreement is terminated for any reason.
4. (1) Sections 1 and 3 of this by-law shall come into force on the day that the by-law is enacted.

- (2) Section 2 of this by-law shall come into force on the day that the Agreement is entered into between The Corporation of the City of Windsor and the ICHA.

DREW DILKENS, MAYOR

CITY CLERK

First Reading – November 25, 2024  
Second Reading – November 25, 2024  
Third Reading – November 25, 2024

BY-LAW NUMBER 167-2024

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the 25<sup>th</sup> day of November, 2024.

**WHEREAS** it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 46 to 51, Plan 447 (identified as Lot 1A in Appendix A to Report S 131/2024 and known municipally as 0 Windsor Avenue) from Commercial District 1.5 (CD1.5) to Commercial District 1.7 (CD1.7).
- II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of Lot 183 and Part of Lot 182, Plan 1303 (identified as Lot 1B in Appendix A to Report S 131/2024 and known municipally as 1140 Goyeau Street) from Commercial District 1.5 (CD1.5) to Residential District 3.3 (RD3.3).
- III. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by deleting and replacing Section 20(1)52 as follows:

**52. EAST SIDE OF GOYEAU STREET AND WEST SIDE OF WINDSOR AVENUE, NORTH OF GILES BOULEVARD EAST**

- A. For the lands comprising of LOT 46 TO LOT 51, PLAN 447 for an existing parking area, the following additional provisions shall apply:
  - 1) Section 25.5.10.3 shall not apply.
  - 2) Section 25.5.20 shall not apply.
  - 3) Section 25.5.40.6 and 25.5.40.7 shall not apply.
  - 4) Notwithstanding Section 25.5.50, the minimum *parking aisle* width shall be as existing.
- B. For the lands comprising of LOT 183 & PT LOT 182, PLAN 1303, the following additional provisions shall apply:
 

1) Lot Area – minimum	1,728 m <sup>2</sup>
2) Lot Coverage – maximum	43.5%
3) Main Building height – maximum	24.0 m
4) Landscaped Open Space Yard – minimum	28%

- 5) Section 12.3.5.13 shall not apply
- 6) All required *parking spaces* (excluding accessible parking spaces and *loading spaces*) shall be located entirely on LOT 46 TO LOT 51, PLAN 447.
- 7) Notwithstanding Section 25.5.20.1.6, where a *building* is located on the same *lot* as the *parking area*, for that portion of a *building* wall not containing a *habitable room window* within 4.0 m of the *ground*, the minimum parking area separation from that portion of the *building* wall shall be 3.1 m.

(ZDM 7)

IV. THAT, when Site Plan Control is applicable:

- A. Prior to the submission of an application for site plan approval, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer:
  - 1) Those documents submitted in support of the application for amendment to the Zoning By-law 8600 **BE UPDATED** to reflect the site plan for which approval is being sought, and any comments from municipal departments and external agencies included in Appendix E to Report S 131/2024.
- B. The Site Plan Approval Officer **BE DIRECTED** to incorporate the following, subject to any updated information, into an approved site plan and an executed and registered site plan agreement:
  - 1) Vibration Impact Assessment as requested by the City of Windsor Heritage Planner in Appendix E to Report S 131/2024.
  - 2) Requirements of the City of Windsor – Engineering Department (subject to the approval of the City Engineer), City of Windsor – Parks Development, in Appendix E of Report S 131/2024.
- C. The Site Plan Approval Officer **CONSIDER** all other comments contained in Appendix E of Report S 131/2024 and all recommendations in the documents submitted in support of the application for an amendment to Zoning By-law 8600.

2. The said by-law is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of said by-law and made part thereof, so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 5:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol
1	7	Lots 46 to 51, Plan 447 (located on the west side of Windsor Avenue, north of Giles Boulevard East)	N/A	CD1.7
2	7	Lot 183 and Part of Lot 182, Plan 1303 (located on the east side of Goyeau Street, north of Giles Boulevard East)	N/A	RD3.3

DREW DILKENS, MAYOR

CITY CLERK

First Reading – November 25, 2024  
 Second Reading – November 25, 2024  
 Third Reading – November 25, 2024



BY-LAW NUMBER 168-2024

A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.27 METRE NORTH/SOUTH ALLEY NORTH OF ALGONQUIN STREET, EAST OF ST. PATRICK'S AVENUE, SOUTH OF TECUMSEH ROAD WEST AND WEST OF RANDOLPH AVENUE, CITY OF WINDSOR

Passed the 25<sup>th</sup> day of November, 2024.

**WHEREAS** the 4.27 metre portion of the north/south alley north of Algonquin Street, east of St. Patrick's Avenue, south of Tecumseh Road West and west of Randolph Avenue, City of Windsor, more particularly described in Schedule "A" hereto annexed, is assumed for subsequent closure;

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. That the 4.27 metre portion of the north/south alley north of Algonquin Street, east of St. Patrick's Avenue, south of Tecumseh Road West and west of Randolph Avenue, City of Windsor, more particularly described in Schedule "A" hereto annexed and forming part of this by-law, be and the same is hereby assumed for subsequent closure.
2. That this by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

CITY CLERK

First Reading – November 25, 2024  
Second Reading – November 25, 2024  
Third Reading – November 25, 2024

**SCHEDULE "A"**  
**TO BY-LAW 168-2024**

Alley Plan 973, Sandwich West, designated as Parts 1 to 38, Plan 12R29764;  
Windsor

Being all of PIN 01213-0437 (LT)

City of Windsor  
County of Essex

BY-LAW NUMBER 169-2024

A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.27 METRE NORTH/SOUTH ALLEY NORTH OF ALGONQUIN STREET, EAST OF ST. PATRICK'S AVENUE, SOUTH OF TECUMSEH ROAD WEST AND WEST OF RANDOLPH AVENUE, CITY OF WINDSOR

Passed the 25th day of November, 2024.

**WHEREAS** it is deemed expedient to close, stop up and convey the 4.27 metre portion of the north/south alley north of Algonquin Street, east of St. Patrick's Avenue, south of Tecumseh Road West, and west of Randolph Avenue, City of Windsor, more particularly described in Schedule "A" attached hereto;

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. That the 4.27 metre portion of the north/south alley north of Algonquin Street, east of St. Patrick's Avenue, south of Tecumseh Road West and west of Randolph Avenue, City of Windsor, more particularly described in Schedule "A" attached hereto and forming part of this by-law, be and the same is hereby closed and stopped up.
2. That any required easements pursuant to Council Resolution CR372/2023 as amended by CR465/2024, be registered prior to conveyance.
3. That the lands be conveyed to the abutting owners, and that the conveyance cost be set as follows:
  - a) For alley conveyed to abutting lands zoned CD2.1, \$20.00 per front foot without easements plus HST (if applicable) and \$10.00 per front foot with easements plus HST (if applicable).
  - b) For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable), deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
4. That the Chief Administrative Officer and City Clerk be authorized and directed to execute on behalf of The Corporation of the City of Windsor and to seal with the seal thereof, any and all documents necessary to implement the foregoing; and that the transaction be completed electronically, for property where it is available, pursuant to By-law Number 366-2003, as amended from time to time.

5. This by-law shall come into force and take effect the day upon which it is registered in the Land Registry Office for the County of Essex (No. 12).

DREW DILKENS, MAYOR

CITY CLERK

First Reading – November 25, 2024  
Second Reading – November 25, 2024  
Third Reading – November 25, 2024

**SCHEDULE "A"**  
**TO BY-LAW 169-2024**

Alley Plan 973, Sandwich West, designated as Parts 1 to 38, Plan 12R29764;  
Windsor

Being all of PIN 01213-0437 (LT)

City of Windsor  
County of Essex

BY-LAW NUMBER 170-2024

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the 25<sup>th</sup> day of November, 2024.

**WHEREAS** it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. That subsection 1 of Section 20, of said by-law, is amended by adding the following clause:

**513. SOUTH SIDE OF WYANDOTTE STREET EAST BETWEEN JOS JANISSE AVENUE AND ELLROSE AVENUE**

For the lands comprising of Lot 27, Plan 1492, PIN No. 01097-1316 LT, a *Semi-Detached Dwelling* shall be subject to the following additional provisions:

1. Notwithstanding Section 11.2.5.2.1, the minimum lot width shall be 13.7 metres.
2. Notwithstanding Section 11.2.5.2.10, the maximum gross floor area for a main building shall be 851.6 m<sup>2</sup>.  
[ZDM 10; ZNG/7221]

2. The said by-law is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of said by-law and made part thereof, so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 5:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Zoning Symbol	5. New Zoning Symbol
1	10	Lot 27, Plan 1492 PIN No. 01097-1316 LT (located on the south side of Wyandotte Street East between Jos Janisse Avenue and Ellrose Avenue)	RD2.2	RD2.2 S.20(1)H513

3. THAT the holding (H) symbol **SHALL APPLY** to the lands located on the south side of Wyandotte Street East between Jos Janisse Avenue and Ellrose Avenue, described as Lot 27, Plan 1492, PIN No. 01097-1316 LT and that Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following clause to Section 95.20:
- (11) a. Gratuitously convey to the Corporation of the City of Windsor, a 1.50-metre-wide strip of land along the Wyandotte Street East frontage of the subject lands to the satisfaction of the City Engineer.
- b. Submission of a Revised Stormwater Management Plan in accordance with the Windsor Essex Region Stormwater Management Standards Manual to the satisfaction of the City Engineer.  
[ZDM 10; ZNG/7221]

DREW DILKENS, MAYOR

CITY CLERK

First Reading – November 25, 2024  
Second Reading – November 25, 2024  
Third Reading – November 25, 2024

## BY-LAW NUMBER 171-2024

A BY-LAW TO IMPOSE STORMWATER CHARGES IN THE CITY OF WINDSOR

Passed the 25th day of November, 2024.

**WHEREAS** sections 8, 9 and 10 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, (“Municipal Act”) authorize a municipality to pass by-laws necessary or desirable for municipal purposes, and in particular paragraph 7 of subsection 10(2) authorizes by-laws respecting services and things that the municipality is authorized to provide under subsection (1);

**AND WHEREAS** subsection 391 of the *Municipal Act* provides that sections 9 and 10 of the Municipal Act authorize a municipality to impose fees or charges on any class of persons for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property, including property under its control;

**AND WHEREAS** subsection 398(2) of the *Municipal Act* authorizes the treasurer to add fees and charges imposed by the municipality to the tax roll and collect them in the same manner as municipal taxes;

**AND WHEREAS** section 436 of the *Municipal Act, 2001* provides that a municipality may pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out inspections to determine compliance with its by-laws, directions, orders and conditions of licences;

**AND WHEREAS** Ontario Regulation 581/06 made under the *Municipal Act*, provides that where fees or charges imposed for the use of a sewage system are added to the tax roll, such fees and charges have priority lien status;

**AND WHEREAS** the City's Stormwater Drainage System is a sewage system as defined in Ontario Regulation 581/06;

**AND WHEREAS** The Corporation of the City of Windsor (the “City”) has constructed, and is operating and maintaining a Stormwater Drainage System for the benefit of all property owners in the City;

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

### **DEFINITIONS**

1. In this By-law,

“**Adjustment**” means a process by which changes are made to information associated with a given Stormwater Account.

“**Appeal**” means a process by which a person challenges information that has been associated to their Stormwater Account.

“**Applicant**” means the Property owner of a “Multi-Residential, Non-Residential and Other” property that submits a Stormwater Charge credit application to the City .



**“Billing Error”** means an undercharge or overcharge caused by a gross or manifest error in the preparation or determination of the Stormwater Charge for a property that is clerical or factual in nature, including the transposition of figures, a typographical error or similar errors.

**“By-law”** means this Stormwater Charge By-law;

**“City”** means The Corporation of the City of Windsor or where the context requires the geographical jurisdiction of The Corporation of the City of Windsor.

**“Combined sewer”** means a sewer intended to function simultaneously as a Storm Sewer and a Sanitary Sewer.

**“Complete Application”** means the applicant has submitted all required forms, documents and answered all questions on the application form to the satisfaction of the City Engineer or designate(s).

**“Council”** means the municipal council of the City.

**“Credit Program”** means the City’s program provided to reduce Stormwater Charges for qualifying property owners who provide on-site stormwater management measures and to recognize existing stormwater management measures already in place that decrease the burden on the City’s stormwater management infrastructure.

**“ENWIN”** means ENWIN Utilities Ltd. or its successors or affiliates.

**“HST”** means harmonized sales tax.

**“Impervious Area”** means paved or hard surfaces, disturbed or compacted soil stripped of vegetation and other surfaces on a property which decrease the amount of water that infiltrates into the ground, increasing stormwater runoff, but does not include public road allowance, public highway, public alley, or any airport taxiways, runways, or runway aprons.

**“Material Change”** means something that was not either expressly addressed by the parties in the credit application process or that cannot be taken as having been in their contemplation and results in a property no longer being in substantial compliance with the objectives of the Credit Program, or the level of Stormwater Charge credit approved, which shall include, but is not limited to, an alteration, deficiency, or failure of the stormwater management structure.

**“Multi-Residential, Non-Residential and Other property”** means a Property that contains three or more residential units and/or contains any non-residential use, including an industrial, commercial, institutional, or mixed-use property.

**“Overcharge”** means an incorrect calculation of a Stormwater Charge associated with a Stormwater Account which results in the Stormwater Charge being higher than it otherwise would be if calculated correctly.

**“Person”** includes an individual, sole proprietorship, partnership, corporation, municipal corporation, unincorporated association or organization, trust, and a natural person in his or her capacity as trustee, executor, administrator, or other legal representative;

**“Property”** means any real property.

**“Property owner”** means the registered owner of a Property.

**“Residential Property”** means a property that contains at least one, but not more than two residential units.

**“Sanitary Sewer”** means a sewer for the collection and transmission of domestic, commercial, institutional and industrial sewage, or any combination thereof.

**“Storm Sewer”** means a sewer for the collection and transmission of uncontaminated water, stormwater, drainage from land or from a watercourse, or any combination thereof.

**“Stormwater Account”** means the wastewater service customer account to which charges for such services to a Property are invoiced.

**“Stormwater Charge”** means the City’s stormwater rates, fees and charges listed in Schedule “A” to this By-law.

**“Stormwater Charge Credit”** means a reduction in Stormwater Charges for certain qualifying property owners issued under the Credit Program.

**“Stormwater Charge Credit Application”** means an application for a property to participate in the Credit Program, which shall be in a form approved by the City’s Supervisor of Right-of-Way Programs.

**“Stormwater Drainage System”** means any system owned or operated by the City for the collection, transmission, treatment or disposal of Stormwater or any part of such system and includes any Storm Sewer or Combined Sewer maintained by the Corporation.

**“Stormwater Management Structure”** means a permanent physical device or practice that is installed to capture, manage, and/or treat stormwater to reduce flooding, prevent erosion, and/or improve water quality.

**“Undercharge”** means an incorrect calculation of a Stormwater Charge associated with a Stormwater Account which results in the Stormwater Charge being lower than it otherwise would be if calculated correctly.

## **SCOPE**

2. A Stormwater Charge shall be imposed upon all Property Owners in the City in accordance with Schedule “A”, which Stormwater charge is based on the amount of Impervious Area and Property sizes and types.
3. Council hereby establishes the Stormwater Charges as set out in Schedule “A” Stormwater Charges will be subject to the HST where applicable. ENWIN is authorized and shall have the responsibility for the billing and collection/receivables processing related to Stormwater Charges, which shall occur in accordance with ENWIN’s standard billing, collection schedule, and procedures.
4. Where construction on a Property creates new Impervious Area, the newly created Impervious Area shall be included in the calculation of the Stormwater Charge for that property commencing on the earlier of:
  - (a) The date the improvement to which the Impervious Area relates, or a substantial part thereof, is ready for use or is being used for the purposes intended; or
  - (b) Two (2) years from the date the new Impervious Area first appears.

## **CREDIT PROGRAM**

5. The Credit Program provides Property Owners of Multi-Residential, Non-Residential and Other property with the opportunity to receive a reduction to their Stormwater Charge by implementing and maintaining stormwater management structures or practices on their Property that decrease the burden on the City's Stormwater Drainage System.
6. Property Owners of Multi-Residential, Non-Residential and Other property may qualify for Stormwater Charge credits where such Property Owners can clearly demonstrate to the City that their Stormwater Management Structures:
  - (1) Exceed minimum regulatory requirements in place at the time of original installation.
  - (2) Are designed in accordance with a City-recognized standards such as the Ontario Ministry of Environment, Conservation, and Parks Stormwater Management Planning and Design Manual and Windsor/Essex Region Stormwater Management Standards Manual.
  - (3) Are fully maintained and operated by the Property Owner. Stormwater Management Structures that have been assumed by the City for maintenance are not eligible for credit.
7. Additional qualifying criteria and categories of the Credit Program are outlined in Schedule "B" hereto.
8. To participate in the Credit Program i Property Owners of Multi- Residential, Non-Residential and Other property must submit a Stormwater Charge Credit Application. . Stormwater Charge Credit Applications will be reviewed by, and approved credit amounts will be determined by the Supervisor of Right-of-Way Programs.
9. Reductions to Stormwater Charges made as a result of the approval of a Stormwater Charge Credit Application shall take effect in accordance with the following schedule:
  - (1) Stormwater charge Credit applications submitted prior to December 31, 2025: Reductions that result from Stormwater Charge Credit applications which were submitted prior to December 31, 2025 will be retroactive to the first date of billing if the qualified Stormwater Management Structure came into service before January 1, 2026, as determined by the Supervisor of Right-of-Way Programs.
  - (2) Stormwater Charge Credit Applications submitted after January 1, 2026 Reductions that result from applications which were submitted on or after January 1, 2026 will be retroactive up to the date the Supervisor of Right-of-Way Programs receives the Complete Application or the date on which the qualified Stormwater Management Structures came into service, as determined by the Supervisor of Right-of-Way Programs, whichever date is later.
10. Stormwater Charge Credits do not apply to any Property, or any portions of a Property, that is exempt from the imposition of Stormwater Charges.
11. Stormwater Charge Credits shall be in effect for 20 years from the date of approval, provided that the Stormwater Management =Structure continues to meet all eligibility criteria and continues to be operated and maintained as designed and there is no change of ownership of the Property.

12. Stormwater Charge Credits are not transferable to subsequent Property Owners of the Property. New Property Owners are required to submit a new Stormwater charge Credit application in order to be eligible for the Credit Program.
13. An updated Stormwater Charge Credit Application must be submitted to the City no later than three (3) months after any Material Change. Any late submission of the Stormwater Charge Credit application may result in a discontinuance of the current Stormwater Charge Credit amount. The City may adjust (increase or decrease) the current Stormwater Charge Credit amount.
14. A renewal Stormwater Charge Credit application must be submitted to the City no later than six (6) months prior to the expiration date of the Stormwater Charge Credit approval. Any late submission of the application may result in a discontinuance of the current Stormwater Charge Credit amount. The City may adjust (increase or decrease) the current Stormwater Charge Credit amount.
15. Stormwater Charge credits are applicable only where the Property Owner's Stormwater Account with the City is in good standing.
16. Schedule "C" contains a list of exemptions for the Stormwater Charge established herein.

#### **ADMINISTRATION AND ENFORCEMENT**

17. The Stormwater Charge shall be included in the Property Owner's utility bill as issued by ENWIN and identified separately as a stormwater charge (the "Invoice"). The Stormwater Charge annual rate shall be prorated, as necessary, to match the billing period of the Invoice.
18. The Invoice will be deemed to have been received:
  - a. if sent by mail, on the third day after the date on which the bill was printed; or
  - b. if made available on the internet or sent by email, on the date on which an e-mail is sent to the property owner notifying them that the bill is available for viewing.
19. Where an Invoice has been issued for a period, but does not capture all the impervious area on a property during the original billing period, the City or ENWIN may, in future Invoices retroactively apply the Stormwater Charge to the Property Owners back until the date the Impervious Area in question was first present on the Property (subject to section 6 above) or two (2) years from the date of the Invoice, whichever date is later. Nothing in this section shall operate to allow a Stormwater Charge under this By-law to apply for a period that is prior to this By-law coming into effect.
20. Payment of all Stormwater Charges imposed by the City under this By-law is due and payable upon issuance of the Invoice and every Property Owner in receipt of such Invoice shall ensure payment thereof before the due date indicated thereon. Stormwater Charge credits under the Credit Program will be processed and reflected on the Invoice.

21. No person shall be entitled to any discounts for the early payment of any Stormwater Charge under this By-law.
22. The Stormwater Charges imposed under this By-law constitute a debt of the Property Owner to the City and the City may add stormwater Charges to the tax roll of the Property associated with the relevant Stormwater Account and collect them in the same manner as municipal taxes. Such Stormwater Charges have priority lien status as described in s. 1 of the Municipal Act.
23. The Supervisor of Right-of-Way Programs shall have delegated authority and is authorized to:
  - (1) approve or reject any application submitted for Stormwater Charge credit or update or renewal of said credit;
  - (2) impose such terms and conditions to any application under this By-law as the Supervisor of Right-of-Way Programs considers appropriate;
  - (3) determine and decide any Appeal under the By-law;and that the decision of the Supervisor of Right-of-Way Programs shall be final and binding.
24. ENWIN shall have delegated authority and is authorized to adjust the Stormwater Charge on any Property, to the extent it is deemed appropriate due to a Billing Error, and the account may be retroactively recalculated for a period not exceeding two (2) years from the date of detection of the Billing Error with resulting credits or charges being applied to the Property Owner's Stormwater Account, and the decision of ENWIN shall be final and binding. To the extent of any conflict between this section and section 20 of this By-law, Section 20 of this By-law shall prevail.
25. Notwithstanding any other section of this By-law, the City reserves the right to conduct site inspections and may, at any reasonable time, enter and inspect any property, to review eligibility and may suspend, reduce or cancel credits if the approved Stormwater Management Structures on the Property no longer meet the performance criteria as documented in the Stormwater Charge Credit Application or the credit update or renewal application and/or its supporting documentation and/or the terms and conditions for the Stormwater Charge Credit approval, update or renewal.
26. A Stormwater Charge Credit may be suspended, reduced or cancelled by the City under the following circumstances:
  - (1) failure of an applicable Property Owner to make Stormwater Charge payments as invoiced by ENWIN;
  - (2) failure of an applicable Property Owner to meet the terms and conditions of the credit approval;
  - (3) submission of inaccurate or false information by the Applicant;
  - (4) failure of the Applicant to maintain a Stormwater Management Structure as required by the terms and conditions of the credit approval;

- (5) failure of a Stormwater Management Structure to operate or meet the performance criteria as documented in the Applicant's Stormwater Charge Credit Application or credit update or renewal application and/or its supporting documentation and/or the terms and conditions for the Stormwater Charge Credit approval, update or renewal; or,
  - (6) failure to submit a complete Stormwater Charge Credit renewal application.
27. A reduction or cancellation of a Stormwater Charge Credit may be appealed by the Applicant by application to the Supervisor of Right-of-Way Programs. The decision of the Supervisor of Right-of-Way Programs shall be considered final and binding.
28. Where the City determines that a Stormwater Management Structure is in a state of disrepair or no longer functions as approved, the Applicant shall reimburse to the City the entire amount of the credit received in respect of the Property since the date that the application was approved, updated or renewed or since the last inspection by the City, whichever is later. If the credit has been cancelled, the Applicant may not re-apply for a credit for a period of twelve (12) months.

**APPEALS**

29. An Applicant will not be required to pay a service fee for any of the following Appeals:

APPEAL	CATEGORY	EXPLANATION
Inaccurate Stormwater Charge Assessment	A. Incorrect category	The property has been incorrectly identified as "residential" or "multi-residential, non-residential or other" property type.
	B. Inaccurate impervious area assessment	The total Impervious Area assessment is or is not accurate.
Incorrect Stormwater Reductions	A. Eligibility for Credit	A Property may or may not apply for credits.
	B. Amount of Credit	The amount of credit approved for an applicant's Property is or is not appropriate.

30. The filing of a Appeal does not stay the requirement for payment of a Stormwater Charge. Any Stormwater Charge billed during the course of the Appeal will be due and payable upon receipt and remain subject to ENWIN's standard collection processes.
31. Adjustments made as a result of an Appeal shall take effect in accordance with the following schedule:
- (1) Appeals within first year of Credit Program: Adjustments that result from Appeals which were received on or before December 31, 2025 will be retroactive up to first date of the first billing period (i.e. January 1, 2025).

- (2) Appeals from January 1, 2026 onward: Adjustments that result from Appeals which were received on or after January 1, 2026 will be retroactive up to the date of receipt of the Complete Application for the Appeal by the Supervisor of Right-of-Way Programs.
  - (3) Notwithstanding subsections (1) and (2) above, any Adjustment as a result of a credit update application will be retroactive up to the date of the subject Material Change as determined by the City. Where the change results in an increased credit, the additional amount will be retroactive up to a maximum period of twelve (12) months.
  - (4) Notwithstanding subsections (1) and (2) above, any Adjustment as a result of all other appeals as defined above will be retroactive up to the date of the subject Material Change as determined by the City. Where the change results in a change in the fee, the additional amount will be retroactive up to a maximum period of six (6) months.
32. An Applicant will be contacted within ten (10) business days of submitting a request to acknowledge receipt of the appeal, subject to the volume of requests received by the City. The Supervisor of Right-of-Way Programs may require further information from the Applicant in order to complete the review.
33. Stormwater Charge assessments may be revised in either of the following instances: (i) an external adjustment arising from an update to the assessment from an Appeal (including Requests for Review of Stormwater Charge Assessment), or (ii) an internal adjustment whereby the City may revise, modify or amend a Stormwater Charge assessment, legal exemption or credit. These include:
- (1) Routine Geomatics data maintenance resulting from annual update to aerial imagery;
  - (2) Targeted review and update of assessments of properties which are undertaking a redevelopment, rezoning, or other process through City's Planning & Building Department;
  - (3) Routine updates to Municipal Property Assessment Corporation's assessment data; and
  - (4) Audits/inspections of properties receiving credit for on-site best management practices.
- Revised Stormwater Charges may result in charges being applied retroactively in accordance with Section 19 of this By-law.
34. Appeals will follow the appeal process as set out in Schedule "D" to this By-law.

## **GENERAL**

35. Schedules "A" and "B", "C", and "D" shall form and be an integral part of this By-law.
36. Should any part of this By-law, including any part of Schedule "A" or Schedule "B" or Schedule "C" or Schedule "D", be determined by a court of competent jurisdiction to be invalid or of no force and effect, it is the stated intention of Council that such invalid part of the By-law shall be severable and that the remainder of this By-law, including the remainder of Schedules "A" and "B" and "C" and "D", as applicable, shall continue to operate and to be in force and effect.

37. Words importing the singular number shall include the plural, and words importing the masculine gender shall include the feminine, and the converse of the foregoing also applies, unless the context of the By-law otherwise requires.
38. Any decision or determination required to be made by the City or any official of the City under this By-law shall be made in the sole and absolute discretion of the City or the City official.
39. This By-law shall be known as the “Stormwater Charge By-Law”.
40. This By-law shall come into force and effect on January 1, 2025.

DREW DILKENS, MAYOR

CITY CLERK

First Reading – November 25, 2024  
Second Reading – November 25, 2024  
Third Reading – November 25, 2024



**SCHEDULE "A"**  
**TO BY-LAW 171-2024**  
**STORMWATER CHARGE RATE**

<b><u>Residential</u></b> <b><u>Stormwater Charge (Annual Rate)</u></b>	
<b>Tier 1 Small</b> <b>(27 – 200 square meters of impervious area)</b>	<b>\$ 270.00</b>
<b>Tier 2 Medium</b> <b>(201 – 325 square meters of impervious area)</b>	<b>\$ 338.00</b>
<b>Tier 3 Large</b> <b>(greater than 325 square meters of impervious area)</b>	<b>\$ 406.00</b>

<b><u>Multi-Residential, Non-Residential &amp; Other</u></b> <b><u>Stormwater Fee Structure (Annual Rate)</u></b>	
<b>Stormwater Charge Rate</b>	<b>\$ 1.26 per square meter of impervious area</b>

**SCHEDULE “B”  
TO BY-LAW 171-2024  
CREDIT PROGRAM**

The Credit Program has been designed to provide a Stormwater Charge reduction to property owners of “Multi-Residential, Non-Residential and Other” property whose Stormwater Management Structures and practices provide a direct benefit to the City’s Stormwater Management program.

A Stormwater Credit Schedule has been developed as set out in Table 1 to this Schedule “B” with three categories and credit amounts that represent the objectives and relative expenditures of the portion of the City’s Stormwater Management program, which is funded by the Stormwater Charge. The maximum total credit available for one property is a combined 50%. Further Detailed Evaluation Criteria used in assessing and calculating the credit is further provided in this Schedule.

There are two types of Stormwater Charge Credits available to property owners: Structural Control Credit for the installation, operation and maintenance of physical Stormwater Management Structures that control and/or treat runoff from impervious (hard) area on the property; and Direct Discharge Credit for the installation, operation, and maintenance of Stormwater Conveyance Infrastructure that captures runoff from impervious area on the property and discharges it directly to the Detroit River or Lake St. Clair.

The term “practice” is used to reference creditable Stormwater Management Structures and Stormwater Conveyance Infrastructure.

1. Structural Control Credit

The Structural Control credit amount is based on how well Stormwater Management Structures on a Property achieve the performance criteria in Table 1. The level of control required to achieve credit depends on whether the project controls stormwater runoff from existing Impervious Areas or controls stormwater runoff from new or expanded Impervious Areas associated with a new development/site expansion:

- **Voluntary Control of Existing Impervious Surface:** No new Impervious Area is proposed. The Property Owner controls stormwater runoff from existing Impervious Area above requirements at the time of initial development (structures that have already been installed) or above existing conditions (new structures).
- **New Development/Site Expansion:** New Impervious Area is created as part of new development or a site expansion. Control is required by regulation, but the Property Owner voluntarily enhances control above local minimum standards.

Credit is not available for controlling off-site Impervious Area for which the property owner is not assessed a stormwater fee.

**Table 1 – Structural Control Credit Schedule**

Category	Voluntary Control of Existing Impervious Surface	New Development / Site Expansion	Total Credit (50% Maximum)	
<b>Peak Flow Reduction</b>	Percentage reduction of 100-year peak flow from the contributing Impervious Area to pre-development conditions.	Allowable peak flow for the site reduced by 10% to 40% during the 100-year and Climate Change 150 mm events.	Up to 40%	<b>Total of no more than 50%</b>
<b>Runoff Volume Reduction</b>	Percentage reduction of runoff volume from the contributing Impervious	Percentage of capture for the first 0.03 m to 0.05 m of rainfall during a single	Up to 40%	

	Area through capture of the first 0.015 metre (m) to 0.03 m of rainfall during a single rain event.	rain event for the site.		
<b>Water Quality Treatment</b>	Improve water quality controls (or implement new controls where none exist) to an enhanced level of treatment (80% Total Suspended Solids (TSS) removal).	Design water quality controls for the site to an enhanced level of treatment (80% TSS removal); or, exceed the minimum Regional SWM Standard at the time of design for new development or site expansion areas where no quality control currently exists.	Up to 10%	

*Note: **Peak Flow Reduction Category:** Voluntary Control of Existing Impervious Area to consult with the City at the pre-consultation stage to confirm the storm event target to be used for pre-development peak flows.*

The City reserves the right to modify the Credit Program or to eliminate the Credit Program altogether. The City will honor credit, subject to the Credit Program at the time of approval, to a property owner for a minimum of twenty (20) years provided that the practice continues to be operated and maintained as designed.

### Detailed Evaluation Criteria

The following calculations are used to determine the credit amount depending on whether the site currently has Stormwater Management Structures in place to control existing Impervious Area or new Impervious Area as part of a new development/site expansion.

### Peak Flow Reduction – Voluntary Control of Existing Impervious Surface

The amount of credit, up to 40%, is based on how well the 100-year post-development flow from Impervious Areas is controlled compared to the estimated pre-development condition flows based on the target control storm event approved by the City. A runoff co-efficient of 0.25 (or an impervious area equal to 0%) is used to establish pre-development conditions. Calculations should reflect only the Impervious Area controlled by Stormwater Management Structures.

- Existing = Existing flow from Impervious Area in L/s (Litres per second)
  - To account for an existing Stormwater Management Structure that controls stormwater beyond minimum requirements at the time of installation, increase flow by that amount (e.g., if the calculated existing flow is 100 L/s but would have been 110 L/s without control beyond minimum requirements, then use 110 L/s for the calculation)
- Pre-development = Flow from Impervious Area using 0.25 runoff co-efficient in L/s
- Proposed Voluntary = Flow from Impervious Area based on new Stormwater Management Structure or new enhancement to existing structure in L/s

$$\frac{\text{existing} - \text{proposed voluntary}}{\text{existing} - \text{predevelopment}} * 40\% = \% \text{ credit}$$

The percent of credit is applied to the Stormwater Charge generated by the Impervious Area controlled by Stormwater Management Structures.

### Peak Flow Reduction – New Development/Site Expansion

The amount of credit, up to 40%, is based on reducing the allowable peak flow for the entire site by between 10% and 40% during the 100-year and Climate Change 150 mm events, where the credit is calculated as the average reduction value between the two events. The site is defined as the geographic area required to meet the City's stormwater management requirements at the time of development/expansion. Credit is based on the reduction amount, with 10% credit for a reduction of 10% up to 40% credit for a reduction of 40%. Calculations apply to all Impervious Areas on the site.

- Percent Reduction = Allowable peak flow reduction percentage

$$\text{percent reduction (max 40, min 10)} = \% \text{ credit}$$

The percent credit is applied to the Stormwater Charge generated by the site.

### Runoff Volume Reduction – Voluntary Control of Existing Impervious Area

The amount of credit, up to 40%, is based on how much volume of stormwater runoff from Impervious Areas can be retained or re-used on the site at the onset of a storm event. Credit is scaled depending on the reduction amount. No credit is provided for less than a 0.015 m reduction of volume falling over the area from any single storm event. Full credit is provided for a 0.03 m reduction or greater of volume over the area. The Property Owner may take credit for existing stormwater detention or volumetric re-use controls that go beyond minimum regulatory requirements. Calculations should reflect only the Impervious Areas where volumetric controls are proposed

$$\text{rainfall (m)} * \text{impervious area (m}^2\text{)} = \text{volume reduction (m}^3\text{)}$$

- Existing = Existing runoff reduced (m<sup>3</sup>) from Impervious Area beyond the minimum requirements based on the proposed mm rainfall target.
  - For example, if existing initial volume runoff reduced from the site is during the first 0.01 metre (m) of a storm event, however it would have been 0.005 m without detention volume controls beyond the minimum requirements, then use 0.005 m for the calculation.
- Proposed Voluntary = Proposed runoff reduced (m<sup>3</sup>) from Impervious Area by new detention or re-use systems, or an enhancement to the existing system in mm.

$$\frac{(\text{existing m}^3 + \text{proposed voluntary m}^3) - \text{min volume reduction m}^3}{\text{max volume reduction m}^3 - \text{min volume reduction m}^3} * 40\% = \% \text{ credit}$$

*Note: The applicant must also provide accompanying calculations of existing and proposed runoff volumes (m<sup>3</sup>) from the Impervious Area based on the rainfall target and the expected reduction off the site. The above equation is to be used as a general summary of runoff reduction for credit review.*

The percent of credit is applied to the Stormwater Charge generated by the Impervious Area controlled by Stormwater Management Structures.

## Runoff Volume Reduction – New Development/Site Expansion

The amount of credit, up to 40%, is based on how much volume of stormwater runoff from the entire site can be retained or re-used at the onset of a storm event. The site is defined as the geographic area required to meet the City's stormwater management requirements at the time of development/expansion. Credit is scaled depending on the reduction amount. No credit is provided for less than a 0.03 m reduction of volume falling over the area from any single storm event. Full credit is provided for a 0.05 m reduction or greater of volume over the area. Calculations apply to all Impervious Areas on the site.

$$\text{rainfall (m)} * \text{impervious area (m}^2\text{)} = \text{volume reduction (m}^3\text{)}$$

- Proposed = Proposed runoff reduced (m<sup>3</sup>) by new stormwater detention or re-use systems from the entire site in mm

$$\frac{(\text{proposed m}^3) - \text{min volume reduction m}^3}{\text{max volume reduction m}^3 - \text{min volume reduction m}^3} * 40\% = \% \text{ credit}$$

*Note: The applicant must also provide accompanying calculations of existing and proposed runoff volumes (m<sup>3</sup>) from the impervious area based on the rainfall target and the expected reduction off the site. The above equation is to be used as a general summary of runoff reduction for credit review.*

The percent credit is applied to the Stormwater Charge generated by the site.

## Water Quality Treatment

The amount of credit, up to 10%, is based on achieving enhanced water quality levels (80% removal of Total Suspended Solids) in accordance with the MECP Stormwater Management Planning and Design Manual. There is no credit for a structure that does not achieve enhanced water quality treatment.

For voluntary control of existing Impervious Area, the 10% credit is applied to the Stormwater Charge generated by the impervious area controlled by Stormwater Management Structures.

For a new development/site expansion, the entire site must meet the enhanced level of treatment. The 10% credit is applied to all Impervious Areas on the site.

## 2. Direct Discharge Credit

The Direct Discharge credit is applicable to Multi-Residential and Non-Residential properties directly adjacent to Detroit River or Lake St. Clair. This credit is granted for the installation, operation, and maintenance of private Stormwater Conveyance Infrastructure that captures stormwater from Impervious Area on a Property and discharges it directly to Detroit River or Lake St. Clair. Stormwater Conveyance Infrastructure may include but is not limited to curbs, gutters, swales, ditches, inlets, depressed areas, soakaway pits, infiltration trenches, retaining walls, manholes, storm sewer pipes, and outfalls. The stormwater runoff from area of the site subject to the Direct Discharge may not at any point enter the City of Windsor municipal Stormwater Drainage System.

The Property Owner must demonstrate that runoff from the Impervious Area will be conveyed directly to Detroit River or Lake St. Clair and that flow restrictions and storage requirements are not (or would not be) required in general accordance with the specifications in the Windsor/Essex Region Stormwater Manual. If a direct discharge credit is given to a portion of land, then that portion of land is not eligible for a Runoff Volume Reduction or Peak Flow Reduction credit.

For Properties with an existing City-approved Stormwater Management Report, the Stormwater Management Report may be used to satisfy this requirement. A site servicing drawing/lot grading plan may be requested if it does not form part of the approved Stormwater Management Report. For Properties without a City-approved Stormwater Management Report, the Property Owner must submit a Stormwater Management Report to the City's satisfaction.

Credit is not available for controlling off-site Impervious Area for which the Property Owner is not assessed a Stormwater Charge. Refer to Table 2 for the Direct Discharge Credit Schedule.

**Table 2 – Direct Discharge Credit Schedule**

Category	Voluntary Control of Existing Impervious Surface	New Development/ Site Expansion	Total Credit (50% Maximum)	
<b>Direct Discharge</b>	Demonstrate, through a City-approved Stormwater Management Report, that no flow restrictions or storage is required in accordance with the Windsor Essex Region Stormwater Manual. If a Direct Discharge Credit is given to a portion of land, then that portion of land is not eligible for a Runoff Volume Reduction or Peak Flow Reduction credit.		Up to 40%	<b>Total of no more than 50%</b>
<b>Water Quality Treatment</b>	Improve water quality controls (or implement new controls where none exist) to an enhanced level of treatment (80% Total Suspended Solids (TSS) removal).	Design water quality controls for the site to an enhanced level of treatment (80% TSS removal); or, exceed the minimum Regional SWM Standard at the time of design for new development or site expansion areas where no quality control currently exists.	Up to 10%	



**SCHEDULE "C"**  
**TO BY-LAW 171-2024**  
**EXEMPT PROPERTIES**

1. District School Board and School Authorities pursuant to Section 58 of the Education Act, R.S.O., 1990.

**SCHEDULE “D”  
TO BY-LAW 171-2024  
APPEAL OUTLINE**

Challenge Types		Appeal Mechanism	Decision Making Authority	
			Level 1 Appeal	Level 2 Appeal
1. Inaccurate Stormwater Charge Assessment	A. Incorrect Category (Whether the Property has been incorrectly identified as “Residential” or “Multi-Residential, Non-Residential or Other” property type)	An appellant must file a Request for Review of Stormwater Charge Assessment	The outcome of all Appeals will first be decided by the Supervisor of Right-of-Way <u>Programs, or</u> designate(s).	Not applicable
	B. Inaccurate Impervious Area assessment (Whether the total impervious area assessed is accurate)			
2. Incorrect Stormwater Reductions	A. Eligibility for Credit (“Multi-Residential, Non-Residential & Other” property only: Whether a property is eligible for credit)		Appellants who are unsatisfied may Appeal the decision, where applicable, as indicated in the next column.	City Engineer and/or any designate(s)
	B. Amount of Credit (“Multi-Residential & Other” property only: Whether the amount of credit approved for an applicant’s Property is appropriate)			

## BY-LAW NUMBER 172-2024

A BY-LAW TO IMPOSE A WASTEWATER SERVICE RATE IN THE CITY OF WINDSOR

Passed the 25<sup>th</sup> day of November, 2024

**WHEREAS** sections 8, 9 and 10 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (“Municipal Act”) authorize a municipality to pass by-laws necessary or desirable for municipal purposes, and in particular paragraph 7 of subsection 10(2) authorizes by-laws respecting services and things that the municipality is authorized to provide under subsection (1);

**AND WHEREAS** subsection 391 of the *Municipal Act* provides that sections 9 and 10 of the Municipal Act authorize a municipality to impose fees or charges on any class of persons for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property, including property under its control;

**AND WHEREAS** subsection 398(2) of the *Municipal Act, 2001* authorizes the treasurer to add fees and charges imposed by the municipality to the tax roll and collect them in the same manner as municipal taxes;

**AND WHEREAS** Ontario Regulation 581/06 made under the *Municipal Act* provides that where fees or charges imposed for the use of a sewage system are added to the tax roll, such fees and charges have priority lien status;

**AND WHEREAS** the City's Wastewater system is a sewage system as defined in Ontario Regulation 581/06;

**AND WHEREAS** The Corporation of the City of Windsor (the “City”) has constructed, and is operating and maintaining a Wastewater system for the benefit of all property owners and all property occupants in the City;

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

### 1 DEFINITIONS

#### 1.1 In this By-law:

“**Access**” means any part of a property that lies within 30.5 metres of a Wastewater system.

“**Appeal**” means a process by which a person challenges information that has been associated to their Wastewater Account.

“**Applicant**” means a Property Owner or Property Occupant who submits a Wastewater Service Rate rebate or exemption application on the City approved form.

“**Billing Error**” means an undercharge or overcharge caused by a gross or manifest error in the preparation or determination of the Wastewater Charge for a Property that is clerical or factual in nature, including the transposition of figures, a typographical error or similar errors.

“**By-law**” means this Imposition and Collection of Wastewater Service Charges By-Law.

**“City”** means The Corporation of the City of Windsor or where the context requires the geographical jurisdiction of The Corporation of the City of Windsor.

**“Commission”** means the Windsor Utilities Commission.

**“Combined Sewer”** means a sewer intended to function simultaneously as a Storm Sewer and a Sanitary Sewer.

**“Commercial”** in relation to a Property means a Property that contains three or more residential units and/or contains any non-residential use, including industrial, commercial, or institutional uses, and includes a mixed-use property.

**“Complete Application”** means the Applicant has submitted all required forms, documents and answered all questions on the application form to the satisfaction of the City Engineer or designate(s).

**“Corporation”** means The Corporation of the City of Windsor.

**“Council”** means the Council of The Corporation of the City of Windsor.

**“ENWIN”** means ENWIN Utilities Ltd. or its successor or affiliates.

**“Excess Summer Consumption”** means Summer Consumption in excess of Winter Consumption. For the purposes of this definition Winter Consumption is calculated by averaging the actual monthly Water Usage during the Winter Consumption Period of the prior year.

**“Flow Differential”** means the amount of water consumed by a customer of the Commission that does not discharge to the Corporation’s Wastewater system.

**“Property”** means any real property, but shall not include a public road allowance, public highway, or public alley.

**“Property Occupant”** means any person having possession or occupancy of a Property or who otherwise has a Wastewater Service Account in relation to a Property.

**“Property Owner”** means the registered owner of a Property.

**“Residential”** in relation to a Property means a Property that contains at least one, but not more than two residential units.

**“Sanitary sewer”** means a sewer for the collection and transmission of domestic, commercial, institutional and industrial sewage, or any combination thereof.

**“Storm Sewer”** means a sewer for the collection and transmission of uncontaminated water, stormwater, drainage from land or from a watercourse, or any combination thereof.

**“Stormwater Service Rate”** means any fee charged to the Property Owner or Property Occupant under the City’s Stormwater Charge By-Law.

**“Summer Consumption”** means monthly Water Usage by a customer of the Commission during the Summer Consumption Period.

**“Summer Consumption Period”** means time period from May 1st to October 31st.

**“Wastewater”** means any discharge to the Wastewater System.

**“Wastewater Service Account”** means the City’s wastewater service customer account to which charges for such services to a property are invoiced.

**“Wastewater Service Rate”** means the fee charged for the operation, repair, maintenance and expansion of a Wastewater System and includes a fee for depreciation, deferred maintenance or a reserve fund for any such purpose. Wastewater Service Rate is composed of the fixed wastewater surcharge rate set out in Schedule “A” and the variable wastewater surcharge rate set out in Schedule “B”.

**“Wastewater System”** means any system owned or operated by the City for the collection, transmission, treatment or disposal of wastewater or any part of such system and includes any Sanitary Sewer or Combined Sewer maintained by the Corporation.

**“Water Rate”** means a fee or charge that is imposed by the Commission for the supply of water.

**“Water Usage”** means actual water used as determined by the Commission for the supply of water.

**“Water System”** means any system for the collection, production, treatment, storage, supply or distribution of water, or any part of any such system.

**“Winter Consumption”** means the average monthly Water Usage by a customer of the Commission during the Winter Consumption Period.

**“Winter Consumption Period”** means time period from November 1st to April 30th.

## **2 WASTEWATER SERVICE RATE**

- 2.1 There is hereby imposed upon all Property Owners or Property Occupants of the lands used for Residential purposes in the City of Windsor, who have Access to a sewage system, a monthly Wastewater Service Rate composed of a fixed wastewater surcharge rate by meter size as set out in Schedule “A”, plus a variable wastewater surcharge rate based on actual Water Usage as set out in Schedule “B”.
- 2.2 There is hereby imposed upon all Property Owners or Property Occupants of the lands used for commercial purposes in the City of Windsor, who have Access to a sewage system, a monthly Wastewater Service Rate composed of a fixed wastewater surcharge rate by meter size as set out in Schedule “A”, plus a variable wastewater surcharge rate based on actual Water Usage as set out in Schedule “B”.
- 2.3 Variable wastewater surcharge rates will be calculated as follows:
  - a) During the Winter Consumption Period, the variable wastewater surcharge rate will be applied to the actual Water Usage by a customer of the Commission; and
  - b) During the Summer Consumption Period, the variable wastewater rate will be applied to the actual Water Usage by a customer of the Commission and reduced by the variable wastewater surcharge rate applied to the Excess Summer Consumption.
- 2.4 The Wastewater Service Rate is a user fee and no Property owner or Property Occupant shall be exempt from such fee by reason only that it is exempt from taxation under the *Assessment Act*, R.S.O. 1990, c.A31, as amended.
- 2.5 The Commission shall have charge of and the power and responsibility for the billing and collection of the Wastewater Service Rate. The Commission shall bill such Wastewater Service Rates in conjunction with its billing of the Water Rate charged or chargeable in respect of all Property in the City of Windsor.

- 2.6 The Commission shall assess and collect a penalty for late payment of the Wastewater Service Rate and such penalty shall be equal to the penalty prescribed by the Commission for the late payment of the Water Rate charged by the Commission.
- 2.7 The Wastewater Service Rate shall be collected in accordance with the billing and collection schedule practice of the Commission and the Commission may, in accordance with its own policies, refund such charges billed due to administrative errors.
- 2.8 All monies collected by the Commission that constitute Wastewater Service Rate shall be trust monies held for the benefit of the Corporation and shall be payable to the Corporation on the first day of each month. The Commission shall account for such monies and the Corporation's auditors shall report on the activities and position of such collection.
- 2.9 The monies received by the Corporation from the Commission pursuant to this section constitute a reserve fund in accordance with Section 417(1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, for the operation, repair, maintenance and expansion of a Wastewater System and includes a fee for depreciation, deferred maintenance or a reserve fund for any such purpose.
- 2.10 The Commission shall be authorized to delegate all, or a part of, the authority granted to it under this By-law to ENWIN for the purposes of administering this By-law and, where so delegated any reference to the Commission, or the commissions policies and/or standard procedures shall also be deemed to include ENWIN, and ENWIN's policies and/or standard procedures.
- 2.11 Despite the other provisions of s. 2, and s. 3 of this by-law, in the event that the Commission requires access to the Wastewater System in connection with the Commission's operations at the Albert H. Weeks Water Treatment Plant, the Commission shall pay to the Corporation a monthly Wastewater Service Rate, which will be invoiced monthly by the Corporation. The Wastewater Service Rate shall be calculated based solely on the Variable Wastewater surcharge rate for the Commercial Wastewater Service Rate set out in Schedule "B" and the daily flow to Wastewater System data submitted by the Commission to the Corporation on a monthly basis. The daily flow to Wastewater System data is to be measured by a sewage flow meter installed by the Commission to the satisfaction of the Corporation. On an annual basis the Commission shall submit to the Corporation flow meter calibration certificates for the previous 12 months.

### **3 FEE REDUCTIONS, EXEMPTIONS AND REBATES**

- 3.1 Despite the provisions in this By-law:
- a) Property Owners or Property Occupants of Property used for Commercial purposes may apply to the Corporation to obtain a Wastewater Service Rate rebate for water used and not returned to a Wastewater System. Such application shall be made online and shall be supported by evidence, satisfactory to the City Engineer, of proper metering of reduced discharge into a sewage system.
  - b) Property Owners or Property Occupants of Property used for Residential purposes and located more than 30.5 metres from and not connected to Wastewater System may apply to the Corporation to obtain a Wastewater Service Rate fee exemption.



- 3.2 Any Property Owner or Property Occupant may apply for a rebate or exemption set out in section 3.1 of this By-law. Application shall be made to the Supervisor of Right-of-Way Programs, using the online application portal. All supporting material indicated on the application form shall be submitted with the form before the application can be considered a Complete Application.
- 3.3 An application for rebate or exemption will be considered where:
  - a) The provisions of section 3.1 of this By-law apply; or
  - b) The Flow Differential exceeds 20% of water consumption.
- 3.4 The Supervisor of Right-of-Way Programs shall determine if a rebate or exemption is applicable.
- 3.5 No rebate or exemption to the Wastewater Service Rate shall be given for the purpose of lawn and garden watering unless there is a dedicated seasonal service meter for lawn and garden watering.
- 3.6 For Property Owners or Property Occupants of Property used for Commercial purposes, all meters or other measuring devices shall be provided and maintained by the Applicant and the Applicant is required to provide a third-party certificate of meter calibration dated within the previous 12 months to the Supervisor of Right-of-Way Programs. The certificate must indicate a degree of measuring device accuracy of plus or minus 10% prior to any device recalibration.
- 3.7 The Corporation shall be entitled to conduct an inspection of the Applicant's Property to verify all information in the rebate application.
- 3.8 Flow Differential measurement that is not based on direct metering must be approved by the Commission.
- 3.9 For the purposes of an application for Wastewater Service Rate rebate, all Commission customers who use water service have some Water Usage that does not discharge into the Corporation's sewage system, the Wastewater Service Rate for all Property Owners or property Occupants of Property used for Commercial purposes who receive Wastewater Service Rate rebate shall be calculated on the basis of 125% of their monthly discharge into the sewage system. All such accounts shall be subject to a minimum Wastewater Service Rate based on a consumption of 45.5 cubic metres per month.
- 3.10 Any rebate in the Wastewater Service Rate given to Property Owners or Property Occupants of Property used for Commercial purposes as a result of an application, shall take effect retroactive to the date of Complete Application and shall apply only to the account in question and to the Property in question only while the ownership or occupancy of, as the case may be, remains with the Property Owner or Property Occupant in whose name the application was filed.
- 3.11 Property Owners or Property Occupants eligible for a Wastewater Service rate Rebate may be reimbursed only those approved amounts collected during the previous and current taxation year.
- 3.12 Property Owners or Property Occupants in arrears with regard to payments for Water Rates, Wastewater Service Rates or Stormwater Service Rates shall not be entitled to any rebate so long as such arrears are outstanding.
- 3.13 If a Property Owner or Property Occupant applies for and is denied a rebate or exemption or is not satisfied with the amount of rebate or exemption provided, he or she may Appeal the decision as set out in Section 4 of this By-law using the online application portal.

3.14 The Commission shall have charge of and the power and responsibility for reviewing and approving requests for Wastewater Service Rate relief (due to service and/or fixture water leaks) for any Residential customers and, if approved by the Commission, reducing usage applied against the volumetric component of the Wastewater Service Rate. Wastewater Service Rate relief will be provided in accordance with the Commission’s standard procedures.

**4 APPEALS**

4.1 An owner or occupant may Appeal as follows:

<b>APPEAL</b>	<b>CATEGORY</b>	<b>EXPLANATION</b>	<b>Decision Making Authority</b>
Inaccurate Wastewater Charge Assessment	Incorrect category	The Property has been incorrectly identified as “Residential” or “Commercial”	Supervisor of Right-of-Way Programs
Incorrect Determination of Rebate or Exemption	A. Eligibility for Rebate or Exemption	A property may or may not apply for a rebate or exemption	
	B. Amount of Rebate	The amount of rebate approved for a Property is or is not appropriate	

4.2 The filing of an Appeal does not stay the requirement for payment of a Wastewater Service Rate. Any Wastewater Service Rate billed during the course of the Appeal will be due and payable upon receipt and remain subject to the Commission’s standard collection processes.

4.3 The Supervisor of Right-of-Way Programs is hereby delegated authority to:

- a) approve or reject any application submitted for Wastewater Service Rate rebate or exemption;
- b) impose such terms and conditions to any application under this By-law as the Supervisor of Right-of-Way Programs considers appropriate;
- c) determine and decide any Appeal under the By-law.

and the decision of the Supervisor of Right-of-Way Programs shall be final and binding.

4.4 The Commission is hereby authorized to adjust the Wastewater Service Rate charged on any Property, to the extent it is deemed appropriate due to a Billing Error, and the account may be retroactively recalculated for a period not exceeding two (2) years from the date of detection with resulting credits or charges being applied to the Property owner’s Wastewater System Account, and the decision of the Commission shall be final and binding.

**5 GENERAL PROVISIONS**

- 5.1 Schedules “A” and “B” attached hereto shall form part of this By-law.
- 5.2 The fees imposed under this By-law constitute a debt of the Property Owner or Property Occupant to the Corporation and the Corporation may add these fees or charges to the tax roll of the Property that has Access to the Wastewater System and collect them in the same manner as municipal taxes. Such fees have priority lien status as described in s. 1 of the Municipal Act.
- 5.3 By-law 13-2014 is hereby repealed.
- 5.4 This by-law shall come into force and take effect as of January 1, 2025.

DREW DILKENS, MAYOR

CITY CLERK

First Reading – November 25, 2024  
Second Reading – November 25, 2024  
Third Reading – November 25, 2024

SCHEDULE "A"  
TO BY-LAW 172-2024

**FIXED WASTEWATER SURCHARGE RATES BY METER SIZE**

Residential Accounts

<b>Stand Alone Fixed Wastewater Surcharge Rate</b>
\$12.89

Commercial Accounts

Meter Size		Stand Alone Fixed Wastewater Surcharge Rate
Less than 1"	Less than 25mm	\$12.89
1"	25mm	\$116.57
1 ½"	40mm	\$273.07
2"	51mm	\$455.84
3"	75mm	\$819.25
4"	100mm	\$1,450.72
6"	150mm	\$2,648.92
8"	200mm	\$4,413.61
10"	250mm	\$7,270.84
12"	300mm	\$10,470.00

SCHEDULE "B"  
TO BY-LAW 172-2024

<b><u>VARIABLE WASTEWATER SURCHARGE RATES</u></b>	
<b><u>Residential</u></b> Wastewater Surcharge Rate	\$2.01 per cubic meter of water used
<b><u>Commercial</u></b> Wastewater Surcharge Rate	\$1.66 per cubic meter of water used

BY-LAW NUMBER 173-2024

A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 25<sup>TH</sup> DAY OF NOVEMBER, 2024

Passed the 25<sup>th</sup> day of November, 2024.

**WHEREAS** it is deemed expedient that the proceedings of the Council of The Corporation of the City of Windsor at this meeting be confirmed and adopted by by-law;

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. The action of the Council of The Corporation of the City of Windsor in respect to each recommendation contained in the Report/Reports of the Committees and the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of The City of Windsor at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Windsor are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Windsor referred to in the preceding section hereof.
3. The Mayor and the City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Windsor.

This by-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

CITY CLERK

First Reading – November 25, 2024  
Second Reading – November 25, 2024  
Third Reading – November 25, 2024





**Committee Matters: SCM 344/2024**

**Subject: Summary of Outstanding Council Questions as of November 14, 2024**

As of November 14, 2024

**OUTSTANDING COUNCIL QUESTIONS**

Just a reminder that this is quoted from the 2004 Council report:

**“overdue Council Questions (i.e., outstanding for 30 days or more) be responded to immediately.”**

**Outstanding:**

- 2020 – 3
- 2021 – 3
- 2022 – 1
- 2023 – 13
- 2024 – 32

**2020**

**Total Outstanding: 3**

COUNCIL MEMBER		QUESTION – ISSUES RAISED	
Kieran McKenzie	Comm. Human Health & Services and Comm. Economic Development	<p><b>CQ4-2020</b></p> <p>That Administration prepare a comparative analysis of the Affordable Housing frameworks and incentives that are in place in comparable municipalities. To the extent that the data is available the analysis should consider all forms of affordable housing and the composition of the affordable housing marketplace in the communities analyzed.</p> <p>SS2020 (February 3, 2020)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Fabio Costante	Comm. Corporate Services  (Executive Director Human Resources)	<p><b>CQ17-2020</b></p> <p>It is important that we recognize and acknowledge the historic and systemic nature of racism and discrimination in our country and our City. We understand that to move forward and promote equity and eliminate anti-racism requires reaching out to and hearing from the voices of those in our community and Corporation most impacted by discrimination and racism.</p> <p>In this pursuit, it is also essential that we work towards having a Corporation that is representative of the people it serves and that everyone is treated with respect. As such, I am</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>

		<p>seeking the input and recommendations of Administration and our Diversity Advisory Committee on the viability of:</p> <ol style="list-style-type: none"> <li>1. Including community-led consultations on systemic racism, under Phase 2 of the City of Windsor Diversity and Inclusion Initiative.</li> <li>2. Seeking the input of those in our Corporation and related entities and our community most affected by racism and discrimination, regarding barriers to hiring and advancement in our Corporation and related entities as part of the Diversity and Inclusion Initiative.</li> <li>3. Including recommendations and input regarding providing historical information and educational materials for City owned statues, buildings and streets named with racist histories as part of the Diversity and Inclusion Initiative, and further developing a plan for inclusive street and property naming practices in the future.</li> </ol> <p>APM2020 (July 13, 2020)</p>	
McKenzie	Comm. Economic Development	<p><b>CQ32-2020</b></p> <p>That Administration review and report back to Council on tree protection and replacement policies as it relates to the City of Windsor’s land development bylaws. The review should include information pertaining to replacement ratios and the mechanisms by which trees are protected and required to be protected through the development process as well as the extent to which development is impacting the total tree count under our current framework along with options for Council to consider in terms of protecting trees and increasing tree cover through land development policy.</p> <p>SRT2020 (December 7, 2020)</p>	<p><b>Type of Response Required</b> -Written Report</p>

**Total Outstanding: 3**

<b>COUNCIL MEMBER</b>		<b>QUESTION – ISSUES RAISED</b>	
Jo-Anne Gignac	Comm. Corporate Services (Executive Director of Human Resources)	<p><b>CQ7-2021</b>                      Asking Administration to provide a report to Council outlining the policy that regulates procedures after an accident involving City vehicles and any amendments they might propose to update it.</p> <p>ACD2021 &amp; AL2021 18.2 (March 29, 2021)</p>	<p><b>Type of Response Required</b>                      -Written Report</p>
Kieran McKenzie	Comm. Corporate Services	<p><b>CQ17-2021</b>                      Asks that, to promote greater public safety for all people, that Administration work to develop a by-law for Council consideration to provide the City of Windsor with additional tools within the licensing framework for enforcement agencies to address unsafe and illicit activity in hotels and motels across the community that create dangerous and undesirable situations for motel guests, neighbours, and community members alike. The bylaw development process should include consultation process with industry stakeholders and social service providers, social agencies and health providers from both within and external to the City of Windsor as well as any other stakeholder group deemed appropriate by Administration.</p> <p>AB2021 &amp; MH2021 18.1 (July 26, 2021)</p>	<p><b>Type of Response Required</b>                      -Written Report</p>
Jo-Anne Gignac	Comm. Economic Development	<p><b>CQ26-2021</b>                      Asks that Administration research what municipal zoning bylaws may be in place in other municipalities in Ontario or across Canada that regulate Cannabis retail outlets/consumption areas.</p> <p>GP/13047 18.3 (November 1, 2021)</p>	<p><b>Type of Response Required</b>                      -Written Report</p>

**Total Outstanding: 1**

<b>COUNCIL MEMBER</b>		<b>QUESTION – ISSUES RAISED</b>	
Fabio Costante	Comm. Community Services	<b>CQ14-2022</b> Asks that, as part of the Urban Forest Management Plan, Administration should include information about the following: How a tree is determined to be either public or privately owned. Reason(s) for potential change in ownership status. The impacts of change in ownership status for the municipality and the private property owner with respect to liability, maintenance and replacement costs.  ACOQ2022 & SRT2022 (August 8, 2022)	<b>Type of Response Required</b> -Written Report

**Total Outstanding: 13**

<b>COUNCIL MEMBER</b>		<b>QUESTION – ISSUES RAISED</b>	
Kieran McKenzie	Comm. Economic Development	<p><b>CQ1-2023</b></p> <p>Asks that given Council's declaration of a Climate Change Emergency informing the need to address climate change through municipal policy frameworks;</p> <p>And further, given the energy capacity challenges and opportunities faced by our community over the short, medium and long term;</p> <p>That Administration report back to Council with proposals for Council consideration to create a Green Energy Community Energy Plan (CIP) with the goal of creating a favourable energy investment climate for sustainable energy proposals.</p> <p>ACOQ2023 (January 16, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Kieran McKenzie	Comm. Economic Development (City Planner)	<p><b>CQ5-2023</b></p> <p>Given the significant housing crisis challenging municipalities across Canada, including the City of Windsor</p> <p>And noting, the objective stated by the Government of Ontario to add 1.5 Million home across the province over the next 10 years, including 13,000 in our Community.</p> <p>And Whereas, the City of Windsor has already recognized the benefits of adding housing capacity through Additional Dwelling Units (ADUs) by enacting Planning Act amendments thereby eliminating some barriers to investment.</p> <p>That Administration report back with further options for Council to consider that would include a range of financial tools including (but not necessarily limited to) a targeted Community Improvement Plan or Grant program that would address industry challenges to help promote greater uptake of the opportunity to augment housing stock through investments in ADUs.</p> <p>SS2023 (February 13, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>

Kieran McKenzie	Comm. Corporate Services (City Clerk)	<p><b>CQ6-2023</b></p> <p>That, given the City of Windsor’s stated objective in Council’s approved Diversity and Inclusion Initiative to: continually take steps to learn and grow as a community and to recognize that “diversity adds to our strength and creates an important opportunity for fostering understanding, acceptance and innovation”, and,</p> <p>The City’s publicly articulated commitment to an Agency, Board and Committee (ABC) appointments process that is transparent, fair and consistent;</p> <p>That Administration undertake a review of the city’s appointment policy, including a comparison to processes and policies adopted in peer municipalities such as (but not limited to) London, Kitchener and Cambridge and report back with options for Council consideration in terms of best practices or improvements that can be made in the context of Equity, Diversity, Inclusion, Transparency and Accountability.</p> <p>ACO2023 (February 13, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Angelo Marignani	Comm. Community Services	<p><b>CQ10-2023</b></p> <p>That Administration report back to City Council on a collaboration with Detroit City Council in creating a new International Freedom Festival. This world class civic event will promote international investment while improving the quality of life in our city. It will showcase our rich heritage and shared identity of our two cities. The focal point of this new annual festival will be the new Gordie Howe International Bridge, opening in 2024. There is more than a bridge that connects us and it is in our advantage to strengthen these connections.</p> <p>SR2023 (February 27, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Mark McKenzie	Comm. Community Services	<p><b>CQ12-2023</b></p> <p>Asks that Administration develop new policies and provide report back to tamp down on “frivolous, dangerous and unreasonable” behaviour at City Hall and other City owned facilities, similar to Essex County Council. Also, report back on feasibility of installing metal detectors at City Hall and WFCU Centre.</p> <p>ACO2023 (May 29, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p> <p>Referred to 2025 Budget</p>



Mark McKenzie	Comm. Infrastructure Services	<b>CQ13-2023</b> Asks Administration re-examine the Driveway Requirement Policy regarding 2.2.1 which deals with not allowing front parking, as well as the Official Plan to allow front driveways with report back to Council.  SB2023 & ACOQ2023 (May 29, 2023)	<b>Type of Response Required</b> -Written Report
Gary Kaschak	Comm. Infrastructure Services	<b>CQ14-2023</b> Asks that Administration investigate the use of rumble strips in an urban environment within the City of Windsor through a pilot installation on Grand Marais Avenue between Plymouth and Pillette Road and that information as to their effectiveness be collected, analyzed and reported back to Council once sufficient data has been collected to determine both the benefits and concerns of their use in an urban setting and that the cost of the pilot be funded through the Expedited Temporary Traffic Calming Program.  ST2023 & ACOQ2023 (May 29, 2023)	<b>Type of Response Required</b> -Written Report
Mark McKenzie	Comm. Corporate Services	<b>CQ22-2023</b> Asks that Administration be directed to provide options on targeted and pro-active enforcement in paved alleys to address garbage, vandalism, encampments, and land maintenance concerns up to and including any possible collaborative efforts that can be initiated with other City departments and resources.  ACOQ2023 & ACO2023 (July 10, 2023)	<b>Type of Response Required</b> -Written Report
Angelo Marignani	Comm. Corporate Services (Deputy Licence Commissioner)	<b>CQ23-2023</b> Asks that administration report back to city council regarding the rise in popularity of smoker barbecues and the nuisance that it causes in the community with air pollution and concerns from neighbors who no longer can enjoy their outdoors as a result of smoke.  ACO2023(August 8, 2023)	<b>Type of Response Required</b> -Written Report

Renaldo Agostino	Comm. Infrastructure Services / Comm. Economic Development	<p><b>CQ26-2023</b></p> <p>Certain cities across North America have introduced pre-approved housing and primary/secondary/ADU galleries/permits to streamline the process and lower construction costs for residential and accessory dwelling units in order to boost their city's housing supply without dramatically altering neighbourhoods.</p> <p>Raleigh, Stockton and Los Angeles to name a few.</p> <p>The City of Enderby, British Columbia hosted a competition for drawings. The winners' drawings are now for sale by the city to builders for \$1000 each. The drawings are pre-approved and in compliance.</p> <p>Asks that Administration look at these models which could help standardize rules, save time and money and speed up the building of more homes in our city.</p> <p>ACO2023 (September 18, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Fred Francis	Comm. Infrastructure Services	<p><b>CQ29-2023</b></p> <p>Asks that Administration report back to City Council about a policy regarding capital improvements at city gateways to provide options for further enhancements when budget allotments do not allow for them.</p> <p>ACO2023 (October 30, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Jo-Anne Gignac	Comm. Economic Development	<p><b>CQ33-2023</b></p> <p>Asks that Administration report back with tools that we, as a municipality, have to protect areas of our city that we have designated or identified, such as historic districts, historic neighbourhoods or even roadways, such as the Riverside Vista, as developments and intensification occurs in order to ensure that these developments compliment these identified areas.</p> <p>ACO2023 (October 30, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>

Renaldo Agostino	Comm. Infrastructure Services	<p><b>CQ35-2023</b></p> <p>Recently I've had reports from concerned citizens in regards to the operations from out of town buses. I myself was almost involved in a car accident in-front of the police station where a bus just randomly stopped to drop off passengers. I've also had reports concerning seniors being left out in the cold waiting hours for a bus to pick them up with no shelter. Asks that Administration report back regarding out of town buses not utilizing our bus station and what steps can be taken to motivate them to do so.</p> <p>ACO2023 (October 30, 2023)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
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**Total Outstanding: 32**

<b>COUNCIL MEMBER</b>		<b>QUESTION – ISSUES RAISED</b>	
Gary Kaschak	Chief Administrative Officer	<p><b>CQ1-2024</b>                      Asking that Administration provide a comprehensive report regarding all of the activities, situations, interactions &amp; ramifications involved that occur within our Municipality from having the two current Federal border crossings &amp; soon to be 3 located in our City. All financials, use of City employees &amp; monies involved with Windsor hosting these Federal border crossings are required to be outlined for City Council.</p> <p>ACO2024 &amp; GF2024 (January 15, 2024)</p>	<p><b>Type of Response Required</b>                      -Written Report</p>
Renaldo Agostino	Comm. Infrastructure Services	<p><b>CQ4-2024</b>                      Asks that Administration look into removing parking metres across the city and replacing them with modern technology. I would like to know the costs of upgrading our system and the savings we could realize or any additional revenue sources.</p> <p>ACO2024 (January 15, 2024)</p>	<p><b>Type of Response Required</b>                      -Written Report</p>
Mark McKenzie	Comm. Community Services	<p><b>CQ5-2024</b>                      Asks that administration report back with a variety of operating models &amp; options for Lakeview park marina, including potential divestment options.</p> <p>ACO2024 &amp; SR2024 (January 15, 2024)</p>	<p><b>Type of Response Required</b>                      -Written Report</p>
Renaldo Agostino	Comm. Infrastructure Services	<p><b>CQ7-2024</b>                      Asks that Administration look into changing some one-way streets downtown back into two-way streets. This has the potential to make our roads safer and bring more business downtown on Pellissier and McDougall, for example.</p> <p>ACO2024 &amp; ST2024 (February 12, 2024)</p>	<p><b>Type of Response Required</b>                      -Written Report</p>
Mark McKenzie	Comm. Infrastructure Services	<p><b>CQ10-2024</b>                      Asks that Administration report back regarding a policy adjustment for approval, which would change the permit policy to require a property owner to sign off on any permit applications.</p> <p>ACO2024 &amp; SB2024 (February 12, 2024)</p>	<p><b>Type of Response Required</b>                      -Written Report</p>

Angelo Marignani	Comm. Community Services	<b>CQ12-2024</b> Asks that Administration consider instituting an annual citizen recognition award in Windsor to honour hard-working individuals who contribute to our community's well-being. This award would celebrate their effort, inspiring others and reinforce our city's values of compassion and dedication.  ACO2024 & APR2024 (February 26, 2024)	<b>Type of Response Required</b> -Written Report
Gary Kaschak	Comm. Community Services	<b>CQ13-2024</b> Asks that Administration prepare a report in regards to the potential of City installing a couple squash courts at a City owned facility for residents to rent & use moving forward. I understand there are no squash courts or facilities any longer in the City.  ACO2024 & SR2024 (February 26, 2024)	<b>Type of Response Required</b> -Written Report  Referred to 2025 Budget
Jo-Anne Gignac	Comm. Community Services	<b>CQ16-2024</b> Asks that Administration provide a report on the feasibility of adding indoor pickle ball courts to our facilities where space allows, utilizing the space as much as possible.  ACOQ2024 & SR2024 (March 18, 2024)	<b>Type of Response Required</b> -Written Report  Referred to 2025 Budget
Jo-Anne Gignac	Comm. Economic Development	<b>CQ17-2024</b> Asks that Administration prepare a report on feasibility of a residential "outdoor lighting by-law", similar to those in Muskoka, Tecumseh and Lakeshore.  ACOQ2024 & AB2024 (March 18, 2024)	<b>Type of Response Required</b> -Written Report
Fabio Costante	Comm. Corporate Services	<b>CQ21-2024</b> Asks that Administration report back on the Short-Term Rental License By-law, what is working and what is not, especially from an enforcement perspective. Further, report back on potential strategies, taking into account what other municipalities are doing, in addition to advocacy proposals to upper level government.  ACOQ2024 & ACL2024 (March 18, 2024)	<b>Type of Response Required</b> -Written Report
Kieran McKenzie	Comm. Infrastructure Services	<b>CQ23-2024</b> Asks that Administration report back to Council on the feasibility, financial and service level implications of adding snow removal services on residential roads for Transit Windsor School Bus Extra routes.  ACOQ2024 & SW2024 (March 18, 2024)	<b>Type of Response Required</b> -Written Report

Kieran McKenzie	Comm. Infrastructure Services	<p><b>CQ25-2024</b></p> <p>Asks that given the significant public safety and public nuisance concerns raised in our community related to illegal car rallies and excessive noise from motor vehicles;</p> <p>That Administration analyze and report back to Council on all available tools for Council consideration including strengthening bylaws as well as investments in new technologies including camera and sound detection devices and other hardware that can help to address these reckless driving behaviours;</p> <p>And Further that Administration conduct a review of what other municipalities have implemented to address this concern and undertake this analysis in collaboration with the Windsor Police Service and any other pertinent stakeholder. Carried.</p> <p>SP2024 &amp; ACOQ2024 (April 22, 2024)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Kieran McKenzie	Comm. Infrastructure Services	<p><b>CQ26-2024</b></p> <p>Asks that Administration Report back to Council with strategies for Council consideration to address transportation and transit services related challenges in the Twin Oaks Industrial Park.</p> <p>MT2024 &amp; ACOQ2024 (April 22, 2024)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Renaldo Agostino	Comm. Economic Development	<p><b>CQ28-2024</b></p> <p>Asks that Administration report back to examine the opportunities to eliminate or reduce parking requirements for new residential developments in the downtown core.</p> <p>ST2024 &amp; ACOQ2024 (May 13, 2024)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Angelo Marignani	Comm. Community Services	<p><b>CQ30-2024</b></p> <p>When responding to the CQ 16-2024 regarding indoor pickle ball courts asks that administration report back on limiting Pickleball bookings and making it more open to more users.</p> <p>SR2024 &amp; ACOQ2024 (May 27, 2024)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p> <p>Referred to 2025 Budget</p>

Kieran McKenzie	Comm. Infrastructure Services	<p><b>CQ31-2024</b></p> <p>Asks that Administration bring forward a Capital Plan for Council consideration, to construct appropriate cycling facilities along Riverside Drive from Ford Ave. to Strabane Ave. along a concurrent timeline as the Riverside Vista Phase 2A and that the project be funded through the Bikeways Development Fund.</p> <p>SW/8513 &amp; ACOQ2024 (June 10, 2024)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Kieran McKenzie	Comm. Economic Development	<p><b>CQ32-2024</b></p> <p>Asks that Administration report back on options that will help address scenarios where tenants in rental accommodations in the City of Windsor may be at risk for heat exposure in their dwelling unit.</p> <p>ACO2024 &amp; ACOQ2024 (July 8, 2024)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Renaldo Agostino	Comm. Economic Development	<p><b>CQ33-2024</b></p> <p>Asks that given over the past month, our downtown has unfortunately seen some long-standing businesses leave their location due to landlord/tenant issues including earlier eviction then may be necessary. Acknowledging that administration is currently undergoing a review of all CIPs, I ask that when the final report comes back, it includes a review of potential CIP options that could help mitigate such situations in the downtown core.</p> <p>ACO2024 &amp; ACOQ2024 (July 8, 2024)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Angelo Marignani	Comm. Community & Corporate Services	<p><b>CQ34-2024</b></p> <p>Asks that Administration report back to Council on the potential of naming or dedicating one of the currently unnamed storm water ponds found within the Little River Corridor park in recognition of Teachers and Mentors.</p> <p>SR2024 &amp; ACOQ2024 (July 22, 2024)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Mark McKenzie	Comm. Infrastructure Services	<p><b>CQ35-2024</b></p> <p>Asks that Administration report back to Council on the potential of removing underused street parking meters including, but not limited to, Tecumseh Road East.</p> <p>ST2024 &amp; ACOQ2024 (July 22, 2024)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>



Kieran McKenzie	Comm. Infrastructure Services	<p><b>CQ36-2024</b></p> <p>Asks that Administration report back on traffic volumes and public safety at the intersection of Lauzon Parkway and Twin Oaks Drive and propose any mitigation measures that could improve the intersection from both a functionality and public safety standpoint.</p> <p>ST2024 &amp; ACOQ2024 (September 9, 2024)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Gary Kaschak	Comm. Community & Corporate Services	<p><b>CQ37-2024</b></p> <p>Asks that Administration prepare a report for City Council outlining what it would entail from an Administrative &amp; Financial standpoint to potentially have the similar 'Supie Program' at one Park in all 10 Wards starting in the spring/summer of 2026.</p> <p>The Councillor along with Administration would determine the Ward Park location.</p> <p>SR2024 &amp; ACOQ2024 (September 9, 2024)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Renaldo Agostino	Comm. Community & Corporate Services	<p><b>CQ38-2024</b></p> <p>Asks that Administration examine the existing sign bylaw to include provisions for temporary graffiti, applied by paint or power washed to create a reverse graffiti look on municipal sidewalks. Additionally, request the administration allows WIFF to install temporary graffiti on the municipal sidewalks under a right-of-way permit from October 1st to November 4th, 2024, notwithstanding the current sign bylaw.</p> <p>ACO2024 &amp; ACOQ2024 (September 9, 2024)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Jo-Anne Gignac	Comm. Community & Corporate Services	<p><b>CQ39-2024</b></p> <p>Asks Administration for a report on funds that are available for waterfront property that could become parkland. There are two sites in Riverside being brought forward by residents: Shores Park and the former Abars site</p> <p>SR2024 &amp; ACOQ2024 (September 9, 2024)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>
Kieran McKenzie	Comm. Community & Corporate Services	<p><b>CQ40-2024</b></p> <p>Asks that Administration report back on the open data frameworks we have at the City of Windsor and report back on best practices observed in comparable communities across Ontario.</p> <p>ACOQ2024 &amp; ACO2024 (September 23, 2024)</p>	<p><b>Type of Response Required</b></p> <p>-Written Report</p>

Renaldo Agostino	Comm. Infrastructure Services	<b>CQ 41-2024</b> Asks that Administration review the current encroachment policy, landscaping best practice, and if needed, by-law 25 to provide options to property owners with lower risk encroachments.  ACOQ2024 & ACO2024 (September 23, 2024)	<b>Type of Response Required</b> -Written Report
Fred Francis	Comm. Human & Health Services	<b>CQ 42-2024</b> Asks that Administration report back to City Council with respect to options for homelessness, specifically the logistics and costs for creating tiny home villages, similar as to what has been done in other Ontario cities. This report should also include any pros and cons of doing so, based on best practices and testimonials from the other City's governments, if applicable.  SS2024 & ACOQ2024 (September 23, 2024)	<b>Type of Response Required</b> -Written Report
Fabio Costante	Comm. Community & Corporate Services	<b>CQ 43-2024</b> Asks that Administration report back on the status of the Barron Bowl Project at the Ryan Barron Memorial Skate Park located in Atkinson Park. The project update to include the current funding, projected costs, design, and feasibility. Additionally, Administration to report back on alternative Ryan Barron Memorial Skate Park improvements determined through stakeholder engagement that could be completed within the current available funding and include options for a funding source to at least match the current available funds that have been raised by the Community.  SR2024 & ACOQ2024 (September 23, 2024)	<b>Type of Response Required</b> -Written Report
Renaldo Agostino	Comm. Infrastructure Services	<b>CQ 44-2024</b> Asks that Administration report back on parking capacity and usage in the downtown lots and on the riverfront with potential opportunities to repurpose riverfront lots consistent with the spirit and content of the central riverfront implementation plan to generally and positively activate these parts of our riverfront. Examples would be a Ferris wheel / Christmas Market / Container Park.  SR2024 & ACOQ2024 (September 23, 2024)	<b>Type of Response Required</b> -Written Report

Fred Francis	Comm. Infrastructure Services	<b>CQ 45-2024</b> Asks that Administration provide a traffic flow status report for City Council's review. This report should identify if changes, reviews, or updates need to be made to the current Transportation Master Plan. Also, the report should identify any problematic trends or patterns that have been seen regarding traffic flow throughout the city.  ACOQ2024 & ST2024 (October 28, 2024)	<b>Type of Response Required</b> -Written Report
Fred Francis	Comm. Community & Corporate Services	<b>CQ 46-2024</b> Asks that Administration provide a report pertaining to the use of Artificial Intelligence software within City business and operations. What is our plan to utilize AI within the City business and operations? How are other cities and different levels of government moving forward with the usage of AI?  ACOQ2024 & SI2024 (October 28, 2024)	<b>Type of Response Required</b> -Written Report
Renaldo Agostino	Comm. Human & Health Services	<b>CQ 47-2024</b> Asks that Administration write a letter to the provincial government reiterating our support for the Ontario Big City Mayor's recent motion on chronic homelessness, mental health safety and the addictions crisis and the need for immediate and swift action and should this result in new or expanded mandatory treatment programs, that Windsor be consulted and considered for any pilot project or initiative.  ACOQ2024 & MH2024 (October 28, 2024)	<b>Type of Response Required</b> -Written Report

/sg  
as of November 14, 2024



**Council Directives: SCM 343/2024**

**Subject: Outstanding Council Directives as of October 28, 2024**

**Outstanding Directives**

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
December 17, 2012	CR293/2012	16287	Corporate Services	That the report of the City Planner dated November 21, 2012 entitled "Exemption from Sandwich Demolition Control By-law 20-2007 — 508, 520, 540, 556, 570, 590, 604, 612, 615, 622, 623, 631, 639, 646, 663, 670, 673, 686, 704, 710, 718, 724, 730, 738, 744, 750, 753, 758-760, 759, 765, 764, 769, 772, 777, 778, 781, 784, and 790 Indian Road, 812 and 862 Mill Street, and 764, 770, 780 and 788 Rosedale Avenue" BE DEFERRED as requested by the Canadian Transit Company, to allow for further discussions with administration on this matter.	Report remains deferred as per City Solicitor.
August 24, 2015	CR159/2015	17893	Corporate Services	That City Council APPROVE the award of the Workforce Management Solution RFP 69-14 to the successful proponent, WorkForce Software; and...  That the final FTE staffing changes reductions and resultant project savings and completions, BE REPORTED to City Council as part of or prior to the 2018 budget process.	
May 16, 2016	CR334/2016	S 76/2016	Finance & City Treasurer	THAT City Council AUTHORIZE the CFO/City Treasurer (or delegate) to sign Minutes of Settlement as it relates to the Centralized Property Appeals.  THAT the CFO/City Treasurer (or delegate) BE REQUIRED to report the results of the Minutes of Settlement to City Council once all appeals have been finalized.	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
January 15, 2018	B32/2018	S 184/2017	Community Services	<p>THAT the report from the City Forester regarding an update on the progress of a City-wide Tree Inventory Project, a Preventative Tree Maintenance Program and a Urban Forest Management Plan BE RECEIVED; and further,</p> <p>...That Administration PROVIDE information on any available subsidized programs which may exist by investigating best practices used in other municipalities; and that this information BE PROVIDED during the 2019 Budget deliberation process.</p>	
March 26, 2018	CR155/2018	C 52/2018	Infrastructure Services	<p>THAT City Council APPROVE all required expenditures to complete the deliverables of the demolition and development of 6700 Raymond Avenue, as per CR366/2017, and...</p> <p>That once the tender results are known that a report be submitted to City Council relative to the award of the contract and identifying a funding source for any projected funding shortfalls that may arise.</p>	
May 07, 2018	CR275/2018	C 77/2018	Infrastructure Services	<p>That Council PROVIDE Riverwest with the City's copyright permission to use banners... and further,</p> <p>That Council APPROVE the requested \$5000 indemnity and that this BE CHARGED to the Budget Stabilization Reserve Fund (BSR) and that Administration BE DIRECTED to prepare a draft policy for Council's consideration regarding banners (how they can be requested, all costs associated, etc.) outlining what would be expected.</p>	

**Outstanding Directives**

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
September 17, 2018	CR503/2018	S 122/2018	Community Services	<p>That the report of the Manager Parks Development, dated July 20, 2018, responding to CQ27-2017 regarding first responders signage for parks, BE RECEIVED for information; and,...</p> <p>That Administration BE DIRECTED to develop a wayfinding standards policy based on the results of the Little River Corridor wayfinding signage and markers, as a pilot project, to be brought to City Council for approval.</p>	
October 01, 2018	CR550/2018	C 165/2018	Community Services	<p>That the report from Glos Associates Inc. titled "Proposed Relocation/Construction of Lanspeary Park Greenhouse Feasibility Study" and dated September 10, 2018 BE RECEIVED; and further,...</p> <p>That Administration BE DIRECTED to offer options for the expansion of the demonstration house on the site within the re-development plans for Lanspeary Park (options showcasing the low impact re-development); and further,</p> <p>That Administration BE DIRECTED to provide information on production numbers for having this in-house versus externally for this service (how much does the taxpayer benefit from having this in- house.</p>	



## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
February 04, 2019	CR35/2019		Finance & City Treasurer	<p>That City Council APPROVE, as per the requirements of the Leadership Asset Management Program (LAMP), the use of the tools and guidelines for Triple bottom line plus (TBL+), Whole life-cycle (WLC) and Business Case Evaluation (BCE) as developed through the LAMP grant and approved by the Asset Planning Steering Committee; and...</p> <p>That Administration BE DIRECTED to prepare a report for Council's consideration on methods that could be used to accelerate the process for implementation.</p>	
March 25, 2019	CR120/2019	C 43/2019	Corporate Services	<p>That the report of the City Treasurer regarding the Mayor, Councillors and Appointees 2018 Statement of Remuneration and Expenses BE RECEIVED for information; and further,...</p> <p>That Administration BE DIRECTED to prepare a report for Council's consideration on a process that would allow all members of Council to access conference materials and summary notes for information purposes, from those Councillors that attend conferences.</p>	
April 01, 2019	B8/2019	C 226/2018	Finance & City Treasurer	<p>That City Council RECEIVE the 2019 Capital Budget 7-Year Plan documents reflective of approx. \$845.104 M in total funding; and...</p> <p>That Administration BE DIRECTED to REPORT BACK to Council regarding the infrastructure deficit and a high-level plan to address it;</p>	

**Outstanding Directives**

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
July 08, 2019	CR322/2019	C 68/2019	Economic Development	<p>That a vacant building registry NOT BE IMPLEMENTED at this time and the vacant building initiative (VBD) BE EXTENDED to July 2020; and...</p> <p>That administration BE DIRECTED to report back in 2020 for a more fulsome breakdown of statistics including types of orders issued, which were successful, which were complied with, and that the report ALSO INCLUDE options for a vacant building registry that expressly includes the topic of access, cost recovery, identification, highest fees possible under the law and the shortest timelines.</p>	
December 02, 2019	CR608/2019	S 200/2019	Health & Human Services	<p>That Administration REPORT BACK to the Community Services and Parks Standing Committee once further analysis is completed regarding the causal data related increase in vulnerability as reported in the Early Development Instrument (EDI) and further analysis in terms of breakdowns of EarlyON programs and usage.</p>	
April 27, 2020	CR149/2020	C 76/2020	Finance & City Treasurer	<p>That administration BE DIRECTED to prepare a report for Council's consideration, as soon as possible, on options available for the City of Windsor to use the Municipal Accommodation Tax (MAT) to help the local hospitality industry as a result of the ongoing COVID-19 pandemic.</p>	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
November 09, 2020	CR553/2020	S 53/2020	Economic Development	That Administration BE REQUESTED to give notice of intention to designate the property located at 436 Askin Ave...and,  That Administration REPORT BACK to Council regarding initiation of a Heritage Conservation District Area Study for this area; and, that the report include suggestions related to potential boundaries, optional designation of a Heritage Conservation District Study Area Bylaw, timing of the study and funding considerations.	In queue; to be started once Walkerville HCDS is completed.
November 09, 2020	CR559/2020	S 111/2020	Infrastructure Services	That the report of the Transportation Planning Senior Engineer dated October 5, 2020 entitled "CQ7-2020 40 km/h Residential Speed Limits" BE REFERRED to Administration to allow for a report within 120 days on a comprehensive strategy, looking at speed limits as an alternative, in addition to speed bumps and any alternative traffic calming measure that makes sense, for Council's consideration in a fulsome manner; and that administration ALSO INCLUDE any outstanding CQ's on traffic calming at the same time for Council's consideration.	
November 23, 2020	CR585/2020	C 220/2020	Corporate Services	That the report of the Senior Manager – Facilities dated November 6, 2020 entitled "Corporate Security Plan and Risk Assessment" BE DEFERRED to allow for additional information from administration.	

# Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
November 23, 2020	CR588/2020	C 221/2020	Infrastructure Services	<p>That Council ENDORSE the establishment of a Mandatory Downspout Disconnection Zone for the area bounded by Norfolk St. to the North, Dougall Ave/Howard Avenue to the East and the Herb Grey Parkway to the West and South; and,</p> <p>That a Mandatory Downspout Disconnection Pilot Project, the boundaries to be determined by the City Engineer, BE UNDERTAKEN within the Mandatory Downspout Disconnection Zone with an upset limit of \$250,000 funded by Project ID#7199004 – Sewer Master Plan Implementation Project; and,</p> <p>That the results of the Mandatory Downspout Disconnection Pilot Project BE COMMUNICATED to Council once sufficient data is available;</p>	
November 23, 2020	CR588/2020	C 221/2020	Infrastructure Services	<p>That the City Engineer BE DIRECTED to bring forward a dedicated inflow and infiltration funding program to address inflow and infiltration measures;</p>	
December 07, 2020	CR616/2020	C 54/2020	Finance & City Treasurer	<p>...That City Council INDICATES ITS INTENT that the future excess capacity identified in the Development Charges Background Study, dated November 5, 2020, prepared by Hemson Consulting Ltd., shall be paid for by development charges or other similar charges;</p> <p>...</p> <p>That administration BE DIRECTED to report back at a high level on the economic impact and any perceived impacts on development if Council were to revisit eliminating the industrial exemption.</p>	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
December 21, 2020	CR655/2020	S 164/2020	Community Services	That Administration BE REQUESTED to report back to Council outlining the costs associated with undertaking an invasive species management strategy citywide.	
January 18, 2021	CR40/2021	S 155/2020	Infrastructure Services	That the report of the Environment, Transportation and Public Safety Standing Committee of its meeting held December 16, 2020 regarding "Wyandotte Street East Corridor Review" BE REFERRED back to Administration to narrow the focus as soon as possible, and to satisfy the Active Transportation Master Plan by providing cycling infrastructure along Wyandotte Street East and further, that in-person public meetings BE HELD once permitted, as part of a consultation process that would include residents and businesses in the subject area.	
March 29, 2021	CR119/2021	C 220/2020 & C 32/2021	Chief Administrative Officer	That the update from the Senior Manager of Facilities on the Corporate Security Plan and Risk Assessment BE RECEIVED; and further, That City Council APPROVE the hiring of one Temporary Coordinator of Security Services at an estimated cost at \$122,314 to be charged to the Budget Stabilization Reserve, for the development of Corporate security policies, protocols, and a draft implementation plan with options for a centralized Security Division, with a report back to City Council at the 2022 Budget deliberations.	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
April 19, 2021	CR169/2021	S 13/2021	Infrastructure Services	That the Report of the Environment, Transportation and Public Safety Standing Committee regarding "Follow-up – CQ7-2020 40 km/h Residential Speed Limits" BE REFERRED to administration so that the matter can be considered in relation to the development of the Vision Zero Policy.	
May 03, 2021	CR179/2021		Corporate Services	That the report of the Senior Legal Counsel and Student-at-Law dated April 9, 2021 entitled "Response to CR591/2020 – Cannabis Odour" BE DEFERRED to allow for a further report once the enforceability of the Town of Leamington's Cannabis Regulation By-law is considered by the Superior Court of Justice and the Normal Farm Practices Protection Board, and that the report also include possible enforcement options that would be available for Council's consideration.	
May 17, 2021	CR213/2021	CMC 8/2021	Economic Development	That the correspondence from Paul Mullins on behalf of Assumption Parish dated April 23, 2021 requesting support from the City of Windsor to be recognized by Parks Canada as a Nationally Significant Historic Site, BE REFERRED to administration for review and a report back to Council for consideration, specifically as it would pertain to the ramifications designation would have on city property.	

**Outstanding Directives**

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
July 19, 2021	CR331/2021	S 80/2021	Community Services	<p>That the report from the Cultural Development Coordinator regarding the expansion of the City of Windsor's Poet Laureate program BE RECEIVED; and further,</p> <p>That the Poet Laureate program, established as an ongoing program, BE REBRANDED as the 'Poet Laureate and Storytellers' program; and further,</p> <p>...That the administrative report BE REFERRED to the Diversity Committee for review and comment; and,</p> <p>That additional consultations BE CONDUCTED as appropriate.</p>	
July 26, 2021	CR363/2021	S 71/2021	Economic Development	<p>That Report No. S 71/2021 updating City Council on the use and implementation of the Brownfield Redevelopment Community Improvement Plan (CIP) and tabling issues to be addressed as part of the CIP update BE RECEIVED for information; and,</p> <p>That the City Planner BE DIRECTED to consult with stakeholders regarding potential changes to the Brownfield Redevelopment CIP outlined in Report No. S 71/2021 and prepare any necessary CIP amendments for Council's consideration.</p>	



# Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
September 27, 2021	CR387/2021	C 116/2021	Finance & City Treasurer	<p>... That City Council SUPPORT the following actions with regards to the development and implementation of an enhanced investment strategy:</p> <p>That Administration BE AUTHORIZED to prepare a Request for Proposal (RFP) for Investment Advisory services; and further,</p> <p>That Administration BE DIRECTED to explore alternative options to traditional financial instruments to maximize overall investment returns for the City; and further,</p> <p>That Administration BE AUTHORIZED to prepare an Expression of Interest (EOI) to seek interest in the development of an in-house solution for managing current and projected cash flows more efficiently through the use of technology; and further,</p> <p>That Administration BE DIRECTED to report back to City Council the results of the above noted actions.</p>	
October 04, 2021	CR429/2021	S 41/2020 & AI 7/2021 & AI 10/2021	Economic Development	<p>That the report of the Senior Planner – Policy and Special Studies dated February 27, 2021 entitled “Closure of Part of Dodsworth Street, Between Kay Street and Malden Road, Between 5168 and 5180 Malden Road - Applicant: T. Fasan - SAS/5917 - Ward 1” BE REFERRED back to administration to allow administration the opportunity to work with the Applicant to come to an amenable resolution for everyone involved.</p>	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
October 04, 2021	CR448/2021	S 110/2021	Infrastructure Services	That the addition of signage at pedestrian inter-block walkways in the wintertime BE APPROVED; and,  That administration BE DIRECTED to monitor the effectiveness for a period of 2 years;	
October 25, 2021	CR476/2021	C 129/2021	Community Services	That City Council APPROVE the design of the building and the terraces for the Legacy Beacon as the new home for Streetcar No. 351, located on the waterfront North of Riverside Drive at the foot of Caron Avenue in Legacy Park (Appendix A); and,...  That Administration REPORT BACK to Council with a business case for the concession/terrace area prior to the 2022 budget deliberation meetings or as soon as possible thereafter.	
November 01, 2021	CR496/2021	S 51/2021	Community Services	...That Administration REPORT BACK to Council with a six month interim report to provide a status update, and after one year with the results of the pilot program to request annual operating funds through the 2023 budget process.	
November 01, 2021	CR497/2021	S 132/2021	Community Services	That the report of the Cultural Development Coordinator and Manager of Culture & Events dated September 16, 2021 entitled "Update of Round 2 of the Arts, Culture and Heritage Fund 2021 – City Wide" BE RECEIVED for information; and,...  That Administration BE DIRECTED to investigate the possibility of private sector partnerships to augment the funding envelope that this program delivers to the community.	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
December 13, 2021	B34/2021	C 113/2021	Community Services	That the report of the Project Administrator dated August 27, 2021 entitled "Proposed Artificial Turf Sports Field - Ward 6 & 7" BE REFERRED back to Administration to continue to explore artificial turf options with stakeholders for Council's consideration.	
December 13, 2021	B38/2021	C 171/2021	Finance & City Treasurer	...That Administration BE DIRECTED to conduct further research in terms of designing and implementing a Vacant Residential Unit Tax program inclusive of community consultation and that a fully developed program be brought back to City Council for approval prior to implementation;	
December 20, 2021	CR555/2021	C 154/2021 & AI 19/2021	Finance & City Treasurer	That City Council APPROVE Administration proceeding with identified strategies for 2021/2022 including:Form an internal Sustainable Purchasing Team;Update current purchasing procedures/documents to ensure environmental sustainability and climate change is being considered;Update the City's Sustainable Purchasing Guide (2015) to reflect updates for climate change considerations; andJoin the Canadian Collaboration for Sustainable Procurement for 2021/2022; and,  That Administration REPORT BACK to City Council by the third quarter (Q3) 2022 with a report on achievements and possible next steps.	
February 14, 2022	CR57/2022	C 18/2022	Infrastructure Services	...That administration BE DIRECTED to report back at a future date on the data collected and potential strategies to target the issue of rodents in our community;	

**Outstanding Directives**

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
February 14, 2022	CR57/2022	C 18/2022	Infrastructure Services	That Administration BE DIRECTED to initiate an education and awareness campaign so residents are more aware of the existing Rodent Extermination Program.	
February 28, 2022	CR88/2022	C 142/2021	Community Services	<p>That the report of the Landscape Architect dated September 23, 2021 entitled "Response to CQ 32-2020: Tree Protection and Replacement Policies Related to Development – City Wide" BE REFERRED back to Administration; and further,</p> <p>That Administration REPORT BACK to Council to provide information related to options for a regulatory framework to ensure overall tree coverage across the community is not diminished due to the new development of private lands by requiring the replacement of trees removed on a caliper per caliper basis as deemed appropriate by the City Forester and City Planner.</p>	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
March 21, 2022	CR102/2022		Health & Human Services	<p>That the report of the Senior Legal Counsel dated September 18, 2020 entitled "Council Question CQ23-2019 - Payday Loan Establishments - City Wide" BE RECEIVED for information; and further,</p> <p>That Administration PROCEED with establishing a cross-sectoral committee with the appropriate partners and representatives to acquire local information and develop a strategy to distribute education materials regarding alternative financial options and supports; and,</p> <p>That Administration REPORT BACK to the Community Services Standing Committee after one year with a summary of work completed to date.</p>	
April 11, 2022	CR150/2022	S 29/2022	Infrastructure Services	<p>That Administration BE AUTHORIZED to initiate a Home Flood Protection Program on a pilot basis; and further,</p> <p>That Administration REPORT BACK to City Council on completion of the pilot program.</p>	
April 25, 2022	CR171/2022	C 54/2022	Corporate Services	<p>That the report of the (Acting) Licence Commissioner and the Executive Initiatives Coordinator dated March 25, 2022 entitled "Residential Rental Licensing By-law—Wards 1 &amp; 2" and draft by-law, "A By-law Respecting the Licensing of Residential Rental Housing Units," attached as Appendix A, BE RECEIVED for information; and, ...</p> <p>That Administration REPORT BACK TO COUNCIL on the results of the two-year pilot study within Wards 1 and 2.</p>	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
April 25, 2022	CR184/2022	S 39/2022	Community Services	<p>That the report of the Manager of Culture &amp; Events dated March 15, 2022 entitled "City of Windsor Lancaster Bomber FM 212 Progress Report 2019-2021 – Ward 3" BE RECEIVED for information; and further,</p> <p>That Administration BE DIRECTED to report to City Council regarding a fundraising strategy, a plan for assembly of the aircraft, and options to display the aircraft to the public once the assembly portion has been completed.</p>	
May 09, 2022	CR195/2022	C 1/2022	Infrastructure Services	<p>That the report of the Engineer II dated January 5, 2022 entitled "Response to CQ13-2021 – Basement Flood Risk Reduction Update – Ward 7" BE RECEIVED for information; and further,</p> <p>That administration BE DIRECTED to report back to Council on what effective monitoring program can be put in place to give early warning in order to mitigate future flooding events and make proper adjustments to the system as needed.</p>	
May 09, 2022	CR208/2022	S 14/2022	Infrastructure Services	<p>That the report of the Environment, Transportation &amp; Public Safety Standing Committee of its meeting held April 27, 2022 entitled "Ward 9 Ditch Survey and Inspection of Private Culverts and Private Catch Basins --- Ward 9" BE DEFERRED to a future meeting of Council to allow for affected residents to meet with Administration regarding their specific issues.</p>	

**Outstanding Directives**

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
May 09, 2022	CR209/2022	S 42/2022	Infrastructure Services	<p>...That City Council APPROVE IN PRINCIPLE Windsor’s Science Based Targets of a 68% reduction in city-wide emissions (scope 1 and 2) and a 55% reduction in corporate-wide emissions (scope 1 and 2) below 2005 baseline by 2030; and,</p> <p>That City Council APPROVE IN PRINCIPLE a NET ZERO Target for 2050; and,</p> <p>That Administration BE DIRECTED to report back with an updated strategy to reach these targets by November 2023 that considers implementation timelines, resourcing and financial impacts of meeting science-based targets;</p>	
May 09, 2022	CR222/2022		Corporate Services	<p>That Administration BE DIRECTED to bring back a report before the next winter season, on possible ways that we can address the large gap between the demand for Snow Angels and the number of residents that are assisted. Options should include, but not be limited to improving our recruiting efforts of volunteers and/or providing the service with a set fee or no fee.</p>	



## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
May 30, 2022	CR228/2022	C 82/2022	Community Services	<p>That the report of the Executive Initiatives Coordinator dated May 4, 2022 entitled "CQ 7-2022 - Response to CQ 7-2022 - Expansion of Dog Parks within the City - City Wide" BE RECEIVED for information; and,</p> <p>That Administration BE DIRECTED to begin the process of adding two additional dog parks at Oakwood Park and Elizabeth Kishkon Park after the community has BEEN CONSULTED as outlined in the Dog Park Policy; and, ...</p> <p>That Administration REPORT BACK to Council with potential edits to the Dog Park Policy to allow smaller, urban parks to be used as dog parks as well.</p>	
June 13, 2022	CR272/2022	C 98/2022	Community Services	<p>That the results of the Consultant's report for a new outdoor ice rink at City Hall BE REFERRED to the 2023 budget for funding required; and further,</p> <p>That Administration BE DIRECTED to work with representatives from All Saints Church for alternatives/options for the next skating season.</p>	
June 13, 2022	CR273/2022	S 14/2022	Infrastructure Services	<p>That WSP Canada Inc. firm BE APPOINTED as the Drainage Engineer to make an examination of, and prepare a Drainage Report for the repair and improvement to, the Dawson Drain between Division Road and the O'Neil Drain and to the O'Neil Drain from south of Hallee Crescent to Division Road under section 78 of the Drainage Act; and further,</p> <p>That Administration BE DIRECTED to report back to Council once the Drainage report for the repair and improvement of the Dawson Drain is complete.</p>	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
July 11, 2022	CR284/2022	C 105/2022	Finance & City Treasurer	Whereas City Council previously approved the capital cost of land acquisitions being Point East Development ("Land Acquisitions") to be financed through long-term borrowing by issue of debentures to Ontario Infrastructure and Lands Corporation (OILC), City Council APPROVES the following with respect to the financing of the Land Acquisitions: ...  That the CFO/City Treasurer BE INSTRUCTED to report back to City Council the results of the long-term borrowing at the earliest opportunity following completion;	FYI
July 25, 2022	CR311/2022	C 118/2022	Finance & City Treasurer	That the 2021 Annual Investment Compliance Report for the year ending December 31, 2021 BE RECEIVED for information; and further,  That Administration REPORT BACK on ways to broaden the City of Windsor's portfolio and access other Joint Investment Boards (JIBs) that are endorsed by the Association of Municipalities of Ontario (AMO) and the Municipal Finance Officers' Association of Ontario (MFOA), including the benefits and drawbacks of investing in these other financial vehicles.	
July 25, 2022	CR327/2022	C 85/2022	Health & Human Services	That the report of the Coordinator of Housing Administration & Policy dated May 9, 2022 entitled "Rent Supplement Program Expiries and Mitigation Update - City Wide" BE RECEIVED for information; and,  ...That Administration REPORT BACK to Council with options on how to address those funding shortfalls.	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
July 25, 2022	CR334/2022	C 123/2022	Corporate Services	That the report of the Executive Director of Human Resources dated July 11, 2022 entitled "Salary Market Review 2019 - 2020 - Non-Union and CAO/CLT - City Wide" BE REFERRED back to administration to allow for the 2019/2020 and the 2021/2022 salary market review to be conducted by a new consultant.	
September 06, 2022	CR374/2022	S 76/2022	Infrastructure Services	That Administration BE REQUESTED to report back to a future meeting of Council to provide a review of the Speed Hump Policy and options to approve the same.	
September 06, 2022	CR390/2022	C 112/2022	Health & Human Services	That the Executive Director, Housing & Children's Services REPORT BACK on: <ul style="list-style-type: none"> <li>- potential sites for the Housing Hub</li> <li>- the findings of the preliminary work completed to support a recommendation to enter into negotiations to acquire and/or build and/or renovate a property</li> <li>- the outcome of applications made related to capital and/or operating funding</li> <li>- any capital funding required for the acquisition, renovation or construction of the proposed Hub, as well as for any ongoing operating funding required to maintain the asset and deliver the services;</li> </ul>	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
September 06, 2022	CR393/2022	SCM 172/2022	Health & Human Services	<p>That the additional information memo of the Executive Director of Housing &amp; Children's Services dated August 3, 2022 regarding the motion from the Housing &amp; Homelessness Advisory Committee of their meeting held June 21, 2022 and Report No. 14 of the Housing &amp; Homelessness Advisory Committee entitled "Barriers faced by the 2SLGBTQIA+ community in finding appropriate housing and housing services" from their meeting held June 21, 2022 BE RECEIVED; and,</p> <p>That Administration BE DIRECTED to provide a report in 2023 outlining the next steps regarding the proposed training initiative;</p>	
September 06, 2022	CR399/2022	C 150/2022	Health & Human Services	<p>That the report of the Coordinator of Housing Administration and Development regarding the Social Services Relief Fund ("SSRF") Phase 5 Windsor Essex Community Housing Corporation Capital Project BE RECEIVED for information, and, ...</p> <p>That the Executive Director of Housing and Children's Services or their designate REPORT to City Council on the outcome of the capital developments;</p>	
September 26, 2022	CR424/2022	C 157/2022	Infrastructure Services	<p>That Administration REPORT BACK to Council on proposed options to collect costs from the benefiting properties related to servicing charges for municipal services (mainline sewers and private drain connections) that would offer options for payment terms similar to local improvement payments.</p>	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
September 26, 2022	CR430/2022		Corporate Services	That the motion presented by Councillor Holt and seconded by Councillor Bortolin at the September 26, 2022 City Council ...BE REFERRED back to Administration to provide a report to Council within this calendar year.	
September 26, 2022	CR431/2022		Health & Human Services	That the petition presented by Councillor Holt on behalf of the tenants of 680 Aylmer Avenue/Glengarry Non Profit Housing requesting assistance with security and staffing issues BE RECEIVED by the Clerk and the Clerk BE DIRECTED to forward the petition to the Commissioner, Human & Health Services for the purpose of an examination of the requested works or undertakings.	
November 28, 2022	CR501/2022	C 191/2022	Economic Development	<p>That City Council RECEIVE the Investing in Canada Infrastructure Plan (ICIP) Grant Application report dated November 17, 2022, along with the report from IBI Group titled "Transit Windsor Garage Feasibility Study" dated October 28, 2021 provided in Schedule A; and further, ...</p> <p>That given the dramatically higher cost estimate for the Transit Garage emanating from the detailed study recently completed by the IBI Group, City Council DIRECT Administration to re-evaluate the Transit Windsor Master Plan to determine how to best achieve the goals of the Master Plan and report back to Council as part of the Transit Master Plan Implementation Project update.</p>	
January 16, 2023	CR8/2023	C 222/2022	Economic Development	That Administration REPORT BACK with a supplemental report providing details on emerging technologies and strategies related to decarbonization of the electrical grid;	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
January 30, 2023	CR36/2023	C 10/2023	Corporate Services	... That administration BE DIRECTED to bring forward a by-law for Council's consideration to reduce aggressive, intimidating, and dangerous panhandling practices.	
January 30, 2023	CR38/2023		Corporate Services	Asks that Administration provide a report to Council as soon as possible on how best to move forward in acquiring the former Abars property.	Accepted
January 30, 2023	CR51/2023	C 204/2022	Infrastructure Services	That the report of the Technologist III dated November 23, 2022, entitled "Streamlining Right-of-Way Division Approvals to Enable Rapid Execution of Council's Vision and Incorporating Heritage Features into the Encroachment Policy - City Wide" BE REFERRED back to administration to provide further information on best practices from other municipalities.	
January 30, 2023	CR52/2023	C 205/2022	Infrastructure Services	That the report of the Technologist III dated November 23, 2022, entitled "Response to CQ 13-2022 – Process to allow Memorial Signs within the right-of-way and the feasibility of allowing the placement of mulch in the right-of-way without a permit - City Wide" BE REFERRED back to administration to provide further information on best practices from other municipalities.	
February 27, 2023	CR103/2023	C 225/2022	Economic Development	That the Planning Division PROVIDE Council with recommendations for Amendments to the Sign By-law related to Paper Copy Billboard and Electronic Change Copy Billboard Ground and Wall Signs, for a decision by Council prior to the expiry date of the moratorium.	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
February 27, 2023	CR103/2023	C 225/2022	Economic Development	... That Administration PROVIDE a status update of the review being undertaken at the August 23rd, 2023 meeting of the Development & Heritage Standing Committee meeting.	
February 27, 2023	CR106/2023	C 18/2023	Finance & City Treasurer	That City Council DIRECT Administration to monitor operations subsequent to the changes implemented as a result of Bill 109, and provide reports on any cross-departmental impacts with recommendations to address those impacts; ...  That Administration BE DIRECTED to track all variances and local costs that are required to put the legislation into effect, and that the information BE FORWARDED to a future meeting of Council.	
February 27, 2023	CR107/2023	C 19/2023	Finance & City Treasurer	That report C 19/2023 regarding the More Homes Built Faster Act – Bill 23 BE RECEIVED for information; and further, ...  That Administration BE DIRECTED to track all variances and local costs that are required to put the legislation into effect, and that the information BE FORWARDED to a future meeting of Council.	



## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
April 03, 2023	B18/2023	C 188/2023	Community Services	That a priority wait list for City residents BE ESTABLISHED for Lakeview Marina; and,  That Administration BE DIRECTED to report back to Council to provide information regarding charging different fees for non-City of Windsor residents using the Lakeview Marina facility; and,  That Administration BE DIRECTED to provide information outlining options for establishing a priority wait list at other City owned facilities for Councils consideration.	
April 03, 2023	B29/2023		Finance & City Treasurer	That Administration BE DIRECTED to report back with regards to the University Avenue West Project # (ECP-14-07) road reconstruction, with information related to Potential Funding or other options that can be utilized to complete the entire road reconstruction, without affecting the current Capital Budget allocations;	
April 03, 2023	B2/2023		Infrastructure Services	...That Council DIRECT Administration to prepare a report for the Environment, Transportation & Public Safety Committee outlining specific strategies and rationale for local road rehabilitation selection and prioritization.	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
April 11, 2023	CR162/2023	C 49/2023	Chief Administrative Officer	<p>... That City Council DIRECT Administration to develop a process and fee structure to allow temporary patios on private property in the future to ensure compliance with legislation and regulations, and mitigate any risks to the Corporation of the City of Windsor; and further,</p> <p>That Administration SUBMIT a process to approve temporary patios on private property for City Council's consideration by the end of 2023.</p>	
April 24, 2023	CR172/2023		Infrastructure Services	<p>That Administration BE DIRECTED to continue discussions with Transport Canada, The Transportation Minister, the Member of Parliament and the Federal Government to continue to look into grant funding that is available to fund warning system upgrades at the affected crossings, and fund safety measures in and around these crossings; and,</p> <p>That the Essex Terminal Railway (ETR) BE REQUESTED to have an independent organization conduct a study on decibel levels in the subject area; and,</p> <p>That the information BE PROVIDED to Council at a future meeting for their consideration.</p>	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
April 24, 2023	CR176/2023	S 27/2023	Infrastructure Services	<p>That the report of the Transportation Planning Senior Engineer dated March 1, 2023 entitled "South National Street (Pilette to Jefferson) Traffic Calming," BE RECEIVED for information; and,</p> <p>That Administration BE DIRECTED to report back to Council with costs, and feasibility of adding traffic calming measures including physical separators with barriers along South National Street, enhancing the cyclist crossing at South National Street and Balfour Avenue and explore a pedestrian crossover at West Minster Avenue and South National Street into the Riverside area.</p>	
May 29, 2023	CR198/2023	CMC 7/2023	Health & Human Services	<p>That Administration BE REQUESTED to report back to Council with a status report, related to Human Services issues that the Windsor Police Services are currently experiencing, to identify gaps and to provide the Windsor Police Service with assistance that they may require from Community Partners, Ministry of Health or others, for Councils consideration.</p>	
May 29, 2023	CR231/2023		Infrastructure Services	<p>Asks that Administration provide Council with a report on potential changes to the encroachment policy that would permit memorial signs and historical features to be placed in the right-of-way. Also, report on potential options to the Engineering Landscape Best Practice BP3.2.2 that would allow mulch in right-of-way without a permit.</p>	Accepted

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
June 12, 2023	CR258/2023		Infrastructure Services	That the report of the Commissioner, Infrastructure Services dated May 4, 2023 entitled "Traffic Noise along the E.C. Row Corridor Close to Sensitive Land Uses without Sound Mitigation Measures – City Wide – CQ 17-2022" BE RECEIVED for information; and, That Administration BE REQUESTED to work with the Parks Department and City Forester to investigate opportunities to add trees along E.C. Row Expressway on the North and South sides between Walker Road and Howard Avenue.	
June 12, 2023	CR258/2023		Infrastructure Services	Asks that Administration report back to Council on traffic noise along the EC Row corridor where sound mitigation measures are not in place close to sensitive land uses.	Accepted
June 12, 2023	CR260/2023	C 77/2023	Infrastructure Services	That the report of the Engineer II dated May 29, 2023 entitled "Update Regarding Council Decision B14/2019 and Proposed Local Improvement Policy Amendment for Shoreline Structures – City Wide" BE DEFERRED to a future meeting of Council to allow for further information and consultation with the residents.	
July 10, 2023	CR273/2023	CMC 9/2023	Corporate Services	That administration BE REQUESTED to report back regarding a framework including communications, education, transparency and accountability options related to the usage of Strong Mayor Powers.	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
July 10, 2023	CR289/2023	C 88/2023	Economic Development	... That the results of the City's Housing Accelerator Fund application BE COMMUNICATED to City Council, and if successful, such report to include a Housing Accelerator Fund Implementation Plan that specifically includes how the awarded funds will be allocated in alignment with the requirements of the Housing Accelerator Fund Program.	
August 08, 2023	CR316/2023	C 107/2023	Community Services	That administration BE REQUESTED to report back with statistics related to open air burning.	
August 08, 2023	CR337/2023	C 116/2023	Community Services	... That administration BE DIRECTED to bring forward more information to a future meeting of City Council regarding the future location of curling, after further consultation with community groups has taken place for Councils consideration; and further,  That administration BE DIRECTED to investigate options related to a private enterprise that would be interested in offering curling in the City of Windsor.	
September 05, 2023	CR356/2023	C 120/2023	Infrastructure Services	That Council APPROVE bi-weekly garbage collection, weekly organic collection, and bi-weekly leaf and yard waste collection from April until November, and that this service level BE IMPLEMENTED with the next waste collection contract expected to begin in 2025; and,  That Administration BE DIRECTED to report back to Council the results of the collection tender(s) and any additional costs related to the new SSO program, once available;	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
September 05, 2023	CR356/2023	C 120/2023	Infrastructure Services	That administration REPORT BACK to Council regarding the implementation of a comprehensive communication plan and process which includes community partners including post secondary institutions and communication mediums for residents who may not speak English.	
September 05, 2023	CR359/2023	C 69/2023 & S 82/2023 & AI 12/2023	Infrastructure Services	That Administration BE DIRECTED to issue a Request for Proposal for curbside garbage collection and optional bidding for alley garbage collection in the alleys that garbage collection is being provided currently; and,  That Administration BE DIRECTED to report back to Council the results of the collection Request for Proposal and any additional costs related to the new SSO program, once available;	
September 05, 2023	CR359/2023	C 69/2023 & S 82/2023 & AI 12/2023	Infrastructure Services	That Administration BE DIRECTED to conduct a pilot project in the Pelissier/Victoria alley between Tecumseh Rd. W. and Jackson St, as well as the Dougall/Church alley between Tecumseh Rd. W. and Wahneta St. whereby garbage will be temporarily relocated from alley collection to curbside collection for a minimum of 8 weeks; and,  That Administration REPORT BACK on the information learned during the pilot project; and,	
September 05, 2023	CR359/2023	C 69/2023 & S 82/2023 & AI 12/2023	Infrastructure Services	That administration BE DIRECTED to provide a report during the 2024 budget deliberation process for a plan to increase funding for alley maintenance for paved alleys.	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
September 05, 2023	CR361/2023	C 106/2023	Infrastructure Services	<p>That the report of the Executive Direction, Operations, dated July 6, 2023 entitled Alley Maintenance Standards-City Wide BE RECEIVED; and,</p> <p>That Scenario 1: One-time funding from Reserves as outlined in the administrative report of the Executive Director, Operations BE APPROVED; and further,</p> <p>That Administration BE REQUESTED to report back to City Council with a specific proposed framework and work plan for the previously approved Alley Standards and Development Committee.</p>	
September 05, 2023	CR385/2023	S 92/2023	Infrastructure Services	<p>That Administration PREPARE for Council's consideration a plan to complete the engineering and design work for Howard Avenue between South Cameron and Cabana Road; and,</p> <p>That Administration CREATE an accelerated financing option to be considered during the 2024 Capital Budget Process.</p>	
October 16, 2023	CR421/2023	S 96/2023	Infrastructure Services	<p>That administration BE REQUESTED to conduct a traffic analysis of the immediate surrounding neighbourhood and to come forward with recommendations for Councils consideration to address parking concerns and general traffic issues.</p>	



## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
October 16, 2023	CR428/2023		Infrastructure Services	That the petition presented by Councillor Gary Kaschak on behalf of Parents of St. Therese School children looking for crossing guard improvements, signage, road improvements and potentially a sidewalk in that area BE RECEIVED by the Clerk and the Clerk BE DIRECTED to forward the petition to the Commissioner, Infrastructure Services for the purpose of an examination of the requested works or undertakings.	
October 16, 2023	CR429/2023		Infrastructure Services	That the petition presented by Councillor Kieran McKenzie on behalf of residents of Windsor asking for an increase in buses during peak hours and a review of bus schedules BE RECEIVED by the Clerk and the Clerk BE DIRECTED to forward the petition to the Commissioner, Infrastructure Services and the Executive Director of Transit Windsor for the purpose of an examination of the requested works or undertakings, and that this be tabled as part of the public record.	
October 30, 2023	CR432/2023	S 107/2023	Community Services	<p>That the report from the Manger, Culture and Events, dated August 21, 2023, entitled "Response to Open Streets Petition" BE RECEIVED for information; and further, ...</p> <p>That in future years, the City CONTINUE to alternate between the newly proposed east-side route and the previously approved downtown/west-side route; and further,</p> <p>That administration BE REQUESTED to provide information related to options regarding holding Open Streets events twice a year including feasibility and costs, one in the downtown/west-side route and one in the new east-side route.</p>	

**Outstanding Directives**

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
October 30, 2023	CR433/2023	S 118/2023	Health & Human Services	<p>That the report of the Manager, Homelessness and Housing Support in response to CQ 20-2023 Feasibility of Expanding Outreach Services and 311 Operating Hours BE RECEIVED for information; and, ...</p> <p>That City Council DIRECT Administration to report back to Council with more data and information about the impact of recent improvements to the Homelessness Street Outreach team's schedule and after-hours homelessness response initiated through 311, before deciding if further expansion is needed;</p>	
October 30, 2023	CR433/2023	S 118/2023	Health & Human Services	<p>That administration BE REQUESTED to report back to the Community Services Standing Committee, as to how the City will attempt to draw the various organizations together in an effort to collaborate and capitalize on the programs that they are prepared to offer.</p>	
October 30, 2023	CR444/2023	C 77/2023 & C 149/2023	Infrastructure Services	<p>That Administration BE REQUESTED to implement a private Local Improvement Policy (LIP) option through Ontario regulation 586/06 to allow for those property owners who own their portion of the East Riverside shorewall along Riverside Drive to access the LIP process.</p>	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
October 30, 2023	CR447/2023		Economic Development	That the petition presented by Councillor Fred Francis on behalf of concerned citizens requesting a public consultation regarding Transit Windsor Proposed Route 330 BE RECEIVED by the Clerk and the Clerk BE DIRECTED to forward the petition to the Executive Director of Transit Windsor for the purpose of an examination of the requested works or undertakings.	
November 27, 2023	CR461/2023	C 168/2023	Economic Development	<p>That the report from the Senior Economic Development Officer requesting a Letter of Support for intercity passenger rail service BE RECEIVED FOR INFORMATION; and further,</p> <p>That City Council ENDORSE a Letter of Support from the Mayor to the Minister of Transport supporting the proposed Amtrak-VIA Rail Intercity Passenger Rail Connection; and further,</p> <p>That City Council AUTHORIZE Administration to represent the City of Windsor at future stakeholder meetings for this project; and further,</p> <p>That Administration BE DIRECTED to report status updates to City Council as soon as is practical.</p>	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
November 27, 2023	CR471/2023	S 31/2023	Infrastructure Services	<p>That the report of the Manager of Homelessness and Housing Support and the Deputy Licence Commissioner, dated July 24, 2023 entitled "Response to Council Decision ETPS 942 – Options for Addressing Panhandling - City Wide" submitted in response to direction provided through Council Decision ETPS 942 BE RECEIVED for information; and,</p> <p>That Administration REPORT BACK with infrastructure related strategies to discourage unsafe behaviours in the public roadway.</p>	
November 27, 2023	CR491/2023	C 141/2023	Finance & City Treasurer	<p>That City Council SUPPORT the Administrative recommendation to not provide Municipal Support Resolutions at this time for non-storage installations as part of the IESO LT1 RFP submission; and</p> <p>That Administration BE DIRECTED to report back to Council in the event that either of the two projects identified in this report receive an IESO contract award for further consideration for municipal support.</p>	
November 27, 2023	CR493/2023	C 94/2023	Finance & City Treasurer	<p>That administration BE REQUESTED to report back to council after one year of the vacant home tax program being in place to provide information related to the effectiveness and/or opportunities for improvement including the possibility of a repeat offender fee.</p>	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
December 11, 2023	CR506/2023	C 146/2023	Finance & City Treasurer	That the report of the Executive Initiatives Coordinator, Office of the CAO dated October 5, 2023 entitled "Temporary Patios on Private Property – Application and Approval Process – City Wide" BE DEFERRED to a future City Council meeting to allow for a further review regarding possible options for Council's consideration.	
January 15, 2024	CR3/2024	CMC 1/2024	Infrastructure Services	That administration BE DIRECTED to report back on what is available to the municipality in terms of that section of road where that critical infrastructure, the Ambassador Bridge, is located and has to be kept open and maintained.	
January 15, 2024	CR10/2024		Infrastructure Services	Asks that if Council decides to move forward with reducing the speed limit to 40 km/h on all city residential streets, that administration advise of the timelines and cost to implement this across the city.	Accepted
January 15, 2024	CR11/2024	S 150/2023	Infrastructure Services	That the report of the Environment, Transportation & Safety Standing Committee of its meeting held November 29, 2023 entitled "CQ 13-2023 - Front Yard Parking Best Practice 2.2.2" BE REFERRED back to administration to provide more options to amend the by-law regarding front yard parking related to residential districts near business districts.	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
January 15, 2024	CR31/2024	SCM 314/2023	Community Services	That the correspondence of the President Les Amis Duff-Bâby dated August 29, 2023 and the memo of the Manager, Culture & Events dated November 20, 2023 regarding the Les Amis Duff Baby Annual Report BE RECEIVED for information; and,  That administration BE REQUESTED to provide a fulsome report regarding 2023 and 2024 attendance numbers and staffing possibilities to a future meeting of Council for their consideration.	
January 15, 2024	CR38/2024	S 159/2023	Community Services	That the report of the Community Services Standing Committee of its meeting held December 6, 2023 entitled "Response to CQ Regarding the Dog Park Policy – City Wide" BE REFERRED back to administration to provide a report which includes information regarding municipalities that have smaller dog parks in residential areas and how they have achieved the same.	
January 22, 2024	B1/2024	C 9/2024	Economic Development	That Administration BE DIRECTED to develop a Community Improvement Plan and associated financial incentives that will facilitate and support the construction of attainable and affordable residential units; and further,	
January 22, 2024	B1/2024	C 9/2024	Corporate Services	That Administration BE DIRECTED to adopt a single technology for providing a digital portal for development services (services provided by the Building, Planning and Right of Way departments) to improve business processes, streamline approvals, and improve customer access to services and information; and further,	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
January 22, 2024	B1/2024	C 9/2024	Corporate Services	That Administration BE DIRECTED to review the existing Disposal of Land policy and propose amendments that support the disposition of municipally owned properties to facilitate housing projects, including student housing; and further,	
January 22, 2024	B1/2024	C 9/2024	Corporate Services	That Administration BE DIRECTED to prepare a policy to advance the strategic acquisition of property that supports and facilitates the development of new attainable and affordable housing, including student housing; and further,	
January 22, 2024	B1/2024	C 9/2024	Economic Development	That Administration BE DIRECTED to begin the process to create a Green Development Standards Community Improvement Plan that will provide guidance and financial incentives for sustainable development projects.	
January 22, 2024	B1/2024	C 9/2024	Economic Development	That Administration BE DIRECTED to prepare Official Plan policies and criteria for reducing the minimum parking requirements for medium and high-density affordable purpose-built rental housing projects; and further,	



**Outstanding Directives**

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
January 22, 2024	B1/2024	C 9/2024	Economic Development	<p>That City Council REAFFIRM its support for increasing the supply of "missing middle" housing, and in order to achieve the targeted number of units directs Administration to:</p> <p>a. Prepare a report for Council's consideration identifying areas of the city currently zoned for single detached; semi-detached and townhouses where four units as-of right can be supported subject to lot sizes, the availability of supporting infrastructure, servicing capacity, and access to transit, and public engagement, and further;</p> <p>b. That City Council commit to a minimum of four units as-of right on serviced residential lots for all properties identified as "Mixed Use Corridor" and "Mixed Use Node" in the City's Official Plan; and further,</p>	

**Outstanding Directives**

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
January 22, 2024	B1/2024	C 9/2024	Economic Development	<p>That City Council REAFFIRM its support of targeted intensification by increasing the supply of medium to high density housing options, and in order to achieve the targeted number of units directs Administration to:</p> <p>a. prepare Official Plan and Zoning By-law Amendments permitting increased densities and building heights of 4 storeys or greater for all properties identified as "Mixed Use Corridor", "Mixed Use Node" and "Mixed Use Centre" in the City's Official Plan, including targeted height permissions of: Mixed Use Corridors, ranging from 4 to 8 storeys; Mixed Use Nodes, ranging from 4 to 8 storeys; and Mixed Use Centres, ranging from 6 to 10+ storeys.</p> <p>b. prepare Zoning By-law Amendments permitting medium residential development with building heights ranging from 4 to 6 storeys for specific areas of the city designated as "residential" in the City's Official Plan, subject to lot sizes, the availability of supporting infrastructure, servicing capacity, and access to transit;</p>	
January 22, 2024	B1/2024	C 9/2024	Economic Development	<p>c. work with the University of Windsor and St. Clair College to increase density and create opportunities for student housing on and in close proximity to their campuses; and</p> <p>d. work with the University of Windsor and St. Clair College to identify land to allow for the development of additional residential units; and further,</p>	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
January 29, 2024	B8/2024	C 189/2023	Community Services	<p>That the report of the Executive Initiatives Coordinator, Community Services dated December 28, 2023 entitled "Jackson Park Bandshell Feasibility Study Update - Ward 3" BE REFERRED back to administration; and,</p> <p>That administration BE DIRECTED to undertake a formal procurement process related to a feasibility study whereby the scope of the study be limited to heritage and technical attributes of the facility at the current location and further that a city led community consultation be part of the scope of the study; and, ...</p> <p>That administration BE REQUESTED to report back to Council with the results of the procurement process.</p>	
January 29, 2024	B11/2024	C 188/2023	Infrastructure Services	<p>That administration BE DIRECTED to engage with St. Clair College administration and the administration at the University of Windsor to discuss possible ongoing partnerships related to funding for Transit Services in the City of Windsor.</p>	
January 29, 2024	B12/2024	C 188/2023	Infrastructure Services	<p>That administration BE REQUESTED to report back to Council related to the impact to transit revenues if the proposed transit fare increase being contemplated were not applied to individuals who qualified for the affordable pass program.</p>	
January 29, 2024	B14/2024	C 188/2023	Corporate Services	<p>That administration BE DIRECTED to report back to Council for the 2025 budget deliberations regarding an analysis related to Dog Licensing fees and the impact that a one-time voluntary registration fee may have on administrative resources.</p>	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
January 29, 2024	B15/2024	C 188/2023	Infrastructure Services	That with regard to "Parking Fee Adjustments for Parking Lots and Meters" that the collection of fees from 6:00 o'clock p.m. to 9:00 o'clock p.m. BE NOT APPROVED; and,  That administration BE DIRECTED to report back on other ways to improve technology and bring in parking revenue.	
January 29, 2024	B17/2024	C 188/2023	Community Services	That with regard to "Summer Drop-In Recreation Program in Parks" that the amount of up to \$20,000 BE APPROVED for another year of programming in Mitchell Park; and, ...  That administration BE REQUESTED to report back on adding additional parks and explore potential funding from community partnerships for Council's consideration.	
January 29, 2024	B18/2024	C 188/2023	Finance & City Treasurer	That the following recommended motion by Councillor Francis from the January 29, 2024— Special Meeting of Council BE DEFERRED to a future meeting of Council:  That administration BE DIRECTED to provide 10% efficiencies as opposed to 5% efficiencies as part of the 2025 Budget preparation process for Council's consideration.	
January 29, 2024	B19/2024	C 188/2023	Economic Development	That with regard to "New Service: Route 250 (Rhodes/Twin Oaks/NextStar Industrial)" that administration BE DIRECTED to report back on the participation or arrangement to assist with transit funding by other municipalities or corporations; and,  That administration BE DIRECTED to explore opportunities across the community for sponsors to assist with transit funding.	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
January 29, 2024	B25/2024	C 188/2023	Infrastructure Services	That administration BE DIRECTED to incorporate traffic calming measures on Wyandotte Street as opposed to the narrowing of the roadway option that was approved by Council previously; and,  That an amount of \$225,000 from the surplus \$246,240 in the Budget Stabilization Reserve Fund (BSR) for the Paul Martin Building BE APPROVED for this project.	
January 29, 2024	B7/2024	C 182/2023	Community Services	That the report of the Project Administrator dated December 20, 2023 entitled "Festival Plaza Improvement - Update - Ward 3" BE REFERRED back to administration; and,  That administration BE DIRECTED to provide another more cost effective option for Council's consideration.	
February 26, 2024	CR76/2024	C 19/2024	Infrastructure Services	That the report of the Senior Manager Traffic and Parking dated February 9, 2024 entitled "Red Light Camera Update – City Wide" BE REFERRED to a future Environment, Transportation and Public Safety Standing Committee Meeting for further review and consideration.	
February 26, 2024	CR81/2024	S 168/2023	Economic Development	That the report of the Community Energy Plan Administrator dated December 19, 2023 regarding the Energy and Poverty Pillar (EAPP) Report Requirement from the Global Covenant of Mayors for Climate and Energy BE RECEIVED for information; and, ...  That Administration BE DIRECTED to report back to Council with the finalized Energy Access and Poverty Assessment, Targets, and Plan.	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
February 26, 2024	CR85/2024	S 7/2024 & AI 3/2024	Infrastructure Services	<p>That the report of the Senior Manager, Traffic Operations &amp; Parking dated January 12, 2024 entitled "Traffic Signal at Tecumseh Road E and Robinet Road – Ward 7" BE REFERRED to a future Council meeting; and,</p> <p>That administration BE REQUESTED to provide information regarding adding signage related to no left turn onto Tecumseh Road from Robinet Road.</p>	
February 26, 2024	CR96/2024	S 11/2024	Community Services	<p>That the report of the Executive Initiatives Coordinator, Community Services dated January 21, 2024 entitled "Response to CQ 12-2022 &amp; 22-2022 – Solar Lights on City Trails – City Wide" BE RECEIVED for information; and,</p> <p>...</p> <p>That Administration BE DIRECTED to investigate more cost effective solar lighting options.</p>	
March 18, 2024	CR127/2024	C 33/2024	Finance & City Treasurer	<p>III. That subject to written confirmation from the grant provider that the City's application has been successful, Administration REPORT BACK to Council regarding the proposed financing strategy required to carry out this project and execute the Agreement.</p>	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
April 22, 2024	CR146/2024	CMC 6/2024	Infrastructure Services	<p>That the administrative memo from the from the Commissioner, Infrastructure Services &amp; City Engineer dated March 14, 2024 regarding City of Windsor Feedback Regarding ERO-019-7891 and the letter from the Executive Director, Municipal Engineers Association dated February 26, 2024 regarding the Ministry of the Environment, Conservation &amp; Parks (MCEP) Announcement of new Regulation to Replace Municipal Class EA BE RECEIVED; and,</p> <p>That administration BE REQUESTED to report back outlining the impact of the changes to the Conservation Authorities Act on the City of Windsor as it relates to the measures that are being contemplated in the legislation that the Province is bringing forward.</p>	
April 22, 2024	CR153/2024	S 31/2024	Health & Human Services	<p>That this updated report from the Coordinator, Housing Administration &amp; Policy and the Social Housing Analyst dated February 16, 2024 entitled "Rent Supplement Program Expiries and Mitigation Update - City Wide" BE RECEIVED; and further, .....</p> <p>That the Executive Director, Housing &amp; Children's Services REPORT BACK on the outcome of the expiring rent supplement and any other mitigation strategies post completion; and, ...</p>	



## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
April 22, 2024	CR155/2024	S 30/2024	Health & Human Services	<p>That this report of the Acting Manager, Homelessness &amp; Housing Support dated February 16, 2024 entitled "Legislated Five Year Review of the 10-year Housing and Homelessness Master Plan, 2024" BE ACCEPTED; and further,...</p> <p>That the Executive Director of Housing and Children's Services or their designate ENSURES the updated Windsor Essex 10-year Housing and Homelessness Master Plan aligns with the direction set by the Ministry of Municipal Affairs and Housing, addresses local needs and, REPORT BACK to Council to present the updated plan; and further...</p>	
April 22, 2024	CR158/2024	SCM 75/2024	Economic Development	<p>That the verbal update to Municipal Heritage Register: Strategies in response to Provincial Bill 23 provided by the Heritage Planner BE RECEIVED; and,</p> <p>That the Heritage Planner BE DIRECTED to report back to a future Development &amp; Heritage Standing Committee meeting on the viability of a bylaw for Council consideration aimed at protecting existing Municipal Heritage assets beyond the Province's 2024 deadline; and that should a bylaw be determined viable, TO PROPOSE within the response appropriate language and to report back prior to the Provincial deadline elapsing.</p>	
April 22, 2024	CR165/2024	S 169/2023	Economic Development	<p>That the report of the Community Energy Plan Administrator dated February 19, 2024 entitled "Community and Corporate Greenhouse Gas Emissions and Energy Monitoring Report – 2022 – City Wide" BE FORWARDED to the Environment &amp; Climate Change Advisory Committee for their review and comment.</p>	

**Outstanding Directives**

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
April 22, 2024	CR166/2024	S 33/2024	Economic Development	That the report of the Environment Sustainability Coordinator dated March 7, 2024 entitled "Windsor's 2023 Report On the State of the Environment" BE FORWARDED to the Environment & Climate Change Advisory Committee for their review and comment.	
April 22, 2024	CR167/2024	S 35/2024	Infrastructure Services	<p>That the report of the Coordinator, Parking Services dated March 11, 2024 entitled "CQ 36-2023 – Repurposing Lot 16" BE RECEIVED for information; and, ....</p> <p>That administration BE DIRECTED to investigate different techniques and changes that can potentially assist the surrounding residents with issues related to this parking lot including but not limited to noise detection cameras, speed humps, and an increase to parking fees; and that the information BE BROUGHT forward to Council for their consideration.</p>	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
April 22, 2024	CR176/2024	S 133/2023 & AI 5/2024	Community Services	<p>That the report of the Executive Initiative Coordinator dated October 13, 2023, entitled, "Report CQ 2-2023 - Moving the Location of Bright Lights – Ward 3" BE RECEIVED for information; and,</p> <p>That administration BE REQUESTED report back to Council and continue to work on a plan to illuminate downtown Windsor with year round decorative lighting working in collaboration with the DWBIA, Council and Administration; and that the information INCLUDE infrastructure costs, security and integration with the City Hall Esplanade; as well as the possibility to allow local artists, through a permitting process, to be able to sell their goods during the summer months at the Riverfront.</p>	
April 22, 2024	CR182/2024		Corporate Services	<p>That the petition presented by Councillor Fred Francis on behalf of the residents of the Roseland neighbourhood and surrounding area in opposition of the City of Windsor's current housing proposal on the Roseland Golf and Curling Club Property BE RECEIVED by the Clerk for the purpose of an examination of the requested works or undertakings.</p>	
April 22, 2024	CR183/2024		Economic Development	<p>That the petition presented by Councillor Angelo Marignani on behalf of residents on the corner of Derek Street and Radcliff Avenue in opposition to the implementation of Bus Route 335 being added to Radcliff Avenue BE RECEIVED by the Clerk and the Clerk BE DIRECTED to forward the petition to the Executive Director, Transit Windsor for the purpose of an examination of the requested works or undertakings.</p>	

**Outstanding Directives**

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
May 13, 2024	CR198/2024		Community Services	Asks to have the city look into more auxiliary police being used on a regular schedule in our public parks and trails. A report back on costs and risks involved.	Accepted
May 13, 2024	CR198/2024	C 49/2024	Economic Development	<p>That Council ENDORSE the Strengthen the Core - Downtown Windsor Revitalization Plan; and further, to address the Immediate Action Strategy: ...</p> <p>That Council DIRECT Administration to monitor and report on additional action items which have been identified within this report but have no financial cost to the City; and further,</p> <p>That Council DIRECT Administration to report on the effectiveness of the efforts made by way of the Immediate Action Strategy; and further, ...</p> <p>That administration BE DIRECTED to report back to Council on data that would measure the success of the plan and this would also include data coming to Council from the community partners.</p>	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
May 27, 2024	CR207/2024	CMC 8/2024	Corporate Services	That the letter from Assisted Living Southwestern Ontario dated April 29, 2024, regarding Short-Term Rental Licensing for 11636 Riverside Drive East - Request for Exemption BE RECEIVED for information; and,  That administration BE DIRECTED to report back with information related to the possibility of a By-law amendment or exemptions regarding the Short-Term Rental License By-Law, and that this information include considerations for community services providers, not for profit (NFP) groups and other organizations that are looking to provide this service in addition to other services.	
May 27, 2024	CR227/2024	S 49/2024	Infrastructure Services	... That administration BE REQUESTED to provide options to mitigate traffic impacts in the area and in the neighbourhood, to address the concerns of traffic entering the neighbourhood as a result of this proposed development.	
May 27, 2024	CR235/2024	S 155/2023 & S 44/2024	Infrastructure Services	That the report of the Commissioner of Infrastructure Services dated November 10, 2023 entitled "Response to CQ 24-2023 Regarding Minimum Standards, Vendor Warranties, and Construction Policies for Road Repair, Sewer Infrastructure, and Road Rehab Projects - City Wide" BE REFERRED to the 2025 Budget Deliberation meeting to provide options to increase the quality control program; and,	

**Outstanding Directives**

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
May 27, 2024	CR235/2024	S 155/2023 & S 44/2024	Infrastructure Services	That administration BE REQUESTED to conduct a thorough review of the 2025/2026 projects to determine whether there may be an opportunity to adopt an expedited schedule, including working off hours and weekends, especially on the main thoroughfares.	
May 27, 2024	CR236/2024	S 45/2024	Infrastructure Services	<p>...That Council APPROVE the development of a new Ad Hoc Alley Standards Committee as outlined in the report with the deliverables to support Council's goal of developing and enforcing a set of alley standards as amended; and,</p> <p>That the Alley Standards Committee REVIEW and CONSIDER best practices to promote safety and security as an additional deliverable; and,</p> <p>That asset management plans BE INCLUDED in the analysis of activating those alley spaces; and,</p> <p>That administration BE DIRECTED to report back to Council on an annual basis.</p>	
June 10, 2024	CR246/2024	C 58/2024	Community Services	<p>That Council APPROVE the award of RFT 46-24, City Hall Square Ice Rink to the low bidder Oscar Construction Company Limited for the amount of \$11,742,255 (excluding HST); and further, ...</p> <p>That Administration BE REQUESTED to continue to review the potential to offset costs for this project by finding ways to secure revenue streams, including but not limited to, potential naming rights and other sponsorship opportunities.</p>	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
June 10, 2024	CR248/2024	C 64/2024	Economic Development	That Council SUPPORT the continuing development, implementation, and monitoring of the EMP to reduce the Corporation's energy consumption and greenhouse gas emissions; and,  That Administration REPORT BACK to Council on the development of a Corporate Energy Management Policy, once finalized.	
June 10, 2024	CR249/2024	C 66/2024	Community Services	That administration BE REQUESTED to report back to Council regarding the funding required for free skates for the 2025 season; and that the information BE BROUGHT forward to the 2025 Budget Meeting.	
June 10, 2024	CR256/2024	S 146/2023	Infrastructure Services	That administration BE DIRECTED to review the Drouillard Road underpass to ascertain whether it can be designated as a recreational trail to legally allow usage by cyclists.	
June 10, 2024	CR258/2024	S 46/2024	Infrastructure Services	That the report of the Environment, Transportation & Public Safety Standing Committee of its meeting held May 29, 2024 regarding "Response to CQ 4-2024 – Options for Modernizing Parking Operations – City Wide" BE REFERRED back to administration to allow for administration to respond to issues brought forward and provide payment options and details related to implementation location; to allow for consultation with the BIAs and that the information BE BROUGHT forward to a future Council Meeting (within 4 months) for Council's consideration.	



## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
June 10, 2024	CR263/2024	S 64/2024	Infrastructure Services	That based on the content and discussion of this Report, City Council DIRECT Administration to develop a “Policy for Municipal Electric Vehicle (EV) Charging Stations”; and,	
June 10, 2024	CR263/2024	S 64/2024	Infrastructure Services	That in an effort to support the expansion of EV charging station infrastructure throughout the municipality, that City Council DIRECT Administration continue to explore proposed projects facilitating third-party ownership of EV charging stations in municipally-owned parking lots and garages; and,	
June 10, 2024	CR263/2024	S 64/2024	Infrastructure Services	That City Administration PROVIDE SUPPORTS for the installation of privately-owned EV Charging Infrastructure for residential, commercial, and municipally-owned properties through:  a. The support and facilitation of third-party ownership of EV charging infrastructure in municipally-owned parking lots and garages on municipally-owned properties; and,  b. Exploring amendments to the Zoning By-law for new residential development; and,  c. Exploring amendments to Zoning By-law for new multi-residential and non-residential development; and,	
June 10, 2024	CR263/2024	S 64/2024	Infrastructure Services	That administration BE REQUESTED to report back with information related to a fee model and enforcement options for not moving vehicles from the charging station after being fully charged.	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
June 10, 2024	CR264/2024	C 19/2024 & AI 10/2024	Finance & City Treasurer	... That Administration BE REQUESTED to report back prior to the end of 2024 related to the budget impacts as it relates to redirecting funds of the net profits from the City's red light camera program to specific speed calming and traffic calming initiatives.	
July 08, 2024	CR281/2024	CMC 10/2024	Health & Human Services	That the email of the Briefings and Correspondence Unit, Corporate Secretariat, Women and Gender Equality Canada dated May 31, 2024 regarding the acknowledgement regarding intimate partner violence BE RECEIVED for information; and,  That administration BE DIRECTED to report back on the availability of funding, what it is allocated towards, what the parameters are and what conditions have to be met to be able to secure the funding; and that the information INCLUDE a status report of accessed available funding.	
July 08, 2024	CR284/2024	C 72/2024	Finance & City Treasurer	That administration BE DIRECTED to request a clarification letter from AMO in terms of moving forward regarding the Built Canada Fund and what it is going to cover, and how sustainable it is for municipalities moving forward.	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
July 08, 2024	CR286/2024	SCM 181/2024	Economic Development	<p>That the letter from the Ministry of Citizenship &amp; Multiculturalism dated May 27, 2024 regarding the changes made to the Ontario Heritage Act (OHA) as part of Bill 23, More Homes Built Faster Act, 2022 BE RECEIVED; and,</p> <p>That administration BE REQUESTED to report back to the Development &amp; Heritage Standing Committee related to what the current resource capacities would yield, in terms of how far into the heritage list is practical to get through with the 2-year extension deadline.</p>	
July 08, 2024	CR294/2024	C 73/2024	Finance & City Treasurer	<p>That City Council APPROVE the proposed pilot project in partnership with a third-party owner-operator to assess the requirements of public-private partnerships and expanding electric vehicle charging station infrastructure; and,</p> <p>That the Chief Administrative Officer and City Clerk BE AUTHORIZED to enter into an agreement with the partnership herein described as FLO-TELUS for the installation of electric vehicle charging stations at the locations detailed in this report, ... and,</p> <p>That City Council DIRECT Administration to return with the preliminary results of the pilot project after one year of operation to describe the feasibility of the public-private partnership model for expanding electric vehicle infrastructure.</p>	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
July 08, 2024	CR302/2024	CMC 10/2024	Corporate Services	That the report of the Director, Technology Services, Windsor Police Services dated June 19, 2024 responding to Council Question CQ 31-2023 regarding installation of CCTV-enabled emergency police call boxes in public areas BE RECEIVED for information; and,  That Administration BE DIRECTED to report back to Council regarding developing a privacy impact study and the cost involved.	
July 22, 2024	CR319/2024	S 75/2024	Infrastructure Services	That the report of the Manager, Environmental Services dated June 10, 2024 entitled "Response to CQ 20-2024 Bulk Collection Program in BIAs" BE RECEIVED for information; and,  That Council APPROVE the inclusion of commercial businesses within BIAs in the existing Bulk Collection Program on a one-year pilot program beginning in the fall of 2024; and,  That Administration REPORT the results of the pilot project to Council in the fall of 2025; and,  That Administration BE DIRECTED to report back regarding the feasibility of expanding the bulk item pick up program into non BIA commercial districts during the final analysis or at any time within the pilot project timeline.	
July 22, 2024	CR325/2024	S 22/2024	Economic Development	That Volume 1: The Primary Plan of the City of Windsor Official Plan BE AMENDED ...; and,  That Administration continue to give consideration to matters which could further assist with streamlining the development approval process and REPORT BACK on any options or parameters regarding the delegation of authority to Administration.	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
July 22, 2024	CR327/2024	S 71/2024	Economic Development	That the report of the Development & Heritage Standing Committee Meeting dated May 31, 2024 entitled "Approval of a Draft Plan of Subdivision and Zoning By-law Amendment for properties known as 4170 and 4190 Sixth Concession Rd; Applicant: 2863167 Ontario Inc.; File Nos. SDN-001/24 [SDN/7194] and Z-012/24 [ZNG/7195]; Ward 9" BE DEFERRED to the September 9, 2024 City Council meeting to allow for the surrounding residents to be notified again and provide time for delegates to confer with their neighbours.	
July 22, 2024	CR333/2024	S 15/2024 & S 16/2024 & AI 13/2024	Economic Development	That Council DIRECT Administration to DEVELOP Corporate Procedures to implement the Windsor Archaeological Management Plan (WAMP); and further,  That Administration BE DIRECTED to undertake a search for an appropriate location to study, curate, store and display significant archaeological resources resulting from future archaeological investigations within the municipal limits of Windsor and report back to City Council on options which may be available should a future need arise; and further,...	
July 22, 2024	CR333/2024	S 15/2024 & S 16/2024 & AI 13/2024	Economic Development	That administration BE REQUESTED to report back with an update related to the implementation of the Windsor Archaeological Management Plan prior to the end of 2024;...	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
July 22, 2024	CR334/2024	S 46/2024 & AI 14/2024-0	Infrastructure Services	That the report of the Environment, Transportation & Public Safety Standing Committee dated April 25, 2024 entitled "Response to CQ 4-2024 – Options for Modernizing Parking Operations – City Wide" BE DEFERRED to a future City Council meeting to allow for administration to provide more information regarding app fees, and statistics related to the City of Windsor Parking app.	
July 22, 2024	CR341/2024	C 60/2024	Infrastructure Services	<p>That City Council RECEIVE FOR INFORMATION the International Charles Brooks Memorial Peace Fountain Replacement Project Update outlined in this report; and further,</p> <p>That City Council DIRECT Administration to proceed with Option 1 and Option 2 as identified herein, for the International Charles Brooks Memorial Peace Fountain Replacement Project; and further, ...</p> <p>That Administration BE DIRECTED to undertake consultation with relevant stakeholders including the local labour community and the Brooks family as the feasibility process moves forward.</p>	
September 09, 2024	CR356/2024	C 101/2024	Finance & City Treasurer	... That in the event the City receives written confirmation from Housing, Infrastructure and Communities Canada (HICC) that the Expression of Interest (EOI) submitted has been approved, Administration REPORT BACK to Council with all required information necessary to submit a Capital Plan Application (stage 2) to the Canada Public Transit Fund (CPTF) – Baseline Funding stream.	FYI

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
September 09, 2024	CR364/2024	S 94/2024	Infrastructure Services	...That administration BE DIRECTED to meet with the school boards through the City & School Board Liaison Committee regarding alternatives to the Kiss and Ride Program and their pilot project at Queen Victoria School currently being discussed; ...	
September 09, 2024	CR377/2024	S 46/2024 & AI 14/2024	Infrastructure Services	That the report of the Environment, Transportation and Public Safety Standing Committee dated April 25, 2024 entitled "Response to CQ 4-2024 – Options for Modernizing Parking Operations – City Wide" BE DEFERRED to a future City Council meeting for consideration.	
September 09, 2024	CR378/2024	S 71/2024	Economic Development	That the report of the Development and Heritage Standing Committee dated May 31, 2024 entitled "Approval of a Draft Plan of Subdivision and Zoning By-law Amendment for properties known as 4170 and 4190 Sixth Concession Rd; Applicant: 2863167 Ontario Inc.; File Nos. SDN-001/24 [SDN/7194] and Z-012/24 [ZNG/7195]; Ward 9" BE DEFERRED to a future meeting of City Council to allow for further investigation into the possibility of ingress and egress from the 6th Concession.	



**Outstanding Directives**

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
September 09, 2024	CR379/2024	S 93/2024	Infrastructure Services	<p>That the report of the Environment, Transportation and Public Safety Standing Committee dated July 12, 2024 entitled "Response to CQ 10-2024 - Property Owner sign-off on Permit Applications - City Wide" BE REFERRED back to administration to allow for further discussion regarding options that will satisfy the identified concerns; and,</p> <p>That the information BE FORWARDED to a future meeting of Council for their consideration.</p>	
September 23, 2024	CR389/2024	CMC 13/2024	Chief Administrative Officer	<p>That the letter from the Member of Parliament, Windsor West dated September 6, 2024 regarding the decision by the Michigan Department of Transportation (MDOT) to allow additional hazardous materials on the Ambassador Bridge BE RECEIVED for information; and,</p> <p>That Administration BE DIRECTED to send a letter of support to MP Masse and to the Minister of Transport expressing concerns, requesting reimbursement costs, and that the hazardous materials be identified prior to crossing; and,</p> <p>That comments from Windsor Police Service, Windsor Fire, the Windsor Essex County Health Unit, the Univeristy of Windsor, and the Candian Border Services Agency BE INCLUDED in the correspondence; and,</p> <p>That administration BE DIRECTED to report back to Council related to any options to address this concern.</p>	

**Outstanding Directives**

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
September 23, 2024	CR390/2024	CMC 13/2024	Infrastructure Services	<p>That the communication from the Town of Tecumseh dated September 4, 2024 regarding a "Notice of Public Meeting for Proposed Official Plan Amendment to incorporate the Tecumseh Hamlet Secondary Plan into the Tecumseh Official Plan" BE RECEIVED for information; and,</p> <p>That Administration BE DIRECTED to report back on the impact of the services that the city provides to neighbouring municipalities in terms of potable water and sewage, and whether or not we will be required to increase the numbers that we are currently providing to them.</p>	
September 23, 2024	CR391/2024	S 86/2024	Chief Administrative Officer	<p>THAT the report of the Director, Corporate Security, Executive Initiatives Coordinator Corporate Services, and Executive Initiatives Coordinator Community Services dated July 4, 2024 entitled "Response to CQ 12-2023: Public conduct policy and security screening options for City Hall and other municipal facilities," BE REFERRED to the 2025 Budget Meeting for Council's consideration.</p>	
September 23, 2024	CR413/2024	S 109/2024	Community Services	<p>That Council ENDORSE the Walker Homesite Park Master Plan as noted in Appendix A of this report which would require additional expenditures that are not currently included in the 10-year capital plan; and, That the City Treasurer BE DIRECTED to bring forward a capital budget issue in the amount estimated to be \$3,313,367 as part of the 2025 10-year capital plan for consideration.</p>	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
September 23, 2024	CR414/2024	S 107/2024 & AI 19/2024	Community Services	<p>That the administrative report dated August 16, 2024 and the Additional Information Memo entitled "Response to CQ 3/2024 Geese Management - City Wide" BE RECEIVED for information; and,</p> <p>That the City Treasurer BE DIRECTED to bring forward a \$30,000 budget issue as part of the 2025 budget process for consideration; and,</p> <p>That subject to approval of this request in the 2025 budget, that Administration BE DIRECTED to work with a Goose Management Company on egg/nest removal at the seven (7) locations identified within this report; and further,</p> <p>That Administration BE DIRECTED to apply for any required permits with the Canadian Wildlife Service for the removal of eggs/nests; and further,</p> <p>That Administration BE DIRECTED to report the results to Council after a one-year trial is completed.</p>	
September 23, 2024	CR415/2024	S 108/2024-0	Community Services	<p>That the report of the Community Services Standing Committee at its meeting held September 4, 2024 entitled "Response to CQ 13-2024, CQ 16-2024 and CQ 30-2024-Pickleball &amp; Squash Courts within the City - City Wide" BE REFERRED to the next Council meeting to allow for further review.</p>	<p>Oct 28, 2024: S 108/2024 REFERRED to 2025 Budget for costing of the proposal. (CR472/2024)</p>
September 23, 2024	CR429/2024	S 66/2024	Infrastructure Services	<p>That Administration BE DIRECTED to bring forward a capital infrastructure investment plan identified in the Environmental Assessment along the 6th Concession and North Talbot corridor in the 2025 capital budget.</p>	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
October 28, 2024	CR456/2024	S 127/2024	Health & Human Services	That this report of the Manager – Homelessness & Housing Support dated September 12, 2024 entitled "Response to CQ 19-2024 – Reaching Home Funding & Warming Bus – City Wide" BE RECEIVED for information; and,  ...That Administration BE DIRECTED to approach local philanthropy groups to determine whether any potential funding partnerships can be explored.	
October 28, 2024	CR475/2024	S 35/2024 & AI 18/2024	Corporate Services	That administration BE DIRECTED to report back regarding changes to the administrative recommendation in the report of the Coordinator, Parking Services dated September 3, 2024, entitled, "Response to CQ 36-2024 - Repurposing of Lot 16" for council's consideration.	
October 28, 2024	CR476/2024	S 35/2024 & AI 18/2024	Corporate Services	That administration BE DIRECTED to report back regarding changes to the administrative recommendation in the report of the Coordinator, Parking Services dated September 3, 2024, entitled "Response to CQ 36-2023 – Repurposing of Lot 16" for council's consideration.	
October 28, 2024	CR477/2024		Infrastructure Services	That the petition presented by Councillor Ed Sleiman on behalf of Parkwood Manor regarding the safety concerns at the intersection of Central Avenue & Temple Drive BE RECEIVED by the Clerk and the Clerk BE DIRECTED to forward the petition to the Commissioner, Infrastructure Services & City Engineer for the purpose of an examination of the requested works or undertakings.	

## Outstanding Directives

as of November 14, 2024

Meeting Date	Resolution	Report No.	Portfolio	Action	Notes
October 28, 2024	CR478/2024		Infrastructure Services	That the petition presented by Councillor Ed Sleiman on behalf of the residents on Erskine Street regarding parking and traffic concerns BE RECEIVED by the Clerk and the Clerk BE DIRECTED to forward the petition to the Commissioner, Infrastructure Services & City Engineer for the purpose of an examination of the requested works or undertakings.	
October 28, 2024	CR481/2024		Economic Development	That administration BE DIRECTED to write a letter to the Provincial Government and Members of Provincial Parliament to encourage more consultation with municipalities on matters of planning & development before legislation is enacted; and,  ...That administration BE DIRECTED to report back for further consideration of initiatives or suggestions from council;	

**Clerk's Note: The listing of items prior to January 1, 2011 should not be considered complete at this point in time.**

**Clerk's Note: This summary chart is not intended to replace the actual minutes of all proceedings.**