

**City Council Meeting Agenda**

**Date:** Monday, January 13, 2025

**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

**Item #      Item Description**  
**1.            ORDER OF BUSINESS**

**2.            CALL TO ORDER - Playing of the National Anthem**

### READING OF LAND ACKNOWLEDGEMENT

We [I] 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.            DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

**4.            ADOPTION OF THE MINUTES**

4.1.        Adoption of the Windsor City Council minutes of its meeting held December 9, 2024  
**(SCM 394/2024)**

4.2.        Adoption of the Windsor City Council minutes of its Special Meeting held December 17,  
2024 **(SCM 395/2024)**

**5.            NOTICE OF PROCLAMATIONS**

**6.            COMMITTEE OF THE WHOLE**



- 7. COMMUNICATIONS INFORMATION PACKAGE** (This includes both Correspondence and Communication Reports)
- 7.1. Correspondence 7.1.1 through 7.1.2 **(CMC 1/2025)**
- 7.2. 2024 Audit Planning Report **(C 165/2024)**
- 8. CONSENT AGENDA**
- 8.1. Audited Consolidated Financial Statements for Windsor Business Improvement Areas for 2022 and 2023 - Wards 2, 3, 4, 5 & 6 **(C 157/2024)**
- 8.2. A By-law to authorize special charges being imposed on lots abutting the local improvement work completed under By-law 89-2019 on Matthew Brady Boulevard from Tranby Avenue to Cul-de-Sac - Ward 6 **(C 164/2024)**
- 8.3. Response to CQ 10-2024 - Property Owner sign-off on Permit Applications - City Wide **(SCM 240/2024) (S 93/2024)**  
**Clerk's Note:** Administration is providing the *attached* additional information **(AI 22/2024)**
- 8.4. Response to CR227/2024 DHSC 609 Regarding 6 story building with 54 Multiple Dwelling units, located at 835 Tecumseh Rd. E, 2148 Marentette – Ward 4 **(SCM 361/2024) (S 149/2024)**
- 8.5. Response to CQ 7-2024 - Converting Downtown One-Way Streets to Two-Way Streets – Ward 3 **(SCM 362/2024) (S 116/2024)**
- 8.6. Update on Effectiveness of Wintertime Signage for Pedestrian Walkways **(SCM 363/2024) (S 150/2024)**
- 8.7. Minutes of the Essex-Windsor Solid Waste Authority (EWSWA) Regular Board of its meeting held July 10, 2024 **(SCM 364/2024) (SCM 330/2024)**
- 8.8. Minutes of the Essex-Windsor Solid Waste Authority (EWSWA) Regular Board of its meeting held September 11, 2024 **(SCM 365/2024) (SCM 331/2024)**
- 8.9. Zoning Bylaw Amendment Z 020-24 [ZNG-7216] Farhi Holdings Corporation 8565 McHugh Street – Combined Use Building Development – Ward 6 **(SCM 367/2024) (S 152/2024)**
- 8.10. Zoning Bylaw Amendments - Z 033-24 [ZNG-7238] 1495754 Ontario Inc. 0 Esplanade Dr – Multiple Dwelling Building Development – Ward 7 **(SCM 368/2024) (S 153/2024)**
- 8.11. Zoning By-Law Amendment – Z034/24 (ZNG/7241) - Anthony Palermo – 5172 Joy Rd, Ward 9 **(SCM 369/2024) (S 157/2024)**

- 8.12. OPA & Rezoning – 1722912 Ontario – 4088-4096 6th Concession Rd – OPA 188 OPA/7218 Z-021/24 ZNG/7217 - Ward 9 **(SCM 370/2024) (S 141/2024)**
- 8.13. Rezoning – Baker Investments Ltd.- 0 Wyandotte Street East - Z-035/24 ZNG/7243 - Ward 6 **(SCM 371/2024) (S 154/2024)**
- 8.14. Zoning Bylaw Amendment Z 031-24 [ZNG-7236] 1066 California Ave Ward 2 **(SCM 372/2024) (S 147/2024)**
- 8.15. OPA 190 Source water policies **(SCM 373/2024) (S 159/2024)**
- 8.16. Community Heritage Fund Request – 794 Devonshire Road, Porter Coate House (Ward 4) **(SCM 374/2024) (S 160/2024)**
- 8.17. Minutes of the Committee of Management for Huron Lodge of its meeting held September 12, 2024 **(SCM 377/2024) (SCM 288/2024)**
- 8.18. Minutes of the Meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., Held September 12, 2024 **(SCM 378/2024) (SCM 324/2024)**
- 8.19. Minutes of the Meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held October 16, 2024 **(SCM 379/2024) (SCM 325/2024)**
- 8.20. Report No. 120 of the Board of Directors Willistead Manor Inc. **(SCM 380/2024) (SCM 326/2024)**
- 8.21. Facility Accessibility Design Standard Adoption - City Wide **(SCM 381/2024) (S 130/2024)**
- 8.22. Response to CQ 39-2024 – Funds Available for Waterfront Parkland Property – Riverside Sites (Shores Park & Former Abars Site) – Ward 6 **(SCM 382/2024) (C 137/2024)**
- 8.23. Response to CQ12-2024 –Community Recognition Awards – City Wide **(SCM 383/2024) (S 169/2024)**
- 8.24. Response to Council Directive CR31/2024; Report regarding 2023 and 2024 attendance numbers and staffing possibilities at the Duff-Baby Mansion at 221 Mill Street - Ward 2 **(SCM 384/2024) (S 162/2024)**
- 8.25. Strategy to Promote Alternatives to Payday Loans - City Wide **(SCM 385/2024) (C 143/2024)**
- 8.26. Status on IPV Funding Availability - City Wide **(SCM 386/2024) (C 144/2024)**
- 8.27. Training at Local Emergency Shelters – City Wide **(SCM 387/2024) (S 164/2024)**
- 8.28. Social Housing – End of Mortgage (EOM) and Negotiation of Service Agreements with Housing Providers – City Wide **(SCM 388/2024) (S 166/2024)**

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

**10. PRESENTATIONS AND DELEGATIONS**

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

11.1. Festival Plaza Redevelopment – Ward 3 (**C 147/2024**)

11.2. Sandpoint Beach – Approval of the Masterplan – Ward 7 (**C 166/2024**)

**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 1-2025** – A BY-LAW TO AUTHORIZE SPECIAL CHARGES BEING IMPOSED ON LOTS ABUTTING ON THE LOCAL IMPROVEMENT WORK COMPLETED UNDER BY-LAW 89-2019 ON MATTHEW BRADY BOULEVARD FROM TRANBY AVENUE TO CUL-DE-SAC, IN THE CITY OF WINDSOR, See Item 8.2.

13.2 **By-law 2-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", See Item 8.9.

13.3 **By-law 3-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 250-2004 BEING A BY-LAW RESPECTING SIGNS AND OTHER ADVERTISING DEVICES IN THE CITY OF WINDSOR, Authorized by CR460/2024, dated October 28, 2024 & CR370/2024, dated September 9, 2024.

13.4 **By-law 4-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR494/2024, dated November 25, 2024.

- 13.5 **By-law 5-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", See Item 8.10.
- 13.6 **By-law 6-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR493/2024, dated November 25, 2024.
- 13.7 **By-law 7-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR123/2024, dated March 18, 2024.
- 13.8 **By-law 8-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR492/2024, dated November 25, 2024.
- 13.9 **By-law 9-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR229/2024, dated May 27, 2024.
- 13.10 **By-law 10-2025** - A BY-LAW TO ASSUME BARKLEY AVENUE AND CLEARWATER AVENUE FROM FIRGROVE DRIVE TO PEPPERVINE STREET, BEING STREETS SHOWN ON PLAN OF SUBDIVISION 12M-643 KNOWN AS BARKLEY AVENUE AND CLEARWATER AVENUE, IN THE CITY OF WINDSOR, authorized by M98-2012, dated February 21, 2012.
- 13.11 **By-law 11-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by M98-2012, dated February 21, 2012.
- 13.12 **By-law 12-2025** - A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 13<sup>TH</sup> DAY OF JANUARY, 2025.

**14. MOVE BACK INTO FORMAL SESSION**

## 15. NOTICES OF MOTION

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor \_\_\_\_\_

That given the need for the City of Windsor to have autonomy to create a transportation network that meets the needs of our community; and,

Since unwarranted meddling and unnecessary oversight from Bureaucrats and Politicians at Queen's Park in developing and implementing transportation infrastructure at the municipal level, during a period of unprecedented local growth increases red tape causing administrative delays and adds financial burden reducing municipal capacity to address other pressing issues in our community; and,

Recognizing that the City, its residents, administrators and locally elected officials understand our community, its needs, its culture and strategic direction far better than people working in Queen's Park and must therefore must continue to be empowered to make decisions that respond to local needs and priorities; and,

Understanding that Active Transportation infrastructure has the dual benefit of reducing traffic congestion and improving road safety for drivers, pedestrians and cyclists alike;

That Council DIRECT Administration, for the reasons cited above, to express to the Government of Ontario, on its behalf, its opposition to the measures outlined in Bill 212, the so-called Reducing Gridlock and Saving You Time Act with a specific emphasis on any measure that would curtail Municipal Authority to design and implement transportation infrastructure within the City of Windsor.

Clerk's File: ST2024

**Clerk's Note:** At the November 25, 2024 City Council Meeting, Council adopted the following:

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Jo-Anne Gignac

That consideration of the following Notice of Motion introduced by Councillor Kieran McKenzie at the November 25, 2024, Council meeting **BE DEFERRED** to the January 13, 2025, meeting of Council to allow for all members of Council to **BE PROVIDED** with a copy of Bill 212 for their review prior to consideration:

Carried.

Councillors Kieran McKenzie, Fabio Costante and Fred Francis voting nay.

**Clerk's Note:** Administration is providing the *attached* copy of Bill 212.

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

By-law 1-2025 through 12-2025 inclusive

**17. PETITIONS**

**18. QUESTION PERIOD**

**19. STATEMENTS BY MEMBERS**

**20. UPCOMING MEETINGS**

Development & Heritage Standing Committee  
Monday, January 6, 2025  
4:30 p.m., Council Chambers  
City Council Meeting  
Monday, January 27, 2025  
10:00 a.m., Council Chambers

**21. ADJOURNMENT**

**Item No. 4.1**



**Committee Matters: SCM 394/2024**

**Subject: Adoption of the Windsor City Council minutes of its meeting held December 9, 2024**



## CITY OF WINDSOR MINUTES 12/9/2024

### City Council Meeting

Date: Monday, December 9, 2024

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

#### **Members Present:**

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



**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 November 25, 2024**

Moved by: Councillor Gary Kaschak  
Seconded by: Councillor Angelo Marignani

That the minutes of the Meeting of Council held December 9, 2024 **BE ADOPTED** as presented.  
Carried.

Report Number: SCM 366/2024

**5. NOTICE OF PROCLAMATIONS**

**6. COMMITTEE OF THE WHOLE**

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

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 144-2024, 145-2024, and 174-2024 through 179-2024 inclusive.

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Carried.

## 7. COMMUNICATIONS INFORMATION PACKAGE

### 7.1. Correspondence for Monday, December 9, 2024

Moved by: Councillor Jim Morrison

Seconded by: Councillor Ed Sleiman

Decision Number: CR520/2024

That the following Communication Items 7.1.1 through 7.1.6 (inclusive) as set forth in the Council Agenda **BE REFERRED** as noted:

No.	Sender	Subject
7.1.1	Ontario Ministry of the Environment, Conservation, and Parks	Application by CTC Concrete Inc., 420 Sandwich Street, for Permit to Take Water for manufacturing purposes. Commissioner, Infrastructure Services & City Engineer Manager, Environmental Quality EI2024 Note & File
7.1.2	Association of Municipalities of Ontario (AMO)	AMO Policy Update regarding 2024 Housing Targets in Ontario. Commissioner, Economic Development Commissioner, Human & Health Services Commissioner, Finance & City Treasurer City Planner Chief Building Official GM/14845 Note & File
7.1.3	City Planner/ Executive Director	Application for Zoning By-Law Amendment, Andi Shallvari, 0 Janette Avenue, to permit a new six-unit multiple residential dwelling as an additional permitted use. Z/14890 Note & File
7.1.4	City Planner/ Executive Director	Application for Zoning By-Law Amendment, 1740945 Ontario Corp., (Mariusz Buchcic), 2275 Wellesley Avenue, to permit a new eight-unit townhome dwelling as a permitted use, where only commercial and institutional uses are permitted Z/14892

No.	Sender	Subject
		Note & File
7.1.5	City Planner/ Executive Director	Application for Zoning By-Law Amendment, Andi Shallvari, 552 Florence Avenue, to permit a new semi-detached residential dwelling as an additional permitted use.  Z/14891 Note & File
7.1.6	Committee of Adjustment	Applications to be heard by the Committee of Adjustment/Consent Authority, Thursday, December 19, 2024  Z2224 Note & File

Carried.

Report Number: CMC 16/2024

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

Decision Number: CR542/2024

That administration **BE DIRECTED** to bring forward the Auditor General of Ontario’s Annual Report regarding the Implementation and Oversight of Ontario’s Opioid Strategy to a future meeting of Council for Council’s consideration.

Carried.

Clerk’s File: MH2024

**7.2. Maintaining Access and Infrastructure on the Ambassador Bridge Corridor – Ward 2**

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

Decision Number: CR521/2024

That the report of the Acting Executive Director of Operations dated November 21, 2024 entitled “Maintaining Access and Infrastructure on the Ambassador Bridge Corridor – Ward 2” **BE RECEIVED** for information.

Carried.

Report Number: C 156/2024  
 Clerk’s File: MD/14403

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### 7.3. Red Light Camera Program Budget and Road Safety Initiatives - City Wide

Moved by: Councillor Fabio Costante

Seconded by: Councillor Kieran McKenzie

Decision Number: CR522/2024

That the report of the Executive Initiatives Coordinator dated December 4, 2024 entitled "Red Light Camera Program Budget and Road Safety Initiatives" **BE RECEIVED**; and further,

That administration **BE DIRECTED** to allocate the profits from the red light camera program, as outlined in the report, that being 50% **BE ALLOCATED** to a newly created reserve, which will be utilized to support expenditures that are related to traffic and road safety improvements and the remaining 50% **BE ALLOCATED** to offset existing traffic planning safety related operating costs; and,

That Council **CONSIDER** allocating a portion of the 50% reserve fund to the temporary traffic calming initiative and similar future programs and initiatives.

Carried.

Report Number: C 162/2024

Clerk's File: ST/13765

## 8. CONSENT AGENDA

### 8.1. East End Transit Terminal - Transit and Rail Project Assessment Process - Ward 8

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Fabio Costante

Decision Number: CR523/2024

- I. That Council **ENDORSE** the Environmental Project Report (EPR) as part of the Transit and Rail Project Assessment Process (TRPAP) for East End Transit Terminal as prepared by Dillon Consulting Limited, Executive Summary dated November 2024 and attached as Appendix A; and further,
- II. That Administration **BE DIRECTED** to finalize the Environmental Project Report (EPR) for East End Transit Terminal and issue the Notice of Completion in accordance with the TRPAP through the Ministry of the Environment, Conservation and Parks (MECP); and further,

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- III. That City Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the East End Transit Terminal project, 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 Commissioner of Economic Development and the City Engineer; and further,
- IV. That the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required related to the East End Transit Terminal project, subject to all specification being satisfactory in financial content to the City Treasurer, and in technical content to the Commissioner of Economic Development and the City Engineer; and further,
- V. 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 Commissioner of Economic Development and the City Engineer; and further,
- VI. 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 Commissioner of Economic Development and the City Engineer; and further,
- VII. 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 Commissioner of Economic Development and the City Engineer.

Carried.

Report Number: C 148/2024  
Clerk's File: MT/13478

## 8.2. 2025 Interim Tax Bills - City Wide

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

Decision Number: CR524/2024

That City Council **DIRECT** Administration to prepare 2025 interim property tax bills based upon

50% of the 2024 total levy inclusive of education tax; and,

That City Council **ESTABLISH** the collection of the 2025 interim property taxes over three instalment dates being February 19, March 19, and April 16, 2025; and,

That City Council **APPROVE** a rate of 1 ¼ % to be imposed as a penalty for non- payment of property taxes on the first day of default and a further rate of 1 ¼ % per month as interest on taxes due but unpaid; and,

That the City Solicitor **BE AUTHORIZED** to prepare the necessary by-law to enact the 2025 interim property tax bills.

Carried.

Report Number: C 154/2024  
Clerk's File: AF2024

### **8.3. Approval of Temporary Borrowing By-Law for 2025 and 2026**

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Fabio Costante

Decision Number: CR525/2024

That City Council **DELEGATE TO** the City Treasurer in accordance with section 23.2 of the *Municipal Act, 2001* (the "Act"), the authority to exercise Council's powers under Section 407 of the Act, from January 1, 2025, up to and including November 14, 2026; and,

That City Council **AUTHORIZE** the City Treasurer to maintain the City's current line of credit with Scotiabank, if required acting under section 407 of the Act; and,

That City Council **AUTHORIZE** the CAO and City Clerk to **EXECUTE** the related banking agreements including any line of credit commitment letters as deemed necessary by the City Treasurer if required acting under section 407 of the Act, to be satisfactory as to form by the City Solicitor and as to technical and financial content by the City Treasurer; and,

That City Council **AUTHORIZE** the CAO and City Treasurer to **EXECUTE** any such related banking agreements related to the temporary borrowing by the City Treasurer, including but not limited the Overdraft Lending Agreement, to be satisfactory approved as to form by the City Solicitor and as to technical and financial content by the City Treasurer; and,

That City Council **AUTHORIZE** the CAO and City Treasurer to sign the "Security Agreement - Municipalities and School Boards" banking document, to be satisfactory as to form by the City Solicitor and as to technical and financial content by the City Treasurer; and,

That the City Solicitor **BE DIRECTED** to prepare the necessary by-law to enact the temporary borrowing.  
Carried.

Report Number: C 150/2024  
Clerk's File: AF2024

#### **8.4. Financial Policy Updates - City Wide**

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

Decision Number: CR526/2024

That City Council **APPROVE** the updated Capital Project Interim Financing Policy, attached as Appendix A to this report; and,

That City Council **APPROVE** the updated Lease Financing Policy, attached as Appendix B to this report; and,

That Administration **BE DIRECTED** to amend the related Procedures and Forms as necessary, to facilitate compliance with the amended policies.  
Carried.

Report Number: C 159/2024  
Clerk's File: AF2024

#### **8.6. 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 Renaldo Agostino  
Seconded by: Councillor Fabio Costante

Decision Number: CR528/ 2024 CR471/2024 DHSC 664

I. That CR437/2023, adopted on October 30, 2023, **BE AMENDED** by **DELETING** subsection b) of Resolution II in its entirety.  
Carried.

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

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### 11.1. Cabana Corridor Improvements Phase 4 - Mount Carmel Drive to Highway 3; Legal Agreements with Ontario Ministry of Transportation - Ward 1

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Fabio Costante

Decision Number: CR532/2024

- I. That by-law 178-2024 authorizing the execution of a cost sharing agreement with Ontario Ministry of Transportation (the "Ministry") for the road improvement work on the Ministry land as part of the Cabana Corridor Improvements Phase 4 tender #151-22 **BE APPROVED**, as follows:
  - a. The Ministry shall reimburse the Corporation of the City of Windsor (the City) a total amount up to and not to exceed the sum of \$1,859,744.08 including taxes (the "Ministry Contribution") for the Highway 3 Work inclusive of all costs, including construction, contract administration and one-year warranty in the construction of the Highway 3 Work and other works related thereto as part of the Cabana Corridor Improvements Phase 4 Project; and,
- II. That the Chief Administrative Officer, the City Engineer and the City Clerk **BE AUTHORIZED** to sign a Cost Sharing Agreement with the Ministry, as described in recommendation I, satisfactory in form to the City Solicitor, in technical content to the City Engineer, and in financial content to the City Treasurer.

Carried.

Report Number: C 153/2024

Clerk's File: SW/14546

### 11.3. RFP 71-24 Acquisition of Three Fire Trucks - City Wide

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Fabio Costante

Decision Number: CR519/2024

That City Council **APPROVE** the purchase of Two Fire Truck Engines and One Fire Truck Tanker at a cost of \$4,891,185 CAD plus HST (\$4,977,270 including non-recoverable HST). The equipment required on the vehicle will be an additional cost of \$240,000 CAD plus HST (\$244,224 including non-recoverable HST). The total expenditure will be \$5,221,494 including non-recoverable HST, to be funded from 2024 Fire Fleet Replacement project 7241001; and,

That City Council **APPROVE** a transfer of \$866,980 from the Fire Major Equipment Reserve (Fund 163) to the 2024 Fire Fleet Replacement Project 7241001 to provide additional funding required for this purchase; and,



That the Purchasing Manager **BE AUTHORIZED** to issue a purchase order to City View Specialty Vehicles (City View) in the amount of \$4,891,185 CAD plus HST, satisfactory in form to the City Solicitor, in financial content to the City Treasurer, and in technical content to the Fire Chief.  
Carried.

Report Number: C 146/2024  
Clerk's File: SF/14893

#### **11.4. Declaration of a Vacant Parcel of Land Municipally Known as 0 Riverside Drive East Surplus and Authority to Offer for Sale – Ward 7**

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

Decision Number: CR534/2024

- I. That the following City of Windsor (the “City”) vacant parcel of land **BE DECLARED** surplus:

Municipal address: 0 Riverside Drive East – vacant land situate on the south side of Riverside Drive within the parking lot at Riverside Sportsmen Club, 10835 Riverside Drive East, Windsor;

- Legal Description: Part Lot 141 Concession 1 Sandwich East as in R17355 except R14185, R1451160, R167650 and Plan 12R-11873, East of R167650; Windsor
  - Approximate Lot size: 22.67 feet (6.91m) x irregular
  - Approximate Lot area: 2,120 sq ft (196.95 m<sup>2</sup>)
- (herein the “Subject Parcel”); and,

- II. That the Manager of Real Estate Services **BE AUTHORIZED** to offer the Subject Parcel for sale to the abutting property owner at 10835 Riverside Drive East at a price to be determined by the Manager of Real Estate Services, commensurate with an independent appraisal, as appropriate.

Carried.

Report Number: C 149/2024  
Clerk's File: APM2024

#### **11.5. Declaration of a Vacant Parcel of Land Municipally Known as 0 Russell Street Surplus and Authority to Offer for Sale – Ward 2**

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

Decision Number: CR535/2024

- I. That the following City of Windsor (the “City”) vacant parcel of land **BE DECLARED** surplus:

Municipal address: 0 Russell Street – vacant land situate on the east side of Russell Street and the south side of Hill Avenue.

- Legal Description: Part Lot 25 E/S Russell Street on Registered Plan 40 Town of Sandwich as in R1001226; Windsor
  - Approximate Lot size: 52.5 feet (16.0 m) x 209 feet (63.70 m)
  - Approximate Lot area: 10,972.50 sq ft (1,019.4 m<sup>2</sup>)
- (herein the “Subject Parcel”); and,

- II. That the Manager of Real Estate Services **BE AUTHORIZED** to offer the Subject Parcel for sale in accordance with the Land Disposal Policy at a price to be determined by the Manager of Real Estate Services, commensurate with an independent appraisal, as appropriate.

Carried.

Report Number: C 151/2024  
Clerk’s File: APM2024

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

### **8.5. Audited Consolidated Financial Statements for Windsor Business Improvement Areas for 2022 and 2023 - Wards 2, 3, 4, 5 & 6**

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

Decision Number: CR527/2024

That the report of the Senior Tax Analyst dated November 22, 2024 entitled “Audited Consolidated Financial Statements for Windsor Business Improvement Areas for 2022 and 2023 - Wards 2, 3, 4, 5 & 6” **BE DEFERRED** to a future meeting of City Council to allow for members of KPMG to be in attendance.

Carried.

Report Number: C 157/2024  
Clerk’s File #: MI2024

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### 10. PRESENTATIONS AND DELEGATIONS

#### 10.1. “Sponsor Windsor” Recognition Awards

##### **Alena Sleziak, Senior Manager Communications & Customer Services**

Alena Sleziak, Senior Manager Communications & Customer Services appears before City Council regarding the “Sponsor Windsor” Recognition Awards to thank the recipients for their continued support and contribution to the community and provides an overview of the awards to be presented recognizing the following six recipients: Rotary Club of Windsor Roseland; Coldwell Banker Tailored Realty, Brokerage; Zehrs Markets; Unifor Local 444; Enbridge Utilities and Tim Hortons; The Mayor presents a plaque to recognize the recipients.

Moved by: Councillor Gary Kaschak

Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR530/2024

That the presentation of the Senior Manager Communications & Customer Services at the December 9, 2024, meeting of Council, regarding “Sponsor Windsor” Recognition Awards **BE RECEIVED** for information.

Carried.

Clerk’s File #: APR2024

#### 10.2. Windsor Veterans Memorial Services Committee Presentation

##### **Paul Lauzon, Chairperson, Windsor Veterans Memorial Services Committee**

Paul Lauzon Chairperson, Windsor Veterans Memorial Services Committee appears before City Council regarding the presentation of a commemorative plaque on behalf of the Windsor Veterans Memorial Services Committee; thanks Council for their support of the veterans and their events and presents Mayor Drew Dilkens and members of Council with a plaque that signifies the unique partnership between the City of Windsor and the veterans and military community.

Moved by: Councillor Gary Kaschak

Seconded by: Councillor Jo-Anne Gignac

Decision Number: CR531/2024

That the presentation by the Windsor Veterans Memorial Services Committee at December 9, 2024 meeting of Council **BE RECEIVED** for information.

Carried.

Clerk’s File #: APR2024

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### 8.7. Tabling of the Sandwich South: Sustainable Neighbourhood Action Plan (SSSNAP) - City Wide

#### Caroline Taylor, Area Resident

Caroline Taylor appears before City Council and expresses concern with the recommendation in the administrative report dated November 7, 2024, entitled “Tabling of the Sandwich South: Sustainable Neighbourhood Action Plan (SSSNAP) - City Wide”; and concludes by suggesting unsustainability due to the implementation of a plan that lacks connectivity to the rest of the community, amenities, and transportation; and cites concerns with active transportation infrastructure, the transit system and the lack of maintenance and funding for the City of Windsor’s current assets.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fabio Costante

Decision Number: CR529/2024 ETPS 1033

- I. That the Sandwich South: Sustainable Neighbourhood Action Plan Summary Report (Appendix A), **BE RECEIVED FOR INFORMATION**; and,
- II. That the Sandwich South: Sustainable Neighbourhood Action Plan Summary Report (Appendix A) **BE PROVIDED** to the Environment and Climate Change Advisory Committee; and,
- III. That Administration **BE DIRECTED** to report back to Council with an implementation plan that considers the action items and the variety of factors that can affect the timeline of the implementation; and,
- IV. That administration **BE DIRECTED** to report back regarding the previous council direction related to the Net Zero Neighbourhood Policy regarding the Sandwich South lands as a component of the report on the implementation plan.

Carried.

Report Number: CM 12/2024

Clerk’s File: EI/10822

### 11.2. Local Improvement (City Initiated) - Proposed Storm Sewer and Curb on Jarvis Avenue from Riverside Drive East to Little River Boulevard - Ward 7

#### Diane Russett, Area Resident

Diane Russett, area resident appears before City Council in support of the recommendation in the administrative report dated November 22, 2024, entitled “Local Improvement (City Initiated) -

Proposed Storm Sewer and Curb on Jarvis Avenue from Riverside Drive East to Little River Boulevard - Ward 7" with the exception of the phasing and the timing as outlined in the report relating to the timeline for the completion of Jarvis Road compared to what was approved in the environmental assessment; and concludes by citing safety concerns that exist on Jarvis Road with respect to poor drainage, deteriorating roads, and capacity concerns and urges that the Local Improvement Plan be separated from and completed prior to the Wyandotte extension.

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

Decision Number: CR533/2024

- I. That Council **APPROVE** the construction of a storm sewer, sidewalk, and private drain connections on Jarvis Avenue from Castle Hill Road to Little River Boulevard, as shown on attached Drawing C-3836 as a local improvement under the provisions of O. Reg. 586/06 under the *Municipal Act*, with repayment terms not to exceed 20 years at an interest rate deemed appropriate by Administration, and that Notice of Intention to pass Local Improvement Charges By-Law **BE GIVEN** to the public and affected owners; and,
- II. That Council **APPROVE** the construction of gutters, and Boulevard Restoration on Jarvis Avenue from Riverside Drive East to Little River Boulevard, as shown on attached Drawing C-3836 as a local improvement under the provisions of O. Reg. 586/06 under the *Municipal Act*, with repayment term not to exceed 20 years at an interest rate deemed appropriate by Administration, and that Notice of Intention to pass Local Improvement Charges By-Law **BE GIVEN** to the public and affected owners; and,
- III. That 30 days after giving Notice of Intention to Pass a Local Improvement By-Law, Council **PASS** a By-Law or By-Laws for the construction of storm sewer, sidewalk and private drain connections, gutters, and boulevard restoration on Jarvis Avenue as noted in Items I and II above, as a local improvement in accordance with Section 5 of O. Reg. 586/06, unless any affected owners file a sufficient petition against the local improvement with the Clerk to the work being undertaken as a local improvement; and,
- IV. That the net City costs of approximately \$5,323,958 **BE FUNDED** from Project # 7193000 – East Riverside Planning District, pending sufficient allocation of funding in future Capital Plans.

Carried.

At the request of Councillor Angelo Marignani, a recorded vote is taken on this matter.

Aye votes: Councillors Fred Francis, Renaldo Agostino, Fabio Costante, Mark McKenzie, Ed Sleiman, Keiran McKenzie, Jo-Anne Gignac, Gary Kaschak and Jim Morrison and Mayor Drew Dilkens.

Nay votes: Councillor Angelo Marignani.  
Abstain: None.  
Absent: None.

Report Number: C 158/2024  
Clerk's File: SL2024

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

### **11.6. Growing Canada's Community Canopies (GCCC) Supporting Partner Application with the Downtown Windsor Business Improvement Association (DWBIA)**

Moved by: Councillor Renaldo Agostino  
Seconded by: Councillor Jim Morrison

Decision Number: CR536/2024

- I. That City Council **SUPPORT** the Downtown Windsor Business Improvement Association's (DWBIA) application to the Federation of Canadian Municipalities' Growing Canada's Community Canopies (FCM GCCC) grant by providing the following resolution:

*Whereas, The Corporation of the City of Windsor (the "City of Windsor") has the following interest: opportunity to expand tree canopy and restore tree plots, grates and soil cells in high-traffic zones in the DWBIA; and*

*Whereas, the DWBIA is undertaking Roots of Renewal: Transforming Downtown Windsor's Urban Canopy;*

*Be it resolved that City Council acknowledges that the DWBIA is applying for a funding opportunity from the FCM GCCC initiative for Roots of Renewal: Transforming Downtown Windsor's Urban Canopy, in partnership with the City of Windsor.*

*City Council also recognizes that the lifetime contribution from the FCM GCCC initiative will not exceed \$10 million for tree planting within its municipality, inclusive of a maximum contribution of \$1 million for infrastructure activity costs, and that if approved this project will be counted towards that limit.*

- II. That the Chief Administrative Officer **BE AUTHORIZED** to issue a letter of support to the DWBIA for the submission of their application.
- III. That should the DWBIA initial application to the FCM GCCC fund be successful, that the DWBIA **BE DIRECTED** to work with the grant provider, in consultation with the Executive Director of Parks, Recreation and Facilities and Executive Director of Operations, to confirm information provided in the funding application.

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- IV. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement with the DWBIA to provide in-kind support to an upset limit of \$50,000 toward the project, satisfactory in technical content to the Executive Director of Parks, Recreation and Facilities and Executive Director of Operations, in form to the City Solicitor and in financial content to the City Treasurer.
- V. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign any agreements or documents arising as a result of the DWBIA's successful application to the GCCC fund, satisfactory in technical content to the Executive Director of Parks, Recreation and Facilities, in form to the City Solicitor and in financial content to the City Treasurer.

Carried.

Report Number: C 160/2024  
Clerk's File: GF/14814

### 11.7. Emergency Shelter Winter Planning and Reaching Home Funding - City Wide

Moved by: Councillor Kieran McKenzie  
Seconded by: Councillor Gary Kaschak

Decision Number: CR537/2024

That City Council **ENDORSE** the recommended temporary emergency shelter winter initiatives proposed in this report provided all expenses can be funded under the Reaching Home incremental funding allocation for the 2024 – 2025 fiscal year; and further,

That City Council **RECEIVE** this report in response to an amendment made on a previous report, *Response to CQ 19-2024 Reaching Home Funding and Warming Bus (S127/2204, CR456/2024)* in which Administration was directed to approach local philanthropy groups to determine whether any potential funding partnerships can be explored to operate the Warming Bus again in the winter of 2024 – 2025; and,

That Administration **BE DIRECTED** to urgently **REPORT BACK** to Council with recommendations should the need in the community surpass current service levels with respect to shelter from the cold.

Carried.

Report Number: C 161/2024  
Clerk's File: MD/1477

## 12. CONSIDERATION OF COMMITTEE REPORTS

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### **12.2. Report of the Special Meeting of Council – In-Camera of its meeting held November 25, 2024**

Moved by: Councillor Gary Kaschak  
Seconded by: Councillor Angelo Marignani

Decision Number: CR515/2024

That the report of the Special In-Camera meeting held November 25, 2024 **BE ADOPTED** as presented  
Carried.

Report Number: SCM 355/2024  
Clerk's File: ACO2024

### **12.3. Report of the In-Camera Striking Committee of its meeting held November 25, 2024**

Moved by: Councillor Gary Kaschak  
Seconded by: Councillor Angelo Marignani

Decision Number: CR516/2024

That the report of the Special In-Camera Striking meeting held November 25, 2024 **BE ADOPTED** as presented.  
Carried.

Report Number: SCM 356/2024  
Clerk's File: ACO2024

### **12.4. Report of the Striking Committee of its meeting held November 25, 2024**

Moved by: Councillor Gary Kaschak  
Seconded by: Councillor Angelo Marignani

Decision Number: CR514/2024

That the report of the Striking Committee of its meeting held November 25, 2024 **BE ADOPTED** as presented  
Carried.

Report Number: SCM 357/2024  
Clerk's File: ACO2024



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### 12.5. Report of the In-camera Environment, Transportation and Public Safety Standing Committee – sitting as the Transit Windsor Board of Directors of its meeting held November 27, 2024

Moved by: Councillor Gary Kaschak  
Seconded by: Councillor Angelo Marignani

Decision Number: CR517/2024

That the report of the Special In-Camera Environment, Transportation and Public Safety Standing Committee- sitting as the Transit Windsor Board of Directors of its meeting held November 27, 2024 **BE ADOPTED** as presented  
Carried.

Report Number: SCM 358/2024  
Clerk's File: ACO2024

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

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

- 13.1 **By-law 174-2024** - A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS ZELDA COURT IN THE CITY OF WINDSOR, authorized by CR76/2011, dated February 28, 2011.
- 13.2 **By-law 175-2024** - A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 4.88 METRE NORTH/SOUTH ALLEY AND THE 4.88 METRE EAST/WEST ALLEY NORTH OF CLAIRVIEW AVENUE, EAST OF DIEPPE STREET, SOUTH OF RIVERSIDE DRIVE EAST AND WEST OF GENEVIEVE AVENUE, CITY OF WINDSOR, authorized by CR419/2023, dated October 16, 2023, and by CR463/2024, dated October 28, 2024.
- 13.3 **By-law 176-2024** - A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.88 METRE NORTH/SOUTH ALLEY AND THE 4.88 METRE EAST/WEST ALLEY NORTH OF CLAIRVIEW AVENUE, EAST OF DIEPPE STREET, SOUTH OF RIVERSIDE DRIVE EAST AND WEST OF GENEVIEVE AVENUE, CITY OF WINDSOR, authorized by CR419/2023, dated October 16, 2023, and by CR463/2024, dated October 28, 2024.
- 13.4 **By-law 177-2024** - A BY-LAW TO AMEND BY-LAW NUMBER 137-2007 BEING A BY-LAW RESPECTING THE LICENSING AND REGULATING OF PUBLIC VEHICLES, authorized by B27/2024, dated January 29, 2024, and by CR451/2024, dated October 28, 2024.

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- 13.5 **By-law 178-2024** - A BY-LAW TO AUTHORIZE THE EXECUTION OF THE COST SHARING AGREEMENT FOR THE CABANA CORRIDOR IMPROVEMENTS PHASE 4 BETWEEN THE CORPORATION OF THE CITY OF WINDSOR (THE MUNICIPALITY) AND HIS MAJESTY THE KING IN RIGHT OF ONTARIO, REPRESENTED BY THE MINISTER OF TRANSPORTATION (THE MINISTRY), see Item No. 11.1.
- 13.6 **By-law 144-2024** - A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE THE 5.49 METRE EAST/WEST ALLEY SOUTH OF TECUMSEH ROAD EAST, EAST OF LEONARD LANE, AND WEST OF GEORGE AVENUE, CITY OF WINDSOR, authorized by CR62-2024, dated February 12, 2024.
- 13.7 **By-law 145-2024** - A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 5.49 METRE EAST/WEST ALLEY SOUTH OF TECUMSEH ROAD EAST, EAST OF LEONARD LANE, AND WEST OF GEORGE AVENUE, CITY OF WINDSOR, authorized by CR62-2024, dated February 12, 2024.
- 13.8 **By-law 179-2024** - A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 9TH DAY OF DECEMBER, 2024.

Carried.

## 14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Jim Morrison

Seconded by: Councillor Ed Sleiman

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 amended)
- 2) Consent Agenda (as amended)
- 3) Items Deferred Items Referred
- 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

### 15.1. Notice of Motion provided by Councillor Mark McKenzie Regarding sending a letter to the Federal Government related to Repeat and Violent offenders

Moved by: Councillor Mark McKenzie  
Seconded by: Councillor Ed Sleiman

Decision Number: CR538/2024

That consideration of the following Notice of Motion introduced by Councillor Mark McKenzie at the December 9, 2024 meeting of Council, **BE REFERRED** back to administration for a report back to a future meeting of Council to allow for additional information related to the bail system, criminal code, and charter rights:

Moved by: Councillor Mark McKenzie  
Seconded by: Councillor Ed Sleiman

That council SEND A LETTER to the federal government to fix our bail system, and take immediate action by keeping repeat and violent offenders in jail while they wait for trial, so that repeat and violent offenders can't continue to harm our communities while out on bail.

Carried.  
Councillor Mark McKenzie voting nay.

Clerk's File: ST2024

## **15.2. Notice of Motion by Councillor Kieran McKenzie Regarding Encampments and the Opioid Crisis**

**Marion Overholt, area resident** appears before City Council in support of the notice of motion from Councillor Kieran McKenzie regarding addressing Housing, Homelessness, Mental Health and Addiction as it provides the opportunity for working in collaboration with other municipalities, a comprehensive analysis of the underlying factors, and a responsible approach to the expenditure of taxpayer dollars to support these vulnerable persons in our community rather than incarceration; and concludes by advocating for Councillors to lobby the provincial government for interim support for housing supplements, social housing, crisis response teams and harm reduction supports, to follow the lead of other municipalities to allow encampments and provide access to essential services to reduce the overall number of the unhoused

Moved by: Councillor Mark McKenzie  
Seconded by: Councillor Renaldo Agostino

Decision Number: CR539/2024

That consideration of the following Notice of Motion introduced by Councillor Kieran McKenzie at the December 9, 2024 meeting of Council, **BE REFERRED** back to administration for a thorough report back to a future meeting of Council regarding the implications of supporting AMO's recommendations and the implications of using the notwithstanding clause and to allow for consultation with stakeholders:

Moved by: Councillor Kieran McKenzie  
Seconded by: Councillor Fabio Costante

That Given the significant challenges municipalities across Ontario including the City of Windsor, face in addressing Housing, Homelessness, Mental Health and Addiction in the communities we serve; and,

Recognizing the major obstacles faced by municipalities including Windsor to provide supportive housing and the resulting Homelessness and Encampment crisis in municipalities across Ontario; and,

Noting that the Auditor General of Ontario has recently concluded that the Government of Ontario's Opioid Strategy does not have efficient, effective or adequate processes in place to address the crisis, an analysis accepted by the Ontario Ministry of Health; and,

Given the comprehensive, robust, objective, inclusive and data-driven analysis undertaken by the Association of Municipalities of Ontario (AMO), representing over 400 municipalities across Ontario, on the full suite of issues cited above including the unprecedented proliferation of Encampments across the province of Ontario:

That Windsor City Council ENDORSE the AMO Policy Update on Encampments and the Opioid Crisis along with the supporting documents: Homeless Encampments in Ontario: A Municipal Perspective and The Opioid Crisis: A Municipal Perspective; and further,

That Council CALLS UPON the Government of Ontario TO ADDRESS the issues cited above by implementing the recommendation proposed by AMO in the documents referenced in this motion; and,

That Council DIRECT Administration to apprise through direct correspondence the Premier and all relevant Provincial Ministers, as well as, all local representatives elected to Senior Levels of Government, the County of Essex and the Municipal Councils in Essex County of the passing of this motion.

Carried.

Councillors Kieran McKenzie, Fabio Costante and Fred Francis voting nay.

Clerk's File: ST2024

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

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

That the By-laws No. 144-2024, 145-2024, and 174-2024 through 179-2024 inclusive 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**

None presented.

## **18. QUESTION PERIOD**

Moved by: Councillor Jo-Anne Gignac

Seconded by: Councillor Angelo Marignani

Decision Number: CR541/2024

That the Clerk's Office **BE DIRECTED** to invite members of parliament to attend a meeting with Council to have discussions regarding a number of concerns, including legislation surrounding housing and homelessness and how it impacts our municipality; and further,

That Council **DIRECT** any additional agenda items for this meeting to the clerk's office for consideration.

Carried.

Clerk's File: MD/14771 & MH2024

### **18.3. CQ 52-2024**

Moved by: Councillor Jo-Anne Gignac

Seconded by: Councillor Angelo Marignani

Decision Number: CR540/2024

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 52-2024:

#### **Assigned to: Commissioner, Infrastructure Services**

Asks that Administration propose a process for permitting digital billboard signs in the Right-of-Way, including the RFP process and any necessary amendments to the sign by-law.

Carried.

Councillors Jo-Anne Gignac and Angelo Marignani voting nay.

Clerk's File: ACOQ2024 & SB2024

**21. ADJOURNMENT**

Moved by: Councillor Jo-Anne Gignac  
Seconded by: Councillor Fabio Costante

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 1:01 o'clock p.m.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

Adopted by Council at its meeting held December 9, 2024 (CR 515/2024)  
SV/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA**  
**November 25, 2024**

**Meeting called to order at: 12:55 p.m. Members in**

**Attendance:**

Mayor Drew Dilkens  
Councillor Fred Francis  
Councillor Jo-Anne Gignac  
Councillor Angelo Marignani  
Councillor Kieran McKenzie  
Councillor Jim Morrison  
Councillor Ed Sleiman

**Members Absent:**

Councillor Renaldo Agostino  
Councillor Fabio Costante  
Councillor Gary Kaschak  
Councillor Mark McKenzie

**Also in attendance:**

Joe Mancina, Chief Administrative Officer  
Andrew Daher, Commissioner, Human and Health Services  
David Simpson, Commissioner of Infrastructure Services/City Engineer Tony Ardochini,  
Acting 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 Christopher Menard,  
Acting Mayor's Chief of Staff

**Verbal Motion is presented by Councillor Jo-Anne Gignac, seconded by Councillor Angelo Marignani, to move in Camera for discussion of the following item(s):**

In Camera Report

- 2 -

November 25, 2024

Item No.

Subject & Section - Pursuant to *Municipal Act*,  
2001, as amended

1

Property matter – sale of land, Section 239(2)(c)

**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 Ed Sleiman,  
to move back into public session.**

**Motion Carried.**

**Moved by Councillor Ed Sleiman, seconded by Councillor Jim Morrison,  
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the  
report(s) discussed at the In-Camera Council Meeting held November 25, 2024 directly to  
Council for consideration at the next Regular Meeting.**

1. That the recommendation contained in the in-camera report from the Coordinator of Real Estate Services, Manager of Real Estate Services, City Solicitor, Acting Senior Executive Director of Corporate Services, Commissioner of Corporate and Community Services, Manager of Operating Budget and Control and Commissioner of Finance and City Treasurer respecting a property matter – sale of land **BE APPROVED.**

**Motion Carried.**

**Moved by Councillor Jo-Anne Gignac, seconded by Councillor Angelo Marignani,  
That the special meeting of council held November 25, 2024 BE ADJOURNED.**

**(Time: 12:56 p.m.)**

**Motion Carried.**



Adopted by Council at its meeting held December 9, 2024 (CR 516/2024)

SV/bm

**STRIKING COMMITTEE – IN CAMERA**  
**November 25, 2024**

**Meeting called to order at: 12:56 p.m. Members in**

**Attendance:**

Mayor Drew Dilkens  
Councillor Fred Francis  
Councillor Jo-Anne Gignac  
Councillor Angelo Marignani  
Councillor Kieran McKenzie  
Councillor Ed Sleiman  
Councillor Jim Morrison

**Members Absent:**

Councillor Renaldo Agostino  
Councillor Fabio Costante  
Councillor Gary Kaschak  
Councillor Mark McKenzie

**Also in attendance:**

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

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

In Camera Report  
Committee

- 2 -

November 25, 2024 Striking

Item No.	Subject & Section - Pursuant to <i>Municipal Act</i> , 2001, as amended
1	Personal matter – about identifiable individual(s) – status of member of the Active Transportation Expert Panel, Section 239(2)(b)

**Motion Carried.**

**Declarations of Pecuniary Interest:**

None disclosed.

**Discussion on the items of business.**

**Verbal Motion is presented by Councillor Jim Morrison, seconded by Councillor Kieran McKenzie, to moved back into public session.  
Motion Carried.**

**Moved by Councillor Kieran McKenzie, seconded by Councillor Ed Sleiman, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Striking Committee Meeting held November 25, 2024 directly to Council for consideration at the next Regular Public Meeting or Special meeting of Council.**

1. That the confidential discussions regarding the status of a member on the Active Transportation Expert Panel **BE RECEIVED.** (see open report of the Striking Committee).  
**Motion Carried.**

**Moved by Councillor Fred Francis, seconded by Councillor Ed Sleiman That the special Striking Committee meeting held November 25, 2024 BE ADJOURNED. (Time: 12:58 p.m.)  
Motion Carried.**

Adopted by Council at its meeting held December 9, 2024 (CR 514/2024)

SV/bm

Windsor, Ontario, December 9, 2024

**REPORT OF THE STRIKING COMMITTEE**  
**of its meeting held November**  
**25, 2024**

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**Members in Attendance:**

Mayor Drew Dilkens  
Councillor Fred Francis  
Councillor Jo-Anne Gignac  
Councillor Angelo Marignani  
Councillor Kieran McKenzie  
Councillor Ed Sleiman  
Councillor Jim Morrison

**Members Absent:**

Councillor Renaldo Agostino  
Councillor Fabio Costante  
Councillor Gary Kaschak  
Councillor Mark McKenzie

**Also in attendance:**

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

**Declarations of Pecuniary Interest:**

None declared.

**Striking Committee Report**

- 2 -

**November 25, 2024**

Your Committee submits the following recommendation:

(1) That Cole Gorham **BE REMOVED** from the **Active Transportation Expert Panel** and further that the City Clerk **BE REQUESTED** to advertise and recruit for the vacant position on the Panel.

MAYOR

CITY CLERK

Adopted by Council at its meeting held December 9, 2024 (CR 517/2024)  
AC/bm

**SPECIAL MEETING OF ENVIRONMENT, TRANSPORTATION AND PUBLIC  
SAFETY STANDING COMMITTEE – SITTING AS TRANSIT WINDSOR  
BOARD OF DIRECTORS – IN CAMERA  
November 27, 2024**

**Meeting called to order at: 5:44 p.m. Members in**

**Attendance:**

Councillor Fabio Costante, Chair  
Councillor Renaldo Agostino  
Councillor Gary Kaschak  
Councillor Kieran McKenzie  
Councillor Mark McKenzie

**Also in attendance:**

Ray Mensour, Commissioner Community and Corporate Services  
Jelena Payne, Commissioner Economic Development  
Anna Ciacelli, Deputy Clerk  
Sandra Gebauer, Council Assistant  
Vincenza Mihalo, Executive Director of Human Resources  
Najet Bako, Manager of ESC and Total Rewards  
Tyson Cragg, Executive Director of Transit Windsor

**Verbal Motion is presented by Councillor Mark McKenzie, seconded by Councillor Gary Kaschak, to move in Camera for discussion of the following item(s):**

<b>Item No.</b>	<b>Subject &amp; Section - Pursuant to <i>Municipal Act</i>, 2001, as amended</b>
<b>1</b>	<b>Personal matter – about identifiable individuals, labour negotiations, plan, Sections 239(2)(b)(d)(k)</b>

**Motion Carried.**

# Minutes

City Council

Monday, December 9, 2024

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In Camera Report - 2 -  
Standing Committee – sitting  
as Transit Windsor Board of Directors

November 27, 2024 Environment

## Declarations of Pecuniary Interest:

None declared.

## Discussion on the items of business.

Verbal Motion is presented by Councillor Mark McKenzie, seconded by Councillor Gary Kaschak,  
to move back into public session.  
Motion Carried.

Moved by Councillor Mark McKenzie, seconded by Councillor Renaldo Agostino,  
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the special meeting of the Environment, Transportation and Public Safety Standing Committee – sitting as Transit Windsor Board of Directors – in camera held November 27, 2024 directly to Council for consideration at the next Regular Meeting.

1. That the in-camera report from the Total Compensation Specialist, Manager of ESC and Total Rewards, Executive Director of Human Resources, Acting Senior Executive Director of Corporate Services, Commissioner of Community Services, Executive Director of Transit Windsor, Commissioner of Economic Development, Manager Performance Measurement and Business Case Development and Commissioner of Finance and City Treasurer respecting a personal matter – about an identifiable individuals, labour negotiations, plan **BE RECEIVED** .

Motion Carried.

Moved by Councillor Gary Kaschak, seconded by Councillor Renaldo Agostino,  
That the special meeting of the Environment, Transportation and Public Safety Standing Committee – sitting as Transit Windsor Board of Directors – in camera held November 27, 2024 BE ADJOURNED.  
(Time: 5:46 p.m.)  
Motion Carried.

**Item No. 4.2**



**Committee Matters: SCM 395/2024**

**Subject: Adoption of the Windsor City Council minutes of its Special meeting held December 17, 2024**

**Special Meeting of Council**

**Date: Tuesday, December 17, 2024**

**Time: 9:00 o'clock a.m.**

**Members Present:**

**Mayor**

Mayor Drew Dilkens

**Councillors**

Ward 2 – Councillor Fabio Costante

Ward 3 – Councillor Renaldo Agostino

Ward 4 – Councillor Mark McKenzie

Ward 5 – Councillor Ed Sleiman

Ward 7 – Councillor Angelo Marignani

Ward 8 – Councillor Gary Kaschak

Ward 10 – Councillor Jim Morrison

**Councillors Regrets**

Ward 1 – Councillor Fred Francis

Ward 6 – Councillor Jo-Anne Gignac

Ward 9 – Councillor Kieran McKenzie

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



# Minutes

Special Meeting of Council  
Tuesday, December 17, 2024

Page 2 of 3

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## 1. ORDER OF BUSINESS

## 2. CALL TO ORDER

The Mayor calls the meeting to order at 9:02 o'clock a.m.

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

None disclosed.

## 4. COMMITTEE OF THE WHOLE

Moved by: Councillor Ed Sleiman  
Seconded by: Councillor Fabio Costante

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 180-2024 and 181-2024 (inclusive).  
Carried.

## 9. REQUESTS FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

## 10. PRESENTATIONS AND DELEGATIONS

None presented.

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

Moved by: Councillor Jim Morrison  
Seconded by: Councillor Gary Kaschak

That the following By-laws No. 180-2024 and 181-2024 be introduced and read a first and second time:

13.1. **By-law 180-2024** - 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 Section 2.1 of Schedule A.

13.2. **By-law 181-2024** - A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS SPECIAL MEETING HELD ON THE 17TH DAY OF DECEMBER, 2024.

Carried

# Minutes

Special Meeting of Council  
Tuesday, December 17, 2024

## 14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Jim Morrison  
Seconded by: Councillor Angelo Marignani

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

a) 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 Mark McKenzie

That By-laws No. 180-2024 and 181-2024 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 Jim Morrison  
Seconded by: Councillor Fabio Costante

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 9:03 o'clock p.m.

---

Mayor

---

City Clerk



## Correspondence Report: CMC 1/2025

### ATTACHMENTS

#### Subject: Correspondence for Monday, January 13, 2025 City Council Meeting

No.	Sender	Subject
7.1.1	Essex Region Conservation Authority (ERCA)	<p>2025 Draft Budget – 30 Day Notice To Member Municipalities.</p> <p>Commissioner, Infrastructure Services &amp; City Engineer            Commissioner, Economic Development            Commissioner, Finance &amp; City Treasurer            AF/14854            Note &amp; File</p>
7.1.2	City Planner / Executive Director	<p>Application for Zoning By-law Amendment, Dr. Bhan Garg, 7100 Cantelon Drive, to permit the construction of a one-storey Public Hall and hotel with 71 guest rooms over four storeys.</p> <p>Z/14897            Note &amp; File</p>



admin@erca.org

P.519.776.5209

F.519.776.8688

360 Fairview Avenue West  
Suite 311, Essex, ON N8M 1Y6

December 13, 2024

Town of Amherstburg

Town of Essex

Town of Kingsville

Town of LaSalle

Municipality of Leamington

Municipality of Lakeshore

Township of Pelee

Town of Tecumseh

City of Windsor

Attention: Municipal Council Clerks (for distribution)

**RE: ESSEX REGION CONSERVATION AUTHORITY 2025 DRAFT BUDGET  
30 DAY NOTICE TO MEMBER MUNICIPALITIES**

Please find attached the 2025 Draft Budget for the Essex Region Conservation Authority (ERCA). We do not anticipate that there will be changes to this document and the draft Budget was approved for circulation by the ERCA Board of Directors at the regular meeting on December 12, 2024. Should Administration receive further direction from the Board, revised materials will be circulated at the earliest opportunity.

Ontario Regulation 402/22 requires that participating municipalities receive a minimum a 30-day notice for which a meeting where a weighted and recorded vote will be taken, respecting non-matching levies. The weighted vote will take place on Thursday, February 13, 2025, at a meeting of the ERCA Board of Directors.

Should you have any questions regarding this 2025 Draft Budget, please feel free to contact Mr. Tim Byrne, [tbyrne@erca.org](mailto:tbyrne@erca.org) or by phone 519-776-5209 ext. 350.

Thank you,

Tim Byrne  
CAO/Secretary-Treasurer

Shelley McMullen  
CFO/Director, Finance and Corporate Services

**CC:** Municipal CFO/Treasurer/Director of Finance

**Attachments:** ERCA 2025 Draft Budget, Discussion & Analysis



## Essex Region Conservation Authority

### Board of Directors

BD30/24

From: Shelley McMullen, CFO/Director of Finance & Corporate Services

Date: Monday, December 2, 2024

**Subject: 2025 Draft Budget and Municipal Cost Apportionment**

Compliance Action: [Conservation Authorities Act, R.S.O. 1990, c. C.27](#)  
[O. Reg. 686/21 Mandatory Programs and Services](#)  
[O. Reg. 687/21 Transition Plans and Agreements for Programs and Services](#)  
[O. Reg. 402/22 Budget and Apportionment](#)

Recommendation 1: THAT the 2025 Draft Budget including the Budget Discussion & Analysis companion document, be received for Members' review and approval; and further,

THAT the Board of Directors support the municipal cost apportionment of \$3,053,491, for mandatory programs and services (+2.8%, \$82,403) as supported by the Finance and Audit Advisory Board (Resolution FAAB 06/24); and further,

THAT the Board of Directors support the municipal cost apportionment of \$327,262, restricted to the seven unanimously supported Category 3 non mandatory programs and services (3.2%, \$10,000); and further,

THAT Administration circulate the 2025 Draft Budget, Discussion & Analysis companion document, as attached herein, to member municipalities for consultation in accordance with Ontario Regulation 402/22.

Recommendation 2: THAT the Board of Directors continue to endorse the full suite of Category 3 non-mandatory services, as listed in Appendix F, and as included in the municipal Cost Apportioning Agreements; and further,

THAT Administration continue to engage non-participating member municipalities in the support of voluntary contributions for land acquisition and securement; and further,

THAT the Board of Directors accept the 2025 voluntary municipal contributions of \$138,609 to the Category 3 Land Acquisition & Securement fund, and any additional voluntary contributions if directed by any nonparticipating member municipality, and included in its revised Agreement with the Authority.

## Background:

Administration has prepared a comprehensive companion budget document, which forms an integral part of this report, and includes the detailed 2025 draft budget, management's discussion, and extensive analysis. As required by *Ontario Regulation 402/22*, the budget is segmented by category of program and service, primarily Category 1, the mandatory programs of conservation authorities, as listed in *Ontario Regulation 686/21* and Category 3, the beneficial but non-mandatory programs and services of the Authority, as endorsed by the Board of Directors (BD 09/22). Category 2 services are the municipal services, provided by the Authority at the request of one or more municipalities and operated in accordance with an agreement. Category 2 services are included at the anticipated contracted amount in this budget and reflect the *Part IV Clean Water Act* municipal risk management services.

As of January 1<sup>st</sup>, 2024, the Authority was required to have municipal Cost Apportioning Agreements in place, to cost apportion (levy) for non-mandatory programs and services, that require any amount of municipal financial assistance. Administration is pleased to report that agreements have been signed to allow the Authority to cost apportion for up to seven programs and services, over the term of the agreement, as seven programs of the originally proposed nine non-mandatory programs were unanimously approved and fully supported across the region. It should be noted that although seven programs have unanimous support in the funding envelope, availability of other funding sources from year to year, may result in any one program not requiring cost apportionment in the current budget cycle.

The Category 3 non-mandatory programs, as approved by the Board, are shown in Appendix F including the proposed 2025 cost apportionment for programs which require municipal cost apportionment in 2025. Administration continues to advocate for a consistent approach to a shared land acquisition and securement program in addition to minimum sustainable municipal funding, of the focused watershed stewardship/agricultural water quality outreach program. Since the last budget cycle, five municipalities have included a voluntary contribution to the land acquisition and securement program, in their respective Cost Apportioning Agreements and two municipalities have, or intend to support the program, through their own restricted-purpose reserves. The historical Clean Water~Green Spaces water quality stewardship and rural outreach program remains suspended, although a multi-year grant will support delivery of a similar initiative, on a term-limited basis.

Administration supports the Province's mandate to improve consistency and comparability across all conservation authorities and the transparency of program and service delivery, including the identified need for municipal funding of both the mandatory and non-mandatory programs and services. This budget and the companion document respond to those objectives.

## Highlights From Discussion & Analysis Document:

- Administration has organized the 2025 budget document and presentation of 2025 projected financial activities, to reflect the requirement for the disclosure of mandatory and non-mandatory programs and services, including funding sources, as required by [Ontario Regulation 402/22: Budget and Apportionment](#).

- The Authority delivers its programs through five main service delivery areas: Watershed Management Services; Conservation Services; Water Quality/Research; Communications/Community Outreach; General/Administration; and details regarding program highlights and budgets, are included in the document, 2025 Draft Budget, Discussion & Analysis (Attachment 1).
- Administration, in consultation with the Finance and Audit Advisory Board on October 30<sup>th</sup>, 2024 is recommending a fiscally responsible and reasonable increase in the mandatory (\$82,403) and non-mandatory (\$10,000) cost apportionment of \$92,403 or 2.8%.
- As required by the *Conservation Authorities Act*, the Authority entered into Cost Apportioning Agreements on January 1, 2024, with its participating municipalities, to facilitate funding of certain non-mandatory Category 3 programs and services. As per paragraph 3(g) of the respective agreements, the non-mandatory cost apportioning is capped at the initial adjusted estimate of \$353,600 plus 5% and the requested 2025 funding is \$327,262.
- Year over year budget pressures, for mandatory programs and services total \$520,811 but offsetting items included in the budget total \$438,408, for a net increase in mandatory cost apportionment of \$82,403. Non-mandatory budget pressures amounted to \$25,000 but were offset by \$15,000 in mitigating items, resulting in a projected increase of \$10,000 in non-mandatory cost apportionment. Details are included in Tables 1 and 2.
- The budget reflects significant 2025 activities pertaining to multi-year capital and water quality projects, that are the result of exemplary efforts of several staff members, who were able to submit successful applications for funding to Federal and Provincial ministries. These grants, exceeding \$15 million over 4 years, will fund the Hillman Marsh coastal erosion and restoration project, two Detroit River erosion and wetland protection/creation projects, Kingsville-Leamington nutrient research study and region-wide water quality improvement incentives to rural landowners.
- As in 2024, the 2025 draft budget includes ongoing repair and replacement of infrastructure in response to asset condition reports for greenway infrastructure (bridges/culverts and trail surfaces). With the addition of the CASO trail, the infrastructure reserve will be under future pressure, as that trail is developed. Once asset assessments are completed for all sites/greenways, the AMP will be updated.
- The Authority's total adjusted operating and capital budget is projected to increase from ~\$9million to ~\$12million including mandatory operating expenses of \$5.3million, and capital expenditures for mandatory projects will exceed \$1.35million. Non mandatory expenses account for approximately \$5.5million, a year over year budget increase of \$3million, however this relates to term projects, funded by non-municipal sources.

- Municipal cost apportioning of \$3,053,491 is required to fulfill the Authority's mandated obligations in 2025. Non-mandatory cost apportionment of \$327,262 is required to maintain other core watershed programs, which operate on a recurrent annual basis. During the 2023 negotiations regarding the Cost Apportioning Agreements, several participating municipalities included an additional voluntary contribution to Clean Water~Green Spaces land acquisition and securement. The 2024 additional contributions of \$138k are included in the 2025 draft budget, although subject to change as other non-contributing municipalities have expressed interest in participating in 2025.
- The budget of \$12 million will be funded with ~\$3.5 million in current year cost apportionment, approximately \$7.9 million in non-municipal sources, \$223k from previous years' revenues, and \$587,000 in transfers from reserves.
- Current value assessment in the Authority's jurisdiction has increased 1.37%, therefore the total cost apportionment will only increase 30 cents per household, to \$21.21, based on an assessed value of \$300,000. Several municipalities have signed Cost Apportioning Agreements that include a voluntary contribution to a land securement and protection fund, which results in an additional \$3.14 per household, bringing the total cost apportionment to \$24.35.
- Between 2018 and 2024, the local investment of levy and municipal special project funding has attracted investment of \$1.20 for every \$1 of municipal investment, for all non-mandatory programs, special term and capital projects. Between 2018 and 2024, the Authority received municipal funds of \$12,397,483, representing levy and special-project funds, for programs and projects, that are categorized as non-mandatory under the Act, but during that time, other non-municipal funds of \$14,837,205 were received, supporting those very same initiatives. The non-mandatory work relating to the water quality program attracted \$6 from outside funding sources for every levy dollar, followed by the long-standing tree planting program which attracted \$3.40 for every levy dollar of investment.
- This budget reflects negotiated changes to 2025 wages and benefits as provided for in the collective agreement with CUPE Local 3784, as well as grid increases for applicable staff members, as service hours are completed. While the overall FTE complement will increase by ~five FTEs, only one permanent staff position has been added, which is directly related to a staffing position required for the anticipated transfer of conservation lands and the obligations associated with natural heritage preservation for the properties.
- The greatest threat to the Authority's financial condition, with implications for increased municipal funding supports, relates to the risk of infrastructure deterioration, specifically the magnitude of future financial obligations associated with required repairs/replacements of bridges, culverts and crossings for three greenways. Recent repairs to the JRPH main house have significantly mitigated that specific financial risk and fundraising efforts for repairs to other buildings are likely to be successful in 2025/2026. The Authority does not own the infrastructure at Holiday Beach and only accounts for minor non-capital repairs and maintenance in the operating budget for the site.



### Recommendations:

Administration recommends a municipal cost apportionment of \$3,053,491, (Appendix B) to fund the Authority's mandatory programs and services (increase of 2.8%, \$82,403), supported by the Finance and Audit Advisory Board (Resolution FAAB 06/24). Administration also recommends municipal cost apportionment of \$327,262, to support the seven unanimously supported Category 3 programs and services (3.2%, \$10,000), as shown in Appendix F.

Administration also recommends that the Board of Directors accept the 2025 voluntary municipal contributions of \$138,609 to the Category 3 Land Acquisition & Securement fund, and any additional voluntary contributions, if directed by any non-participating member municipality, and included in its revised Agreement with the Authority

### Approved By:



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Tim Byrne  
CAO/Secretary Treasurer

### Attachments:

- Attachment 1 – 2025 Budget, Discussion & Analysis

### Appendices (included in the attachment above):

- Appendix A – 2025 Draft Detailed and Summary Budgets
- Appendix B - 2025 Draft Municipal Cost Apportionment Schedule
- Appendix F – Category 3 Funding Envelope and Cost Apportionment for Non-Mandatory Programs & Services

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## CONSERVATION AUTHORITIES AND LEGISLATIVE BACKGROUND

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In Ontario, conservation authorities develop and deliver local, watershed-based resource management programs on behalf of the province and municipalities. Conservation authorities are public sector organizations established by the Province and governed by the Conservation Authorities Act (Act), which is administered by the Ministry of Natural Resources. Some legislative provisions, including those related to Source Water Protection, are the responsibility of the Ministry of the Environment, Conservation and Parks.

Conservation authorities carry out mandatory programs that serve provincial and municipal interests, including:

- natural hazard management / risk mitigation and protection
- flood and erosion control
- management of conservation authority owned land
- drinking water source protection (under the *Clean Water Act*)
- surface water and groundwater monitoring programs

They also provide advice to municipalities on natural hazard management, planning matters and regulate impacts of development and activities in hazardous lands, (such as floodplains, shorelines or wetlands) natural hazards, and public safety through a permitting process.

Since its establishment by the Province in 1973, the Essex Region Conservation Authority (ERCA) has been serving its local participating municipalities by providing programs, leadership, the coordination across municipal boundaries, and the management of local natural resources. The recent changes to the Act allow municipalities to continue to work with local conservation authorities to: develop and deliver additional local natural resource programs and services; and have more control over funding of non-mandatory programs and services. ERCA is committed to delivering the non-mandatory local natural resource programs and services, in consultation with its municipal funders.

In accordance with the legislative requirement, Administration is presenting 2025 budget information based on the segregation of its activities into mandatory and non-mandatory services. While the Authority delivers its programs through five service delivery areas, they are also further refined into sub-units, as presented in the Programs & Services sections below.

## PRIMARY SERVICE DELIVERY AREAS

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- 1. Watershed Management Services** are identified as mandatory and ensure that development in the region progresses in a sustainable manner. Within this business unit, Development Services, Watershed/Water Resources Engineering, Flood Management/Flood Forecasting and Warning, and Watershed Planning are all identified as mandatory services.
- 2. Conservation Services** protects, restores, and manages natural heritage systems within ERCA's watersheds. Conservation lands management, passive recreation at conservation areas, and tree planting and restoration on conservation lands, are identified as mandatory services. Conservation Services identified as non-mandatory include land acquisition tree planting and restoration on private or municipal lands, and Holiday Beach Conservation Area operations.
- 3. Water Quality Services** endeavors to improve the health of local watercourses. Source Water Protection is identified as a mandatory service and ensures local sources of drinking water are protected through the implementation of policies in the Source Protection Plan. Water quality monitoring to support the Provincial Water Quality Monitoring Network is also identified as mandatory, while other watershed science programs such as the more extensive and informative water quality monitoring and agricultural water quality programs fall under the non-mandatory category.
- 4. Community Outreach Services** supports all business units of the Authority, through design and provision of communications collateral material including videos, signage, brochures and website content. Corporate communications, supporting mandatory activities, are identified as mandatory, while curriculum-based outdoor education, museum operations at the John R. Park Homestead and most outreach activities are non-mandatory. Community Outreach Services provide an essential link to external stakeholders.
- 5. General/Corporate Services** provides leadership and management in the delivery of all programs and services. Administration and oversight are central to the successful functioning of the entire organization, through the office of the CAO, and services are categorized as general services under Ontario Regulation 402/22. Corporate Services is organized into four program areas: Governance & Risk; Financial Services; Human Resources; and Information Management/Technology. Team members work collectively to ensure corporate compliance with multiple pieces of legislation and also provide support to the Foundation.

The following table presents the detailed categorization of the Authority’s portfolio of programs and services:

<b>Conservation Authorities Act 21.1 - Mandatory Programs &amp; Services</b>			
<b>Risks of Natural Hazards</b>	<b>Conservation and Management of Lands Owned / Controlled</b>	<b>Water Quality/DWSP</b>	<b>General/Corporate Services</b>
<p><b>S.28 Regulations Permits</b></p> <p>Protection of new development and evaluating proposals for maintenance, upgrades, and repairs to existing development, for compliance with the Regulation</p> <p><b>S.39 Flood/Erosion Program</b></p> <p>Maintaining a regional flood forecasting contingency plan</p> <p><b>Watershed Engineering</b></p> <p>Stormwater Management reviews, hazards modelling and mapping, project management services to municipalities</p> <p><b>Planning – Risk of Hazards</b></p> <p>Review and input on long-range planning instruments (OPs, OPAs), coordination of watershed-scale studies.</p>	<p><b>CA Lands &amp; Infrastructure Management</b></p> <p>(Forest Management, Biodiversity, Long Range Plans &amp; Conservation Strategies)</p> <p><b>CA Lands &amp; Infrastructure Maintenance</b></p> <p>(Operational day to day)</p> <p><b>CA Lands - Restoration of Natural Areas</b></p> <p>(Tree replacement, wetlands, etc.)</p>	<p>Drinking Water Source Protection Authority under the Clean Water Act (2006)</p> <p>Provincial surface and ground water monitoring programs (PWQMN and PGMN)</p>	<p>Corporate Governance, Board of Directors, Office of the CAO</p> <p>Risk Management &amp; Legislative Compliance</p> <p>Finance, Budgets, Financial Statements</p> <p>Human Resources</p> <p>Information Systems / Records / Technology</p>
	<p><b>Climate Change – Risk of Hazards</b></p> <p>Consider impacts to regulatory, engineering, and planning related decisions with respect to natural hazards. This program is integrated into daily work activities</p>	<p><b>Municipal Water &amp; Erosion Control (WECI) Projects</b></p> <p>(50% Municipal / 50% Province)</p> <p><b>Other municipal technical studies or infrastructure projects</b></p> <p>(100% municipally funded)</p>	<p><b>Corporate Communications</b></p>
<b>TRANSFERS TO INFRASTRUCTURE RESERVES – CONSERVATION AREAS ASSET REPLACEMENT</b>			
<b>TRANSFERS TO CORPORATE (ADMINISTRATIVE) RESERVES – LEGAL, HR, IT, ETC.</b>			

## Conservation Authorities Act 21.1 - Non-Mandatory Programs & Services

Watershed Management Services	Conservation Services	Water Research	Community & Outreach Services
	<p style="text-align: center;"><b>Land Securement &amp; Acquisition</b></p> <p style="text-align: center;"><b>Restoration - Non ERCA lands</b> (fee for service or grant subsidized)</p> <p style="text-align: center;"><b>Holiday Beach Management</b> - Agreement 2001-2031</p>	<p style="text-align: center;">Ongoing Water Quality program, including monitoring sites, report cards, grant securement</p> <p style="text-align: center;">Special grant/term-limited research projects &amp; studies</p> <p style="text-align: center;"><b>Municipal Services provided through agreement</b> (Risk Management Services Part IV CWA) Conservation Authorities Act 21.1.1</p>	<p style="text-align: center;"><b>Educational programming</b> - various CA locations</p> <p style="text-align: center;">General outreach, events and partnership engagement</p> <p style="text-align: center;">Other externally funded community engagement projects</p> <p style="text-align: center;">John R. Park Museum and Education Programs and Preservation of Heritage Buildings</p>
			<p><b>Essex Region Conservation Foundation</b></p>

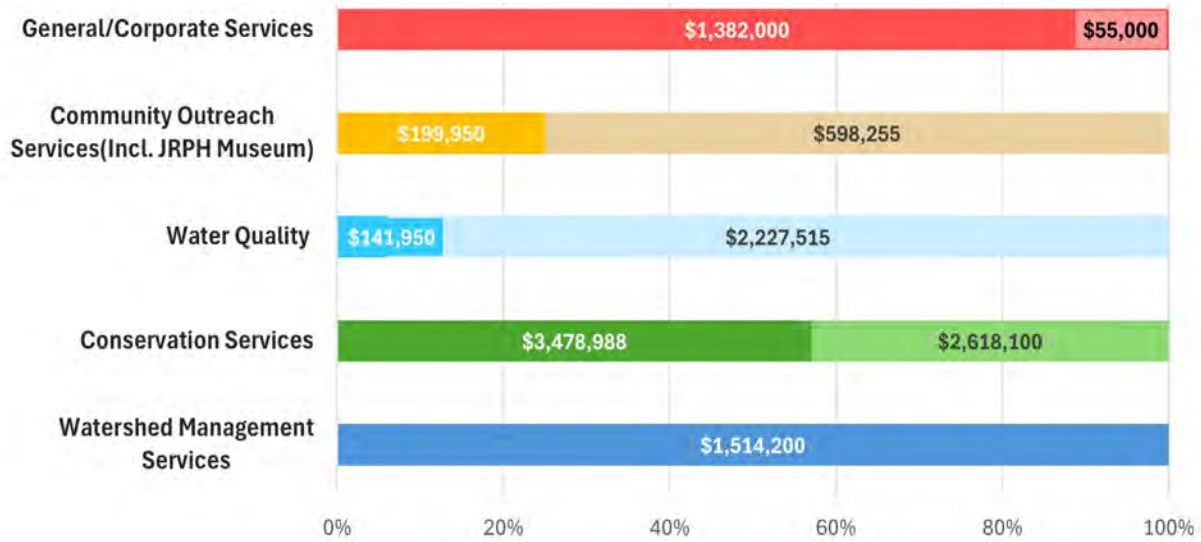
To enhance the reader’s understanding of the Authority’s programs and current funding mechanisms, and to respond to the Province’s demand for funding transparency, ERCA Administration has provided additional analysis, relating to non-mandatory programming through the identification of activities which require a degree of municipal support and those that are specific to term-limited special projects or fee-for-service activities and do not require municipal funds.



The budget for the five service delivery functions (departments), allocated between mandatory (in bold) and non-mandatory functions is highlighted below:

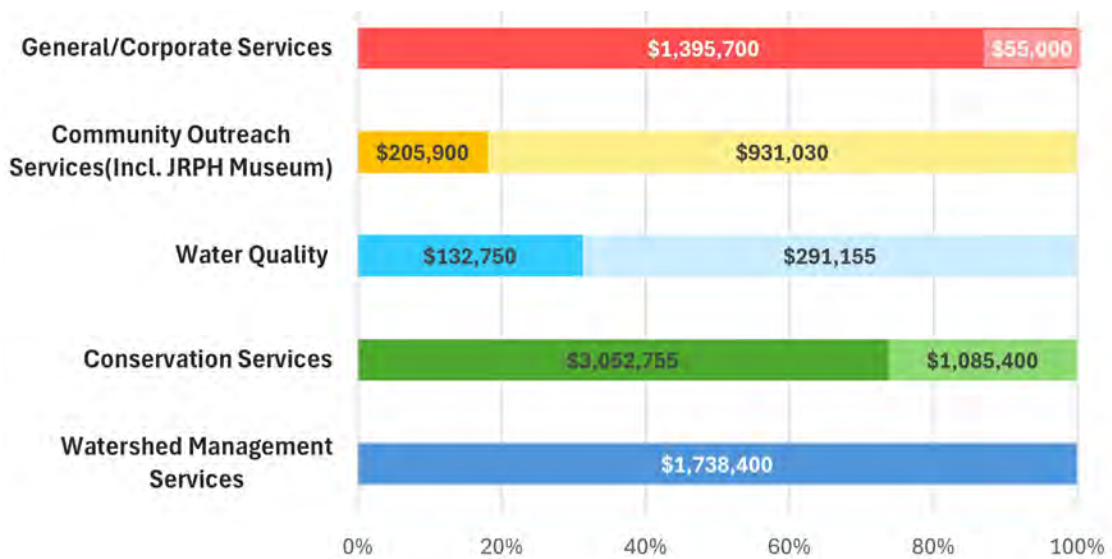
**Figure 1 – 2025 Budget by Service Delivery Function with Mandatory and Non-Mandatory Expenses Identified**

**2025 Budget by Service Delivery Area by Mandatory / Non-Mandatory Functions - \$12M**



**Figure 2 – 2024 Budget by Service Delivery Function with Mandatory and Non-Mandatory Expenses Identified**

**2024 Budget by Service Delivery Area by Mandatory / Non-Mandatory Functions - \$9M**



- Administration, in consultation with the Finance and Audit Advisory Board on October 30th is recommending a responsible and reasonable increase in the mandatory (\$82,403) and non-mandatory (\$10,000) cost apportionment of **\$92,403** or **2.8%**.
- As required by the Conservation Authorities Act, the Authority entered into Cost Apportioning Agreements on January 1, 2024, with its participating municipalities, to facilitate funding of certain non-mandatory Category 3 programs and services. As per paragraph 3(g) of the respective agreements, the non-mandatory cost apportioning is capped at the initial adjusted estimate of \$353,600 plus 5%.
- Year over year budget pressures, for mandatory programs and services total \$520,811 but offsetting items included in the budget total \$438,408, for a net increase in mandatory cost apportionment of \$82,403. Non-mandatory budget pressures amounted to \$25,000 but were offset by \$15,000 in mitigating items, resulting in a projected increase of \$10,000 in non-mandatory cost apportionment. Details are included in Tables 1 and 2.
- The budget reflects significant 2025 activities pertaining to multi-year capital and water quality projects, that are the result of exemplary efforts of several staff members, who were able to submit successful applications for funding to Federal and Provincial Ministries. These grants, exceeding \$15 million over 4 years, will fund the Hillman Marsh coastal erosion and restoration project, two Detroit River erosion and wetland protection/creation projects, Kingsville-Leamington nutrient research study and region-wide water quality improvement incentives to rural landowners.
- As in 2024, the 2025 draft budget includes ongoing repair and replacement of infrastructure in response to asset condition reports for greenway infrastructure (bridges/culverts and trail surfaces). With the addition of the CASO trail, the infrastructure reserve will be under future pressure, as that trail is developed. Once asset assessments are completed for all sites/greenways, the AMP will be updated.
- The Authority's total adjusted operating and capital budget is projected to increase from ~\$9million to ~\$12million including mandatory operating expenses of \$5.3million and capital expenditures for mandatory projects will exceed \$1.35million. Non mandatory expenses account for approximately \$5.5million, a year over year budget increase of \$3million, however this relates to term projects, funded by non-municipal sources.
- **Municipal cost apportioning of \$3,053,491 is required to fulfill the Authority's mandated obligations in 2025. Non-mandatory cost apportionment of \$327,262 is required to maintain other core watershed programs**, which operate on a recurrent annual basis. During the 2023 negotiations regarding the Cost Apportioning Agreements, several participating municipalities included an additional voluntary contribution to a new Category 3 land acquisition and securement fund. The 2024 additional contributions of \$138k are included in the 2025 draft budget, although subject to change as other non-contributing municipalities have expressed interest in participating in 2025.
- The budget of \$12 million will be funded with ~\$3.5 million in current year cost apportionment, approximately \$7.9 million in non-municipal sources, \$223k from previous years' revenues, and \$587,000 in transfers from reserves.



- Current value assessment in the Authority’s jurisdiction has increased 1.37%, therefore the **total cost apportionment will only increase 30 cents per household, to \$21.21, based on an assessed value of \$300,000.** It’s worth noting that over the past five years, CVA in the region has grown 9% while the household levy has declined by 3% during this time. Several municipalities have signed Cost Apportioning Agreements that include a voluntary contribution to a land securement and protection fund, which results in an additional \$3.14 per household, bringing the total cost apportionment to \$24.35.
- Between 2018 and 2024, the local investment of levy and municipal special project funding has attracted investment of \$1.20 for every \$1 of municipal investment, for all non-mandatory programs, special term and capital projects. Between 2018 and 2024, the Authority received municipal funds of \$ 12,397,483, representing levy and special-project funds, for programs and projects, that are categorized as non-mandatory under the Act, but during that time, non- municipal funds of \$ 14,837,205 were received, supporting those very same initiatives. The non-mandatory work relating to the water quality program attracted \$6 from outside funding sources for every levy dollar, followed by the long-standing tree planting program which attracted \$3.40 for every levy dollar of investment.
- This budget reflects negotiated changes to 2025 wages and benefits as provided for in the collective agreement with CUPE Local 3784, as well as grid increases for applicable staff members, as service hours are completed. While the overall FTE complement will increase by ~five FTEs, only one permanent staff position has been added, which is directly related to a staffing position required for the anticipated transfer of conservation lands and the obligations associated with natural heritage preservation for the properties.
- The greatest threat to the Authority’s financial condition, with implications for increased municipal funding supports, relates to the risk of infrastructure deterioration, specifically the magnitude of future financial obligations associated with required repairs/replacements of bridges, culverts and crossings for three greenways. Recent repairs to the JRPH main house have significantly mitigated that specific financial risk and fundraising efforts for repairs to other buildings are likely to be successful in 2025/2026. The Authority does not own the infrastructure at Holiday Beach and only accounts for minor non-capital repairs and maintenance in the operating budget for the site.

## CHANGES TO LEVY APPORTIONMENT AND PROCESS

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The changes in the Conservation Authorities Act, brought about by Bill 23, included a requirement to “take the necessary steps to seek to enter into cost apportioning agreements with the participating municipalities on or before the transition date”, of January 1, 2024. Cost apportioning agreements are required, when municipal funds are needed to finance all, or a portion of a non-mandatory Category 3 program. The Authority has entered into Cost Apportioning Agreements with each of its participating municipalities, as legislated.

These agreements allow the Authority to cost apportion, in any given year and subject to other available funds, for a suite of non-mandatory programs and services including:

- John R Park Homestead museum operations and programming
- Restoration and tree planting on non-ERCA properties
- Water quality monitoring, research and watershed report cards
- Community outreach and engagement through tree days, cleanups and corporate volunteerism
- Educational programming delivered to school-aged children



and additionally, five municipalities agreed to a voluntary contribution, specific to land acquisition and securement, and directed to the next iteration of the former Clean Water ~ Green Spaces program.

As per paragraph 3(g) of the respective agreements, the non-mandatory cost apportioning is capped at the original 2023-provided estimate of \$353,600 plus 5%. Any additional voluntary contributions directed to the restricted land acquisition and securement fund are not included in the cap and these total \$138,609 for 2025 although discussions are ongoing with the non-participating municipalities and the final number could be higher.

## **YEAR OVER YEAR BUDGET PRESSURES AND MITIGATING MEASURES**

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### **Financial Pressures and Cost Drivers Mandatory Programs and Services**

- With the acquisition of additional properties, including infrastructure and passive-recreation amenities to maintain, there is demand for equipment, such as mowers and tractors. Replacements that were budgeted in 2023 were also deferred, while needs could be further analyzed. The cost of vehicle replacements has escalated substantially since the Covid pandemic.
- An anticipated property acquisition will require a dedicated Ecosystem Technician, in accordance with the proposed management agreement.
- Additional (term-limited contract staff) technical capacity is included to address requirements of the mandatory conservation lands strategy, the updating of inventories and management plans for properties and to provide project management assistance for new multi-year grants.
- Budgeted permit and clearance fees are lowered, to reflect 2024 actual/projected results.
- Includes anticipated COLA increases for union members and grid/pay equity increases for all affected and potentially affected staff.
- Increase the transfer to the infrastructure reserve, to address asset management planning demands.
- Includes return to work of staff members on legislated/authorized leaves in 2024.
- Includes increased software and licensing costs attributable to cloud-migration of the Property Information and Management System.

### **Mitigating Measures**

- Short term savings associated with allocation of staff to non-mandatory programs, special term projects and Category 2 services
- Net reduction in budgeted technical consulting/contracted services
- Strong interest rates continue to mitigate levy increases
- Utilize equipment pool reserve to buffer budgeted replacements
- Increased recoveries, for shared services and fleet usage, from non-mandatory programs and term grants
- Utilize infrastructure reserve for bridge/culvert condition assessments

**Table 1 - Budget Pressures and Mitigating Items - Mandatory and General (Administrative/Corporate) Programs & Services**

**2025 BUDGET PRESSURES**

<b>Item</b>	<b>Impacts</b>	<b>Estimated YoY Budget Change</b>
Increase in fleet/equipment replacements	Conservation Services	108,000
Specialized ecosystem maintenance technician	Conservation Services	70,000
Special projects technical assistant	Conservation Services	31,000
Reduced permit/clearance revenues	Watershed Mgmt Services	81,000
Adjust transfer to infrastructure reserves	Corp/Cons Services	78,300
COLA/Grid increases	Corporate Services	34,000
COLA/Grid increases	Conservation Services	33,666
Reduce transfer from IT reserve	Corporate Services	45,000
COLA/Grid increases	Watershed Mgmt Services	29,500
Cloud services, software , IT equipment	Watershed Mgmt Services	20,780
Misc operating items	Conservation Services	1,565
<b>Total of items increasing mandatory cost apportionment</b>		<b>\$532,811</b>

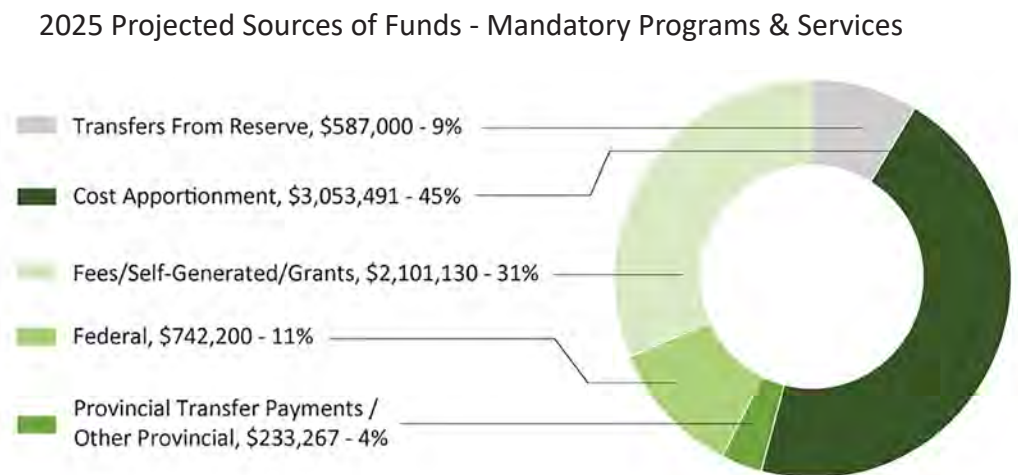
**MITIGATING/OFFSETTING ITEMS- MANDATORY & GENERAL PROGRAMS & SERVICES**

<b>Item</b>	<b>Impacts</b>	<b>Estimated YoY Budget Change</b>
Allocation of staff to non-mandatory programs, special term projects and Category 2 services	Conservation Services	101,178
Net reduction in technical consulting/contracted services	Watershed Mgmt Services	96,000
Reduce consulting expense(special projects)	Corporate Services	55,500
Interest revenues	Corporate Services	52,600
Transfer from reserves fleet/equip't	Conservation Services	50,000
Increase estimated recoveries for fleet/equip't pool	Conservation Services	34,180
Transfer from infrastructure reserves fleet/equip't	Conservation Services	27,000
Reduce interest transfer to infrastructure reserve	Corporate Services	12,000
Change in deferred revenue transfers	Comm'ns/Corporate Services	10,500
Increase in grant revenues	Conservation Services	1,400
<b>Total offsetting items</b>		<b>\$450,408</b>

<b>Net Increase - Mandatory Cost Apportionment</b>	<b>\$82,403</b>
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Sources of funds for mandatory programs and services are depicted as follows:

Figure 3 - 2025 Projected Sources of funds - Mandatory Programs & Services



### Financial Pressures and Cost Drivers Non-Mandatory Programs and Services

- All financial pressures related to the non-mandatory programs are specific to the operations at the John R Park Homestead site. The increased budget reflects actual operating costs for the Fox Creek Conservation Centre, negotiated wages and the replacement of contract on-call staff with permanent staffing capacity.

### Mitigating Pressures

- The customary \$15k transfer to the JRPH maintenance reserve will be paused temporarily due to the recent investment in repairs to the main house/museum. Also, the Authority is expecting to finance the repairs to the horse barn, through the Foundation's fundraising campaign.

Table 2- Budget Pressures and Mitigating Items – Non-Mandatory Programs & Services

**2025 BUDGET PRESSURES / NON-MANDATORY PROGRAMS & SERVICES**

Item	Impacts	Estimated YoY Budget Change
Grid/COLA increases + negotiated standby pay	JRPH	11,000
Replace contract/casual staff with a permanent .8FTE interpreter	JRPH	3,655
Anticipated operational expenses Fox Creek Centre	JRPH	3,100
Anticipated decrease in grants/donations based on 2024 projected result	JRPH	2,095
Increase in operational expenses	JRPH	3,920
		<b>\$25,000</b>

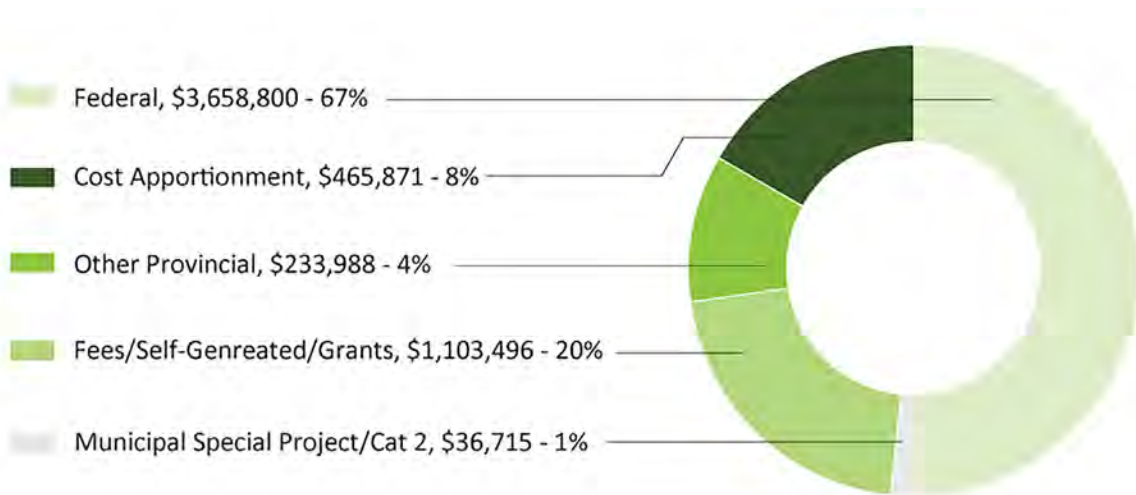
**MITIGATING ITEMS / NON-MANDATORY PROGRAMS & SERVICES**

Item	Impacts	Estimated YoY Budget Change
Pause transfer to JRPH maintenance & repair reserve	JRPH	15,000
		<b>\$15,000</b>
<b>Net Increase Non Mandatory Cost Apportionment</b>		<b>\$10,000</b>

Sources of funds for non-mandatory programs and services are depicted as follows:

Figure 4 - 2025 Projected Sources of Funds Non Mandatory Programs & Services

**2025 Projected Sources of Funds-Non-Mandatory Programs & Services**



# COST APPORTIONMENT ANALYSIS AND DRAFT ALLOCATION

After determining operating costs and infrastructure requirements, Administration has calculated required municipal cost apportionment funding of \$3,053,491 to fulfil the Authority’s mandated obligations, as shown below (Figure 5). Municipal funding of \$327,262 is required in 2025, to support the ongoing non-mandatory services and the Authority has executed Cost Apportioning Agreements, effective for January 1, 2024. The 2025 budget aligns the historical categories of ‘General’ levy and ‘Clean Water~Green Spaces’ levy with Mandatory and Non-mandatory Cost Apportionment, respectively.

## Mandatory Cost Apportionment

The Conservation Authorities Act and O. Regulation 402/22 Budget and Apportionment also make reference to General Programs and Services, defined as operating or capital costs that are not related to the provision of a program or service that an authority provides. These costs are specific to the administrative, governance, finance, HR, communications, and IS/IT requirements of the Authority and are to be allocated to its participating municipalities using the modified current value assessment method (MVCA).

Figure 5 - 2025 Proposed Cost Apportionment (Municipal Levies) Supporting Mandatory Programs & General Services - \$3,053,491

### 2025 Proposed Cost Apportionment (Municipal Levies) Supporting Mandatory Programs & General Services - \$3,053,491

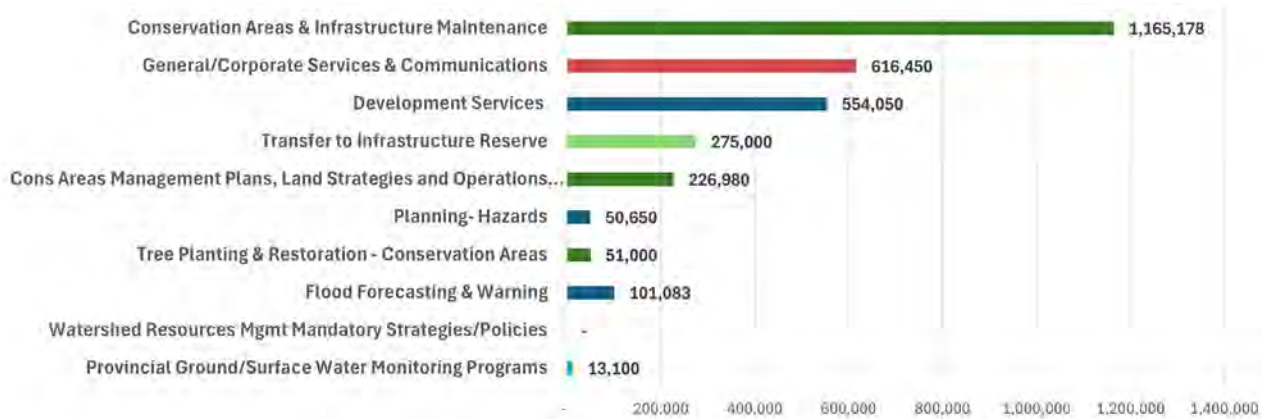


Figure 6 – Mandatory Cost Apportionment Comparison From 2023 to 2025

### Cost Apportionment (Municipal Levies) Supporting Mandatory Programs & Services-2023-2025 Comparison

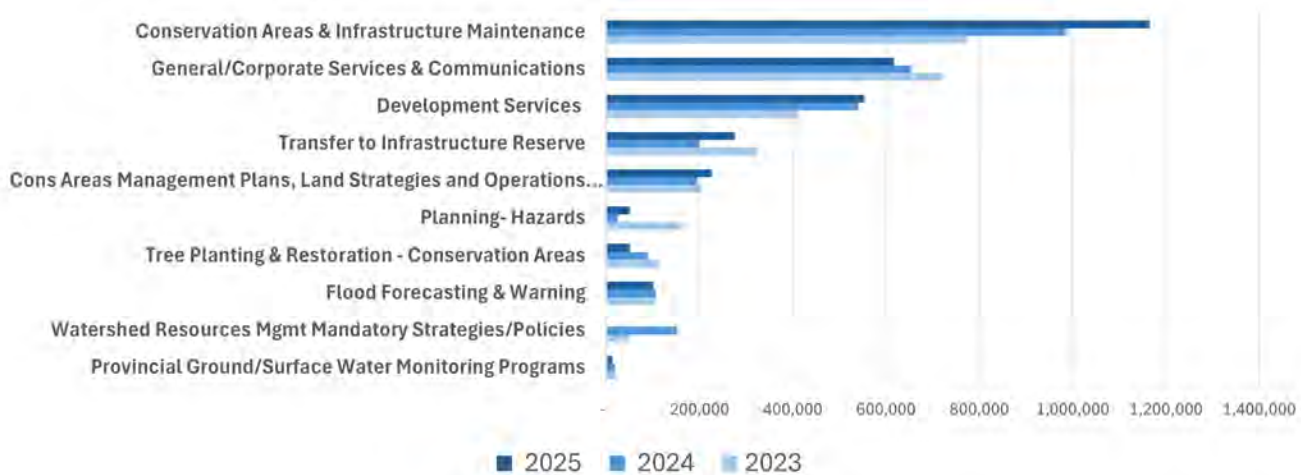
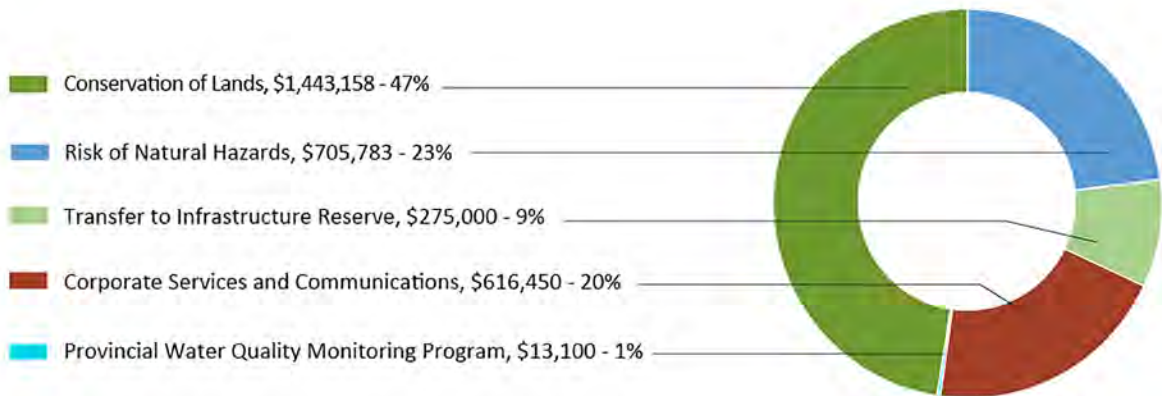


Figure 7 – Summary of Proposed Mandatory Cost Apportionment By Mandatory Programs Specified in Ontario Regulation 686/21

**2025 Proposed Cost Apportionment \$3,053,491 - Mandatory Programs & Services**



**Non-Mandatory Cost Apportionment**

Necessary municipal funding/cost apportionment associated with non-mandatory services (excluding voluntary land acquisition funds) totals \$327,262, representing only 17% of the cost to deliver the ongoing non-mandatory programs and services. While the non-mandatory cost apportionment supports a variety of programs including tree-planting, water quality monitoring, and community outreach, approximately 52% is directed to operational support of the John R Park Homestead.

Note that approximately \$3.7 million is included in the 2025 budget, for term-limited projects, financed by a third party, or government funding, or fee-for-service contracts. These projects do not require municipal financial support and hence, are not included in municipal cost-apportioning agreements.

Figure 8 – Non-Mandatory Cost Apportionment Comparison From 2023 to 2025

**Cost Apportionment (Municipal Levies)  
Supporting Non-Mandatory Programs & Services 2023-2025 Comparison**

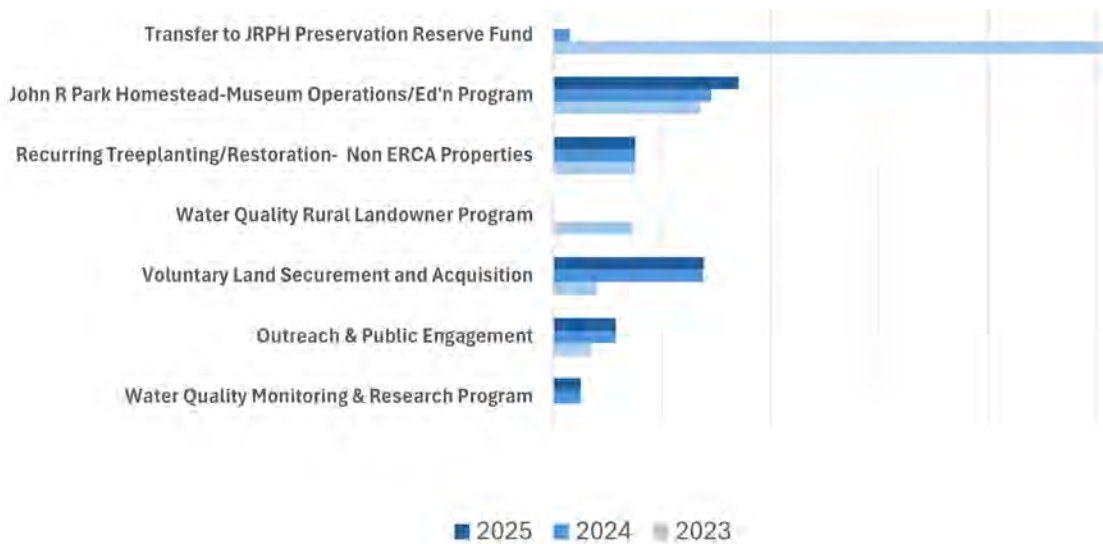




Figure 9 – Proposed 2025 Non-Mandatory Cost Apportionment By Cost Apportioning Agreement Categories

**2025 Proposed Cost Apportionment - \$327,262+ 138,609 (voluntary land acquisition)  
- Non-Mandatory Programs & Services**



Cost Apportionment summary is as follows:

Table 4 – Cost Apportionment Comparison 2024 to 2025

<b>COST APPORTIONMENT - MANDATORY PROGRAMS</b>	<b>2024</b>	<b>2025</b>
CA Lands & infrastructure - operations & maintenance	\$987,455	\$1,165,178
Corporate services & Communications	654,200	616,450
Development Services	436,250	432,550
Transfer to Infrastructure Reserve/AMP	200,000	275,000
CA Lands & Infrastructure - management plans/strategies	195,400	226,980
Watershed Engineering	104,500	121,500
Flood Forecasting & Warning	106,083	101,083
CA Lands -restoration/natural resource management	89,700	51,000
Planning-risks of natural hazards	26,650	50,650
Provincial WQ monitoring program	18,350	13,100
Watershed Management Services special projects	152,500	-
	<b>\$ 2,971,088</b>	<b>\$ 3,053,491</b>



<b>COST APPORTIONMENT - NON MANDATORY PROGRAMS</b>	<b>2024</b>	<b>2025</b>
John R Park Homestead-Museum ops/school program	\$160,112	\$ 170,112
Restoration and Tree planting - non owned properties	75,000	75,000
Outreach & Public/Corporate Engagement	57,150	57,150
Water Quality - monitoring/research/reporting	25,000	25,000
Water Quality – rural landowners program/agricultural BMPs	-	-
	<b>\$317,262</b>	<b>\$327,262</b>
<b>Land acquisition and securement (voluntary contributions after 2023)</b>	<b>\$137,500</b>	<b>\$138,609</b>
<b>TOTAL COST APPORTIONMENT - MANDATORY &amp; NON MANDATORY</b>	<b>\$3,425,850</b>	<b>\$3,519,362</b>
<b>COST APPORTIONMENT -MANDATORY PROGRAMS REQUIRED UNDER SECTION 21.1</b>	<b>2024</b>	<b>2025</b>
Conservation of Lands	1,472,555	1,718,158
Risk of Natural Hazards	825,983	705,783
Corporate/Shared Services & Communications	654,200	616,450
Drinking Water Source Protection & Prov WQ Monitoring	18,350	13,100
	<b>2,971,088</b>	<b>3,053,491</b>





## **INFRASTRUCTURE RISK AND REQUIRED FUNDING FOR REPAIRS / REPLACEMENT / PRESERVATION OF ASSETS**

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The greatest threat to the Authority's financial condition, with resulting implications for increased municipal funding, relates to the risk of infrastructure deterioration, specifically the magnitude of future financial obligations associated with required repairs/replacements of bridges, culverts and crossings for three greenways. While the infrastructure is most often associated with passive recreation, the greenways provide connections to other municipal trail systems and may potentially serve as a viable alternate transportation corridor during major flood events. Since they are conservation lands, any maintenance or replacement is captured under the mandatory programs category. Notwithstanding, Administration always pursues non-municipal funding sources, to alleviate the requirement for local municipal funding.

During 2022, the Authority engaged a consultant to undertake an assessment of its Greenways bridges and crossings, excluding the newly acquired CASO rail trail. The preliminary report, indicates significant financial exposure, placing additional pressure on future budgets. Administration has been working with municipal staff to achieve bridge replacements at substantially lower costs than projected and will continue to recommend appropriate bridge replacements and upgrades that are both functional and economical, however the sheer volume will still have a profound impact on the asset management plan. Further refinement with local structural engineering consultants, in conjunction with Authority staff, is required in 2025, to accurately contribute to the updated asset management plan. Currently the Authority has a (2024) budgeted vacant position, intended to manage asset condition assessments, manage the maintenance and replacements of major infrastructure, and to coordinate a multi-disciplinary team, necessary for comprehensive asset management planning.

As the JRPH museum and other heritage buildings are associated with the provision of non-mandatory services, the Authority is precluded from levying or cost apportioning for preservation of these heritage assets. This is despite the fact that the transfer of the property from the Province in 2008, contained a number of restrictive covenants and obligations, regarding operations and preservation/maintenance of the assets. Recent repairs to the JRPH main house have significantly mitigated this specific financial risk and fundraising efforts for repairs to other buildings are likely to be successful in 2025/2026. Because of this, the budget does not include a provision for capital maintenance nor a transfer to the maintenance reserve and the savings of \$15,000 will be redirected to operational requirements.

While the risk of infrastructure and facilities failure and obsolescence is an on-going concern at Holiday Beach, the Authority does not have ownership nor an easement over the property and is operating the property by way of a management agreement that expires in 2031. Significant investments have been made at this conservation area over the past 10 years, utilizing the infrastructure reserve, however site operations are fully non-mandatory and the Authority is not responsible for asset replacement and only accounts for minor non-capital repairs and maintenance in the operating budget. Administration has had preliminary discussions with MNR regarding this property and can hopefully re-engage senior staff in those discussions.

## **RESERVE FUNDS (Appendix C)**

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The Authority maintains several reserve funds and this budget includes cost apportioning transfers of \$275,000 to the general infrastructure reserve fund and an additional transfer of \$32,000 to the same fund, resulting from the interest allocation. Transfers, funded from surpluses directly attributable to fee-for-service, include \$8,000 to the Holiday Beach maintenance reserve and \$13,300 to the Kingsville train station preservation and maintenance reserve. Total transfers to reserves are projected to be \$329,100.

Accounting for the transfers from reserves of \$587,000 results in a net transfer from reserves, of \$257,900. As detailed below, transfers from the infrastructure reserve total \$537,000 and a \$50,000 transfer from the equipment pool reserve will be required to fund necessary equipment replacements. Capital projects include the following:

Table 5: 2025 Capital Projects -Mandatory and Non-Mandatory Programs & Services

Mandatory Projects	Total Cost	Funding from Infrastructure Reserve
Hillman Marsh coastal erosion rehabilitation	744,000	4,000
Greenway trail resurfacing	149,000	149,000
Greenway culverts/bridges replacement	160,000	160,000
Parking lot(s) resurfacing	142,000	142,000
Contingency for emergency infrastructure repairs	25,000	25,000
Conservation Areas signage	25,000	25,000
Collavino development	107,000	32,000
	<b>\$ 1,352,000</b>	<b>\$ 537,000</b>

## HUMAN RESOURCES ANALYSIS

Compensation, including payroll taxes and benefits is the Authority’s largest category of expense, comprising 38% of the budget and 70% of the compensation expense is associated with mandatory services. Overall, total FTEs of ~48 are higher than the 43 budgeted 2024 FTEs, principally due to the added term contract positions, however this increase does not impact the cost apportionment, as the positions are funded with term-limited special grants.

Certain core (non-contract) staff are also allocated to these term grant projects, as they provide vital components or expertise to the project. As noted in Table 1 Budget Pressures, this shifting in staffing allocations, mitigates the requirement for cost apportionment. This shifting or change in staffing assignments is dynamic, and in 2024, this was presented as a budget pressure, as special term grant opportunities sharply declined. However, robust multi-year grants for water quality projects have been secured, for 2025-2027 and core staff will be supporting deliverables.

The increase in the compensation expense for mandatory programs is attributable to the staffing position required for the anticipated transfer of conservation lands and results of pay equity compliance and COLA/grid adjustments. Refer to Table 1 Budget Pressures for program wage details and budget pressures.

Recruitment and retention remain an on-going challenge with demand for many positions, outpacing the available supply of talent. The Authority shares positions of a similar nature, with municipalities and the public sector, which often have higher pay scales, and this contributes to the recruitment challenge. In 2025, Administration will be engaged with CUPE, in a joint job evaluation and pay equity compliance review process, for the bargaining unit positions.

Table 6 - 2025 Compensation Analysis

	2025 BUDGETED WAGES	2024 BUDGETED WAGES	2024 PROJECTED WAGES
Total Wages & Benefits Mandatory/General Programs & Services	\$3,244,698	\$3,107,710	\$2,913,876
Total Wages & Benefits Non-Mandatory Programs & Services-Annual Recurring	845,285	778,695	863,771
Total Wages & Benefits Non-Mandatory Term-Limited Special Projects + Category 2 Municipal Services	578,947	208,100	319,593
<b>Total Wages &amp; Benefits</b>	<b>\$ 4,668,930</b>	<b>\$ 4,094,505</b>	<b>\$ 4,097,240</b>

Table 7 - Summary of Employee Full Time Equivalents

Service Delivery Area	2025 Mandatory	2025 Non-Mandatory Ongoing	2025 Non-Mandatory Term Project	2024 Mandatory	2024 Non-Mandatory Ongoing	2024 Non-Mandatory Term Project
Watershed Management Services	10.9			12.4		
Conservation Services	10.4	5.4	.5	8.3	5.4	.1
Water Quality	.9	1.4	4.5	1.2	1.9	.4
Comm'ns/ Outreach/ Heritage programs	1.6	3.9	.4	1.7	3.8	.1
General/ Corporate Services	7.6	.4		7.3	.4	
<b>Total FTEs</b>	<b>31.4</b>	<b>11.1</b>	<b>5.4</b>	<b>31</b>	<b>11.5</b>	<b>.6</b>

## RETURN ON LOCAL INVESTMENT

Historically, the local investment of cost apportionment/levy and municipal special project funding has been matched dollar for dollar, and significantly exceeded for some programs. Between 2018 and 2024, the Authority received municipal funds of \$ 12,397,483, representing levy and special-project funds, for programs and projects, that are categorized as non-mandatory under the Act, but during that time, non- municipal funds of \$ 14,837,205 were received, supporting those very same initiatives.

A recent report to Board, regarding the 20+-year investment in Clean Water~Green Spaces initiative, has highlighted that since 2003, ERCA has obtained \$15.2 million dollars in external funding, primarily from the Federal and Provincial Governments along with grants from non-governmental agencies (NGOs) and the Essex Region Conservation Foundation. During this same period, the municipal investment was \$14.8 million and financed the protection of vulnerable lands of ecological importance; the restoration of habitat and green spaces; and the improvement of water quality in the region.

Table 8 - Leveraged Funds Analysis-External Grant Funds (excludes self-generated revenues e.g. fees)

<b>2018-2024 Sources of Funds - On going/Core Programs &amp; Services</b>	<b>Mandatory</b>	<b>Non-Mandatory</b>
<b>Levies+ Municipal Special Project \$</b>	<b>\$20,775,151</b>	<b>\$7,469,960</b>
Federal & Provincial Grants	2,571,448	2,868,890
Essex Region Conservation Foundation Grants	131,463	884,194
Other Non-Government Grants & Donations	49,150	868,405
<b>Total available funds excluding fee for service revenue</b>	<b>\$22,791,059</b>	<b>\$12,091,449</b>
<b>Cost Apportionment/Levy to External Grants</b>	<b>\$1:\$14</b>	<b>\$1:\$62</b>

<b>2018-2024 Sources of Funds - Non Mandatory Term Limited Special Projects</b>	<b>Mandatory</b>	<b>Non-Mandatory</b>
<b>Levies+ Municipal Special Project \$</b>		<b>\$3,197,870</b>
Federal & Provincial Grants		6,694,993
Essex Region Conservation Foundation Grants		558,275
Other Non-Government Grants & Donations		299,697
<b>Total available funds</b>		<b>\$10,750,836</b>
<b>Levy to External Grants</b>		<b>\$1:\$2.36</b>

For mandatory capital projects, which also support passive recreation, ERCA has attracted \$3, for every \$1 of local taxpayer investment, over the past seven years. Non-mandatory capital projects, have been supported with significant government and ERCF grants, as shown below:

Table 9 – Leveraged Funds Analysis Capital and Infrastructure Projects

<b>2018-2024 Sources of Funds –Capital/Infrastructure Projects</b>	<b>Mandatory</b>	<b>Non-Mandatory</b>
<b>Levies + Municipal Special Project \$</b>	<b>\$736,153</b>	<b>\$1,729,652</b>
Federal & Provincial Grants	769,541	1,403,640
Essex Region Conservation Foundation Grants	663,740	1,065,900
Other Non-Government Grants & Donations	792,011	193,210
<b>Total available funds</b>	<b>\$2,961,445</b>	<b>\$4,392,402</b>
<b>Levy to External Grants</b>	<b>\$1:\$3.02</b>	<b>\$1:\$1.54</b>

The Essex Region Conservation Foundation has provided funds exceeding \$3 million, towards mandatory and non-mandatory capital projects, between 2018 and 2024, with substantial investment directed to the Fox Creek Conservation Centre, various community entrances, restoration projects including Peche Island reefs, and recently, to the JRPH museum repairs.

## **LEVERAGED INVESTMENT HIGHLIGHTS**

### **Watershed Management**

- Since 2018, the Watershed Management Service department has successfully secured \$920,000 in grant funds and transfer payments to support flood and erosion hazard programs and projects across the Essex Region. Through various provincial and federal grant opportunities, the Authority has secured over \$400,000 through funding programs only available to Conservation Authorities, which have enabled significant repair and improvement projects as well as condition assessments for flood and erosion control infrastructure.
- An initial investment of approximately \$46,000 into the development of a Floodplain Prioritization assessment resulted in securing a total of \$422,000 from the federal and provincial governments to undertake updates to hydrologic and hydraulic modelling and subsequent flood mapping updates.
- Over the past 6 years, approximately 70% of secured grant funding obtained through Watershed Management Services has benefitted the City of Windsor, with the remaining 30% largely focused on maintaining critical flood control infrastructure throughout the region.

### **Conservation**

- ERCA has restored over 479 acres and planted over 531,000 trees over the past seven years with \$715,000 support from CW~GS levy funding and non-mandatory cost apportionment, attracting \$2,263,500 in government grants, and non-government grants and donations, including \$163,000 from the Foundation (ERCF). This represents \$3.40 for every \$1 of local taxpayer investment.
- In partnership with the Town of Kingsville, ERCA secured \$725,000 in provincial funding to build 40 acres of wetland habitat through the Drainage Act provisions, with only staff time used as the local investment.
- The initial phase 1 construction works, to halt erosion and enhance the Hillman Marsh coastal wetland, was completed along with community restoration activities. Funding from Nature Fresh Farms, RBC and the Province of Ontario exceeded \$700,000.

## Water Quality

- Between 2018 and 2024, \$423,789 in CW~GS levy funding and non-mandatory cost apportionment, was used to support watershed research and water quality sampling at approximately 62 sampling locations throughout the region. Over 275 water quality improvement projects were implemented, while grants and federal and provincial contributions towards these initiatives, to enhance our understanding of impacts on our local water sources, totaled \$2,511,887 or almost **\$6 per \$1 of local taxpayer investment**.
- In partnership with Environment Canada, ERCA has purchased water level control equipment to manage water levels at the Collavino Conservation Area and initiated the planning and permitting processes to undertake two major aquatic habitat improvements. 2024 funding was in excess of \$200,000 and sets the groundwork for the approved multiyear \$5.3 million grant, with implementation starting in 2025.

## Community Outreach

- From 2018 – 2024, a total of \$654,055 of levy funding was used to support outreach and education programs, while \$1,076,943 in external funding was contributed through grants, government contributions, and donations, supporting outreach, education and various community projects including the expanded Maple Festival. During that period, a total of 86 Community Outreach events were undertaken across the region, resulting in 9,273 volunteers planting 20,614 trees, 2,660 native plant plugs and removing 3.7 metric tonnes of garbage across the region – even though stewardship events were severely curtailed though 2020 and 2021.
- From 2021 to current, Administration has actively solicited private funding as part of a focused fundraising campaign of the Essex Region Conservation Foundation, which has eliminated the need for municipal funding for curriculum-based Outdoor Education programs until 2026.

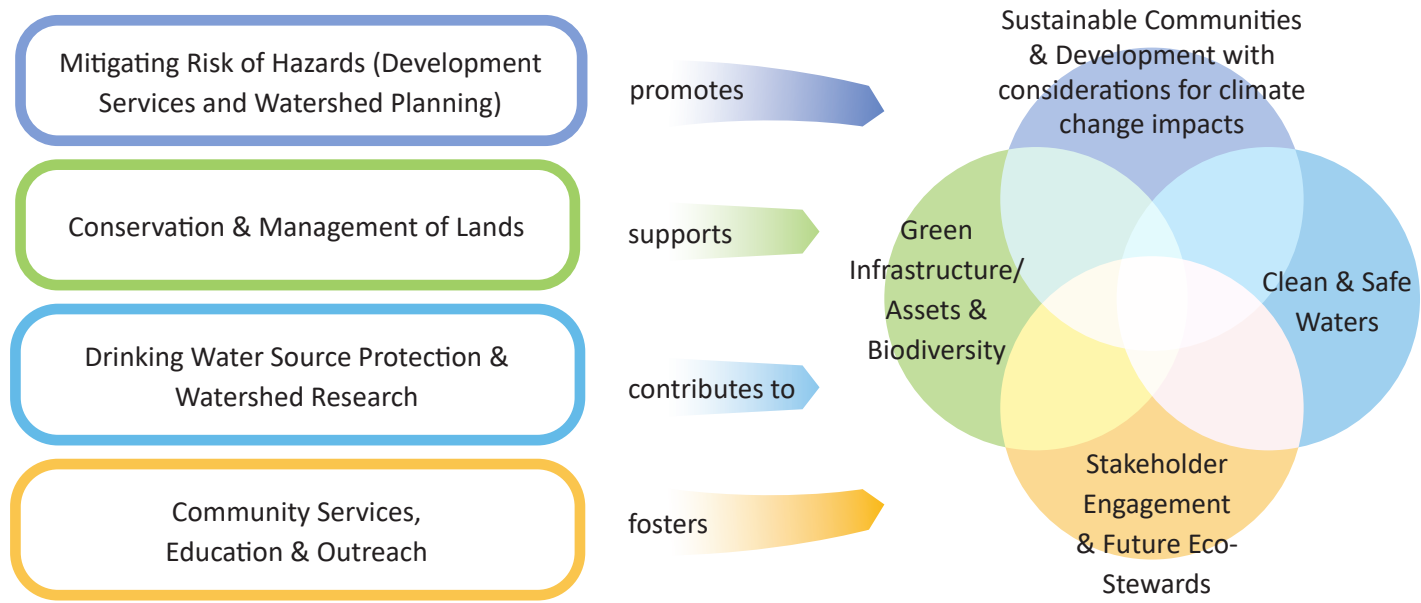
# Integrated Watershed Management

As an integrated watershed management agency, ERCA’s five service delivery areas have developed over decades, and include beneficial programs and services that support our collective shared objectives and goals, related to ecological, social, and economic health.

These programs were developed by and are implemented by recognized experts in civil/environmental engineering, environmental studies, watershed planning, forestry, biology, ecology, agronomy, water quality science, restoration, and natural resource management. ERCA works across all sectors and levels of government, to secure mission support and sustainable funding, in order to achieve the community’s vision for our region.

Recent changes to the Conservation Authorities Act confirmed core and the mandatory functions of conservation authorities including: mitigating risks of natural hazards; conserving and managing lands, for heritage, hazards and passive recreation; drinking water source protection; and surface water and groundwater monitoring. To continue to be relevant and to serve the residents of this region, ERCA should be delivering, and can continue to deliver the ancillary programs and services that impact the overall well-being, health and safety of the region and its citizens. The beneficial programs that are now categorized as non-mandatory, have attracted government and other grants of \$1.20 for every local taxpayer dollar since 2018, with some programs attracting almost \$6 per \$1 of municipal support.

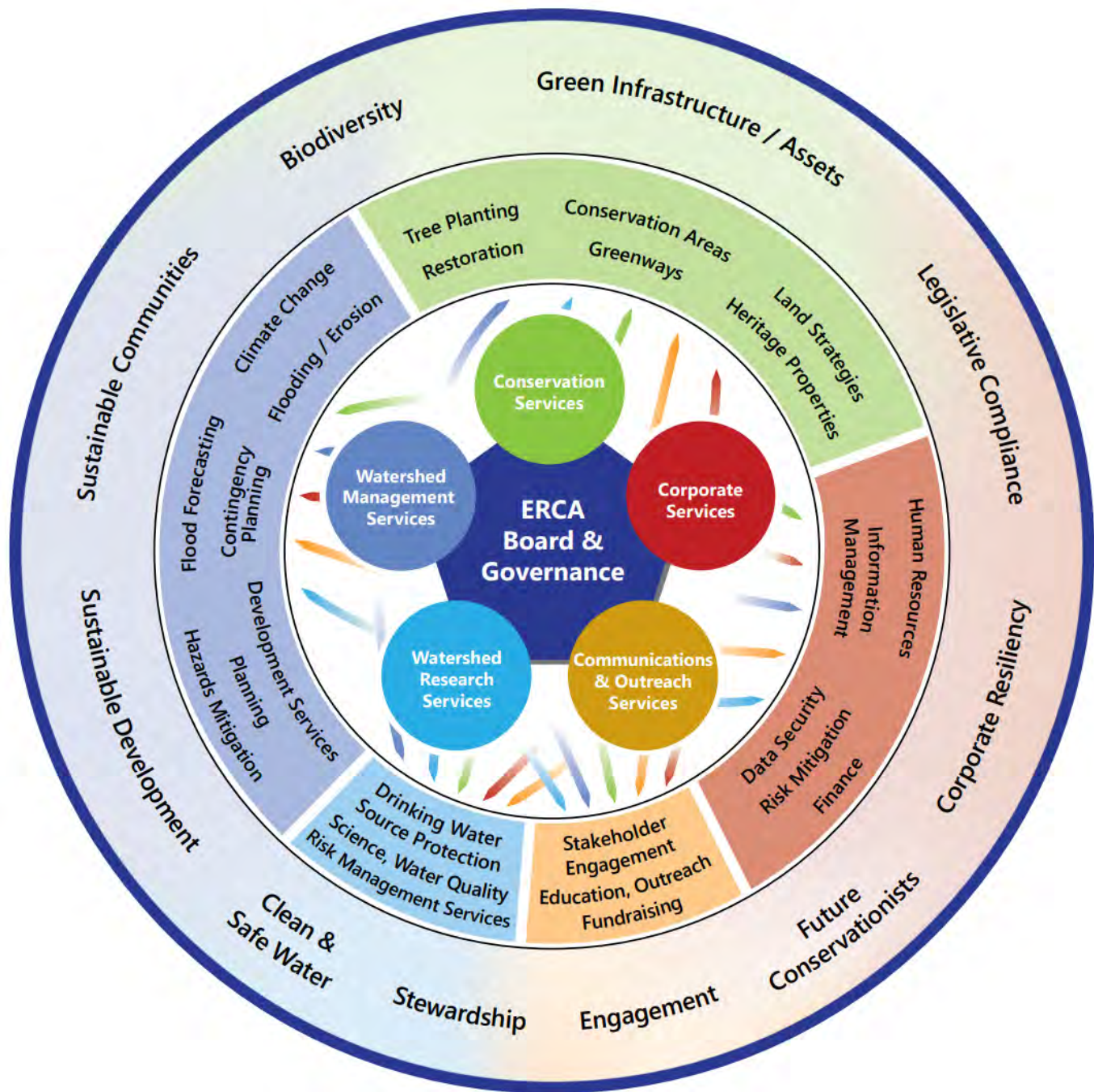
While it is convenient to organize business functions by service delivery areas and additionally, they align with Provincial categories, each of ERCA’s programs support environmental objectives, embraced by all:



ERCA delivers programs consistent with the objects of Conservation Authorities, as defined in the Conservation Authorities Act and is committed to delivering the non-mandatory local natural resource programs and services, in consultation with its participating municipalities and with their valued financial support, though the negotiated cost apportioning agreements.



# PROGRAM INTEGRATION MODEL



The Integrated Watershed Management approach requires an understanding of the interactions between our environment, the economy, and society. At the core of everything that ERCA does to better understand, preserve, and enhance our region, is ERCA’s Board of Directors and our five key service areas. Through the Board’s sound governance and oversight, along with Administration’s efforts in delivering the various interconnected programs within these service areas, ERCA continues to gain a better understanding of our watershed. It is through this approach that ERCA will continue to protect our region’s resources, people, and property, and address the escalating environmental challenges we face now and in the future. The Program Integration Model above demonstrates the linkages between each of the various programs and services, both Mandatory and Non-Mandatory, which are all crucial to achieving our region’s objectives of a healthy, sustainable future for the residents of Windsor-Essex.



# Service Delivery Areas

## Operating Plan Highlights



### Watershed Management Services

Watershed Management Services are identified as mandatory services and ensures that development in the region progresses in a sustainable manner, is directed away from natural hazards, while protecting existing development, water resources, and natural features that contribute to flood and erosion attenuation.

Watershed Management Services are delivered through four programs:

- Development Services (mandatory services)
- Watershed/Water Resources Engineering (mandatory services)
- Flood Management/Flood Forecasting and Warning (mandatory services)
- Watershed Planning (mandatory)
- Approximately 11 FTEs to deliver these services, a reduction of 1FTE from the prior budget, due to a reassignment of a C.E.T. Infrastructure Manager position to Conservation Services.

Figure 10 – Mandatory Watershed Management Programs By Function

#### Mandatory Watershed Management Programs & Services - \$1.5M



Figure 11 – Sources of Revenues -Mandatory Watershed Management Programs

**Watershed Management Services Sources of Revenues for MANDATORY Programs - \$1.5M**

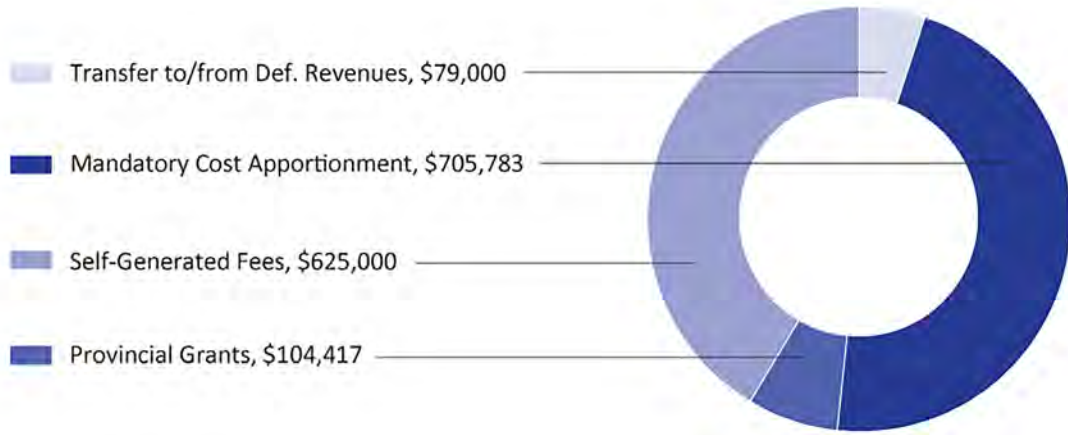
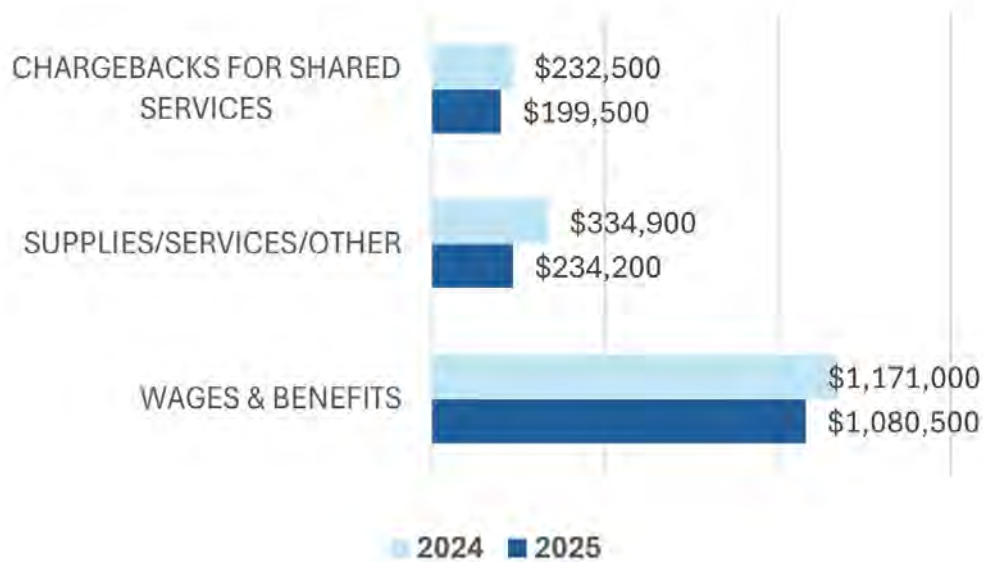


Figure 12 – 2025 and 2024 Mandatory Watershed Management Program Expenses By Type

**MANDATORY Watershed Management Program Expenses by Category**



## DEVELOPMENT SERVICES

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Watershed Management Services, primarily through Development Services, administers the Section 28 of the Conservation Authorities Act through Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits. The Regulation allows ERCA to regulate development within hazardous lands through a permitting process. These lands could be unsafe for development because of naturally occurring processes associated with flooding, erosion, unstable soils, dynamic beaches, unstable soil or bedrock. The priority is to reduce risk to life, damage to property, and social disruptions resulting from natural hazards.

### 2025 Program Highlights

- Administration will complete a comprehensive update of the Authority's development policies and procedures. Final documents will replace current interim policies and procedures, which were established shortly after the regulatory changes that occurred on April 1, 2024. Such policies and procedures will ensure conformity with Ontario Regulation 41/24.
- In an effort to continue with modernizing development review processes, Watershed Management Services will continue replacing aging "on-prem" databases with cloud-based customer-facing applications. The cloud-based system, once complete, will include an Authority services-client portal to expand online services to the development sector.
- Staff will continue to participate on various Conservation Ontario committees, such as the Regulatory and Compliance Committee, which continues to enhance staff knowledge, build new and support existing relationships with other conservation authorities, and maintain awareness of ongoing and future legislative changes.

## WATERSHED / WATER RESOURCES ENGINEERING

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Managing the risks associated with the natural hazards of flooding and erosion is one of the primary roles of conservation authorities under the Conservation Authorities Act. This role is fulfilled through the delivery of multiple natural resource management programs and services, including flood plain management and mapping, water and erosion control infrastructure planning, and stormwater management. Many projects delivered through the engineering program are considered "special projects" or "ancillary services" that support core responsibilities of the authority within the context of natural hazards management. The program is currently wrapping up several complex flood mapping projects and beginning new undertakings to update the coastal hazard mapping completed in 1976.

### 2025 Program Highlights

- The Watershed-Based Resources Management Strategy, required by Ontario Regulation 686/21: Mandatory Programs and Services, will be reviewed and updated as necessary to refine objectives, mitigation measures, and associated costs.
- Administration will seek funding opportunities to update flood mapping where development pressures exist or are anticipated. Federal funding of over \$400,000 was secured in the past three years to support successful projects across Windsor-Essex.

## FLOOD MANAGEMENT

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Recognizing that protection of life and property from flooding and erosion hazards is dependent on natural system protection, restoration and remediation; and that development and redevelopment should contribute to the prevention, elimination, and reduction in risk from flooding, erosion, and slope instability. The five pillars of flood management: prevention, mitigation, preparedness, response and recovery, are applied.

### 2025 Program Highlights

- Update ERCA's Flood Contingency Plan.
- Finalize an Operating and Maintenance Manual for ERCA owned and managed climate stations.
- Explore opportunities for increasing flood forecasting operational capacity, including grant funds to support field data collection and telemetry.
- Explore grant opportunities through Water and Erosion Control Infrastructure (WECl) mandatory flood management activities across member municipalities.
- Monitor lake levels and a network of 30 climate stations to provide advanced warning of flooding and accelerated erosion.

## WATERSHED PLANNING

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ERCA continues to work towards a 'Planning-first principle', which ensures that appropriate planning permissions are in place before any consideration is made for approvals under the Conservation Authorities Act. The planning program area delivers services that fall under the mandatory service category. ERCA's service delivery through Watershed Planning includes all mandatory-related reviews and comments on various Planning Act instruments, as mandated through the amended [Conservation Authorities Act](#) and [Ontario Regulations 686/21: Mandatory Programs and Services](#). It is through this service that Administration provides the necessary comments related to natural hazards, source water protection, and conservation authority owned lands, ensuring the continued "planning-first approach" to protecting the watershed.

### 2024 Program Highlights

- Watershed Planning currently delivers hazard reviews and comments on circulated Planning Act instruments, as required through Ontario Regulation 686/21: Mandatory Programs and Services, ensuring consistency with the current Provincial Planning Statement and local natural hazard development policy. Source Water Protection, more specifically, the Risk Management Services related to Part IV of the Clean Water Act and comments related to lands owned by ERCA, are also delivered through Watershed Planning. The program is funded through a combination of municipal cost apportionment and supplemented by program user fees, consistent with the "user pay principle".
- Development of new documentation, such as flow charts for the various planning processes, to enhance clarity for applicants and enhance client service.
- Modify payment processes in consultation the member municipalities, changing from three disparate processes to one consistent and unified approach.

# Conservation Services

ERCA’s Conservation Services programs protect, restore, and manage natural heritage areas and systems within ERCA’s watersheds. This is accomplished through a system of conservation lands, strategic and leveraged investment in land securement, and by identifying and implementing priority restoration projects. All Conservation Areas within the ERCA watershed are impacted on by natural hazards, fundamental to the management of sites is the access to hazard areas for flood observation and in the case of trails, physical access to areas that would otherwise be inaccessible. Further, some of our properties are designed/engineered to receive flood waters to reduce upstream impacts of flood waters should they occur. Conservation Services are delivered through multiple programs, in a mix of mandatory and non-mandatory services:

Table 10 – Conservation Services Programs

Mandatory Services	Non-Mandatory Services
Conservation Land Management	Tree Planting and Habitat Restoration on Private and Municipal lands
Public Conservation Areas	Land Securement & Acquisition
Tree Planting & Restoration-Conservation Lands	Holiday Beach Conservation Area
Capital Projects	

Approximately 16 FTEs deliver the services and includes the Forester, Restoration Biologist, conservation areas maintenance staff, tree planters, and support staff. Included in the 2025 budget are costs associated with staff capacity during the winter months to undertake maintenance along the greenways, including the new CASO property and hazard tree removals to ensure public safety and invasive species management.

Figure 13 – Mandatory Conservation Services Expenses By Function

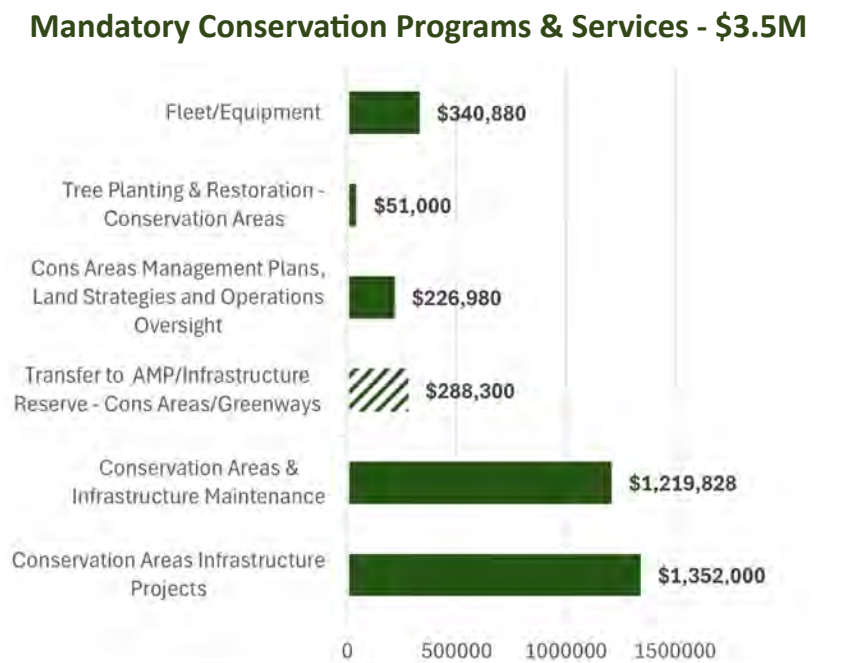


Figure 14 – Sources of Revenues -Mandatory Conservation Services Programs

**Conservation Services Sources of Revenues for MANDATORY Programs - \$3.5M**

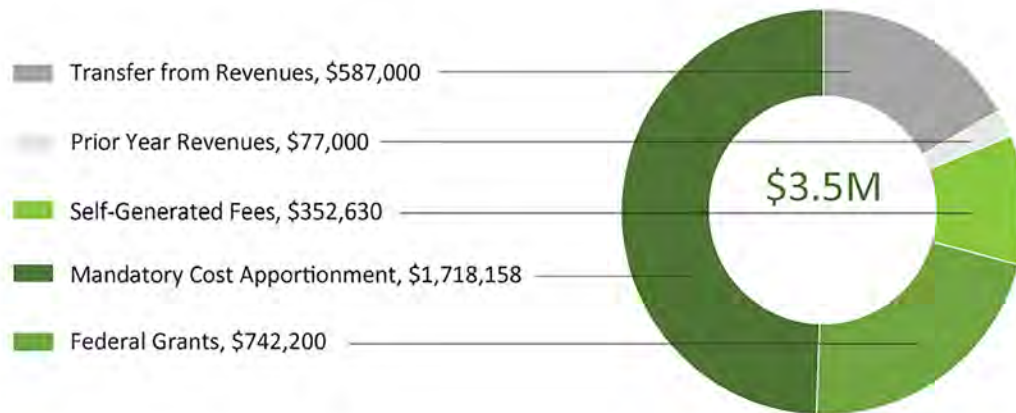
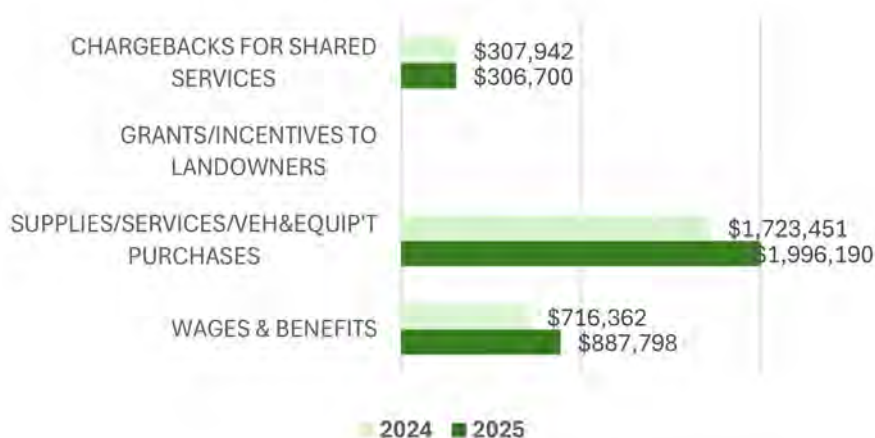


Figure 15 – 2025 and 2024 Mandatory Conservation Services Program Expenses By Type

**MANDATORY Conservation Programs & Services Expenses by Category**



**CONSERVATION LAND MANAGEMENT**

The Essex Region supports a higher diversity of plant and animal species than any other region in Canada and sustains one of the highest concentrations of globally rare species in an area with some of the lowest percentage of natural cover in Canada. Conservation Areas are managed to protect this natural heritage, preserve human and cultural heritage, and support active and healthy living.

ERCA will continue to manage the natural resources of our region as outlined in the updated Conservation Authorities Act and undertake management of Conservation Areas to improve the biodiversity of the region while also improving the resilience of species at risk that are vulnerable to climate change.

**2025 Program Highlights**

- ERCA’s Forester will undertake and update forest inventories in many conservation areas to inform management planning documents.
- Invasive species management will be undertaken along the greenway properties and our Conservation Areas.



- With the completion of the new Conservation Areas Land Management Strategy, staff will initiate a management plan for the new Collavino Conservation Area and CASO greenway.
- ERCA has initiated a restoration and climate adaptation planning process at Hillman Marsh to restore habitat lost in this wetland and to stabilize the eroding shoreline
- Staff are continuing to add tree cover along sections of the greenway with the assistance of community volunteers.

## **PUBLIC CONSERVATION AREAS**

Since 1974, ERCA has been acquiring lands to ensure the protection and conservation of their significant natural and cultural heritage features. Conservation Areas ensure that valuable greenspace is protected while allowing for recreational opportunities in safe, well maintained natural settings which are critical to maintaining physical and mental health. Conservation Areas and trails are also identified as key economic drivers and of critical importance to creating an environmentally and economically sustainable region, where people want to live and where companies want to invest.

### **2025 Program Highlights**

- Operate and maintain 17 conservation areas welcoming thousands of visitors each year.
- Ongoing replacement of fleet and equipment assets.
- Improve the Kopegaron Woods parking facilities with tar and chip surfacing to improve visitor experience and reduce annual maintenance costs.
- Continue to contribute to the update of ERCA’s Asset Management Plan to accurately reflect future capital funding requirements.
- Continue restoration works at the JRP site , specific to the horse barn, if funding is secured.
- Continue the wetland and shoreline restoration works at Hillman Marsh Conservation Area.
- Remove vegetation from trail edges and remove hazardous trees, primarily along the Greenway multi-use paths.
- Continue making infrastructure investments in the Collavino Conservation Area with the goal of making the site publicly accessible in 2025.
- Ongoing Tree Planting and Restoration in Conservation Areas.

ERCA continues to expand natural habitat in this region by increasing wetland, prairie and tree cover on properties it owns. Through partnerships, lands will continue to be strategically acquired through purchase or donation to create a more sustainable region. In 2025, a new wetland on ERCA’s Cedar Creek landholdings will prevent ongoing erosion of our site and provide multiple co-benefits such as flood attenuation, water quality improvements and habitat for wildlife.



# CONSERVATION SERVICES - NON-MANDATORY

Figure 16 – Non-Mandatory Conservation Services Expenses By Function

## Non-Mandatory Conservation Services - \$2.6M



Figure 17 – Sources of Revenues -Non-Mandatory Conservation Services Programs

## Conservation Services Sources of Revenues for NON-MANDATORY Programs - \$2.6M

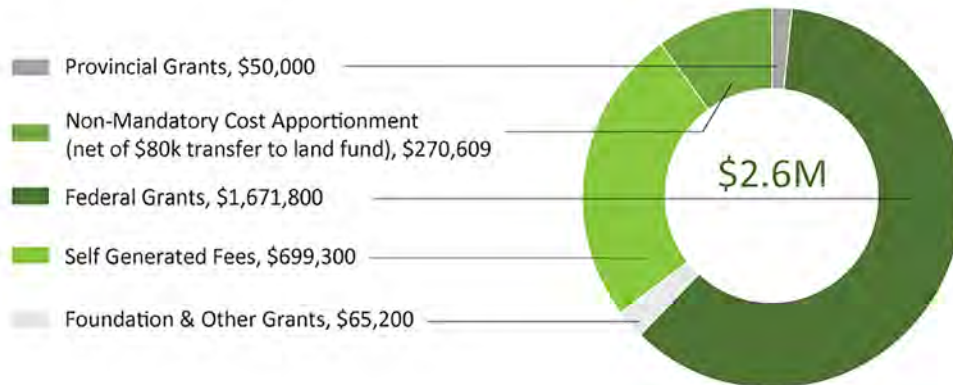
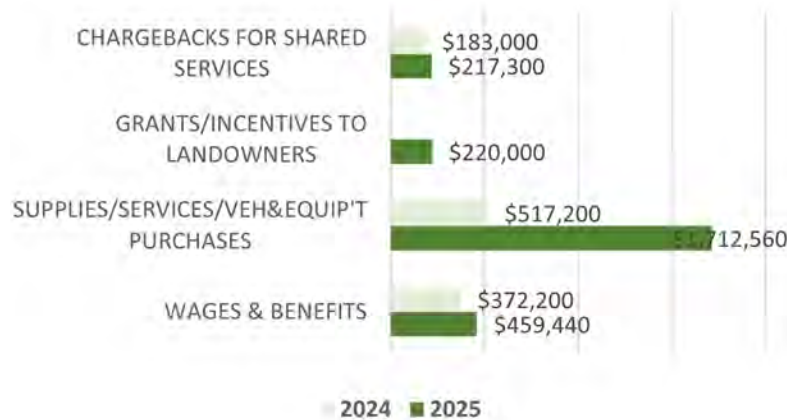


Figure 18 – 2025 and 2024 Non-Mandatory Conservation Services Program Expenses By Type

## NON MANDATORY Conservation Programs & Services Expenses by Category





## Tree Planting and Habitat Restoration on Private and Municipal lands

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To achieve a sustainable future, mitigate climate impacts, expand tree canopy cover, improve water quality and keep endangered species from extinction in Canada, partnerships must continue with private landowners to grow the amount of habitat restored in the region. To assist with the costs of restoration that takes place on private lands and provide the biological professionals needed to undertake this work, ERCA obtains grants and donations to provide incentives and keeps cost reasonable, including funding from the Cost Apportionment Agreement for non-mandatory programs. This funding, to assist with private lands restoration accounts for approximately 15% of this activity, which does not include the value of land. ERCA has restored over 479 acres of land on private property since 2018. These privately owned restoration sites are an invaluable contribution from our community as they further the rehabilitation of our region.

### 2025 Program Highlights

- Plant 50,000 trees throughout the region on our property as well as privately owned lands leading to the creation of at least 70 acres of new habitat.
- Build a minimum of two new wetlands in the region to reduce erosion, improve water quality and create habitat.
- Continue a multi-year large scale restoration project on Caldwell First Nation property involving 10 acres of tree planting as part of project Phase 2 in 2025.

## LAND SECUREMENT

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Each year ERCA works towards the strategic purchase of lands that have the highest biological value, as indicated by the Land Securement Strategy, and will have the greatest impact on improving the biological health of the region. Specifics of new land acquisitions are managed in Committee of the Whole and once purchased, restoration and management of these lands would be categorized as mandatory.

The budgeted expenses for land acquisition relate to ongoing legacy costs of the CASO acquisition, including property surveys and legal expenses.

**As of December 2024, the CW~GS land acquisition fund has nearly \$1.9million in available funds. This fund is maintained separately from the fund that was created at the end of 2023, through the Cost Apportionment Agreement process, to hold the new voluntary land acquisition contributions.**

## HOLIDAY BEACH CONSERVATION AREA

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The Province of Ontario with the Ministry of Natural Resources and Forestry as its representative, is the legal owner of Holiday Beach Conservation Area but the site is operated by the Authority via a thirty-year management agreement with the Province, which expires in 2031. The operational costs associated with this site are covered by user fees related to camping, hunting and cottage rentals, however, revenue generation is not sufficient to fund future capital replacement and major renovation costs nor is the Authority contractually responsible for those expenses. Recent trail and amenity improvements have been funded through government grants and contributions from the Foundation.

## CAPITAL PROJECTS

An overview of major mandatory and non-mandatory capital projects included in the 2025 budget is summarized below. These projects will improve accessibility and overall visitor experiences in our Conservation Areas.

Table 11 –2025 Capital Projects with Sources of Funding

Capital Project	General Levy/ Reserve Transfers	ERCF / Other	Fed Grant	Prov Grant	Total	Category
Greenway / Bridge replacement	\$160,000				\$160,000	Mandatory
Hillman coastal erosion and wetland works	\$4,000		\$740,000		\$744,000	Mandatory
Greenway trail resurfacing	\$149,000				\$149,000	Mandatory
Parking lot resurfacing	\$142,000				\$142,000	Mandatory
Replacing/updating Conservation Areas Signs	\$25,000				\$25,000	Mandatory
Collavino Conservation Area Improvements	\$32,000	\$75,000			\$107,000	Mandatory
Contingency/emergency repairs	\$25,000				\$25,000	Mandatory
<b>Totals</b>	<b>\$537,000</b>	<b>\$75,000</b>	<b>\$740,000</b>	<b>\$-</b>	<b>\$1,352,000</b>	

\*Pending contribution agreements



# Watershed Research

Watershed Research endeavors to improve the health of local watercourses through agricultural Best Management Practices, monitoring at the watershed and collection of landscape information through Geographic Information Services. Enhanced water quality monitoring is undertaken only when external sources of funding are available. Strengthened relationships with academic and government scientists and active participation in several ongoing research programs allows solutions to be developed that are best suited to the region’s unique ecosystem. Local sources of drinking water are protected through the implementation of policies in the Source Protection Plan and its amendments.

Watershed Research Services are delivered through three programs:

- Source Water Protection (mandatory)
- Watershed Science (mandatory and non-mandatory)
- Water Quality Improvements (non-mandatory)
- ~ 6.9 FTEs to deliver the combination of mandatory and non-mandatory programs, an increase of 4 FTEs from 2024, due to the new multi-year term water quality improvement grants

Figure 19 – Mandatory and Non-Mandatory Water Quality Programs By Function

## Mandatory & Non Mandatory Water Quality Programs & Services - \$2.4M



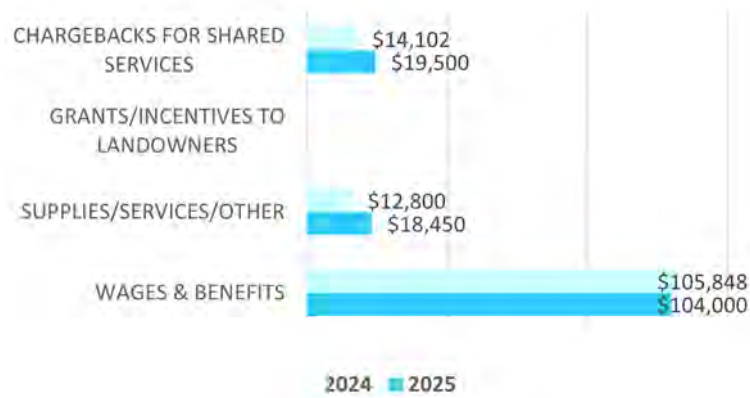
Figure 20 – Sources of Revenues -Mandatory Water Quality Programs

## Water Quality Sources of Revenues for MANDATORY Programs - \$.14M



Figure 21 – 2025 and 2024 Mandatory Water Quality Program Expenses By Type

### MANDATORY Water Quality Programs & Services Expenses by Category



## SOURCE WATER PROTECTION

Administered under the Clean Water Act, the watershed-based mandatory Source Protection Program is the first step in a multi-barrier approach to protect drinking water. It complements municipal water treatment and supports sound land use planning decisions. ERCA, and other conservation authorities, have designated responsibilities under the Clean Water Act to work closely with stakeholders to ensure that sources of municipal drinking water are safe and abundant. ERCA’s Risk Management Services implements a specific subset of policies on behalf of municipalities.

- Source Water Protection (Clean Water Act) is identified as a mandatory program and service in the Conservation Authorities Act, and the Province remains committed to providing funding for this program; ERCA received a slight increase for the current three-year funding cycle (20243-2027) to support capacity to accommodate expanded workload while the Source Protection Plan is being amended. This is the first time that the Province has provided three-year funding for this program and their commitment provides greater stability for this mandatory work.
- Risk Management Services are offered on behalf of all municipalities in the Essex Region as a direct service cost through an agreement originally established in 2015. This agreement was renewed twice with the current terminating December 31, 2024. Municipalities are currently reviewing a new perpetual agreement that will begin January 1, 2025. Risk Management Officials undertake work to implement Source Protection Policies for which municipalities are the Implementing Body. This does not fall under a mandatory program or service in the Conservation Authorities Act, but rather is a Category 2 activity as it is a municipal responsibility.

### 2025 Program Highlights

- Provide annual reporting to the Province and Municipalities.
- Continue technical work to update the Source Protection Plan and Assessment Report to align with changes to the Director Technical Rules and the Section 36 Assessment Report. Conduct the formal consultation process on the comprehensive updates to the Source Protection Plan, policies and Assessment Report.
- Conduct compliance monitoring to ensure properties with Risk Management Plans continue to adhere to Risk Management Measures.
- Continue reviewing s.59 applications for potential new significant drinking water threats.
- A number of staff support this program and deliver DWSP services, which account for approximately one full-time person when combined.

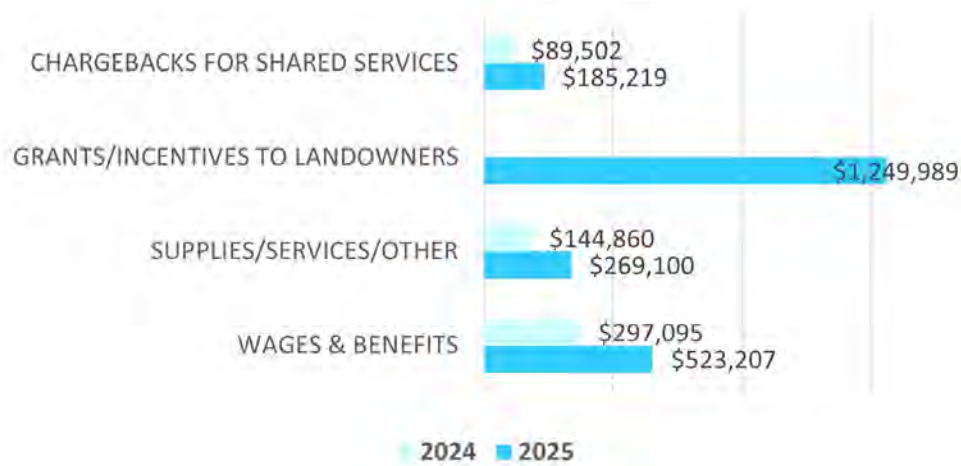
Figure 22 – Sources of Revenues -Non-Mandatory Water Quality Programs

**Water Quality Sources of Revenues for NON-MANDATORY Programs - \$2.2M**



Figure 23 – 2025 and 2024 Non Mandatory Water Quality Program Expenses By Type

**NON-MANDATORY Water Quality Programs & Services Expenses by Category**



## WATERSHED SCIENCE

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Healthy rivers, headwaters, and species in our watershed are key elements of a sustainable and healthy environment that we all rely on for our sources of drinking water, our economy and for recreation. Monitoring allows us to track and report on several indicators of watershed health. Understanding current watershed health and emerging trends is necessary for setting environmental management priorities to manage, protect or enhance watershed resources and to identify research gaps that we can work with academic and other research partners to address. ERCA undertakes its watershed science programs through partnerships with the Provincial Water Quality Monitoring Network (PWQMN), and the Provincial Groundwater Monitoring Network (PGMN) and works in partnership with Provincial and Federal programs and with universities including the Great Lakes Institute for Environmental Research at the University of Windsor.

- Participation in the PWQMN and PGMN are mandatory programs in the Conservation Authorities Act. However, the majority of the water quality science work, providing residents of this region and partners with critical information, falls outside mandatory services. In 2025, ERCA will continue to monitor ground and surface water quality stations and provide this information to the Province, consistent with most Conservation Authorities. Beyond this fundamental monitoring, ERCA will also undertake the following water quality work, which is supported by Provincial and Federal grants:

### 2025 Program Highlights

- Collect water samples, funded by various external partners as funding is available, to provide samples for research projects that could not otherwise be collected due to travel restrictions or other logistical challenges.
- Continue with ERCA's non mandatory water quality monitoring program to inform the public about our regional watershed health.
- Continue monitoring of greenhouse influenced streams. This sampling was supported by the MECP from 2012 to December 31, 2021. Through the efforts of Administration, this funding was reinstated in 2024 with an agreement until March 2026
- Conduct enhanced monitoring in the Ruscom and Canard Rivers with the installation of ISCO auto-samplers and the addition of more monitoring locations throughout the watersheds. The work is supported by funding through the Canada Water Agency's Great Lakes Freshwater Ecosystem Initiative. Biological sampling of fish and freshwater mussels will also occur in these watersheds and the Belle River watershed in partnership with the University of Windsor through funding from the Department of Fisheries and Oceans Species at Risk program.
- Deliver a comprehensive agricultural incentive program for best management practices throughout the region. ERCA staff will work directly with the agricultural community to provide funds to support sustainable farming practices. Outreach and knowledge transfer events will be delivered to promote the use of these practices and encourage peer to peer learning. This will include working with the greenhouse sector to find appropriate solutions in those watersheds. Funding for specific types of projects in the Ruscom, Belle and Canard watersheds is provided by the Department of Fisheries and Oceans Species at Risk program. The majority of funding for projects throughout the region is provided by the Canada Water Agency's Great Lakes Freshwater Ecosystem Initiative



# Communications & Outreach Services

Communications and outreach services support all business units of the Authority. This includes supporting flood messaging, disseminating natural hazard information, engaging landowners in conservation practices and climate action, educating students of all ages about environmental sustainability, promotion of and engagement in tree planting and restoration, connecting people to nature through a variety of programs and events, identifying the value of natural connections to our health, and communicating broadly with stakeholder groups and watershed residents. Communications efforts also support revenue-generating activities for conservation areas and other programs.

Providing stewardship and educational opportunities to residents living within our watersheds is important and critical to conservation success across the region. Providing hands on opportunities for people to connect with nature and take action for the environment will raise awareness about broader local environmental needs, including expanding natural areas coverage, protecting mature forests, and reducing energy use to mitigate climate change impacts such as frequent and more intense flood events.

Community Outreach Services are delivered through four programs:

- Communications (mandatory)
- Outdoor Education (non-mandatory)
- Outreach and Engagement (non-mandatory)
- JRPH Museum Operations & Programming
- ~6 FTEs will deliver the mandatory and non-mandatory programs

Figure 24 – Mandatory and Non-Mandatory Community Outreach Programs By Function

## Communications and Non Mandatory Programs & Services + John R Park Homestead -\$.8M



Figure 25 – Sources of Revenues -Mandatory Communications Program

## Communications Outreach Sources of Revenues for MANDATORY Programs - \$.2M

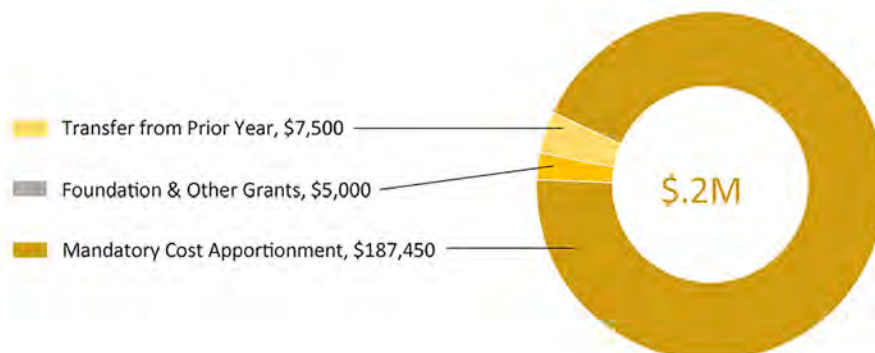
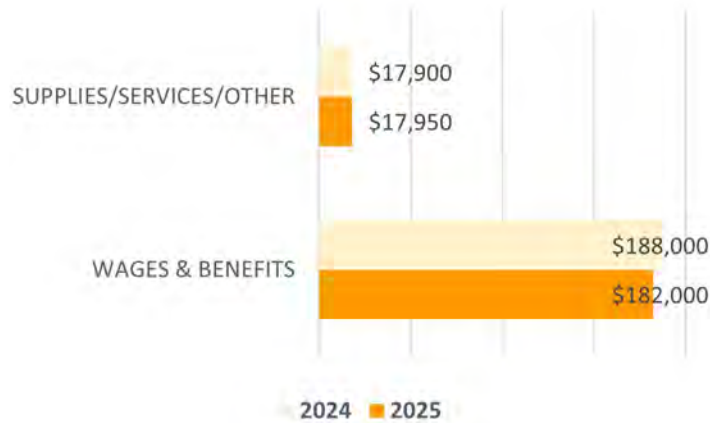


Figure 26 – 2025 and 2024 Mandatory Communications Program Expenses By Type

**MANDATORY Communications Expenses by Category**



**COMMUNICATIONS**

Corporate communications is included as a mandatory service as it supports the communication needs of the Authority’s mandatory functions, including critical flood messaging, to various audiences across multiple platforms. This includes Annual Reporting, stakeholder relations, engagement through traditional and social media, media relations and other communications priorities.

**2025 Program Highlights**

- Continue to engage and inform stakeholders and watershed residents to engage in conservation practices and programs across a variety of platforms.

- Undertake community-wide consultation for the development of the CASO rail line into a multi-use trail.
- Develop a multi-year communications strategy to engage private landowners in water quality improvement projects.
- Continue to support revenue generation through enhanced marketing of conservation programs.
- Continue to add functionality to the website to streamline tree orders and field trip bookings, while maximizing revenue generation.
- Continue to support the Essex Region Conservation Foundation in fundraising to support conservation projects and program areas.

**NON-MANDATORY PROGRAMS**

Figure 27 – Sources of Revenues -Non Mandatory Community Outreach Programs

**Community Outreach Sources of Revenues for NON MANDATORY Programs - \$.6M**

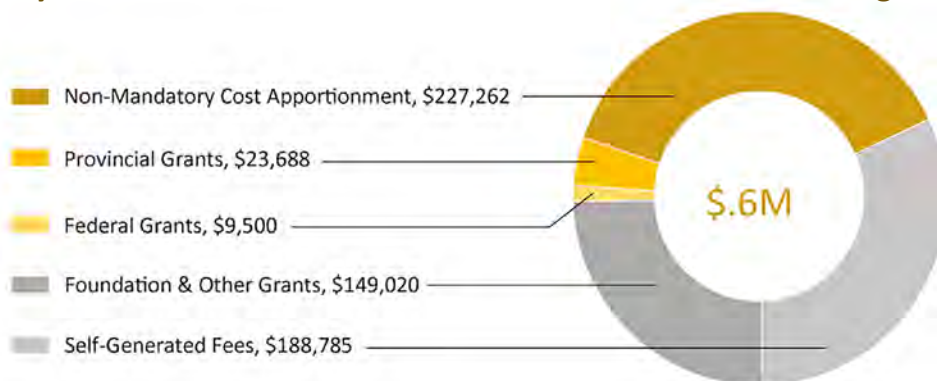
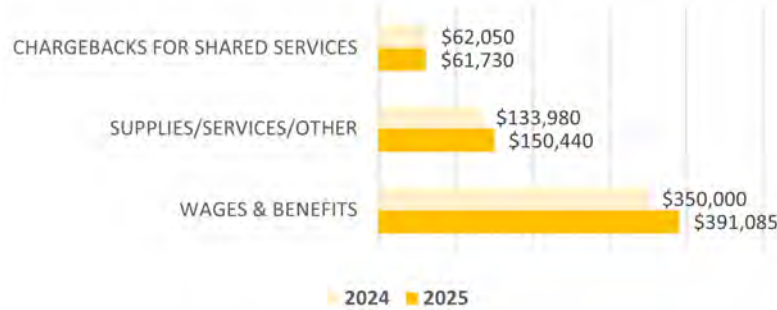




Figure 28 – 2025 and 2024 Non-Mandatory Community Outreach Program Expenses By Type

**NON MANDATORY Community Outreach Program Expenses by Category**



**OUTDOOR EDUCATION**

ERCA’s Outdoor Education programs provide experiential environmental programs and services for kindergarten to grade 12 students and teachers, meeting the objectives of the provincial curriculum. The demand for outdoor education programs has returned to pre-pandemic levels. Over the past number of years, administration has attempted to respond to the demand for these programs with casual, part time educators. However, it has become increasingly difficult to retain qualified individuals in this role, leading to a decreased capacity to deliver these important education programs. Additionally, there has been an increased demand for programming in French language, and ERCA’s main field trip competitors do offer this service in both official languages.

Streamlining the capacity to deliver these programs by shifting from a pool of casual part time staff who are only intermittently available to adding a permanent bilingual position to the education team ensures that ERCA can maximize both the number of students taking part in conservation education programs and the revenues generated by program delivery. This position will deliver programs in both French and English across all education sites – the John R. Park Homestead, Holiday Beach and Hillman Marsh, as well as Nature Near You programs in schools, maximizing the ability to engage students in conservation education.

This position will also help to support the open hours at the Homestead as required by the Provincial Standards for Community Museum in Ontario, and revenue-generating rentals. With the opening of the Conservation Centre, the increased demands on our limited staff resources to meet the operational needs, has been overwhelmingly difficult to fulfill over these past few years and this additional capacity will allow ERCA to meet multiple needs.

Enhanced partnerships and relationships with all major school boards continue to position ERCA’s outdoor education and Specialist High Skills Major programs as a preferred service delivery partner. Nature-Near-You programs continue to be popular when bussing is not available. While outdoor education is identified as non-mandatory, significant fundraising through the Essex Region Conservation Foundation has eliminated the reliance on municipal funding to continue to deliver these vital conservation education programs.

**2025 Program Highlights**

- Continue to deliver both curriculum-based field trips at conservation areas to engage students in environmental learning.
- Continue to deliver Nature Near You – Indigenous Innovation program to all Grade 3 students within the Windsor-Essex Catholic District School Board.
- Continue to deliver Specialist High Skills Major certification programs as a preferred service delivery provider to ensure students across the province can receive training modules required to graduate with the SHSM designation.
- Continue to enhance relationships with teachers and all school boards within the region.

## OUTREACH AND ENGAGEMENT

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There continues to be significant demand to provide opportunities for the community to engage in environmental restoration activities. Tree planting events for 2025 include Earth Day in east Windsor, as well as plantings in Sandwich Town and along the Greenway trail system. Watershed-based cleanup activities also provide hands-on stewardship opportunities. Administration continues to pursue grants and partner funding to implement far-reaching stewardship and outreach programs, as well as support through the Essex Region Conservation Foundation. The Outreach and Partnerships Coordinator position continues to be a shared position also supporting the Detroit River Remedial Action Plan on a cost-recovery basis.

## JOHN R. PARK HOMESTEAD - MUSEUM OPERATIONS

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While passive recreation and related maintenance costs are eligible within the mandatory levy category, the John R. Park Homestead (JRPH) Museum and other heritage buildings are associated with the provision of non-mandatory services and the Authority is precluded from applying mandatory levy for preservation of these heritage assets. This is despite the fact that the transfer of the property from the Province in 2008 contained a number of restrictive covenants and obligations, regarding operations and the maintenance of assets, including that it be operated in accordance with the Community Museum Standards, as defined in the Ontario Heritage Act.

Significant restoration work was undertaken to the historic home through 2024, and a grand-reopening to celebrate the critical refurbishment is planned for spring 2025. As the site is no longer under construction, significant efforts will be made to highlight its revenue-generating opportunities as a rental site.

### 2025 Program Highlights

- Tree planting and citizen science programs include Earth Day Tree Planting in Windsor, as well as planting activities in Sandwich Town, at various locations along the Greenway trail system and others, with support from a variety of community partners.
- Continue to grow the Adopt-A-Greenway program with various community partners to undertake annual cleanups of the 80km multi-use trail system.
- Continue to engage the local community in delisting the Detroit River as an Area of Concern.

### 2025 Program Highlights

- Enhance marketing of rental opportunities for the Conservation Centre and rustic event space.
- Continue to grow self-generated revenues through innovative programming, marketing efforts and rental income opportunities.
- Undertake an analysis of gift shop items to maximize revenues within this space.
- Complete the engineering analysis of the historic Horse Barn, and support the Essex Region Conservation Foundation in raising funds for this work.
- Continue to grow the Homestead's signature revenue-generating events, such as the Maple Syrup Festival, Harvest & Horses Festival and other seasonal programming.

# Corporate (General) Services

Corporate Services oversees and manages the following functions:

- Administration/Governance
- Compliance/Risk Management
- Finance
- Human Resources
- Information Management/Records/Systems/Network
- All services are provided to the Essex Region Conservation Foundation
- 8 FTEs will deliver and support the diverse functions of Corporate Services

Figure 29 – Mandatory Corporate/General Programs By Function

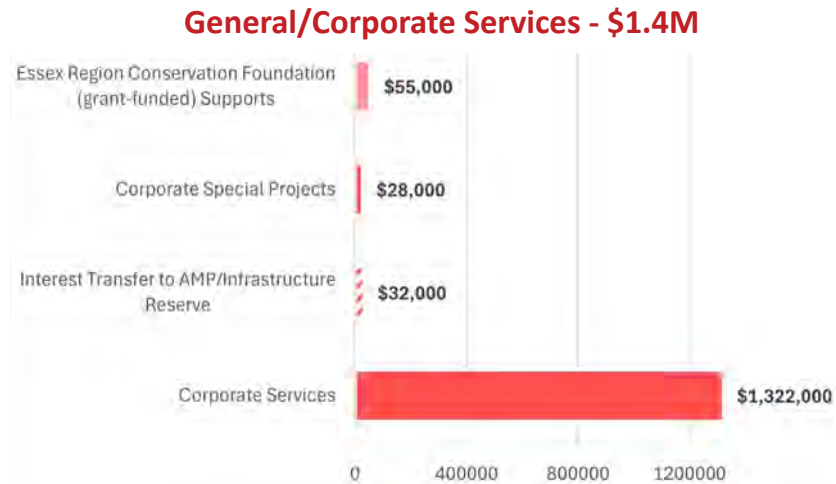


Figure 30 – Sources of Revenues Corporate Services

## Corporate Services Sources of Revenues for MANDATORY Programs - \$1.4M

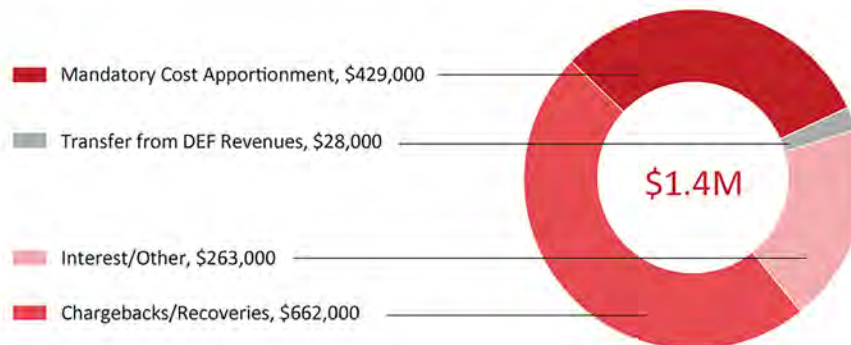
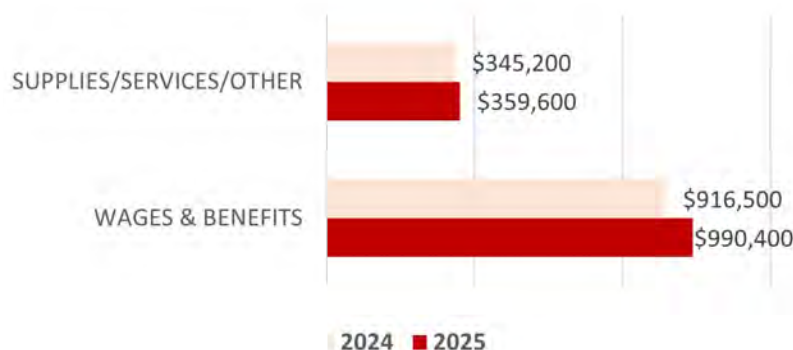


Figure 31 – 2025 and 2024 Corporate Services Program Expenses By Type

## MANDATORY Corporate Services Expenses by Category



## ADMINISTRATION / GOVERNANCE

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### 2025 Program Highlights

- Update the Authority's Administrative Bylaw and Terms of Reference for Board committees.
- Pursue transfer of ownership of Holiday Beach and/or asset management planning, with the Ministry of Natural Resources and Forestry.

## HUMAN RESOURCES

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### 2024 Program Highlights

- Undertake job evaluation and compliance with Pay Equity Act for unionized staff and engage consultants as necessary. Jointly develop a new Terms of Reference for the Joint Job Evaluation Committee, with CUPE, and modernize ERCA's Pay Equity compliance program.
- Continue to review and update policy, procedures and guidelines to ensure ERCA's Health & Safety program remains robust and compliant with all legislation.

## FINANCE

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### 2024 Program Highlights

- Undertake the implementation of cloud PIMS (permit application system) with payment and financial systems.
- Work in collaboration with Conservation Services to update the asset management plan, including identification and segregation of non-mandatory assets.
- Undertake review of financial policies relating to purchasing, investments and reserves.

- Identify and create corporate policy initiatives to support the Authority's human resources requirements.
- Develop a preliminary overview of the Authority's succession plan for key positions, in consultation with external expertise.

# INFORMATION MANAGEMENT / RECORDS / SYSTEMS / NETWORK

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## 2025 Program Highlights

In response to recommendations from the 2020 consultant’s report on the status and readiness of Information Technology at ERCA, a focus on IT modernization, sustainability, and security has been adopted to address various technology deficits and security needs. Included in this program are diverse projects that will provide the security and platforms needed to support our program and services array.

The projects are broken down into several key areas of investment and practice, each representing a component of the Board approved plan. These include:

### IT Infrastructure Migration

- The migration of legacy and unsupported infrastructure (servers, storage, backup), to cloud hosted solutions, significantly improving security and continuity, is 90% complete. In 2025, the primary goal will be to migrate one remaining on-premise system to our cloud environment. Additional work will be undertaken to modernize and facilitate backup and disaster recovery practices, which will ensure the resiliency and protection of data.

### Electronic Records Management

- As records are moved to the cloud environment, records will be organized and managed in accordance with the classification system and the disposition/retention policy. Targets for 2025 will include the implementation and application of structure, tagging practices and taxonomy, integrity and audit functions, as well as the initial implementation of these for critical records.

### Website Enhancements

- Expand the online store to provide customers with improved and expanded options for fully electronic transactions and self-service, eliminating the need for staff intervention, including phone calls and entering information into data repositories.



# Summary

This 2025 Draft Budget, including appendices, once approved by the Essex Region Conservation Authority Board of Directors, will be posted publicly on the Authority's website at [www.essexregionconservation.ca](http://www.essexregionconservation.ca) and circulated to Municipalities in accordance with Ontario Regulation 402/22. It is expected that the vote on the budget, including the weighted vote will proceed on February 13, 2025.

As budgets are a snapshot in time and represent management's best estimates at the time the budget is prepared, actual results can vary, and projects may proceed in a slightly altered fashion than contemplated in this budget. At any time, the Authority may experience employee attrition, turnover or short-term vacancies in positions, which may result in realized savings for the year but may be utilized to buffer against unanticipated/unbudgeted expenses or declines in revenues.

Administration endeavors to respond to the expectations and wishes of the community it serves, including its member municipalities, by delivering programs and services, as consistent with the objects of the Conservation Authorities Act, and by utilizing public funds efficiently, effectively, responsibly and transparently.

## APPENDICES

- **Appendix A** – 2025 2025 Draft Detailed and Summary Budgets
- **Appendix B** – 2025 Draft Municipal Cost Apportionment Schedule (2.8%)
- **Appendix C** – 2025 Draft Reserves Continuity Schedule
- **Appendix D** – 2025 Funding Sources by Service Delivery Program Area
- **Appendix E** – 2025 Cost Apportionment Per Household
- **Appendix F** – 2025 Municipal Cost Apportionment Category 3 (Non-Mandatory) Programs & Services



## ERCA Board

Jim Morrison, City of Windsor – Chair  
Sue Desjarlais, Town of Lasalle – Vice-Chair  
Molly Allaire, Town of Amherstburg  
Peter Courtney, Town of Amherstburg  
Thomas Neufeld, Town of Kingsville  
Dennis Rogers, Town of Kingsville  
Jason Matyi, Town of Essex

Katie McGuire Blaise, Town of Essex  
Tracey Bailey, Municipality of Lakeshore  
Ryan McNamara, Municipality of Lakeshore  
Michael Akpata, Town of Lasalle  
Anthony Abraham, Municipality of Leamington  
Larry Verbeke, Municipality of Leamington  
Dayne Malloch, Pelee Island

Tania Jobin, Town of Tecumseh  
Joe Bachetti, Town of Tecumseh  
Angelo Marignani, City of Windsor  
Mark McKenzie, City of Windsor  
Kieran McKenzie, City of Windsor

# ERCA Staff

Tim Byrne, Chief Administrative Officer / Secretary-Treasurer

## Corporate Services

Shelley McMullen	Chief Financial Officer / Director, Finance & Corporate Services
Tom Dufour	Geomatics Technician
Lori Jacobs	Payroll & Accounting Specialist
Nicole Kupnicki	Manager, Human Resources & Council Services
Lisa Limarzi	Administrative Associate: Corporate Services
Ryan Rossman	Director, Information Technology Services
Nancy Roy	Accounting Associate
Bryan Schmidt	Application Support Technician

## Watershed Management Services

James Bryant	Director, Watershed Management Services
Adrian Enache	Engineering Technologist
Lina Florian	Watershed Engineer
Ashley Gyorj (LOA)	Regulations Analyst
Dan Jenner	Regulations Coordinator
Summer Locknick	Regulations Analyst
Tian Martin	Water Resources Engineer
Lindsay Swackhammer	Regulations Technician (Contract)
Sydney Richmond	Regulations Analyst
Alicia Good	Watershed Planner

## Conservation Services

Kevin Money	Director, Conservation Services
Emma Arnew	Watershed Stewardship Technician (SGE)
Kathryn Arthur	Restoration Biologist
Tim Baxter (LOA)	Conservation Area Technician
Dawn Ferron	Water Quality Technician (SGE)
Paul Giroux	Forester
Jenny Gharib	Special Projects Technical Assistant (SGE)
Holly Iles	Conservation Area Technician (Contract)
Russ Jones	Conservation Area Technician
Justin Landry	Water Quality Technician (SGE)
Bevin Martin	Senior Conservation Area Technician
Nathan McDonald	Senior Conservation Area Technician, HBCA
Jordan Messina	Conservation Area Technician (Contract)
Laura Neufeld (LOA)	Conservation Area Technician
Jacqueline Serran	Detroit River Remedial Action Plan Coordinator (SGE)
Katie Stammler	Water Quality Scientist / Project Manager, Source Water Protection
William Tate	Superintendent, Field Operations
Amy Weinz	Water Quality Technical Specialist (SGE)

## Communications & Outreach Services

Danielle Breault-Stuebing	Director, Communications & Outreach Services
Kyrsten Burns	Bilingual Interpreter
Kristin Ives	Curator / Education Coordinator
Emily Lockhart	Interpreter
Gina Pannunzio	Community Outreach Coordinator
Jessica Rose	Environmental Educator
Jay Santarossa	Multimedia Specialist

### Project Manager and Contributor

Shelley McMullen, CFO/Director of Corporate Services

### Service Delivery Area Contributors:

James Bryant, Director Watershed Management Services

Kevin Money, Director Conservation Services

Danielle Breault-Stuebing, Director, Communications & Outreach Services

Ryan Rossman, Director Information Technology Services

Nicole Kupnicki, Manager, Human Resources & Council Services

### Editor/Reviewer

Tim Byrne, CAO/Secretary-Treasurer

### Graphic Design

Jay Santarossa, Multimedia Specialist



## 2025 DRAFT DETAILED AND SUMMARY BUDGET MANDATORY AND NON MANDATORY PROGRAMS

	2023 AUDITED	2024 BUDGET	2024 PROJECTION	2025 DRAFT BUDGET
<b>WATERSHED MANAGEMENT SERVICES</b>				
<b>CATEGORY 1 MANDATORY SERVICES - RISKS OF NATURAL HAZARDS</b>				
<b>DEVELOPMENT SERVICES</b>				
MANDATORY MUNICIPAL COST APPORTIONMENT	413,717	540,750	535,750	<b>554,050</b>
SELF-GENERATED FEES	552,194	576,000	515,000	<b>535,000</b>
	<b>965,911</b>	<b>1,116,750</b>	<b>1,050,750</b>	<b>1,089,050</b>
WAGES	622,858	856,000	678,000	<b>818,500</b>
SUPPLIES/OFFICE/JANITORIAL	22,217	29,250	31,250	<b>46,250</b>
VEHICLE/TRAVEL/EQUIP'T USAGE	19,552	18,500	23,020	<b>19,300</b>
CORP SUPPORT/SHARED SVCS	108,609	143,000	125,000	<b>125,000</b>
RENT/INS/TAXES/UTILITIES	60,250	64,000	64,000	<b>64,000</b>
DUES/MEMBERSHIPS	1,216	1,000	1,000	<b>1,000</b>
AUDIT AND LEGAL	17,189	5,000	30,000	<b>15,000</b>
	<b>852,323</b>	<b>1,116,750</b>	<b>952,270</b>	<b>1,089,050</b>
<b>PLANNING RELATED TO HAZARDS</b>				
MANDATORY MUNICIPAL COST APPORTIONMENT	103,150	26,650	26,650	<b>50,650</b>
PROVINCIAL GRANTS	-	-	-	<b>3,000</b>
SELF GENERATED FEES	116,940	130,000	92,000	<b>90,000</b>
	<b>220,090</b>	<b>156,650</b>	<b>118,650</b>	<b>143,650</b>
WAGES	126,961	118,500	114,500	<b>115,000</b>
SUPPLIES/OFFICE/JANITORIAL	748	2,150	2,150	<b>2,150</b>
VEHICLE/TRAVEL/EQUIP'T USAGE	250	500	-	<b>500</b>
CORP SUPPORT/SHARED SVCS	20,856	20,500	15,000	<b>15,000</b>
RENT/INS/TAXES/UTILITIES	11,250	15,000	11,000	<b>11,000</b>
CAP MAINT/LOW VALUE ASSETS	687	-	-	<b>-</b>
	<b>160,752</b>	<b>156,650</b>	<b>142,650</b>	<b>143,650</b>
<b>FLOOD /EROSION PROGRAM (S.39 PROV \$)</b>				
MANDATORY MUNICIPAL COST APPORTIONMENT	121,247	106,083	111,083	<b>101,083</b>
PROVINCIAL GRANTS	104,417	104,417	104,417	<b>101,417</b>
	<b>225,664</b>	<b>210,500</b>	<b>215,500</b>	<b>202,500</b>
WAGES	124,927	111,000	123,500	<b>114,000</b>
CONSULTING/INFO'N/DATA SVCS	36,691	50,000	44,000	<b>44,000</b>
SUPPLIES/OFFICE/JANITORIAL	6,583	4,000	4,000	<b>1,000</b>
VEHICLE/TRAVEL/EQUIP'T USAGE	8,201	6,000	8,420	<b>6,000</b>
CORP SUPPORT/SHARED SVCS	27,830	30,500	29,000	<b>29,000</b>
RENT/INS/TAXES/UTILITIES	8,000	9,000	9,000	<b>8,500</b>
	<b>212,233</b>	<b>210,500</b>	<b>217,920</b>	<b>202,500</b>
<b>OTHER WMS TERM PROJECTS</b>				
MANDATORY MUNICIPAL COST APPORTIONMENT	95,700	152,500	152,500	-
OTHER GRANTS/USER FEES/RECOVERIES	-	30,000	-	-
TRANSFERS (TO)/FROM DEFERRED REVENUES	(48,500)	42,000	(80,000)	<b>79,000</b>
	<b>47,200</b>	<b>224,500</b>	<b>72,500</b>	<b>79,000</b>
DIRECT WAGES	14,164	60,000	23,500	<b>33,000</b>
CONSULTING/OUTSIDE ENGINEERING	31,035	155,000	41,500	<b>40,000</b>
TRAVEL/VEHICLE/ADMINISTRATION/OVERHEAD	2,000	9,500	7,500	<b>6,000</b>
	<b>47,199</b>	<b>224,500</b>	<b>72,500</b>	<b>79,000</b>



	2023 AUDITED	2024 BUDGET	2024 PROJECTION	2025 DRAFT BUDGET
<b>SUMMARY - CATEGORY 1 WMS MANDATORY SERVICES, RISKS OF NATURAL HAZARDS</b>				
MANDATORY MUNICIPAL COST APPORTIONMENT	733,814	825,983	825,983	705,783
PROVINCIAL GRANTS	104,417	104,417	104,417	104,417
SELF-GENERATED FEES	669,134	706,000	607,000	625,000
TRANSFER TO/FROM DEF REVENUES	(48,500)	42,000	(80,000)	79,000
TRANSFER TO/FROM RESERVES	-	30,000	-	-
	<b>1,458,865</b>	<b>1,708,400</b>	<b>1,457,400</b>	<b>1,514,200</b>
WAGES & BENEFITS	888,909	1,145,500	939,500	1,080,500
SUPPLIES/SERVICES/OTHER	197,724	334,900	240,400	234,200
INTERNAL RECOVERIES FOR SHARED SVCS/FLEET	185,873	228,000	205,440	199,500
	<b>1,272,507</b>	<b>1,708,400</b>	<b>1,385,340</b>	<b>1,514,200</b>
<b>SURPLUS/(DEFICIT)</b>	<b>186,358</b>	<b>-</b>	<b>72,060</b>	<b>-</b>
<b>MUNICIPAL WATER &amp; EROSION CONTROL PROJECTS (50% PROV \$)</b>				
MUNICIPAL	9,375	-	-	-
	<b>9,375</b>	<b>-</b>	<b>-</b>	<b>-</b>
WAGES	462	-	-	-
CONSULTING/OUTSIDE ENGINEERING	6,764	-	-	-
TRAVEL/VEHICLE/ADMINISTRATION/OVERHEAD	2,149	-	-	-
	<b>9,375</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>OTHER MUNICIPAL TERM STUDIES/PROJECTS</b>				
MUNICIPAL	145,036	-	6,000	-
TRANSFERS (TO)/FROM DEFERRED REVENUES	16,404	30,000	22,000	-
	<b>161,440</b>	<b>30,000</b>	<b>28,000</b>	<b>-</b>
WAGES	28,363	25,500	19,000	-
CONSULTING/OUTSIDE ENGINEERING	127,885	-	6,000	-
TRAVEL/VEHICLE/ADMINISTRATION/OVERHEAD	5,194	4,500	3,000	-
	<b>161,441</b>	<b>30,000</b>	<b>28,000</b>	<b>-</b>

<b>SUMMARY CATEGORY 1 MANDATORY SERVICES - WECI PROJECTS AND MUNICIPAL SPECIAL STUDIES</b>				
MUNICIPAL	154,411	-	6,000	-
TRANSFER TO/FROM DEF REVENUES	16,404	30,000	22,000	-
	<b>170,815</b>	<b>30,000</b>	<b>28,000</b>	<b>-</b>
WAGES & BENEFITS	28,825	25,500	19,000	-
CONSTRUCTION/ENGINEERING/SUPPLIES	136,195	-	6,000	-
INTERNAL RECOVERIES FOR SHARED SVCS/FLEET	5,796	4,500	3,000	-
	<b>170,816</b>	<b>30,000</b>	<b>28,000</b>	<b>-</b>
<b>SURPLUS/(DEFICIT)</b>	<b>(1)</b>	<b>-</b>	<b>-</b>	<b>-</b>

## CONSERVATION SERVICES

### CATEGORY 1 MANDATORY SERVICES - CONSERVATION LANDS MANAGEMENT

#### GENERAL PROGRAM OPERATIONS, MANAGEMENT PLANS & LAND STRATEGIES

MANDATORY MUNICIPAL COST APPORTIONMENT	204,715	195,400	195,400	<b>226,980</b>
FEDERAL GRANTS	116,478	8,000	35,831	-
SELF-GENERATED FEES	824	-	-	-
	<b>322,017</b>	<b>203,400</b>	<b>231,231</b>	<b>226,980</b>
WAGES	237,834	169,540	148,940	<b>195,500</b>
ENGINEERING/CONSULTING	41,097	-	16,104	-
SUPPLIES/OFFICE/JANITORIAL	7,297	950	2,545	<b>2,000</b>
VEHICLE/TRAVEL/EQUIP'T USAGE	2,906	910	12,178	<b>6,480</b>
CORP SUPPORT/SHARED SVCS	32,826	32,000	25,832	<b>23,000</b>
	<b>321,960</b>	<b>203,400</b>	<b>205,599</b>	<b>226,980</b>

#### CONSERVATION AREAS/GREEWAYS/OWNED PROPERTIES MAINTENANCE

MANDATORY MUNICIPAL COST APPORTIONMENT	775,110	954,255	954,255	<b>1,137,178</b>
FEDERAL GRANTS	5,796	-	-	<b>2,200</b>
FOUNDATION & OTHER GRANTS	30,870	15,500	17,500	<b>2,000</b>
SELF-GENERATED USER FEES	96,073	94,000	99,250	<b>89,750</b>
TRANSFERS (TO)/FROM DEFERRED REVENUES	(20,436)	8,500	10,500	<b>2,000</b>
TRANSFERS TO/FROM RESERVES	-	(10,000)	7,500	<b>(13,300)</b>
	<b>887,414</b>	<b>1,062,255</b>	<b>1,089,005</b>	<b>1,219,828</b>

	2023 AUDITED	2024 BUDGET	2024 PROJECTION	2025 DRAFT BUDGET
WAGES	380,512	493,822	451,530	565,298
CONSTRUCTION	3,454	10,000	14,000	1,000
ENGINEERING/CONSULTING	20,885	10,000	10,000	90,000
SUPPLIES/OFFICE/JANITORIAL	67,703	58,742	64,753	68,613
VEHICLE/TRAVEL/EQUIP'T USAGE	95,055	111,999	136,895	133,750
PLANT MAT/LANDOWNER GRANTS	2,371	15,000	15,000	-
CORP SUPPORT/SHARED SVCS	113,954	139,442	126,700	142,700
RENT/INS/TAXES/UTILITIES	183,254	177,901	184,667	185,667
AUDIT AND LEGAL	500	15,000	-	-
CAP MAINT/LOW VALUE ASSETS	27,377	29,349	51,650	32,300
	<b>896,089</b>	<b>1,062,255</b>	<b>1,055,695</b>	<b>1,219,828</b>
<b>CAPITAL OR MAJOR MAINTENANCE/IMPROVEMENT PROJECTS-Mandatory</b>				
MANDATORY MUNICIPAL COST APPORTIONMENT	-	10,000	10,000	-
PROVINCIAL GRANTS	104,800	400,000	400,000	-
FEDERAL GRANTS	44,341	80,000	50,000	740,000
FOUNDATION & OTHER GRANTS	19,000	-	225,180	-
TRANSFERS TO/FROM DEFERRED REVENUES	(90,110)	202,000	92,970	75,000
TRANSFERS TO/FROM RESERVES	95,028	563,000	396,784	537,000
	<b>173,059</b>	<b>1,255,000</b>	<b>1,174,934</b>	<b>1,352,000</b>
WAGES	2,790	13,000	25,406	80,000
CONSTRUCTION	20,642	1,025,000	898,176	490,000
ENGINEERING/CONSULTING/SUB CONTRACTING	2,239	61,000	192,840	747,000
CONSTRUCTION SUPPLIES	12,014	10,000	10,295	-
VEHICLE/TRAVEL/EQUIP'T USAGE	-	2,000	2,160	-
PLANT MAT/LANDOWNER GRANTS	-	5,000	5,000	-
CORP SUPPORT/SHARED SVCS	3,422	19,000	13,016	12,000
CAP MAINT/LOW VALUE ASSETS	16,745	118,000	25,250	23,000
SMALL MISC	-	2,000	2,616	-
	<b>57,852</b>	<b>1,255,000</b>	<b>1,174,759</b>	<b>1,352,000</b>
<b>TREE PLANTING AND RESTORATION -ERCA LANDS</b>				
MANDATORY MUNICIPAL COST APPORTIONMENT	113,100	89,700	89,700	51,000
PROVINCIAL GRANTS	-	-	720,000	-
FEDERAL GRANTS	11,775	-	-	-
FOUNDATION & OTHER GRANTS	4,700	-	-	-
SELF GENERATED FEES	8,342	-	-	-
	<b>137,917</b>	<b>89,700</b>	<b>809,700</b>	<b>51,000</b>
WAGES	48,649	33,000	41,000	39,000
CONSTRUCTION	17,808	-	720,000	-
ENGINEERING/CONSULTING/SUB CONTRACTING	18,083	2,000	2,000	-
SUPPLIES/OFFICE/JANITORIAL	7,340	6,850	6,850	2,500
VEHICLE/TRAVEL/EQUIP'T USAGE	3,147	4,350	5,680	2,500
PLANT MAT/LANDOWNER GRANTS	3,052	30,500	21,500	-
CORP SUPPORT/SHARED SVCS	14,517	13,000	13,000	7,000
	<b>112,596</b>	<b>89,700</b>	<b>810,030</b>	<b>51,000</b>
<b>FLEET &amp; FIELD EQUIPMENT</b>				
MANDATORY MUNICIPAL COST APPORTIONMENT	-	23,200	23,200	28,000
RECOVERIES/CHARGEBACKS	226,377	209,200	253,780	262,880
TRANSFERS TO/FROM RESERVES	45,000	-	-	50,000
	<b>271,377</b>	<b>232,400</b>	<b>276,980</b>	<b>340,880</b>
MAINTENANCE/REPAIRS	55,071	62,000	67,000	68,000
FUEL	47,226	57,500	47,500	52,380
LICENCES/MISC/SMALL TOOLS	28,258	20,900	20,500	20,500
AMORTIZATION	90,524	103,000	108,000	92,000
	<b>221,078</b>	<b>243,400</b>	<b>243,000</b>	<b>232,880</b>

	2023 AUDITED	2024 BUDGET	2024 PROJECTION	2025 DRAFT BUDGET
<b>SUMMARY CATEGORY 1 MANDATORY SERVICES - LAND MGMT, (OWNED) CONSERVATION AREAS OPS, MTCE &amp; CAPITAL</b>				
MANDATORY MUNICIPAL COST APPORTIONMENT	1,092,925	1,272,555	1,272,555	1,443,158
PROVINCIAL GRANTS	104,800	400,000	1,120,000	-
FEDERAL GRANTS	178,390	88,000	85,831	742,200
FOUNDATION & OTHER GRANTS	54,570	15,500	242,680	2,000
SELF-GENERATED FEES	331,616	303,200	353,030	352,630
TRANSFER TO/FROM DEF REVENUES	(95,546)	210,500	103,470	77,000
TRANSFER TO/FROM RESERVES	140,028	553,000	404,284	573,700
	<b>1,806,784</b>	<b>2,842,755</b>	<b>3,581,850</b>	<b>3,190,688</b>
WAGES & BENEFITS	677,407	716,362	673,876	887,798
CONSTRUCTION/ENGINEERING/SUPPLIES	689,113	1,829,451	2,501,206	1,888,190
INTERNAL RECOVERIES FOR SHARED SVCS/FLEET	258,055	307,942	314,001	306,700
	<b>1,624,574</b>	<b>2,853,755</b>	<b>3,489,083</b>	<b>3,082,688</b>
<b>SURPLUS/(DEFICIT)</b>	<b>182,209</b>	<b>(11,000)</b>	<b>92,767</b>	<b>108,000</b>

<b>CATEGORY 3 NON MANDATORY SERVICES - ONGOING ERCA CORE CONSERVATION-RELATED PROGRAMS</b>				
<b>LAND SECUREMENT &amp; ACQUISITION</b>				
NON MANDATORY MUNICIPAL COST APPORTIONMENT	40,000	-	137,500	<b>138,609</b>
OTHER INCOME	-	-	71,000	-
TRANSFERS (TO)/FROM LAND ACQ FUND	14,132	57,500	(80,000)	<b>(81,609)</b>
TRANSFERS (TO)/FROM RESERVES	-	-	(71,000)	-
	<b>54,132</b>	<b>57,500</b>	<b>57,500</b>	<b>57,000</b>
WAGES	5,303	2,500	2,500	<b>5,500</b>
LEGAL, SURVEYING,CONSULTNG	176	50,000	50,000	<b>50,000</b>
SUPPLIES/OFFICE/JANITORIAL	381	-	-	-
CORP SUPPORT/SHARED SVCS	1,462	5,000	5,000	<b>1,500</b>
	<b>7,322</b>	<b>57,500</b>	<b>57,500</b>	<b>57,000</b>

<b>RESTORATION/TREE PLANTING PROGRAM - NON ERCA PROPERTIES</b>				
NON MANDATORY MUNICIPAL COST APPORTIONMENT	75,000	75,000	75,000	<b>75,000</b>
PROVINCIAL GRANTS	53,450	50,000	50,000	<b>50,000</b>
FEDERAL GRANTS	167,446	160,000	160,000	<b>160,000</b>
FOUNDATION & OTHER GRANTS	77,479	-	112,858	<b>65,000</b>
SELF-GENERATED FEES	221,336	205,000	201,600	<b>201,600</b>
IN-KIND	14,207	10,000	10,000	<b>10,000</b>
TRANSFERS (TO)/FROM DEFERRED REVENUES	(39,250)	29,700	12,542	<b>55,000</b>
	<b>569,668</b>	<b>529,700</b>	<b>622,000</b>	<b>616,600</b>
WAGES	215,477	160,500	214,000	<b>196,500</b>
CONSTRUCTION	-	-	30,000	<b>30,000</b>
ENGINEERING/CONSULTING/SUB-CONTRACTING	805	-	-	-
SUPPLIES/OFFICE/JANITORIAL	12,362	18,200	14,500	<b>14,500</b>
VEHICLE/TRAVEL/EQUIP'T USAGE	46,653	49,000	50,360	<b>61,600</b>
PLANT MAT/LANDOWNER GRANTS	209,971	207,500	220,000	<b>220,000</b>
CORP SUPPORT/SHARED SVCS	60,228	75,000	75,000	<b>75,000</b>
RENT/INS/TAXES/UTILITIES	9,600	9,000	9,000	<b>9,000</b>
IN KIND SVCS SUPPLIES	14,207	10,000	10,000	<b>10,000</b>
	<b>569,668</b>	<b>529,700</b>	<b>622,860</b>	<b>616,600</b>

<b>HOLIDAY BEACH (OPERATED UNDER MGMT AGREEMENT)</b>				
FEDERAL GRANTS	1,953	-	2,200	<b>1,800</b>
SELF GENERATED	393,157	399,000	407,275	<b>414,000</b>
TRANSFERS TO/FROM RESERVES	(7,040)	(13,000)	9,500	<b>(8,800)</b>
	<b>388,070</b>	<b>386,000</b>	<b>418,975</b>	<b>407,000</b>
WAGES	191,036	188,700	204,091	<b>208,200</b>
CONSTRUCTION	-	-	-	-
ENGINEERING/CONSULTING/SUB CONTRACTING	13,515	3,500	5,500	<b>3,500</b>
SUPPLIES/OFFICE/JANITORIAL	69,211	64,800	76,441	<b>60,630</b>
VEHICLE/TRAVEL/EQUIP'T USAGE	29,279	25,500	24,250	<b>28,720</b>
CORP SUPPORT/SHARED SVCS	33,642	40,500	39,500	<b>39,000</b>
RENT/INS/TAXES/UTILITIES	42,656	45,000	44,700	<b>43,250</b>
MAJOR MAINT/ROADS/VEGETATION	8,814	17,500	29,000	<b>22,500</b>
	<b>388,152</b>	<b>386,000</b>	<b>423,982</b>	<b>407,000</b>

	2023 AUDITED	2024 BUDGET	2024 PROJECTION	2025 DRAFT BUDGET
<b>SUMMARY CATEGORY 3 NON MANDATORY SERVICES - ERCA ONGOING CORE CONSERVATION PROGRAMS</b>				
NON MANDATORY MUNICIPAL COST APPORTIONMENT	115,000	75,000	212,500	213,609
PROVINCIAL GRANTS	53,450	50,000	50,000	50,000
FEDERAL GRANTS	169,399	160,000	162,200	161,800
FOUNDATION & OTHER GRANTS	77,479	-	112,858	65,000
SELF-GENERATED FEES	614,494	604,000	679,875	615,600
IN-KIND	14,207	10,000	10,000	10,000
TRANSFER TO/FROM DEF REVENUES	(25,118)	87,200	(67,458)	(26,609)
TRANSFER TO/FROM RESERVES	(7,040)	(13,000)	(61,500)	(8,800)
	<b>1,011,871</b>	<b>973,200</b>	<b>1,098,475</b>	<b>1,080,600</b>
WAGES & BENEFITS	411,816	351,700	420,591	410,200
OTHER OPERATING/SITE SUPPLIES/PROF SERVICES	408,002	453,000	513,891	489,400
INTERNAL RECOVERIES FOR SHARED SVCS/FLEET	145,324	168,500	169,860	181,000
	<b>965,142</b>	<b>973,200</b>	<b>1,104,342</b>	<b>1,080,600</b>
<b>SURPLUS/(DEFICIT)</b>	<b>46,729</b>	<b>-</b>	<b>(5,867)</b>	<b>-</b>

**CATEGORY 3 NON MANDATORY SERVICES - FIXED TERM SPECIAL PROJECTS AND FEE FOR SERVICE CONTRACTS**

**NON MANDATORY RESTORATION PROJECTS & HABITAT-RELATED STUDIES**

PROVINCIAL GRANTS	24,000	-	-	-
FEDERAL GRANTS	85,000	-	145,000	<b>1,510,000</b>
FOUNDATION & OTHER GRANTS	57,000	68,000	68,000	-
TRANSFERS (TO)/FROM DEFERRED REVENUES	(44,307)	-	15,000	-
	<b>121,693</b>	<b>68,000</b>	<b>228,000</b>	<b>1,510,000</b>

WAGES	29,125	8,000	23,000	<b>39,740</b>
CONSTRUCTION	25,650	33,000	53,000	<b>1,250,000</b>
ENGINEERING/CONSULTING/SUB-CONTRACTING	43,039	7,000	47,000	<b>110,676</b>
SUPPLIES/OFFICE/JANITORIAL	7,023	2,000	2,000	<b>3,084</b>
VEHICLE/TRAVEL/EQUIP'T USAGE	1,806	500	500	-
PLANT MAT/LANDOWNER GRANTS	9,800	14,000	14,000	<b>78,500</b>
CORP SUPPORT/SHARED SVCS	3,900	3,500	3,500	<b>28,000</b>
RENT/INS/TAXES/UTILITIES	1,350	-	-	-
EQUIP'T/FIXED ASSETS	-	-	85,000	-
	<b>121,693</b>	<b>68,000</b>	<b>228,000</b>	<b>1,510,000</b>

**FEE FOR SERVICE CONTRACTS**

SELF-GENERATED FEES	14,276	31,200	11,949	<b>18,700</b>
	<b>14,276</b>	<b>31,200</b>	<b>11,949</b>	<b>18,700</b>
WAGES	6,423	12,500	5,410	<b>9,500</b>
VEHICLE/TRAVEL/EQUIP'T USAGE	3,684	5,800	3,176	<b>5,300</b>
CORP SUPPORT/SHARED SVCS	1,969	4,700	1,363	<b>3,000</b>
RENT/INS/TAXES/UTILITIES	400	6,400	200	<b>900</b>
SMALL MISC	1,800	1,800	1,800	-
	<b>14,276</b>	<b>31,200</b>	<b>11,949</b>	<b>18,700</b>

**SUMMARY CATEGORY 3 NON MANDATORY SERVICES - FEE FOR SERVICE CONTRACTS AND TERM LIMITED PROJECTS**

PROVINCIAL GRANTS	24,000	-	-	-
FEDERAL GRANTS	85,000	-	145,000	1,510,000
FOUNDATION & OTHER GRANTS	57,000	68,000	68,000	-
SELF-GENERATED FEES	14,276	31,200	11,949	18,700
TRANSFER TO/FROM DEF REVENUES	(44,307)	-	15,000	-
	<b>135,969</b>	<b>99,200</b>	<b>239,949</b>	<b>1,528,700</b>

WAGES & BENEFITS	35,548	20,500	28,410	49,240
CONSTRUCTION/SUPPLIES/OTHER	89,062	64,200	203,000	1,443,160
INTERNAL RECOVERIES FOR SHARED SVCS/FLEET	11,359	14,500	8,539	36,300
	<b>135,969</b>	<b>99,200</b>	<b>239,949</b>	<b>1,528,700</b>
<b>SURPLUS/(DEFICIT)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

	2023 AUDITED	2024 BUDGET	2024 PROJECTION	2025 DRAFT BUDGET
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# WATERSHED RESEARCH

### CATEGORY 1 MANDATORY SERVICE - DRINKING WATER SOURCE PROTECTION & PROV SURFACE/GROUND WATER MONITORING PROGS

MANDATORY MUNICIPAL COST APPORTIONMENT	21,285	18,350	18,350	<b>13,100</b>
PROVINCIAL GRANTS	148,362	114,400	121,900	<b>128,850</b>
OTHER GRANTS/USER FEES/RECOVERIES	1,616	-	-	-
TRANSFERS (TO)/FROM DEFERRED REVENUES	(20,652)	-	-	-
	<u>150,612</u>	<u>132,750</u>	<u>140,250</u>	<u><b>141,950</b></u>
WAGES	116,283	105,848	111,000	<b>104,000</b>
SUPPLIES/OFFICE/JANITORIAL	2,467	700	1,700	<b>4,150</b>
VEHICLE/TRAVEL/EQUIP'T USAGE	3,607	4,000	2,700	<b>4,700</b>
CORP SUPPORT/SHARED SVCS	18,241	14,102	14,500	<b>19,500</b>
RENT/INS/TAXES/UTILITIES	2,650	3,500	3,500	<b>3,500</b>
CAP MAINT/LOW VALUE ASSETS	1,207	-	-	<b>1,500</b>
PER DIEMS/MISC	3,625	4,600	4,600	<b>4,600</b>
	<u>148,080</u>	<u>132,750</u>	<u>138,000</u>	<u><b>141,950</b></u>

### CATEGORY 2 MUNICIPAL SERVICES - RISK MANAGEMENT SERVICES (PART IV CWA, 2006)

MUNICIPAL SPECIAL PROJECTS/OTHER	9,412	14,600	16,000	<b>36,715</b>
	<u>9,412</u>	<u>14,600</u>	<u>16,000</u>	<u><b>36,715</b></u>
WAGES	5,973	9,100	8,500	<b>25,807</b>
SUPPLIES/OFFICE/JANITORIAL	719	500	500	<b>1,500</b>
VEHICLE/TRAVEL/EQUIP'T USAGE	-	1,500	3,500	<b>1,500</b>
CORP SUPPORT/SHARED SVCS	1,221	1,500	1,500	<b>5,908</b>
RENT/INS/TAXES/UTILITIES	1,500	2,000	2,000	<b>2,000</b>
AUDIT AND LEGAL	-	-	-	-
	<u>9,412</u>	<u>14,600</u>	<u>16,000</u>	<u><b>36,715</b></u>

### CATEGORY 3 NON MANDATORY SERVICE - ONGOING ERCA CORE WATER QUALITY/RESEARCH PROGRAM

#### WATERSHED WATER QUALITY PROGRAM

NON MANDATORY MUNICIPAL COST APPORTIONMENT	-	25,000	25,000	<b>25,000</b>
FEDERAL GRANTS	5,000	-	-	-
TRANSFERS (TO)/FROM DEFERRED REVENUES/PROJECT TRANSFERS	37,445	43,955	24,000	<b>23,000</b>
	<u>42,445</u>	<u>68,955</u>	<u>49,000</u>	<u><b>48,000</b></u>
WAGES	12,580	30,995	19,000	<b>15,500</b>
SUPPLIES/OFFICE/JANITORIAL	2,594	2,400	2,700	<b>3,000</b>
VEHICLE/TRAVEL/EQUIP'T USAGE	6,343	8,060	7,700	<b>9,000</b>
CORP SUPPORT/SHARED SVCS	6,094	10,000	7,000	<b>6,500</b>
RENT/INS/TAXES/UTILITIES	2,000	2,000	2,000	<b>2,000</b>
TECHNICAL EQUIPMENT/LAB SERVICES	13,002	15,500	11,000	<b>12,000</b>
	<u>42,613</u>	<u>68,955</u>	<u>49,400</u>	<u><b>48,000</b></u>

#### DEMONSTRATION/CROP RESEARCH FARM

PROVINCIAL GRANTS	15,000	-	-	-
SELF-GENERATED	16,725	-	-	-
	<u>31,725</u>	<u>-</u>	<u>-</u>	<u>-</u>
WAGES	18,629	-	-	-
SUPPLIES/OFFICE/JANITORIAL	1,744	-	-	-
VEHICLE/TRAVEL/EQUIP'T USAGE	4,929	-	-	-
CORP SUPPORT/SHARED SVCS	3,628	-	-	-
RENT/INS/TAXES/UTILITIES	750	-	-	-
DUES/MEMBERSHIPS	259	-	-	-
SMALL MISC	1,786	-	-	-
	<u>31,725</u>	<u>-</u>	<u>-</u>	<u>-</u>

#### LANDOWNER STEWARDSHIP PROGRAM

CW--GS LEVY	73,000	-	-	-
PROVINCIAL GRANTS	15,000	-	-	-
SELF-GENERATED	11,530	-	-	-
IN-KIND	10,665	-	-	-
TRANSFERS (TO)/FROM DEFERRED REVENUES	-	-	-	-
	<u>110,196</u>	<u>-</u>	<u>-</u>	<u>-</u>

	2023 AUDITED	2024 BUDGET	2024 PROJECTION	2025 DRAFT BUDGET
WAGES	64,286	-	-	-
SUPPLIES/OFFICE/JANITORIAL	136	-	-	-
VEHICLE/TRAVEL/EQUIP'T USAGE	2,568	-	-	-
PLANT MAT/LANDOWNER GRANTS	26,037	-	-	-
CORP SUPPORT/SHARED SVCS	17,879	-	-	-
RENT/INS/TAXES/UTILITIES	1,000	-	-	-
IN KIND SVCS SUPPLIES	10,665	-	-	-
	122,570	-	-	-

<b>SUMMARY CATEGORY 3 NON MANDATORY SERVICES - ERCA ONGOING WATER QUALITY/ RESEARCH PROGRAMS</b>				
<b>NON MANDATORY MUNICIPAL COST APPORTIONMENT</b>	<b>73,000</b>	<b>25,000</b>	<b>25,000</b>	<b>25,000</b>
PROVINCIAL GRANTS	30,000	-	15,000	-
FEDERAL GRANTS	5,000	-	-	-
SELF-GENERATED	23,255	-	-	-
IN-KIND	10,665	-	-	-
TRANSFER TO/FROM DEF REVENUES	42,446	43,955	9,000	23,000
	184,366	68,955	49,000	48,000
<b>WAGES &amp; BENEFITS</b>	<b>95,495</b>	<b>30,995</b>	<b>19,000</b>	<b>15,500</b>
SUPPLIES/TECH SERVICES/EQUIP'T	60,300	19,960	16,700	18,000
INTERNAL RECOVERIES FOR SHARED SVCS/FLEET	41,114	18,000	13,700	14,500
	196,909	68,955	49,400	48,000
<b>SURPLUS/(DEFICIT)</b>	<b>(12,543)</b>	<b>-</b>	<b>(400)</b>	<b>-</b>

<b>CATEGORY 3 NON MANDATORY SERVICES - TERM LIMITED GRANT-FUNDED/FEE-FOR-SERVICE PROJECTS/STUDIES</b>				
<b>DETROIT RIVER CANADIAN CLEANUP</b>				
PROVINCIAL GRANTS	100,000	90,000	90,000	<b>75,000</b>
FEDERAL GRANTS	109,750	75,000	75,000	<b>75,000</b>
TRANSFERS (TO)/FROM DEFERRED REVENUES	(20,908)	15,500	16,730	<b>5,000</b>
	188,842	180,500	181,730	<b>155,000</b>
WAGES	139,171	137,500	135,500	<b>115,000</b>
SUPPLIES/OFFICE/JANITORIAL	17,198	2,600	2,600	<b>14,600</b>
VEHICLE/TRAVEL/EQUIP'T USAGE	2,111	1,000	4,230	<b>1,000</b>
PLANT MAT/LANDOWNER GRANTS	-	10,000	10,000	-
CORP SUPPORT/SHARED SVCS	24,595	27,000	27,000	<b>22,000</b>
RENT/INS/TAXES/UTILITIES	2,400	2,400	2,400	<b>2,400</b>
CAP MAINT/LOW VALUE ASSETS	3,367	-	-	-
	188,842	180,500	181,730	<b>155,000</b>

<b>OTHER WATER QUALITY STUDIES (FED\$ &amp; PROV\$)</b>				
PROVINCIAL GRANTS	33,103	-	61,000	<b>85,300</b>
FEDERAL GRANTS	56,695	-	266,796	<b>1,889,000</b>
OTHER	(6,529)	-	-	-
IN-KIND	34,943	-	39,650	-
TRANSFERS (TO)/FROM DEFERRED REVENUES	50,440	-	(56,625)	-
	168,651	-	310,821	<b>1,974,300</b>
WAGES	67,532	-	85,385	<b>359,400</b>
CONSTRUCTION	-	-	-	<b>185,000</b>
CONSULTING/SUB CONTRACTING	8,564	-	5,000	-
SUPPLIES/OFFICE/JANITORIAL	6,201	-	8,851	<b>39,800</b>
VEHICLE/TRAVEL/EQUIP'T USAGE	847	-	4,212	<b>28,800</b>
PLANT MAT/LANDOWNER GRANTS	33,395	-	107,115	<b>1,249,989</b>
CORP SUPPORT/SHARED SVCS	12,376	-	9,422	<b>108,511</b>
IN KIND SVCS SUPPLIES	34,943	-	39,650	-
AUDIT AND LEGAL	-	-	4,503	-
TECHNICAL EQUIPMENT	4,793	-	46,737	<b>2,800</b>
	168,651	-	310,874	<b>1,974,300</b>

<b>OTHER WATER QUALITY FEE FOR SERVICE (SAMPLING/DATA/ANALYSIS)</b>				
FEDERAL GRANTS	41,873	27,100	27,160	<b>13,500</b>
TRANSFERS (TO)/FROM DEFERRED REVENUES/PROJECT TRANSFERS	1,041	-	-	-
	42,914	27,100	27,160	<b>13,500</b>
WAGES	27,921	19,500	20,600	<b>7,500</b>
CONSULTING/SUB CONTRACTING	2,483	-	-	-
SUPPLIES/OFFICE/JANITORIAL	1,912	1,500	500	<b>500</b>
VEHICLE/TRAVEL/EQUIP'T USAGE	4,709	2,600	2,560	<b>2,500</b>
CORP SUPPORT/SHARED SVCS	5,392	3,000	3,000	<b>2,500</b>
RENT/INS/TAXES/UTILITIES	500	500	500	<b>500</b>
	42,917	27,100	27,160	<b>13,500</b>

	2023 AUDITED	2024 BUDGET	2024 PROJECTION	2025 DRAFT BUDGET
<b>SUMMARY CATEGORY 3 NON MANDATORY SERVICES - TERM LIMITED GRANT-FUNDED/FEE-FOR-SERVICE PROJECTS/STUDIES</b>				
PROVINCIAL GRANTS	133,103	90,000	151,000	160,300
FEDERAL GRANTS	208,318	102,100	368,956	1,977,500
SELF-GENERATED	(6,529)	-	-	-
IN-KIND	34,943	-	39,650	-
TRANSFER TO/FROM DEF REVENUES	30,573	15,500	(39,895)	5,000
	<b>400,407</b>	<b>207,600</b>	<b>519,711</b>	<b>2,142,800</b>
WAGES & BENEFITS	234,624	157,000	241,485	481,900
SUBSIDIES/MATERIALS/TECH SVCS/EQUIP'T	116,044	17,600	228,905	1,496,089
INTERNAL RECOVERIES FOR SHARED SVCS/FLEET	49,742	33,000	49,374	164,811
	<b>400,410</b>	<b>207,600</b>	<b>519,764</b>	<b>2,142,800</b>
<b>SURPLUS/(DEFICIT)</b>	<b>(2)</b>	<b>-</b>	<b>(53)</b>	<b>-</b>

## COMMUNITY SERVICES

### GENERAL SERVICES

#### CORPORATE COMMUNICATIONS

MANDATORY MUNICIPAL COST APPORTIONMENT	181,600	200,900	200,900	<b>187,450</b>
FOUNDATION & OTHER GRANTS	5,000	5,000	5,000	<b>5,000</b>
TRANSFERS (TO)/FROM DEFERRED REVENUES	-	-	-	<b>7,500</b>
	<b>186,600</b>	<b>205,900</b>	<b>205,900</b>	<b>199,950</b>

WAGES	164,561	188,000	174,000	<b>182,000</b>
CONSULTING	1,574	5,000	-	<b>5,000</b>
SUPPLIES/OFFICE/JANITORIAL	13,491	12,200	24,700	<b>10,200</b>
VEHICLE/TRAVEL/EQUIP'T USAGE	500	250	4,050	<b>750</b>
CAP MAINT/LOW VALUE ASSETS	-	450	500	<b>2,000</b>
	<b>180,126</b>	<b>205,900</b>	<b>203,250</b>	<b>199,950</b>

### CATEGORY 3 NON MANDATORY SERVICES - ONGOING ERCA STAKEHOLDER ENGAGEMENT, OUTREACH & EDUCATION

#### OUTDOOR & CONSERVATION EDUCATION

FOUNDATION & OTHER GRANTS	42,750	45,000	50,000	<b>45,000</b>
SELF-GENERATED	16,130	25,000	30,000	<b>30,000</b>
TRANSFERS (TO)/FROM DEFERRED REVENUES	-	30,330	10,000	<b>19,000</b>
	<b>58,880</b>	<b>100,330</b>	<b>90,000</b>	<b>94,000</b>

WAGES	46,425	73,500	63,200	<b>73,600</b>
SUPPLIES/OFFICE/JANITORIAL	2,004	2,750	2,800	<b>2,650</b>
VEHICLE/TRAVEL/EQUIP'T USAGE	2,122	2,480	2,470	<b>2,650</b>
CORP SUPPORT/SHARED SVCS	7,439	13,000	13,000	<b>13,000</b>
RENT/INS/TAXES/UTILITIES	1,600	1,600	1,600	<b>1,600</b>
CAP MAINT/LOW VALUE ASSETS	-	7,000	7,000	<b>500</b>
	<b>59,590</b>	<b>100,330</b>	<b>90,070</b>	<b>94,000</b>

#### OUTREACH & ENGAGEMENT

NON MANDATORY MUNICIPAL COST APPORTIONMENT	34,150	57,150	57,150	<b>57,150</b>
FOUNDATION & OTHER GRANTS	33,186	24,000	48,500	<b>16,000</b>
TRANSFERS (TO)/FROM DEFERRED REVENUES	17,009	-	-	<b>11,250</b>
	<b>84,345</b>	<b>81,150</b>	<b>105,650</b>	<b>84,400</b>

WAGES	47,957	44,500	59,700	<b>52,700</b>
SUPPLIES/OFFICE/JANITORIAL	5,819	3,000	7,800	<b>4,200</b>
VEHICLE/TRAVEL/EQUIP'T USAGE	4,008	4,000	6,190	<b>4,100</b>
PARTNER GRANTS/PLANT MATERIAL	13,725	15,000	18,000	<b>9,000</b>
CORP SUPPORT/SHARED SVCS	10,637	12,000	13,000	<b>12,000</b>
RENT/INS/TAXES/UTILITIES	2,200	2,400	2,400	<b>2,400</b>
CAP MAINT/LOW VALUE ASSETS	-	250	250	<b>-</b>
	<b>84,681</b>	<b>81,150</b>	<b>107,840</b>	<b>84,400</b>

#### JOHN R PARK HOMESTEAD MUSEUM OPERATIONS AND EDUCATIONAL PROGRAMMING

NON MANDATORY MUNICIPAL COST APPORTIONMENT	150,962	160,112	160,112	<b>170,112</b>
PROVINCIAL GRANTS	23,688	23,688	23,688	<b>23,688</b>
FEDERAL GRANTS	16,087	9,000	16,000	<b>9,500</b>
FOUNDATION & OTHER GRANTS	1,809	28,750	25,750	<b>27,020</b>
SELF-GENERATED FEES	132,840	134,000	129,035	<b>127,535</b>
TRANSFERS (TO)/FROM DEF REVENUES	23,750	-	8,000	<b>-</b>
TRANSFERS (TO)/FROM RESERVES	(15,000)	(15,000)	-	<b>-</b>
	<b>334,136</b>	<b>340,550</b>	<b>362,585</b>	<b>357,855</b>

	2023 AUDITED	2024 BUDGET	2024 PROJECTION	2025 DRAFT BUDGET
WAGES	209,438	223,000	243,780	237,785
CONSULTING/SUB K	-	-	520	520
SUPPLIES/OFFICE/JANITORIAL	59,928	50,750	49,280	47,700
VEHICLE/TRAVEL/EQUIP'T USAGE	1,368	1,450	3,820	3,760
CORP SUPPORT/SHARED SVCS	30,404	30,250	30,250	30,250
RENT/INS/TAXES/UTILITIES	36,002	34,200	35,900	35,900
CAP MAINT/LOW VALUE ASSETS	720	600	1,140	1,140
	<u>338,041</u>	<u>340,550</u>	<u>365,490</u>	<u>357,855</u>

<b>SUMMARY CATEGORY 3 NON MANDATORY SERVICES - COMMUNITY OUTREACH, EDUCATION &amp; JRPH MUSEUM OPERATIONS</b>				
NON MANDATORY COST APPORTIONMENT	185,112	217,262	217,262	227,262
PROVINCIAL GRANTS	23,688	23,688	23,688	23,688
FEDERAL GRANTS	16,087	9,000	16,000	9,500
FOUNDATION & OTHER GRANTS	65,802	93,750	123,750	87,020
SELF-GENERATED FEES	160,914	163,000	159,535	158,535
TRANSFER TO/FROM DEF REVENUES	40,759	30,330	18,000	30,250
TRANSFER TO/FROM RESERVES	(15,000)	(15,000)	-	-
	<u>477,362</u>	<u>522,030</u>	<u>558,235</u>	<u>536,255</u>
WAGES & BENEFITS	303,819	341,000	366,680	364,085
OTHER OPERATING/SITE SUPPLIES/PROF SERVICES	123,664	118,980	131,670	110,440
INTERNAL RECOVERIES FOR SHARED SVCS/FLEET	54,829	62,050	65,050	61,730
	<u>482,312</u>	<u>522,030</u>	<u>563,400</u>	<u>536,255</u>
<b>SURPLUS/(DEFICIT)</b>	<b>(4,950)</b>	<b>-</b>	<b>(5,165)</b>	<b>-</b>

<b>CATEGORY 3 NON MANDATORY SERVICES - FUNDRAISING/COMMUNITY EVENTS &amp; GRANT FUNDED TERM PROJECTS</b>				
FEDERAL GRANTS	329,000	-	-	-
FOUNDATION & OTHER GRANTS	71,216	-	32,000	62,000
TRANSFERS (TO)/FROM DEFERRED REVENUES	(16,900)	24,000	19,500	-
	<u>383,316</u>	<u>24,000</u>	<u>51,500</u>	<u>62,000</u>
WAGES	89,091	9,000	20,750	22,000
TREES/SUPPLIES	316,244	15,000	30,690	40,000
	<u>405,335</u>	<u>24,000</u>	<u>51,440</u>	<u>62,000</u>

## CORPORATE SERVICES

### GENERAL SERVICES- CORPORATE & SUPPORT FUNCTIONS

#### ADMINISTRATION, GOVERNANCE, RISK, COMPLIANCE, HR, FINANCE & IM/IT

MANDATORY MUNICIPAL COST APPORTIONMENT	540,500	433,300	433,300	429,000
RECOVERIES/CHARGEBACKS	591,497	661,000	620,000	662,000
INTEREST & INVESTMENT INCOME	259,696	210,000	310,000	263,000
OTHER	3,238	1,400	1,400	-
TRANSFERS (TO)/FROM DEFERRED REVENUES	(25,000)	-	-	-
TRANSFERS (TO)/FROM RESERVES	(44,747)	(44,000)	20,000	(32,000)
	<u>1,325,184</u>	<u>1,261,700</u>	<u>1,384,700</u>	<u>1,322,000</u>

WAGES	845,484	900,500	971,000	967,400
MEMBER EXPENSES/CO DUES	59,027	58,500	62,000	63,000
AUDIT/LEGAL/CONSULTING	20,062	30,000	35,000	20,000
SUPPLIES/EQUIPT/NETWORK	90,452	112,700	91,200	104,600
OCCUPANCY/PHONE	143,647	138,500	138,500	142,000
TRAVEL & BD/STAFF MEETINGS	3,972	5,500	6,500	5,000
RETIREE BENEFITS	16,278	16,000	17,000	20,000
	<u>1,178,921</u>	<u>1,261,700</u>	<u>1,321,200</u>	<u>1,322,000</u>

#### CORPORATE SPECIAL PROJECTS (RECORDS/IS/IT)

MANDATORY MUNICIPAL COST APPORTIONMENT	-	20,000	20,000	-
TRANSFERS FROM DEF REVENUES	-	25,000	13,500	28,000
TRANSFERS FROM RESERVES	-	45,000	-	-
	<u>-</u>	<u>90,000</u>	<u>33,500</u>	<u>28,000</u>
WAGES	-	10,000	8,500	3,000
CONSULTING/OTHER	-	80,000	25,000	25,000
	<u>-</u>	<u>90,000</u>	<u>33,500</u>	<u>28,000</u>



	2023 AUDITED	2024 BUDGET	2024 PROJECTION	2025 DRAFT BUDGET
<b>RESERVES- MANDATORY PROGRAMS</b>				
MANDATORY LEVY	325,000	200,000	200,000	275,000
TRANSFER TO/FROM RESERVES	(325,000)	(200,000)	(200,000)	(275,000)
EXTRAORDINARY LOSS/LOSS ON DISPOSAL OF ASSETS	(2,536)	-	-	-
	(2,536)	-	-	-
<b>SUMMARY CORPORATE SERVICES</b>				
MANDATORY MUNICIPAL COST APPORTIONMENT	865,500	653,300	653,300	704,000
RECOVERIES/CHARGEBACKS	591,497	661,000	620,000	662,000
INTEREST	259,696	210,000	310,000	263,000
OTHER	3,238	1,400	1,400	-
TRANSFER TO/FROM DEF REVENUES	(25,000)	25,000	13,500	28,000
TRANSFER TO/FROM RESERVES	(369,747)	(199,000)	(180,000)	(307,000)
	1,325,184	1,351,700	1,418,200	1,350,000
<b>WAGES &amp; BENEFITS</b>				
	845,484	910,500	979,500	970,400
<b>OTHER OPERATING/SUPPLIES/PROF SERVICES</b>				
	335,973	441,200	375,200	379,600
	1,181,457	1,351,700	1,354,700	1,350,000
<b>SURPLUS/(DEFICIT)</b>				
	143,727	-	63,500	-

<b>NON MANDATORY SERVICES- ESSEX REGION CONSERVATION GOVERNANCE &amp; FINANCE SUPPORTS</b>				
FOUNDATION SUPPORT GRANT	55,000	55,000	55,000	55,000
ERCF-RELATED WAGE SUPPORTS	57,401	55,000	57,000	55,000
NET FINANCIAL SUPPORT OF/(PROVIDED BY) ERCF	(2,401)	-	(2,000)	-

<b>RESERVES- NON-MANDATORY PROGRAMS</b>				
NON MANDATORY LEVY	500,000	-	-	-
TRANSFER TO/FROM RESERVES	(500,000)	-	-	-
	0	-	-	-

### BUDGET SUMMARY OF PROGRAMS & SERVICES BY CATEGORY

<b>General Services (Administration, Finance, Human Resources, IT, &amp; Communications)</b>				
Mandatory Municipal Cost Apportionment	722,100	654,200	654,200	616,450
Self-generated/Other grants	267,934	216,400	316,400	268,000
Shared and corporate services recoveries	591,497	661,000	620,000	662,000
Deferred Revenue Transfers	(25,000)	25,000	13,500	35,500
Reserve transfers	(44,747)	1,000	20,000	(32,000)
<b>Total revenues - general/administrative programs &amp; services</b>	1,511,784	1,557,600	1,624,100	1,549,950
<b>Operational Expenses associated with general services</b>				
Wages & benefits	1,026,323	1,114,500	1,170,500	1,172,400
Office supplies & expenses - other ERCA programs	15,779	19,900	18,900	13,300
Occupancy, taxes & utilities	143,647	139,500	139,500	143,000
Equipment, software/hardware & website	64,054	79,750	74,600	81,500
Technical & sub-contracted services/consulting	8,005	89,000	29,000	33,500
Insurance	9,310	9,000	9,000	9,000
Audit & Legal	19,067	29,000	34,000	19,500
Dues & memberships	43,196	43,800	48,500	49,000
Travel, training & professional development	10,029	13,750	13,550	10,250
Board ,committee & meeting expenses	17,914	17,500	18,500	17,500
Bank, credit card charges and interest	1,724	1,900	1,900	1,000
<b>Total operational expenses -general/administrative</b>	1,359,048	1,557,600	1,557,950	1,549,950
<b>Total Surplus/(Deficit)-General/Admin Prog &amp; Svcs</b>	152,736	-	66,150	-
<b>Category 1 Mandatory Programs &amp; Services associated with Risks of Hazards, Conservation of Lands*, &amp; DWSP</b>				
Mandatory Municipal Cost Apportionment	2,173,024	2,306,888	2,306,888	2,437,041
Municipal Special Project/Other	154,411	-	6,000	-
Other Government \$	386,829	226,817	982,148	235,467
Self-generated/Other grants	811,559	815,500	723,750	716,750
Shared services recoveries - Non-Mandatory Programs	87,196	78,200	89,547	112,380
Deferred Revenue Transfers	(73,183)	80,500	(47,500)	81,000
Reserve transfers	(280,000)	(180,000)	(192,500)	(238,300)
<b>Total revenues associated with mandatory programs &amp; services</b>	3,259,836	3,327,905	3,868,333	3,344,338
<b>Operational Expenses associated with mandatory services</b>				
Wages & benefits	1,708,635	1,980,210	1,717,970	1,992,298
Construction	21,262	10,000	734,000	1,000
Plant material	5,423	45,500	36,500	-
Maintenance, supplies, contracted services-cons areas	113,290	88,905	116,700	175,200
Office supplies & expenses - other ERCA programs	15,038	10,000	11,995	12,950

	2023 AUDITED	2024 BUDGET	2024 PROJECTION	2025 DRAFT BUDGET
Occupancy, taxes, utilities & waste removal	174,479	166,321	176,988	177,388
Maintenance, repairs & supplies-fleet/equipment	110,307	121,000	116,000	120,880
Equipment, software/hardware & website	16,872	14,620	19,950	40,800
Technical & sub-contracted services/consulting	249,136	210,500	113,104	84,500
Insurance	129,050	137,967	133,967	133,267
Audit & Legal	17,689	20,000	30,000	15,000
Dues & memberships	1,862	1,500	1,500	1,500
Travel, training & professional development	6,750	6,198	8,560	6,230
Board ,committee & meeting expenses	3,625	4,600	4,600	4,600
Bank, credit card charges and interest	11,937	12,040	12,065	11,525
Fleet/Equipment replacement	136,811	92,000	185,000	200,000
Allocated corporate recoveries	344,537	406,544	359,532	367,200
<b>Total operational expenses - mandatory programs</b>	<b>3,069,237</b>	<b>3,327,905</b>	<b>3,778,431</b>	<b>3,344,338</b>
<b>Operating surplus/(Deficit) - mandatory progs/svcs</b>	<b>190,599</b>	<b>-</b>	<b>89,902</b>	<b>-</b>
<b>Capital projects associated with Category 1 Programs &amp; Services</b>				
Mandatory Municipal Cost Apportionment	-	10,000	10,000	-
Transfers from Infrastructure Reserve	95,028	563,000	396,784	537,000
Grants from ERCF/Other funders	77,231	682,000	768,150	815,000
<b>Total revenues associated with capital projects/infrastructure</b>	<b>172,259</b>	<b>1,255,000</b>	<b>1,174,934</b>	<b>1,352,000</b>
Construction/engineering-ERCA capital projects (transferred to TCA at y/e)	55,062	1,242,000	1,149,353	1,272,000
Wages	1,990	13,000	25,406	80,000
Capitalized Infrastructure replacement				
<b>Total ERCA infrastructure investment</b>	<b>57,052</b>	<b>1,255,000</b>	<b>1,174,759</b>	<b>1,352,000</b>
<b>Surplus/(Deficit) - Capital Projects</b>	<b>115,207</b>	<b>-</b>	<b>175</b>	<b>-</b>
<b>Category 3 Non-Mandatory Programs &amp; Services</b>				
<b>On-going recurring core watershed programs &amp; services</b>				
Non Mandatory Municipal Cost Apportionment	833,112	317,262	317,262	327,262
Non Mandatory Municipal Cost Apportionment-land acq	40,000	-	137,500	138,609
Other Government \$	297,625	242,688	266,888	244,988
Self-generated/Other grants	1,015,702	925,750	1,141,018	991,155
Interdepartmental Transfers	6,113	-	-	-
Deferred Revenue Transfers	58,087	161,485	(40,458)	26,641
Reserve Transfers	(522,040)	(28,000)	(61,500)	(8,800)
<b>Total revenues-ongoing non-mandatory programs &amp; services</b>	<b>1,728,598</b>	<b>1,619,185</b>	<b>1,760,710</b>	<b>1,719,855</b>
<b>Expenses associated with ERCA ongoing non-mandatory programs &amp; services</b>				
Wages & benefits	868,591	778,695	863,771	845,285
Construction& consulting engineering	805	45,000	75,000	75,000
Plants, removals and landowner subsidies	250,132	222,500	238,000	229,000
Supplies	107,192	100,450	105,830	93,840
Maintenance, repairs & security	35,634	28,150	27,850	34,620
Occupancy, taxes, utilities & waste removal	67,839	65,400	71,140	68,990
Equipment, software/hardware & website	12,234	37,800	48,490	22,090
Lab, data, technical & sub-contracted services	28,062	16,500	16,020	16,020
Insurance	43,450	41,300	41,300	41,300
Audit & legal	176	5,000	5,000	5,000
Dues & memberships	5,266	4,150	4,250	4,250
Travel, training & professional development	1,592	2,390	3,810	3,180
Board ,committee & meeting expenses	120	300	300	300
Bank, credit card charges and interest	14,531	13,000	14,771	13,750
In-kind supplies & services	24,872	10,000	10,000	10,000
Shared services allocations	241,267	248,550	248,610	257,230
	1,701,764	1,619,185	1,774,142	1,719,855
<b>Surplus/(Deficit) associated with ERCA-ongoing Cat 3 non-mandatory programs &amp; services</b>	<b>26,834</b>	<b>-</b>	<b>(13,432)</b>	<b>-</b>
<b>Category 3 Non-Mandatory Programs &amp; Services</b>				
<b>Term-limited projects with special grants and fixed terms</b>				
Other Government \$	779,421	192,100	664,956	3,647,800
Self-generated/Other grants	170,905	99,200	151,599	80,700
Deferred Revenue Transfer	(30,634)	39,500	(5,395)	5,000
<b>Total Revenues associated with term limited 3rd-party funded projects &amp; services</b>	<b>919,693</b>	<b>330,800</b>	<b>811,160</b>	<b>3,733,500</b>

	2023 AUDITED	2024 BUDGET	2024 PROJECTION	2025 DRAFT BUDGET
<b>Expenses associated with term limited 3rd-party funded proj &amp; svcs</b>				
Wages & benefits	359,262	186,500	290,645	553,140
Construction& consulting engineering	198,134	40,000	100,000	1,545,676
Plants, removals and landowner subsidies	69,072	34,000	151,115	1,368,489
Program supplies-	83,967	5,000	14,151	46,084
Maintenance, repairs & security	-	-	550	-
Occupancy, taxes, utilities & waste removal	355	5,000	-	-
Equipment, software/hardware & website	87,659	1,800	137,237	14,400
Lab, data, technical & sub-contracted services	21,016	1,800	6,800	-
Insurance, audit & legal	4,650	4,300	7,603	3,800
Travel, training & professional development	318	900	800	800
Bank, credit card charges and interest	1,275	-	-	-
In-kind supplies & services	34,943	-	39,650	-
Shared services allocations	81,061	51,500	62,603	201,111
	941,713	330,800	811,153	3,733,500
<b>Surplus/(Deficit) assoc w/term ltd 3rd pty funded projects &amp; svcs</b>	<b>(22,020)</b>	<b>-</b>	<b>7</b>	<b>-</b>
<b>Capital projects associated with Category 3 Non-Mandatory Programs &amp; Services</b>				
Transfers from Infrastructure Reserve	20,570	370,000	545,087	-
Grants from ERCF/Other funders	391,695	-	201,636	-
<b>Total revenues - Cat 3 capital projects/infrastructure</b>	<b>412,265</b>	<b>370,000</b>	<b>746,723</b>	<b>-</b>
Construction/engineering-ERCA capital projects (transferred to TCA at y/e)	327,593	357,500	726,221	-
Wages	40,259	12,500	20,448	-
Capitalized Infrastructure replacement	-	-	-	-
<b>Total expenses- Cat 3 capital projects/infrastructure</b>	<b>367,852</b>	<b>370,000</b>	<b>746,669</b>	<b>-</b>
<b>Surplus/(Deficit) - Cat 3 capital projects</b>	<b>44,413</b>	<b>-</b>	<b>54</b>	<b>-</b>
<b>Category 2 Programs &amp; Services (provided on behalf of one or more municipalities through agreement)</b>				
Municipal Special Project/Other Fee for Service	9,412	14,600	16,000	36,715
<b>Total operating revenues - municipal programs &amp; services</b>	<b>9,412</b>	<b>14,600</b>	<b>16,000</b>	<b>36,715</b>
Wages & benefits	5,973	9,100	8,500	25,807
Office supplies & expenses	-	500	500	500
Equipment, software/hardware & website	719	-	-	1,000
Insurance	1,500	2,000	2,000	2,000
Audit & Legal	-	-	-	-
Travel, training & professional development	-	1,500	3,500	1,500
Shared/corporate services	1,221	1,500	1,500	5,908
Other	-	-	-	-
total expenses	9,412	14,600	16,000	36,715
<b>Total operating expenses -municipal programs &amp; services</b>	<b>9,412</b>	<b>14,600</b>	<b>16,000</b>	<b>36,715</b>
<b>Total Surplus/(Deficit)-Cat 2 Municipal Prog/Svcs</b>	<b>0</b>	<b>-</b>	<b>-</b>	<b>0</b>
<b>Municipal Cost Apportionment - Mandatory Cat 1</b>	<b>2,895,124</b>	<b>2,971,088</b>	<b>2,971,088</b>	<b>3,053,491</b>
<b>Municipal Cost Apportionment - Non Mandatory Cat 3</b>	<b>833,112</b>	<b>317,262</b>	<b>317,262</b>	<b>327,262</b>
<b>Municipal Discretionary Land Cont'n - Non Mandatory Cat 3</b>	<b>40,000</b>	<b>-</b>	<b>137,500</b>	<b>138,609</b>
<b>Total Municipal Cost Apportionment</b>	<b>3,768,236</b>	<b>3,288,350</b>	<b>3,425,850</b>	<b>3,519,362</b>

**CONSOLIDATED STATEMENT OF FINANCIAL ACTIVITIES-ALL CATEGORIES**

Mandatory municipal cost apportionment Cat 1	\$ 2,895,124	\$ 2,971,088	\$ 2,971,088	\$ 3,053,491
Non mandatory municipal cost apportionment Cat 3	833,112	317,262	317,262	327,262
Non mandatory municipal discretionary land acquisition Cat 3	40,000	-	137,500	138,609
<b>Total Municipal Cost Apportionment</b>	<b>3,768,236</b>	<b>3,288,350</b>	<b>3,425,850</b>	<b>3,519,362</b>
Water & erosion control infrastructure and special projects	154,411	-	6,000	-
Municipal risk management services- Cat 2	9,412	14,600	16,000	36,715
Total Municipal Contributions	<b>3,932,060</b>	<b>3,302,950</b>	<b>3,447,850</b>	<b>3,556,077</b>
<b>Provincial</b>				
Section 39 Flood/Erosion Program	104,417	104,417	104,417	104,417
Drinking Water Source Protection	147,602	114,400	119,400	126,350
Other (CMOG, SEO etc)	369,801	563,688	1,362,188	236,488
	<b>621,820</b>	<b>782,505</b>	<b>1,586,005</b>	<b>467,255</b>
<b>Federal</b>				
	<b>1,248,195</b>	<b>359,100</b>	<b>854,578</b>	<b>4,401,000</b>
<b>Total Government Transfer Payments &amp; Fees-For-Services</b>	<b>5,802,074</b>	<b>4,444,555</b>	<b>5,888,433</b>	<b>8,424,332</b>
<b>Other revenues</b>				

	2023 AUDITED	2024 BUDGET	2024 PROJECTION	2025 DRAFT BUDGET
Permit and applicant fees - mandatory services	669,134	706,000	607,000	625,000
Admissions, program fees & other services	581,570	799,600	856,009	798,585
Leases & property rentals	93,114	94,000	96,000	84,000
Donations and other grants				
General	129,195	15,000	214,225	115,270
Essex Region Conservation Foundation grants	375,987	222,250	471,038	160,750
In-kind contributions	59,815	10,000	49,650	10,000
Interest income	261,313	210,000	310,000	263,000
Gain on sale of assets	13,934	-	-	-
<b>Total other revenues</b>	<b>2,184,062</b>	<b>2,056,850</b>	<b>2,603,922</b>	<b>2,056,605</b>
<b>Transfers from/(to) deferred revenues</b>	<b>(146,060)</b>	<b>508,485</b>	<b>92,187</b>	<b>223,141</b>
<b>Interdepartmental recoveries</b>	<b>801,404</b>	<b>870,200</b>	<b>873,780</b>	<b>924,880</b>
<b>TOTAL REVENUES</b>	<b>\$ 8,641,480</b>	<b>\$ 7,880,090</b>	<b>\$ 9,458,322</b>	<b>\$ 11,628,958</b>
<b>EXPENSES BY CLASSIFICATION</b>				
Wages & benefits	4,011,033	4,094,505	4,097,240	4,668,930
Construction/engineering fees-municipal projects	165,684	155,000	47,500	40,000
Construction/engineering fees-term grant projects	199,260	42,000	852,000	1,575,676
Construction/engineering fees-ERCA capital projects	394,352	1,501,000	1,867,240	1,283,000
Plant material, partner/landowner grants-term grant projects	85,309	10,000	127,115	1,289,989
Plant material, partner/landowner grants-ERCA operations	239,318	297,000	303,500	307,500
Program supplies- term grant projects	83,559	6,100	16,551	48,600
Site & operational supplies - Conservation Areas	92,643	84,711	98,752	90,530
Supplies and cost of goods sold - other ERCA operations	115,206	111,950	110,840	97,044
Occupancy, taxes, utilities & waste removal	386,320	375,221	386,628	388,378
Maintenance, repairs & security-sites	61,480	66,144	89,200	74,320
Maintenance, repairs & supplies-fleet/equipment	112,845	123,500	118,500	123,380
Equipment, software/hardware & website-term grant projects	92,549	5,300	138,737	18,950
Equipment, software/hardware & website- ERCA operations	90,419	221,170	158,236	138,340
Lab, data, technical & sub-contracted services -term grant	37,455	-	5,000	-
Lab, data, technical & sub-contracted services - ERCA operations	116,515	170,800	110,320	184,020
Insurance	187,960	194,567	189,367	189,367
Audit & legal services	36,933	54,000	73,503	39,500
Dues & memberships	50,324	49,450	54,250	54,750
Travel, training & professional development	18,188	23,238	22,720	19,960
Board ,committee & meeting expenses	21,659	22,400	23,400	22,400
Bank, credit card charges and interest	29,467	26,940	28,736	26,275
In-kind supplies & services	59,815	10,000	49,650	10,000
Amortization	420,849	393,500	437,500	421,500
Internal recoveries included in revenues	801,153	869,094	869,354	995,949
<b>TOTAL EXPENSES</b>	<b>\$ 7,910,291</b>	<b>\$ 8,907,590</b>	<b>\$ 10,275,837</b>	<b>\$ 12,108,358</b>
<b>Total Revenues</b>	<b>8,884,217</b>	<b>7,880,090</b>	<b>9,458,322</b>	<b>11,628,958</b>
<b>Total Expenses</b>	<b>7,912,827</b>	<b>8,907,590</b>	<b>10,275,837</b>	<b>12,108,358</b>
<b>SURPLUS/(DEFICIT) (ACCRUAL BASIS)</b>	<b>971,390</b>	<b>(1,027,500)</b>	<b>(817,516)</b>	<b>(479,400)</b>
<b>ADD/SUBTRACT: NON CASH ITEMS</b>				
Donation of land to ERCA	-	-	-	-
Gain/loss on asset disposal	(13,934)	-	-	-
Amortization	420,849	393,500	437,500	421,500
Transfers from Reserves (Per Schedule)		-	-	587,000
<b>DEDUCT: CAPITAL ITEMS</b>				
Land acquisition	(46,810)	-	-	-
Purchased fleet/equipment	(150,243)	(92,000)	(185,000)	(200,000)
Infrastructure additions (added as TCA at Y/E)	(159,619)	-	-	-
<b>(DECREASE)/INCREASE IN NET SURPLUS (prior to reserve transfers)</b>				
	<b>1,021,633</b>	<b>(726,000)</b>	<b>(565,016)</b>	<b>329,100</b>
<b>TRANSFER FROM(TO) RESERVES (Per Schedule)</b>	<b>(731,189)</b>	<b>726,000</b>	<b>707,871</b>	<b>(329,100)</b>
<b>INCREASE/(DECREASE) IN UNRESTRICTED ACCUMULATED OPERATING FUND SURPLUS</b>				
	<b>\$ 290,443</b>	<b>\$ -</b>	<b>\$ 142,855</b>	<b>\$ -</b>

## Appendix B – 2025 Draft Municipal Cost Apportionment Schedule (2.8%)

MUNICIPAL COST APPORTIONMENT - Categories 1 (Mandatory) & Category 3 (Non-Mandatory)															
MUNICIPALITY	MCVA %		MCVA % CHG	Cat 1 Mandatory		General % Chg \$ Chg	Cat 3 Non- Mandatory* CW~GS LEVY		Cat 3 Non- Mandatory Apportionment % Chg	Total		Apportionment 2025-2024	% CHG	Optional Land Acquisition based on MVCA	
	2025	2024		2025	2024		2025	2024		2025	2024				2025
	DRAFT		APPROVED		DRAFT		APPROVED		DRAFT		APPROVED		2025-2024		
	\$3,053,491		\$2,971,088		2.8%		\$327,262 \$317,262		3.2%		\$3,380,753 \$3,288,350		92,403 2.8%		
TOWN OF AMHERSTBURG	6.25%	6.14%	1.8%	\$ 190,892	\$ 182,495	\$ 8,397	\$ 20,459	\$ 19,487	\$ 972	\$ 211,351	\$ 201,982	\$ 9,369	4.6%	31,257.99	
TOWN OF ESSEX	4.91%	4.86%	0.9%	149,888	144,517	5,371	\$ 16,064	15,432	632	165,953	159,949	6,003	3.8%	24,543.73	
TOWN OF KINGSVILLE	6.58%	6.57%	0.1%	200,791	195,230	5,560	\$ 21,520	20,847	673	222,311	216,078	6,233	2.9%	32,878.88	
MUNICIPALITY OF LAKESHORE	9.94%	9.88%	0.6%	303,504	293,519	9,985	\$ 32,528	31,343	1,186	336,032	324,862	11,170	3.4%	49,697.85	
TOWN OF LASALLE	9.12%	9.04%	0.9%	278,554	268,552	10,002	\$ 29,854	28,677	1,178	308,408	297,229	11,180	3.8%	45,612.39	
MUNICIPALITY OF LEAMINGTON	6.35%	6.34%	0.2%	194,001	188,358	5,643	\$ 20,792	20,113	679	214,793	208,471	6,322	3.0%	31,767.09	
TOWNSHIP OF PELEE	0.27%	0.28%	-2.6%	8,196	8,187	9	\$ 878	874	4	9,074	9,061	13	0.1%	1,342.05	
TOWN OF TECUMSEH	8.17%	8.16%	0.1%	249,451	242,555	6,896	\$ 26,735	25,901	834	276,186	268,456	7,730	2.9%	40,846.87	
CITY OF WINDSOR	48.41%	48.73%	-0.6%	1,478,214	1,447,675	30,540	\$ 158,430	154,587	3,842	1,636,644	1,602,262	34,382	2.1%	242,053.15	
<b>TOTALS</b>	<b>100%</b>	<b>100%</b>		<b>\$ 3,053,491</b>	<b>\$ 2,971,088</b>	<b>\$ 82,403</b>	<b>\$ 327,262</b>	<b>\$ 317,262</b>	<b>\$ 10,000</b>	<b>\$ 3,380,753</b>	<b>\$ 3,288,350</b>	<b>\$ 92,403</b>	<b>2.8%</b>	<b>\$ 500,000</b>	

## Appendix C – 2025 Draft Reserves Continuity Schedule

ESSEX REGION CONSERVATION AUTHORITY												
2025 PROJECTED RESERVES	INFRASTRUCTURE / MAJOR MAINTENANCE	REVENUE STABILIZATION	GRANT MATCHING	VEHICLE/ CA EQUIP'T	SUITE / F&F/ IT/ IS	LEGAL/ INSURANCE	KINGSVILLE TRAIN STATION	JRPH PRESERVATION	HBCA MAINTENANCE	TREE WARRANTY & SELF-INSURANCE	OTHER WATERSHED	TOTAL RESERVES
PROJECTED OPENING BALANCE -01/01/2025	\$ 646,202	\$ 138,342	\$ 100,000	\$ 142,287	\$ 274,508	\$ 50,000	\$ 74,835	\$ 19,000	\$ 3,034	\$ 90,000	\$ 118,857	\$ 1,657,065
Transfers to reserves	275,000	-	-	-	-	-	13,300	-	8,800	-		297,100
Interest	32,000											32,000
<b>AVAILABLE BALANCE</b>	<b>\$ 953,202</b>	<b>\$ 138,342</b>	<b>\$ 100,000</b>	<b>\$ 142,287</b>	<b>\$ 274,508</b>	<b>\$ 50,000</b>	<b>\$ 88,135</b>	<b>\$ 19,000</b>	<b>\$ 11,834</b>	<b>\$ 90,000</b>	<b>\$ 118,857</b>	<b>\$ 1,986,165</b>
<b>RESERVE FUND EXPENSES/TRANSFERS</b>												
Collavino Conservation Area development	32,000						-	-				32,000
Hillman Marsh - erosion project	4,000						-					4,000
Greenways culvert/bridge replacement	160,000											160,000
Parking lot(s) resurfacing	142,000											142,000
Emergency infrastructure repair contingency	25,000											25,000
Conservation areas signage	25,000											25,000
Trail resurfacing	149,000						-					149,000
Equipment replacement	-			50,000	-							50,000
<b>TOTAL EXPENSES</b>	<b>537,000</b>	<b>-</b>	<b>-</b>	<b>50,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>587,000</b>
PROJECTED CLOSING BALANCE 12/31/2025	\$ 416,202	\$ 138,342	\$ 100,000	\$ 92,287	\$ 274,508	\$ 50,000	\$ 88,135	\$ 19,000	\$ 11,834	\$ 90,000	\$ 118,857	\$ 1,399,165
												\$ (257,900)

## Appendix D – 2025 Funding Sources by Service Delivery Program Area



CVA in the watershed  
Population in the watershed

47,825,131,145  
317,481

### 2025 FUNDING SOURCES BY SERVICE DELIVERY FUNCTION

Dept/Category of Program	Program Sub-Unit	Budgeted Expenses/Transfers	Mandatory Cost Apportionment	Non-Mandatory Cost Apportionment	Municipal Special	Provincial Transfer Payments	Other Provincial	Federal	Fees/NGO Grants (To) / Def Revenue	From Reserves	Total	Levy%	Levy Per Household (\$300K)
<b>Watershed Management Programs &amp; Services</b>													
Cat 1 -Risks of Natural Hazards	Development Services	\$ 1,089,050	\$ 554,050	-	\$ -	\$ -	\$ -	\$ -	\$ 535,000	\$ -	\$ 1,089,050	51%	\$ 3.48
Cat 1 -Risks of Natural Hazards	Planning- Hazards	143,650	50,650	-	-	3,000	-	-	90,000	-	143,650	35%	\$ 0.32
Cat 1 -Risks of Natural Hazards	Flood Forecasting & Warning	202,500	101,083	-	-	101,417	-	-	-	-	202,500	50%	\$ 0.63
Cat 1 -Risks of Natural Hazards	Watershed Resources Mgmt Mandatory Strategies/Policies	79,000	-	-	-	-	-	-	79,000	-	79,000	0%	\$ -
Cat 1 -Risks of Natural Hazards	Special Projects (municipal/other)	-	-	-	-	-	-	-	-	-	-	-	\$ -
<b>Watershed Management Summary</b>		<b>1,514,200</b>	<b>705,783</b>	<b>-</b>	<b>-</b>	<b>104,417</b>	<b>-</b>	<b>-</b>	<b>704,000</b>	<b>-</b>	<b>1,514,200</b>	<b>47%</b>	<b>\$ 4.43</b>
<b>Conservation of Lands Programs &amp; Services</b>													
Cat 1 - Conservation of Lands	Conservation Areas Infrastructure Projects	1,352,000	-	-	-	-	-	740,000	75,000	537,000	1,352,000	0%	\$ -
Cat 1 - Conservation of Lands	Conservation Areas & Infrastructure Maintenance	1,219,828	1,137,178	-	-	-	-	2,200	80,450	-	1,219,828	93%	\$ 7.13
Cat 1 - Conservation of Lands	Transfer to AMP/Infrastructure Reserve - Cons Areas/Greenways	288,300	275,000	-	-	-	-	-	13,300	-	288,300	95%	\$ 1.73
Cat 1 - Conservation of Lands	Cons Areas Management Plans, Land Strategies and Operations Oversight	226,980	226,980	-	-	-	-	-	-	-	226,980	100%	\$ 1.42
Cat 1 - Conservation of Lands	Tree Planting & Restoration - Conservation Areas	51,000	51,000	-	-	-	-	-	-	-	51,000	100%	\$ 0.32
Cat 1 - Conservation of Lands	Fleet/Equipment	340,880	28,000	-	-	-	-	-	262,880	50,000	340,880	8%	\$ 0.18
Cat 3-Non Mandatory Services	Land Securement-Pre 2024 (CASO related)	57,000	-	-	-	-	-	-	57,000	-	57,000	0%	\$ -
Cat 3-Non Mandatory Services	Recurring Treeplanting/Restoration- Non ERCA Properties	616,600	-	75,000	-	-	50,000	160,000	331,600	-	616,600	12%	\$ 0.47
Cat 3-Non Mandatory Services	Holiday Beach Management	407,000	-	-	-	-	-	1,800	405,200	-	407,000	0%	\$ -
Cat 3-Non Mandatory Services	HBCA Emergency Repairs Reserve	8,800	-	-	-	-	-	-	8,800	-	8,800	0%	\$ -
Cat 3 -Fee for Service/ Contracts	Fixed Term Grant Restoration Projects (Municipal/Other)	1,510,000	-	-	-	-	-	1,510,000	-	-	1,510,000	0%	\$ -
Cat 3 -Fee for Service/ Contracts	Fee For Service Property Maintenance	18,700	-	-	-	-	-	-	18,700	-	18,700	0%	\$ -
Cat 3-Non-Mandatory Services	Land Protection/Securement-Post 2023 Voluntary Contributions	-	-	138,609	-	-	-	-	(138,609)	-	-	100%	*
<b>Conservation of Lands Summary</b>		<b>6,097,088</b>	<b>1,718,158</b>	<b>213,609</b>	<b>-</b>	<b>-</b>	<b>50,000</b>	<b>2,414,000</b>	<b>1,114,321</b>	<b>587,000</b>	<b>6,097,088</b>	<b>32%</b>	<b>\$ 11.25</b>
<b>Water Quality Programs &amp; Services</b>													
Cat 1 - Drinking Water Source Protection	Mandatory Drinking Water Source Protection (SPA)	128,850	-	-	-	128,850	-	-	-	-	128,850	0%	\$ -
Cat 1-Provincial Ground and Source Water Monitoring PGM	Mandatory Provincial Ground and Surface Water Monitoring PGM	13,100	13,100	-	-	-	-	-	-	-	13,100	100%	\$ 0.08
Cat 2 Municipal Services	Risk Management Services	36,715	-	-	36,715	-	-	-	-	-	36,715	0%	\$ -
Cat 3 -Non Mandatory Services	ERCA Water Quality Program/Site Monitoring	48,000	-	25,000	-	-	-	-	23,000	-	48,000	52%	\$ 0.16
Cat 3- Special/Term Projects	Detroit River Canadian Cleanup	155,000	-	-	-	-	75,000	75,000	5,000	-	155,000	0%	\$ -
Cat 3- Special/Term Projects	Fee for Service WQ Monitoring/Sampling	13,500	-	-	-	-	-	13,500	-	-	13,500	0%	\$ -
Cat 3- Special/Term Projects	Fixed Term Grants - WQ/BMPS	1,974,300	-	-	-	-	85,300	1,889,000	-	-	1,974,300	0%	\$ -
<b>Water Quality Prog &amp; Svcs Summary</b>		<b>2,369,465</b>	<b>13,100</b>	<b>25,000</b>	<b>36,715</b>	<b>128,850</b>	<b>160,300</b>	<b>1,977,500</b>	<b>28,000</b>	<b>-</b>	<b>2,369,465</b>	<b>2%</b>	<b>\$ 0.24</b>

Dept/Category of Program	Program Sub-Unit	Budgeted Expenses/Transfers	Mandatory Cost Apportionment	Non-Mandatory Cost Apportionment	Municipal Special	Provincial Transfer Payments	Other Provincial	Federal	Fees/NGO Grants (To) / Def Revenue	From Reserves	Total	Levy%	Levy Per Household (\$300K)
<b>Communications &amp; Outreach Programs &amp; Services</b>													
<b>General Programs -Mandatory</b>	<b>Corporate Communications</b>	<b>199,950</b>	<b>187,450</b>	-	-	-	-	-	<b>12,500</b>	-	<b>199,950</b>	<b>94%</b>	<b>\$ 1.18</b>
Cat 3 -Non Mandatory Services	John R Park Homestead-Museum Operations/Ed'n Program	357,855	-	170,112	-	-	23,688	9,500	154,555	-	<b>357,855</b>	<b>48%</b>	<b>\$ 1.07</b>
Cat 3 -Non Mandatory Services	Transfer to John R Park Homestead Preservation Reserve Fund	-	-	-	-	-	-	-	-	-	-	<b>0%</b>	<b>\$ -</b>
Cat 3 -Non Mandatory Services	Outreach & Partnerships	84,400	-	57,150	-	-	-	-	27,250	-	<b>84,400</b>	<b>68%</b>	<b>\$ 0.36</b>
Cat 3 -Non Mandatory Services	Outdoor & Conservation Education	94,000	-	-	-	-	-	-	94,000	-	<b>94,000</b>	<b>0%</b>	<b>\$ -</b>
Cat 3 -Non Mandatory Projects	Grant-funded Projects/Events	62,000	-	-	-	-	-	-	62,000	-	<b>62,000</b>	<b>0%</b>	<b>\$ -</b>
<b>Community Outreach Summary</b>		<b>798,205</b>	<b>187,450</b>	<b>227,262</b>	-	-	<b>23,688</b>	<b>9,500</b>	<b>350,305</b>	-	<b>798,205</b>	<b>52%</b>	<b>\$ 2.60</b>
<b>General &amp; Corporate Services</b>													
<b>Mandatory</b>	<b>Corporate Services</b>	<b>1,322,000</b>	<b>429,000</b>	-	-	-	-	-	<b>893,000</b>	-	<b>1,322,000</b>	<b>32%</b>	<b>\$ 2.69</b>
<b>Mandatory</b>	<b>Interest Transfer to AMP/Infrastructure Reserve</b>	<b>32,000</b>	-	-	-	-	-	-	<b>32,000</b>	-	<b>32,000</b>	<b>0%</b>	<b>\$ -</b>
<b>Mandatory</b>	<b>Corporate Special Projects</b>	<b>28,000</b>	-	-	-	-	-	-	<b>28,000</b>	-	<b>28,000</b>	<b>0%</b>	<b>\$ -</b>
<b>Non-Mandatory Services</b>	<b>Essex Region Conservation Foundation (grant funded) Supports</b>	<b>55,000</b>	-	-	-	-	-	-	<b>55,000</b>	-	<b>55,000</b>	<b>0%</b>	<b>\$ -</b>
<b>General &amp; Corporate Svcs Summary</b>		<b>1,437,000</b>	<b>429,000</b>	-	-	-	-	-	<b>1,008,000</b>	-	<b>1,437,000</b>	<b>30%</b>	<b>\$ 2.69</b>
<b>Mandatory Services (BOLDED)</b>		<b>\$ 12,215,958</b>	<b>\$ 3,053,491</b>	<b>\$ 465,871</b>	<b>\$ 36,715</b>	<b>\$ 233,267</b>	<b>\$ 233,988</b>	<b>\$ 4,401,000</b>	<b>\$ 3,204,626</b>	<b>\$ 587,000</b>	<b>\$ 12,215,958</b>	<b>29%</b>	<b>\$ 21.21</b>
<b>Non Mandatory Services</b>		<b>\$ 6,717,088</b>	<b>\$ 3,053,491</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 233,267</b>	<b>\$ -</b>	<b>\$ 742,200</b>	<b>\$ 2,101,130</b>	<b>\$ 587,000</b>	<b>\$ 6,657,088</b>	<b>45%</b>	<b>\$ 19.15</b>
		<b>\$ 5,498,870</b>	<b>\$ -</b>	<b>\$ 465,871</b>	<b>\$ 36,715</b>	<b>\$ -</b>	<b>\$ 233,988</b>	<b>\$ 3,658,800</b>	<b>\$ 1,103,496</b>	<b>\$ -</b>	<b>\$ 5,558,870</b>	<b>8%</b>	<b>\$ 2.05</b>



## Appendix E: Mandatory / Non Mandatory Cost Apportionment Per Household



Amherstburg, Essex, Lakeshore, Leamington and Pelee are contributing to a special-purpose land securement fund resulting in an additional cost apportionment of \$3.14 per household

Appendix F – 2025 Municipal Cost Apportionment Category 3 (Non-Mandatory) Programs & Services

Category 3 Cost Apportionment for Non Mandatory Programs & Services	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	Total 2025	Total 2024
Participating Municipality	Amherstburg		Essex		Kingsville		Lakeshore		Lasalle		Leamington		Pelee		Tecumseh		Windsor		Total 2025	Total 2024
MCVA	6.25%	6.14%	4.91%	4.86%	6.58%	6.57%	9.94%	9.88%	9.12%	9.04%	6.35%	6.34%	0.27%	0.28%	8.17%	8.16%	48.41%	48.73%	100.00%	100.00%
<b>Conservation Services</b>																				
Tree planting/Wetland construction	4,689	4,607	3,682	3,648	4,932	4,928	7,455	7,409	6,842	6,779	4,765	4,755	201	207	6,127	6,123	36,308	36,544	75,000	75,000
Holiday Beach Infrastructure Maintenance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Water Quality</b>																				
Watershed Stewardship and Outreach (Rural & Agricultural)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Water Quality Program	1,563	1,536	1,227	1,216	1,644	1,643	2,485	2,470	2,281	2,260	1,588	1,585	67	69	2,042	2,041	12,103	12,181	25,000	25,000
<b>Outreach, Engagement &amp; Education</b>																				
Curriculum-based outdoor education	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Outreach/Community partnerships	3,573	3,510	2,805	2,780	3,758	3,755	5,680	5,646	5,213	5,166	3,631	3,623	153	157	4,669	4,666	27,667	27,847	57,150	57,150
<b>John R Park Homestead Museum</b>																				
JRPH Museum Operations	10,635	8,913	8,350	7,058	11,186	9,535	16,908	14,336	15,518	13,116	10,808	9,200	457	400	13,897	11,847	82,352	70,706	170,112	145,112
JRPH Museum & Heritage Bldgs Preservation	-	921	-	730	-	986	-	1,482	-	1,356	-	951	-	41	-	1,225	-	7,309	-	15,000
<b>Cost Apportionment MCBA Basis</b>	<b>\$ 20,459</b>	<b>\$ 19,487</b>	<b>\$ 16,064</b>	<b>\$ 15,432</b>	<b>\$ 21,520</b>	<b>\$ 20,847</b>	<b>\$ 32,528</b>	<b>\$ 31,343</b>	<b>\$ 29,854</b>	<b>\$ 28,677</b>	<b>\$ 20,792</b>	<b>\$ 20,113</b>	<b>\$ 878</b>	<b>\$ 874</b>	<b>\$ 26,735</b>	<b>\$ 25,901</b>	<b>\$ 158,430</b>	<b>\$ 154,587</b>	<b>\$ 327,262</b>	<b>\$ 317,262</b>
<b>Allocation as agreed to by participating municipalities</b>	<b>2025</b>	<b>2024</b>	<b>2025</b>	<b>2024</b>	<b>2025</b>	<b>2024</b>	<b>2025</b>	<b>2024</b>	<b>2025</b>	<b>2024</b>	<b>2025</b>	<b>2024</b>	<b>2025</b>	<b>2024</b>	<b>2025</b>	<b>2024</b>	<b>2025</b>	<b>2024</b>	<b>Total 2025 Levy</b>	<b>Total 2024 Levy</b>
<b>Conservation Services</b>																				
Land Acquisition	\$ 31,258	\$ 30,712	\$ 24,544	\$ 24,321	\$ 0	\$ 0	\$ 49,698	\$ 49,396	\$ 0	\$ 0	\$ 31,767	\$ 31,698	\$ 1,342	\$ 1,378	\$ 0	\$ 0	\$ 0	\$ 0	\$ 138,609	\$ 137,504
<b>Cost Apportionment as agreed to by participating municipalities</b>	<b>\$ 31,258</b>	<b>\$ 30,712</b>	<b>\$ 24,544</b>	<b>\$ 24,321</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 49,698</b>	<b>\$ 49,396</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 31,767</b>	<b>\$ 31,698</b>	<b>\$ 1,342</b>	<b>\$ 1,378</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>138,608.71</b>	<b>\$ 137,504</b>
<b>Total Cost Apportionment for Category 3 Non Mandatory Programs &amp; Services</b>	<b>\$ 51,717</b>	<b>\$ 50,199</b>	<b>\$ 40,608</b>	<b>\$ 39,753</b>	<b>\$ 21,520</b>	<b>\$ 20,847</b>	<b>\$ 82,226</b>	<b>\$ 80,739</b>	<b>\$ 29,854</b>	<b>\$ 28,677</b>	<b>\$ 52,559</b>	<b>\$ 51,812</b>	<b>\$ 2,220</b>	<b>\$ 2,252</b>	<b>\$ 26,735</b>	<b>\$ 25,901</b>	<b>\$ 158,430</b>	<b>\$ 154,587</b>	<b>\$ 465,871</b>	<b>\$ 454,766</b>
<b>Total Cost Apportionment (without land acquisition allocation)</b>	<b>\$ 20,459</b>	<b>\$ 19,487</b>	<b>\$ 16,064</b>	<b>\$ 15,432</b>	<b>\$ 21,520</b>	<b>\$ 20,847</b>	<b>\$ 32,528</b>	<b>\$ 31,343</b>	<b>\$ 29,854</b>	<b>\$ 28,677</b>	<b>\$ 20,792</b>	<b>\$ 20,113</b>	<b>\$ 878</b>	<b>\$ 874</b>	<b>\$ 26,735</b>	<b>\$ 25,901</b>	<b>\$ 158,430</b>	<b>\$ 154,587</b>	<b>\$ 327,262</b>	<b>\$ 317,262</b>

PLANNING AND DEVELOPMENT SERVICES

**Memo**

**To:** City Clerk  
**From:** City Planner/Executive Director  
**Date:** December 6, 2024  
**Subject:** TRANSMITTAL OF NEW FILE  
**Our File Number:** Z-039/24 [ZNG/7252]  
**RE:** Application For: (X) Zoning Amendment ( ) Official Plan Amendment  
( ) Part Lot Control ( ) Draft Plan of Subdivision/Condominium

Applicant: DR. BHAN GARG  
Location: 7100 CANTELON DR.  
Description: Application to amend Zoning By-law 8600 changing the zoning of the subject parcel from Manufacturing District (MD1.2) to Commercial District 3.3 (CD3.3) and delete S.20(1)97 to permit the construction of a one-storey Public Hall with a gross floor area of 1,858 m<sup>2</sup>, a hotel with 71 guest rooms over four storeys.

The ZONING BY-LAW AMENDMENT application submitted on NOVEMBER 5, 2024 by DR. BHAN GARG for 7100 CANTELON DR. has been deemed complete on NOVEMBER 22, 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

December 6, 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: DR. BHAN GARG**

**LOCATION: 7100 CANTELON DR.**

**FILE NO.: Z-039/24 [ZNG/7252]**

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 November 5, 2024 was deemed COMPLETE on November 22, 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: 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-110/24

*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 checked="" 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 checked="" 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 checked="" 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: Dr. Bhan Garg Contact: \_\_\_\_\_  
Name of Contact Person

Address: 13796 Riverside Dr E

Address: Windsor, ON Postal Code: N8N 2M9

Phone: 519-257-1774 Fax: \_\_\_\_\_

Email: bcgarg@gmail.com

#### Registered Owner Same as Applicant

Name: 5021062 Ontario Inc. Contact: Ali Cevirme  
Name of Contact Person

Address: 2201 Janette Ave

Address: Windsor, ON Postal Code: N8X 1Z9

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

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

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

Name: Pillon Abbs Inc. Contact: Tracey Pillon-Abbs, RPP  
Name of Contact Person

Address: 23669 Prince Albert Rd

Address: Chatham, ON Postal Code: N7M 5J7

Phone: 226-340-1232 Fax: \_\_\_\_\_

Email: tracey@pillonabbs.ca

### 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

Municipal Address 7100 Cantelon Drive  
Windsor, ON

Legal Description PART BLOCKS E, F & W PLAN 1644 BEING PART 2 ON PLAN 12R28853; CITY OF WINDSOR

Assessment Roll Number 070-660-03406

If known, the date the subject land was acquired by the current owner: 2019

Frontage (m) 53.52 m Depth (m) irregular Area (sq m) 20,944 m2

Official Plan Designation "Business Park", Schedule D: Land Use

Current Zoning Manufacturing District 1.2 (MD1.2) category, Map 15

Existing Uses Vacant

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

Previous Uses Unknown

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

None

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: Manufacturing District 1.2 (MD1.2) category and Section 20(1)97

to: Commercial District 3.3 (CD 3.3 - S.20(1)XXX) category and remove Section 20(1)97

Proposed uses of subject land: Proposed to develop the subject lands for commercial use.

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

Proposed to construct a one-storey public hall with a gross floor area of 1,858 m2, a four-storey motel

with 71 guest rooms with a gross floor area of 892 m2 and on-site parking for 319 spaces.

Why is this amendment or these amendments being requested?

The amendment will change the zoning to allow the proposed use.

No relief from the CD3.3 zone provisions is requested.

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

See Official Plan Amendment

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

# 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 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>

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

## 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, Ali Cevirme, 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

Pillon Abbs Inc. to make this application on my behalf.  
*Name of Agent*

X   
Signature of Registered Owner

November 2, 2024  
Date

If Corporation - I have authority to bind the corporation

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

I, Ali Cevirme,  
*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.

X   
Signature of Registered Owner

November 2, 2024  
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.

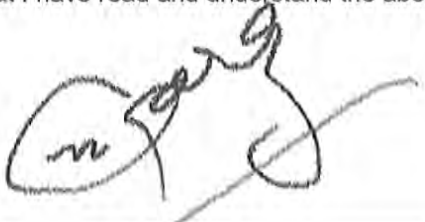
Additional information can be found at:

<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:

X 

Signature of Applicant or Agent

November 2, 2024

Date

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



# ZONING BY-LAW AMENDMENT APPLICATION

## SCHEDULE E – Environmental Site Screening Questionnaire

---

Previous Use of Property

- |                                       |                                     |                                            |                                        |
|---------------------------------------|-------------------------------------|--------------------------------------------|----------------------------------------|
| <input type="checkbox"/> Residential  | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial        | <input type="checkbox"/> Institutional |
| <input type="checkbox"/> Agricultural | <input type="checkbox"/> Parkland   | <input checked="" 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?\*
- 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.

**Bhan Garg**

Name of Applicant (print)

X 

Signature of Applicant

**November 2, 2024**

Date

**Tracey Pillon-Abbs**

Name of Agent (print)



Signature of Agent

**November 2, 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 _____		
<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**

**Subject: 2024 Audit Planning Report****Reference:**

Date to Council: January 13, 2025  
Author: Stephen Cipkar  
Manager of Financial Accounting  
519-255-6100 ext. 6234  
scipkar@citywindsor.ca  
Financial Accounting  
Report Date: 12/12/2024  
Clerk's File #: AF/14508

**To:** Mayor and Members of City Council

**Recommendation:**

THAT City Council **RECEIVE FOR INFORMATION** the 2024 KPMG Audit Planning Report for the year ending December 31, 2024. **Executive Summary:**

N/A.

**Background:**

Section 296 of the *Municipal Act* requires that all municipalities in Ontario undertake an annual audit of their accounts and that the external auditor is responsible for expressing an opinion on the financial statements based on that audit. The City's external auditor is KPMG LLP (KPMG) and their audit plan for the year ended December 31, 2024 is attached as Appendix A.

**Discussion:**

City Council renewed its approval of the appointment of KPMG as the City's external auditor for 2022-2026 via CR 346/2022. The proposed plan for 2024 is similar in most respects to the approved 2023 audit plan and is reflective of generally accepted auditing standards. Those audit standards include a requirement that the plan of work be presented to the governing body of the entity to be audited.

**Risk Analysis:**

The risks associated with new required accounting standards have been incorporated into KPMG's Audit Planning Report.

## Climate Change Risks

### Climate Change Mitigation:

N/A.

### Climate Change Adaptation:

N/A.

### Financial Matters:

As outlined in KPMG's Audit Planning Report, the base fee for the 2024 audit of the City of Windsor Consolidated Financial Statements and Trust Funds statements is \$104,200. This fee has increased by \$2,200 as per the pricing schedule submitted by KPMG during the contract extension process and as approved by CR 346/2022. This cost is part of Financial Accounting's approved operating budget.

### Consultations:

KPMG LLP

### Conclusion:

It is recommended that the KPMG Audit Planning Report for the year ending December 31, 2024 be received and accepted.

### Approvals:

Name	Title
Stephen Cipkar	Manager of Financial Accounting
Dan Seguin	Deputy Treasurer, Financial Accounting & Corporate Controls
Janice Guthrie	Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

### Notifications:

Name	Email
Cynthia Swift (KPMG)	caswift@kpmg.ca
Kevin Macchio (KPMG)	kmacchio@kpmg.ca

### Appendices:

- 1 Appendix A - 2024 KPMG Audit Planning Report





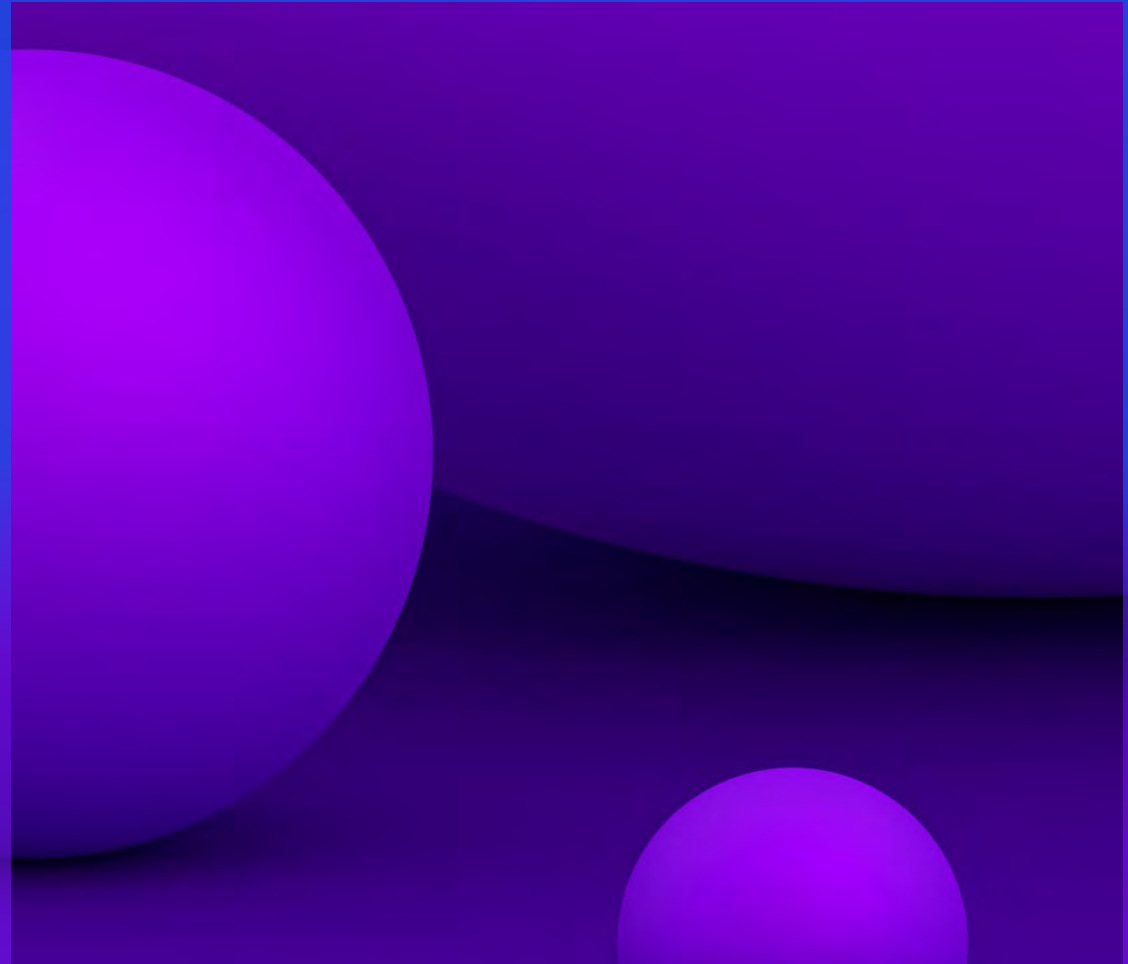
# The Corporation of the City of Windsor

**Audit Planning Report  
for the year ending  
December 31, 2024**

*KPMG LLP*

Prepared as of December 13, 2024 for presentation to City Council on  
January 15, 2025

[kpmg.ca/audit](https://kpmg.ca/audit)



# KPMG contacts

## Key contacts in connection with this engagement



**Cynthia Swift, CPA, CA**

Lead Audit Engagement Partner

519-251-3520

[caswift@kpmg.ca](mailto:caswift@kpmg.ca)

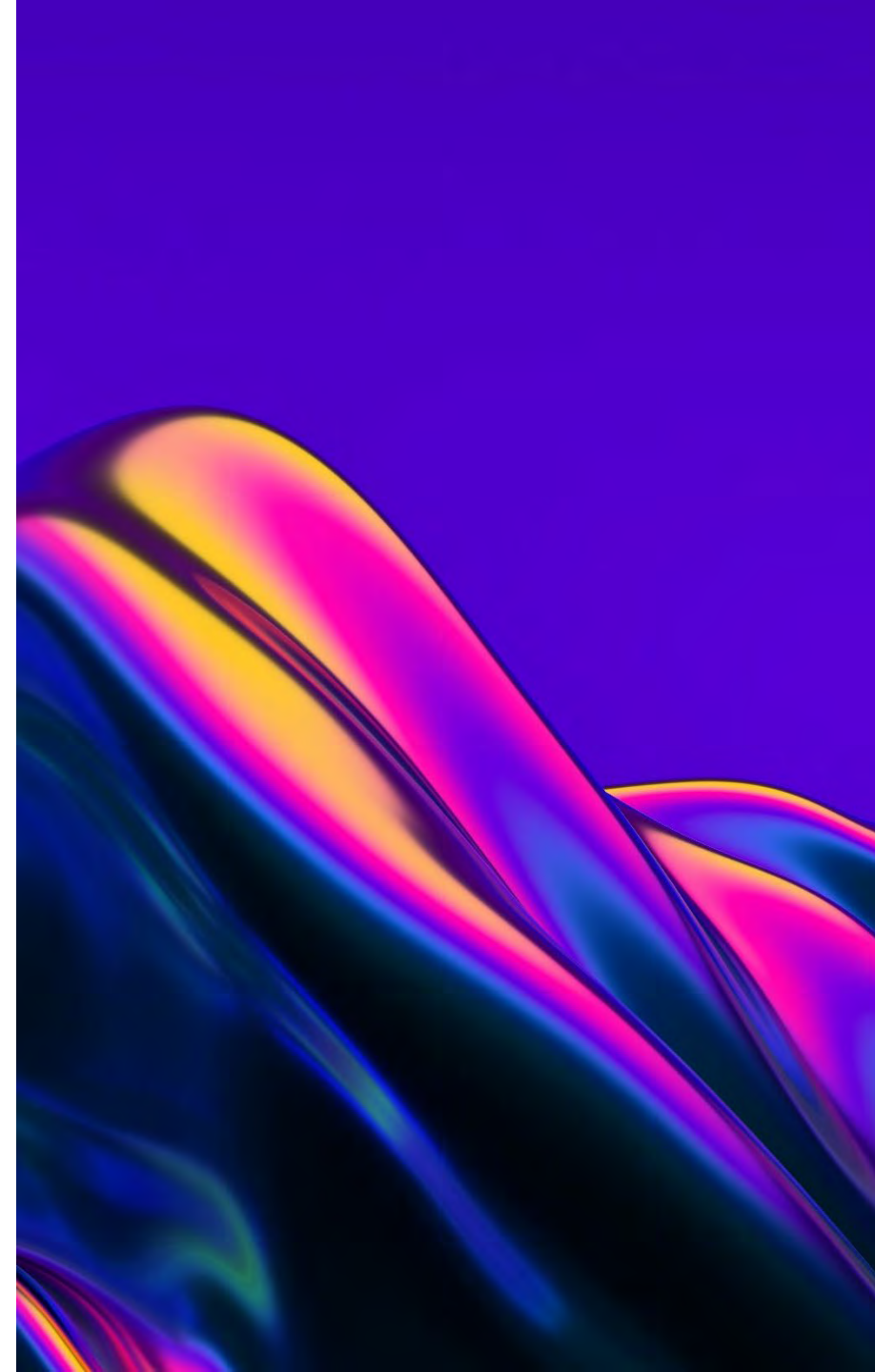


**Kevin Macchio, CPA, CA**

Senior Manager

519-251-5247

[kmacchio@kpmg.ca](mailto:kmacchio@kpmg.ca)



# Table of contents

## Digital use information

This Audit Planning Report is also available as a “hyper-linked” PDF document.

If you are reading in electronic form (e.g. In “Adobe Reader” or “Board Books”), clicking on the home symbol on the top right corner will bring you back to this slide.



Click on any item in the table of contents to navigate to that section.

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Highlights

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# Audit highlights



No matters to report



Matters to report – see link for details

## Scope

Our audit of the consolidated financial statements (“financial statements”) of The Corporation of the City of Windsor (“the City”) as of and for the year ending December 31, 2024, will be performed in accordance with Canadian generally accepted auditing standards.

## Audit strategy

**Materiality (\$16,000,000)**

Involvement of others

Updates to our prior year audit plan

- New significant risks
- Newly effective accounting standards
- Newly effective auditing standards

## Risk assessment

Risk of management override of controls

Other significant risks

- Contingent liabilities
- Asset retirement obligations

Presumed risk of fraudulent revenue recognition

The purpose of this report is to assist you, as a member of City Council, in your review of the plan for our audit of the financial statements. This report is intended solely for the information and use of Management, the Corporate Services Standing Committee and City Council, and should not be used for any other purpose or any other party. KPMG shall have no responsibility or liability for loss or damages or claims, if any, to or by any third party as this report to the City Council has not been prepared for, and is not intended for, and should not be used by, any third party or for any other purpose.





# Updates to our prior year audit plan

## Other significant changes



### Newly effective accounting standards



**PS 3400, Revenue**, becomes effective for this year end (fiscal years beginning on or after April 1, 2023).

This new standard provides specific guidelines for the recognition of revenues in public sector entities, which can significantly affect the timing and amount of revenue reported in financial statements. This change can influence budgetary decisions and resource allocation, as stakeholders rely on accurate financial data to make informed choices. By enhancing the transparency and accountability of revenue reporting, PS 3400 aims to foster greater public trust in government financial management.

**PS 3160, Public Private Partnerships**, becomes effective for this year-end (fiscal years beginning on or after April 1, 2023).

The new standard provides guidance on the recognition of infrastructure by a public sector entity when it controls the purpose and use of an infrastructure, when it controls access and the price, if any, charged for use, and it controls any significant interest accumulated in the infrastructure when the public private partnership ends. The new standard also establishes that a liability is recognized when there is a need to pay cash or non-cash consideration to the private sector partner for the infrastructure.

**PSG-8, Purchased Intangibles**, becomes effective for this year-end (fiscal years beginning on or after April 1, 2023).

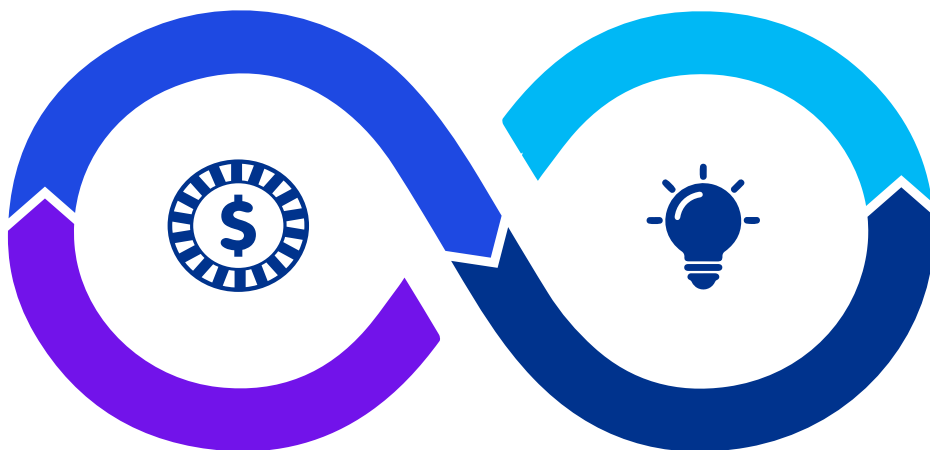
The new standards establishes that a public sector entity will recognize intangible assets purchased through an exchange transaction.

Other accounting standards that are effective for future fiscal years have been outlined in the Appendices.

Newly effective accounting standards



# Materiality



We **initially determine materiality** at a level at which we consider that misstatements could reasonably be expected to influence the economic decisions of users. Determining materiality is a matter of **professional judgement**, considering both quantitative and qualitative factors, and is affected by our perception of the common financial information needs of users of the financial statements as a group. We do not consider the possible effect of misstatements on specific individual users, whose needs may vary widely.

We **reassess materiality** throughout the audit and revise materiality if we become aware of information that would have caused us to determine a different materiality level initially.

## Plan and perform the audit

We **initially determine materiality** to provide a basis for:

- Determining the nature, timing and extent of risk assessment procedures;
- Identifying and assessing the risks of material misstatement; and
- Determining the nature, timing, and extent of further audit procedures.

We design our procedures to detect misstatements at a level less than materiality in individual accounts and disclosures, to reduce to an appropriately low level the probability that the aggregate of uncorrected and undetected misstatements exceeds materiality for the financial statements as a whole.

## Evaluate the effect of misstatements

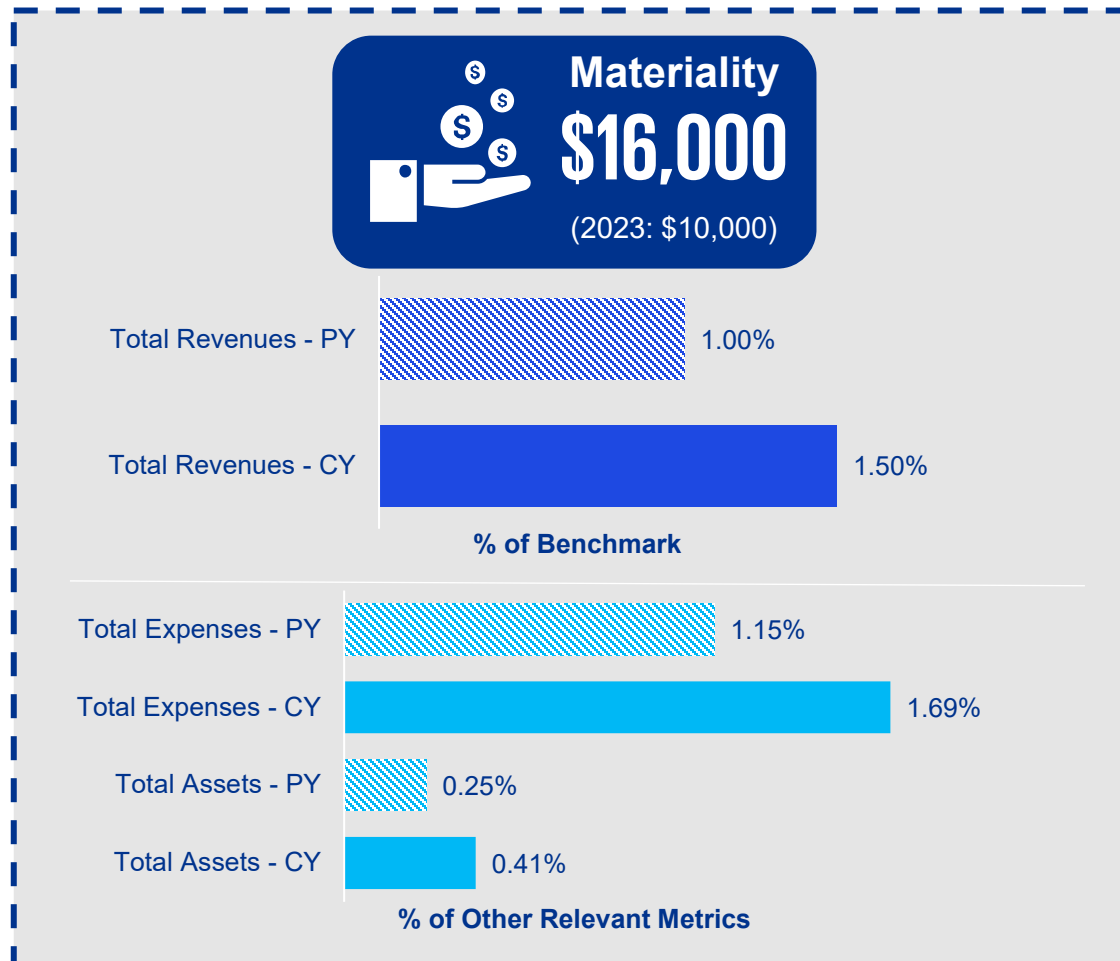
We also **use materiality** to evaluate the effect of:

- Identified misstatements on our audit; and
- Uncorrected misstatements, if any, on the financial statements and in forming our opinion.



# Initial materiality – City of Windsor

(Presented in 000's)



**Total Revenues**  
**\$1,103,328**  
 (2023: \$1,001,229)

**Total Expenses**  
**\$945,783**  
 (2023: \$872,003)

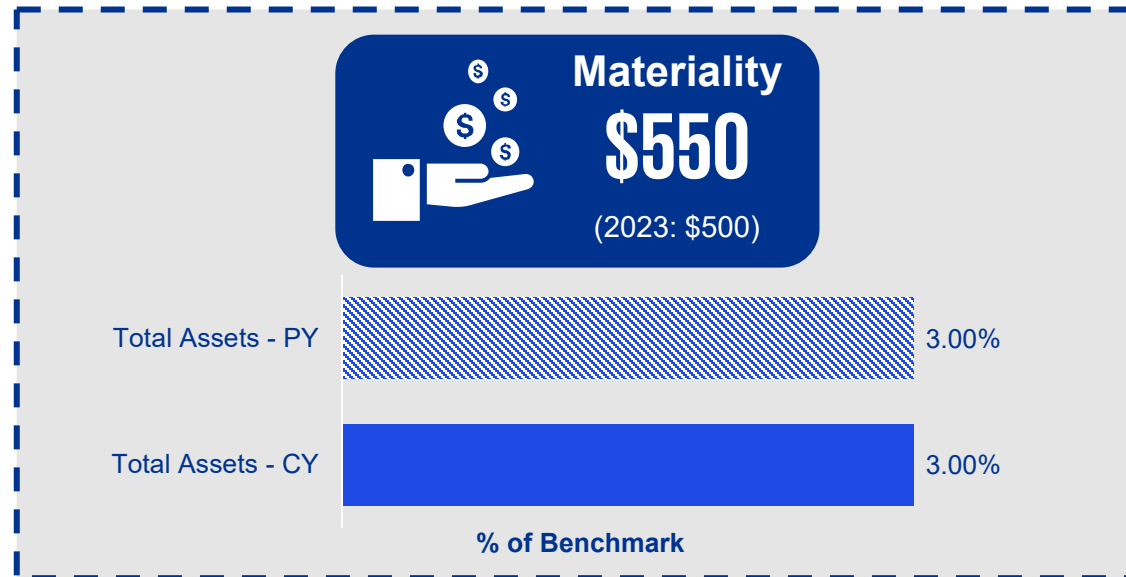
**Total Assets**  
**\$3,931,479**  
 (2023: \$3,685,556)

**Note:** In setting materiality, KPMG utilizes actual amounts from the prior year's audited financial statements as our benchmark.



# Initial materiality – Trust Funds

(Presented in 000's)



**Total Assets**  
**\$18,449**  
 (2022: \$17,079)

**Note:** In setting materiality, KPMG utilizes actual amounts from the prior year's audited financial statements as our benchmark.



# Involvement of others

The following parties are involved in the audit of the financial statements:

Involved party	Nature and extent of planned involvement
Actuarial specialists	<p>KPMG plans to rely on the work of the following specialists utilized by Management: Actuarial Solutions Inc, Nexus Actuarial Consultants Ltd., and Mercer (Canada) Ltd.</p> <p>These specialists assist in the calculation of the City's employee future benefit liabilities in accordance with Sections 3250 and 3255 of the Chartered Professional Accountants of Canada Public Sector Accounting Handbook. KPMG will assess the competence and capabilities of these experts, along with the assumptions used in their reports.</p>



# Audit scoping

Type of work performed	Type of Work Performed
<b>The Corporation of the City of Windsor</b>	
The Corporation of the City of Windsor	<i>Full-scope audit</i>
The Corporation of the City of Windsor – Trust Funds	<i>Full-scope audit</i>
<b>Government Business Enterprises (GBE's)</b>	
Windsor Canada Utilities Ltd.	<i>Stand-alone (statutory) audit</i>
Windsor Utilities Commission	<i>Stand-alone (statutory) audit</i>
Windsor-Detroit Tunnel Corporation	<i>Stand-alone (statutory) audit</i>
Windsor-Detroit Borderlink Limited	<i>Stand-alone (statutory) audit</i>
Your Quick Gateway (Windsor) Inc.	<i>Stand-alone (statutory) audit</i>
<b>Related Entities</b>	
Downtown Windsor Business Improvement Association	<i>Stand-alone (statutory) audit</i>
Windsor Essex Community Housing Corporation	<i>Stand-alone (statutory) audit</i>
Essex-Windsor Solid Waste Authority	<i>Stand-alone (statutory) audit</i>
The Corporation Of The City Of Windsor Public Library Board	<i>Stand-alone (statutory) audit</i>

**Note:**

In a stand-alone (statutory) audit, our materiality levels are set based on that entity's individual financial results rather than allocated as a proportion of our group materiality for the City of Windsor financial statements. This enables KPMG to issue a stand-alone audit opinion over each entity's financial results for the year-ended December 31, 2024.



# Risk assessment summary

Our planning begins with an assessment of risks of material misstatement in your financial statements.

We draw upon our understanding of the City and its environment (e.g. the industry, the wider economic environment in which the City operates, etc.), our understanding of the City's components of its system of internal control, including our business process understanding.

	Risk of fraud	Risk of error	PY risk rating
● Management Override of Controls	✓		Significant
● Contingent Liabilities		✓	Significant
● Property Taxes and Appeals		✓	Base
● Tangible Capital Assets		✓	Base
● Government Funding		✓	Base
● Other Newly Effective Accounting Standards		✓	N/A – New Risk

● SIGNIFICANT RISK ● PRESUMED RISK OF MATERIAL MISSTATEMENT ● OTHER RISK OF MATERIAL MISTATEMENT





# Significant risks



Management Override of Controls (non-rebuttable significant risk of material misstatement)

RISK OF



FRAUD

## Why is it significant?

**Presumption  
of the risk of fraud  
resulting from  
management  
override of  
controls**

Management is in a unique position to perpetrate fraud because of its ability to manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively. Although the level of risk of management override of controls will vary from entity to entity, the risk nevertheless is present in all entities.

## Our planned response

As this presumed risk of material misstatement due to fraud is not rebuttable, our audit methodology incorporates the required procedures in professional standards to address this risk. These procedures include:

- testing of journal entries and other adjustments,
- performing a retrospective review of estimates
- evaluating the business rationale of significant unusual transactions.



# Significant risks (continued)



## Contingent Liabilities

RISK OF



ERROR

### Significant risk

The City has been named as a defendant in a number of legal actions. These actions are at various stages of their respective proceedings and the City may not be in a position to mitigate its' liability exposure through insurance. The determination of a potential liability, both in likelihood and monetarily, requires significant judgement on Management's behalf.

### Estimate?

Yes – Specifically, the estimation of the outcome of potential lawsuits against the City.

### New or changed?

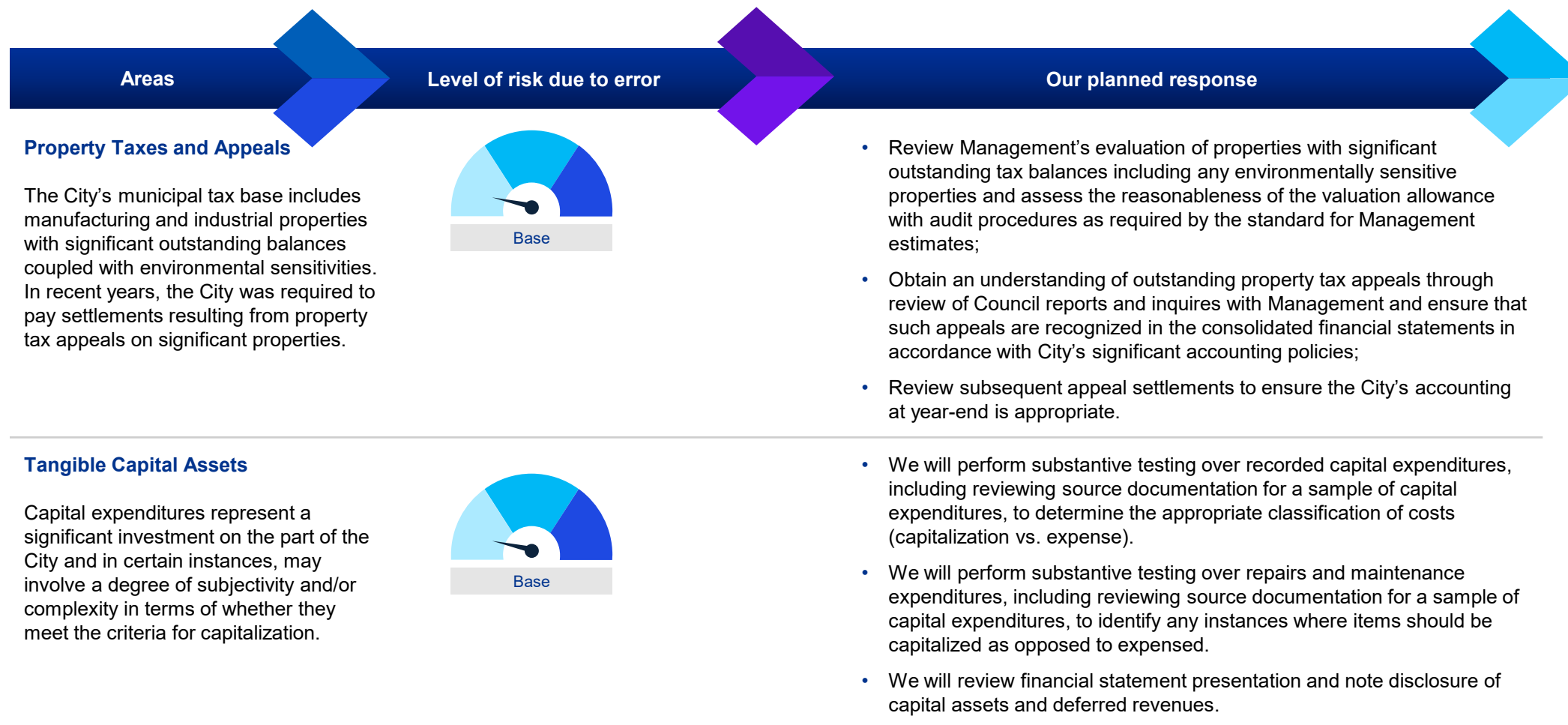
No

### Our audit approach

- Evaluation of Management's understanding of legal claims including their assessment of liability exposure to the City;
- Legal inquiry letters to both internal and external counsel and evaluation of their response;
- Review of Council minutes for the 2024 year and the period subsequent to year-end up to the date of our independent auditors' report;
- Review Management's basis for estimating the outcome of contingencies and ensure the accruals are reasonable and based on reasonable assumptions

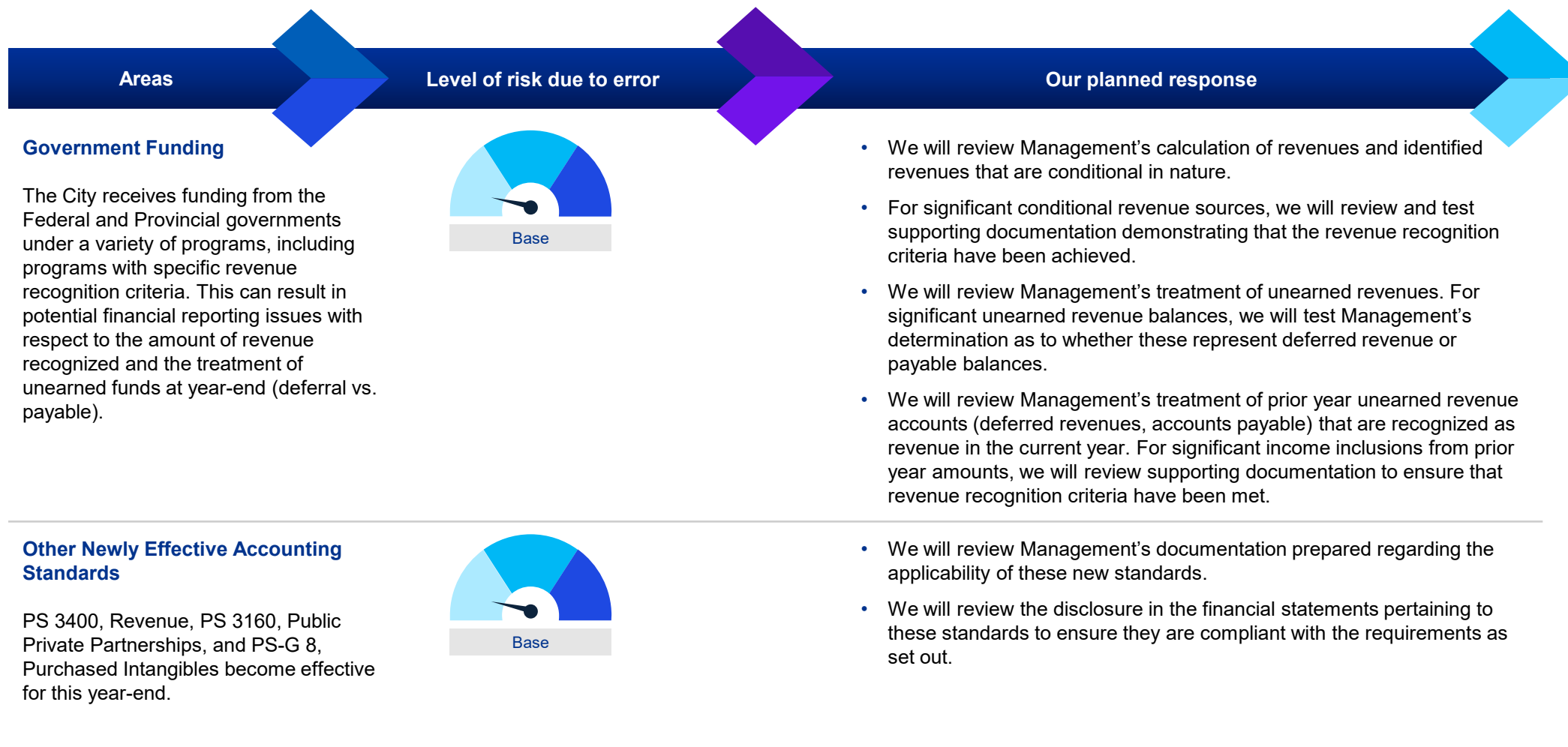


# Other risks of material misstatement





# Other risks of material misstatement (continued)





# Required inquiries of Council



## Inquiries regarding risk assessment, including fraud risks

- What are Council's views about fraud risks, including management override of controls, in the Corporation? And have you taken any actions to respond to any identified fraud risks?
- Is Council aware of, or has Council identified, any instances of actual, suspected, or alleged fraud, including misconduct or unethical behavior related to financial reporting or misappropriation of assets?
  - If so, have the instances been appropriately addressed and how have they been addressed?
- How does Council exercise oversight of the Corporation's fraud risks and the establishment of controls to address fraud risks?



## Inquiries regarding entity processes

- Is Council aware of tips or complaints regarding the Corporation's financial reporting (including those received through Council's internal whistleblower program, if such programs exist)? If so, Council's responses to such tips and complaints?

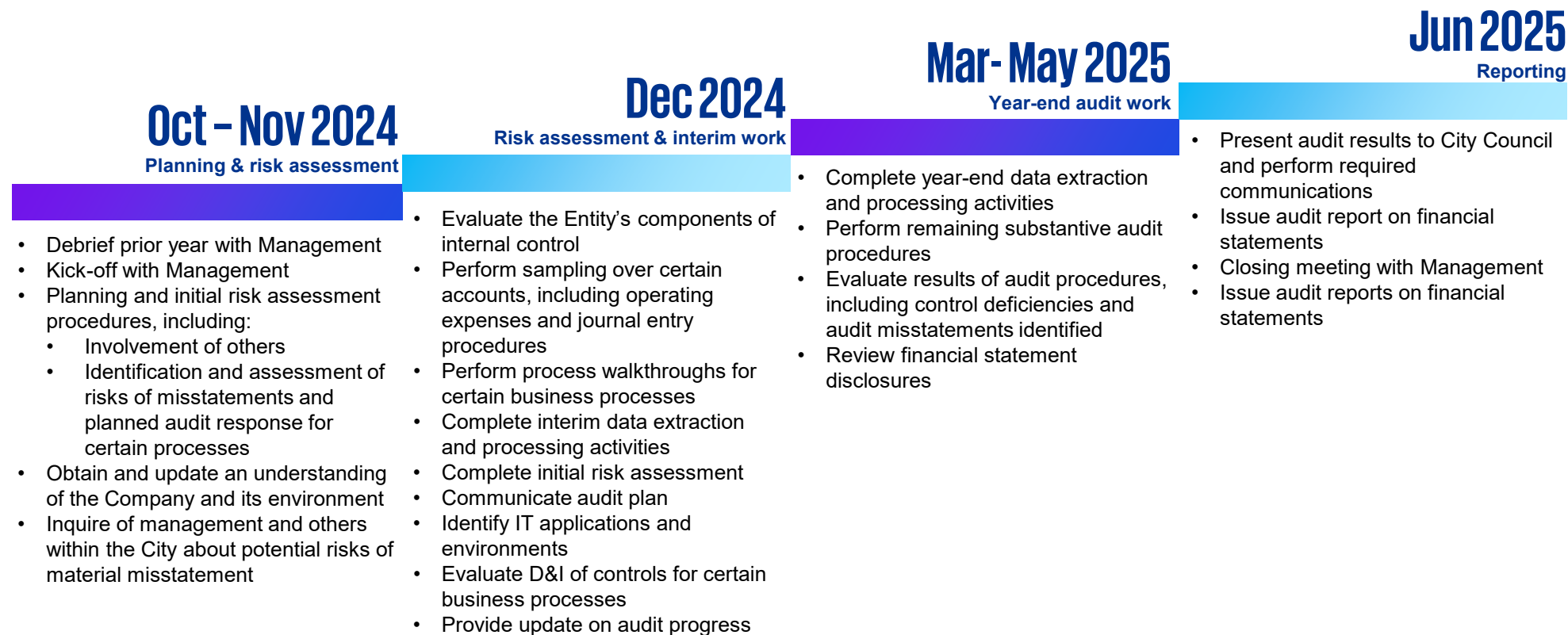


## Inquires regarding related parties and significant unusual transactions

- Is Council aware of any instances where the Corporation entered into any significant unusual transactions?
- What is Council's understanding of the Corporation's relationships and transactions with related parties that are significant to the Corporation?
- Is Council concerned about those relationships or transactions with related parties? If so, the substance of those concerns?



# Key milestones and deliverables





# How do we deliver audit quality?

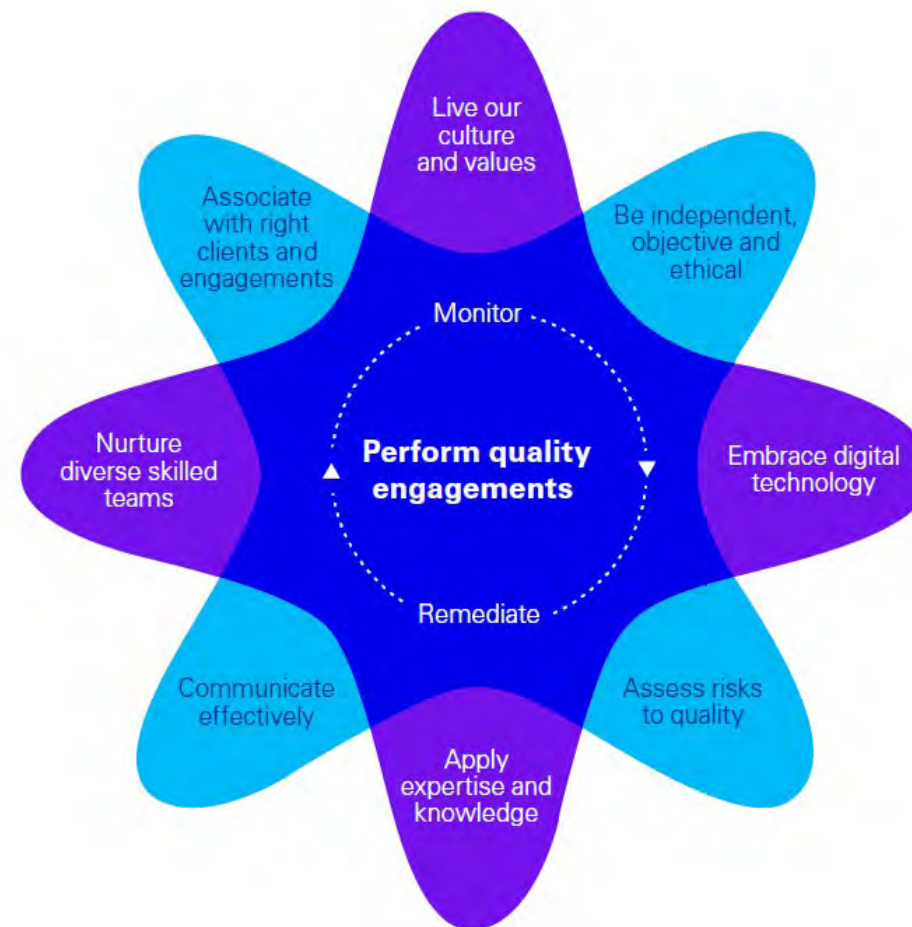
**Quality essentially means doing the right thing and remains our highest priority. Our Global Quality Framework outlines how we deliver quality and how every partner and staff member contributes to its delivery.**

The drivers outlined in the framework are the ten components of the KPMG System of Quality Management (SoQM). Aligned with ISQM 1/CSQM 1, our SoQM components also meet the requirements of the International Code of Ethics for Professional Accountants (including International Independence Standards) issued by the International Ethics Standards Board for Accountants (IESBA) and the relevant rules of professional conduct / code of ethics applicable to the practice of public accounting in Canada, which apply to professional services firms that perform audits of financial statements. Our Transparency Report includes our firm's Statement on the Effectiveness of our SoQM.

 [KPMG Canada Transparency Report](#)

**We define 'audit quality' as being the outcome when:**

- audits are **executed consistently**, in line with the requirements and intent of **applicable professional standards** within a strong **system of quality management**; and
- all of our related activities are undertaken in an environment of the utmost level of **objectivity, independence, ethics and integrity**.



**Doing the right thing. Always.**



# Request for pre-approval of services



We are presenting the following services for pre-approval by City Council. We will inform Council on a timely basis of any services performed pursuant to pre-approval previously granted under the policies and procedures approach.

Audit services	Fee	Fee structure
Audit of the fiscal 2024 consolidated financial statements	\$99,000	Fixed, as communicated in our audit proposal
Audit of the fiscal 2024 trust fund financial statements	\$5,200	Fixed, as communicated in our audit proposal
Incremental time for the audit of the new accounting standards	TBD	To be determined based on actual hours incurred



# Appendices

**A**

Required communications

**B**

New accounting standards

**C**

New auditing standards

**D**

Audit and assurance insights

**E**

Use of technology



# Appendix A: Other required communications



## CPAB communication protocol

The reports available through the following links were published by the Canadian Public Accountability Board to inform Audit Committees and other stakeholders about the results of quality inspections conducted over the past year:

- [CPAB Audit Quality Insights Report: 2021 Annual Inspections Results](#)
- [CPAB Audit Quality Insights Report: 2022 Interim Inspections Results](#)
- [CPAB Audit Quality Insights Report: 2022 Annual Inspections Results](#)
- [CPAB Audit Quality Insights Report: 2023 Interim Inspections Results](#)



# Appendix B: Newly effective and upcoming changes to accounting standards

Standard	Summary and implications
<b>Revenue</b>	<ul style="list-style-type: none"><li>• The new standard PS 3400 <i>Revenue</i> is effective for fiscal years beginning on or after April 1, 2023.</li><li>• The new standard establishes a single framework to categorize revenue to enhance the consistency of revenue recognition and its measurement.</li><li>• The standard notes that in the case of revenue arising from an exchange transaction, a public sector entity must ensure the recognition of revenue aligns with the satisfaction of related performance obligations.</li><li>• The standard notes that unilateral revenue arises when no performance obligations are present, and recognition occurs when there is authority to record the revenue and an event has happened that gives the public sector entity the right to the revenue.</li></ul>



# Appendix B: Newly effective and upcoming changes to accounting standards (continued)

Standard	Summary and implications
<b>Purchased Intangibles</b>	<ul style="list-style-type: none"> <li>The new Public Sector Guideline 8 <i>Purchased intangibles</i> is effective for fiscal years beginning on or after April 1, 2023 with earlier adoption permitted.</li> <li>The guideline allows public sector entities to recognize intangibles purchased through an exchange transaction. The definition of an asset, the general recognition criteria and GAAP hierarchy are used to account for purchased intangibles.</li> <li>Narrow scope amendments were made to PS 1000 <i>Financial statement concepts</i> to remove the prohibition to recognize purchased intangibles and to PS 1201 <i>Financial statement presentation</i> to remove the requirement to disclose purchased intangibles not recognized.</li> <li>The guideline can be applied retroactively or prospectively.</li> </ul>
<b>Public Private Partnerships</b>	<ul style="list-style-type: none"> <li>The new standard PS 3160 <i>Public private partnerships</i> is effective for fiscal years beginning on or after April 1, 2023.</li> <li>The standard includes new requirements for the recognition, measurement and classification of infrastructure procured through a public private partnership.</li> <li>The standard notes that recognition of infrastructure by the public sector entity would occur when it controls the purpose and use of the infrastructure, when it controls access and the price, if any, charged for use, and it controls any significant interest accumulated in the infrastructure when the public private partnership ends.</li> <li>The public sector entity recognizes a liability when it needs to pay cash or non-cash consideration to the private sector partner for the infrastructure.</li> <li>The infrastructure would be valued at cost, which represents fair value at the date of recognition with a liability of the same amount if one exists. Cost would be measured in reference to the public private partnership process and agreement, or by discounting the expected cash flows by a discount rate that reflects the time value of money and risks specific to the project.</li> <li>The standard can be applied retroactively or prospectively.</li> </ul>



# Appendix B: Newly effective and upcoming changes to accounting standards (continued)

Standard	Summary and implications
<b>Concepts Underlying Financial Performance</b>	<ul style="list-style-type: none"> <li>The revised conceptual framework is effective for fiscal years beginning on or after April 1, 2026 with earlier adoption permitted.</li> <li>The framework provides the core concepts and objectives underlying Canadian public sector accounting standards.</li> <li>The ten chapter conceptual framework defines and elaborates on the characteristics of public sector entities and their financial reporting objectives. Additional information is provided about financial statement objectives, qualitative characteristics and elements. General recognition and measurement criteria, and presentation concepts are introduced.</li> </ul>
<b>Financial Statement Presentation</b>	<ul style="list-style-type: none"> <li>The proposed section PS 1202 <i>Financial statement presentation</i> will replace the current section PS 1201 <i>Financial statement presentation</i>. PS 1202 <i>Financial statement presentation</i> will apply to fiscal years beginning on or after April 1, 2026 to coincide with the adoption of the revised conceptual framework. Early adoption will be permitted.</li> <li>The proposed section includes the following: <ul style="list-style-type: none"> <li>Relocation of the net debt indicator to its own statement called the statement of net financial assets/liabilities, with the calculation of net debt refined to ensure its original meaning is retained.</li> <li>Separating liabilities into financial liabilities and non-financial liabilities.</li> <li>Restructuring the statement of financial position to present total assets followed by total liabilities.</li> <li>Changes to common terminology used in the financial statements, including re-naming accumulated surplus (deficit) to net assets (liabilities).</li> <li>Removal of the statement of remeasurement gains (losses) with the information instead included on a new statement called the statement of changes in net assets (liabilities). This new statement would present the changes in each component of net assets (liabilities), including a new component called “accumulated other”.</li> <li>A new provision whereby an entity can use an amended budget in certain circumstances.</li> <li>Inclusion of disclosures related to risks and uncertainties that could affect the entity’s financial position.</li> </ul> </li> <li>The Public Sector Accounting Board is currently deliberating on feedback received on exposure drafts related to the reporting model.</li> </ul>



# Appendix B: Newly effective and upcoming changes to accounting standards (continued)

Standard	Summary and implications
<b>Employee benefits</b>	<ul style="list-style-type: none"> <li>• The Public Sector Accounting Board has initiated a review of sections PS 3250 <i>Retirement benefits</i> and PS 3255 <i>Post-employment benefits, compensated absences and termination benefits</i>.</li> <li>• The intention is to use principles from International Public Sector Accounting Standard 39 <i>Employee benefits</i> as a starting point to develop the Canadian standard.</li> <li>• Given the complexity of issues involved and potential implications of any changes that may arise from the review of the existing guidance, the new standards will be implemented in a multi-release strategy. The first standard will provide foundational guidance. Subsequent standards will provide additional guidance on current and emerging issues.</li> <li>• The proposed section PS 3251 <i>Employee benefits</i> will replace the current sections PS 3250 <i>Retirement benefits</i> and PS 3255 <i>Post-employment benefits, compensated absences and termination benefits</i>. It will apply to fiscal years beginning on or after April 1, 2026. Early adoption will be permitted and guidance applied retroactively.</li> <li>• This proposed section would result in public sector entities recognizing the impact of revaluations of the net defined benefit liability (asset) immediately on the statement of financial position. Organizations would also assess the funding status of their post-employment benefit plans to determine the appropriate rate for discounting post-employment benefit obligations.</li> <li>• The Public Sector Accounting Board is in the process of evaluating comments received from stakeholders on the exposure draft.</li> </ul>



# Appendix C: Newly effective and upcoming changes to auditing standards

For more information on newly effective and upcoming changes to auditing standards - see Current Developments



## Effective for periods beginning on or after December 15, 2023

### ISA 600/CAS 600

.....  
Revised special considerations – Audits of group financial statements

## Effective for periods beginning on or after December 15, 2024

### ISA 260/CAS 260

.....  
Communications with those charged with governance

### ISA 700/CAS 700

.....  
Forming an opinion and reporting on the financial statements



# Appendix D: Audit and assurance insights

Our latest thinking on the issues that matter most to Audit Committees, board of directors and management.

## KPMG Audit & Assurance Insights

Curated research and insights for audit committees and boards.

## Board Leadership Centre

Leading insights to help board members maximize boardroom opportunities

## Current Developments

Series of quarterly publications for Canadian businesses including Spotlight on IFRS, Canadian Assurance & Related Services, Canadian Securities Matters, and US Outlook reports.

## Audit Committee Guide – Canadian Edition

A practical guide providing insight into current challenges and leading practices shaping audit committee effectiveness in Canada.

## Accelerate 2024

The key issues driving the audit committee agenda in 2024.

## Sustainability Reporting

Resource centre on implementing the new Canadian reporting standards

## IFRS Breaking News

A monthly Canadian newsletter that provides the latest insights on accounting, financial reporting and sustainability reporting.







# Appendix D: Insights to enhance your business

We have the unique opportunity as your auditors to perform a deeper dive to better understand your business processes that are relevant to financial reporting.

### Lean in Audit

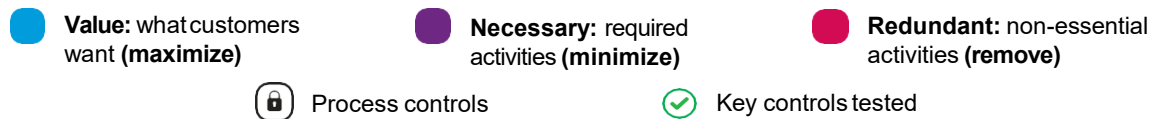
Lean in Audit™ is KPMG’s award-winning methodology that offers a new way of looking at processes and engaging people within your finance function and organization through the audit.

By incorporating Lean process analysis techniques into our audit procedures, we can enhance our understanding of your business processes that are relevant to financial reporting and provide you with new and pragmatic insights to improve your processes and controls.

Clients like you have seen immediate benefits such as improved quality, reduced rework, shorter processing times and increased employee engagement.

We look forward to working with you to incorporate this approach in your audit.

How it works		
<b>Standard Audit</b>	Typical process and how it's audited	
<b>Lean in Audit™</b>	Applying a Lean lens to perform walkthroughs and improve Audit quality while identifying opportunities to minimize risks and redundant steps	
<b>How Lean in Audit helps improve businesses processes</b>	Make the process more streamlined and efficient for all	





# Appendix E: Use of Technology - KPMG Clara



## Streamlined client experience

And deeper insights into your business, translating to a better audit experience.



## Secure

A secure client portal provides centralized, efficient coordination with your audit team.



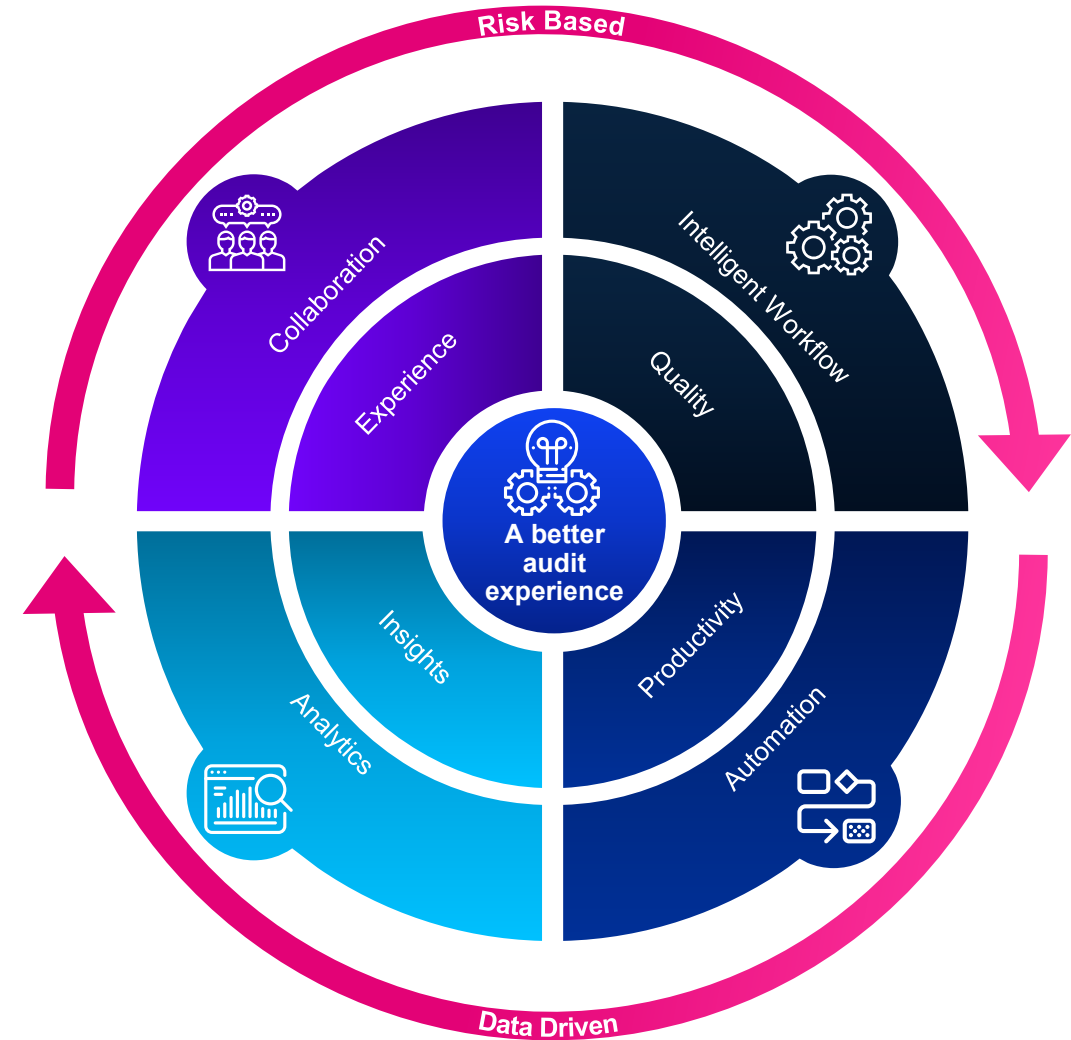
## Intelligent workflow

An intelligent workflow guides audit teams through the audit.



## Increased precision

Advanced data analytics and automation facilitate a risk-based audit approach, increasing precision and reducing your burden.





# Appendix E: Continuous evolution

## Our investment: \$5B

We are in the midst of a five-year investment to develop our people, digital capabilities, and advanced technology.

## Responsive delivery model

Tailored to you to drive impactful outcomes around the quality and effectiveness of our audits.

## Result: A better experience

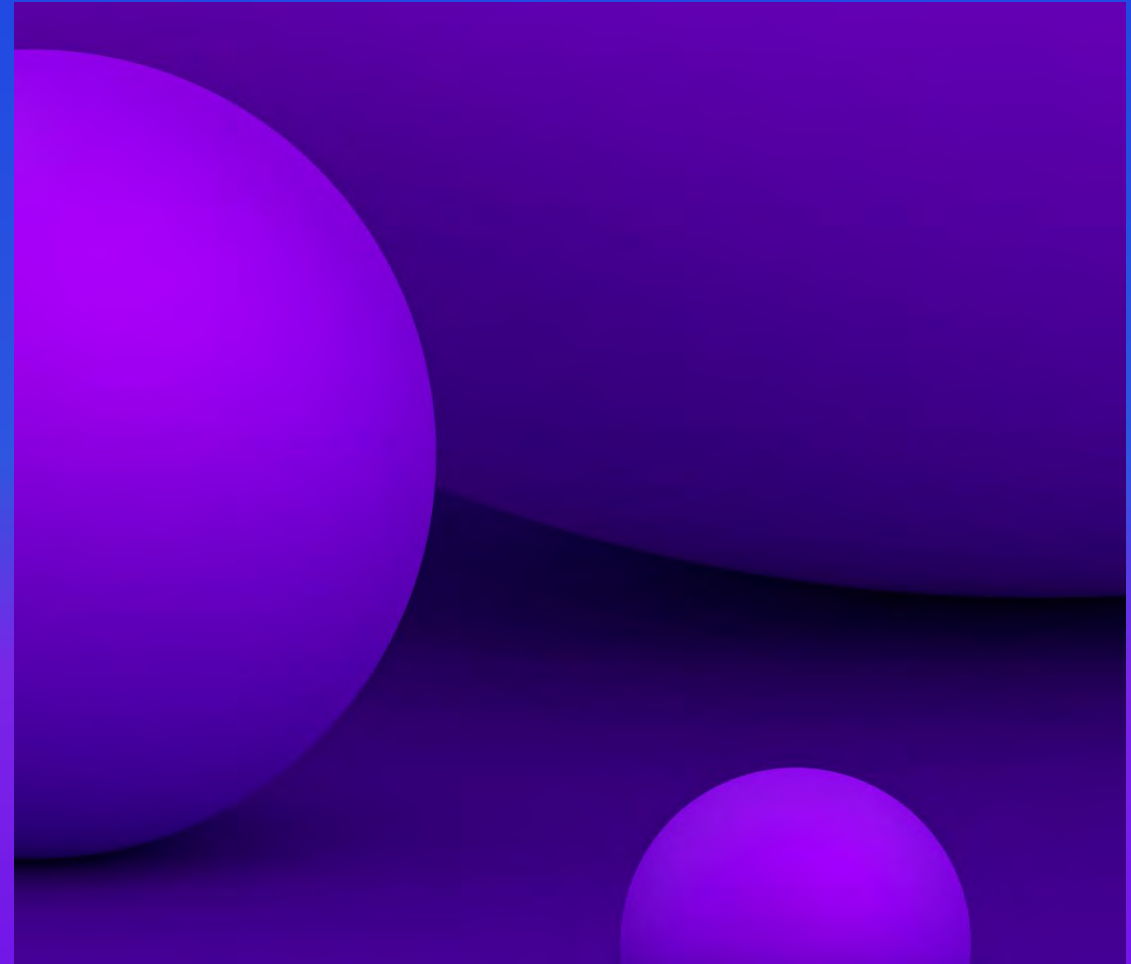
Enhanced quality, reduced disruption, increased focus on areas of higher risk, and deeper insights into your business.





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**Subject: Audited Consolidated Financial Statements for Windsor Business Improvement Areas for 2022 and 2023 - Wards 2, 3, 4, 5 & 6**

**Reference:**

Date to Council: December 9, 2024  
Author: Cristina Stanis  
Senior Tax Analyst  
519-255 6100 Ext. 6929  
cstanis@citywindsor.ca  
Taxation & Financial Projects  
Report Date: 11/22/2024  
Clerk's File #: MI2024

**To:** Mayor and Members of City Council

**Recommendation:**

THAT City Council **RECEIVE** for information the 2022 and 2023 Audited Financial Statement for each of the nine (9) Business Improvement Area Boards being Downtown Windsor, Via Italia (Erie Street), Olde Riverside Town Centre, Olde Sandwich Towne, Walkerville District, Ottawa Street, Pillette Village, Wyandotte Town Centre and Ford City, as presented in Appendices A through R, in accordance with the Business Improvement Area Governance By-Law 49-2023; and,

THAT City Council **DIRECT** each of the BIA Boards to develop a plan for use of the reserves that will bring the balance in compliance with the requirements of By-Law 49-2023 and further that those plans be submitted to Administration and presented to City Council with the reporting of the 2024 Consolidated Financial Statements.

**Background:**

Presently, there are nine (9) Business Improvement Areas (BIA) within the City of Windsor. They include:

1. Downtown Windsor (DWBIA)
2. Via Italia – Erie Street (Via Italia)
3. Olde Riverside Town Centre (Riverside)
4. Olde Sandwich Towne (Sandwich)
5. Walkerville District (Walkerville)
6. Ottawa Street (Ottawa)
7. Pillette Village (Pillette)
8. Wyandotte Town Centre (Wyandotte)

## 9. Ford City (Ford)

Sections 204 to 215 of the *Ontario Municipal Act, 2001* (the Act), provide the regulatory framework for the establishment and operation of BIAs. Section 204(1) of the Act provides that local municipalities may designate an area as an improvement area and may establish a Board of Management:

- a) To oversee the improvement, beautification and maintenance of municipally owned land, buildings, and structures in the area beyond that provided at the expense of the municipality generally; and
- b) To promote the area as a business or shopping area

In 2023, the City of Windsor established the Governance By-Law 49-2023 (the By-Law) to create a uniform governance structure for all the BIA Boards of Management in the City of Windsor. In accordance with Schedule C, Section III, Annual Financial Statements, of the By-Law, the audited financial statements are required to be presented in conjunction with the annual report to Council.

### **Discussion:**

Schedule C, Section III, Annual Financial Statements of the By-Law, requires that the audited consolidated financial statements for the BIAs be presented to Council annually. The consolidated financial statements of the BIAs are comprised of:

- the consolidated statement of financial position;
- the consolidated statement of operations and accumulated surplus (deficit);
- the consolidated statement of changes in net financial assets;
- the consolidated statement of cash flows;
- and the notes to the financial statements, including a summary of significant accounting policies;

(hereinafter referred to as the consolidated financial statements).

This report includes the consolidated financial statements for the BIAs for the years ended December 31, 2022, and December 31, 2023 (Appendix A to R).

The audited consolidated financial statements of the BIAs for the years ended December 31, 2022, and December 31, 2023, were audited by KPMG LLP, who issued unmodified audit opinions on account of each of the consolidated financial statements of the BIAs.

The following discussion provides an analytical review of the consolidated financial statements of the BIAs for the year ended December 31, 2023, with comparisons to the

prior year, as it relates to the consolidated statement of financial position, and budget, as it relates to the consolidated statement of operations and surplus.

Furthermore, and in accordance with Schedule C, Part IV Reserve Funds of the By-Law, *“At no time shall the general operating reserve reach a level that exceeds the annual year’s levy. Should the general operating reserve reach a level that is in excess of this maximum amount, the Board is required to develop a plan that will expend the funds with said plan being presented as part of the annual budget submission for approval by Council.”* The following discussion will also identify whether the BIAs are in compliance with this provision of the By-Law.

## **Downtown Windsor Business Improvement Area (DWBIA) – Appendix A**

### **Consolidated Statement of Financial Position**

Total financial assets as at December 31, 2023, increased \$13,528 from 2022 (2023 - \$638,366; 2022 – \$624,838). Notable changes include:

- A decrease in Cash by \$176,735 (2023 - \$259,850; 2022- \$436,585). For further information, refer to the Consolidated Statement of Cash Flows.
- An increase in Accounts receivable by \$179,634 (2023 - \$345,036; 2022- \$165,402). The increase in the balance was mainly due to amounts related to recoverable HST for DWBIA and DWBRA that made up about \$170,000 of the total balance. This amount was collected in 2024.
- An increase in Due from the City of Windsor of \$10,629 from 2022 (2023 - \$33,480; 2022 - \$22,851). Year-end balances for the Due from the City of Windsor account reflect an amount equivalent to five percent (5%) of the BIA levy budget for the current year plus or minus any levy increases or decreases from reassessment transactions captured during the second part of the year through the Supplementary/ Omitted assessment process.

Total financial liabilities at December 31, 2023, decreased \$27,912 from 2022 (2023 - \$88,249; 2022 - \$116,161). In 2022, a payment of approximately \$25,000 remained outstanding on account of street pole banners.

Total non-financial assets as at December 31, 2023, decreased \$20,323 from 2022 (2023 - \$79,689; 2022 - \$100,012). Tangible capital assets represent the largest component of non-financial assets. The decrease in tangible capital assets of \$22,923 relates to the annual amortization expense.

### **Consolidated Statement of Operations and Accumulated Surplus**

Total revenue for 2023 amounted to \$1,157,560, an increase of \$331,910 as compared to the budget of \$825,650. Notable differences include:

- Total City of Windsor Levy Revenue for 2023 was \$717,608, an increase of \$50,058 as compared to the budget of \$667,550. The increase resulted from

additional assessment of properties in the DWBIA area identified during the supplementary/omitted billing assessment process.

- Total Grant revenue for 2023 was \$297,754 compared to the budget of \$50,000, an increase of \$247,754. The DWBIA received the following grants in 2023:
  - Canadian Urban Institute's My Mainstreets Grant \$125,000
  - Canada Communities Revitalization Fund Grant \$134,056
  - Celebrate Ontario Grant \$10,500.
- Total Miscellaneous revenue for 2023 was \$87,306 as compared to the budget of \$57,300. The increase of \$30,006, resulted from higher than anticipated revenue collected from vendor fees for events such as the Canada Day Arts Fair and the Night Markets; donations to the Art Alley Projects; and participant fees for the Beach Bash Volleyball Tournament.

Total expenses for 2023 amounted to \$1,136,443, an increase of \$277,511 as compared to the budget of \$858,932. Notable differences include:

- Total Marketing and events expenses for 2023 were \$322,877, an increase of \$64,395 as compared to the budget of \$258,482. The increase was related to events including Winter Fest, with the addition of the Santa Claus Parade, and the Beach Volleyball Tournament.
- Total Grants expenses for 2023 were \$292,373, an increase of \$292,373 from budget. These expenses were incurred on account of grant obligations for the Art Alley.
- Total Administrative expenses for 2023 were \$151,039, a \$51,359 increase as compared to the budget of \$99,950. The increase relates to professional fees incurred to fulfill grant obligations and to address compliance matters with the Canada Revenue Agency. Furthermore, amortization of tangible capital assets of \$22,923 was included in Administrative expenses, but is not budgeted for annually, as this is an adjustment required for accounting purposes to comply the Canadian public sector accounting standards.
- Total Development expenses for 2023 were \$22,029, a \$17,029 increase as compared to the budget of \$5,000. In 2023 costs were incurred on account of Security of \$8,336, Rent Subsidies of \$6,300 and the Good Green Food Reclamation Program of \$3,107.
- Total Infrastructure expenses for 2023 were \$20,408, a decrease of \$156,642 as compared to the budget of \$177,050. The decrease is primarily related to the deferral of the security cameras and safety measures projects included in the 2023 budget amounting to \$108,550 and the decorative lighting project included in the 2023 budget of \$57,000.

At December 31, 2023, the DWBIA has an accumulated surplus of \$629,806, and increase of \$21,117 from 2022 (2022 - \$608,689). The accumulated surplus is comprised of two components: Investment in Tangible Capital Assets and the Reserve for Future Development (Reserve). The Reserve was \$595,896 at December 31, 2023, an increase of \$44,040 from 2022 (2022 - \$551,856). The Reserve balance exceeds the limit imposed by the By-Law of 25% of the annual year's levy and is therefore not in compliance with the By-Law.



## Via Italia – Erie Street BIA– Appendix B

### The Statement of Financial Position

Total financial assets as at December 31, 2023, were \$104,670 a decrease of \$6,044 from 2022 (2023 - \$104,670; 2022 - \$110,714). Notable changes include:

- An increase in Cash of \$38,276 (2023 - \$63,630; 2022- \$25,354). For further information, refer to the Consolidated Statement of Cash Flows.
- An increase in Commodity taxes receivable of \$11,161 (2023 - \$32,653; 2022- \$21,492).
- A decrease in the Due from City of Windsor balance by \$55,640 (2023 - \$6,250; 2022- \$61,890). In 2022, amounts remained outstanding from the City of Windsor on account of a delay in finalizing the 2021 audited financial statements. As a result, the final payment for 2021 and the interim payments for 2022 were withheld.

Financial liabilities at December 31, 2023, were nil, a \$13,079 decrease from 2022 (2022 - \$13,079). Financial liabilities are comprised of Accounts payable and accrued liabilities. The year-over-year variance is attributed to the timing of payments.

### Statement of Operations and Accumulated Surplus

Total revenue for 2023 amounted to \$190,344, an increase of \$65,344 as compared to the budget of \$125,000. Notable differences include:

- The City of Windsor levy of \$125,528 represents a \$528 increase as compared to the budget of \$125,000.
- Miscellaneous revenue of \$64,759 was earned in 2023. This is comprised of a grant from the Federal Economic Development Agency of \$62,370 to fund the beautification project for the area.

Total expenses for 2023 amounted to \$183,309, an increase of \$58,309 as compared to the budget of \$125,000. Notable differences include:

- Total Advertising and promotion costs were \$48,062, an increase of \$36,262 as compared to the budget of \$11,800. In 2023, the BIA incurred expenses to contract the services of an Events Coordinator to support various BIA initiatives for approximately \$39,000. For budget purposes, this expense was included as Wages. The final presentation on the audited financial statements better represents this expense as Advertising and promotion as the Events Coordinator is not an employee of the BIA.
- Total Office and administration costs were \$19,163, an increase of \$8,927 as compared to the budget of \$10,236. The BIA sponsored the Windsor

International Film Festival Event in 2023. Total sponsorship amounted to \$5,000. The sponsorship was not accounted for in the budget.

- Total Special events costs were \$92,130, an increase of \$48,130 as compared to the budget of \$44,000. The increase is attributed to an alley beautification project undertaken by the BIA in 2023. The project involved the installation of LED alley lights and signs throughout the BIA. This project was funded primarily with grants recognized as Miscellaneous revenue.
- Total Street improvement expenses were \$6,731, a decrease of \$16,269 as compared to the budget of \$23,000. In 2023 certain street improvement projects were postponed.
- Total Wages were \$7,851, a decrease of \$20,149 as compared to the budget of \$28,000. The BIA incurred expenses on account of an Events Coordinator that were categorized as Advertising and promotion but budgeted for as Wages. For further information refer to the Advertising and promotion discussion above.

At December 31, 2023, the Via Italia BIA has an accumulated surplus of \$104,670, an increase of \$7,035 from 2022 (2022 - \$97,635). The accumulated surplus exceeds the limit imposed by the By-Law of 25% of the annual year's levy and is therefore not in compliance with the By-Law.

## **Olde Riverside Town Centre BIA – Appendix C**

Consolidated Financial Position December 31, 2023

Total financial assets as at December 31, 2023, increased \$6,431 from 2022 (2023 - \$35,871; 2022 - \$29,440). Notable changes include:

- An increase in Cash of \$ \$8,791 (2023 - \$28,931; 2022- \$20,140). For further information, refer to the Consolidated Statement of Cash Flows.
- A decrease in the Accounts receivable of \$2,460 (2023 - \$3,190; 2022- \$5,650).

Total financial liabilities as at December 31, 2023, decreased \$17,678 from 2022 (2023 - \$2,000; 2022 - \$19,678). Notable changes include:

- A decrease in the Accounts payable and accrued liabilities of \$10,178 (2023 - \$2,000; 2022- \$12,178).
- A decrease in Long-term debt of \$7,500. In 2023, the final payment was made on account of the Long-term debt related to the 2013 beautification project.

Consolidated Statement of Operations and Accumulated Surplus

Total revenue for the Riverside BIA was \$75,618, an increase of \$618 as compared to the budget of \$75,000. Revenue relates to the City of Windsor levy.

Total expenses for 2023 were \$51,509, a decrease of \$23,491 compared to the budget of \$75,000. In 2023, fewer expenses were incurred as there was a pause in various BIA

activities namely due to the temporary measures that were implemented early in 2023 over the governance and operations of the BIAs. Additionally, the coordinator position for the BIA remained vacant. Specific variances by financial statement caption include:

- Total Administration costs were \$6,687, a decrease of \$4,683, as compared to the budget of \$11,370.
- Total Advertising and promotion costs were \$5,315, a decrease of \$2,035, as compared to the budget of \$7,350.
- Total Donations were \$nil, a decrease of \$2,000, as compared to the budget of \$2,000.
- Total Special events costs were \$16,118, a decrease of \$4,882 as compared to the budget of \$21,000.
- Total Street beautification expenses were \$13,737, a decrease of \$11,663, as compared to the budget of \$25,400.

At December 31, 2023, the Riverside BIA has an accumulated surplus of \$33,871, an increase of \$24,109 from 2022 (2022 - \$9,762). The accumulated surplus exceeds the limit imposed by the By-Law of 25% of the annual year's levy and is therefore not in compliance with the By-Law.

## **Olde Sandwich Towne BIA – Appendix D**

Consolidated Financial Position December 31, 2023

Total financial assets as at December 31, 2023, increased \$221,066 from 2022 (2023 - \$308,782; 2022 - \$95,456). Notable changes include:

- An increase in Cash of \$235,945 (2023 - \$294,905; 2022 - \$58,960). For further information, refer to the Consolidated Statement of Cash flows.
- An increase in HST receivable of \$4,467 (2023 - \$10,522; 2022- \$6,055).
- A decrease in the Due from the City of Windsor of \$29,346 (2023 - \$3,355; 2022- \$32,701). In 2022, amounts remained outstanding from the City of Windsor on account of a delay in finalizing the 2021 audited financial statements. As a result, the final payment for 2021 and the interim payments for 2022 were withheld.

Total financial liabilities as at December 31, 2023, were consistent with 2022 ((2023 - \$1,130; 2022- \$2,260). The balance is primarily comprised of Accounts payable and accrued liabilities.

Consolidated Statement of Operations and Accumulated Surplus

Total revenue for the Sandwich BIA was \$319,710, an increase of \$50,610 compared to the budget of \$269,100). Notable changes include:

- Grant revenue of \$250,000, an increase of \$50,000 as compared to the budget of \$200,000. This represents the grant from The Gordie How Bridge Community Benefits Plan.

Total expenses for 2023 of \$107,514, a decrease of \$208,726 as compared to the budget of \$316,240. In 2023, the Sandwich area was experiencing significant construction activity which led to delays for projects that were intended to occur in 2023. Notable differences from budget include:

- Total Advertising costs were \$10,535, a decrease in budget of \$64,315 compared to the budget of \$74,850. The Sandwich BIA had planned a marketing campaign once the construction in the area was completed. The marketing campaign was delayed due to the on-going construction in the area.
- Total Decorative costs were \$14,788, a decrease in the budget of \$110,712 compared to the budget of \$125,500. The Sandwich BIA postponed the related purchases until after the completion of the construction in the area.
- Total Special events costs were \$49,429, a decrease in the budget of \$32,071 compared to the budget of \$81,500. The events were scaled back for 2023 due to poor attendance and on-going construction.

At December 31, 2023, the Sandwich BIA has an accumulated surplus of \$307,652, an increase of \$212,196 from 2022 (2022 - \$95,456). The accumulated surplus exceeds the limit imposed by the By-Law of 25% of the annual year's levy and is therefore not in compliance with the By-Law.

## **Walkerville District BIA– Appendix E**

### **Consolidated Statement of Financial Position December 31, 2023**

Total financial assets as at December 31, 2023, has increased \$4,908 as compared to 2022 (2023 - \$64,130; 2022 – \$59,222). Notable changes include:

- An increase in Cash of \$16,810 (2023 - \$56,845; 2022 - \$40,035). For further information, refer to the Consolidated Statement of Cash Flows.
- A decrease in the Due from the City of Windsor of \$5,160 (2023 - \$3,126; 2022 - \$8,286). The increased balance as at December 31, 2022, was the result of increased levy due to the reassessment captured during the Supplementary/Omitted assessment.
- A decrease in the HST receivable of \$6,742 (2023 - \$3,159; 2022 - \$9,901).

Total financial liabilities as at December 31, 2023, was \$3,638, a decrease of \$12,146, as compared to 2022 (2022 - \$15,784). The financial liabilities related primarily to Accounts payable and accrued liabilities.

Total non-financial assets as at December 31, 2023, of \$1,318 have remained consistent with 2022 (2022 - \$2,382). The non-financial assets represent prepaid expenses of the Walkerville BIA.

### **Consolidated Statement of Operations and Accumulated Surplus**

Total revenue for 2023 for the Walkerville BIA was \$68,846, an increase of \$7,846 compared to the budget of \$61,000. Notable changes include:

- Increase in City of Windsor levy of \$1,984 as compared to the budget of \$55,000.
- Increase in Sponsorships and other fundraising of \$5,855 as compared to budget of \$6,000.

Total expenses for 2023 were \$52,856 as compared to the budget of \$61,000. Notable changes include:

- Total Events and meetings costs were \$23,499, a decrease of \$5,018 as compared to the budget of \$28,517. In 2023, fewer costs were incurred on account of events.
- Total Security costs were \$2,337, a decrease of \$7,663 as compared to the budget of \$10,000. Security services were only contracted in the last part of 2023 due to a delay in the procurement process.
- Total Street up-keep expenses were \$8,185, an increase of \$2,185 as compared to the budget of \$6,000. In 2023, additional costs were incurred on account of holiday decorations and street cleaning.

At December 31, 2023, the Walkerville BIA has an accumulated surplus of \$61,810, an increase of \$15,990 from 2022 (2022 - \$45,820). The accumulated surplus exceeds the limit imposed by the By-Law of 25% of the annual year's levy and is therefore not in compliance with the By-Law.

## **Ottawa Street BIA– Appendix F**

Consolidated Statement of Financial Position December 31, 2023

Total financial assets as at December 31, 2023, of \$64,867, a decrease of \$11,750 as compared to 2022 (2022 - \$76,617). Notable changes include:

- A decrease in Cash of \$28,664 from 2022 (2023 - \$32,685; 2022 - \$61,349). For further information, refer to the Consolidated Statement of Cash Flows.
- An increase in Commodity taxes receivable of \$11,272 from 2022 (2023 - \$22,802; 2022- \$11,530).
- An increase in Other receivables by \$5,730 (2023 - \$5,730; 2022- \$0).

Total non-financial assets as at December 31, 2023, of \$3,106, is consistent with 2022 (2022 - \$2,579). Non-financial assets represent prepaid expenses.

Consolidated Statement of Operations and Accumulated Surplus 2023

Total revenue for 2023 for the Ottawa BIA was \$120,025, an increase of \$48,060 as compared to the budget of \$71,965. The increase is primarily attributed to the receipt of

grant revenue of \$48,000 from the Federal Government to be used to support the BIA's alley lighting project.

Total expenses for 2023 were \$131,248, an increase of \$59,283, as compared to the budget of \$71,965. Notable changes include:

- Total Miscellaneous expenses were \$9,146, an increase of \$5,146 as compared to the budget of \$4,000. The increase in costs is associated with the painting of murals and alley cleaning.
- Total Promotions and advertising expenses were \$17,559, a decrease of \$1,961 as compared to the budget of \$19,520. The reduction is attributed to discounts obtained for advertising and promotional services.
- Total Street beautification expenses were \$73,156, an increase of \$56,656 as compared to the budget of \$16,500. Street beautification expenses were funded through the grant from the Federal Government rather than the operating budget.

At December 31, 2023, the Ottawa BIA has an accumulated surplus of \$67,973, a decrease of \$11,223 from 2022 (2022 - \$79,196). The accumulated surplus exceeds the limit imposed by the By-Law of 25% of the annual year's levy and is therefore not in compliance with the By-Law.

## **Pillette Village BIA – Appendix G**

### Consolidated Statement of Financial Position December 31, 2023

Total financial assets as at December 31, 2023, were \$24,248, a \$47,922 decrease from 2022 (2022 - \$72,170). This is primarily attributed to the decrease in Cash of \$48,368 from 2022 (2022 - \$68,369). For additional information refer to the Consolidated Statement of Cash Flows.

Total financial liabilities as at December 31, 2023, were \$2,030, and are consistent with 2022 (2022 - \$2,656). Financial liabilities consist of Accounts payable and accrued liabilities.

### Consolidated Statement of Operations and Accumulated Surplus

For 2023, total revenue for the Pilette BIA was \$40,511, and is consistent with the budget of \$40,000. The City of Windsor levy represents the Pilette BIA's primary revenue stream.

Total expenses for 2023 were \$87,807, an increase of \$47,807 as compared to the budget of \$40,000. Notable changes include:

- Total Advertising and promotion expenses were \$7,244 an increase of \$1,844 as compared to the budget of \$5,400. The Pilette BIA incurred additional expenses to enhance the website and marketing for the business in the area.

- Total Beautification expenses were \$66,015, an increase of \$50,790 as compared to the budget of \$15,225. A downpayment of \$56,000 was put towards the BIA Streetscape Improvement Project. The Project includes improved street furnishing and image rebranding. It was approved by City Council in 2022 (CR87/2022). The BIA had funds set aside in the reserve to fund the downpayment.
- Total Events expense were nil, a decrease of \$5,000 as compared to the budget of \$5,000. The expenses incurred in 2023 relating to the Street Sale Event were budgeted for in this financial caption but recognized as expenses in the Advertising and promotion or Administration financial statement captions.

At December 31, 2023, the Pilette BIA has an accumulated surplus of \$22,218, a decrease of \$47,296 from 2022 (2022 - \$69,514). The accumulated surplus exceeds the limit imposed by the By-Law of 25% of the annual year's levy and is therefore not in compliance with the By-Law.

## **Wyandotte Town Centre BIA – Appendix H**

### Consolidated Statement of Financial Position December 31, 2023

Total financial assets as at December 31, 2023, were \$216,784, a decrease of \$19,015 from 2022 (2022 - \$235,799). Notable changes include:

- A decrease in Cash of \$61,620 (2023 - \$169,479; 2022- \$231,099). For information on the change, refer to the Consolidated Statement of Cash Flows.
- An increase in the Due from the City of Windsor of \$42,605 (2023 - \$47,305; 2022- \$4,700). The increase is attributed to the holding back of funds for 2022 and 2023 due to the delay in receiving the audited consolidated financial statements of the Wyandotte BIA.

Total financial liabilities as at December 31, 2023, were \$1,700, a decrease of \$10,300 from 2022 (2022 - \$12,000). Financial liabilities consist primarily of Accounts payable and accrued liabilities. The variance is attributed to timing.

### Consolidated Statement of Operations and Accumulated Surplus

Total revenue for 2023 for the Wyandotte BIA was \$101,554, an increase of \$7,554 as compared to the budget of \$94,000. The increase is primarily attributed to interest income of \$7,042 earned on account of funds that were invested.

Total expenses for 2023 were \$110,269, an increase of \$16,269 compared to the budget of \$94,000. Notable changes include:

- Total Advertising and promotion expenses were \$24,669, an increase of \$15,949, as compared to the budget of \$8,750. Additional expenses were incurred by the BIA on social media campaigns to promote local businesses and other events organized by the BIA.

- Total Audit and legal expenses were \$1,700, a decrease of \$6,100 as compared to the budget of \$7,800. In 2023, the BIA did not acquire any legal services. Those services were included in the budget as a precautionary measure.
- Total Office expenses were \$9,574, a decrease of \$8,726 compared to the budget of \$18,300. This is due to the fact that the Wyandotte BIA postponed projects related to updating the office space.
- Total Security expenses were \$14,369. The budget for this was nothing. The Wyandotte BIA implemented a security program with Paladin Security.

At December 31, 2023, the Wyandotte BIA has an accumulated surplus of \$215,084, a decrease of \$8,715 from 2022. The accumulated surplus exceeds the limit imposed by the By-Law of 25% of the annual year's levy and is therefore not in compliance with the By-Law.

## **Ford City BIA– Appendix I**

### Consolidated Statement of Financial Position December 31, 2023

Total financial assets as at December 31, 2023, were \$36,353, a \$7,031 decrease from 2022 (2022 - \$43,384). Notable changes include:

- A decrease in Cash of \$4,651 (2023 - \$32,055; 2022- \$36,706). For additional information, refer to the Consolidated Statement of Cash Flows.
- A decrease in the Due from the City of Windsor of \$1,600 (2023 - \$1,500; 2022- \$3,100). Year-end balances for the Due from the City of Windsor account reflect an amount equivalent to 5% of the BIA levy budget for the current year plus or minus any levy increases or decreases from reassessment transactions captured during the second part of the year through Supplementary/ Omitted assessment process.

Total financial liabilities as at December 31, 2023, were \$2,000, and have remained consistent with 2022 (2022 - \$1,622). Financial liabilities are comprised of Accounts payable and accrued liabilities.

### Consolidated Statement of Operations and Accumulated Surplus

Total revenue for 2023 for the Ford BIA was \$47,891, an increase of \$7,891 compared to the budget of \$40,000. Notable changes include:

- Increase in City of Windsor levy of \$2,000 as compared to the budget of \$30,000 resulting from higher than budgeted membership in the BIA area.
- Increase in Vendor fees and sponsorships of \$5,850 as compared to the budget of \$10,000. This increase resulted from a higher than anticipated revenue from donations and vendor fees relating to the Dropped on Drouillard event.



Total expenses for 2023 for the Ford BIA was \$55,300, an increase of \$15,300 compared to the budget of \$40,000. Notable changes include:

- Total Administration expenses are \$14,629, an increase of \$1,489, compared to budget of \$13,140. The increase is related to the payment of overtime on account of the Dropped on Drouillard event.
- Total Beautification and maintenance expenses are \$111,849, an increase of \$7,079 compared to the budget of \$4,770. The increase is primarily attributed to the purchase of two sheds. The sheds are used as shops to provide small businesses with an opportunity to have a storefront.
- Total Events expenses were \$22,810, an increase of \$5,810 compared to the budget of \$17,000. The increase resulted from higher than anticipated costs associated with such things as barricades and permits to support the Dropped on Drouillard event.

At December 31, 2023, the Ford BIA has an accumulated surplus of \$34,353, a decrease of \$7,409 from 2022. The accumulated surplus exceeds the limit imposed by the By-Law of 25% of the annual year's levy and is therefore not in compliance with the By-Law.

### **Risk Analysis:**

There is nominal risk associated with the consolidated financial statements of the BIAs. The audited consolidated financial statements of the BIAs for the years ended December 31, 2022, and December 31, 2023, were audited by KPMG LLP, who issued unmodified audit opinions on account of each of the consolidated financial statements of the BIAs.

### **Climate Change Risks**

#### **Climate Change Mitigation:**

N/A

#### **Climate Change Adaptation:**

N/A

### **Financial Matters:**

City of Windsor levy

On an annual basis, the BIAs are provided an interim payment on account of the City of Windsor levy of 50% of the prior year's approved levy upon receipt of a current year Board approved budget. A final payment in the amount of the current year's approved City of Windsor levy less any interim payment, is paid upon receipt of the prior year's audited financial statements. A hold back of 5% of the current year's levy will be

retained by the City and released at the end of each fiscal year upon conclusion of the Supplementary and Omitted assessment process.

#### Annual Financial Statements

The By-Law, Schedule C, Financial Accountability Requirements, requires the following as it relates to the Annual Financial Statements:

- i) The Board is responsible to ensure that the financial information relating to each fiscal year end is provided to the auditors in a timely manner but no later than ninety days following the fiscal year end.*
- ii) Audited financial statements are required to be presented in conjunction with the annual report to Council.*

Administration confirms that the BIAs are currently in compliance with the requirements of this financial accountability requirement.

#### Reserve Funds

The By-Law, Schedule C, Financial Accountability Requirements, requires the following as it relates to Reserve Funds:

- i) Any levy that is collected and not used in a current year shall be placed in a general operating reserve to be used in a subsequent year at the discretion of the Board. Expenditures from the reserve must be compliant with the Municipal Act and aligned with those that would typically be undertaken by the BIA. Where possible use of the reserve as a funding source is included in a budget submission the funding must be clearly identified as coming from the general operating reserve.*
- ii) At no time shall the general operating reserve reach a level that exceeds 25% of the annual year's levy. Should the general operating reserve reach a level that is more than this maximum amount, the Board is required to develop a plan that will expend the funds with said plan being presented as part of the annual budget submission for approval by Council. The excess funds shall be included as a revenue source in the annual operating budget for the year in which the funds will be spent in accordance with the plan.*
- iii) The Board may provide in its annual budget the establishment and maintenance of a specific purpose reserve fund to be used for special projects and or initiatives. Funds which are placed into these special purpose reserves must be used for the intended purpose. Reuse/redirection of funds previously set aside requires the approval of Council.*
- iv) A separate schedule of transactions made from either the general operating and specific purpose reserve from the preceding year shall be included a document in the annual financial statements.*

All BIAs being reported on within this report are outside of compliance with provision ii), namely, that the general operating reserve exceeds 25% of the levy. Administration will continue to work with the BIAs on the plans to utilize the funds to bring them into compliance with this financial accountability requirement with plans to be presented to City Council in conjunction with the reporting of the 2024 consolidated financial statements.

**Consultations:**

DWBIA

Ford City BIA

Via Italia BIA

Olde Riverside Town Centre BIA

Olde Sandwich Towne BIA

Walkerville District BIA

Ottawa Street BIA

Pillette Village BIA

Wyandotte Towne Centre BIA

**Conclusion:**

The information and appendices to this report are submitted to City Council to address the requirements of Schedule C, Financial Accountability Requirements, Section III, Annual Financial Statements, of the By-Law.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Lorie Gregg	Deputy Treasurer Taxation, Treasury & Financial Projects
Janice Guthrie	Commissioner Finance & City Treasurer
Joe Mancina	CAO

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
DWBIA		
Via Italia BIA		
Ford City BIA		
Olde Riverside Town Centre BIA		
Olde Sandwich Towne BIA		
Ottawa Street BIA		
Pillette Village BIA		
Walkerville District BIA		
Wyandotte Town Centre BIA		

**Appendices:**

- 1 Appendix A – Downtown Windsor BIA 2023 Financial Statements
- 2 Appendix B - Via Italia BIA 2023 Financial Statements
- 3 Appendix C - Olde Riverside Town Centre BIA 2023 Financial Statements
- 4 Appendix D - Olde Sandwich Towne BIA 2023 Financial Statements
- 5 Appendix E - Walkerville District BIA 2023 Financial Statements
- 6 Appendix F - Ottawa Street BIA 2023 Financial Statements
- 7 Appendix G - Pillette Village BIA 2023 Financial Statements
- 8 Appendix H - Wyandotte Town Centre BIA 2023 Financial Statements
- 9 Appendix I - Ford City BIA 2023 Financial Statements
- 10 Appendix J – Downtown Windsor BIA 2022 Financial Statements
- 11 Appendix K - Via Italia BIA 2022 Financial Statements
- 12 Appendix L - Olde Riverside Town Centre BIA 2022 Financial Statements
- 13 Appendix M - Olde Sandwich Towne BIA 2022 Financial Statements
- 14 Appendix N - Walkerville District BIA 2022 Financial Statements
- 15 Appendix O - Ottawa Street BIA 2022 Financial Statements
- 16 Appendix P - Pillette Village BIA 2022 Financial Statements
- 17 Appendix Q - Wyandotte Town Centre BIA 2022 Financial Statements
- 18 Appendix R - Ford City BIA 2022 Financial Statements



Consolidated Financial Statements of

**DOWNTOWN WINDSOR  
BUSINESS IMPROVEMENT  
ASSOCIATION**

And Independent Auditor's Report thereon

Year ended December 31, 2023



## **KPMG LLP**

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Canada  
Telephone 519 251 3500  
Fax 519 251 3530

## **INDEPENDENT AUDITOR'S REPORT**

To the Board Members, Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Windsor

### ***Opinion***

We have audited the accompanying consolidated financial statements of Downtown Windsor Business Improvement Association (the Entity) which comprise of:

- the consolidated statement of financial position as at December 31, 2023
- the consolidated statement of operations and accumulated surplus for the year then ended
- the consolidated statement of changes in net financial assets for the year then ended
- the consolidated statement of cash flows for the year then ended
- and notes and schedule to the consolidated financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements").

In our opinion, the accompanying consolidated financial statements present fairly, in all material respects, the financial position of the Entity as at December 31, 2023, and its consolidated results of operations and accumulated surplus and its consolidated changes in net financial assets and its consolidated cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### ***Basis for Opinion***

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the "***Auditor's Responsibilities for the Audit of the Financial Statements***" section of our auditor's report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.



***Responsibilities of Management and Those Charged with Governance for the Financial Statements***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.





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- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

*KPMG LLP*

Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada

October 28, 2024

# DOWNTOWN WINDSOR BUSINESS IMPROVEMENT ASSOCIATION

Consolidated Statement of Financial Position

December 31, 2023, with comparative information for 2022

	2023	2022
<b>Financial assets:</b>		
Cash and cash equivalents	\$ 259,850	\$ 436,585
Accounts receivable	345,036	165,402
Due from City of Windsor	33,480	22,851
	<u>638,366</u>	<u>624,838</u>
<b>Financial liabilities:</b>		
Accounts payable and accrued liabilities	88,249	116,161
Net financial assets	550,117	508,677
<b>Non-financial assets:</b>		
Tangible capital assets (note 2)	69,654	92,577
Prepaid expenses	10,035	7,435
	<u>79,689</u>	<u>100,012</u>
Commitments (note 4)		
Accumulated surplus (note 3)	\$ 629,806	\$ 608,689

See accompanying notes to consolidated financial statements.

On behalf of the Board:

\_\_\_\_\_ Director

\_\_\_\_\_ Director

# DOWNTOWN WINDSOR BUSINESS IMPROVEMENT ASSOCIATION

Consolidated Statement of Operations and Accumulated Surplus

Year ended December 31, 2023, with comparative information for 2022

	2023 Budget	2023 Actual	2022 Actual
<b>Revenue:</b>			
City of Windsor levy	\$ 667,550	\$ 717,608	\$ 657,024
Grants	50,000	297,754	349,984
Miscellaneous	57,300	87,306	111,133
Winter Fest	-	-	23,500
Farmer's Market	50,800	53,984	77,284
Interest	-	908	904
	<u>825,650</u>	<u>1,157,560</u>	<u>1,219,829</u>
<b>Expenses:</b>			
Marketing and events	258,482	322,877	548,925
Grant expenses	-	292,373	-
Salaries and wages	187,500	192,220	206,663
Clean and safe	106,900	103,180	104,675
Administrative (schedule)	99,950	151,309	142,852
Development	5,000	22,029	25,397
Infrastructure	177,050	20,408	47,035
Communications	24,050	26,233	29,289
Other expenses		5,814	11,648
	<u>858,932</u>	<u>1,136,443</u>	<u>1,116,484</u>
Annual surplus (deficit)	(33,282)	21,117	103,345
Accumulated surplus, beginning of year	608,689	608,689	505,344
<b>Accumulated surplus, end of year</b>	<b>\$ 575,407</b>	<b>\$ 629,806</b>	<b>\$ 608,689</b>

See accompanying notes to consolidated financial statements.

# DOWNTOWN WINDSOR BUSINESS IMPROVEMENT ASSOCIATION

Consolidated Statement of Changes in Net Financial Assets

Year ended December 31, 2023, with comparative information for 2022

	2023	2022
Annual surplus	\$ 21,117	\$ 103,345
Acquisition of tangible capital assets	-	(30,976)
Amortization of tangible capital assets	22,923	25,069
Disposition of prepaid expenses	7,435	3,736
Acquisition of prepaid expenses	(10,035)	(5,498)
Change in net financial assets	41,440	95,676
Net financial assets, beginning of year	508,677	413,001
<b>Net financial assets, end of year</b>	<b>\$ 550,117</b>	<b>\$ 508,677</b>

See accompanying notes to consolidated financial statements.

# DOWNTOWN WINDSOR BUSINESS IMPROVEMENT ASSOCIATION

Consolidated Statement of Cash Flows

Year ended December 31, 2023, with comparative information for 2022

	2023	2022
Cash provided by (used in):		
Operations:		
Annual surplus	\$ 21,117	\$ 103,345
Amortization of tangible capital assets	22,923	25,069
Decrease (increase) in accounts receivable	(179,634)	63,343
Decrease (increase) in due from City of Windsor	(10,629)	10,515
Increase in prepaid expenses	(2,600)	(1,762)
Increase (decrease) in accounts payable and accrued liabilities	(27,912)	62,617
	<u>(176,735)</u>	<u>263,127</u>
Investing:		
Acquisition of tangible capital assets	-	(30,976)
Increase (decrease) in cash	(176,735)	232,151
Cash and cash equivalents, beginning of year	436,585	204,434
Cash and cash equivalents, end of year	<u>\$ 259,850</u>	<u>\$ 436,585</u>

See accompanying notes to consolidated financial statements.

# DOWNTOWN WINDSOR BUSINESS IMPROVEMENT ASSOCIATION

Notes to Consolidated Financial Statements

Year ended December 31, 2023

The Board of Management of the Downtown Windsor Business Improvement Association (the "Association") is entrusted with the improvement and beautification of municipally-owned lands, buildings and structures in the area as well as designated by the Council of the Corporation of the City of Windsor and the promotion of this area for business and shopping. The Association is exempt from paying income tax under Section 149 of the Income Tax Act.

**1. Significant accounting policies:**

The consolidated financial statements are the representations of management and are prepared in accordance with accounting standards established by the Public Sector Accounting Board of the Canadian Institute of Chartered Professional Accountants.

(a) Basis of presentation:

These consolidated financial statements reflect the assets, liabilities, revenue and expenses of the revenue fund and the reserve. All interfund assets and liabilities and revenue and expenses have been eliminated. These consolidated financial statements include Downtown Windsor Business Revitalization Association, an entity under common control with the Association.

(b) Basis of accounting:

The Association maintains its accounts on an accrual basis. Under this basis, revenue is accounted for in the period in which the transactions or events occur that give rise to the revenue. Expenses are accounted for in the period the goods and services are acquired.

(c) Cash and cash equivalents:

Cash and cash equivalents include cash and short-term highly liquid investments with a term to maturity of 90 days or less at acquisition.

(d) Non-financial assets:

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of business.

Tangible capital assets:

Tangible capital assets are recorded at cost.

Amortization is calculated on a straight-line basis over an assets expected useful life. Residual values are assumed to be zero.

Asset classification	Useful life (years)
Computer hardware	3
Furniture and fixtures	5
Equipment	10
Leasehold improvements	term of lease

# DOWNTOWN WINDSOR BUSINESS IMPROVEMENT ASSOCIATION

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2023

## 1. Significant accounting policies (continued):

### (e) Use of estimates:

The preparation of the financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure in contingent assets and liabilities at the dates of the financial statements and the reported amounts of revenues and expenses during the reporting periods. Significant items subject to such estimates and assumptions include the valuation of accounts receivable and the carrying value of tangible capital assets. Actual results could differ from those estimates.

## 2. Tangible capital assets:

Cost	2022	Additions	Disposals	2023
Computer hardware	\$ 23,059	\$ -	\$ -	\$ 23,059
Furniture and fixtures	88,591	-	-	88,591
Equipment	9,569	-	-	9,569
Leasehold improvements	46,062	-	-	46,062
<b>Total</b>	<b>\$ 167,281</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 167,281</b>

Accumulated amortization	2022	Disposals	Amortization expense	2023
Computer hardware	\$ 21,674	\$ -	\$ 707	\$ 22,381
Furniture and fixtures	38,383	-	14,679	53,062
Equipment	1,880	-	957	2,837
Leasehold improvements	12,767	-	6,580	19,347
<b>- Total</b>	<b>\$ 74,704</b>	<b>\$ -</b>	<b>\$ 22,923</b>	<b>\$ 97,627</b>

Net book value	2022	2023
Computer hardware	\$ 1,385	\$ 678
Furniture and fixtures	50,208	35,529
Equipment	7,689	6,732
Leasehold improvements	33,295	26,715
<b>Total</b>	<b>\$ 92,577</b>	<b>\$ 69,654</b>

# DOWNTOWN WINDSOR BUSINESS IMPROVEMENT ASSOCIATION

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2023

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### 3. Accumulated surplus:

Accumulated surplus consists of individual funds' surplus as follows:

	2023	2022
Surplus:		
Invested in tangible capital assets	\$ 33,910	\$ 56,833
Reserve for future development	595,896	551,856
<b>Total surplus</b>	<b>\$ 629,806</b>	<b>\$ 608,689</b>

### 4. Commitments:

- (i) On November 1, 2020, the Association entered into a lease agreement for premises located on 484 Pelissier Street for a fifteen-month period commencing November 1, 2020, at a monthly rate of \$1,800. The lease provides the Association with the option to extend the lease for 5 additional twelve-month terms at a rental rate of \$2,000 per month for the period commencing February 1, 2022 through January 31, 2023, and \$2,200 per month for the periods following.
- (ii) In May of 2012, the Association pledged \$50,000 to the St. Clair College MediaPlex Campus for façade improvements to be paid in annual contributions of \$5,000. At December 31, 2023, \$30,000 of the pledge remained unpaid.



# DOWNTOWN WINDSOR BUSINESS IMPROVEMENT ASSOCIATION

## Consolidated Schedule of Administrative Expenses

Year ended December 31, 2023, with comparative information for 2022

	2023 Budget	2023 Actual	2022 Actual
Rent	\$ 37,500	\$ 32,049	\$ 27,357
Legal and audit	37,000	65,029	57,036
Amortization	-	22,923	25,069
Insurance	11,000	11,481	7,224
Office equipment	9,000	9,995	5,302
Utilities	-	5,303	6,192
Telephone	500	-	7,111
Office supplies	3,250	2,738	2,940
Bank charges	1,200	1,791	1,272
Bad debts	-	-	3,022
Postage	500	-	327
	<b>\$ 99,950</b>	<b>\$ 151,309</b>	<b>\$ 142,852</b>

Financial Statements of

**VIA ITALIA - ERIE STREET  
BUSINESS IMPROVEMENT AREA**

And Independent Auditor's Report thereon

Year ended December 31, 2023



**KPMG LLP**

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## **INDEPENDENT AUDITOR’S REPORT**

To the Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Windsor

### ***Opinion***

We have audited the financial statements of the VIA Italia – Erie Street Business Improvement Association (the “BIA”), which comprise:

- the statement of financial position as at December 31, 2023
- the statement of operations and accumulated surplus for the year then ended
- the statement of changes in net financial assets for the year then ended
- the statement of cash flows for the year then ended
- and the notes to the financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the “financial statements”)

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Via Italia – Erie Street Business Improvement Area as at December 31, 2023, and its results of operations and its changes in its net financial assets and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### ***Basis for Opinion***

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibility under those standards are further described in the “***Auditor’s Responsibilities for the Audit of the Financial Statements***” section of our auditor’s report.

We are independent of the BIA in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.



### ***Responsibility of Management and Those Charged with Governance for the Financial Statements***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the BIA's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the BIA or to cease operations or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the BIA's financial reporting process.

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risk of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, internal omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purposes of expressing an opinion on the effectiveness of the BIA's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.



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- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to the events or conditions that may cast significant doubt on the BIA's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the BIA's to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

*KPMG LLP*

Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada

October 28, 2024

# VIA ITALIA - ERIE STREET BUSINESS IMPROVEMENT AREA

Statement of Financial Position

December 31, 2023, with comparative information for 2022

	2023	2022
<b>Financial Assets</b>		
Cash	\$ 63,630	\$ 25,354
Commodity taxes receivable	32,653	21,492
Due from City of Windsor	6,250	61,890
Prepaid expenses	2,137	1,978
	<u>104,670</u>	<u>110,714</u>
<b>Financial Liabilities</b>		
<u>Accounts payable and accrued liabilities</u>	-	13,079
	-	13,079
Net financial assets	104,670	97,635
Accumulated surplus (note 3)	\$ 104,670	\$ 97,635

See accompanying notes to financial statements.

On behalf of the Board:

\_\_\_\_\_ Director

\_\_\_\_\_ Director

# VIA ITALIA - ERIE STREET BUSINESS IMPROVEMENT AREA

Statement of Operations and Accumulated Surplus

Year ended December 31, 2023, with comparative information for 2022

	2023 Budget	2023 Actual	2022 Actual
<b>Revenue:</b>			
City of Windsor levy	\$ 125,000	\$ 125,528	\$ 124,390
Grants	-	-	33,449
Investment income	-	57	-
Miscellaneous revenue	-	64,759	9,600
	125,000	190,344	167,439
<b>Expenses:</b>			
Advertising and promotion	11,800	48,062	35,347
Amortization	-	-	4,000
Audit and accounting	2,900	5,000	2,500
Donations	700	700	700
Insurance	4,364	3,672	4,342
Office and administration	10,236	19,163	35,736
Special events	44,000	92,130	20,000
Street improvements	23,000	6,731	23,791
Wages	28,000	7,851	19,052
	125,000	183,309	145,468
Annual surplus	-	7,035	21,971
Accumulated surplus, beginning of year	97,635	97,635	75,664
Accumulated surplus, end of year	\$ 97,635	\$ 104,670	\$ 97,635

See accompanying notes to financial statements.

# VIA ITALIA - ERIE STREET BUSINESS IMPROVEMENT AREA

## Statement of Changes in Net Financial Assets

Year ended December 31, 2023, with comparative information for 2022

	2023	2022
Annual surplus	\$ 7,035	\$ 21,971
Amortization of tangible capital assets	-	4,000
Change in net financial assets	7,035	25,971
Net financial assets, beginning of year	97,635	71,664
Net financial assets, end of year	\$ 104,670	\$ 97,635

See accompanying notes to financial statements.



# VIA ITALIA - ERIE STREET BUSINESS IMPROVEMENT AREA

## Statement of Cash Flows

Year ended December 31, 2023, with comparative information for 2022

	2023	2022
Cash provided by (used in):		
Operations:		
Annual surplus	\$ 7,035	\$ 21,971
Amortization of tangible capital assets	-	4,000
Decrease in due from City of Windsor	55,640	1,990
Increase in commodity taxes receivable	(11,161)	(14,454)
Increase in prepaid expense	(159)	-
Decrease in accounts payable and accrued liabilities	(13,079)	(11,233)
	<u>38,276</u>	<u>2,274</u>
Increase in cash	38,276	2,274
Cash, beginning of year	25,354	23,080
Cash, end of year	<u>\$ 63,630</u>	<u>\$ 25,354</u>

See accompanying notes to financial statements.

# VIA ITALIA - ERIE STREET BUSINESS IMPROVEMENT AREA

Notes to Financial Statements

Year ended December 31, 2023

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## 1. Description of business:

The Board of Management of the Via Italia - Erie Street Business Improvement Area is entrusted with the improvement and beautification of municipally-owned lands, buildings and structures in the Improvement Area as designated by the Council of the Corporation of the City of Windsor and the promotion of this Area for business and shopping.

## 2. Significant accounting policies:

The financial statements are the representations of management and have been prepared in accordance with accounting standards established by the Public Sector Accounting Board of the Canadian Institute of Chartered Professional Accountants.

### (a) Basis of presentation:

These financial statements reflect the assets, liabilities, revenue and expenditures of the revenue fund and the reserve.

### (b) Basis of accounting:

(i) In accordance with practices common to Ontario municipalities, the Via Italia - Erie Street Business Improvement Area follows the fund basis of accounting.

(ii) Within the framework of the fund basis of accounting, the Via Italia - Erie Street Business Improvement Area maintains its accounts on an accrual basis.

### (c) Non-financial assets:

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of business.

#### Tangible capital assets:

Tangible capital assets are recorded at cost.

Amortization is calculated on a straight-line basis over an assets expected useful life. Residual values are assumed to be zero.

Asset Classification	Useful Life (years)
Computer hardware	3
Furniture and fixtures	5
Equipment	10
Leasehold improvements	term of lease

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# VIA ITALIA - ERIE STREET BUSINESS IMPROVEMENT AREA

Notes to Financial Statements

Year ended December 31, 2023

## 2. Significant accounting policies (continued):

(d) Use of estimates:

The preparation of the financial statements in conformity with accounting standards established by the Public Sector Accounting Board requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the dates of the financial statements and the reported amounts of revenues and expenses during the reporting periods. Actual results could differ from those estimates.

## 3. Accumulated surplus:

Accumulated surplus consists of individual fund balances and reserves as follows:

	2023	2022
Reserve:		
Future development	\$ 104,670	\$ 110,714
Accounts payable and accrued liabilities	-	13,079
	<u>\$ 104,670</u>	<u>\$ 97,635</u>

## 4. Tangible capital assets:

Cost	Balance at December 31, 2022	Additions	Disposals	Balance at December 31, 2023
Vehicles	\$ 12,000	\$ -	\$ 12,000	\$ -

Accumulated amortization	Balance at December 31, 2022	Disposals	Amortization expense	Balance at December 31, 2023
Vehicles	\$ 12,000	\$ 12,000	\$ -	\$ -

Net book value	December 31, 2022	December 31, 2023
Vehicles	\$ -	\$ -

Consolidated Financial Statements of

**OLDE RIVERSIDE BUSINESS  
IMPROVEMENT AREA**

And Independent Auditor's Report thereon

Year ended December 31, 2023



## **KPMG LLP**

618 Greenwood Centre  
3200 Deziel Drive  
Windsor, ON N8W 5K8  
Canada  
Telephone 519 251 3500  
Fax 519 251 3530

## **INDEPENDENT AUDITOR'S REPORT**

To the Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Windsor

### ***Opinion***

We have audited the consolidated financial statements of the Corporation of the Olde Riverside Business Improvement Area ("the Entity"), which comprise:

- the consolidated statement of financial position as at December 31, 2023
- the consolidated statement of operations and accumulated surplus for the year then ended
- the consolidated statement of changes in net assets for the year then ended
- the consolidated statement of cash flows for the year then ended
- and the notes to the consolidated financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements")

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Entity as at December 31, 2023, and its results of operations and its changes in its net financial assets and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### ***Basis for Opinion***

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibility under those standards are further described in the "***Auditor's Responsibilities for the Audit of the Financial Statements***" section of our auditor's report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.



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### ***Responsibility of Management and Those Charged with Governance for the Financial Statements***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risk of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, internal omissions, misrepresentations, or the override of internal control.



Page 3

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purposes of expressing an opinion on the effectiveness of the City's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to the events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit

*KPMG LLP*

Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada  
October 16, 2024

# OLDE RIVERSIDE BUSINESS IMPROVEMENT AREA

Consolidated Statement of Financial Position

December 31, 2023, with comparative information for 2022

	2023	2022
<b>Financial assets</b>		
Cash and cash equivalents	\$ 28,931	\$ 20,140
Due from City of Windsor	3,750	3,650
Accounts receivable	3,190	5,650
	<u>35,871</u>	<u>29,440</u>
<b>Financial liabilities</b>		
Accounts payable and accrued liabilities	2,000	12,178
Long-term debt (note 3)	-	7,500
	<u>2,000</u>	<u>19,678</u>
Net assets	33,871	9,762
Accumulated surplus (note 4)	\$ 33,871	\$ 9,762

See accompanying notes to consolidated financial statements.

On behalf of the Board:

\_\_\_\_\_ Director

\_\_\_\_\_ Director



# OLDE RIVERSIDE BUSINESS IMPROVEMENT AREA

Consolidated Statement of Operations and Accumulated Surplus

Year ended December 31, 2023, with comparative information for 2022

	2023 Budget	2023 Actual	2022 Actual
<b>Revenue:</b>			
City of Windsor levy	\$ 75,000	\$ 75,618	\$ 65,000
Chamber of Commerce grant	-	-	2,310
Interest and miscellaneous	-	-	3
	75,000	75,618	67,313
<b>Expenses:</b>			
Administration	11,370	6,687	17,350
Advertising and promotion	7,350	5,315	9,560
Audit costs	1,630	2,635	1,295
Donations	2,000	-	5,103
Events	21,000	16,118	20,412
Insurance	3,000	1,869	2,026
Office	2,950	4,017	2,498
Riverside Dollars promotion	-	240	2,876
Street beautification	25,400	13,737	22,305
Website	300	891	391
	75,000	51,509	83,816
Annual surplus (deficit)	-	24,109	(16,503)
Accumulated surplus, beginning of year	9,762	9,762	26,265
Accumulated surplus, end of year	\$ 9,762	\$ 33,871	\$ 9,762

See accompanying notes to consolidated financial statements.

# OLDE RIVERSIDE BUSINESS IMPROVEMENT AREA

Consolidated Statement of Changes in Net Assets

Year ended December 31, 2023, with comparative information for 2022

	2023	2022
Annual surplus (deficit)	\$ 24,109	\$ (16,503)
Net assets, beginning of year	9,762	26,265
Net assets, end of year	\$ 33,871	\$ 9,762

See accompanying notes to consolidated financial statements.

# OLDE RIVERSIDE BUSINESS IMPROVEMENT AREA

## Consolidated Statement of Cash Flows

Year ended December 31, 2023, with comparative information for 2022

	2023	2022
Cash provided by (used in):		
Operations:		
Annual surplus (deficit)	\$ 24,109	\$ (16,503)
Decrease (increase) in accounts receivable	2,360	(1,474)
Increase (decrease) in accounts payable and accrued liabilities	(10,178)	4,342
	<u>16,291</u>	<u>(13,635)</u>
Financing:		
Repayment of long-term debt	(7,500)	(7,500)
Increase (decrease) in cash and cash equivalents	8,791	(21,135)
Cash and cash equivalents, beginning of year	20,140	41,275
Cash and cash equivalents, end of year	<u>\$ 28,931</u>	<u>\$ 20,140</u>

See accompanying notes to consolidated financial statements.

# OLDE RIVERSIDE BUSINESS IMPROVEMENT AREA

Notes to Consolidated Financial Statements

Year ended December 31, 2023

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## 1. Description of business:

The Board of Management of the Olde Riverside Business Improvement Area (“Improvement Area”) is entrusted with the improvement and beautification of municipally-owned lands, buildings and structures in the Improvement Area as designated by the Council of the Corporation of the City of Windsor and the promotion of this Area for business and shopping.

## 2. Significant accounting policies:

The consolidated financial statements are the representations of management and are prepared in accordance with accounting standards established by the Public Sector Accounting Board of the Canadian Institute of Chartered Professional Accountants.

### (a) Basis of presentation:

The consolidated financial statements reflect the assets, liabilities, revenue and expenses of the revenue fund.

### (b) Basis of accounting:

(i) In accordance with practices common to Ontario municipalities, the Improvement Area follows the fund basis of accounting.

(ii) The Improvement Area maintains its accounts on an accrual basis. Under this basis, revenue is accounted for in the period in which the transactions or events occur that give rise to the revenue. Expenses are accounted for in the period the goods and services are acquired.

### (c) Non-financial assets:

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of business.

# OLDE RIVERSIDE BUSINESS IMPROVEMENT AREA

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2023

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## 2. Significant accounting policies (continued):

### (d) Use of estimates:

The preparation of the consolidated financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure in contingent assets and liabilities at the dates of the consolidated financial statements and the reported amounts of revenues and expenses during the reporting periods. Actual results could differ from those estimates.

## 3. Long-term debt:

During 2013, a beautification project in the amount of \$150,000 was approved for the Olde Riverside Business Improvement Area by City Council. The Improvement Area committed to fund 50% of the costs of the project. The actual cost to the Improvement Area is \$75,000 with repayment commencing in 2014 consisting of 10 annual instalments of \$7,500 without interest. The amount was fully repaid in 2023.

## 4. Accumulated surplus:

	2023	2022
Deficit:		
Amounts to be recovered in future years	\$ -	\$ (7,500)
Reserve funds:		
Future development	33,871	17,262
	<u>\$ 33,871</u>	<u>\$ 9,762</u>

Consolidated Financial Statements of

**OLDE SANDWICH TOWNE  
BUSINESS ASSOCIATION  
IMPROVEMENT AREA**

And Independent Auditor's Report thereon

Year ended December 31, 2023



**KPMG LLP**  
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## **INDEPENDENT AUDITOR'S REPORT**

To the Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Windsor

### ***Opinion***

We have audited the consolidated financial statements of the Olde Sandwich Towne Business Association Improvement Area (Improvement Area), which comprise:

- the consolidated statement of financial position as at December 31, 2023
- the consolidated statements of operations and accumulated surplus for the year then ended
- the consolidated statement of changes in net financial assets for the year then ended
- the consolidated statement of cash flows for the year then ended
- and the notes to the consolidated financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the “financial statements”)

In our opinion, the accompanying financial statements present fairly, in all material respects, the consolidated financial position of the Improvement Area as at December 31, 2023, and its consolidated results of operations, its consolidated changes in its net financial assets and its consolidated cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### ***Basis for Opinion***

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibility under those standards are further described in the “***Auditor’s Responsibilities for the Audit of the Financial Statements***” section of our auditor’s report.

We are independent of the Improvement Area in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.



Page 2

### ***Responsibility of Management and Those Charged with Governance for the Financial Statements***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Improvement Area's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Improvement Area or to cease operations or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Improvement Area's financial reporting process.

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risk of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, internal omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purposes of expressing an opinion on the effectiveness of the Improvement Area's internal control.





Page 3

- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to the events or conditions that may cast significant doubt on the Improvement Area's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Improvement Area's to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

A handwritten signature in black ink that reads 'KPMG LLP'. The signature is written in a cursive, slightly slanted style. Below the signature is a long, horizontal, slightly wavy line that serves as a decorative underline.

Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada

November 7, 2024

# OLDE SANDWICH TOWNE BUSINESS ASSOCIATION IMPROVEMENT AREA

Consolidated Statement of Financial Position

December 31, 2023, with comparative information for 2022

	2023	2022
<b>Financial assets</b>		
Cash	\$ 294,905	\$ 58,960
HST receivable	10,522	6,055
Due from the City of Windsor	3,355	32,701
	308,782	97,716
<b>Financial liabilities</b>		
Accounts payable and accrued liabilities	1,130	2,260
Net financial assets	307,652	95,456
Accumulated surplus (note 3)	\$ 307,652	\$ 95,456

See accompanying notes to consolidated financial statements.

On behalf of the Board:

\_\_\_\_\_ Director

\_\_\_\_\_ Director

# OLDE SANDWICH TOWNE BUSINESS ASSOCIATION IMPROVEMENT AREA

Consolidated Statement of Operations and Accumulated Surplus

Year ended December 31, 2023, with comparative information for 2022

	2023 Budget	2023 Actual	2022 Actual
<b>Revenue:</b>			
City of Windsor levy	\$ 67,100	\$ 67,511	\$ 66,251
Grants	200,000	250,000	-
Donations and other income	2,000	2,199	29,911
	269,100	319,710	96,162
<b>Expenses:</b>			
Administration	30,190	28,571	47,503
Advertising	74,850	10,535	4,055
Audit and accounting costs	2,300	2,325	1,000
Decorative costs	125,500	14,788	25,399
Events	81,500	49,429	28,323
Insurance	1,900	1,866	1,696
	316,240	107,514	107,976
Annual surplus (deficit)	(47,140)	212,196	(11,814)
Accumulated surplus, beginning of year	95,456	95,456	107,270
<b>Accumulated surplus, end of year</b>	<b>\$ 48,316</b>	<b>\$ 307,652</b>	<b>\$ 95,456</b>

See accompanying notes to consolidated financial statements.

# OLDE SANDWICH TOWNE BUSINESS ASSOCIATION IMPROVEMENT AREA

## Consolidated Statement of Changes in Net Financial Assets

Year ended December 31, 2023, with comparative information for 2022

	2023	2022
Annual surplus (deficit)	\$ 212,196	\$ (11,814)
Change in net financial assets	212,196	(11,814)
Net financial assets, beginning of year	95,456	107,270
Net financial assets, end of year	\$ 307,652	\$ 95,456

See accompanying notes to consolidated financial statements.

# OLDE SANDWICH TOWNE BUSINESS ASSOCIATION IMPROVEMENT AREA

## Consolidated Statement of Cash Flows

Year ended December 31, 2023, with comparative information for 2022

	2023	2022
Cash provided by (used in):		
Operations:		
Annual surplus (deficit)	\$ 212,196	\$ (11,814)
Decrease (increase) in due from City of Windsor	29,346	(29,346)
Increase in HST receivable	(4,467)	(1,557)
Increase (decrease) in accounts payable and accrued liabilities	(1,130)	1,130
Increase (decrease) in cash	235,945	(41,587)
Cash, beginning of year	58,960	100,547
Cash, end of year	\$ 294,905	\$ 58,960

See accompanying notes to consolidated financial statements.

# OLDE SANDWICH TOWNE BUSINESS ASSOCIATION IMPROVEMENT AREA

Notes to Consolidated Financial Statements

Year ended December 31, 2023

---

## 1. Description of business:

The Board of Management of the Olde Sandwich Towne Business Association Improvement Area (the "Improvement Area") is entrusted with the improvement and beautification of municipally-owned lands, buildings and structures in the Improvement Area as designated by the Council of the Corporation of the City of Windsor and the promotion of this Area for business and shopping.

## 2. Significant accounting policies:

The consolidated financial statements are the representations of management and have been prepared in accordance with accounting standards established by the Public Sector Accounting Board of the Canadian Institute of Chartered Professional Accountants.

### (a) Basis of presentation:

The consolidated financial statements reflect the assets, liabilities, revenue and expenditures of the revenue fund and the reserve fund.

### (b) Basis of accounting:

- (i) In accordance with practices common to Ontario municipalities, the Improvement Area follows the fund basis of accounting.
- (ii) The Improvement Area maintains its accounts on an accrual basis. Under this basis, revenue is accounted for in the period in which the transactions or events occur that give rise to the revenue. Expenses are accounted for in the period the goods and services are acquired.

### (c) Use of estimates:

The preparation of the consolidated financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the dates of the consolidated financial statements and the reported amounts of revenues and expenses during the reporting periods. Actual results could differ from those estimates.

# OLDE SANDWICH TOWNE BUSINESS ASSOCIATION IMPROVEMENT AREA

Notes to Consolidated Financial Statements

Year ended December 31, 2023

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### 3. Accumulated surplus:

Accumulated surplus consists of individual fund balances and reserves as follows:

	2023	2022
Reserve:		
Future development	\$ 162,975	\$ 95,456
Bridging North America	174,677	-
	<hr/> \$ 307,652	<hr/> \$ 95,456

Consolidated Financial Statements of

**WALKERVILLE BUSINESS  
IMPROVEMENT AREA**

And Independent Auditor's Report thereon

Year ended December 31, 2023





**KPMG LLP**  
618 Greenwood Centre  
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## **INDEPENDENT AUDITOR'S REPORT**

To the Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Windsor

### ***Opinion***

We have audited the consolidated financial statements of the Walkerville Business Improvement Area (the BIA), which comprise:

- the consolidated statement of financial position as at December 31, 2023
- the consolidated statement of operations and accumulated surplus for the year then ended
- the consolidated statement of changes in net financial assets for the year then ended
- the consolidated statement of cash flows for the year then ended
- and the notes to the consolidated financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the “financial statements”)

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the BIA as at December 31, 2023, and its results of operations and its changes in its net financial assets and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### ***Basis for Opinion***

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibility under those standards are further described in the “***Auditor’s Responsibilities for the Audit of the Financial Statements***” section of our auditor’s report.

We are independent of the BIA in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.



### ***Responsibility of Management and Those Charged with Governance for the Financial Statements***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the BIA's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the BIA or to cease operations or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the BIA's financial reporting process.

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risk of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, internal omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purposes of expressing an opinion on the effectiveness of the BIA's internal control.



Page 3

- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to the events or conditions that may cast significant doubt on the BIA's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the BIA's to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

*KPMG LLP*

Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada

September 6, 2024

# WALKERVILLE BUSINESS IMPROVEMENT AREA

## Consolidated Statement of Financial Position

December 31, 2023, with comparative information for 2022

	2023		2022
<b>Financial assets</b>			
Cash and cash equivalents	\$ 56,845	\$	40,035
Due from City of Windsor	3,126		8,286
Accounts receivable	1,000		1,000
HST receivable	3,159		9,901
	<u>64,130</u>		<u>59,222</u>
<b>Financial liabilities</b>			
Accounts payable and accrued liabilities	3,638		15,784
Net financial assets	<u>60,492</u>		<u>43,438</u>
<b>Non-financial assets</b>			
Prepaid expenses	1,318		2,382
Accumulated surplus (note 3)	<u>\$ 61,810</u>	<u>\$</u>	<u>45,820</u>

See accompanying notes to consolidated financial statements.

On behalf of the Board:

\_\_\_\_\_ Director

\_\_\_\_\_ Director

# WALKERVILLE BUSINESS IMPROVEMENT AREA

## Consolidated Statement of Operations and Accumulated Surplus

Year ended December 31, 2023, with comparative information for 2022

	2023		2023		2022
	Budget		Actual		Actual
<b>Revenue:</b>					
City of Windsor levy	\$ 55,000	\$	56,984	\$	51,036
Sponsorships and other fundraising	6,000		11,855		12,823
Interest and miscellaneous	-		7		8
	<u>61,000</u>		<u>68,846</u>		<u>63,867</u>
<b>Expenses:</b>					
Administration	12,000		13,070		9,197
Audit and accounting fees	1,000		1,331		1,000
Bank charges	33		33		33
Communication	2,000		2,963		2,475
Events and meetings	28,517		23,499		46,482
Insurance	1,450		1,438		1,381
Security	10,000		2,337		-
Street upkeep	6,000		8,185		27,302
	<u>61,000</u>		<u>52,856</u>		<u>87,870</u>
Annual surplus (deficit)	-		15,990		(24,003)
Accumulated surplus, beginning of year	45,820		45,820		69,823
Accumulated surplus, end of year	\$ 45,820	\$	61,810	\$	45,820

See accompanying notes to consolidated financial statements.

# WALKERVILLE BUSINESS IMPROVEMENT AREA

## Consolidated Statement of Changes in Net Financial Assets

Year ended December 31, 2023, with comparative information for 2022

	2023	2022
Annual surplus (deficit)	\$ 15,990	\$ (24,003)
Disposition of prepaid expenses	2,382	1,382
Acquisition of prepaid expenses	(1,318)	(2,382)
Change in net financial assets	17,054	(25,003)
Net financial assets, beginning of year	43,438	68,441
Net financial assets, end of year	\$ 60,492	\$ 43,438

See accompanying notes to consolidated financial statements.

# WALKERVILLE BUSINESS IMPROVEMENT AREA

## Consolidated Statement of Cash Flows

Year ended December 31, 2023, with comparative information for 2022

	2023	2022
Cash provided by (used in):		
Operations:		
Annual surplus (deficit)	\$ 15,990	\$ (24,003)
Decrease (increase) in due from City of Windsor	5,160	(5,189)
Decrease (increase) in HST receivable	6,742	(5,686)
Decrease (increase) in prepaid expenses	1,064	(1,000)
Decrease in accounts payable and accrued liabilities	(12,146)	(1,181)
Increase (decrease) in cash and cash equivalents	16,810	(37,059)
Cash and cash equivalents, beginning of year	40,035	77,094
Cash and cash equivalents, end of year	\$ 56,845	\$ 40,035

See accompanying notes to consolidated financial statements.

# WALKERVILLE BUSINESS IMPROVEMENT AREA

Notes to Consolidated Financial Statements

Year ended December 31, 2023

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## 1. Description of business:

The Board of Management of the Walkerville Business Improvement Area is entrusted with the improvement and beautification of municipally-owned lands, buildings and structures in the Improvement Area as designated by the Council of the Corporation of the City of Windsor and the promotion of this Area for business and shopping.

## 2. Significant accounting policies:

The consolidated financial statements are the representations of management and have been prepared in accordance with accounting standards established by the Public Sector Accounting Board of the Canadian Institute of Chartered Accountants.

### (a) Basis of presentation:

The consolidated financial statements reflect the assets, liabilities, revenue and expenses of the revenue fund and reserve fund.

### (b) Basis of accounting:

(i) In accordance with practices common to Ontario municipalities, the Walkerville Business Improvement Area follows the fund basis of accounting.

(ii) Within the framework of the fund basis of accounting, the Walkerville Business Improvement Area maintains its accounts on an accrual basis.

### (c) Use of estimates:

The preparation of the consolidated financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the dates of the financial statements and the reported amounts of revenues and expenses during the reporting periods. Actual results could differ from those estimates.

## 3. Accumulated surplus:

Accumulated surplus consists of individual fund balances and reserves as follows:

	2023	2022
Reserve:		
Future development	\$ 61,810	\$ 45,820

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Consolidated Financial Statements of

**OTTAWA STREET BUSINESS  
IMPROVEMENT AREA**

And Independent Auditor's Report thereon

Year ended December 31, 2023



## **KPMG LLP**

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## **INDEPENDENT AUDITOR'S REPORT**

To the Board Members, Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Windsor

### ***Opinion***

We have audited the accompanying consolidated financial statements of Ottawa Street Business Improvement Association (the Entity) which comprise of:

- the consolidated statement of financial position as at December 31, 2023
- the consolidated statement of operations and accumulated surplus for the year then ended
- the consolidated statement of changes in net financial assets for the year then ended
- the consolidated statement of cash flows for the year then ended
- and notes to the consolidated financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements").

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Entity as at December 31, 2023, and its consolidated results of operations and accumulated surplus and its consolidated changes in net financial assets and its consolidated cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### ***Basis for Opinion***

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the "***Auditor's Responsibilities for the Audit of the Financial Statements***" section of our Auditor's report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.



### ***Responsibilities of Management for the Financial Statements and Those Charged with Governance***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an Auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.



Page 3

- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our Auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our Auditor's report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.
- Obtain sufficient audit evidence regarding the financial information of the entities or business activities within the Group Entity to express an opinion on the financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.

*KPMG LLP*

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Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada

September 11, 2024

# OTTAWA STREET BUSINESS IMPROVEMENT AREA

Consolidated Statement of Financial Position

December 31, 2023, with comparative information for 2022

	2023	2022
<b>Financial Assets</b>		
Current assets:		
Cash	\$ 32,685	\$ 61,349
Due from City of Windsor	3,650	3,738
Commodity taxes receivable	22,802	11,530
Other receivables	5,730	-
	<u>64,867</u>	<u>76,617</u>
Net financial assets	64,867	76,617
<b>Non-Financial Assets</b>		
Prepaid expenses	3,106	2,579
Accumulated surplus (note 4)	\$ 67,973	\$ 79,196

See accompanying notes to consolidated financial statements.

On behalf of the Board:

\_\_\_\_\_ Director

\_\_\_\_\_ Director

# OTTAWA STREET BUSINESS IMPROVEMENT AREA

Consolidated Statement of Operations and Accumulated Surplus

Year ended December 31, 2023, with comparative information for 2022

	2023 Budget	2023 Actual	2022 Actual
<b>Revenue:</b>			
City of Windsor levy	\$ 71,965	\$ 72,016	\$ 72,105
Other	-	48,009	20,772
	71,965	120,025	92,877
<b>Expenses:</b>			
Administration (note 3)	8,020	6,366	6,300
Audit costs	1,625	1,500	1,000
Bank charges	200	307	94
Insurance	3,500	3,955	3,703
Miscellaneous	4,000	9,146	6,364
Promotion and advertising	19,520	17,559	14,870
Special events	17,500	17,985	17,261
Street beautification	16,500	73,156	10,960
Utilities	1,100	1,274	1,023
	71,965	131,248	61,575
Annual surplus (deficit)	-	(11,223)	31,302
Accumulated surplus, beginning of year	79,196	79,196	47,894
Accumulated surplus, end of year	\$ 79,196	\$ 67,973	\$ 79,196

See accompanying notes to consolidated financial statements.

# OTTAWA STREET BUSINESS IMPROVEMENT AREA

## Consolidated Statement of Changes in Net Financial Assets

Year ended December 31, 2023, with comparative information for 2022

	2023	2022
Annual surplus (deficit)	\$ (11,223)	\$ 31,302
Disposition of prepaid expenses	2,579	2,855
Acquisition of prepaid expenses	(3,106)	(2,579)
Change in net financial assets	(11,750)	31,578
Net financial assets, beginning of year	76,617	45,039
Net financial assets, end of year	\$ 64,867	\$ 76,617

See accompanying notes to consolidated financial statements.

# OTTAWA STREET BUSINESS IMPROVEMENT AREA

## Consolidated Statement of Cash Flows

Year ended December 31, 2023, with comparative information for 2022

	2023	2022
Cash provided by (used in):		
Operations:		
Annual surplus (deficit)	\$ (11,223)	\$ 31,302
Decrease (increase) in due from City of Windsor	88	(140)
Increase in commodity taxes receivable	(11,272)	(4,059)
Increase in other receivables	(5,730)	-
Decrease (increase) in prepaid expenses	(527)	276
	<u>(28,664)</u>	<u>27,379</u>
Increase (decrease) in cash	(28,664)	27,379
Cash, beginning of year	61,349	33,970
Cash, end of year	<u>\$ 32,685</u>	<u>\$ 61,349</u>

See accompanying notes to consolidated financial statements.



# OTTAWA STREET BUSINESS IMPROVEMENT AREA

Notes to Consolidated Financial Statements

Year ended December 31, 2023

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**1. Description of business:**

The Board of Management of the Ottawa Street Business Improvement Area is entrusted with the improvement and beautification of municipally-owned lands, buildings and structures in the Improvement Area as designated by the Council of the Corporation of the City of Windsor and the promotion of this Area for business and shopping.

**2. Significant accounting policies:**

The consolidated financial statements are the representations of management and have been prepared in accordance with accounting standards established by the Public Sector Accounting Board of the Canadian Institute of Chartered Professional Accountants.

(a) Basis of presentation:

These consolidated financial statements reflect the assets, liabilities, revenue and expenditures of the revenue fund and the reserve fund.

(b) Basis of accounting:

(i) In accordance with practices common to Ontario municipalities, the Ottawa Street Improvement Area follows the fund basis of accounting.

(ii) Within the framework of the fund basis of accounting, the Ottawa Street Business Improvement Area maintains its accounts on an accrual basis.

(c) Use of estimates:

The preparation of the consolidated financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the dates of the consolidated financial statements and the reported amounts of revenues and expenses during the reporting periods. Actual results could differ from those estimates.

**3. Related party transactions:**

A total of \$6,000 (2022 - \$6,300) was paid to a member of the Board of Management for providing consulting services.

**4. Accumulated surplus:**

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	2023	2022
Reserve funds:		
Future development	\$ 67,973	\$ 79,196

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Consolidated Financial Statements of

**PILLETTE VILLAGE BUSINESS  
IMPROVEMENT AREA**

And Independent Auditor's Report thereon

Year ended December 31, 2023



**KPMG LLP**

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## **INDEPENDENT AUDITOR'S REPORT**

To the Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Windsor

### ***Opinion***

We have audited the consolidated financial statements of the Pillette Village Business Improvement Area (the Improvement Area), which comprise:

- the consolidated statement of financial position as at December 31, 2023
- the consolidated statement of operations and accumulated surplus for the year then ended
- the consolidated statement of changes in net financial assets for the year then ended
- the consolidated statement of cash flows for the year then ended
- and the notes to the consolidated financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the “financial statements”)

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Improvement Area as at December 31, 2023, and its results of operations and its changes in its net financial assets and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### ***Basis for Opinion***

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibility under those standards are further described in the “***Auditor’s Responsibilities for the Audit of the Financial Statements***” section of our auditor’s report.

We are independent of the Improvement Area in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.



### ***Responsibility of Management and Those Charged with Governance for the Financial Statements***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Improvement Area's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Improvement Area or to cease operations or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Improvement Area's financial reporting process.

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risk of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, internal omissions, misrepresentations, or the override of internal control.



Page 3

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purposes of expressing an opinion on the effectiveness of the Improvement Area's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to the events or conditions that may cast significant doubt on the Improvement Area's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Improvement Area's to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

A handwritten signature in black ink that reads 'KPMG LLP'. The signature is written in a cursive, slightly slanted style. Below the signature is a horizontal line that starts under the 'K' and ends under the 'P'.

Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada

July 22, 2024

# PILLETTE VILLAGE BUSINESS IMPROVEMENT AREA

Consolidated Statement of Financial Position

December 31, 2023, with comparative information for 2022

	2023	2022
<b>Financial assets</b>		
Cash	\$ 20,001	\$ 68,369
HST receivable	1,736	1,801
Due from City of Windsor	2,511	2,000
	<u>24,248</u>	<u>72,170</u>
<b>Financial liabilities</b>		
Accounts payable and accrued liabilities	2,030	2,656
Net financial assets	22,218	69,514
Accumulated surplus (note 3)	\$ 22,218	\$ 69,514

See accompanying notes to consolidated financial statements.

On behalf of the Board:

\_\_\_\_\_ Director

\_\_\_\_\_ Director

# PILLETTE VILLAGE BUSINESS IMPROVEMENT AREA

## Consolidated Statement of Operations and Accumulated Surplus

Year ended December 31, 2023, with comparative information for 2022

	2023 Budget	2023 Actual	2022 Actual
<b>Revenue:</b>			
City of Windsor levy	\$ 40,000	\$ 40,511	\$ 40,000
Other revenue	-	-	1,379
	40,000	40,511	41,379
<b>Expenses:</b>			
Administration	10,175	9,800	10,696
Advertising and promotion	5,400	7,244	6,439
Audit and accounting fees	1,700	2,483	1,243
Beautification	15,225	66,015	2,203
Events	5,000	-	1,808
Insurance	1,900	1,960	1,892
Miscellaneous	600	305	1,566
	40,000	87,807	25,847
Annual surplus (deficit)	-	(47,296)	15,532
Accumulated surplus, beginning of year	69,514	69,514	53,982
Accumulated surplus, end of year	\$ 69,514	\$ 22,218	\$ 69,514

See accompanying notes to consolidated financial statements.

# PILLETTE VILLAGE BUSINESS IMPROVEMENT AREA

## Consolidated Statement of Changes in Net Financial Assets

Year ended December 31, 2023, with comparative information for 2022

	2023		2022	
Annual surplus (deficit)	\$	(47,296)	\$	15,532
Change in net financial assets		(47,296)		15,532
Net financial assets, beginning of year		69,514		53,982
Net financial assets, end of year	\$	22,218	\$	69,514

See accompanying notes to consolidated financial statements.



# PILLETTE VILLAGE BUSINESS IMPROVEMENT AREA

## Consolidated Statement of Cash Flows

Year ended December 31, 2023, with comparative information for 2022

	2023	2022
Cash provided by (used in):		
Operations:		
Annual surplus (deficit)	\$ (47,296)	\$ 15,532
Decrease in HST receivable	65	448
Increase in due from City of Windsor	(511)	-
Decrease in accounts payable and accruals	(626)	(3,559)
	<u>(48,368)</u>	<u>12,421</u>
Increase (decrease) in cash	(48,368)	12,421
Cash, beginning of year	68,369	55,948
Cash, end of year	<u>\$ 20,001</u>	<u>\$ 68,369</u>

See accompanying notes to consolidated financial statements.

# PILLETTE VILLAGE BUSINESS IMPROVEMENT AREA

## Notes to Consolidated Financial Statements

Year ended December 31, 2023

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### 1. Description of business:

The Board of Management of the Pillette Village Business Improvement Area is entrusted with the improvement and beautification of municipally-owned lands, buildings and structures in the Improvement Area as designated by the Council of the Corporation of the City of Windsor and the promotion of this Area for business and shopping.

### 2. Significant accounting policies:

The consolidated financial statements are the representations of management and have been prepared in accordance with accounting standards established by the Public Sector Accounting Board of the Canadian Institute of Chartered Accountants.

(a) Basis of presentation:

The consolidated financial statements reflect the assets, liabilities, revenue and expenditures of the revenue fund and the reserve fund.

(b) Basis of accounting:

(i) In accordance with practices common to Ontario municipalities, the Pillette Village Improvement Area follows the fund basis of accounting.

(ii) Within the framework of the fund basis of accounting, the Pillette Village Business Improvement Area maintains its accounts on an accrual basis.

(c) Use of estimates:

The preparation of the consolidated financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the dates of the financial statements and the reported amounts of revenues and expenses during the reporting periods. Actual results could differ from those estimates.

### 3. Accumulated surplus:

	2023	2022
Reserve funds:		
Future development	\$ 22,218	\$ 69,514

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Consolidated Financial Statements of

**WYANDOTTE TOWNE CENTRE  
BUSINESS IMPROVEMENT AREA**

And Independent Auditor's Report thereon

Year ended December 31, 2023



**KPMG LLP**  
618 Greenwood Centre  
3200 Deziel Drive  
Windsor, ON N8W 5K8  
Canada  
Telephone 519 251 3500  
Fax 519 251 3530

## **INDEPENDENT AUDITOR'S REPORT**

To the Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Windsor

### ***Opinion***

We have audited the consolidated financial statements of the Wyandotte Towne Centre Business Improvement Area (the "Entity") which comprise:

- the consolidated statement of financial position as at December 31, 2023
- the consolidated statement of operations and accumulated surplus for the year then ended
- the consolidated statement of changes in net financial assets for the year then ended
- the consolidated statement of cash flows for the year then ended
- and the notes to the consolidated financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements")

In our opinion, the accompanying financial statements present fairly, in all material respects, the consolidated financial position of the Entity as at December 31, 2023, and its consolidated results of operations, its consolidated changes in its net financial assets, and its consolidated cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### ***Basis for Opinion***

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibility under those standards are further described in the "***Auditor's Responsibilities for the Audit of the Financial Statements***" section of our auditor's report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other responsibilities in accordance with these requirements.



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We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### ***Responsibility of Management and Those Charged with Governance for the Financial Statements***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risk of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, internal omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purposes of expressing an opinion on the effectiveness of the Entity's internal control.



Page 3

- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to the events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Entity's to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.
- Obtain sufficient audit evidence regarding the financial information of the entities or business activities within the Group Entity to express an opinion on the financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.

A handwritten signature in black ink that reads 'KPMG LLP'. The signature is written in a cursive, slightly slanted style. Below the signature is a horizontal line that starts under the 'K' and ends under the 'P'.

Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada  
November 7, 2024

# WYANDOTTE TOWNE CENTRE BUSINESS IMPROVEMENT AREA

Consolidated Statement of Financial Position

December 31, 2023 with comparative information for 2022

	2023	2022
<b>Financial Assets</b>		
Cash	\$ 169,479	\$ 231,099
Due from City of Windsor	47,305	4,700
	<u>216,784</u>	<u>235,799</u>
<b>Financial Liabilities</b>		
Accounts payable	1,700	12,000
Net financial assets	215,084	223,799
Accumulated surplus (note 3)	\$ 215,084	\$ 223,799

See accompanying notes to consolidated financial statements.

On behalf of the Board:

\_\_\_\_\_ Director

\_\_\_\_\_ Director

# WYANDOTTE TOWNE CENTRE BUSINESS IMPROVEMENT AREA

Consolidated Statement of Operations and Accumulated Surplus

Year ended December 31, 2023, with comparative information for 2022

	2023 Budget	2023 Actual	2022 Actual
<b>Revenue:</b>			
City of Windsor levy	\$ 94,000	\$ 94,305	\$ 94,000
Interest	-	7,042	1,252
Other	-	207	135
	<u>94,000</u>	<u>101,554</u>	<u>95,387</u>
<b>Expenses:</b>			
Advertising and promotions	8,750	24,699	9,808
Audit and legal	7,800	1,700	1,130
Broken window repair fund	-	-	1,513
Donations	-	-	610
Events	34,500	37,788	12,000
Free parking program	-	-	2,853
Holiday program	-	-	16,501
Insurance	1,400	1,533	1,311
Office expenses	18,300	9,574	15,532
Other	-	-	457
Open Street	-	-	7,224
Rent	3,500	2,826	3,673
Repairs and maintenance	18,500	16,620	16,380
Security	-	14,369	-
Utilities	1,250	1,160	1,201
	<u>94,000</u>	<u>110,269</u>	<u>90,193</u>
Annual surplus (deficit)	-	(8,715)	5,194
Accumulated surplus, beginning of year	218,605	223,799	218,605
Accumulated surplus, end of year	\$ 218,605	\$ 215,084	\$ 223,799

See accompanying notes to consolidated financial statements.



# WYANDOTTE TOWNE CENTRE BUSINESS IMPROVEMENT AREA

Consolidated Statement of Changes in Net Financial Assets

Year ended December 31, 2023, with comparative information for 2022

	2023		2022	
Annual surplus (deficit)	\$	(8,715)	\$	5,194
Change in net financial assets		(8,715)		5,194
Net financial assets, beginning of year		223,799		218,605
Net financial assets, end of year	\$	215,084	\$	223,799

See accompanying notes to consolidated financial statements.

# WYANDOTTE TOWNE CENTRE BUSINESS IMPROVEMENT AREA

Consolidated Statement of Cash Flows

Year ended December 31, 2023, with comparative information for 2022

	2023	2022
Cash provided by (used in):		
Operations:		
Annual surplus (deficit)	\$ (8,715)	\$ 5,194
Increase in commodity taxes receivable	-	8,356
Decrease (increase) in due from City of Windsor	(42,605)	7,769
Increase (decrease) in accounts payable	(10,300)	4,750
	<u>(61,620)</u>	<u>26,069</u>
Investing:		
Redemption of investments and marketable securities and marketable securities	-	100,000
Increase (decrease) in cash	(61,620)	126,069
Cash, beginning of year	231,099	105,030
Cash, end of year	<u>\$ 169,479</u>	<u>\$ 231,099</u>

See accompanying notes to consolidated financial statements.

# WYANDOTTE TOWNE CENTRE BUSINESS IMPROVEMENT AREA

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2023

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**1. Description of business:**

The Board of Management of the Wyandotte Towne Centre Business Improvement Area (the "Improvement Area") is entrusted with the improvement and beautification of municipally-owned lands, buildings and structures in the Improvement Area as designated by the Council of the Corporation of the City of Windsor and the promotion of this Area for business and shopping.

**2. Significant accounting policies:**

The consolidated financial statements are the representations of management and are prepared in accordance with accounting standards established by the Public Sector Accounting Board of the Canadian Institute of Chartered Accountants.

(a) Basis of presentation:

These consolidated financial statements reflect the assets, liabilities, revenue and expenses of the revenue fund and the reserve fund.

(b) Basis of accounting:

- (i) In accordance with practices common to Ontario municipalities, the Improvement Area follows the fund basis of accounting.
- (ii) The Improvement Area maintains its accounts on an accrual basis. Under this basis, revenue is accounted for in the period in which the transactions or events occur that give rise to the revenue. Expenses are accounted for in the period the goods and services are acquired.

(c) Non-financial assets:

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of business.

(d) Use of estimates:

The preparation of the consolidated financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure in contingent assets and liabilities at the dates of the consolidated financial statements and the reported amounts of revenues and expenses during the reporting periods. Actual results could differ from those estimates.

# WYANDOTTE TOWNE CENTRE BUSINESS IMPROVEMENT AREA

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2023

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**3. Accumulated surplus:**

	2023	2022
Reserve funds:		
Future development	\$ 215,084	\$ 223,799

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Consolidated Financial Statements of

**FORD CITY BUSINESS  
IMPROVEMENT AREA**

And Independent Auditor's Report thereon

Year ended December 31, 2023



**KPMG LLP**

618 Greenwood Centre  
3200 Deziel Drive  
Windsor, ON N8W 5K8  
Canada  
Telephone 519 251 3500  
Fax 519 251 3530

**INDEPENDENT AUDITOR'S REPORT**

To the Board Members, Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Windsor

***Opinion***

We have audited the accompanying consolidated financial statements of Ford City Business Improvement Area (the Entity) which comprise of:

- the consolidated statement of financial position as at December 31, 2023
- the consolidated statement of operations and accumulated surplus for the year then ended
- the consolidated statement of changes in net financial assets for the year then ended
- the consolidated statement of cash flows for the year then ended
- and notes to the consolidated financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements").

In our opinion, the accompanying financial statements present fairly, in all material respects, the consolidated financial position of the Entity as at December 31, 2023, and its consolidated results of operations and accumulated surplus and its consolidated changes in net financial assets and its consolidated cash flows for the year then ended in accordance with Canadian public sector accounting standards.

***Basis for Opinion***

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the "***Auditor's Responsibilities for the Audit of the Financial Statements***" section of our auditor's report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.



Page 2

### ***Responsibilities of Management and Those Charged with Governance for the Financial Statements***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.



Page 3

- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

A handwritten signature in black ink that reads 'KPMG LLP'. The signature is written in a cursive, slightly slanted style. Below the signature is a horizontal line that starts under the 'K' and ends under the 'P', with a small upward tick at the end.

Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada

July 22, 2024



# FORD CITY BUSINESS IMPROVEMENT AREA

## Consolidated Statement of Financial Position

December 31, 2023, with comparative information for 2022

	2023	2022
<b>Financial assets</b>		
Cash	\$ 32,055	\$ 36,706
Due from City of Windsor	1,500	3,100
HST receivable	2,798	3,578
	<u>36,353</u>	<u>43,384</u>
<b>Financial liabilities</b>		
Accounts payable and accrued liabilities	2,000	1,622
Net financial assets	<u>34,353</u>	<u>41,762</u>
Accumulated surplus (note 3)	<u>\$ 34,353</u>	<u>\$ 41,762</u>

See accompanying notes to consolidated financial statements.

On behalf of the Board:

\_\_\_\_\_ Director

\_\_\_\_\_ Director

# FORD CITY BUSINESS IMPROVEMENT AREA

## Consolidated Statement of Operations and Accumulated Surplus

Year ended December 31, 2023, with comparative information for 2022

	2023 Budget	2023 Actual	2022 Actual
<b>Revenue:</b>			
City of Windsor levy	\$ 30,000	\$ 32,000	\$ 31,600
Vendor fees and sponsorships	10,000	15,850	2,700
Interest	-	41	50
	<u>40,000</u>	<u>47,891</u>	<u>34,350</u>
<b>Expenses:</b>			
Administration	13,140	14,629	12,579
Advertising	1,360	1,401	3,759
Audit costs	1,530	2,533	1,274
Bank charges and interest	-	78	117
Beautification and maintenance	4,770	11,849	23,075
Donations	200	-	250
Events	17,000	22,810	5,185
Insurance	2,000	2,000	1,918
Office supplies	-	-	339
	<u>40,000</u>	<u>55,300</u>	<u>48,496</u>
Annual deficit	-	(7,409)	(14,146)
Accumulated surplus, beginning of year	41,762	41,762	55,908
<b>Accumulated surplus, end of year</b>	<b>\$ 41,762</b>	<b>\$ 34,353</b>	<b>\$ 41,762</b>

See accompanying notes to consolidated financial statements.

# FORD CITY BUSINESS IMPROVEMENT AREA

## Consolidated Statement of Changes in Net Financial Assets

Year ended December 31, 2023, with comparative information for 2022

	2023	2022
Annual deficit	\$ (7,409)	\$ (14,146)
Net financial assets, beginning of year	41,762	55,908
Net financial assets, end of year	\$ 34,353	\$ 41,762

See accompanying notes to consolidated financial statements.

# FORD CITY BUSINESS IMPROVEMENT AREA

## Consolidated Statement of Cash Flows

Year ended December 31, 2023, with comparative information for 2022

	2023	2022
Cash provided by (used in):		
Operations:		
Annual deficit	\$ (7,409)	\$ (14,146)
Decrease in due from City of Windsor	1,600	-
Decrease (increase) in HST receivable	780	(2,355)
Increase (decrease) in accounts payable	378	(6,502)
Decrease in cash and cash equivalents	(4,651)	(23,003)
Cash, beginning of year	36,706	59,709
Cash, end of year	\$ 32,055	\$ 36,706

See accompanying notes to consolidated financial statements.

# FORD CITY BUSINESS IMPROVEMENT AREA

Notes to Consolidated Financial Statements

Year ended December 31, 2023

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## 1. Description of business:

The Board of Management of the Ford City Business Improvement Area (“Improvement Area”) is entrusted with the improvement and beautification of municipally-owned lands, buildings and structures in the Improvement Area as designated by the Council of the Corporation of the City of Windsor and the promotion of this Area for business and shopping.

## 2. Significant accounting policies:

The consolidated financial statements are the representations of management and are prepared in accordance with accounting standards established by the Public Sector Accounting Board of the Canadian Institute of Chartered Professional Accountants.

### (a) Basis of presentation:

The consolidated financial statements reflect the assets, liabilities, revenue and expenses of the revenue fund.

### (b) Basis of accounting:

- (i) In accordance with practices common to Ontario municipalities, the Improvement Area follows the fund basis of accounting.
- (ii) The Improvement Area maintains its accounts on an accrual basis. Under this basis, revenue is accounted for in the period in which the transactions or events occur that give rise to the revenue. Expenses are accounted for in the period the goods and services are acquired.

### (c) Non-financial assets:

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of business.

### (d) Use of estimates:

The preparation of the consolidated financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure in contingent assets and liabilities at the dates of the consolidated financial statements and the reported amounts of revenues and expenses during the reporting periods. Actual results could differ from those estimates.

# FORD CITY BUSINESS IMPROVEMENT AREA

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2023

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### 3. Accumulated surplus:

Accumulated surplus consists of individual funds' balances as follows:

	2023	2022
Surplus:		
Future development reserve	\$ 34,603	\$ 42,012
Other	(250)	(250)
<b>Total surplus</b>	<b>\$ 34,353</b>	<b>\$ 41,762</b>

Consolidated Financial Statements of

**DOWNTOWN WINDSOR  
BUSINESS IMPROVEMENT  
ASSOCIATION**

And Independent Auditor's Report thereon

Year ended December 31, 2022



**KPMG LLP**

618 Greenwood Centre  
3200 Deziel Drive  
Windsor, ON N8W 5K8  
Canada  
Telephone 519 251 3500  
Fax 519 251 3530

**INDEPENDENT AUDITOR'S REPORT**

To the Board Members, Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Windsor

***Opinion***

We have audited the accompanying consolidated financial statements of Downtown Windsor Business Improvement Association (the Entity) which comprise of:

- the consolidated statement of financial position as at December 31, 2022
- the consolidated statement of operations and accumulated surplus for the year then ended
- the consolidated statement of changes in net financial assets for the year then ended
- the consolidated statement of cash flows for the year then ended
- and notes and schedule to the consolidated financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements").

In our opinion, the accompanying consolidated financial statements present fairly, in all material respects, the financial position of the Entity as at December 31, 2022, and its consolidated results of operations and accumulated surplus and its consolidated changes in net financial assets and its consolidated cash flows for the year then ended in accordance with Canadian public sector accounting standards.

***Basis for Opinion***

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the "***Auditor's Responsibilities for the Audit of the Financial Statements***" section of our auditor's report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.





Page 2

### ***Responsibilities of Management and Those Charged with Governance for the Financial Statements***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.



Page 3

- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

*KPMG LLP*

Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada

November 13, 2023

# DOWNTOWN WINDSOR BUSINESS IMPROVEMENT ASSOCIATION

Consolidated Statement of Financial Position

December 31, 2022, with comparative information for 2021

	2022	2021
<b>Financial assets:</b>		
Cash and cash equivalents	\$ 436,585	\$ 204,434
Accounts receivable	165,402	228,745
Due from City of Windsor	22,851	33,366
	624,838	466,545
<b>Financial liabilities:</b>		
Accounts payable and accrued liabilities	116,161	53,544
Net financial assets	508,677	413,001
<b>Non-financial assets:</b>		
Tangible capital assets (note 2)	92,577	86,670
Prepaid expenses	7,435	5,673
	100,012	92,343
Commitments (note 4)		
Accumulated surplus (note 3)	\$ 608,689	\$ 505,344

See accompanying notes to consolidated financial statements.

On behalf of the Board:

\_\_\_\_\_ Director

\_\_\_\_\_ Director

# DOWNTOWN WINDSOR BUSINESS IMPROVEMENT ASSOCIATION

Consolidated Statement of Operations and Accumulated Surplus

Year ended December 31, 2022, with comparative information for 2021

	2022 Budget	2022 Actual	2021 Actual
<b>Revenue:</b>			
City of Windsor levy	\$ 667,550	\$ 657,024	\$ 661,558
Grants	187,000	349,984	185,909
Miscellaneous	70,500	111,133	76,540
Winter Fest	-	23,500	67,200
Farmer's Market	70,000	77,284	57,706
Interest	-	904	1,320
	<u>995,050</u>	<u>1,219,829</u>	<u>1,050,233</u>
<b>Expenses:</b>			
Marketing and events	375,250	548,925	364,026
Salaries and wages	187,500	206,663	194,540
Clean and safe	62,500	104,675	107,104
Administrative (schedule)	98,500	142,852	100,500
Development	35,500	25,397	51,150
Infrastructure	184,500	47,035	49,426
Communications	11,300	29,289	18,853
Other expenses	40,000	11,648	1,595
Crowdfunding	-	-	803
Support Downtown dollars	-	-	500
COVID-19 related expenditures	-	-	388
	<u>995,050</u>	<u>1,116,484</u>	<u>888,885</u>
Annual surplus	-	103,345	161,348
Accumulated surplus, beginning of year	505,344	505,344	343,996
<b>Accumulated surplus, end of year</b>	<b>\$ 505,344</b>	<b>\$ 608,689</b>	<b>\$ 505,344</b>

See accompanying notes to consolidated financial statements.

# DOWNTOWN WINDSOR BUSINESS IMPROVEMENT ASSOCIATION

Consolidated Statement of Changes in Net Financial Assets

Year ended December 31, 2022, with comparative information for 2021

	2022	2021
Annual surplus	\$ 103,345	\$ 161,348
Acquisition of tangible capital assets	(30,976)	(53,273)
Amortization of tangible capital assets	25,069	17,301
Disposition of prepaid expenses	3,736	7,539
Acquisition of prepaid expenses	(5,498)	(5,673)
Change in net financial assets	95,676	127,242
Net financial assets, beginning of year	413,001	285,759
<b>Net financial assets, end of year</b>	<b>\$ 508,677</b>	<b>\$ 413,001</b>

See accompanying notes to consolidated financial statements.

# DOWNTOWN WINDSOR BUSINESS IMPROVEMENT ASSOCIATION

## Consolidated Statement of Cash Flows

Year ended December 31, 2022, with comparative information for 2021

	2022	2021
Cash provided by (used in):		
Operations:		
Annual surplus	\$ 103,345	\$ 161,348
Amortization of tangible capital assets	25,069	17,301
Decrease (increase) in accounts receivable	63,343	(121,054)
Decrease in due from City of Windsor	10,515	10,501
Decrease (increase) in prepaid expenses	(1,762)	1,866
Increase (decrease) in accounts payable and accrued liabilities	62,617	(47,535)
	<u>263,127</u>	<u>22,427</u>
Investing:		
Acquisition of tangible capital assets	(30,976)	(53,273)
Increase (decrease) in cash	232,151	(30,846)
Cash and cash equivalents, beginning of year	204,434	235,280
Cash and cash equivalents, end of year	<u>\$ 436,585</u>	<u>\$ 204,434</u>

See accompanying notes to consolidated financial statements.

# DOWNTOWN WINDSOR BUSINESS IMPROVEMENT ASSOCIATION

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

The Board of Management of the Downtown Windsor Business Improvement Association (the "Association") is entrusted with the improvement and beautification of municipally-owned lands, buildings and structures in the area as well as designated by the Council of the Corporation of the City of Windsor and the promotion of this area for business and shopping. The Association is exempt from paying income tax under Section 149 of the Income Tax Act.

## 1. Significant accounting policies:

The consolidated financial statements are the representations of management and are prepared in accordance with accounting standards established by the Public Sector Accounting Board of the Canadian Institute of Chartered Professional Accountants.

### (a) Basis of presentation:

These consolidated financial statements reflect the assets, liabilities, revenue and expenses of the revenue fund, and the reserves. All interfund assets and liabilities and revenue and expenses have been eliminated. These consolidated financial statements include Downtown Windsor Business Revitalization Association, an entity under common control with the Association.

### (b) Basis of accounting:

The Association maintains its accounts on an accrual basis. Under this basis, revenue is accounted for in the period in which the transactions or events occur that give rise to the revenue. Expenses are accounted for in the period the goods and services are acquired.

### (c) Cash and cash equivalents:

Cash and cash equivalents include cash and short-term highly liquid investments with a term to maturity of 90 days or less at acquisition.

### (d) Non-financial assets:

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of business.

#### Tangible capital assets:

Tangible capital assets are recorded at cost.

Amortization is calculated on a straight-line basis over an assets expected useful life. Residual values are assumed to be zero.

Asset classification	Useful life (years)
Computer hardware	3
Furniture and fixtures	5
Equipment	10
Leasehold improvements	term of lease

# DOWNTOWN WINDSOR BUSINESS IMPROVEMENT ASSOCIATION

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

## 1. Significant accounting policies (continued):

### (e) Use of estimates:

The preparation of the financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure in contingent assets and liabilities at the dates of the financial statements and the reported amounts of revenues and expenses during the reporting periods. Significant items subject to such estimates and assumptions include the valuation of accounts receivable and the carrying value of tangible capital assets. Actual results could differ from those estimates.

## 2. Tangible capital assets:

Cost	Balance at December 31, 2021	Additions	Disposals	Balance at December 31, 2022
Computer hardware	\$ 21,704	\$ 1,355	\$ -	\$ 23,059
Furniture and fixtures	64,711	23,880	-	88,591
Equipment	3,828	5,741	-	9,569
Leasehold improvements	46,062	-	-	46,062
<b>Total</b>	<b>\$ 136,305</b>	<b>\$ 30,976</b>	<b>\$ -</b>	<b>\$ 167,281</b>

Accumulated amortization	Balance at December 31, 2021	Disposals	Amortization expense	Balance at December 31, 2022
Computer hardware	\$ 19,225	\$ -	\$ 2,449	\$ 21,674
Furniture and fixtures	23,013	-	15,370	38,383
Equipment	1,210	-	670	1,880
Leasehold improvements	6,187	-	6,580	12,767
<b>- Total</b>	<b>\$ 49,635</b>	<b>\$ -</b>	<b>\$ 25,069</b>	<b>\$ 74,704</b>

Net book value	December 31, 2021	December 31, 2022
Computer hardware	\$ 2,479	\$ 1,385
Furniture and fixtures	41,698	50,208
Equipment	2,618	7,689
Leasehold improvements	39,875	33,295
<b>Total</b>	<b>\$ 86,670</b>	<b>\$ 92,577</b>



# DOWNTOWN WINDSOR BUSINESS IMPROVEMENT ASSOCIATION

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

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### 3. Accumulated surplus:

Accumulated surplus consists of individual funds' surplus as follows:

	2022	2021
Surplus:		
Invested in tangible capital assets	\$ 56,833	\$ 62,740
Reserve for future development	551,856	442,604
<b>Total surplus</b>	<b>\$ 608,689</b>	<b>\$ 505,344</b>

### 4. Commitments:

- (i) On November 1, 2020, the Association entered into a lease agreement for premises located on 484 Pelissier Street for a fifteen-month period commencing November 1, 2020, at a monthly rate of \$1,800. The lease provides the Association with the option to extend the lease for 5 additional twelve-month terms at a rental rate of \$2,000 per month for the period commencing February 1, 2022 through January 31, 2023, and \$2,200 per month for the periods following.
- (ii) In May of 2012, the Association pledged \$50,000 to the St. Clair College MediaPlex Campus for façade improvements to be paid in annual contributions of \$5,000. At December 31, 2022, \$30,000 of the pledge remained unpaid.

# DOWNTOWN WINDSOR BUSINESS IMPROVEMENT ASSOCIATION

## Consolidated Schedule of Administrative Expenses

Year ended December 31, 2022, with comparative information for 2021

	2022 Budget	2022 Actual	2021 Actual
Rent	\$ 40,000	\$ 27,357	\$ 28,463
Legal and audit	30,000	57,036	25,145
Amortization	-	25,069	17,301
Insurance	8,000	7,224	9,727
Office equipment	12,000	5,302	7,477
Utilities	-	6,192	3,416
Telephone	2,000	7,111	3,045
Office supplies	4,000	2,940	2,528
Bank charges	2,000	1,272	2,410
Bad debts	-	3,022	780
Postage	500	327	208
	\$ 98,500	\$ 142,852	\$ 100,500

Financial Statements of

**VIA ITALIA - ERIE STREET  
BUSINESS IMPROVEMENT AREA**

And Independent Auditor's Report thereon

Year ended December 31, 2022



**KPMG LLP**  
618 Greenwood Centre  
3200 Deziel Drive  
Windsor, ON N8W 5K8  
Canada  
Telephone 519 251 3500  
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## INDEPENDENT AUDITOR'S REPORT

To the Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Windsor

### ***Opinion***

We have audited the financial statements of the VIA Italia – Erie Street Business Improvement Association (the “BIA”), which comprise:

- the statement of financial position as at December 31, 2022
- the statement of operations and accumulated surplus for the year then ended
- the statement of changes in net financial assets for the year then ended
- the statement of cash flows for the year then ended
- and the notes to the financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the “financial statements”)

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Via Italia – Erie Street Business Improvement Area as at December 31, 2022, and its results of operations and its changes in its net financial assets and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### ***Basis for Opinion***

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibility under those standards are further described in the “***Auditor’s Responsibilities for the Audit of the Financial Statements***” section of our auditor’s report.

We are independent of the BIA in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.



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### ***Responsibility of Management and Those Charged with Governance for the Financial Statements***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the BIA's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the BIA or to cease operations or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the BIA's financial reporting process.

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risk of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, internal omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purposes of expressing an opinion on the effectiveness of the BIA's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.



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- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to the events or conditions that may cast significant doubt on the BIA's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the BIA's to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

A handwritten signature in black ink that reads 'KPMG LLP'. The signature is written in a cursive, slightly slanted style. Below the signature is a horizontal line that starts under the 'K' and ends under the 'P', with a small upward tick at the end.

Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada

December 4, 2023

# VIA ITALIA - ERIE STREET BUSINESS IMPROVEMENT AREA

Statement of Financial Position

December 31, 2022, with comparative information for 2021

	2022	2021
<b>Financial Assets</b>		
Cash	\$ 25,354	\$ 23,080
Commodity taxes receivable	21,492	7,038
Due from City of Windsor	61,890	63,880
Prepaid expenses	1,978	1,978
	<u>110,714</u>	<u>95,976</u>
<b>Financial Liabilities</b>		
<u>Accounts payable and accrued liabilities</u>	<u>13,079</u>	<u>24,312</u>
	13,079	24,312
Net financial assets	97,635	71,664
Tangible capital assets (note 4)	-	4,000
Accumulated surplus (note 3)	\$ 97,635	\$ 75,664

See accompanying notes to financial statements.

On behalf of the Board:

\_\_\_\_\_ Director

\_\_\_\_\_ Director

# VIA ITALIA - ERIE STREET BUSINESS IMPROVEMENT AREA

## Statement of Operations and Accumulated Surplus

Year ended December 31, 2022, with comparative information for 2021

	2022 Budget	2022 Actual	2021 Actual
<b>Revenue:</b>			
City of Windsor levy	\$ 125,000	\$ 124,390	\$ 126,380
Grants	-	33,449	-
Investment income	-	-	33
Miscellaneous Revenue	-	9,600	1,000
	125,000	167,439	127,413
<b>Expenses:</b>			
Advertising and promotion	11,000	35,347	17,140
Amortization	-	4,000	4,000
Audit and accounting	3,770	2,500	4,000
Donations	700	700	-
Insurance	4,300	4,342	3,979
Office and administration	12,230	35,736	26,673
Special events	44,000	20,000	11,662
Street improvements	29,000	23,791	43,049
Wages	20,000	19,052	64,232
	125,000	145,468	174,735
Annual surplus (deficit)	-	21,971	(47,322)
Accumulated surplus, beginning of year	75,664	75,664	122,986
Accumulated surplus, end of year	\$ 75,664	\$ 97,635	\$ 75,664

See accompanying notes to financial statements.



# VIA ITALIA - ERIE STREET BUSINESS IMPROVEMENT AREA

## Statement of Changes in Net Financial Assets

Year ended December 31, 2022, with comparative information for 2021

	2022	2021
Annual surplus (deficit)	\$ 21,971	\$ (47,322)
Amortization of tangible capital assets	4,000	4,000
Change in net financial assets	25,971	(43,322)
Net financial assets, beginning of year	71,664	114,986
Net financial assets, end of year	\$ 97,635	\$ 71,664

See accompanying notes to financial statements.

# VIA ITALIA - ERIE STREET BUSINESS IMPROVEMENT AREA

## Statement of Cash Flows

Year ended December 31, 2022, with comparative information for 2021

	2022	2021
Cash provided by (used in):		
Operations:		
Annual surplus (deficit)	\$ 21,971	\$ (47,322)
Amortization of tangible capital assets	4,000	4,000
Decrease in due from City of Windsor	1,990	18,620
Decrease (increase) in commodity taxes receivable	(14,454)	-
Increase in prepaid expense	-	(1,978)
Increase (decrease) in accounts payable and accrued liabilities	(11,233)	14,840
	<u>2,274</u>	<u>(11,840)</u>
Increase (decrease) in cash	2,274	(11,840)
Cash, beginning of year	23,080	34,920
Cash, end of year	<u>\$ 25,354</u>	<u>\$ 23,080</u>

See accompanying notes to financial statements.

# VIA ITALIA - ERIE STREET BUSINESS IMPROVEMENT AREA

Notes to Financial Statements

Year ended December 31, 2022

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## 1. Description of business:

The Board of Management of the Via Italia - Erie Street Business Improvement Area is entrusted with the improvement and beautification of municipally-owned lands, buildings and structures in the Improvement Area as designated by the Council of the Corporation of the City of Windsor and the promotion of this Area for business and shopping.

## 2. Significant accounting policies:

The financial statements are the representations of management and have been prepared in accordance with accounting standards established by the Public Sector Accounting Board of the Canadian Institute of Chartered Professional Accountants.

### (a) Basis of presentation:

These financial statements reflect the assets, liabilities, revenue and expenditures of the revenue fund and the reserve.

### (b) Basis of accounting:

(i) In accordance with practices common to Ontario municipalities, the Via Italia - Erie Street Business Improvement Area follows the fund basis of accounting.

(ii) Within the framework of the fund basis of accounting, the Via Italia - Erie Street Business Improvement Area maintains its accounts on an accrual basis.

### (c) Non-financial assets:

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of business.

#### Tangible capital assets:

Tangible capital assets are recorded at cost.

Amortization is calculated on a straight-line basis over an assets expected useful life. Residual values are assumed to be zero.

Asset Classification	Useful Life (years)
Computer hardware	3
Furniture and fixtures	5
Equipment	10
Leasehold improvements	term of lease

# VIA ITALIA - ERIE STREET BUSINESS IMPROVEMENT AREA

Notes to Financial Statements

Year ended December 31, 2022

## 2. Significant accounting policies (continued):

(d) Use of estimates:

The preparation of the financial statements in conformity with accounting standards established by the Public Sector Accounting Board requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the dates of the financial statements and the reported amounts of revenues and expenses during the reporting periods. Actual results could differ from those estimates.

## 3. Accumulated surplus:

Accumulated surplus consists of individual fund balances and reserves as follows:

	2022	2021
Reserve:		
Future development	\$ 96,426	\$ 50,664
Street lighting	1,209	25,000
	<b>\$ 97,635</b>	<b>\$ 75,664</b>

## 4. Tangible capital assets:

Cost	Balance at December 31, 2021	Additions	Disposals	Balance at December 31, 2022
Vehicles	\$ 12,000	\$ -	\$ -	\$ 12,000

Accumulated amortization	Balance at December 31, 2021	Disposals	Amortization expense	Balance at December 31, 2022
Vehicles	\$ 8,000	\$ -	\$ 4,000	\$ 12,000

Net book value	December 31, 2021	December 31, 2022
Vehicles	\$ 4,000	\$ -

Financial Statements of

**OLDE RIVERSIDE BUSINESS  
IMPROVEMENT AREA**

And Independent Auditor's Report thereon

Year ended December 31, 2022



KPMG LLP  
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## INDEPENDENT AUDITOR'S REPORT

To the Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Windsor

### ***Opinion***

We have audited the financial statements of the Corporation of the Olde Riverside Business Improvement Area ("the Entity"), which comprise:

- the statement of financial position as at December 31, 2022
- the statement of operations and accumulated surplus for the year then ended
- the statement of changes in net assets for the year then ended
- the statement of cash flows for the year then ended
- and the notes to the financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements")

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Entity as at December 31, 2022, and its results of operations and its changes in its net financial assets and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### ***Basis for Opinion***

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibility under those standards are further described in the "***Auditor's Responsibilities for the Audit of the Financial Statements***" section of our auditor's report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.



### ***Responsibility of Management and Those Charged with Governance for the Financial Statements***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risk of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, internal omissions, misrepresentations, or the override of internal control.



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- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purposes of expressing an opinion on the effectiveness of the City's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to the events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit

*KPMG LLP*

Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada

September 26, 2023



# OLDE RIVERSIDE BUSINESS IMPROVEMENT AREA

## Statement of Financial Position

December 31, 2022, with comparative information for 2021

	2022	2021
<b>Financial assets</b>		
Cash and cash equivalents	\$ 20,140	\$ 41,275
Due from City of Windsor	3,650	3,250
Accounts receivable	5,650	4,576
	<u>29,440</u>	<u>49,101</u>
<b>Financial liabilities</b>		
Accounts payable and accrued liabilities	12,178	7,836
Long-term debt (note 3)	7,500	15,000
	<u>19,678</u>	<u>22,836</u>
Net assets	9,762	26,265
Accumulated surplus (note 4)	\$ 9,762	\$ 26,265

See accompanying notes to financial statements.

On behalf of the Board:

\_\_\_\_\_ Director

\_\_\_\_\_ Director

# OLDE RIVERSIDE BUSINESS IMPROVEMENT AREA

## Statement of Operations and Accumulated Surplus

Year ended December 31, 2022, with comparative information for 2021

	2022 Budget	2022 Actual	2021 Actual
<b>Revenue:</b>			
City of Windsor levy	\$ 65,000	\$ 65,000	\$ 65,000
Chamber of Commerce grant	-	2,310	-
Interest and miscellaneous	-	3	8
	<u>65,000</u>	<u>67,313</u>	<u>65,008</u>
<b>Expenses:</b>			
Administration	15,750	17,350	8,226
Advertising and promotion	10,000	9,560	17,627
Audit costs	1,600	1,295	1,454
Events	5,000	20,412	3,114
Insurance	1,800	2,026	1,758
Office	3,550	2,498	907
Street Beautification	23,000	22,305	34,400
Website	800	391	598
Donations	2,000	5,103	3,700
Riverside Dollars Promo	1,500	2,876	-
	<u>65,000</u>	<u>83,816</u>	<u>71,784</u>
Annual deficit	-	(16,503)	(6,776)
Accumulated surplus, beginning of year	26,265	26,265	33,041
Accumulated surplus, end of year	\$ 26,265	\$ 9,762	\$ 26,265

See accompanying notes to financial statements.

# OLDE RIVERSIDE BUSINESS IMPROVEMENT AREA

## Statement of Changes in Net Assets

Year ended December 31, 2022, with comparative information for 2021

	2022	2021
Annual deficit	\$ (16,503)	\$ (6,776)
Utilization (acquisition) of prepaid expenses	-	3,535
Change in net assets	(16,503)	(3,241)
Net assets, beginning of year	26,265	29,506
Net assets, end of year	\$ 9,762	\$ 26,265

See accompanying notes to financial statements.

# OLDE RIVERSIDE BUSINESS IMPROVEMENT AREA

## Statement of Cash Flows

Year ended December 31, 2022, with comparative information for 2021

	2022	2021
Cash provided by (used in):		
Operations:		
Annual deficit	\$ (16,503)	\$ (6,776)
Increase in accounts receivable	(1,474)	(210)
Increase in accounts payable and accrued liabilities	4,342	6,386
Decrease in prepaid assets	-	3,535
	<u>(13,635)</u>	<u>2,935</u>
Financing:		
Repayment of long-term debt	(7,500)	(7,500)
Increase (decrease) in cash and cash equivalents	(21,135)	(4,565)
Cash and cash equivalents, beginning of year	41,275	45,840
Cash and cash equivalents, end of year	<u>\$ 20,140</u>	<u>\$ 41,275</u>

See accompanying notes to financial statements.

# OLDE RIVERSIDE BUSINESS IMPROVEMENT AREA

Notes to Financial Statements

Year ended December 31, 2022

---

## 1. Description of business:

The Board of Management of the Olde Riverside Business Improvement Area (“Improvement Area”) is entrusted with the improvement and beautification of municipally-owned lands, buildings and structures in the Improvement Area as designated by the Council of the Corporation of the City of Windsor and the promotion of this Area for business and shopping.

## 2. Significant accounting policies:

The financial statements are the representations of management and are prepared in accordance with accounting standards established by the Public Sector Accounting Board of the Canadian Institute of Chartered Professional Accountants.

### (a) Basis of presentation:

These financial statements reflect the assets, liabilities, revenue and expenses of the revenue fund.

### (b) Basis of accounting:

- (i) In accordance with practices common to Ontario municipalities, the Improvement Area follows the fund basis of accounting.
- (ii) The Improvement Area maintains its accounts on an accrual basis. Under this basis, revenue is accounted for in the period in which the transactions or events occur that give rise to the revenue. Expenses are accounted for in the period the goods and services are acquired.

### (c) Non-financial assets:

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of business.

# OLDE RIVERSIDE BUSINESS IMPROVEMENT AREA

Notes to Financial Statements, continued

Year ended December 31, 2022

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## 2. Significant accounting policies (continued):

### (d) Use of estimates:

The preparation of the financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure in contingent assets and liabilities at the dates of the financial statements and the reported amounts of revenues and expenses during the reporting periods. Actual results could differ from those estimates.

## 3. Long-term debt:

During 2013, a beautification project in the amount of \$150,000 was approved for the Olde Riverside Business Improvement Area by City Council. The Improvement Area committed to fund 50% of the costs of the project. The actual cost to the Improvement Area is \$75,000 with repayment commencing in 2014 consisting of 10 annual instalments of \$7,500 without interest.

## 4. Accumulated surplus:

	2022	2021
Deficit:		
Amounts to be recovered in future years	\$ (7,500)	\$ (15,000)
Reserve funds:		
Future development	17,262	41,265
	<u>\$ 9,762</u>	<u>\$ 26,265</u>

Financial Statements of

**OLDE SANDWICH TOWNE  
BUSINESS ASSOCIATION  
IMPROVEMENT AREA**

And Independent Auditor's Report thereon

Year ended December 31, 2022



KPMG LLP  
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Windsor ON N8W 5K8  
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Tel 519-251-3500  
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## INDEPENDENT AUDITOR'S REPORT

To the Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Windsor

### ***Opinion***

We have audited the financial statements of the Olde Sandwich Towne Business Association Improvement Area ("Improvement Area"), which comprise:

- the statement of financial position as at December 31, 2022
- the statements of operations and accumulated surplus for the year then ended
- the statement of changes in net financial assets for the year then ended
- the statement of cash flows for the year then ended
- and the notes to the financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements")

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Improvement Area as at December 31, 2021, and its results of operations and its changes in its net financial assets and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### ***Basis for Opinion***

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibility under those standards are further described in the "***Auditor's Responsibilities for the Audit of the Financial Statements***" section of our auditor's report.

We are independent of the Improvement Area in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

KPMG LLP, an Ontario limited liability partnership and member firm of the KPMG global organization of independent member firms affiliated with KPMG International Limited, a private English company limited by guarantee. KPMG Canada provides services to KPMG LLP.





### ***Responsibility of Management and Those Charged with Governance for the Financial Statements***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Improvement Area's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Improvement Area or to cease operations or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Improvement Area's financial reporting process.

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risk of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, internal omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purposes of expressing an opinion on the effectiveness of the Improvement Area's internal control.



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- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to the events or conditions that may cast significant doubt on the Improvement Area's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Improvement Area's to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

*KPMG LLP*

Chartered Professional Accountants, Licensed Public Accountants  
Windsor, Canada  
October 27, 2023

# OLDE SANDWICH TOWNE BUSINESS ASSOCIATION IMPROVEMENT AREA

## Statement of Financial Position

December 31, 2022, with comparative information for 2021

	2022	2021
<b>Financial assets</b>		
Cash	\$ 58,960	\$ 100,547
HST receivable	6,055	4,498
Due from the City of Windsor	32,701	3,355
	97,716	108,400
<b>Financial liabilities</b>		
Accounts payable and accrued liabilities	2,260	1,130
Net financial assets	95,456	107,270
Accumulated surplus (note 3)	\$ 95,456	\$ 107,270

See accompanying notes to the financial statements.

On behalf of the Board:

\_\_\_\_\_ Director

\_\_\_\_\_ Director

# OLDE SANDWICH TOWNE BUSINESS ASSOCIATION IMPROVEMENT AREA

## Statement of Operations and Accumulated Surplus

Year ended December 31, 2022, with comparative information for 2021

	2022 Budget	2022 Actual	2021 Actual
<b>Revenue:</b>			
City of Windsor levy	\$ 67,100	\$ 66,251	\$ 67,910
Donations and other income	70,000	29,911	2,479
	<u>137,100</u>	<u>96,162</u>	<u>70,389</u>
<b>Expenses:</b>			
Events	57,000	28,323	47,941
Advertising	9,250	4,055	3,369
Insurance	1,600	1,696	1,291
Decorative costs (note 4)	35,400	25,399	758
Administration	32,350	47,503	43,017
Audit and accounting costs	1,500	1,000	1,130
	<u>137,100</u>	<u>107,976</u>	<u>97,506</u>
Annual deficit	-	(11,814)	(27,117)
Accumulated surplus, beginning of year	107,270	107,270	134,387
<b>Accumulated surplus, end of year</b>	<b>\$ 107,270</b>	<b>\$ 95,456</b>	<b>\$ 107,270</b>

See accompanying notes to the financial statements.

# OLDE SANDWICH TOWNE BUSINESS ASSOCIATION IMPROVEMENT AREA

## Statement of Changes in Net Financial Assets

Year ended December 31, 2022, with comparative information for 2021

	2022	2021
Annual deficit	\$ (11,814)	\$ (27,117)
Change in net financial assets	(11,814)	(27,117)
Net financial assets, beginning of year	107,270	134,387
Net financial assets, end of year	\$ 95,456	\$ 107,270

See accompanying notes to the consolidated financial statements.

# OLDE SANDWICH TOWNE BUSINESS ASSOCIATION IMPROVEMENT AREA

## Statement of Cash Flows

Year ended December 31, 2022, with comparative information for 2021

	2022	2021
Cash provided by (used in):		
Operations:		
Annual surplus (deficit)	\$ (11,814)	\$ (27,117)
Decrease (increase) in due from City of Windsor	(29,346)	22,280
Increase in HST receivable	(1,557)	-
Increase (decrease) in accounts payable and accrued liabilities	1,130	(1,993)
Decrease in cash	(41,587)	(6,830)
Cash, beginning of year	100,547	107,377
Cash, end of year	\$ 58,960	\$ 100,547

See accompanying notes to the financial statements.

# OLDE SANDWICH TOWNE BUSINESS ASSOCIATION IMPROVEMENT AREA

Notes to Financial Statements

Year ended December 31, 2022

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## 1. Description of business:

The Board of Management of the Olde Sandwich Towne Business Association Improvement Area (the "Improvement Area") is entrusted with the improvement and beautification of municipally-owned lands, buildings and structures in the Improvement Area as designated by the Council of the Corporation of the City of Windsor and the promotion of this Area for business and shopping.

## 2. Significant accounting policies:

The financial statements are the representations of management and have been prepared in accordance with accounting standards established by the Public Sector Accounting Board of the Canadian Institute of Chartered Professional Accountants.

### (a) Basis of presentation:

These financial statements reflect the assets, liabilities, revenue and expenditures of the revenue fund and the reserve fund.

### (b) Basis of accounting:

(i) In accordance with practices common to Ontario municipalities, the Improvement Area follows the fund basis of accounting.

(ii) The Improvement Area maintains its accounts on an accrual basis. Under this basis, revenue is accounted for in the period in which the transactions or events occur that give rise to the revenue. Expenses are accounted for in the period the goods and services are acquired.

### (c) Use of estimates:

The preparation of the financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the dates of the financial statements and the reported amounts of revenues and expenses during the reporting periods. Actual results could differ from those estimates.

# OLDE SANDWICH TOWNE BUSINESS ASSOCIATION IMPROVEMENT AREA

Notes to Financial Statements

Year ended December 31, 2022

---

### 3. Accumulated surplus:

Accumulated surplus consists of individual fund balances and reserves as follows:

	2022	2021
Reserve:		
Future development	\$ 95,456	\$ 107,270



Financial Statements of

**WALKERVILLE BUSINESS  
IMPROVEMENT AREA**

And Independent Auditor's Report thereon

Year ended December 31, 2022



KPMG LLP  
618 Greenwood Centre  
3200 Deziel Drive  
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## INDEPENDENT AUDITOR'S REPORT

To the Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Windsor

### ***Opinion***

We have audited the financial statements of the Walkerville Business Improvement Area (the "BIA"), which comprise:

- the statement of financial position as at December 31, 2022
- the statement of operations and accumulated surplus for the year then ended
- the statement of changes in net financial assets for the year then ended
- the statement of cash flows for the year then ended
- and the notes to the financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements")

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the BIA as at December 31, 2022, and its results of operations and its changes in its net financial assets and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### ***Basis for Opinion***

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibility under those standards are further described in the "***Auditor's Responsibilities for the Audit of the Financial Statements***" section of our auditor's report.

We are independent of the BIA in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.



### ***Responsibility of Management and Those Charged with Governance for the Financial Statements***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the BIA's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the BIA or to cease operations or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the BIA's financial reporting process.

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risk of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, internal omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purposes of expressing an opinion on the effectiveness of the BIA's internal control.



Page 3

- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to the events or conditions that may cast significant doubt on the BIA's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the BIA's to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

*KPMG LLP*

Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada

September 19, 2023

# WALKERVILLE BUSINESS IMPROVEMENT AREA

## Statement of Financial Position

December 31, 2022, with comparative information for 2021

	2022	2021
<b>Financial assets</b>		
Cash and cash equivalents	\$ 40,035	\$ 77,094
Due from City of Windsor	8,286	3,097
Accounts receivable	1,000	1,000
HST receivable	9,901	4,215
	<u>59,222</u>	<u>85,406</u>
<b>Financial liabilities</b>		
Accounts payable and accrued liabilities	15,784	16,965
Net financial assets	<u>43,438</u>	<u>68,441</u>
<b>Non-financial assets</b>		
Prepaid expenses	2,382	1,382
Accumulated surplus (note 3)	<u>\$ 45,820</u>	<u>\$ 69,823</u>

See accompanying notes to financial statements.

On behalf of the Board:

\_\_\_\_\_ Director

\_\_\_\_\_ Director

# WALKERVILLE BUSINESS IMPROVEMENT AREA

## Statement of Operations and Accumulated Surplus

Year ended December 31, 2022, with comparative information for 2021

	2022 Budget	2022 Actual	2021 Actual
<b>Revenue:</b>			
City of Windsor levy	\$ 45,000	\$ 51,036	\$ 45,847
Sponsorships and other fundraising	-	12,823	4,261
Interest and miscellaneous	-	8	3
	<u>45,000</u>	<u>63,867</u>	<u>50,111</u>
<b>Expenses:</b>			
Administration	10,560	9,197	12,225
Audit and accounting fees	1,000	1,000	1,000
Bank charges	40	33	33
Street upkeep	4,700	27,302	16,009
Events and meetings	28,700	46,482	6,029
Insurance	1,585	1,381	1,516
HST and other	-	-	1,405
Communication	2,000	2,475	1,112
	<u>48,585</u>	<u>87,870</u>	<u>39,329</u>
Annual surplus (deficit)	(3,585)	(24,003)	10,782
Accumulated surplus, beginning of year	69,823	69,823	59,041
Accumulated surplus, end of year	\$ 66,238	\$ 45,820	\$ 69,823

See accompanying notes to financial statements.

# WALKERVILLE BUSINESS IMPROVEMENT AREA

## Statement of Changes in Net Financial Assets

Year ended December 31, 2022, with comparative information for 2021

	2022	2021
Annual surplus (deficit)	\$ (24,003)	\$ 10,782
Disposition of prepaid expenses	1,382	1,382
Acquisition of prepaid expenses	(2,382)	(1,382)
Change in net financial assets	(25,003)	10,782
Net financial assets, beginning of year	68,441	57,659
Net financial assets, end of year	\$ 43,438	\$ 68,441

See accompanying notes to financial statements.

# WALKERVILLE BUSINESS IMPROVEMENT AREA

## Statement of Cash Flows

Year ended December 31, 2022, with comparative information for 2021

	2022	2021
Cash provided by (used in):		
Operations:		
Annual surplus (deficit)	\$ (24,003)	\$ 10,782
Decrease (increase) in due from City of Windsor	(5,189)	21,863
Decrease in accounts receivable	-	643
Decrease (increase) in HST receivable	(5,686)	507
Increase in prepaid expenses	(1,000)	-
Decrease in accounts payable and accrued liabilities	(1,181)	(5,933)
Increase(decrease) in cash and cash equivalents	(37,059)	27,862
Cash and cash equivalents, beginning of year	77,094	49,232
Cash and cash equivalents, end of year	\$ 40,035	\$ 77,094

See accompanying notes to financial statements.



# WALKERVILLE BUSINESS IMPROVEMENT AREA

Notes to Financial Statements

Year ended December 31, 2022

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## 1. Description of business:

The Board of Management of the Walkerville Business Improvement Area is entrusted with the improvement and beautification of municipally-owned lands, buildings and structures in the Improvement Area as designated by the Council of the Corporation of the City of Windsor and the promotion of this Area for business and shopping.

## 2. Significant accounting policies:

The financial statements are the representations of management and have been prepared in accordance with accounting standards established by the Public Sector Accounting Board of the Canadian Institute of Chartered Accountants.

### (a) Basis of presentation:

These financial statements reflect the assets, liabilities, revenue and expenses of the revenue fund and reserve fund.

### (b) Basis of accounting:

(i) In accordance with practices common to Ontario municipalities, the Walkerville Business Improvement Area follows the fund basis of accounting.

(ii) Within the framework of the fund basis of accounting, the Walkerville Business Improvement Area maintains its accounts on an accrual basis.

### (c) Use of estimates:

The preparation of the financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the dates of the financial statements and the reported amounts of revenues and expenses during the reporting periods. Actual results could differ from those estimates.

# WALKERVILLE BUSINESS IMPROVEMENT AREA

Notes to Financial Statements (continued)

Year ended December 31, 2022

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### 3. Accumulated surplus:

Accumulated surplus consists of individual fund balances and reserves as follows:

	2022	2021
Reserve:		
Future development	\$ 45,820	\$ 69,823

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Consolidated Financial Statements of

# **OTTAWA STREET BUSINESS IMPROVEMENT AREA**

And Independent Auditor's Report thereon

Year ended December 31, 2022



## **KPMG LLP**

618 Greenwood Centre  
3200 Deziel Drive  
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## **INDEPENDENT AUDITOR'S REPORT**

To the Board Members, Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Windsor

### ***Opinion***

We have audited the accompanying consolidated financial statements of Ottawa Street Business Improvement Association (the Entity) which comprise of:

- the consolidated statement of financial position as at December 31, 2022
- the consolidated statement of operations and accumulated surplus for the year then ended
- the consolidated statement of changes in net financial assets for the year then ended
- the consolidated statement of cash flows for the year then ended
- and notes to the consolidated financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements").

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Entity as at December 31, 2022, and its consolidated results of operations and accumulated surplus and its consolidated changes in net financial assets and its consolidated cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### ***Basis for Opinion***

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the "***Auditor's Responsibilities for the Audit of the Financial Statements***" section of our Auditor's report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.



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### ***Responsibilities of Management for the Financial Statements and Those Charged with Governance***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an Auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.



Page 3

- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our Auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our Auditor's report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.
- Obtain sufficient audit evidence regarding the financial information of the entities or business activities within the Group Entity to express an opinion on the financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.

A handwritten signature in black ink that reads 'KPMG LLP' with a horizontal line underneath.

Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada  
October 30, 2023

# OTTAWA STREET BUSINESS IMPROVEMENT AREA

Consolidated Statement of Financial Position

December 31, 2022, with comparative information for 2021

	2022	2021
<b>Financial Assets</b>		
Current assets:		
Cash	\$ 61,349	\$ 33,970
Commodity taxes receivable	11,530	7,471
Due from City of Windsor	3,738	3,598
Prepaid expenses	2,579	2,855
	<u>79,196</u>	<u>47,894</u>
<b>Financial Liabilities</b>		
Liabilities:		
Accounts payable	-	-
Net financial assets	79,196	47,894
Accumulated surplus (note 4)	\$ 79,196	\$ 47,894

See accompanying notes to consolidated financial statements.

On behalf of the Board:

\_\_\_\_\_ Director

\_\_\_\_\_ Director

# OTTAWA STREET BUSINESS IMPROVEMENT AREA

Consolidated Statement of Operations and Accumulated Surplus

Year ended December 31, 2022, with comparative information for 2021

	2022 Budget	2022 Actual	2021 Actual
<b>Revenue:</b>			
City of Windsor levy	\$ 71,965	\$ 72,105	\$ 71,965
Other	-	20,772	-
	<u>71,965</u>	<u>92,877</u>	<u>71,965</u>
<b>Expenses:</b>			
Administration (note 3)	7,652	6,300	6,000
Audit costs	1,350	1,000	1,000
Bank charges	300	94	155
Insurance	3,500	3,703	3,800
Miscellaneous	8,663	6,364	3,368
Promotion and advertising	17,900	14,870	15,897
Special events	10,000	17,261	5,424
Street beautification	21,500	10,960	44,620
Utilities	1,100	1,023	1,016
	<u>71,965</u>	<u>61,575</u>	<u>81,280</u>
Annual surplus (deficit)	-	31,302	(9,315)
Accumulated surplus, beginning of year	47,894	47,894	57,209
<b>Accumulated surplus, end of year</b>	<b>\$ 47,894</b>	<b>\$ 79,196</b>	<b>\$ 47,894</b>

See accompanying notes to consolidated financial statements.



# OTTAWA STREET BUSINESS IMPROVEMENT AREA

## Consolidated Statement of Changes in Net Financial Assets

Year ended December 31, 2022, with comparative information for 2021

	2022		2021	
Annual surplus (deficit)	\$	31,302	\$	(9,315)
Change in net financial assets		31,302		(9,315)
Net financial assets, beginning of year		47,894		57,209
Net financial assets, end of year	\$	79,196	\$	47,894

See accompanying notes to consolidated financial statements.

# OTTAWA STREET BUSINESS IMPROVEMENT AREA

## Consolidated Statement of Cash Flows

Year ended December 31, 2022, with comparative information for 2021

	2022	2021
Cash provided by (used in):		
Operations:		
Annual surplus (deficit)	\$ 31,302	\$ (9,315)
Decrease (increase) in commodity taxes receivable	(4,059)	2,550
Increase in due from City of Windsor	(140)	-
Decrease (increase) in prepaid expenses	276	(872)
	<u>27,379</u>	<u>(7,637)</u>
Increase (decrease) in cash	27,379	(7,637)
Cash, beginning of year	33,970	41,607
Cash, end of year	<u>\$ 61,349</u>	<u>\$ 33,970</u>

See accompanying notes to consolidated financial statements.

# OTTAWA STREET BUSINESS IMPROVEMENT AREA

Notes to Consolidated Financial Statements

Year ended December 31, 2022

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**1. Description of business:**

The Board of Management of the Ottawa Street Business Improvement Area is entrusted with the improvement and beautification of municipally-owned lands, buildings and structures in the Improvement Area as designated by the Council of the Corporation of the City of Windsor and the promotion of this Area for business and shopping.

**2. Significant accounting policies:**

The consolidated financial statements are the representations of management and have been prepared in accordance with accounting standards established by the Public Sector Accounting Board of the Canadian Institute of Chartered Professional Accountants.

(a) Basis of presentation:

These consolidated financial statements reflect the assets, liabilities, revenue and expenditures of the revenue fund and the reserve fund.

(b) Basis of accounting:

(i) In accordance with practices common to Ontario municipalities, the Ottawa Street Improvement Area follows the fund basis of accounting.

(ii) Within the framework of the fund basis of accounting, the Ottawa Street Business Improvement Area maintains its accounts on an accrual basis.

(c) Use of estimates:

The preparation of the consolidated financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the dates of the consolidated financial statements and the reported amounts of revenues and expenses during the reporting periods. Actual results could differ from those estimates.

**3. Related party transactions:**

A total of \$6,300 (2021 - \$6,000) was paid to a member of the Board of Management for providing consulting services.

**4. Accumulated surplus:**

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	2022	2021
Reserve funds:		
Future development	\$ 79,196	\$ 47,894

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Financial Statements of

**PILLETTE VILLAGE BUSINESS  
IMPROVEMENT AREA**

And Independent Auditor's Report thereon

Year ended December 31, 2022



KPMG LLP  
618 Greenwood Centre  
3200 Deziel Drive  
Windsor ON N8W 5K8  
Canada  
Tel 519-251-3500  
Fax 519-251-3530

## INDEPENDENT AUDITOR'S REPORT

To the Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Windsor

### ***Opinion***

We have audited the financial statements of the Pillette Village Business Improvement Area ("Improvement Area"), which comprise:

- the statement of financial position as at December 31, 2022
- the statement of operations and accumulated surplus for the year then ended
- the statement of changes in net financial assets for the year then ended
- the statement of cash flows for the year then ended
- and the notes to the financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements")

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Improvement Area as at December 31, 2022, and its results of operations and its changes in its net financial assets and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### ***Basis for Opinion***

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibility under those standards are further described in the "***Auditor's Responsibilities for the Audit of the Financial Statements***" section of our auditor's report.

We are independent of the Improvement Area in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.



***Responsibility of Management and Those Charged with Governance for the Financial Statements***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Improvement Area's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Improvement Area or to cease operations or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Improvement Area's financial reporting process.

***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risk of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, internal omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purposes of expressing an opinion on the effectiveness of the Improvement Area's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to the events or conditions that may cast significant doubt on the Improvement Area's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Improvement Area's to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

*KPMG LLP*

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Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada

September 8, 2023

# PILLETTE VILLAGE BUSINESS IMPROVEMENT AREA

Statement of Financial Position

December 31, 2022, with comparative information for 2021

	2022	2021
<b>Financial assets</b>		
Cash	\$ 68,369	\$ 55,948
HST receivable	1,801	2,249
Due from City of Windsor	2,000	2,000
	72,170	60,197
<b>Financial liabilities</b>		
Accounts payable and accrued liabilities	2,656	6,215
Net financial assets	69,514	53,982
Accumulated surplus (note 3)	\$ 69,514	\$ 53,982

See accompanying notes to financial statements.

On behalf of the Board:

\_\_\_\_\_ Director

\_\_\_\_\_ Director



# PILLETTE VILLAGE BUSINESS IMPROVEMENT AREA

## Statement of Operations and Accumulated Surplus

Year ended December 31, 2022, with comparative information for 2021

	2022		2022		2021
	Budget		Actual		Actual
<b>Revenue:</b>					
City of Windsor levy	\$ 40,000		\$ 40,000		\$ 40,000
Other revenue	-		1,379		4
	40,000		41,379		40,004
<b>Expenses:</b>					
Beautification	20,600		2,203		10,698
Insurance	1,900		1,892		1,850
Administration	6,200		10,696		7,921
Events	2,500		1,808		1,922
Advertising and promotion	5,225		6,439		8,729
Audit and accounting fees	1,200		1,243		1,430
Miscellaneous	2,375		1,566		1,233
	40,000		25,847		33,783
Annual surplus	-		15,532		6,221
Accumulated surplus, beginning of year	53,982		53,982		47,761
Accumulated surplus, end of year	\$ 53,982		\$ 69,514		\$ 53,982

See accompanying notes to financial statements.

# PILLETTE VILLAGE BUSINESS IMPROVEMENT AREA

Statement of Changes in Net Financial Assets

Year ended December 31, 2022, with comparative information for 2021

	2022	2021
Annual surplus	\$ 15,532	\$ 6,221
Change in net financial assets	15,532	6,221
Net financial assets, beginning of year	53,982	47,761
Net financial assets, end of year	\$ 69,514	\$ 53,982

See accompanying notes to financial statements.

# PILLETTE VILLAGE BUSINESS IMPROVEMENT AREA

## Statement of Cash Flows

Year ended December 31, 2022, with comparative information for 2021

	2022	2021
Cash provided by (used in):		
Operations:		
Annual surplus	\$ 15,532	\$ 6,221
Decrease in HST receivable	448	1,356
Decrease in due from City of Windsor	-	20,000
Decrease (increase) in accounts payable and accruals	(3,559)	2,521
Increase in cash	12,421	30,098
Cash, beginning of year	55,948	25,850
Cash, end of year	\$ 68,369	\$ 55,948

See accompanying notes to financial statements.

# PILLETTE VILLAGE BUSINESS IMPROVEMENT AREA

Notes to Financial Statements (continued)

Year ended December 31, 2022

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**1. Description of business:**

The Board of Management of the Pillette Village Business Improvement Area is entrusted with the improvement and beautification of municipally-owned lands, buildings and structures in the Improvement Area as designated by the Council of the Corporation of the City of Windsor and the promotion of this Area for business and shopping.

**2. Significant accounting policies:**

The financial statements are the representations of management and have been prepared in accordance with accounting standards established by the Public Sector Accounting Board of the Canadian Institute of Chartered Accountants.

(a) Basis of presentation:

These financial statements reflect the assets, liabilities, revenue and expenditures of the revenue fund and the reserve fund.

(b) Basis of accounting:

(i) In accordance with practices common to Ontario municipalities, the Pillette Village Improvement Area follows the fund basis of accounting.

(ii) Within the framework of the fund basis of accounting, the Pillette Village Business Improvement Area maintains its accounts on an accrual basis.

(c) Use of estimates:

The preparation of the financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the dates of the financial statements and the reported amounts of revenues and expenses during the reporting periods. Actual results could differ from those estimates.

**3. Accumulated surplus:**

---

	2022	2021
Reserve funds:		
Future development	\$ 69,514	\$ 53,982

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Consolidated Financial Statements of

**WYANDOTTE TOWNE  
CENTRE BUSINESS  
IMPROVEMENT AREA**

And Independent Auditors' Report thereon

Year ended December 31, 2022



**KPMG LLP**  
618 Greenwood Centre  
3200 Deziel Drive  
Windsor, ON N8W 5K8  
Canada  
Telephone 519 251 3500  
Fax 519 251 3530

## **INDEPENDENT AUDITORS' REPORT**

To the Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Windsor

### ***Opinion***

We have audited the consolidated financial statements of the Wyandotte Towne Centre Business Improvement Area (the Entity) which comprise:

- the consolidated statement of financial position as at December 31, 2022
- the consolidated statement of operations and accumulated surplus for the year then ended
- the consolidated statement of changes in net financial assets for the year then ended
- the consolidated statement of cash flows for the year then ended
- and the notes to the consolidated financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the “financial statements”)

In our opinion, the accompanying financial statements present fairly, in all material respects, the consolidated financial position of the Entity as at December 31, 2022, and its consolidated results of operations, its consolidated changes in its net financial assets, and its consolidated cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### ***Basis for Opinion***

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibility under those standards are further described in the “***Auditors’ Responsibilities for the Audit of the Financial Statements***” section of our auditors’ report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.



### ***Responsibility of Management and Those Charged with Governance for the Financial Statements***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

### ***Auditors' Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risk of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, internal omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purposes of expressing an opinion on the effectiveness of the Entity's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.



Page 3

- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to the events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Entity's to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.
- Obtain sufficient audit evidence regarding the financial information of the entities or business activities within the Group Entity to express an opinion on the financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.

A handwritten signature in black ink that reads 'KPMG LLP'. The signature is written in a cursive, slightly slanted style. Below the signature is a horizontal line that starts under the 'K' and ends under the 'P'.

Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada

November 7, 2024



# WYANDOTTE TOWNE CENTRE BUSINESS IMPROVEMENT AREA

Consolidated Statement of Financial Position

December 31, 2022 with comparative information for 2021

	2022	2021
<b>Financial Assets</b>		
Cash	\$ 231,099	\$ 105,030
Investments and marketable securities	-	100,000
Commodity taxes receivable	-	8,356
Due from City of Windsor	4,700	12,469
	<u>235,799</u>	<u>225,855</u>
<b>Financial Liabilities</b>		
Accounts payable	12,000	7,250
Net financial assets	223,799	218,605
Accumulated surplus (note 3)	\$ 223,799	\$ 218,605

See accompanying notes to consolidated financial statements.

On behalf of the Board:

\_\_\_\_\_ Director

\_\_\_\_\_ Director

# WYANDOTTE TOWNE CENTRE BUSINESS IMPROVEMENT AREA

Consolidated Statement of Operations and Accumulated Surplus

Year ended December 31, 2022, with comparative information for 2021

	2022	2022	2021
	Budget	Actual	Actual
<b>Revenue:</b>			
City of Windsor levy	\$ 94,000	\$ 94,000	\$ 94,028
Interest	-	1,252	1,172
Other	-	135	8,717
	94,000	95,387	103,917
<b>Expenses:</b>			
Advertising and promotions	6,750	9,808	-
Audit and legal	6,000	1,130	3,815
Bad debts	-	-	9,971
HST Recoverable Forgone	-	-	601
Broken window repair fund	3,000	1,513	1,463
Donations	-	610	-
Events	5,000	12,000	30,539
Free Parking Program	-	2,853	-
Holiday Program	15,000	16,501	-
Insurance	1,400	1,311	1,213
Office expenses	19,300	15,532	1,546
Other	-	457	600
Open Street	-	7,224	-
Rent	4,800	3,673	2,750
Repairs and maintenance	32,750	16,380	26,921
Sign Program	-	-	1,739
Utilities	-	1,201	1,273
	94,000	90,193	82,431
Annual surplus	-	5,194	21,486
Accumulated surplus, beginning of year	218,605	218,605	197,119
Accumulated surplus, end of year	\$ 218,605	\$ 223,799	\$ 218,605

See accompanying notes to consolidated financial statements.

# WYANDOTTE TOWNE CENTRE BUSINESS IMPROVEMENT AREA

Consolidated Statement of Changes in Net Financial Assets

Year ended December 31, 2022, with comparative information for 2021

	2022		2021	
Annual surplus	\$	5,194	\$	21,486
Change in net financial assets		5,194		21,486
Net financial assets, beginning of year		218,605		197,119
Net financial assets, end of year	\$	223,799	\$	218,605

See accompanying notes to consolidated financial statements.

# WYANDOTTE TOWNE CENTRE BUSINESS IMPROVEMENT AREA

Consolidated Statement of Cash Flows

Year ended December 31, 2022, with comparative information for 2021

	2022	2021
Cash provided by (used in):		
Operations:		
Annual surplus	\$ 5,194	\$ 21,486
Increase in investments and marketable securities	-	(18,486)
Decrease in commodity taxes receivable	8,356	6,184
Decrease in due from City of Windsor	7,769	42,035
Increase (decrease) in accounts payable	4,750	(264)
	26,069	50,955
Investing:		
Redemption of investments and marketable securities and marketable securities	100,000	-
	126,069	50,955
Increase in cash	126,069	50,955
Cash, beginning of year	105,030	54,075
	231,099	105,030
Cash, end of year	\$ 231,099	\$ 105,030

See accompanying notes to consolidated financial statements.

# WYANDOTTE TOWNE CENTRE BUSINESS IMPROVEMENT AREA

Notes to the Consolidated Financial Statements

Year ended December 31, 2022

---

## 1. Description of business:

The Board of Management of the Wyandotte Towne Centre Business Improvement Area (the "Improvement Area") is entrusted with the improvement and beautification of municipally-owned lands, buildings and structures in the Improvement Area as designated by the Council of the Corporation of the City of Windsor and the promotion of this Area for business and shopping.

## 2. Significant accounting policies:

The consolidated financial statements are the representations of management and are prepared in accordance with accounting standards established by the Public Sector Accounting Board of the Canadian Institute of Chartered Accountants.

### (a) Basis of presentation:

These consolidated financial statements reflect the assets, liabilities, revenue and expenses of the revenue fund and the reserve fund.

### (b) Basis of accounting:

- (i) In accordance with practices common to Ontario municipalities, the Improvement Area follows the fund basis of accounting.
- (ii) The Improvement Area maintains its accounts on an accrual basis. Under this basis, revenue is accounted for in the period in which the transactions or events occur that give rise to the revenue. Expenses are accounted for in the period the goods and services are acquired.

### (c) Non-financial assets:

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of business.

### (d) Use of estimates:

The preparation of the consolidated financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure in contingent assets and liabilities at the dates of the consolidated financial statements and the reported amounts of revenues and expenses during the reporting periods. Actual results could differ from those estimates.

# WYANDOTTE TOWNE CENTRE BUSINESS IMPROVEMENT AREA

Notes to the Consolidated Financial Statements (continued)

Year ended December 31, 2022

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### 3. Accumulated surplus:

---

	2022	2021
Reserve funds:		
Future development	\$ 223,799	\$ 218,605

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Financial Statements of

**FORD CITY BUSINESS  
IMPROVEMENT AREA**

And Independent Auditor's Report thereon

Year ended December 31, 2022



KPMG LLP  
618 Greenwood Centre  
3200 Deziel Drive  
Windsor ON N8W 5K8  
Canada  
Tel 519-251-3500  
Fax 519-251-3530

## INDEPENDENT AUDITOR'S REPORT

To the Board Members, Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Windsor

### ***Opinion***

We have audited the accompanying financial statements of Ford City Business Improvement Area ("the Entity") which comprise of:

- the statement of financial position as at December 31, 2022
- the statements of operations and accumulated surplus for the year then ended
- the statement of changes in net financial assets for the year then ended
- the statement of cash flows for the year then ended
- and notes to the financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements").

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Entity as at December 31, 2022, and its results of operations and accumulated surplus and its changes in net financial assets and its cash flows for the year then ended in accordance with Canadian Public Sector Accounting Standards.

### ***Basis for Opinion***

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the "***Auditor's Responsibilities for the Audit of the Financial Statements***" section of our auditor's report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.





Page 2

### ***Responsibilities of Management and Those Charged with Governance for the Financial Statements***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.



Page 3

- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

*KPMG LLP*

Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada  
October 2, 2023

# FORD CITY BUSINESS IMPROVEMENT AREA

## Statement of Financial Position

December 31, 2022, with comparative information for 2021

	2022	2021
<b>Financial assets</b>		
Cash	\$ 36,706	\$ 59,709
Due from City of Windsor	3,100	3,100
HST receivable	3,578	1,223
	<u>43,384</u>	<u>64,032</u>
<b>Financial liabilities</b>		
Accounts payable and accrued liabilities	1,622	8,124
Net financial assets	41,762	55,908
Accumulated surplus (note 3)	\$ 41,762	\$ 55,908

See accompanying notes to financial statements.

On behalf of the Board:

\_\_\_\_\_ Director

\_\_\_\_\_ Director

# FORD CITY BUSINESS IMPROVEMENT AREA

## Statement of Operations and Accumulated Surplus

Year ended December 31, 2022, with comparative information for 2021

	2022 Budget	2022 Actual	2021 Actual
<b>Revenue:</b>			
City of Windsor levy	\$ 30,000	\$ 31,600	\$ 32,800
Vendor Fees	-	2,700	-
Interest	-	50	54
	<u>30,000</u>	<u>34,350</u>	<u>32,854</u>
<b>Expenses:</b>			
Administration	11,700	12,579	6,579
Advertising	8,200	3,759	5,724
Audit costs	1,130	1,274	1,348
Bank charges and interest	-	117	17
Beautification and maintenance	10,100	23,075	9,030
Donations	200	250	407
Events	6,000	5,185	592
Insurance	2,500	1,918	2,198
Office supplies	50	339	1,112
	<u>39,880</u>	<u>48,496</u>	<u>27,007</u>
Annual surplus (deficit)	(9,880)	(14,146)	5,847
Accumulated surplus, beginning of year	55,908	55,908	50,061
Accumulated surplus, end of year	<u>\$ 46,028</u>	<u>\$ 41,762</u>	<u>\$ 55,908</u>

See accompanying notes to financial statements.

# FORD CITY BUSINESS IMPROVEMENT AREA

## Statement of Changes in Net Financial Assets

Year ended December 31, 2022, with comparative information for 2021

	2022	2021
Annual surplus (deficit)	\$ (14,146)	\$ 5,847
Net financial assets, beginning of year	55,908	50,061
Net financial assets, end of year	\$ 41,762	\$ 55,908

See accompanying notes to financial statements.

# FORD CITY BUSINESS IMPROVEMENT AREA

## Statement of Cash Flows

Year ended December 31, 2022, with comparative information for 2021

	2022	2021
Cash provided by (used in):		
Operations:		
Annual surplus (deficit)	\$ (14,146)	\$ 5,847
Decrease in due from City of Windsor	-	18,400
Decrease (increase) in HST receivable	(2,355)	1,544
Increase (decrease) in accounts payable	(6,502)	4,293
	<u>(23,003)</u>	<u>30,084</u>
Increase (decrease) in cash and cash equivalents	(23,003)	30,084
Cash, beginning of year	59,709	29,625
Cash, end of year	<u>\$ 36,706</u>	<u>\$ 59,709</u>

See accompanying notes to financial statements.

# FORD CITY BUSINESS IMPROVEMENT AREA

Notes to Financial Statements

Year ended December 31, 2022

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## 1. Description of business:

The Board of Management of the Ford City Business Improvement Area (“Improvement Area”) is entrusted with the improvement and beautification of municipally-owned lands, buildings and structures in the Improvement Area as designated by the Council of the Corporation of the City of Windsor and the promotion of this Area for business and shopping.

## 2. Significant accounting policies:

The financial statements are the representations of management and are prepared in accordance with accounting standards established by the Public Sector Accounting Board of the Canadian Institute of Chartered Professional Accountants.

### (a) Basis of presentation:

These financial statements reflect the assets, liabilities, revenue and expenses of the revenue fund.

### (b) Basis of accounting:

(i) In accordance with practices common to Ontario municipalities, the Improvement Area follows the fund basis of accounting.

(ii) The Improvement Area maintains its accounts on an accrual basis. Under this basis, revenue is accounted for in the period in which the transactions or events occur that give rise to the revenue. Expenses are accounted for in the period the goods and services are acquired.

### (c) Non-financial assets:

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of business.

### (d) Use of estimates:

The preparation of the financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure in contingent assets and liabilities at the dates of the financial statements and the reported amounts of revenues and expenses during the reporting periods. Actual results could differ from those estimates.

## 3. Accumulated surplus:

Accumulated surplus consists of individual funds’ balances as follows:

	2022	2021
Surplus:		
Accumulated net surplus from operations	\$ 42,012	\$ 56,158
Future development reserve	(250)	(250)
<b>Total surplus</b>	<b>\$ 41,762</b>	<b>\$ 55,908</b>

**Subject: A By-law to authorize special charges being imposed on lots abutting the local improvement work completed under By-law 89-2019 on Matthew Brady Boulevard from Tranby Avenue to Cul-de-Sac - Ward 6**

**Reference:**

Date to Council: January 13, 2025  
Author: Joseph Bressan  
Engineer II  
(519) 255-6100 Ext. 6119  
[jbressan@citywindsor.ca](mailto:jbressan@citywindsor.ca)  
Design – Engineering  
Report Date: December 12, 2024  
Clerk's File #:

**To:** Mayor and Members of City Council

**Recommendation:**

That Council **PASS** By-law 1-2025 for the imposition of special charges on lots abutting on or immediately benefiting from the local improvement work completed under By-law 89-2019 on Matthew Brady Boulevard from Tranby Avenue to the cul-de-sac, in accordance with Section 30 of O. Reg. 586/06, made under *The Municipal Act, 2001*.

**Executive Summary:**

N/A

**Background:**

Local Improvement Charges By-law 89-2019 authorized the construction of street lighting on Matthew Brady Boulevard from Tranby Avenue southerly to the cul-de-sac. Construction was completed by Rorison Electric Ltd. through a Request for Quotation.

A local improvement roll has been prepared in accordance with Section 20 of O. Reg. 586/06, setting out the cost of the work and special charges (either in an equally divided number of annual payments or in a single payment commuted to the present values), to all lots abutting or immediately benefiting from the said local improvement work.

A notice of the hearing of the Committee of Revision was mailed to residents in October of 2024 for the purpose of hearing appeals against the proposed assessments. No objections were received within the required notice period, and the Committee of



Revision hearing was cancelled. The City Treasurer has certified the prepared local improvement roll.

**Discussion:**

The works on Matthew Brady Boulevard have been completed under the provisions of O. Reg. 586/06, made under Municipal Act 2001.

It is required by Section 30 of O. Reg. 586/06, made under *Municipal Act, 2001*, that a Special Charges By-law be passed by the municipality after the Treasurer of the municipality has certified the local improvement roll under Section 21 or 29 of the said O. Reg. 586/06, for the imposition of the said special charges on each lot set out in the local improvement roll for the property owners that are benefiting from the work.

**Risk Analysis:**

N/A

**Climate Change Risks**

**Climate Change Mitigation:**

This by-law is not anticipated to have a material impact on the mitigation of climate change.

**Climate Change Adaptation:**

This by-law is not anticipated to have a material impact on climate change adaptation within the City. LED streetlighting was installed in accordance with current standards.

**Financial Matters:**

The final costs to the City and the affected property owners totalling \$42,764.40 are outlined in the attached Appendix 1 - Statement of the Cost of Work. The City's share of the cost is \$29,710.95 and was funded by the Local Improvement Program Infrastructure Project (7171002). The special charges to each of the property owners are listed in the attached Appendix 2 – Schedule A, Local Improvement Roll certified by the City Treasurer.

**Consultations:**

Kathy Buis - Financial Planning Administrator

Adam Mourad – Engineer III Design Standards Lead

Aaron Farough – Senior Legal Counsel

**Conclusion:**

Work is now complete, and Administration recommends that local improvement special charges by-law be passed.

**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 and City Engineer
Wira Vendrasco	City Solicitor
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

- 1 Statement of Cost
- 2 Schedule A

**STATEMENT OF COST OF THE WORK**

The following is a construction report for the installation of street lighting at the following location:

<u>Location</u>	<u>From</u>	<u>To</u>
<b>MATTHEW BRADY BOULEVARD</b>	<b>TRANBY AVENUE</b>	<b>CUL-DE-SAC</b>

The final cost is made up as follows:

Supply and install street lighting	\$39,450.00
Non-Recoverable HST	\$694.40
Engineering, administration, and preparation of assessment	\$2,620.00
<b>TOTAL</b>	<b><u>\$42,764.40</u></b>

The total abutting frontage is 540.0 metres, from which 176.05 metres are being deducted for public right-of-way frontage and City owned properties, and to which 34.29 metres will be deducted for the adjustment of corner properties serviced by the intersecting road, leaving a total abutting frontage of 329.66 metres, which is equal to the assessable frontage.

The owner's share of the cost is:	\$13,053.45
The City's share of the cost is \$29,710.95.	\$29,710.95
<b>TOTAL</b>	<b><u>\$42,764.40</u></b>

The rate per metre frontage for street lighting was calculated to be: \$39.60

Annual charges based on 10-year interest at 6.27% are as follows:  
 Annual cost per metre frontage for street lighting as per the Local Improvement Policy is: \$5.45

This is to certify that the lifetime of this work is not less than 10 years.

*Fm*  
 \_\_\_\_\_  
 Fahd Mikhael, P. Eng.  
 Manager of Design  
 Office of the Commissioner of  
 Infrastructure Services

*Janice Guthrie*  
 \_\_\_\_\_  
 Janice Guthrie  
 Commissioner Finance/City Treasurer

Local Improvement Special Assessment

Street Lighting

Project: Matthew Brady Boulevard  
 From: Tranby Avenue  
 To: Cul-de-sac

Item Number	Property Address	Roll Number	Legal Description	Mailing Address		Frontage (ft)	Frontage (m)	Flankage (m)	Adjustments (m)	Assessible Frontage for Residents (m)	Total Commuted Charge - Street Lighting	Total Annual Charge*
1	7675 TRANBY AVE	060-300-12700-0000	PLAN 1211 LOTS 40-50A & 179; TO 190 PLAN 835 LOTS 83 TO; 113 & 130 TO 165 PART LOTS; 114-118 & 126-129 PT ALLEY	7675 TRANBY AVE	WINDSOR ON N8S 2B7	0.00	0.00	144.48	34.29	110.19	\$4,363.16	\$600.42
2	1425 MATTHEW BRADY BLVD	060-300-13000-0000	PLAN 1211 LOTS 33 34 35; 195 196 197; RP 12R9094 PART 2 & PT CLSD; ALLEY; 0.61AC 120.00FR 222.00D	1455 MATTHEW BRADY BLVD	WINDSOR ON N8S 3K5	120.00	36.58	0.00	0.00	36.58	\$1,448.45	\$199.32
3	1455 MATTHEW BRADY BLVD	060-300-13001-0000	PLAN 1211 LOTS 30 31 32 198; 199 200 RP 12R9094 PART 1 &; PT CLSD ALLEY; 0.61AC 120.00FR 222.00D	1455 MATTHEW BRADY BLVD	WINDSOR ON N8S 3K5	120.00	36.58	0.00	0.00	36.58	\$1,448.45	\$199.32
4	0 MATTHEW BRADY BLVD	060-300-14000-0000	PLAN 1211 LOTS 246 TO 248 PT; LOTS 245 415 TO 418; RP 12R678 PT 24 & PT CLOSED; ALLEY; 0.54AC 160.00FR	2379 FESTIVAL AVE	WINDSOR ON N8P 1X7	160.00	48.77	0.00	0.00	48.77	\$1,931.13	\$265.75
5	1370 MATTHEW BRADY BLVD	060-300-14200-0000	PLAN 1211 LOT 253 TO LOT 256; LOT 407 TO LOT 410; PT CLOSED ALLEY; 160.00FR 218.00D	1370 MATTHEW BRADY BLVD	WINDSOR ON N8S 4R6	160.00	48.77	0.00	0.00	48.77	\$1,931.13	\$265.75
6	1340 MATTHEW BRADY BLVD	060-300-14300-0000	PLAN 1211 LOTS 257 TO 260; 403 TO 406 & PT CLOSED ALLEY; 160.00FR 218.00D	1340 MATTHEW BRADY BLVD	WINDSOR ON N8S 4R6	160.00	48.77	0.00	0.00	48.77	\$1,931.13	\$265.75
<b>SUM</b>						<b>720.00</b>	<b>219.46</b>	<b>144.48</b>	<b>34.29</b>	<b>329.66</b>	<b>\$13,053.45</b>	<b>\$1,796.31</b>
										City Frontage	210.34	
										Total Frontage	540.00	

\* Annual charge to be paid in ten (10) annual payments, annual charge includes 6.27% annual interest. The estimated lifetime of this work is not less than ten (10) years.

Certified as sufficient in accordance with O.Reg 586/06, Local Improvement Charges - Priority Lien Status

*Janice Guthrie*  
 \_\_\_\_\_  
 Janice Guthrie  
 Commissioner Finance/City Treasurer

## Item No. 8.3



### Committee Matters: SCM 240/2024

#### **Subject: Response to CQ 10-2024 - Property Owner sign-off on Permit Applications - City Wide**

Moved by: Councillor Kieran McKenzie  
Seconded by: Councillor Gary Kaschak

Decision Number: **ETPS 1019**

THAT the report of the Technologist III dated July 12, 2024 entitled "Response to CQ 10-2024 - Property Owner sign-off on Permit Applications - City Wide" **BE RECEIVED** for information.

Carried.

Report Number: S 93/2024  
Clerk's File: SB2024 & 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 8.3 from the Environment, Transportation & Public Safety Standing Committee held on July 31, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240731/-1/10499>

**Subject: Response to CQ 10-2024 - Property Owner sign-off on Permit Applications - City Wide**

**Reference:**

Date to Council: January 13, 2025

Author: Sandy Mio

Technologist III

(519) 255-6257 Ext. 6508

smio@citywindsor.ca

Right-of-Way -

Engineering

Report Date: December 13, 2024

Clerk's File #: SB2024/ACOQ2024

**To:** Mayor and Members of City Council

**Recommendation:**

That Council **RECEIVE FOR INFORMATION** this additional information memo and the attached administrative reports.

**Executive Summary:**

N/A

**Background:**

On February 12, 2024, Councillor Mark McKenzie asked the following question:

*“CQ 10-2024: Assigned to: Commissioner, Economic Development 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.”*

In response, Report S 93/2024 was prepared. At its meeting on July 31, 2024, Council adopted Resolution CR379/2024 regarding CQ10-2024. The resolution directed:

*“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,*

*That the information BE FORWARDED to a future meeting of Council for their consideration.”*

**Discussion:**

Following the adoption of CR379/2024, Administration had further discussions, including with the mover of the motion, Councillor Mark McKenzie. Councillor McKenzie has since expressed agreement to withdraw CQ10-2024. However, as the original report has already been submitted to Council and Resolution CR379/2024 has been adopted, the withdrawal of this item (both the Council Question and associated Council Directive) requires formal approval by Council.

**Risk Analysis:**

N/A

**Climate Risk**

**Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

N/A

**Consultations:**

Sandra Gebauer, Council Assistant  
Steve Valchodimos, City Clerk

**Conclusion:**

Acknowledging the mover’s intent to withdraw the question, this memo serves as an update for Council’s information.

**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Adam Pillon	Manager of Right-of-Way
Stacey McGuire	Executive Director, Engineering/Deputy City Engineer
John Revell	Chief Building Official
David Simpson	Commissioner, Infrastructure Services and City Engineer
Wira Vendrasco	City Solicitor
John Revell acting for Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

- 1 Appendix A - Report S 93/2024 Response to CQ 10-2024 - Property Owner sign-off on Permit Applications - City Wide



**Subject: Response to CQ 10-2024 - Property Owner sign-off on Permit Applications - City Wide**

**Reference:**

Date to Council:

Author: Sandy Mio

Technologist III

(519) 255-6257 Ext. 6508

[smio@citywindsor.ca](mailto:smio@citywindsor.ca)

Right-of-Way – Engineering

Report Date: 7/12/2024

Clerk's File #:

**To:** Mayor and Members of City Council

**Recommendation:**

That Council **RECEIVE** the response to CQ 10-2024 for information.

**Background:**

On February 12, 2024 Councillor Mark McKenzie asked the following Council Question:

**CQ10-2024**

“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.”

This report is in response to CQ 10-2024.

**Discussion:**

Currently, the Ontario Building Code and Right-of-Way processes do not require authorization signatures or consent from the property owner. In the current process, the owner or contractor may take out a permit for work except in specific cases such as sewer tap permits where only a pre-approved contractor may apply for permit.

**Right of Way (ROW) Permits**

The right-of-way permit application provides individual space to input information for the applicant and owner of the property. Most types of ROW permits can be

applied for and obtained by the Owner or the contractor and include an indemnity deposit that must be paid prior to the issuance of the permit. Ultimately the permit holder is responsible for the works under the permit including submission of any approval requirements such as traffic control plans, the quality and accurate completion of the work and scheduling and passing inspections. There are a few exceptions to this rule which are noted below:

### Sewer Tap Permits

To obtain a sewer tap permit (direct connection of a private drain connection into the City's mainline sewer), a pre-approved contractor must apply for and obtain the permit on behalf of the owner (which includes payment of fees). This ensures qualified contractors retain the responsibility for the quality of the work where such work impacts municipal infrastructure. Some sewer permits require urgent review due to sewage backup, and issuance of permits are expediated. The indemnity deposit will not be returned until the work is completed to City of Windsor Standards.

### Utility Permit

All telecommunication and utility companies can obtain permits to work within the ROW only, but typically continue to complete their work into private property. Utility permits typically involve multiple streets that affect many properties. The permits in this case are not issued property by property but rather by block.

## **Building Permits**

Typically, the contractor applies for the permit and can add the owner to the online application for their information. However, there are times when the owner chooses not to be a part of the application. If that's the case, the applicant can manually enter the owner information into the application, and the department can verify that it matches our records. If the information they provided matches, Administration does not request any additional approval from the owner.

Administration does not recommend a policy adjustment to require a property owner to sign off on a permit primarily because of the potential delays associated with this adjustment.

Having an owner sign every application relating to their property would create substantial permitting delays and prevent administration from meeting permitting legislative timeline requirements in the Planning Act, Ontario Building Code, CRTC, and City Standards. This is exponentially true for utility permits which would involve many sign offs prior to approval of a permit due to the number of properties affected by for instance one block of utility work.

Furthermore, if an applicant wished to obtain a permit without the owner's knowledge or consent, this individual would be funding a homeowner's property improvement without receiving any actual ownership or equity in return.

**Risk Analysis:**

There would be significant delays in permit issuance associated with requiring signature consent from owners, as outlined in this report. The cost of the permit and indemnity greatly reduces the risk of a person maliciously obtaining permits on behalf of another property owner without their consent.

**Climate Change Risks**

**Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

N/A

**Consultations:**

Brian Velocci, Planner III- Site Plan Approval Officer

Jessica Barlow, Manager- Application Coordination, Building Department

Amy Olsen, Technologist III, Right of Way

Alex Vucinic, Manager of Purchasing/Risk Management

**Conclusion:**

The above report provided information regarding the CQ 10-2024 for information.

It is Administration's position that the existing application process for permitting should be maintained.

**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Adam Pillon	Manager of Right-of-Way
Stacey McGuire	Executive Director, Engineering/Deputy City Engineer
John Revell	Chief Building Official
Mark Winterton	Commissioner, Infrastructure Services/ City Engineer (Acting)
Wira Vendrasco	City Solicitor
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>

**Appendices:**



**Committee Matters: SCM 361/2024**

**Subject: Response to CR227/2024 DHSC 609 Regarding 6 story building with 54 Multiple Dwelling units, located at 835 Tecumseh Rd. E, 2148 Marentette – Ward 4**

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Gary Kaschak

Decision Number: **ETPS 1036**

That the report of the policy analyst dated October 24, 2024, entitled “Response to CR227/2024 DHSC 609 regarding 6 story building with 54 Multiple Dwelling units, located at 835 Tecumseh Rd. E, 2148 Marentette” **BE RECEIVED** for information; and,

That Administration **BE DIRECTED** to undertake Option 1 - Traffic Calming Review and Design (internal staff) at no additional cost, as outlined in the administrative report. Carried.

Councillors Renaldo Agostino and Mark McKenzie disclose an interest and abstain from voting on this matter.

Report Number: S 149/2024  
Clerk’s File: Z/14755 & Z/14754

**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 8.1 from the Environment, Transportation & Public Safety Standing Committee held on November 27, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241128/-1/10524>

**Subject: Response to CR227/2024 DHSC 609 Regarding 6 story building with 54 Multiple Dwelling units, located at 835 Tecumseh Rd. E, 2148 Marentette – Ward 4**

**Reference:**

Date to Council: November 27, 2024

Author: Chris Gerardi

Policy Analyst

519-255-6100 ext. 6830

cgerardi@citywindsor.ca

Public Works - Operations

Report Date: October 24, 2024

Clerk's File #: Z/14755 & Z/14754

**To:** Mayor and Members of City Council

**Recommendation:**

That report "Response to CR227/2024 DHSC 609 regarding 6 story building with 54 Multiple Dwelling units, located at 835 Tecumseh Rd. E, 2148 Marentette" **BE RECEIVED** for information.

**Executive summary:**

N/A

**Background:**

Forming part of the decision made at the City Council Meeting on May 27, 2024, the following direction was given through CR227/2024 DHSC 609:

- VII. 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.

Report Number: SCM 145/2024 & S 49/2024 8.18

Clerk's File: Z/14755 & Z/14754

This direction was given as part of a Zoning By-Law amendment related to a new 54-unit multiple dwelling development area at 835 Tecumseh Road East, 2148 Marentette

Avenue, and 2175 Parent Avenue proposed by the Giovanni Caboto Club (Caboto Club).

**Discussion:**

As with any larger development, the development in question is still subject to Site Plan Control (SPC). At the Zoning Consultation stage, Transportation Planning has requested a Traffic Impact Study (TIS) be prepared by a qualified transportation consultant. The TIS will perform traffic operation analysis as well as identify applicable improvements for future traffic consideration. The TIS must analyze the impact of new access onto Marentette Avenue as this proposal creates a new connection from the Caboto Club parking lot to Marentette Avenue. With this TIS report, City staff can enforce access rules consistent with Transportation Association of Canada and City of Windsor standards as well as address TIS recommendations.

Based on our preliminary evaluation, it is likely that Transportation Planning will deny any proposal that creates a new connection directly from the Caboto Club parking lot to Marentette Avenue. The development may have access from either Parent Avenue via the Caboto Club parking lot, or through an access onto Marentette Avenue. It might be possible that the applicant will propose some sort of mitigation measure that prevent egress from Caboto Club parking lot to Marentette Avenue while maintaining the dual access, for the purpose of this discussion we are going to simply consider the two options.

If the development chooses to pursue an access solely from the Caboto Club parking lot, the expected traffic entering through the neighbourhood to the west is expected to be none. If the development chooses to have access solely to Marentette Avenue, we expect most traffic volume to head north from the provided access and use the intersection of Marentette Avenue and Tecumseh Road East with minimal volumes choosing to head south through the neighbourhoods. Therefore, if there is a traffic issue, it likely would be based on pre-existing conditions and not because of the new development.

After reviewing the neighbourhood west of the proposed development, there is a possibility of cut through traffic from motorists attempting to bypass the intersection of Howard Avenue and Tecumseh Road East. Traffic volume assessment from 2021, shows 1054 vehicle per day passing traffic, on Marentette Avenue south of Tecumseh Road East. This number is only slightly over the 1000 vehicles per day we would expect to see on a local road. This study was the result of a traffic calming request that ultimately failed the residential survey. Residents have the option of submitting a traffic calming request if they choose.

To further address mitigating traffic entering this neighbourhood beyond directing city residents to City's Traffic Calming Policy, Administration has a few of options:

1. A traffic calming analysis be completed utilizing the existing staffing resources to conduct the study in house. This option may need a waiting time to complete the study as there are other prior studies in the queue.
2. A traffic calming analysis of the area be completed utilizing the assistance of an external consultant to perform the traffic calming, safety review and design in a timely manner.

In both cases, the neighborhood traffic calming plan may present tools such as curb extensions, lane narrowing or other options listed in the Traffic Calming Policy that could result in the reduction of on-street parking in the area for both residents and their visitors. The implementation of the resulting traffic calming plan is subject to fund availability.

### **Risk Analysis:**

There are no risks related to receiving this report. Should the Council choose to move forward with option one, no cost is expected to complete a study. However, financial risks to proceeding with Option 2 above, are noted in the Financial Matters section.

### **Climate Change Risks**

#### **Climate Change Mitigation:**

N/A

#### **Climate Change Adaptation:**

N/A

### **Financial Matters:**

The estimated cost for the traffic calming analysis:

Option 1 – Traffic Calming Review and Design (internal staff) – no additional cost

Option 2 – Traffic Calming Review and Design (external) - \$10,000 - \$50,000.

Should Council choose to move forward with Option 2, the costs would be funded by way of pre-commitment of \$50,000 from Traffic Calming Initiatives Project identified for 2026. Pre-commitment of funds would attract internal financial charges until such time as the funding is received.

Until a design is completed under one of the options above, the resulting construction cost cannot be estimated for either option above. Based on limited funding in the existing 10-year project budget, it is possible that the budget would exceed available funding.



**Consultations:**

Ian Day (A) Senior Manager of Traffic Operation and Parking Services  
 Mike Dennis Manager of Strategic Capital Budget Development and Control  
 Cindy Becker Financial Planning Administrator – Public Works  
 Gholamreza (Ray) Sayyadi,(A) Transportation Planning Senior Engineer  
 Elara Mehriou Transportation Planner I

**Conclusion:**

This report offers options to address traffic issues in the neighbourhood west of the proposed Caboto Club development. Administration will use the Site Plan Control process to address issues related to the proposed access onto Marentette Avenue and to prevent additional surcharge. Options have also been presented to further review the potential traffic issues that could be affecting the neighbourhood. However, based on the results of a previous traffic study, Administration does not see evidence that a significant problem exists.

**Planning Act Matters:**

N/A

**Approvals:**

Mark Spizzirri	Manager of Performance Measurement and Business Case Development
Phong Nguy	(Acting) Executive Director of Operations
David Simpson	Commissioner of Infrastructure Services & City Engineer
Tony Ardovini	On behalf of Commissioner of Finance & City Treasurer
David Simpson	Acting Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**



**Committee Matters: SCM 362/2024**

**Subject: Response to CQ 7-2024 - Converting Downtown One-Way Streets to Two-Way Streets – Ward 3**

Moved by: Councillor Renaldo Agostino

Seconded by: Councillor Mark McKenzie

Decision Number: **ETPS 1037**

That the report of the Transportation Planning Coordinator dated September 9, 2024 entitled "Response to CQ 7-2024 – Converting Downtown One-Way Streets to Two-Way Streets – Ward 3" **BE RECEIVED**; and,

That administration **BE DIRECTED** to implement Phase 1 of One-Way to Two-Way Street Conversions and that the study include 11 streets including Lincoln and Gladstone in Ward 4 as opposed to the 9 indicated in the administrative report; and,

That administration **BE DIRECTED** to identify a funding source for the implementation of Phase 1 for Council's consideration.

Carried.

Report Number: S 116/2024

Clerk's File: ST2024

**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 8.2 from the Environment, Transportation & Public Safety Standing Committee held on November 27, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241128/-1/10524>

**Subject: Response to CQ 7-2024 - Converting Downtown One-Way Streets to Two-Way Streets – Ward 3**

**Reference:**

Date to Council: November 27, 2024  
Author: Clare Amicarelli  
Transportation Planning Coordinator  
519-255-6100 ext. 6463  
camicarelli@citywindsor.ca

Public Works - Operations  
Report Date: September 9, 2024  
Clerk's File #: ST2024

**To:** Mayor and Members of City Council

**Recommendation:**

That report "Response to CQ 7-2024 - Converting Downtown One-Way Streets to Two-Way Streets – Ward 3" **BE RECEIVED** for information.

**Executive summary:**

N/A

**Background:**

On Monday, February 12, 2024, Councillor Agostino requested the following Council Question:

**CQ 7-2024:**

*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.*

This report is provided in response to CQ 7-2024.

Some municipalities with a one-way traffic operation network are reviewing a two-way traffic system to determine whether consideration should be given to conversions. The recent trend has been to convert one-way street systems back to two-way operations as a means of calming traffic, primarily to improve the quality of life in residential areas as part of overall downtown revitalizations. The creation of one-way streets originates from when the mission was to move traffic in and out of downtown employment centers as quickly as possible. Therefore, road networks were reconstructed to accommodate a

mass amount of automobile traffic. These reconstructions came in the form of highways, thruways, and one-way streets.

This report provides a comparison of one-way versus two-way street systems for downtowns and presents an evaluation methodology for considering two-way conversion. The north/south one-way streets in the downtown area of Windsor are Janette Avenue, Bruce Avenue, Dougall Avenue, Victoria Avenue, Pelissier Street, Glengarry Avenue, and Aylmer Avenue, and the east/west one-way streets are Pitt Street, and Chatham Street.

Overall, the desired outcome of converting Windsor's one-way streets to two-way, is to improve livability within the community; the outcome must be intended to result in a safer, more active environment and provide for a more livable local community. Opinions and studies on the feasibility and necessity of two-way conversions vary widely, as demonstrated in the Discussion section.

### **Discussion:**

The review for potential conversion(s) must consider various criteria impacts to ensure one road user or factor is not being negatively impacted due to the conversion. In other words, the conversion to a two-way system should not prioritize some factors and sacrifice others. For example, a two-way conversion should not be implemented to prioritize vehicular transportation and businesses while not considering the impacts on other road users such as pedestrians and cyclists. The ultimate decision on whether to convert all one-way streets downtown to two-way streets will depend on the benefits of conversion for all road users and if there are many positive effects on the following criteria listed below.

### **Capacity, Speed, Travel Time and Distance, Downtown Visitors**

Compared to two-ways, one-way systems can accommodate 10% to 20% more traffic on the street, which can translate into fewer lanes and fewer through streets within a one-way grid system, or alternatively, the option to use any surplus capacity/space for other purposes (i.e., dedicated parking lanes, bicycle lanes, wider sidewalks). Furthermore, with one-way streets, congestion and delay are reduced for all modes of transportation, including pedestrians, vehicles and transit, since the signal timing cycle length can be much shorter and the additional signal phases to accommodate left-turn movements are unnecessary.

However, one-way streets have been observed to have higher speeds compared to two-way streets since there is less friction, lowered risk of head-on collisions, and greater lane widths, which create a comfortable feeling for drivers to speed. Although one-way streets tend to have less delay due to signal progression, one-ways may have out-of-direction travel which causes additional travel time, additional vehicle miles of travel, and an increase in the number of turning movements.

Lastly, one-way streets do not pose a major inconvenience for commuters and regular visitors to the downtown as these motorists have learned the downtown network and know the "best route" to their destination. However, occasional visitors to downtown are often confused and disoriented on encountering a one-way street network.

## **Intersection Signalization**

Converting a one-way network to two-way influences the overall traffic network and traffic volumes; therefore, it is possible that a signal may no longer be warranted at an intersection that is currently signalized. If an all-way stop is warranted for the intersection with the conversion to a two-way, then it is possible that the conversion to two-way systems can eliminate some traffic signals in favor of all-way stop signs. In addition, the effect on vehicle queue lengths at each intersection, and the need for turn lanes would need to be determined. Furthermore, each intersection must be reviewed and analyzed to identify any sight line issues and determine the need for removal of those sight obstructions (i.e. on-street parking spaces, trees, shrubbery, landscaping objects, etc.). Any newly signalized intersections required to accommodate two-way traffic will require the addition of traffic poles and signal heads with the associated underground infrastructure.

## **Land Use, Parking, Signage and Pavement Markings**

One-way street systems may be appropriate in highly developed central business districts where it is important to accommodate motor vehicle traffic and maintain good service for pedestrians and cyclists, whereas two-way street systems may be more appropriate in less highly developed central business districts where the emphasis is placed more on livability than serving traffic.

The most effective option is to implement a street system that best fits the needs of the specific area, recognizing that one system does not fit all conditions. In addition, where the two-way system will have three lanes due to the need for a centre left turning lane, there is a high probability that any existing on-street parking must be removed due to the limited amount of right-of-way width available. Or, if new bus stop locations are required due to the one-way to two-way conversion, this may result in loss of existing parking spaces due to a 25-foot parking removal clearance from the transit stops.

Furthermore, the conversion from a one-way system to a two-way system will require sign and pavement marking changes. Sign changes could include the removal or installation of stop signs, removal of one-way signage and do not enter signage, and installation of turning lane signage, while pavement marking changes could include painting stop bars, removing on-street parking space markings, painting through and/or turning arrow pavement markings, and removing or altering painted active transportation markings.

## **Active Transportation**

While one-way to two-way conversions have benefits, it is much more feasible to have high-quality cycling facilities on one-way streets compared to two-way streets due to the right-of-way width availability.

Administration is currently undertaking the Victoria and Pelissier bikeway projects, which are identified in the Active Transportation Master Plan as a high priority bikeway. These projects aim to provide a connection to future bikeways on University Avenue

and Shepherd Street and attract active transportation users to the downtown core. If Victoria Avenue and Pelissier Street are converted from one-way streets to two-way streets, it will not be feasible to maintain both on-street parking and the active transportation facilities planned within these bikeway projects, thereby, removing the opportunity to provide that active transportation facility to the downtown core.

Another benefit to maintaining one-way street systems is that they limit the number of motor vehicle movements at intersections and simplify decision-making for motorists, cyclists and pedestrians, especially the elderly and those with accessibility needs. One-way streets keep streets narrow and allow simpler signal phasing, both of which contribute to short traffic signal cycle lengths and short pedestrian crossings. Although there are benefits for pedestrians of one-way street systems, due to the configuration of one-way streets and two-way streets, one-way streets have sixteen possible conflict points between a vehicle and pedestrian, while two-way streets have only two conflict points between a vehicle and pedestrian. In addition, pedestrians who must travel in the same direction as the one-way vehicular traffic will always have adjacent traffic coming behind them regardless of which side of the street they choose to walk on. This has the potential to make pedestrians feel less safe walking on one-way streets versus two-way streets.

### **Accident Potentials**

With one-way systems, the pedestrian has fewer directions to be concerned about at intersections involving one-way streets, and drivers have fewer potential conflicts to process, which can therefore give more awareness to pedestrian safety. One-way streets also have fewer conflicting turning movements at their intersections, reducing the chance for a through vehicle to encounter a turning vehicle.

However, at intersections of two-streets that are each two-way, pedestrians have an expectation of potential vehicular conflicts with their path as they cross the intersection. These expectations can be different at the intersection of one-way streets, which may create a less safe pedestrian environment. Additionally, although intersections of two-way streets have more conflicting maneuvers, one-way streets correlate with decreased levels of driver attention. Even though one-ways have more conflict points, studies have shown reduced left turn accidents with one-way systems since drivers can turn left without a median.

Overall, it is difficult to determine if one-way streets or two-way streets are safer, since before and after studies in other cities that have converted from one-way to two-way traffic had potential accident increases on some streets and accident decreases on other streets.

### **Trucks, Transit, Garbage Collection, Emergency Response**

For a two-way conversion, truck and transit operations will be largely unaffected on the one-way streets that are not an existing truck route or bus route respectively. However, for one-way streets that are designated routes, there is the potential that the truck and transit operations will require rerouting due to the street converting to a two-way. In addition, any delays experienced by the garbage trucks interrupting traffic flow on the converted two-way streets will be infrequent and comparable to other areas of the city.

Furthermore, since two-ways have narrower lane widths than a one-way, two-ways may limit the ability of motorists to pull over and move out of the way of an emergency response vehicle. However, since two-way streets provide a more direct path to and from destinations and more direct access to a property, some studies indicated that one-way streets are less convenient for emergency response. Even so, this effect may be offset by better signal progression traveling along one-way streets. Additionally, when a collision or other incident closes a street, one-way systems require more distant detours than two-way networks, in which a shift of a single block will suffice.

### **Air and Noise Pollution**

Since one-way street networks have out-of-direction travel, which increases the average driving distance between any paired origin-destination points, this will result in more vehicle miles traveled (VMT). Increased VMT means increased fuel consumption, greenhouse gas emissions, and noise pollution. The direct result of this recirculation is an increase in traffic volumes on a given segment or intersection within a one-way system, and a corresponding degradation in air quality within the downtown.

Alternatively, coordination of traffic signals is more easily attained for one-way streets; this results in improved traffic and bus transit flow with fewer stops, less idling, and lower emissions. In comparison with two-way streets, it is important to note, the traffic signal timing on two-way streets forces vehicles to stop more frequently than on one-way streets. Having vehicles start and stop more times, contributes to an increase in greenhouse gas emissions and downtown air and noise pollution.

Overall, additional studies will be required to determine the deterioration level of air quality for the entire proposed area and noise disturbance level for the residential area.

### **Economic Viability**

Current literature on urban street network design emphasizes that two-way streets create higher levels of economic activity and improve the livability of downtown areas. For example, stores on the cross streets whose facades face the direction of flow are not seen by passing drivers on one-way streets, making two-way streets better for local businesses that depend heavily on pass-by traffic. Additionally, traffic signal timing on two-way streets forces vehicles to stop more frequently than one-way streets, giving drivers more exposure to local businesses. By increasing the direction of vehicle access and range of vehicle turning movements to and from adjacent uses, and ultimately slowing vehicle travel speed, the impacts of vehicles on adjacent land uses is less for two-way streets, creating the potential for calmer communities with two-ways.

Furthermore, one-way streets appear to have higher crime rates. The causes of this relationship are many, however it is important to note that one-ways provide “shadow zones” between buildings in which people can hide. With the reduction of speeding and crime on the two-way streets, this can cause property values to increase dramatically.

As mentioned earlier in the report, it is much more feasible to have high-quality cycling facilities on one-way streets compared to two-way streets due to the right-of-way width available. Since the addition of bike lanes have been shown to increase economic

viability to commercial areas, one-way streets have the potential to become more economically viable if bike lanes are added.

**Risk Analysis:**

There is no risk to receiving this report for information.

**Climate Change Risks**

**Climate Change Mitigation:**

As mentioned in the air and noise pollution section of this report, converting one-way streets to two-way streets increases the number of stops vehicles must make. Increasing the number of times vehicles start and stop, contributes to an increase in idling, greenhouse gas emissions and as a result, downtown air and noise pollution.

Although the potential conversion to two-way streets will increase the number of stops and therefore contribute to air pollution, signal progression can often be maintained on two-way streets to favor the peak direction movement during the morning and afternoon peak hours with minimal effect on through-vehicle delay or the capacity of the network.

**Climate Change Adaptation:**

N/A

**Financial Matters:**

There is no cost associated with receiving the report for information.

The preliminary estimated conversion study and construction costs associated with a large-scale implementation project such as the two-way conversion of nine one-way streets in Windsor’s downtown area, would be significant as shown in Table 1.

**Table 1: Approximate Cost Estimate for One-Way to Two-Way Street Conversions (9)**

<b>Stage of Conversion Project</b>	<b>Components of Stage</b>	<b>Total Estimated Cost for All 9 One-Way Street Conversions in Downtown Windsor (Excluding HST)</b>
Study	Phase 1 – Existing Conditions Assessment: <ul style="list-style-type: none"> <li>• Traffic data collection</li> <li>• Infrastructure inventory</li> <li>• Stakeholder engagement</li> <li>• Engineering and contract administration</li> </ul> Phase 2 – Conversion Analysis: <ul style="list-style-type: none"> <li>• Traffic operations analysis</li> <li>• Assessment of signals infrastructure</li> </ul>	<b>\$150,000</b>



	<ul style="list-style-type: none"> <li>• Signage and pavement markings</li> <li>• Geometric review</li> <li>• Cost estimates</li> <li>• Summary memo</li> </ul> Phase 3 – Implementation Support: <ul style="list-style-type: none"> <li>• Public outreach and engagement</li> <li>• Implementation strategy</li> </ul>	
Construction	<ul style="list-style-type: none"> <li>- Traffic control installations and removals</li> <li>- Intersection upgrades to existing signals (converting existing signals from one-way operations to two-way operations)</li> <li>- Pavement markings</li> <li>- Signage changes</li> <li>- Reconfiguration of unique intersection at Glengarry Ave, Aylmer Ave and Cataragui St</li> <li>- Other civil works, such as sewer work, or new concrete pads or passenger amenities for new bus stops</li> </ul>	<b>\$2,000,000 - \$5,300,000</b>
<b>TOTAL</b>		<b>\$2,150,000 - \$5,450,000</b>

It is important to note there would be duplication of some costs incurred by completing the project in phases. For instance, aside from the civil works needed for an interim phase and final phase, other items for the project such as the report would also have to be written multiple times if the project is done in phases. There are also many efficiencies with studying multiple corridors simultaneously since many of the materials can be reused for each of the corridors. Furthermore, the duration of the study will depend largely on the number of the corridors being reviewed and the availability of traffic data. However, it is estimated that the review of one corridor can be completed within 6 months and the completion of a study of all 9 corridors can be completed within 12 months.

The study could be an area-wide study or a corridor study; although it could be better to study individual corridors, this would cost more as there would be increased public meetings, etc. It is important to note that the civil works can also include sewer work and catch basin relocations in addition to repaving, changes to signals etc., and sewer work will add significant costs to the construction fees.

In addition to the study and construction costs, there are also ongoing maintenance costs that must be accounted for such as the maintenance of signs and signals and refresh of paint markings. Full funding for ongoing maintenance related to the two-lane roadways may not be available in the Traffic Operations operating budget. Operating budget increases would be required to fund ongoing maintenance.

Overall, there is no capital funding included in the current 10-year capital plan for a study of this nature, nor the construction required for the conversion(s). Should Administration be directed to proceed with this work, funding for the study, construction and maintenance of this work would be considered as part of future Capital and Operating Budgets.

**Consultations:**

- Kathleen Quenneville, Active Transportation Coordinator
- Jason Scott, Manager of Transit Planning
- Ian Day, Senior Manager of Traffic Operations and Parking
- Jim Leether, Manager of Environmental Services
- Roberta Harrison, Maintenance Coordinator
- Chris Werstein, Executive Officer Inspector
- Stephen Laforet, Fire Chief
- Cindy Becker, Financial Planning Administrator, Public Works
- Mike Dennis, Manager of Strategic Capital Budget Development and Control

**Conclusion:**

Based on published literature, there is no blanket answer to the topic of converting one-way streets to two-way streets and vice versa. There is also no clear viable solution based on the differing results of studies from other municipalities. This topic requires subjective evaluation as each City and road network segment is different and different organizations define various criteria and metrics to explain their goals and measure their success. For example, lane conversion for streets that are predominantly residential is different than streets that are predominantly commercial, so this will influence different goals and metrics. Therefore, each street considered for the lane conversion project must be evaluated separately to properly evaluate each. There is no such “one size fits all” approach as a variety of socioeconomic, environmental and technical factors are involved.

In addition, the proposed lane-conversion study must weigh the benefits of two-way travel against any trade-offs associated with other factors such as parking and active transportation. The study must look at achieving the safety and business thriving goals in addition to active transportation goals and walk-ability and bike-ability as an overall study. The study would need to determine if a conversion to a two-way system can help achieve those goals. However, the study must ensure each of the goals are reached and not simply look at changing one-ways to two-ways with potentially creating issues with any of the other factors because of that conversion.

Furthermore, public involvement is essential in making a decision that will have very significant impacts on users. The decision to implement a one-way or two-way roadway requires trade-offs and understanding the priorities of the public allows the evaluation study to appropriately weigh the potential impacts.

**Approvals:**

Name	Title
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Mark Spizzirri	Manager of Performance Measurement and Business Case Development
Phong Nguy	(A) Executive Director of Operations / Deputy City Engineer
David Simpson	Commissioner of Infrastructure Services & City Engineer
Tony Ardovini	On behalf of Commissioner of Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email
Councillor Agostino		

**Appendices:**

Appendix A - Ward 3 One-Way Streets Characteristics

**Appendix A: Ward 3 One-Way Streets Characteristics**

**Table A1:**

<b>Street</b>	<b>Ward</b>
Janette Avenue	3
Bruce Avenue	3
Dougall Avenue	3
Victoria Avenue	3
Pelissier Street	3
Glengarry Avenue	3
Aylmer Avenue	3
Pitt Street	3
Chatham Street	3

**Table A2:**

<b>Street</b>	<b>Boundaries</b>
Janette Avenue	Riverside Dr W to Tecumseh Rd W
Bruce Avenue	Riverside Dr W to Tecumseh Rd W
Dougall Avenue	Wyandotte St W to Tecumseh Rd W
Victoria Avenue	University Ave W to Pine St
Pelissier Street	Chatham St W to Erie St W
Glengarry Avenue	Riverside Dr E to Cataraqui St
Aylmer Avenue	Riverside Dr E to Cataraqui St
Pitt Street	Caron Ave to McDougall St
Chatham Street	Caron Ave to McDougall St

**Table A3:**

<b>Street</b>	<b>Direction of Travel</b>
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Janette Avenue	Southbound
Bruce Avenue	Northbound
Dougall Avenue	Southbound
Victoria Avenue	Southbound
Pelissier Street	Northbound
Glengarry Avenue	Southbound
Aylmer Avenue	Northbound
Pitt Street	Eastbound
Chatham Street	Westbound

**Table A4:**

<b>Street</b>	<b>Number of Travel Lanes</b>
Janette Avenue	2 (Riverside Dr W to Pitt St W) 1 (Pitt St W to Hanna St W) 2 (Hanna St W to Tecumseh Rd W)
Bruce Avenue	2 (Riverside Dr W to University Ave W) 1 (University Ave W to Tecumseh Rd W)
Dougall Avenue	1 (Wyandotte St W to Tecumseh Rd W)
Victoria Avenue	2 (University Ave W to Pine St)
Pelissier Street	2 (Chatham St W to Park St W) 3 (Park St W to Maiden Lane W) 2 (Maiden Lane W to Elliot St W) 1 (Elliot St W to Erie St W)
Glengarry Avenue	3 (Riverside Dr E to University Ave E) 2 (University Ave E to Brant St) 3 (Brant St to Wyandotte St E) 2 (Wyandotte St E to Cataraqui St)
Aylmer Avenue	3 (Riverside Dr E to Chatham St E)

	2 (Chatham St E to Cataraqui St)
Pitt Street	3 (Caron Ave to Bruce Ave) 2 (Church St to Dougall Ave – Private Rd) 3 (Dougall Ave – Private Rd to Ferry St) 2 (Ferry St to Goyeau St) 2 (Goyeau St to McDougall St)
Chatham Street	2 (Caron Ave to McDougall St)

**Table A5:**

Street	Parking Limitations
Janette Avenue	Combination of: - no parking - on-street permit parking area - alternate side no parking and - limited parking
Bruce Avenue	Combination of: - no parking - alternate side no parking and - personal accessible parking
Dougall Avenue	Combination of: - no parking, alternate side no parking - on-street designated accessible parking - no stopping or parking and - school bus loading zones
Victoria Avenue	Combination of: - no parking - alternate side no parking - on-street designated accessible parking

	<ul style="list-style-type: none"> <li>- no stopping or parking</li> <li>- street meters</li> <li>- limited parking</li> <li>- on-street permit parking area</li> <li>- angle parking and</li> <li>- school bus loading zones</li> </ul>
Pelissier Street	<p>Combination of:</p> <ul style="list-style-type: none"> <li>- no parking</li> <li>- loading zones</li> <li>- on-street designated accessible parking</li> <li>- no stopping or parking</li> <li>- street meters</li> <li>- limited parking and</li> <li>- on-street permit parking area</li> </ul>
Glengarry Avenue	<p>Combination of:</p> <ul style="list-style-type: none"> <li>- no parking</li> <li>- limited parking and</li> <li>- on-street permit parking area</li> </ul>
Aylmer Avenue	<p>Combination of:</p> <ul style="list-style-type: none"> <li>- no parking</li> <li>- loading zones and</li> <li>- on-street permit parking area</li> </ul>
Pitt Street	<p>Combination of:</p> <ul style="list-style-type: none"> <li>- no parking</li> <li>- loading zones</li> <li>- on-street designated accessible parking</li> <li>- no stopping or parking</li> <li>- street meters</li> </ul>

	<ul style="list-style-type: none"> <li>- limited parking</li> <li>- tow away areas and</li> <li>- on-street permit parking area</li> </ul>
Chatham Street	<p>Combination of:</p> <ul style="list-style-type: none"> <li>- no parking</li> <li>- loading zones</li> <li>- on-street designated accessible parking</li> <li>- no stopping or parking</li> <li>- street meters</li> <li>- limited parking</li> <li>- tow away areas</li> <li>- taxicab stands and</li> <li>- on-street permit parking area</li> </ul>

**Table A6:**

Street	Existing Cycling Infrastructure
Janette Avenue	Bike lane within pavement
Bruce Avenue	Bike lane within pavement
Dougall Avenue	No existing cycling infrastructure
Victoria Avenue	No existing cycling infrastructure
Pelissier Street	No existing cycling infrastructure
Glengarry Avenue	No existing cycling infrastructure
Aylmer Avenue	No existing cycling infrastructure
Pitt Street	No existing cycling infrastructure
Chatham Street	No existing cycling infrastructure

**Table A7:**

Street	Proposed Cycling Infrastructure
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Janette Avenue	Not identified for further cycling infrastructure within Active Transportation Master Plan (ATMP)
Bruce Avenue	Not identified for further cycling infrastructure within ATMP
Dougall Avenue	Wyandotte St W to Ellis St W not identified for bicycle facility within ATMP  Ellis St W to Tecumseh Rd W identified as a future protected bike lane within ATMP
Victoria Avenue	University Ave W to Erie St W planned for buffered bike lane  Erie St W to Pine St planned for sharrows
Pelissier Street	Chatham St W to University Ave W not identified for bicycle facility within the ATMP  University Ave W to Erie St W planned for buffered bike lane
Glengarry Avenue	Not identified for bicycle facility within ATMP
Aylmer Avenue	Not identified for bicycle facility within ATMP
Pitt Street	Not identified for bicycle facility within ATMP
Chatham Street	Not identified for bicycle facility within ATMP

**Table A8:**

Street	Right-of-Way Width
Janette Avenue	21.3m  (From Riverside Dr W to Ellis St W)  20.1m  (From Ellis St W to Tecumseh Rd W)
Bruce Avenue	21.3m  (From Riverside Dr W to Tecumseh Rd W)
Dougall Avenue	20.1m  (From Wyandotte St W to Tecumseh Rd W)

Victoria Avenue	27.4m (From University St W to Erie St W) 25.6m (From Erie St W to Pine St W)
Pelissier Street	18.3m (From Chatham St W to Erie St W)
Glengarry Avenue	27.4m (From Riverside St W to Cataraqui St W)
Aylmer Avenue	30.5m (From Riverside St W to Cataraqui St W)
Pitt Street	20.1m (From Caron Ave to Goyeau St) 16.2m (From Goyeau St to McDougall St)
Chatham Street	20.1m (From Caron Ave to McDougall St)

## Item No. 8.6



### Committee Matters: SCM 363/2024

#### **Subject: Response to CQ 5-2021 - Update on Effectiveness of Wintertime Signage for Pedestrian Walkways**

Moved by: Councillor Gary Kaschak  
Seconded by: Councillor Mark McKenzie

Decision Number: **ETPS 1038**

That the report of the Coordinator Maintenance dated October 29, 2024 entitled "Response to CQ 5-2021 - Update on Effectiveness of Wintertime Signage for Pedestrian Walkways" **BE RECEIVED** for information.

Carried.

Report Number: S 150/2024  
Clerk's File: SW2024

#### **Clerk's Note:**

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are the same.
2. Please refer to Item 8.3 from the Environment, Transportation & Public Safety Standing Committee held on November 27, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241128/-1/10524>

**Subject: Response to CQ 5-2021 - Update on Effectiveness of Wintertime Signage for Pedestrian Walkways**

**Reference:**

Date to Council: November 27, 2024  
Author: Roberta Harrison  
Coordinator, Maintenance  
roharrison@citywindsor.ca  
(519) 255-6560 ext. 4241  
Public Works - Operations  
Report Date: October 29, 2024  
Clerk's File #: SW2024

**To:** Mayor and Members of City Council

**Recommendation:**

THAT the report in response to CQ 5-2021 *"Update on Effectiveness of Wintertime Signage for Pedestrian Walkways"* **BE RECEIVED** for information.

**Executive Summary:**

N/A

**Background:**

On March 8, 2021, Councillor Kaschak asked the following Council Question:

**CQ 5-2021:**

*"As Ward 8 & Ward 7 & Ward 6 to some degree have a number of pedestrian walkways that are in the Fontainebleau & Forest Glade areas for the most part that are not being maintained from a Winter maintenance standpoint as no snow removal or salting is being done by any City department & thus this puts the City into a 311 complaint & potential liability situation.*

*I ask that Administration prepare a report to be brought to Council prior to the next Winter season December 2021 to determine if these walkways are part of our Asset Management Plan moving forward & thus to be maintained all seasons of the year and especially during winter by our Parks or Public Works Department OR the procedure of how City Administration would move forward to close the remaining pedestrian walkways in Ward 8 and potentially the rest of the City to eliminate resident complaints & City of Windsor liability."*

## **Discussion:**

Council Report: S 110/2021 was prepared in response to CQ 5-2021. On October 4, 2021, Council approved the addition of wintertime signage at 31 pedestrian inter-block walkways. (Decision Number: ETPS 858).

Administration was directed to monitor the effectiveness of these signs over a two-year period, with funding of \$18,600 approved from the Budget Stabilization Reserve Fund for sign installation and inspection costs.

Since the installation of "Path Closed For Winter / No Winter Maintenance" signage at 31 walkways (62 signs), no complaints have been received from residents regarding the closed walkways. This suggests that the signage has successfully informed the public about the walkways' wintertime closure, effectively reducing potential liability and managing public expectations

## **Risk Analysis:**

The absence of complaints, coupled with proper signage, suggests that the moderate health and safety risks identified in the report S 110/2021 were adequately mitigated without requiring additional winter maintenance.

## **Climate Change Risks**

### **Climate Change Mitigation:**

N/A

### **Climate Change Adaptation:**

N/A

## **Financial Matters:**

The signage has proven to be a cost-effective way to manage these areas. The \$18,600 allocated was sufficient, and no further budget increases were necessary for snow removal or walkway maintenance. Any future costs to maintain the signage will be absorbed within the Winter Control budget.

## **Consultations:**

Cindy Becker, Financial Planning Administrator, Operations

Rob Slater, Executive Initiatives Coordinator

Dave Nicholls, Manager Parks Operations

**Conclusion:**

The installation of signage has proven to be an effective measure in managing the City's liability and safety concerns during the winter on the 31 pedestrian walkways.

**Approvals:**

Name	Title
Roberta Harrison	Coordinator, Maintenance
Mark Spizzirri	Manager, Performance Measurement & Business Case Development
Phong Nguy	(Acting) Executive Director of Operations
David Simpson	Commissioner, Infrastructure Services and City Engineer
James Chacko	Executive Director, Parks, Recreation & Facilities
Janice Guthrie	Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**

## Item No. 8.7



### Committee Matters: SCM 364/2024

**Subject: Minutes of the Essex-Windsor Solid Waste Authority (EWSWA) Regular Board of its meeting held July 10, 2024**

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

Decision Number: **ETPS 1034**

That the minutes of the Essex-Windsor Solid Waste Authority (EWSWA) meeting held July 10, 2024 **BE RECEIVED**.  
Carried.

Report Number: SCM 330/2024

#### Clerk's Note:

1. Please refer to Item 7.1 from the Environment, Transportation & Public Safety Standing Committee held on November 27, 2024.
2. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241128/-1/10524>



**Committee Matters: SCM 330/2024**

**Subject: Minutes of the Essex-Windsor Solid Waste Authority (EWSWA) Regular Board of its meeting held July 10, 2024**





# Essex-Windsor Solid Waste Authority Regular Board Meeting MINUTES

Meeting Date: Wednesday, July 10, 2024

Time: 4:00 PM

Location: Essex County Civic Centre  
Council Chambers, 2<sup>nd</sup> Floor  
360 Fairview Avenue West  
Essex, Ontario N8M 1Y6

## Attendance

### Board Members:

Gary Kaschak –Chair	City of Windsor
Kieran McKenzie	City of Windsor
Jim Morrison	City of Windsor
Mark McKenzie	City of Windsor
Gary McNamara – Vice Chair	County of Essex
Hilda MacDonald	County of Essex
Michael Akpata	County of Essex

### EWSWA Staff:

Michelle Bishop	General Manager
Steffan Brisebois	Manager of Finance & Administration
Cathy Copot-Nepszy	Manager of Waste Diversion
Tom Marentette	Manager of Waste Disposal
Madison Mantha	Project Lead
Teresa Policella	Executive Assistant

### City of Windsor Staff:

Anne-Marie Albidone	Manager of Environmental Services
Shawna Boakes	Executive Director of Operations
Jim Leether	Manager of Environmental Services
Mark Spizzirri	Manager of Performance Management and Business Case Development

### County of Essex Staff:

Melissa Ryan	Director of Financial Services/Treasurer
David Sundin	Solicitor/Interim Director, Legislative and Community Services

### Absent:

Drew Dilkens	City of Windsor (Ex-Officio)
Fred Francis	City of Windsor

Rob Shepley County of Essex (left at 4:36PM – in attendance for In-Camera meeting)  
Tony Ardovini Deputy Treasurer Financial Planning

1. Call to Order

The Chair called the meeting to order at 4:00PM.

2. Motion to Move In-Camera

Moved by Mark McKenzie  
Seconded by Rob Shepley

THAT the Board moved into a closed meeting pursuant to Section 239 (2) (e) (f), and (k) of the Municipal Act, 2001, as amended for the following reason:

- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
- (k) A position, plan, procedure, criteria, or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipally or local board.

42-2024  
Carried

Moved by Gary McNamara  
Seconded by Hilda MacDonald

THAT the EWSWA Board rise from the Closed Meeting at 4:36PM.

50-2024  
Carried

3. Declaration of Pecuniary Interest

The Chair called for any declarations of pecuniary interest and none were noted. He further expressed that should a conflict of a pecuniary nature or other arise at any time during the course of the meeting that it would be noted at that time.

4. Approval of the Minutes

Moved by Mark McKenzie  
Seconded by Hilda MacDonald

THAT the minutes from the Essex-Windsor Solid Waste Authority Regular Meeting, dated May 7, 2024, be approved and adopted.

51-2024  
Carried

5. Business Arising from the Minutes

No items were raised for discussion.

6. Correspondence

A. Town of Kingsville Resolution 101-05062024 Regarding Regional Organic Waste Collection and Processing Program

Moved by Gary McNamara

Seconded by Mark McKenzie

THAT the Board receive the correspondence as information.

52-2024  
Carried

B. Letter from eTracks – Collection Site Award of Excellence

The Manager of Waste Diversion was pleased to share that the Authority was recognized by eTracks with a Collection Site Award of Excellence. eTracks is one of six organizations that manage the recycling of tires on behalf of Producers.

Moved by Kieran McKenzie

Seconded by Mark McKenzie

THAT the Board receive the report as information.

53-2024  
Carried

7. Waste Diversion

A. EWSWA Material Recovery Facilities (MRFs) Lease Update

The Manager of Waste Diversion presented the status update report and recommendations regarding the Material Recovery Facility lease following the Transition of the Blue Box Program on August 28, 2024.

Kieran McKenzie asked if the agreement on cardboard still had to be negotiated.

The Manager of Waste Diversion stated this has been negotiated with HGC and Administration is satisfied as the agreement will generate revenue.

Moved by Jim Morrison

Seconded by Mark McKenzie

THAT the Board delegate authority to the General Manager of the Essex-Windsor Solid Waste Authority, in consultation with the Technical Staff Committee and Legal Services, to negotiate and execute, in the best interest of the region, the legal agreement(s) needed for the lease of the Container MRF

and the provision of recyclable materials processing services with HGC Management Inc. as described within this report.

54-2024  
Carried

**B. Tender Award for the Demolition and Removal of Material Recovery Facility Processing Equipment**

The Manager of Waste Diversion stated that the purpose of the report is to recommend award for the Request for Tender (RFT) for the demolition and removal of processing equipment in the Fibre Material Recovery Facility (MRF) to HGC Management Inc. at the cost of \$100,000 exclusive of HST.

She explained that while bids were accepted for the demolition of processing equipment within the Container MRF, the Authority is not pursuing this at this time as it is evaluating a further use of this MRF.

As provided at the April 10<sup>th</sup> Board meeting, the cost to decommission the Fibre MRF will form part of the total project cost to construct the Windsor Source Separated Organics Transfer Station. The estimate for this project was included in the 2024 Operational Plan and Budget.

The Chair asked if there were any questions. No questions were asked.

Moved by Michael Akpata  
Seconded by Gary McNamara

THAT the award the Request for Tender for the demolition and removal of the processing equipment in the Fibre Material Recovery Facility to HGC Management Inc. at a cost of \$100,000 exclusive of HST.

55-2024  
Carried

**C. Blue Box Transition Update**

The Manager of Waste Diversion presented the report and provided an update on Essex-Windsor's Blue Box Transition process and identified items that Administration is currently finalizing in advance of the August 28<sup>th</sup> Transition date.

Moved by Mark McKenzie  
Seconded by Kieran McKenzie

THAT the Board receive the report as information.

56-2024  
Carried

D. County of Essex Council Decision Regarding the Addition of Rural Curbside Collection of Source Separated Organics for the Green Bin Program in the County of Essex

The General Manager presented the report and stated that on June 5, 2024, County of Essex Council resolved to approve the collection and processing of organic waste for households in rural settlement areas in all County municipalities.

The General Manager referred to the Town of Kingsville's resolution provided in Agenda Item 6A regarding the funding of the Green Bin program. At this same meeting, County Council also approved the proposed hybrid funding model outlined in the report. The County's Director of Finance will attend a future Board meeting as delegation to explain the financial impact on the Authority.

Kieran McKenzie asked if the Authority will be able to track the green bin material by municipality.

The General Manager confirmed that the waste generated in the green bin will be tracked by municipality.

Mr. Morrison asked will the municipality be billed for the exact number of houses in the municipality.

The General Manager stated that all single-family residences would be included in the program cost except those that are clearly unoccupied or under construction, those will not be included. However, similar to the blue program, if a resident chooses not to participate they will still be billed.

The Manager of Waste Diversion noted that Miller Waste will be tracking which residence sets out material and which doesn't. The Authority will then target those areas to promote participation. She noted that a lot of thought was put into the RFP to ensure a successful program.

Moved by Kieran McKenzie

Seconded by Gary McNamara

1. THAT the Authority Board receive the report as information.
2. THAT the Authority Board authorize the Chair and General Manager to execute the Contract with Miller Waste Systems Inc. for the curbside collection of source separated organics in both urban and rural settlement areas in all seven municipalities in the County of Essex.

57-2024  
Carried

E. Four-Season 2022/2023 Residential Waste Audit Results

The Manager of Waste Diversion provided a summary of the residential waste audit results conducted by the auditor, AET Group Inc.

She highlighted the following results of the report:

- Participation in the garbage waste stream was approximately 81% and red and blue box approximately 65% each.
- Fall had the highest participation rate, whereas, summer had the lowest participation rate.
- Households that were audited set out almost one full 95-gallon garbage container per week, one full red box and  $\frac{3}{4}$  full blue box container.
- 48% of the garbage waste stream was food waste and 18% was material that could have been diverted.
- The Authority's education programs are working. Residents were good at putting material in the correct bin.

The Authority has developed the following next steps based off AET's recommendations as a result of the audit:

- It is important to promote the Authority's depots and that dropping off items can be dropped for free.
- The Envirotips newsletter will include information about transition.
- Try to reduce garbage by 50% through the green bin program.
- The Authority is working with a marketing consultant on rebranding and refresh the Authority's brand as the current branding is focused on the blue box.
- Conduct another audit in five years to allow the Authority to compare the results of this audit and the impact of the green bin program and EPR.

Moved by Gary McNamara

Seconded by Kieran McKenzie

THAT the Board receive the report as information.

58-2024  
Carried

#### F. RFP Result and Next Steps for a Source Separated Organics Transfer Station at the Essex-Windsor Regional Landfill

The General Manager presented the report and recommendations regarding the results of the Request for Proposals (RFP) for a source separated organics (SSO) transfer station at the Regional Landfill and advised the Board of the next steps for the project.

Mr. Morrison asked how long the material will be sitting before it is transferred to Seacliff Energy.

The Manager of Waste Diversion stated the material would ship within 24 hours or the same day due to odour and pests.

There were no further questions.

Moved by Mark McKenzie

Seconded by Michael Akpata

1. THAT the Board approve the recommendation to cancel the Request for Proposals RFP 2024-04-11 for engineering services for design and approvals for an SSO transfer station and MHSW depot upgrades at the Essex-Windsor Regional Landfill.
2. THAT the Board DIRECT Administration to report back on next steps for the SSO Transfer Station at the Essex-Windsor Regional Landfill.

59-2024  
Carried

## 8. Waste Disposal

### A. Tender for the Construction of the Regional Landfill Cell 5 North – Award of Contract

The Manager of Waste Disposal presented the report regarding the tender for the construction of Cell 5 North at the Regional Landfill and recommended that the tender be awarded to Sterling Ridge Infrastructure Inc.

The Chair asked if there were any questions. No questions were asked.

Moved by Mark McKenzie

Seconded by Kieran McKenzie

THAT the Authority Board award the Request for Tender Contract 9-2024 for the Regional Landfill Cell 5 North Construction to Sterling Ridge Infrastructure Inc. with an upset limit in the amount of \$12,035,300 (plus HST) and that the Chair and General Manager be authorized to enter into an agreement in accordance with the tender documents.

60-2024  
Carried

## 9. Finance and Administration

### A. 2024/2025 EWSWA Insurance

The Manager of Finance provided an update on the comprehensive insurance renewal for 2024/2025. There were no changes to any specific policies for the renewal period. He referred to the table on page 69 of the agenda package

which summarizes the various coverages and related premiums. There was an overall savings of approximately \$41,000 from the previous year.

Moved by Kieran McKenzie  
Seconded by Jim Morrison  
THAT the Board receive the report as information.

61-2024  
Carried

10. New Business

The General Manager advised that the August meeting will be cancelled. Administration will provide updates on the promotion and education of Blue Box Transition via email. An update regarding Blue Box Transition will be provided at the September meeting.

11. Other Items

No items were raised for discussion.

12. By-Laws

A. By-Law 8-2024

Moved by Kieran McKenzie  
Seconded by Mark McKenzie  
THAT By-Law 8-2024, being a By-Law to Authorize the General Manager of the Essex-Windsor Solid Waste Authority, in consultation with the Technical Staff Committee and Legal Services, to negotiate and execute, in the best interest of the region, the legal agreement(s) needed for the lease of the Container MRF and the provision of recyclable materials processing services with HGC Management Inc.

62-2024  
Carried

B. By-Law 9-2024

Moved by Michael Akpata  
Seconded by Mark McKenzie  
THAT By-Law 9-2024, being a By-Law to Authorize the Execution of an Agreement between the Essex-Windsor Solid Waste Authority and HGC Management Inc. for the Demolition and Removal of Processing Equipment in the Fibre Material Recovery Facility.

63-2024  
Carried



C. By-Law 10-2024

Moved by Gary McNamara

Seconded by Jim Morrison

THAT By-Law 10-2024, being a By-Law to Authorize the Execution of an Agreement with Miller Waste Systems Inc. for the Curbside Collection of Source Separated Organics in both Urban and Rural Settlement Areas in all seven municipalities in the County of Essex

64-2024  
Carried

D. By-Law 11-2024

Moved by Mark McKenzie

Seconded by Gary McNamara

THAT By-Law 11-2024, being a By-Law to Authorize the Execution of an Agreement between the Essex-Windsor Solid Waste Authority and Sterling Ridge Infrastructure Inc. for the Regional Landfill Cell 5 North Construction.

65-2024  
Carried

E. By-Law 12-2024

Moved by Kieran McKenzie

Seconded by Mark McKenzie

THAT By-Law 12-2024, being a By-law to Confirm the Proceedings of the Board of the Essex-Windsor Solid Waste Authority be given three readings and be adopted this 10<sup>th</sup> day of July, 2024.

66-2024  
Carried

13. Next Meeting Dates

Wednesday August 14, 2024 – Cancelled

Wednesday, September 11, 2024

Wednesday, October 9, 2024

Tuesday, November 5, 2024

Tuesday, December 3, 2024

14. Adjournment

Moved by Kieran McKenzie

Seconded by Jim Morrison

THAT the Board stand adjourned at 5:45PM.


67-2024  
Carried

All of which is respectfully submitted.



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**Gary Kaschak**  
**Chair**



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**Michelle Bishop**  
**General Manager**

## Item No. 8.8



### Committee Matters: SCM 365/2024

**Subject: Minutes of the Essex-Windsor Solid Waste Authority (EWSWA) Regular Board of its meeting held September 11, 2024**

Moved by: Councillor Mark McKenzie  
Seconded by: Councillor Gary Kaschak

Decision Number: **ETPS 1035**

That the minutes of the Essex-Windsor Solid Waste Authority (EWSWA) meeting held September 11, 2024 **BE RECEIVED**.  
Carried.

Report Number: SCM 331/2024

#### Clerk's Note:

1. Please refer to Item 7.2 from the Environment, Transportation & Public Safety Standing Committee held on November 27, 2024.
2. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241128/-1/10524>



**Committee Matters: SCM 331/2024**

**Subject: Minutes of the Essex-Windsor Solid Waste Authority (EWSWA) Regular Board of its meeting held September 11, 2024**



# Essex-Windsor Solid Waste Authority Regular Board Meeting MINUTES

Meeting Date: Wednesday, September 11, 2024

Time: 4:00 PM

Location: Essex County Civic Centre  
Council Chambers, 2<sup>nd</sup> Floor  
360 Fairview Avenue West  
Essex, Ontario N8M 1Y6

## Attendance

### Board Members:

Kieran McKenzie	City of Windsor
Mark McKenzie	City of Windsor
Fred Francis	City of Windsor
Gary McNamara – Vice Chair	County of Essex
Michael Akpata	County of Essex
Rob Shepley	County of Essex

### EWSWA Staff:

Michelle Bishop	General Manager
Steffan Brisebois	Manager of Finance & Administration
Cathy Copot-Nepszy	Manager of Waste Diversion
Tom Marentette	Manager of Waste Disposal
Madison Mantha	Project Lead
Teresa Policella	Executive Assistant

### City of Windsor Staff:

Anne-Marie Albidone	Manager of Environmental Services
Shawna Boakes	Executive Director of Operations
Jim Leether	Manager of Environmental Services
Mark Spizzirri	Manager of Performance Management & Business Case Development
Tony Ardovini	Deputy Treasurer Financial Planning

### County of Essex Staff:

Melissa Ryan	Director of Financial Services/Treasurer
David Sundin	Solicitor/Interim Director, Legislative & Community Services

### Absent:

Drew Dilkens	City of Windsor (Ex-Officio)
Gary Kaschak –Chair	City of Windsor
Jim Morrison	City of Windsor
Hilda MacDonald	County of Essex

1. Call to Order

The Vice Chair called the meeting to order at 4:02 PM.

2. Motion to Move In-Camera

Moved by Fred Francis  
Seconded by Kieran McKenzie

That the Board move into a closed meeting pursuant to Section 239 (2) (e) (f), and (k) of the Municipal Act, 2001, as amended for the following reason:

- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
- (k) A position, plan, procedure, criteria, or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipally or local board.

68-2024  
Carried

Moved by Fred Francis  
Seconded by Rob Shepley

That the EWSWA Board rise from the Closed Meeting at 4:31PM.

71-2024  
Carried

3. Declaration of Pecuniary Interest

The Vice Chair called for any declarations of pecuniary interest and none were noted. He further expressed that should a conflict of a pecuniary nature or other arise at any time during the course of the meeting that it would be noted at that time.

4. Approval of the Minutes

Moved by Kieran McKenzie  
Seconded by Michael Akpata

That the minutes from the Essex-Windsor Solid Waste Authority Regular Meeting, dated July 10, 2024, be approved and adopted.

72-2024  
Carried

5. Business Arising from the Minutes

No items were raised for discussion.

6. Delegation

A. Melissa Ryan, County of Essex, Director, Financial Services/Treasurer

Re: Funding Model for Regional Food and Organics Waste Management Program (Green Bin Program)

Ms. Ryan presented a report regarding County Council's preferred funding model for the regional Green Bin program and a recommendation that the Authority Board consider and approve the hybrid funding model.

She stated that on May 15, 2024, County Council directed County Administration to prepare a report to analyze different funding models for the Green Bin program. On June 5, 2024, after review of County Administration's proposed three funding model options, County Council approved the proposed hybrid model that combines the county levy-based funding model with a user fee methodology. In addition, County Council also directed County Administration to prepare a report that identifies their preferred funding model with the rationale and forward it to the EWSWA Board for their consideration.

Moved by Rob Shepley

Seconded by Mark McKenzie

That the Board receive the report as information.

That the Board consider and approve the hybrid funding model for the Green Bin Program as recommended by County Council.

That the Board direct its administration to work with County Administration and local municipalities to implement the hybrid funding model effectively.

73-2024  
Carried

7. Waste Diversion

A. County of Essex Green Bin Program Funding Model Request

The General Manager noted the report was to provide additional information to Ms. Ryan's report. The request for the hybrid funding model will form part of the Authority's 2025 Operational Plan and Budget and be presented to the Board for consideration. Pending the approval of the Board the Budget will then have to be presented to both the City of Windsor and County Councils for approval per the agreement that created the Authority.

Moved by Fred Francis

Seconded by Rob Shepley

That the Board receive the report as information.

That the Board receive the report from the County of Essex titled Funding Model for Regional Food and Organics Waste Management Program (Green Bin Program).

That the Board direct Administration to include the preferred Hybrid Funding Model for the Regional Food and Organics Waste Management Program (Green Bin Program) as part of the 2025 Operational Plan and Budget to be presented to the EWSWA Board for their consideration.

74-2024  
Carried

**B. Supply and Distribution of Green Carts and Kitchen Containers RFP Results**

The Manager of Waste Diversion presented the comprehensive report and the results of the RFP for the supply and distribution of Green Carts and Kitchen Containers and recommended that the RFP be awarded to IPL North America Inc.

A detailed overview of the both the cart and kitchen container was provided as well as the distribution plan for both phase one and two of the program launch.

IPL North America Inc. achieved the highest overall score as a result of the RFP evaluation process. The cost submitted to supply and distribute a 120 litre capacity cart, kitchen container and program information material to each household was \$73.09 exclusive of HST.

The Vice Chair asked if there were any questions.

Mr. Akpata asked where will the information on the Radio-Frequency Identification (RFID) tags be stored.

The Manager of Waste Diversion stated that it will be saved on the Authority database and the information will be secured.

Moved by Mark McKenzie

Seconded by Fred Francis

That the Authority Board award the Base Services of RFP 2024-06-25 for the supply and initial distribution of Green Carts and Kitchen Containers to the Preferred Proponent IPL North America Inc.

That the Authority Board authorize the Chair and General Manager to execute the Contract with IPL North America Inc. commencing upon award with distribution to households to occur in time for the Green Bin Program implementation in two phases; Phase 1: October 2025 and Phase 2: late 2026 for a period of five (5) years, with an option for renewal. Where, the Authority reserves the right to extend the Contract for four (4) additional, one-year



extensions or portions of a year thereof at the absolute unfettered discretion of the Authority, and such extensions shall be under the same terms and conditions as contained within the executed Contract.

75-2024  
Carried

8. Waste Disposal

A. Large Volume Customer Contract – Waste Connections of Canada Inc.

The General Manager provided an overview of the report regarding the execution of a large volume disposal contract between the Authority and Waste Connections of Canada for the period September 1, 2024 to August 31, 2025.

Moved by Fred Francis

Seconded by Rob Shepley

That the Board receive the report as information.

76-2024  
Carried

9. Finance and Administration

A. January to June 2024 – 6 Month Operations Financial Review

The Manager of Finance of Administration provided a six-month financial review of operating expenses and revenue and referred to the tables on pages 37 and 38 of the agenda package that highlighted the significant variances to the 2024 Operational Plan and Budget. He noted a favourable variance in revenue from the sale of recyclable goods due to an increase of the average price per tonne of material marketed. Revenue from Industrial/Commercial/Institutional (ICI) customers has decreased due to a decrease in tonnage delivered to the Regional Landfill for disposal. Administration will include a complete 2024 financial projection as part of the 2025 Operational Plan and Budget scheduled to be presented at the November Board meeting.

The Vice Chair asked if there were any questions. No questions were asked

Moved by Michael Akpata

Seconded by Kieran McKenzie

That the Board receive the report as information.

77-2024  
Carried

10. New Business

No items were raised for discussion.

11. Other Items

No items were raised for discussion.

12. By-Laws

A. By-Law 13-2024

Moved by Kieran McKenzie

Seconded by Mark McKenzie

That By-Law 13-2024, being a By-Law to Authorize the Execution of an Agreement with IPL North America Inc. for the Supply and Initial Distribution of Green Carts and Kitchen Catchers to residents in Essex-Windsor for the new Green Bin Program, commencing upon award with distribution in two phases; Phase 1: October 2025 and Phase 2: late 2026 for a period of five (5) years, with the option to extend the Contract for four (4) additional, one-year (1) extensions or portions of a year thereof at the absolute unfettered discretion of the Authority and such extensions shall be under the same terms and conditions as contained within the executed Contract

78-2024  
Carried

B. By-Law 14-2024

Moved by Kieran McKenzie

Seconded by Mark McKenzie

That By-Law 14-2024, being a By-law to Confirm the Proceedings of the Board of the Essex-Windsor Solid Waste Authority be given three readings and be adopted this 11<sup>th</sup> day of September, 2024.

79-2024  
Carried

13. Next Meeting Dates

Wednesday, October 9, 2024

Tuesday, November 5, 2024

Tuesday, December 3, 2024

14. Adjournment


Moved by Michael Akpata

Seconded by Fred Francis

That the Board stand adjourned at 4:57 PM.

80-2024  
Carried

All of which is respectfully submitted.



**Gary McNamara**  
**Vice Chair**



**Michelle Bishop**  
**General Manager**



**Subject: Zoning Bylaw Amendment Z 020-24 [ZNG-7216] Farhi Holdings Corporation 8565 McHugh Street – Combined Use Building Development – Ward 6**

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

Decision Number: **DHSC 676**

That subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for Block 43, Plan 12M-678; in the City of Windsor, known municipally as 8565 McHugh Street by adding site specific regulations as follow:

**516. SOUTHWEST CORNER DARFIELD ROAD AND MCHUGH STREET**

For the lands described as for Block 43, Plan 12M-678, in the City of Windsor, known municipally as 8565 McHugh Street, the following regulations shall apply:

- a) Notwithstanding Section 15.2.5.15 of Zoning Bylaw 8600, dwelling units on a ground floor in a combined use building shall be an additional permitted use.
- b) Building Height – Maximum – 28.0 m;
- c) Building setback from an interior lot line abutting a Residential District (RD) 1.1 zone - 24m.

Carried.

Report Number: S 152/2024  
Clerk's File #: Z/14848

**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 December 2, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241202/-1/10526>

**Subject: Zoning Bylaw Amendment Z 020-24 [ZNG-7216] Farhi Holdings Corporation 8565 McHugh Street – Combined Use Building Development – Ward 6**

**Reference:**

Date to Council: December 2, 2024

Author: Jim Abbs

Planner III - Development

519-255-6543 x6317

jabbs@citywindsor.ca

Report Date: November 1, 2024

Clerk's File #: Z/14848

To: Mayor and Members of City Council

**Recommendation:**

**THAT** subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for Block 43, Plan 12M-678; in the City of Windsor, known municipally as 8565 McHugh Street by adding site specific regulations as follow:

**516. SOUTHWEST CORNER DARFIELD ROAD AND MCHUGH STREET**

For the lands described as for Block 43, Plan 12M-678, in the City of Windsor, known municipally as 8565 McHugh Street, the following regulations shall apply:

- a) Notwithstanding Section 15.2.5.15 of Zoning Bylaw 8600, dwelling units on a ground floor in a combined use building shall be an additional permitted use.
- b) Building Height – Maximum – 28.0 m;
- c) Building setback from an interior lot line abutting a Residential District (RD) 1.1 zone - 24m.

**Executive Summary:**

N/A

**Background:**

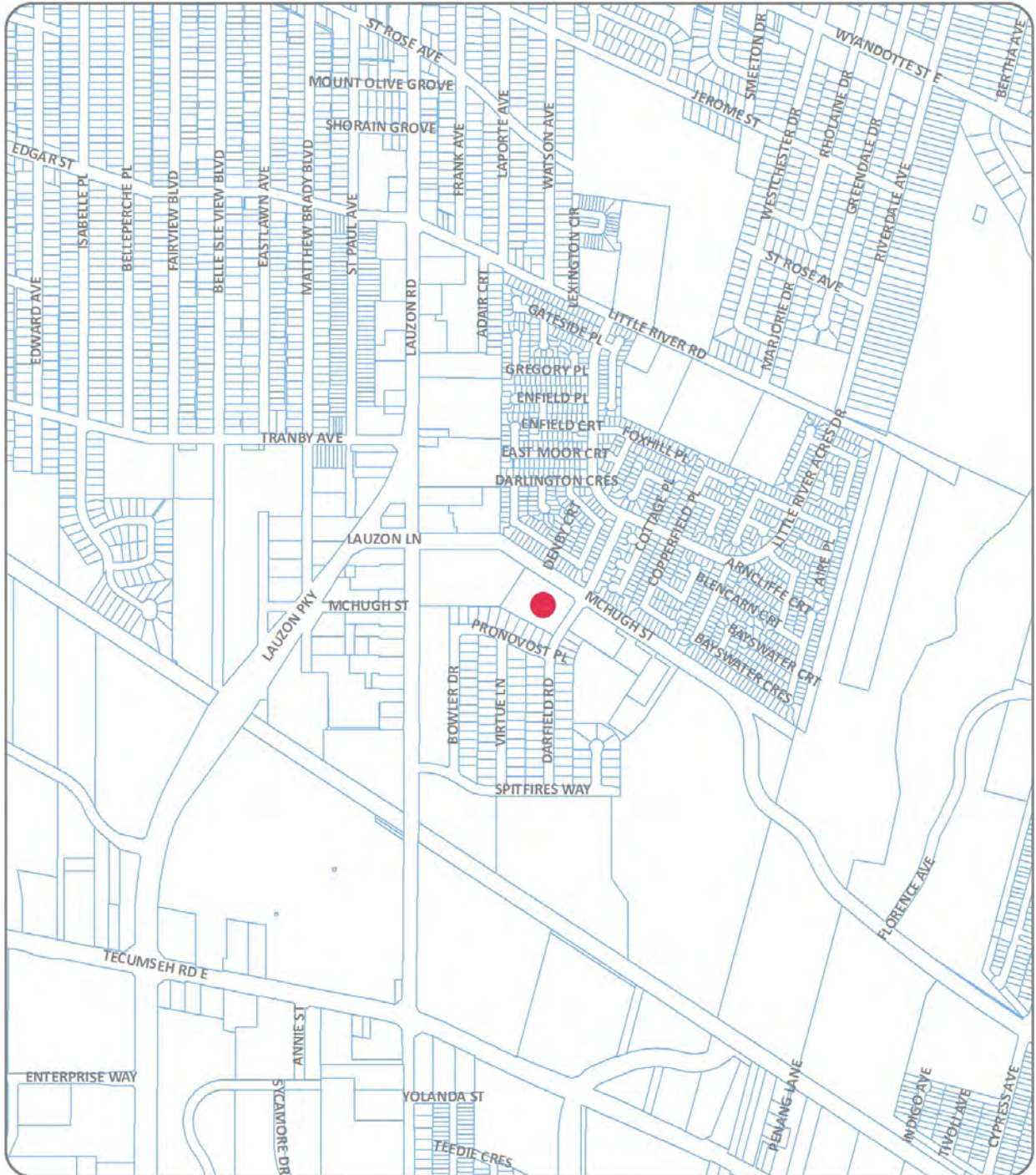
**Application Information:**

Location: 8565 McHugh Street

Ward: 6



Planning District: Riverside ZDM: 14  
Owner: Farhi Holdings Corporation  
Agent: Dillon Consulting Limited (Amy Farkas)



KEY MAP - Z-020/24, ZNG/7216



● SUBJECT LANDS

**Proposal:**

The proposed development includes the construction of a six (6)-storey mixed use building with a total of 119 dwelling units and approximately 111 m<sup>2</sup> (1,200 ft<sup>2</sup>) of ground floor commercial. The proposed development also includes 180 parking spaces for a parking ratio of 1.45 spaces per dwelling unit, when assuming four (4) of those spaces would be allocated to the commercial use. Access to the Subject Site will be provided through two (2) driveways along Darfield Road. No vehicle access areas to McHugh Street are proposed.

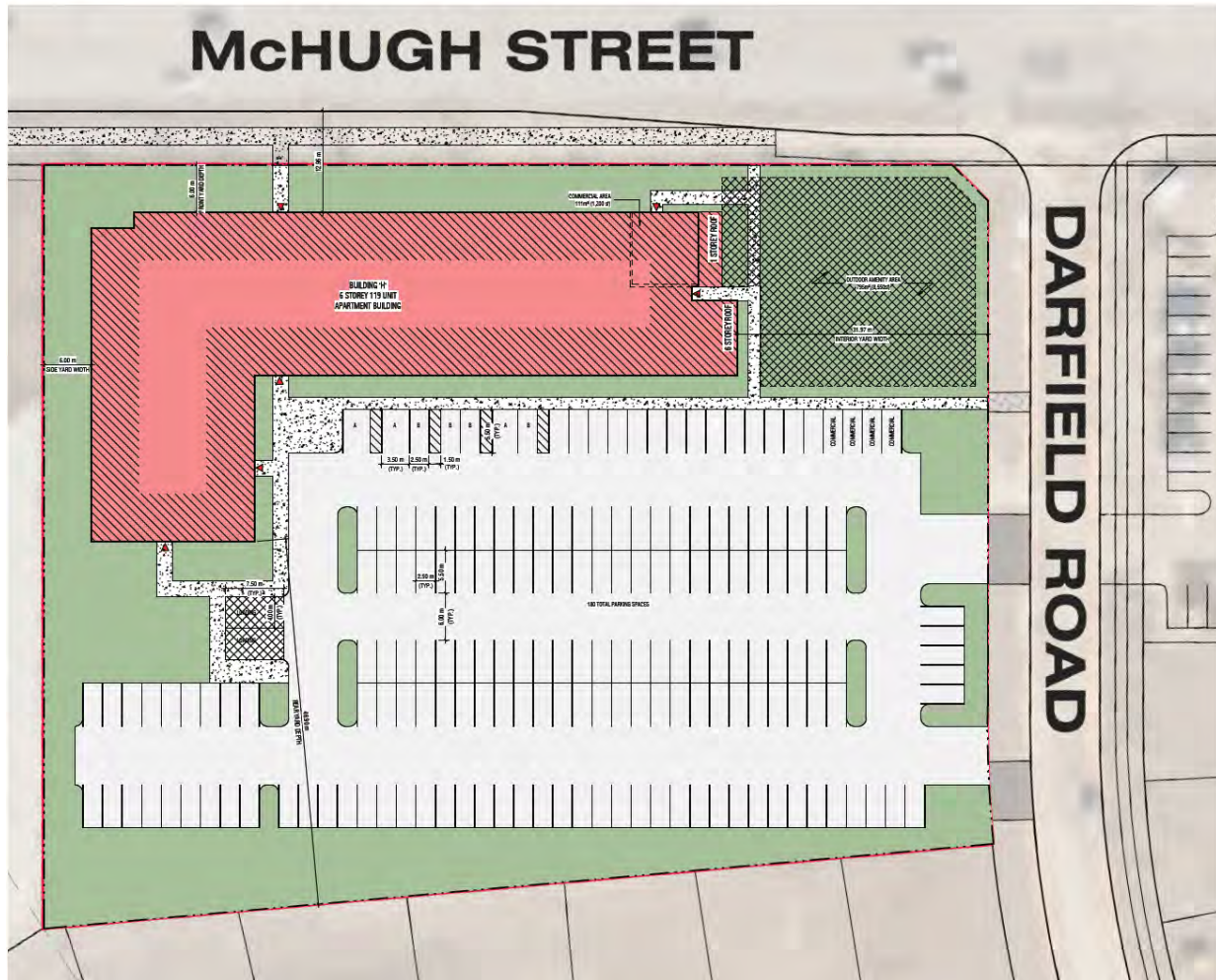


Figure 1: Concept Plan





Figure 2: fronting McHugh Street)



**SUBMISSIONS BY APPLICANT:**

- Servicing Memo and Servicing Memo update
- Planning Rationale Report (October 2021 – Revised November 2023)
- Sanitary Sewer Study
- Site Renderings
- Conceptual Site Plan
- Building Floor Plans and Elevations
- Traffic Memo

**Site Information:**

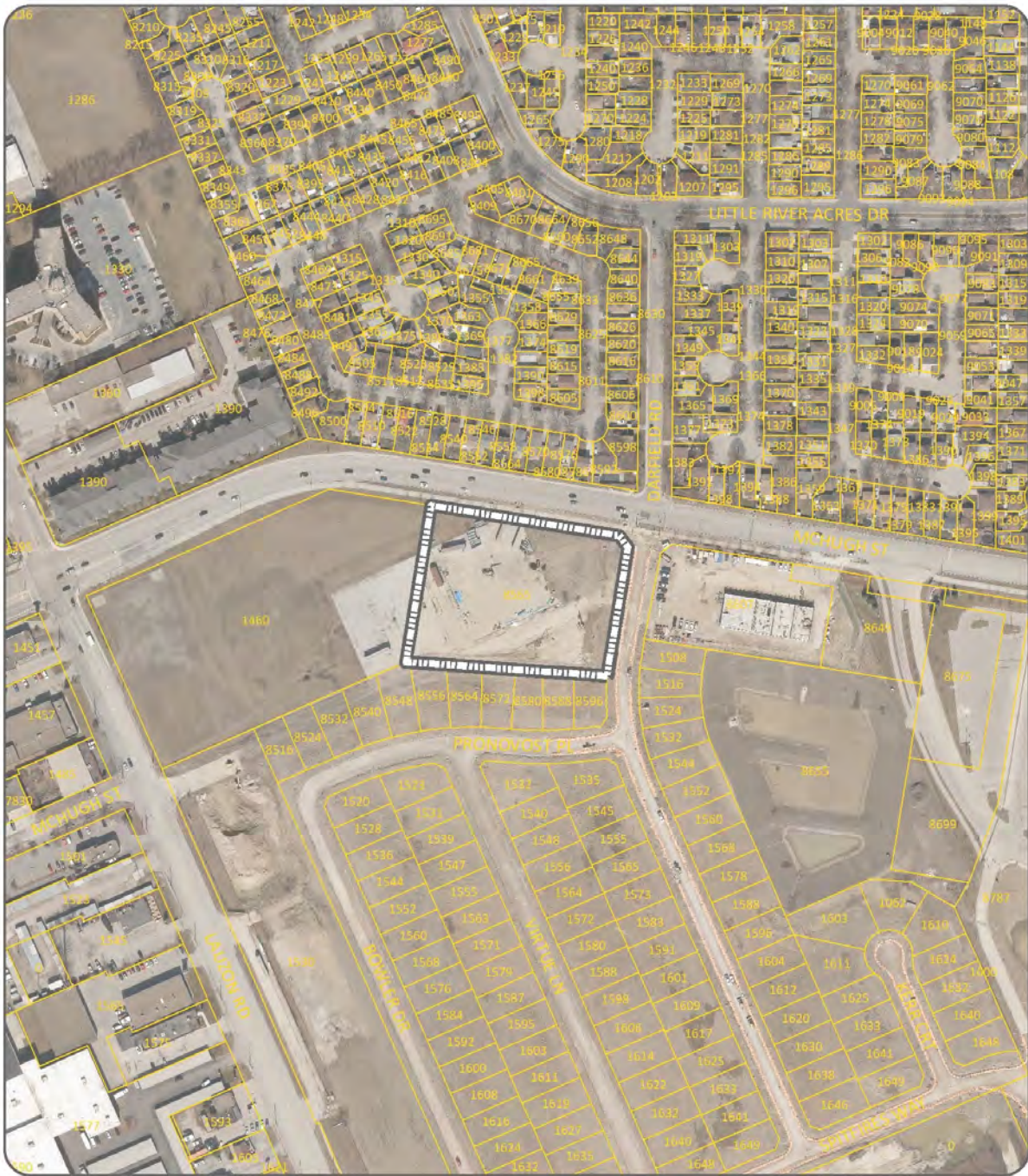
Official Plan	Zoning	Current Use	Previous Use
Mixed Use Corridor	Commercial District CD2.2	Vacant	parking
Lot Depth	Lot width	Area	Shape
varies	varies	11, 104 m <sup>2</sup>	Irregular
All measurements are for the entire parcel and are approximate.			

**Neighbourhood Characteristics:**

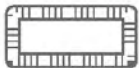
The neighbourhood is made up of a mix residential, commercial and light industrial uses that include existing residential apartment buildings, commercial uses, and major recreational uses.

**Surrounding Land Uses:**

- North**      Low profile residential housing.
- East**        Multiple Dwelling Development, [Z-004/19, ZNG-5772]
- South**      Low profile residential housing; recreation facility.
- West**        Multiple Dwelling Development [Z-008/23 ZNG-6976]



NEIGHBOURHOOD MAP - Z-020/24, ZNG/7216



SUBJECT LANDS

## Discussion:

### Provincial Planning Statement (PPS) 2024:

The Provincial Planning Statement, (PPS) 2024 provides direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating development and use of land in Ontario.

The zoning bylaw amendment would continue the redevelopment of a former industrial site that was previously vacant and underutilized. This is consistent with the Provincial Planning Statement in that the development promotes the efficient use of existing land, promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. Related to this direction, the PPS states:

2.3.2. 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; and
- e) are *freight-supportive*.

The requested Combined Use building development promotes cost-effective development by redeveloping an under-utilized vacant site. Allowing the proposed zoning bylaw amendment in this location contributes to minimizing land consumption and servicing costs by using a site that already has available infrastructure in the immediate area.

3.1.1. Infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs. Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they:

- b) leverage the capacity of development proponents, where appropriate; and;

The PPS also states:

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*, 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 and available* for residential development; and
- 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.

The PPS encourages that land be available to diversify developments to meet the future needs of the community. The zoning by-law amendment is consistent with that requirement by accommodating new residential construction in an area that exhibits a mix of uses as well as a mix of residential development types

The requested zoning bylaw amendment is consistent with the PPS in that intensification of the use of the site, by way of increase height permission, will provide additional appropriate range and mix of housing types and densities.

Approving the zoning by-law amendment would support residential development using the infrastructure that is already in place, instead of requiring more expenditure on new infrastructure in a greenfield setting. In terms of supporting active transportation and transit, the site of the proposed zoning amendment is served by Transit Windsor on McHugh Street.

The proposed development is consistent with the PPS in that it promotes compact and transit supportive forms of development. As well, this development will help to support the provision of a range of housing types in this area.

The site is also very near to transit corridors, which provides a range of travel options for the residents. The density of the development may help support the transit options that currently exist in this area.

**Official Plan:**

Designated From “Industrial” to “Commercial Corridor” by OPA 123 and to Mixed use corridor by OPA 159. The proposed development generally complies with the Mixed-use Corridor Policy contained in the City of Windsor Official Plan.

6.5.3.3 (b) Notwithstanding the identified maximum building height, Council may consider additional height, where Council is satisfied that the proposed height achieves compatible development, and where appropriate transitions to abutting lower scale development are established. Appropriate transitions may be achieved through the implementation of regulatory techniques including, but not limited to new height limitations, enhanced building setbacks and step backs, enhanced landscape buffers and planting requirements and/or the implementation of an angular plane. Permissions for taller buildings may be established through a site-specific Zoning By-Law Amendment.

As this proposal is flanked on the east and west by similar forms of development. Development, the proposed height of the development (28 m) can be supported by the Planning Department. Other residential buildings of similar height and form currently exist further north, west and east of this site. This indicates that the proposed Combined use building is compatible within its context.

The proposed development is consistent with the following goals and objectives of the City of Windsor Official Plan.

Goal 6.1.1 is to achieve safe, caring and diverse neighbourhoods. Goal 6.1.2 seeks environmentally sustainable urban development. Goal 6.1.3 promotes housing suited to the needs of Windsor's residents. Goal 6.1.10 is to achieve pedestrian oriented clusters of residential, commercial, employment and institutional uses.

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 development is appropriate in this location as it will help to support a diverse neighbourhood that represents a sustainable community and will provide housing that is in demand. The proposed development will help to encourage a pedestrian orientated cluster of residential, commercial and employment uses. The proposed residential development represents a complementary and compact form of housing and intensification that is near sources of transportation.

### **Zoning By-law**

The site is currently zoned Commercial District CD2.2. This zone permits residential units in a mixed-use building. The applicant has requested that the permitted height be increased to 28m from the 14m permitted in the existing [CD2.2](#) zone and is requesting a reduction in required amenity space from 12m<sup>2</sup> per unit to 8m<sup>2</sup> per unit.

The request to permit the additional height is appropriate because the area has been transitioning to higher profile (multiple storey) residential development (Z 008-23 [ZNG-6976] & OPA 169 [OPA-6977] and Z-039/21) and this site is between two (2) other multiple storey residential developments.

While not requested by the applicant, the Planning Department recommends that dwelling units on a ground floor in a combined use building be an additional permitted use on this site. This will provide additional flexibility in the use of the ground floor of the site for residential as well as commercial purposes.

As a result of previous development approvals where changes to the concept plan (within the parameters of the zoning by-law) resulted in undesirable impacts on neighbouring properties, the Planning Department recommends that no building be located within (24m) of the low-profile residential development to the south. This requirement will help to ensure that the buildings in the proposed development are constructed in a manner that is consistent with the concept plan presented and a buffer is provided to the low-profile residential development to the south.

The Planning Department is recommending that a site-specific provision be applied that would require any building be at least 24 m away from a property zoned Residential District RD 1.1. This setback would be constant with the setback applied to the recently approved site at 1460 Lauzon Rd. (Z 008-23 [ZNG-6976] & OPA 169 [OPA-6977]).



The applicant's request to reduce the required amenity area is not supported by the Planning Department. The applicant's site plan shows a designated amenity area on the site, however, does not consider that much of the undefined yard area can also be considered amenity area. The applicant's concept plan demonstrates that the existing minimum amenity space requirement can be met on this site.

**Risk Analysis:**

N/A

**Climate Change Risks**

**Climate Change Mitigation:**

The additional increase in the density of development on the site with access to existing bus routes and being close to commercial and community facilities will encourage the use of transit, walking and cycling as modes of transportation, thereby helping to minimize the City's carbon footprint and implement Environmental Master Plan Objective C1: Encourage in-fill and higher density in existing built areas.

**Climate Change Adaptation:**

The new building may be affected by climate change, 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. Any site plan control application will be reviewed for opportunities to enhance resiliency.

**Financial Matters:**

N/A

**Consultations:**

Comments received from municipal departments and external agencies are attached as Appendix "A" to this report.

**Public Notice:**

The statutory notice required under the Planning Act was provided in the Windsor Star. In addition, all properties within 200m of the subject parcel received courtesy notice by mail prior to the Development & Heritage Standing Committee Meeting (DHSC) meeting.

The applicant held a public open house on September 8th, 2023, from 6:00 pm to 8:00 pm at the Windsor Family Credit Union (WFCU) Centre.

**Conclusion:**

**Planner’s Opinion and Conclusions:**

The proposed use of this site as a development containing a combined use building with 119 units represents an efficient development that will have no adverse impact on the well-being of the City of Windsor. The proposed development represents an appropriate residential use, adds to the range and mix of uses and will not cause any environmental or public health and safety concerns. This development is consistent with the Provincial Planning Statement.

The proposed combined use building represents a housing type and density that meets the requirements of current and future residents, that meets the social, health and well-being of current and future residents, represents a form of residential intensification, is set in a location with access to infrastructure, public service facilities, and is close to commercial land uses.

The proposed Combined Use Building is located within an area that contains Multiple Dwelling buildings of similar form and is compatible within its context.

The proposed 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 Deputy City Planner - Development*

*Neil Robertson City Planner*

I am not a registered Planner and have reviewed as a Corporate Team Leader

*JP*

**Approvals:**

<b>Name</b>	<b>Title</b>
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	City Planner
Aaron Farough	Senior Legal Counsel
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
Farhi Holdings Corporation		
Dillon Consulting Limited		
Councillor Gignac		

**Appendices:**

- 1 Excerpt By-law 8600 – CD2.2
- 2 Concept Plan
- 3 Z 020-24 Liaison Comments



**15.2 COMMERCIAL DISTRICT 2.2 (CD2.2)**

**15.2.1 PERMITTED USES**

- Bakery*
- Business Office*
- Child Care Centre*
- Commercial School*
- Confectionery*
- Food Outlet – Take-Out*
- Funeral Establishment*
- Medical Office*
- Micro-Brewery*
- Personal Service Shop*
- Place of Entertainment and Recreation*
- Place of Worship*
- Professional Studio*
- Public Hall*
- Repair Shop – Light*
- Restaurant*
- Retail Store*
- Veterinary Office*
- Wholesale Store*
- Dwelling Units in a Combined Use Building with any one or more of the above uses*
- Gas Bar*
- Outdoor Market*
- Parking Garage*
- Public Parking Area*
- Tourist Home*
- Existing Automobile Repair Garage*
- Existing Service Station*

Any use accessory to any of the preceding uses. An *Outdoor Storage Yard* is prohibited, save and except, in combination with the following main uses:

*Outdoor Market, Existing Automobile Repair Garage.*

**15.2.3 PROHIBITED USES**

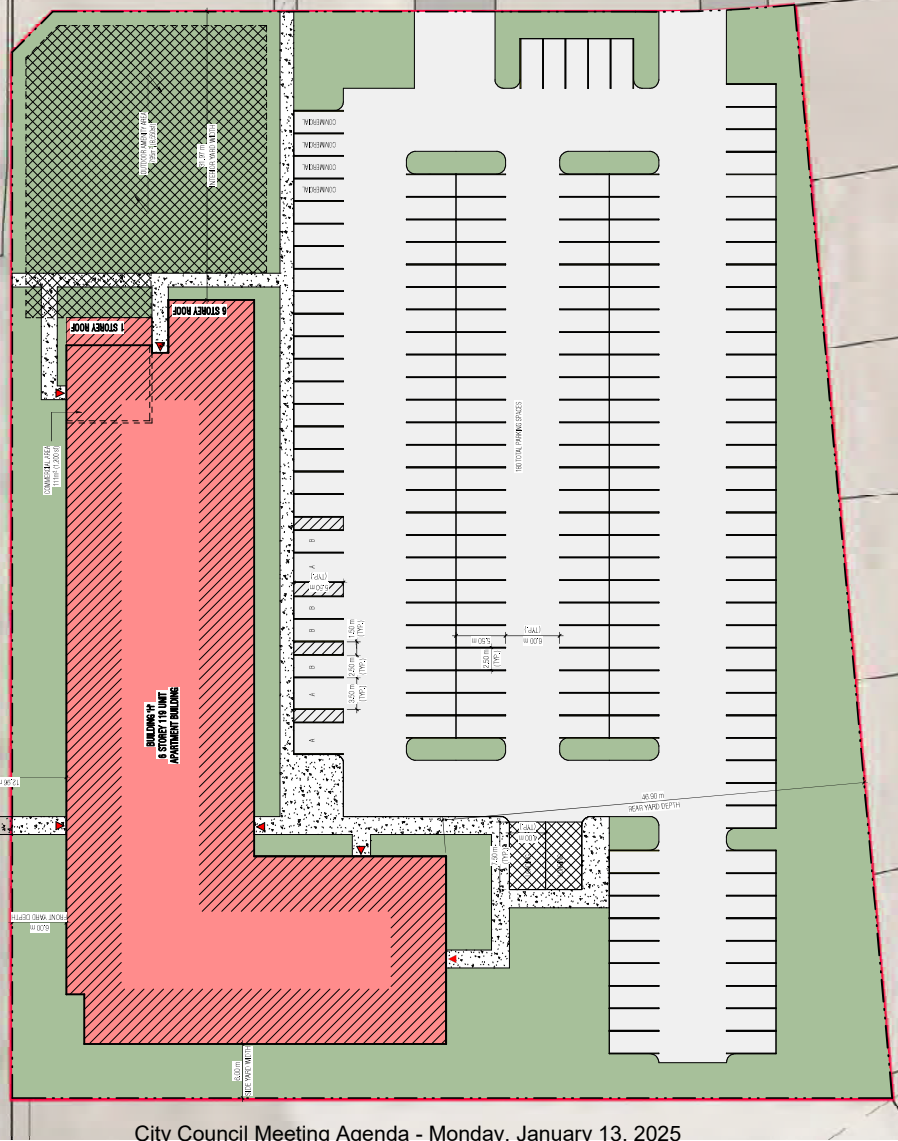
A *Gas Bar* and a *Service Station* is prohibited on any lot located within 63.50 m of the east or west limits of Sandwich Street between Detroit Street and Brock Street or within 30.0 m of the south limit of Mill Street between Russell Street and Sandwich Street.

**15.2.5 PROVISIONS**

- .4 Building Height – maximum 14.0 m
- .9 Amenity Area – Per Dwelling Unit – minimum 12.0 m<sup>2</sup> per unit
- .10 Gross Floor Area – maximum
  - Bakery or Confectionery* 550.0 m<sup>2</sup>
- .15 For a *Combined Use Building*, all *dwelling units*, not including entrances thereto, shall be located above the non-residential uses.
- .24 An *Outdoor Market* is permitted within a *Business Improvement Area*. An *Outdoor Market* is prohibited elsewhere.

# MCHUGH STREET

# DARFIELD ROAD



City Council Meeting Agenda - Monday, January 13, 2025

**SITE PLAN CONCEPT**  
SCALE: 0.625" = 1'-0"

NO.	DESCRIPTION	UNIT	AREA	TYPE	STATUS
1	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
2	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
3	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
4	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
5	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
6	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
7	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
8	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
9	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
10	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
11	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
12	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
13	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
14	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
15	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
16	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
17	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
18	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
19	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
20	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
21	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
22	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
23	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
24	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
25	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
26	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
27	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
28	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
29	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
30	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
31	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
32	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
33	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
34	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
35	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
36	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
37	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
38	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
39	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
40	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
41	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
42	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
43	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
44	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
45	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
46	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
47	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
48	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
49	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	
50	PROPOSED LOT AREA	11,000 SF (325.24 SQ M)		COMPLEX	

DATE: 2024-01-11  
 DRAWN BY: [ ]  
 CHECKED BY: [ ]  
 APPROVED BY: [ ]

NO. SHEETS: 10  
 NO. SHEETS USED: 10  
 SHEET NO.: 10  
 DATE: 2024-01-11



**LEGEND**

- 1 BEDROOM SUITES
- 1 BEDROOM + DEN SUITES
- 2 BEDROOM SUITES
- COMMERCIAL
- AMENITY

SUITE TYPE	COUNT	PERCENTAGE
1 BEDROOMS	51	43%
1 BEDROOM + DEN	21	18%
2 BEDROOMS	47	39%
<b>TOTAL</b>	<b>119</b>	<b>100%</b>





# CONSULTATION

## BELL CANADA

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.

### **ENBRIDGE – BARBARA BARANOW**

Thank you for your correspondence with regard to the proposed Site Plan Application. Enbridge Gas Inc, does have service lines running within the area which may or may not be affected by the proposed Site Plan.

Should the proposed site plan impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required would be at the cost of the property owner.

If there is any work (i.e. underground infrastructure rebuild or grading changes...) at our easement and on/near any of our existing facilities, please contact us as early as possible (1 month in advance at least) so we can exercise engineering assessment of your work. The purpose is to ensure the integrity of our main is maintained and protected.

Confirmation of the location of our natural gas pipeline should be made through Ontario One Call 1-800-400-2255 for locates prior to any activity.

In the event that an easement is required to service this development, and any future adjacent developments, the applicant will provide the easement(s) to Enbridge Gas at no cost.

We trust the foregoing is satisfactory.

### **WINDSOR FIRE – MICHAEL COSTE**

Fire Route principal entrance FDC connections need to be added Fire hydrant locations

### **ENVIRONMENTAL SERVICES – ANNE-MARIE ALBIDONE**

There are no concerns from Environmental Services on the zoning change, however there are concerns with the location of waste for collection and manoeuvrability of garbage trucks in the parking lot. Confirmation from the intended waste service provider should be obtained prior to finalizing building design details.

### **SITE PLAN CONTROL**

The development proposal is subject to Site Plan Control pursuant to the Planning Act and City of Windsor By-law 1-2004. Where preceding development applications are required, inclusive of Official Plan and Zoning By-law Amendments, request for Site Plan Control Pre-Consultation Stage 1 may be made following completion of the requisite Development and Heritage Standing Committee meeting at <https://ca.cloudpermit.com/login>.

### **TRANSIT WINDSOR – JASON SCOTT**

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Lauzon 10. The closest existing bus stop to this property is located across the street on McHugh at Darfield Northwest Corner. This bus stop is approximately 60 metres from this property falling within Transit Windsor's 400 metre walking distance guidelines to a bus stop. This be maintained with Transit Windsor's City Council approved Transit Master Plan. It

will be further enhanced with City Council's approved 2023 Service Plan for Transit Windsor. A new local route will be replacing the Lauzon 10 in this area. This route will provide two way conventional transit service for the entire route rather than the existing one way loop.

## **ERCA – ALICIA GOOD**

The City of Windsor has received request for pre-consultation comments Z 020-24 for the above noted subject property. The applicant is proposing to rezone the subject property from Commercial District 2.2 (CD2.2) to a site-specific Commercial District 2.2 to permit an increase in the maximum height from 14.0m to 28.0m and a reduction of the minimum amenity area from 12.0m<sup>2</sup> per dwelling unit to 8.0m<sup>2</sup> per dwelling unit. The applicant is proposing the construction of one (1) six (6) storey mixed-use building with 119 residential dwelling units and approximately 1200 square feet of commercial space, with associated parking.

The following pre-consultation comments are provided in response to our review of Z 020-24 [ZNG- 7216].

## **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 Little River. 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*.

ERCA has concerns with the potential impact to the quantity and quality of runoff in the downstream watercourse due to the proposed development on this site. ERCA recommends that both the quantity and quality of excess runoff be adequately controlled avoid any adverse impacts to the downstream watercourse. We therefore anticipate requesting inclusion of the following conditions in the Development Agreement:

1. That the developer undertakes an engineering analysis and implement the necessary measures to control any increases in flows to the downstream watercourse, to the satisfaction of the Municipality and the Essex Region Conservation Authority.
2. That the developer obtains the necessary approval / authorization from the Essex Region Conservation Authority prior to undertaking site alteration and/or construction activities.

## **FINAL RECOMMENDATION**

As noted above, our anticipates requesting that a stormwater management plan be designed and implemented to the satisfaction of ERCA and the Municipality. Additionally, 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*.

## **ZONING**

- **Current Zoning Designation:** Commercial District 2.2

- **Proposed Zoning Designation:** AMENDING Commercial District 2.2
- **Existing Use [as per historical Building Permit(s) / Planning Act Applications(s)]:**
  - o Vacant lot
- **Proposed Use:**
  - o Combined Use Building
    - Permitted
- **Section 5 – General Provisions:**
  - o Exceptions to Maximum Building Height Provisions [5.35]:
    - Elevations drawings were not submitted, therefore **it is unknown if there is a discrepancy with this provision.**
  - o Floor Protection & Natural Hazards Provisions [5.40.1]:
    - Subject property is **within an ERCA regulated zone.**
  - o Multiple Dwelling – Additional Uses [5.99.50.2]:
    - Floor plan drawings show an **entrance to the exterior of the building** making this provision *not applicable*
  - o All other Section 5 – General Provisions:
    - Comply
- **Section 15.2.5:**
  - o Maximum Building Height [15.2.5.4]:
    - 28.0m (Required)
      - *Amending from: 14.0m*
    - 28.0m – **based on the applicants site data matrix** (Provided)
  - o Minimum Amenity Area – per *dwelling unit* [15.2.5.9]:
    - 952m<sup>2</sup> [i.e. *8.0m<sup>2</sup> per unit*] (Required)
      - *Amending from: 12.0m<sup>2</sup> per unit (i.e. 1,428m<sup>2</sup>)*
    - 4,229.0m<sup>2</sup> (Provided)
  - o Maximum Gross Floor Area – *Bakery or Confectionary* [15.2.5.10]:
    - 550.0m<sup>2</sup> (Required)
    - N/A (Provided)
  - o For a *Combined Use Building*, all *dwelling units*, not including entrances thereto, shall be located above the non-residential uses [15.2.5.15]:
    - **does not comply**
  - o An *Outdoor Market* is permitted within a *Business Improvement Area*. An *Outdoor Market* is prohibited elsewhere [15.2.5.24]:
    - not applicable
- **Section 20 – Site Specific Zoning Exemptions:**
  - o Not applicable
- **Section 24 – Parking, Loading, and Stacking Provisions:**
  - o Required Visitor Parking Spaces [24.22.1]:
    - 22 (Required)
    - **0 (Provided)**
  - o Curb Cut or Ramp for Accessible Parking Space [24.24.20]:
    - **No curb cut shown in the site plan**
  - o Required Bicycle Parking Spaces [24.30.1]:
    - 9 (Required)



- 0 (Provided)
- **Section 25 – Parking Area Regulations:**
  - Construction and Maintenance of Parking Area:
    - [25.5.10.3] A curb shall bound the perimeter of a parking area and shall separate a landscaped open space yard, landscaped open space island or parking area separation from the parking area.
  - Parking Area Separation from a building wall containing a habitable room window or containing both a main pedestrian entrance and a habitable room window facing the parking area where the building is located on the same lot as the parking area:
    - 4.50m (Required)
    - 4.40m (Provided)

## RIGHT OF WAY, ENGINEERING – MARK SCHAFFHAUSER

### 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.
  - Modify as per Standard Engineering Drawing [AS-204].
  - Redundant curb cuts and sidewalks shall be removed and restored in accordance with City Standards to the satisfaction of the City Engineer.
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.
  - 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.

### **Special Provisions (to be included in Site Plan Control Agreement)**

The following special provisions will be required prior to submitting a building permit application:

**Site Plan Control Agreement** – The applicant enter into an agreement with the City of Windsor for all requirements under the General Provisions of the Site Plan Control Agreement for the Engineering Department.

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

- A corner cut-off of 6.1m x 6.1m is required at the corner of McHugh St and Lauzon Rd for a signalized intersection.
- All parking must comply with Zoning By-Law 8600. The land use of commercial area required in order to determine if the parking study is required.

- The land use of commercial area needs to identify in order to determine the number of required parking spaces.
- The concept site plan must be revised in order to clearly indicate bicycle spaces required; the current site plan is required 11 bicycle parking spaces.
- Transportation Planning has been received and reviewed Traffic Brief file number 23-6227 conducted by Dillion Consulting Limited dated June 17, 2024.
  - 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.
  - The access must be aligned with the opposite property access.
  - Dimensions of the driveway need to be provided. Driveway must be 7-9 metres total at the property line (minimum 3.5m/lane, maximum 4.5m/lane). Straight flare is recommended.
- All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

### **DEVELOPMENT, ENGINEERING – DANIEL LOPEZ (September 2024)**

For the rezoning application the memo is sufficient to proceed.

There are some outstanding comments that will need to be addressed during SPC, and I will send formal comments to you soon for that.

### **DEVELOPMENT, ENGINEERING – JUAN PARAMO (August 2024)**

Before we are comfortable supporting this rezoning, we require an outlet capacity assessment. There have been many revisions which increase density and therefore demand on the McHugh outlet, so we require an updated servicing study to demonstrate what has actually been built, plus the proposed rezoning, and how the population density increase is going to affect the outlet capacity.

We have reviewed the subject Rezoning application and have the following comments:

**Sewers** The site may be serviced by the existing 300mm sanitary sewer PDC which outlets to the 450mm sanitary sewer on McHugh Street and the existing 375mm storm sewer PDC which outlets to the 900mm storm sewer on Darfield Street.

Prior to zoning approval, we require an updated servicing study memo to demonstrate how the proposed land use will affect the ultimate discharge to the McHugh and Lauzon sanitary sewer compared to the original assumptions under the subdivision servicing study. The memo should calculate the population based on the proposed mixed-use site. The updated design sheets should consider the developed area conditions including the residential buildings which outlet to McHugh Street and include sewer along McHugh to the McHugh Street and Lauzon Road intersection.

A sanitary sampling manhole may be required on any new sanitary connection at the property line to the satisfaction of the City Engineer, if one does not already exist.

The applicant will be required to submit, prior to the issuance of permits, a stormwater management plan in accordance with Windsor Essex Region Stormwater Management Standards Manual, restricting stormwater runoff to pre development levels. This will include, at a minimum:

- Submission of stormwater management review fee,
- Stormwater management report stamped by a professional engineer
- Site servicing drawings stamped by a professional engineer
- Stormwater management check list (see link below)

For more information of SWM requirements, visit: link

<https://essexregionconservation.ca/wp-content/uploads/2018/12/WE-Region-SWM-Standards-Manual.pdf>.

<https://www.citywindsor.ca/business/buildersanddevelopers/Documents/Checklist-Rational-Method.pdf>

At this time we do not support the proposed rezoning until we have received an acceptable submission for the following requirements:

**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.

If you have any further questions or concerns, please contact Daniel Lopez, of this department at [dlopez@citywindsor.ca](mailto:dlopez@citywindsor.ca)

### **ERCA – ALICIA GOOD – November 15, 2024**

The City of Windsor has received Application for Zoning By-law Amendment Z-020-24 [ZNG-7216] for the above noted subject property.

The proposed development includes the construction of a six (6)-storey mixed use building with a total of 119 dwelling units and approximately 1,200 square feet of ground floor commercial space, including 180 parking spaces for a parking ration of 1.45 spaces per dwelling unit.

The proposed development generally complies with the Mixed-use Corridor Policy contained in the City of Windsor Official Plan. The site is currently zoned CD2.2, which permits the use. The applicant proposes to apply for a site-specific regulation to the existing CD2.2 zone to increase building height to 28.0 metres, and to provide for 8 square metres per unit of amenity space rather than 12 square metres per unit as required in the CD2.2 zone.

The following is provided as a result of our review of Zoning By-Law Amendment Z-020-24 [ZNG-7216].

### **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 Little River. 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*.

ERCA has concerns with the potential impact to the quantity and quality of runoff in the downstream watercourse due to the proposed development on this site. ERCA recommends that both the quantity and quality of excess runoff be adequately controlled to avoid any adverse impacts to the downstream watercourse. We therefore request inclusion of the following conditions in the Development Agreement:

1. That the developer undertakes an engineering analysis and implement the necessary measures to control any increases in flows to the downstream watercourse, to the satisfaction of the Municipality and the Essex Region Conservation Authority.
2. That the developer obtains the necessary approval / authorization from the Essex Region Conservation Authority prior to undertaking site alteration and/or construction activities.

### **FINAL RECOMMENDATION**

Our office has **no objection** to Z-020-24 [ZNG-7216]. As noted above, 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*. Further, we anticipate requesting that a stormwater management plan be designed and implemented at the time of Site Plan Control.

Please continue to circulate our office with future *Planning Act* applications on this site, such Application for Site Plan Control.

If you have any questions or require any additional information, please contact the undersigned.



**Subject: Zoning Bylaw Amendments - Z 033-24 [ZNG-7238] 1495754 Ontario Inc.  
0 Esplanade Dr – Multiple Dwelling Building Development – Ward 7**

Moved by: Councillor Angelo Marignani  
Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 677**

- I. That Zoning By-law 8600 **BE AMENDED** changing the zoning of PT LOT 133 CON 2, PARTS 9 TO 11, RP 12R-21168 in the City of Windsor, known municipally as 0 Esplanade Dr., from Holding Residential District (HRD) 2.3 and Commercial District 4.2.to Residential District (RD) 3.1
- II. That subsection 1 of Section 20 of Zoning By-law 8600 **BE AMENDED** for PT LOT 133 CON 2, PARTS 9 TO 11, RP 12R-21168; in the City of Windsor, known municipally as 0 Esplanade Dr. by adding site specific regulation as follows:  
  
**517. ESPLANADE DRIVE, EAST OF GANATCHIO TRAIL**  
For the lands described as for PT LOT 133 CON 2, PARTS 9 TO 11, RP 12R-21168; in the City of Windsor, known municipally as 0 Esplanade Dr., the following regulations shall apply:  
Building Height – Maximum – 14.0 m  
[ZNG/7238]
- III. That the Site Plan Control Officer include the completion of an Archeological Assessment as a condition of the Site Plan Control Agreement.  
Carried.

Report Number: S 153/2024  
Clerk's File #: Z/14874

**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 December 2, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241202/-1/10526>

**Subject: Zoning Bylaw Amendments - Z 033-24 [ZNG-7238] 1495754  
Ontario Inc. 0 Esplanade Dr– Multiple Dwelling Building Development –  
Ward 7**

**Reference:**

Date to Council: December 2, 2024  
Author: Jim Abbs  
Planner III - Development  
519 255 6543 x6317  
jabbs@citywindsor.ca  
Planning & Building Services  
Report Date: November 1, 2024  
Clerk's File #: Z/14874

**To:** Mayor and Members of City Council

**Recommendation:**

- I. **THAT** Zoning By-law 8600 **BE AMENDED** changing the zoning of PT LOT 133 CON 2, PARTS 9 TO 11, RP 12R-21168 in the City of Windsor, known municipally as 0 Esplanade Dr., from Holding Residential District (HRD) 2.3 and Commercial District 4.2.to Residential District (RD) 3.1
- II. **THAT** subsection 1 of Section 20 of Zoning By-law 8600 **BE AMENDED** for PT LOT 133 CON 2, PARTS 9 TO 11, RP 12R-21168; in the City of Windsor, known municipally as 0 Esplanade Dr. by adding site specific regulation as follows:

**517. ESPLANADE DRIVE, EAST OF GANATCHIO TRAIL**

For the lands described as for PT LOT 133 CON 2, PARTS 9 TO 11, RP 12R-21168; in the City of Windsor, known municipally as 0 Esplanade Dr., the following regulations shall apply:

Building Height – Maximum – 14.0 m  
[ZNG/7238]

- III. **THAT** the Site Plan Control Officer include the completion of an Archeological Assessment as a condition of the Site Plan Control Agreement.

**Executive Summary:**

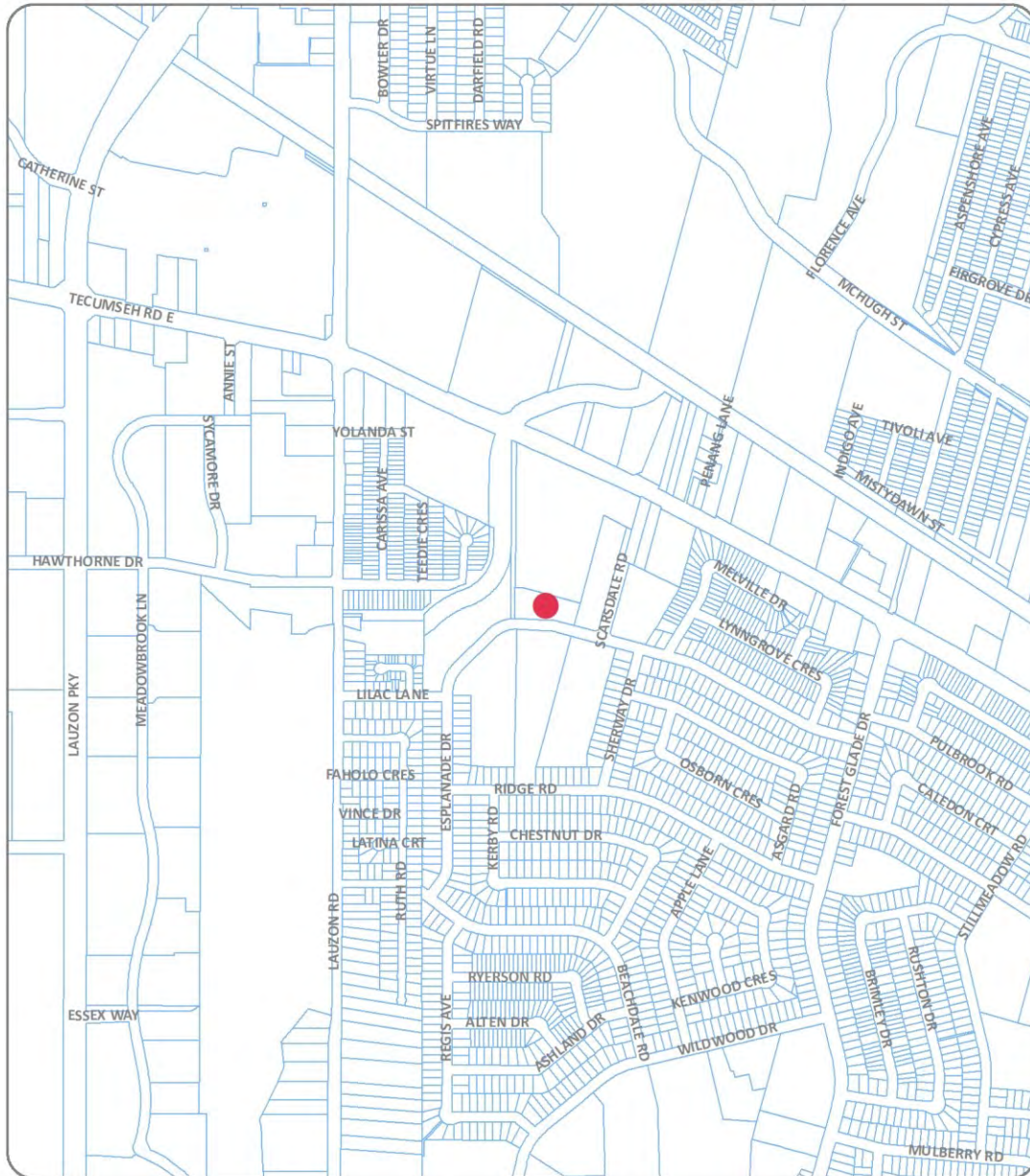
N/A



**Background:**

**Application Information:**

Location: 0 Esplanade Dr                      Ward: 7  
Planning District: Forest Glade              ZDM: 15  
Owner: 1495754 Ontario Inc.  
Agent: Dillon Consulting Limited (Amy Farkas)



KEY MAP - Z-033/24, ZNG/7238



● SUBJECT LANDS

## Proposal:

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. Parking will be provided at a rate of 1.42 parking spaces per unit. There is an existing storm sewer easement traversing the proposed surface parking area. Site access will be via Esplanade Drive.

The development as proposed is subject to Site Plan Control.

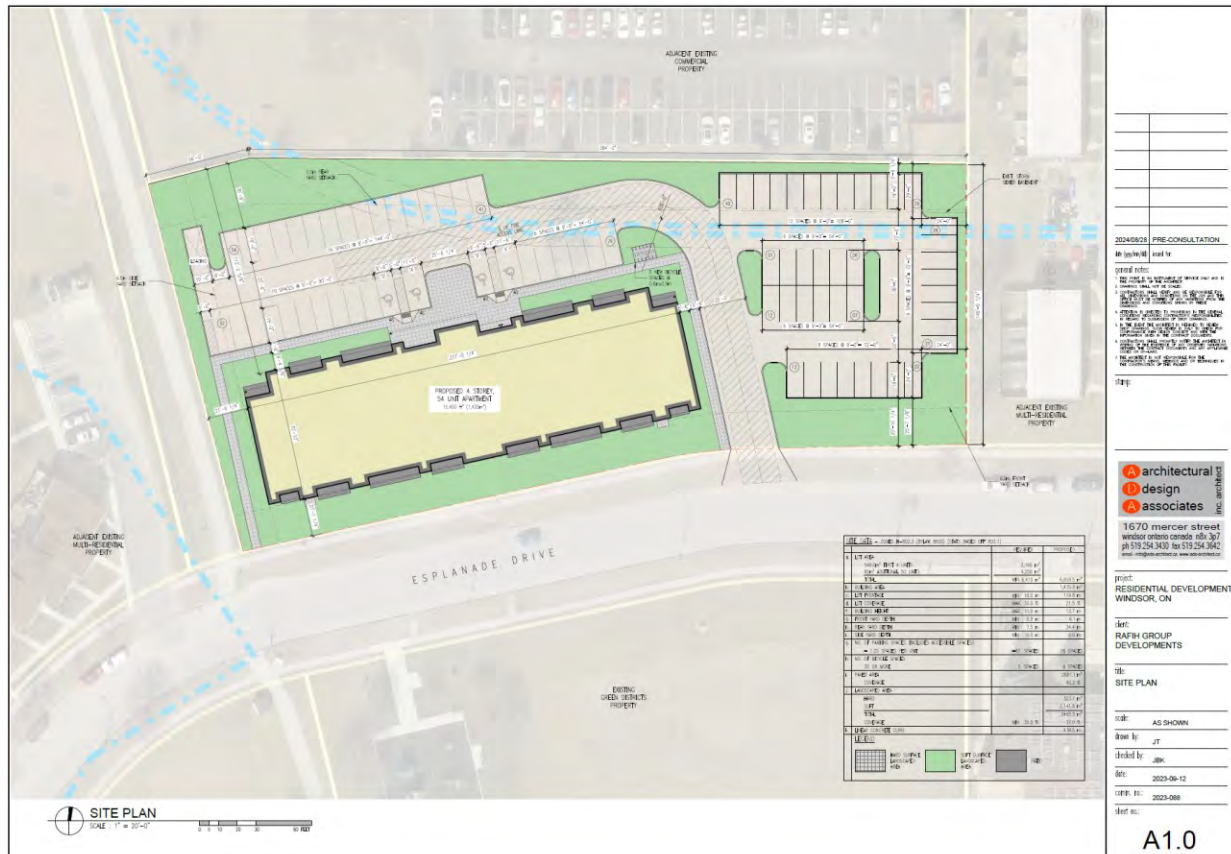


Figure 1: Concept Plan





Figure 2: fronting Esplanade Drive

**SUBMISSIONS BY APPLICANT:**

- Planning Justification Report
- Noise Study
- Stormwater Management and Sanitary Report
- Tree Inventory and Preservation Study
- Transportation Impact Study
- Conceptual Site Plan
- Site Renderings
- ERCA Email Confirmation

**Site Information:**

Official Plan	Zoning	Current Use	Previous Use
Residential	Commercial District CD4.2 and Holding Residential District HRD2.3	Vacant	Vacant
Lot Depth	Lot width	Area	Shape
varies	varies	6,556.87m <sup>2</sup>	Irregular
All measurements are for the entire parcel and are approximate.			

**Neighbourhood Characteristics:**

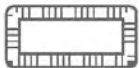
The neighbourhood consists of a mix of uses that include existing residential uses, park and institutional uses as well as commercial uses, and recreational opportunities.

**Surrounding Land Uses:**

- North**            Automobile Dealerships, Place of Worship
- East**             Townhome and Single Detached Dwellings
- South**            Park, School (Forest Glade Public School)
- West**             Townhomes, Ganatchio Trail, Single Detached Dwellings, Retail Commercial



NEIGHBOURHOOD MAP - Z-033/24, ZNG/7238



SUBJECT LANDS

## Discussion:

### Provincial Planning Statement (PPS) 2024:

The Provincial Planning Statement, (PPS) 2024 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 PPS promotes the efficient use of existing land, promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. Related to this direction, the PPS states:

2.3.2. 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; and
- e) are *freight-supportive*.

The requested Multiple Dwelling development promotes cost-effective development by redeveloping an under-utilized vacant site. Allowing the proposed zoning by-law amendment in this location contributes to minimizing land consumption and servicing costs by using a site that already has available infrastructure in the immediate area.

3.1.1. Infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs. Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they:

- b) leverage the capacity of development proponents, where appropriate; and;"

The PPS also states:

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*, 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 and available* for residential development; and
- 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.



The PPS encourages that land be available to diversify developments to meet the future needs of the community. The zoning by-law amendment is consistent with that requirement by accommodating new residential construction in an area that exhibits a mix of uses as well as a mix of residential development types

The requested zoning bylaw amendment is consistent with the PPS in that intensification of the use of the site, by way of increase height permission, will provide additional appropriate range and mix of housing types and densities.

Approving the zoning by-law amendment would support residential development using the infrastructure that is already in place, instead of requiring more expenditure on new infrastructure in a greenfield setting. In terms of supporting active transportation and transit, the site of the proposed zoning amendment is served by Transit Windsor on Esplanade Drive with a stop at Lilac Street.

The proposed development is consistent with the PPS in that it promotes compact and transit supportive forms of development. As well, this development will help to support the provision of a range of housing types in this area.

The site is also near to transit corridors (within 300 m), which provides a range of travel options for the residents. The density of the development may help support the transit options that currently exist in this area.

**Official Plan:**

Designated Residential. The proposed development generally complies with the Residential policies contained in the City of Windsor Official Plan.

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.

As this proposal is for a Medium Profile building, this application conforms to the Official Plan.

The proposed development is consistent with the following goals and objectives of the City of Windsor Official Plan.

Goal 6.1.1 is to achieve safe, caring and diverse neighbourhoods. Goal 6.1.2 seeks environmentally sustainable urban development. Goal 6.1.3 promotes housing suited to the needs of Windsor's residents. Goal 6.1.10 is to achieve pedestrian oriented clusters of residential, commercial, employment and institutional uses.

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 development is appropriate in this location as it will help to support a diverse neighbourhood that represents a sustainable community and will provide housing that is in demand. The proposed development will help to encourage a

pedestrian orientated cluster of residential, commercial and employment uses. The proposed residential development represents a complementary and compact form of housing and intensification that is near sources of transportation.

### Archaeological Master Plan

The recently approved Windsor Archeological Master Plan and Official Plan Amendment 181 has identified this site as an area of Archeological Potential, and as such, an Archeological Assessment will be required prior to the development of the site.

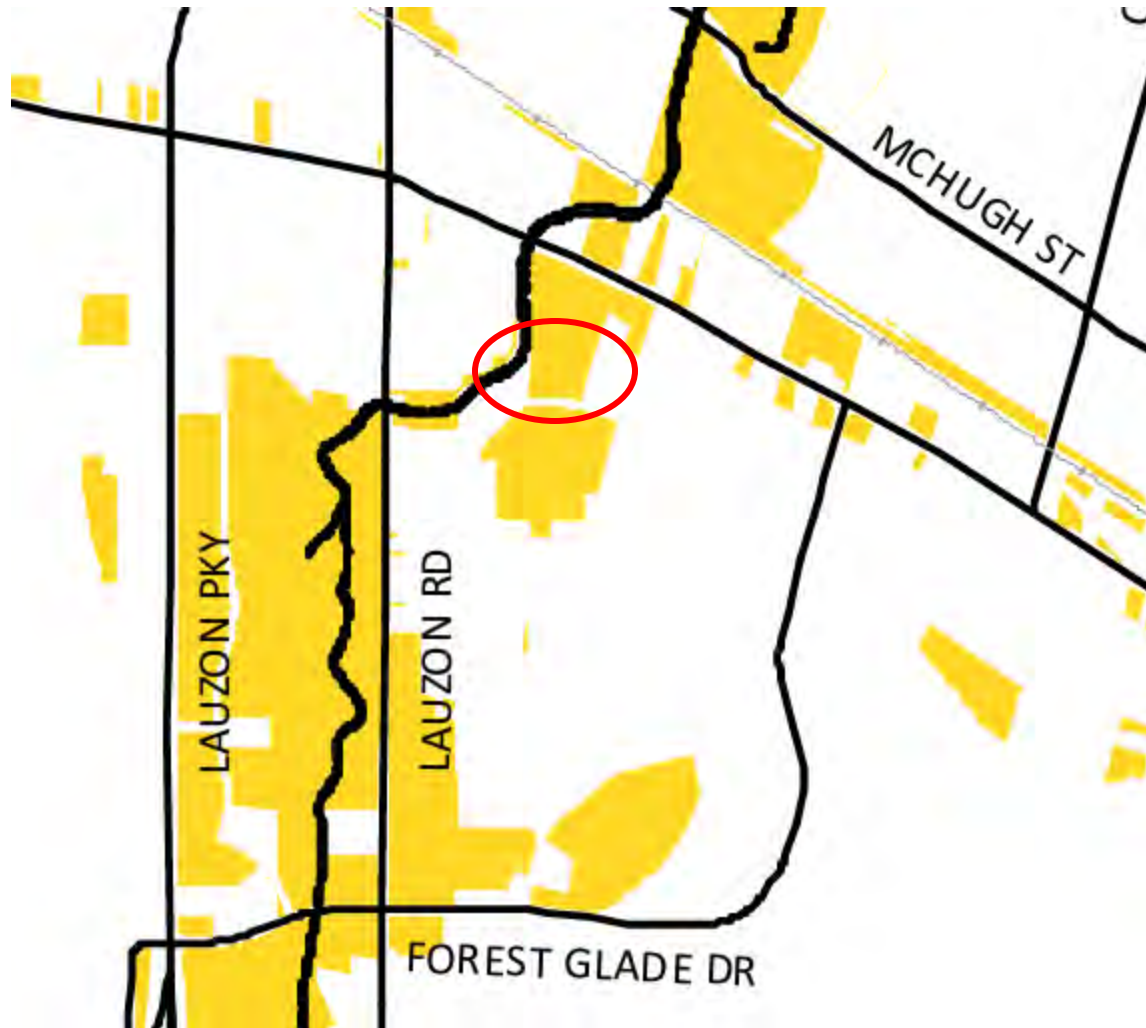


Figure 3: Excerpt - Archeological Potential Schedule C-1 CoW Official Plan

As the requirement for an Archeological Assessment will also be identified as a requirement for Site Plan Control approval, the Planning Department recommends that the site plan control officer be requested to include the requirement for an archeological assessment as a condition in the Site Plan Control agreement.

### Zoning By-law

The site is currently zoned Commercial District CD4.2 and HRD2.3 The CD4.2 “sliver” is the result of a consent to sever in 2006 (B-044/2006) that did not follow the line of the

zoning by-law amendment that permitted the creation of the automobile dealerships. (ZNG 4054 Z-027/03). This is a minor mapping change that has no appreciable impact on either auto dealership site or the site for the proposed development. This zoning bylaw amendment will result in the zoning line being coincident with the property line between the automobile dealership site and the development site.

The current RD2.3 zone would not permit a multiple dwelling on this site. The request to permit multiple dwelling use and the maximum building height of 14 m is appropriate because the area is in a residential designation on a collector road near both institutional and recreational facilities, as well as retail opportunities where medium profile (multiple storey) residential development should be located. This site is between existing townhome residential developments, which provides a transition to other low profile residential uses.

No other changes to the regulations of the RD3.1 zone were requested.

### **Outstanding Engineering Comments**

Development Engineering provided the applicant a number of comments during the Planning Consultation Process. Some of the Comments had not received a response at the time of writing the report. These comments relate to detailed design issues that will be dealt with through the site plan control process.

### **Risk Analysis:**

N/A

### **Climate Change Risks**

#### **Climate Change Mitigation:**

The additional increase in the density of development on the site with access to existing bus routes and being close to commercial and community facilities will encourage the use of transit, walking and cycling as modes of transportation, thereby helping to minimize the City's carbon footprint and implement Environmental Master Plan Objective C1: Encourage in-fill and higher density in existing built areas.

#### **Climate Change Adaptation:**

The new building may be affected by climate change, 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. Any site plan control application will be reviewed for opportunities to enhance resiliency.

### **Financial Matters:**

N/A

## **Consultations:**

Comments received from municipal departments and external agencies are attached as Appendix "A" to this report.

## **Public Notice:**

The statutory notice required under the Planning Act was provided in the Windsor Star. In addition, all properties within 200m of the subject parcel received courtesy notice by mail prior to the Development & Heritage Standing Committee Meeting (DHSC) meeting.

The applicant held a public open house on May 14th, 2024, from 6:30 pm to 8:30 pm at the Forest Glade Community Centre.

## **Conclusion:**

### **Planner's Opinion and Conclusions:**

The proposed use of this site as a development containing a Multiple Dwelling building with 54 units and a maximum height of 14m represents an efficient development that will have no adverse impact on the well-being of the City of Windsor. The proposed development represents an appropriate residential use, adds to the range and mix of uses and will not cause any environmental or public health and safety concerns. This development is consistent with the Provincial Planning Statement, 2024.

The proposed Multiple Dwelling development represents a housing type and density that meets the requirements of current and future residents, that meets the social, health and well-being of current and future residents, represents a form of residential intensification, is set in a location with access to infrastructure, public service facilities, and is close to commercial land uses.

The proposed Multiple Dwelling development is located within an area that contains townhome dwellings that provide transition to nearby single detached dwellings and is compatible within its context.

The proposed 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*      *Deputy City Planner - Development*

*Neil Robertson*      *City Planner*

I am not a registered Planner and have reviewed as a Corporate Team Leader.



JP

**Approvals:**

<b>Name</b>	<b>Title</b>
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	City Planner
Aaron Farough	Senior Legal Counsel
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
1495754 Ontario Inc.	9375 Tecumseh Rd East, Windsor ON, N8R 1A1	trafih@rafihautogroup.com
Dillon Consulting Limited	1 Riverside Drive, 12 <sup>th</sup> floor, Windsor ON	afarkas@dillon.ca
Councillor Marignani		

**Appendices:**

- 1 Excerpt By-law 8600 – RD3.1
- 2 Concept Plan
- 3 Comments

**SECTION 12 – RESIDENTIAL DISTRICTS 3. (RD3.)**

[ZNG/2930; ZNG/5270]

(B/L 9057 Jul 7/1987; B/L 9100 Aug 17/1987; B/L 11093 Jul 20/1992; B/L 11875 Oct 3/1995 OMB Order R940355; B/L 11876 Sep 11/1995 OMB Order R940356; B/L 13079 Oct 3/1997; B/L 162-1998 Jun 24/1998; B/L 211-1999 Aug 31/1999; B/L 33-2001 Oct 23/2001 OMB Order 1716 PL010233; B/L 443-2001 Jan 2/2002; B/L 363-2002 Dec 31/2002; B/L 23-2004 Feb 19/2004; B/L 401-2004 Jan 7/2005; B/L 90-2009 Jul 27/2009; B/L 113-2009 Aug 11/2009; B/L 129-2012 Oct 2/2012; B/L 31-2013 Mar 28/2013; B/L 164-2017 Dec 7/2017; B/L 95-2019 Sep 27/2019)

**12.1 RESIDENTIAL DISTRICT 3.1 (RD3.1)**

**12.1.1 PERMITTED USES**

- Double Duplex Dwelling*
- Duplex Dwelling*
- Lodging House*
- Multiple Dwelling*
- Religious Residence*
- Residential Care Facility*
- Semi-Detached Dwelling*
- Single Unit Dwelling (Existing)*
- Townhome Dwelling*

Any use accessory to any of the preceding uses

**12.1.5 PROVISIONS**

- .1 Lot Frontage – minimum 18.0 m
- .2 Lot Area – minimum
  - For a *corner lot* having a minimum frontage of 30.0 m on each of the *exterior lot lines*:
    - a) For the first 5 *dwelling units* 540.0 m<sup>2</sup>
    - b) For each additional *dwelling unit* 67.0 m<sup>2</sup> per unit
  - For any other *lot*:
    - c) For the first 4 *dwelling units* 540.0 m<sup>2</sup>
    - d) For each additional *dwelling unit* 85.0 m<sup>2</sup> per unit
- .3 Lot Coverage – maximum 35.0%
- .4 Main Building Height – maximum
  - Corner Lot* 14.0 m
  - Interior Lot* 10.0 m
- .5 Front Yard Depth – minimum 6.0 m
- .6 Rear Yard Depth – minimum 7.50 m
- .7 Side Yard Width – minimum
  - a) Where a *habitable room window* of any *dwelling unit* faces a *side lot line* 6.0 m
  - b) Any other side yard 3.0 m
- .8 Landscaped Open Space Yard – minimum 35.0% of *lot area*
- .50 A *Lodging House* for the accommodation of 10 persons or less, and any use accessory thereto, shall comply with the *Single Unit Dwelling* provisions of Section 10.1.5 and further, the whole of the *building* shall be used for a *Lodging House*, including any *accessory use*.  
 [ZNG/5630] (B/L 95-2019 Sep 27/2019)
- .55 A *Double Duplex Dwelling*, *Duplex Dwelling*, *Multiple Dwelling* having a maximum of 4 *dwelling units*, *Semi-Detached Dwelling* or *Townhome Dwelling*, or an addition to an *existing Single Unit Dwelling*, and any use accessory thereto, shall comply with the provisions of Section 11.2.5.

2024/08/28	PRE-CONSULTATION	Form for:
dm (m/m/d)		
<p>GENERAL NOTES:</p> <p>1. THIS PLAN IS THE PROPERTY OF ARCHITECTURAL DESIGN ASSOCIATES INC. AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY REUSE OR MODIFICATION OF THIS PLAN WITHOUT THE WRITTEN CONSENT OF ARCHITECTURAL DESIGN ASSOCIATES INC. IS STRICTLY PROHIBITED.</p> <p>2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES.</p> <p>3. THE CLIENT IS RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL SURVEY DATA AND EXISTING CONDITIONS SHOWN ON THIS PLAN.</p> <p>4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE APPROPRIATE AGENCIES AND AUTHORITIES TO COMPLETE THIS PLAN.</p> <p>5. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE APPROPRIATE AGENCIES AND AUTHORITIES TO COMPLETE THIS PLAN.</p> <p>6. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE APPROPRIATE AGENCIES AND AUTHORITIES TO COMPLETE THIS PLAN.</p> <p>7. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE APPROPRIATE AGENCIES AND AUTHORITIES TO COMPLETE THIS PLAN.</p> <p>8. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE APPROPRIATE AGENCIES AND AUTHORITIES TO COMPLETE THIS PLAN.</p> <p>9. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE APPROPRIATE AGENCIES AND AUTHORITIES TO COMPLETE THIS PLAN.</p> <p>10. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE APPROPRIATE AGENCIES AND AUTHORITIES TO COMPLETE THIS PLAN.</p>		

**architectural design associates inc.**

1670 mercer street  
 windsor ontario n6k 3d7  
 ph: 905.243.3400 fax: 905.243.3402  
 www.architecturaldesignassociates.com

project: RESIDENTIAL DEVELOPMENT WINDSOR, ON

client: RAHIF GROUP DEVELOPMENTS

title: SITE PLAN

scale: AS SHOWN

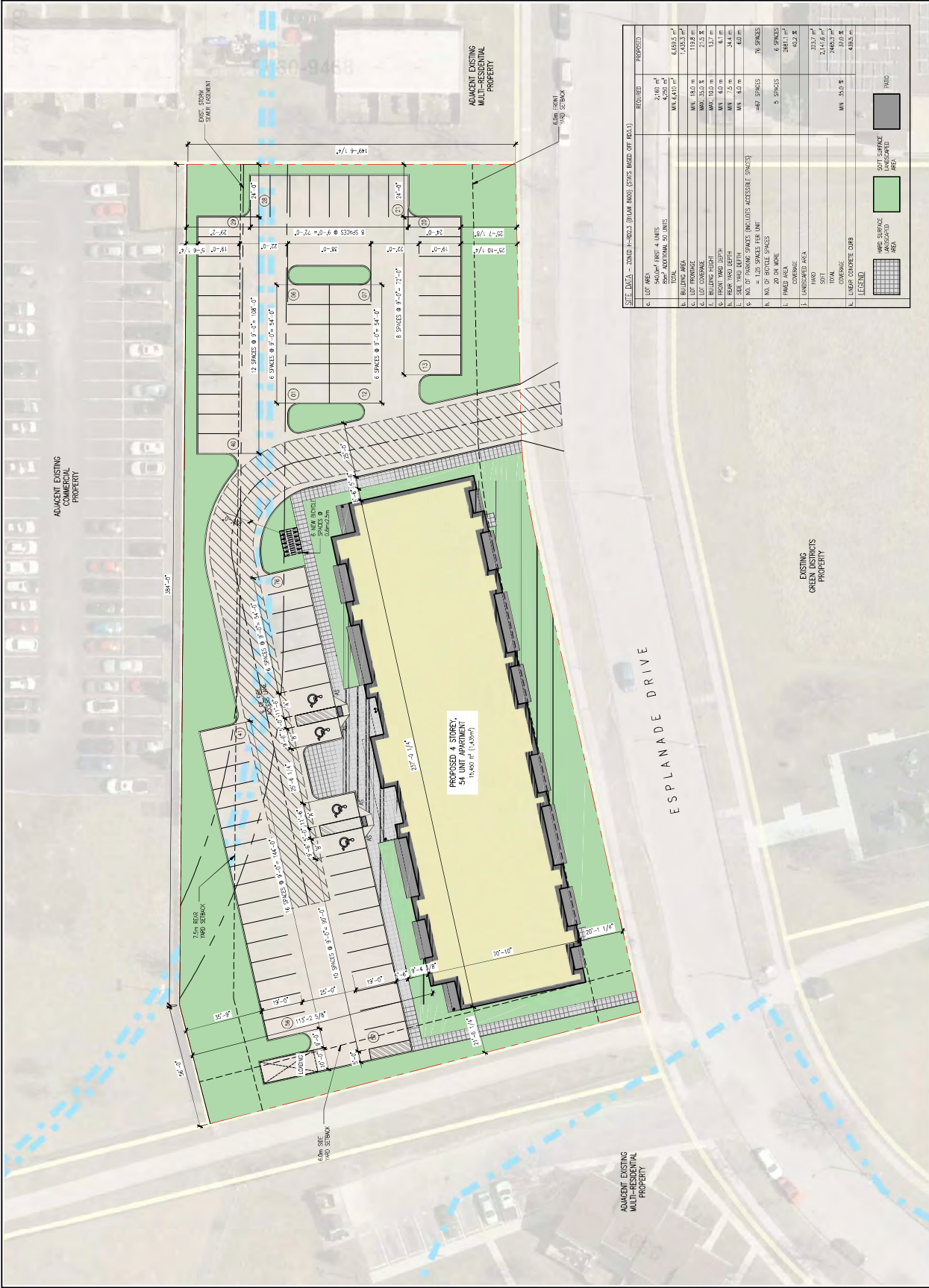
drawn by: JT

checked by: JBK

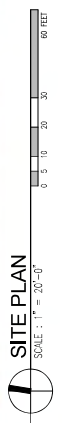
date: 2023-09-12

cont. no.: 2023-088

sheet no.: A1.0



ITEM	DESCRIPTION	REQUIREMENT	PROVIDED
1	LOT AREA	MIN. 10,000 sq. ft.	2,140 sq. ft.
2	LOT FRONTAGE	MIN. 100 ft.	425 ft.
3	LOT DEPTH	MIN. 100 ft.	110 ft.
4	LOT COVERAGE	MIN. 15.0 %	6.65 %
5	LOT COVERAGE	MIN. 55.0 %	21.2 %
6	BUILDING HEIGHT	MAX. 10.0 m	15.2 m
7	ROOF RISE	MAX. 4.0 m	4.1 m
8	ROOF RISE	MAX. 4.0 m	4.0 m
9	NO. OF PARKING SPACES (INCLUDES ACCESSIBLE SPACES)	MIN. 6.0 m	400
10	NO. OF PARKING SPACES PER UNIT	MIN. 1.25 SPACES PER UNIT	7.5 SPACES
11	PAVED AREA	MIN. 20.0 %	5 SPACES
12	UNCOVERED AREA	MIN. 50.0 %	490.2 m <sup>2</sup>
13	UNCOVERED AREA	MIN. 50.0 %	370.0 m <sup>2</sup>
14	UNCOVERED AREA	MIN. 50.0 %	490.2 m <sup>2</sup>
15	UNCOVERED AREA	MIN. 50.0 %	370.0 m <sup>2</sup>
16	UNCOVERED AREA	MIN. 50.0 %	490.2 m <sup>2</sup>
17	UNCOVERED AREA	MIN. 50.0 %	370.0 m <sup>2</sup>
18	UNCOVERED AREA	MIN. 50.0 %	490.2 m <sup>2</sup>
19	UNCOVERED AREA	MIN. 50.0 %	370.0 m <sup>2</sup>
20	UNCOVERED AREA	MIN. 50.0 %	490.2 m <sup>2</sup>
21	UNCOVERED AREA	MIN. 50.0 %	370.0 m <sup>2</sup>
22	UNCOVERED AREA	MIN. 50.0 %	490.2 m <sup>2</sup>
23	UNCOVERED AREA	MIN. 50.0 %	370.0 m <sup>2</sup>
24	UNCOVERED AREA	MIN. 50.0 %	490.2 m <sup>2</sup>
25	UNCOVERED AREA	MIN. 50.0 %	370.0 m <sup>2</sup>
26	UNCOVERED AREA	MIN. 50.0 %	490.2 m <sup>2</sup>
27	UNCOVERED AREA	MIN. 50.0 %	370.0 m <sup>2</sup>
28	UNCOVERED AREA	MIN. 50.0 %	490.2 m <sup>2</sup>
29	UNCOVERED AREA	MIN. 50.0 %	370.0 m <sup>2</sup>
30	UNCOVERED AREA	MIN. 50.0 %	490.2 m <sup>2</sup>



# CONSULTATION

## 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.

## **CANADA POST – BRUNO DESANDO**

This development, as described, falls within our centralized mail policy.

I will specify the condition which I request to be added for Canada Post Corporation's purposes.

- a) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding these conditions, please contact me. I appreciate the opportunity to comment on this project.

### **Lock-Box Assembly Requirements**

*The complete Canada Post Standards Manual for Builders & Developers can be downloaded at: [https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual\\_en.pdf](https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf)*

### **Compartments Size**

- Horizontal lock-box models used in mailrooms must have the following minimums:

- o Residential compartments must be at least 12.5 x 13.5 cm
- o Commercial compartments at least 13.5 x 30.5 cm
- o Parcel compartments at least 30.5 x 30.5 cm

- Vertical lock-box models must have min comp size of 25 x 12.5 cm. (Most models are 40 x 12.7 cm)

### **Heights**

- All lock-box assemblies must be installed in a manner that will not require the delivery employee to reach higher than 170cm or lower than 45cm when delivering to the equipment. With respect to horizontal lock-boxes, the limits above will likely mean that maximum number of compartments that can be included in each column of residential compartments would be eight

### **Rear-loading Lock-boxes**

- Projects with more than 100 units are required to be serviced via a rear-loading lock-box assembly.
- There must be a width of at least 100cm of working space from the back of the boxes to the wall.
- A ledge under the bottom row of boxes is also recommended in rear-loading designs. This ledge is to be directly under the bottom row of boxes (no space between ledge and bottom of boxes) and must stick out at least 20cm from the back of the boxes.
- Mailroom door is required to provide a minimum 81cm opening
- Lighting should be at least 100 lux (measured 75 cm from floor)

### **Access**

- All buildings where the lock-boxes are required to be serviced from inside the building are required to install a Canada Post Crown lock in the building intercom. The intercom is pre-fabricated with an internal housing for the lock. The lock can be obtained from the local deliver supervisor.
- If the building has more than 100 units, a rear-loading lock-box assembly will be installed. The door to the Canada Post delivery area must be fitted with a specific model of deadbolt. This is because Canada Post will supply a key cylinder made specifically for the Canada Post key that will fit inside the deadbolt purchased by the developer.

### **Numbering**

- Compartments should be numbered vertically and left to right on the delivery side of the boxes

### **Grade-level Components**

- If the development includes grade level retail or residential units, please take note that door-to-door delivery will not be provided to these units. Canada Post is happy to install a Community Mailbox to provide service to these units. Please coordinate a location with the Canada Post Delivery Planner for the area. If there is no room on the property for the Community Mailbox, service can be provided via another Community Mailbox in the area. Options to service the units from the tower (lobby) lock-boxes or via a front-loading lock box erected on the outside of the building can also be discussed with the Delivery Planner.

## **SITE PLAN CONTROL**

The development proposal is subject to Site Plan Control pursuant to the Planning Act and City of Windsor By-law 1-2004. Where preceding development applications are required, inclusive of Official Plan and Zoning By-law Amendments, request for Site Plan Control Pre-Consultation Stage 1 may be made following completion of the requisite Development and Heritage Standing Committee meeting at <https://ca.cloudpermit.com/login>

## TRANSIT WINDSOR – JASON SCOTT

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Ottawa 4. The Ottawa 4 has a peak weekday frequency of 20 minutes. The closest existing bus stop to this property is located on Esplanade at Lilac Southeast Corner. This bus stop is approximately 300 metres from this property falling within Transit Windsor's 400 metre walking distance guidelines to a bus stop. This will be further enhanced with Transit Windsor's City Council approved 2023 Service Plan as a new local route will be replacing the Ottawa 4 in this area. This new route will provide two way conventional transit service versus the existing one way loop. There will be a new bus stop directly across the street from this property in front of Bush Park and another new bus stop on Esplanade at Scarsdale Northwest Corner. This will provide direct transit service to this development. The weekday frequency of this route is 30 minutes. This is consistent with Transit Windsor's City Council approved Transit Master Plan.

## ZONING COORDINATOR – PIERE BORDEAUX

Below is the zoning review summary for the *above-mentioned property*; circulated on Oct 22nd, 2024:

- **Current Zoning Designation:**
  - Commercial District 2.4 [CD2.4] and
  - Holding Residential District 2.3 [HRD2.3]
- **Proposed Zoning Designation:** Residential District 3.1 [RD3.1]
- **Existing Use [as per historical Building Permit(s) / Planning Act Applications(s)]:**
  - Vacant lot
- **Proposed Use:**
  - Residential Apartment Complex Development
- **Section 5 – General Provisions:**
  - [COMPLY]
- **Section [12.1] – [Residential District 3.1] [RD3.1]:**
  - [12.1.5.1] Lot Frontage - minimum:
    - 18.0 m (Required)
    - 102.0 m (Provided)
  - [12.1.5.2] Lot Area - minimum:
    - 3785.0 sq. m (Required)
    - 6671.0 sq. m (Provided)
  - [12.1.5.3] Lot Coverage - maximum:
    - 35.0 % (Required)
    - 25.5 % (Provided)
  - [12.1.5.4] Main Building Height - maximum: [12.1.5.4]
    - 10.0 m (Required)
    - 13.7 m (Proposed)



- [12.1.5.5] Front Yard Depth - minimum:
  - 6.0 m (Required)
  - 6.1 m (Provided)
- [12.1.5.6] Rear Yard Depth - minimum:
  - 7.50 m (Required)
  - 34.4 m (Provided)
- [12.1.5.7] Side Yard Width - minimum:
  - 6.0 m (Required)
  - 6.0 m (Provided)
- [12.1.5.8] Landscaped Open Space Yard - minimum:
  - 35.0 % (Required)
  - 36.0 % (Provided)
- **Section 20 – Site Specific Zoning Exemptions:**
  - [NOT APPLICABLE]
- **Section 24 – Parking, Loading, and Stacking Provisions:**
  - [24.22] Visitor Parking Space Provisions
    - [24.22.1] Required Number of Visitor Parking Spaces
      - 10 (Required)
      - 0 (Provided)
- **Section 25 – Parking Area Provisions:**
  - [25.5.20] Parking Area Separation:
    - [25.5.20.1.6] Parking Area Separation from a building wall containing a habitable room window or containing both a main pedestrian entrance and a habitable room window facing the parking area where the building is located on the same lot as the parking area:
      - 4.50 m (required)
      - 3.64 m (provided)
- **Section 95 - Holding Zone Provisions**
  - [APPLICABLE]
    - A Planner input is required

## 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.



**TRANSPORTATION PLANNING – ELARA MEHRILOU**

- The Official Plan classifies Esplanade Dr as a Class 2 Arterial with a required right-of-way width of 29.1 metres per Schedule X of the Official Plan. The current right-of-way width is sufficient; therefore, no conveyance is required.
- All parking must comply with Zoning By-Law 8600.

- All bicycle parking spaces must comply with Zoning By-Law 8600 in quantity and dimensions. The current site plan deficient 5 bicycle parking spaces.
- Transportation Planning have received and reviewed the TIS titled Transportation Impact Study 0 Esplanade Drive, Windsor file number 23-7174 dated September 2024 conducted by Dillon Consulting.
  - 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).

### **HERITAGE PLANNING – TRACY TANG**

The subject property is located within the Archaeological Potential Zone (as per the recently adopted Windsor Archaeological Management Plan, 2024; OPA 181; and updated 2024 archaeological potential model OP Volume I Schedule C-1). 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 archaeological reports, letters from the Ministry confirming acceptance of the reports in the Ontario Public Register of Archaeological Reports, and GIS shapefiles of the study area must be submitted to the City of Windsor Planning and Development Services.

Contact: Tracy Tang, Senior Planner – Heritage (Acting), [ttang@citywindsor.ca](mailto:ttang@citywindsor.ca) or 519-255-6543 x6179.

### **LANDSCAPE ARCHITECTURE & URBAN DESIGN – HODA KAMELI**

From the urban design review in Stage 1, elevations and floor plans has been required. The elevations should specify materials to assess the façade design and the west façade’s relationship with the Ganatchio Trail.

The landscape plan will be needed at the Site Plan Approval (SPA) stage for further review.

### **DEVELOPMENT ENGINEERING – ROB PERISSINOTTI**

We have reviewed the subject Rezoning application and have the following comments:

**Sewers** The site may be serviced by a 1,050mm RCP sanitary sewer located within the Esplanade Dr. right-of-way. Similarly, the site may be serviced by a 1,350mm x 2,700mm RCP box culvert storm sewer located within the private property. This sewer is located within a 12.2m wide easement. All existing and proposed storm, sanitary and water services must be identified on the drawings, as well as the associated mainline sewers/water mains. 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.

A revised servicing report, dated September 4, 2024 completed by Dillon Consulting, has been received and reviewed. Not all comments previously provided have been addresses Please refer to Appendix A for outstanding comments. Provide a matrix outlining comment responses.

## **Right-of-Way**

Esplanade Dr. is classified as a Class 2 Collector road according to the Official Plan, requiring a right-of-way width of 21.9m. The current right-of-way is sufficient, therefore, no conveyance is required at this time.

## **Special Provisions (to be included in Site Plan Control Agreement)**

The following special provisions will be required prior to submitting a building permit application:

**Site Plan Control Agreement** – The applicant enter into an agreement with the City of Windsor for all requirements under the General Provisions of the Site Plan Control Agreement for the Engineering Department.

**Servicing Charges** – The applicant(s) shall note that they may be required to pay servicing charges for the existing sanitary sewer and/or sewer connection(s) if not paid previously for this site. These charges will be assessed prior to the issuance of a construction permit. 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.

**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

**Trees** – The applicant/owner shall consult with the City Forester to discuss the preservation of city owned trees on the municipal right-of-way, to the satisfaction of the City Forester.

In summary we have no objection to the proposed development, subject to the following requirements:

If you have any further questions or concerns, please contact Robert Perissinotti, of this department at [rperissinotti@citywindsor.ca](mailto:rperissinotti@citywindsor.ca)

## **ENWIN**

**HYDRO ENGINEERING: Keegan Morency Kendall**

No Objection, provided adequate clearances are achieved and maintained.

Please note the following.

- 1- ENWIN has underground splicing vaults at the north west and north east corners of the property.
- 2- ENWIN has 27.6kV underground three phase primary conductors along the west side of the property.

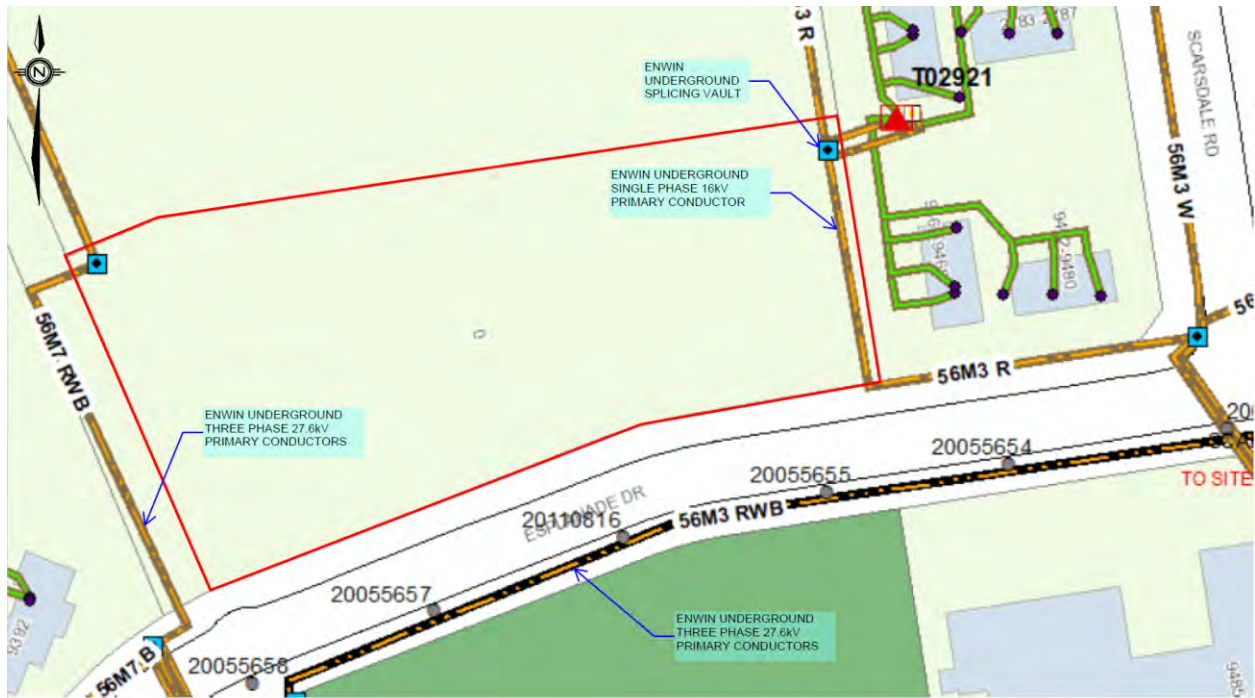
- 3- ENWIN has 16kV underground three phase primary conductor along the east side of the property.

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.



NOT TO SCALE

**FORESTRY – YEMI ADEYEYE**

After reviewing the tree inventory, it was determined that 252.70 cm of trees will need to be removed to accommodate this new build.

The cost for the Tree Canopy Recovery was calculated at \$34,367.20

**NATURAL AREAS – KAREN ALEXANDER**

- Half the property is within Source Water Protection Zone 3, ERCA permit may be required.
- Trees must be removed for the development. No harming Active Bird Nests (Migratory Bird Act)



**Subject: Zoning By-Law Amendment – Z034/24 (ZNG/7241) - Anthony Palermo – 5172 Joy Rd, Ward 9**

Moved by: Councillor Angelo Marignani  
Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 678**

- I. That Zoning By-law 85-18 **BE AMENDED** by changing the zoning of CON 8 PT LOT 15 RP 12R10850 PARTS 7 & 14, situated on the north side of Joy Road and east of 8<sup>th</sup> Concession Road, known municipally as 5172 Joy Road, by adding a defined area as follows:

**6.3.17 Defined area R1-17 as shown on schedule “A”, Map 3 of this by-law.**

- |                                                                                                    |                    |
|----------------------------------------------------------------------------------------------------|--------------------|
| a) Maximum lot coverage for all accessory structures                                               | 193 m <sup>2</sup> |
| b) Maximum height of all accessory structures                                                      | 4.3 m              |
| c) Materials                                                                                       |                    |
| i. A barn or accessory structure may be constructed with post, beam, or galvanized steel materials |                    |

Carried.

Report Number: S 157/2024  
Clerk's File #: Z/14861

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 7.3 from the Development & Heritage Standing Committee held on December 2, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241202/-1/10526>



**Subject: Zoning By-Law Amendment – Z034/24 (ZNG/7241) - Anthony Palermo – 5172 Joy Rd, Ward 9**

**Reference:**

Date to Council: December 2, 2024  
Author: Author: Diana Radulescu  
Planner II – Development Review  
T. (519) 255-6543 x 6918  
E. dradulescu@citywindsor.ca  
Planning & Building Services  
Report Date: November 15, 2024  
Clerk's File #: Z/14861

**To:** Mayor and Members of City Council

**Recommendation:**

- I. THAT Zoning By-law 85-18 **BE AMENDED** by changing the zoning of CON 8 PT LOT 15 RP 12R10850 PARTS 7 & 14, situated on the north side of Joy Road and east of 8<sup>th</sup> Concession Road, known municipally as 5172 Joy Road, by adding a defined area as follows:

**6.3.17 Defined area R1-17 as shown on schedule “A”, Map 3 of this by-law.**

- a) Maximum lot coverage for all accessory structures 193 m<sup>2</sup>
- b) Maximum height of all accessory structures 4.3 m
- c) Materials
  - i. A barn or accessory structure may be constructed with post, beam, or galvanized steel materials

**Executive Summary:**

N/A

**Background:**

**Application Information**

**Location:** 5172 Joy Road (Roll No: 090-020-02300)

**Ward:** 9 **Planning District:** County Road 42 Secondary Plan

**Zoning District Map:** 13

**Applicant:** Anthony Palermo

**Owner:** Same as Applicant

**Agent:** N/A

**Proposal:** Construct an accessory structure consisting of a post, beam and plant type of construction (pole barn) with a maximum building height of 4.3 m. The subject land includes an existing residential dwelling, a detached garage, a shed, a driveway and vehicular access to Joy Road.

The Applicant is seeking an amendment to Zoning Bylaw 85-18 (former Township of Sandwich South) to add a defined area to the existing zoning of Residential Zone 1 (R1) to allow for increased total maximum lot coverage for all accessory structures, increased maximum building height, and the use of post and beam construction with metal exterior cladding.

**Submitted Materials:** Attached to Report S 157/2024 as an Appendix:

- Appendix A – Conceptual Site Plan
- Appendix B – Conceptual Elevations
- Appendix C – Conceptual Floor Plan
- Appendix D – Comments
- Appendix E – Site Photos

All documents are available online via the Current Development Applications [page](#) or via email at [dradulescu@citywindsor.ca](mailto:dradulescu@citywindsor.ca)

### Site Information

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Residential	Residential Zone 1 (R1)	Dwelling, Accessory buildings	Residential, Agricultural
LOT WIDTH	LOT DEPTH	LOT AREA	LOT SHAPE
32.30 m	54.54 m	1,867.74 m <sup>2</sup>	Rectangular
<i>All measurements are approximate.</i>			

### Neighbourhood:

Site images are provided in Appendix F.

The subject parcel is located within a low profile residential neighbourhood surrounded by agricultural uses to the north, east, south and west. There are three established low density residential neighbourhoods in this geographic area: Joy Road, Ray Road and Baseline Road (west towards 7<sup>th</sup> Concession Road). Further north are located industrial, rural commercial and hamlet commercial uses. Further south are institutional and parks/ open space uses.

The CN Railway is located approximately 1.9 km to the west.

The closest park is Captain J. Wilson Park which is 2.9 km to the west. The nearest library is the Windsor Public Library - Fountainbleu branch 4.3 km to the north.

The Windsor International Airport is 2.2 km to the north.

Joy Road is classified as a Local Residential Road as per *Schedule F: Roads and Bikeways* and has two travel lanes. There are no curbs or sidewalks.

There is no public transit or active transportation currently available or planned to service the subject site.

The site is currently serviced by a 150mm watermain located within the Joy Road right-of-way. The site is part of a Local Improvement Project for Joy Road that will provide sanitary and storm sewer connections.



Figure 1: Key Map



KEY MAP - Z-034/24, ZNG/7241



● SUBJECT LANDS

**Figure 2: Subject Parcel - Rezoning**



PART OF ZONING DISTRICT MAP T17

N.T.S.

## REQUESTED ZONING AMENDMENT

Applicant: Anthony Palermo



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



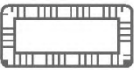
DATE : OCTOBER, 2024  
FILE NO. : Z-034/24, ZNG/7241

**Figure 3: Neighbourhood Map**





NEIGHBOURHOOD MAP - Z-034/24, ZNG/7241



SUBJECT LANDS

## **Discussion:**

The proposed development originally pursued a minor variance through the Committee of Adjustment. However, due to the provisions of Zoning By-law 85-18 which regulate the height, lot coverage and construction materials of accessory structures (further outlined below), the applicant was directed to pursue a rezoning. As a result of conversations with Planning and Development Services, there were no studies requested to be completed as part of the planning consultation for this application.

## **Provincial Planning Statement (PPS) 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. Planning Staff are of the opinion that the proposed development is in line with the PPS 2024.

Policy 2.1.6 states that “*complete communities*” shall be supported by “*accommodating an appropriate range and mix of land uses...and other uses to meet long-term needs*”. The proposed accessory structure represents an appropriate land use in terms of the range and mix of the surrounding neighbourhood context. The proposed amendment is consistent with Policy 2.1.6 of the PPS.

Policy 2.3.1 provides general policies for settlement areas, where growth should be focused. Land use patterns should be based on the efficient use of land and resources, while optimizing existing and planned infrastructure. The Local Improvement Project initiated for Joy Road will eventually provide municipal sanitary and storm sewer connections to the subject land. The proposed accessory structure promotes the efficient use of land, resources, and infrastructure (existing and planned). The proposed amendment is consistent with 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 and complete communities. The proposed accessory structure is on an existing parcel and does not require settlement area expansion. It is a compact development with access to an existing public right-of-way (Joy Road) and planned expansion of municipal services. The proposed amendment is consistent with Policy 2.9.

The proposed development of an accessory structure 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. There are no anticipated environmental or public health and safety concerns with the proposed use of land.

While the PPS 2024 does not contain explicit language with respect to accessory structures to residential uses, Planning & Development Services is of the opinion that the proposed amendment to Zoning Bylaw 85-18 is consistent with the PPS 2024.

## **Official Plan:**

The subject parcel has a Low Density Residential designation in the County Road 42 Secondary Plan, Volume II of the Official Plan (“the Secondary Plan”). Section 8.4.7 of the Secondary Plan outlines policies that guide the development of Low Density and related forms of housing as well as other complimentary services and amenities directly related to the primary residential use in the area. The proposed accessory structure (a pole barn) is intended to be used for storage in conjunction with the existing low-density residential dwelling on the parcel. No change is proposed for the residential use. The Secondary Plan also guides future development of the County Road 42 area “in a manner that will result in a complete community that makes efficient use of infrastructure and other services and includes a full range and mix of housing and employment opportunities” (8.1.2.1). The proposed development is limited in scope to the existing parcel and reflects an efficient use of existing resources. The proposed rezoning conforms to the low density residential and general policies in the Secondary Plan.

The subject parcel is also located within the “Ray Road / Joy Road Special Policy Area” in Section 1.25 of the *Special Policy Areas* chapter of Volume II of the Official Plan. This policy area addresses the specific development goals for this established residential neighbourhood. It notes that, despite their inclusion in the broader designation of “Future Urban Area” on *Schedule D: Land Use* in Volume I of the Official Plan, “the Ray Road and Joy Road Residential Area is not intended for future development or redevelopment, with the exception of dwellings or uses in accordance with the zoning by-law and subdivision plan”. An accessory structure is a permitted use within the R1 zoning district. It further notes that “any Secondary Plans undertaken in this area will include the Ray Road and Joy Road Residential Area within their study area, to ensure appropriate integration of existing residential development with future development in the area with respect to land uses, transportation, servicing and other planning matters”. As noted above, the proposed development conforms to the general policies in the Secondary Plan.

The proposed development of an accessory structure is of a scale that is compatible with the profile and uses of the surrounding neighbourhood. The proposed amendment to Zoning By-law 85-18 will conform to the general policy direction of the Official Plan.

## **Zoning By-Law:**

The subject land is zoned Residential Zone 1 (R1) in Zoning Bylaw 85-18. Accessory uses are permitted within the R1 zone, subject to certain provisions. The Applicant is seeking a rezoning to permit for increased total maximum lot coverage for all accessory structures, increased maximum building height, and the use of post and beam construction with metal exterior cladding for the proposed development. The Applicant’s request for a change in zoning with site-specific provisions is supported in principle. A discussion of the defined area provisions follows.

## **Lot coverage**

The subject land currently contains two accessory structures (a detached garage and a shed). Zoning Bylaw 85-18 provisions require that the maximum lot coverage shall not exceed the lesser of 67 m<sup>2</sup> or 10% of the total lot area in R1 zones. The proposed construction of the pole barn would lead to a total maximum lot coverage for all

accessory structures of 193 m<sup>2</sup> (or 10.3% of the total lot area). Defined area provision 6.3.17 (a) provides relative relief from the maximum lot coverage for the proposed development.

### **Height of accessory structure**

Section 5.27.1(e) of the Zoning Bylaw notes that accessory structures shall have a height maximum of 3.7 m in an R1 zone. The proposed height of the accessory structure (4.3m) represents a 16.2% variance. As such, defined area provision 6.3.17 (b) provides for a maximum height of 4.3 m for all accessory structures.

### **Construction materials**

Zoning Bylaw 85-18 notes that “the barn or accessory building must not be constructed with post, beam, or galvanized steel materials if the floor area exceeds 9.3 square meters “[5.27.1(j)]. Zoning Bylaw 8600, which governs the majority of the City of Windsor, does not include prohibited materials in accessory building provisions. Recommended defined area provision 6.3.17 (c) provides for post, beam and metal construction materials as proposed by the development.

The proposed development complies with all other applicable zoning provisions. Planning and Development Services is of the opinion that the nature of the zoning reliefs are minor in nature and there are no adverse impacts as a result of the proposed development.

### **Site Plan Control:**

The development as proposed is not subject to Site Plan Control.

### **Risk Analysis:**

N/A

### **Climate Change Risks**

#### **Climate Change Mitigation:**

The subject land is located within an existing neighbourhood, therefore reducing the impacts of climate change by locating within the existing built-up area. The proposed development is limited to the scope of the subject land and does not propose changes to the existing residential use, which minimizes the impact on community greenhouse gas emissions.

#### **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 an accessory structure provides an opportunity to increase resiliency for the surrounding area through supporting a variety of land uses that are located near existing and future infrastructure.

**Financial Matters:**

N/A

**Consultations:**

As a result of discussions with Planning and Development Services, an Open House was not a requirement of the Planning Consultation process for this application.

A courtesy notice was mailed to property owners within 200m of the subject land and statutory notice was advertised in the Windsor Star. Submitted documents were posted on the City of Windsor [website](#). The Planning Department received one inquiry from the public with respect to this proposed development.

Comments received from municipal departments and external agencies are attached as Appendix E.

**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 85-18 is consistent with the PPS 2024 and is in conformity with the City of Windsor Official Plan.

The proposed amendment permits an accessory structure, which is compatible and complementary with existing uses in the surrounding neighbourhood.

The recommendation to amend Zoning By-law 85-18 constitutes good planning. Staff recommend approval.

**Planning Act Matters:**

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:**

Name	Title
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	City Planner
Aaron Farough	Senior Legal Counsel

Name	Title
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

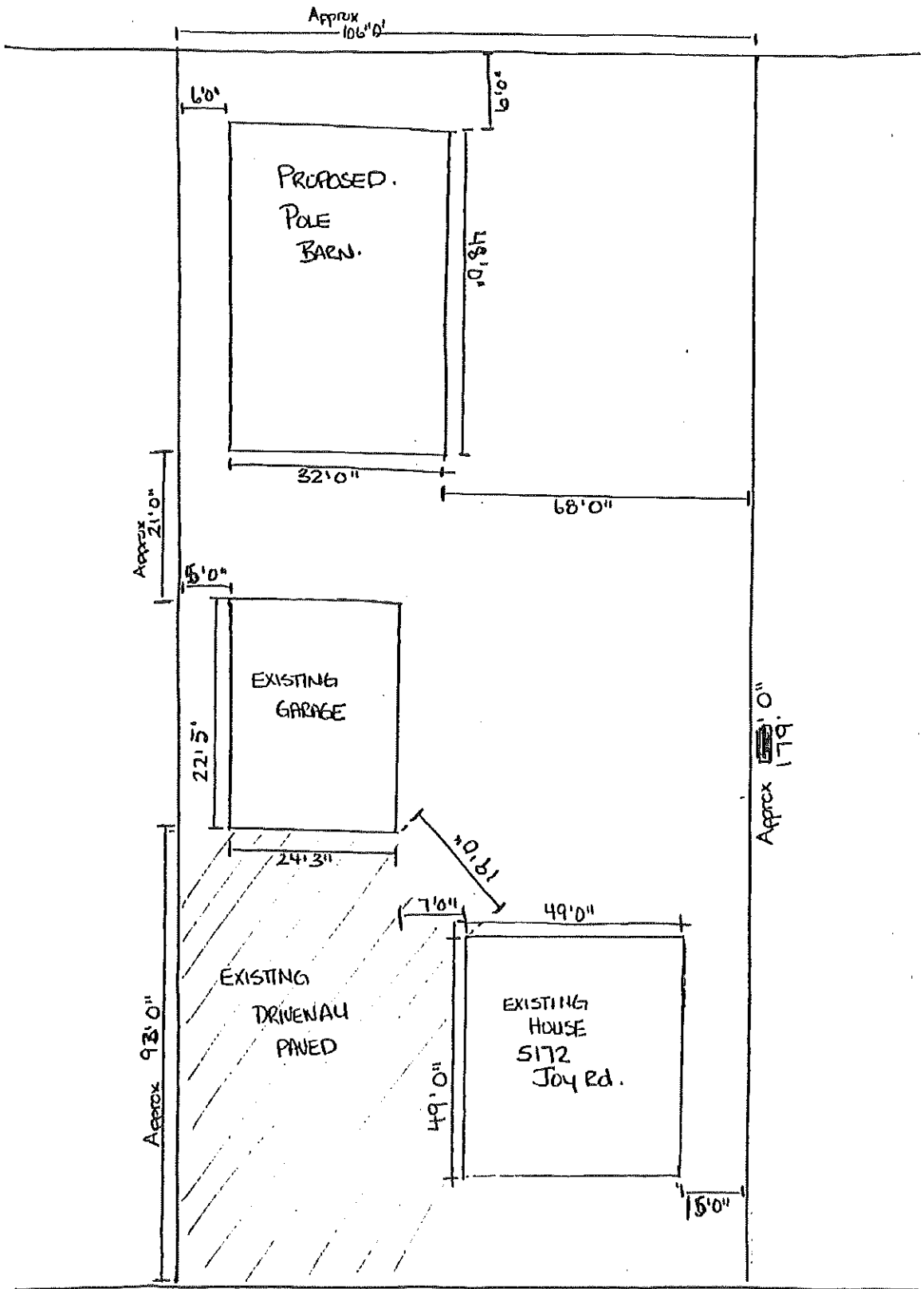
**Notifications:**

Name	Address	Email
Anthony Palermo		
Councillor Kieran McKenzie (Ward 9)		
Property owners and tenants within 200 m of the subject lands		

**Appendices:**

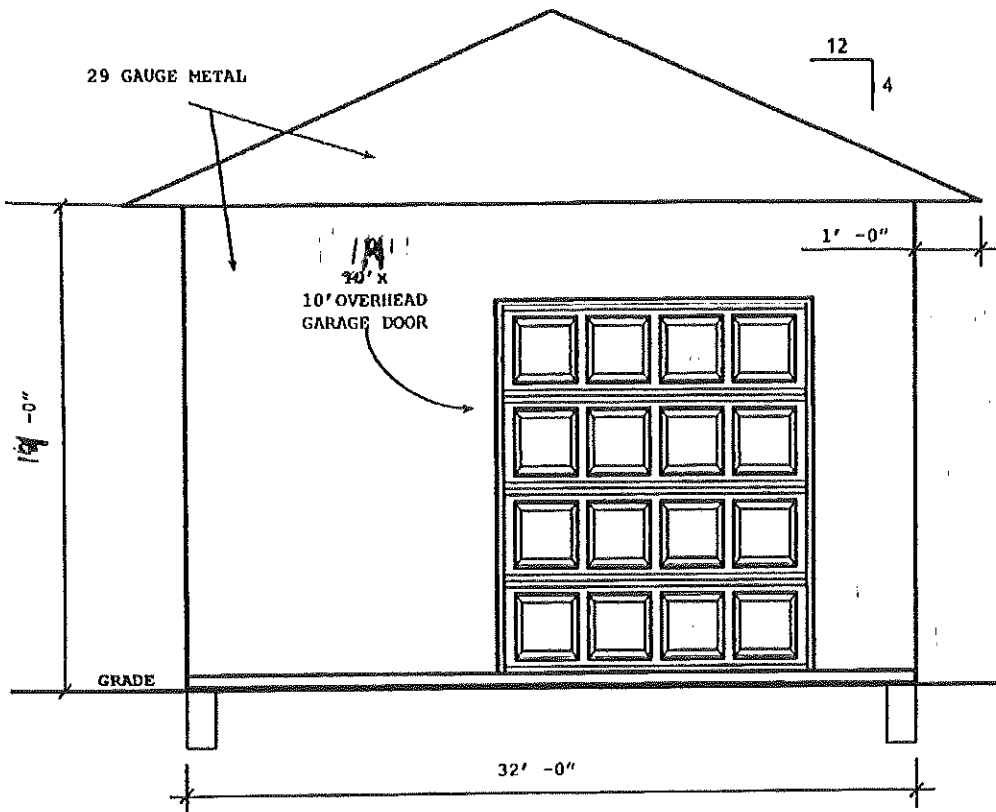
- 1 Appendix A – Plan of Survey
- 2 Appendix B – Concept Site Plan
- 3 Appendix C – Concept Floor Plan
- 4 Appendix D – Comments
- 5 Appendix E – Site Photos



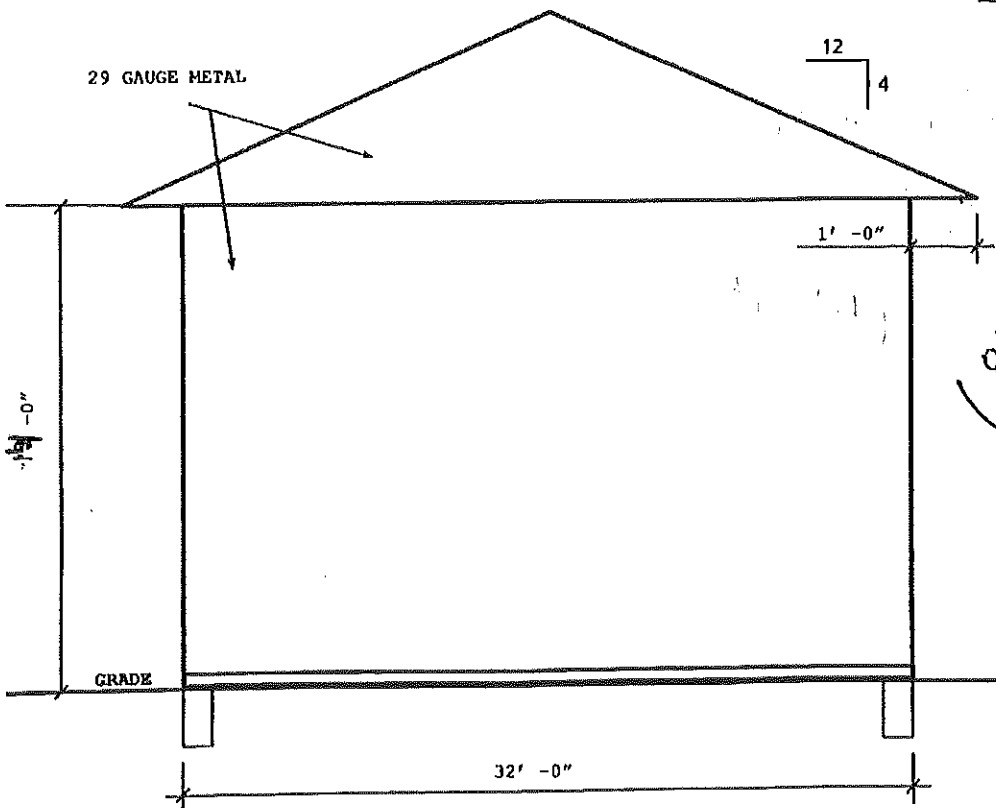


5172 JOY ROAD

**NORTH ELEVATION**



**SOUTH ELEVATION**



SIZE : 32 x 48 x 14

### Sidewall Detail

2x4 PURLINS @ 18" O.C.

APPROVED TRUSSES @ 2' O.C. Residential

2X6 FASCIA BOARD

2 2 x 10 PLATES

2 - 2X6 BLOCK

2 - 2X6 SWAY BRACING

6 x 6 POSTS @ 8 O.C.

29 GAUGE METAL CLADDING

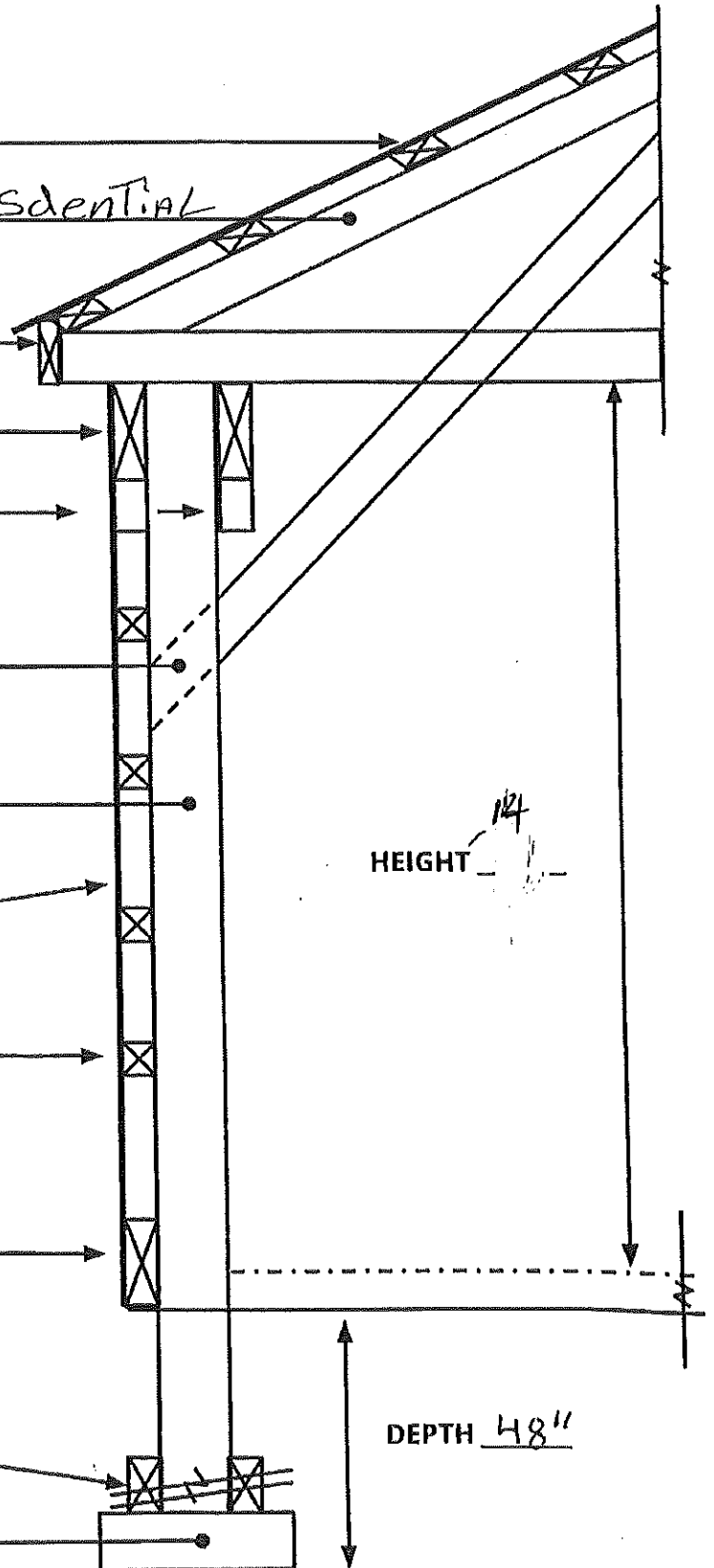
2X4 WALL GIRTS @ 2' O.C.

2 x 10 P.T. SPLASH BOARD

1 ROWS

2X6 UPLIFT BLOCK

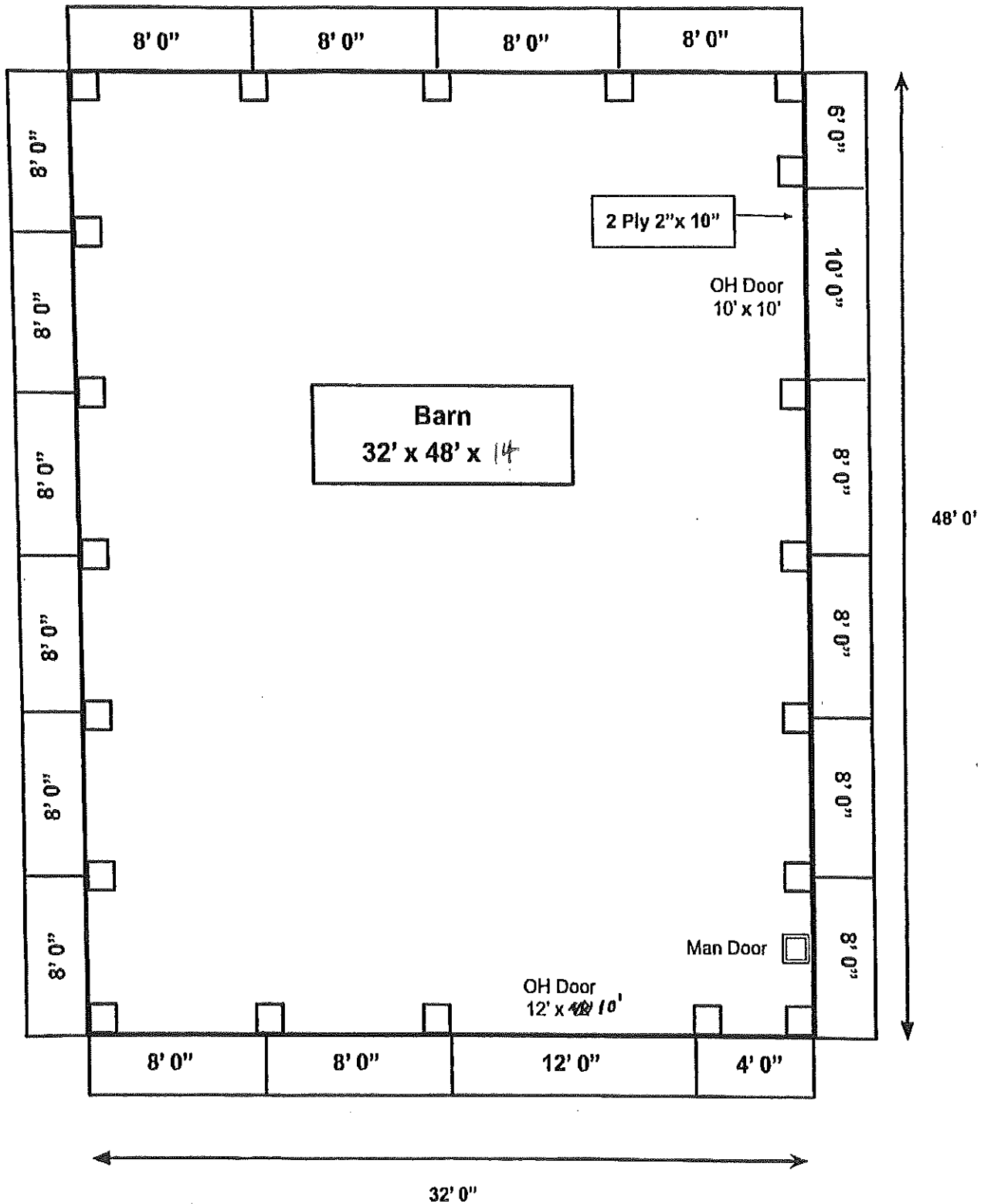
20x10 CONC. PAD



HEIGHT 124

DEPTH 48"

# Top View Layout



## APPENDIX D – CONSULTATION

### ZONING COORDINATOR – PIERE BORDEAUX

Below is the zoning review summary for the above-mentioned property; circulated on October 2nd, 2024:

- **Current Zoning Designation:** Residential District 1 [R1] as per Zoning by-law 85-18
- **Proposed Zoning Designation:** Residential District 1 [R1]
- **Existing Use [as per historical Building Permit(s) / Planning Act Applications(s)]:**
  - Residential
- **Proposed Use:**
  - Residential
- **Section 5 – General Provisions:**
  - [COMPLY]
- **Section 6 RESIDENTIAL ZONE 1 [R1]**
  - Maximum Lot Coverage: [5.27.1(e)]
    - 67 m2 (Required)
    - 193 m2 (Proposed)
  - Maximum Main Building Height: [5.27.1(f)]
    - 3.7 meters (Required)
    - 4.3 meters (Proposed)
  - Materials: [5.27.1(j)]
    - The barn or accessory building must not be constructed with post, beam, or galvanized steel materials if the floor area exceeds 9.3 square meters (100.11 square feet) (Required)
    - Post and beam construction, and 29-gauge metal cladding exterior finish (Proposed)

### LANDSCAPE ARCHITECT & URBAN DESIGN – HODA KAMELI

From a landscape architectural perspective, there are some trees in the back yard of the property which will need to be removed to accommodate the proposed development. Applicant is to consult with the City Forester as whether any preservation or compensation for removal is required for either of these trees.

From an urban design perspective, Therefore, there are no objections from an urban design perspective.

## **ENWIN**

### **HYDRO ENGINEERING: Anwar Nagar**

This particular location is not serviced by Enwin (Hydro). We would suggest contacting Hydro One.

### **WATER ENGINEERING: Bruce Ogg**

ENWIN Water has no objections.

## **DEVELOPMENT ENGINEERING – JUAN PARAMO**

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We have reviewed the subject Rezoning application and have the following comments:

Joy Road is classified as a Local Road according to the Official Plan requiring a right-of-way width of 20 metres; the current right-of-way is deficient therefore, a conveyance of 2.0 metres is required along the frontage of this property.

In summary we have no objection to the proposed development, subject to the following requirements:

**Land Conveyance** – Prior to the issuance of a construction permit, the owner (s) shall agree to gratuitously convey to the Corporation, land sufficient to create a 20 metre wide right-of-way on Joy Road. This conveyance shall be approximately 2.0 metres along the entire Joy Road frontage of the subject lands.

If you have any further questions or concerns, please contact Shannon Mills, of this department at [smills@citywindsor.ca](mailto:smills@citywindsor.ca)

## **RIGHT OF WAY – MARK SCHAFFHAUSER**

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### **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.
2. **Encroachment Agreement** – There are existing items encroaching into the right-of-way, which require either removal or an encroachment agreement to legalize said items.
  - o Modify drawings to remove encroaching items or identify that an encroachment agreement with the City of Windsor will be required for the raised curbs.

### **Right-of-Way Permit Requirements:**

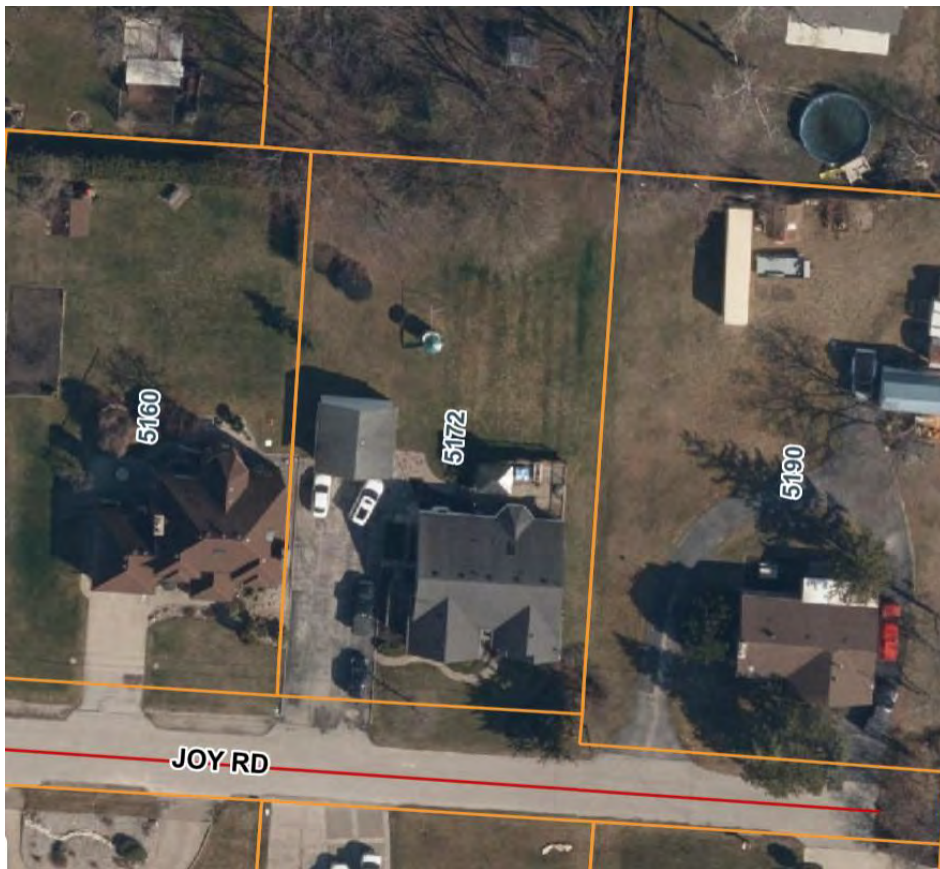
**Encroachment Agreement** – The owner agrees to submit application for and execute an agreement with the Corporation for the proposed encroachments into the right-of-way (raised curbs along driveway approach) to the satisfaction of the City Engineer.

If you have any further questions or concerns, please contact Thomas Huynh, of this department at [thunyh@citywindsor.ca](mailto:thunyh@citywindsor.ca)

**APPENDIX E- SITE PHOTOS**



View of subject land (5172 Joy Road)



Aerial view of subject land





View of Joy Road (looking west)



View of Joy Road (looking east). 5172 Joy Road is located on the left.



**Development & Heritage Standing Committee**  
**Monday, December 2, 2024**  
**Item 7.3 - written submission**

**From:** Chakaravarthy Appu <>

**Sent:** November 27, 2024 10:05 AM

**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>; Radulescu, Diana (She/Her) <[dradulescu@citywindsor.ca](mailto:dradulescu@citywindsor.ca)>

**Subject:** File Number Z-034/24 [ZNG/7241], Concerns regarding Proposed Pole Barn at 5172 Joy Road

To

City of Windsor

Development & Heritage Standing Committee

[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca) &

Diana Radulescu (Planner Level II)

[dradulescu@citywindsor.ca](mailto:dradulescu@citywindsor.ca)

**Subject : File Number Z-034/24 [ZNG/7241], Concerns regarding Proposed Pole Barn at 5172 Joy Road.**

In response to the notice received from the City of Windsor, dated November 4, 2024, regarding proposed amendments to the City of Windsor Zoning By-law 85-18, and referring to the above file number, we submit the following concern.

As a resident committed to maintaining a positive relationship with my neighbors and supporting them whenever possible, I understand and respect their needs regarding the proposed construction of a Pole Barn. However, it is essential to address the potential impact such a structure could have on our neighborhood. Balancing individual needs with the broader interests of the community is crucial to preserving the character of our residential area.

We respectfully submit the following concerns regarding the proposed Pole Barn construction at 5172 Joy Road:

**1. Disproportionate Size Compared to Residential Structures**

The proposed barn's dimensions significantly exceed the typical scale of residential structures in the area. Its imposing size would dominate the landscape and disrupt the neighborhood's visual harmony.

**2. Aesthetic Impact on the Residential Zone**

The proposed barn's design is not in keeping with the architectural style of the residential area. Such an industrial or agricultural structure risks clashing with the aesthetic cohesion of our neighborhood, reducing its visual appeal and undermining efforts to maintain a pleasant and consistent environment.

**3. Setting a Precedent**

Approval of this structure could set a precedent for other non-residential developments, potentially eroding the neighborhood's residential character and introducing incompatible structures.

**4. Impact on Property Values**

A structure of this scale and style may negatively affect surrounding property values, deterring prospective buyers who prioritize visual consistency and cohesion in residential areas.

We respectfully urge the city to carefully consider these concerns and evaluate whether this proposal aligns with the neighborhood's values, zoning purpose, and long-term interests.

Thank you for your attention to this matter.

Regards

Appu Chakaravarthy

Leena Aegambaram Selvaraj

**From:** Chris . <>  
**Sent:** November 29, 2024 12:30 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Item 7.3 – Zoning By-Law Amendment

Hello, my name is Chris Stone, and I'm emailing you today on regards to: **Notice of Standing Committee Meeting - Item 7.3 – Zoning By-Law Amendment – Z034/24 (ZNG/7241) - Anthony Palermo – 5172 Joy Rd, Ward 9.**

**Me my wife and my two kids live adjacent to the house where they plan to build the pole barn. We are against this motion because we believe a structure that size should not be in our neighbourhood for multiple reasons.**

- 1. Our area and especially are backyards around that property sits a lot lower then 5172 joy roads property and causes flooding as it is now. With that pole barn being built it will just increase the flooding that much more.**
- 2. If that structure is to be built and that family moves it makes a possibility for someone else with a business to come in and operate out of that pole barn with the possibility of it being loud and a undesirable want for many.**
- 3. With a structure of that size in our small neighbourhood it could have the possibility of blocking sunlight into our backyards as the sun is more on the south end for most of the day. We have a pool and the pole barn could block the sun to that as well.**
- 4. Such a large structure does just not belong in this area. The appearance alone will be an eye sore and will not fit in with the rest of the houses. We have bylaws for a reason.**

**I have lived in the neighbourhood since 2011.  
You can reach me through this email or my number is .**

**Thank you for your time.**

**Chris**

**Development & Heritage Standing Committee**  
**Monday, December 2, 2024**  
**Item 7.3 - written submission**

**From:** Jon Haste < >  
**Sent:** November 29, 2024 11:55 AM  
**To:** clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
**Subject:** Written Submission of Objection to Building Pole Barn at 5172 Joy Road File Number Z-034/24 [ZNG/7241]

To: City of Windsor Development & Heritage Standing Committee  
(Meeting on Monday, December 2, 2024 at 4:30p.m.)

From: Jon & Sherri Haste

Amendment to City of Windsor Zoning By-Law 85-18  
Written Submission of Objection to Building Pole Barn at 5172 Joy Road

The purpose of this letter is to inform the DHSC and Council that we **object** to the proposed zoning change and to the building of a pole barn (post & beam structure) by the applicant Anthony Palermo on his property at 5172 Joy Road.

We are the property owners directly behind this dwelling. Our reasons for objecting to the construction of a Post & Beam Pole Barn include:

1) Given the dimensions of this large oversized agricultural/ industrial structure (48 feet x 31.5 feet x 14.1 feet high) which works out to be 1512 square feet (140.5 square meters) footprint. Looking at the site location of where this is to be built, the northwest corner of the property, it will clearly affect our rear yard view. We live in a rural community, and this isn't conducive of a rural setting. Pole barns are post & beam frame structures that are not aesthetically pleasing and have an industrial appearance that is not desirable in a residential zone. Local zoning restrictions DO NOT permit post & beam frame buildings in this zone.

2) Given the site location of this Pole barn in the northwest corner of the property, this will cause that water to flow onto our property causing us to flood even worse than we flood now. With the recent erection of a tall fence along the rear of the property, the back of our property tends to take much longer to dry up since the sun is now blocked. This structure, along with the added driveway, will shed more water onto our property which is built much higher than our property. The more impervious surface will prevent water infiltration into the ground, thus increasing runoff. This area already has a high-water table and poor drainage. Several neighbours on Ray Road have contacted the city about the poor drainage. This will just compound the issue.

3) We have slight concern over the proximity of this structure and the weeping bed of this property. This house was constructed in 1990. Shortly afterwards, the homeowners decided to install a pool on the property. When they installed the pool, they had discovered that the property plans did not match the weeping bed layout. They had several issues with the weeping bed of this property. The clearly visible signs of weeping bed issues have been resolved but we do have concern about

the impact on the weeping bed if this structure gets approved. The property is currently much higher than our property and we are concerned that we will be getting more than just rainwater if this structure gets built.

4) The overall size of the property does NOT meet the current building code for this structure. Such a structure is clearly out of place in a residential area. This will affect the future market value of our home. We are zoned light-density residential. A pole barn is more of an agricultural/ industrial structure.

5) Such a structure will enable the operation of a business enterprise in a residential zone. It creates the sense of a commercial operation which impacts neighbouring property values to future prospective buyers. In the future, there is no way of knowing how the pole barn will be used or maintained by others who may acquire the property. We currently reside near 4775 Joy Road. When we were Sandwich South, it was a simple printing press for years and it was zoned as commercial which opened the gateway for any “commercial” operation to move in there. Several years ago, a large scale marijuana grow operation was able to move in there. The odors that came from that facility were extremely pungent but since he was licensed to grow and it was a commercially zoned area, there was nothing that the residents could do. A resident who lived within close proximity to this building had a difficult time to sell their home due to the operation across the street from them. We don’t want the same situation to arise at this property.

We, the property owners of \_\_\_\_\_ request that no permit be issued and no amendments be made to the City of Windsor Zoning By-Law 85-18 concerning the construction of a post & beam frame structure (Pole Barn) by the applicant Anthony Palermo at 5172 Joy Road.

Signed & dated on November 29, 2024

Jon Haste  
Sherri Haste



3450 Wheelton Drive  
Windsor, Ontario N8W 5A7

[www.cavaliertool.com](http://www.cavaliertool.com)



**Jon Haste**

Engineering Changes,  
Feasibilities &  
Shop Support Team Leader

**Phone:** 519-944-2144 ext. 161

**Fax:** 519-944-2486

**Email:** [jonh@cavaliertool.com](mailto:jonh@cavaliertool.com)

**Development & Heritage Standing Committee**  
**Monday, December 2, 2024**  
**Item 7.3 - written submission**

To: City of Windsor Development & Heritage Standing Committee

(Meeting on Monday, December 2, 2024 at 4:30p.m.)

From: Mr. & Mrs. D'Andrea

Date: November 24, 2024

RE: File Number Z-034/24 [ZNG/7241]

Amendments to City of Windsor Zoning By-Law 85-18

**Written Submission of Objection to Pole Barn at 5172 Joy Road**

To be clear, we are not opposed to our neighbor building an accessory structure on his property. We are opposed to the size/ scale & type of structure proposed. We are asking that the By-law NOT be changed so that an acceptable “regular-sized” residential garage can be built, instead of a Pole Barn.

Our reasons for objecting to the Pole Barn are:

- i) **SIZE, LOT COVERAGE, & HEIGHT:** The Pole Barn will be a tall oversized structure (48 feet x 32 feet). That is 1536 square feet. That’s 10.3 % lot coverage. At 14.1 feet high (excluding roof peak), it exceeds the maximum allowable building height (12 feet).
- ii) **NOT COMPATIBLE OR CONSISTENT WITHIN EXISTING RESIDENTIAL ZONE:** Pole Barns are post & beam frame structures. They have an agricultural/ industrial appearance -- not suitable in a residential zone. This Barn will include exterior metal cladding with a 10 ft. high overhead garage door. Pole barns are not regular residential garage structures. The current Zoning By-law DOES NOT permit post & beam frame, metal-clad barns in this zone.
- iii) **SETTING A PRECEDENT IN OUR ZONE:** If rezoning is allowed, other Pole Barns can be built. And these structures will enable the operation of a business in a residential zone. In the future, there is no way of knowing how these Pole Barns will be used or maintained by others (eg. Auto repairs, construction, welding or spray-painting shop).
- iv) **HARDSCAPING SURFACES LEADS TO MORE HARD SURFACE RUNOFF:** There is a large existing driveway that will be extended to access the oversized Pole Barn. More impervious surface will prevent water infiltration into the ground, increasing

runoff. This area already has a high-water table and poor drainage. Flooding after heavy rains already occurs in rear yards with abutting neighbors on Ray Road.

We, the property owners at \_\_\_\_\_, request that NO amendments be made to the City of Windsor Zoning By-Law 85-18 concerning the construction of a post & beam frame structure (Pole Barn) by the applicant at 5172 Joy Road.

Once again, we are not opposed to the construction of an accessory structure if it takes the form of an acceptable “regular-sized” residential garage.

Signed & dated on November 24, 2024,

Mr. & Mrs. S. D’Andrea

**Development & Heritage Standing Committee**  
**Monday, December 2, 2024**  
**Item 7.3 - written submission**

From: Ranjodh Singh < >  
Sent: November 29, 2024 8:12 AM  
To: clerks <[clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)>  
Subject: Regarding file no #Z034124 to oppose pole barn construction at 5172 joy road

Good morning

I am writing this email to oppose the pole barn construction at 5172 joy road. The current bylaw doesn't allow construction of structures of such sizes and industrial garage doors , I don't think this type of structure is suitable for residential streets . Moreover if it is allowed to be constructed it might be used for commercial purposes. The proposed size of shed is almost double the size of allowed sheds. Please consider that I don't think this is appropriate structure and would have negatively impact the property values of the area. Please feel free to contact if any questions.

Ranjodh



**Committee Matters: SCM 370/2024**

**Subject: OPA & Rezoning – 1722912 Ontario – 4088-4096 6th Concession Rd – OPA 188 OPA/7218 Z-021/24 ZNG/7217 - Ward 9**

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 679**

That the application for “OPA & Rezoning – 1722912 Ontario – 4088-4096 6th Concession Rd – OPA 188 OPA/7218 Z-021/24 ZNG/7217 - Ward 9” **BE DENIED.**

Carried.

Councillor Jim Morrison voting nay.

Report Number: S 141/2024  
Clerk’s File #: Z/14862 & Z/14863

**Clerk’s Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are **NOT** the same.
2. Please refer to Item 7.4 from the Development & Heritage Standing Committee held on December 2, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241202/-1/10526>



**Subject: OPA & Rezoning – 1722912 Ontario – 4088-4096 6th Concession Rd – OPA 188 OPA/7218 Z-021/24 ZNG/7217 - Ward 9**

**Reference:**

Date to Council: December 2, 2024  
 Author: Adam Szymczak, Senior Planner - Development  
 519-255-6543 x 6250  
 aszymczak@citywindsor.ca  
 Planning & Building Services  
 Report Date: October 11, 2024  
 Clerk's File #: Z/14862 & Z/14863

**To:** Mayor and Members of City Council

**Recommendation:**

1. THAT Schedule A of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating Lots 1 and 2, Plan 12M665 (PIN 01560-2839, 01560-2640), situated on the east side of Sixth Concession Road, north of Holburn Street, as a Special Policy Area.
2. THAT Chapter 1 in Volume II: Secondary Plans and Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a new Special Policy Area as follows:

**1.X EAST SIDE OF SIXTH CONCESSION ROAD, NORTH OF HOLBURN STREET**

<i>LOCATION</i>	1.X.1	The land described as Lots 1 and 2, Plan 12M665 (PIN 01560-2839, 01560-2640) is designated on Schedule A: Planning Districts and Policy Areas in Volume I - The Primary Plan.
<i>ADDITIONAL PERMITTED USE</i>	1.X.2	Notwithstanding the “Low Profile Residential” land use designation on Schedule NR2-7: Land Use Designations and the Low Profile Residential policies in Section 3.7.2 of the North Roseland Planning Area, a multiple dwelling having a maximum building height of 11.3 m shall be an additional permitted use.
<i>ACCESS TO SIXTH CONCESSION ROAD</i>	1X.3	Notwithstanding Section 3.7.7.4 of the North Roseland Planning Area, for a Multiple Dwelling, one access shall be permitted to Sixth Concession Road.

3. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 1 and 2, Plan 12M665 (PIN 01560-2839, 01560-2640), situated on the east side of Sixth Concession Road, north of Holburn Street, and known municipally as 4088 and 4096 Sixth Concession Road (Roll No. 070-150-01501, 070-150-01502) by adding the following site specific exception:

**465. EAST SIDE OF SIXTH CONCESSION ROAD, NORTH OF HOLBURN STREET**

For the land described as Lots 1 and 2, Plan 12M665 (PIN 01560-2839, 01560-2640) the following additional provisions shall apply:

- 1) A *Multiple Dwelling* shall be additional permitted *main use*:
- 2) The following additional provisions shall apply to an additional permitted *main use*:
  - a) Lot Frontage – minimum 40.0 m
  - b) Lot Area – minimum 2,300 m<sup>2</sup>
  - c) Lot Coverage – maximum 35% of *lot area*
  - d) Main Building Height – maximum 11.3 m
  - e) Front Yard Depth – minimum 3.0 m
  - f) Rear Yard Depth – minimum 4.9 m
  - g) Side Yard Width – minimum
    - From northerly Side Lot Line 15.0 m
    - From southerly Side Lot Line 3.90 m
  - h) Landscaped Open Space Yard – minimum 28% of *lot area*
  - i) Dwelling Units – maximum 21
  - j) Parking Spaces – minimum 24
  - k) Notwithstanding Section 25.5.20.1.5, the minimum *parking area* separation from a *building wall* in which is located a main pedestrian entrance facing the *parking area* shall be 1.50 m.
  - m) Notwithstanding Section 25.5.20.1.6, the minimum *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* shall be 1.30 m.

**Executive Summary:**

N/A.

## **Background:**

### **Application Information**

**Location:** 4088 & 4096 Sixth Concession Road (Lots 1 and 2, Plan 12M665; PIN 01560-2839, 01560-2640; east side of Sixth Concession Rd, north of Holburn Street; Roll No: 070-150-01501, 070-150-01502)

**Ward:** 9      **Planning District:** North Roseland      **Zoning District Map:** 13

**Applicant:** 1722912 Ontario Ltd. (HD Development Group – Steve Habib / Haider Habib)

**Owner:** 1722912 Ontario Ltd. (HD Development Group)

**Agent:** Lassaline Planning Consultants (Jackie Lassaline)

**Proposal:** Construct one multiple dwelling with a building height of 11.3 m over 3 storeys consisting of a total of 21 dwelling units. Parking at a rate of 1.14 parking space per unit is proposed for a total 24 parking spaces (including 2 accessible spaces & 4 visitor spaces). One loading space & 3 bicycle parking spaces are also proposed.

The Applicant is requesting an Official Plan Amendment (OPA), that, notwithstanding the “Low Profile Residential” designation in the North Roseland Secondary Plan, a multiple dwelling with a building height of 11.3 m is an additional permitted use and a Zoning By-law Amendment (ZBA) changing the zoning from Residential District 1.2 (RD1.2) to Residential District 3.2 (RD3.2) and a site-specific provision reducing the required parking rate from 1.25 spaces per unit to 1.14 spaces per unit and a reduction in landscape open space yard from 35% to 30%.

### **Submissions:**

Attached to Report S 141/2024 as an Appendix:

- Appendix A - Conceptual Site Plan
- Appendix B - Elevations
- Appendix C - Floor Plans
- Appendix D - Renderings
- Appendix E - Consultation

Not attached to Report S 141/2024:

- Application Official Plan Amendment
- Application Zoning By-law Amendment
- Open House Presentation Package
- Parking Study
- Planning Rationale Report
- Rendering Package
- Sanitary Sewer Study

All documents are available [online](#) or via [email](#).

## Site Information

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Low Profile Residential	Residential District 1.2 (RD1.2)	Vacant	Unknown
LOT WIDTH	LOT DEPTH	LOT AREA	LOT SHAPE
40.6 m	57.9 m	2,355.5 m <sup>2</sup>	Rectangular
133.2 ft	189.9 ft	25,354.3 sq. ft	
<i>All measurements are provided by the Applicant and are approximate.</i>			

### Neighbourhood:

The Planning Rationale Report (PRR) contains images of the subject parcels in relation to the surrounding neighbourhood.

Residential uses are located to the north, east, south, and west. There are several schools nearby including Talbot Trail Public School 375 m east and First Lutheran Christian Academy 680 m northwest. There are several parks nearby including Captain J Wilson Park 400 northeast, Roseland Park 650 m northwest, and Holburn Park 570 m west. A range of commercial uses is located on Walker Road about 1.5 km to the northeast.

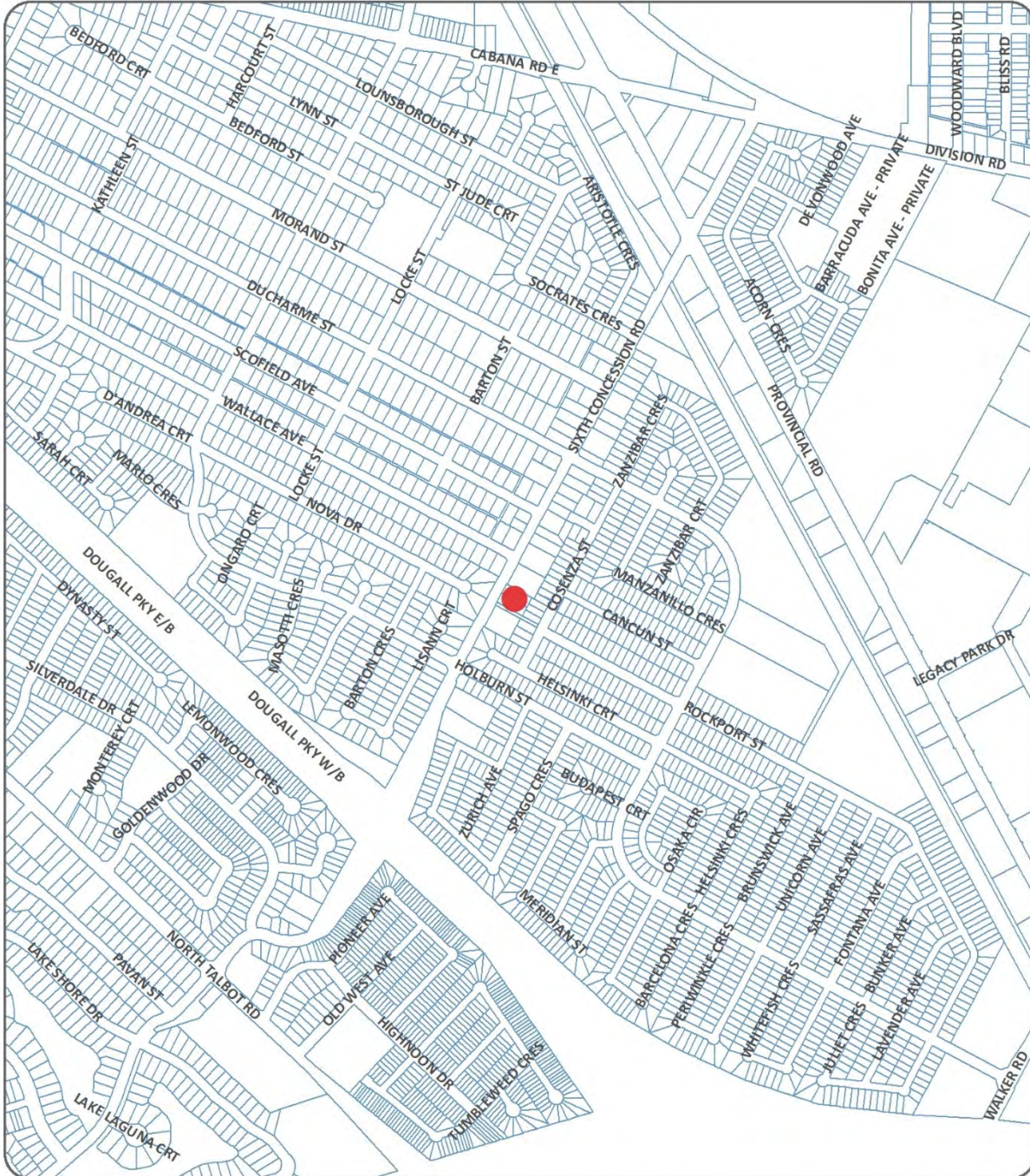
Sixth Concession Road is classified as a Class I Collector as per Schedule F: Roads and Bikeways and a Recreationway as per Schedule B: Greenway System. Ducharme Street is classified as a Class II Collector as per Schedule F: Roads and Bikeways and a Proposed Recreationway per Schedule B: Greenway System. Active transportation is available on Ducharme Street, Holburn west of Sixth Concession, and Sixth Concession south of Holburn and will be available proposed bike lanes on Sixth Concession north of Holburn in accordance with the approved Environmental Assessment and the Active Transportation Master Plan. Highway 401 is accessible approximately 2.5 km to the east at Provincial Road.

Public Transit is available via the Walkerville 8 bus with an existing peak weekday frequency of this route is 30 minutes. The closest bus stop is located on Holburn at Sixth Concession northeast corner. This bus stop is approximately 230 m from this property falling within Transit Windsor's 400 m walking distance guidelines to a bus stop. This will be maintained and further enhanced with Transit Windsor's City Council-approved Transit Master Plan as a new local route will provide service to this area with two-way conventional transit service versus the existing one-way loop. The peak weekday frequency will be maintained at 30 minutes.

Sanitary sewer is available to service the subject lands.



Figure 1: Key Map



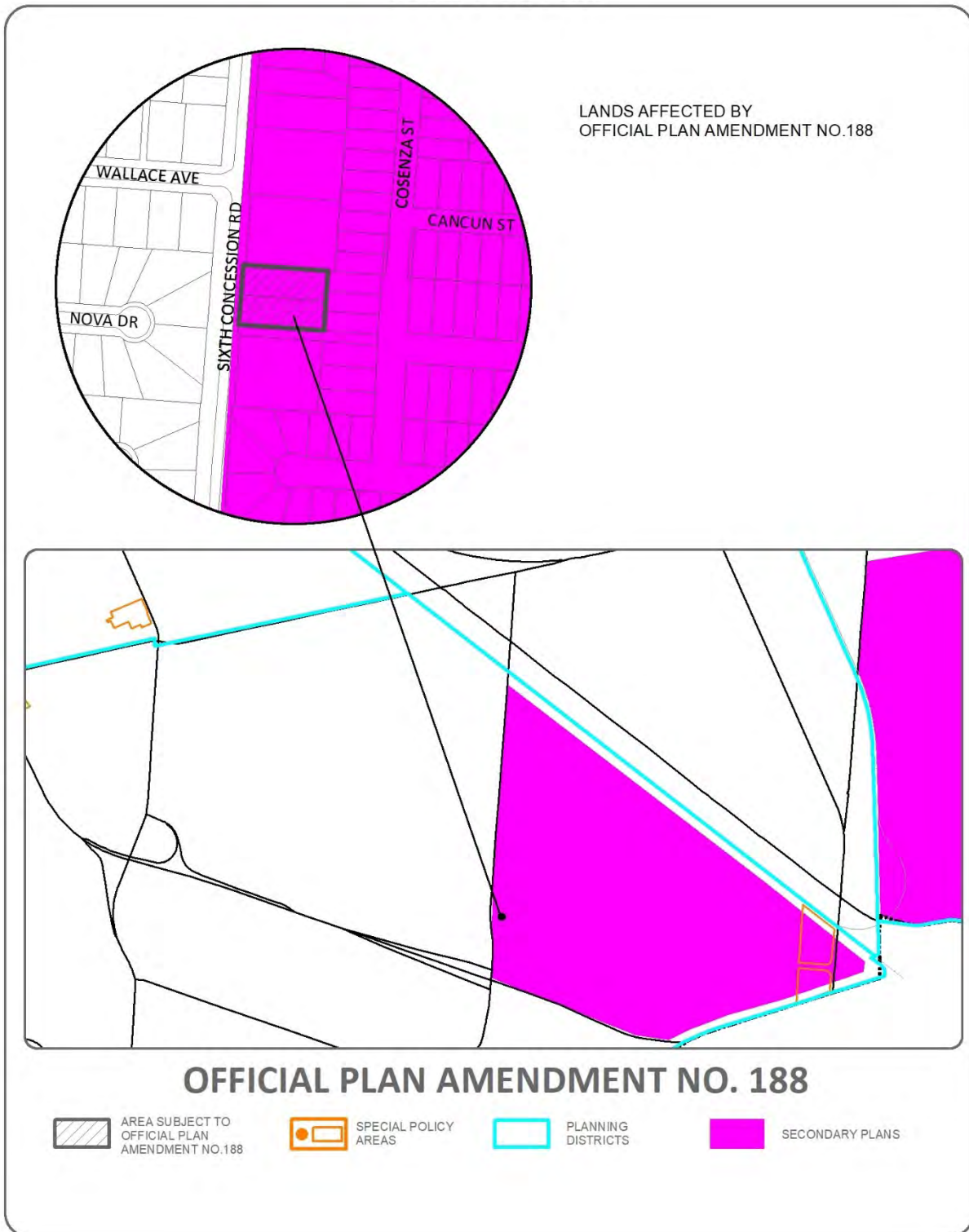
KEY MAP - Z-021/24, ZNG-7217 & OPA 188, OPA-7218



● SUBJECT LANDS

Figure 2: Subject Parcel – Official Plan Amendment

### SCHEDULE A





**Figure 3: Subject Parcel - Rezoning**



PART OF ZONING DISTRICT MAP 13

N.T.S.

## REZONING

Applicant: Lassaline Planning Consultants / 1722912 Ontario Ltd. (HD Development Group)



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : SEPTEMBER, 2024  
FILE NO. : Z-021/24, ZNG/7217



Figure 4: Neighborhood Map



NEIGHBOURHOOD MAP - Z-021/24, ZNG-7217 &  
OPA 188, OPA-7218



SUBJECT LANDS



## **Discussion:**

### **Planning Rationale Report (Lassaline Planning Consultants, September 10, 2024)**

The Planning Rationale Report (PRR) states that the development “*will provide for an alternative style and tenure of housing than the standard single detached residential housing*” and “*will facilitate the provision of a variety and diversity of housing Windsor needs to support a healthy community*”. It notes that the building “*has been brought forward to 6th Concession to provide a greater rear yard separating the adjacent residential rear yards to the east*”. The PRR concludes that the development is “*a good solution for the provision of needed alternative residential accommodation and is a compatible development with an existing neighbourhood, while supporting a diversity of housing tenures and styles*”. Planning and Development Services concurs with the PRR.

### **Parking Study (RC Spencer Associates Inc – February 2024)**

The Parking Study states “*the proposed development is close to existing active transportation facilities and transit routes, so the proposed development’s modal split could further reduce the peak parking demand*”. The report concludes, “*it is the engineers’ opinion that the proposed on-site parking supply of 24 parking spaces may sufficiently accommodate the peak parking demand for the 21-unit apartment building*”. Transportation Planning deems the Parking Study acceptable.

### **Sanitary Sewer Study (Aleo Associates Inc. – June 26, 2024)**

The Sanitary Sewer Study concludes that “*the existing municipal sanitary sewer has a capacity of 37 L/s and will therefore only have 7% of its capacity utilized...The assessed municipal sanitary sewer has substantial capacity available to support the proposed development.*” City of Windsor - Engineering – Development deems the study acceptable. Storm water management will be considered during the Site Plan Control process.

### **Provincial Policy Statement 2020 (PPS 2020):**

The PRR submitted by the Applicant states that the objectives of the PPS 2020 were considered and informed the concept design for the project site and provides an in-depth analysis of how the proposed OPA and ZBA are consistent with the PPS 2020.

### **Provincial Planning Statement 2024 (PPS 2024):**

A new PPS 2024 came into effect on October 20, 2024, replacing the PPS 2020 as the document that provides policy direction on matters of provincial interest related to land use planning in Ontario. Subject to any transitional provisions, all municipal decisions, as well as advice, comments and submissions shall be consistent with the PPS 2024.

Policy 2.1.6 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 multiple dwelling 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 amendments are consistent with Policy 2.1.6.

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 is to 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, support active transportation, and be transit supportive. The proposed multiple 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, and supports active transportation and transit. The proposed amendments are 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 multiple dwelling is a compact development in close proximity to existing and planned transit and active transportation. Stormwater management will be considered during site plan control. The amendments are consistent with Policy 2.9.

The proposed multiple dwelling and proposed amendments to the Official Plan and Zoning By-law 8600 are consistent with the PPS 2024.

#### **Official Plan:**

The subject parcel is located within the Roseland Planning District in Schedule A – Planning Districts & Policy Areas of Volume I of the Official Plan and is designated Low Profile Residential in the North Roseland Secondary Plan (“the Plan”). Planning and Development Services concurs with the analysis of the Official Plan in Section 5.0 of the PRR and the analysis of the North Roseland Secondary Plan in Section 5.1 of the PRR.

Since the adoption of the Plan in 1998, the City-wide planning policy and regulatory environment has evolved and explicitly encourages a broad range of residential dwelling types, residential intensification and redevelopment, and compact form.

Official Plan Amendment 188 adds a special policy to the subject lands that notwithstanding the “Low Profile Residential” land use designation and the “Low Profile Residential” policies in Section 3.7.2 of the North Roseland Planning Area, a multiple dwelling having a maximum building height of 11.3 m shall be an additional permitted use. This is consistent with the “efficient development pattern” goal of Section 3.5.1, which promotes “*land use patterns, residential profiles and building forms that make efficient use of existing resources, services and infrastructure*”. The proposed multiple dwelling is compatible with the low profile residential development in the surrounding area.

Sections 3.6.3 and 3.7.7.4 of the Plan state that low profile residential lot frontages on collector roads should be avoided and that access to Sixth Concession Road shall be limited to infill single detached houses. Sixth Concession Road is a Class I Collector Road. Based on the RD1.2 zoning, three residential lots are permitted as of right, which means three driveways would be allowed. The proposed multiple dwelling development will have one driveway, which will minimize conflicts on Sixth Concession Road. OPA 188 proposes to allow one direct access (driveway) to Sixth Concession Road.

OPA 188 is consistent with the direction of the PPS 2024 and conforms to the intensification goals in the Official Plan. The proposed amendment to Zoning By-law 8600 will conform to the policy direction of the Official Plan when OPA 188 is adopted.

### **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 proposed multiple dwelling is three storeys in height and has been sensitively integrated in the surrounding neighbourhood. The proposed OPA and ZBA are consistent with the general directives of the Intensification Guidelines.

### **Zoning By-Law:**

The parcel is zoned Residential District 1.2 (RD1.2), which permits one single unit dwelling, one existing semi-detached dwelling, and one existing duplex. The Applicant is requesting to amend the zoning from RD1.2 to Residential District 3.2 (RD3.2) with site-specific provisions to permit the multiple dwelling as proposed.

Staff support the request for a change in zoning to RD 3.2 with site-specific provisions in principle. However, a better approach is to maintain the existing RD1.2 zoning and add a site-specific exception that allows the development to proceed as proposed.

Provisions 2) a) through d) recognize the existing lot dimensions and the lot coverage and building height of the proposed multiple dwelling. RD1.2 permits a maximum building height of 9.0 m. The proposed building is 2.3 m taller but will be no more than three storeys. This is compatible with existing buildings.

Provisions 2) e) through g) regulate the location of the building envelope on the parcel. The 3.0 m front yard allows the building to be closer to the road, allowing for more separation from the rear lot line. The 15.0 m side yard setback from the northerly lot line ensures the building will be located as far as possible from dwellings to north.

Provision 2) h) is a reduction in minimum landscaped open space yard from 35% to 28%. While the applicant requested a reduction to 30%, the Zoning Co-ordinator

calculated the landscaped open space to be 28.8%. The provision of balconies for each dwelling unit provides additional recreational and amenity area for residents.

Provision 2) i) caps the maximum number of dwelling units at 21 and Provision 2) j) requires the provision of a minimum of 24 parking spaces, as requested by the Applicant and supported by the Parking Study.

Provisions 2) k) and m), were not requested by the Applicant, however the Zoning Co-ordinator noted the deficiencies. To maximize available parking while minimizing visual and privacy concerns of residents to the east, the multiple dwelling has a notch at the rear of the building. The reduced parking area separation is a technical matter that has no negative impact on the use and enjoyment of the proposed dwelling units.

The proposed development complies with all other applicable zoning provisions.

### **Site Plan Control:**

The development as proposed is subject to Site Plan Control. Comments from departments and agencies will be considered during the Site Plan Control process.

### **Risk Analysis:**

N/A

### **Climate Change Risks**

#### **Climate Change Mitigation:**

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 proposed construction of a multiple 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:**

The Applicant held an in-person Open House on May 7, 2024, from 5 pm to 7 pm. Display boards showing the site plan, renderings and elevations, and floor plans were available. Section 3.3 in the PRR summarizes feedback received at the Open House. Attached as Appendix E, are comments received from municipal departments and external agencies. Statutory notice as required by the Planning Act was advertised in the Windsor Star, a local daily newspaper. A courtesy notice was mailed to property owners within at least 200 m of the subject lands.

**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 our opinion that the requested amendment to the Official Plan is consistent with the PPS 2024, and that the requested amendment to Zoning By-law 8600 is consistent with the PPS 2024 and will be in conformity with the City of Windsor Official Plan should Council adopt OPA 188.

The proposed amendments permit a use, a low profile multiple dwelling containing up to 21 units, which is compatible with existing uses in the surrounding area. The proposed development represents an incremental increase in density and provides an opportunity for the construction of modern and safe housing stock, while also supporting a complementary form of housing located near various transportation options. The proposed design is consistent with the Windsor Intensification Guidelines.

Site plan control is an appropriate tool to incorporate the requirements and comments of departments and agencies. The recommendations to amend the Official Plan and Zoning By-law 8600 constitute good planning. Staff recommend approval.

**Planning Act Matters:**

I concur with the above comments and opinion of the Registered Professional Planner.

*Greg Atkinson, MCIP, RPP*  
*Deputy City Planner - Development*

*Neil Robertson, MCIP, RPP*  
*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>
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

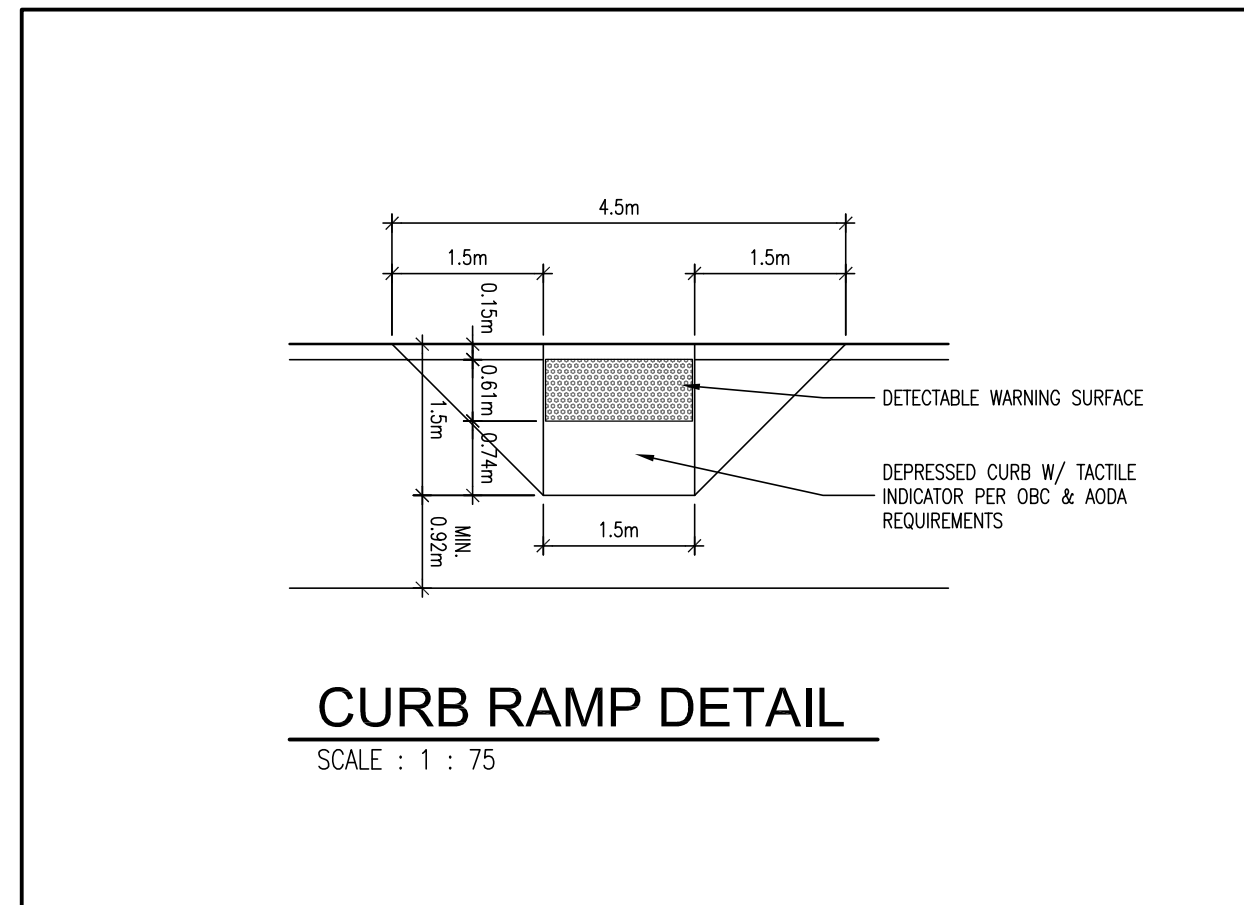
**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
1722912 Ontario Ltd HD Development Group		
Jackie Lassaline Lassaline Planning Consultants		
Councillor Kieran McKenzie		
Property owners within 200 m of the subject parcel		

**Appendices:**

- 1 Appendix A - Conceptual Site Plan
- 2 Appendix B - Elevations
- 3 Appendix C - Floor Plans
- 4 Appendix D - Renderings
- 5 Appendix E - Consultation



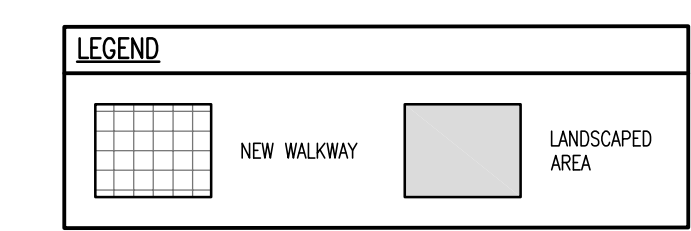
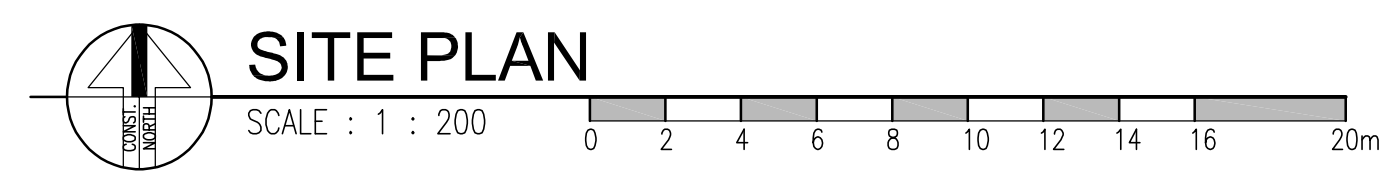
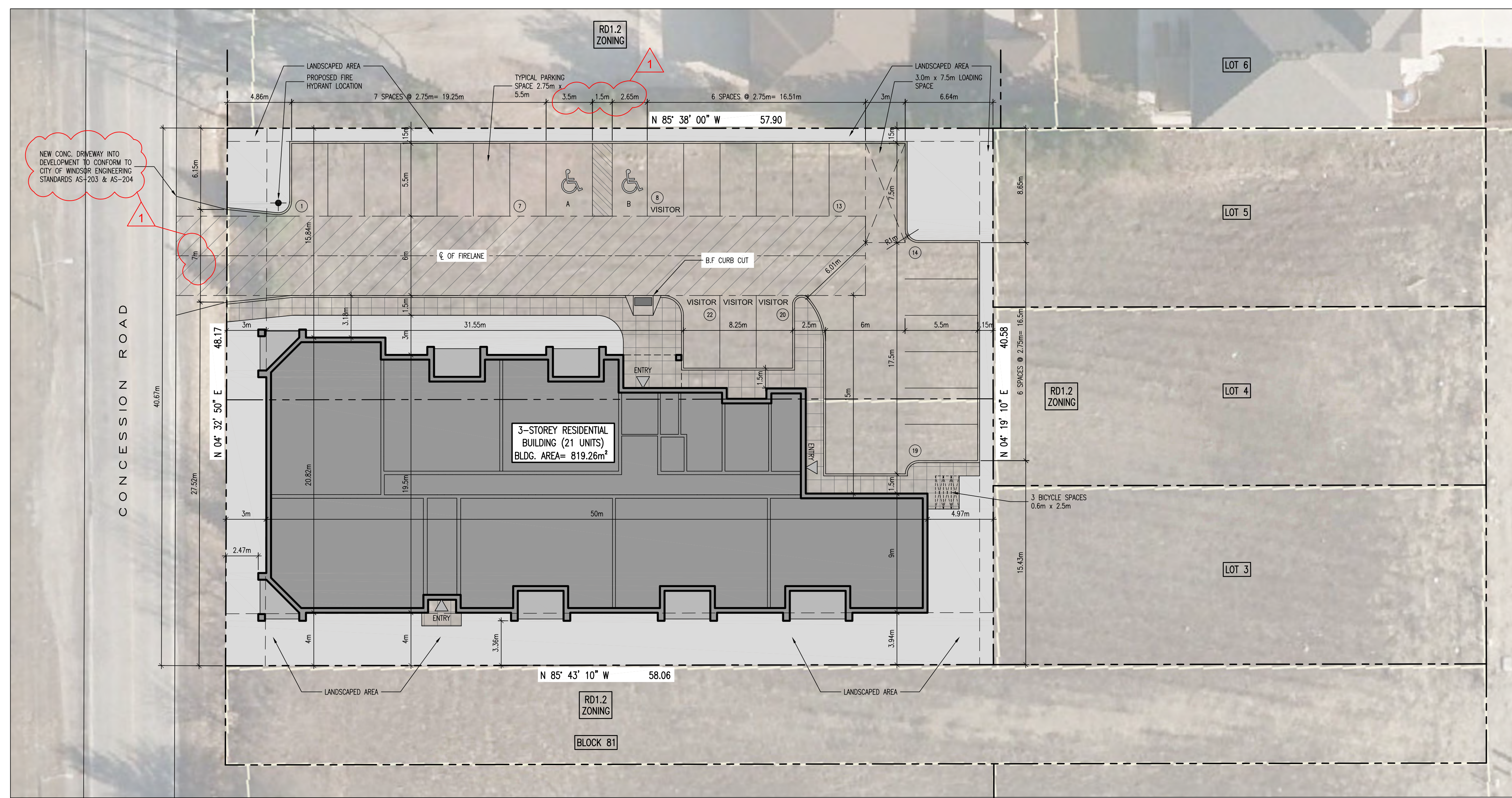


**SITE DATA MATRIX** : SITE ZONING : RD1.2 (TO BE AMENDED TO RD3.2)

	REQUIRED	PROPOSED
a. LOT AREA	MIN. 1,925.0 m <sup>2</sup>	2,355.53 m <sup>2</sup>
b. BUILDING AREA		819.26 m <sup>2</sup>
c. BUILDING LOT COVERAGE (%)	MAX. 35.0 %	34.70 %
d. BUILDING GROSS FLOOR AREA (G.F.A.)	N/A	2,432.49 m <sup>2</sup>
e. BUILDING HEIGHT	MAX. 18.0 m	11.21 m
f. BUILDING SETBACKS		
SIDE - NORTH		15.84 m
SIDE - SOUTH		3.94 m
REAR - EAST		4.97 m
FRONT - WEST		3.00 m
g. NO. OF PARKING SPACES (INCLUDES ACCESSIBLE & VISITOR PARKING SPACES)		
PROPOSED 1.14 SPACES PER UNIT = 1.14 X 21		
TOTAL	22 SPACES	24 SPACES
h. NO. OF ACCESSIBLE PARKING SPACES	1 SPACES	2 SPACES
i. NO. OF VISITOR PARKING SPACES - 15% OF PROVIDED PARKING	4 SPACES	4 SPACES
j. NO. OF LOADING SPACES	1 SPACES	1 SPACES
k. PAVED AREA		
LANDSCAPED AREA		
HARD		184.28 m <sup>2</sup>
SOFT		541.46 m <sup>2</sup>
TOTAL		725.74 m <sup>2</sup>
COVERAGE	MIN. 35.0 %	30.81 %
m. LINEAR CONCRETE CURB		165.25 m
n. NO. OF BICYCLE PARKING SPACES	3 SPACES	3 SPACES
o. DWELLING UNIT DENSITY	MAX. 150 UNITS/ha	89.15 UNITS/ha

**SUITE COUNT**

FLOOR	1 BED	2 BED
1ST	2	5
2ND	2	5
3RD	2	5
TOTAL	6	15



2024/08/19 **ZBA REVISION**

2024/04/16 **CLIENT REVIEW**

2023/10/19 **ZBA REVIEW**

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stamp:

**A architectural**  
**D design**  
**A associates inc. architect**

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email - info@ada-architect.ca www.ada-architect.ca

project:  
**PROPOSED RESIDENTIAL DEVELOPMENT, SIXTH CONCESSION ROAD, WINDSOR, ON**

client:  
**HD DEVELOPMENTS**

title:  
**SITE PLAN**

scale:  
**AS SHOWN**

drawn by:  
**DM**

checked by:  
**SMB**

date:  
**OCTOBER 2023**

comm. no.:  
**2023-087**

sheet no.:

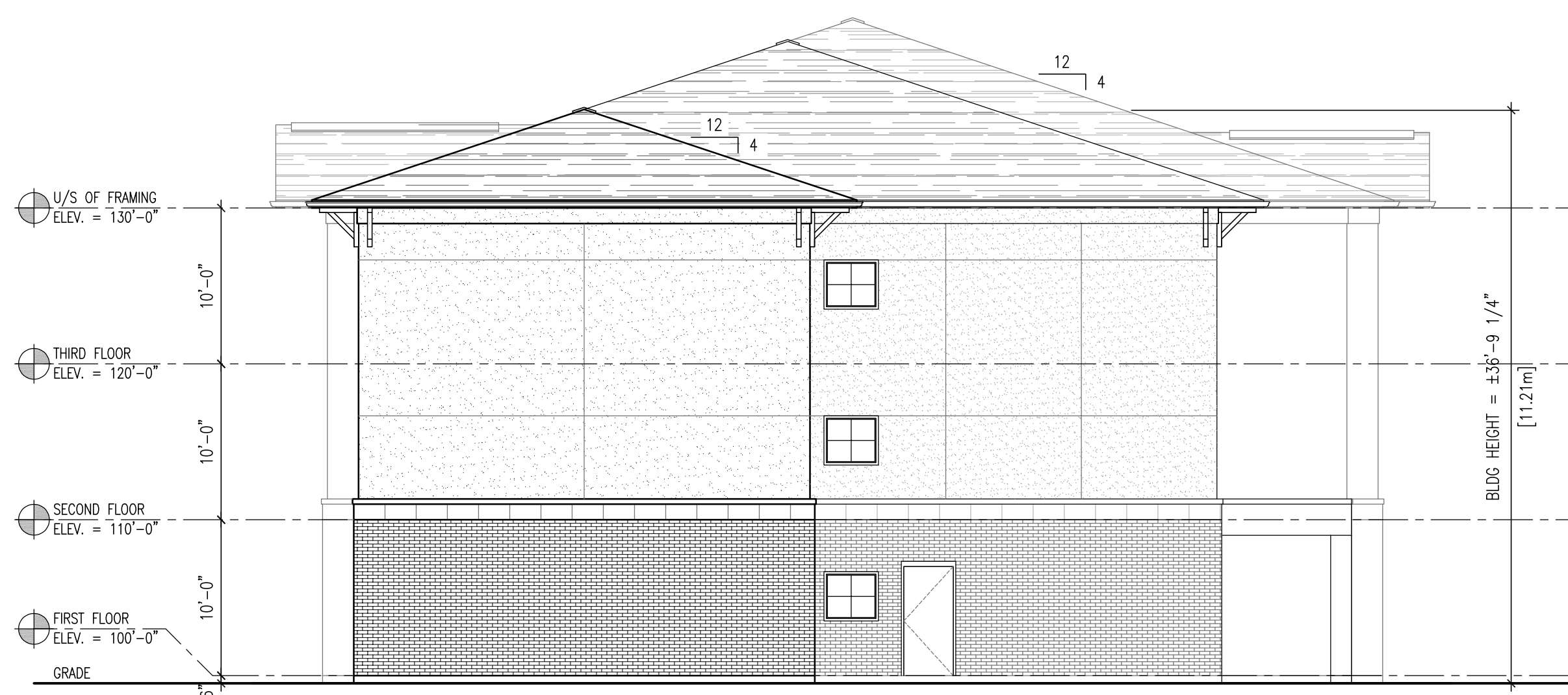
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**SOUTH ELEVATION**

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**EAST ELEVATION**

SCALE : 1/8" = 1'-0" 0 2 4 8 12 24 FEET


2024/08/19 **1** ZBA REVISION

2024/04/15 CLIENT REVIEW

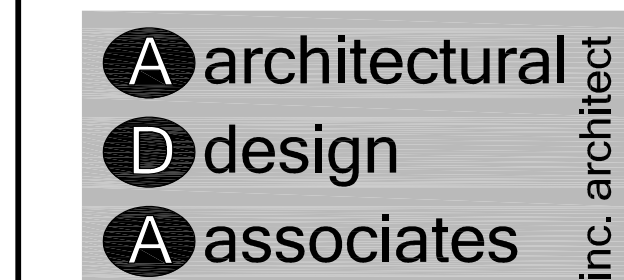
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project:  
**PROPOSED 3-STORY  
RESIDENTIAL BLDG  
6TH CONCESSION - WINDSOR**

client:  
**HD DEVELOPMENT GROUP**

title:  
**ELEVATIONS  
FINISH SCHEDULE**

scale: **AS SHOWN**

drawn by: **OB**

checked by: **SMB**

date: **FEB 2024**

comm. no.: **2023-087**

sheet no.:

**A3.1**





**NORTH ELEVATION**

SCALE : 1/8" = 1'-0"



**WEST ELEVATION**

SCALE : 1/8" = 1'-0"


2024/08/19 1 ZBA REVISION

2024/04/15 CLIENT REVIEW

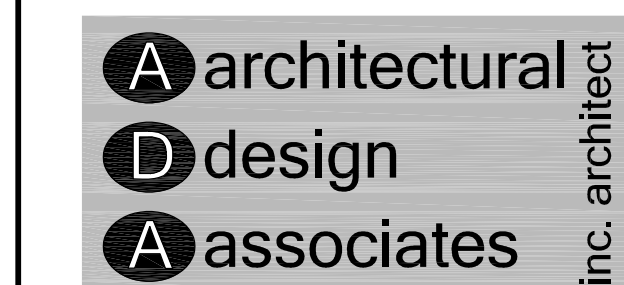
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project:  
**PROPOSED 3-STORY  
RESIDENTIAL BLDG  
6TH CONCESSION - WINDSOR**

client:  
**HD DEVELOPMENT GROUP**

title:  
**ELEVATIONS  
FINISH SCHEDULE**

scale:  
**AS SHOWN**

drawn by:  
**OB**

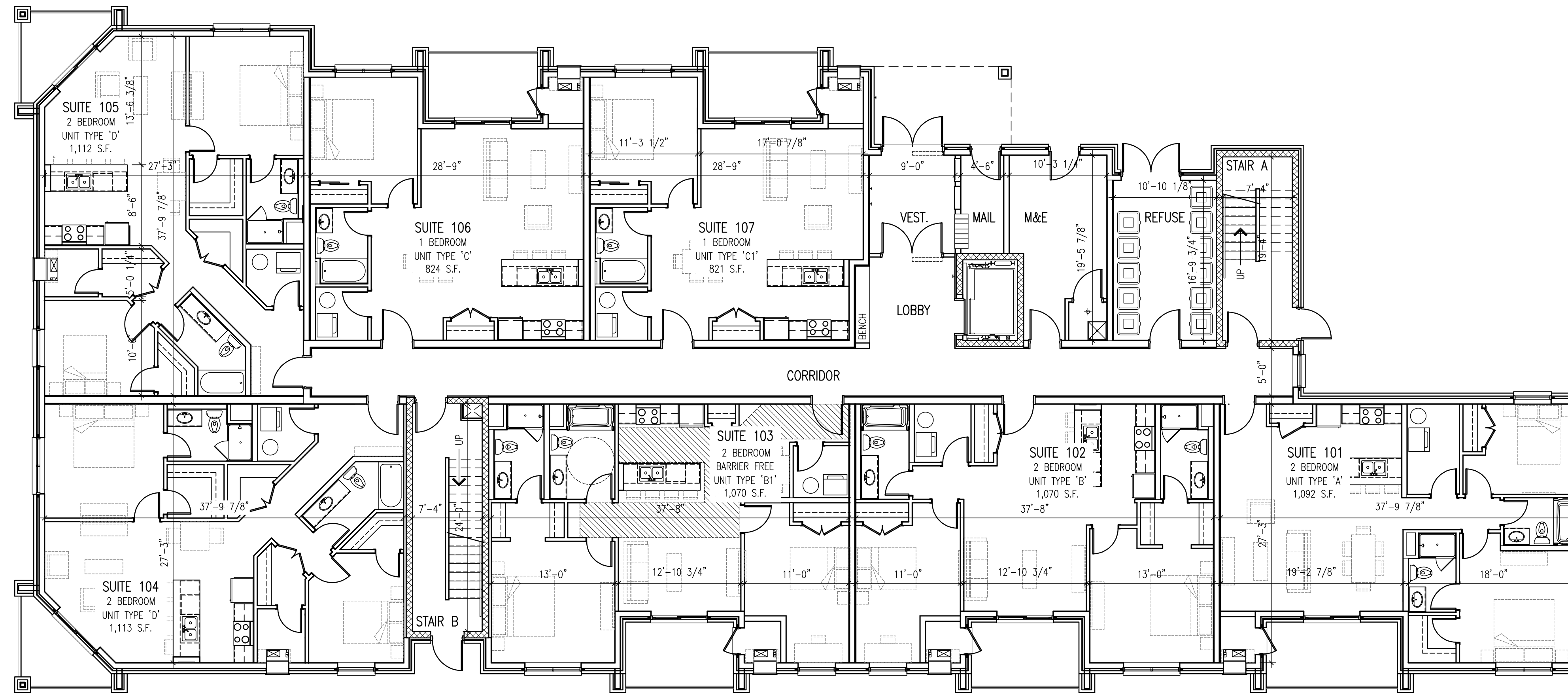
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**SMB**

date:  
**FEB 2024**

comm. no.:  
**2023-087**

sheet no.:

**A3.2**



**FIRST FLOOR PLAN**  
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 0 2 4 8 12 24 FEET


2024/04/15 CLIENT REVIEW

2024/03/26 CLIENT REVIEW

2024/02/22 CLIENT REVIEW

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project:  
 PROPOSED 3-STOREY  
 RESIDENTIAL BLDG  
 6TH CONCESSION - WINDSOR

client:  
 HD DEVELOPMENT GROUP

title:  
 FIRST FLOOR PLAN  
 XXXXXXXXXX

scale:  
 AS SHOWN

drawn by:  
 OB

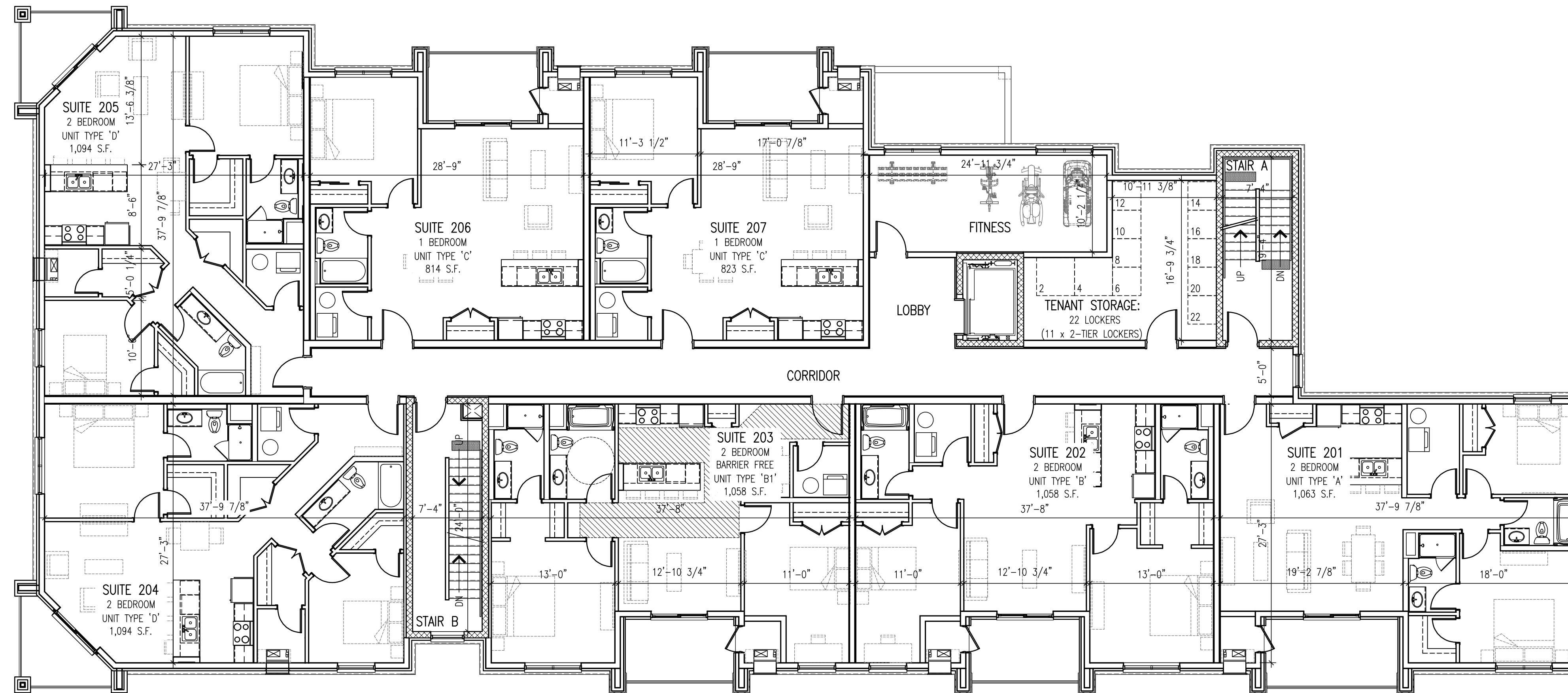
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 SMB

date:  
 FEB 2024

comm. no.:  
 2023-087

sheet no.:

**A1.1**



**SECOND FLOOR PLAN**  
 SCALE : 1/8" = 1'-0"  
 0 2 4 8 12 24 FEET


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2024/03/26 CLIENT REVIEW

2024/02/22 CLIENT REVIEW

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 windsor ontario canada n8x 3p7  
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 email - info@ada-architect.ca www.ada-architect.ca

project:  
 PROPOSED 3-STOREY  
 RESIDENTIAL BLDG  
 6TH CONCESSION - WINDSOR

client:  
 HD DEVELOPMENT GROUP

title:  
 SECOND FLOOR PLAN  
 XXXXXXXXXX

scale:  
 AS SHOWN

drawn by:  
 OB

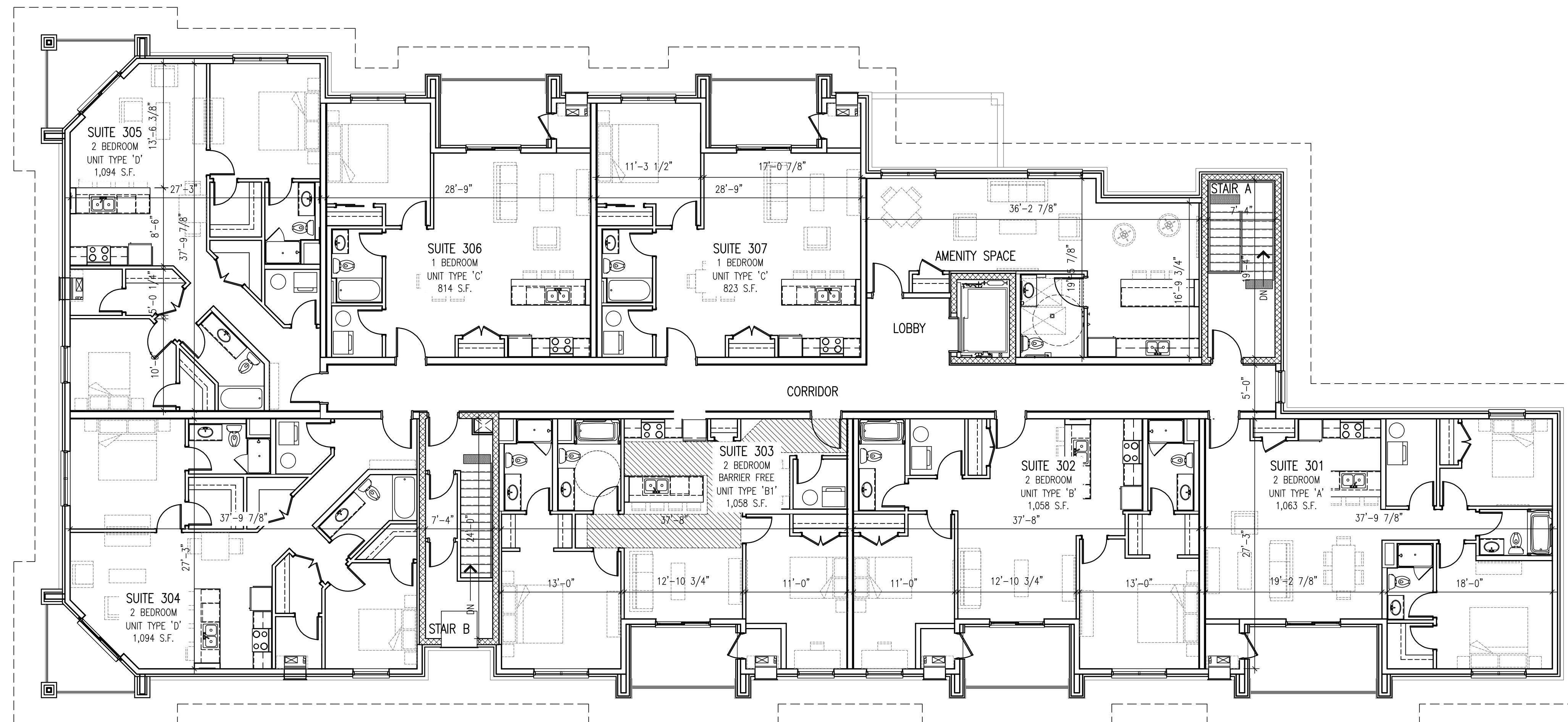
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date:  
 FEB 2024

comm. no.:  
 2023-087

sheet no.:

**A1.2**



**THIRD FLOOR PLAN**  
 SCALE : 1/8" = 1'-0"  
 0 2 4 8 12 24 FEET


2024/04/15 CLIENT REVIEW

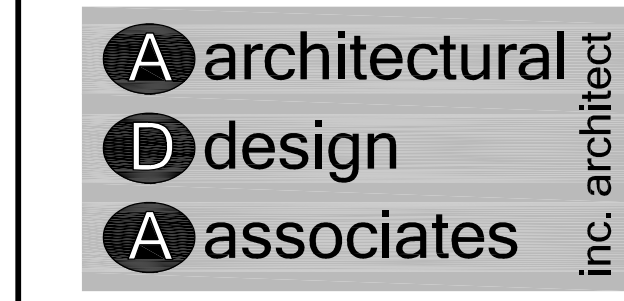
2024/03/26 CLIENT REVIEW

2024/02/22 CLIENT REVIEW

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stamp:



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:  
 PROPOSED 3-STOREY  
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 6TH CONCESSION - WINDSOR

client:  
 HD DEVELOPMENT GROUP

title:  
 THIRD FLOOR PLAN  
 XXXXXXXXXX

scale:  
 AS SHOWN

drawn by:  
 OB

checked by:  
 SMB

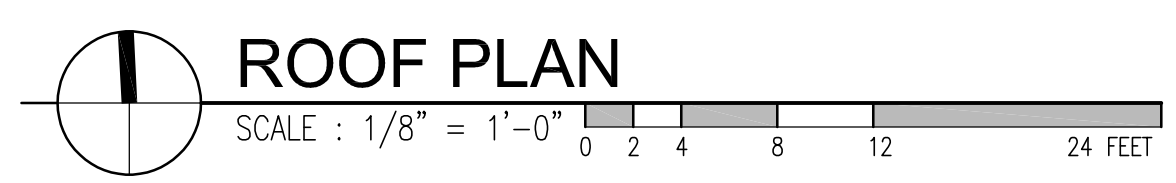
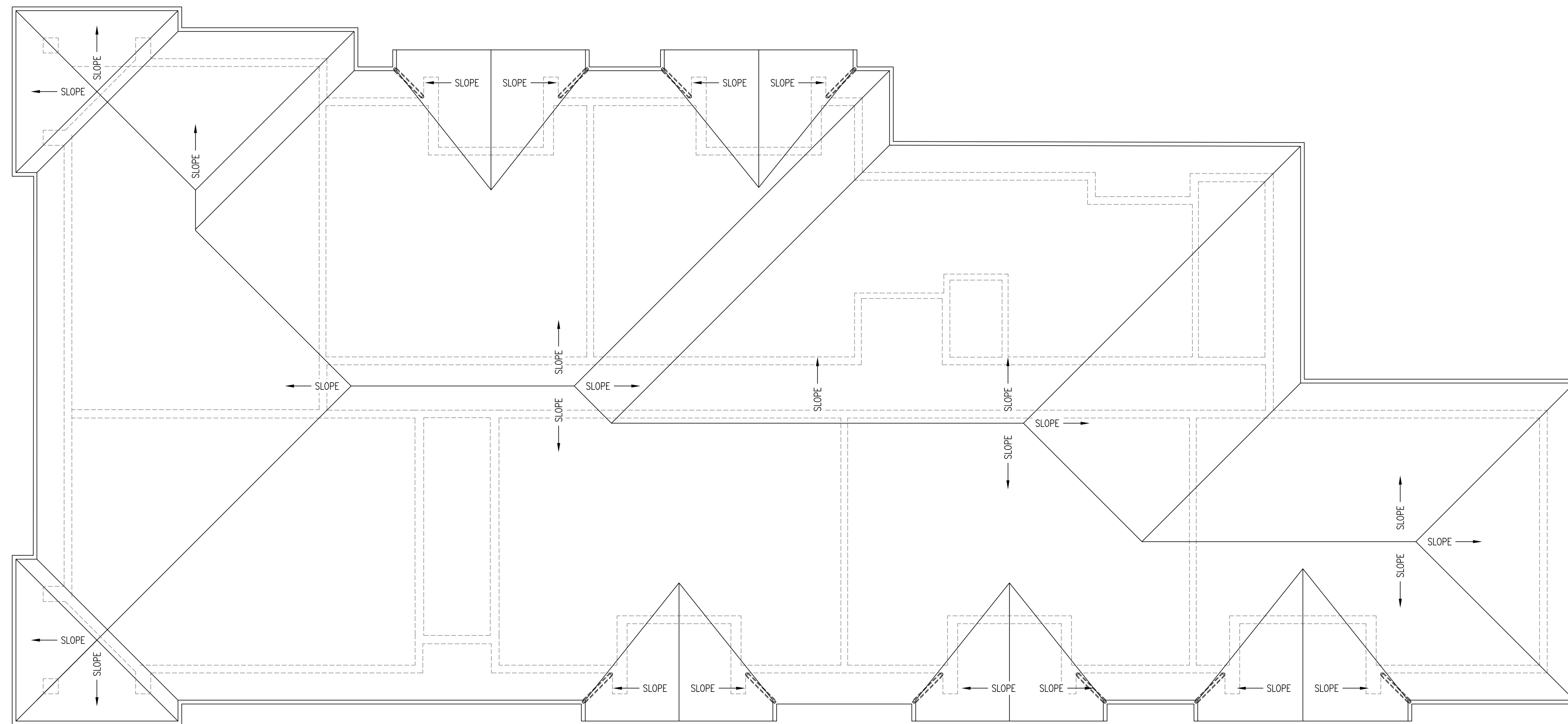
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 2023-087

sheet no.:

**A1.3**





**ROOF PLAN**


2024/04/15 CLIENT REVIEW

2024/03/26 CLIENT REVIEW

2024/02/22 CLIENT REVIEW

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stamp:

**A** architectural  
**D** design  
**A** associates inc. architect

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project:  
**PROPOSED 3-STORY  
RESIDENTIAL BLDG  
6TH CONCESSION - WINDSOR**

client:  
**HD DEVELOPMENT GROUP**

title:  
**ROOF PLAN  
XXXXXXXXXX**

scale:  
**AS SHOWN**

drawn by:  
**OB**

checked by:  
**SMB**

date:  
**FEB 2024**

comm. no.:  
**2023-087**

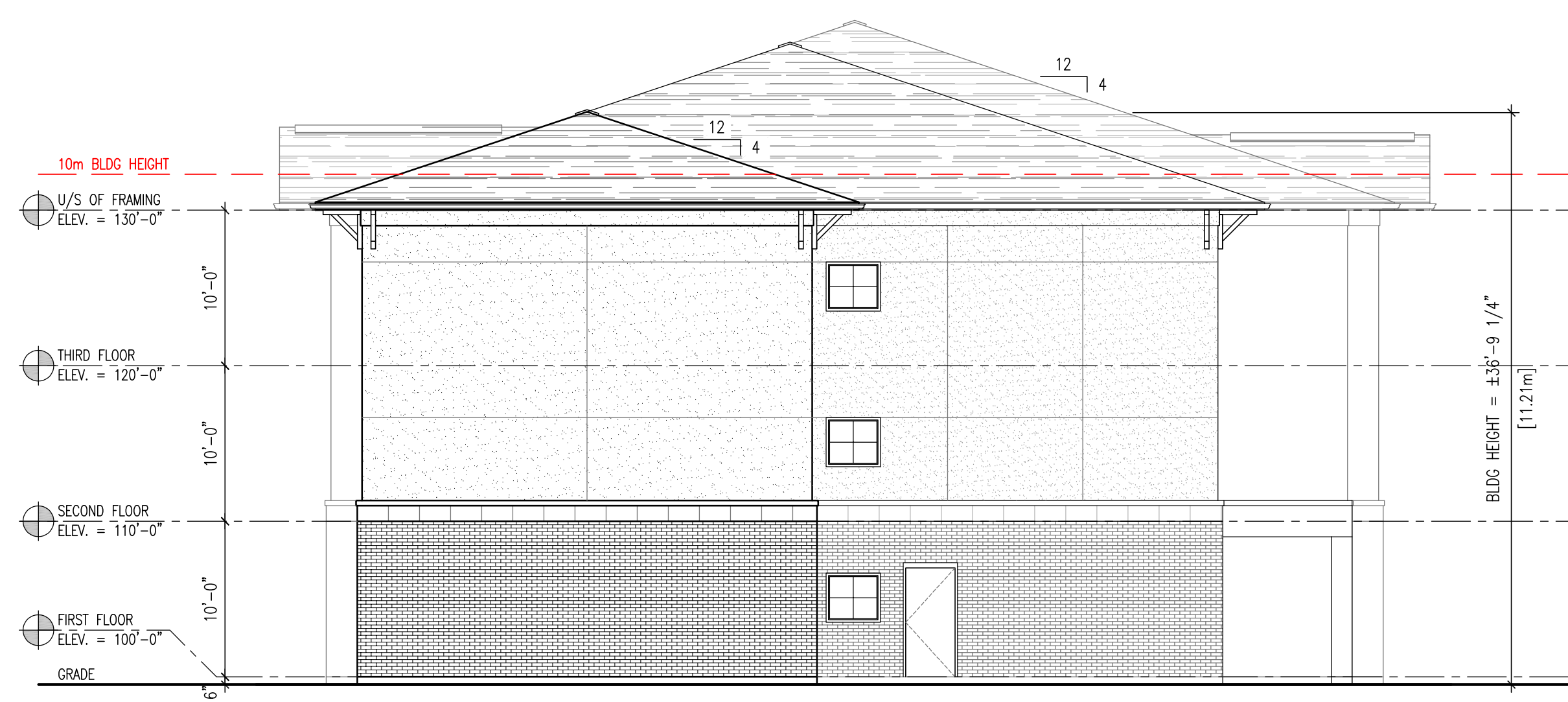
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**A1.4**



**SOUTH ELEVATION**

SCALE : 1/8" = 1'-0" 0 2 4 8 12 24 FEET



**EAST ELEVATION**

SCALE : 1/8" = 1'-0" 0 2 4 8 12 24 FEET


2024/04/15 CLIENT REVIEW

2024/02/22 CLIENT REVIEW

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**D** design  
**A** associates inc. architect

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project:  
**PROPOSED 3-STORY  
RESIDENTIAL BLDG  
6TH CONCESSION - WINDSOR**

client:  
**HD DEVELOPMENT GROUP**

title:  
**ELEVATIONS  
FINISH SCHEDULE**

scale: **AS SHOWN**

drawn by: **OB**

checked by: **SMB**

date: **FEB 2024**

comm. no.: **2023-087**

sheet no.:

**A3.1**





**NORTH ELEVATION**

SCALE : 1/8" = 1'-0" 0 2 4 8 12 24 FEET



**WEST ELEVATION**

SCALE : 1/8" = 1'-0" 0 2 4 8 12 24 FEET


2024/04/15 CLIENT REVIEW

2024/02/22 CLIENT REVIEW

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stamp:

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**D** design  
**A** associates inc. architect

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project:  
**PROPOSED 3-STORY RESIDENTIAL BLDG 6TH CONCESSION - WINDSOR**

client:  
**HD DEVELOPMENT GROUP**

title:  
**ELEVATIONS FINISH SCHEDULE**

scale: **AS SHOWN**

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checked by: **SMB**

date: **FEB 2024**

comm. no.: **2023-087**

sheet no.:

**A3.2**





**NORTHWEST CORNER**




**NORTHEAST CORNER**



**SOUTHWEST CORNER**



**MAIN ENTRY**


**architectural**  
**design**  
**associates**  
 inc. architect

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 Tel 519.254.3430  
[ada-architect.ca](http://ada-architect.ca)

## Proposed Multi-Residential Building 6th Concession Rd, Windsor

  
**HD development group**  
 DESIGN | BUILD



## APPENDIX E – CONSULTATION

### BELL CANADA (WSP) – 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.

### CITY OF WINDSOR - ENGINEERING – DEVELOPMENT - JUAN PARAMO

The site may be serviced by a 250mm PVC sanitary sewer and the 5<sup>th</sup> Concession Drain for the storm outlet, located along the Sixth Concession Road frontage. The 5<sup>th</sup> Concession Drain is a municipal drain with by-laws and governed under the Drainage Act. The existing drain maintenance corridor easement is 10 m from the top of bank. The proposed building will be located within the designated working space. An engineer's report under the Drainage Act is required and a "Notice of Request for Drain Major Improvement – 78 (1.1)" form shall be submitted, addressing the change of land use. This report must also propose an acceptable working space (corridor) from the existing top of bank, including an easement setback from the property line, which must remain free of any structures in perpetuity.

## APPENDIX E – CONSULTATION

A Sanitary Sewer Study, dated June 26, 2024 by Aleo Associates Inc. has been received and reviewed. The applicant's consultant has confirmed that the existing 250mm PVC sanitary sewer on Sixth Concession Road will effectively accommodate the site's sewer servicing needs. The study demonstrates that the municipal sanitary sewer has adequate capacity, and no adverse impacts are expected on the surrounding areas because of the proposed development. The Sanitary Sewer Study has been deemed acceptable, and the proposed sanitary servicing strategy is supported by Engineering Development department. Currently, Sixth Concession Road lacks curb and gutter, as well as sidewalks along both sides and are required under the 6th Concession Road/North Talbot Road Environmental Assessment. The owner shall agree to contribute \$2,450.00 towards the future construction of curb and gutter, as well as \$4,700.00 towards the future construction of sidewalks along the entire Sixth Concession Road frontage.

The applicant will be required to submit, prior to the application for building permit, a stormwater management plan in accordance with Windsor Essex Region Stormwater Management Standards Manual, restricting stormwater runoff to predevelopment levels. The submission for a Storm Detention Scheme will include, at a minimum:

- a. Submission of stormwater management review fee,
- b. Stormwater management report stamped by a professional engineer
- c. Stormwater management check list (see link below)
- d. Site servicing drawings stamped by a professional engineer

Submission of a stormwater management report alone **will be deemed incomplete**, unless accompanied by the additional requirements specified above. Please visit the [City of Windsor Website](#) and the [ERCA Website](#) for additional information on stormwater management requirements.

In summary, we have no objection to the proposed development, subject to the following requirements:

**Sidewalks** – The Owner(s) agrees to pay to the Corporation, prior to application for building permit, the sum of \$4,700.00 being the Owner's contribution towards the future construction of a concrete sidewalk along the Sixth Concession Road frontage of the subject lands.

**Curb and Gutter** – The Owner further agrees to pay to the Corporation, prior to application for building permit, the sum of \$2,450.00 being the Owner's contribution towards the future construction of concrete curb and gutter along the Sixth Concession Road frontage of the subject lands.

**Drainage Report** – The Owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed Engineer's Report in accordance with Section 78 of the Drainage Act, which shall include a working corridor from the existing top of bank, as well as a drain easement setback from the property line along the entire Sixth Concession Road frontage.

**Drain Easement** – Prior to application for building permit, the owner shall gratuitously grant an easement satisfactory to the City Engineer along Sixth Concession Road for the maintenance and improvement of the 5<sup>th</sup> Concession Drain.

If you have any further questions or concerns, please contact Shannon Mills, of this department at [smills@citywindsor.ca](mailto:smills@citywindsor.ca)

## **APPENDIX E – CONSULTATION**

### **CITY OF WINDSOR – ENGINEERING – RIGHT OF WAY – MARK SCHAFFHAUSER**

#### **Required Drawing Revisions:**

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.

- Modify as per Standard Engineering Drawing AS-204 and AS-209.
- Culvert installation as per AS-209.

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.

- 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.

**Special Provisions (to be included in Site Plan Control Agreement)** – The following will be required prior to submitting a building permit application:

Site Plan Control Agreement – The applicant enter into an agreement with the City of Windsor for all requirements under the General Provisions of the Site Plan Control Agreement for the Engineering Department.

If you have any further questions, contact Thomas Huynh at [thuynh@citywindsor.ca](mailto:thuynh@citywindsor.ca)

### **CITY OF WINDSOR – ENVIRONMENTAL SERVICES – JIM LEETHER**

They have a garbage room on the first floor that is well inside the property boundary, as this is private property any roll out carts (as shown in the drawing) will have to make it to the curb at the entrance for collection. The way the parking lot is set up it would require a refuse vehicle to back in from the road, this can create significant risk and isn't a typical service offered by or expected of our private waste collection contractor. The building can of course contract private waste collection. There is no room in the parking lot proposal for traditional front end refuse collection bins so this is not currently an option, nor would I recommend it in such a tight parking lot.

### **CITY OF WINDSOR – FORESTRY – YEMI ADEYEYE**

There are no City owned trees on this lot. There are several Private trees on this lot along the front edge near 6th concession. Most of the remaining lot is clear of trees.

The owner/developer is requested to provide a detailed tree inventory for all live trees over 10cm DBH on the lot, both city and privately owned. The inventory should identify ownership and provide sub[1]meter accuracy GPS location, species, diameter (DBH) and condition for each tree. For trees in proximity to a roadway, less than 10m, GPS location should be taken on the side of the tree nearest the road.

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.

## **APPENDIX E – CONSULTATION**

Forestry will require detailed site plans prior to construction that show adequate Tree Root protection zones for each individual tree if they are to be preserved on-site through the development process. Basic Tree protection includes exclusion fencing at or about the 'drip-line' distance for each tree. Full 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 costs 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 to provide comment and suggestion that would maximize future on-site Tree Canopy and City-wide Tree Canopy Resilience. Forestry will continue to monitor the progress of this construction work.

### **CITY OF WINDSOR - NATURAL AREAS – KAREN ALEXANDER**

Protect and preserve the existing hedgerows on all sides of the parcels (OP 8.5.1) Where trees must be removed, no harm to active bird nests (Migratory Birds Act)

### **CITY OF WINDSOR – PLANNING & DEVELOPMENT SERVICES - LANDSCAPE ARCHITECT – HODA KAMELI**

In the Applicant's Planning Rationale Report (2024-09-10), on Page 8, it is stated that the subject lands are described as a flat, grassy parcel without trees. However, both the photograph and aerial image included in the report show the presence of trees on the property. It is recommended that the applicant be required to submit a tree inventory to provide more information on the condition of the trees. Additionally, to compensate for the loss of any trees on the site, the applicant should replace them at an equal diameter loss ratio (caliper-for-caliper) to the satisfaction of the City Forester, ensuring the preservation and restoration of the urban tree canopy. (*Landscape Manual for Development 4<sup>th</sup> Edition – Sect 3.1, & O.P. Section 5, Subsection 5.3.6*).

### **CITY OF WINDSOR – PLANNING & DEVELOPMENT SERVICES – SITE PLAN CONTROL**

The development proposal is subject to Site Plan Control pursuant to the Planning Act and City of Windsor By-law 1-2004. Where preceding development applications are required, inclusive of Official Plan and Zoning By-law Amendments, request for Site Plan Control Pre-Consultation Stage 1 may be made following completion of the requisite Development and Heritage Standing Committee meeting at <https://ca.cloudpermit.com/login>.

### **CITY OF WINDSOR – PLANNING & DEVELOPMENT SERVICES - ZONING COORDINATOR – PIERE BORDEAUX**

**Zoning – Current:** Residential District 1.2 (RD1.2)

**Zoning – Proposed:** Residential District 3.2 (RD3.2)

## APPENDIX E – CONSULTATION

**Existing Use:** Vacant Lot

**Proposed Use:** Multi-Unit Residential Development

### Section 5 – General Provisions:

- 5.30.10 - Encroachment Into a Yard - maximum:
- 5.30.10.1 - Architectural Feature:  
Required: 0.30 m                      **Provided: 0.60 m**

### Section 12.2 – Residential District 3.2 (RD3.2):

- 12.2.5.8 - Minimum Landscaped Open Space Yard – of total area:  
Required: 35.0%                      **Provided: 28.8%**

### Section 24 – Parking, Loading, and Stacking Provisions:

- 24.20.5.1 - Required Number of Parking Spaces - minimum:  
Required: 26                              **Provided: 24**

### Section 25 – Parking Area Regulations:

- **Construction and Maintenance of Parking Area**
  - 25.5.10.13 - For any part of a parking area that is located less than 4.50 m from a dwelling unit on an abutting lot, a screening fence with a minimum height of 1.20 m shall be provided along the lot line on which the parking area is located.
- **Parking Area Separation**
  - 25.5.20.1.5 - Parking Area Separation from a building wall in which is located a main pedestrian entrance facing the parking area:  
Required: 2.00 m                      **Provided: 1.50 m**
  - 25.5.20.1.6 - Parking Area Separation from a building wall containing a habitable room window or containing both a main pedestrian entrance and a habitable room window facing the parking area where the building is located on the same lot as the parking area:  
Required: 4.50 m                      **Provided: 1.30 m**

## CITY OF WINDSOR – PUBLIC WORKS OPERATIONS - TRANSPORTATION PLANNING – ELARA MEHRILLOU

All parking must comply with ZBL 8600. A Type A accessible parking space shall have a minimum length of 5.5 m and a minimum width of 3.5 m.

Each parking space shall have a minimum length of 5.5 m and a minimum width of 2.5 m, except where one side of the parking space is flanked by a wall or fence, each parking space shall have a minimum length of 5.5 m and a minimum width of 3.5 m.

Transportation Planning has received and reviewed the Parking Study file number 24-1562 conducted by RC Spencer Associates Inc. dated February 2024. The two-parking space deficiency for this development is considered as acceptable.

- Transportation Planning refers to 1.25 rate for required parking not the number of the bedrooms. Therefore, the development is 2 parking spots deficient.
- The provided bicycle parking is mandatory by ZBL 8600 regardless of parking deficiency.



## APPENDIX E – CONSULTATION

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. Driveway proposed must be 7-9 m total at the property line (minimum 3.5m/lane, maximum 4.5m/lane).

All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

### CITY OF WINDSOR – TRANSIT WINDSOR – JASON SCOTT

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Walkerville 8. The existing peak weekday frequency of this route is 30 minutes. The closest existing bus stop to this property is located on Holburn at Sixth Concession Northeast Corner. This bus stop is about 230 m from this property falling within Transit Windsor's 400 m walking distance guidelines to a bus stop. This will be maintained and further enhanced in the Transit Master Plan as a new local route will provide service to this area with two-way conventional transit service versus the existing one way loop. The peak weekday frequency will be maintained at 30 minutes.

### 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. See the drawing below. 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 if 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 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



## APPENDIX E – CONSULTATION

### ENWIN - HYDRO ENGINEERING - ZACHARY MANCINI

No objection provided adequate clearances are achieved and maintained.

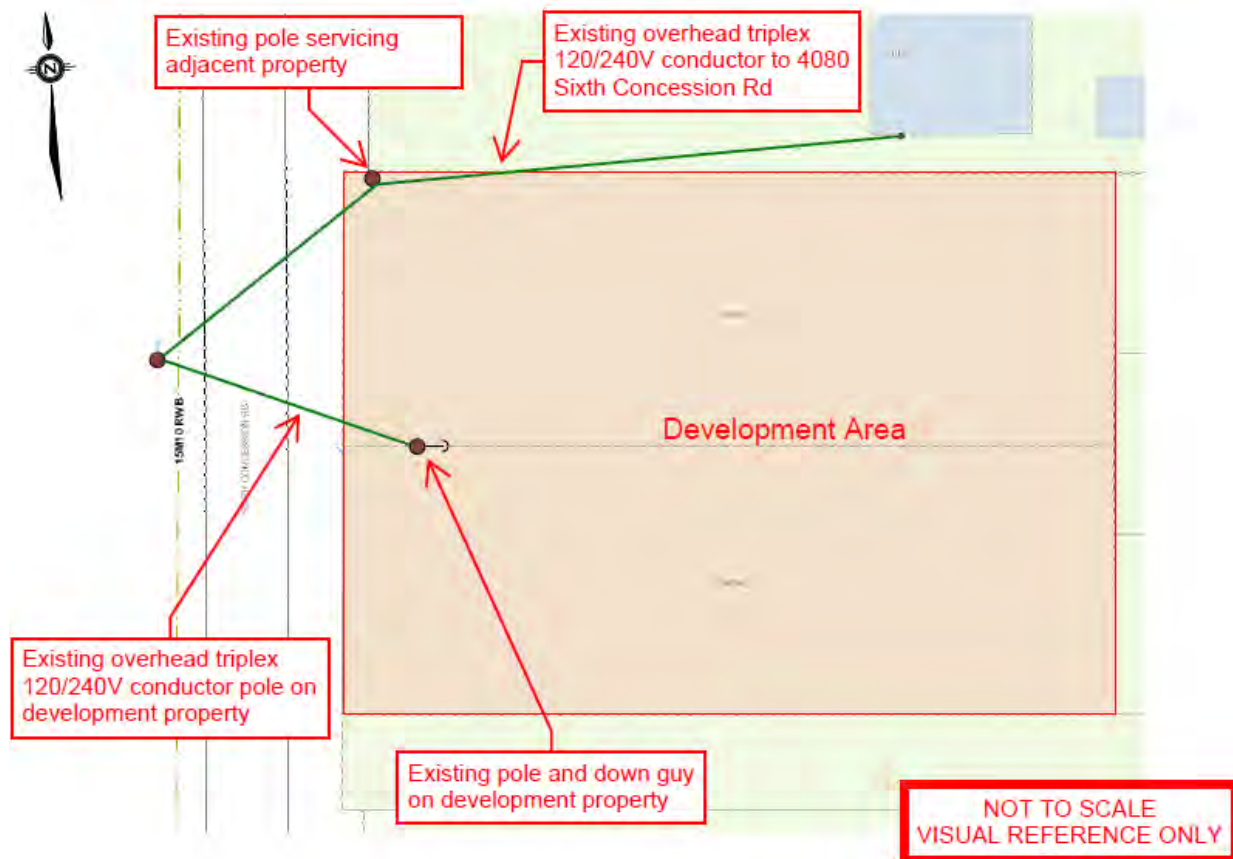
ENWIN has a pole with existing overhead 120/240-volt secondary conductor crossing the North-West corner of the development property to service the adjacent address at 4080 Sixth Concession Road.

ENWIN has a pole with existing overhead 120/240-volt secondary conductor on the West side of the development property where the existing lots intersect. Be advised this pole may conflict with the proposed residential building.

If any relocation of the existing plant is required for the development, the associated costs will be burdened by the customer.

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 permanent required clearances for New Building Construction.

Sketch is for reference only and does not replace the need for utility locates.



### ENWIN - WATER ENGINEERING - BRUCE OGG

ENWIN Water has no objections. The existing 25mm water services for 4088 & 4096 6<sup>th</sup> Concession will need to be abandoned at the watermain and a new water service adequate for the development will be required.

**Development & Heritage Standing Committee**  
**Monday, December 2, 2024**  
**Item 7.4 - written submission**

**From:** Marla Sponarski < >  
**Sent:** December 1, 2024 1:39 PM  
**To:** clerks <clerks@citywindsor.ca>  
**Subject:** 4088 and 4096 on 6th Concession

Dear Councillors,

I am writing to express my grave concerns about the multiplex proposal at 4088 and 4096 on 6th Concession. The road, with its open ditches and lack of sidewalks, is already prone to accidents, and the addition of multiplex proposals exacerbates the safety risks. Cars speed down this road as a raceway with little concern given to street signs, pedestrians, or the citizens living there. The rush hour traffic of this road is overwhelming, especially when you consider train crossings also have to be dealt with. Furthermore, the presence of a bus stop for schoolchildren in the vicinity heightens the danger to everyone in the area.

At the city council vote of 6th Concession and Ducharme, there were 4 councillors who voted against future development on 6th Concession until the infrastructure has been upgraded. All said that 6th Concession was far too dangerous as is and would not allow their own children to be on it. Three of those councillors are on this board: Keiran McKenzie (whose ward this is happening in), Fred Francis and Mark McKenzie. How in good conscience can you vote against one project and deem it too dangerous and then support this project just meters away? This project simply adds to what councillors already declared dangerous.

The haphazard changing of bylaws to fit the developers and builders equations does nothing to protect the neighbourhoods you swore to represent. The majority of your constituents have said no to this type of project, but you are ignoring their voice. Where is the democracy that Canada boasts if the people speak but their voices and concerns are ignored in exchange for extra money to a very few people, who do not have to live in the neighbourhoods that will bear the consequences of their actions?

The concentration of multiplex developments in this location not only threatens the character and integrity of this neighbourhood and surrounding neighbourhoods (that you and the current bylaws swore to uphold) but also endangers the lives of its residents, especially the schoolchildren who rely on the bus stop. It is imperative to prioritize the safety and well-being of the community and to prevent any further risks associated with increased traffic and congestion due to these developments.

This area of South Windsor has not had upgrades to its infrastructure in decades. As is, it simply cannot handle this as well as the other projects being proposed. Saying that the infrastructure upgrades will come, without any given dates and no planning for it in the next 10-year plan, is really asking for trouble in our system and will result in this area collapsing. You are putting the cart before the horse too if you implement this and other projects before the infrastructure is in place. Disaster can only follow.



The overdevelopment of South Windsor, including this proposal as well as many others, does nothing to help the housing crisis. It does, however, lend to the pricing crisis, making all these developments unreachable for the majority of citizens and only lines the pockets of the builders and developers. This is overdensification at its worst, being done in an area that does not need nor can handle this great intensification. There are many other areas in Windsor that are not only better suited to medium- and high-density building, but are actually begging for these developments. Low-density, single-family homes are what built South Windsor and is what should only be built here. We do not have the infrastructure for what is being proposed, especially when you consider all of these over-densification proposals as a whole.

I urge you to oppose the multiplex proposal and to consider the safety implications of such projects in our neighborhoods. Your support in ensuring the safety and security of all residents, particularly our children, as well as our infrastructure, is crucial.

Thank you for your attention to this matter.

Sincerely,

Marla Sponarski



**Committee Matters: SCM 371/2024**

**Subject: Rezoning – Baker Investments Ltd.- 0 Wyandotte Street East - Z-035/24  
ZNG/7243 - Ward 6**

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

Decision Number: **DHSC 680**

1. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part of Block “A”, Registered Plan 1628 except for Part 1, Plan 12R-11541, identified as PIN 01066-0197, situated at the northeast corner of Wyandotte Street East and Watson Avenue, and known municipally as 0 Wyandotte Street East (Roll No: 060-330-00100) from Commercial District 2.1 (CD2.1) to Residential District 3.2 (RD3.2).

Carried.

Member Daniel Grenier discloses an interest and abstains from voting on this matter.

Report Number: S 154/2024  
Clerk’s File #: Z/14875

**Clerk’s Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 7.5 from the Development & Heritage Standing Committee held on December 2, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241202/-1/10526>

**Subject: Rezoning – Baker Investments Ltd.- 0 Wyandotte Street East - Z-035/24 ZNG/7243 - Ward 6**

**Reference:**

Date to Council: December 2, 2024  
Author: Adam Szymczak, MCIP, RPP  
Senior Planner - Development  
519-255-6543 x6250  
aszymczak@citywindsor.ca  
Planning & Building Services  
Report Date: November 4, 2024  
Clerk's File #: Z/14875

**To:** Mayor and Members of City Council

**Recommendation:**

1. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part of Block "A", Registered Plan 1628 except for Part 1, Plan 12R-11541, identified as PIN 01066-0197, situated at the northeast corner of Wyandotte Street East and Watson Avenue, and known municipally as 0 Wyandotte Street East (Roll No: 060-330-00100) from Commercial District 2.1 (CD2.1) to Residential District 3.2 (RD3.2).

**Executive Summary:**

N/A

**Background:**

**Application Information**

**Location:** 0 WYANDOTTE STREET EAST  
(Northeast Corner Wyandotte & Watson; Roll No. 060-330-00100)

**Ward:** 6    **Planning District:** Riverside    **Zoning District Map:** 14

**Applicant:** Baker Investments Limited (Jason Baker)

**Owner:** Baker Investments Limited

**Agent:** Pillon Abbs Inc. (Tracey Pillon-Abbs, RPP)

**Proposal:** Amendment to Zoning By-law 8600, from Commercial District 2.1 (CD2.1) to Residential District 3.2 (RD3.2) to allow the construction of one Multiple Dwelling consisting of 86 dwelling units in a building having a height of 21m over 6 storeys, 108 parking spaces including five accessible parking spaces, 8 bicycle parking, a new access area from Watson Avenue and utilization of the existing access to Wyandotte Street East through the adjacent commercial development to the east. Lot coverage is 20.7%, landscaped open space is 35.1%, and dwelling unit density is 111 units/ha.

**Submissions:** All documents are available [online](#) or [aszymczak@citywindsor.ca](mailto:aszymczak@citywindsor.ca).

Attached to Report S 154/2024 as an Appendix:

- Conceptual Site Plan (Appendix A)
- Conceptual Elevation Render (Appendix B)
- Conceptual Floor Plans (Appendix C)

Not attached to Report S 154/2024:

- [Application Zoning By-law Amendment](#)
- Open House Notice
- Open House Presentation
- Planning Rationale Report (Revised 2024 November 2)
- [Sanitary Sewer Study \(2024 September 25\)](#)

**Site Information:**

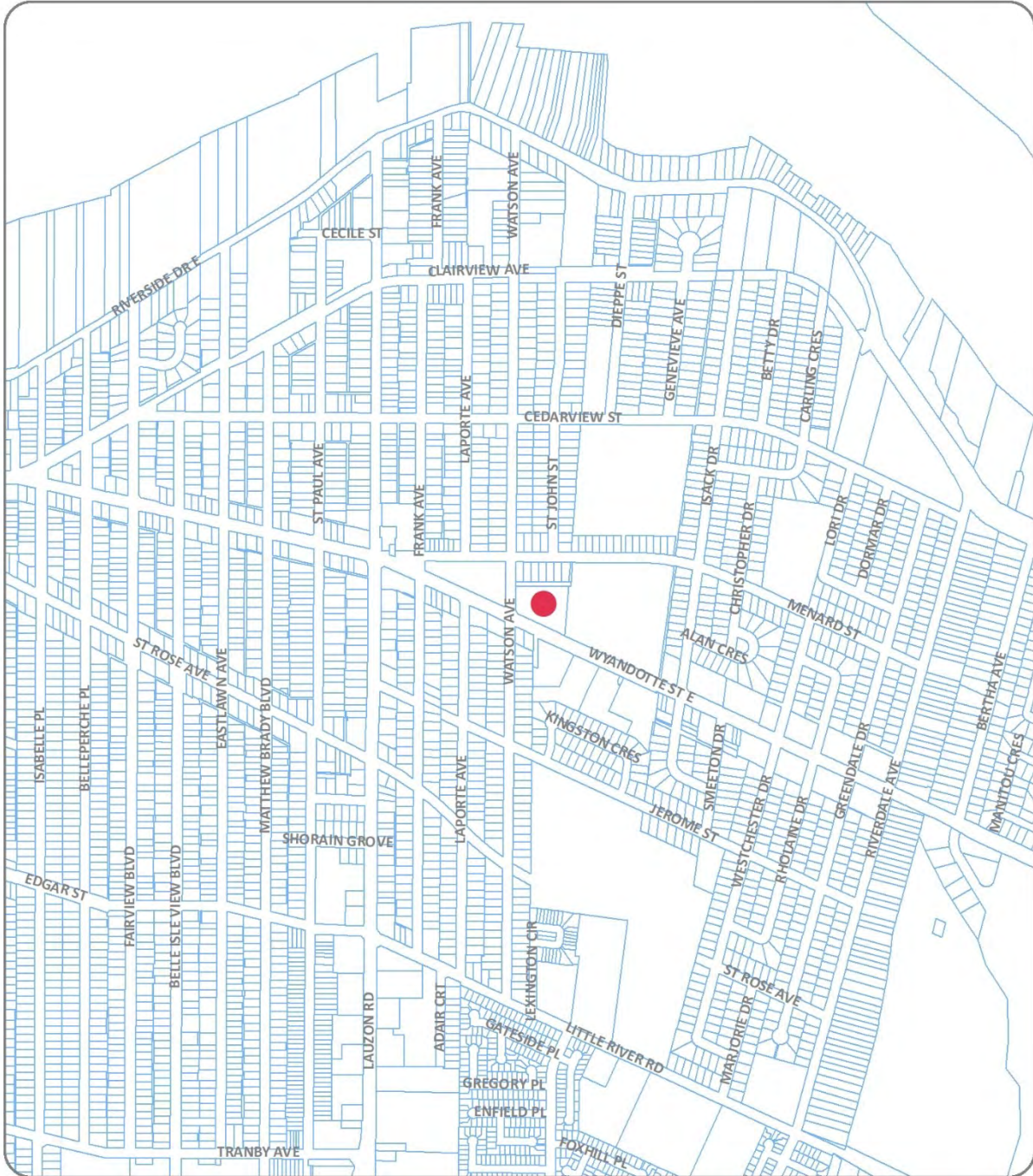
OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Mixed Use Corridor	Commercial District 2.1 (CD2.1)	Vacant	Unknown
LOT FRONTAGE (WYANDOTTE ST)	LOT FRONTAGE (WATSON AVE)	LOT AREA	LOT SHAPE
103.9 m	46.8 m	7,836.9 m <sup>2</sup>	Irregular

**Neighbourhood:**

Sections 2.2 and 2.3 in the PRR provide an overview, including photos, of the site and the surrounding area. Wyandotte Street is a major east-west road that is commercial towards Lauzon Road. To the north is mostly single unit dwellings. To the east, towards Riverdale Avenue, on both sides of Wyandotte, are three to five storey apartment buildings. To the south are townhouses and apartment buildings, and low-density dwellings. There are several Places of Worship and Schools in the neighbourhood.

Wyandotte Street East is a Class II Arterial Road, has a two-lane cross-section with no on-street parking and sidewalks on both sides. The Active Transportation Master Plan identifies Wyandotte Street as a Regional Spine in the Bicycle Network and as a Multi-modal Corridor. Public transit is available via the Lauzon 10 bus route (westerly direction only) with nearby bus stops. The Crosstown 2 bus route is accessible at Wyandotte and Lauzon and at Wyandotte and Riverdale. The Transit Master Plan identifies a local bus route along this portion of Wyandotte Street that will connect to Primary and Secondary Routes at the East End Terminal.

Figure 1: Key Map



KEY MAP - Z-035/24, ZNG/7243



● SUBJECT LANDS



**Figure 2: Subject Parcel - Rezoning**



PART OF ZONING DISTRICT MAP 14

N.T.S.

## REQUESTED ZONING AMENDMENT

Applicant: Baker Investments Limited



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : OCTOBER, 2024  
FILE NO. : Z-035/24, ZNG/7243



Figure 3: Neighborhood Map



NEIGHBOURHOOD MAP - Z-035/24, ZNG/7243



SUBJECT LANDS

## **Discussion:**

### **Planning Rationale Report (PRR) (Pillon-Abbs Inc. – November 2, 2024)**

The PRR was revised to include a review and analysis of the new Provincial Planning Statement 2024 (PPS 2024). The PRR states that the subject site is suitable for residential development and that the proposed development is compatible with existing uses in terms of scale, massing, height and siting, expands housing choice, in the surrounding area, and will have no negative impact on municipal services.

The PRR states that 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*” and “*a cost-effective development pattern that minimizes land consumption and servicing costs*”. It concludes that the proposed development “*is consistent with the PPS, conforms with the intent and purpose of the OP and ZBL and represents good planning.*” Planning and Development Services concurs with the analysis, summary, and conclusions in the PRR.

### **Sanitary Sewer Study (Aleo Associates Inc. – September 25, 2024)**

The study states that based on existing conditions, the existing 450 mm diameter sanitary sewer has a capacity of 98.8 L/s. The peak sewage flow rate is 45.9 L/s, representing a capacity utilization of 46.5%. The proposed development will increase the total peak sewage flow rate to 52.0 L/s. The report concludes this “*is a small increase in the total peak sewage flow rate and the existing sanitary sewer will have 52.7% of its capacity utilized*”. City of Windsor - Engineering Development notes that study is acceptable. Storm water management will be considered during Site Plan Control.

### **Provincial Planning Statement 2024 (PPS 2024):**

The PPS 2024 provides policy direction on matters of provincial interest related to land use planning in Ontario. Subject to any transitional provisions, all municipal decisions, as well as advice, comments and submissions shall be consistent with the PPS 2024. Section 5.1.1 in the PRR provides an analysis of the relevant PPS 2024 policies. The PRR concludes that the “*proposed development is consistent with the PPS and the Province’s vision for long-term prosperity and social well-being*”. Planning and Development Services concurs with this analysis and is of the opinion that the proposed multiple dwelling and amendment to Zoning By-law 8600 are consistent with the PPS 2024.

### **Official Plan (OP):**

The parcel has a designation of “Mixed Use Corridor” on Schedule D: Land Use in the Official Plan. Section 5.1.2 in the PRR submitted by the Applicant has a complete review and analysis of appropriate Official Plan policies. The PRR concludes that the “*proposed development will conform with the purpose and intent of the City of Windsor OP*”. Planning and Development Services concurs with the analysis in the revised PRR. The proposed amendment to Zoning By-law 8600 conforms to the direction of the Official Plan.



## **City of Windsor Intensification Guidelines:**

The Intensification Guidelines provide further direction for infill and intensification within existing neighbourhoods. Per the Official Plan, the parcel is in a “Mixed Use Corridor”. Section 5.1.2 of the PRR, beginning at the bottom of page 29, includes a review of the Intensification Guidelines. The PRR notes that the final design “*of the building is subject to the City of Windsor design guidelines*” that will be considered during Site Plan Control. Planning and Development Services accepts the review of the Intensification Guidelines in the PRR. The proposed amendment is consistent with the directives of the Intensification Guidelines.

## **Zoning By-Law:**

The parcel is zoned Commercial District 2.1 (CD2.1), a commercial zoning district that allows a broad range of commercial uses. The RD3.2 zoning requested by the Applicant is appropriate and is the same as the proposed multiple dwelling on the east side of the commercial plaza in 2020. Staff note a few deficiencies in the provision of visitor parking spaces, loading spaces and the width of the proposed access area; however, these are minor in nature and can be easily corrected by the applicant prior to applying for Site Plan Control.

## **Site Plan Control:**

The proposed development is subject to Site Plan Control. The Site Plan Approval Officer will incorporate the direction of the City of Windsor Intensification Guidelines and will review the comments from departments and agencies in Appendix D to this report.

## **Risk Analysis:**

N/A

## **Climate Change Risks**

### **Climate Change Mitigation:**

The proposed 86 unit multiple dwelling implements Environmental Master Plan Objective C1: Encourage in-fill and higher density in existing built areas. Residential infill 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 proposed construction of a multiple dwelling offers an opportunity to increase resiliency for the development and surrounding area by supporting a complementary and compact form of housing, redevelopment, and intensification that is near existing and future transit and active transportation options. 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 will be implemented through the building permit process. The site would also be required to incorporate storm water management best practices. Any site plan control application will be reviewed for opportunities to enhance resiliency.

**Financial Matters:**

N/A

**Consultations:**

An open house was held on August 21, 2024, from 6 to 7 pm via Zoom. An overview of the proposed development including the site plan, renderings and elevations. Section 3.2 in the PRR summarizes comments received at the public open house and the Applicant’s response to them. Attached as Appendix D, are comments received from municipal departments and external agencies. Per the Planning Act, statutory notice was advertised in the Windsor Star, a local newspaper. A courtesy notice was mailed to property owners within 200 m of the subject lands.

**Conclusion:**

The *Planning Act* requires that a decision of Council that affects a planning matter, “shall be consistent with” the PPS 2024. Based on the documents submitted by the Applicant and the analysis in this report, it is my opinion that the recommend amendment to Zoning By-law 8600 is consistent with the PPS 2024 and is in conformity with the Official Plan.

The proposed amendment will permit a use, a medium profile multiple dwelling with 86 dwelling units, which is compatible with existing uses in the surrounding area, represents an appropriate increase in density, provides an opportunity for the construction of modern and safe housing stock, and supports a complementary form of housing located near various transportation options. Site plan control is the appropriate land use tool to consider the requirements and comments of departments and agencies. The recommendation to amend Zoning By-law 8600 constitutes good planning.

**Planning Act Matters:**

I concur with the above comments and opinion of the Registered Professional Planner.

*Greg Atkinson, MCIP, RPP*  
*Deputy City Planner - 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
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

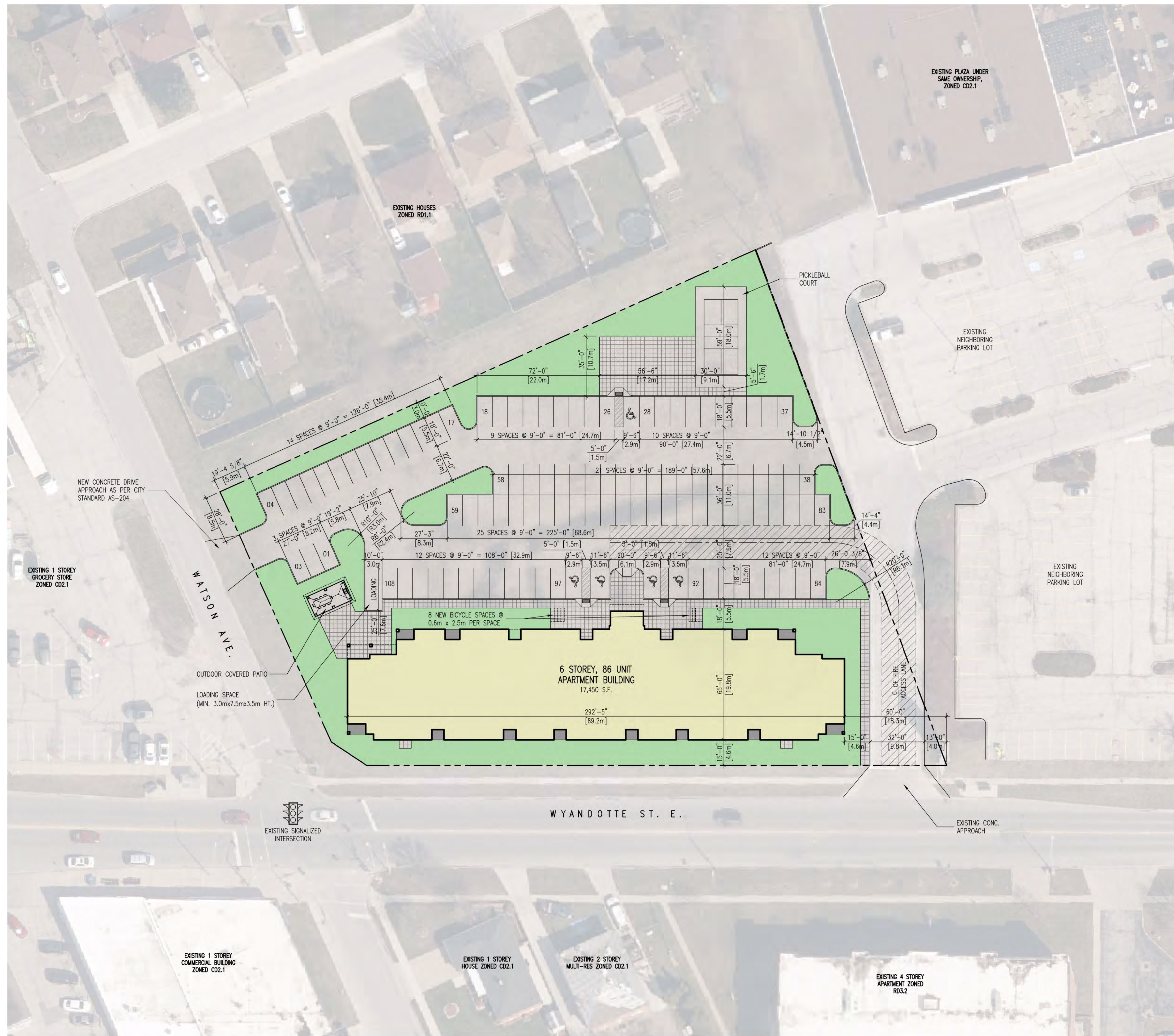
Notifications:

<b>Name</b>	<b>Address</b>	<b>Email</b>
Jason Baker Baker Investments Ltd	615 Pelissier Street Windsor, ON N9A 4L4	<a href="mailto:jason@bakerinvestmentsltd.com">jason@bakerinvestmentsltd.com</a>
Tracey Pillon-Abbs Pillon Abbs Inc.	23669 Prince Albert Road Chatham, ON N7M 5J7	<a href="mailto:tracey@pillonabbs.ca">tracey@pillonabbs.ca</a>
Jason Thibert ADA Architect	1670 Mercer Street Windsor ON N8X 3P7	<a href="mailto:jthibert@ada-architect.ca">jthibert@ada-architect.ca</a>
Councillor Jo-Anne Gignac		
Property owners within 200 m of the subject parcel		

**Appendices:**

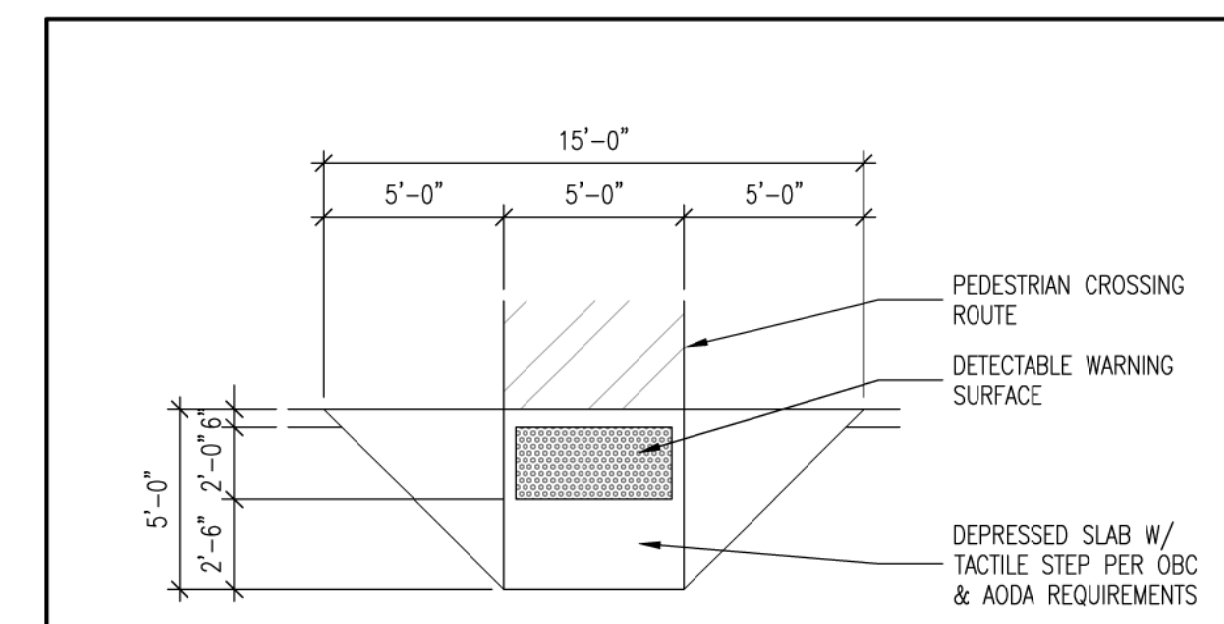
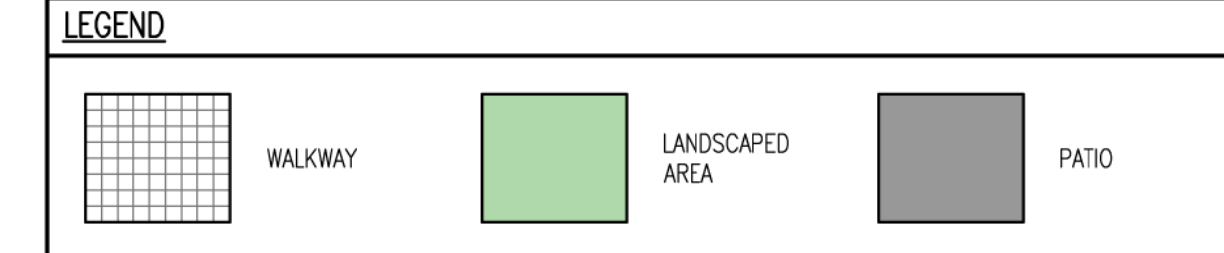
- 1 Appendix A - Conceptual Site Plan
- 2 Appendix B - Conceptual Floor Plans
- 3 Appendix C - Conceptual Elevations
- 4 Appendix D - Consultation





**SITE DATA** : ZONED CD2.1 – NEW AREA SITE SPECIFIC BASED OFF RD3.2 (BYLAW 8600)

	REQUIRED	PROPOSED
a. LOT AREA (CORNER LOT)	MIN. 4,541.0 m <sup>2</sup>	7,836.9 m <sup>2</sup>
b. BUILDING AREA		1,621.2 m <sup>2</sup>
c. BUILDING LOT COVERAGE (%)	MAX. 35.0%	20.7 %
d. BUILDING GROSS FLOOR AREA (G.F.A.)		9,727.2 m <sup>2</sup>
e. BUILDING HEIGHT (CORNER LOT)	MAX. 24.0 m	21.0 m
f. NO. OF PARKING SPACES (INCLUDES HANDICAPPED SPACES)		
1.25 SPACES PER UNIT = 1.25 x 86	108 SPACES	108 SPACES
g. NO. OF HANDICAPPED PARKING SPACES (101-200)		
TYPE A	2 SPACES	2 SPACES
TYPE B	3 SPACES	3 SPACES
h. NO. OF BICYCLE PARKING SPACES (20 OR MORE)	7 SPACES	8 SPACES
i. PAVED AREA COVERAGE		3,368.5 m <sup>2</sup> 43.0 %
j. LANDSCAPED AREA		
HARD (INCLUDES PICKLEBALL COURT)		834.7 m <sup>2</sup>
SOFT		1,914.0 m <sup>2</sup>
TOTAL		2,748.7 m <sup>2</sup>
COVERAGE	MIN. 35.0 %	35.1 %
k. LINEAR CONCRETE CURB		422.1 m
l. DWELLING UNIT DENSITY (CORNER LOT)	188/ha (MAX.)	111 UNITS/ha



**TYPICAL CURB RAMP PLAN**  
SCALE : 3/16" = 1'-0"

**UNIT COUNTS**

<b>1ST FLOOR</b> – 1 3 BEDROOM (1,300 S.F.) (11 UNITS)	<b>5TH FLOOR</b> – 2 3 BEDROOM (1,300 S.F.) (15 UNITS)
– 6 2 BEDROOM (1,000 S.F.)	– 9 2 BEDROOM (1,000 S.F.)
– 4 1 BEDROOM (750 S.F.)	– 4 1 BEDROOM (750 S.F.)
<b>2ND FLOOR</b> – 2 3 BEDROOM (1,300 S.F.) (15 UNITS)	<b>6TH FLOOR</b> – 2 3 BEDROOM (1,300 S.F.) (15 UNITS)
– 9 2 BEDROOM (1,000 S.F.)	– 9 2 BEDROOM (1,000 S.F.)
– 4 1 BEDROOM (750 S.F.)	– 4 1 BEDROOM (750 S.F.)
<b>3RD FLOOR</b> – 2 3 BEDROOM (1,300 S.F.) (15 UNITS)	<b>TOTAL</b> – 11 3 BEDROOM
– 9 2 BEDROOM (1,000 S.F.)	– 51 2 BEDROOM (6 B.F.)
– 4 1 BEDROOM (750 S.F.)	– 24 1 BEDROOM (6 B.F.)
<b>4TH FLOOR</b> – 2 3 BEDROOM (1,300 S.F.) (15 UNITS)	= 86 UNITS (12 B.F.)
– 9 2 BEDROOM (1,000 S.F.)	
– 4 1 BEDROOM (750 S.F.)	

NOTE: A BUILDING SHALL NOT BE LOCATED BENEATH EXISTING ABOVE GROUND ELECTRICAL CONDUCTORS. WHERE A BUILDING IS TO BE CONSTRUCTED IN PROXIMITY TO ABOVE GROUND ELECTRICAL CONDUCTORS, HORIZONTAL CLEARANCE BETWEEN BUILDING AND CONDUCTORS SHALL COMPLY WITH SUBSECTION 3.1.19 OF THE O.B.C.

NOTE: FIRE-ROUTE SIGNS SHALL BE APPROVED BY THE CITY OF WINDSOR & FIRE DEPARTMENT – NEW SIGNS TO BE PLACED NO LESS THAN 50 FEET AND NOT MORE THAN 150 FEET APART. AS ACCESSIBLE PARKING SIGN FIRE ROUTE SIGN PER CITY OF WINDSOR STANDARDS

NOTE: ALL EXTERIOR PATHS OF TRAVEL SHALL BE CONSTRUCTED IN ACCORDANCE WITH SECTION 80.23 OF THE REGULATION 191/11 TO THE ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT SECTIONS 3.8.1.3 AND 3.8.3.2 OF THE O.B.C.

NOTE: ALL CURB RAMPS SHALL BE CONSTRUCTED IN ACCORDANCE WITH SECTION 80.26(1) OF ONTARIO REGULATION 191/11 TO THE ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT AND SECTION 3.8.3.18 OF THE O.B.C.

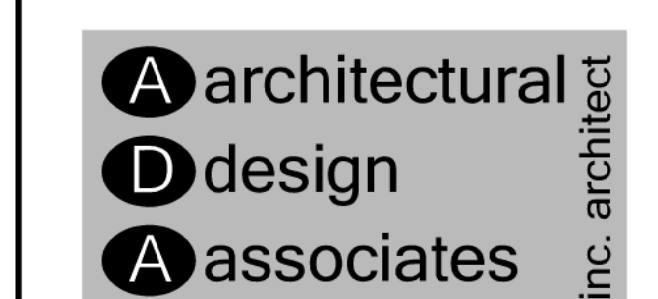
2024/09/24 ZBA, STAGE 2

2024/05/17 ZBA, STAGE 1

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:



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:  
**PROPOSED 6 STOREY APARTMENT BUILDING WYANDOTTE ST. E AND WATSON AVE., WINDSOR ON**

client:  
**BAKER INVESTMENTS**

title:  
**SITE PLAN**

scale:  
AS SHOWN

drawn by:  
JT

checked by:  
SMB

date:  
MAY, 2024

comm. no.:  
2024-083

sheet no.:

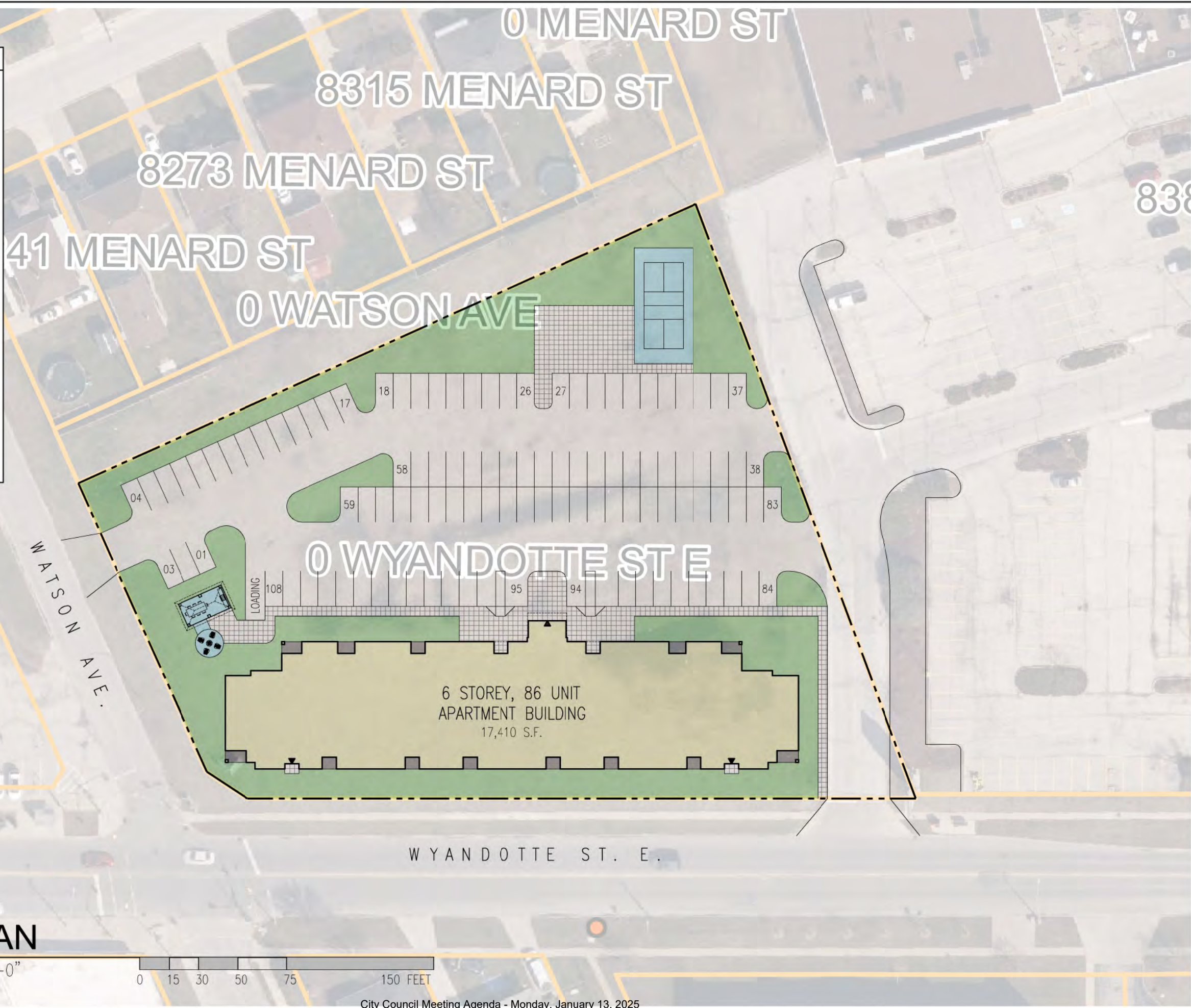
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**SITE PLAN**  
SCALE : 1" = 30'-0"  
0 15 30 45 90 FEET



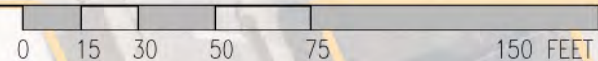
**UNIT COUNTS**

<b>1ST FLOOR</b>	- 1	3 BEDROOM (1,300 S.F.)
(11 UNITS)	- 6	2 BEDROOM (1,000 S.F.)
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(15 UNITS)	- 9	2 BEDROOM (1,000 S.F.)
	- 4	1 BEDROOM (750 S.F.)
<b>5TH FLOOR</b>	- 2	3 BEDROOM (1,300 S.F.)
(15 UNITS)	- 9	2 BEDROOM (1,000 S.F.)
	- 4	1 BEDROOM (750 S.F.)
<b>6TH FLOOR</b>	- 2	3 BEDROOM (1,300 S.F.)
(15 UNITS)	- 9	2 BEDROOM (1,000 S.F.)
	- 4	1 BEDROOM (750 S.F.)
<b>TOTAL</b>	- 11	3 BEDROOM
	- 51	2 BEDROOM
	- 24	1 BEDROOM
	=	86 UNITS



**SITE PLAN**

SCALE : 1" = 50'-0"



date:	MAY 06, 2024
comm. no.:	2024-083
dwg. no.:	A1.0

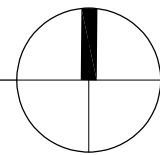
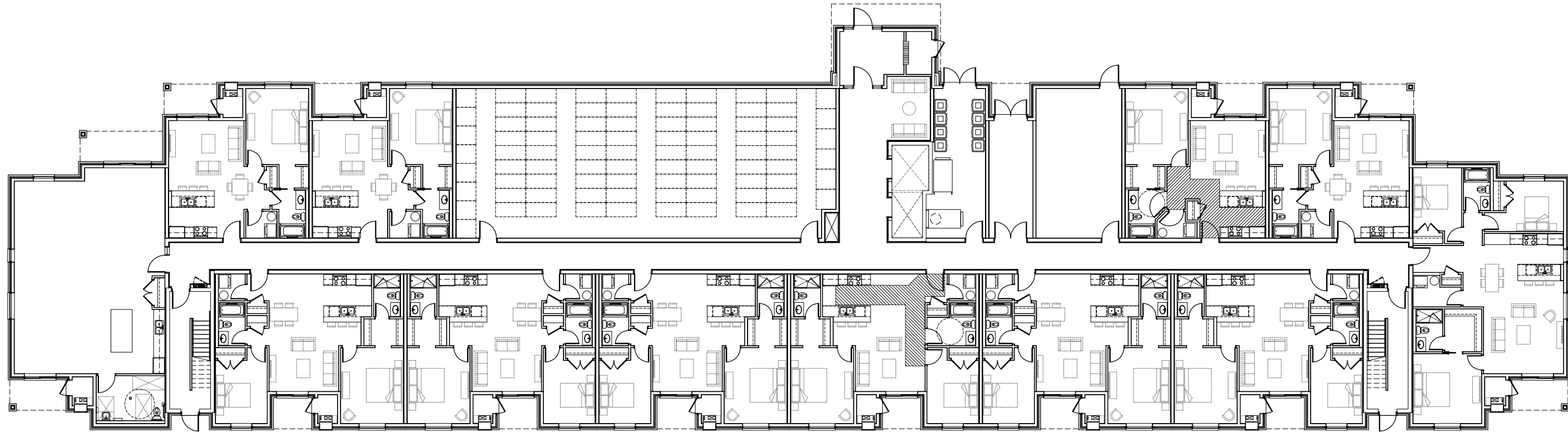
title:	SITE PLAN
drawn by:	JT
checked by:	SMB

project:	PROPOSED 6-STORY APARTMENT BUILDING WYANDOTTE AND WATSON, WINDSOR ON
client:	JASON BAKER

1670 mercer street  
windsor ontario canada n8x 3p7  
ph 519.254.3430 fax 519.254.3642  
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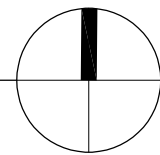
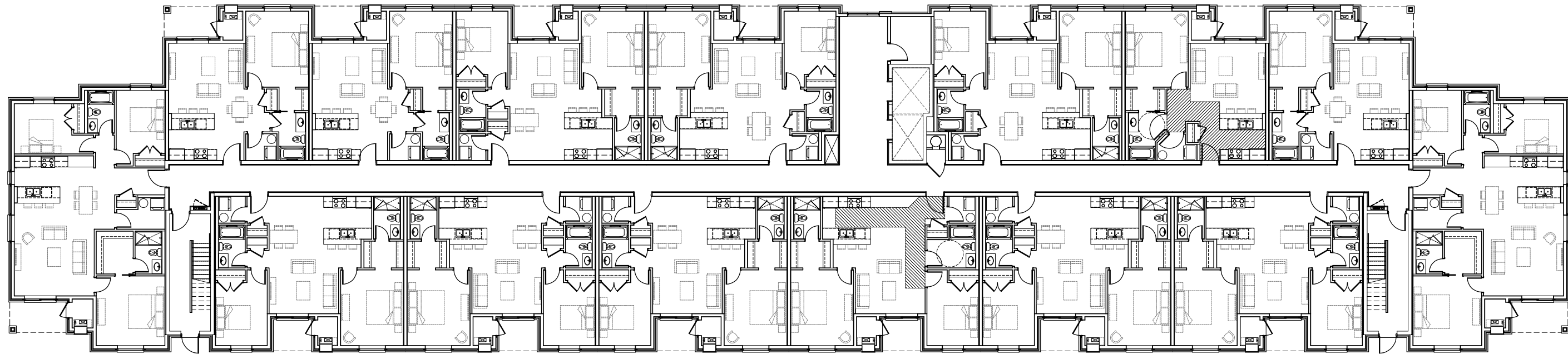
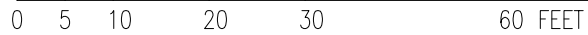






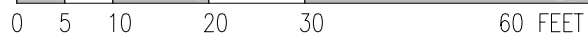
# FIRST FLOOR PLAN

SCALE : 1" = 20'-0"



# TYP. FLOOR PLAN - 2ND THRU 6TH

SCALE : 1" = 20'-0"



date: MAY 06, 2024 comm. no.: 2024-083 dwg. no.: A1.1	
title: FLOOR PLANS	drawn by: JT checked by: SMB
project: PROPOSED 6-STORY APARTMENT BUILDING WYANDOTTE AND WATSON, WINDSOR ON	
client: JASON BAKER	
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	
inc. architect <b>A</b> architectural <b>D</b> design <b>A</b> associates	

**BAKER INVESTMENTS**  
**PROPOSED 6 STOREY - 86 UNIT APARTMENT BUILDING**

Watson Ave. & Wyandotte St E. Windsor, ON.

**RENDER PACKAGE**



1670 Mercer St.  
Windsor | Ontario  
N8X 3P7

**Tel** 519.254.3430

**ada-architect.ca**





VIEW OF ENTRANCE - FACING SOUTH/WEST





8424 WYANDOTTE

VIEW OF ENTRANCE - FACING SOUTH/EAST





VIEW FROM WYANDOTTE ST. FACING NORTH / EAST





VIEW FROM WYANDOTTE ST - FACING NORTH/WEST



8424 WYANDOTTE

VIEW FACING SOUTH/WEST







VIEW FACING SOUTH/EAST





**a** architectural  
**d** design  
**a** associates  
inc. architect

VIEW FACING EAST DOWN WYANDOTTE ST.



## APPENDIX D – CONSULTATION

### 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.

### CITY OF WINDSOR – ENGINEERING – DEVELOPMENT – ROB PERISSINOTTI

**Sewers** - The site may be serviced by a 300mm sanitary sewer and a 1200mm storm sewer located within Wyandotte Street East right-of-way or a 675mm storm sewer located within Watson 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.

A sanitary sampling manhole may be required on any new sanitary connection at the property line to the satisfaction of the City Engineer, if one does not already exist. A

## APPENDIX D – CONSULTATION

Sanitary Servicing Study dated September 25, 2024, by Aleo Associates Inc. was received, reviewed and is acceptable.

The applicant will be required to submit, prior to the issuance of permits, a stormwater management plan in accordance with Windsor Essex Region Stormwater Management Standards Manual, restricting stormwater runoff to pre development levels. This will include, at a minimum:

- Submission of stormwater management review fee,
- Stormwater management report stamped by a professional engineer
- Site servicing drawings stamped by a professional engineer
- Stormwater management check list (see link below)

For more information of SWM requirements, visit: link

<https://essexregionconservation.ca/wp-content/uploads/2018/12/WE-Region-SWM-Standards-Manual.pdf>.

<https://www.citywindsor.ca/business/buildersanddevelopers/Documents/Checklist-Rational-Method.pdf>

The existing easement for the storm sewers adjacent to the Wyandotte St E right-of-way shall be required to be shown within the Site Plan Drawings.

As the site is within an ERCA regulated area, consultation and approval from ERCA will be required prior to the issuance of a building permit.

**Right-of-Way** - Watson Avenue is classified as a Local Residential Road per the Official Plan, requiring a sidewalk to be constructed along the frontage of the property along Watson Avenue as per the City's Active Transportation Master Plan (ATMP).

A Shared Access agreement shall be required with authorization from both parties to utilize the existing access lane shared with 8380–8474 Wyandotte St E to access Wyandotte Street East.

**Conclusion** - In summary we have no objection to the proposed development, subject to the following requirements:

Contact: Jaegar King at [jking@citywindsor.ca](mailto:jking@citywindsor.ca)

### CITY OF WINDSOR – ENGINEERING – RIGHT OF WAY – MARK SCHAFFHAUSER

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#### 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.
  - Modify as per Standard Engineering Drawing AS-204. Approaches and Driveways must be a minimum of 3.5m per lane.
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.
  - 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.



## APPENDIX D – CONSULTATION

3. **Proper Agreement for Access and/or Services** – If any portion of the driveway or sewer connections will be shared with the adjacent property, said items must be identified on the drawing.
- Modify drawings to identify shared accesses/services with adjacent property.
  - Reciprocal access agreement required for shared driveway with 8380-8474 Wyandotte St. E.
  - Reciprocal servicing agreement may be required depending on Site Servicing Drawing.

### **Special Provisions - to be included in Site Plan Control Agreement**

**Site Plan Control Agreement** – The applicant enter into an agreement with the City of Windsor for all requirements under the General Provisions of the Site Plan Control Agreement for the Engineering Department.

**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.

**Agreement for Access / Services** – The owner agrees to enter into a reciprocal agreement with the abutting property owners for access and services.

Contact: Dan Perissinotti at [dperissinotti@citywindsor.ca](mailto:dperissinotti@citywindsor.ca)

### **CITY OF WINDSOR – PLANNING & DEVELOPMENT SERVICES – SITE PLAN CONTROL**

The development proposal is subject to Site Plan Control pursuant to the Planning Act and City of Windsor By-law 1-2004. Where preceding development applications are required, inclusive of Official Plan and Zoning By-law Amendments, request for Site Plan Control Pre-Consultation Stage 1 may be made following completion of the requisite Development and Heritage Standing Committee meeting at <https://ca.cloudpermit.com/login>.

### **CITY OF WINDSOR – PLANNING & DEVELOPMENT SERVICES – ZONING COORDINATOR – PIERE BORDEAUX**

**Zoning - Current:** Commercial District 2.1 (CD2.1)

**Zoning - Proposed:** Residential District 3.2 (RD3.2)

**Use - Existing:** Vacant lot

**Use - Proposed:** Multiple Dwelling

**Section 5 – General Provisions:** Complies

**Section 12.2 – Residential District 3.2 (RD3.2):**

12.2.5.1 - Lot Frontage - minimum:

Required: 30.0 m

Provided: 50.0 m on Watson Avenue

## APPENDIX D – CONSULTATION

12.2.5.2 - Lot Area - minimum:

Required: 4,541.0 m<sup>2</sup>                      Provided: 7,807.0 m<sup>2</sup>

12.2.5.3 - Lot Coverage - maximum:

Required: 35.0%                              Provided: 21.0%

12.2.5.4 - Main Building Height - maximum:

Required: 24.0 m                              Provided: 21.0 m

12.2.5.8 - Landscaped Open Space Yard – minimum:

Required: 35.0% of lot area              Provided: 35.1% of lot area

12.2.5.13 - Dwelling Unit Density – dwelling units per hectare – maximum

Required: 188 units per ha                  Provided: 110 units per ha

**Section 20 – Site Specific Zoning Exemptions: NOT APPLICABLE**

**Section 24 – Parking, Loading, and Stacking Provisions:**

**24.22.1 - Visitor Parking Spaces**

Required: 16                                      **Provided: 0**

24.24.1 - Type (A) Accessible Parking Spaces

Required: 2                                        Provided: 2

**24.40.1.5 - Number of Loading Spaces:**

Required: 2                                        **Provided: 1**

**Section 25 – Parking Area Provisions:**

25.5.30.4 - An access area for all other uses shall have one or more one-way lanes. Each lane shall have a minimum width of 3.50 m and a maximum width of 4.50 m

**Provided: 3.25 m**

### ENBRIDGE – SANDRO AVERSA

Enbridge Gas has active infrastructure within the proposed area. See the PDF drawing below 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.

Should you find any abandoned infrastructure in the area:

## APPENDIX D – CONSULTATION

- 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.



Sarah Jarvis

November 13, 2024

Development & Heritage Standing Committee  
Re: Proposed Amendments to the City of Windsor Zoning By-Law 8600  
File numbers: Z-035/24 [ZNG/7243]  
clerks@citywindsor.ca

Dear Committee Members:

Please include my written submission as part of the public record (without the address and phone information).

My condominium faces north onto Wyandotte Street, and as one of the farthest east units, I will be one of the most affected by this development. When I purchased my condominium in 2018, I was assured by the realtors that any development in that spot would be commercial, and therefore, assumed that it would be a low-lying building.

I am concerned about the height of this proposed development. Six storeys would severely limit the amount of natural light into my unit. It was one of the main reasons for choosing to buy this condominium as I have life-altering health issues, and do not get outside as much as I would like.

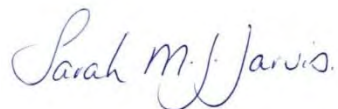
I acknowledge that our society needs homes more than another commercial plaza, but I ask the zoning only allows the height of the building to four storeys. This would also save light for the fourplex to the west of our building.

There are already many traffic issues at this section of Wyandotte as the street narrows. Often, car accidents or near misses happen just at this street section, including someone rear-ending me a few months ago as I was signalling to turn right into our driveway and avoiding a sudden stop from a vehicle turning into the plaza. There is also no safe pedestrian access into the plaza, and the safety risks would increase with decreased visibility caused by the building and extra vehicles turning into the building.

Please review the possibility of an extra safety crosswalk further east from Watson Street at the eastern end of the plaza, as the road narrows dangerously.

I also ask that you consider tree planting for privacy issues.

Thank you for your consideration.



Sarah M. J. Jarvis  
cc Board of Management: ECC #53



**Subject: Zoning Bylaw Amendment Z 031-24 [ZNG-7236] 1066 California Ave  
Ward 2**

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

Decision Number: **DHSC 681**

I. That Zoning By-law 8600 **BE AMENDED** by adding the following clause to Section 20(1):

**518. EAST SIDE OF CALIFORNIA AVENUE, SOUTH OF DAVIS ST AND NORTH OF GIRARDOT ST**

For the lands comprising of PLAN 50 BLOCK D LOTS 53 & 54 PT LOT 55 (PIN 01220-0251) for a *townhome dwelling*, the following additional provisions shall apply:

- a) *Lot Width* – minimum 19.8 m
- b) *Lot Coverage* – maximum 54% of lot area
- c) *Front Yard Depth* – minimum 5.4 m
- d) *Rear Yard Depth* – minimum 6.31 m
- e) Section 5.99.80.1.1.b) shall not apply

[ZDM 4; ZNG/7236]

II. That Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following clause to Section 95.20:

(13) a) Pursuant to Section 9.3.7.1(a) of Volume I: The Primary Plan of the City of Windsor Official Plan, submission of Stage 1 Archaeological Assessment and any further recommended assessments be entered into the Ontario Public Register of Archaeological Reports to the satisfaction of the City Planner.

b) Alley Contribution to the satisfaction of the City Engineer.

c) Stormwater Management Plan to the satisfaction of the City Engineer.

[ZNG/7236]

III. That Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of PLAN 50 BLOCK D LOTS 53 & 54 PT LOT 55 (PIN 01220-0251), situated on the east side of California Avenue between Davis Street and Girardot Street, and known municipally as 1066 California Avenue (Roll No. 050-37-03500), from

Residential District 1.3 (RD1.3) to Residential District 2.2 (RD2.2) and S.20(1)H(13)518.

- IV. That the Committee of Adjustment **CONSIDER** comments contained in Appendix E of Report S 147/2024 as part of any consent application to sever the proposed townhome dwelling units.  
Carried.

Report Number: S 147/2024  
Clerk's File #: Z/14876

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 7.6 from the Development & Heritage Standing Committee held on December 2, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241202/-1/10526>

**Subject: Zoning Bylaw Amendment Z 031-24 [ZNG-7236] 1066  
California Ave Ward 2**

**Reference:**

Date to Council: December 2, 2024  
Author: Simona Simion, Planner III (Acting)  
(519) 255-6543 x-6449  
Planning & Building Services  
Report Date: October 16, 2024  
Clerk's File #: Z/14871

**To:** Mayor and Members of City Council

**Recommendation:**

I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following clause to Section 20(1):

**518. EAST SIDE OF CALIFORNIA AVENUE, SOUTH OF DAVIS ST AND NORTH OF GIRARDOT ST**

For the lands comprising of PLAN 50 BLOCK D LOTS 53 & 54 PT LOT 55 (PIN 01220-0251) for a *townhome dwelling*, the following additional provisions shall apply:

- a) *Lot Width* – minimum 19.8 m
- b) *Lot Coverage* – maximum 54% of lot area
- c) *Front Yard Depth* – minimum 5.4 m
- d) *Rear Yard Depth* – minimum 6.31 m
- e) Section 5.99.80.1.1.b) shall not apply

[ZDM 4; ZNG/7236]

II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following clause to Section 95.20:

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- b) Alley Contribution to the satisfaction of the City Engineer.
- c) Stormwater Management Plan to the satisfaction of the City Engineer.

[ZNG/7236]



- III. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of PLAN 50 BLOCK D LOTS 53 & 54 PT LOT 55 (PIN 01220-0251), situated on the east side of California Avenue between Davis Street and Girardot Street, and known municipally as 1066 California Avenue (Roll No. 050-37-03500), from Residential District 1.3 (RD1.3) to Residential District 2.2 (RD2.2) and S.20(1)H(13)518.
- IV. That the Committee of Adjustment **CONSIDER** comments contained in Appendix E of Report S 147/2024 as part of any consent application to sever the proposed townhome dwelling units.

**Executive Summary:**

N/A

**Background:**

**Application Information**

**Municipal Address:** 1066 California Avenue

**Ward: 2      Planning District: River West      Zoning District Map: 4**

**Applicant/Agent:** Lassaline Planning Consultants (Jackie Lassaline)

**Owner:** Marko Agbaba

**Submitted Materials:** Conceptual Site Plan, Conceptual Elevations, Conceptual Floor Plans, Planning Rationale Report

**Proposal:**

The applicant is proposing to construct a townhome dwelling containing three (3) main units with two (2) additional dwelling units per each townhome dwelling unit for a total of nine (9) units on the subject property.

The site is designated Residential on the Official Plan Schedule D: Land Use and zoned Residential District RD1.3 (RD1.3) by Zoning Bylaw 8600 (ZDM 04). A Zoning By-law Amendment will be required to rezone the property from Residential District 1.3 (RD1.3) to Residential District 2.2 (RD 2.2) with site specific provisions to allow for reduced lot width, front yard, rear yard and increased maximum lot coverage for a townhome dwelling.

The development as proposed is not subject to Site Plan Control. All plans, elevations and renderings are conceptual and subject to change.

The subject property is:

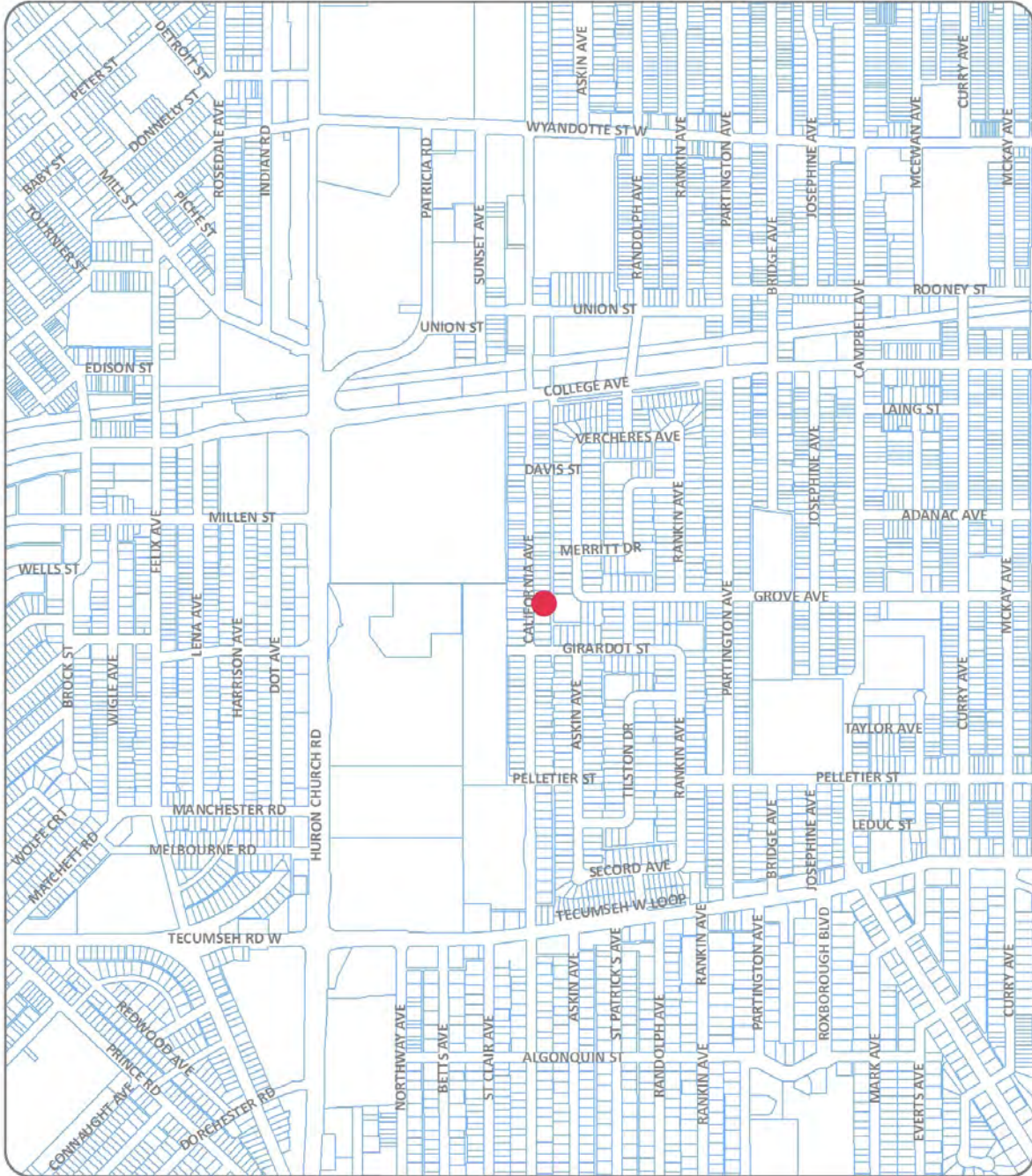
- located within the River West Planning District on Schedule A - Planning Districts & Policy Areas, located south of College Ave and North of Tecumseh Rd W;
- designated Recreationway on Schedule B - Greenway System;

- within an area identified as 'High Potential' on Schedule C-1 - Archaeological Potential;
- within a Residential land use designation on Schedule D - Land Use Plan;
- located on a Local Residential Road, on Schedule F - Roads and Bikeways;
- within proximity to a Regional Institutional Centre (namely University of Windsor) on Schedule J - Urban Structure Plan to the City of Windsor Official Plan.

**Site Information**

<b>OFFICIAL PLAN</b>	<b>ZONING</b>	<b>CURRENT USE</b>	<b>PREVIOUS USE</b>
Residential	Residential District 1.3 (RD1.3)	Single detached dwelling	Single detached dwelling
<b>LOT FRONTAGE</b>	<b>LOT DEPTH</b>	<b>LOT AREA</b>	<b>LOT SHAPE</b>
19.81 m	34.29 m	697.37 m <sup>2</sup>	Rectangular
All measurements are provided by the applicant and are approximate.			

Figure 1: Key Map



KEY MAP - Z-031/24, ZNG/7236



● SUBJECT LANDS



Figure 2: Neighbourhood Map



NEIGHBOURHOOD MAP - Z-031/24, ZNG/7236



SUBJECT LANDS

## Neighbourhood:

The subject parcel is located within a neighbourhood consisting of a low profile development (less than 14 m in height), small scale form (single detached, semi-detached, duplex, and row and multiplexes with up to 8 units), neighbourhood commercial and institutional uses as well as a public park (Grove Park) located across from the alleyway.

To the west, the following uses are observed: a mix of low profile residential uses, multiple dwelling with six units (1065 California Ave), and institutional buildings. To the east, the following uses are observed: low profile residential, a public park, and institutional building. To the south, the following uses are observed: low profile residential uses, multiplexes with 7 or more units (1098 California Ave), and neighbourhood commercial uses (1108 California Ave). To the north, the following uses are observed: a mix of low profile residential uses and commercial uses. The Essex Terminal Railway is located approximately 500m to the north.

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. Assumption College Catholic (high school) is located 220m to the west; West Gate Public school is located 500m to the east; West View Freedom Academy is located 500m to the south.

There are several parks nearby including Grove Park and North Tilston Park. The nearest libraries are the University of Windsor Leddy Library 1.4km to the north and Bridgeview Public Library 700m to the southeast.

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.

Active transportation infrastructure in the form of sidewalks is available along California Ave. The City of Windsor Active Transportation Master Plan identifies California Avenue and as high priority on the Proposed Bicycle Network.

The closest existing transit routes to this property are Central 3 and Route 418X. The closest existing bus stop to this property is located on College at California Southwest Corner. This bus stop is approximately 440 metres from this property falling outside of Transit Windsor's walking distance guidelines of 400 metres to a bus stop. This will be maintained with Transit Windsor's City Council-approved Transit Master Plan.

The site may be serviced by a 300mm sanitary sewer and a 525mm storm sewer located within the California Avenue right-of-way.

**Figure 3: Subject Parcel – Rezoning**



PART OF ZONING DISTRICT MAP 4

N.T.S.

## REQUESTED ZONING AMENDMENT

Applicant: Marko Agbaba



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : SEPTEMBER, 2024  
FILE NO. : Z-031/24, ZNG/7236



## **Discussion:**

### **Planning Rationale Report (Lassaline Planning Consultants Inc. – September 30, 2024)**

The Planning Rationale Report (PRR), attached as Appendix D states that *“The subject property is comprised of two full subdivision lots and one half subdivision lot. The lands are presently zoned for a single detached residence, an underutilization of these lands.*

*The lands are presently zoned for a single detached residence, an underutilization of these lands. The lands have been consolidated since buildings crossed over the original subdivision lot lines. The lands are underutilized and as a 2.5 lot wide property, can accommodate the three proposed residential townhouse units with minor site specific (RD2.2) bylaw.*

*The neighbourhood is an area of regeneration with new, multiple unit dwellings used for housing to accommodate the university directly behind California Ave to the west. The neighbourhood is also a mix of housing styles and tenures with the majority of existing homes are post war (1944-1955) bungalows, modest homes all of the 800 ft<sup>2</sup> to 900 ft<sup>2</sup> designed to be relatively temporary and not designed to last 80-100 years.*

*As the conditions of these buildings degrade, as shown below in the aerial photo and the city mapping, there are a number of multiple unit dwellings replacing the older, smaller homes in the neighbourhood, comparable to the two storey residential townhouse being proposed.*

*As well, the driveway and parking is provided in the rear, consistent with the neighbourhood and allowing for the building to be brought forward to be in line with existing residences to create a street presence and support the walkable community.*

*In my professional opinion, the present proposed building is compatible and consistent with the neighbourhood and other new two storey, multiple unit buildings in the immediate vicinity to the south and across the road on California that supports the town policy direction for a mix of building heights, tenures, and styles.*

*The mix of tenures and styles provide for a variety of housing that supports the healthy community and therefore it my professional opinion that the proposal is consistent with the healthy community policies of the PPS and the policies of the municipality.”*

The Planning Department generally concurs with the PRR.

### **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. Planning Staff are of the opinion that the proposed development is in line with both PPS 2020 and PPS 2024.



Policy 2.1.6 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”. As per Planning Rationale Report, building accessibility will be established in compliance with the OBC for all residential units.

The proposed townhome 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, support active transportation, and be transit supportive.

The proposed townhome 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, and supports active transportation. Transit and active transportation 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 townhome 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. The proposed development 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 townhome 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 townhome 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's scale 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 townhome dwelling represents a complementary and compact form of housing, redevelopment, and gentle intensification of an underutilized property 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 proposed development contains all dwelling units within the footprint of the main building, which has been designed to improve the character of the neighbourhood. The proposed rezoning satisfies the Urban Design objectives of the Official Plan enhancing the city's image.

The proposed amendment to Zoning By-law 8600 will conform to the general policy direction of the Official Plan. Planning Staff generally concurs with the Official Plan analysis 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. The PRR notes that *"The gentle intensification allows for 3 residential townhouse units with ADUs in each unit. The ZBA includes relief for provisions that will not increase the height or massing of the building beyond the low density, low profile policies."*

The applicant submitted Appendix G – Comparison Massing to justify the increased lot coverage. Similar developments to the south of subject property were approved by the Committee of Adjustment.

Planning Staff is of the opinion that the proposed zoning amendment is consistent with the general direction of the Windsor Intensification Guidelines.

### **Zoning By-Law 8600**

The subject land is zoned Residential District 1.3 (RD1.3) which permits the construction of a single unit dwelling. The applicant is requesting a rezoning to Residential District RD2.2 with a site-specific exception to allow for a reduction in the minimum lot width, front yard, rear yard, and an increase in maximum lot coverage for a townhome dwelling.

The Applicant's request for a change in zoning with site-specific provisions is supported in principle. A discussion of the site specific provisions was provided by the agent's PRR as follows:

*"The following provisions are to be addressed in the site specific bylaw.*

*The new townhouse building has been brought forward on the lot to have the south unit (TH3) at 5.4 m frontage and the north unit (TH1) at 6 m to keep with the established building line of existing buildings along the street.*

*Lot Width (min.) = 20 m required and 19.81 m provided (0.2 m variance); the lot width is a minor adjustment to allow for an existing lot configuration of 2.5 lots.*

*Lot Coverage (max.) = 45% max and 54% provided.*

*"There are pedestrian entrances for TH3 and TH1 with a covered front verandah and stairs and sidewalk in support of the pedestrian access and street frontage. These features add to the lot coverage coverage but also add a positive street presence and support a walkable community."* Planning Staff note: The lot coverage calculated at 54.0% includes only the covered porch and a slight part of the stairs. The drawings that have been submitted do not show the stairs to be covered, so the stairs and the walkways leading to the stairs did not contribute to this calculation. If the covered porch is removed (and not counted towards lot coverage), the lot coverage would be 53.1% exceeding the zoning bylaw requirement.

*The units are an appropriate size and consistent with sizes for rental apartments in the neighbourhood such as the rental units at 1074, 1076 and 1078 California on near by lands to the south.*

*Rear Yard Setback (min.) = 7.5 m required, and 6.3 m provided (1.2 m variance). The rear yard is adjusted with a minor variance from the bylaw provision to allow for the proposed building. The size of the units is consistent with unit sizes in other buildings within the neighbourhood – see adjacent properties to the south and across the road. Refer to Appendix G – Comparison Massing, which was prepared by the applicant's planning consultant.*

*Front Yard Setback (min.) = 6 m required, and 5.4 m provided (0.6 m variance). The proposed 2.5 storey building is comprised of 3 townhouse units: TH1 (north unit) has a 6 m front yard setback and is compliance with the front yard setback while TH3 has a 5.4 m setback because the front lot line is not straight but at a significant angle. "*

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 or zoning by-law amendment. For the proposed townhome dwelling this would permit two (2) ADU’s within each dwelling unit resulting in a maximum of nine (9) dwelling units on a single lot.

Should Council adopt the Planning Department’s recommendation # 1 e) to remove the applicability of Section 5.99.80.1.1.b) from the subject property, the result would limit the proposed townhome to three (3) primary dwelling units should the subject site remain one parcel.

The owner must sever the townhome dwelling units in order to construct the proposed ADUs. Once severed, the required lot coverage per severable lot is 50% and the proposed lot coverages would be 52% (TH1), 54% (TH2), 52% (TH3) representing minor variances. The Committee of Adjustment may also consider comments from Parks Department and Forestry that cannot be addressed as part of the requested rezoning.

The proposed development complies with all other applicable zoning provisions.

### **Site Plan Control**

The proposed townhome dwelling is not subject to Site Plan Control.

### **Consultations:**

Details of the virtual Open House are summarized in Section 2.4 of the PRR (Appendix D). There were two attendees. Some concerns were related to privacy, parking, and sewer capacity. To be noted that the proposed building is low profile complying with the height and parking requirement. With regards to sewer capacity, Engineering Department stated the following *“The sewer system in this neighborhood is expected to maintain its current level of service, with no significant impact anticipated as a result of this development.”*

Comments received from municipal departments and external agencies are attached as Appendix E - Comments.

To be noted that Engineering Department is requesting an alley contribution and final storm water management plan.

Parks Department is requesting a physical barrier along Grove Park property line to prevent reversing cars entering the park.

Planning Department, Heritage Planner, is requesting submission of an archaeological assessment. The subject property is located within the Archaeological Potential Zone (as per the recently adopted Windsor Archaeological Management Plan, 2024; OPA 181; and updated 2024 archaeological potential model OP Volume I Schedule C-1). 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.

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](#).

### **Risk Analysis:**

N/A

### **Climate Change Risks**

#### **Climate Change Mitigation:**

The proposed townhome dwelling implements 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 site would also be required to incorporate storm water management best practices.

### **Financial Matters:**

N/A

### **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 townhome dwelling with 3 units which is a small scale and low profile development compatible with existing uses in the surrounding neighbourhood. The proposed development 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:**

Simona Simion  
 Planner III – Economic Development Planner (A)

I concur with the above comments and opinion of the Professional Planner.

Greg Atkinson, MCIP, RPP  
 Deputy City Planner - 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
Greg Atkinson	Deputy City Planner - Development
Neil Robertson	City Planner
Aaron Farough	Senior Legal Counsel
Jelena Payne	Commissioner of Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

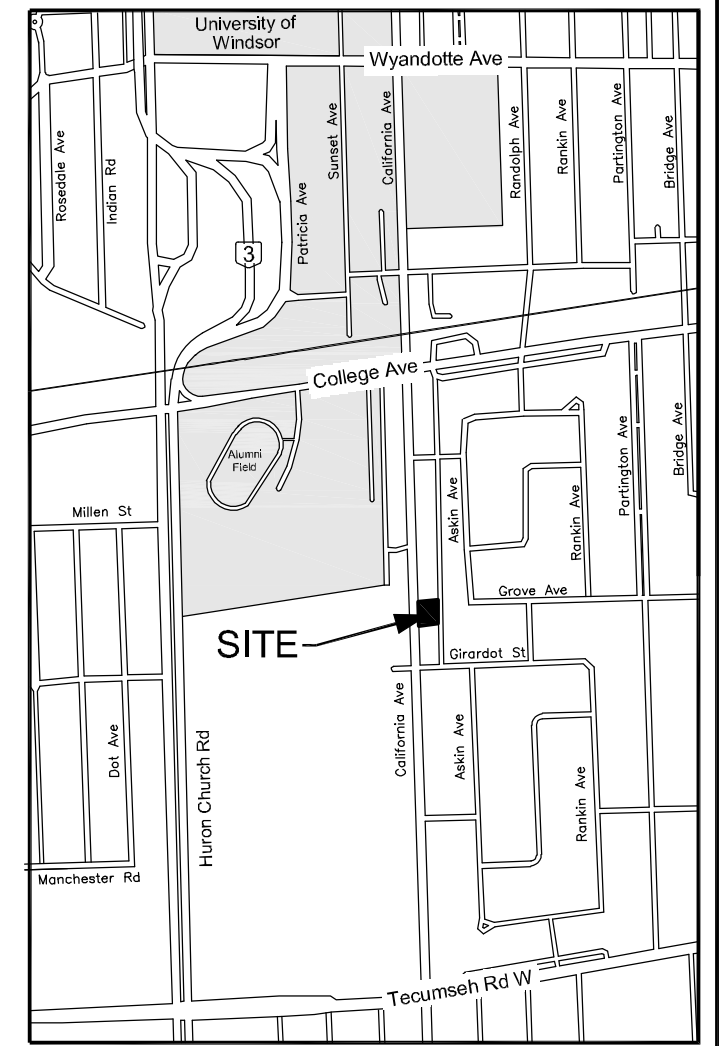
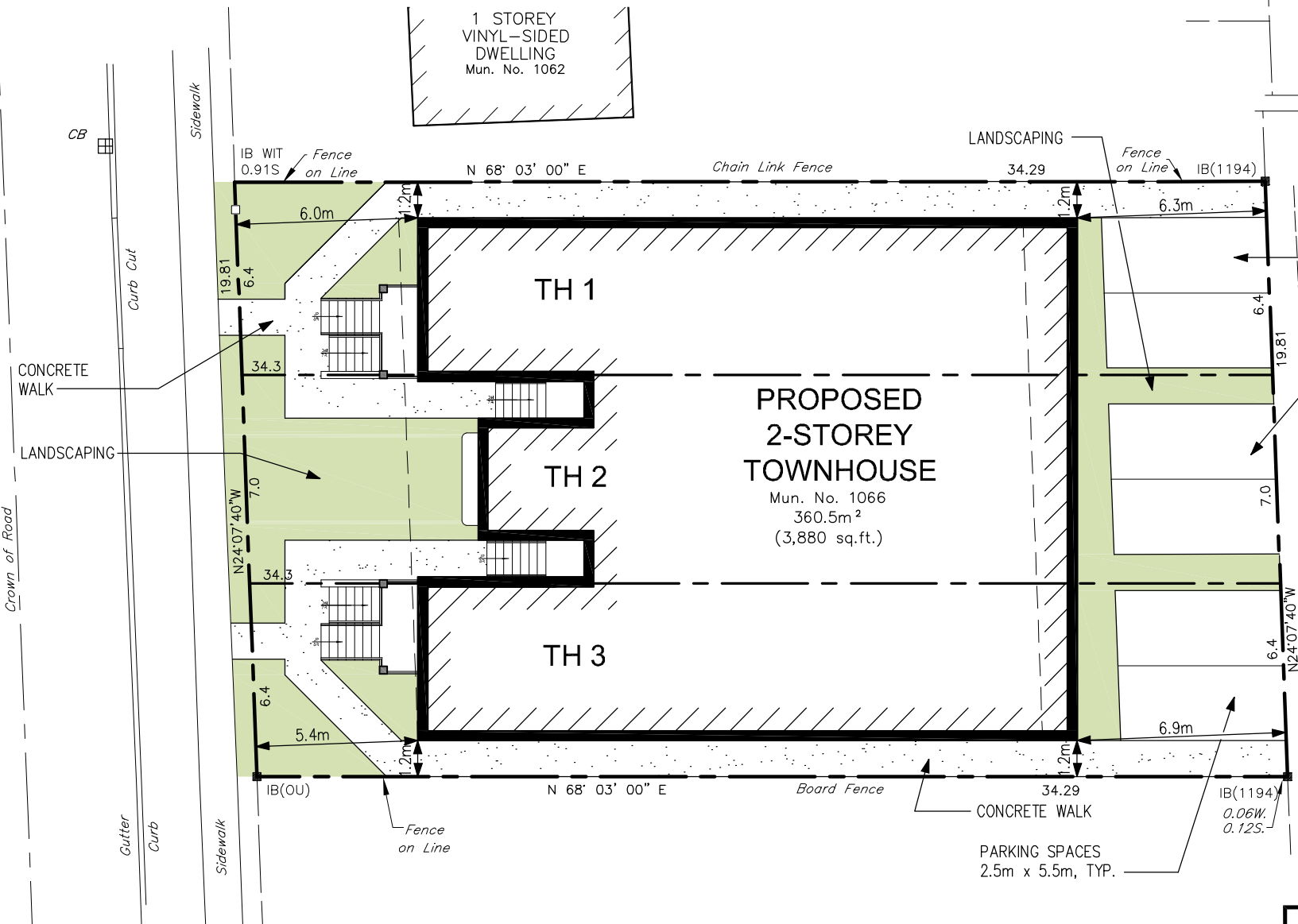
Name	Address	Email
Marko Agbaba	2121 Riverside Drive, Windsor, ON N9B 1A8	<a href="mailto:agbabaholdings@gmail.com">agbabaholdings@gmail.com</a>
Lassaline Planning Consultants Attn: Jackie Lassaline	P.O. Box 52, 1632 County Road 31, St. Joachim, ON N0R 1S0	<a href="mailto:jackie@lassalineplan.ca">jackie@lassalineplan.ca</a>
Councillor Fabio Costante (Ward 2)		
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 – Draft Bylaw
7. Appendix G – Comparison Massing



# CALIFORNIA AVENUE



## Location Map

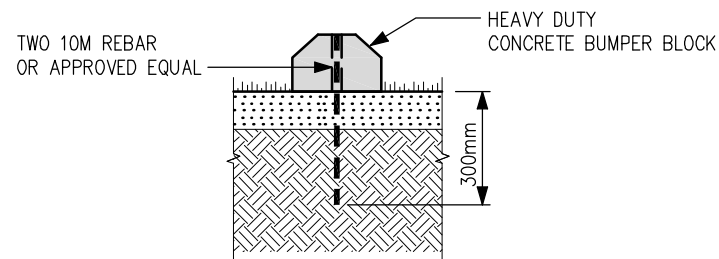
SCALE: Not to Scale

## Site Plan

SCALE: 1:200



**LEGAL DESCRIPTION:**  
 LOT 53 and 54,  
 PART OF LOT 55,  
 (In BLOCK 'D')  
 REGISTERED PLAN 50,  
 In The  
 CITY OF WINDSOR,  
 COUNTY OF ESSEX, ONTARIO



## Concrete Bumper Block Detail

SCALE: Not to Scale

ZONING - TO BE DETERMINED		RD2.2 REQUIRED	PROVIDED	COMMENTS			VARIANCE REQUIRED
				TH 1	TH 2	TH 3	
LOT WIDTH (MINIMUM)		20.0m	19.81m	6.432m	6.946m	6.432m	✓
LOT AREA (MINIMUM) 200m <sup>2</sup> /D.U.		600m <sup>2</sup>	679.37m <sup>2</sup>	220.6m <sup>2</sup>	238.2m <sup>2</sup>	220.6m <sup>2</sup>	
LOT COVERAGE (MAXIMUM)		45%	53.1%	52%	55%	52%	✓
BUILDING HEIGHT		9.0m	9.0m (FROM GRADE)				
FRONT YARD (MINIMUM)		6.0m	5.4	5.8m	7.7m	5.4m	✓
REAR YARD (MINIMUM)		7.5m	6.3m	6.3m	6.5m	6.7m	✓
SIDE YARD (MINIMUM)		1.5m	1.2m	1.2m	N/A	1.2m	✓
DWELLING UNITS			3	2 ADU PER DWELLING			
PARKING SPACES	1.25/D.U. + 1 FOR 1ST A.D.U.	2	6	2	2	2	
BICYCLE SPACES		-					
BUILDING AREA		-	360.5m <sup>2</sup> (3,880 sq.ft.)				

ISSUED FOR:	
PROJECT NUMBER:	4763
SHEET NUMBER:	P1

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CLIENT:  
**AGBABA HOLDINGS CORPORATION**

PROJECT:  
 1066 CALIFORNIA AVENUE  
 Windsor, Ontario

DRAWING TITLE:  
**PRELIMINARY SITE PLAN**  
 SCALE: 1:200

DATE:  
**August 30, 2024**  
 DRAWN BY:  
 I.A.Z.

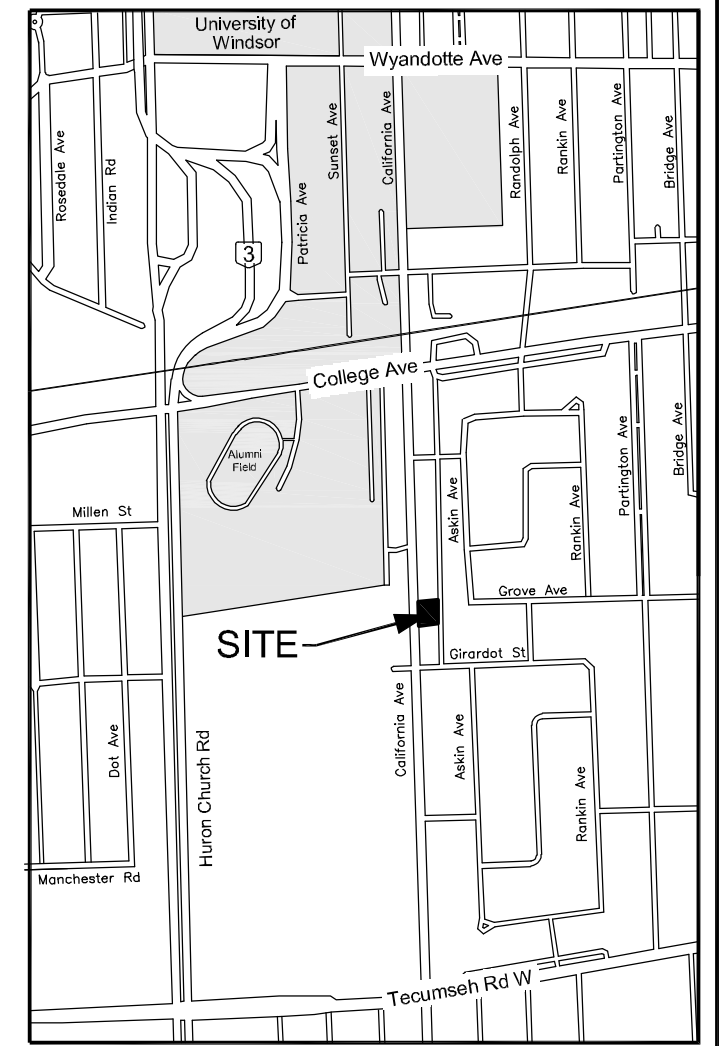
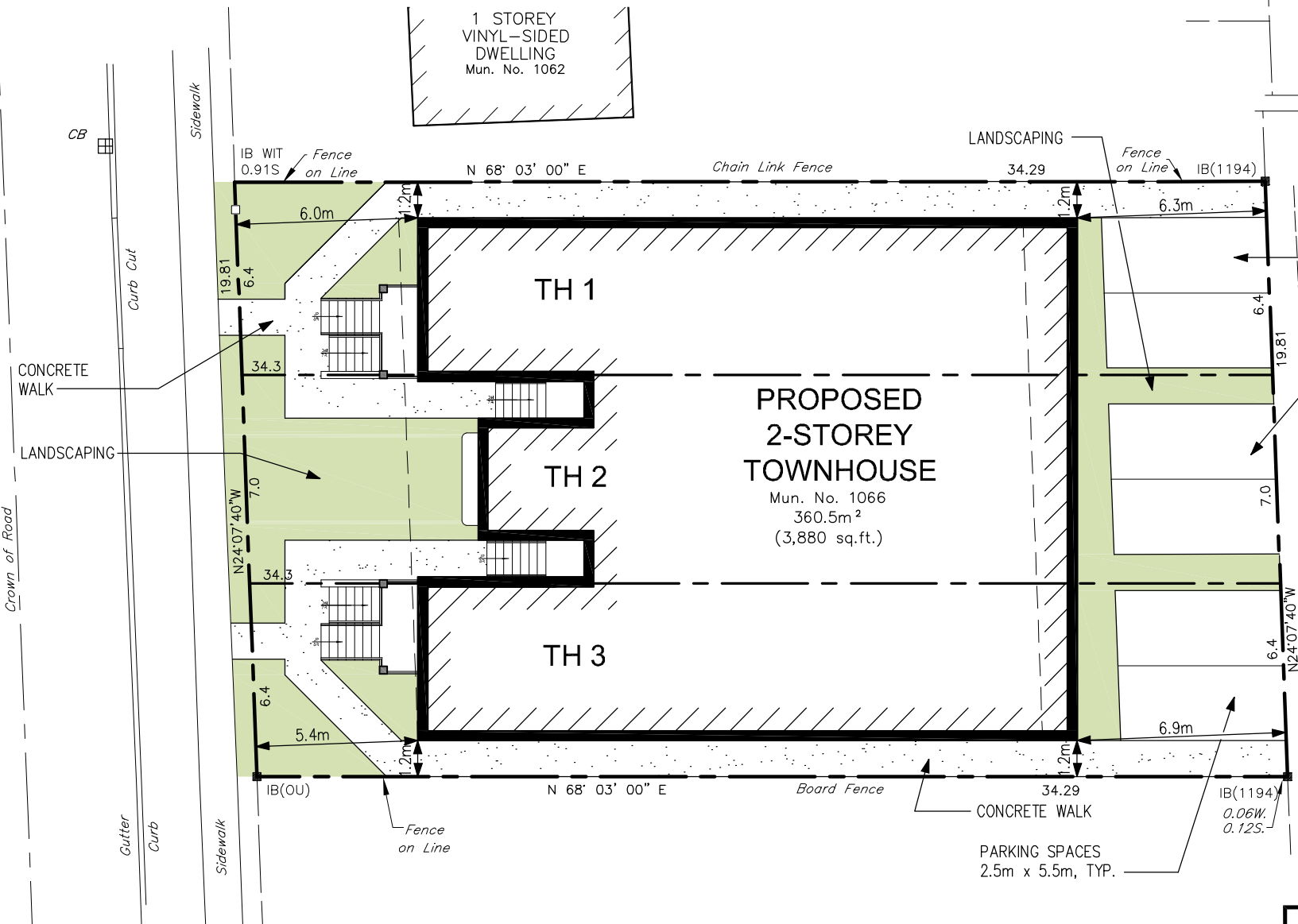
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# CALIFORNIA AVENUE



## Location Map

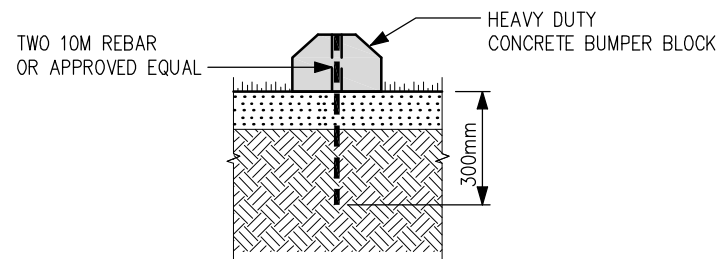
SCALE: Not to Scale

## Site Plan

SCALE: 1:200



**LEGAL DESCRIPTION:**  
 LOT 53 and 54,  
 PART OF LOT 55,  
 (In BLOCK 'D')  
 REGISTERED PLAN 50,  
 In The  
 CITY OF WINDSOR,  
 COUNTY OF ESSEX, ONTARIO



## Concrete Bumper Block Detail

SCALE: Not to Scale

## DETAILS OF DEVELOPMENT

(TOWNHOME DWELLING)

ZONING – TO BE DETERMINED	RD2.2 REQUIRED	PROVIDED	COMMENTS			VARIANCE REQUIRED
			TH 1	TH 2	TH 3	
LOT WIDTH (MINIMUM)	20.0m	19.81m	6.432m	6.946m	6.432m	✓
LOT AREA (MINIMUM) 200m <sup>2</sup> /D.U.	600m <sup>2</sup>	679.37m <sup>2</sup>	220.6m <sup>2</sup>	238.2m <sup>2</sup>	220.6m <sup>2</sup>	
LOT COVERAGE (MAXIMUM)	45%	53.1%	52%	55%	52%	✓
BUILDING HEIGHT	9.0m	9.0m (FROM GRADE)				
FRONT YARD (MINIMUM)	6.0m	5.4	5.8m	7.7m	5.4m	✓
REAR YARD (MINIMUM)	7.5m	6.3m	6.3m	6.5m	6.7m	✓
SIDE YARD (MINIMUM)	1.5m	1.2m	1.2m	N/A	1.2m	✓
DWELLING UNITS		3	2 ADU PER DWELLING			
PARKING SPACES 1.25/D.U. + 1 FOR 1ST A.D.U.	2	6	2	2	2	
BICYCLE SPACES	–					
BUILDING AREA	–	360.5m <sup>2</sup> (3,880 sq.ft.)				

ISSUED FOR:

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PROJECT:  
 1066 CALIFORNIA AVENUE

DRAWING TITLE:  
**PRELIMINARY SITE PLAN**

DATE:  
**August 30, 2024**

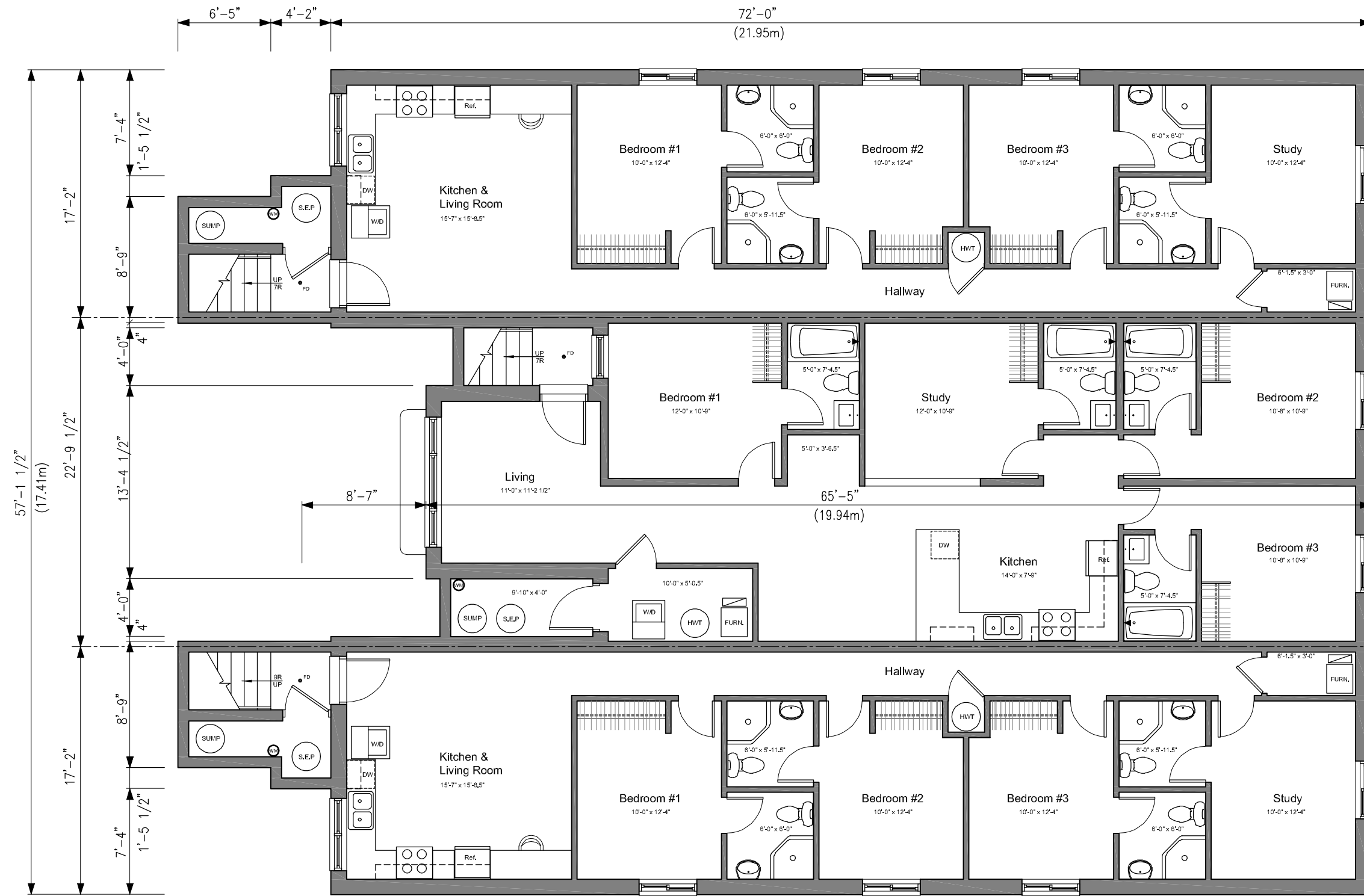
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**4763**

SHEET NUMBER:  
**P1**

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ACAD REFERENCE:  
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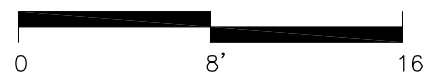
DRAWN BY:  
**I.A.Z.**



# Basement Plan

SCALE: 1/8" = 1'-0"

AREA = 3,880 sq.ft. (360.5m<sup>2</sup>)



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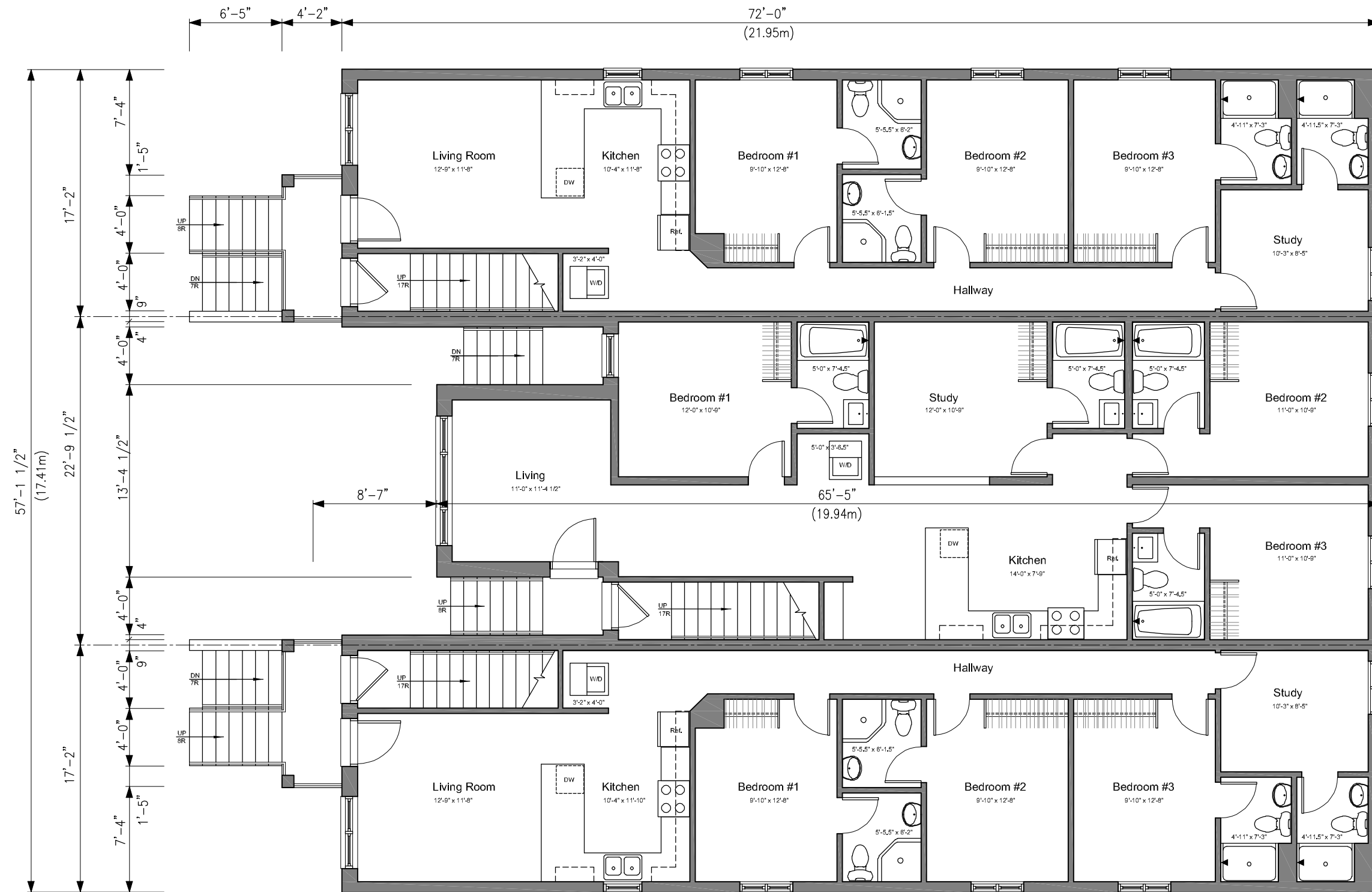
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City Council Meeting, Windsor, Ontario, Monday, January 13, 2025

DRAWING TITLE:  
**Basement Plan**  
SCALE: **1/8" = 1'-0"**

ACAD REFERENCE:  
**4763 -P2- FI Plan**

DATE:  
**June 19, 2024**  
DRAWN BY:  
**I.A.Z.**

ISSUED FOR:	
PROJECT NUMBER: <b>4763</b>	SHEET NUMBER: <b>P2</b>



# 1st Floor Plan

SCALE: 1/8" = 1'-0"

AREA = 3,880 sq.ft. (360.5m<sup>2</sup>)



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Tel. 519-250-8088; Fax 519-250-8070; rmea@meoassociates.com

CLIENT:  
**AGBABA HOLDINGS CORPORATION**

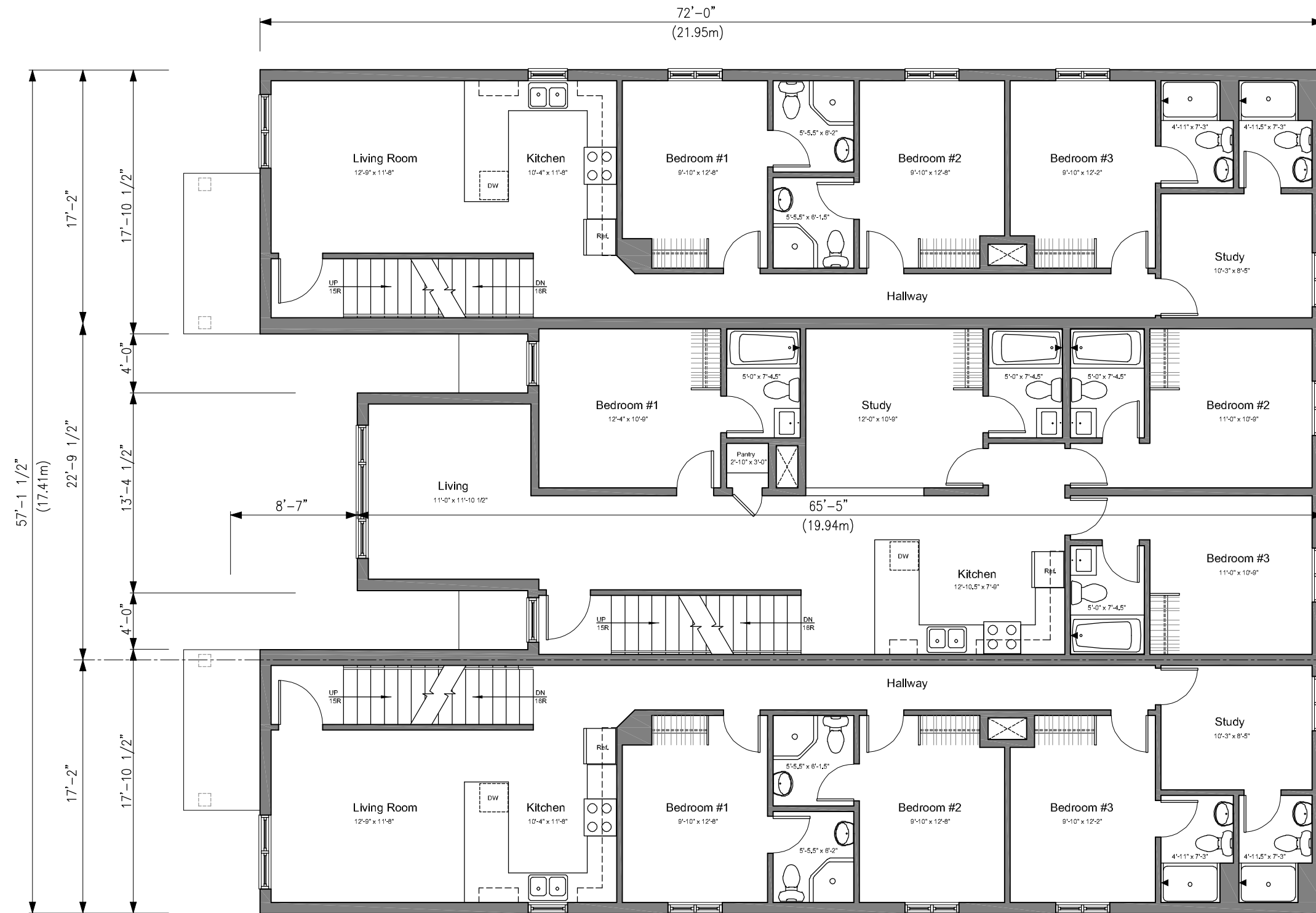
PROJECT:  
**1066 CALIFORNIA AVENUE**  
City Council Meeting, Windsor, Ontario, Monday, January 13, 2025

DRAWING TITLE:  
**1st Floor Plan**  
SCALE: **1/8" = 1'-0"**

ACAD REFERENCE:  
**4763 -P2- FI Plan**

DATE:  
**June 19, 2024**  
DRAWN BY:  
**I.A.Z.**

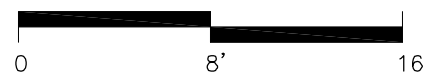
ISSUED FOR:	
PROJECT NUMBER: <b>4763</b>	SHEET NUMBER: <b>P3</b>



## 2nd Floor Plan

SCALE: 1/8" = 1'-0"

AREA = 3,880 sq.ft. (360.5m<sup>2</sup>)



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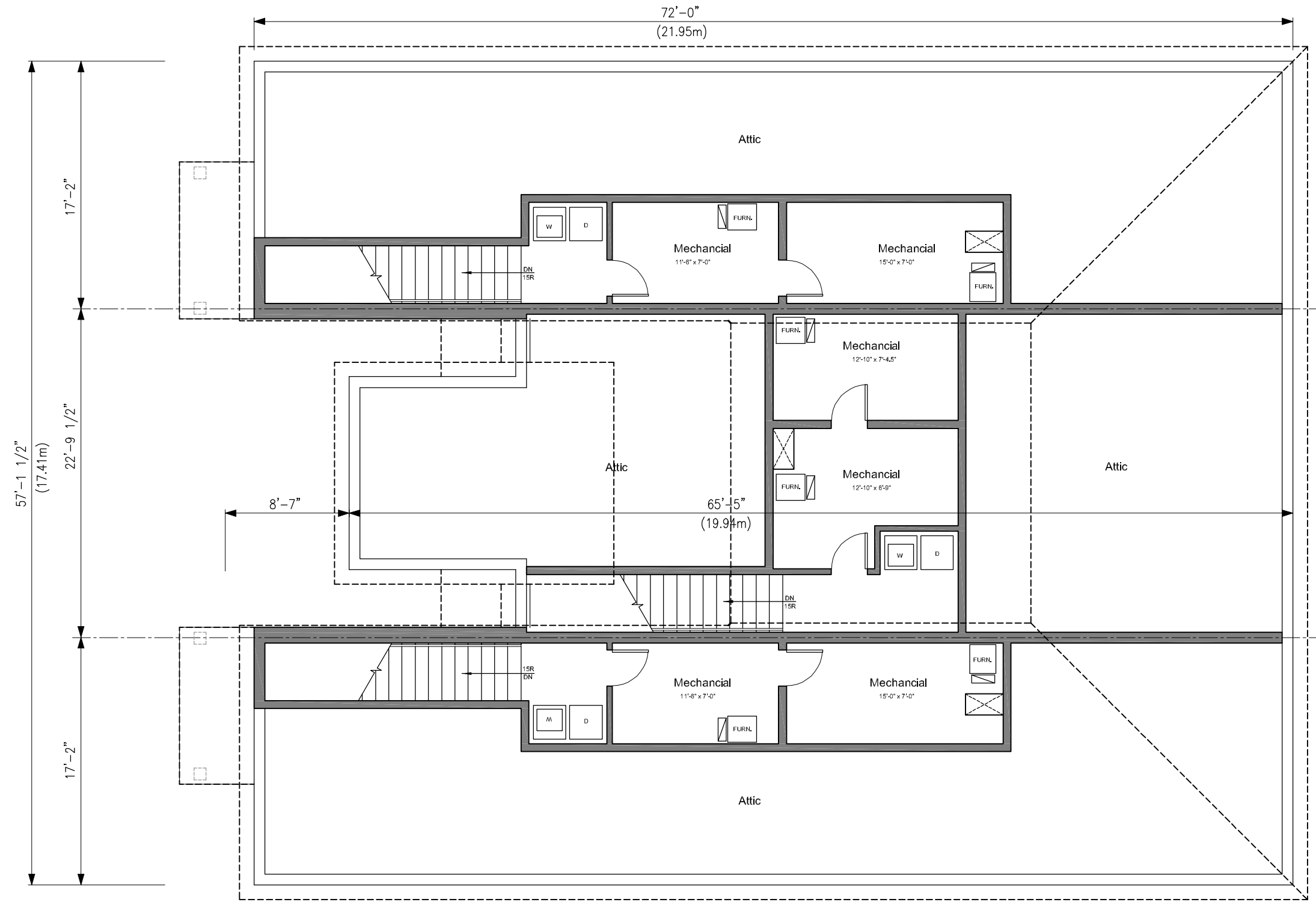
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PROJECT:  
**1066 CALIFORNIA AVENUE**  
City Council Meeting Agenda, Monday, January 13, 2025  
Page 581 of 915

DRAWING TITLE:  
**2nd Floor Plan**  
SCALE:  
**1/8" = 1'-0"**

DATE:  
**June 19, 2024**  
ACAD REFERENCE:  
**4763 -P2- FI Plan**  
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**I.A.Z.**

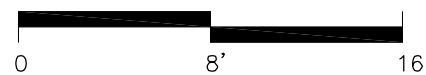
ISSUED FOR:	
PROJECT NUMBER: <b>4763</b>	SHEET NUMBER: <b>P4</b>



### Attic Plan

SCALE: 1/8" = 1'-0"

AREA = 1182 sq.ft. (109.8m<sup>2</sup>)



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CLIENT:  
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PROJECT:  
**1066 CALIFORNIA AVENUE**  
City Council Meeting Agenda, Monday, January 13, 2025

DRAWING TITLE:  
**Attic Plan**  
SCALE: **1/8" = 1'-0"**

ACAD REFERENCE:  
**4763-P2- FI Plan**

DATE:  
**June 19, 2024**  
DRAWN BY:  
**I.A.Z.**

ISSUED FOR:	
PROJECT NUMBER: <b>4763</b>	SHEET NUMBER: <b>P5</b>





## West Elevation

SCALE: 1/8" = 1'-0"

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CLIENT:  
**AGBABA HOLDINGS CORPORATION**

PROJECT:  
1066 CALIFORNIA AVENUE  
Windsor, Ontario

City Council Meeting Agenda - Monday, January 13, 2025  
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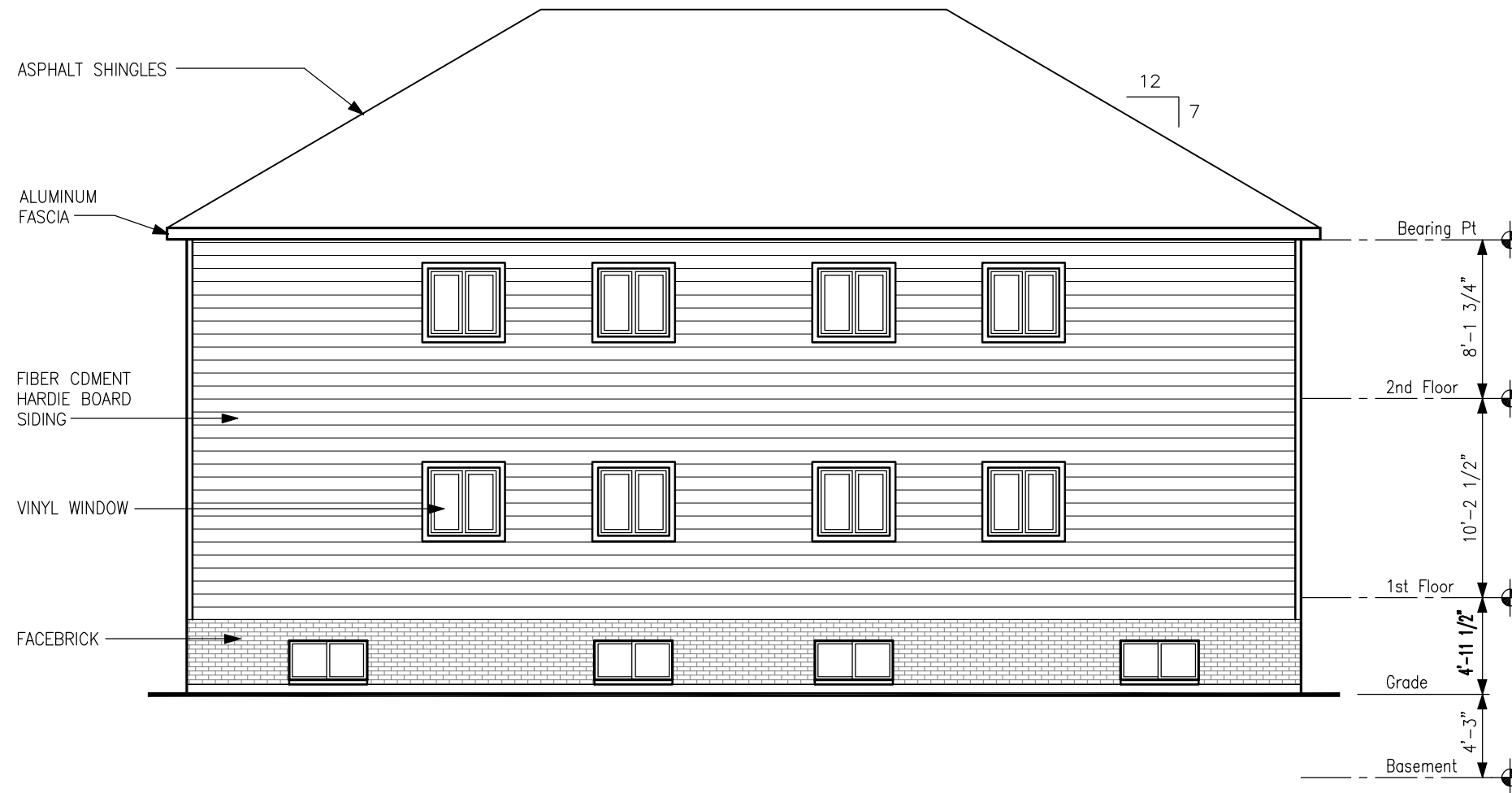
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**West Elevation**  
SCALE: 1/8" = 1'-0"

ACAD REFERENCE:  
4763 -P6- Fl Plan

DATE:  
June 19, 2024  
DRAWN BY:  
I.A.Z.

PROJECT NUMBER:  
4763

SHEET NUMBER:  
**P6**



## East Elevation

SCALE: 1/8" = 1'-0"

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CLIENT:  
**AGBABA HOLDINGS  
CORPORATION**

PROJECT:  
1066 CALIFORNIA AVENUE  
Windsor, Ontario

DRAWING TITLE:  
**East Elevation**

SCALE:  
1/8" = 1'-0"

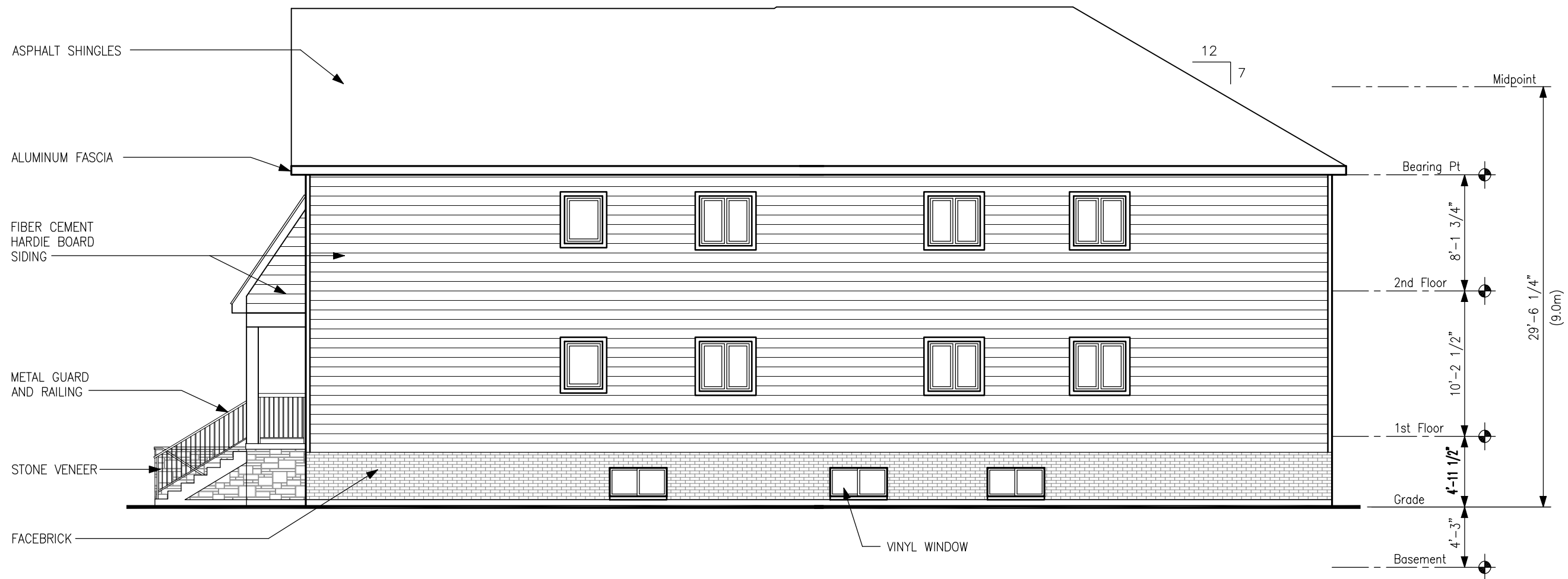
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4763 -P6- Fl Plan

DATE:  
June 19, 2024

DRAWN BY:  
I.A.Z.

PROJECT NUMBER:  
4763

SHEET NUMBER:  
**P7**



### South Elevation

SCALE: 1/8"=1'-0"

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CLIENT:  
**AGBABA HOLDINGS CORPORATION**

PROJECT:  
1066 CALIFORNIA AVENUE

Windsor, Ontario  
City Council Meeting Agenda - Monday, January 13, 2025  
Page 585 of 915

DRAWING TITLE:  
**South Elevation**

SCALE:  
1/8" = 1'-0"

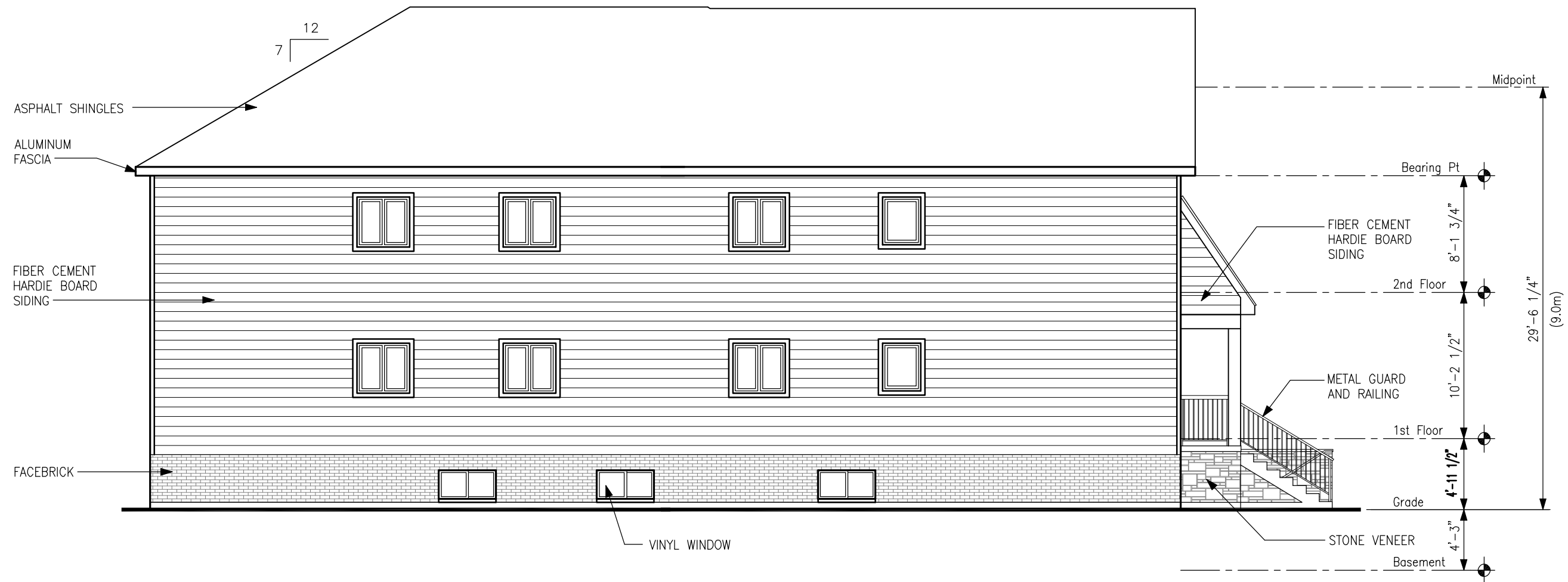
ACAD REFERENCE:  
4763 -P6- Fl Plan

DATE:  
**June 19, 2024**

DRAWN BY:  
I.A.Z.

PROJECT NUMBER:  
**4763**

SHEET NUMBER:  
**P8**



# North Elevation

SCALE: 1/8"=1'-0"

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CLIENT:  
**AGBABA HOLDINGS CORPORATION**

PROJECT:  
1066 CALIFORNIA AVENUE

Windsor, Ontario  
City Council Meeting Agenda - Monday, January 13, 2025  
Page 586 of 915

DRAWING TITLE:  
**North Elevation**

SCALE:  
**1/8" = 1'-0"**

ACAD REFERENCE:  
**4763 -P6- Fl Plan**

DATE:  
**June 19, 2024**

DRAWN BY:  
**I.A.Z.**

PROJECT NUMBER:  
**4763**

SHEET NUMBER:  
**P9**



# LASSALINE

PLANNING CONSULTANTS INC.

**REPORT:** PLANNING RATIONALE REPORT (PRR)  
**MUNICIPALITY:** CITY OF WINDSOR  
**MUNICIPAL ADDRESS:** 1066 CALIFORNIA AVE  
**DEVELOPMENT:** ZBA  
**DATE:** SEPTEMBER 30, 2024

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## 1.0 INTRODUCTION

Lassaline Planning Consultants (LPC) has been retained to undertake a Planning Rationale Report (PRR) regarding the feasibility of a site-specific Zoning By-law Amendment (ZBA) for 1066 California Avenue, City of Windsor.

This report provides the rationale and support for the requested site specific Zoning Bylaw Amendment (ZBA) that will rezone the lands from 'Residential District 1.3 (RD1.3)' to a site specific 'Residential District 2.2 (RD2.2 (#))' regulatory framework.

A pre-consultation was held with the City of Windsor, Planning Department with a response letter under file PC-051-24 Stage 1 letter to the owner, Marko Agbaba, Agbaba Holdings Corporation. Lassaline Planning Consultants has prepared this scoped planning rationale report to support, explain and justify the Zoning Bylaw Amendment (ZBA) application.



## 2.0 PROPOSED DEVELOPMENT

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' in the Official Plan and are zoned 'Residential District 1.3 (RD1.3)'. The land use is presently residential and is to continue as residential.

**FIGURE 1: NEIGHBOURHOOD AERIAL: 1066 CALIFORNIA AVE**



The minor ZBA application purports to change the zone category of 1066 California from the present 'Residential District 1.3 (RD1.3)' to a site specific 'Residential District 2.2 (RD2.2(##))'. The ZBA will not be allowing for new or additional uses, rather the ZBA will allow for alternative building types than the single detached residence of the RD1.3 zone.

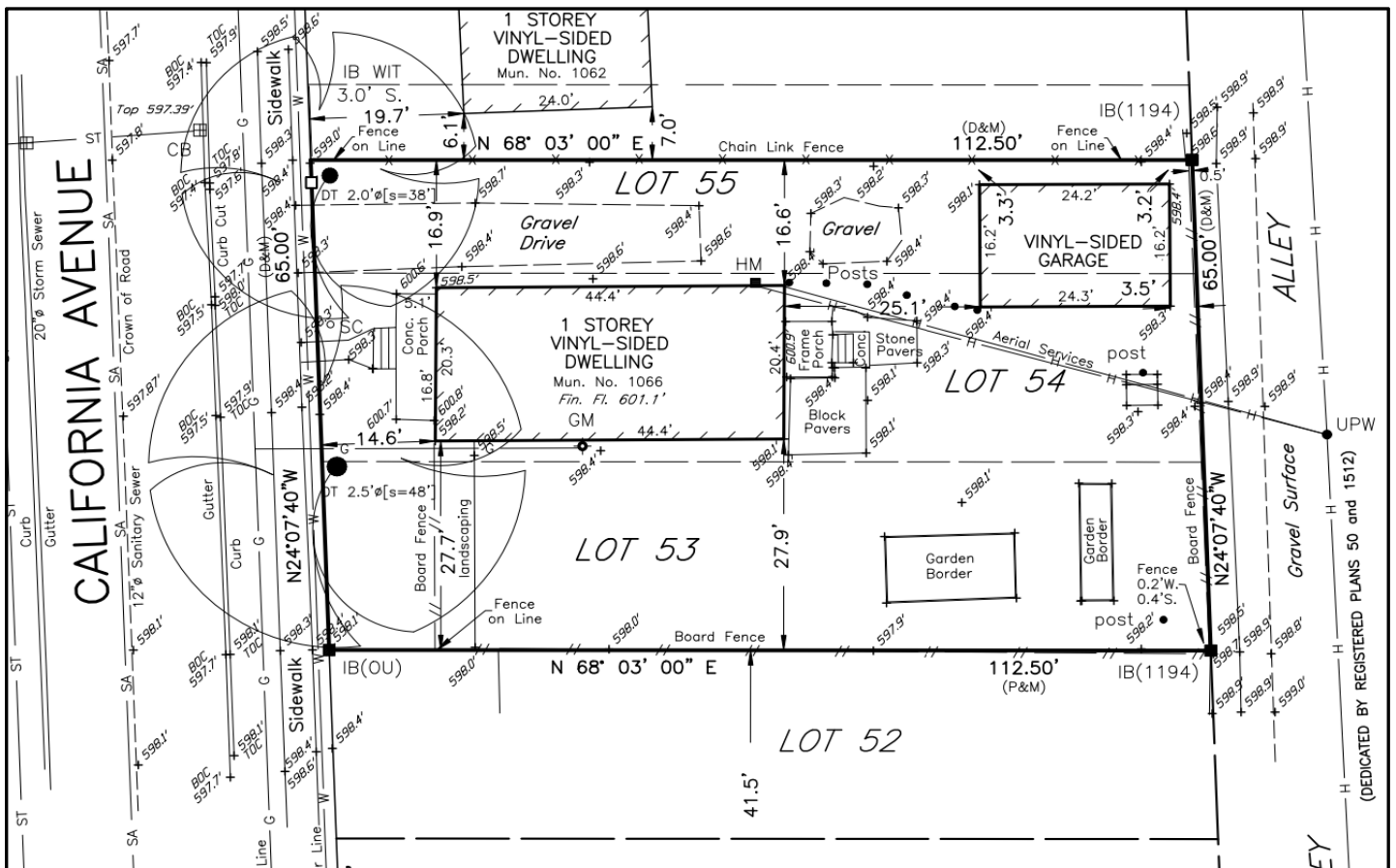
- i) **Lot Width** (minimum) = 20 m required and 19.81 m provided (0.2 m variance);
- ii) **Lot Coverage** (maximum) = 45% max and 53.1% provided (8.1 % variance);
- iii) **Rear Yard Setback** (minimum) = 7.5 m required, and 6.3 m provided (1.2 m variance);
- iv) **Front Yard Setback** (minimum) = 6 m required, and 5.4 m provided (0.6 m variance).

**2.1 1066 CALIFORNIA AVE:**

Subject property is known municipally as 1066 California Avenue in the City of Windsor. The subject lands have a legal description of: LOT 54 BLOCK D PLAN 50 TOWN OF SANDWICH; LOT 53 BLOCK D PLAN 50 TOWN OF SANDWICH; PT LOT 55 BLOCK D PLAN 50 TOWN OF SANDWICH AS IN R1055130; WINDSOR.

The subject property is comprised of two full subdivision lots and one half subdivision lot. The lands are presently zoned for a single detached residence, an underutilization of these lands. The lands have been consolidated since buildings crossed over the original subdivision lot lines. The lands are underutilized and as a 2.5 lot wide property, can accommodate the three proposed residential townhouse units with minor site specific (RD2.2) bylaw.

**FIGURE 2: SURVEY SHOWING LOTS 53, 54, AND PT LOT 55 (1066 CALIFORNIA)**





The owner is proposing the construction of a new, three unit residential townhouse building on the 2.5 lot property with a ground floor area of 360.5 m<sup>2</sup> at a total 53.5% lot coverage: individual townhouse unit 1 (TH1) has a lot coverage of 220.6 m<sup>2</sup> at 52%; townhouse unit 2 (TH2) has a lot coverage of 238.2 m<sup>2</sup> at 55%; while townhouse unit 3 (TH3) has a lot coverage of 220.6 m<sup>2</sup> at 52%.

**FIGURE 3: TOWNHOUSE RENDERINGS FOR 1066 CALIFORNIA**



**FIGURE 4: TOWNHOUSE ELEVATIONS FOR 1066 CALIFORNIA**



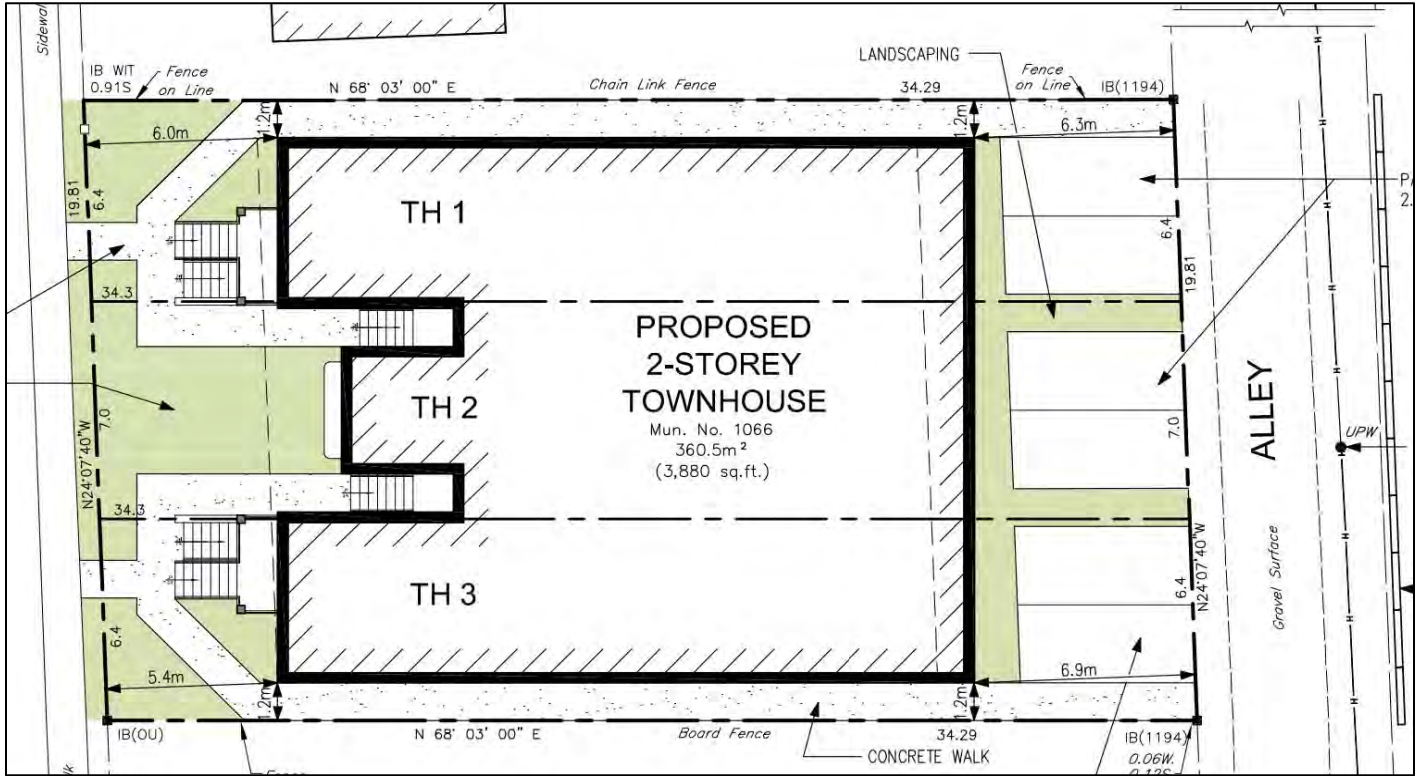
The subject building is proposed with brickwork and colours found within the neighbourhood. Townhouse unit 1 and Townhouse unit 3 are forward with a covered front porch, stairs and sidewalk. There are no driveways and car parking in the front yard but are utilizing the rear alleyway. This allows the property to maintain the same look and feel as the surrounding neighbourhood residences that are older without front yard parking and driveways and only access the rear alleyway.

The building is proposed with 2 storeys: the main floor apartment in each townhouse unit on the 1<sup>st</sup> floor; one ADU in the lower floor; and one ADU in the 2<sup>nd</sup> floor. There will be a total of 9 residential units within the three unit townhouse complex. At a future time, when the lot is divided into three separate townhouse units, each unit will contain 1 main residential unit and 2 ADU's.

True to the design of townhouses, the lots are long and narrow, and the three single attached residential units have a slightly higher lot coverage for each unit than a single detached residence in the nature of the townhouse configuration. Other municipalities recognize the alternative housing style and tenure of the townhouse design with higher allowable lot coverage between 50-55% with long, narrow attached residences on a long narrow lot. The proposed townhouses at 1066 California are long and narrow and are accommodated on the long narrow lots with a total lot coverage of 53.5%, well within the typical lot coverage of a townhouse block.



**FIGURE 5: 1066 CALIFORNIA – SITE PLAN**



The parcels are not at a 45° straight angles and being slightly askew, makes the setback challenging for the **Front Yard Setback**. Townhouse unit 1 (TH1) is in compliance with the front yard setback at 6 m but being a challenging angle, the Townhouse unit 3 (TH3) requires a minor adjustment of 0.6 m to allow for the 5.4 m setback. As shown above, the front yard setback is required to allow for the beautiful front entrance of the building with a set of stairs and the covered porch.

**Lot Coverage** has been requested at 53.1% provided (8.1 % variance) to accommodate two covered verandah's and to allow for slightly more lot coverage to provide a quality building with enough space for the main unit and the 2 ADU's.

**Rear Yard Setback** (minimum) requires 7.5 m rear yard with 6.3 m provided (1.2 m variance) to compensate for the front yard setback adjustment proposed.

**Lot Width** (minimum) requires a 20 m lot width. The existing lot has a width of 19.81 m provided (0.2 m variance). The requested minor relief of 0.2 m for the width is to recognize the existing width.

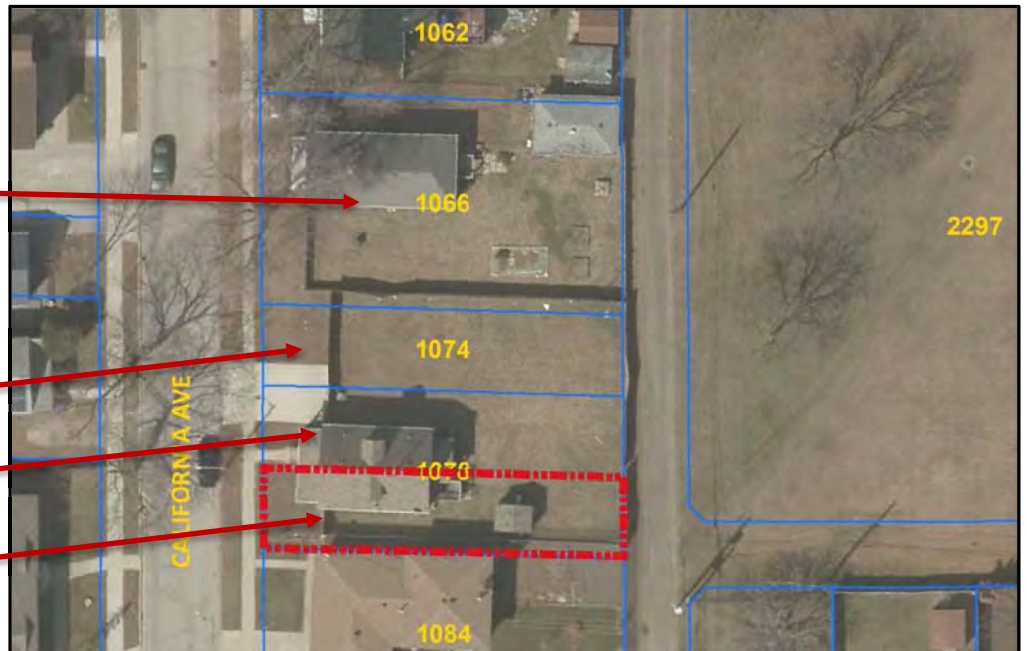
## 2.2 ADJACENT LANDS (SOUTH) 1074, 1076, 1078 CALIFORNIA AVE

The three adjacent lots to the south of the subject lands known as 1074, 1076 and 1078 California are proposed to be developed with the same three unit town house building with the same footprint, elevations and GFA proposed for 1066 California.

In order to accommodate the townhouse style housing on the three lots, there were variances recently granted under A-048/24 and A-049/24 to support the development of these lands for the same three townhouse units, namely:

**FIGURE 6:**  
**1066 CALIFORNIA**  
**(SUBJECT LOT)**

**1074 CALIFORNIA**  
**1076 CALIFORNIA**  
**1078 CALIFORNIA**



### 'MINOR VARIANCE File No. A-048/24

AND IT IS HEREBY ORDERED that the lands and premises above described be, and the same are hereby exempt from Section 10.3.5.1, Section 10.3.5.2, Section 10.3.5.3, Section 10.3.5.6, Section 10.3.5.7 of Zoning By-law 8600, as amended, so as to permit, in a Residential RD1.3 District, the construction of a single unit attached dwelling with **two ADUs with reduced minimum lot width, minimum lot area, maximum lot coverage, minimum rear yard depth, and minimum side yard width, thereby providing and maintaining:**

- I. Minimum **lot width** of 7.6m
- II. Minimum **lot area** of 260.2 m<sup>2</sup>
- III. Minimum **lot coverage** of 45%
- IV. Minimum **rear yard depth** of 6.10 m
- V. Minimum **side yard width** of 1.2 m (north and south).'

**'MINOR VARIANCE: File No. A-049/24**

AND IT IS HEREBY ORDERED that the lands and premises above described be, and the same are hereby exempt from Section 10.3.5.1, Section 10.3.5.2, Section 10.3.5.3, Section 10.3.5.6, Section 10.3.5.7 of Zoning By-law 8600, as amended, so as to permit, in a Residential RD1.3 District, the construction of a single unit dwelling with two ADUs with reduced minimum lot width, minimum lot area, maximum lot coverage, minimum rear yard depth, and minimum side yard width, thereby providing and maintaining:

- I. Minimum **lot width** of 7.6m
- II. Minimum **lot area** of 260.2 m<sup>2</sup>
- III. Minimum **lot coverage** of 45%
- IV. Minimum **rear yard depth** of 6.10 m
- V. Minimum **side yard width** of 1.20 m (north and south).'

There are more variances granted for the three lots (1074, 1076 and 1078 California) to the south of 1066 California than the variances being requested for 1066 California. The variances will provide for the same townhouse building and style as proposed for 1066 California. The relief granted was considered minor and in my professional opinion, the relief being granted for 1066 California is comparable and can be considered minor.

In my professional opinion, the site specific ZBA will allow for the development of the subject property with the same townhouse building proposed for the three adjacent lots to the south, creating a continuity of look and housing styles. The ZBA will provide for the same relief granted by the COA for the south three lots to the subject lands.

## **2.3 NEIGHBOURHOOD**

The subject lands have frontage on California Avenue and access to a gravel laneway in the rear. The neighbourhood, including the subject lands, do not have a driveway entrance off California Avenue but access and parking in the rear of property off the alley. With access from the alleyway, there will not be any driveway access from California Avenue, maintaining the historical street view and the focus on the residence not the car.



FIGURE 7: NEIGHBOURHOOD - 1066 CALIFORNIA AVE



FIGURE 8: NEIGHBOURHOOD - 1066 CALIFORNIA AVE





The neighbourhood is an area of regeneration with new, multiple unit dwellings used for housing to accommodate the university directly behind California Ave to the west. The neighbourhood is also a mix of housing styles and tenures with the majority of existing homes are post war (1944-1955) bungalows, modest homes all of the 800 ft<sup>2</sup> to 900 ft<sup>2</sup> designed to be relatively temporary and not designed to last 80-100 years.

The Owner is proposing to maintain the historical access from the rear alleyway, a significant historical aspect of design compatibility with the neighbourhood. As part of site improvements, the Owner will be placing cement concrete blocks at the east side of the alleyway to stop cars backing out of the driveway from crossing onto the lands adjacent the alleyway (refer to site plan).

The subject property is at an odd angle that is slightly askew. The new townhouse building has been brought forward on the lot to have the south unit (TH3) at 5.4 m frontage and the north unit (TH1) at 6 m to keep with the established building line of existing buildings along the street. This aspect of the building setback will support the established street line of the building setbacks as shown on the Site Plan included in this report.

As the conditions of these buildings degrade, as shown below in the aerial photo and the city mapping, there are a number of multiple unit dwellings replacing the older, smaller homes in the neighbourhood, comparable to the two storey residential townhouse being proposed. The single unit is being replaced with 9 units, a sound, efficient building providing housing for the university.

As a new, 2 storey, 3 residential townhouse unit infilling development within an existing neighbourhood, the building form and function are consistent with the existing neighbourhood.

**FIGURE 9: 1065 CALIFORNIA AVENUE**

**1066 CALIFORNIA AVE**



**1074, 1076, 1078 CALIFORNIA AVENUE**

**FIGURE 10: 1065 CALIFORNIA (ACROSS CALIFORNIA – 2.5 STOREY MULTI-UNIT BLDG)**



In my professional opinion, the present proposed building is compatible and consistent with the neighbourhood and other new two storey, multiple unit buildings in the immediate vicinity to the south and across the road on California that supports the town policy direction for a mix of building heights, tenures, and styles.

The mix of tenures and styles provide for a variety of housing that supports the healthy community and therefore it my professional opinion that the proposal is consistent with the healthy community policies of the PPS and the policies of the municipality.

## 2.4 OPEN HOUSE

There were two people who attended the virtual open house: Jocelyn MacLachlan at California Ave, Windsor; and Kirsten Blok at California Ave.

Kirsten Blok wanted an explanation of what was being proposed in the ZBA. 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.

The second person, Jocelyn MacLachlan [jociebird28@gmail.com](mailto:jociebird28@gmail.com); provided comments attached and is concerned about privacy, parking and problems with sewer capacity. Once we discussed the distance separation from her home, she had less issues with the proposal and was quite positive of the new housing coming onto California.

Both residents of the larger neighbourhood supported the building look and the use of the alleyway. They also were positive about the need for housing in the City and that a new three unit townhouse with the parking proposed was a positive addition to the neighbourhood.

City of Windsor Planner, Simona Simion, also attended virtually.



### 3.0 PROVINCIAL POLICY STATEMENT (PPS)

The *Planning Act, R.S.O. 1990, c.P. 13*, as amended, requires that the Council of a local Municipality shall make decisions on development applications which are consistent with the Provincial Policy Statement (PPS), 2020.

The PPS was issued by the Ministry of Municipal Affairs and Housing under the *Planning Act* and provides direction on matters of provincial interest primarily related to land use planning and development. The policies within the PPS apply province-wide and are an integral part of the Ontario's policy led planning system.

The PPS generally aims to encourage the wise use and management of land and other resources, promote the development of healthy and prosperous communities, protect public health and safety, and protect the natural environment. Specifically, the primary directives of the PPS include:

***“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;”*

**COMMENT:**

In my professional opinion, the proposed ZBA will allow for the redevelopment an underutilized property with a gentle intensification that will provide for an efficient and effective use suited and compatible with the existing neighbourhood.

*(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;”*



**COMMENT:**

The new townhouse building with ADU's will, in my professional opinion, provide for an alternative style and tenure of housing to the standard single detached residential housing. The site-specific ZBA will facilitate the provision of a variety and diversity of housing Windsor needs to support a healthy community.

The building is located in a neighbourhood adjacent to the University of Windsor. The new residential building will provide for rental housing supporting needed student affordable housing. In my professional opinion, the proposed ZBA conforms with the relevant policy of the PPS for a healthy community.

*“(c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;”*

**COMMENT:**

There are no public health, environmental or safety concerns associated with the development of the property.

*“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;”*

**COMMENT:**

The subject lands are located within the urban settlement area of the City of Windsor. The new townhouse residential building creates an infilling development on an underdeveloped lot within an established neighbourhood that is comparable in height and density and that is considered compatible with the existing neighbourhood. The townhouse and ADU building provides a housing tenure and style diversification that is compatible with the neighbourhood. In my professional opinion, the development will support the efficient and effective establishment of an appropriate alternative residential housing.

*“(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;”*

**COMMENT:**

The site within a short walking distance to the University of Windsor and commercial amenities available within the area.

Municipal sanitary and piped water services are available to the lot. The location will allow for an efficient and effective development while providing for a cost-effective utilization of existing municipal infrastructure.

The proposed two storey residential townhouse building is an appropriate infill within the mixed use neighbourhood. The ZBA will support a positive infilling of a comparable and compatible building style and tenure within an existing residential neighbourhood to create a positive mix of housing styles and tenures.

The proposed building is low profile and is consistent in design with existing residences in the neighbourhood both existing multiple unit buildings and new buildings proposed in close proximity.

The building has been designed with a high quality building material to elevate the building to a significantly designed building (see **Building Plans** below): The brick work is comprised of Espresso Brick with white mortar, midnight black Hardie Board and a white accent stone.

In my professional opinion, the proposal is consistent with and supports the establishment of alternative housing tenure and style; supports the cost-effective use of the property while minimizing land consumption; and supports the efficient and effective utilization of municipal infrastructure while providing for a neighbourhood compatible development.

*“(f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;”*

**COMMENT:**

Building accessibility will be established in compliance with the OBC for all residential units, an improvement on the older single detached residence on site.

*“(g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;”*

**COMMENT:**

As a minor infilling of a 3 unit townhouse there is sufficient capacity available in the municipal infrastructure to accommodate the proposed 3 unit townhouse and 6 ADU residential dwelling units. The proposed development, in my professional opinion, is considered an efficient and effective utilization of municipal infrastructure and is consistent with these PPS policies.

*“(h) promoting development and land use patterns that conserve biodiversity; and”*

**COMMENT:**

The infill development and residential gentle intensification on an underused lot minimizes the consumption of land resources by maximizing the efficient use of a small footprint of land. The proposed building relieves development pressure on areas of high-quality habitat by infilling and intensifying an underused lot which holds no habitat suitable for Species At Risk, thereby conserving biodiversity.

*“j) preparing for the regional and local impacts of a changing climate.”*

**COMMENT:**

In my professional opinion, the proposed development is consistent with the PPS in preparing for impacts of a changing climate. The development will reduce carbon emissions through providing residents with:

- opportunities for affordable student accommodation within a short walking distance to the University of Windsor;
- paved sidewalks
- access to nearby bus routes.

The proposed development will feature appropriate stormwater mitigation strategies to address a 1 in 100 year storm. It is my professional opinion that the multiple unit townhouse dwelling design of the building will conserve energy used for heating and cooling.

***“Section 1.1.3.2 Settlement Areas***

*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;*
- (c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- (d) prepare for the impacts of a changing climate;*
- (e) support active transportation;*
- (f) are transit-supportive, where transit is planned, exists or may be developed; and*
- (g) are freight-supportive.*

*Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.”*



**COMMENT:**

The proposed development is an efficient use of the existing municipal services and can be considered an appropriate use of the subject lands. There is no need to expand municipal services to accommodate the proposed development.

The proposal supports active transportation and municipal transit. The location of the residence will provide for walkability to the University.

In my professional opinion, the proposed residential development is an efficient, effective development for the site and supportive of the PPS policies ensuring compatible new development within the existing neighbourhood.

***“Section 1.1.3.3 Settlement Areas***

*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.”*

**COMMENT:**

The subject lands are within a short walking distance to supportive commercial amenities and within a block to the University of Windsor. A public transit line is available in a short walk.

The ZBA will support the gentle intensification of an underused property for the establishment of a new townhouse residence that will provide needed residential accommodation as alternative tenure and style of housing.

It is my professional opinion that the proposed townhouse is consistent and compatible with the neighbourhood and is consistent with this policy of the PPS.

**COMMENT:**

**In my professional opinion, the requested ZBA is consistent with the 2020 PPS by supporting the sound and efficient managed gentle intensification and growth associated with the townhouse building proposed for the subject site.**

**In my professional opinion, the requested ZBA is consistent with the 2020 PPS by supporting the sound and efficient managed intensification and growth associated with the low profile, compatible residential building purposed for student housing for the University of Windsor within a block distance to the subject lot.**

**The proposed minor ZBA regulatory framework supports the development of these lands as a low profile, compatible infilling development for the community. The proposed development, in my professional opinion, is consistent with the Provincial Policy Statement (PPS).**

## 4.0 CITY OF WINDSOR OFFICIAL PLAN

The Official Plan for the City of Windsor is applicable to planning matters for the City. The subject property is located within the mixed use neighbourhood in the periphery to the city center. The lands are designated as 'Residential' in the City's Official Plan under OPA No. 159. The following sections review City policies as they relate to the proposed development:

***“Section 1.8.1 Energy Conservation, Air Quality and Climate Change***

*Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:*

- (a) promote compact form and a structure of nodes and corridors;*

**COMMENT:**

The new building will be designed in compliance with the OBC and energy efficiencies where possible. The nature of the low profile building supports energy conservation by providing for moderate density on site and shared walls. In my professional opinion the requested ZBA will support an environmentally sound development and conforms with OP policies.

The building is a sound utilization of an under utilised residential property with a new low profile townhouse development that in my professional opinion conforms with the OP policies.

***“3.2.1.2 Neighbourhood 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. 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.”*

**COMMENT:**

The proposed 3 unit townhouse building with ADU's will provide for alternative housing style and tenure with student housing as rental units. The physical location of the building is an infill development and gentile residential intensification on an under utilized lot and within a neighbourhood of compatible and comparable development.

We held an Open House where there were a few neighbours that attended. They had no concerns and supported the development once it was discussed about the style, tenure and the provision of parking from the alleyway.

In my professional opinion, the proposed ZBA will support the appropriate and compatible low profile 3 unit residential townhouse as a gentile intensification.

***“3.2.1.4 Community Design***

*The design of buildings and spaces will respect and enhance the character of their surroundings, incorporating natural features and creating interesting and comfortable places. Streets, open spaces and the greenway system will serve as public amenities connecting and defining neighbourhoods and contributing to Windsor's image. New development in Windsor will accommodate the needs of pedestrians, cyclists and other recreational activities.”*

**COMMENT:**

The building has been designed to emphasize the pedestrian. Existing historical residences within the neighbourhood have driveway entrances form the rear alley and this has been reflected in only a rear alleyway for this property. The orientation of the building at the front of the lot, with walkways and sidewalks at the front for parking behind the building, provides for an aesthetically appealing building. There will be extensive landscaping. In my professional opinion, the proposed development conforms with the OP policy.



***“3.2.3.5 Energy Efficiency***

*Windsor will encourage the design and construction of energy efficient buildings and landscapes to reduce air, water and land pollution and environmental impacts of energy production and consumption.”*

**COMMENT:**

The new building will be designed in compliance with the OBC and energy efficiencies where possible. The nature of the medium profile building supports energy conservation by providing for moderate density on the site. In my professional opinion the requested ZBA will support an environmentally sound development that conforms with OP policies.

***“4.2.1 Healthy and Liveable City – Planning & Design***

*4.2.1.1 To consider community health in the planning and design of Windsor and its neighbourhoods.*

*4.2.1.2 To provide for activities and facilities which will foster an active lifestyle to improve community health.*

*4.2.1.4 To protect against climate change and its possible adverse effects on human health, the physical environment, economy and quality of life.*

*4.2.1.5 To encourage a mix of housing types and services to allow people to remain in their neighbourhoods as they age.*

*4.2.1.6 To provide for pedestrian scale neighbourhood centres that serve the day-to-day needs of the local residents.”*

**COMMENT:**

The requested ZBA will support a healthy lifestyle for residents by encouraging walking and cycling with its proximity to the University and transit stops. The proposed 3 unit townhouse with ADU’s will provide for a low profile, infilling compatible development in the existing residential neighbourhood. The infilling development will provide for a mix of housing styles and tenures.

In my professional opinion, the proposed development conforms with the healthy community initiative of the City of Windsor Official Plan policies.

**“4.2.3 Quality of Life**

**4.2.3.1** *To encourage a mix of uses.*

**4.2.3.2** *To encourage the location of basic goods and services close to where people live and work.*

**4.2.3.3** *To recognize the needs of the community in terms of shelter, support services, accessibility and mobility.*

**4.2.3.4** *To accommodate the appropriate range and mix of housing.”*

**COMMENT:**

The proposed development is located in short distance to a municipal transit route and will support the use of the municipal trail system. The residential low profile 3 unit townhouse will provide for alternative housing style and tenure in a low profile townhouse building that is compatible in height and massing with the neighbourhood.

In my professional opinion the requested site-specific ZBA will conform with the ability to provide the neighbourhood and City alternative residential tenure and style of housing.

**COMMENT:**

In conclusion, the proposed three unit townhouse building is a style and design, height, and massing that is comparable to and compatible with other existing residences in the immediate neighbourhood of housing.

The proposed development will support the mix of development within the neighbourhood, providing for alternative tenure and style of housing and allowing for the regeneration of the older established neighbourhood while providing for housing that is compatible with the existing housing style.

The proposed infilling within a neighbourhood of existing residential buildings styles and densities that are comparable with the new proposed townhouse promotes compatible uses and buildings of similar height within the neighbourhood of low profile, residences.

**COMMENT:**

OP policies encourage and support infilling such as the proposal when the building and use are compatible with the existing residential neighbourhood. The low profile, 3 unit townhouse development provides for a gentle intensification with a housing style that is compatible with adjacent housing styles.

The proposal conforms with OP policies that encourage complimentary and compact built form housing within an existing neighbourhood.

The requested ZBA will provide for a site specific (RD2.2) zone with 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.

The requested ZBA will support the establishment of compact housing that is comparable and consistent with other housing within the neighbourhood.

In my professional opinion, the Bylaw Amendment changing the zoning of the property from (RD1.3) to (RD2.2(##)) will authorize the new, three unit town house residence with the ADU's, conforms with the relevant policies of the Official Plan.

**4.1 INTENSIFICATION GUIDELINES REVIEW:**

***“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.”*

**COMMENT:**

The proposed 3 unit townhouse with ADU's will provide for a low profile, infilling compatible development in the existing residential neighbourhood. The infilling development is considered a gentle intensification that will provide for a mix of housing styles and tenures.

As the conditions of these buildings degrade, as shown below in the aerial photo and the city mapping, there are a number of multiple unit dwellings replacing the older, smaller homes in the neighbourhood, comparable to the two storey residential townhouse being proposed. The single unit is being replaced with 9 units, a sound, efficient building providing housing for the university.

In my professional opinion, the proposed development conforms with the healthy community initiative of the City of Windsor Official Plan policies.

### ***“6.2.1.2 Types of Development Profile***

*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:*

- (a) Low Profile developments are buildings or structures generally no greater than three (3) storeys in height;*
- (b) Medium Profile developments are buildings or structures generally no greater than six (6) storeys in height, and;*
- (c) High Profile developments are buildings or structures generally no greater than fourteen (14) storeys in height.”*

#### **COMMENT:**

The neighbourhood is comprised of low profile housing, including the multiple unit buildings. The proposed townhouse building will be compatible with the neighbourhood for height of the building.

There are a number of buildings within the neighbourhood, as discussed above, with the same number of units and the same profile of the existing building. A number of these buildings, including the same building directly adjacent to the south, were approved for a number variances to accommodate the building on the unique sized and dimensioned lots.

In my professional opinion the requested site-specific ZBA will conform with the ability to provide the neighbourhood and City alternative residential tenure and style of housing.

### ***“6.3.1 Residential: Range of Forms & Tenures***

*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.*

*6.3.1.5 To provide for complementary services and amenities which enhance the quality of residential areas.”*



**COMMENT:**

As discussed, the proposed development provides for an appropriate infill of a gentle intensification that is comparable to other existing low profile buildings in the neighbourhood. The residential low profile 3 unit townhouse with ADU's will provide for alternative housing style and tenure in a low profile townhouse building that is compatible in height and massing with the neighbourhood.

The requested site specific provisions in the Bylaw that allows for a minor increase in lot coverage that will permit the town house units with covered front verandah and residential units that are an appropriate size and configuration within the building.

In my professional opinion the requested site-specific ZBA will conform with the ability to provide the neighbourhood and City alternative residential tenure and style of housing.

***“6.3.2.4 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 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.”*

**COMMENT:**

The requested site specific provisions in the requested Zoning Bylaw does **Not** include height provisions and it is my professional opinion that the proposed 2.5 storey, low profile building is consistent with the neighbourhood.

***“6.3.2.5 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:*

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

**COMMENT:**

The proposed building at 2.5 storeys at 3 storeys is consistent with a number of buildings in the neighbourhood including, as discussed above. The same buildings are being built directly south of the subject property and a 2.5 storey, 9 unit building is directly across the street on California.

In order for the 3 unit townhouse building to respect the existing front yard setback of other homes in the neighbourhood and that there is no driveway access from California, a variance from the front yard setback is required for unit 3 of the townhouse block sitting at 5.4 m. Townhouse unit 1 is in compliance at 6 m. This variance will ensure compatibility and continuity of the low profile residential building with the neighbourhood.

In my professional opinion, the proposed development and requested ZBA conform with and allows for the infilling of the proposed residence in an existing neighbourhood.

***“6.5.1.8 Objectives: Residential Intensification***

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

**COMMENT:**

The gentle intensification allows for 3 residential townhouse units with ADU's in each unit. The ZBA includes relief for provisions that will not increase the height or massing of the building beyond the low density, low profile policies.

In my professional opinion, the new building will be an attractive and appropriate addition to a pedestrian oriented, mixed-use neighbourhood.

***“10.2.20 Design Briefs***

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

*“10.2.20.1 The Urban Design Brief should provide a description and analysis of the site and surrounding context. Photographs and a context map showing the subject site in relation to the existing neighbourhood should be included.”*

**COMMENT:**

The proposed design and build is compatible with the neighbourhood will be a positive asset to the neighbourhood, and is consistent with other existing residential buildings and development.

In my professional opinion the building is high level design and will be an asset to the neighbourhood and conforms with the OP policies.

*“10.2.20.3 The Urban Design Brief should include a written description, plans, elevations, diagrams, and/or photographs to illustrate the design choices of the proposed development and site design. Depending on the scale of the development proposal explain how the applicable design considerations have been addressed:*

- i) Street and block pattern (e.g., connectivity, pedestrian access);*
- ii) Lot sizes;*
- iii) Building orientation and site layout;*
- iv) Built form, height, scale, and massing;*
- v) Building articulation and detailing;*
- vi) Building materials;*
- vii) Setbacks from adjacent properties and the street;*

- viii) *Building step back (if applicable);*
- ix) *Building transition to adjacent neighbourhoods;*
- x) *Heritage considerations (if applicable);*
- xi) *Location of parking (surface or underground), driveways, ramps, drop-off areas;*
- xii) *Access to transit;*
- xiii) *Bicycle parking/storage;*
- xiv) *Location of servicing, garbage, organics, and recycling storage and collection, and loading areas;*
- xv) *Streetscape elements (e.g., boulevard design, landscaping, street furniture, public art, signage, lighting, etc.); and,*
- xvi) *On-site landscaping and buffering.”*

The following provisions are to be addressed in the site specific bylaw:

- **Lot Width** (min.) = 20 m required and 19.81 m provided (0.2 m variance);
  - The lot width is a minor adjustment to allow for a historically existing lot configuration of 2.5 lots.
- **Lot Coverage** (max.) = 45% max and 53.1% provided (8.1 % variance);
  - There are pedestrian entrances for TH3 and TH1 with a covered front verandah and stairs and sidewalk in support of the pedestrian access and street frontage. These features add to the lot coverage overage but also add a positive street presence and support a walkable community.
  - The units are an appropriate size and consistent with sizes for rental apartments in the neighbourhood such as the rental units at 1074, 1076 and 1078 California on adjacent lands to the south.
- **Rear Yard Setback** (min.) = 7.5 m req'd, and 6.3 m provided (1.2 m variance);
  - The rear yard is adjusted with a minor variance from the bylaw provision to allow for the proposed building. The size of the units are consistent with unit sizes in other buildings within the neighbourhood – see adjacent properties to the south and across the road.



- **Front Yard Setback** (min.) = 6 m required, and 5.4 m provided (0.6 m variance).
  - The proposed 2.5 storey building is comprised of 3 townhouse units: TH1 (north unit) has a 6 m front yard setback and is compliance with the front yard setback while TH3 has a 5.4 m setback because the front lot line is not straight but at a significant angle. See Site Plan showing that the
  - As well, the driveway and parking is provided in the rear, consistent with the neighbourhood and allowing for the building to be brought forward to be in line with existing residences to create a street presence and support the walkable community. See site plan with adjacent residence to the north showing adjacent to TH1.
- The building is in close walking distance to municipal bus stops.
- The building will be compatible in size, scale, and massing with the existing neighbourhood.
- The residence is near the University of Windsor and will be able to provide higher end accommodation for graduate students at the university and support the walkability of the neighbourhood.
- The proposed townhouse building has been designed to match the established front yard of the neighbourhood; access has been deferred to the rear yard off the alley to ensure connectivity of the private space/sidewalk connecting the building to the public space/sidewalk along California.
- The three lots together will exceed the lot areas of the neighbourhood lots while each lot after division will also be consistent with the neighbourhood lot fabric.
- The town house building has been oriented at the same setback and orientation that is consistent with the neighbourhood. In my professional opinion, all efforts have been made to ensure compatibility with the proposed infilling within the existing neighbourhood.

- In my professional opinion and as discussed above, the low profile, three unit townhouse on the two and half lot parcel is consistent with the massing and built form of the neighbourhood.
- The building has been designed as a low profile, two storey, three unit townhouse building with details and articulations that are consistent with the neighbourhood. As noted above, building look and materials are consistent with the existing neighbourhood.
- Adjacent to the south (1074, 1076, and 1078 California) is going to be built with the same building with similar style and colours that will be compatible and consistent as an infilling development.
- Parking will be in the rear yard with access from the existing laneway allowing for a continuity of the lot frontages along California Ave. The laneway access supports the historical focus of the residence rather than the car lessens the focus of the car and in my professional opinion, provides for a principal focus of the walking, biking, healthy neighbourhood.
- Material for the building will consist of colours and aspects from the neighbourhood: comprised of Espresso Brick with white mortar, midnight black Hardie Board and a white accent stone, similar in design and colour with 1026-1028 California Ave. shown below.
- In addition to the comparable style, design and massing of the buildings, the townhouse units and ADU's are consistent with other multiple unit use of the buildings within the neighbourhood.
- The new residence will have the same height at 9 m with the neighbourhood. Colours and material will be similar to other new existing residences within the neighbourhood such as 1026 California.

**FIGURE 11: 1026 CALIFORNIA and 1028 CALIFORNIA AVE**



**FIGURE 12: 1081 AND 1091 CALIFORNIA AVE (SOUTH-2 & 2.5 STOREY MULTI-UNIT BLDG)**





**FIGURE 13: 1098 CALIFORNIA AVE (SOUTH – 2 STOREY MULTI-UNIT BLDG)**



**FIGURE 14: 1066 CALIFORNIA – BUILDING PLAN**





- The proposed building is low profile and is consistent in design with existing residences in the neighbourhood both existing multiple unit buildings and new buildings proposed in close proximity;
- The building has been designed with a high quality building material to elevate the building to a significantly designed building (see **Building Plans** below): The brick work is comprised of Espresso Brick with white mortar, midnight black Hardie Board and a white accent stone.
- Details such as walkways in the front yard; no driveways from California; and car access from the alleyway support the design compatibility of the proposed development.
- The new residential building has been designed with a sensitivity to the low rise buildings presently across the street and within the neighbourhood. The new residential building is a residence, height, comparable in design, and massing to other residential buildings on the street, particularly across the street.
- Details have been addressed to ensure compatibility with the neighbourhood: access from the laneway to parking and not having a curb cut and driveway from California with parking behind the residence rather than in the front yard.
- The minor ZBA will provide for construction of a new appropriate residence that is sensitive to the existing neighbourhood.

**In my professional opinion, the ZBA will support the establishment of a new 3 unit townhouse building with ADU's in the building, comparable and compatible as an infill within the established neighbourhood and conforms with relevant urban design policies of the Official Plan.**

**COMMENT:**

**In my professional opinion, the requested site-specific ZBA conforms with the relevant policies of the Official Plan for the City of Windsor based on the evaluation noted above. The proposed development is consistent with the intent of the OP.**

## 5.0 CITY OF WINDSOR ZONING BYLAW

The subject site is presently zoned 'Residential District 1.3 (RD1.3)' in the Comprehensive Zoning By-law 8600, a zone that only allows for single, detached residences. Proposed is the infilling of a new townhouse residence and associated ADU's in the building for the property. The neighbourhood is comprised of other multiple unit residences that also multi-unit buildings containing ADU's. Proposed is a ZBA that will change the zoning for the site to a site specific 'Residential District (2.2)'.

The following is a review of the (RD2.2) zone and the required minor ZBA provisions:

	(RD2.2) PROVISIONS	SUBJECT SITE
PERMITTED BLDG	TOWNHOUSE	TOWNHOUSE
LOT AREA	600 m <sup>2</sup>	679.4 m <sup>2</sup>
LOT WIDTH	20 m	19.81 m (0.2 m variance)
FRONT YARD SETBACK	6 m	TH1 - 6 m TH2 - 8 m TH3 - 5.4 m (0,6 m variance)
INTERIOR SIDE YARD	1.2 m	1.2 m
REAR YARD	7.5 m	6.3 m (1.2 m variance) 6.9 m (0,6 m variance)
LOT COVERAGE	45 %	53.1% TOTAL (8.1 % variances) (TH 1 = 52%; TH 2 = 55%; TH3 = 52%)
MAXIMUM BLDG HEIGHT	9 m	9 m
PARKING	1.25 spaces/unit	2 spaces/unit

The minor ZBA application purports to change the zone category of the 1066 California from the present 'Residential District 1.3 (RD1.3)' to a site specific 'Residential District 2.2 (RD2.2(##))'. The ZBA will not be allowing for new or additional uses, rather the ZBA will allow for alternative building types than the single detached residence of the RD1.3 and providing for site specific provisions:

- i) **Lot Width** (minimum) = 20 m required and 19.81 m provided (0.2 m variance);
- ii) **Lot Coverage** (maximum) = 45% max and 53.1% provided (8.1 % variance);
- iii) **Rear Yard Setback** (minimum) = 7.5 m required and 6.3 m provided (1.2 m variance);
- iv) **Front Yard Setback** (minimum) = 6 m required and 5.4 m provided (0.6 m variance).

The lot width has to be addressed because of the odd shape and the skew of the lots. With the shape of the parcel, there is a minor adjustment of 0.2 m required to recognize the merged lots of three parcels. Also, the lots were created a number of years before the parsing of the bylaw and as merged, historical lots are just a minor adjustment of 0.2 m to be in compliance with the bylaw.

The older fabric of the lots are slightly narrower and therefore a minor adjustment of the side yard is required to allow for a well designed building that is consistent in height and design with the rest of the neighbourhood.

It is my professional opinion that the ZBA will allow for the development of the site with a building that is being sensitive to the infilling nature and different characteristics of the neighbourhood. With the allowance of the reduced front yard for TH3 at 5.4 m allows for a variance of 0.6 m to allow for TH1 to match the established building line of the neighbourhood while bringing the house, porch and sidewalk forward to create a positive public space and private space.

It is my professional opinion that the minor adjustments will allow for a building mass and style that is consistent with the neighbourhood. The minor ZBA, in my professional opinion, allows for a standard long narrow residential townhouse consistent with the standard townhouse style.

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 ZBA will provide for relief similar to the lands to the south that provides for relief: i) lot width; 2) lot area; 3) rear yard depth; 4) side yard width; and 5) lot coverage. These minor adjustments will provide for an appropriate GFA for the townhouse units and the proposed ADU's. As well, both the subject lands and the lands to the south that are consistently relieved will allow for compatible development.

The new building proposed for each of the developments will have the same massing, density, and will be compatible. Because both properties will have similar relief, the changes will be negligible from a viewscape perspective. The minor adjustments will not have a negative impact on the neighbourhood.

**In my professional opinion, the proposed new three unit townhouse 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 (##))'.**



## 6.0 SUMMARY AND CONCLUSIONS

Given the foregoing assessment and my evaluation of the proposal in relation to the PPS 2020, the City of Windsor Official Plan and the Comprehensive Zoning By-law 8600, in my professional opinion the proposed site-specific By-law Amendment (ZBA) is consistent with policies of the PPS, OP, and the regulations found in the Zoning By-law.

The requested site specific ZBA to provide a site specific regulatory framework that will support the development of the site for 3 residential townhouse makes sound planning. The gentle intensification is appropriate, and the proposed building can be considered compatible and consistent with the existing neighbourhood.

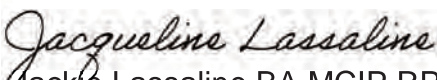
In addition, it is my professional opinion that the proposed site-specific Zoning By-law Amendment (ZBA) is appropriate and desirable within this policy framework as it will facilitate development of site for student housing within half a block to the university.

In summation, the proposal complies with the Zoning Bylaw Amendment (ZBA) that will appropriately establish a site-specific regulatory framework under the 'Residential District 2.2 (RD2.2) zone. The ZBA provides a good solution for the provision of needed alternative residential accommodation and compatible development within an existing neighbourhood, while supporting a diversity of housing tenures and styles within the municipality.

In my professional opinion the requested ZBA:

- 1) is consistent with the policies of the 2020 Provincial Policy Statements;
- 2) maintains the intent of the relevant policies of the City of Windsor Official Plan;
- 3) maintains the intent of CZB 8600 and when the ZBA is passed, it will establish the regulatory framework required for the development to comply with the CZB 8600;
- 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, 1994.8600

ts Inc.  
  
Jackie Lassaline BA MCIP RPP  
Principal Planner

## APPENDIX D – CONSULTATION

### 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.

## **WINDSOR FIRE – MICHAEL COSTE**

No issue with Fire

## **TRANSIT WINDSOR – JASON SCOTT**

Transit Windsor has no objections to this development. The closest existing transit routes to this property are with the Central 3 and Route 418X. The closest existing bus stop to this property is located on College at California Southwest Corner. This bus stop is approximately 440 metres from this property falling outside of Transit Windsor's walking distance guidelines of 400 metres to a bus stop. This will be maintained with Transit Windsor's City Council approved Transit Master Plan.

## **CANADA POST – BRUNO DESANDO**

Canada Post has no comments for the attached application.

## **BUILDING ENGINEERING – MIRELLA ALLISON**

With only one exterior stair to provide a way out from the first floor, the plan fails the sentence shown below unless the affected windows are wired glass. The architect might want to rework the plan to enclose the stairway or provide a second exit to avoid the cost of wired glass.

### **9.9.4.4. Openings Near Unenclosed Exit Stairs and Ramps**

(1) Where an unenclosed exterior *exit* stair or ramp provides the only *means of egress* from a *suite*, and is exposed to fire from openings in the exterior walls of another *fire compartment*, the openings in the exterior walls of the *building* shall be protected with wired glass in fixed steel frames or glass block conforming to Articles 9.10.13.5. and 9.10.13.7. when the openings in the exterior walls of the *building* are within 3 m horizontally and less than 10 m below or less than 5 m above the *exit* stair or ramp.

## **HERITAGE PLANNING – TRACY TANG**

The subject property is located within the Archaeological Potential Zone (as per the recently adopted Windsor Archaeological Management Plan, 2024; OPA 181; and updated 2024 archaeological potential model OP Volume I Schedule C-1). 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 archaeological reports, letters from the Ministry confirming acceptance of the reports in the Ontario Public Register of Archaeological Reports, and GIS shapefiles of the study area must be submitted to the City of Windsor Planning and Development Services.

Contact: Tracy Tang, Senior Planner –Heritage (Acting), [ttang@citywindsor.ca](mailto:ttang@citywindsor.ca) or 519-255-6543 x6179.

## **ENWIN**

### **HYDRO ENGINEERING: Steve Zambito**

No Objection, provided adequate clearances are achieved and maintained.

ENWIN has existing overhead pole lines along the east limits with 27,600 volt primary and 120/240 volt secondary hydro distribution.

ENWIN has existing overhead pole lines along the west limits with 120/240 volt secondary hydro streetlight distribution.

The developer will be responsible to cover all costs associated with any relocation or removal of ENWIN poles and conductors.

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. The existing 19mm water service will need to be upgraded to accommodate the proposed development.

### **TRANSPORTATION PLANNING – ELARA MEHRILLOU**

- Official Plan classifies California Ave as a Local Residential Road with a required right-of-way width of 20.1 metres. However, the current right-of-way width is not sufficient, no land conveyance is required at this time.
- All parking must comply with ZBL 8600.
  - 1 type A accessible parking is required unless sever.
- All new exterior paths of travel must meet the requirements of the *Accessibility for Ontarians with Disabilities Act (AODA)*.
- All new accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
  - An alley contribution per Engineering Right-of-Way requirements is required.
  - No bumper blocks permitted.

### **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**

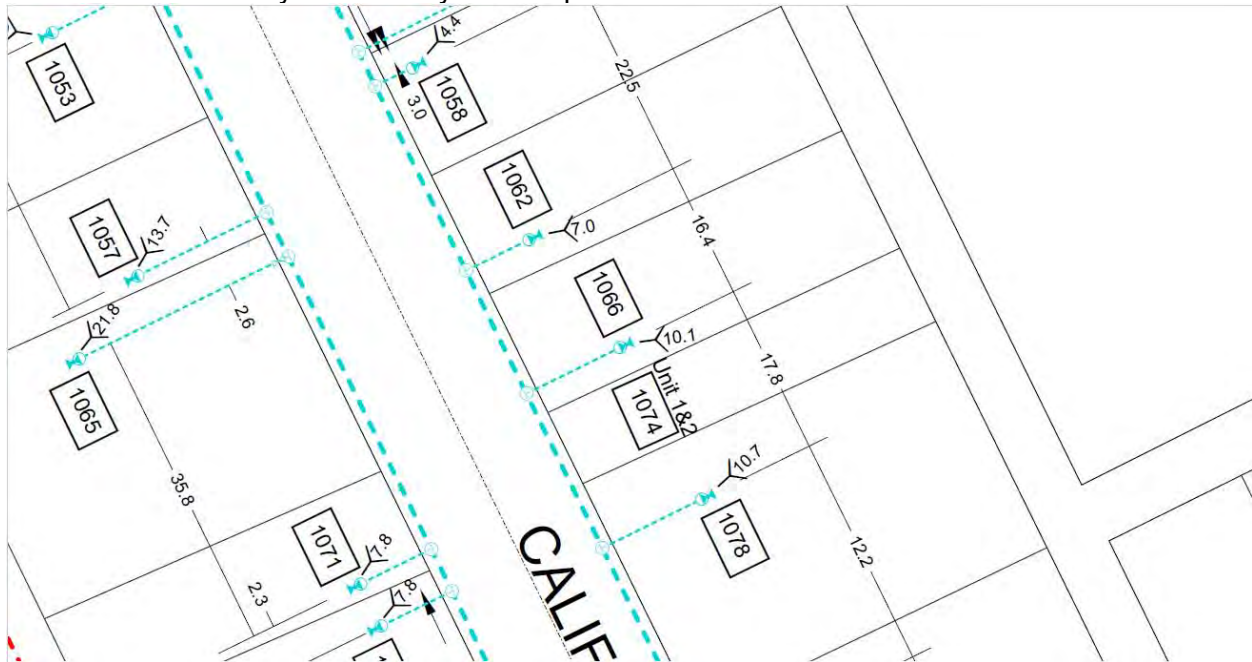
Enbridge Gas requires a minimum separation of 0.6m horizontal and 0.3m vertical from all our plant less than NPS 16 and a minimum separation 1.0m horizontal and 0.6m vertical between any CER-regulated and vital pipelines. For all pipelines (including vital pipelines), when drilling parallel to the pipeline, 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.



## ZONING COORDINATOR – CONNER O’ROURKE

Below is the zoning review summary of the above-mentioned property, circulated on October 10 2024.

- **Current Zoning Designation:** Residential District 1.3 (RD1.3)
- **Proposed Zoning Designation:** Residential District 2.2 (RD2.2)
- **Proposed Use:**
  - Three unit townhome dwelling with 2 ADU's in each dwelling unit.
- **Section 5 – General Provisions:**
  - **5.23 Dwelling – Semi-Detached and Townhome – Additional Provisions**
    - .5.3
    - Maximum lot coverage per severable lot (TH1)
      - 50% (Required)
      - 52% (Provided)
    - Maximum lot coverage per severable lot (TH2)
      - 50% (Required)
      - 54% (Provided)
    - Maximum lot coverage per severable lot (TH3)
      - 50% (Required)

- 52% (Provided)
- **Section 11.2.5.5 – Townhome Dwelling:**
  - **Minimum Lot Width: [11.2.5.5.1]**
    - 20.0m (Required)
    - 19.8m (Provided)
  - **Maximum Lot Coverage: [11.2.5.5.3]**
    - 45.0% (Required)
    - 53.1% (Provided)
  - **Maximum Main Building Height: [11.2.5.5.4]**
    - 9.0m (Required)
    - 10.7m (Provided)
  - **Minimum Front Yard Depth: [11.2.5.5.5]**
    - 6.0m (Required)
    - 5.4m (Provided)
  - **Minimum Rear Yard Depth: [11.2.5.5.6]**
    - 7.50m (Required)
    - 6.31m (Provided)
- **Section 20 – Site Specific Zoning Exemptions:**
  - NOT APPLICABLE
- **Section 24 – Parking, Loading and Stacking Provisions:**
  - COMPLIES
- **Section 25 – Parking Area Regulations:**
  - NOT APPLICABLE

## **DEVELOPMENT ENGINEERING – JUAN PARAMO**

We have reviewed the subject Rezoning application and have the following comments:

The site may be serviced by a 300mm sanitary sewer and a 525mm storm 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.

A Functional Stormwater Management report, dated July 2024 by Landmark Engineers Inc., has been received and reviewed. The applicant's consultant has recommended onsite stormwater management measures to mitigate adverse impacts to the receiving storm sewer system. The sewer system in this neighborhood is expected to maintain its current level of service, with no significant impact anticipated as a result of this development. This department has no objections to the report submitted.

The concrete bumper blocks proposed on the preliminary site plan are not permitted and shall be removed.

The applicant will be required to submit, prior to the issuance of building permits, a detailed stormwater management plan in accordance with Windsor Essex Region

Stormwater Management Standards Manual, restricting stormwater runoff to pre development levels in accordance with the recommendations of the Functional SWM plan submitted. This will include, at a minimum:

- Submission of stormwater management review fee,
- Stormwater management report stamped by a professional engineer
- Site servicing drawings stamped by a professional engineer

Please visit the [City of Windsor website](#) and the [ERCA website](#) for additional information on stormwater management requirements.

In summary we have no objection to the proposed development, subject to the following requirements:

**Alley Contribution** – The owner agrees, prior to the issuance of a Building Permit, to contribute \$250 per linear meter payable to the City of Windsor and deposited in the General Fund intended for the upkeep of alleys within the City of Windsor.

If you have any further questions or concerns, please contact Shannon Mills of this department at [smills@citywindsor.ca](mailto:smills@citywindsor.ca)

## **LANDSCAPE ARCHITECTURE & URBAN DESIGN – HODA KAMELI**

- There are two significant trees on the property line shared ownership between The City and private property. It is recommended either be preserved or replaced with new plantings after development to maintain the site's environmental value.
- It is also important to include provisions for bicycle parking within the property to promote sustainable transportation options for residents.

## **FORESTRY – YEMI ADEYEYE**

There is a large, City owned, silver maple, 101cm, directly in the front of this lot. There is another large, City owned, silver maple, 70cm, at the front NW corner of this lot next to property 1062.

Forestry will require detailed site plans prior to construction that show adequate Tree Root protection zones for each individual tree if they are to be preserved through the development process on-site and for those in proximity on neighbouring lots. Basic Tree protection includes exclusion fencing at the 'drip-line +1 meter' distance for each tree. Full details regarding the protection area required and type of fencing for Tree Root protection zones can be provided by Forestry.

In the case of these trees: the larger tree directly in front would require a Protection zone approximately 12 meters in all direction around the tree. The tree on the corner would require an 8.5 meter protection zone. No disturbances or other activity can occur within the protection zone(s). The Proposed Site Plans indicate there would not been sufficient room on-site available to install full Tree Protection zones.

If the trees are not to be preserved or cannot be adequately protected through the development process a request must be made that specific trees be removed. A Removal & Canopy Replacement costs will be calculated based on cost-to-remove and a Diameter-for-Diameter replacement ratio for both City owned and Private trees.

For these two trees the Removal & Canopy Replacement Costs will be \$16,820.00 and \$10,200.00 respectively for a TOTAL Canopy Replacement cost of \$27,020.00 (2024 rates).

Forestry requests the opportunity to review landscaping plans in order to provide comment and suggestion that would enhance preservation of existing trees and 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**

If any trees or shrubs are removed; no harming active bird nests (Migratory Bird Act)

### **PARKS – HODA KAMELI**

From Stage 1 comment : The park development team has recommended that the developer install a physical barrier, like curb stops, along the park property line. This measure aims to prevent vehicles from entering the park area directly, thereby enhancing safety.



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**DATE:** November 12, 2024  
**TO:** City Solicitor  
**FROM:** City Planner / Executive Director  
**RE:** ZONING AMENDMENT BY-LAW FOR COUNCIL CONSIDERATION  
Planning File Number: Z031-24 [ZNG/7236]  
Clerk's File: Z/xxx  
Agenda.Net: S 147/2024

---

**APPLICANT:** Lassaline Planning Consultants (Jackie Lassaline)

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

**Phone:** (519) 563-8814                      **Email:** jackie@lassalineplan.ca

**AGENT:** same as applicant

**Address:**

**Phone:**

**OWNER:** Marko Agbaba

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

**Phone:** 519-999-9425                      **Email:** agbaholdings@gmail.com

**ROLL NO:** 050-370-03500-0000

**ADDRESS/LOCATION:** 1066 California Ave

**COUNCIL APPROVAL DATE:** TBD

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 \_\_\_\_\_

GA:nm

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:

I. THAT Zoning By-law 8600 **BE AMENDED** by adding the following clause to Section 20(1):

**518. EAST SIDE OF CALIFORNIA AVENUE, SOUTH OF DAVIS ST AND NORTH OF GIRARDOT ST**

For the lands comprising of PLAN 50 BLOCK D LOTS 53 & 54 PT LOT 55 (PIN 01220-0251) for a *townhome dwelling*, the following additional provisions shall apply:

- a) *Lot Width* – minimum 19.8 m
- b) *Lot Coverage* – maximum 54% of lot area
- c) *Front Yard Depth* – minimum 5.4 m
- d) *Rear Yard Depth* – minimum 6.31 m
- e) Section 5.99.80.1.1.b) shall not apply

[ZDM 4; ZNG/7236]

II. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following clause to Section 95.20:

- (13) a) Pursuant to Section 9.3.7.1(a) of Volume I: The Primary Plan of the City of Windsor Official Plan, submission of Stage 1 Archaeological Assessment and any further recommended assessments be entered into the Ontario Public Register of Archaeological Reports to the satisfaction of the City Planner.
- b) Alley Contribution to the satisfaction of the City Engineer.
- c) Stormwater Management Plan to the satisfaction of the City Engineer.

[ZNG/7236]

III. THAT Zoning By-law 8600 **BE FURTHER AMENDED** by changing the zoning of PLAN 50 BLOCK D LOTS 53 & 54 PT LOT 55 (PIN 01220-0251), situated on the east side of California Avenue between Davis Street and Girardot Street, and known municipally as 1066 California Avenue (Roll No. 050-37-03500), from Residential District 1.3 (RD1.3) to Residential District 2.2 (RD2.2) and S.20(1)H(13)518.

IV. That the Committee of Adjustment **CONSIDER** comments contained in Appendix E of Report S 147/2024 as part of any consent application to sever the proposed townhome dwelling units.

Section 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	4	Plan 50 Lots 53 & 54 Pt Lot;55 Blk D and PIN 01220-0251 (Located East Side of California Avenue, South of Davis St And North of Girardot St)	RD1.3	RD2.2  S.20(1)H(13)518

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 Davis Street and Girardot Street, legally described as Plan 50 Lots 53 & 54 Pt Lot; 55 Blk D, PIN No. 01220-0251, to permit the development of a townhome dwelling with 3 dwelling units on the subject land.

The amending by-law changes the zoning on the subject land from Residential District 1.3 (RD1.3) to Residential District 2.2 (RD2.2) and adds a special zoning provision permitting a minimum lot width of 19.8 metres, maximum lot coverage of 54%, minimum front yard depth of 5.4 metres, and minimum rear yard depth of 6.31 metres. Section 5.99.80.1.1.b) shall not apply.

2. Key map showing the location of the lands to which By-law \_\_\_\_\_ applies.



PART OF ZONING DISTRICT MAP 4

N.T.S.

## SCHEDULE 2

Applicant: Marko Agbaba

 SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : SEPTEMBER, 2024  
FILE NO. : Z-031/24, ZNG/7236



**ELEVATIONS**

ELEVATIONS SHOWN ON THIS PLAN ARE IN FEET TO CANADIAN GEODETIC VERTICAL DATUM (1928)

**BENCH MARK**

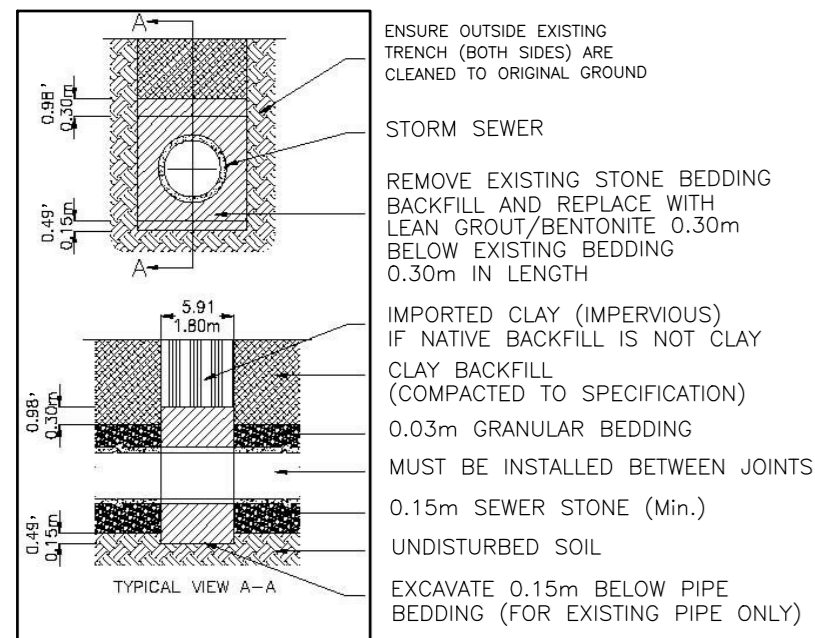
BENCH MARK 628 ELEVATION 601.89'  
 M.B. 2121 RIVERSIDE DRIVE WEST; THE PLATE IS LOCATED ON THE NORTH WALL, 0.1m FROM THE EAST WALL AND 0.2m ABOVE GRADE.

**SITE BENCH MARK**

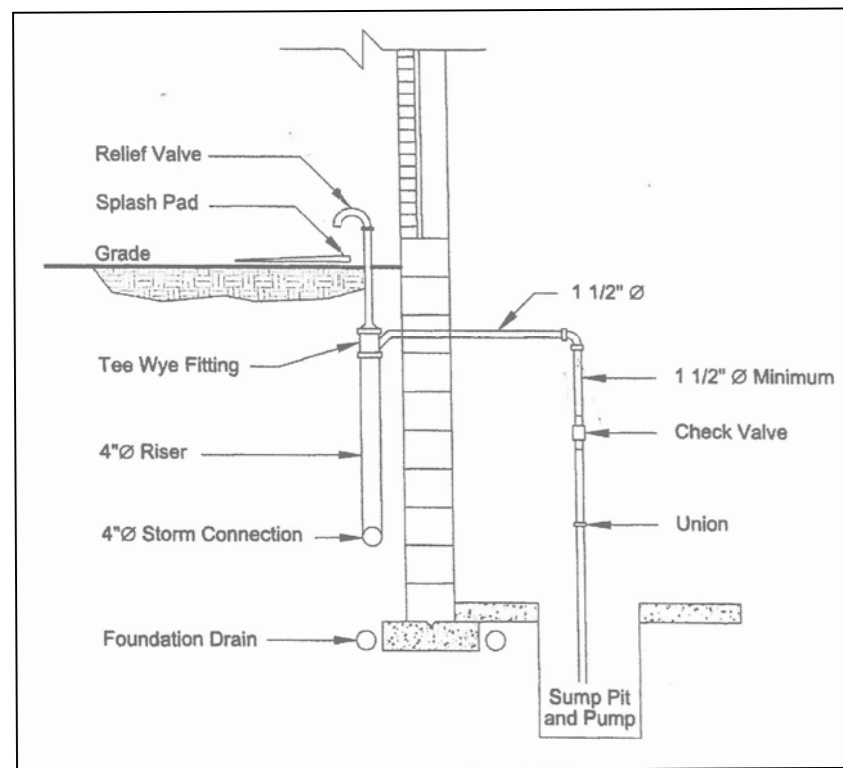
TOP OF FIRE HYDRANT IN FRONT OF 1048 CALIFORNIA. ELEVATION 600.59'

**AREA**

BOTH PARCELS HAVE THE SAME AREA OF 2,810 Sq.Ft., (0.065 Ac.).



GROUT/BENTONITE PLUG DETAIL



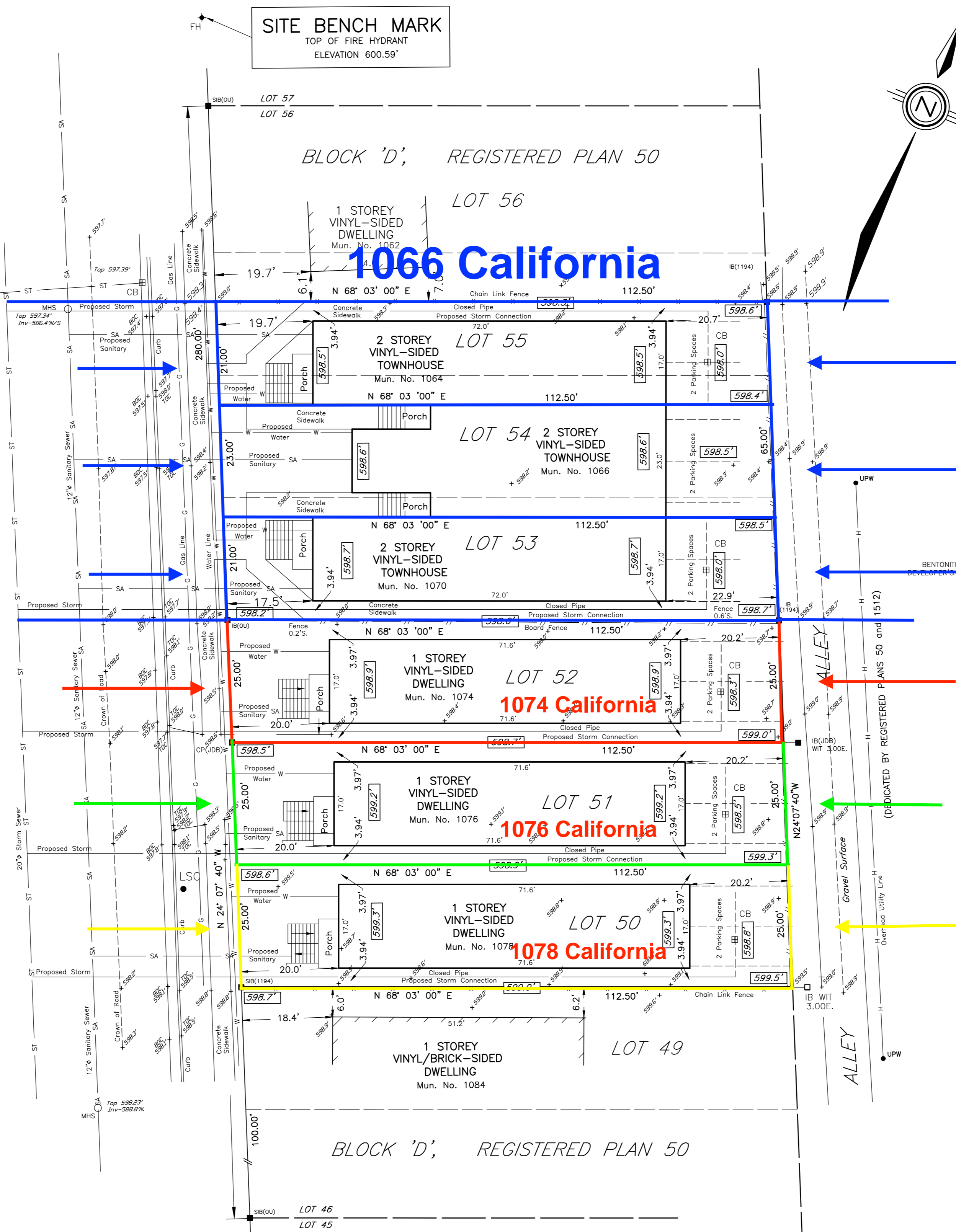
SUMP PUMP OVERFLOW DISCHARGE PIPE

**INVERTS** SEWER INFORMATION WAS DERIVED FROM CITY OF WINDSOR SEWER ATLAS (PLATE G7) AND SHOULD BE VERIFIED BEFORE CONSTRUCTION.

**CAUTION**

UNDERGROUND UTILITIES AND SERVICES SHOWN ON THIS PLAN ARE APPROXIMATE AND MUST BE VERIFIED BEFORE CONSTRUCTION

CALIFORNIA AVENUE  
 (DEDICATED BY REGISTERED PLAN 50)



**IN-FILL GRADE PLAN**

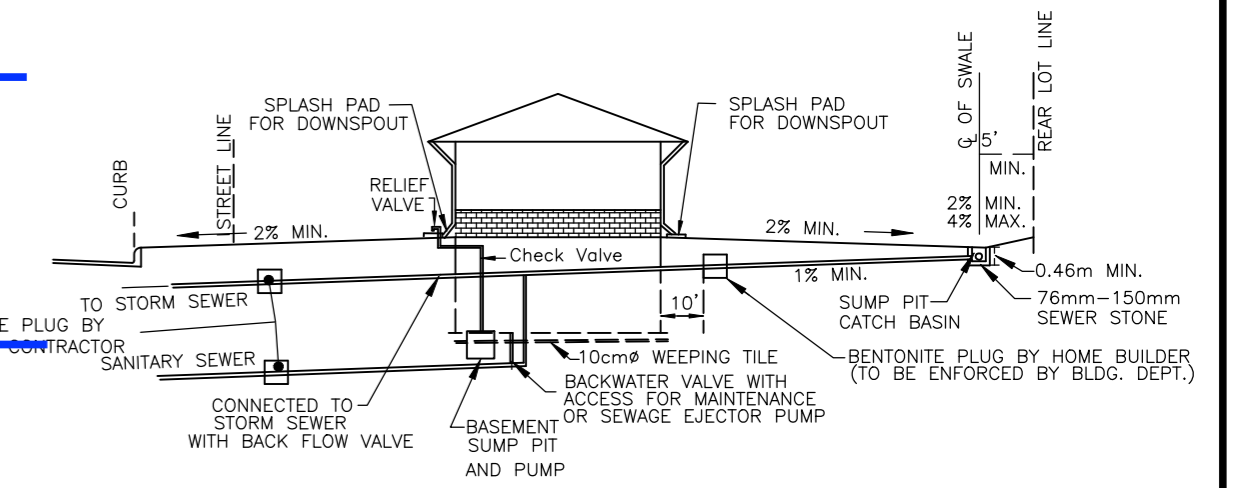
OF LOTS 50 to 54, (BLOCK 'D')  
 PART OF LOT 55, (BLOCK 'D')  
 REGISTERED PLAN 50  
 IN THE CITY OF WINDSOR  
 COUNTY OF ESSEX, ONTARIO

© VERHAEGEN LAND SURVEYORS, A DIVISION OF J.D. BARNES LTD.

SCALE : 1"=15'

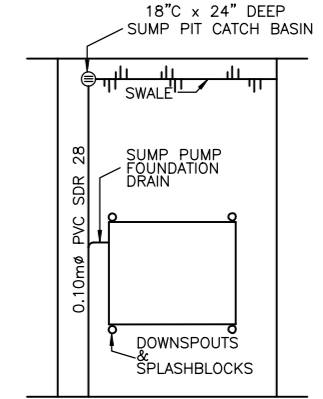


"IMPERIAL" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN FEET AND CAN BE CONVERTED TO METRES BY MULTIPLYING BY 0.3048



**TYPICAL LOT DRAINAGE**  
 NOT TO SCALE

- NOTE
1. STORM CONNECTIONS TO PROVIDE REAR YARD DRAINAGE AND WEeping TILE FROM BASEMENT SUMP.
  2. SANITARY CONNECTIONS TO CARRY DOMESTIC SEWAGE ONLY.
  3. LOT GRADING TO DIRECT WATER AWAY FROM HOUSE TO EITHER ROAD OR REAR YARD DRAIN.
  4. SOLID STORM DRAIN TO 10.0' BEYOND HOUSE AS SHOWN.
  5. PERFORATED PIPE FOR REAR YARD DRAINAGE AS SHOWN.
  6. CONNECT 4" WEeping TILE TO BASEMENT SUMP AND DISCHARGE TO DRAINAGE DITCH
  7. CLEAN-OUTS TO BE LOCATED EVERY 50.0'.



599.5' DENOTES EXISTING ELEVATION  
 599.5' DENOTES PROPOSED ELEVATION

Existing Elevations have been derived on the Following Date : JULY 23, 2024

DATE NOVEMBER 6, 2024

*Andrew S. Mantha*  
 ANDREW S. MANTHA  
 ONTARIO LAND SURVEYOR

**VERHAEGEN** SURVEYING MAPPING GIS  
 LAND SURVEYORS  
 A DIVISION OF J.D. BARNES LTD.  
 944 OTTAWA STREET, WINDSOR, ON, N8X 2E1  
 T: (519) 258-1772 F: (519) 258-1791 www.jdbarnes.com

DRAWN BY: A.S.M.	CHECKED BY: A.S.M.	REFERENCE NO.: 24-47-374-02
FILE: 24-47-374-02	E-50-BLOCK D-5	CAD Date: November 6, 2024 2:58 PM CAD File: 24-47-374-02.dwg



**Subject: OPA 190 Source water policies**

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 682**

1. That Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by adopting Official Plan Amendment (OPA) 190 attached hereto as Appendix 1, and summarized as follows:

- a) Chapter 2, Glossary; is hereby amended by adding definitions
- b) Chapter 5, Environment is hereby amended by adding section 5.39 Source Water Protection Policies

2. That Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by adopting Schedule K: Sourcewater Protection Areas as shown in Appendix 1.

Carried.

Report Number: S 159/2024

Clerk's File #: Z/14881

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 7.7 from the Development & Heritage Standing Committee held on December 2, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241202/-1/10526>

**Subject: Official Plan Amendment to update Source Water Protection Policies  
OPA 190 [OPA/7256] - City Wide**

**Reference:**

Date to Council: December 2, 2024  
Author: Frank Garardo, MCIP, RPP  
(519) 255-6543 x 6446  
fgarardo@citywindsor.ca

Planning & Building Services  
Report Date: November 14, 2024  
Clerk's File #: Z/14881

**To:** Mayor and Members of City Council

**Recommendation:**

1. THAT Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by adopting Official Plan Amendment (OPA) 190 attached hereto as Appendix 1, and summarized as follows:
  - a) Chapter 2, Glossary; is hereby amended by adding definitions
  - b) Chapter 5, Environment is hereby amended by adding section 5.39 Source Water Protection Policies
  
2. THAT Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by adopting Schedule K: Sourcewater Protection Areas as shown in Appendix 1.

**Executive Summary:**

N/A

**Background:**

The purpose of this Official Plan amendment is to update the City of Windsor Official Plan specific to protection of the municipal drinking water supplies in accordance with the Provincial Planning Statement 2024; Clean Water Act; and Essex Region Source Protection Plan.

In 2006, the Clean Water Act required municipalities to develop source protection plans based on detailed technical studies with a goal to protect municipal drinking water supplies from drinking water threats. The protection of the municipal drinking water supplies for the long term is crucial to meet the needs of existing and future residents.

The City of Windsor was involved in the development of the Source Protection Plan with the source protection committee, local municipalities, stakeholders, and an extensive process that included broad public consultation. The Source Protection Plan was approved on April 15, 2015, and came into effect on October 1, 2015. It comprises 50 policies employing various tools to effectively manage potential threats that could pose risks to drinking water sources.

The City of Windsor has been implementing the Source Protection Plan policies since 2015 and currently has a shared agreement with other local municipalities delegating a designated Risk Management Official under the local Conservation Authority.

### **Discussion:**

The Source Protection Plan was implemented in 2015, and as part of the plan, municipalities are required to periodically update their planning documents to integrate the policies of the Source Protection Plan. The proposed City of Windsor Official Plan amendments include the following:

- A new map (Schedule K: Source Water Protection Areas) in the Official Plan as required under the SPP. Mapping includes vulnerable areas identified as "Intake Protection Zones" (IPZs), "Highly Vulnerable Aquifers" (HVAs) and "Significant Groundwater Recharge Areas" (SGRAs),
- Amendments to Chapter 5 - Environment in Volume I of the City of Windsor Official Plan to reference the Source Water Protection Policies,
- Updating definitions in the Official Plan to align with the Source Water Protection Policies

The proposed changes to the Official Plan aim to enhance education and outreach regarding the requirements of the applicable Source Protection Plan while supporting its ongoing implementation and compliance with the Clean Water Act. These changes will not impose new requirements on development, as the existing Source Protection Plan provisions have already been in effect and applied during the review of development applications throughout the City of Windsor. The attached Official Plan amendment is primarily a technical update to ensure conformity with the Source Protection Plan's mandate for periodic policy updates. Additionally, it seeks to improve overall awareness of Source Protection Plan requirements that may apply to development within the city.

The proposed source protection policies, as included in the Amendment are consistent with current Provincial legislation, plans, policies, and guidelines, and improve the overall intent, clarity and implementation of the policies and ensure they continue to reflect local planning goals and objectives.



## **Provincial Planning Statement 2024 (PPS 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. The following policies outline those related to the policies promoting efficient resource management.

### **Chapter 4: Wise Use and Management of Resources**

#### **4.2 Water**

*1. Planning authorities shall protect, improve or restore the quality and quantity of water by:*

- a) using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;*
- b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;*
- c) identifying water resource systems;*
- d) maintaining linkages and functions of water resource systems;*
- e) implementing necessary restrictions on development and site alteration to:
  - 1. protect all municipal drinking water supplies and designated vulnerable areas; and*
  - 2. protect, improve or restore vulnerable surface and ground water, and their hydrologic functions;**
- f) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality; and*
- g) ensuring consideration of environmental lake capacity, where applicable.*

*2. Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored, which may require mitigative measures and/or alternative development approaches.*

*3. Municipalities are encouraged to undertake, and large and fast-growing municipalities shall undertake watershed planning to inform planning for sewage and water services and stormwater management, including low impact development, and the protection, improvement or restoration of the quality and quantity of water.*

*4. Despite policy 4.2.3, where planning is conducted by an upper-tier municipality that includes one or more lower-tier large and fast-growing municipalities, the upper-tier municipality shall undertake watershed planning in partnership with lower-tier municipalities, including lower-tier large and fast-growing municipalities.*

5. All municipalities undertaking watershed planning are encouraged to collaborate with applicable conservation authorities.

## **Chapter 6: Implementation and Interpretation**

### **6.2 Coordination**

1. A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies, boards, and Service Managers including:
  - a) managing and/or promoting growth and development that is integrated with planning for infrastructure and public service facilities, including schools and associated child care facilities;
  - b) economic development strategies;
  - c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
  - d) infrastructure, multimodal transportation systems, public service facilities and waste management systems;
  - e) ecosystem, shoreline, watershed, and Great Lakes related issues;
  - f) natural and human-made hazards;

#### **Risk Analysis:**

N/A

#### **Climate Change Risks**

#### **Climate Change Mitigation:**

In general, the policies provide further education and outreach of source water protection. Source water protection is provincially mandated to promote safe drinking water for current and future generations.

#### **Climate Change Adaptation:**

The amendments incorporate source water protection policies and mapping of vulnerable areas. This will increase efficiency and resiliency for future developments within the City of Windsor.

#### **Financial Matters:**

There is no cost associated with the update to the Official Plan Policies.

#### **Consultations:**

Planning staff have consulted with Public Works staff, including the Coordinator of the Source Protection Program, regarding the proposed changes included in the amendment.

In addition, the preparation of the Source Protection Plans incorporated extensive community engagement in the development of the specific requirements for each of the Essex Regions Source Protection Plan. The proposed Official Plan amendments reflect and support the implementation of the requirements of the approved Source Protection Plan.

The required statutory public notice was posted in the Windsor Star in advance of the December 2, 2024 meeting of the Development & Heritage Standing Committee. A copy of the Official Plan Amendment is also available to the public on the City's website in advance of the Committee meeting.

**Conclusion:**

If approved, the Official Plan Amendment attached to this report is based on the requirements of the respective Source Protection Plan. Municipalities are required to periodically update their Official Plans to align with approved Source Protection Plans. The incorporation of these policies into the Official Plan is primarily a technical exercise necessary to fulfill specific requirements of the Source Protection Plan and does not introduce any new development requirements beyond those already established by the plan.

These policy updates conform to, or do not conflict with, any applicable provincial plans; continue to address matters of provincial interest; and align with the Provincial Planning Statement, 2024.

**Planning Act Matters:**

I concur with the above comments and opinion of the Registered Professional Planner.

*Greg Atkinson, MCIP, RPP  
Deputy City Planner, 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
Greg Atkinson	Deputy City Planner, Development
Jason Campigotto	Deputy City Planner, Growth
Neil Robertson	City Planner
Neil Robertson acting for Jelena Payne	Commissioner, Economic Development & Innovation

Aaron Farough	Senior Legal Counsel
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**Notifications:**

Name	Address	Email

**Appendices:**

Appendix 1: Official Plan Amendment OPA 190

Appendix 2: Schedule K: Source Water Protection Areas Map

Appendix 3: Comparison Table of Proposed and Current Official Policies

Appendix 4: Source Protection and Municipal Planning

Appendix 5: RMO Written Direction

Appendix 6: Liaison Comments



BY-LAW NUMBER \_\_\_\_-2024

A BY-LAW TO ADOPT AMENDMENT NO. 190  
TO THE OFFICIAL PLAN OF THE CITY  
OF WINDSOR

Passed the X<sup>th</sup> day of \_\_, 2024.

**WHEREAS** pursuant to the provisions of Section 17(1) of the *Planning Act*, R.S.O. 1990, c. P.13 as amended, the Minister of Municipal Affairs and Housing (Minister) is the approval authority in respect of the approval of a plan as an official plan.

**AND WHEREAS** Section 17(9) of the said *Planning Act* provides that the Minister may by order exempt a proposed official plan amendment from his approval under Section 17(1) of the said Act.

**AND WHEREAS** pursuant to the provisions of Ontario Regulation 525/97 all amendments to the official plan of the City of Windsor commenced after January 19, 1998 are exempt from the approval of the said Minister.

**THEREFORE** the Council of the Corporation of the City of Windsor in accordance with the provisions of the said *Planning Act* hereby enacts as follows:

1. That Amendment No. 190 to the Official Plan of the City of Windsor, attached hereto, is hereby adopted.

DREW DILKENS, MAYOR

CITY CLERK

First Reading - XX, 2024  
Second Reading- XX, 2024  
Third Reading- XX, 2024

AMENDMENT NO. 190  
TO THE  
CITY OF WINDSOR OFFICIAL PLAN

Part E (Details of the Amendment) of the following text constitute Amendment No. 190.

Also included, but not constituting part of the Amendment, are explanations of purpose, location, background, legislative and policy basis, public involvement, and implementation.

## **A. PURPOSE**

The purpose of this amendment is to update the policies in the City of Windsor Official Plan specific to the implementation of the Essex Region Source Protection Plan and the Ontario *Clean Water Act, 2006*. The proposed amendments introduce a new *Schedule K – Source Water Protection Areas* and corresponding policies in Chapter 5 of the Official Plan. This amendment brings the Official Plan into conformity with Section 16(3) of the *Planning Act* and Part III s.39 of the *Clean Water Act*.

## **B. LOCATION**

This amendment applies to the City of Windsor Source Water Protection areas as identified in the Essex Region Source Protection Plan and shown on Schedule “K” attached hereto.

## **C. BACKGROUND**

The Province of Ontario introduced the *Clean Water Act* in 2006 with the mandate to create Source Protection Plans with the goal of providing a framework and policies to reduce the risk posed by water quality and quantity threats to sources of drinking water.

The Essex Region Source Protection Plan (SPP) was implemented in 2015 and as part of the plan, municipalities are required to periodically update their planning documents to be consistent with the policies of the Source Protection Plan (SPP).

The proposed Official Plan policies have been prepared in conformity with the Essex Region Source Protection Plan and will continue to implement the Source Protection Plan policies and ensure that planning decisions are in conformity with the policies that address significant drinking water threats as per Part III s.39(1) of the *Clean Water Act*.

## **D. LEGISLATIVE CONTEXT AND POLICY BASIS FOR THE AMENDMENT**

The proposed Official Plan amendments are consistent with the Provincial Planning Statement, and City of Windsor Official Plan. Further details relating to the development of these lands will be reviewed through future development planning processes, including zoning by-law amendments and Site Plan Control.

## **Provincial Planning Statement 2024**

The Provincial Planning Statement (PPS2024) provides policy direction on matters of provincial interest related to land use planning and development. 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*.

The PPS2024 places several obligations on municipalities related to source water protection features. Relevant excerpts from the PPS are provided below:

### **Chapter 4: Wise Use and Management of Resources**

#### **4.2 Water**

*1. Planning authorities shall protect, improve or restore the quality and quantity of water by:*

*a) using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;*

*b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;*

*c) identifying water resource systems;*

*d) maintaining linkages and functions of water resource systems;*

*e) implementing necessary restrictions on development and site alteration to:*

*1. protect all municipal drinking water supplies and designated vulnerable areas; and*

*2. protect, improve or restore vulnerable surface and ground water, and their hydrologic functions;*

*f) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality; and*

*g) ensuring consideration of environmental lake capacity, where applicable.*

*2. Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored, which may require mitigative measures and/or alternative development approaches.*



*3. Municipalities are encouraged to undertake, and large and fast-growing municipalities shall undertake watershed planning to inform planning for sewage and water services and stormwater management, including low impact development, and the protection, improvement or restoration of the quality and quantity of water.*

*4. Despite policy 4.2.3, where planning is conducted by an upper-tier municipality that includes one or more lower-tier large and fast-growing municipalities, the upper-tier municipality shall undertake watershed planning in partnership with lower-tier municipalities, including lower-tier large and fast-growing municipalities.*

*5. All municipalities undertaking watershed planning are encouraged to collaborate with applicable conservation authorities.*

## **Chapter 6: Implementation and Interpretation**

### **6.2 Coordination**

*1. A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies, boards, and Service Managers including:*

*a) managing and/or promoting growth and development that is integrated with planning for infrastructure and public service facilities, including schools and associated child care facilities;*

*b) economic development strategies;*

*c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;*

*d) infrastructure, multimodal transportation systems, public service facilities and waste management systems;*

*e) ecosystem, shoreline, watershed, and Great Lakes related issues;*

*f) natural and human-made hazards;*

## City of Windsor Official Plan (OP)

Chapter 5 (Environmental Management) currently includes policies regarding water quality and watershed planning.

### Growth Concept, S 3.2.3.4, OP Vol 1:

#### **HEALTHY ECOSYSTEM**

*Windsor will achieve greater harmony between human activities and natural systems. Attention will be given to establishing a flourishing natural environment, with clean air, land and water.*

#### **Environment, s. 5.0 of OP Vol. 1: Preamble**

*A healthy and sustainable environment represents a balance between human activities and natural features 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.*

#### **Environment, s. 5.3 of OP Vol. 1: Environmental Quality**

#### **WATER QUALITY**

*5.3.1.9 To improve the water quality of watercourses within Windsor.*

#### **WATERSHED PLANNING**

*5.3.1.10 To integrate water related resource management strategies and land use planning processes through watershed planning.*

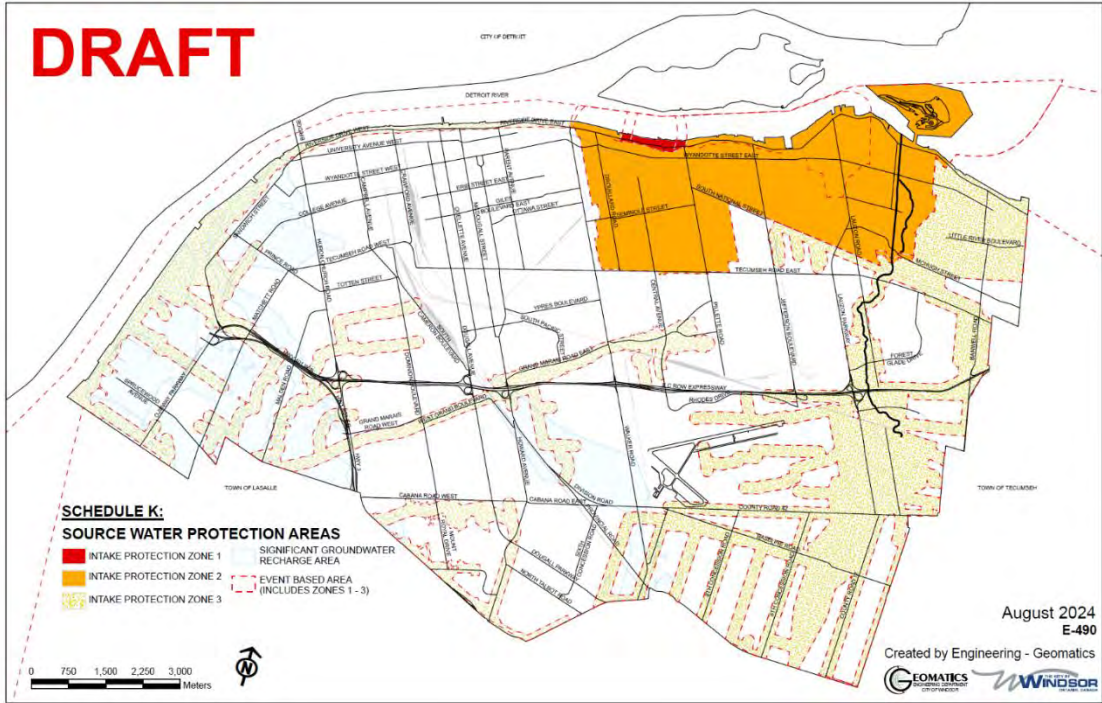
## **E. THE AMENDMENT**

### **Summary of the Amendment**

The proposed amendment will introduce Schedule K: Source Water Protection Areas and the corresponding definitions and policies regarding Source Water Protection in Chapters 2 and 5 in Volume 1: The Primary Plan.

### **Details of Official Plan Amendment**

1. That Volume I, **Schedule K: Source Water Protection Areas** as shown on the attached map **BE ADDED**.



2. That Volume I: of the Official Plan, be **AMENDED** as follows:

Chapter 5

5.0

A healthy and sustainable environment represents a balance between human activities and natural features 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.

This chapter of the Official Plan provides goals, objectives and policies for the environmental designations identified on Schedule B: Greenway System; Schedule K: Source Water Protection Areas, and Schedule C: Development Constraint Areas and should be read in conjunction with the other parts of this Plan.

Source Water Protection

5.3.9

Source water protection policies have been adopted under the Essex Region Source Protection Plan (2015; as amended); which implements the Clean Water Act, 2006 directive to ensure that source drinking water is protected for existing and future sources of municipal drinking water.

Source Water Protection Areas are identified by the approved Essex Region Source Protection Plan and mapped on Schedule K: Source Water Protection Areas of this plan.

Source Water Protection Areas consist of vulnerable areas identified as 'Intake Protection Zones (IPZs), Highly Vulnerable Aquifers (HVAs) and Significant Groundwater Recharge Areas (SGRAs). The City of Windsor has no HVAs.

These areas are significant in that they contribute, or are in close proximity to municipal drinking water intakes which are vulnerable to contamination and incompatible land uses.

All municipal decisions under the Planning Act or Condominium Act within identified source water protection areas must conform to the applicable policies in an approved Source Protection Plan.

Objectives

5.3.9.1

To protect the quality and supply of existing and future drinking water sources.

The City will implement Source Protection Plans under the provisions of the Clean Water Act, and this Plan will be amended, as required, to conform with relevant policies set out in the Source Protection Plan.

General Policies

5.3.9.2

Within areas identified in an approved Source Protection Plan any use or activity that is, or would be, a significant drinking water threat may be managed or otherwise restricted by Source Protection Plan Policies.



Intake Protection Zones (IPZs) and Events Based Areas	5.3.9.3	<p>Intake Protection Zones are areas of land and water, where run-off from streams or drainage systems, in conjunction with currents in lakes and rivers, could directly impact on the source water at the municipal drinking water intakes.</p> <p>Intake Protection Zones include Event Based Areas (EBA) where modeling has demonstrated that a spill from a specific activity can or could cause deterioration to the raw water quality at the drinking water system.</p>
Groundwater	5.3.9.4	<p>The City of Windsor recognizes a relationship between groundwater in terms of recharge and discharge functions. Groundwater and surface water is not confined to municipal boundaries. As such, the City will collaborate with local municipalities, and the relevant Source Protection Authorities as required to ensure the effective management of water resources.</p>
Source Water Protection Authority	5.3.9.5	<p>The City of Windsor shall collaborate with the Source Protection Authority in the monitoring and implementation of the Source Protection Plan.</p> <p>Where required by policies in an approved Source Protection Plan, all applicable development applications or proposed land use changes within an Intake Protection Zone area shall be screened in keeping with the Source water protection plan policies and/or the Written Direction when provided by the Risk Management Official to satisfy the Source water protection plan policies.</p>
Source Water Impact Assessments	5.3.9.6	<p>The City of Windsor may require additional assessments and/or risk management plans to be prepared by a qualified professional as part of any development or site alteration application that is, or would be, a significant drinking water threat to identify, assess and mitigate any potential impacts within the Source Water Protection Areas.</p>

Glossary

2.0

Intake Protection Zone – An area delineated in the Essex Region Source Protection Plan established around a surface water intake of drinking water as prescribed in the Technical Rules: *Clean Water Act, 2006*.

Risk Management Plan - A plan for reducing a risk, prepared in accordance with the regulations and the rules under S58/59 of the *Clean Water Act, 2006*.

Significant drinking water threat or significant threat  
A prescribed activity under the *Clean Water Act, 2006* that, under specified circumstances, adversely affects, or has the potential to adversely affect, the quality and quantity of any water that is or may be used as a source of municipal drinking water.

Source Protection Plan - Means a drinking water source protection plan prepared under the *Clean Water Act, 2006*.

Source Water- Water in its natural or raw state, prior to being drawn into a municipal drinking water system.

## **F. PUBLIC INVOLVMENT**

Planning staff have consulted with the Coordinator of the Source Protection Plan Program and Public Works staff, regarding the proposed changes included in the amendment. In addition, the preparation of the Source Protection Plans incorporated an extensive process that included broad public consultation.

Public Notice: The statutory notice required under the Planning Act was provided in the Windsor Star prior to the Development & Heritage Standing Committee Meeting (DHSC) meeting.

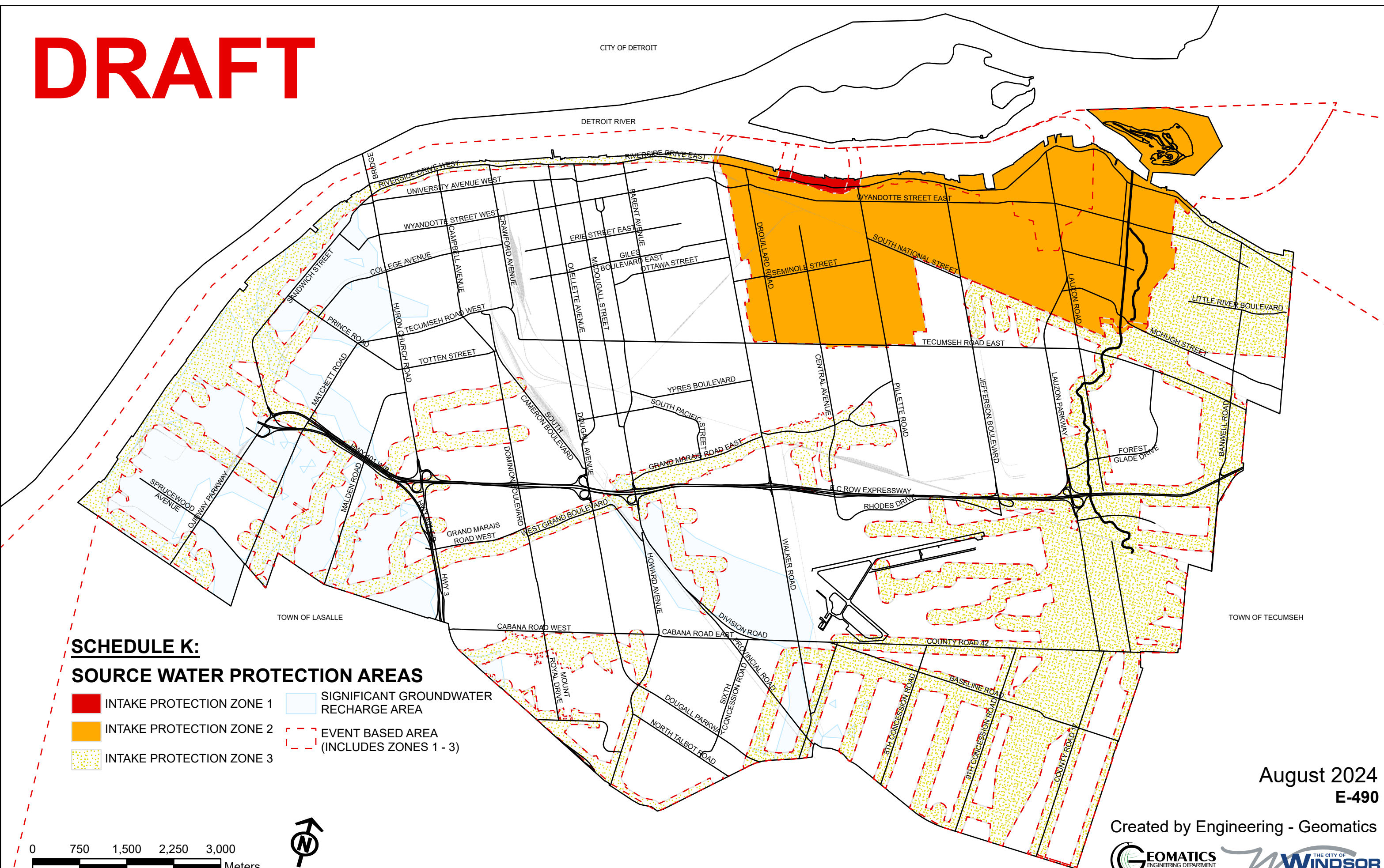
## **G. IMPLEMENTATION:**

The Amendment should be read and implemented in conjunction with the overall policies contained with the Official Plan.

# DRAFT

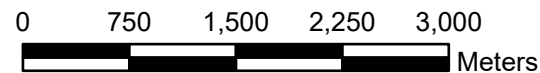
CITY OF DETROIT

DETROIT RIVER



**SCHEDULE K:  
SOURCE WATER PROTECTION AREAS**

- INTAKE PROTECTION ZONE 1
- INTAKE PROTECTION ZONE 2
- INTAKE PROTECTION ZONE 3
- SIGNIFICANT GROUNDWATER RECHARGE AREA
- EVENT BASED AREA (INCLUDES ZONES 1 - 3)



August 2024  
E-490

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**APPENDIX 3: City of Windsor Official Plan – OPA 190 Comparison of Proposed and Current Policy Changes**

Official Plan Section/Schedule	Current Policy	Amendment to Policy (Deletions in strikethroughs, additions in <b>bold</b> )
<p>Chapter 5- Environment</p> <p>5.0 Preamble</p>	<p>5.0 Preamble</p> <p>A healthy and sustainable environment represents a balance between human activities and natural features 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>This chapter of the Official Plan provides goals, objectives and policies for the environmental designations identified on Schedule B: Greenway System; and Schedule C: Development Constraint Areas and should be read in conjunction with the other parts of this Plan.</p>	<p>5.0 Preamble</p> <p>A healthy and sustainable environment represents a balance between human activities and natural features 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>This chapter of the Official Plan provides goals, objectives and policies for the environmental designations identified on Schedule B: Greenway System; <b>Schedule K: Source Water Protection Areas</b>, and Schedule C: Development Constraint Areas and should be read in conjunction with the other parts of this Plan.</p>
<p><b>Chapter 5 Environmental (ADD Section 5.39)</b></p> <p><b>5.3.9 Source Water Protection</b></p>	<p>N/A</p>	<p><b>Source water protection policies have been adopted under the Essex Region Source Protection Plan (2015; as amended); which implements the <i>Clean Water Act, 2006</i> directive to ensure that source drinking water is protected for existing and future sources of municipal drinking water.</b></p> <p><b>Source Water Protection Areas are identified by the approved Essex Region Source Protection Plan and</b></p>



Official Plan Section/Schedule	Current Policy	Amendment to Policy (Deletions in strikethroughs, additions in <b>bold</b> )
		<p>mapped on <b><u>Schedule K: Source Water Protection Areas</u></b> of this plan.</p> <p>Source Water Protection Areas consist of vulnerable areas identified as ‘Intake Protection Zones (IPZs), Highly Vulnerable Aquifers (HVAs) and Significant Groundwater Recharge Areas (SGRAs). The City of Windsor has no HVAs.</p> <p>These areas are significant in that they contribute, or are in close proximity to municipal drinking water intakes which are vulnerable to contamination and incompatible land uses.</p> <p>All municipal decisions under the <i>Planning Act</i> or <i>Condominium Act</i> within identified source water protection areas must conform to the applicable policies in an approved Source Protection Plan.</p>
5.3.9.1 Objectives	N/A	<p>To protect the quality and supply of existing and future drinking water sources.</p> <p>The City will implement Source Protection Plans under the provisions of the <i>Clean Water Act</i>, and this Plan will be amended, as required, to conform with relevant policies set out in the Source Protection Plan.</p>

Official Plan Section/Schedule	Current Policy	Amendment to Policy (Deletions in strikethroughs, additions in <b>bold</b> )
5.3.9.2 General Policies	N/A	<p><b>Within areas identified in an approved Source Protection Plan any use or activity that is, or would be, a significant drinking water threat may be managed or otherwise restricted by Source Protection Plan Policies.</b></p>
5.3.9.3 Intake Protection Zones (IPZs) and Events Based Areas	N/A	<p><b>Intake Protection Zones are areas of land and water, where run-off from streams or drainage systems, in conjunction with currents in lakes and rivers, could directly impact on the source water at the municipal drinking water intakes.</b></p> <p><b>Intake Protection Zones include Event Based Areas (EBA) where modeling has demonstrated that a spill from a specific activity can or could cause deterioration to the raw water quality at the drinking water system.</b></p>
5.3.9.4 Groundwater	N/A	<p><b>The City of Windsor recognizes a relationship between groundwater in terms of recharge and discharge functions. Groundwater and surface water is not confined to municipal boundaries. As such, the City will collaborate with local municipalities, and the relevant Source Protection Authorities as required to ensure the effective management of water resources.</b></p>

Official Plan Section/Schedule	Current Policy	Amendment to Policy (Deletions in strikethroughs, additions in <b>bold</b> )
5.3.9.5 Source Water Protection Authority	N/A	<p>The City of Windsor shall collaborate with the Source Protection Authority in the monitoring and implementation of the Source Protection Plan.</p> <p>Where required by policies in an approved Source Protection Plan, all applicable development applications or proposed land use changes within an Intake Protection Zone area shall be screened in keeping with the Source water protection plan policies and/or the Written Direction when provided by the Risk Management Official to satisfy the Source water protection plan policies.</p>
5.3.9.6 Source Water Impact Assessments	N/A	<p>The City of Windsor may require additional assessments and/or risk management plans to be prepared by a qualified professional as part of any development or site alteration application that is, or would be, a significant drinking water threat to identify, assess and mitigate any potential impacts within the Source Water Protection Areas.</p>
Chapter 2 Glossary Definitions	N/A	<p><b><u>Intake Protection Zone</u></b> – An area delineated in the Essex Region Source Protection Plan established around a surface water intake of drinking water as prescribed in the Technical Rules: <i>Clean Water Act, 2006</i>.</p> <p><b><u>Risk Management Plan</u></b> - A plan for reducing a risk, prepared in accordance with the regulations and the rules under S58/59 of the <i>Clean Water Act, 2006</i>.</p>

Official Plan Section/Schedule	Current Policy	Amendment to Policy (Deletions in strikethroughs, additions in <b>bold</b> )
		<p><b><u>Significant drinking water threat or significant threat</u></b>  <b>A prescribed activity under the <i>Clean Water Act, 2006</i> that, under specified circumstances, adversely affects, or has the potential to adversely affect, the quality and quantity of any water that is or may be used as a source of municipal drinking water.</b></p> <p><b><u>Source Protection Plan</u></b> - Means a drinking water source protection plan prepared under the <i>Clean Water Act ,2006</i>.</p> <p><b><u>Source Water</u></b>- Water in its natural or raw state, prior to being drawn into a municipal drinking water system.</p>
Chapter 1 – Schedules	N/A	ADD reference to Schedule K: Source Water Protection Areas



# Integrating Source Protection into Municipal Planning Documents

Ministry of the Environment and Climate Change, April 2016

(updated July 13, 2016)

Note: This document is intended for source protection staff at conservation authorities who are familiar with the Clean Water Act and source protection.

## 1. Purpose

The purpose of this document is to summarize the recommended content for municipal planning documents to be consistent with the [2014 Provincial Policy Statement](#), as well as requirements for these planning documents to achieve conformity with source protection plans.

## 2. Legislative Authority for Protecting Drinking Water Sources through Land Use Planning

In his [2002 report on the Walkerton Inquiry](#), Justice Dennis O'Connor stated that municipal official plans and decisions on planning matters are key to the success of watershed-based source protection plans. In anticipation of the *Clean Water Act*, a policy addressing the protection of drinking water sources was added to the water section of the [2005 Provincial Policy Statement](#). This policy enabled planning authorities to use the information from approved assessment reports, including the identification of designated vulnerable areas, to protect municipal sources of drinking water through their decisions on planning matters. This policy was maintained in the 2014 Provincial Policy Statement. In 2006, the *Clean Water Act* enabled source protection plans to affect decisions on planning matters.

The *Planning Act* and the Provincial Policy Statement apply across the province, while source protection plan policies apply to specific geographic locations where vulnerable areas have been delineated for the protection of municipal residential drinking water sources. Figure 1 illustrates how source protection plans fit into Ontario's land use planning system.

The Provincial Policy Statement (PPS, 2014) included additional direction around protecting water resources. The PPS, 2014 plays a key role in Ontario's planning system by providing the policy foundation for regulating the

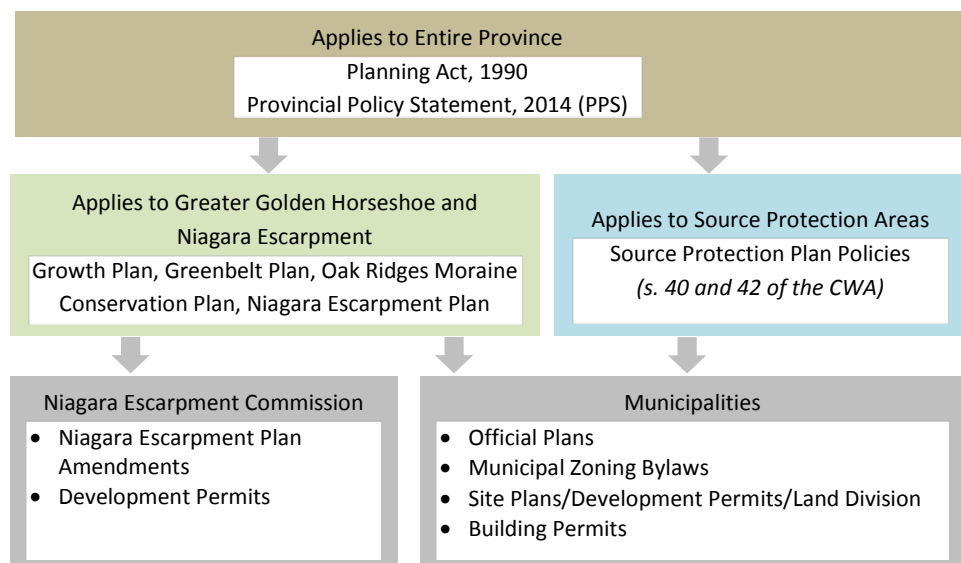


Figure 1 Relationship of Source Protection Plans to Ontario's Land Use Planning System

development and use of land. Regardless of whether they have any obligations to conform with or have regard to source protection plan policies, planning authorities should consider the type and location of their drinking water supplies and vulnerable areas as they plan their communities and allocate growth, including decisions for water and wastewater services. To ensure that decisions on planning matters meet the requirements of the *Planning Act* they must be consistent with the PPS, 2014 (see section 4.1 “Consistency with 2.2.1. (e) of the Provincial Policy Statement, 2014” below.)

To ensure that decisions on planning matters meet the requirements of the *Clean Water Act*, they must conform with significant threat policies and have regard to moderate and low threat policies that apply to *Planning Act* decisions on the day the source protection plan takes effect (see section 4.2.

“Conformity with Source Protection Plans - Policies on Lists A and B in the Appendix of the Source Protection Plan” below.)

### **3. The *Clean Water Act* and Source Protection**

#### ***3.1. Designated Vulnerable Areas for the Protection of Drinking Water***

The Director’s Technical Rules define four types of *designated vulnerable areas* for the protection of drinking water sources:

1. Wellhead protection areas (WHPAs)

These are areas near a municipal groundwater well which are either a set distance or delineated based on the time it would take for water entering the ground to get to the well and indicate their sensitivity to contamination or depletion (see Figure 2). These are areas where threats to drinking water could be significant, moderate or low.

2. Surface water intake protection zones (IPZs)

These are areas close to a municipal surface water intake (lake or river) which are either set distances, delineated based on the time it would take to respond to a spill, or based on the catchment area of the intake (see Figure 3). These are areas where threats to drinking water could be significant, moderate or low

3. Significant groundwater recharge areas (SGRAs)

These are areas which are known to replenish an aquifer, such as sand and gravel deposits. These areas may be considered in decisions on planning matters to protect sensitive groundwater features and hydrologic functions such as recharge.

4. Highly vulnerable aquifers (HVAs)

These are areas which make an aquifer susceptible to contamination such as fractured bedrock or sand and gravel deposits. Drinking water threats in these areas could be moderate and low. These areas may also be considered in decisions on planning matters to protect sensitive groundwater features and sources of drinking water other than those included in source protection plans.

The four vulnerable areas described above are included on schedules to the source protection plan and can be obtained as mapping files from local conservation authorities. All source protection plans are available to be viewed by the public through links on the Conservation Ontario website at:

<http://www.conservation-ontario.on.ca/uncategorised/143-otherswpreionsindex>

In some areas, WHPAs and IPZs may also have an associated issue contributing area (ICA). An ICA is delineated when there have been documented water quality problems at an intake or well, for example levels of contaminants (e.g. nitrates) that are above provincial standards or objectives. In the ICA portion of a WHPA or IPZ, activities that contribute to the issue (e.g. nitrates) are considered a significant threat, and policies in the source protection plan that address these significant threats would apply.

### 3.2. Drinking Water Threats

The *Clean Water Act* defines 21 activities as drinking water threats. Drinking water threats are listed in section 1.1 (1) of O. Reg. 287/07 and can be grouped into two main categories:

1. Activities that can impair water quality by introducing chemicals or pathogens that could contaminate sources of drinking water; and
2. Activities that can impair water quantity and/or deplete water supplies.

Source protection plans address these threat activities where they pose a risk to the quality or quantity of drinking water sources. Most threats also include threat sub-categories, with specific circumstances that set out when activities pose a risk to drinking water. These categories and circumstances are listed in the provincial [Tables of Drinking Water Threats](#). The Tables of Drinking Water Threats are highly technical documents, and planning staff should request assistance from source protection authority staff, risk management officials, or other staff with appropriate training if it is necessary to determine whether a drinking water threat may be occurring.

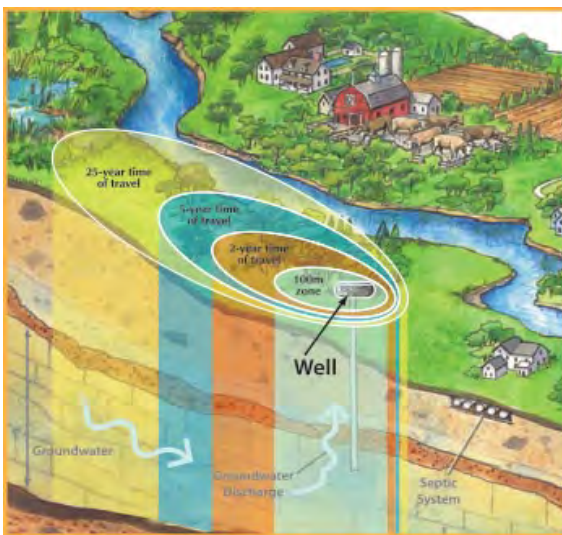


Figure 1 Wellhead Protection Area (WHPA)

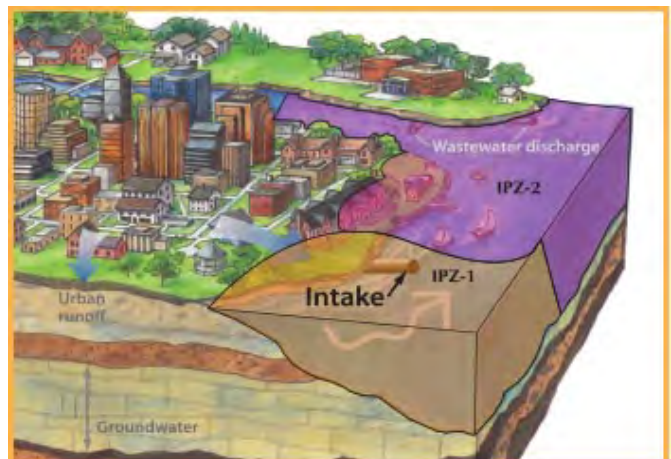


Figure 3 Surface Water Intake Protection Zone (IPZ)

In addition to the 21 threats listed in the regulation, the *Clean Water Act* allows source protection committees to submit a request for Ministry of the Environment and Climate Change (MOECC) approval to identify a threat activity that could occur locally. For example, Sudbury and North Bay-Mattawa Source Protection Committees have had a local threat approved, defined as “the transportation of hazardous materials (specifically sulphuric acid, septage, and fuel),” and have included policies in their source protection plans to address this threat. When the source protection committee receives approval for a local threat, the plan must then address the threat in areas where the threat could be significant.

### ***3.3. Part IV of the Clean Water Act***

The *Clean Water Act* recognizes that existing legislation, such as the *Planning Act*, may help address threats to drinking water through land use controls. The *Clean Water Act* also recognizes that these legislative authorities may not address all types or occurrences of threats. For example, the *Planning Act* addresses future development, and generally does not regulate existing development. In addition, land use planning in Ontario can only address land uses, buildings and structures, and not activities that may occur within the uses, buildings or structures. Therefore, Part IV of the *Clean Water Act* was intended to address activities that could not be addressed by existing legislation.

The authority given by Part IV of the *Clean Water Act* is powerful; it provides the ability to prohibit existing and future activities (section 57), and the ability to manage activities on a site-by-site basis using a formal risk management plan (section 58). Risk management plans address specific activities that are designated for the purposes of section 58 by a policy in a source protection plan. This means that in order to engage in the specific activity in an area where it would be a significant threat, a risk management plan is required.

Part IV authorities can only be used in areas of a WHPA or IPZ where drinking water threats have been identified as significant, and when designated by the source protection plan policies. These authorities are administered by a risk management official and risk management inspectors, who receive training by the Province to enforce prohibitions and risk management plans. The enforcement body for the purpose of Part IV is the municipality that has the authority under section 11 of the *Municipal Act* to pass by-laws respecting water production, treatment and storage (essentially those municipalities that own or operate water treatment plants). To centralize the Part IV enforcement authority and share resources, many municipalities have chosen to delegate their enforcement authority to another municipality or the source protection authority (which is most often a conservation authority). The public body that is responsible for administering Part IV (i.e. a municipality or a conservation authority) is then required to appoint a risk management official and risk management inspectors.

Prohibition and risk management plans are tools authorized by the *Clean Water Act* and enabled by a source protection plan. These tools do not require official plan or zoning amendments, or other municipal by-laws to take effect. In addition, municipal planning documents do not have the authority to set out provisions for the enforcement of Part IV, including the contents of risk management plans.



### **3.3.1. Part IV section 59 Notice to Proceed**

Section 59 of the *Clean Water Act* provides for a process for reviewing development and building permit applications for potential significant drinking water threats that are prohibited (section 57) or require a risk management plan (section 58). Generally, a policy in the source protection plan designates land uses where development or building permit applications must be reviewed by the risk management official, as per section 59. This process is intended to be used as a tool to ensure that development and building proposals are scrutinized by the risk management official, who is knowledgeable about drinking water threats and the source protection plan policies, to determine whether the proposal will include activities that are prohibited or require risk management plans. Once the risk management official has reviewed the proposal, they will provide a notice to the proponent. The notice will state that either (a) neither section 57 nor section 58 applies to the development proposal or (b) if section 58 applies to the development proposal, a risk management plan has been agreed to or established for the significant threat activity that requires a risk management plan; for example the storage of fuel.

If the section 59 policy is included in List A of the source protection plan, then the official plan must identify the areas where development or building permit applications must be submitted with the section 59 notice, either in text or on a schedule (see Appendix A). If the policy is not included in List A of the source protection plan, municipalities may still choose to identify requirements for development applications in an official plan to provide clarity for proponents.

The section 59 notice from the risk management official is part of the applicable law provisions in the Building Code and municipalities are encouraged to include the notice as part of the complete application requirements in their official plan (see Appendix A).

### **3.4. Conflict Provisions**

If a conflict arises between a significant threat policy in a source protection plan that applies to *Planning Act* decisions (List A) and a provision of an official plan or zoning by-law, the provision that provides the greatest protection to the quality and quantity of the source of drinking water prevails. There may be potential for this to occur if a municipality's official plan and zoning by-laws have not yet been brought into conformity with the source protection plan. If a conflict arises between the PPS and a policy in a source protection plan that applies to *Planning Act* decisions (List A), the provision that provides the greatest protection to the drinking water source prevails. Similarly, if a conflict arises between a provision of a provincial plan such as the Growth Plan for the Greater Golden Horseshoe or the Greenbelt Plan and a significant threat *Planning Act* policy in a source protection plan (List A), whichever provides the greatest protection to the source of drinking water prevails.

## **4. Municipal Planning Documents**

With the approval of assessment reports and source protection plans under the *Clean Water Act*, municipalities may need to amend planning documents to be consistent with the PPS, 2014, and conform with, or have regard to, source protection plan policies. When a municipality amends its official plan to conform with the local source protection plan policies, they may choose to do so either as an issue-specific amendment under section 17 of the *Planning Act*, or wait until the mandatory

comprehensive five-year review of their official plan under section 26 of the Planning Act. Most source protection plans have set out a conformity deadline of 5 years, or “at the time of the comprehensive review”. Regardless of when the official plan is amended, decisions on planning matters must conform with, or have regard to, source protection plan policies; and should be consistent with the PPS, 2014.

#### 4.1. Consistency with 2.2.1. (e) of the 2014 Provincial Policy Statement

Policy 2.2.1 (e) (1) of the PPS, 2014 states that planning authorities shall protect, improve or restore the quality and quantity of water by: implementing necessary restrictions on development and site alteration to protect all municipal drinking water supplies and designated vulnerable areas.

2.2.1 Planning authorities shall protect, improve or restore the *quality and quantity of water* by:  
e) implementing necessary restrictions on *development and site alteration* to:  
1. protect all municipal drinking water supplies and *designated vulnerable areas*;  
2. protect, improve or restore *vulnerable surface and ground water, sensitive surface water features and sensitive ground water features*, and their *hydrologic functions*.

The term “designated vulnerable areas” in the PPS, 2014 is defined as areas “vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source.” The four types of vulnerable areas in source protection plans are delineated in accordance with provincial standards (the Director’s Technical Rules) under section 107 of the *Clean Water Act*, 2006.

In addition to the delineation of vulnerable areas, the technical work done for source protection plans also generated information that municipalities can use to achieve the objectives of the PPS, 2014 including watershed characterizations and water budgets. Planning authorities should consider the location of HVAs to protect aquifers from contamination (quality) and SGRAs to protect aquifers from depletion (quantity), and may choose to require additional information or studies (e.g. planning justification report, environmental impact statement), to ensure that any proposed development or site alteration would not pose a risk to sources of drinking water.

In order to be consistent with policy 2.2.1(e) 1 of the PPS, 2014, MOECC/SPPB recommends that ALL *designated vulnerable areas* (WHPAs, IPZs, SGRAs, and HVAs) be included in the official plan both in text and on maps or schedules to the official plans (see Appendix A). However, where HVAs or SGRAs cover vast areas of the province, showing the extent of this vulnerable area on a map may not be useful. A simple reference in the text can state that HVAs cover the majority of the municipality and impacts to groundwater quality will be considered in planning decisions.

#### 4.2. Conformity with Source Protection Plans

##### *Policies on Lists A and B in the Appendix of the Source Protection Plan*

Source protection plans identify where threats to sources of drinking water could be significant, moderate, or low. Significant drinking water threats can only occur in certain parts of WHPAs and IPZs, (generally closest to wells or intakes), depending on the vulnerability of the area and whether it is within an ICA (see section 3.1. “Designated Vulnerable Areas for the Protection of Drinking Water” above.) In addition, each source protection plan includes an appendix that lists the policies according to the provisions that give them legal effect under the *Clean Water Act*. Policies on Lists A and B are to be

implemented through decisions on planning matters, including approvals or amendments to official plans and zoning by-laws (see sections 39 (1), 40 and 42 of the *Clean Water Act*). All land use planning decisions must “conform with” policies on List A (significant drinking water threats that affect *Planning Act* decisions) and must “have regard to” policies on List B (low and moderate drinking water threats that affect *Planning Act* decisions). To show where significant drinking water threat policies apply, WHPAs and IPZs must be identified in an official plan, zoning by-law or other planning document.

It is important to note that source protection plan policies are written to conform to the requirements of the *Clean Water Act*, and should not be copied verbatim into municipal planning documents. Decisions on planning matters, including official plan and zoning by-law conformity amendments, must meet the intent and requirements of the *Planning Act* and be written in a manner appropriate for a planning document.

The appendix also lists policies that are implemented through “prescribed instruments,” which are instruments issued under other legislation, as specified in the section 1.01 of O. Reg. 287/07 under the *Clean Water Act*. Examples include Environmental Compliance Approvals under the *Environmental Protection Act* or Permits To Take Water under the *Ontario Water Resources Act* that are implemented by provincial ministries.

### ***Integrating Source Protection Plan Policies into Municipal Official Plans***

Using Lists A and B, a reader can then locate which source protection plan policies they are required to implement. The policy text will provide information about the land uses that are prohibited or require management in vulnerable areas to protect sources of drinking water. To conform with source protection plan policies, a municipality may have to amend their official plan to prohibit or manage certain land uses or types of facilities. For example, they may prohibit uses such as gas stations or marinas, or storage structures for large volumes of fuel or manure. Alternatively, uses and structures may be managed through planning controls, such as requiring hydrogeological studies to determine appropriate lot sizes for development that requires septic systems, or requiring low impact development techniques for the management of stormwater. A municipality may also allow a primary land use to occur, such as agriculture, however buildings ancillary to agriculture, such as barns and other structures for storing materials would have to be located outside the part of the WHPA or IPZ where these would be significant threats. For example, if the threat is significant in WHPA A (i.e.: within 100m of a municipal well), these structures could instead be located where it would be a moderate threat, possibly in WHPA B.

Unlike zoning by-laws, official plans may include policies that require the submission of studies or reports with planning applications to show that certain activities or operations can be carried out in a way that meets applicable planning policies (e.g. hydrogeological studies, section 59 notice, etc.); however, the actual issuance of provincial instruments or section 58 risk management plans that may be required for these activities related to a development application is done outside of the *Planning Act*.

### ***Integrating Source Protection Plan Policies into Municipal Zoning By-Laws***

A zoning by-law controls the use of land, and is used to implement official plan policies by stating exactly what uses are permitted (e.g., commercial, residential), and what standards are required (e.g. building size and location) in each zone. In a zoning by-law, a regulation is a rule or requirement dealing with the use of land and buildings that has the force of law. It is through the zoning by-law that a municipality controls and restricts certain uses, such as development in wetlands or vulnerable areas as identified in a source protection plan. The *Planning Act* provides specific authority for municipal zoning by-laws to prohibit any use of land, buildings or structures on land that is within a vulnerable area as identified in a source protection plan (Paragraph 3.1 (iii) under subsection 34 (1).)

Not every source protection policy in the official plan can or should be integrated into a municipal zoning by-law. A zoning by-law regulation states specifically whether a use, building, or structure is prohibited or permitted, as well as governs matters like the general location, size, layout of lots, buildings and roads, whereas official plan policies are usually broad and outcome- or goal-oriented. Municipalities should review whether each source protection official plan policy is appropriate for inclusion in the zoning by-law.

To implement the source protection policies from the official plan in a zoning by-law, the zoning by-law should have a section that contains all the zoning regulations that apply to designated vulnerable areas (e.g. WHPA or IPZ) for the protection of drinking water sources (for example as part of the general provisions section or as a separate section in the bylaw.) These vulnerable areas should be mapped either on the zoning maps or on a separate zoning schedule. This way, the designated vulnerable area would be subject to the regulations of the underlying zones as well as the regulations specific to the vulnerable areas. See Appendix B for examples of best practices for zoning by-law implementation.

There are no conditions prescribed for subsection 34 (16) under the *Planning Act* to allow for conditional zoning. This means that a zoning by-law cannot include regulations that permit a use, building, or structure subject to certain conditions being fulfilled, like the submission of a study, report, or section 59 notice.

### **4.3. Municipal Planning Process**

The Ministry of Municipal Affairs and Housing (MMAH) is generally the approval authority for all upper tier and single tier official plans, although some exceptions apply. Where the province remains the approval authority, a one window planning service for provincial input, review, approval and appeal of planning applications is in place. When upper and single tier municipalities develop, update, or amend an official plan under the *Planning Act*, these plans are submitted to MMAH for review through One Window Planning Service (OWPS). The one window approach provides a single provincial position that integrates the perspective of several ministries.

Under the OWPS the municipality's document(s) (i.e., official plans/amendments) are circulated to partner ministries for review. The MOECC is part of this partner ministry review team. Through the OWPS, Source Protection Programs Branch (SPPB) reviews municipal planning documents to ensure consistency with section 2.2.1 (e) of the PPS, 2014 and to ensure conformity with relevant source



protection plan policies. Examples of typical SPPB comments provided to municipalities through the OWPS are included in Appendix C.

## 5. Municipal Requests for Advice

MMAH's [Municipal Services Offices](#) are the primary points of contact for municipalities when they need advice on planning matters.

For technical support related to source water protection, SPPB/MOECC planners will provide information to a municipality on:

- *Clean Water Act* and regulations, including:
  - the delineation of vulnerable areas (location and extent) and vulnerable areas scoring
  - the [Director's Technical Rules](#) for the preparation of assessment reports, and associated guidance
  - [Tables of Drinking Water Threats](#) (circumstances under which threats are significant, moderate or low), and associated guidance
- availability of the source protection plan and explanatory document including information on effective date(s), transition provision(s), and legal effect lists

MOECC will work with MMAH to provide any requested advice to the municipality and will attend a meeting where necessary with MMAH and the municipality to discuss any questions about integrating source water protection into their planning documents.

Similarly, if a Project Manager at a Source Protection Authority (SPA) is approached by a municipality for advice on their official plan amendment or official plan review, the Project Manager can provide advice or guidance with respect to interpreting the intent of the source protection plan policies, identifying which policies apply to the municipality and the tools that the municipality must use to implement them, advising on the types of activities and uses that that source protection plan policies may affect, and providing appropriate mapping and definitions for vulnerable areas. Generally, project managers are not trained planners and should *not* provide draft policy wording for inclusion in the official plan or a zoning by-law. Unless they are qualified land use planners, providing specific wording for official plans or zoning by-laws could result in policies that can't be implemented or legal challenges and associated costs to the municipality. Source protection authorities should seek legal advice to assess the risks related to providing draft policy wording for municipal planning documents.

## Appendix A

### Source protection conformity requirements for municipal planning documents

Action	Official Plan Conformity Amendment (s. 17 Planning Act)			Official Plan Comprehensive Review (s. 26 Planning Act)			Zoning By-Law		
	Required	Recommended	Not Applicable	Required	Recommended	Not Applicable	Required	Recommended	Not Applicable
Include List A <i>Planning Act</i> policies	X			X			X		
Include List B <i>Planning Act</i> policies		X		X					X
Mapping:									
• WHPAs & IPZs (where policies apply)	X			X			X		
• HVAs & SGRAs		X		X				X*	
Require additional reports (e.g. hydrogeological studies, environmental impact statements, etc.)	X*	X		X*	X				
Revise complete application requirements to include:		X			X				
• s. 59 notice									
• studies, etc. depending on the policy									
Include other SPP policies			X			X			X

\* Requirements will depend on the policy in the source protection plan.

## Appendix B

### Zoning By-law Implementation Best Practices

The following are some examples of best practices for implementation of source protection policies in zoning by-laws.

Topic	Best Practices
<b>Mapping the Vulnerable Areas on Zoning Schedules</b>	<ul style="list-style-type: none"> <li>• Determine to which types of vulnerable areas the zoning by-law regulations will apply to e.g., which wellhead protection areas and intake protection zones, and will it be limited to certain vulnerability scores. This may require using the maps from the assessment report and source protection plan. WHPAs and IPZs should be shown either on the zoning maps or on a separate by-law map or schedule. Only map those vulnerable areas that will be regulated by the zoning by-law.</li> <li>• The text in the zoning by-law regulations could refer to the vulnerable areas with words such as “The lands shown as WHPA-A on Schedule X, are subject to the following regulations.”</li> <li>• Be mindful of terms; do not identify the area as a WHPA Zone or IPZ Zone. Use terms such as an ‘area’ or ‘district’ but not a zone. Otherwise, the by-law would appear to either be changing or possibly creating a second zoning on the same lands. The existing zoning remains on the lands since it is what sets out the permitted uses and development regulations.</li> <li>• The map base should be clear showing roads and, where possible, property lines so that someone reading it can determine whether their property is located within the vulnerable area.</li> </ul>
<b>Uses to Prohibit in the Zoning By-law</b>	<ul style="list-style-type: none"> <li>• Not every vulnerable area will have significant drinking water threats, and not all source protection plans will have policies that prohibit threats through land use planning.</li> <li>• To determine which uses to prohibit in the zoning by-law, identify the official plan policies that prohibit uses for the protection of drinking water sources, and where the policies apply within a WHPA and/or IPZ.</li> <li>• To determine where significant threat policies apply, refer to the source protection plan policies and maps, and possibly the assessment report to identify the threat activity/use, the applicable vulnerable area and its vulnerability score. It is the combination of these elements that determines where an activity/use is a significant threat and is to be prohibited.</li> <li>• Request mapping support from the source protection authority to ensure the accuracy.</li> </ul>

<p><b>Retroactively prohibiting existing uses that are drinking water threats</b></p>	<p>Zoning regulations cannot be applied retroactively to a use that already legally exists. Section 34(9) of the <i>Planning Act</i> states that a zoning by-law that prohibits a use does not apply to any land, building or structure that was lawfully used for such purpose on the day of the passing of the by-law. Consequently, the adoption of a zoning regulation prohibiting a specific use would not apply to an existing, legally established use that is a significant drinking water threat. In most cases, where the source protection plan seeks to prohibit or manage an existing use that is a significant drinking water threat, the source protection plan has another policy to be implemented outside of the planning framework, for example, designating the use for the purpose of applying Part IV Section 57 or 58 of the CWA. If a source protection plan prohibits an existing use, it sets out a date by which the use must be phased out.</p>
<p><b>Identify the threat activities as uses in the Zoning By-law</b></p>	<p>Translate the source protection plan threat activities into land uses. For example, if the source protection plan prohibits the storage of organic solvents, the zoning by-law should identify the use as a storage facility for organic solvents to ensure the threat can effectively be regulated through zoning. Some drinking water threat activities identified in source protection plan policies cannot be regulated through zoning. For example:</p> <ul style="list-style-type: none"> <li>• Handling of organic solvents – “handling” is not a land use, but facilities for the storage of organic solvents would be a land use.</li> <li>• Application of pesticide to land – the “application” of a chemical is not a land use, the land use would be agriculture or recreational.</li> </ul>
<p><b>Development regulations</b></p>	<p>Beyond the prohibition of uses, municipalities can also include a variety of development regulations and standards in their zoning by-laws to protect vulnerable areas from threats to source water and implement some source protection plan policies.</p> <p>For example:</p> <ul style="list-style-type: none"> <li>• Regulating the amount or percentage of impervious surfaces or landscaping on a site in order to promote ground water infiltration and minimize runoff.</li> <li>• Applying minimum distances or setbacks for uses, buildings or structures from environmentally sensitive features such as municipal wells, rivers and streams, and designated vulnerable areas.</li> <li>• Requiring connection to municipal sewage services for new development and the creation of new lots.</li> <li>• Regulating the size and location of outdoor storage areas.</li> </ul> <p>While these types of development regulations and standards already exist in many municipal zoning by-laws, applying these regulations to protect vulnerable areas may be considered.</p>



<p><b>Role of Zoning in the Part IV policy</b></p>	<p>A source protection plan may include a section 59 policy on List A of their Appendix, therefore municipal planning documents are required to conform to the policy. The zoning by-law would be used to flag to the reader that designated land uses in specified areas are subject to section 59 of the Clean Water Act and that a proponent must contact the risk management official to have the application reviewed by the risk management official before the planning application can proceed.</p> <ul style="list-style-type: none"> <li>• A zoning regulation could state, for example: <i>In WHPA-A, all uses except residential are designated by the source protection plan for the purpose of Section 59 of the Clean Water Act. All applications for development or building permits must be reviewed by the risk management official.</i></li> <li>• Alternatively, the municipality could include the above text as a note in the zoning by-law as a way to advise the reader of the Section 59 policy.</li> </ul> <p>Either way, this serves as a notice to the reader of the need to contact the risk management official.</p>
<p><b>Avoid Zoning regulations that include conditions</b></p>	<p>A zoning regulation should not include conditions that have to be fulfilled prior to the use being permitted (e.g. submission of water budget study, road salt management plan, risk management plan). This would be considered conditional zoning, which has not been authorized by the <i>Planning Act</i>.</p>
<p><b>Avoid a Zoning regulation that sets out requirements for Section 58 Risk Management Plans</b></p>	<p>A zoning regulation does not have the authority require a risk management plan under section 58 of the <i>Clean Water Act</i>. Only the risk management official has the authority to determine whether a development proposal requires a risk management plan, based on the source protection plan policies, and to determine the content of the risk management plan.</p>
<p><b>Avoid Zoning regulations that are not clear</b></p>	<p>Zoning regulations should be clear so that the reader can determine what are the permitted uses and applicable standards.</p> <ul style="list-style-type: none"> <li>• A zoning regulation prohibiting waste disposal sites that generate “small quantities” of waste may not be clear. <ul style="list-style-type: none"> <li>○ Review the source protection plan to determine exactly what quantity of waste or chemical the policy is regulating.</li> <li>○ Include in the zoning regulation the specific quantity from the source protection plan.</li> </ul> </li> <li>• A zoning regulation prohibiting a fuel storage facility or a storage facility for organic solvents in a wellhead protection area “where it would be a significant drinking water threat” does not specify the WHPAs and portions of a WHPA where it would apply. It is important to specify where this use would be a significant threat and under what circumstance. <ul style="list-style-type: none"> <li>○ Consult with source protection authority staff to determine the specific areas where the regulations would apply.</li> <li>○ Identify the specific areas on a zoning schedule and refer to them in the zoning regulation. For example “lands identified as WHPA-B with a vulnerability score of 8.”</li> </ul> </li> </ul>

<b>Caution on applying a Holding Symbol H to designated vulnerable areas</b>	Applying a Holding symbol to the zoning of a WHPA or IPZ area would prevent the use from proceeding until the H symbol has been removed. This requires the municipality to have policies in its official plan for the use of the holding symbol H. Lifting of the hold also requires a report to municipal Council each time. If the H is applied to WHPA-A and B areas, this could involve several properties, and many reports to Council for the lifting of the H. Once the hold is lifted from a site, there would no longer be any zoning restrictions for any new drinking water threat for that site. Since this type of zoning regulation would only apply on a site until the H is lifted, it would limit the ability to implement the source protection plan policies for any future threats on the same site (e.g. if the operation changed or expanded.) The use of a holding symbol might be considered in very specific circumstances.
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## Appendix C

### Sample comments

The following are examples of comments that have been provided to municipalities by SPPB through the one-window review process.

Topic	Comment
<p><b>General</b></p>	<p>In order to protect municipal drinking water supplies and designated vulnerable areas, municipalities should ensure that their official plans and zoning by-laws are consistent with the broader policies in the PPS, 2014 (section 2.2.1 (e)) as well as conform with/have regard to applicable SPP policies when the SPP takes effect and within the timelines provided by the SPP.</p> <p>Municipalities may also elect to include policies that go beyond the standards established in the policies of the 2014 Provincial Policy Statement and/or the SPP with respect to matters of local interest by including goals, policies, and objectives to protect drinking water sources (including those for non-municipal systems such as private or communal drinking water systems), provided that such policies do not conflict with the protection of any other provincial interests.</p>
<p><b>Consistency with the 2014 Provincial Policy Statement</b></p>	<p>Municipalities must ensure that their planning documents satisfy the broad requirements of protecting municipal drinking water supplies and designated vulnerable areas, as directed in policy 2.2.1 (e) of the PPS, 2014 requires that planning authorities “protect, improve, or restore the quality and quantity of water by implementing necessary restrictions on development and site alteration to protect all municipal drinking water supplies and designated vulnerable areas.” To be consistent with policy 2.2.1 (e) of the PPS, 2014, the municipal official plan should include goals, policies, and objectives to ensure that sources of municipal drinking water are appropriately protected. Policy direction may include requiring additional reports to identify how an area will be protected (i.e. planning justification report, chemical storage disclosure report), and/or restricting or directing development away from designated vulnerable areas.</p> <p>The vulnerable areas identified in approved source protection plans (or assessment reports approved by the MOECC Director under the Clean Water Act) are considered “designated vulnerable areas.” These areas are defined in accordance with provincial standards. All designated vulnerable areas should be delineated in official plan schedules as shown in the assessment report, including Well Head Protection Areas (WHPAs), Intake Protection Zones (IPZs), Highly Vulnerable Aquifers (HVAs) and Significant Groundwater Recharge Areas (SGRAs).</p> <p>When the source protection plans take effect, the broader source protection policies of the PPS, 2014 continue to apply and should be complemented by the more specific</p>

	<p>policies of the SPP. Municipalities may also elect to include policies that go beyond the standards established in the policies of the PPS and/or the SPP with respect to matters of local interest by including goals, policies, and objectives to protect drinking water sources (including those for non-municipal systems such as private or communal drinking water systems), provided that such policies do not conflict with the protection of any other provincial interests.</p>
<p><b>Regulating land uses, not activities</b></p>	<p><i>Often SPPB will receive official plans or official plan amendments that have included policies to address the policies on List A of the SPP, however, the official plan policies will refer to the ‘activities’ (circumstances) referred to above which may have been listed in threat policies. Under the Planning Act the Official Plan can only regulate ‘land uses’ and as such, the policies as drafted by the municipality may not be able to be implemented and could be challenged at the Ontario Municipal Board. SPPB, through the One Window Planning Service, provides advice to municipalities such that they write policies that they have legislative authority to implement.</i></p> <p>Source protection plan policies are written to achieve the objectives of the Clean Water Act; therefore municipalities must consider how an official plan policy may achieve source protection conformity in language appropriate for an official plan. Some source protection policies direct actions to address drinking water threat activities. Whereas, the powers of the official plan under the <i>Planning Act</i> are limited to the regulation of land uses – not activities. Therefore, municipal staff may need to identify the activity or groups of activities in question (e.g. application of untreated septage to land, landfilling of municipal waste) and relate these activities to land uses and/or types of development that may be associated with the activity (e.g. waste disposal sites). Once this analysis is complete, we recommend that the official plan policies be developed to prohibit or manage these associated types of land uses/development (e.g. waste disposal sites), to complement the SPP policies.</p> <p>Some changes are recommended to ensure the language is appropriate for an official plan. Recommended text additions are shown in <b>red</b>, recommended redactions are shown in <del>strikeout</del>.</p> <ul style="list-style-type: none"> <li>• <b>facilities for</b> the storage of agricultural source material;</li> <li>• <b>facilities for</b> the <del>handling and</del> storage of non-agricultural source material;</li> <li>• <b>facilities for</b> the <del>handling and</del> storage of commercial fertilizer;</li> </ul>
<p><b>Implementing Section 59 Restricted Land Uses (where it is listed on List A – Planning Act)</b></p>	<p>Some SPPs include policies that implement s.59 of the Clean Water Act on List A of the Appendix of the SPP. Section 59 of the Clean Water Act requires that planning applications and building permits in vulnerable areas where Part IV of the Clean Water Act applies be submitted with a notice from a risk management official (RMO). The notice from the RMO is part of the applicable law provisions under the Building Code Act (s. 1.4.1.3 Definition of Applicable Law – Building Code). The provisions of Part IV of the Clean Water Act, including s. 59 notice requirements take effect when the SPP takes effect. To provide clarity for proponents, municipalities may also include this notice as</p>



	<p>part of the complete application requirements* in their official plans. Municipalities may also indicate vulnerable areas where there may be source protection requirements for planning applications in the official plan schedules, such as using an overlay designation to indicate these areas.</p> <p>*For more information on Complete Application Requirements and how municipalities can use them please refer to the MMAH website (<a href="http://www.mah.gov.on.ca/Page7213.aspx">http://www.mah.gov.on.ca/Page7213.aspx</a>)</p>
<p><b>Conformity with source protection plan policies</b></p>	<p>The Municipality of ABC is located within the XYZ source protection area. Please note that the XYZ SPP has been approved by the Minister of Environment and Climate Change and takes effect on DATE. The approved SPP and supporting documents (including assessment reports) may be accessed at the XYZ source protection area website.</p> <p>The Municipality's official plan should provide detailed policies to protect their drinking water sources. These policies should provide sufficient direction to ensure that land uses or development associated with threat activities will be prohibited or managed as specified by the SPP policies. The Municipality's official plan should conform with the following significant threat policies [list] and have regard to the following moderate and low threat policies [list if applicable].</p>



## Risk Management Services

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July 2022

### **Updated Memorandum for the City of Windsor: Essex Region Source Protection Plan, Planning Act and Building Code Act Application Screening Process for Policy Number 32 and Policy Number 33 in the Approved Essex Region Source Protection Plan.**

#### **Purpose**

The intent of this memorandum is to provide the City of Windsor with a protocol to determine which *Planning Act* and *Building Code Act* applications must be circulated to the Risk Management Official (RMO) for review (as per section 3.2 of the Source Protection Plan Part IV Enforcement Transfer Agreement). This memorandum accompanies Policy 32 and Policy 33 in the approved [Essex Region Source Protection Plan](#), and does not apply to any other policies. These policies are written under Section 59 (Restricted Land Use) of the *Clean Water Act*, where restricted land uses apply to the following activities that meet the circumstances to be a significant drinking water threat in the following Vulnerable Areas in the City of Windsor.

Within the Event Based Area (EBA):

- Handling and Storage of Above Ground Fuel (Policy No. 31)

And/or within Windsor Intake Protection Zone 2 (IPZ-2):

- Handling and Storage of Fuel (Policy No. 31)
- Application of Agricultural Source Material (Policy No. 32)
- Storage of Agricultural Source Material (Policy No. 32)
- Application of Non-Agricultural Source Material (Policy No. 32)
- Storage of Non-Agricultural Source Material (Policy No. 32)
- Application of Pesticide (Policy No. 32)

Windsor Intake Protection Zone 1 (IPZ-1):

- Handling and Storage of Fuel (Policy No. 31)
- Application of Agricultural Source Material (Policy No. 32)
- Storage of Agricultural Source Material (Policy No. 32)
- Application of Non-Agricultural Source Material (Policy No. 32)
- Storage of Non-Agricultural Source Material (Policy No. 32)
- Handling and Storage of Road Salt (Policy No. 32)
- Storage of Snow (Policy No. 32)
- Storage of Hazardous or Liquid Industrial Waste (Policy No. 32)
- Application of Pesticide (Policy No. 32)
- Storage of Pesticide (Policy No. 32)

## **Rationale**

Section 59 (Restricted Land Use) policies are intended to serve as a screening process to identify new potential Significant Drinking Water Threats (SDWTs) before they are established. This process requires Building Permits and *Planning Act* applications to be reviewed by the RMO in areas where Section 57 (Prohibition) and/or Section 58 (Risk Management Plan) policies apply. A written notice to proceed is required from the RMO in accordance with Section 59(2) of the *Clean Water Act* prior to the approval of affected Building Permits or *Planning Act* applications (See Appendix A for excerpt of Section 59 of the *Clean Water Act*).

## **Planning Act considerations**

Section 59 of the *Clean Water Act* requires that a person shall not make an application under certain sections of the *Planning Act* for the purpose of using land for the designated restricted land use (e.g. the handling and storage of liquid fuel) within the designated vulnerable area. These *Planning Act* applications cannot be considered complete by the Planning Authority until such time as the application has demonstrated that a SDWT activity designated for the purpose of Section 57 or 58 will not be engaged in, and a written notice from the RMO has been issued. The specific sections of the *Planning Act* to which this applies are detailed in Section 62 of O. Reg 287/07 and include:

- official plan amendments
- zoning by-law amendments
- temporary use zoning by-law amendments
- site plan control applications
- minor variance
- draft plan of subdivision
- consent

## **Building Code Act considerations**

In addition, Section 59 of the *Clean Water Act* requires that a person shall not construct nor change the use of a building at any location within a designated vulnerable area to which the policy applies if the building will be used in connection with the restricted land use (e.g. the handling and storage of fuel) unless the RMO issues a notice to the person. The use of the terms ‘building’ and ‘construct’ have the same meaning as in the *Building Code Act*. Building permits in areas in which these policies apply cannot be issued until such time as the application has demonstrated that a SDWT activity designated for the purpose of Section 57 or 58 will not be engaged in and a written notice from the RMO has been issued.

To accompany the building permit application form, Risk Management Services developed a “Building Information Sheet” with the intent of assisting municipalities in determining whether an application under the *Building Code Act* requires RMO review. This sheet is only meant to accompany the building permit application and does not alter the common application form. Municipalities are not obligated to use the information sheet and may develop something similar as long as the Section 59 process is in place to ensure that the RMO is receiving the building permit applications that require review.

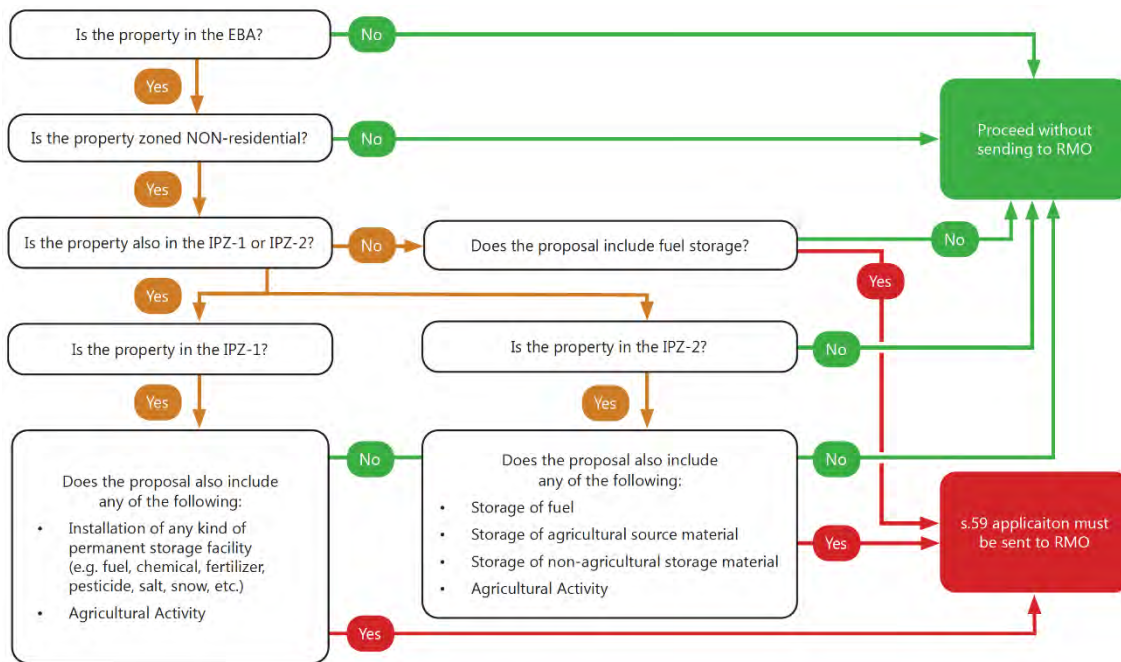
**Written Direction**

Prior to any development or planning approvals, the proposal and a Section 59 restricted land use application must be circulated to the Risk Management Official if the following conditions are met:

1. The property is in the Event Based Area, zoned non-residential and includes the installation of above ground fuel storage
2. The property is in Windsor IPZ-2, zoned non-residential and includes the installation of specific types of above ground storage structure (fuel, agricultural source material, or non-agricultural source material), or any type of agricultural activity
3. The property is in Windsor IPZ-1, zoned non-residential and includes the installation of any type above ground storage structure (e.g. fuel, chemical, fertilizer, pesticide, salt, snow, etc), or any type of agricultural activity

Please note that only residential land uses are exempt from this screening procedure; all other land uses require Section 59 notices for all planning and/ or building applications when a project that meets the above noted screening criteria is proposed within a Vulnerable Area.

The following flow chart outlines the Section 59 screening process and is intended to be used as a tool to assist municipal staff in following the written direction:





## The Planning Act and Building Code Act Application Section 59 Screening Process

### Step 1: Determine if the property parcel is located in the Event Based Area (EBA)

- If the property parcel is not located in the Event Based Area, no circulation to the Risk Management Official is required. **The Risk Management Official confirms that the Approval Authority or building official is permitted to make the determination that the site specific land use is not designated for the purposes of Section 59 of the *Clean Water Act*.**
- If the property parcel is located in the Event Based Area, proceed to Step 2.

### Step 2: Determine the current land use of the subject property parcel using the existing Official Plan and Zoning By-law.

- If the property parcel is zoned residential in both the Official Plan and Zoning By-law, no further screening by the Risk Management Official is required. **The Risk Management Official confirms that the Approval Authority or building official is permitted to make the determination that the site specific land use is not designated for the purposes of Section 59 of the *Clean Water Act*.**
- If the property parcel is non-residential (e.g. commercial, agricultural or industrial), proceed to Step 3.

### Step 3: Determine if the property parcel is located in Windsor IPZ-1 or Windsor IPZ-2

- If the property parcel is not located in Windsor IPZ-1 or Windsor IPZ-2, proceed to Step 4a
- If the property parcel is located in the Windsor IPZ-1 or Windsor IPZ-2, proceed to Step 4b/c.

### Step 4a (property is in EBA only): Determine whether the proposal or application includes the installation of above ground fuel storage of any size.

- If there is no proposed installation of above ground fuel storage, no circulation to the Risk Management Official is required. **The Risk Management Official confirms that the Approval Authority or building official is permitted to make the determination that the site specific land use is not designated for the purposes of Section 59 of the *Clean Water Act*.**
- If there is a proposal for the installation of above ground fuel storage of any size, **you must** circulate the application to the Risk Management Official. Please contact the Essex Region Risk Management Official at [riskmanagement@erca.org](mailto:riskmanagement@erca.org) for a copy of the application form or if you have any questions.

Step 4b (property is in IPZ-2): Determine whether the proposal or application includes the installation of the permanent storage structure of any size of fuel, agricultural source material, or non-agricultural source material, or any type of agricultural activity

- If the proposal or application does not include the installation of a storage structure for fuel, agricultural source material, or non-agricultural source material nor any type of agricultural activity, no circulation to the Risk Management Official is required. **The Risk Management Official confirms that the Approval Authority or building official is permitted to make the determination that the site specific land use is not designated for the purposes of Section 59 of the Clean Water Act.**
- If the proposal or application includes any of the activities outlined above, **you must** circulate the application to the Risk Management Official. Please contact the Essex Region Risk Management Official at [riskmanagement@erca.org](mailto:riskmanagement@erca.org) for a copy of the application form or if you have any questions.

Step 4c (property is in IPZ-1): Determine whether the proposal or application includes the installation of any type of permanent storage structure of any size (e.g. fuel, chemical, fertilizer, pesticide, salt, snow, etc), or any type of agricultural activity

- If the proposal or application does not include the installation of a storage structure nor any type of agricultural activity, no circulation to the Risk Management Official is required. **The Risk Management Official confirms that the Approval Authority or building official is permitted to make the determination that the site specific land use is not designated for the purposes of Section 59 of the Clean Water Act.**
- If the proposal or application includes any of the activities outlined above, **you must** circulate the application to the Risk Management Official. Please contact the Essex Region Risk Management Official at [riskmanagement@erca.org](mailto:riskmanagement@erca.org) for a copy of the application form or if you have any questions.

Following the receipt of a completed Section 59 application form, the Risk Management Official will be in a position to provide further direction.

The Risk Management Official has determined that the above written direction is applicable and the date of the receipt of this notice is to be considered the effective date.



Laura Neufeld  
Risk Management Official



Kathleen Schnekenberger  
Risk Management Official



Katie Stammer  
Source Water Protection  
Project Manager

## **APPENDIX A: Section 59 of the *Clean Water Act, 2006***

### **Restricted land uses**

**59. (1)** If a source protection plan that is in effect designates a land use as a land use to which this section should apply and an area within which this section should apply,

(a) a person shall not make an application under a provision of the *Planning Act* prescribed by the regulations for the purpose of using land for that land use at any location within that area; and

(b) despite section 58, a person shall not construct or change the use of a building at any location within that area, if the building will be used in connection with that land use,

unless the risk management official issues a notice to the person under subsection (2). 2006, c. 22, s. 59 (1).

### **Issuance of notice**

(2) The risk management official shall, on application, issue a notice to a person for the purpose of subsection (1) if, and only if, the applicant has paid all applicable fees and,

(a) neither section 57 nor section 58 applies to the activity for which the land is to be used at the location where the land is to be used; or

(b) section 58 applies to the activity for which the land is to be used at the location where the land is to be used and a risk management plan that applies to that activity at that location has been agreed to or established under section 56 or 58. 2006, c. 22, s. 59 (2).

### **Time for application**

(3) If section 58 applies to the activity for which the land is to be used at the location where the land is to be used, an application for the issuance of a notice under subsection (2) may be made at the same time that an application is made in respect of the activity under section 58 or 60. 2006, c. 22, s. 59 (3).

### **Copies**

(4) If a risk management official issues a notice under subsection (2), he or she shall give a copy of the notice to the persons prescribed by the regulations. 2006, c. 22, s. 59 (4).

### **Definitions**

(5) In this section,

“building” has the same meaning as in the *Building Code Act, 1992*; (“bâtiment”)

“construct” has the same meaning as in the *Building Code Act, 1992*. (“construire”) 2006, c. 22, s. 59 (5).

**APPENDIX B: Section 62 of O. Reg 287/07 of the *Clean Water Act, 2006***

**62.** The following provisions of the *Planning Act* are prescribed for the purposes of clause 59 (1) (a) of the *Clean Water Act, 2006*:

1. Section 22, with respect to requests to amend official plans.
2. Section 34, with respect to applications to amend zoning by-laws.
3. Section 39, with respect to applications to amend zoning by-laws to authorize a temporary use.
4. Section 41, with respect to applications for approval to undertake development in a site plan control area.
5. Section 45, with respect to applications for minor variances.
6. Section 51, with respect to applications for approval of plans of subdivision.
7. Section 53, with respect to applications for consents. O. Reg. 246/10, s. 12.



## APPENDIX 6 – CONSULTATION

### ENVIRONMENTAL QUALITY – KEVIN WEBB

I have reviewed the documentation and attachments and have no comments to add.

### ENVIRONMENTAL SUSTAINABILITY – NOLAN LACHANCE

No comments to provide.

### 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.

Note: Site Plan applications are reviewed in EIS, under “Limit of Regulated Area”, to determine if ERCA is applicable.

### ERCA – ALICIA GOOD

Thank you for providing our office with the opportunity to provide comments regarding the proposed updates to the City of Windsor Official Plan as required under the Source Protection Plan (SPP).

We understand that the purpose of this amendment is to update the policies in the City of Windsor Official Plan specific to the implementation of the Essex Region Source Protection Plan and the Ontario *Clean Water Act, 2006*. The Province of Ontario introduced the *Clean Water Act* in 2006 with the mandate to create Source Protection Plans with the goal of providing a framework and policies to reduce the risk posed by water quality and quantity threats to sources of drinking water.

The Essex Region Source Protection Plan (SPP) was implemented in 2015 and as part of the plan, municipalities are required to periodically update their planning documents to integrate the policies of the Source Protection Plan (SPP).

The proposed Official Plan amendments include:

- Mapping (Schedule K) in the Official Plan as required under the Source Protection Plan. Mapping includes vulnerable areas identified as ‘Intake Protection Zones’ (IPZs), ‘Highly Vulnerable Aquifers’ (HVAs) and ‘Significant Groundwater Recharge Areas’ (SGRAs);
- Updating definitions and terminology in the Official Plan to align with the Source Protection Plan (SPP);
- Increase overall awareness of the SPP requirements within the City of Windsor;
- Provide additional clarity and transparency with respect to the development review process as it relates to source protection plans and the written direction of the risk management official.

Please find attached a letter with comments from Dr. Katie Stammer, Source Water Protection Project Manager/Water Quality Scientist.

### FINAL RECOMMENDATION

Our office has reviewed this Official Plan Amendment as presented, and we have **no objections**. If any further changes are proposed to this Official Plan Amendment, please continue to circulate our office for possible updated comments.

If you have any questions or require any additional information, please contact the undersigned.

Essex Region Source Protection Authority staff have reviewed the proposed draft Official Plan Amendment based on our existing policies in the Essex Region Source Protection Plan.

**ERSPA – KATIE STAMMLER**

ERCA's Source Water Protection Project Manager, Katie Stammler, worked directly with City Planner, Frank Girardo in the development of this Official Plan Amendment. Mr. Girardo incorporated all comments provided during those discussions and we are pleased with the final result. The approach taken by the City of Windsor is simple and will be effective. It also future proofs the Official Plan with the use of Policy 5.3.9.2 which requires that any activity that is, or would be, a significant drinking water threat conform with all applicable Source Protection Policies.

Thank you for the opportunity to comment on the draft Official Plan and associated schedules. If you have any questions or require clarification, please feel free to contact me directly.

Katie Stammler, Source Water Protection Project Manager/Water Quality Scientist



**Subject: Community Heritage Fund Request – 794 Devonshire Road, Porter Coate House (Ward 4)**

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 683**

- I. That the Heritage Permit at 794 Devonshire Rd, Porter Coate House, **BE GRANTED** for masonry repairs and foundation waterproofing.
- II. That the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the repairs and restoration of exterior walls.
- III. That a total grant of 30% of the cost of the masonry repairs and foundation waterproofing, to an upset amount of \$17,221 from the Community Heritage Fund (Reserve Fund 157) **BE GRANTED** to the Owners of the Porter Coate House, at 794 Devonshire Rd, subject to:
  - a. Submission of conservation details, technical details and samples, to the satisfaction of the City Planner or designate prior to work start;
  - b. Determination by the City Planner that the work is completed to heritage conservation standards;
  - c. Owner's submission of paid receipts for work completed; and
  - d. That the Community Heritage Fund (Reserve Fund 157), grants approved shall lapse if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

Carried.

Report Number: S 160/2024  
Clerk's File #: MBA/6702

**Clerk's Note:**

1. The recommendation of the Development & Heritage Standing Committee and Administration are the same.
2. Please refer to Item 10.1 from the Development & Heritage Standing Committee held on December 2, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241202/-1/10526>



**Subject: Community Heritage Fund Request – 794 Devonshire Road,  
Porter Coate House (Ward 4)**

**Reference:**

Date to Council: December 2, 2024  
Author: Tracy Tang, MCIP, RPP  
Planner III – Heritage (A)  
Email: ttang@citywindsor.ca  
Phone: 519-255-6543 X 6179  
Planning & Building Services  
Report Date: November 14, 2024  
Clerk's File #: MBA/6702

**To:** Mayor and Members of City Council

**Recommendation:**

- I. THAT the Heritage Permit at 794 Devonshire Rd, Porter Coate House, **BE GRANTED** for masonry repairs and foundation waterproofing.
- II. THAT the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the repairs and restoration of exterior walls.
- III. THAT a total grant of 30% of the cost of the masonry repairs and foundation waterproofing, to an upset amount of \$17,221 from the Community Heritage Fund (Reserve Fund 157) **BE GRANTED** to the Owners of the Porter Coate House, at 794 Devonshire Rd, subject to:
  - a. Submission of conservation details, technical details and samples, to the satisfaction of the City Planner or designate prior to work start;
  - b. Determination by the City Planner that the work is completed to heritage conservation standards;
  - c. Owner's submission of paid receipts for work completed; and
  - d. That the Community Heritage Fund (Reserve Fund 157), grants approved shall lapse if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

## Executive Summary: N/A

### Background:

The property at 794 Devonshire Road is known as the Porter Coate House, which was constructed in 1907 at the northeast corner of Devonshire Road and Cataraqui Street. The dwelling is a two-and-one-half-storey detached house in a late Queen Anne style with Tudor Revival style elements, and is representative of the fine houses constructed in the former Town of Walkerville. This property was designated by City of Windsor Council through By-law 309-2002 on October 7, 2002. The Statement of Cultural Heritage Value or Interest from the Designation By-law is included as Appendix 'A'.



*Front (west-facing) and side (south-facing) views of the property.*

There have been discussions with the Owners of the property about conducting repairs on the Porter Coate House since their recent purchase of the property earlier this year, 2024. The Owners noted urgent repairs were needed to their home, namely to the exterior brick masonry walls and foundation. They have been experiencing increasing pressure of exterior walls and foundation walls leaks.

On November 13, 2024, the Owners submitted a complete Heritage Permit application for the works (Appendix 'B'). The Owners intend to complete the urgent repair project before the end of this calendar year, as to prevent further deterioration of the current state during the winter months.

The Owners have submitted a Community Heritage Fund Application for a total grant of \$17,221 and included a rationale letter for the request (included in Appendix 'C'). Administration is recommending for approval of this request.

### Legal Provisions:

Part IV, 39 (1) of the *Ontario Heritage Act* (OHA) provides that "The council of a municipality may pass by-laws providing for the making of a grant or loan to the owner of a property designated under this Part for the purpose of paying for the whole or any

part of the cost of alteration of such designated property on such terms and conditions as the council may prescribe.” The City’s Community Heritage Fund (Reserve Fund 157) exists to provide grants to heritage conservation works on designated heritage properties.

The *Ontario Heritage Act* (OHA) requires the owner of a heritage designated property to apply to Council to alter the property. The designation by-law includes heritage attributes (see Appendix ‘A’). In accordance with the OHA, changes to a designated property that affect heritage attributes must be considered by City Council after consulting with its municipal Heritage Committee. Council has the option of granting consent with or without terms and conditions, or refusing the application within 90 days of notice of complete application. Council also has the option to further delegate the item to an employee or official of the municipality. The delegation of final details would be more expediently handled through staff review and approval.

## **Discussion:**

### **Proposal:**

#### **Masonry Repairs**

All exterior red brick walls on the property appear to be at various stages of deterioration, as the Owner has reported loose bricks, crumbling powdery mortar, gaps where the brick has detached from the wall, and water damage and mold growth at the foundation. Assessments from estimators conclude that the wear over time is extensive and requires immediate attention.

The proposed scope of work includes:

- Repairing the red brick exterior walls by removing loose bricks and rebuilding with the same existing bricks, ensuring their attachment to the walls and closing any gaps to prevent further buckling and potential failure or collapse
- Removing existing crumbling mortar and incompatible mortar patches on all exterior walls, to be repointed with heritage-appropriate lime-rich mortar
- Repointing the brick chimney



Photos of the red brick exterior walls (taken November 13, 2024)

The conservation work proposed follows the Standards & Guidelines for Conservation of Historic Places. Standards 13 and 14 are listed below.

### **Additional Standards Relating to Restoration**

- 13.** Repair rather than replace *character-defining elements* from the *restoration* period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
- 14.** Replace missing features from the *restoration* period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

### **Foundation Waterproofing**

The foundation is constructed of a porous red brick that is different in composition and strength than the red brick exterior walls. The brick foundation has begun to flake and crumble. The red bricks sitting above it have shifted and, combined with the crumbling or non-existent mortar, have allowed moisture penetration into the foundation walls and caused mold growth on the interior. While using sealants and waterproofing on historic brick is generally not encouraged due to the potential reverse effect of trapping in moisture and leading to further damage in the long run, the issue is in need of immediate measures before the increase in precipitation and freezing and thawing cycles through the winter and spring seasons.

The proposed scope of work for the foundation is to clean the bricks, repair cracked bricks and sills, and apply exterior waterproofing. The intention is to prevent further moisture damage and stabilize the foundation, which has the secondary effect of preventing further settlement or movement of the dwelling and exterior walls sitting on the foundation.





Photos of the brick foundation walls (taken November 13, 2024)

### **Official Plan Policy:**

The Windsor Official Plan includes (9.3.6.1.), “Council will manage heritage resources by: (e) providing support and encouragement to organizations and individuals who undertake the conservation of heritage resources by private means”.

The Plan includes protection (9.3.4.1). “Council will protect heritage resources by: (c) Requiring that, prior to approval of any alteration, partial demolition, removal or change in use of a designated heritage property, the applicant demonstrate that the proposal will not adversely impact the heritage significance of the property ...”

### **Risk Analysis:**

The risk of taking no action for this property is the potential deterioration of a designated heritage property, potential loss of heritage attributes due to age and water intrusion, and safety concerns from the loose bricks, buckling walls, and mold growth. No city funds will be expended until the project is determined by Planning Staff to be completed according to good heritage practices. Conditions of this determination include provision of technical information through details within the quote, and request for provision of material samples or mock-up, to ensure that the conservation work is heritage appropriate prior to disbursement of the funds.

### **Climate Change Risks**

**Climate Change Mitigation: N/A**

**Climate Change Adaptation: N/A**

### **Financial Matters:**

The Community Heritage Fund (CHF) guidelines includes the following:

“As a general principle, awards will be limited to a maximum of \$50,000 unless the DHSC (Development & Heritage Standing Committee) so recommends and Council

approves." The award from the Community Heritage Fund is generally given according to the following formula: 15 percent of the award in the form of a grant". In this particular case, the applicant is asking for a 30% grant approval. As well, the Community Heritage Fund asks for "a minimum of two cost estimates, based on specifications approved by the DHSC and the City Planner or Designate, shall be obtained by the Owner for all restoration work to be done." The estimates will then be reviewed to ensure that all work specified is covered. The lower bid will usually be recommended for funding."

The Owners made significant efforts to solicit bids and quotes from local companies, and contacted the following for the proposed works:

**Masonry Repairs**

- Bricetin Concrete Restoration
- Brookside Brick Restoration
- R & C Masonry Inc.
- Texas Stone Designs Inc.
- P.J. Masonry & Restoration
- J L Masonry
- Frank’s Masonry

**Foundation Waterproofing**

- Advanced Basement Systems
- Dry-Rite
- DC Basement Waterproofing/Concrete
- Supreme Basement Services

The Owners provided three comparable quotes for each of the works. A summary table of the quotes is as below. The Owner has selected their preferred qualified vendor based on the quote provided, demonstration of heritage knowledge and experience (acceptable to Heritage Planning staff), expertise by the vendor, and flexibility or availability to schedule the work. The Owners wish to retain **Texas Stone Designs Inc.** for the masonry repairs and **Dry-Rite** for the foundation works. The Owners will be fully incurring the expenses.

<b>TOTAL SUMMARY Masonry Repair Cost (inclusive of HST)</b>	
<b>Quote from Vendor</b>	<b>Cost in CDN</b>
R & C Masonry Inc.	\$42,940
Texas Stone Designs Inc.	\$36,273
P.J. Masonry & Restoration	\$35,708
<b>TOTAL SUMMARY Foundation Weatherproofing Cost (inclusive of HST)</b>	
<b>Quote from Vendor</b>	<b>Cost in CDN</b>
Advanced Basement Systems	\$39,898.38
Dry-Rite	\$21,131
DC Basement Waterproofing/Concrete	\$21,357

Based on the estimates of the Owners' preferred qualified vendors, the total cost of the project is anticipated to be \$57,404 after tax. The Owner is requesting for 30% of cost of the repair work to be covered by the CHF due to the high cost of conserving special heritage features, especially in today's climate of increasingly expensive trades work and inflation of costs. Council has approved a higher CHF grant approval percentage in recent years to other heritage property owners (of around 30%-35% for work ranging from wood windows to clay tile and other specialty repairs). The cost of the repair work is encouraged to be conducted soon and is a significant cost for a private property owner. Therefore, administration recommends approval of the request by the Owners for CHF of 30% for the work to be done to the exterior brick walls and foundation.

The heritage financial incentive through the Community Heritage Fund (CHF) would provide support to the continued conservation of the heritage features of this designated building. As of November 14, 2024, the Community Heritage Fund (Reserve Fund 157) has an uncommitted balance of \$94,969 available (including the safeguard of having the minimum balance of \$50,000 in the Committed funds). Therefore, there is sufficient funds in Fund 157 to cover the cost of the grant project. Administration recommends that the amounts of 30% after HST to an upset amount of \$17,221 be provided for the repair project.

The Owner has also applied for the Heritage Property Tax Reduction program which will be administratively processed when amounts are under \$20,000 as per By-law 164-2015. The total property taxes payable in 2024 for 794 Devonshire Road is \$7,277.44. The annual rebate would be up to 30% or approximately \$2,183 for a maximum of 3 years up to the cost of the restoration.

**Consultations:**

City staff have been consulting with Owners in recent months. Josie Gualtieri, Financial Planning Administrator, assisted with confirmation of fund balance.

**Conclusion:**

A total grant amount of 30% of the cost of the masonry repairs and foundation waterproofing at 794 Devonshire Road to upset amount of \$17,221 from the Community Heritage Fund (Reserve Fund 157) should be approved, subject to conditions. Further heritage alteration approvals necessitated for this scope of work are recommended to be delegated to the City Planner or designate to direct further conservation details.

**Planning Act Matters: N/A**

**Approvals:**

Name	Title
Emilie Dunnigan	Manager Development Revenue & Financial Administration
Jason Campigotto	Acting Deputy City Planner - Growth
Neil Robertson	City Planner

<b>Name</b>	<b>Title</b>
Kate Tracey	Senior Legal Counsel, Legal Services & Real Estate
Janice Guthrie	Commissioner, Finance and City Treasurer
Jelena Payne	Commissioner, Economic Development
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
Arun Rattan		
Kayla Chopp		

**Appendices:**

- 1 Appendix A - Statement of Cultural Heritage Value or Interest
- 2 Appendix B - Heritage Permit Application
- 3 Appendix C - Community Heritage Fund Application
- 4 Appendix D - Additional Photos of 794 Devonshire Rd



## **Appendix 'A' – Statement of Cultural Heritage Value or Interest**

794 Devonshire Rd.-Porter Coate House. By-law 309-2002, passed by council on October 7, 2002.

### **Reasons for Designation**

#### **The Porter-Coates house 794 Devonshire Rd.**

#### **Historical:**

- Built in 1907, the house is illustrative of the fine homes being built for prominent citizens in Walkerville during one of its major growth periods in the early years of the 20<sup>th</sup> century.
- First owned by George F. Porter, a chief draughtsman for the Canadian Bridge Co.
- The second owner was prominent businessman James R. Coate, who lived in the house for 23 years (1910-1933). He was the president and manager of the Walkerville Hardware Co. Ltd.

#### **Architectural:**

- Described as late Queen Anne style, the house has characteristics of both the Queen Anne style house (popular from the 1880s to the 1910s) and the Tudor Revival style house (popular from the 1900s to the 1940s).
- Architectural features of note include: asymmetrical massing (square and polygonal bays, gabled ells), mixture of roof forms (main gable, rear hipped ell), mixture of surface treatments (half-timbering, red brick, wood shingles, clapboard), a variety of window treatments (double hung-small pane over large, diamond motif, and stained glass), and fine detailing (bracketed cornices, wooden porch, carved bargeboard, half-timbered gable ends).
- The original roof material was cedar shingle.

## APPLICATION TYPE

- Minor Heritage Permit**  
(Delegated Authority Approval)       **Major Heritage Permit**  
(City Council Approval)       **Demolition**

### 1. 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, 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.

#### APPLICANT

Contact Name(s) Arun Rattan Kayla Chopp  
Company or Organization \_\_\_\_\_  
Mailing Address 794 Devonshire Rd.  
City, Province Windsor, Ontario Postal Code N8Y-2M1  
Email [REDACTED] Phone(s) [REDACTED]

#### REGISTERED OWNER IF NOT APPLICANT

Contact Name(s) Kayla Chopp  
Company or Organization \_\_\_\_\_  
Mailing Address 794 Devonshire Rd.  
City, Province Windsor, Ontario Postal Code N8Y-2M1  
Email [REDACTED] Phone(s) [REDACTED]

#### AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION

Contact Name(s) \_\_\_\_\_  
Company or Organization \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
City, Province \_\_\_\_\_ Postal Code \_\_\_\_\_  
Email \_\_\_\_\_ Phone(s) \_\_\_\_\_

#### Who is the primary contact?

- Applicant       Registered Owner       Agent

## 2. SUBJECT PROPERTY

Municipal Address: 794 Devonshire Rd

Legal Description (if known): PLAN 211; LOT 11; PT LOT 9 & BLOCK Q

Building/Structure Type:

Residential       Commercial       Industrial       Institutional

Heritage Designation:

Part IV (Individual)       Part V (Heritage Conservation District)

By-law #: 309-2002

District: \_\_\_\_\_

Is the property subject to a Heritage Easement or Agreement?

Yes       No

## 3. TYPE OF APPLICATION

Check all that apply:

Demolition/Removal of heritage attributes       Addition       Erection       Alteration\*  
 Demolition/Removal of building or structure       Signage       Lighting

\*The *Ontario Heritage Act's* definition of "alter" means to change in any manner and includes to restore, renovate, repair or disturb.

## 4. HERITAGE DESCRIPTION OF BUILDING

Describe the existing design or appearance of buildings, structures, and heritage attributes where work is requested. Include site layout, history, architectural description, number of storeys, style, features, etc..

Described as late Queen Anne style, the house has characteristics of both the Queen Anne style house (popular from the 1880s to the 1910s) and the Tudor Revival style house (popular from the 1900s to the 1940s).

Architectural features of note include: asymmetrical massing (square and polygonal bays, gabled ells), mixture of roof forms (main gable, rear hipped ell), mixture of surface treatments (half-timbering, red brick, wood shingles, clapboard), a variety of window treatments (double hung-small pane over large, diamond motif, and stained glass), and fine detailing (bracketed cornices, wooden porch, carved bargeboard, half-timbered gable ends).



## 5. PROPOSED WORK

Provide a detailed written description of work to be done, including any conservation methods you plan to use. Provide details, drawings, and written specifications such as building materials, measurements, window sizes and configurations, decorative details, etc.. Attach site plans, elevations, product spec sheets, etc. to illustrate, if necessary.

The bucking wall requires straightening. Due to the scarcity and historic nature of the bricks, they must be cleaned, re-inserted and reattached to the wood framing. Having never been re-pointed, the minimal remaining mortar is mostly powder and will be replaced with a newer, more durable and longer lasting one in the interest of further preserving the bricks and preventing any additional wall failure for decades to come. The bricks are clay, flat-faced Hiram Walker bricks and are rare even within Walkerville. They are a historical piece of heritage in themselves.

Waterproofing of the basement will be performed to terminate further moisture related deterioration of the brick foundation and dramatically slow any settlement and movement of the house above. This procedure will also stop any perpetuation of mold within the walls, rim joists and sill plates.

## 6. HERITAGE PERMIT RATIONALE

Explain the reasons for undertaking the proposed work and why it is necessary.

The specified deterioration has reached a threshold where costs will exacerbate exponentially should more time pass without repair. While currently salvageable, the scope of work will change entirely should any one wall collapse. With the freezing (expansion) season ahead, further movement is assured. The subject materials are integral to both, the structure of the home and it's original historical aesthetic. The situation is rapidly becoming not just a heritage topic but a safety one as well.

Describe the potential impacts to the heritage attributes of the property.

These undertakings will solely be in the interest of preservation, not alteration. With today's new technologies and materials, the historical aesthetics can be exactly as they were for much longer than anticipated. Mortar will be colour matched to resemble the original. Bowed walls will be straightened and stand as proudly as they once did.

## 7. CHECKLIST OF MATERIALS SUBMITTED Check all that apply:

Required:

- Photographs (showing the current condition and context of existing buildings, structures, and heritage attributes that are affected by the application)
- Site plan/ Sketch (showing buildings on the property and location of proposed work(s))
- Architectural drawings of proposed work(s) (e.g. existing and proposed elevations, floor plans, roof plans, etc., as determined by Heritage Planning staff)
- Specifications of proposed work(s) (e.g. construction specification details)



Potentially required (to be determined by Heritage Planning staff):

- Registered survey
- Material samples, brochures, product data sheets etc.
- Cultural Heritage Evaluation Report
- Heritage Impact Assessment (HIA)
- Heritage Conservation Plan
- Building Condition Assessment

## 8. NOTES FOR DECLARATION

*The applicant hereby declares that the statements made herein and information provided are, to the best of their belief and knowledge, a true and complete representation of the purpose and intent of this application.*

*The applicant agrees that the proposed work shall be done in accordance with this application, including attachments, and understands that the issuance of the Heritage Alteration Permit under the Ontario Heritage Act shall not be a waiver of any of the provisions of any By-Law of the Corporation of the City of Windsor, or the requirements of the Building Code Act, RSO 1980, c51.*

*The applicant acknowledges that in the event a permit is issued, any departure from the conditions imposed by the Council of the Corporation of the City of Windsor, or plans and specifications approved is prohibited and could result in the permit being revoked. The applicant further agrees that if the Heritage Alteration Permit is revoked for any cause of irregularity, in the relation to non-conformance with the said agreements, By-Laws, acts or regulations that, in consideration of the issuance of the permit, all claims against the City for any resultant loss or damage are hereby expressly waived.*



\_\_\_\_\_  
Signature of Applicant(s)

\_\_\_\_\_  
November 6, 2024

Date



\_\_\_\_\_  
Signature of Applicant(s)

\_\_\_\_\_  
November 6, 2024

Date

## SCHEDULE A

### A. 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 applicant 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 a Heritage Alteration Permit and I authorize

\_\_\_\_\_ to make this application on my behalf.  
*name of agent*

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

\_\_\_\_\_  
Date

If Corporation . I have authority to bind the corporation.

### B. Consent to Enter Upon the Subject Lands and Premises

I, \_\_\_\_\_ Kayla Chopp \_\_\_\_\_, hereby authorize the members of the Windsor Heritage Committee and City Council and staff of the Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 3 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 condition of approval. This is their authority for doing so.

\_\_\_\_\_  
*Kayla Chopp*  
Signature of Registered Owner

\_\_\_\_\_  
November 6, 2024  
Date

If Corporation – I have authority to bind the corporation.

### C. Acknowledgement of Applicant

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

I further understand that pursuant to the provisions of the *Ontario Heritage 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.

\_\_\_\_\_  
*A. P. [Signature]*  
Signature of Applicant

\_\_\_\_\_  
November 6, 2024  
Date



# COMMUNITY HERITAGE FUND GRANT APPLICATION

Revised 07/2023

## CORPORATION OF THE CITY OF WINDSOR

Planning Dept., Suite 320-350 City Hall Sq W, Windsor ON N9A 6S1  
519-255-6543 | 519-255-6544 (fax) | [planningdept@citywindsor.ca](mailto:planningdept@citywindsor.ca)

### 1. 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, 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.

#### APPLICANT

Contact Name(s) Arun Rattan & Kayla Chopp  
Company or Organization \_\_\_\_\_  
Mailing Address 794 Devonshire Road  
City, Province Windsor, ON Postal Code N8Y-2M1  
Email [REDACTED] Phone(s) [REDACTED]

#### REGISTERED OWNER IF NOT APPLICANT

Contact Name(s) Kayla Chopp  
Company or Organization \_\_\_\_\_  
Mailing Address 794 Devonshire Road  
City, Province Windsor, ON Postal Code N8Y-2M1  
Email [REDACTED] Phone(s) [REDACTED]

#### AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION

Contact Name(s) \_\_\_\_\_  
Company or Organization \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
City, Province \_\_\_\_\_ Postal Code \_\_\_\_\_  
Email \_\_\_\_\_ Phone(s) \_\_\_\_\_

#### Who is the primary contact?

- Applicant                       Registered Owner                       Agent

**2. SUBJECT PROPERTY FOR WHICH HERITAGE FUNDS ARE REQUESTED**

Heritage Name of Property: Porter-Coate House

Municipal Address: 794 Devonshire Road

Legal Description (Lot and Plan): PLAN 211; LOT 11; PT LOT 9 & BLOCK Q

Assessment Roll Number(s): 3739-020-080-06300-0000

Existing Use: \_\_\_\_\_

Heritage Designation:

- Part IV (Individual)  Part V (Heritage Conservation District)

By-law #: 309-2002 District: \_\_\_\_\_

Is the property subject to a Heritage Easement or Agreement?

- Yes  No

**3. REQUESTED HERITAGE FUND ASSISTANCE**

Total Estimated Project Costs: \$ 57,404

Total Grant Amount Requested: \$ 17,221

NOTE: Detail. are set out in the pamphlet "Windsor's Community Heritage Fund".

Are there any outstanding mortgages or liens against this property?

No

Yes Amount: \$ 525,000 Institution: TD Bank

Have you previously received assistance from the City for the property named above?

No

Yes Amount: \$ \_\_\_\_\_ Date: \_\_\_\_\_

Source of funds: \_\_\_\_\_

**4. HERITAGE FUND REQUEST RATIONALE**

Describe fully here (or on attached sheets) the proposed conservation/ restoration work to be undertaken:

A portion of the bay window's brick walls are buckling. Due to the scarcity and historic value of the bricks, they

\_\_\_\_\_ must be cleaned and reinserted. Having never been repointed, the remaining mortar is mostly powdering and

\_\_\_\_\_ requires replacing. A type O or N mortar will be used in order to blend the old lime mortar as well as further



preserve the bricks and prevent any additional wall failure for decades to come. The bricks are clay, flat faced

Hiram Walker bricks and are rare even within Walkerville. They are historic pieces of heritage within themselves.

Waterproofing of the basement is also suggested to terminate further moisture related deterioration of the brick

foundation. This would dramatically slow further settlement and movement of the house above. This procedure

would also stop the perpetuation of mold within the walls, rim joists and sill plates.

## 5. CHECKLIST OF MATERIALS SUBMITTED

Check all that apply (to be determined by Heritage Planning staff):

- At least two written estimates from qualified contractors and/or qualified design consultants for the proposed restoration work(s). The estimates should contain sufficient detail to permit a review of individual components of the proposed work. Attach estimates to this form when filing.
- A brief one-page rationale/justification letter addressed to the Heritage Committee, requesting support for the proposed works through financial assistance
- Photographs (showing the current condition and context of existing buildings, structures, and heritage attributes that are affected by the application)
- Site plan/ Sketch (showing buildings on the property and location of proposed work(s))
- Architectural drawings of proposed work(s) (e.g. existing and proposed elevations, floor plans, roof plans, etc., as determined by Heritage Planning staff)
- Specifications of proposed work(s) (e.g. construction/materials specification details)
- Early photographs or drawings showing the property's original appearance (if available)

## 6. SIGNATURES

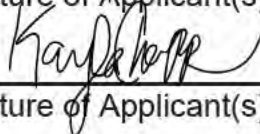
*The applicant hereby declares that the statements made herein and information provided are, to the best of their belief and knowledge, a true and complete representation of the purpose and intent of this application. The applicant agrees that the proposed work shall be done in accordance with this application, including attachments.*



Signature of Applicant(s)

November 7, 2024

Date



Signature of Applicant(s)

November 7, 2024

Date

Date Received by Heritage Planner: \_\_\_\_\_

**SCHEDULE A**

**A. 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 applicant is authorized to make the application must be included with this application form or the authorization below must be completed.

Kayla Chopp

I, \_\_\_\_\_, am the registered owner of the land that is  
*name of registered owner*

subject of this application for a Community Heritage Fund Grant and I authorize  
Arun Rattan \_\_\_\_\_ to make this application on my behalf.  
*name of agent*

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

November 7, 2024

\_\_\_\_\_  
Date

If Corporation – I have authority to bind the corporation.

**B. Consent to Enter Upon the Subject Lands and Premises**

Kayla Chopp

I, \_\_\_\_\_, hereby authorize the members of the Windsor Heritage Committee and City Council and staff of the Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 3 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 condition of approval. This is their authority for doing so.

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

November 7, 2024

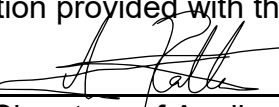
\_\_\_\_\_  
Date

If Corporation – I have authority to bind the corporation.

**C. Acknowledgement of Applicant**

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

I further understand that pursuant to the provisions of the Ontario Heritage 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.

  
\_\_\_\_\_  
Signature of Applicant

November 7, 2024

\_\_\_\_\_  
Date

Kayla Chopp & Arun Rattan  
794 Devonshire Rd.

November 6th, 2024

Members of Council & Heritage Committee

**Subject:** Community Heritage Fund - Request for special consideration

Dear Members of Council and Heritage Committee,

We hope this letter finds you well. We are the very proud new owners of the Porter-Coate House on Devonshire Rd. It has been a dream of ours to own a piece of history with such a prestigious designation and we intend to passionately take on the responsibility it entails. It is for this reason I write and would like to bring to your attention the unique circumstances surrounding our application for financial support. Some items have proven to require more pressing attention than expected and, worse yet, others have proven to be of urgency. A triage of the deficiencies now puts our initial plans on hold as we face various unforeseen structural and safety concerns. The items that we feel now take precedent are as follows:

- 1. Buckling . all** - The brick veneer on the north west wall of the bay window has detached itself by up to three inches from the structure at the apex of the bowing. This scenario has created a rapidly expanding gap that welcomes a great deal of rain into the wall. Repeated freezing and thawing could expedite the collapse of this wall in very little time. This wall supports a cantilevered floor above and if left to buckle further, the structure may have a much more impactful failure than a typical wall+floor system might.
- 2. Pointing** - The masons we spoke with were of the thought that this is the original mortar and as such, it is well overdue for full repointing. Any mortar that remains crumbles to powder when touched. Some bricks are entirely loose and easily pulled out by hand. Portions have no mortar, allowing loose bricks to settle on top of one another. With the freezing season ahead, this could quickly lead to further and much costlier damage.
- 3. Waterproofing** - Built in 1910, this house sits on a brick foundation. These bricks are not the same as those used on the facades, rather, a cheaper, more porous one that allows moisture in and flakes easily. The red dust can be seen piling up at the foundation. The moisture and humidity can be felt, smelt and seen. Various locations are now breeding mold that is growing rapidly. While we stay out of the basement for this reason, the smell makes it's way up through the ductwork. While the moisture puts the house at risk, we fear it may be posing a health risk as well. Without digging the perimeter, it is hard to determine where or why the infiltrations are occurring aside from general decomposition of the bricks and mortar. Waterproofing and insulating would protect the foundation for decades beyond it's current remaining lifespan and a dry and stable foundation will also be preventative of further settlement or movement of the house itself.

After many consultations with a long list of contractors, we have identified experts to perform the work required to ensure the performance, beauty and longevity of this gem for decades to come. The total estimated cost, including tax, is \$57,404. We are requesting a grant of \$17,221, which represents 30% of the total cost, for the reasons outlined above. In addition to that rationale, the redundancy of inflation is unfortunately still playing a major role. The costs of ancillary items such as landscaping, pavers, fencing etc will also be incurred by us.

The cost breakdown is as follows:

Waterproofing (Dry-Rite)	- \$21,131
Repointing and brick wall restoration (Texas Stone)	- \$36,273
Total (inc. HST)	- <b>\$57,404</b>

I have attached several quotes and photos to support the various heritage forms required for this work. We are happy to offer any additional information that may be helpful in your process.

With our funds alone, these rehabs will not be possible for us. It would be thanks to your organization that we could assure the safety of our family and the endurance of this historic piece of Olde Walkerville. Thank you for your time and consideration.

Sincerely,  
Kayla Chopp and Arun Rattan







**West facing facade**

The furthest left plane (north west facing) of this bay window is experiencing buckling and requires rebuilding. Cement was applied, seemingly recently, however, movement has continued.

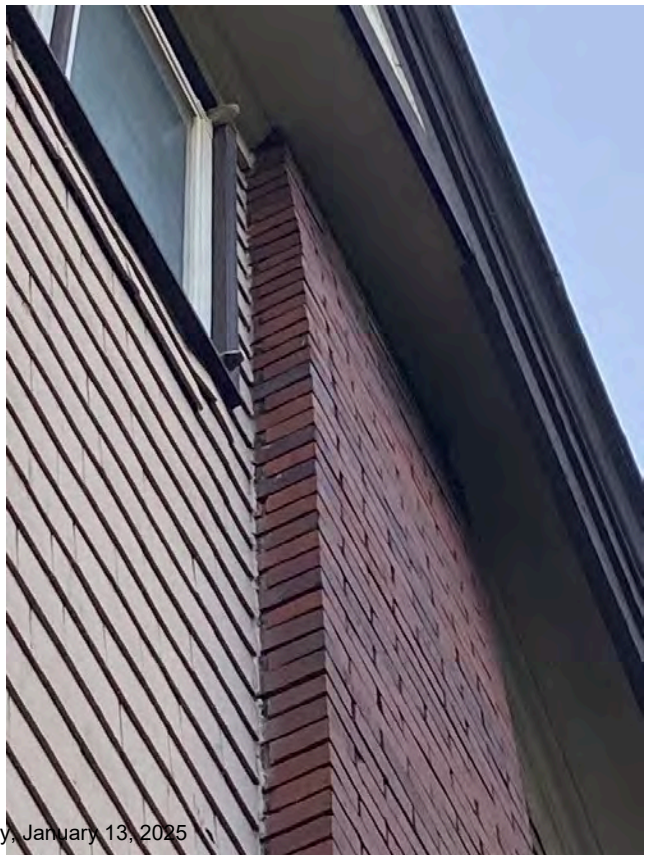






**North facing facade**

With less exposure to the sun, the mortar on this wall has experienced more saturation and as such, suffered increased expansion and contraction. Again, some cement, albeit the wrong kind, was inserted occasionally in an attempt to heal critical locations.







### **South facing facade**

Mild bowing of the brick is visible under the downspout where it meets the cedar siding. This run of gutter is sized incorrectly and water is overflowing on this brick wall. Much of the mortar is missing or crumbles easily. A full repointing is needed.



### **West facing facade**

Degradation of mortar is consistent with that of the north facing facade. There are many loose bricks and powdered remnants of the old limestone mortar. A portion of the undersized eavestrough runs along this facade. To safeguard the new mortar and prolong the life of the bricks, a larger trough is required to divert water appropriately.





**R&C Masonry Inc.**

GST # 77679 1139 RT 0001

755 Erie Rd south Harrow

2263455777

repairconstructionmasonry@gmail.com

ESTIMATE

EST0025

DATE

10/27/2024

TOTAL

CAD \$42,940.00

TO

**Arun**



DESCRIPTION	RATE	QTY	AMOUNT
Grind, fill, and wash all brickwork on the house. Tear down and rebuild partial section of bay window brick, re-using existing brick.	\$38,000.00	1	\$38,000.00
SUBTOTAL			\$38,000.00
TAX (13%)			\$4,940.00
TOTAL			<b>CAD \$42,940.00</b>

This quote does not include material. Material costs are an additional (estimated) \$2000.

Material cost is subject to change both +/- the quoted amount.

Customer also to cover boom rental for the repaint of the chimney.





# TEXAS STONE

BRICK - BLOCK - STONE - EPOXY  
NEW AND HERITAGE BRICK RESTORATION

10/6/24

Estimate Provided to:

Arun K Rattan  
794 Devonshire Rd  
Windsor Ontario



Re: Repointing and Brick Repair.

**HST IS APPLICABLE TO ALL SUBTOTALS— PAYMENTS  
ARE DUE AT 1/3 progress milestones.**

To extract bricks and rebuild front west face quarter angle of bricks which are bowing approx 15 feet by 3.5 ft in area

**\$3,800.00**

~~To extract bricks from south side of home around trough where bowing.~~

~~\$1,400.00~~

*gr*  
*gr*

To grind out mortar on whole home and repoint whole home except porch where only spot pointing is required.

**\$25,950.00**

To repoint chimney

**\$1,800.00**

We do not steel cap your chimney as the method tends to retain moisture and humidity causing premature brick spalling and failing mortar joints.

Scaffold up 5 to 6 levels and plank out.

Texas Stone Requires brush/bushes to be trimmed back away from home Gas to be shut off.

**BONUS-** Agreement to this contract while we complete work down the street at the same time we agree to repair out of courtesy your front porch surface concrete and finish in an epoxy colour and flake of your choice at cost of epoxy **(\$550) plus tax.**

**Totals include;** travel, materials, equipment, labour, safety measures, delivery, insurance and liability. **HST. # 751917014 RT0001. We are specialists experienced in chimney and porch restoration and rebuilds. We are Insured, Bonded and All Staff have Heights Certification and WSIB Registered and Hold Clearance Certification. Replies to: [quote@texas-stone.ca](mailto:quote@texas-stone.ca) We accept payment by cheque and e-transfer.**

**Our Services are Backed by a 5 Year Warranty against Workmanship.**

**TEXAS STONE DESIGNS, INC. is Insured and Bonded.**

Texas Stone Designs, Inc. 232 Erie Street West, Windsor, Ontario N9A 6B5 (519) 919-8472

# ESTIMATE

## P.J. Masonry & Restoration

P.J. Masonry & Restoration, Suite #118-5060  
Tecumseh Rd E, Windsor ON N8T 1C1, CANADA

BN: #803039189RT0001

jocelyne@pjasonry.com; Website:

www.pjasonry.com



**Estimate No#:** 0257

**Estimate Date:** Oct 9, 2024

Revised quote on Oct 18, 2024

**\$35,708.00**

**ESTIMATED AMOUNT**

### BILL TO

A Krattan

794 Devonshire Rd, Windsor ON N8Y 2M1,  
CANADA

#	ITEMS & DESCRIPTION	QTY/HRS	PRICE	Amount(\$)
1	Unit price includes: Equipment, materials, labour and clean up 1 x \$1,950.00   HST 13% (\$253.50) Custom Chimney cap. Supply and install one custom waterproof steel chimney cap.	1	\$1,950.00	\$1,950.00
2	Chimney repair 1 x \$7,250.00   HST 13% (\$942.50) start the repair from the floor to top area repointing mortar joints by removing damaged mortar and replacing with new mortar match similar colour. Repair bulging bricks by deep repointing bricks, removing damaged mortar and adding extra mortar deep in the joints.	1	\$7,250.00	\$7,250.00
3	Bulging brick wall under window front area of house 1 x \$4,400.00   HST 13% (\$572.00) Repair the bulging bricks under the window in the front area of the house to the top window. Remove bulging bricks and reinstall bricks.	1	\$4,400.00	\$4,400.00
4	Left side of house 1 x \$5,000.00   HST 13% (\$650.00) Repointing mortar joints and the whole left side wall, not including the chimney by removing damaged mortar and replacing with new mortar.	1	\$5,000.00	\$5,000.00

5	Right side of the house 1 x \$6,800.00   HST 13% (\$884.00) Repointing mortar joints and repair loose bricks as needed on the whole right side wall by removing damaged mortar and replacing with new mortar.	1	\$6,800.00	\$6,800.00
6	Back side of the house 1 x \$6,200.00   HST 13% (\$806.00) Repointing mortar joints by removing damaged mortar and replacing with new mortar and repairing loose bricks as needed.	1	\$6,200.00	\$6,200.00
			Subtotal	\$31,600.00
			Tax HST (13%)	\$4,108.00
			<b>TOTAL</b>	<b>\$35,708.00 CAD</b>

**NOTES TO CUSTOMER**

GST/HST#803039189RT0001, WSIB#6902904 /Fully insured  
Thank you for contacting P.J Masonry & Restoration

**TERMS AND CONDITIONS**

Quotation prepared by: Patrice for P.J. Masonry & Restoration. DEPOSIT REQUIRED. Prices are subject to change if extras such as labour, materials or measurements are added during the course of the project.. Your final total will be added to the final invoice. To accept this quotation, please sign or call the office at 519 800-3858. X\_\_\_\_\_.

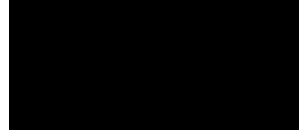




Prepared by:  
Chris Dauphin  
C (519) 365-9277  
chris@advancedbasementsystems.net

e-Transfer:  
payments@advancedbasementsystems.net  
\*Credit card call-in will have a 1% surcharge applied to balance\*  
TF (866) 277-1277  
License# 2083354 Ont Ltd

Prepared for:  
Arun Rattan



Job location:  
794 Devonshire Road  
Windsor, ON N8Y 2M1

Prepared on:  
11-5-24

# Project Summary

My Basement  
Custom Solution

Total Investment .....	\$35,308.30
HST .....	\$4,590.08
<b>Total Contract Price .....</b>	<b>\$39,898.38</b>
Deposit Required - 25% .....	\$9,974.60
Deposit Paid .....	\$0.00
<b>Amount Due Upon Installation .....</b>	<b>\$39,898.38</b>
Estimated Monthly Payment* (60mths) .....	\$808.80

\* Requires Application to Qualify for Financing

# Customer Consent

Any alteration from the specifications and corresponding price adjustment (if necessary) will be made only at the Customer's request or approval. Completing the work in this Proposal at the time scheduled is contingent upon accidents or delays beyond our control. This Proposal is based primarily on the Customer's description of the problem. This Proposal may be withdrawn if not accepted by the Customer within 30 days.

**Authorized Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

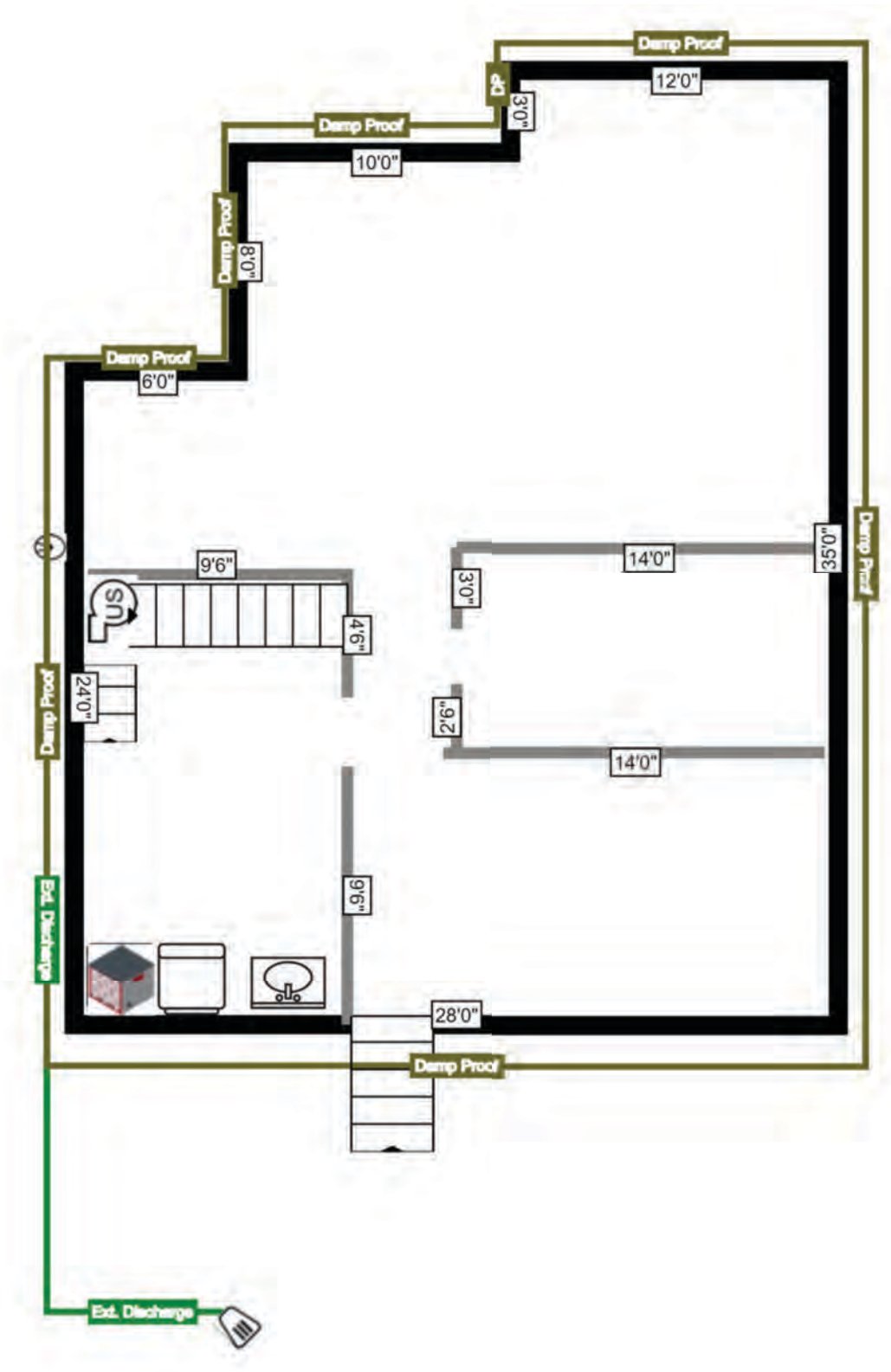
I fully understand and accept the transferable warranty provided, which covers only the areas of the basement/crawlspace addressed and does not cover water damage. Installation of the system does not include painting, finished carpentry, extending discharge lines, electrical work, or replacement of floor tile or carpeting. Customer shall grant contractor a 60 day right to remedy any problem after reported. Some dust should be expected from work. Final payment to be made when job is complete. 90% of payment owing is to be made when job is considered substantially complete, including but not limited to incomplete buried discharge lines due to frozen ground. All material is guaranteed to be as specified. All work to be completed according to the standard practices. Any alteration from above specifications will be executed only upon written orders, and will become an extra charge. All agreements contingent upon accidents or delays beyond our control. Our workers are fully covered by workmen's Compensation Insurance.

**Customer Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

Customer acknowledges Job Details Page **Initial** \_\_\_\_\_

Customer acknowledges Recommendations Page **Initial** \_\_\_\_\_

# Job Details



# Job Details (Continued)

## Specifications

1) Install SaniDry Sedona to keep humidity low. 2) Install stand under the Sani Dry Sedona. 3) Install damp-proofing on excavated walls prior to back-filling soil. This does not warrant a dry basement. Dry Basement Warranties are provided only with interior drainage systems. 4) Excavate the soil away from the wall as indicated on job drawing. Backfill and tamp soil after the system is installed. 5) Install drainage piping with 3/4" clean stone at exterior portion of footing. This product should be installed along with Damp-Proofing. 6) 7) Install TripleSafe Liner with Zoeller M63 cast iron pump, airtight lid with airtight floor drain, CleanPump Stand, and WaterWatch alarm system. 8) Install UltraSump battery back-up pumping system with charging/control box with alarm and 120 amp sealed maintenance-free battery. 9) Install an exterior discharge line as decided on by Customer, per contract drawing. 10) To supply and install IceGuard to prevent floods from clogged or frozen discharge line. 11) Install LawnScape Outlet (bubbler pot) at end of discharge line. 12) Connect drainage from bottom of Rockwell into existing exterior drainage system.

## Customer Will

- 1.) Remove and replace hot water tank from work area.
- 2.) Remove finished walls.
- 3.) Remove finished floors.
- 4.) Provide proper dedicated electrical outlets for all pumps, and other electrical devices to be installed.
- 5.) Move items 4 feet away from perimeter.

# Product List

## My Basement

SaniDry Sedona .....	1
Sedona Stand .....	1

## Custom Solution

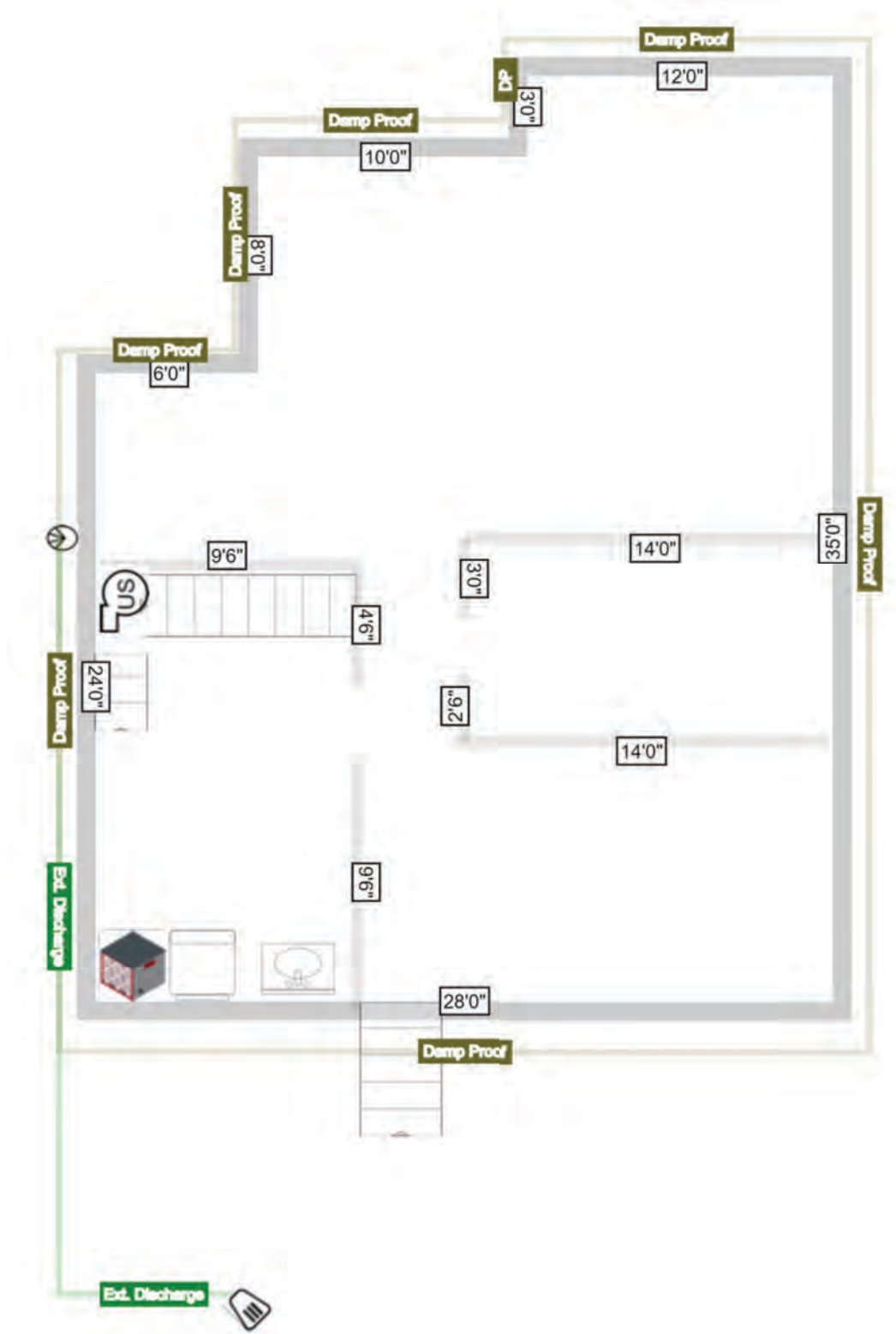
Damp-Proofing .....	775 sqft
Wall Excavation, 5-9' .....	128 ft
Exterior Drainage and Stone .....	128 ft
Excavator .....	1
SuperSump+ .....	1
UltraSump System .....	1
Exterior Discharge Line .....	40 ft
Ice Guard .....	1
LawnScape Outlet .....	1
Tie Into Exterior Drainage .....	1

# Recommendations to Your Project

My Basement	128 ft WaterGuard 9 WaterGuard Port	\$12,629.41
My Basement	1 SuperSump+ 1 UltraSump System 1 IceGuard 1 LawnScape Outlet 40 ft Exterior Discharge Line	\$4,934.00
My Basement	128 ft 4' High ThermalDry Wall	\$2,229.76



# Recommendations to Your Project



# Limited Warranty

This Limited Warranty (the "Warranty") is made in lieu of and excludes all other warranties, expressed or implied, all other obligations on the part of Advanced Basement Systems ("Contractor") to the customer ("Customer"). There are no other verbal or written warranties.

**General Terms** – This warranty is in effect if the job specified in this Contract is completed and paid in full and, alternatively, is null and void if full payment is not received. This warranty may be transferred to future owners of the structure on which the work specified in this Contract is completed, provided we are notified within 30 days of the real estate transfer. Contractor does not warrant products not mentioned below, but some of such products may be covered by a manufacturer's warranty.

**Drainage Systems** – For areas where Contractor has installed WaterGuard and/or a FlowGuard systems (a "Drainage System"), Contractor warrants that, if water from the floor wall joint passes through the perimeter of the Drainage System and onto the basement floor, Contractor will provide the labour and materials to fix the leak(s) at no additional charge to Customer for the Lifetime of the structure. If the entire basement perimeter was not treated by the Drainage System, the Warranty does not cover the untreated area(s) and additional work at an additional charge could be necessary to extend the Drainage Systems or treat other areas or problems not addressed by this Contract. Floor cracks are only warranted against leakage if a Drainage System has been installed under the problem area(s) connecting to a full perimeter Drainage System. In addition, a pump or power failure is possible, therefore this Warranty is not a guarantee of a dry basement, as Contractor cannot guarantee that in all circumstances. DryTrak Systems do not warrant water seepage through floor cracks. DryTrak is intended to capture floor/wall joint seepage only.

**Sump Pumps** – Primary AC operated sump pumps are covered under a separate Manufacturer's Warranty which is three (M53, N53, N98, M98) or five (M63, M95) years from the installation date. Labour is only covered under the first year of this Warranty. The second and third year (or, under a 5 year Warranty pump, the second, third, fourth and fifth year) of Warranty covers parts, but a \$120 labour charge will result. DC back-up pumps are covered under a separate manufacturer's warranty which is one year from the installation date. Back-up pumps that run off a battery, if not maintained, or that are called on to run beyond the current life of the battery, can fail. A TripleSafe pumping system is always recommended, but in rare circumstances even this system may not keep up with the amount of water. In these cases additional pumps may be required at an additional charge. Annual maintenance by Contractor is recommended to ensure optimum performance of the sump pump(s). Electrical work is not included in the Contract and problems from electrical connections or lack thereof are disclaimed.

This warranty shall not apply to: condensation, or any system that has been altered in any way, water vapor transmission, concrete discoloration from capillary action, water squirting out of the walls over the system, window well flooding, plumbing leaks, surface water flooding, leaks from chimneys or garages, or efflorescence (white powder) on concrete. Contractor cannot be responsible for peeling paint, water once pumped from the house, dust created from installation, damage to hidden fuel lines or plumbing, or frozen discharge lines without an IceGuard.

Drainage systems that drain to daylight/floor drains cannot be warranted by the contractor if such drain: does not drain enough water, does not drain water from under the floor, clogs or freezes. While drainage systems clogging or malfunctioning from iron ochre, iron gel or iron bacteria from the soil are rare, the contractor cannot be responsible for these situations, and that system will require cleaning, flushing or other service as necessary to keep it functioning for that particular situation.

**Exclusions From The Warranty** – THIS WARRANTY DOES NOT COVER, CONTRACTOR SPECIFICALLY DISCLAIMS LIABILITY FOR, AND CUSTOMER HOLDS CONTRACTOR HARMLESS FROM: 1) exterior waterproofing; 2) Drainage Systems or Crawl Space Drainage Systems (hereinafter, the "System") clogging or malfunction from mineral accumulations, iron bacteria, tree roots, mud, sand, etc.; 3) condensation, water vapor transmission, concrete discoloration from capillary action, water leaking out of the wall over the System, efflorescence (white powder) on concrete, window well flooding, plumbing leaks, surface water flooding, shrinkage cracks in new concrete, peeling paint, water once pumped from the structure, leaks from chimneys or garages, or frozen discharge lines; 4) damage to hidden fuel lines, plumbing lines, sewer lines, electrical lines, cable/satellite lines, sprinkler system lines, etc. 5) System damage caused by Customer's negligence, misuse, abuse, or alteration; 6) dust incidental to installation; 7) water damage to property including, but not limited to, floor coverings, furniture, all personal property, stored items, finished walls, and other objects inside the foundation of the structure on which work was completed; 8) mould and any damages caused by mould including, but not limited to, property damage, bodily injury, loss of income, loss of use, loss of value, emotional distress, adverse health effects, death, or any other effects; and 9) any failure or delay in performance or damages caused by acts of God (flood, fire, storm, etc.) acts of civil or military authority, or any other cause outside of Contractor's control.

**Items For Which Customer Is Responsible** – Customer is responsible for: 1) making full payment to the crew leader upon completion of the work; 2) preparing the work area for installation; 3) any finish carpentry, painting, paneling, landscaping, etc., that may be necessary after Contractor's work is finished; 4) marking any private lines such as satellite cables, propane lines, sprinkler system lines, etc.; 5) maintaining a positive drainage away from the repaired wall(s); 6) keeping gutters clean and in good working order; 7) directing downspouts a sufficient distance away from the repaired wall(s); 8) apply a thermal barrier in front of any installed polyurethane foam in basements or crawl spaces; if 6 feet in height; used for occupancy; used for passage of flue pipes; used as a plenum; or in any area with a combustible appliance; 9) vacate the structure for 24 hours from the start of any installation of sprayed polyurethane foam due to off-gassing (this is required by the foam manufacturer); and 10) any items mentioned in this Contract under "Customer Will" or "Notes."

## **SaniDry Sedona**

The SaniDry Sedona dehumidifier will be free of material defects in workmanship or materials for a period of five (5) years. The five-year warranty period commences at the date of installation. It is recommended to change filter at least every 12 months.

# Notice of Right to Cancel

You are entering into a contract. You have a right to void the contract or sale by notifying your Inspector (contact information noted on Page 1 of this contract) within ten business days from the date of the initial transaction (deposit paid). After the ten day period, deposits are non-refundable.

## How to Cancel

If you cancel this transaction, you are required to complete the Notice of Right to Cancel and scan to email it to your Inspector, or mail it to our office.

**TF** (866) 277-1277

\*Credit card call-in will have a 1% surcharge applied to balance\*

23576 Prince Albert Rd

Chatham, ON N7M 5J7

After the ten day period, deposits are non-refundable.

## I wish to cancel.

---

Owner's Signature

Date

---

Owner's Signature

Date

## The undersigned acknowledges receipt of the Notice of Right to Cancel.

---

Owner's Signature

Date

---

Owner's Signature

Date



# DRY-RITE

700 Talbot Rd  
Maidstone, Ontario  
NOR 1K0  
519-977-2007  
all-dry@live.ca  
www.dry-rite.ca

# Estimate

Estimate No: 4774  
Date: 2024-10-24

For: Arun Krattan



Description	Quantity	Rate	Amount
Exterior waterproof South wall 29ft East wall 17ft + 6ft North wall 36ft West wall 15ft Obtain locates Remove A/C unit (not re-install) Remove and dispose landscaping where necessary Remove interlock brick where necessary Excavate down to footing Install 4 inch big O Clean walls Tar walls Install 10mil poly Install delta membrane Add 3/4 clear stone over big O Backfill native soil Haul away extra soil Clean up	1	\$18,700.00	\$18,700.00
		Subtotal	\$18,700.00
		HST 13%	\$2,431.00
		Total	\$21,131.00
		<b>Total</b>	<b>\$21,131.00</b>





# DC Basement Waterproofing/Concrete

# Estimate

2221 Dougall Ave  
 Windsor, Ontario  
 N8X-1S7  
 (226) 345-6767  
 contact@dcbasementwaterproofing.ca  
 www.dcbasementwaterproofing.ca  
 226.345.6767  
 HST#82041 6683 RT0001  
 Business #2321666

Estimate No: 7764  
 Date: 2024-10-01

For: Arun Rattan



Description	Amount
-------------	--------

Outside Waterproofing * Excavate to footing * Change weeping tile - 4" with sock * * Powerwash wall * Repair cracks with tar/ hydraulic cement or parge *Apply membrane adhesive - footing to ground level * Apply blue skin or mel-roll rubber membrane - footing to ground level * Tar top edge of membrane * Fasten delta membrane from footing to ground level * Fasten top edge to secure delta at ground level * 1' of crushed stone on top of weeping tile * * Backfill with excavated soil. * Soil to be left 12"-18" high to allow for settling Excess soil taken away	\$18,900.00
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------

South wall - 33'  
 North wall - 33'  
 East wall - 20'  
 West wall - 14'

100'

Price includes:

- \* remove ac and put back in place
- \* take down and fencing and put back up, specifically north east corner
- \* lift and dispose of interlock on back wall
- \* back wall includes side wall of grade entrance
- \* parge cracked sills
- \* plug storm sewers underground
- \* remove and dispose of all shrubs
- \* wall to be parged with Mapei cement where required
- \* parge bricks below grade - up to bottom of window sills

Subtotal	\$18,900.00
HST 13%	\$2,457.00
Total	\$21,357.00

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<b>Total</b>	<b>\$21,357.00</b>
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Photo 1



Photo 2

South wall - entire wall





Photo 3

Disconnect storm sewer - drain away from house



Photo 4

Repair cracked sill

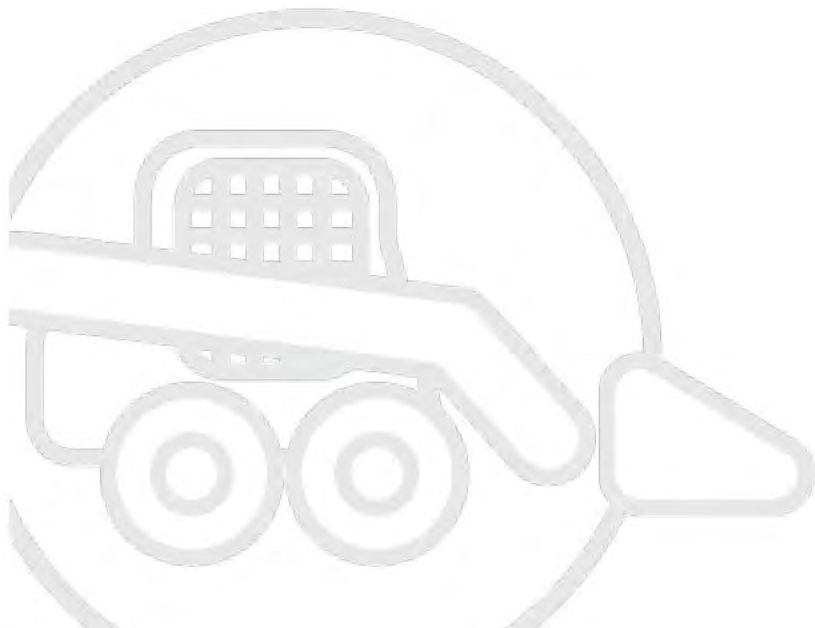




Photo 5

Remove interlock in dig area and back fill with excavated soil



Photo 6

Waterproof side wall of grade entrance

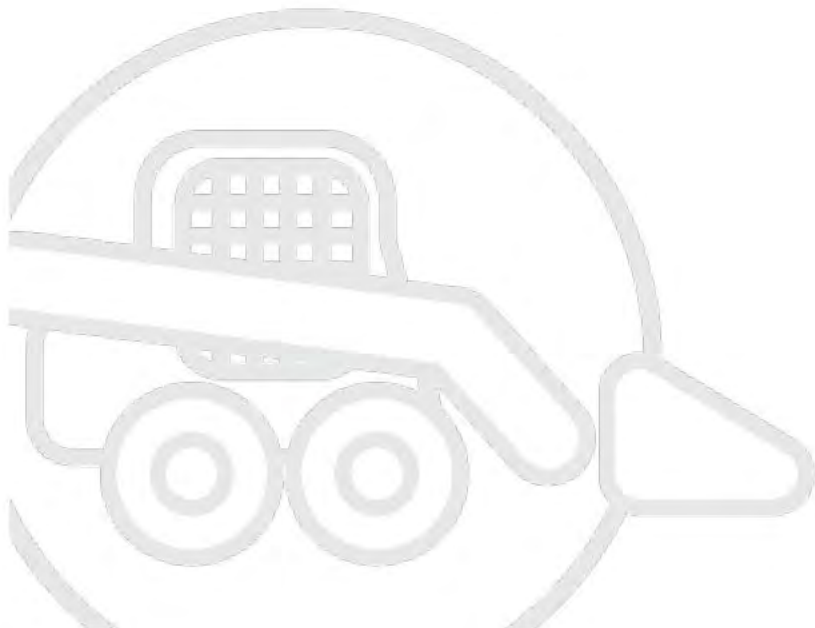




Photo 7

North wall - ac



Photo 8

West wall



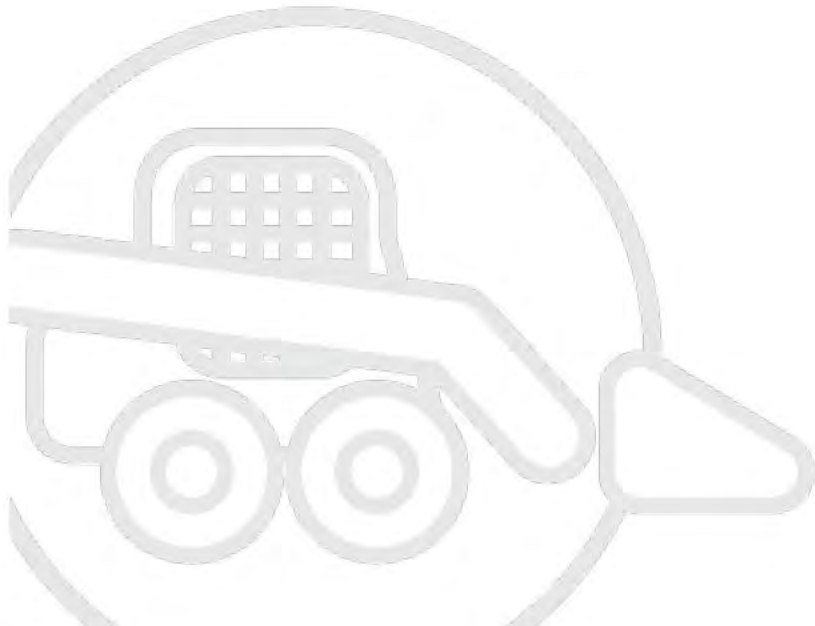


Photo 9



Photo 10

Move patio stones





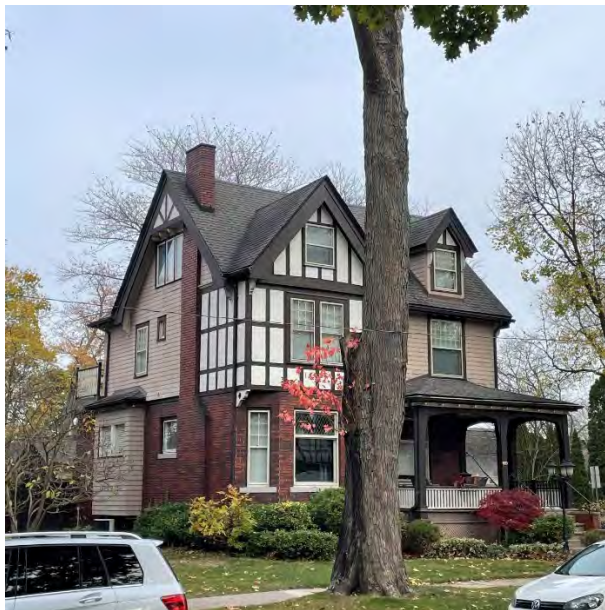
**APPENDIX 'D' – Additional Photos of 794 Devonshire Road**



View of the front (west-facing) facade of 794 Devonshire Road



View of the side (south-facing) façade of 794 Devonshire Road from Cataraqui Street



View of 794 Devonshire Road looking south-east



View of 794 Devonshire Road looking north-east from the intersection of Devonshire Road and Cataraqui Street





Close-up views of the gaps in the mortar and modern mortar fills on the red brick exterior walls



Views of the red brick facade



Close-up views of the foundation-level red bricks, showing mortar gaps and loose brick units

## Item No. 8.17



### Committee Matters: SCM 377/2024

**Subject: Minutes of the Committee of Management for Huron Lodge of its meeting held September 12, 2024**

Moved by: Councillor Fabio Costante  
Seconded by: Councillor Jo-Anne Gignac

Decision Number: **CSSC 261**

That the minutes of the Committee of Management for Huron Lodge of its meeting held September 12, 2024 **BE RECEIVED**.

Carried.

Report Number: SCM 288/2024  
Clerk's File: MB2024

#### Clerk's Note:

1. Please refer to Item 7.1 from the Community Services Standing Committee held on December 4, 2024
2. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241204/-1/10528>



**Committee Matters: SCM 288/2024**

**Subject: Minutes of the Committee of Management for Huron Lodge of its meeting held September 12, 2024**



## **Committee of Management for Huron Lodge**

### **Meeting held September 12, 2024**

A meeting of the Committee of Management for Huron Lodge is held this day commencing at 9:00 o'clock a.m. in Room 140, 350 City Hall Square West, there being present the following members:

Councillor Ed Sleiman, Chair  
Councillor Fred Francis  
Councillor Jo-Anne Gignac

#### ***Guests in attendance:***

Gay Viecegli, Chair, CARP Long-Term Care Transformation Committee  
Anne Dube, Secretary, CARP Long Term Care Transformation Committee  
Viera Polak, Member at Large, CARP Long Term Care Transformation Committee

#### ***Also present are the following resource personnel:***

Alina Sirbu, Executive Director Long Term Care, Administrator of Huron Lodge  
Andrew Daher, Commissioner, Human & Health Services  
Doran Anzolin, Executive Initiatives Coordinator  
Karen Kadour, Committee Coordinator

#### **1. Call to Order**

The Chair calls the meeting to order at 9:06 o'clock a.m. and the Committee of Management for Huron Lodge considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

#### **2. Disclosure of Interest**

None disclosed.

#### **3. Adoption of the Minutes**

Moved by Councillor Fred Francis, seconded by Councillor Jo-Anne Gignac,  
That the minutes of the meeting of the Committee of Management for Huron Lodge held June 27, 2024 **BE ADOPTED** as presented.  
Carried.

#### 4. Presentation – CARP Long Term Care Transformation Committee

Gay Viecegli, Chair, Anne Dube, Secretary, and Viera Polak, Member at Large appear before the Committee of Management for Huron Lodge. The Presentation entitled “CARP Long-Term Care Transformation Committee – Care with Dignity” is **attached** as Appendix “A”, which was presented by Ms. Gay Viecegli.

Councillor Fred Francis thanks Ms. Viecegli, Ms. Dube and Ms. Polak for their Presentation.

Moved by Councillor Fred Francis, seconded by Councillor Jo-Anne Gignac,  
That the Presentation by the CARP Long Term Care Transformation Committee entitled “CARP Long-Term Care Transformation Committee – Care with Dignity” **BE NOTED AND FILED.**

Carried.

#### 5. In Camera

Moved by Councillor Fred Francis, seconded by Councillor Jo-Anne Gignac,  
To move in Camera at 9:10 a.m. for the purpose of consideration of the following item of business.

Subject – Personal matter(s) about an identifiable individual – s. 239 (2)(b)

Discussion on the item of business.

**Verbal Motion is presented by Councillor Fred Francis, seconded by Councillor Jo-Anne Gignac to move back into public session at 9:15 o'clock a.m.**

**Moved by Councillor Fred Francis, seconded by Councillor Jo-Anne Gignac,  
That the Clerk BE DIRECTED to transmit the recommendation(s) contained in the update discussed at the In-Camera Committee of Management for Huron Lodge meeting held September 12, 2024 directly to the Committee of Management for Huron Lodge at the next regular meeting.**

Moved by Councillor Fred Francis, seconded by Councillor Jo-Anne Gignac,  
That the In Camera update relating to the personal matter about an identifiable individual, including municipal or local board employees **BE RECEIVED**, and further that Administration **BE REQUESTED** to proceed in accordance with the verbal direction of the Committee of Management for Huron Lodge.

Carried.

## 6. Business Items

### 6.1 Administrator's Report

Alina Sirbu states that the Province announced an upcoming change in regard to the process through which long term care receives funding leading towards a more comprehensive system with various data added into the assessments. She adds that several webinars and information sessions will be provided and the ministry are looking at early adopters. This is due to start in April 2026.

In response to a question asked by Councillor Jo-Anne Gignac regarding when would early adopters identify themselves, Alina Sirbu responds that the Ministry is asking for those nominations currently .

Alina Sirbu advises that from a financial perspective, they continue to use the funding from the Ministry to implement all of the advances that will allow Huron Lodge to provide better care with better outcomes. Huron Lodge is in process of implementation of Point of Care tablets which means the Personal Support Workers will be able to document patient care and a better flow of information to the Registered staff that do the clinical submissions that ultimately translate into funding .

Alina Sirbu reports from a CQI perspective, she is grateful for the Residents' Council that they have at Huron Lodge. The Residents' Council meets monthly, during which information on quality improvement initiatives and ministry directives/changes are communicated with an opportunity for residents to seek clarification and provide feedback on processes to improve their home. She adds that the Residents' Council is one of their success stories.

Alina Sirbu refers to the Palliative Care Committee who remain focused on continuing to support compassionate care at end-of-life for their residents and families.

The Family and Resident Satisfaction Surveys will be delivered to the residents in the near future.

Alina Sirbu advises that since the last meeting of the committee, there was an inspection from the Ministry with zero items noted for non-compliance.

Moved by Councillor Jo-Anne Gignac, seconded by Councillor Fred Francis,  
That the report from the Administrator of Huron Lodge providing the Committee of Management with an update on issues related to resident care, the Ministry of Long-Term Care (MLTC); Ontario Health; Home and Community Care Support Services (HCCSS); and other initiatives that impact the Long Term-Term Care sector **BE RECEIVED** for information and **APPROVED** for the period starting June 28, 2024, and ending September 12, 2024.

Carried.

**7. Date of Next Meeting**

The next meeting will be held on either December 12, 2024 or December 13, 2024 at 9:00 o'clock a.m.

**8. Adjournment**

There being no further business, the meeting is adjourned at 9:36 o'clock a.m.



**CARP LONG-TERM CARE  
TRANSFORMATION COMMITTEE**

**CARE WITH DIGNITY**

Committee of Management for Huron Lodge

September 12, 2024



# **OUR MISSION STATEMENT**

We desire a model of care which prioritizes the individual over the institution, promotes purpose by creating a sense of place and supports the continuation of a normal life.

# OUR COMMITTEE'S HISTORY

- Established in 2020, after the COVID-19 pandemic highlighted the urgent issues in long-term care.
- CARP Windsor-Essex, Chapter 7 has been working with other Ontario Chapters, with the CARP Ottawa Chapter as the lead.
- We have held events to bring attention to home care and long-term care issues that need to be addressed.
- We have studied research and different models of service delivery that have transformed elder care throughout the world.
- Most recently, we commissioned the production of a video entitled “Care with Dignity” to highlight the issues in our elder care system, but more importantly to speak to the need to transform our system.

# INNOVATIVE MODELS THAT HAVE EMBRACED A CULTURE CHANGE FOR SENIOR CARE

- There have been a number of innovative models that have embraced a culture change in the US, Europe, Australia, and recently in Ontario.

- The models include:

Butterfly Homes

Hogeweyk Villages

The Eden Alternative

The Green House Project





## THE COMMON ELEMENTS OF THE MODELS ARE:

- Using a relationship-based approach to care where residents, staff and families feel part of a community.
- Setting up small home-like environments.
- Providing more hours of direct care for residents.
- Employing full-time well-paid staff who are trained in empathy, culture change and a team approach to care.
- Recognizing families and caregivers as integral members of the team.
- Engaging volunteers who are trained in empathy and culture change.




# THE BENEFITS OF THE MODELS

- Increased positive interactions with staff, families and residents.
- A system focused on individual needs.
- Decreased use of medication.
- Decreased number of aggressive incidents.
- Decreased visits to the hospital.
- Reduced staff sick time.
- Reduced food waste.




# OUR VIDEO - CARE WITH DIGNITY


Person-Centered Care Model – Develop and implement a care model that prioritizes the needs and preferences of individuals over institutional protocols.



Promote Purpose and Sense of Place – Create environments within care homes that foster a sense of belonging and purpose for residents.



Support Normal Life Continuation – Implement practices and policies that enable residents to continue their lives as normally as possible, maintaining their daily routines and activities.



Government Enforcement of Staff Ratios – Ensure the government legislates and enforces staff to resident ratios to provide the standards of enjoyment of life we all deserve.



*I am no longer accepting the things I  
cannot change. I am changing the  
things I cannot accept.*

**- Angela Davis**



# MOVING FORWARD



**Committee Matters: SCM 378/2024**

**Subject: Minutes of the Meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., Held September 12, 2024**

Moved by: Councillor Fabio Costante  
Seconded by: Councillor Jo-Anne Gignac

Decision Number: **CSSC 262**

That the minutes of the Meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held September 12, 2024 **BE RECEIVED**.

Carried.

Report Number: SCM 324/2024  
Clerk's File: MB2024

**Clerk's Note:**

1. Please refer to Item 7.2 from the Community Services Standing Committee held on December 4, 2024
2. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241204/-1/10528>



## **Committee Matters: SCM 324/2024**

**Subject: Minutes of the Meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., Held September 12, 2024**

A meeting of the **Executive Committee Board of Directors, Willistead Manor Inc.** is held this day commencing at 4:00 o'clock p.m. at Willistead Manor, there being present the following members:

D. Sanborn, Chair  
C. Gaudette  
R. Gauthier

***Regrets:***

J. Evans

***Also in attendance are the following Resource Personnel:***

D. Seguin, Deputy Treasurer – Financial Accounting and Corporate Controls  
M. Staadegaard, Manager, Culture & Events  
C. Menard, Supervisor, Community Programming - Cultural Affairs  
& Willistead Manor Coordinator  
S. Gebauer, Council Assistant & Executive Secretary to the Board  
of Directors, Willistead Manor Inc.

**1. CALL TO ORDER**

The Chairperson calls the meeting to order at 4:10 o'clock p.m. and the Executive Committee considers the Agenda being Schedule "A" ***attached*** hereto, matters, which are dealt with as follows:

**2. ADOPTION OF THE MINUTES**

Moved by R. Gauthier, seconded by C. Gaudette,  
That the minutes of the Executive Committee Board of Directors  
Willistead Manor Inc. meeting held June 13, 2024, **BE ADOPTED** as presented.

Carried.

**3. BUSINESS ARISING FROM THE MINUTES**

None.

**4. REPORTS**



#### 4.1 Chairperson

None.

#### 4.2 Administration

C. Menard, Supervisor, Community Programming - Cultural Affairs & Willistead Manor Coordinator provides the following updates:

##### *Priority Projects for Willistead Manor:*

- C. Menard and R. Gauthier will continue to work on prioritizing projects in the Manor and identifying budgets.
- C. Menard to follow-up in the fall/winter regarding the lighting in the Manor. Quotes have been received and the project is currently paused, pending time for next steps.
- C. Menard will continue to search for files containing information about items donated to Willistead Manor.

##### *Facilities:*

- The re-installation of the repaired window grate covers in the Paul Martin Gardens is complete and only one capstone replacement is remaining, on the east side of Conservatory.
- The Main Courtyard restoration project is nearly complete. There is one remaining capstone replacement, with expected delivery by the end of September.
- Work began on September 9<sup>th</sup>, 2024, in the Mary Walker Dressing Room. The project includes peeling the wallpaper, preparing the walls for repainting and repainting with the chosen colours.
- Some material options for the Coach House Ceiling are currently being investigated for consideration.
- The Facilities Department has completed a full condition assessment for the structural envelope of the Willistead Manor Complex. The preliminary inspection took place on May 1<sup>st</sup>, 2024. This is a multi-phase process that will require significant time from both C. Menard and M. Staadegaard, Manager, Culture & Events, to meet with Facilities to assess and determine needs for the Manor House, Custodian apartment, Coach House and Gatehouse, as well as working with Parks to start prioritizing projects in the City's 10-year Capital Plan, identifying funding, determining staffing resources, etc. Currently the City Roofer is working to address ongoing issues with upper lever terrace surface, slope, drainage, etc.

##### *Willistead Park, Parking Lot, Exterior Areas Updates:*

- Funding for the fence repair/refinish will be available in 2029/2030.
- Funding for the replacement of the parking lot will be available in 2029.

##### *Culture & Events Updates:*

- C. Menard will be updating the Room Guide to include the Coach House and will also be updating the Willistead Manor brochure.

- The 4<sup>th</sup> Annual High Tea & Garden Party that took place on Sunday, July 28, 2024, sold out with approximately 285 guests.
- The 4<sup>th</sup> Annual Harvest Dinner promotion and ticket sales will begin the week of September 16, 2024.

*Documentary Updates:*

- There are no new updates concerning the Willistead documentary currently.
- The documentary was screened at WIFF Under the Stars.

### **4.3 Treasurer**

D. Seguin, Deputy Treasurer – Financial Accounting and Corporate Controls, provides the current account balances as follows:

- Operating Account -- \$22,319.
- Savings Account -- \$26,600.
- Furnishings Trust -- \$8,673.

## **5. NEW BUSINESS**

The Executive Committee members discuss the recruitment of new members and consider restructuring some of the board's current sub-committees to better align with the board's goals.

## **6. DATE OF NEXT MEETING**

The next meeting of the Executive Committee Board of Directors, Willistead Manor Inc. will be on Wednesday, October 16, 2024.

## **7. ADJOURNMENT**

There being no further business, the meeting is adjourned at 4:32 o'clock p.m.

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CHAIRPERSON

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EXECUTIVE SECRETARY

A meeting of the **Board of Directors, Willistead Manor Inc.** is held this day commencing at 4:30 o'clock p.m. at Willistead Manor, there being present the following members:

D. Sanborn – Chair  
A. Abu-Zahra  
MJ. Dettinger  
C. Gaudette  
R. Gauthier  
R. Jasey (via conference phone)  
C. Pitman

***Regrets from Board Members:***

J. Evans  
E. Morasset

***Also in attendance are the following resource personnel:***

D. Seguin, Deputy Treasurer – Financial Accounting and Corporate Controls  
M. Staadegaard, Manager, Culture & Events  
C. Menard, Supervisor, Community Programming - Cultural Affairs  
& Willistead Manor Coordinator  
S. Gebauer, Council Assistant & Executive Secretary to the Board  
of Directors, Willistead Manor Inc.

**1. CALL TO ORDER**

The Chairperson calls the meeting to order at 4:43 o'clock p.m. and the Board considers the Agenda being Schedule "A" **attached** hereto, matters, which are dealt with as follows:

**2. ADOPTION OF THE MINUTES**

Moved by MJ Dettinger, seconded by C. Gaudette,  
THAT the minutes of the Board of Directors, Willistead Manor Inc. meeting held June 13, 2024, **BE ADOPTED** as presented.

Carried.

### 3. BUSINESS ARISING FROM THE MINUTES

None.

### 4. CHAIRPERSON'S REPORT

D. Sanborn points out the framed portrait of Mary Walker, allowing Board members the opportunity to view it.

### 5. REPORTS

#### 5.1 Management

C. Menard, Supervisor, Community Programming - Cultural Affairs & Willistead Manor Coordinator provides the following updates:

#### *Priority Projects for Willistead Manor:*

- C. Menard and R. Gauthier will continue to work on prioritizing projects in the Manor and identifying budgets.
- C. Menard to follow-up in the fall/winter regarding the lighting in the Manor. Quotes have been received and the project is currently paused, pending time for next steps.

#### *Facilities:*

- The re-installation of the repaired window grate covers in the Paul Martin Gardens is complete and only one capstone replacement is remaining, on the east side of Conservatory.
- The Main Courtyard restoration project is nearly complete. There is one remaining capstone replacement, with expected delivery by the end of September.
- Work began on September 9<sup>th</sup>, 2024, in the Mary Walker Dressing Room. The project includes peeling the wallpaper, preparing the walls for repainting and repainting with the chosen colours.
- Material options for the Coach House Ceiling are currently being investigated for consideration.
- The Facilities Department has completed a full condition assessment for the structural envelope of the Willistead Manor Complex. The preliminary inspection took place on May 1<sup>st</sup>, 2024. This is a multi-phase process that will require significant time from both C. Menard and M. Staaedegaard, Manager, Culture & Events, to meet with Facilities to assess and determine needs for the Manor House, Custodian apartment, Coach House and Gatehouse, as well as working with Parks to start prioritizing projects in the City's 10-year Capital Plan, identifying funding, determining staffing resources, etc. Currently the City Roofer is working to address ongoing issues with upper lever terrace surface, slope, drainage, etc.



*Willistead Park, Parking Lot, Exterior Areas Updates:*

- Funding for the fence repair/refinish will be available in 2029/2030.
- Funding for the replacement of the parking lot will be available in 2029.

*Culture & Events Updates:*

- C. Menard will be updating the Room Guide to include the Coach House and will also be updating the Willistead Manor brochure.
- The 4<sup>th</sup> Annual High Tea & Garden Party that took place on Sunday, July 28, 2024, sold out with approximately 285 guests.
- The 4<sup>th</sup> Annual Harvest Dinner promotion and ticket sales will begin the week of September 16, 2024.

*Documentary Updates:*

- There are no new updates concerning the Willistead documentary currently.
- The documentary was screened at WIFF Under the Stars.

C. Menard further informs the Board members that the Museum staff has scanned all the historical information belonging to Art Jahns and it will be added to the Museum Windsor database.

## **5.2 Treasurer**

D. Seguin, Deputy Treasurer – Financial Accounting and Corporate Controls, provides the current account balances as follows:

- Operating Account -- \$22,319.
- Savings Account -- \$26,600.
- Furnishings Trust -- \$8,673.

## **6. COMMITTEES**

### **6.1 Fundraising**

None.

### **6.2 Community Relations and Promotion**

None.

### **6.3 Acquisitions**

R. Gauthier explains that the unveiling, originally planned for the portrait of Mary Walker was postponed due to summer schedules. He informs the Board members that

the portrait will be displayed in the Manor for everyone to see, with the possibility of planning something at a later date.

R. Gauthier informs the Board members that the Acquisitions Committee is currently reviewing fabric options for the drapery in the Great Hall. He also informs that the table, donated by the family of a former Hiram Walker employee, has arrived and is currently in the Billiards Room. The Acquisitions Committee is considering adding a glass top to protect the table and will also obtain glass tops for the shelves of the baker's rack.

#### **6.4 Friends of Willistead (FOW)**

C. Pitman, provides the following updates:

- The July public tours of Willistead Manor were very successful with 10 volunteers at each session. Several visitors came from the United States including Ohio, Florida, Louisiana and Tennessee. There were also many visitors from different parts of Ontario.
- Two group toured the Manor in August, one of them being a group of car enthusiasts.
- The Friends of Willistead Garage Sale will take place on Saturday, September 21<sup>st</sup>, 2024, in the Coach House. Many hours have been spent sorting and pricing items. C. Menard has created the poster, and they are receiving many inquiries.
- The Christmas decorating schedule has been set. Fluffing will take place on Thursday, November 14<sup>th</sup>, and the decorating will be done on Saturday and Sunday, November 16<sup>th</sup> and 17<sup>th</sup>. C. Pitman will reach out to St. Clair College to ask if the students would be willing to help again this year.

C. Gaudette asks whether the filming of the Amazing Race at the Manor has anything to do with the increase in tours and the many out of town visitors. M. Staadegaard, Manager of Culture & Events indicates that they have seen increases in other locations as well.

#### **6.5 Education**

R. Jasey informs the Board members that he hopes to expand the student visits in the Spring. R. Jasey also indicates that he is planning on hosting some meetings for the school program at the Manor as well, which will include community partners.

#### **6.6 Historical**

None.

#### **6.7 Event Planning**

None.

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## 7. NEW BUSINESS

R. Gauthier informs the Board members that member D. Langstone has found some information of Mary's family lineage in Michigan. He suggests that they find someone well versed on Ancestry and hire them to investigate this.

Moved by A. Abu-Zahra, seconded by R. Gauthier,  
That the following persons **BE RE-APPOINTED** to the Board of Directors,  
Willistead Manor Inc. for a two-year term expiring August 17, 2026:

M. J. Dettinger  
C. Gaudette  
R. Jasey

Carried.

D. Sanborn informs the Board members that the Executive Committee has discussed recruiting new members. He suggests that the Board members review some samples of applications and questionnaires that were used for recruitments for other City of Windsor Board and Committees that will be sent to them for information and for discussion at a future meeting. The Chair indicates that a questionnaire specific to Willistead Manor Inc. would have to be created.

D. Sanborn reminds the members that effective October, meetings will be held on the second Wednesday of the month instead of Thursdays and that due to scheduling conflicts the next meeting will be scheduled for Wednesday, October 16, 2024.

## 8. DATE OF NEXT MEETING

The next meeting of the Board of Directors, Willistead Manor Inc., will be held Wednesday October 16, 2024 at 4:30 o'clock p.m.

## 9. ADJOURNMENT

There being no further business, the meeting is adjourned at 5:12 o'clock p.m.

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CHAIRPERSON

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EXECUTIVE SECRETARY



**Committee Matters: SCM 379/2024**

**Subject: Minutes of the Meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held October 16, 2024**

Moved by: Councillor Fabio Costante  
Seconded by: Councillor Jo-Anne Gignac

Decision Number: **CSSC 263**

That the minutes of the the Meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held October 16, 2024 **BE RECEIVED**.

Carried.

Report Number: SCM 325/2024  
Clerk's File: MB2024

**Clerk's Note:**

1. Please refer to Item 7.3 from the Community Services Standing Committee held on December 4, 2024
2. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241204/-1/10528>





## **Committee Matters: SCM 325/2024**

**Subject: Minutes of the Meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held October 16, 2024**

A meeting of the **Executive Committee Board of Directors, Willistead Manor Inc.** is held this day commencing at 4:00 o'clock p.m. at Willistead Manor, there being present the following members:

D. Sanborn, Chair  
J. Evans  
C. Gaudette  
R. Gauthier

***Also in attendance are the following Resource Personnel:***

S. Gebauer, Council Assistant & Executive Secretary to the Board  
of Directors, Willistead Manor Inc.

**1. CALL TO ORDER**

The Chairperson calls the meeting to order at 4:16 o'clock p.m. and the Executive Committee considers the Agenda being Schedule "A" **attached** hereto, matters, which are dealt with as follows:

**2. ADOPTION OF THE MINUTES**

Moved by J. Evans, seconded by R. Gauthier,  
That the minutes of the Executive Committee Board of Directors  
Willistead Manor Inc. meeting held September 12, 2024, **BE ADOPTED** as  
presented.

Carried.

**3. BUSINESS ARISING FROM THE MINUTES**

None.

**4. REPORTS**

**4.1 Chairperson**

D. Sanborn informs the Committee members that he has had the opportunity to review the sample recruitment materials that were provided and has some ideas for questions specific to the Willistead Manor Inc. Board. He suggests moving

forward with the recruitment process once they have had a chance to finalize the questionnaire.

R. Gauthier indicates that he has also thought of some questions for the recruitment campaign for the Willistead Manor Inc. Board of Directors.

## 4.2 Administration

S. Gebauer, Council Assistant & Executive Secretary to the Board of Directors, Willistead Manor Inc. provides the following updates on behalf of C. Menard:

### *Priority Projects for Willistead Manor:*

- C. Menard and R. Gauthier will continue to work on prioritizing projects in the Manor and identifying budgets.
- C. Menard to follow-up in the fall/winter regarding the lighting in the Manor. Quotes have been received and the project is currently paused, pending time for next steps.
- C. Menard will continue to search for files containing information about items donated to Willistead Manor.

### *Facilities:*

- The re-installation of the repaired window grate covers in the Paul Martin Gardens is complete and only one capstone replacement is remaining, on the east side of Conservatory and is to be installed the week of October 15, 2024.
- The Main Courtyard restoration project is nearly complete. There is one remaining capstone replacement, to be installed the week of October 15, 2024.
- The old wallpaper was peeled in the Mary Walker Dressing Room, the walls were repainted, and the room has been put back together.
- C. Menard will be meeting with the Project Manager during the last week of October regarding material options for the Coach House Ceiling and will report back to the Committee at the November meeting.
- The Facilities Department has completed a full condition assessment for the structural envelope of the Willistead Manor Complex. The preliminary inspection took place on May 1<sup>st</sup>, 2024. This is a multi-phase process that will require significant time from both C. Menard and M. Staadegaard, Manager, Culture & Events, to meet with Facilities to assess and determine needs for the Manor House, Custodian apartment, Coach House and Gatehouse, as well as working with Parks to start prioritizing projects in the City's 10-year Capital Plan, identifying funding, determining staffing resources, etc. Currently the City Roofer is working to address ongoing issues with upper lever terrace surface, slope, drainage, etc.

### *Willistead Park, Parking Lot, Exterior Areas Updates:*

- Funding for the fence repair/refinish will be available in 2029/2030.
- Funding for the replacement of the parking lot will be available in 2029.

*Culture & Events Updates:*

- The Mary Walker Portrait installation is complete along with the re-organizing of other portraits in the Manor.
- C. Menard will be updating the Room Guide to include the Coach House and will also be updating the Willistead Manor brochure.
- The 4<sup>th</sup> Annual Harvest Dinner saw approximately sixty people.
- Promotions will begin after Remembrance Day for the Holiday Tours Program.
- Holiday Decorating will begin on Wednesday, November 13<sup>th</sup>.

*Documentary Updates:*

- There are no new updates concerning the Willistead documentary currently.

**4.3 Treasurer**

None.

**5. NEW BUSINESS**

The Executive Committee members discuss the recruitment of new members and consider restructuring some of the board's current sub-committees to better align with the board's goals.

**6. DATE OF NEXT MEETING**

The next meeting of the Executive Committee Board of Directors, Willistead Manor Inc. will be on Wednesday, November 13, 2024.

**7. ADJOURNMENT**

There being no further business, the meeting is adjourned at 4:28 o'clock p.m.

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CHAIRPERSON

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EXECUTIVE SECRETARY



A meeting of the **Board of Directors, Willistead Manor Inc.** is held this day commencing at 4:30 o'clock p.m. at Willistead Manor, there being present the following members:

D. Sanborn – Chair  
A. Abu-Zahra  
MJ. Dettinger  
J. Evans  
C. Gaudette  
R. Gauthier  
R. Jasey  
D. Langstone  
E. Morasset  
C. Pitman

***Regrets from Board Members:***

M. McKenzie

***Also in attendance are the following resource personnel:***

S. Gebauer, Council Assistant & Executive Secretary to the Board  
of Directors, Willistead Manor Inc.

**1. CALL TO ORDER**

The Chairperson calls the meeting to order at 4:32 o'clock p.m. and the Board considers the Agenda being Schedule "A" **attached** hereto, matters, which are dealt with as follows:

**2. ADOPTION OF THE MINUTES**

Moved by C. Gaudette, seconded by R. Gauthier,  
THAT the minutes of the Board of Directors, Willistead Manor Inc. meeting held September 12, 2024, **BE ADOPTED** as presented.

Carried.

**3. BUSINESS ARISING FROM THE MINUTES**

None.

#### 4. CHAIRPERSON'S REPORT

D. Sanborn informs the Board members that the executive committee has been discussing the recruitment of new board members and is currently preparing a questionnaire tailored to Willistead Manor Inc. The Chair explains that the recruitment will be carried out with the assistance of the City of Windsor, but the Executive Committee will review all applications and will present a shortlist to the board for final approval.

#### 5. REPORTS

##### 5.1 Management

D. Sanborn provides the following updates on behalf of C. Menard:

##### *Priority Projects for Willistead Manor:*

- C. Menard and R. Gauthier will continue to work on prioritizing projects in the Manor and identifying budgets.
- C. Menard to follow-up in the fall/winter regarding the lighting in the Manor. Quotes have been received and the project is currently paused, pending time for next steps.

##### *Facilities:*

- The re-installation of the repaired window grate covers in the Paul Martin Gardens is complete and only one capstone replacement is remaining, on the east side of Conservatory and is to be installed the week of October 15, 2024.
- The Main Courtyard restoration project is nearly complete. There is one remaining capstone replacement, to be installed the week of October 15, 2024.
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- The Facilities Department has completed a full condition assessment for the structural envelope of the Willistead Manor Complex. The preliminary inspection took place on May 1<sup>st</sup>, 2024. This is a multi-phase process that will require significant time from both C. Menard and M. Staadegaard, Manager, Culture & Events, to meet with Facilities to assess and determine needs for the Manor House, Custodian apartment, Coach House and Gatehouse, as well as working with Parks to start prioritizing projects in the City's 10-year Capital Plan, identifying funding, determining staffing resources, etc. Currently the City Roofer is working to address ongoing issues with upper level terrace surface, slope, drainage, etc.

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*Willistead Park, Parking Lot, Exterior Areas Updates:*

- Funding for the fence repair/refinish will be available in 2029/2030.
- Funding for the replacement of the parking lot will be available in 2029.

*Culture & Events Updates:*

- The Mary Walker Portrait installation is complete along with the re-organizing of other portraits in the Manor.
- C. Menard will be updating the Room Guide to include the Coach House and will also be updating the Willistead Manor brochure.
- The 4<sup>th</sup> Annual Harvest Dinner saw approximately sixty people.
- Promotions will begin after Remembrance Day for the Holiday Tours Program.
- Holiday Decorating will begin on Wednesday, November 13<sup>th</sup>.

## **5.2 Treasurer**

None.

## **6. COMMITTEES**

### **6.1 Fundraising**

None.

### **6.2 Community Relations and Promotion**

None.

### **6.3 Acquisitions**

R. Gauthier informs the Board members that the acquisitions committee is still in the process of procuring new draperies for the Great Hall.

### **6.4 Friends of Willistead (FOW)**

C. Pitman, provides the following updates:

- The FOW garage sale, held on September 21<sup>st</sup> was a great success and almost \$2,000 was raised. Anything that was left over was donated to the May Court Club of Windsor.
- A letter has been sent to Tricia King from the Interior Design Program at St. Clair College, to ask about student volunteers for Christmas decorating at the Manor on Saturday November 16, 2024.
- Teams and schedules for Christmas decorating are currently being prepared.

## 6.5 Education

R. Jasey informs the Board members that he would like to explore the option of having a co-op student at Willistead Manor and plans to discuss this with C. Menard. Additionally, R. Jasey informs that he will be asking about funding from Willistead Manor Inc. for student transportation to enhance educational visits to the Manor.

## 6.6 Historical

D. Langstone informs the Board members that copies of the book entitled *The Life & Times of Hiram Walker* can be purchased from the print shop on Devonshire Road at a cost of \$25. He explains that the work was commissioned from the Walkers and favored the Walkers.

C. Pitman adds that there are several other publications however this one is somewhat biased. She suggests compiling a bibliography of all works and making it available online.

E. Morasset suggests that should the Board members wish to display this publication, a letter can be included in the front of the book explaining the nature of the works.

D. Langstone presents a detailed family tree to the Board members, focusing on Mary's family. The tree starts with Mary's father and includes only deceased descendants, mainly of Mary's sister, Margaret Griffin. D. Langstone's research, based on obituaries, uncovered information about family members and their locations. He indicates that Mary's father was associated with the Griffin Wheel Company in Detroit, and that Mary had a brother, Thomas A. Griffin, who manufactured rail wheels in Chicago. Additionally, Mary was related to the actor Griffin Dunne.

R. Gauthier suggests hiring a local professional specializing in ancestry to further trace the family. He indicates that he will take on the task of finding such an individual to assist with this research.

## 6.7 Event Planning

None.

## 7. NEW BUSINESS

J. Evans asks about plans for a formal dedication or unveiling of the portrait of Mary Walker. D. Sanborn indicates that they will bring attention to the piece at the Mayor's Reception however, there will not be a formal unveiling. He adds that it will be meaningful introduction with the Walker descendants present.



A. Abu-Zahra proposes that a video be created to keep in the archives, featuring the artist of Mary Walker's portrait explaining the portrait and the technique used.

Moved by R. Gauthier, seconded by R. Jasey,

That the following motion approved by email poll taken by S. Gebauer, Executive Secretary of the Board of Directors, Willistead Manor Inc. on July 30, 2024, **BE CONFIRMED AND RATIFIED:**

THAT the Board of Directors, Willistead Manor Inc. **AUTHORIZE** an additional expenditure in the amount of \$1,565.10 CAD to cover the total cost of custom framing for the portrait of Mary Walker; and,

THAT the expenditure **BE FUNDED** from the Willistead Furnishings Trust account.

Carried.

Moved by R. Jasey, seconded by C. Gaudette,

That the following motion approved by email poll taken by S. Gebauer, Executive Secretary of the Board of Directors, Willistead Manor Inc. on July 25, 2024, **BE CONFIRMED AND RATIFIED:**

THAT the Board of Directors, Willistead Manor Inc. **APPROVE** an expenditure in the amount of \$1,025.48, including HST, for the purchase of six (6) floral centerpieces for the birthday party held at Willistead Manor for the great-great granddaughter of Hiram Walker in May; and,

THAT the expenditure **BE FUNDED** from the Willistead Manor Inc. Operating Account.

Carried.

## 8. DATE OF NEXT MEETING

The next meeting of the Board of Directors, Willistead Manor Inc., will be held Wednesday November 13, 2024 at 4:30 o'clock p.m.

**9. ADJOURNMENT**

There being no further business, the meeting is adjourned at 5:35 o'clock p.m.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
EXECUTIVE SECRETARY

**Item No. 8.20**



**Committee Matters: SCM 380/2024**

**Subject: Report No. 120 of the Board of Directors Willistead Manor Inc.**

Moved by: Councillor Jo-Anne Gignac  
Seconded by: Councillor Renaldo Agostino

Decision Number: **CSSC 264**

That Report No. 120 of the of the Board of Directors Willistead Manor Inc. indicating:  
That the following persons BE RE-APPOINTED to the Board of Directors of  
Willistead Manor Inc. for a two-year term expiring August 17, 2026:

MJ. Dettinger  
C. Gaudette  
R. Jasey

**BE APPROVED.**

Carried.

Report Number: SCM 326/2024  
Clerk's File: MB2024

**Clerk's Note:**

1. Please refer to Item 7.4 from the Community Services Standing Committee held on December 4, 2024
2. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241204/-1/10528>



**Committee Matters: SCM 326/2024**

**Subject: Report No. 120 of the Board of Directors Willistead Manor Inc.**



**REPORT NO. 120**  
of the  
**BOARD OF DIRECTORS,**  
**WILLISTEAD MANOR INC.**  
of its meeting held September 12, 2024

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**Present:** D. Sanborn -- Chair  
A. Abu-Zahra  
MJ. Dettinger  
C. Gaudette  
R. Gauthier  
R. Jasey  
C. Pitman

Your Board submits the following recommendations:

Moved by A. Abu-Zahra, seconded by R. Gauthier,  
That the following person **BE RE-APPOINTED** to the Board of Directors of  
Willistead Manor Inc. for a two-year term expiring August 17, 2026:

MJ. Dettinger  
C. Gaudette  
R. Jasey

Carried.

---

**Chair**

---

**Executive Secretary**

**NOTIFY:**

<b>Name</b>	<b>Address</b>	<b>City/Prov/Pstcd</b>	<b>Telephone</b>	<b>FAX</b>
Board of Directors Willistead Manor Inc.				



## Item No. 8.21

### Committee Matters: SCM 381/2024

#### Subject: Facility Accessibility Design Standard Adoption - City Wide

Moved by: Councillor Jo-Anne Gignac  
Seconded by: Councillor Renaldo Agostino

Decision Number: **CSSC 265**

That Council **DIRECT** administration to review the updated Facility Accessibility Design Standards proposed by the WAAC Facility Accessibility Design Subcommittee and report back to Council for final approval.

Carried.

Report Number: S 130/2024  
Clerk's File: GPL/3263

#### Clerk's Note:

1. The recommendation of the Community Services Standing Committee and Administration are the same.
2. Please refer to Item 8.1 from the Community Services Standing Committee held on December 4, 2024
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241204/-1/10528>

**Subject: Facility Accessibility Design Standard Adoption - City Wide**

**Reference:**

Date to Council: December 4, 2024

Author: Mark Keeler, Accessibility/Diversity Officer  
519-255-6515 ext. 6602; mkeeler@citywindsor.ca

Human Resources

Report Date: September 17, 2024

Clerk's File #: GPL/3263

**To:** Mayor and Members of City Council

**Recommendation:**

**THAT** Council **DIRECT** administration to review the updated Facility Accessibility Design Standards proposed by the WAAC Facility Accessibility Design Subcommittee and report back to Council for final approval.

**Executive Summary:**

N/A

**Background:**

In November of 2006, the first Windsor Facility Accessibility Design Standard (FADS) was passed by Council (CR538/2006). This standard was based on a revised version of the London Facility Accessibility Standard, which has been adopted by many municipalities across Ontario. The adoption of the standard aligned with objectives outlined in the Community Strategic Plan by strengthening the social fabric of Windsor, enhancing complete neighborhoods through improved accessibility, and celebrates diversity by ensuring equal access and participation. It is also a key non-legislative goal of the corporation's multi-year accessibility plan.

While the existing FADS has served the City of Windsor, the 2006 standard was based on the 2001 London standard; that standard, now over twenty-four years old, has been rendered outdated due to changes to Ontario's Building Code and the Accessibility for Ontarians with Disabilities (AODA). London has released several versions since then and the most current version is 2021: this release incorporates changes in the Ontario Building Code and the integrated regulations of the AODA. Basing the updated Windsor FADs on the 2021 London standard will serve the city for years to come.

The Windsor Accessibility Advisory Committee (WAAC) is comprised of the following members from which the FAD Subcommittee was drawn.

<b>Contact</b>	<b>Title/Department</b>
Sally Bennett	Chair, Windsor Accessibility Advisory Committee
Councillor Francis	Councillor for Ward 1
Peter Best	Co-Chair of WAAC, FAD member
Danica McPhee	Member of WAAC an FAD Subcommittee
Riccardo Pappini	Member of WAAC an FAD Subcommittee, Architect
Nick Petro	Member of WAAC an FAD Subcommittee
Caleb Ray	Member of WAAC an FAD Subcommittee
Surendra Bagga	Member of WAAC an FAD Subcommittee, Architect
Mark Keeler	Diversity & Accessibility Officer, Chair of FAD Subcommittee

**Discussion:**

A Facility Accessibility Design Standard (FADS) is a technical specification utilized by staff, architects, engineers, designers, and contractors to enhance the built environment for persons with disabilities beyond the Ontario Building Code and the AODA. This standard directs staff on the mandatory requirements for new construction and recommended guidance for retrofit projects while also serving as a best practice for construction across Windsor.

The updated standard enshrines universal design principles that serve to eliminate barriers to persons with disabilities. Residents, regardless of their ability, share a fundamental right to independence, autonomy, and dignity. Universal design principles require that the design of public spaces should be usable by all, as much as possible, without the need for adaptation or specialized design; as an example, it means a



counter should be accessible to everyone rather than requiring a separate counter for persons with disabilities.

The process of adopting FADS is typically a long-term and complex initiative that is impacted by a combination of contributing factors such as the labor-intensive nature of the work, conflicting interests of internal and external stakeholders, and organizational resistance to change. Discussions with WAAC began in 2019 that led to a comparison of municipalities to determine which FADS would be the most suitable model for adoption and secondly, to ascertain what had changed between the earlier versions and the newest between Cities.

The comparative study of FADs across Ontario was a combined effort of WAAC and administration that focused on a review of comparable municipalities including London, Ottawa, Kingston, Vaughan, Markham, Mississauga, and Oakville. Each municipal standard was evaluated for its technical depth, complexity, origin, publication date, and integration with provincial legislation; some municipalities were eliminated if they were written prior to 2020 or if their version was adopted from the London FAD. While most FADs are quite similar, it was determined that London provided a standard that was clearly communicated and comprehensive in its structure and detail; this, coupled with the fact London was also the standard selected in 2005, led to conclusion that London was the most suitable standard to adopt.

The emergence of COVID and delays in the release of the new London standard moved continued work into late 2022. By November 2022, London had approved the request to use their standard, and our WAAC FAD Subcommittee was struck and commenced work on May 9, 2023. This subcommittee, consisting of staff and members of WAAC, continues to review the London FAD and provides recommendations based on the lived experience of persons with disabilities.

The FAD is structured into six chapters, encompassing sixty-six sections, organized around key categories such as interiors, exteriors, systems, and special facilities. Each chapter focuses on a specific group of features— for example, Chapter 3 addresses exterior elements, with Section 3.3 covering specifications for exterior paths of travel.

Departments responsible for the built environment will review, comment on, and approve sections relevant to their scope. Once finalized, all sections will be compiled into a release for council approval.

It is anticipated that the FADS project will affect or require the participation of many departments that include but are not limited to the following:

Fire and Rescue Services	Recreation and Culture	Security/City Hall/Special Activities
Windsor Police Services	Building Services	Engineering/Corporate Projects

Windsor Public Library	Transit Windsor	Public Works
Parks and Facilities	Huron Lodge	Traffic
Parking	Human Resources	

**Risk Analysis:**

There is a significant risk that if the city continues to maintain the older 2006 Facility Accessibility Design Standard (FADS), it will not align with contemporary best practices and missed opportunities to enhance accessibility and inclusivity. This could lead to ongoing barriers in the built environment, diminishing the quality of life for residents and potentially exposing the municipality to reputational damage and non-compliance with emerging accessibility expectations. The mitigation strategy would focus on incremental updates and recommendations on best practices.

**Climate Change Risks**

**Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

There are no financial implications because of this report but there will be costs over time if Council ultimately adopts the new FADS.

A broad range of projects are impacted by compliance with FADS. These projects can include any new building construction or existing facility retrofits and range from a new recreation facility to upgrading washrooms. Public infrastructure projects might include work on sidewalks, trails, parks, ramps, and lighting while other projects such as upgrades to electrical systems may be impacted. Additional projects can include compliance with accessibility legislation and special facility construction. In all of the above cases, designers and architects rely on FAD for the development of engineering documents, proposals, and cost estimates. The exact costs cannot be readily estimated at this time and will be determined on a case-by-case basis, as future projects are identified, estimated for costs, and proposed. Reports to administration and council may vary but be broadly categorized as proposals, recommendation reports, status updates, accessibility audit reports, and budget and funding requests.

**Consultations:**

Contact	Title/Department
Sally Bennett	Chair, Windsor Accessibility Advisory Committee
FAD Subcommittee	Peter Best, Danica McPhee, Riccardo Pappini, Nick Petro, Caleb Ray, Surendra Bagga
Kristen Karam	Financial Planning Administrator, Finance
Wadah Al-Yassiri	Manager, Parks Department
Sebastian Pirrone	Director, Corporate Security
Rob Shelton	Supervisor of Assets & Facility Projects
Donovan Tremblay	Supervisor, Facilities
Stacey McGuire	Executive Director, Engineering/Dep City Eng.

**Conclusion:**

The review and amendment of the new FADS standard, with the cooperation of departments with responsibility for the built environment, will result in the completion of the most crucial phase of the adoption of the updated accessibility standard. That standard, reflecting contemporary expectations of participation and access, will serve the city for years to come and continue to open the doors to a barrier-free environment for everyone regardless of the abilities

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Vincenza Mihalo	Executive Director, Human Resources

Dana Paladino	Senior Executive Director, Corporate Services (A)
Ray Mensour	Commissioner, Community & Corporate Services
Dave Soave	Manager, Strategic Operating Budget Development and Control
Janice Guthrie	Commissioner of Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Department	Email
Sally Bennett, Chair,	WAAC	
Alina Sirbu	Huron Lodge	
Tyson Cragg	Transit Windsor	
John Revell	Building Services	
Jen Knights	Recreation and Culture	
James Chacko	Parks and Facilities	
Michael Chantler	Windsor Public Library	
Stacey McGuire	Engineering	
Colleen Middaugh	Engineering – Corporate Projects	
Sebastian Pirrone	Security/City Hall/Campus/Special Activities	

**Appendices:**





**Subject: Response to CQ 39-2024 – Funds Available for Waterfront Parkland Property – Riverside Sites (Shores Park & Former Abars Site) – Ward 6**

Moved by: Councillor Jo-Anne Gignac  
Seconded by: Councillor Fabio Costante

Decision Number: **CSSC 266**

That the report of the Manager of Real Estate Services, dated October 25, 2024 in response to CQ 39-2024 entitled “Response to CQ 39-2024 – Funds Available for Waterfront Parkland Property – Riverside Sites (Shores Park & Former Abars Site) – Ward 6.” **BE RECEIVED** for information.

Carried.

Report Number: C 137/2024  
Clerk’s File: AL2024

**Clerk’s Note:**

1. The recommendation of the Community Services Standing Committee and Administration are the same.
2. Please refer to Item 8.2 from the Community Services Standing Committee held on December 4, 2024
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241204/-1/10528>

**Subject: Response to CQ 39-2024 – Funds Available for Waterfront Parkland Property – Riverside Sites (Shores Park & Former Abars Site) – Ward 6**

**Reference:**

Date to Council: December 4, 2024  
Author: Denise Wright  
Manager of Real Estate Services  
519-255-6100 x6403  
dwright@citywindsor.ca  
Legal Services, Real Estate & Risk Management  
Report Date: October 25, 2024  
Clerk's File #: AL2024

**To:** Mayor and Members of City Council

**Recommendation:** That Council **RECEIVE** this report for information.

**Executive Summary:**

N/A

**Background:**

On September 23, 2024 Councillor Gignac asked the following Council Question:

**CQ 39-2024**

*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.*

This report is in response to that Council Question.

Acquiring riverfront property for parkland purposes has been a common practice of Council since 1963 when Council Resolution CR734/63 was adopted to acquire, when available, waterfront property on the north side of Riverside Drive between the Ambassador Bridge and the Peabody Bridge for Parks purposes. The City of Windsor Official Plan (section 6.10.1 Waterfront Recreational), Central Riverfront Implementation Plan (Segment 1) and the Olde Sandwich Town CIP (29a. and 29b.) are all policies that support the acquisition of a property in order to have a continuous uninterrupted trail system on the Central Riverfront from Walkerville in the east to Sandwich Town in the west. This vision has been identified through Council Decisions, policy documents and amendments to the Official Plan.

The City's Waterfront Parkland Acquisitions Policy (the "**Policy**") was approved by B23-2019, effective April 1, 2019.

### **Discussion:**

In accordance with section 4.1.3 of the Policy, City Council is responsible to provide the funding for the Waterfront Parkland Acquisition Fund. When this matter was brought forward to Council in 2019, Council did not provide any funding for the Fund, nor was any direction provided by Council approving creation of the Fund. As a result, the Waterfront Parkland Acquisition Fund (the "**Fund**") has not been established to date.

Currently, the acquisition of property for parkland purposes is primarily funded through the Parkland Acquisition Reserve Fund 151. The current balance of Fund 151 is approximately \$1,652,235.20, net of encumbrances. The Waterfront Parkland Acquisition Policy establishes the requirements and processes for waterfront parkland acquisitions. This policy is intended to deal with waterfront property where there is a willing seller.

There are two options available to City Council when property is identified that serves a municipal purpose. Administration can pursue the acquisition of the property through a negotiated purchase or by way of expropriation. Whether acquisition is by negotiation or expropriation, an independent appraisal is required as part of the acquisition process.

There are two sites in Riverside that have been brought forward by residents that meet the requirements set out in the Waterfront Parkland Acquisition Policy: Shanfield Shores Park and the former Abars site. Accompanying this report is a P&C memo regarding further information on these properties.

With respect to Shanfield Shores Park (the "**Park**"), the parcels immediately east of the Park, being 0 and 9716 Riverside Drive East (the "**Park Adjacent Properties**") were listed for sale in August of 2023 for a total listing price of \$1,125,000. The Park Adjacent Properties have 100 feet of frontage on the north side of Riverside Drive.

The Park Adjacent Properties were again listed for sale for in late 2023 and early 2024 and both listings have since expired. In April of 2024, the Park Adjacent Lands were once again listed, this time for \$988,000. This newest listing expired on September 30, 2024.

The former Abars property, municipally known as 7880 Riverside Drive East, is owned by Central McKinlay International Ltd. ("**Central**"). The abutting parcel to the east, 8040 Riverside Drive East, is owned by 1552875 Ontario Inc., a related company to Central, both of which are owned by the Moroun family. 7880 and 8040 Riverside Drive East (the "**Abars Properties**") have a combined area of 8.78 acres (3.55 hectares) and 1,246.38 feet (379.9 metres) of frontage on the north side of Riverside Drive.

### **Risk Analysis:**

There are no risks associated with accepting this report.

## Climate Change Risks

### Climate Change Mitigation:

### Climate Change Adaptation:

### Financial Matters:

In accordance with section 4.1.3 of the Policy, City Council is responsible to provide the funding for the Waterfront Parkland Acquisition Fund. The Waterfront Parkland Acquisition Fund (the “**Fund**”) has not been established to date.

The acquisition of property for parkland purposes is primarily funded through the Parkland Acquisition Reserve Fund 151. The current balance of Fund 151 is approximately \$1,652,235.20 net of encumbrances. This is a statutory reserve identified under the Planning Act and is funded through a combination of developer contributions in lieu of providing parkland as well as proceeds from the sale of former parkland properties. Expenses charged to the reserve are limited to the following:

- Acquisition of land to be used for park or other public recreational purposes
- Erection, improvement or repair of buildings (for park or other public recreational purposes)
- Acquisition of machinery for park or other public recreational purposes

### Consultations:

Rosa Maria Scalia, Financial Planning Administrator

Erika Benson, Financial Planning Administrator

Michael Dennis, Manager, Strategic Capital Budget Development & Control

Wadah Al-Yassiri, Manager of Park Development

Aaron Farough, Senior Legal Counsel

### Conclusion:

CQ 39-2024 asked Administration for a report on funds that are available for waterfront property that could become parkland. A Waterfront Parkland Acquisition Fund has not been established to date.

### Planning Act Matters:

N/A

### Approvals:

Name	Title
Denise Wright	Manager of Real Estate Services
Wira Vendrasco	City Solicitor
Dana Paladino	Senior Executive Director, Corporate Services (Acting)
James Chacko	Executive Director of Parks, Recreation &



Name	Title
	Facilities
Ray Mensour	Commissioner, Community & Corporate Services
Emilie Dunnigan	Manager, Development Revenue & Financial Administration
Janice Guthrie	Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email

**Appendices:**



**Committee Matters: SCM 383/2024**

**Subject: Response to CQ12-2024 – Community Recognition Awards – City Wide**

Moved by: Councillor Jo-Anne Gignac  
Seconded by: Councillor Renaldo Agostino

Decision Number: **CSSC 267**

That the report of the Manager, Community Programming & Development, dated November 21, 2024 in response to CQ12-2024 entitled “Response to CQ12-2024 – Community Recognition Awards – City Wide” **BE RECEIVED** for information.

Carried.

Report Number: S 169/2024  
Clerk’s File: SR2024

**Clerk’s Note:**

1. The recommendation of the Community Services Standing Committee and Administration are the same.
2. Please refer to Item 8.3 from the Community Services Standing Committee held on December 4, 2024
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241204/-1/10528>

**Subject: Response to CQ12-2024 – Community Recognition Awards – City Wide**

**Reference:**

Date to Council: December 4, 2024  
Author: Nada Tremblay  
Manager, Community Programming & Development  
ntremblay@citywindsor.ca  
519-253-2300

Recreation and Culture  
Report Date: 11/21/2024  
Clerk's File #: SR2024

**To:** Mayor and Members of City Council

**Recommendation:**

**THAT** City Council **RECEIVE** this report in response to CQ 12-2024 regarding establishing a Civic Recognition Awards program for the City of Windsor.

**Executive Summary:**

N/A

**Background:**

On February 26, 2024, Councillor Marignani posed the following question:

“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.”

This report is in response to that question (CQ 12-2024).

Currently, the City does not have an official Civic Recognition Awards program in place. However, from time to time, the municipality recognizes citizens with the following community awards and acknowledgements:

**The Windsor Mayor's Arts Awards (WMAAs)** are presented every two years, in partnership with the Windsor Endowment for the Arts (WEA) awards and grants, to celebrate and recognize those individuals and organizations that support locally developed arts, providing exciting, surprising and meaningful opportunities to strengthen

Windsor's creative community. As part of this initiative, the Mayor provides three awards with a financial honorarium and keepsake component. Only Windsor residents are eligible for the WMAAs. The partnership program with WEA is considered for renewal every two years in advance of launching a public call for the available awards.

**Heritage Recognition and Built Heritage Awards** are presented in Windsor as part of the annual Heritage Week celebrations in Ontario. City Council recognizes property owners for long-time heritage stewardship and/or recent well-done rehabilitations through the presentation of Built Heritage Awards. Owners of newly designated buildings are also presented with a heritage designation plaque

**Keepsakes and commemorative items** are presented throughout the year, often at the direction and discretion of the Mayor and members of City Council. These awards are typically in the form of letters or certificates of recognition, or commemorative plaques, and help to recognize residents, businesses, community organizations, and visitors for significant achievements within the community, as well as to mark special visits, events or anniversaries. These recognition awards help to honour special achievements and significant actions that create positive change for our city and positively affect the lives of Windsor residents, families, neighbourhoods, and the broader community.

In addition to these existing City-led initiatives, there are several community-led recognition programs in place throughout Windsor, including, but not limited to: Athena Awards, Business Excellence Awards, Windsor Endowment for the Arts awards and grants, Herb Gray Harmony Award and Multicultural Council of Windsor and Essex County's Champion Award, Alumni of Distinction Awards from post-secondary educational institutions, Windsor International Film Festival awards, and more.

Furthermore, upper levels of government offer ongoing and one-off awards, including through the Province of Ontario's Volunteer Service Awards.

### **Discussion:**

Following the Council question (CQ 12-2024), Administration has considered the planning, resources, and funding required to support the development and implementation of a Civic Recognition Awards program for the City of Windsor. As a starting point, Administration has provided some preliminary parameters that could be used should Council direct Administration to fully develop and implement a Citizen Recognition Awards program in the future.

In general, Administration recommends a Civic Recognition Awards program that:

- Recognizes community champions or community leaders for significant achievements and contributions to the city of Windsor, through hard work, dedication, and compassionate actions that support and inspire others in the community, while reinforcing the city's values and the spirit of giving for which Windsor residents, business and organizations are known.

- Provides a maximum of six (6) awards presented annually.



- Recognizes two seniors (65+), two adults (18-64), and two youth (under 18) each year.
- Provides a commemorative plaque and/or certificate of recognition for the award recipients.
- Includes a robust nomination and selection process to determine award recipients each year.
- Includes a requirement for recipients to be Windsor residents, or Windsor-based businesses and organizations.
- Includes a requirement for nominees to have demonstrated significant contributions to the community's well-being through volunteer work, community service, or exceptional acts of kindness undertaken during the previous year.
- Includes a requirement for a minimum of three letters of support for the nomination that will help those involved in the selection process to understand the broader community impact of the nominee's actions.
- Includes a review, evaluation and selection process that may include in-person interviews with nominees, undertaken by a selection committee comprising City officials, City Administration, community leaders, and – possibly, as the program grows – past award recipients.
- Includes a public award presentation either as part of a standalone ceremony, or in connection with existing City-led celebratory events such as the annual Birthday Celebration, Bright Lights Windsor, Open Streets Windsor, etc.
- Includes a public awareness campaign to both announce current award recipients, and to use their stories to inspire future nominees and encourage community-building initiatives and actions throughout Windsor; to be undertaken through the City's existing information-sharing platforms including the corporate website, social media sites, and more.
- Includes an annual review of the overall program to ensure it remains relevant and impactful.

### **Risk Analysis:**

**Reputation Risks:** There is a slight risk that the City could recognize a citizen that has in the past, or decides to in the future, engage in behaviours that do not align with City of Windsor values. Should Council wish to implement this awards program, Administration recommends that any established selection committee be empowered engage in basic vetting of all nominees to help mitigate this potential risk, while recognizing that any vetting process may not capture all possible indiscretions. Additionally, should an awards program move forward, Administration recommends that the selection committee also be empowered to make final decisions on award recipients, and that those decisions cannot be appealed.

**Financial Risks:** There is a moderate financial risk as there is currently no budget identified or allocated to implement a Civic Recognition Awards program. Should

Council wish to move forward with this initiative, a budget would need to be established to support the program.

**Resource Risks:** There is a moderate resource risk as there is currently no staff capacity to dedicate towards the requirements of developing, implementing, and administering a Civic Recognition Awards program. If Council wishes to move forward with this initiative, additional staff resources or the reprioritization of existing duties will be required.

### **Climate Change Risks**

#### **Climate Change Mitigation:**

N/A

#### **Climate Change Adaptation:**

N/A

### **Financial Matters:**

Administration developed the following proposed budget for consideration (based on the six awards described in this report).

<b>Expense</b>	<b>Cost</b>
Plaques & Reception	\$3,500
Selection Committee Process	\$1,000
Marketing & Promotion	\$3,000
<b>TOTAL</b>	<b>\$7,500</b>

In addition to the cost to host an annual award ceremony and reception, there will be a number of in-kind staff commitments involved through the selection process, preparation of the event and other post-award activities. It is estimated that \$3,000 of in-kind staff cost will be required from various departments to implement this initiative, while potentially resulting in additional overtime costs.

The current operating budget does not include funding for the expenses related to a new Civic Recognition Awards program for the City of Windsor. Should Council wish to move forward with this new annual program, Administration would need to identify this as a priority matter in as part of a future Operating Budget.

**Consultations:**

Tracy Ou – FPA, Recreation & Culture

Alena Sleziak – Senior Manager of Communications & Customer Service (A)

Salina Larocque – Cultural Development Coordinator

Christopher Menard – Supervisor, Community Programming – Cultural Affairs, and Chief of Staff (A), Mayor’s Office

Michelle Staadegaard, Manager, Culture & Events

**Conclusion:**

A Civic Recognition Awards program would support community-building efforts across the city of Windsor, and encourage quality of life initiatives, and the spirit of giving and making a difference for which Windsorites are known.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Nada Tremblay	Manager, Community Programming & Development
Emilie Dunnigan	Manager, Development Revenue & Financial Administration
James Chacko	Executive Director, Parks, Recreation & Facilities
Michael Chantler	Senior Executive Director, Community Services (A)
Ray Mensour	Commissioner – Community and Corporate Service
Janice Guthrie	Commissioner- Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

**Appendices:**



**Committee Matters: SCM 384/2024**

**Subject: Response to Council Directive CR31/2024; Report regarding 2023 and 2024 attendance numbers and staffing possibilities at the Duff-Baby Mansion at 221 Mill Street - Ward 2**

Moved by: Councillor Fabio Costante  
Seconded by: Councillor Jo-Anne Gignac

Decision Number: **CSSC 268**

That the report of the Manager of Culture and Events, dated November 18, 2024, entitled "Response to Council Directive CR31/2024; Report regarding 2023 and 2024 attendance numbers and staffing possibilities at the Duff Baby Mansion at 221 Mill Street - Ward 2" **BE RECEIVED**; and,

That administration **BE DIRECTED** to write a letter to the Ontario Heritage Trust (OHT) to express the urgency of reopening the Duff Baby mansion as soon as possible; and,

That administration **BE DIRECTED** to write a letter to the Windsor-Detroit Bridge Authority to express the City's full support of Les Amis Duff Baby in its application to receive community benefits and that they continue despite the new timelines that have been provided.

Carried.

Report Number: S 162/2024  
Clerk's File: MBA/3184

**Clerk's Note:**

1. The recommendation of the Community Services Standing Committee and Administration are **NOT** the same.
2. Please refer to Item 8.4 from the Community Services Standing Committee held on December 4, 2024
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241204/-1/10528>



**Subject: Response to Council Directive CR31/2024; Report regarding 2023 and 2024 attendance numbers and staffing possibilities at the Duff-Baby Mansion at 221 Mill Street - Ward 2**

**Reference:**

Date to Council: December 4, 2024  
Author: Michelle Staadegaard  
Manager of Culture and Events  
mstaadegaard@citywindsor.ca  
519-253-2300 ext 2726

Recreation and Culture  
Report Date: 11/18/2024  
Clerk's File #: MBA/3184

**To:** Mayor and Members of City Council

**Recommendation:**

**THAT** the Report submitted by the Manager of Culture & Events in response to Council directive CR31/2024; Report regarding 2023 and 2024 attendance numbers and staffing possibilities at the Duff-Baby Mansion at 221 Mill Street - Ward 2 **BE RECEIVED** for information.

**Executive Summary:**

N/A

**Background:**

Named after its first two owners, Alexander Duff and James Bâby, the Duff-Bâby Mansion was built in 1798 and is recognized as the oldest existing building in Windsor and one of the few remaining 18<sup>th</sup> Century buildings in Ontario. The Ontario Heritage Trust (OHT) recognized the historical significance of the Duff-Bâby Mansion and acquired ownership of the property in 1979.

On March 7, 1996, the OHT and Windsor Public Library Board (WPL) entered into a one-year lease agreement concerning part of the Duff-Bâby House, with a subsequent licence agreement that ran from November 1, 1997 to November 30, 2001. As Museum Windsor was part of WPL at that time, the museum became involved with the arrangement for the Duff-Bâby House. Museum Windsor transferred from WPL to the City in 2008. Despite the licence agreement expiring in 2001, OHT and Museum Windsor continued their arrangement respecting the Duff-Bâby House.

On January 6, 2020, City Council adopted a resolution (CR26/2020) to enter into a Lease Agreement with OHT to occupy approximately 1,059 square feet of the Duff-Bâby Mansion's first floor. The new Lease Agreement between the City and the OHT runs from October 1, 2021 to September 30, 2026, and allows the City to offer greater public access than the previous arrangement, including to the Mansion's dining room parlour and trading hall.

Les Amis Duff-Bâby (LADB) is a non-profit corporation whose volunteers have historically worked with WPL, Museum Windsor, and the City to provide information, tours, and promotion of the Duff-Bâby Mansion. The docents (volunteers) provide knowledgeable and entertaining interpretation. LADB's involvement with the Duff-Bâby Mansion has been critical for the events and programs that Museum Windsor has been able to offer to date at the Duff-Bâby Mansion.

The Corporation of the City of Windsor and Les Amis Duff-Bâby entered into a Memorandum of Agreement in February 2022 (AMP/14299). The purpose of the Memorandum of Agreement (MOU) between the City and LADB is to articulate the shared goals and intentions of the parties with respect to the support LADB can offer the City in using its leased portion of the Duff-Bâby Mansion and the basic terms of that supportive relationship. In addition creating and running programming and events, LADB also has provided artifacts to loan to the City for use and interpretation in the Duff-Bâby Mansion.

### **Discussion:**

This report is to update Council as to the activities, programming and use of Duff-Baby Mansion in its first year 2 years of lease with OHT.

Due to the global Pandemic (COVID-19) and ongoing public gathering restrictions the re-opening of the Duff-Bâby Mansion under its new lease agreement with OHT and MOU with LADB occurred in the spring of 2022.

Since May 2022, the Duff-Bâby Mansion is open to the public once a month from 12pm-4pm, with free admission. Special appointments, private tours and meetings are in addition to the free open house dates and are booked separately through Museum Windsor. During the free open house dates, visitors are invited to tour the rooms following a printed guide. Although the City of Windsor lease is only for the first floor, visitors are permitted with guidance to view all three floors. Public response has been extremely gratifying with visitors ranging in age from pre-school to seniors. Visitors are surveyed onsite as how they found out about the Mansion, the purpose of their visit and where they reside. Many visitors are recorded from the local neighbourhood, but also beyond Windsor Essex with first time and repeat visitors each month. During most free open house days the ratio of docent (volunteers provided by Les Amis Duff-Bâby) to City of Windsor/Museum Windsor staff is 10:2.

Attendance at Duff-Baby House and Interpretation Centre from January 2016 through October 2024 noted as follows:

2016	2017	2018	2019	2020	2021	2022	2023	2024 YTD Ongoing capital projects
612	251	542	598	CLOSED	CLOSED	1590	1416	565

Events in 2022, 2023 and 2024 have included a public ceremony to celebrate the new lease agreement, free open houses including the 225<sup>th</sup> Anniversary, participation in Doors Open, the Beasley Tea, meetings and private tours.

The City of Windsor (through Museum Windsor) contributions towards operations at the Duff-Bâby House include:

- The provision of access to the Duff-Bâby House, including free open house days, privately booked tours, meetings, other programming. The approved budget for staffing is currently set at 1 day/month (2 staff for 4 hours). The staffing required in addition to the 12 days/year is currently funded through the general staffing budget for Museum Windsor;
- The purchase of outdoor signage and stanchions;
- The creation of a scavenger hunts for children and families to provide an enhanced experience on tour days;
- Monitoring the temperature and humidity within the house, and monitor artifacts on display;
- Site photography and cataloguing;
- The creation of interpretation resources with photos, site maps and captions to document the upper floors for accessibility purposes;
- Development and installation of an exhibit about the history of the house
- Interacting with the Ontario Heritage Trust to ensure lines of communication regarding site safety and conservation;
- Advertising including Public Service Announcements, print advertisements, Facebook posts, printing of one page room-by-room guide prepared by Les Amis Duff-Baby.

Through 2022-2023 Les Amis Duff-Bâby continued to work with the City of Windsor through Museum Windsor toward their shared goals of promoting the Duff-Bâby Mansion and to display the history of the Duff-Bâby Mansion to the community through programming and events.

The LADB consists of 54 members and, under the Executive Committee of Don Wilson, Dave Garlick, Cathy Wilson, Linda Chakmak and John Dollar, approximately 992 volunteer hours have been dedicated to date this past year (January 2024 – October

2024) to assist along side Museum Windsor in interpretation and raise the profile of the Mansion.

Key highlights initiated and coordinated by Les Amis Duff-Bâby include:

- Launch of “A Mansion on the Detroit Frontier” – 3<sup>rd</sup> edition book written by Les Amis Duff-Bâby;
- Successful completion of two Gordie Howe International Bridge Community Investment Grants, one was for an opening ceremony and the second one enhanced greenspace directly adjacent to the Mansion. A third grant for greenspace reclamation, which does not require any funding matching, is ongoing pending the successful eradication of Japanese Knotweed on site.
- Most recently, they received a fourth grant of \$115,000 from the Gordie Howe International Bridge 2023 Community Benefits Program to upgrade historical interpretation through the use of mobile applications, period appropriate furnished rooms, and costumed articulated mannequins to reflect the important players in each era.
- Community initiatives including; Jane’s Walk, Doors Open, hosting onsite Southwestern Ontario Heritage Council, hosting onsite Ontario Questers, and participating in TWEPI’s Staycation at Devonshire Mall, sold out Holiday Tea, plant sale;
- Enhanced visual interpretation of Parlour [furnishings, artifacts], Trading Hall [furs, weigh scale, capote, furnishings], Dining Room [chairs, buffet, artifacts], docents in historical costume as well as costumed interpreters from other community groups
- Ongoing Capital Project by OHT to the interior and exterior
- Construction hoarding involving temporary fencing and scaffolding surrounding the exterior of the house was erected January 2024 with the expected completion in Fall 2024. Due to an extension to the construction timelines, this hoarding is still in place and is now expected to be removed Summer 2025.
- Recently received confirmation from OHT (Appendix A) stating that the exterior conservation and mechanical upgrades, including the restoration of architectural elements on building’s exterior and replacement of HVAC system is significantly behind due to a variety of challenges including;
  - Scope of work increasing due to structural challenges unsurfaced amidst restoration work Roof/siding) as described below
  - Adding to the delay were changes in the team including – new architecture and new structural engineer.
  - Completion of the restoration is anticipated by the Summer 2025.



Due to the construction hoarding and ongoing construction within Sandwich Towne, attendance numbers have decreased significantly. Both projects are expected to be complete for Summer 2025.

In discussion with LADB, Administration is in agreement to shift 3 of the current council approved public monthly tour dates for Winter 2025 (January – March) into the busier fall 2025 season closing the house for free public tours between January - March 2025.

Administration will work with Les Amis Duff Baby to assist in completing their fourth Gordie Howe International Bridge Community Investment requirements that provide funding to upgrade historical interpretation and hosting a grand re-opening of the space in September 2025. Grant completion will be dependant on Les Amis Duff-Baby's ability to secure an extension of the terms of the grant from the Gordie Howe International Bridge Company. An extension to the grant would be required to complete all aspects of the grant due to the unanticipated extension to the Capitol projects lead by OHT.

Once the restorations are complete, Administration will be able to determine if additional hours of operation and staffing would be warranted. Administration will continue to look at ways to best utilize the 12 days throughout the year. Other options could occur to utilize summer students in 2025. All these options may better serve access and interpretation of the Duff-Baby Mansion and the needs of the Community.

### **Risk Analysis:**

The Duff-Bâby House is a significant heritage resource at a provincial level. It has played a long and important role in the development of Sandwich Town and continues to draw attention from those seeking to learn more about our history.

The Duff-Bâby House will continue to have leased tenants within other areas of the building and the property. The lease agreements with these tenants is maintained by Infrastructure Ontario.

### **Climate Change Risks**

#### **Climate Change Mitigation:**

N/A

#### **Climate Change Adaptation:**

N/A

### **Financial Matters:**

On January 6, 2020, City Council adopted a resolution (CR26/2020) to enter into a Lease Agreement with OHT to occupy approximately 1,059 square feet of the Duff-Bâby Mansion's first floor. The new Lease Agreement between the City and the OHT runs from October 1, 2021 to September 30, 2026 and includes a 2% year over year increase. The table below outlines the current operating budget costs associated with

the City’s involvement with the Duff-Baby House. There are no revenues as the open hours and tours are provided free of charge.

<b>Yearly Cost (inclusive of applicable HST) - Open to the public 1 Day per Month – total 12 days</b>	
Staffing Cost	\$2,798.00 2 staff required per tour @ \$112.00 per staff per 4.5-hour tour.
Yearly Rent	\$24,268.42
Program Supplies	\$1,000.00
Advertising	\$2,000.00
Furniture	\$1,000.00
Exhibition Panels	\$4,000.00
<b>Total Costs</b>	<b>\$35,066.42</b>

**Note: Staffing costs are based on 2024 staff hourly rates and projected City staff requirements for the additional tour dates.**

At this time due to ongoing capital projects by the Ontario Heritage Trust to the Duff Baby Mansion it is not recommended to increase hours of operation. Administration in discussion with Les Amis Duff Baby will shift 3 of the dates scheduled for January through March 2025 into Fall 2025 once construction is complete.

**Consultations:**

Madelyn DellaValle, Curator, Museum Windsor  
 Don Wilson, President Les Amis Duff-Bâby  
 Tracy Ou, Financial Planning Administrator

**Conclusion:**

The City of Windsor recognizes the importance of honouring our built heritage. The Duff-Bâby House has a long history within our City that has played a long and important role in the development of Sandwich Town.

**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Michelle Staadegaard	Manager, Culture & Events
Emilie Dunnigan	Manager, Development Revenue & Financial Administration
Jen Knights	Executive Director, Culture
Michael Chantler	Senior Executive Director, Community Services (A)
Ray Mensour	Commissioner Community & Corporate Services
Janice Guthrie	Commissioner Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Appendices:**

1 Appendix A - OHT to City of Windsor re capital project Nov 19 2024 with enclosures



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November 19, 2024

Michelle Staadegaard  
Manager, Culture and Events  
Recreation and Culture, City of Windsor

--- by email only ---

**Re: Exterior Conservation & Mechanical Upgrades Project at Duff-Baby house**

Dear Michelle Staadegaard:

I am writing in response to your request for an update on the capital project that is currently underway at the Ontario Heritage Trust-owned Duff-Baby House at 22 Mill Street, Windsor.

The Trust values the presence of Museum Windsor at Duff-Baby House and the opportunities that are available to the community through Museum Windsor's partnership with Les Amis Duff-Baby to visit, understand and appreciate the site.

The project at Duff-Baby House is focused on exterior conservation and mechanical upgrades, including the restoration of architectural elements on the building's exterior and the replacement of end-of-life heating, ventilation and air conditioning (HVAC) systems. This project involves a significant investment on the part of the Trust and its funding partners and will contribute to the site's long-term conservation and presentation as well as to the reliability and efficiency of critical building systems. Further information on the project is available in the attached information sheet.

The project was intended to be completed in three phases over the course of 2024, starting in February. This timeline has been delayed due to the discovery of conditions that were not foreseen during project planning. When roofing work began, structural deficiencies in the roof structure were identified by the general contractor which necessitated that the work on site be put on hold. A structural engineer was engaged to more fully assess the conditions found on site and to design an intervention that addresses the structural deficiencies while respecting the building's heritage attributes (which include a timber post and beam structural system). This pause in the work, together with the seasonal nature of the work on the building's exterior, has resulted in a delay in the project timeline with completion of the project by summer 2025 estimated at this time.

The Trust made a commitment at the outset of the project to work with Museum Windsor and our general contractor to ensure that the site could continue to open for tours on a monthly basis without interruption while the capital project proceeded. We have been successful with this arrangement to



date and will continue to work with you during the project extension to ensure that the site can open monthly as scheduled.

We understand, however, that the presence of scaffolding and hoarding and the temporary replacement of windows to allow for shop restoration may have impacted visitation and programming, and plans for an interpretive refresh by Les Amis Duff-Bâby. With this in mind, we are very much open to exploring any further options that may be available to us to help lessen the impact of the capital work on Museum Windsor's activities at the site.

Sincerely,

A handwritten signature in black ink, appearing to be 'C. Mahood', written in a cursive style.

Chris Mahood  
Manager, Operations

Enclosures (2)



## Exterior Conservation & Mechanical Upgrades Project at Duff-Baby House

221 Mill Street, Windsor, Ontario

In 2024, the Ontario Heritage Trust is undertaking a capital project at Duff-Baby House that focuses on exterior conservation and mechanical upgrades. This work will include restoration of architectural elements on the exterior of the building (such as the cedar shingle roof, wood windows and clapboard siding) and the replacement of the existing heating, ventilation and air conditioning system, which is at the end of its service life.



### History of the house

Duff-Baby House has had many occupants and uses throughout its history, beginning in the 1790s with Alexander Duff, who built the house, followed by the Baby family, who resided there from 1807 to 1871. The house would have been refitted following the War of 1812, having survived attack, occupation and looting by American troops. In the early 20<sup>th</sup> century, it was purchased by Dr. William Beasley, who used the house for his home and medical office and undertook various improvements. The Trust purchased the property from the Beasley family in the 1980s and led a major restoration of the house in 1994, which conserved existing historic material and restored original neoclassical elements.

### Architectural features

Architectural layers from every era of the home's history exist on the house, including windows, clapboards and trim details. For example, many of the windows on the main portion of the house appear to be built early in the house's history, as their 12 over 12 design and traditional joinery are consistent with



examples of other fine architecture of the early 19<sup>th</sup> century. The windows are constructed using pins made of black walnut wood and there is evidence of black walnut trees in the area, so it is reasonable to assume they are built of wood harvested locally.



### **Project goals & method**

The Ontario Heritage Trust has a provincewide mandate to conserve, interpret and share Ontario's heritage. Duff-Baby House belongs to a portfolio of provincially significant heritage properties that the Trust owns, manages and protects. The house has features and architectural elements that have been retained throughout its extensive history and will be conserved during this project. The conservation approach is one of minimal intervention. Wood is repaired and conserved rather than replaced. Where replacement is necessary, only the material that is extensively deteriorated is replaced and pieced-in with the existing wood.

### **Project timeline**

The work will be completed in three phases over the course of 2024, based on seasonal weather conditions. Early in the year, the cedar roof will be replaced and the heritage sash windows removed from their frames for in-shop restoration. This will involve localized repair of the wood structural components of the windows, followed by re-puttying of the glass panes. Come spring, the exterior surfaces of each of the windows, wood clapboards and other exterior wood architectural features will be prepared and re-painted, protecting the wood from the outdoor elements. The final phase of work of this project will focus on replacing the heating, ventilation and air-conditioning system, which will result in cost savings and reduced carbon emissions.

### **Project team**

The project is led by the Trust's Capital team, which is comprised of heritage professionals who are trained and experienced in leading conservation projects across the Trust's portfolio of cultural heritage properties. The work is being completed on site by a qualified heritage contractor experienced and proficient in traditional joinery, as well as wood conservation methods, under the supervision of a conservation architect.

For more information, please contact the Ontario Heritage Trust's Marketing and Communications team at [marketing@heritagetrust.on.ca](mailto:marketing@heritagetrust.on.ca).

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## Projet de conservation de l'extérieur et d'améliorations mécaniques à la maison Duff-Bâby

221 Mill Street, Windsor, Ontario

En 2024, la Fiducie du patrimoine ontarien entreprend un projet d'immobilisations à la Maison Duff-Bâby qui se concentre sur la conservation de l'extérieur et les améliorations mécaniques. Ces travaux comprennent la restauration d'éléments architecturaux à l'extérieur du bâtiment (tels que le toit en bardeaux de cèdre, les fenêtres en bois et le bardage à clin) et le remplacement du système de chauffage, de ventilation et de conditionnement d'air existant, qui est à la fin de sa durée de vie.



### Histoire de la maison

La maison Duff-Bâby a connu de nombreux occupants et fonctions tout au long de son histoire, à commencer par Alexander Duff, qui l'a construite dans les années 1790, suivi par la famille Bâby, qui y a résidé de 1807 à 1871. La maison aurait été réaménagée après la guerre de 1812, après avoir subsisté à l'attaque, à l'occupation et au pillage des troupes américaines. Au début du 20<sup>e</sup> siècle, elle a été achetée par le D<sup>r</sup> William Beasley, qui l'a utilisée comme résidence et cabinet médical et y a apporté diverses améliorations. La Fiducie a acheté la propriété à la famille Beasley dans les années 1980 et a entrepris en 1994 une restauration majeure de la maison, laquelle a permis de conserver les matériaux historiques existants et de restaurer les éléments néoclassiques d'origine.

### Caractéristiques architecturales

Des éléments architecturaux de toutes les époques qu'elle a traversées se côtoient sur la maison, notamment ses fenêtres, le bardage à clin et divers détails ornementaux. Par exemple, de nombreuses fenêtres de la partie principale de la maison semblent avoir été construites au début de l'histoire de la maison. Les volets à 12 carreaux de ces fenêtres à guillotine et leur menuiserie traditionnelle sont de beaux exemples d'architecture du





début du 19<sup>e</sup> siècle. Les fenêtres sont construites à l'aide de chevilles en bois de noyer noir. La présence de ce noyer dans la région étant attestée, on peut raisonnablement supposer que les fenêtres ont été construites avec du bois récolté localement.



### Objectifs et méthode du projet

La Fiducie du patrimoine ontarien a pour mission de conserver, d'interpréter et de partager le patrimoine de l'Ontario à l'échelle de la province. La maison Duff-Bâby fait partie d'un portefeuille immobilier patrimonial d'importance provinciale que la Fiducie possède, gère et protège. La maison possède des caractéristiques et des éléments architecturaux qui ont été préservés tout au long de son histoire et qui seront conservés dans le cadre de ce projet. L'approche de la conservation consiste à intervenir le moins possible. Le bois est réparé et conservé plutôt que remplacé. Lorsque le remplacement est nécessaire, seuls les matériaux fortement détériorés sont remplacés et assemblés avec le bois existant.

### Calendrier du projet

Les travaux seront réalisés en trois phases au cours de l'année 2024, en fonction des conditions météorologiques saisonnières. Au début de l'année, le toit en bardeaux de cèdre sera remplacé et les fenêtres à guillotine seront retirées de leur cadre pour être restaurées dans l'atelier. Cette phase consistera à réparer localement les éléments structurels en bois des fenêtres, puis de recoller les vitres. Au printemps, les surfaces extérieures de chacune des fenêtres, du bardage à clin et des autres éléments architecturaux extérieurs en bois seront préparées et repeintes afin de protéger le bois des éléments extérieurs. La dernière phase des travaux de ce projet portera sur le remplacement du système de chauffage, de ventilation et de climatisation, ce qui permettra de réaliser des économies et de réduire les émissions de carbone.

### Équipe de projet

Le projet est dirigé par l'équipe Immobilisations de la Fiducie, qui est composée de professionnels du patrimoine formés et expérimentés dans la conduite de projets de conservation sur l'ensemble du portefeuille immobilier du patrimoine culturel de la Fiducie. Les travaux sont réalisés sur place par un entrepreneur qualifié en patrimoine, expérimenté et compétent en menuiserie traditionnelle, ainsi qu'en méthodes de conservation du bois, sous la supervision d'un architecte en conservation.

Pour de plus amples renseignements, veuillez contacter l'équipe de marketing et des communications de la Fiducie du patrimoine ontarien à l'adresse suivante : [marketing@heritagetrust.on.ca](mailto:marketing@heritagetrust.on.ca).



## Item No. 8.25

### Committee Matters: SCM 385/2024

#### Subject: Strategy to Promote Alternatives to Payday Loans - City Wide

Moved by: Councillor Jo-Anne Gignac  
Seconded by: Councillor Renaldo Agostino

Decision Number: **CSSC 269**

That the report of the Manager, Social Policy & Planning, dated November 15, 2024, entitled "Strategy to Promote Alternatives to Payday Loans - City Wide" **BE RECEIVED** for information.

Carried.

Report Number: C 143/2024  
Clerk's File: AL2024

#### Clerk's Note:

1. The recommendation of the Community Services Standing Committee and Administration are the same.
2. Please refer to Item 8.5 from the Community Services Standing Committee held on December 4, 2024
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241204/-1/10528>

**Subject: Strategy to Promote Alternatives to Payday Loans - City Wide**

**Reference:**

Date to Council: December 4, 2024

Author: Stephen Lynn

Manager, Social Policy & Planning

519-255-5200 x 5270

slynn@citywindsor.ca

Human and Health Services

Report Date: November 15, 2024

Clerk's File #: AL2024

**To:** Mayor and Members of City Council

**Recommendation:**

**THAT** the Report from the Manager of Social Policy & Planning regarding a Strategy to Promote Alternatives to Payday Loans **BE RECEIVED** for information.

**Executive Summary:**

N/A

**Background:**

In 2020, Council received a report (CR538/2020) in response to Council Question CQ23-2019 regarding options municipalities have to license payday loan establishments.

The report was deferred and more information about education and alternatives to payday loans was requested. An Additional Information report (CR102/2022) was received and Council provided the following direction:

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,

That Administration **REPORT BACK** to the Community Services Standing Committee after one year with a summary of work completed to date.

**Discussion:**

A cross-sectoral committee was established to gather local insights and expertise regarding information on the alternatives to payday loans and the best approaches to

distributing educational materials to residents. The committee includes representatives from United Way/Centraide Essex County Chatham Kent, John Howard Society of Windsor Essex, Canadian Mental Health Association Windsor Essex County Branch, Family Services Windsor Essex, Downtown Windsor Community Collaborative, City of Windsor's Employment and Social Services Department and New Beginnings.

The committee discussed three main alternatives to payday loans and the requirements to design an effective strategy for reaching residents.

The first category of alternatives is lower-interest, small-dollar loans offered by financial institutions. However, the market and availability for these options continues to be quite limited. For example, in late 2022, Canada Post partnered with TD Bank to launch a national affordable loan program that would be more accessible for all Canadians, including in rural, remote and Indigenous communities. In early 2023, the two organizations cancelled the joint program. The only viable alternative is through the Windsor Family Credit Union which offers a payday loan alternative called SmarterCash.

The second category is local emergency assistance programs offered by various social service providers and the Employment and Social Services Department. Overall, there appears to be a number of programs for residents to access funding to resolve or reduce the financial burden of a household crisis or emergency. These programs vary and can provide eligible residents with one-time funding for eviction prevention, safety concerns, utilities or food-related circumstances. For example, eligible residents may receive Emergency Assistance through the Employment and Social Services Ontario Works program for a crisis or emergency situation, which may include an amount for basic needs, shelter and eligible benefits. However, the requirements to be eligible remains limited and not available to residents who are already receiving Social Assistance.

The third category is financial education for budgeting and debt relief resources. Local service providers offer programs, courses, and tailored support to individuals who need to learn essential money management skills to pay bills on time and assistance with setting up bank accounts. The programs are beneficial by working with individuals to get their financial situation back on the right path. The number of unbanked individuals in Windsor remains a challenge for local service providers due to the number of barriers to establishing an account, which can further add to the financial hardship one is experiencing. The committee identified that further work would be needed to remove the obstacles and create more robust pathways for the unbanked between service providers and financial institutions to ensure no one is turned away.

Although available, these programs are not promoted through a comprehensive marketing campaign on social media or traditional methods due to limited funding and the nature of the programming. Through a strong network of service providers working collaboratively, staff are often aware of programs that can help clients experiencing an emergency or a crisis and will refer them to the appropriate organization or program. For members of the public, 211 Ontario is an excellent resource for residents seeking information about available financial supports.



Outside of 211 and the warm referrals from service provider to service provider, a comprehensive and targeted educational campaign has the potential to significantly increase general awareness of alternatives to payday loans. Raising the profile of the various programs and support through multiple outreach channels, including digital campaigns across social media and community websites, and developing linkages with local non-profits, churches, libraries, schools and community centres would be beneficial. For example, several physical distribution points could be established for materials, including brochures, posters and infographics covering topics such as budgeting, payday loan pitfalls, and general financial literacy opportunities. A sustained marketing campaign, updated as programs end and new ones begin, will ensure timely and relevant information is available. The campaign would also need to counter the significant advertising of payday loan companies to be effective.

Overlap with other agencies facilitates word-of-mouth referrals and is currently one of the most effective methods to ensure clients receive the latest information about available programs. However, the scope is limited because information and staff turnover, which can limit the breadth of knowledge of existing and new programs.

The marketing strategy should include people who have lived experience including, but not limited to, low-income families, seniors, new immigrants, and particularly the unbanked. Including their voices in the development of the strategy is considered a best-practice and will help ensure the messaging is applicable and relevant.

### **Risk Analysis:**

By increasing the awareness of the local emergency assistance programs with limited and fluctuating budgets, there is a low risk that publicizing these options too broadly could inadvertently increase demand and impact operations.

### **Climate Change Risks**

#### **Climate Change Mitigation:**

N/A

#### **Climate Change Adaptation:**

N/A

### **Financial Matters:**

Creating a holistic awareness campaign, both online and in print, would require dedicated funding to establish and sustain the campaign over time to make any necessary adjustments and updates. To create an effective strategy, the committee recommends a consultant to liaise with people with lived experience, work with community partners and banking sector members, and design the marketing materials, web-based content, printing and translation. No municipal

funding has been approved in the 2024 Operating budget for any of the options discussed in this report.

**Consultations:**

Employment & Social Services, City of Windsor  
 Canadian Mental Health Association Windsor-Essex County Branch  
 United Way/Centraide Essex County Chatham Kent  
 John Howard Society of Windsor Essex  
 Downtown Windsor Community Collaborative  
 Family Services Windsor Essex  
 New Beginnings

**Conclusion:**

Alternatives to payday loans remain a niche market with few options for low-income and middle-income borrowers. However, organizations in Windsor offer various programs for emergency financial support, budgeting and debt relief for residents in need. These programs are not promoted as a holistic package of resources to the public. Developing a comprehensive strategy to create awareness of what is currently available would require input from service providers, residents with lived experience and ongoing financial support to ensure its message can be effective.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Stephen Lynn	Manager, Social Policy & Planning
Linda Higgins	Manager, Intergovernmental Funding & Human Services Integration
Janice Guthrie	Commissioner, Finance & City Treasurer
Andrew Daher	Commissioner, Human & Health Services
Joe Mancina	Chief Administrative Officer

**Notifications:**

Name	Address	Email
List sent to Clerks		

**Appendices:**



**Subject: Status on IPV Funding Availability - City Wide**

Moved by: Councillor Fabio Costante  
Seconded by: Councillor Jo-Anne Gignac

Decision Number: **CSSC 270**

That the report of the Executive Initiatives Coordinator, dated November 15, 2024, entitled "Status on IPV Funding Availability - City Wide" **BE RECEIVED**; and,

That in its renewal of the Community Safety and Well-Being Plan, administration **BE DIRECTED** to work with community partners in incorporating Intimate Partner Violence (IPV) in the next round of the Community Safety and Well-Being Plan.

Carried.

Report Number: C 144/2024  
Clerk's File: SS2024

**Clerk's Note:**

1. The recommendation of the Community Services Standing Committee and Administration are **NOT** the same.
2. Please refer to Item 8.6 from the Community Services Standing Committee held on December 4, 2024
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241204/-1/10528>

**Subject: Status on IPV Funding Availability - City Wide**

**Reference:**

Date to Council: December 4, 2024

Author: Doran Anzolin

Executive Initiatives Coordinator

Human & Health Services

danzolin@citywindsor.ca

519-255-5200 ext. 5354

Report Date: November 15, 2024

Clerk's File #: SS2024

**To:** Mayor and Members of City Council

**Recommendation:**

**THAT** the report on the Status on Intimate Partner Violence (IPV) funding availability - City Wide **BE RECEIVED** for information.

**Executive Summary:**

N/A

**Background:**

On July 10, 2023, the City of Windsor joined other Ontario municipalities in declaring IPV an epidemic, aligning with the first recommendation of the 2015 Ontario Chief Coroner's inquest into IPV-related deaths in Renfrew County. The inquest produced 86 recommendations to address systemic conditions of IPV in Ontario. Additionally, through CQ14-2024, Windsor sent advocacy letters to the provincial and federal governments to increase funding and resources for organizations supporting IPV and gender-based violence (GBV) survivors and to expand educational efforts to foster a proactive approach to these issues.

On July 8, 2024, CR281/2024 was approved that included the following recommendation: "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." This report is being brought forward in response to the Council directive.



## Discussion:

As of November 2024, there is currently no direct funding from provincial or federal sources specifically allocated to municipal IPV or GBV initiatives. In the community, there are ongoing programs and committees that work towards the goal of advocating for further IPV supports.

In August 2024, Ontario's Ministry of Children, Community and Social Services (MCCSS) announced a \$100 million, three-year investment in community-based projects supporting GBV survivors and preventing violence. This funding initiative, available through grants ranging from \$100,000 to \$5 million, focuses on four priority areas:

1. **Education and Awareness:** Programs that raise public awareness of GBV.
2. **Early Intervention and Prevention:** Initiatives aimed at preventing violence before it occurs.
3. **Community Planning and Service Integration:** Coordinated efforts to build safer communities.
4. **Economic Security and Financial Independence:** Projects supporting financial independence for survivors, a critical factor in ending abuse.

The call for proposals for this initiative ended on Oct 11<sup>th</sup>, 2024. The City of Windsor did not apply for this funding, as it was determined that frontline service providers who are skilled and experts in dealing with IPV and GBV, such as Hiatus House, are better positioned to lead and develop impactful proposals and deliver the specified services. Coordinated community applications from partners in Windsor-Essex were submitted to the province and the results are currently pending provincial review.

The Violence Against Women Coordinating Committee Windsor Essex (VAWCCWE) works to strengthen inter-agency collaboration and community coordination to better meet the needs of IPV and GBV survivors. Funded by the MCCSS, in partnership with other local organizations, the VAWCCWE has been actively raising awareness and advocating for action on the IPV epidemic. These efforts have led to the formation of strategic partnerships within the community, strengthening the support and services available to victims of IPV and GBV. One of the strategic partnerships to highlight is the Windsor Police Services launch of a pilot project, in partnership with Windsor Regional Hospital, Hiatus House, and Family Services Windsor-Essex (FSWE), to provide immediate, on-site support for victims of IPV. Recognizing that victims may hesitate to engage directly with police during a crisis, this initiative enables Windsor Police to connect victims with a social worker on-site immediately after an incident, encouraging early acceptance of help.

The pilot program operates from 3 pm to 11 p.m., five days a week Wednesday to Sunday, with the goal of expanding to daily service, pending additional upper-level government funding. Social workers provide trauma support, safety planning, and ongoing care in person, meeting victims' psychological and emotional needs. Additionally, victims can access 24/7 virtual support through Hiatus House, broadening the range of accessible and timely services. The partners are currently delivering these

vital services and resources through their existing capacities, without any additional funding support.

This initiative builds on the IPV Early Intervention and Prevention Program, launched earlier this year by Windsor Police and FSWE, which proactively identifies individuals experiencing non-physical abuse to connect them with community resources and experts at FSWE, to help reduce escalation risk. The pilot draws on models like the Nurse Police Team and Crisis Response Team, strengthening cross-sectoral support for IPV victims and enhancing immediate, holistic care.

Further opportunities and initiatives will continue to be explored as more funding becomes available. The province is anticipated to release additional Community Safety and Policing grants in the coming months, aimed at supporting police services in deploying officers effectively and addressing local public safety priorities.

The provincially mandated, Windsor Essex Regional Community Safety and Well-Being (WERCSWB) Plan, launched in 2021, also supports a collaborative approach to addressing crime and social challenges through prevention and cross-sector partnerships. Developed with input from municipalities, sector leaders, and priority populations, the plan addresses community risk factors and sets measurable outcomes for success.

Since City Council declared IPV an epidemic, the Project Manager for the WERCSWB Plan was invited to sit as a resource member on the Leadership Table for the VAWCCWE. This partnership has led to regular communication and a presentation by members of the VAWCCEE to the WERCSWB Regional Systems Leadership Table about raising awareness of intimate partner violence, sexual violence, and human trafficking. Under the Community Safety and Policing Act, 2019, municipal councils must review and, if appropriate, revise their community safety and well-being plans every four years. The Windsor Essex Regional Community Safety and Well-Being Plan will undergo review and community engagement in late 2025.

**Risk Analysis:**

N/A

**Climate Change Risks**

**Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

There are no municipal dollars allocated to or directly funding IPV or GBV initiatives. Furthermore, Windsor Police Services does not currently receive upper-level government funding for IPV or GBV initiatives. However, they are awaiting the outcome of a provincial review for a recently submitted funding application.

**Consultations:**

Stephen Lynn, Manager of Social Policy and Planning  
Linda Higgins, Manager, Intergovernmental Funding & Human Services Integration  
Paolo DiCarlo, Superintendent, Windsor Police Services  
Melissa Brindley, Director of Finance, Windsor Police Services

**Conclusion:**

While direct funding for municipal IPV initiatives remains limited, Ontario’s recent \$100 million investment has mobilized community organizations to apply for IPV and GBV prevention and support grants. The upcoming Community Safety and Policing grants and the Windsor Essex Regional Community Safety and Well-Being Plan review process present further opportunities to enhance community safety. The City of Windsor will continue to explore opportunities with partners related to IPV and GBV initiatives.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Linda Higgins	Manager, Intergovernmental Funding & Human Services Integration
Janice Guthrie	Commissioner of Finance /City Treasurer
Andrew Daher	Commissioner of Human and Health Services
Joe Maninca	Chief Administrative Officer

**Notifications:**

Name	Address	Email
List sent to Clerks		

**Appendices:**



November 29, 2024

**RE: Notice of Standing Committee Meeting - Item 8.6 – Status on IPV Funding Availability - City Wide**

**Legal Assistance of Windsor**

Legal Assistance of Windsor has provided services to survivors of intimate partner violence throughout our fifty years in operation. These services included, with a team of committed community service providers, the creation of Hiatus House in July of 1976 – only the fifth shelter of its kind in Canada.

L.A.W.'s core services include providing legal representation, advocacy and support to some of our most vulnerable members of the community in the areas of housing, social benefits and immigration law, as well as providing services through the Indigenous Justice Program. Previously, L.A.W. provided representation to survivors of gender based violence at the Criminal Injuries Compensation board. A leader in the field, L.A.W. has pioneered work supporting survivors of human trafficking and exploitation and is home to the Windsor-Essex Counter Exploitation Network (WECEN). Over the past five decades, staff made up of lawyers, social workers and child and youth workers, have weathered changes in funding supports for all survivors of GBV, profoundly impacting survivors' ability to achieve safety.

In 2022, Legal Assistance of Windsor was awarded a four year grant from Department of Justice Canada to implement programming that would increase access to justice for survivors of gender based violence. The Supporting Survivors of Gender Based Violence Program provides joint legal and social work services for survivors of intimate partner violence and sexual assault, without cost to the client. Survivors meet with the inter-disciplinary team to receive:

- Ongoing legal information and advice with respect to any of the legal systems that they may be interacting with
- Survivor-informed risk assessments and safety planning,
- Supportive counselling as they navigate the intersecting legal and social service systems.

The team is part of a larger collaborative of eight other community legal clinics across the province working together to enhance each community's capacity to support survivors while engaging in system advocacy.

Since the launch of this program in November of 2022, the team of two has provided service to over three hundred and twenty individual survivors of intimate partner violence and sexual assault. In just two years, the program has seen an overwhelming demand for services, with no expectation of abatement. This is reflective of the grim reality in our community.

From October of 2021 to present, eight people in Windsor and Essex County have been murdered as a result of intimate partner violence. Thousands more are living in increasingly

dangerous situations. According to the snapshot prepared by the Violence Against Women Coordinating Committee of Windsor and Essex County, Windsor Police received 6411 calls for service related to intimate partner violence in 2022 and 2023. While this number is staggering, of greater concern is the fact that the majority of survivors of intimate partner violence do not report to the police. According to Statistics Canada's General Social Survey on Victimization, 2019, only 19% of survivors of intimate partner violence reported their experiences to police<sup>1</sup>. This suggests calls to Windsor Police represents less than a quarter of all the constituents in Windsor who are living in dangerous situations.

The violence occurring in the privacy of the homes across Windsor-Essex County is as common as it is severe. Choking and strangulation have long been considered notable high risk factors for femicide, and is alarmingly common in the lives of the clients with whom we work. The team has noted a lack of accessible, affordable and long-term mental health programming has contributed to this increasing violence. It is becoming increasingly common for a survivor to describe years of a healthy relationship becoming violent when their partner experienced a mental health crisis for which they have not been able to access adequate treatment.

It is well noted a lack of access to safe and affordable housing is a significant barrier preventing survivors from exiting a violent relationship<sup>2</sup>. With vacancy rates in Windsor-Essex County hovering around 2%<sup>3</sup>, survivors often face the difficult decision of entering into the shelter system in order to flee their dangerous living situations. In spite of the tremendous work by our partners in the shelter system, and the best efforts of our social housing providers, survivors often find themselves unable to access their own housing prior to the conclusion of their stay at Hiatus House. This leaves survivors vulnerable to entering into other dangerous living situations, returning to their violent relationship, or transferring into another community shelter. Some studies have identified unemployment as the number one demographic risk factor for lethal intimate partner violence<sup>4</sup> – Windsor has the highest unemployment rate in Canada, at 9.2% as of September 2024<sup>5</sup>.

While the situation for survivors of intimate partner violence in Windsor and Essex County is dire, it is important to highlight the tremendous efforts being made by front line workers across our community. Windsor-Essex County has long been home to innovative programming to support some of the most vulnerable members of our community.

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<sup>1</sup> <https://www.ourcommons.ca/Content/Committee/441/FEWO/Brief/BR11575288/br-external/StatisticsCanada-Brief-e.pdf>

<sup>2</sup> [https://womanact.ca/wp-content/uploads/2022/11/WomanACT\\_Safe-at-Home-Literature-Review.pdf](https://womanact.ca/wp-content/uploads/2022/11/WomanACT_Safe-at-Home-Literature-Review.pdf)

<sup>3</sup> <https://www03.cmhc-schl.gc.ca/hmip-pimh/en/TableMapChart/Table?TableId=2.1.31.2&GeographyId=35&GeographyTypeId=2&DisplayAs=Table&GeographyName=Ontario>

<sup>4</sup> [https://acws.ca/wp-content/uploads/2022/03/2019\\_ACWS-DA-Manual\\_USER-GUIDE\\_FINAL.pdf](https://acws.ca/wp-content/uploads/2022/03/2019_ACWS-DA-Manual_USER-GUIDE_FINAL.pdf)

<sup>5</sup> <https://www.cbc.ca/news/canada/windsor/windsor-unemployment-rate-1.7315308#:~:text=X-Windsor's%20unemployment%20rate%20is%20once%20again%20the%20highest%20in%20Canada,cent%20in%20August%20of%202023>



Gender Based Violence and femicides will not stop due to one level of government intervention alone. We believe all levels of government should support funding for the provision of existing, and innovative new programming to support survivors, to prevent further incidents of violence, and to provide families with the resources necessary to foster safe and healthy relationships in the home. Declaring intimate partner violence an epidemic in our community was an important first step taken by Council, and we applaud them for it. With more than four in ten Canadian women experiencing intimate partner violence in their lifetime<sup>6</sup>, this epidemic impacts every member of Windsor and Essex County. We support Council in making every effort to explore funding and partnership opportunities to enhance the safety and well being of all members of this community. Further, we look forward to intimate partner violence being incorporated as a key piece of the Community Safety and Well Being Plan, due to be revised in 2025.

Amanda Pierce MSW  
GBV Project Social Worker

*Shelley Gilbert*

Shelley Gilbert BSW  
Executive Director

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<sup>6</sup> <https://www150.statcan.gc.ca/n1/pub/85-002-x/2021001/article/00003-eng.htm>



**Committee Matters: SCM 387/2024**

**Subject: Training at Local Emergency Shelters – City Wide**

Moved by: Councillor Jo-Anne Gignac  
Seconded by: Councillor Fabio Costante

Decision Number: **CSSC 271**

That City Council **RECEIVE** this report-back requested by the former Housing and Homelessness Advisory Committee regarding training support for local emergency shelters on the barriers faced by the 2SLGBTQIA+ communities in finding appropriate housing.

Carried.

Report Number: S 164/2024  
Clerk's File: SS2024

**Clerk's Note:**

1. The recommendation of the Community Services Standing Committee and Administration are the same.
2. Please refer to Item 8.7 from the Community Services Standing Committee held on December 4, 2024
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241204/-1/10528>

**Subject: Training at Local Emergency Shelters – City Wide**

**Reference:**

Date to Council: December 4, 2024

Author: Jennifer Tanner

Manager, Homelessness and Housing Support

[jtanner@citywindsor.ca](mailto:jtanner@citywindsor.ca)

Housing and Children's Services

Report Date: November 18, 2024

Clerk's File #: SS2024

**To:** Mayor and Members of City Council

**Recommendation:**

THAT City Council **RECEIVE** this report-back requested by the former Housing and Homelessness Advisory Committee regarding training support for local emergency shelters on the barriers faced by the 2SLGBTQIA+ communities in finding appropriate housing.

**Executive Summary:**

N/A

**Background:**

At its meeting on June 21, 2022 the Housing and Homelessness Advisory Committee (HHAC) passed the following motion:

That the additional information memo of the Executive Director of Housing & Children's Services dated August 3, 2022 regarding the motion from the Housing & Homelessness Advisory Committee of their meeting held June 21, 2022 and Report No. 14 of the Housing & 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,

- a) That Administration **BE DIRECTED** to provide a report in 2023 outlining the next steps regarding the proposed training initiative;

At this HHAC meeting, members heard a presentation from an organization called Trans Wellness Ontario regarding discrimination faced by trans identified individuals when trying to access emergency shelters or housing. The training initiatives proposed

by this organization were intended for local emergency shelters so they can support better outcomes for transgender clients, and included activities such as:

1. Making training mandatory and informed by transgender rights groups and/or community
2. Develop transgender-specific shelter spaces
3. Hire more transgender staff
4. Display 2SLGBTQIA+ positive media (e.g. rainbow flags)

While HHAC was dissolved in August 2023 as approved by City Council, Administration is providing this report back to Council as previously requested.

### **Discussion:**

In response to the recommendations of the HHAC, Administration, along with a representative from the County of Essex, held several meetings with Trans Wellness Ontario to explore the implementation of these initiatives. However, due to a change in leadership and an organizational restructuring that occurred around September 2022, Trans Wellness Ontario was not able to offer such training and supports at that time. Administration has recently reengaged with this organization to continue exploring opportunities.

Since that time, Administration has also found other opportunities to improve training and reduce barriers in the local emergency shelter system for the 2SLGBTQIA+ communities and other shelter users, including the following activities listed below.

**On-line Training:** The Housing department has allocated funding so all local emergency shelter staff could access the Homelessness Association of British Columbia's online training which includes courses such as Anti-Oppressive De-escalation Techniques, Improving Safety in All Gender Spaces, Substance Use Awareness, Trauma and Somatics, and Behaviour Management Strategies. Training has been available since January 2022. Feedback from the Emergency Shelter system has been positive and they report that this training platform is now a standard part of their onboarding and training programs. One specific piece of data available, it that one homelessness service provider had 49 staff attend a total of 209 online training sessions in 2023 and 2024.

**In-person Training:** City staff have provided in-person training at emergency shelters when needed to augment the shelters' own training programs. For example, in early 2024 clinical skills training was provided at one shelter to support over 20 staff who work with clients with severe trauma who are impacted by systemic inequalities. The training focused on pathways to services, best practices in case management, and strategies to support staff wellness.

**Implementing Emergency Shelter Review Recommendations:** Administration continues to be guided by the *Review of Emergency Shelter Services in Windsor and Essex County (July 2020)*, previously approved by Council (CR 380/2020), which identifies barriers faced by the 2SLGBTQIA+ communities and recommendations on how these can be addressed, in part, through better shelter design. A key activity in support of this has been the allocation of funding to purchase, renovate and operate a new building for the Welcome Centre Shelter for Women and Families, which opened in

June 2023. As a former hotel, this building helps reduce the number of single people who need to share a room, provides private rooms for families with children and offers more washrooms for all clients.

**Regular Meetings with Shelter Providers:** Administration also hosts bi-monthly meetings with the emergency shelter providers including the Welcome Centre Shelter for Women and Families, the Salvation Army Centre of Hope and the Downtown Mission, to discuss all matters impacting the system, including discussions on the needs of different population groups.

**In-House Training at Shelters:** Local shelters in Windsor and Essex have their own internal training programs, which includes content on the needs and barriers facing the 2SLGBTQIA+ communities. For example, one emergency shelter provider had their management team receive training on this topic in 2024 and will be extending this to all 55 staff in 2025. They also make efforts to address the four recommendations listed above.

Between January 1, 2022 to October 31, 2024 there were approximately 30 self-identified trans individuals who accessed emergency shelters in Windsor-Essex.

**Risk Analysis:**

There is no risk to the Corporation in receiving this report.

**Climate Change Risks**

**Climate Change Mitigation:**

N/A

**Climate Change Adaptation:**

N/A

**Financial Matters:**

The activities described in this report have been managed within existing budgets and funding allocations as well as in-kind contributions and have not resulted in additional or on-going costs that will impact the City of Windsor's tax levy.

The annual cost of the online training platform provided by the Homelessness Association of British Columbia is \$1,400. This is funded through the City of Windsor's federal Reaching Home funding stream and has been allocated to Housing Information Services (HIS) which is responsible for administering this platform and providing access to other community partners, including the emergency shelters.

**Consultations:**

Kelly Goz – (A) Manager, Homelessness and Housing Support

Whitney Kitchen – Coordinator, Homelessness Administration and Development

Colm Holmes-Hill – Coordinator, Homelessness Administration and Development



Nancy Jaekel – Financial Planning Administrator

**Conclusion:**

Administration will continue to work with local emergency shelter providers to improve services and outcomes for people experiencing homelessness, including the 2SLGBTQIA+ communities in Windsor and Essex County.

**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Jennifer Tanner	Manager, Homelessness and Housing Support
Linda Higgins	Manager, Intergovernmental Funding & Financial Administration
Kirk Whittal	Executive Director, Housing and Children's Services
Andrew Daher	Commissioner, Human and Health Services
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
Lady Laforet Welcome Centre Shelter for Women and Families		
Jason Linton Salvation Army Centre of Hope		
Rukshini Ponniah-Goulin Downtown Mission		
Sandra Zwiers County of Essex		
Joyce Zuk Family Services Windsor Essex		

Trans Wellness Ontario		
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**Appendices:**



## Item No. 8.28

### Committee Matters: SCM 388/2024

#### **Subject: Social Housing – End of Mortgage (EOM) and Negotiation of Service Agreements with Housing Providers – City Wide**

Moved by: Councillor Fabio Costante  
Seconded by: Councillor Jo-Anne Gignac

Decision Number: **CSSC 272**

That the report of the Social Housing Analyst, and the Coordinator, Housing Administration & Policy, dated November 18, 2024, entitled “Social Housing – End of Mortgage (EOM) and Negotiation of Service Agreements with Housing Providers – City Wide” **BE RECEIVED**; and,

That administration **BE DIRECTED** to report back on opportunities for consolidation among social housing providers to realize efficiencies to better serve tenants.

Carried

Report Number: S 166/2024  
Clerk’s File: GH/14271

#### **Clerk’s Note:**

1. The recommendation of the Community Services Standing Committee and Administration are **NOT** the same.
2. Please refer to Item 8.8 from the Community Services Standing Committee held on December 4, 2024
3. To view the stream of this Standing Committee meeting, please refer to:  
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20241204/-1/10528>

**Subject: Social Housing – End of Mortgage (EOM) and Negotiation of Service Agreements with Housing Providers – City Wide**

**Reference:**

Date to Council: December 4, 2024

Author: Mike Deimling

Social Housing Analyst

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Jolayne Susko

Coordinator, Housing Administration & Policy

(519) 255-5200 ext. 6278

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Housing and Children's Services

Report Date: November 18, 2024

Clerk's File #: GH/14271

**To:** Mayor and Members of City Council

**Recommendation:**

THAT this report from the Social Housing Analyst and the Coordinator, Housing Administration & Policy regarding Social Housing End of Mortgage and Negotiation of Social Housing Service Agreements to City Council **BE RECEIVED**; and further,

THAT the City Clerk and Chief Administrative Officer **BE AUTHORIZED** to **EXECUTE** Service Agreements and/or Exit Agreements and any related documents, amendments and/or extensions between the City of Windsor and Non-Profit Housing Providers under the Housing Services Act (HSA) S.O. 2011, c. 6, Schedule 1, that have reached or are reaching End of Mortgage (EOM) in a form satisfactory to the City Solicitor, satisfactory in financial content to the City Treasurer, and technical content to the Commissioner of Human and Health Services and Executive Director of Housing and Children's Services, provided that any agreements do not exceed the funding in the approved City budget in each respective year; and further,

THAT the City Clerk and Chief Administrative Officer and **BE AUTHORIZED** to **EXECUTE** a new Service Agreement and any related documents, amendments and/or extensions between the City of Windsor and Can-Am Urban Native Homes' federal social housing funding agreements that have reached or are reaching End of Agreement (EOA) in a form satisfactory to the City Solicitor, satisfactory in financial content to the City Treasurer, and technical content to the Commissioner of Human and

Health Services and Executive Director of Housing and Children's Services, provided that any agreements do not exceed the funding in the approved City budget in each respective year; and further,

THAT the Executive Director, Housing & Children's Services **REPORT BACK** on the status and outcome of Service and/or Exit Agreement negotiations.

### **Executive Summary:**

N/A

### **Background:**

As the Consolidated Municipal Service Manager ('Service Manager') for Windsor and Essex County, the City of Windsor (the 'City') is responsible for the funding and administration of Community Housing, also referred to as Social Housing under the *Housing Services Act, 2011* (HSA).

Effective January 1998, funding responsibility for the Province's share of Public Housing and provincially administered non-profit housing was transferred to the municipal level. In 1999 the Federal government negotiated an agreement with the Province for the transfer of most federal housing programs to the municipality along with the funding required to comply with Federal Operating Agreements. Beginning in 2001, the City, as the provincially designated Service Manager for Windsor and Essex County, assumed the full administrative and funding responsibility for the many social housing program legislated under the Social Housing Reform Act (SHRA). On January 1, 2012, the SHRA was repealed and replaced with the Housing Services Act, 2011 (HSA).

As part of the provincial and federal public housing transfers, Canada Mortgage and Housing Corporation (CMHC) continued to provide Federal Block funding based on set terms of original community/social housing operating agreements between the individual community/social housing provider(s) and:

- CMHC and the Province (Federal/Provincial Agreements; Provincial housing transfers)
  - 28 community/social housing providers
  - 35-year mortgage terms
- CMHC (Federal Agreements; Federal housing transfers)
  - Can-Am Urban Native Homes

The expiry of Federal Block Funding has been the subject of a previous Council Report (January 2014; LiveLink Report 16747) and has been expiring as Operating Agreements and/or community/social housing provider mortgages' have matured.

### ***Provincial Housing Transfers (Provincially Reformed)***



Provincial community/social housing construction projects required community/social housing providers to enter into an operating agreement and a 35-year mortgage. Twenty-eight (28) HSA-prescribed community/social housing providers, both co-op and non-profit, oversee 2,400 units of community/social housing across Windsor and Essex County. With their 35-year mortgages scheduled to mature over the next 7 years, the mortgage portion of their subsidy funding will end with their 35-year term mortgage ending [End of Mortgage (EOM)].

The 28 community/social housing providers have been receiving operating funding as prescribed in the HSA. The funding consists of three parts:

- Rent-geared-to-income subsidy,
- Property tax subsidy and
- An operating subsidy (which includes mortgage payments)

The HSA does not prescribe an end date for this funding model or when the Service Manager's obligation to fund housing providers will end. Furthermore, the HSA does not outline/contemplate how to manage the funding model once the original mortgage is fully paid (EOM).

In April 2019, the provincial government released the Community Housing Renewal Strategy, which outlined the commitment to stabilize and grow the community housing sector, Ontario introduced Bill 184, the *Protecting Tenants and Strengthening Community Housing Act, 2020*. Bill 184 provided regulation-making authority to transform Ontario's community housing framework, with the goal of protecting and growing community housing in order to ensure its long-term sustainability as housing providers reach the end of their mortgages (EOM) and/or operating agreements (EOA). Bill 184 proposed amendments to O. Reg 367/11 under the HSA in four areas:

**1) Service and Exit Agreements**

- 2) Service Level Requirements
- 3) Access; and
- 4) Local eligibility rules for income and asset limits for Rent geared-to-income (RGI) assistance.

On March 30, 2022, The Province released Ont. Reg. 241/22 (Service and exit agreements) and Ont. Reg. 242/22 (Service levels, access and income and asset limits) regarding the new Service Agreement Framework for Community Housing projects reaching EOM. Under the new regulatory framework, effective July 1, 2022, community/social housing providers reaching the end of their mortgage and/or operating agreement have two options:

- a) Enter into a new **service agreement** or
- b) Enter into an **exit agreement** in order to exit the current HSA funding and regulatory system

Each agreement must be negotiated between the Service Manager and the community/social housing provider with key provisions and baseline rules. As outlined in O. Reg 241/22, at a minimum, service agreements must include:

- A minimum term length of 10 years (with provisions that the agreement continues in effect after the term ends until a new service or exit agreement is struck);
- The number of RGI units (and other assistance as applicable) in the housing project;
- Selection rules for the RGI units aligned with existing selection and waiting list rules in accordance with the HSA;
- Baseline provisions for service managers to continue funding RGI units and provide other assistance as needed (e.g. for maintenance and/or to decreased non-RGI rental rates);
- A joint financial plan, to be reviewed at least every 5 years;
- A process to manage non-compliance and dispute resolution;
- The housing provider's mandate to serve a specified population, where applicable; and
- Participation in regulated Housing Services Corporation (HSC) programs, with current exemptions continuing.

The negotiation of new **Service Agreements** require Service Managers to continue to fund community/social housing providers (i.e. fund RGI units) by bridging the gap between legislated RGI rental rate that an RGI tenant pays and market rental rate (maximum RGI rental rate) otherwise payable for each RGI unit. In addition, the negotiation of new Service Agreements must contemplate and seek to include provisions to compensate and/or provide services to maintain the community/social housing stock in a good state of repair and/or maintain affordable non-RGI rental rates (maximum RGI rate).

If a community/social housing provider is not interested in entering into a Service Agreement, they will need to enter into an **Exit Agreement**. Exit Agreements must be negotiated with the Service Manager and must ensure existing tenants are not displaced, ongoing delivery of RGI (or alternate housing benefit assistance) and longstanding public investments in community/social housing buildings are preserved.

By December 2024, 10 Windsor/Essex Community/Social Housing Providers' 35-year term mortgages will reach maturity (EOM). One of the 10 providers, the Windsor Essex Community Housing Corporation (CHC), has already had 9 of their 14 family unit portfolio mortgages mature.

### ***Federal Housing Transfers***

In addition to the provincially transferred housing projects outlined above, the City of Windsor as Service Manager has responsibility for the ongoing administration and funding of Federal Operating Agreements originally negotiated between the federal government and community/social housing providers. Of the original 14 federal community/social housing projects originally downloaded to the Windsor Essex County Service Area in 2002, only 4 community/social housing providers have active Operating Agreements. Can-Am Urban Native Homes (Can-Am) is the only community/social housing provider of the 4 remaining that receives an ongoing subsidy from the Service Manager.

## **Discussion:**

### ***Provincial Reformed providers – EOM/EOA***

Since the passing of O. Reg. 241/22, Housing Services has been undertaking a review of these new regulatory changes with respect to Service and Exit Agreements to determine next steps forward. Community/social housing projects reaching and/or approaching end of mortgage will, as legislated, continue to receive subsidy funding in accordance with legislated subsidy requirements prescribed in the HSA. No operational changes occur when community/social housing projects reach End of Mortgage (EOM). Service Manager operating subsidies to a community/social housing provider will be reduced as the mortgage costs made up a portion of the community/social housing project's annual operating subsidy calculation and paid to community/social housing providers on a monthly basis.

Since 2001 the City as Service Manager has received funding from the Federal government (known as Federal Block Funding). This Federal Block Funding represents the federal share of funding for former Federal and Federal/Provincial community/social housing projects, as well as Public Housing projects. Federal Block Funding has been steadily declining over the last number of years and is resulting in cost pressures and an increasing inability to support on-going community/social housing project costs. Budget issue/pressures associated with the reduction/loss of Federal Block Funding have and continue to be brought forward to Council during the annual Operating Budget development process.

Service Managers are obligated to continue funding HSA community/social housing providers post EOM despite the reduction in Federal Block Funding. Under the HSA, Service Managers must maintain "service levels" for the prescribed number of rent-gear-to-income (RGI) assisted households. The City of Windsor's legislated RGI service level is 5,726 subsidized units. Historically the City of Windsor has reported a deficiency in attaining this legislated RGI service level on an annual basis. The City of Windsor is not unique in this situation and there are numerous reasons this occurs such as, RGI tenants converting to market rent tenancies (household over income limit) but are unable to move into the private rental market.

In preparation for the EOM in June 2020, Housing Services engaged a consultant to undertake and perform 32 Building Condition Assessments (BCA) as well as Operational Reviews on all community/social housing properties across Windsor and Essex County (with the exception of Windsor Essex Community Housing Corporation (CHC)). The consultant completed their assessments in March 2022. The BCA's identified estimated capital needs for each of the 32 community/social housing properties over the next 30 years. The consultant's Rollup Report highlighted projected capital needs for the period 2022-2026 (5-year) of \$42.2 million and an estimated \$202 million in capital pressures over the next 30 years. Although the City has access to some upper-level government funding streams, the annual funding received under these programs do not adequately fund identified repairs resulting in a repair deficit requiring alternate funding sources.

As community/social housing providers reach EOM, Housing Services is required to meet and engage each community/social housing provider in discussions and negotiate new funding terms for the delivery of community/social housing moving forward. Hence, it is necessary to understand each provider's current financial and governance situation and determine each non-profit corporation's ability and capacity to undertake the development of a new Service Agreement. Housing Services has begun the process of contacting community/social housing providers that have reached and/or are approaching EOM to begin these very important discussions. Early discussions have highlighted the fact many of our smaller community/social housing properties (e.g., 50-100 units), governed by a volunteer Board of Directors and managed in many cases by part-time staff, do not have the current capacity and/or knowledge to undertake these complex Service Agreement negotiations without significant support and involvement of the Service Manager and their own legal counsel.

In preparation for EOMs, Housing Services has conducted the following:

- Communicated the legislative changes via e-mail, Service Manager meetings with community/social housing providers and issued individualized correspondence and communication by phone with community/social housing providers reaching and/or approaching EOM/EOA.
- Under the facilitation and leadership of the Housing Services Corporation (HSC), Housing Services participated in a bulk-service agreement development process, providing input and feedback on proposed Service Agreement terms and conditions. In participating in this process, Housing Services has a Service Agreement template that was created by a legal firm specialized in Housing law and the input of Service Managers across the province.
- Housing Services has begun preparing financial forecasting estimates for each community/social housing property reaching EOM and assessing the financial impacts of the legislative changes. Based on our financial forecasting estimates, most community/social housing providers are expected to remain operationally viable but most do not have sufficient capital reserve funds to fund ongoing capital repairs identified in the BCA reports noted above.

It should be noted that until a service agreement or an exit agreement are negotiated, the City of Windsor (i.e. Service Manager), is obligated by legislation to continue funding providers as outlined in the HSA.

Council's authorization to negotiate Service and/or Exit Agreements with our current HSA non-profit community/social housing providers will ensure the continuation of ongoing subsidy funding, protect existing tenancies, maintain the delivery of affordable housing and support the sustainability and viability of existing and new community/social housing developments.

For CHC's Family (non-profit) portfolio, in accordance with the City's Sole Shareholder agreement, Housing Services will bring forward a report to seek approval for the execution of any required agreement(s).

### ***Federal Urban Native Provider – EOM/EOA***

As noted above, former Federal projects are not legislated under the HSA but are governed by the Federal Operating Agreement undertaken when the project was developed.

Can Am Urban Native Homes was developed in six phases and consists of 81 units of scattered housing in the City of Windsor. Housing Services receives annual Operating funding (Federal Block Funding) to partially fund Can Am Urban Native Homes in accordance with their current Federal Operating Agreements. The Federal program funding these units provided a subsidy to ensure the annual breakeven operation of these units. The projects were funded with 25-year mortgages, which are now all fully matured. Each of the 81 units is governed by a Funding Agreements that is 35 years in length ending between 2023 and 2031. For Phase I - 10 units were developed and have reached End of Agreement (EOA). For Phase II - 15 units were developed and will reach EOA in January 2025.

As the Funding Agreement for each Phase expires, the City is no longer obligated to continue funding the 81 community/social housing units. As per the Federal Operating Agreements, the Can-Am units were developed and funded as RGI subsidized, on expiry Can-Am will no longer remain viable without increasing their rental rates to an inflated market rent level. It is unlikely many of the current RGI subsidized household's income would be able to support a successful tenancy at the market rental rate leading to housing insecurity and the potential for households to exit into homelessness.

Although these 81 RGI units are not part of the originally prescribed units in the Windsor / Essex service level of 5726 units, these units have been reported annually as contributing to the legislated service level. Should these units no longer be funded Housing Services would be required to identify and fund additional geared-to-income units to replace units removed from stock. Loss of these units could also create a larger service level gap (deficit) which was approximately 500 units as at December 2023.

In the interim until such time a new Service Agreement is negotiated and executed, the 10 community/social housing units in Phase I that reached EOM as of April 2024 have been funded through a Rent Supplement Agreement with Can-Am continuing to fund the gap between the unit's market rent and the tenant's RGI rental rate based on each tenant household's income. This interim measure is being funded using a portion of our 2024-25 funding allocation from the Canada Ontario Community Housing Initiative (COCHI), a program introduced as part of the Community Housing Renewal Strategy (CHRS) in 2019. Rent supplements, which are paid to the landlord on behalf of a household, to support social and/or community housing are an allowable operating expense under this program. The CHRS funding programming runs until March 31, 2028 and funding allocation notifications in recent years have been year by year. As of the date of this report, the City has not been notified of any funding allocation for the CHRS beyond the 2024-25 program year (funding program ends March 31, 2025) and/or whether Rent Supplement programs would continue to be an approved use under this stream of funding.

In order to maintain these much-needed community/social housing units Housing Services is requesting Council's authorization to negotiate a new Service Agreement



with Can-Am and to fund the provisions of the agreement out of the Housing Services annual Operating budget. Once an agreement is negotiated, Housing Services will provide an update report to Council to provide details of the arrangement inclusive of the estimated annual costs.

### **Risk Analysis:**

For the provincially reformed community/social housing projects, there is a moderate risk associated with not entering into new Service Agreements whereby it is possible/likely the reduction in funding to community/social housing providers at EOM/EOA will be insufficient for the community/social housing project to remain financially viable and will also be insufficient to fund capital deficiencies.

For federal community/social housing projects, there is a significant risk associated with not entering into a new Service Agreement whereby it is likely the loss of funding at EOM/EOA will result in major consequences for the housing provider as it relates to financial viability and for the household's housed up to an including, exits to homelessness.

In both instances, the following risks are identified should new service agreements not be made:

- Lessen the City's ability of reaching legislated RGI service level
- Loss of RGI units for households residing and/or awaiting an RGI unit offer
- Loss of social housing units if projects are not able to remain financially viable
- Impact the City's ability to meet the affordable housing needs in our Service Area as identified within the 10-year Housing and Homelessness Master Plan (2019-2028)

In order to mitigate this risk, the City has and will continue to conduct annual budget reviews, review and conduct regular Building Condition Audits (BCAs) and operational reviews, and conduct financial forecasting estimates for community/social housing projects. Furthermore, funding needs associated with community/social housing projects will need to be contemplated when reviewing and planning spending of provincial funding allocations when announced and available.

The Executive Director of Housing and Children's Services will be responsible for ensuring the negotiation of any and all new Service Agreements remain within budget.

### **Climate Change Risks**

#### **Climate Change Mitigation:**

N/A

#### **Climate Change Adaptation:**

N/A

**Financial Matters:**

Housing Services is currently reviewing and determining the effects of the changes from the Housing Services Act with respect to the operating budget requirements. Once this review is completed and the new agreements are established, a report will be submitted to Council. It should be noted that until a service agreement or an exit agreement are negotiated, the City of Windsor, as Service Manager, is obligated by legislation to continue funding providers as outlined in the HSA.

The 2024 approved Operating Budget to support the costs associated with delivering community/social housing for Non-Profit housing providers and the CHC Family (non-profit) portfolio across Windsor and Essex County is as follows:

Table 1:

<b>2024 Approved Budget Non-Profit Housing Providers &amp; CHC Family Portfolio</b>	
Subsidy Expense	\$14,467,018
Less: Federal Funding	(\$4,050,907)
Less: County Funding	(\$3,733,134)
Net City Funding	\$6,682,977

It is anticipated that operating subsidy savings will continue to materialize with expiry of mortgage (EOM), but the savings will be offset by the decreases in revenue from the loss of Federal Block Funding. Furthermore, it is anticipated that any savings realized because of operating subsidy reductions due to EOM may need to be retained to supplement community/social housing operating and capital cost pressures e.g., capital repairs.

As such, the City Treasurer, as part of the year end process, has the discretion (CR 185/2020) to transfer any City surplus occurring in the Housing Services budget to the City Housing Reserve (Fund 216), to be retained and applied to fund community/social housing related operating and capital cost pressures for which no alternative funding sources are available. As of October 31, 2024, the balance of Fund 216, net of encumbrances, is \$874,455.

Housing Services is currently not requesting additional funding as it is too premature to estimate with certainty the total financial impact of the changes discussed in this report. Should additional on-going funding be required, Housing Services will bring forward a budget request during the annual Operating Budget development process. The cost of social housing is shared with the County, using the arbitrated weighted assessment formula.

**Consultations:**

Diane Wilson, Manager of Social and Affordable Housing

Nancy Jaekel, Financial Planning Administrator

**Conclusion:**

Recent changes to the HSA have resulted in significant changes to the way Community Housing will be funded in the future. The current demand for affordable housing continues to exceed the supply for all municipalities within the Windsor Essex Service Area.

In order to ensure the long-term viability of our Service Area’s community/social housing stock, the City of Windsor and community/social housing providers have a shared responsibility to protect existing tenancies, deliver affordable housing and protect, preserve and promote growth and development of community/social housing.

Housing Services is committed to ensuring providers reaching EOM and/or EOA are encouraged to participate in designing an updated individualized funding arrangement that will provide long-term sustainability and protect community/social housing assets that are essential for the well being of our community.

**Approvals:**

<b>Name</b>	<b>Title</b>
Linda Higgins	Manager Intergovernmental Funding & Human Services Integration
Jolayne Susko	Coordinator, Housing Administration & Policy
Mike Deimling	Social Housing Analyst
Kirk Whittal	Executive Director, Housing and Children’s Services
Janice Guthrie	Commissioner, Finance & City Treasurer
Andrew Daher	Commissioner, Human and Health Services
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>
Sandra Zwiars, County of Essex CAO		
List provided to Clerks office		

**Appendices:**

**Subject: Festival Plaza Redevelopment – Approval of Master Plan - Ward 3**

**Reference:**

Date to Council: January 13, 2025

Author: Samantha Magalas

EIC, Community Services

519-253-2300x2730

smagalas@citywindsor.ca

Parks

Report Date: 11/18/2024

Clerk's File #: SR/14229

To: Mayor and Members of City Council

**Recommendation:**

**THAT** Council **ENDORSE** the Festival Plaza Master Plan – Option #1 as shown in Appendix A of this report; and further

**THAT** the City Treasurer **BE DIRECTED** to consider funding for the Festival Plaza Master Plan as part of a future capital budget development process.

**Executive Summary:**

N/A

**Background:**

Festival Plaza, located within Windsor's Central Riverfront Implementation Plan (CRIP) area, serves as a key community venue for various outdoor events. The need for upgrades to the plaza has been recognized in previous council directives, and prior consultants have explored a range of options to address site challenges.

At the October 2021 meetings, City Council directed Administration (CR475/2021 & CR452/2021) to:

*Work with the consultant to undertake additional public and stakeholder consultations, and to develop different costing options for the design that vary in price, with the intent to give Council the opportunity to determine the level of investment that should be made at Festival Plaza.*

On January 15, 2024, Report C 182/2023 in response to CR452/2021 was presented to Council with various options for consideration. At that meeting, through CR42/2024, Council directed that:

*That the report of the Project Administrator dated December 20, 2023 entitled “Festival Plaza Improvement - Update - Ward 3” **BE REFERRED** to the 2024 Operating & Capital Recommended Budget meeting for Council’s consideration.*

At the Special Meeting of Council on January 29, 2024, Council Directed Administration (B7/2024):

*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.*

This report is in response to that direction.

### **Discussion:**

This report outlines a revised design concept for Festival Plaza in response to Council’s directive for a more economical approach that improves site functionality, safety, aesthetics, and reduces the heat island effect. Based on community input from prior public engagement and stakeholder consultations conducted by Landmark Engineers Inc. and PARTISANS, the proposed redevelopment focuses on green infrastructure, improved circulation, and flexible event spaces. This approach aligns with Windsor’s environmental goals while providing a cost-effective solution for enhancing this valuable riverfront space. The refined design retains the community’s desired features within budgetary constraints.

The proposed version has been crafted in response to the following key themes identified through previous public consultations:

- 1. Landscape and Heat Mitigation:**

Strong community support for natural shade through increased tree planting and green infrastructure informed the focus on landscaping. This approach aims to reduce heat retention on-site, improve visitor comfort, and align with Windsor’s Environmental Master Plan goals for climate resilience.

- 2. Site Functionality and Flexibility:**

Stakeholders emphasized the need for a flexible site layout that accommodates events of various sizes. The proposed designs integrate modular infrastructure to support diverse programming while allowing open, adaptable spaces suitable for both large festivals and smaller gatherings.

- 3. Connectivity and Circulation:**

The engagement highlighted the need for better connections between Festival Plaza, the riverfront trail, and downtown Windsor. Enhancements will include improved pathways, accessible entrances, and intuitive wayfinding to facilitate



pedestrian and cyclist traffic, fostering greater visitor movement throughout the site.

4. **Safety Enhancements:**

Based on input from the Windsor Police Service, the design incorporates Crime Prevention Through Environmental Design (CPTED) principles. Open sightlines, ample lighting, and secure waste receptacles are prioritized to create a safe, welcoming environment.

5. **Event Infrastructure and Amenities:**

To support event organizers, the designs incorporate infrastructure such as shaded seating, integrated utilities, and temporary infrastructure solutions that support flexible event needs without the permanent canopy. These features reduce logistical demands and encourage a wider range of events at the plaza.

**Option 1 – Dynamic Destination Design (Recommended - Current Estimated Budget \$20 million)**

This proposed Festival Plaza design can be seen as **Appendix A**. The design represents a fully realized vision for a vibrant and dynamic riverfront event space. It positions the space as a cultural and recreational hub, capable of hosting large-scale events while maintaining versatility for everyday use, with advanced features and amenities that go beyond the essentials.

Key features of this updated design include two (2) modern shade structures that provide comfort and usability, as well as two water features that add an engaging and interactive element to the space. A secondary platform adds flexibility for hosting a variety of events, with the opportunity for an iconic centerpiece, such as a seasonal Christmas tree, creating a memorable focal point for visitors. Raised seat walls are thoughtfully designed not only to offer functional seating and aesthetic appeal but also to serve as a buffer against cold winter winds coming off the riverfront, enhancing the usability of the space year-round. Versatile sea container kitchens enhance the space by accommodating food service or merchandise sales during cultural events, concerts, carnivals, and more. The concept emphasizes thoughtful integration with the natural surroundings and offers opportunities for year-round engagement, making it a signature landmark for the community.

As seen in Appendix A, this version includes the full suite of desired enhancements, transforming Festival Plaza into a vibrant destination space. This design features four distinct zones, each tailored to support a variety of events and activities.

This design aims to create an immersive experience, making the plaza an attractive site for larger events and community gatherings. It represents a comprehensive investment in creating a vibrant, year-round public space that supports large-scale events while enhancing the site's daily appeal for residents and visitors.

Key cost components include:

- Demolition of existing storage building and relocation of electrical service at the site entrance to improve access and visual appeal.
- Expanded green spaces with trees, raised planters, and structured grassy areas that enhance comfort, support climate resilience, and offer shade.
- Installation of tiered grass seating and permanent seating around the site, which accommodates larger audiences and supports diverse programming.
- Semi-permanent vendor structures that allow non-mobile food and beverage services, enhancing visitor convenience and creating a welcoming atmosphere during both events and everyday use.
- Raised planters & seat walls to block cold winds, and a central feature for seasonal decor, such as holiday lights, promote year-round plaza usage, allowing the space to host events and community activities in any season.
- Water jets with lighting for cooling and enjoyment, a secondary platform for informal events (musical, poetry, etc.)

### **Option 2 - Functional Elements Design (Current Estimated Budget - \$17 million)**

This design can be seen as **Appendix B** and includes features, such as expanded green space and service upgrades. These elements would work to create a welcoming and functional riverfront event space which may allow for future upgrades to the Dynamic Destination Plan (acknowledging some costs may not carry forward due to necessary modifications). This plan includes a single water feature to serve as a dynamic and appealing element within the park but does not incorporate key features of the Dynamic Destination Plan, such as shade structures, seat walls, secondary platform, centerpiece (such as the Christmas tree), sea container kitchens and additional storage.

### **Option 3 – Simple Features Design – Current Estimated Budget \$13 Million**

The Simple Features design seen in **Appendix C** represents a minimalist approach to the riverfront event space, focusing on core functionality while scaling back on enhancements. Improvements to service connections and lighting are scaled back to basic requirements, while landscaping and aesthetics are significantly reduced. Tiered seating has been removed and concrete pavement has been replaced with asphalt throughout the site, resulting in a simpler layout. This streamlined concept provides a functional space for community use but sacrifices much of the enhancements and flexibility found in the previous two options.

All three options include some basic items such as removal of structures at the west entrance, new underground services, maintained riverfront pathways, and a new accessible pathway from Riverside Drive at Glengarry Ave.

### **Risk Analysis:**

There are significant community impact and financial risks if a phased approach to the implementation of the master plan is adopted. It is important to note that phasing this project in over multiple years while technically possible would face several challenges due to the demand that exists from user groups to utilize this event space. The space

would be unusable during construction and therefore upgrading at a later date would result in multiple years of not being able to utilize the event space during renovations. There would be additional fees incurred as a result of having to replace some of the features updated in earlier stages of a phased approach.

The community has expressed strong support for enhanced green spaces and flexible event infrastructure. Failure to deliver on these expectations could lead to public dissatisfaction. To manage this risk, ongoing communication with stakeholders will be maintained throughout the project to ensure transparency and alignment with community desires.

The redevelopment must comply with local zoning laws, environmental regulations, and accessibility standards. Non-compliance could result in project delays or legal challenges. To mitigate this risk, the project team will engage with relevant regulatory bodies early in the planning process to ensure all requirements are met.

## **Climate Change Risks**

### **Climate Change Mitigation:**

The redesigned Festival Plaza options presented in this report incorporate strategies to reduce its environmental footprint and support the City of Windsor's Environmental Master Plan goals. Increasing tree cover and integrating natural landscaping not only improve aesthetics but also sequester carbon and contribute to a more resilient urban ecosystem. These elements align with municipal goals to promote sustainability and reduce greenhouse gas emissions across public spaces. The integration of bike and e-scooter parking locations falls in line with action A9 of the environmental master plan to help connect a safe network for bicycling and walking. By offering areas to park bicycles and e-scooters, this in turn can lead to increased accessibility for active transportation in the area, contributing to a reduction in the number of private vehicle trips and accompanying greenhouse gas emissions.

### **Climate Change Adaptation:**

The redevelopment plan addresses climate adaptation by preparing the site for anticipated changes in climate patterns. With more frequent extreme heat days expected in Windsor, the expanded tree canopy and recommended shade structures in Option 1 provide critical cooling for event attendees and casual visitors. The additional shade from landscaping and the use of light-colored, reflective surfaces are designed to reduce localized warming. The integration of light spray jets will help with offering cooling features. By replacing existing hard surfaces with permeable materials and expanding green spaces, the plaza will help reduce the heat island effect, particularly in areas heavily used during events.

### **Financial Matters:**

The cost estimate for the Festival Plaza Redevelopment Option 1 – Dynamic Destination Design is \$20,000,000 based 2024-unit costs. Financial details of all three options can be seen in the following table:

<b>Estimated Expenses (2024)</b>	<b>Dynamic Destination</b>	<b>Functional Elements</b>	<b>Simple Features</b>
Construction	\$11,900,000	\$10,050,000	\$7,750,000
Engineering, Contract Administration, Permits, Fees, Non-Recoverable Taxes	\$4,200,000	\$3,600,000	\$2,750,000
Contingency	\$3,900,000	\$3,350,000	\$2,500,000
<b>Total Estimated Project Costs</b>	<b>\$20,000,000</b>	<b>\$17,000,000</b>	<b>\$13,000,000</b>

There is currently \$12,091,303 of funding approved in principle in capital project PFO-003-15 Central Riverfront Improvement Plan & Civic Esplanade / Plaza for the 2025 to 2029 funding years from the 2024 Capital Budget resulting with an additional \$7,908,697 required to implement the plan. Should City Council endorse the plan as presented and further wish to proceed with the Festival Plaza Redevelopment Option 1 – Dynamic Destination Design, Administration should be directed to consider additional capital funding as part of a future capital budget development process.

**Consultations:**

- Hoda Kameli – Landscape Architect
- Laura Ash – Projects Lead, Parks Development
- Wadah Al-Yassiri – Manager, Parks Development
- Nolan Lachance – Environmental Sustainability Coordinator
- Erika Benson – Financial Planning Administrator, Parks
- Michael Dennis – Manager, Strategic Capital Budget Development and Control
- Michelle Staadegaard – Manager, Culture & Events

**Conclusion:**

Administration has presented cost-effective options for redevelopment at Festival Plaza that accomplishes the overall goal of creating a vibrant year-round community space. If Council wishes to continue to move forward with the redevelopment of Festival Plaza, the next step would be to approve a Master Plan.

**Planning Act Matters:**

N/A

**Approvals:**

<b>Name</b>	<b>Title</b>
Samantha Magalas	EIC, Community Services
Emilie Dunnigan	Manager, Development Revenue and Financial Administration
James Chacko	Executive Director, Parks, Recreation & Facilities
Michael Chantler	Senior Executive Director, Community Services (A)
Ray Mensour	Commissioner, Community Services
Janice Guthrie	Commissioner- Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

**Notifications:**

<b>Name</b>	<b>Address</b>	<b>Email</b>

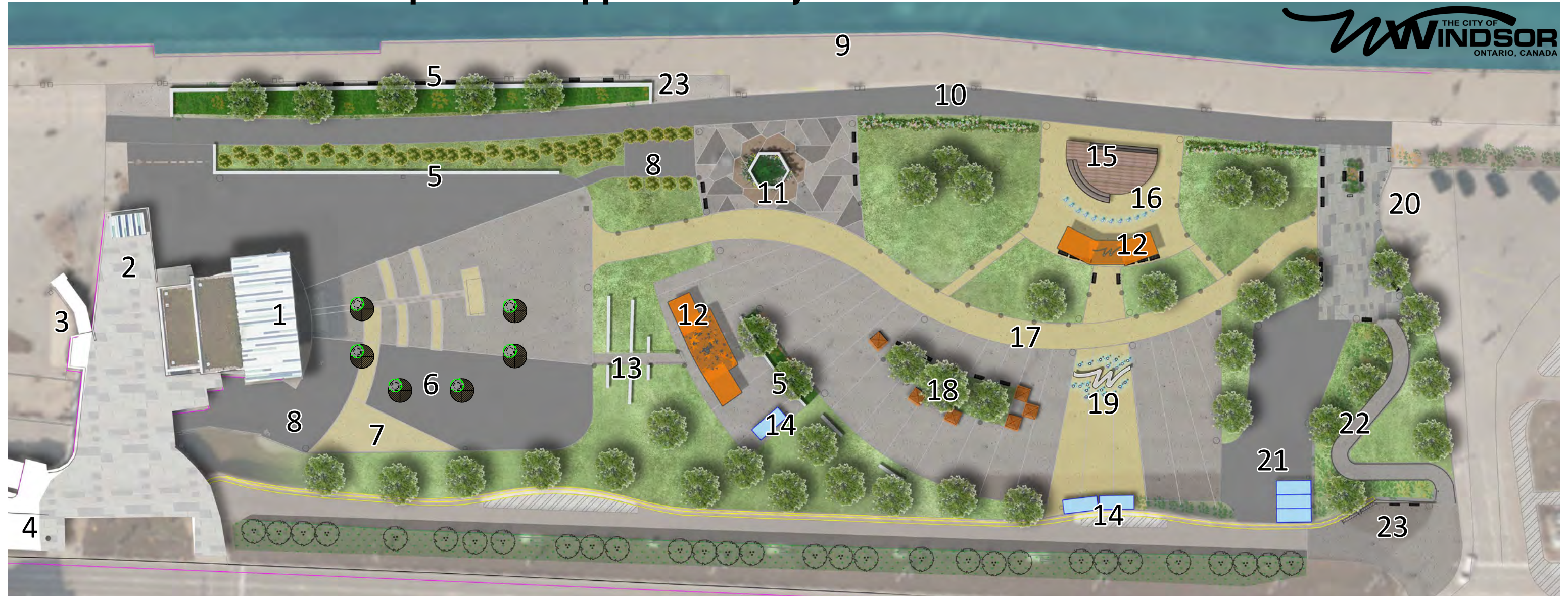
**Appendices:**

- 1 Appendix A - Option 1
- 2 Appendix B - Option 2
- 3 Appendix C - Option 3



# Festival Plaza Redevelopment – Appendix A: Dynamic Destination

Parks Development 2024



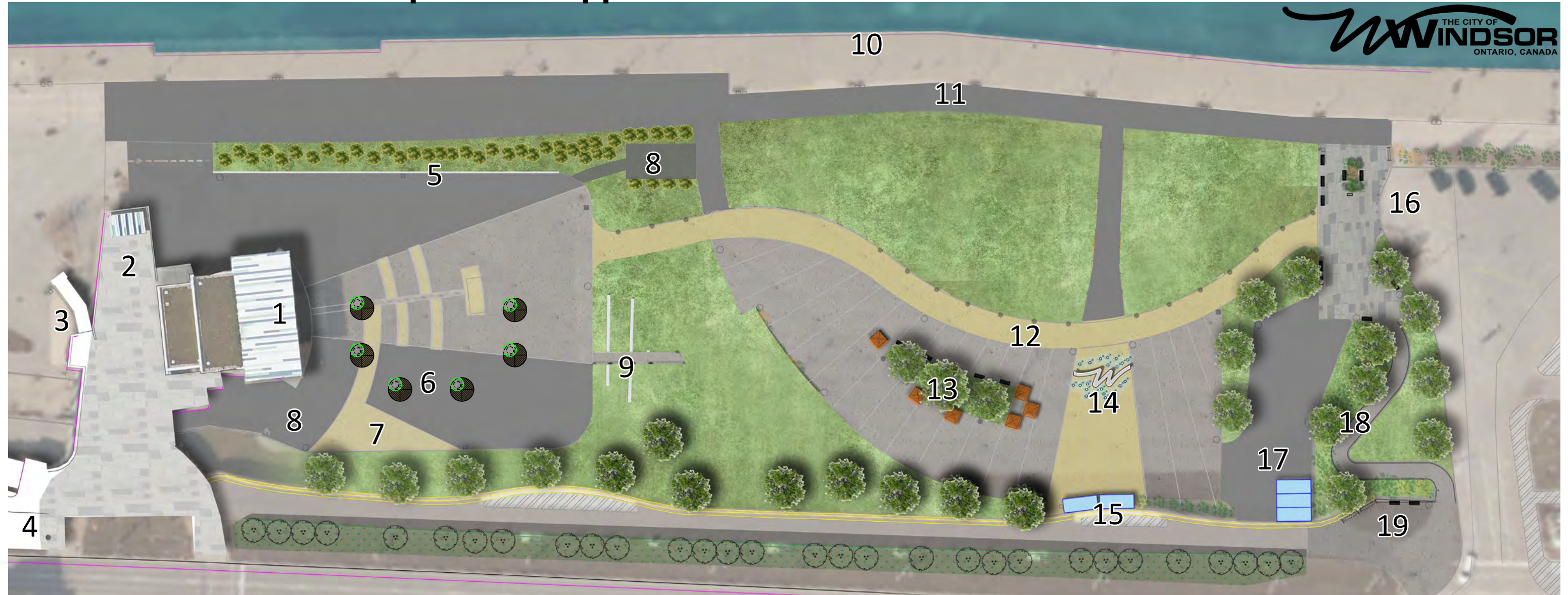
- 1. Existing stage
- 2. Existing washroom
- 3. Existing staircase
- 4. Existing accessible ramp
- 5. Raised planter with seating
- 6. Movable planters with benches
- 7. VIP area (portable tents)
- 8. Portable washroom area
- 9. Pedestrian riverfront pathway
- 10. Multiuse pathway (bike and service)
- 11. Iconic centerpiece (holiday tree)
- 12. Shade structure with benches
- 13. Stepped seating
- 14. Sea container kitchen/rental kiosks
- 15. Secondary stage
- 16. LightSpray jets
- 17. Main pathway
- 18. Umbrella picnic tables
- 19. WaterJet feature
- 20. Drop off area
- 21. Storage area with storage containers
- 22. Accessible pathway
- 23. Bike & e-scooter parking



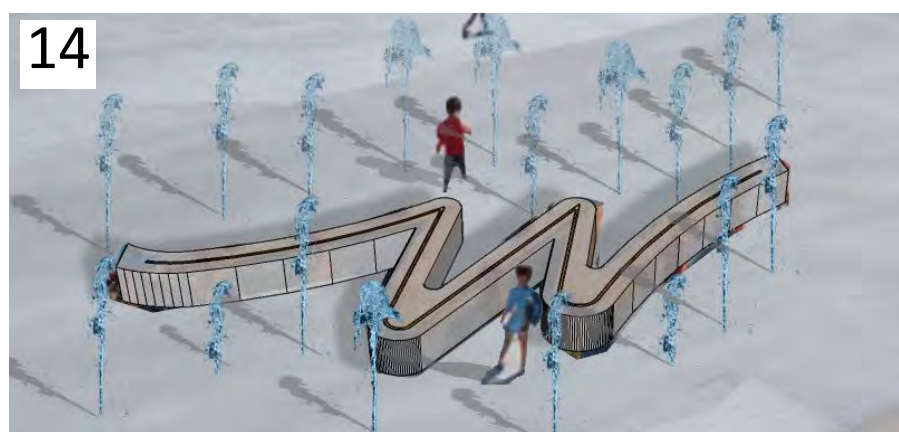
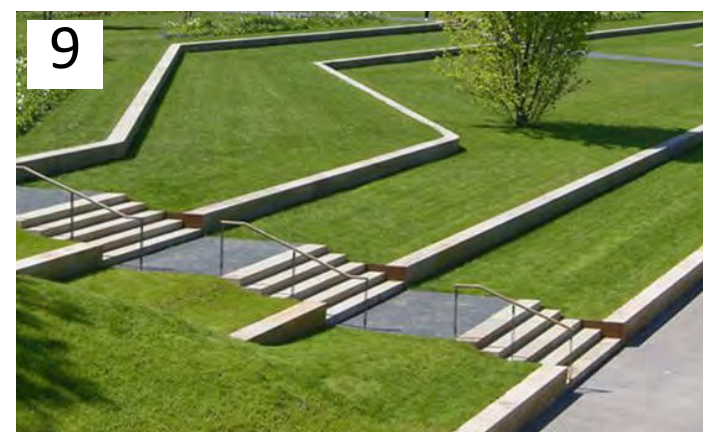


# Festival Plaza Redevelopment – Appendix B: Functional Elements

Parks Development 2024



- 1. Existing stage
- 2. Existing washroom
- 3. Existing staircase
- 4. Existing accessible ramp
- 5. Raised planter with seating
- 6. Movable planters with benches
- 7. VIP area (portable tents)
- 8. Portable washroom area
- 9. Stepped seating
- 10. Pedestrian riverfront pathway
- 11. Multiuse pathway (bike and service)
- 12. Main pathway
- 13. Umbrella picnic tables
- 14. WaterJet feature
- 15. Sea container kitchen/rental kiosks
- 16. Drop off area
- 17. Storage area with storage containers
- 18. Accessible pathway
- 19. Bike & e-scooter parking





# Festival Plaza Redevelopment – Appendix C: Simple Features

Parks Development 2024



1. Existing stage
2. Existing staircase
3. Existing accessible ramp
4. Existing washroom
5. Movable planters
6. Portable washroom area
7. Pedestrian riverfront pathway
8. Multiuse pathway (bike and service)
9. Green space
10. Umbrella picnic tables
11. Bike & e-scooter parking
12. Accessible pathway
13. Storage area with storage containers







**Subject: Sandpoint Beach – Approval of the Master Plan – Ward 7**

**Reference:**

Date to Council: January 13, 2025

Author: Samantha Magalas

Executive Initiatives Coordinator

smagalas@citywindsor.ca

519-253-2300x2730

Parks

Report Date: 12/16/2024

Clerk's File #: SR/14130

**To:** Mayor and Members of City Council

**Recommendation:**

**THAT** Council **ENDORSE** the Sandpoint Beach Master Plan as shown in Appendix A of this report; and further,

**THAT** the City Treasurer **BE DIRECTED** to consider funding for the Sandpoint Beach Master Plan as part of a future capital budget development process.

**Background:**

Sandpoint Beach was acquired in 1976 and established as a beach in 1980. The beach consists of approximately 488 metres (1500 feet) of beach front and 2.6 acres of parkland.

The beach has a designated swimming area which is marked by a double buoy line system installed in early June and removed in September. Lifeguards are on duty 1:00 pm – 7:00 pm daily beginning the 2<sup>nd</sup> weekend in June and running through Labour Day, weather and water quality permitting.

In 2012, the City of Windsor contracted the Lifesaving Society to complete a comprehensive aquatic safety audit of Sandpoint Beach. The report was received by Council in January of 2013.

The final report from the Lifesaving Society aimed to identify any Priority Concerns or major safety risks that would merit immediate action. The beach itself contained no Priority Concerns however the report identified seventeen (17) Primary Recommendations to align with best practices. The Lifesaving Society indicated that these items should receive focused attention. One of the seventeen Primary Recommendations was in regard to the western edge of the designated supervised

beach area. The report recommended that beach and water access at the western edge of the beach be restricted due to the extreme drop off from shallow water to over 3.65 metres or 12 feet in a short distance, as well as strong currents and undertow and a history of incidents in the area.

The report indicated that it would be prudent to move forward with an evaluation and subsequent implementation of an option that would restrict access to this area.

On June 7, 2021, Council approved CR265/2021:

*That City Council **APPROVE** the pre-commitment and immediate use of \$227,500 in funding identified in 2024 for the Relocation of Sandpoint Beach (REC0-002-14) to complete an Environmental Assessment and further;*

*That City Council **CONFIRM** the use of funding from Grant Matching and Inflationary Pressures project should the tender exceed previously estimated costs due to inflation; and,*

*That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all agreements or contracts with successful vendors / proponents / bidders to give effect to this recommendation as long as they are within the approved budget, satisfactory in technical content to the Commissioner Parks, Recreation, Culture & Corporate Facilities, in financial content to the City Treasurer, and in legal form to the City Solicitor.*

As a result of this direction from Council, the City retained Landmark Engineers Inc. to complete a master plan and environmental assessment for the potential relocation of Sandpoint Beach.

## **Discussion:**

Sandpoint Beach Park is a unique recreational asset that has faced safety challenges in recent years due to its proximity to deep water where strong currents present drowning risks. Recent incidents have prompted the City to re-evaluate the park layout to further enhance its appeal and safety. The City commissioned Landmark Engineers Inc. to create a new master plan and environmental assessment that relocates the beach eastward, away from the hazardous areas, and incorporates significant improvements in park facilities and accessibility.

Extensive consultations were conducted, including public information sessions and feedback collection via online platforms. Key stakeholder groups, including local residents, environmental agencies, and cultural heritage organizations, have been engaged to ensure the plan addresses diverse community needs.

A public open house was held on May 19, 2022 to present the plan and kick off a two-week survey period. Over 80 residents attended the open house and more than 200 comments were received. A second open house was held on November 22, 2022 to present the environmental assessment options and preferred solution, seeing approximately 20 attendees. A two-week comment period followed.



The proposed master plan, as seen in **Appendix A**, includes the construction of new amenities and facility upgrades, such as enhanced beach facilities, new recreational facilities including an accessible playground and splash pad, an expanded wildlife area, and washroom renovations, alongside significant landscaping and accessibility improvements. The public consultations have shown strong community support for the project, with particular emphasis on improving safety and environmental sustainability.

### **Risk Analysis:**

There is minimal financial risk involved with approving this master plan. When Council directs Administration to move forward with the implementation of this plan, required capital funding would need to be identified at future capital budgets.

### **Climate Change Risks**

#### **Climate Change Mitigation:**

The master plan integrates climate change mitigation practices through increased carbon sequestration. Tree planting initiatives and increased green buffer zones in the park will help absorb additional CO<sub>2</sub> from the atmosphere. The integration of an additional bike parking location falls in line with action A9 of the environmental master plan to help connect a safe network for bicycling and walking. By offering areas to park bicycles, this in turn can lead to increased accessibility for active transportation in the area, contributing to a reduction in the number of private vehicle trips and accompanying greenhouse gas emissions.

#### **Climate Change Adaptation:**

The master plan integrates climate adaptation strategies supported by the City's Climate Change Adaptation Plan to bolster resilience against climatic shifts and enhance recreational use along the City's shoreline. These improvements include implementing natural barriers such as rock revetments to stabilize the shoreline and protect against erosion and water level changes, strategic placement of pathways and trails ensuring sufficient setback from surface water bodies and building flood-resistant structures to ensure park amenities are designed to withstand variable and extreme weather conditions. The integration of shading features such as the pavilion will additionally help support initiatives in the climate change adaptation plan focused on building community resilience to the urban heat island effect.

Additional strategies aim to reduce the park's environmental impact and address the urban heat island effect through thoughtful design and sustainable practices, including more natural surface treatments, enhanced green coverage, tree planting for natural shade, and other landscaping elements to maximize shade and cool areas where visitors gather. In addition, integrating thermal comfort features such as splash pads, shade structures and drinking fountains help mitigate heat effects during peak summer months. Using lighter-colored materials for hard surfaces will also help reflect rather than absorb heat, reducing local temperatures and contributing to climate mitigation strategies.

**Financial Matters:**

Based on the concept depicted in the Master Plan, the overall project budget is estimated to be in the range of **\$15 Million**. The preliminary cost estimates are based upon high-level estimates using 2024 pricing and may be subject to variability as the works are planned and budgeted in future capital budgets:

<b>ESTIMATED EXPENSES</b>	<b>YEAR</b>	
Engineering, Contract Administration, Permits, Fees, Non-Recoverable Tax, Interest		\$2,750,000
Construction Costs		\$9,500,000
Contingency		\$2,750,000
<b>TOTAL ESTIMATED PROJECT COSTS</b>		<b>\$15,000,000</b>

There is currently \$1.5 million of capital budget funding approved in principle in years 2029 and 2030 for the proposed Sandpoint Beach Master Plan in the 2024 10-year Capital Plan (REC-002-14 Relocation of Sandpoint Beach) resulting in an additional \$13.5 million required to implement the Plan. Should City Council endorse the Master Plan as presented and further wish to proceed with the Master Plan, Administration would need to be directed to consider additional capital funding as part of a future capital budget development process.

**Consultations:**

Laura Ash – Projects Lead, Parks Development

Wadah Al-Yassiri – Manager, Parks Development

Nolan Lachance – Environmental Sustainability Coordinator

Erika Benson – FPA, Parks

Michael Dennis - Manager, Strategic Capital Budget Development and Control

**Conclusion:**

The Sandpoint Beach Park Master Plan offers a vision for a safer, more engaging, and environmentally sustainable recreational space. Council’s approval of this plan will support the redevelopment, enhancing the park’s appeal and ensuring its long-term success as funding is available. The community’s broad support underscores the plan’s alignment with public interests and the anticipated benefits of the proposed enhancements.

**Planning Act Matters:**

N/A

**Approvals:**

Name	Title
Samantha Magalas	Executive Initiatives Coordinator
Emilie Dunnigan	Manager, Development Revenue and Financial Administration
James Chacko	Executive Director, Parks and Facilities
Michael Chantler	Senior Executive Director, Community Services (A)
Ray Mensour	Commissioner, Community Services
Janice Guthrie	Commissioner, Corporate Services Chief Financial Officer & City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

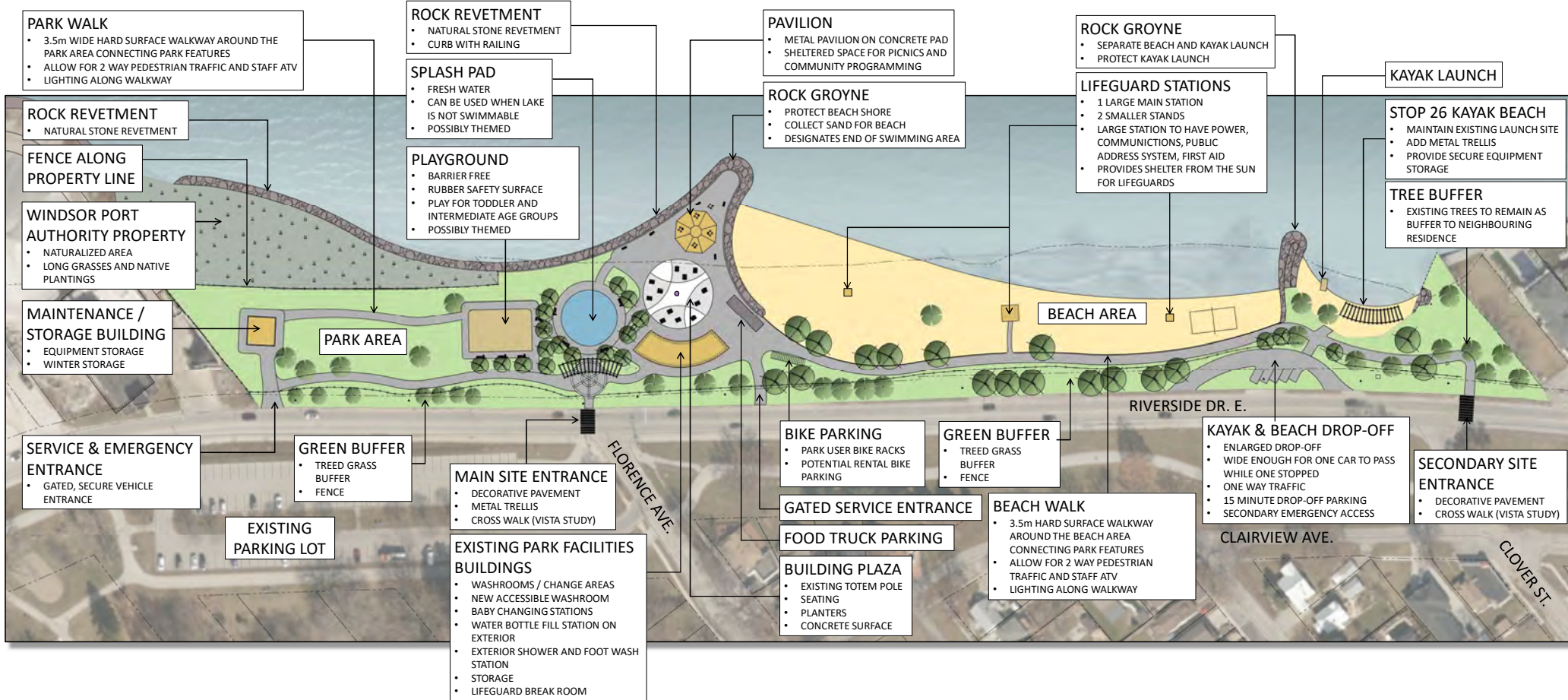
Name	Address	Email

**Appendices:**

- 1 Appendix A - Sandpoint Beach Master Plan - Concert Plan

# Master Plan – 2024 Amendment

## Site Concept Plan and Programming



BY-LAW NUMBER 1-2025

A BY-LAW TO AUTHORIZE SPECIAL CHARGES BEING IMPOSED ON LOTS ABUTTING ON THE LOCAL IMPROVEMENT WORK COMPLETED UNDER BY-LAW 89-2019 ON MATTHEW BRADY BOULEVARD FROM TRANBY AVENUE TO CUL-DE-SAC, IN THE CITY OF WINDSOR

Passed the 13<sup>th</sup> day of January, 2025.

**WHEREAS** section 30 of the *Ontario Regulation 586/06 Local Improvement Charges – Priority Lien Status, made under Municipal Act, 2001* provides that after the treasurer of the municipality has certified the local improvement roll under section 21 or 29 of the said Ontario Regulation 586/06, the municipality shall by by-law provide that the amount specially charged, on each lot set out in the roll shall be sufficient to raise that lot's share of the owner's share of the cost by a number of equal annual payments and that a special charge shall be imposed in each year on each lot equal to the amount of the payment payable in that year.

**AND WHEREAS** the local improvement work on Mark Avenue from Campbell Avenue to Algonquin Street has been completed at a final cost of \$42,764.40.

**AND WHEREAS** it is deemed desirable to pass the required by-law.

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. That the provisions of section 30 of the *Ontario Regulation 586/06 Local Improvement Charges – Priority Lien Status, made under Municipal Act, 2001* apply to the lots directly abutting on or immediately being benefited from the Local Improvement Work completed under By-Law 89-2007, and that annual special charges shall be imposed on such lots in each year as described in the City Treasurer certified Local Improvement Roll attached hereto as Schedule "A" and forming part of this by-law.
2. Despite Section 1, the City Treasurer may allow all or the remaining annual payment of special charges to be commuted for a single payment equal to the present value of the annual payments and, for the purpose of calculating the present value, the City Treasurer shall use the rate of interest the City Treasurer considers appropriate.
3. The special charges imposed pursuant to this by-law have priority lien status in accordance with Section 1, Municipal Act, 2001.



4. That the Corporation's share of the cost of the said work shall be charged against all of the lands in the City of Windsor.
5. 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 – January 13, 2025  
Second Reading – January 13, 2025  
Third Reading – January 13, 2025

Local Improvement Special Assessment

Street Lighting

Project: Matthew Brady Boulevard  
 From: Tranby Avenue  
 To: Cul-de-sac

Item Number	Property Address	Roll Number	Legal Description	Mailing Address		Frontage (ft)	Frontage (m)	Flankage (m)	Adjustments (m)	Assessible Frontage for Residents (m)	Total Commuted Charge - Street Lighting	Total Annual Charge*
1	7675 TRANBY AVE	060-300-12700-0000	PLAN 1211 LOTS 40-50A & 179; TO 190 PLAN 835 LOTS 83 TO; 113 & 130 TO 165 PART LOTS; 114-118 & 126-129 PT ALLEY	7675 TRANBY AVE	WINDSOR ON N8S 2B7	0.00	0.00	144.48	34.29	110.19	\$4,363.16	\$600.42
2	1425 MATTHEW BRADY BLVD	060-300-13000-0000	PLAN 1211 LOTS 33 34 35; 195 196 197; RP 12R9094 PART 2 & PT CLSD; ALLEY; 0.61AC 120.00FR 222.00D	1455 MATTHEW BRADY BLVD	WINDSOR ON N8S 3K5	120.00	36.58	0.00	0.00	36.58	\$1,448.45	\$199.32
3	1455 MATTHEW BRADY BLVD	060-300-13001-0000	PLAN 1211 LOTS 30 31 32 198; 199 200 RP 12R9094 PART 1 &; PT CLSD ALLEY; 0.61AC 120.00FR 222.00D	1455 MATTHEW BRADY BLVD	WINDSOR ON N8S 3K5	120.00	36.58	0.00	0.00	36.58	\$1,448.45	\$199.32
4	0 MATTHEW BRADY BLVD	060-300-14000-0000	PLAN 1211 LOTS 246 TO 248 PT; LOTS 245 415 TO 418; RP 12R678 PT 24 & PT CLOSED; ALLEY; 0.54AC 160.00FR	2379 FESTIVAL AVE	WINDSOR ON N8P 1X7	160.00	48.77	0.00	0.00	48.77	\$1,931.13	\$265.75
5	1370 MATTHEW BRADY BLVD	060-300-14200-0000	PLAN 1211 LOT 253 TO LOT 256; LOT 407 TO LOT 410; PT CLOSED ALLEY; 160.00FR 218.00D	1370 MATTHEW BRADY BLVD	WINDSOR ON N8S 4R6	160.00	48.77	0.00	0.00	48.77	\$1,931.13	\$265.75
6	1340 MATTHEW BRADY BLVD	060-300-14300-0000	PLAN 1211 LOTS 257 TO 260; 403 TO 406 & PT CLOSED ALLEY; 160.00FR 218.00D	1340 MATTHEW BRADY BLVD	WINDSOR ON N8S 4R6	160.00	48.77	0.00	0.00	48.77	\$1,931.13	\$265.75
<b>SUM</b>						<b>720.00</b>	<b>219.46</b>	<b>144.48</b>	<b>34.29</b>	<b>329.66</b>	<b>\$13,053.45</b>	<b>\$1,796.31</b>
										City Frontage	210.34	
										Total Frontage	540.00	

\* Annual charge to be paid in ten (10) annual payments, annual charge includes 6.27% annual interest. The estimated lifetime of this work is not less than ten (10) years.

Certified as sufficient in accordance with O.Reg 586/06, Local Improvement Charges - Priority Lien Status

*Janice Guthrie*  
 \_\_\_\_\_  
 Janice Guthrie  
 Commissioner Finance/City Treasurer

||

BY-LAW NUMBER 2-2025

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE  
"CITY OF WINDSOR ZONING BY-LAW"

Passed the 13<sup>th</sup> day of January, 2025.

**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:

**THEREFORE** the Council of The Corporation of the City of Windsor enacts as follows:

2. That subsection 1 of Section 20, of said by-law, is amended by adding the following paragraph:

**516. SOUTHWEST CORNER DARFIELD ROAD AND MCHUGH STREET**

For the lands described as for Block 43, Plan 12M-678, in the City of Windsor, known municipally as 8565 McHugh Street, the following regulations shall apply:

- a) Notwithstanding Section 15.2.5.15, dwelling units on a ground floor in a combined use building shall be an additional permitted use.
- b) Building Height – Maximum – 28.0 m.
- c) Building setback from an interior lot line abutting a Residential District (RD) 1.1 zone - 24m.

[ZDM 14; ZNG 7216]

3. 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	14	Block 43, Plan 12M-678; in the City of Windsor, known municipally as 8565 McHugh Street	na	S.20(1)516

DREW DILKENS, MAYOR

CITY CLERK

First Reading – January 13, 2025  
 Second Reading – January 13, 2025  
 Third Reading – January 13, 2025



**Item No. 13.3**

**BY-LAW NUMBER 3-2025**

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER  
250-2004 BEING A BY-LAW RESPECTING SIGNS AND OTHER  
ADVERTISING DEVICES IN THE CITY OF WINDSOR

Passed the 13<sup>th</sup> day of January, 2025.

**WHEREAS** it is deemed expedient to further amend By-Law Number 250-2004 passed the 26<sup>th</sup> day of July 2004, being a by-law respecting signs and other advertising devices in the City of Windsor, as amended (the "**By-law**").

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. That the By-law is hereby amended:

a) by adding to Schedule "E" the following as Section E.22:

**E.22** Despite the provisions of this By-law, that a BILLBOARD SIGN, that is both a GROUND SIGN and an ELECTRONIC CHANGING COPY SIGN, may be constructed at the property municipally known as 2545 Howard Avenue, situated west of Howard Avenue, east of Doty Place and south of the CP Rail Line underpass, as shown in Schedule "A" attached hereto, subject to the following conditions:

- a. That the SIGN does not include FLASHING ILLUMINATION, and that changing of the ELECTRONIC CHANGING COPY 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 of the By-law 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 6am and 11pm.

b) by adding to Schedule "E" the following as Section E.23:

**E.23** Despite the provisions of this By-law, that an ELECTRONIC CHANGING COPY SIGN may be constructed at the property municipally known as 9250 Tecumseh Road East, situated on the north side of Tecumseh Road East, and immediately south of the Little River Corridor, as shown in Schedule "B" attached hereto, subject to the following conditions:

- a. That the SIGN does not include FLASHING ILLUMINATION, and that changing of the ELECTRONIC CHANGING COPY 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 of the By-law 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 6am and 11pm.
2. That this by-law shall come into force and take effect on the day of the final passing thereof.

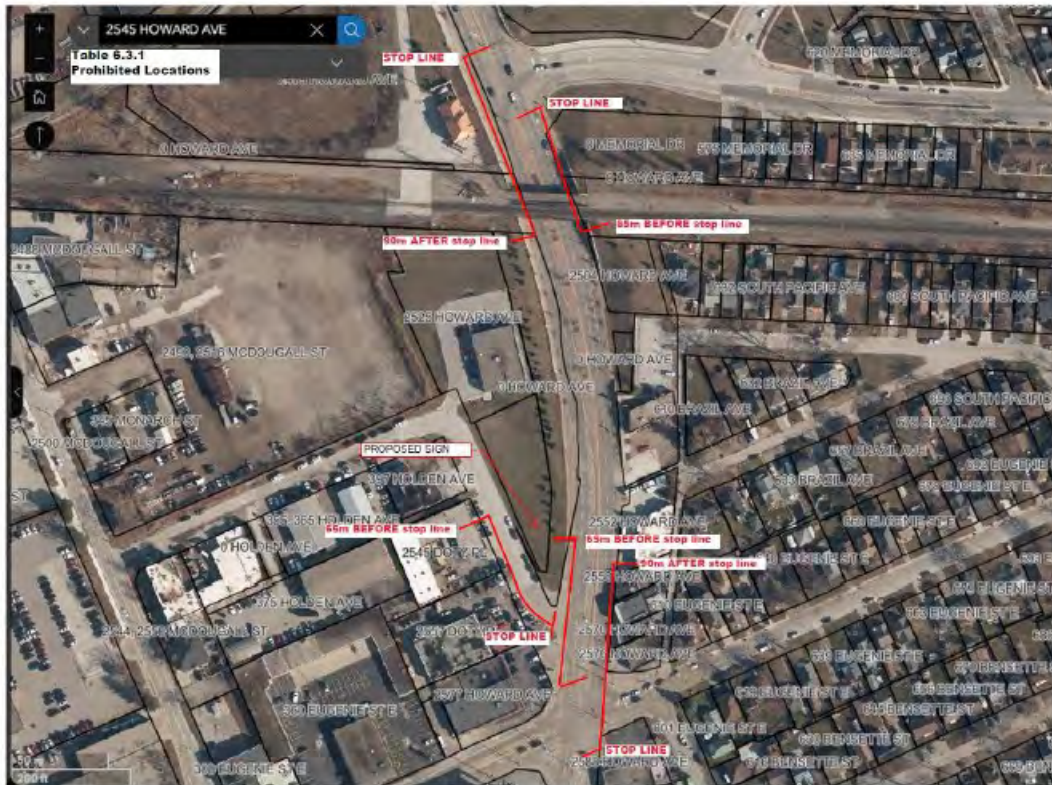
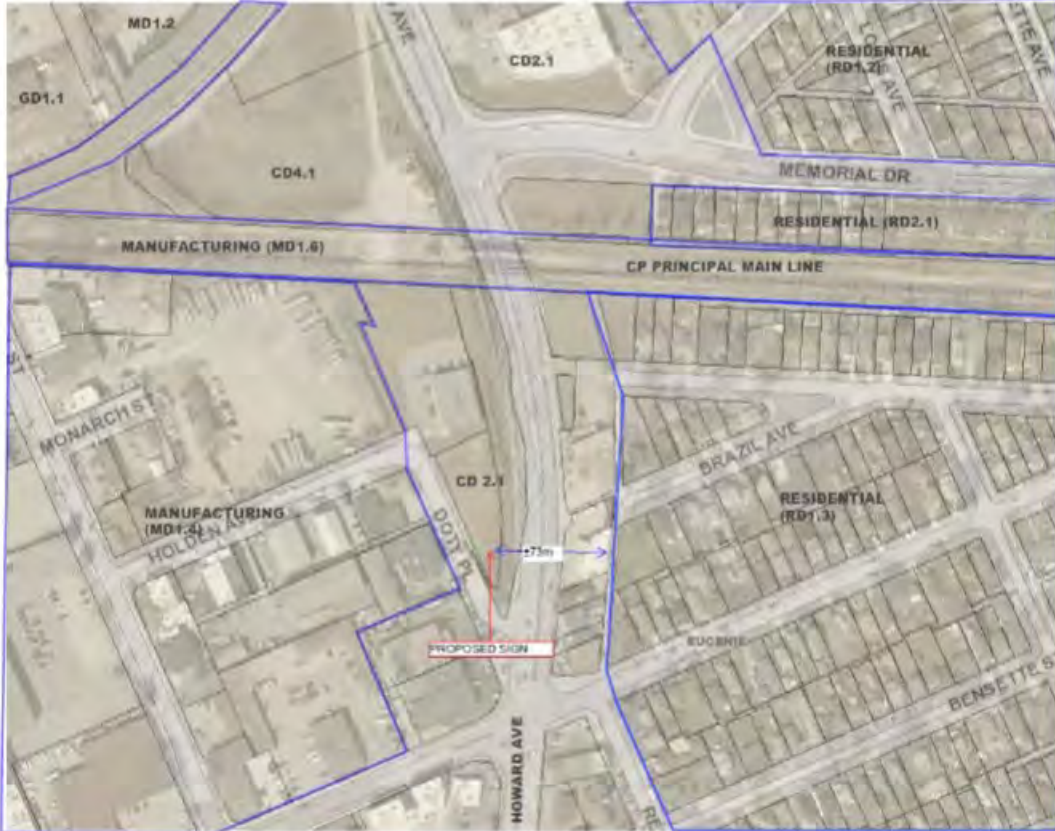
DREW DILKENS, MAYOR

CITY CLERK

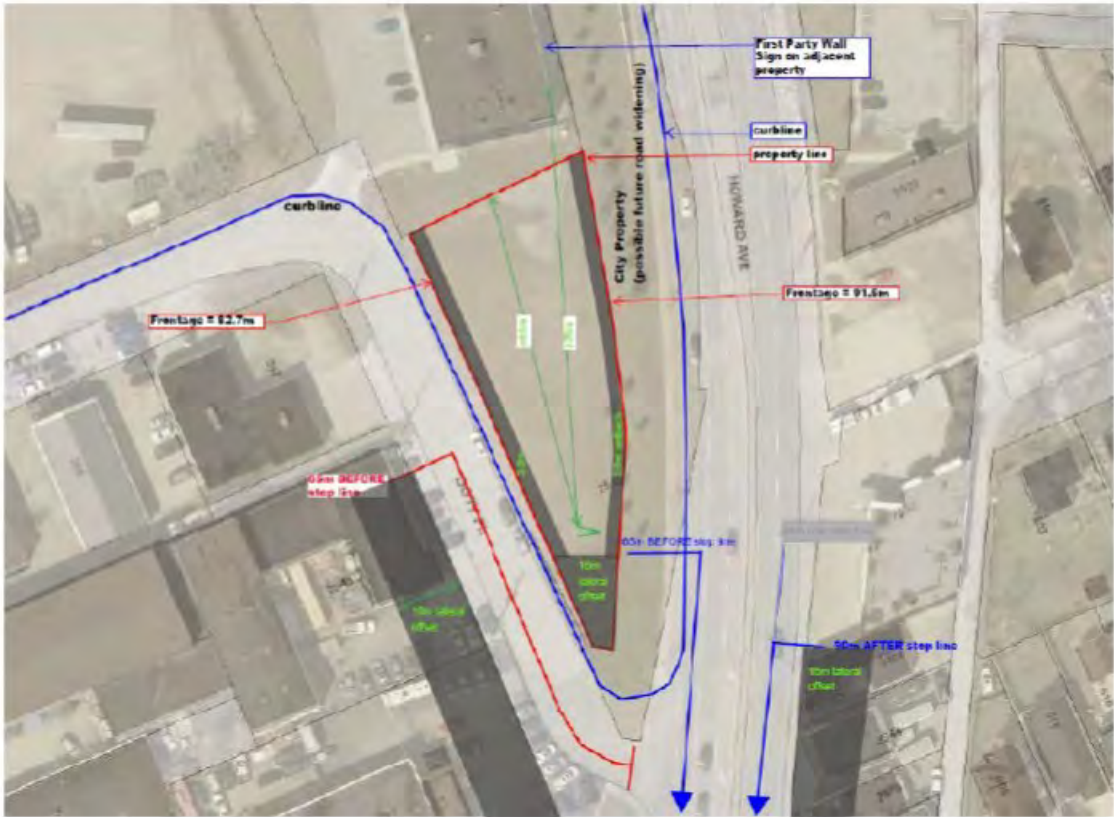
First Reading – January 13, 2025  
Second Reading – January 13, 2025  
Third Reading – January 13, 2025

## SCHEDULE "A" OF BY-LAW 3-2025

Site Context/Zoning











**Item No. 13.4**

**BY-LAW NUMBER 4-2025**

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE  
"CITY OF WINDSOR ZONING BY-LAW"

Passed the 13<sup>th</sup> day of January, 2025.

**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	RD2.2 S.20(1)515

DREW DILKENS, MAYOR

CITY CLERK

First Reading – January 13, 2025  
 Second Reading – January 13, 2025  
 Third Reading – January 13, 2025

**Item No. 13.5**

**BY-LAW NUMBER 5-2025**

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the 13<sup>th</sup> day of January, 2025.

**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	15	PT LOT 133 CON 2, PARTS 9 TO 11, RP 12R- 21168 in the City of Windsor, known municipally as 0 Esplanade Dr.	N/A	HRD2.3 and CD4.2	RD3.1

2. That subsection 1 of Section 20, of said by-law, is amended by adding the following paragraph:

**517. ESPLANADE DRIVE, EAST OF GANATCHIO TRAIL**

For the lands described as for PT LOT 133 CON 2, PARTS 9 TO 11, RP 12R-21168; in the City of Windsor, known municipally as 0 Esplanade Dr., the following regulations shall apply:

Building Height – Maximum – 14.0 m  
[ZNG/7238]

3. 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	15	PT LOT 133 CON 2, PARTS 9 TO 11, RP 12R-21168 in the City of Windsor, known municipally as 0 Esplanade Dr	N/A	S.20(1)517

DREW DILKENS, MAYOR

CITY CLERK

First Reading – January 13, 2025  
 Second Reading – January 13, 2025  
 Third Reading – January 13, 2025

**Item No. 13.6**

**BY-LAW NUMBER 6-2025**

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the 13<sup>th</sup> day of January, 2025.

**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 Section 95.20, of said by-law, is amended by adding the following clause:  
“(2) Registration of a Final Plan of Subdivision
  
2. 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

DREW DILKENS, MAYOR

CITY CLERK

First Reading – January 13, 2025  
 Second Reading – January 13, 2025  
 Third Reading – January 13, 2025



BY-LAW NUMBER 7-2025

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the 13<sup>th</sup> day of January, 2025.

**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:

**498. WEST SIDE OF CHURCH STREET BETWEEN LIBERTY STREET AND BEALS STREET WEST**

For the lands comprising of Lots 153 & 154 and Part of Closed Alley, Plan 1305, PIN No. 01304-0854 LT, the following shall apply:

1. Notwithstanding Section 5.11.5, for a *single unit dwelling*, the maximum width of a *carport* or *garage* forming part of the *main building* shall not exceed 68.0% of the maximum permitted width of the *main building* on the *lot*.

[ZDM 8; ZNG/7165]

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	6. New Zoning Symbol
1	8	Lots 153 & 154 and Part of Closed Alley, Plan 1305, PIN No. 01304-0854 LT (located on the west side of Church Street between Liberty Street and Beals Street West)		RD1.4	RD1.2 S.20(1)498

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 – January 13, 2025  
Second Reading – January 13, 2025  
Third Reading – January 13, 2025

**Item No. 13.8**

**BY-LAW NUMBER 8-2025**

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the 13<sup>th</sup> day of January, 2025.

**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

CITY CLERK

First Reading – January 13, 2025

Second Reading – January 13, 2025

Third Reading – January 13, 2025

**Item No. 13.9**

**BY-LAW NUMBER 9-2025**

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the 13<sup>th</sup> day of January, 2025.

**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 District Maps or parts thereof of the said by-law and made part thereof, so that the zoning district symbol of the lands therein and hereinafter described shall be changed from that shown in Column 5 hereof to that shown in Column 6 hereof:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol	6. New Zoning Symbol
1	14	Part of Block A, Registered Plan 1161, more particularly described as Part 6, 12R-15252, in the City of Windsor, known municipally as 0 Clairview St	n/a	HRD3.3	RD3.3

2. That Schedule 'A', attached hereto, is hereby declared to form part of this amending by-law.

DREW DILKENS, MAYOR

CITY CLERK

First Reading – January 13, 2025  
Second Reading – January 13, 2025  
Third Reading – January 13, 2025



Area for H removal 

**THIS IS SCHEDULE "A" TO BY-LAW 9-2025**

**MAYOR \_\_\_\_\_ CLERK \_\_\_\_\_**



**Item No. 13.10**

**BY-LAW NUMBER 10-2025**

A BY-LAW TO ASSUME BARKLEY AVENUE AND CLEARWATER AVENUE FROM FIRGROVE DRIVE TO PEPPERVINE STREET, BEING STREETS SHOWN ON PLAN OF SUBDIVISION 12M-643 KNOWN AS BARKLEY AVENUE AND CLEARWATER AVENUE, IN THE CITY OF WINDSOR

Passed the 13<sup>th</sup> day of January, 2025.

**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** The Corporation of the City of Windsor entered into a subdivision agreement with **2595562 ONTARIO LIMITED** to provide for the public highways and municipal services on **Plan of Subdivision 12M-643** and the City Engineer advises that the municipal services have been installed to the City Engineer's satisfaction;

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. That the streets on **Plan of Subdivision 12M-643** and described in Schedule "A" annexed hereto are assumed by The Corporation of the City of Windsor.
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 – January 13, 2025  
Second Reading – January 13, 2025  
Third Reading – January 13, 2025

SCHEDULE "A"  
TO BY-LAW 10-2025

BARKLEY AVENUE, PLAN 12M643 CITY OF WINDSOR  
**PIN 01596-1877 (LT)**  
**Barkley Avenue, Windsor**

CLEARWATER AVENUE, PLAN 12M643 CITY OF WINDSOR  
**PIN 01596-1878 (LT)**  
**Clearwater Avenue, Windsor**

**Item No. 13.11**

**BY-LAW NUMBER 11-2025**

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the 13<sup>th</sup> day of January, 2025.

**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:

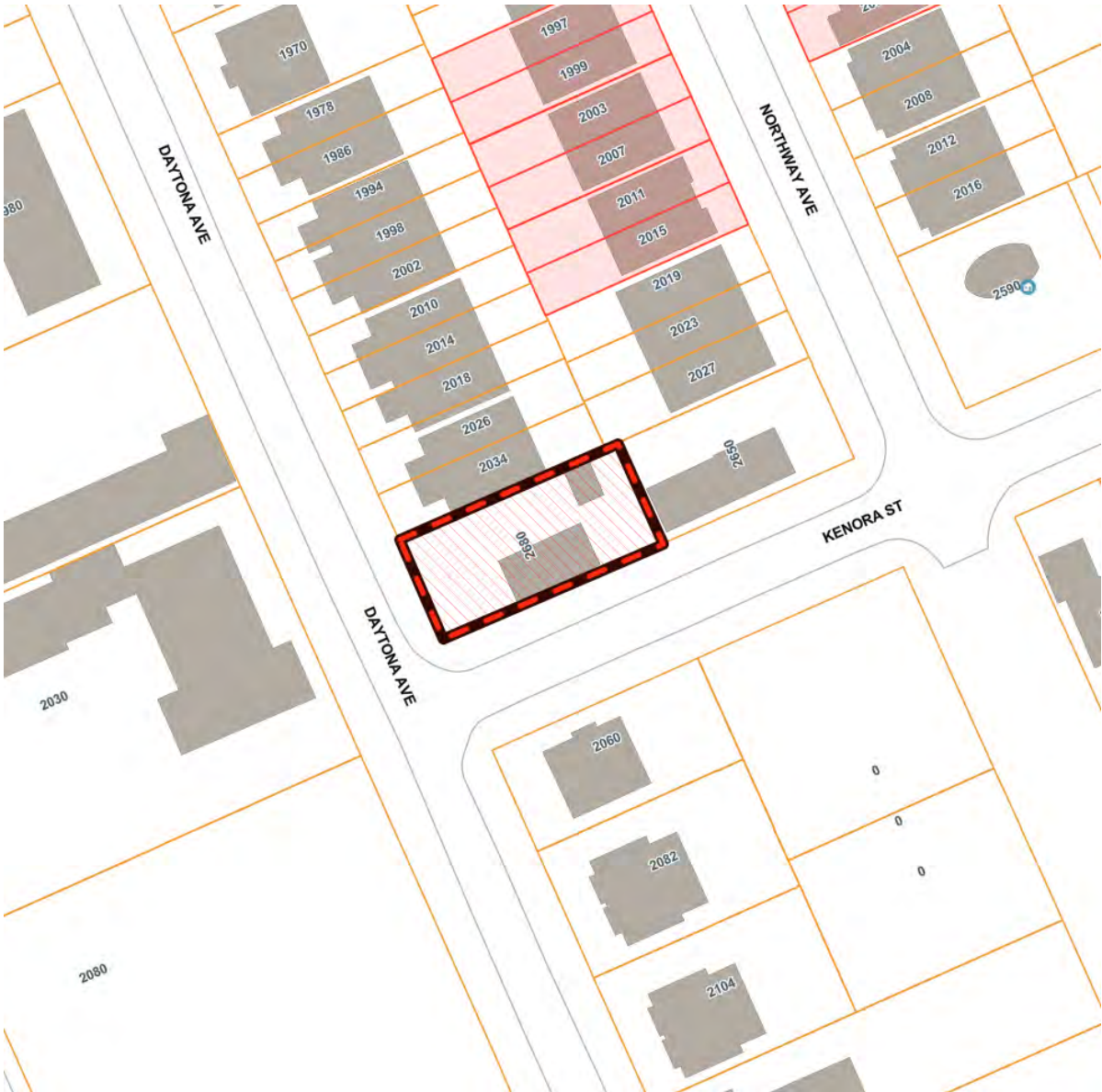
1. By-law Number 8600 is further amended by changing the District Maps or parts thereof of the said by-law and made part thereof, so that the zoning district symbol of the lands therein and hereinafter described shall be changed from that shown in Column 5 hereof to that shown in Column 6 hereof:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol	6. New Zoning Symbol
1	4	PLAN 997 LOTS 124 & 125, PART CLOSED ALLEY, RP 12R-17656 PARTS 17 & 18, City of Windsor, known as 2680 Kenora St.	n/a	HRD2. 2	RD2.2

DREW DILKENS, MAYOR

CITY CLERK

First Reading – January 13, 2025  
 Second Reading – January 13, 2025  
 Third Reading – January 13, 2025



Area for H removal



**THIS IS SCHEDULE "A" TO BY-LAW 11-2025**

**MAYOR \_\_\_\_\_ CLERK \_\_\_\_\_**

**Item No. 13.12**

**BY-LAW NUMBER 12-2025**

A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 13<sup>TH</sup> DAY OF JANUARY, 2025

Passed the 13<sup>th</sup> day of January, 2025.

**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 – January 13, 2025  
Second Reading – January 13, 2025  
Third Reading – January 13, 2025





1ST SESSION, 43RD LEGISLATURE, ONTARIO  
3 CHARLES III, 2024

## **Bill 212**

**An Act to enact two Acts and amend various Acts with respect to highways,  
broadband-related expropriation and other transportation-related matters**

**The Hon. P. Sarkaria**  
Minister of Transportation

### **Government Bill**

1st Reading      October 21, 2024  
2nd Reading     November 7, 2024  
3rd Reading  
Royal Assent

*(Reprinted as amended by the Standing Committee on Heritage, Infrastructure  
and Cultural Policy and as reported to the Legislative Assembly November 25, 2024)*

*(The provisions in this bill will be renumbered after 3rd Reading)*





This reprint of the Bill is marked to indicate the changes that were made in Committee.  
The changes are indicated by underlines for new text and a ~~striketrough~~ for deleted text.

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## EXPLANATORY NOTE

### **SCHEDULE 1 BUILDING BROADBAND FASTER ACT, 2021**

The Schedule amends subsection 26 (6) of the *Building Broadband Faster Act, 2021* to provide that an expropriation made under section 10 of the *Ministry of Infrastructure Act, 2011* in respect of a designated broadband project constitutes an expropriation. Section 26.1 is added to exclude the application of certain provisions of the *Expropriations Act* to an expropriation made in respect of a designated broadband project.

Section 26.2 is added to the Act to enable the Minister to assign easements expropriated in respect of a designated broadband project to specified persons or entities in order to further the purpose of the Act. An assignee is required to reimburse the Crown for costs incurred by the Crown relating to the expropriation of the assigned easement.

The Schedule also amends subsection 9 (6) of the *Ministry of Infrastructure Act, 2011* to provide that a disposition made under section 26.2 of the *Building Broadband Faster Act, 2021* is not subject to the approval of the Lieutenant Governor in Council.

### **SCHEDULE 2 BUILDING HIGHWAYS FASTER ACT, 2024**

The Schedule enacts the *Building Highways Faster Act, 2024*. The purpose of the Act is to expedite the construction of priority highway projects, which, as defined in the Act, are the Highway 413 Project, the Bradford Bypass Project, the Garden City Skyway Bridge Twinning Project and any other projects that are prescribed by regulation.

A provision prohibits registered owners from applying under the *Expropriations Act* for the adjustment of the date of possession for land that was expropriated by the Minister for the purposes of a priority highway project.

The Act provides that a utility company may be required to take up, remove or change the location of utility infrastructure if, in the opinion of the Minister, it is for the purposes of a priority highway project. Notice to the utility company is required for such work and the utility company is permitted to make submissions respecting any difficulties with completing the work. If the utility company fails to do the work the Minister may cause it to be done. The Act addresses compensation for such work, whether it is done by the utility company or by the Minister.

The Act requires any person who owns or operates infrastructure that may be affected by a priority highway project to provide to the Minister the requested information. Provisions are included respecting the disclosure of such information.

Site inspections may be carried out under the Act to support the planning, design or construction of a priority highway project. The Act addresses the manner in which such inspections shall be carried out, including the provision of advance notice, and when a property owner may be compensated for damage resulting from a site inspection. The Act provides for various offences relating to site inspections and taking possession of land.

The Act provides that, in certain circumstances, a justice of the peace may issue an order authorizing a person to enter property to do certain things relating to a site inspection or to take possession of certain land for the purposes of a priority highway project. The Act includes provisions respecting how such orders may be carried out and the expiry or renewal of orders.

A provision states that if a priority highway project is designated by a regulation made under the Act, certain restrictions imposed by municipal by-law are inoperative to the extent that it would prevent or restrict the delivery of goods or services to the priority highway project. The Act also includes various other provisions relating to the provision of documents, the preclusion of certain causes of action and regulation-making powers.

### **SCHEDULE 3 HIGHWAY 413 ACT, 2024**

The Schedule enacts the *Highway 413 Act, 2024*. Section 2 of the Act provides an exemption from the *Environmental Assessment Act* for enterprises, activities, proposals, plans and programs for or related to Highway 413, including the Highway 413 Project and the Highway 413 early works projects. Section 3 prohibits a person from carrying out the Highway 413 Project except in accordance with the final environmental impact assessment report and any addenda to it, prepared as part of the environmental impact assessment process that applies to the Highway 413 Project under this Act. Sections 4 to 9 set out that process, including requirements for an Indigenous consultation plan and its implementation, as well as opportunities for persons to comment on the draft environmental impact assessment report and any draft addendum to the report. The Minister is required to publish draft and final environmental impact assessment reports and any final addendum under the Act.

**SCHEDULE 4  
HIGHWAY TRAFFIC ACT**

~~The *Highway Traffic Act* is amended to set out fees for driver's licences and certain driver examinations and tests. It is also amended to require Ministry approval before municipalities may construct bicycle lanes in certain circumstances, and to require municipalities to provide the Ministry with information, including information relating to bicycle lanes.~~

Part XII.1 is added to the *Highway Traffic Act* respecting bicycle lanes. Under the new Part,

- (a) municipalities are required, in certain circumstances, to obtain the Minister's approval before constructing bicycle lanes or to provide the Minister with information relating to existing bicycle lanes;
- (b) the Minister is required to remove specific bicycle lanes in the City of Toronto; and
- (c) the Lieutenant Governor in Council may order the removal of other bicycle lanes in certain circumstances.

Other provisions address various matters relating to the removal of bicycle lanes, including the powers of the Minister or a person acting on the Minister's behalf in removing such lanes, municipalities' obligation to provide to support or information, the reimbursement of municipalities for certain costs, and the immunity from liability of the Crown, municipalities and other persons.

The Act is also amended to set out fees for driver's licences and certain driver examinations and tests.

**SCHEDULE 5  
TOWING AND STORAGE SAFETY AND ENFORCEMENT ACT, 2021**

The *Towing and Storage Safety and Enforcement Act, 2021* is amended to provide that the sections relating to restricted towing zones also apply to "roadside assistance vehicles" and "roadside assistance services". The Schedule also transfers certain regulation-making powers relating to restricted towing zones to the Minister from the Lieutenant Governor in Council.

**An Act to enact two Acts and amend various Acts with respect to highways, broadband-related expropriation and other transportation-related matters**

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Schedule 4	Highway Traffic Act
Schedule 5	Towing and Storage Safety and Enforcement Act, 2021

**Preamble**

The Government of Ontario:

Recognizes the need to build priority highways faster as our province grows in order to get people and goods out of gridlock and save drivers and businesses time and money.

Recognizes that accidents and lane closures can worsen traffic congestion and impact the quality of life of Ontarians.

Is speeding up the delivery of broadband projects that will connect people in all parts of Ontario, including rural areas, with reliable internet access.

Is building Highway 413, recognizing the importance of this highway to millions of drivers from across Ontario.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Contents of this Act**

**1 This Act consists of this section, sections 2 and 3 and the Schedules to this Act.**

**Commencement**

**2 (1) Except as otherwise provided in this section, this Act comes into force on the day it receives Royal Assent.**

**(2) The Schedules to this Act come into force as provided in each Schedule.**

**(3) If a Schedule to this Act provides that any provisions are to come into force on a day to be named by proclamation of the Lieutenant Governor, a proclamation may apply to one or more of those provisions, and proclamations may be issued at different times with respect to any of those provisions.**

**Short title**

**3 The short title of this Act is the *Reducing Gridlock, Saving You Time Act, 2024*.**



**SCHEDULE 1  
BUILDING BROADBAND FASTER ACT, 2021**

**1 Subsection 26 (6) of the *Building Broadband Faster Act, 2021* is amended by adding “Other than an expropriation made under section 10 of the *Ministry of Infrastructure Act, 2011* in respect of a designated broadband project” at the beginning.**

**2 (1) The Act is amended by adding the following sections:**

**Expropriations, no hearings of necessity**

**26.1** (1) Subsections 6 (2) to (5), section 7 and subsections 8 (1) and (2) of the *Expropriations Act* do not apply to an expropriation of land, within the meaning of that Act, if the expropriation is made under section 10 of the *Ministry of Infrastructure Act, 2011* in respect of a designated broadband project.

**Conflict**

(2) Subsection (1) applies despite subsection 2 (4) of the *Expropriations Act*.

**Process for comments**

(3) The Minister may, by direction, establish a process for receiving comments from property owners about a proposed expropriation and for considering those comments.

**Non-application of the *Legislation Act, 2006* Part III**

(4) Part III of the *Legislation Act, 2006* does not apply to a direction made under subsection (3).

***Statutory Powers Procedure Act***

(5) The *Statutory Powers Procedure Act* does not apply to a process for receiving and considering comments about a proposed expropriation established under subsection (3).

**Assignment of expropriated easements**

**26.2** (1) The Minister may assign any easement expropriated under section 10 of the *Ministry of Infrastructure Act, 2011* in respect of a designated broadband project to,

- (a) a distributor;
- (b) a proponent;
- (c) a telecommunications service provider, within the meaning of the *Telecommunications Act* (Canada); or
- (d) any other entity, if the assignment is necessary to further the purpose of this Act.

**Same, Minister’s designate**

(2) If the Minister’s authority under section 10 of the *Ministry of Infrastructure Act, 2011* has been delegated under subsection 19 (2) of that Act to a Crown agency, the Crown agency may assign an easement described in subsection (1) of this section in accordance with that subsection.

**Registration**

(3) An easement assigned under subsection (1) or (2) shall be registered against the real property affected in the appropriate land registry office.

**Validity**

(4) An easement including any covenant contained in the easement is valid whether or not the assignee owns appurtenant land or land capable of being accommodated or benefited by the easement or covenant and regardless of whether the easement or covenant is positive or negative in nature.

**Reimbursement of expropriation costs incurred by the Crown**

(5) An assignee shall reimburse the Crown for costs incurred by the Crown relating to the expropriation.

**Prescribed costs**

(6) The costs referred to in subsection (5) shall be determined by the Minister and shall include, but are not limited to, such costs as may be prescribed by regulation.

**Payment of reimbursement**

(7) An assignee shall make the reimbursement by making one or more payments in such amount or amounts at such time or times as may be determined by the Minister.

**(2) Subsection 26.1 (1) of the Act, as enacted by subsection (1), is amended by striking out “section 7 and subsections 8 (1) and (2)” and substituting “section 7, subsections 8 (1) and (2) and section 8.1”.**

*Ministry of Infrastructure Act, 2011*

**3** Subsection 9 (6) of the *Ministry of Infrastructure Act, 2011* is amended by striking out “or” at the end of clause (c), by adding “or” at the end of clause (d) and by adding the following clause:

- (e) a disposition made under section 26.2 of the *Building Broadband Faster Act, 2021*.

**Commencement**

**4 (1)** Except as otherwise provided in this section, this Schedule comes into force on the day the *Reducing Gridlock, Saving You Time Act, 2024* receives Royal Assent.

**(2)** Subsection 2 (2) comes into force on the later of the day section 2 of Schedule 5 to the *Accelerating Access to Justice Act, 2021* comes into force and the day the *Reducing Gridlock, Saving You Time Act, 2024* receives Royal Assent.

**SCHEDULE 2  
BUILDING HIGHWAYS FASTER ACT, 2024**

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PURPOSE AND INTERPRETATION

**Purpose**

**1** The purpose of this Act is to expedite the construction of priority highway projects by streamlining and supplementing existing processes in order to alleviate delays to the timely completion of such highway projects.

**Interpretation**

**2** In this Act,

“actual costs”, in respect of the costs of work carried out by a utility company to comply with a notice issued under section 4, means all costs properly attributed to the work, including,

- (a) the actual wages paid to all workers up to and including the supervisors for their time actually spent on the work and in travelling to and from the work, and the cost of food, lodging and transportation for such workers where necessary for the proper carrying out of the work,
- (b) the cost to the utility company of contributions related to such wages in respect of workplace safety and insurance premiums, vacation pay, employment insurance, pension or insurance benefits and other similar benefits,
- (c) the cost of using and transporting equipment and explosives used in the work,
- (d) the cost of planning, designing and engineering,
- (e) the cost of materials,
- (f) the cost of acquiring necessary permits, approvals and property rights, and
- (g) related administrative costs such as for project management; (“coût réel”)

“Bradford Bypass Project” means the project to construct a highway connecting Highway 400 in the Town of Bradford West Gwillimbury (County of Simcoe) to Highway 404 in the Town of East Gwillimbury (Regional Municipality of York), located north of and parallel to Simcoe County Road 88 in the Town of Bradford West Gwillimbury and Queensville Sideroad (York Road 77) in East Gwillimbury, with the route traversing a small segment of the Township of King in York Region and any related activities; (“projet de voie de contournement de Bradford”)

“business day” means a day from Monday to Friday, other than a holiday as defined in section 87 of the *Legislation Act, 2006*; (“jour ouvrable”)

“Garden City Skyway Bridge Twinning Project” means the project to construct a second Garden City Skyway bridge along the Queen Elizabeth Way and across the Welland Canal connecting the City of St. Catharines to the Town of Niagara-on-the-Lake and any related activities; (“projet de jumelage de ponts du Garden City Skyway”)

“highway” has the same meaning as in the *Public Transportation and Highway Improvement Act*; (“voie publique”)

“Highway 413 Project” means the project to do the following, and any related activities:

1. Construct a highway that connects Highway 400 in the Regional Municipality of York to Highway 401 and Highway 407 in the Regional Municipality of Halton and the Regional Municipality of Peel and includes related facilities and structures such as parking facilities, stormwater management ponds, commercial vehicle inspection facilities and maintenance yards.
2. Construct extensions of Highway 410 and Highway 427 to connect them to Highway 413; (“projet d’autoroute 413”)

“information concerning infrastructure” includes,

- (a) records of the infrastructure and associated rights of way,
- (b) records of communications and agreements related to the infrastructure,
- (c) information related to the location for the infrastructure, and
- (d) any other information the Minister considers necessary for the purposes of this Act; (“renseignements concernant l’infrastructure”)

“institution” has the same meaning as in the *Freedom of Information and Protection of Privacy Act*; (“institution”)

“land” includes any estate, term, easement, right or interest in, to, over or affecting land; (“bien-fonds”)

“Minister” means the Minister of Transportation or any other member of the Executive Council to whom responsibility for the administration of this Act is assigned or transferred under the *Executive Council Act*; (“ministre”)

“Ministry” means the ministry of the Minister; (“ministère”)

“prescribed” means prescribed by a regulation made under this Act; (“prescrit”)

“priority highway project” means,

- (a) the Highway 413 Project,
- (b) the Bradford Bypass Project,
- (c) the Garden City Skyway Twinning Project, or
- (d) any other prescribed highway project; (“chantier routier prioritaire”)

“property owner” includes a mortgagee, lessee, tenant, occupant, person entitled to a limited estate or interest, and a guardian, executor, administrator or trustee in whom land or any interest therein is vested; (“propriétaire du bien”)

“registered owner” has the same meaning as in the *Expropriations Act*; (“propriétaire enregistré”)

“regulation” means a regulation made under this Act; (“règlement”)

“related activities”, in respect of priority highway projects, includes activities to change existing infrastructure such as sewage works, rail lines, highways, municipal and private roads and utility infrastructure; (“activités connexes”)

“utility company” means a municipal corporation or commission or a company or individual operating or using communications services, water services or sewage services, or transmitting, distributing or supplying any substance or form of energy for light, heat or power; (“entreprise de services publics”)

“utility infrastructure” means poles, wires, cables including fibre-optic cables, conduits, towers, transformers, pipes, pipe lines or any other works, structures or appliances placed over, on or under land or water by a utility company. (“infrastructure de services publics”)

## EXPROPRIATIONS

### No adjustment of date of possession

**3** (1) Despite subsection 39 (3) of the *Expropriations Act*, a registered owner may not apply under that provision for an adjustment of the date of possession specified in a notice of possession if the Minister expropriated the land under the *Public Transportation and Highway Improvement Act* for the purposes of a priority highway project.

### **Transition**

(2) An application referred to in subsection (1) that was made by a registered owner on or after the day the *Reducing Gridlock, Saving You Time Act, 2024* received first reading but before the day this Act came into force is terminated on the day this Act came into force if the application was not disposed of before that day.

## UTILITIES AND OTHER INFRASTRUCTURE

### **Notice to take up, remove or change location of utility infrastructure**

4 (1) The Minister may by notice require a utility company to take up, remove or change the location of utility infrastructure if, in the opinion of the Minister, the taking up, removing or changing in location is for the purposes of a priority highway project.

### **Requirements for notice**

(2) The notice issued under subsection (1) shall be in writing and include the following information:

1. The name of the priority highway project for which the notice is being given.
2. A description of the utility infrastructure that needs to be taken up, removed or changed in location.
3. The date by which the work must be completed.
4. A statement that written submissions may be made to the Minister within 15 days after receiving the notice or by such later date as is specified in the notice, and instructions on how to submit written submissions.
5. A statement that the notice is issued pursuant to this section of this Act.
6. Contact information for further information about the notice.

### **Submissions**

(3) The utility company to which the notice is issued under subsection (1) may make submissions in writing to the Minister by the date specified in the notice, including submissions in respect of any technical or other difficulties with completing the work by the date referred to in paragraph 3 of subsection (2).

### **Minister's decision**

(4) After considering any submissions made under subsection (3), the Minister may, in writing,

- (a) confirm the notice;
- (b) issue an amended notice; or
- (c) revoke the notice.

### **Date in amended notice**

(5) If an amended notice is issued under subsection (4), the notice shall not specify a date for completion of the work that is earlier than the date specified in the notice issued under subsection (1).

### **Minister may cause work to be done**

5 (1) Where a notice is issued under subsection 4 (1) or amended under subsection 4 (4), the Minister may cause any work required by the notice to be done if the utility company fails to do the work by the date specified in the notice or amended notice.

### **Notice of intent to cause work to be done**

(2) The Minister shall provide notice, in advance of any work to be done pursuant to subsection (1), to the utility company to whom the notice was issued and to the property owner.

### **Contents**

(3) A notice under subsection (2) shall be in writing and include the date and approximate time of the work.

### **Compensation by Minister**

6 If the utility company completes the work required by the notice issued under subsection 4 (1) or amended under subsection 4 (4), the Minister shall compensate the utility company for the actual costs of doing the work.

### **Compensation by company**

7 (1) If the Minister causes any work to be done pursuant to subsection 5 (1), the utility company shall compensate the Minister for the value of any loss or expense incurred by the Minister resulting from the failure of the utility company to comply with the notice.



**Actual cost of work not included**

(2) For greater certainty, the value referred to in subsection (1) does not include the actual cost of doing the work required by the notice.

**Supplying information re infrastructure**

**8** (1) The Minister may make a request to a person for information concerning infrastructure that the person owns or operates that may be affected by a priority highway project.

**Disclosing information**

(2) A person who receives a request under subsection (1) shall supply the information no later than 15 days after receiving the request or at such later time as may be specified in the request.

**Information maintained in confidence**

(3) The Minister and every person employed in the Ministry that has access to information supplied under this section shall maintain it in confidence.

**Exception**

(4) Despite subsection (3), the Minister or a person employed in the Ministry that has access to information supplied under this section may disclose it,

- (a) if the person who supplied the information consents to its disclosure;
- (b) if the disclosure is necessary for the purposes of the planning, design or construction of a priority highway project;
- (c) if the disclosure is necessary for the purposes of other infrastructure that is planned, designed or constructed to be adjacent to or in connection with a priority highway project;
- (d) to counsel or to an advisor to the Minister or Ministry;
- (e) for the purposes of complying with an Act of the Legislature or an Act of Parliament;
- (f) where disclosure is to an institution or a law enforcement agency in Canada to aid a law enforcement investigation; or
- (g) where disclosure is further to an order of a court or tribunal.

**Information deemed to have been supplied to Minister in confidence**

(5) A record that contains information received in accordance with this section is deemed for the purposes of section 17 of the *Freedom of Information and Protection of Privacy Act* to have been supplied to the Minister by the person in confidence, and the information is deemed to be information that, if disclosed, could reasonably be expected to result in undue loss or gain to any person, group, committee or financial institution or agency.

**Information deemed to have been supplied by Minister in confidence**

(6) Information received in accordance with this section that the Minister discloses to another institution is deemed, for the purposes of section 17 of the *Freedom of Information and Protection of Privacy Act*, to have been supplied in confidence to that institution, and the information is deemed to be information that, if disclosed, could reasonably be expected to result in undue loss or gain to any person, group, committee or financial institution or agency.

SITE INSPECTIONS

**Site inspection**

**9** (1) Subject to subsection (2), the Minister or any person authorized by him or her may enter any property for the purposes of carrying out a site inspection to support the planning, design or construction of a priority highway project, and for this purpose may,

- (a) make records of the property and surrounding area;
- (b) take samples;
- (c) conduct tests or surveys;
- (d) assemble, install, place or leave monitoring equipment on the property to collect information or make records; and
- (e) alter in any manner any natural or artificial feature of the property to carry out the activities in clauses (a) to (d).

**Dwelling**

(2) A site inspection shall not take place in a dwelling.

### **Compensation and restoration**

(3) If the Minister or any person authorized by him or her does one or more of the things mentioned in clause (1) (b), (c), (d) or (e), after doing so the Minister shall,

- (a) compensate the property owner for any damages resulting from the work, and the procedure for obtaining compensation set out in section 11 applies; and
- (b) make reasonable efforts to restore the property to its condition prior to the work.

### **Manner of carrying out site inspection**

#### **Advance notice**

**10** (1) The Minister shall provide advance notice of a site inspection to the property owner at least 15 days before the site inspection.

#### **Contents**

(2) The advance notice shall be in writing and include the following information:

- 1. The intended date and approximate time of the site inspection, with a statement that reasonable efforts will be made to have the site inspection at a date and time that is mutually convenient.
- 2. The approximate duration of the site inspection.
- 3. The purpose of the site inspection.
- 4. That the property owner may be entitled to compensation and the procedure for determining compensation.
- 5. That obstructing a site inspection or interfering with any equipment used for a site inspection is an offence under this Act.
- 6. Contact information for further information.

#### **Date and time**

(3) The Minister shall make reasonable efforts to have a site inspection take place at a date and time that is mutually convenient to the Minister and the property owner.

#### **If no agreement**

(4) If no mutually convenient time is identified, a site inspection shall be carried out,

- (a) during the regular business hours of the place;
- (b) if the place does not have regular business hours, at any time the place is open for business;
- (c) if the place is not a business or if clauses (a) and (b) are otherwise not applicable, at any time during daylight hours; or
- (d) if the nature of the site inspection is such that it must be carried out at a specific time of day, that time of the day, whether or not it is during daylight hours.

#### **Identification**

(5) A person authorized by the Minister to carry out a site inspection shall produce, on request, evidence of being authorized to do so.

#### **Accompaniment**

(6) A person authorized by the Minister to carry out a site inspection may be accompanied by one or more individuals under the person's direction to assist with the site inspection.

#### **Use of force**

(7) A person carrying out a site inspection is not entitled to use force to enter the property.

#### **Compensation**

**11** (1) This section sets out procedures in respect of obtaining compensation in relation to a site inspection.

#### **Notice to property owner**

(2) Where a site inspection was carried out under section 9, the Minister shall, within 60 days after its conclusion, give notice to the property owner describing the site inspection that was carried out, the land affected by it and the efforts made to restore the property, and stating that the property owner may file a claim for compensation with the Ministry within six months after the date of the notice.

### **Particulars**

(3) The Minister may require a property owner who claims compensation to provide the Minister with a true statement showing the particulars of the property owner's interest in the property and of the claim.

### **No compensation**

(4) There is no obligation to compensate the property owner for any damages resulting from a site inspection where notice has been given under subsection (2) and a claim for compensation is not made within six months after the date of the notice.

### **Compensation dispute**

(5) If the Minister and the property owner do not agree on compensation, either of them may apply to the Ontario Land Tribunal to determine compensation.

### **Interest**

(6) The Tribunal may order interest on the compensation from when the work began at the prescribed rate, if there is a prescribed rate.

### **Exception to interest**

(7) Despite subsection (6),

- (a) if the property owner was offered, in writing, compensation greater than the amount determined by the Tribunal, no interest may be ordered in respect of any period after the date of the offer; and
- (b) if the Tribunal is of the opinion that any delay in determining the compensation is attributable in whole or in part to the property owner, the Tribunal may refuse to order interest for the whole or any part of the time for which the property owner might otherwise be entitled to interest, or may order interest at such rate less than the prescribed rate as appears just.

### **Municipality or local board**

(8) If the property owner is a municipality or a local board within the meaning of the *Municipal Act, 2001* or the *City of Toronto Act, 2006*, then despite subsections (1) to (5),

- (a) the Minister may compensate the property owner for any damages resulting from the site inspection, but does not have to;
- (b) if the Minister compensates the property owner, the Minister shall decide the quantum of compensation and may provide only partial compensation; and
- (c) for greater certainty, the Minister is not required to compensate the property owner for anything done under subsection 9 (1), and the procedure for determining compensation set out in subsections (1) to (5) of this section does not apply.

### **Offence**

**12** (1) Every person is guilty of an offence who hinders, obstructs or interferes with the Minister, any person authorized by the Minister or any person described in subsection 10 (6) from carrying out a site inspection under section 9.

#### **Same**

(2) Every person is guilty of an offence who hinders, obstructs or interferes with the Minister, any employee in the Ministry or a person acting on behalf of any of them in taking possession of land that is vested in the Crown and which the Minister has the right to possess for the purposes of a priority highway project.

#### **Same**

(3) Every person is guilty of an offence who damages, alters, tampers with, removes or destroys any equipment installed, placed or left upon land under clause 9 (1) (d).

### **Penalties**

(4) A person who is guilty of an offence under subsection (1), (2) or (3) is liable on conviction,

- (a) in the case of an individual,
  - (i) for a first offence, to a fine of not more than \$50,000 plus not more than an additional \$10,000 for each day on which the offence continues after the day it commences, or
  - (ii) for a second or subsequent conviction for that offence, to a fine of not more than \$100,000 plus not more than an additional \$10,000 for each day on which the offence continues after the day it commences; or
- (b) in the case of a corporation,
  - (i) for a first offence, to a fine of not more than \$500,000 plus not more than an additional \$10,000 for each day on which the offence continues after the day it commences, or

- (ii) for a second or subsequent conviction for that offence, to a fine of not more than \$1,000,000 plus not more than an additional \$10,000 for each day on which the offence continues after the day it commences.

### **Order for entry or possession**

**13** (1) A justice of the peace may issue an order authorizing a person named in the order to enter property specified in the order to do anything authorized under subsection 9 (1) or to take possession of land that is vested in the Crown and that the Minister has the right to possess for the purposes of a priority highway project if the justice is satisfied, on information under oath, that there are reasonable grounds to believe that,

- (a) it is appropriate for a person to do the things authorized under subsection 9 (1) or the Minister is entitled to take possession of the land, as the case may be; and
- (b) the person may not be able to carry out his or her duties effectively without an order under this section because,
  - (i) no occupier is present to grant access to a place that is locked or otherwise inaccessible,
  - (ii) another person has prevented or may prevent the person from doing the things authorized under subsection 9 (1) or from taking possession of the land,
  - (iii) it is impractical, due to timing restrictions related to the planning, design and construction of a priority highway project or because of any other reason, for a person to obtain an order under this subsection without delay if access is denied, or
  - (iv) an attempt by a person to do the things authorized under subsection 9 (1) or to take possession of land without the order might not achieve its purpose without the order.

### **Expiry**

(2) Unless renewed, an order under this section expires on the earlier of the day specified in the order and the 30th day after the day the order is issued.

### **Renewal**

(3) An order under this section may be renewed in the circumstances in which an order may be issued under subsection (1), before or after expiry, for one or more periods, each of which is not more than 30 days.

### **Application without notice**

(4) An order under this section may be issued or renewed on application without notice.

### **When to be executed**

(5) Unless the order provides otherwise, everything that an order under this section authorizes must be done between 6 a.m. and 9 p.m.

### **Application for dwelling**

(6) An application for an order under this section authorizing entry to a dwelling shall specifically indicate that the application relates to a dwelling, and the order may authorize such entry.

### **Identification**

(7) A person authorized to carry out the things specified in the order issued under subsection (1) shall produce, on request, a copy of the order.

### **Accompaniment**

(8) Unless the order specifies otherwise, the person named in the order may be accompanied by one or more persons under their direction to assist in carrying out the things specified in the order.

### **Use of force**

(9) An application for an order under this section authorizing the use of force shall specify the nature of the force that may be needed to be used to do the things authorized under subsection 9 (1) or to take possession of the land, as the case may be, and the order may authorize such use of force.

### **Other terms and conditions**

(10) An order may contain terms and conditions that the justice considers advisable in the circumstances, and a renewed order may contain additional or amended terms and conditions.

### **Calling for assistance of member of police service**

(11) A person authorized by an order issued under subsection (1) may take such steps and employ such assistance as is necessary to accomplish what is required in the order, and may call for the assistance of any member of the police service in the area where the assistance is required, and it is the duty of every member of a police service to render such assistance.

## DESIGNATION OF PRIORITY HIGHWAY PROJECTS

### **Delivery of goods and services to facilitate 24 hour construction**

**14** (1) If a priority highway project is designated by a regulation for the purposes of this section, a restriction imposed in a municipal by-law that prevents or restricts a person from delivering goods or services to the priority highway project, including a restriction relating to noise or the use of highways under the jurisdiction of the municipality, is inoperative to the extent that it would prevent or restrict the delivery of the goods or services.

#### **Same**

(2) Despite subsection (1), the following restrictions continue to apply in respect of the delivery of goods and services to the designated priority highway project:

1. A restriction that establishes a weight restriction on a bridge, culvert or other similar structure.
2. A restriction that establishes a speed limit.
3. A restriction that prohibits the use of a highway under the jurisdiction of the municipality by vehicular traffic due to maintenance or construction.
4. A restriction that prohibits the use of a highway under the jurisdiction of the municipality for three days or less due to the holding of a street or special event on the highway.
5. A prescribed restriction.

## MISCELLANEOUS

### **Providing a document**

**15** (1) A notice or request provided or made by the Minister under section 4, 5, 8, 10 or 11 is sufficiently provided or made if it is,

- (a) delivered directly to the person;
- (b) left at the person's last known address, in a place that appears to be for incoming mail or with an individual who appears to be 16 years old or older;
- (c) sent by regular mail to the person's last known address;
- (d) sent by commercial courier to the person's last known address; or
- (e) provided by other prescribed means.

### **Deemed receipt**

(2) For the purposes of subsection (1),

- (a) a document left under clause (1) (a) or (b) is deemed to have been received on the first business day after it was left;
- (b) a document sent under clause (1) (c) is deemed to have been received on the fifth business day after the day it was mailed;
- (c) a document sent under clause (1) (d) is deemed to have been received on the second business day after the day the commercial courier received it; and
- (d) a document given under clause (1) (e) is deemed to have been received on the day specified by the regulations.

### **No expropriation, injurious affection**

**16** Nothing referred to in section 3, 4, 5, 9 or 18 constitutes an expropriation or injurious affection for the purposes of the *Expropriations Act* or otherwise at law.

### **No personal liability**

**17** (1) No cause of action arises against any person referred to in subsection (2) for any act done in good faith in the exercise or performance, or intended exercise or performance, of the person's powers, duties or functions under this Act or for any alleged neglect, default or other omission in the exercise or performance in good faith of those powers, duties or functions.

#### **Same**

(2) The persons for the purposes of subsection (1) are,

- (a) any current or former,
  - (i) member of the Executive Council;
  - (ii) Deputy Minister of the Ministry;



(iii) employee, officer or agent of the Crown; and

- (b) any current or former employee, officer or director of an independent contractor providing services to the Crown for the purposes of this Act, including services to assist with work caused to be done under section 5 or with a site inspection under section 9.

**Crown remains vicariously liable**

(3) Despite subsection 8 (3) of the *Crown Liability and Proceedings Act, 2019*, subsection (1) does not relieve the Crown of liability to which it would otherwise be subject as a result of the acts or omissions of a person specified in clause (2) (a).

**Independent contractor remains vicariously liable**

(4) Subsection (1) does not relieve an independent contractor of liability to which it would otherwise be subject as a result of the acts or omissions of a person specified in clause (2) (b).

**Proceedings barred**

(5) No proceeding shall be commenced against any person specified in subsection (2) in respect of a matter referred to in subsection (1).

**Same**

(6) Subsection (5) does not apply with respect to an application for judicial review or any proceeding that is specifically provided for under this Act, but does apply with respect to any other court, administrative or arbitral proceeding claiming any remedy or relief, including specific performance, an injunction, declaratory relief, a remedy in contract, restitution, unjust enrichment or tort, a remedy for breach of trust or fiduciary obligation or any equitable remedy, enforcement of a judgment, order or award made outside Ontario or any form of compensation or damages including loss of revenue or profit.

**Certain proceedings not prevented**

(7) This section does not apply with respect to proceedings,

- (a) brought by the Crown against any person; or
- (b) brought by an independent contractor who provides services to the Crown for the purposes of this Act against a current or former employee, director or officer of that independent contractor.

**Regulations, Lieutenant Governor in Council**

**18** The Lieutenant Governor in Council may make regulations prescribing highway projects for the purposes of the definition of “priority highway project” in section 2.

**Regulations, Minister**

**19** The Minister may make regulations,

- (a) prescribing a rate for the purposes of subsection 11 (6);
- (b) designating priority highway projects or parts of priority highway projects for the purposes of subsection 14 (1);
- (c) prescribing restrictions for the purposes of paragraph 5 of subsection 14 (2);
- (d) prescribing other means of providing notice for the purposes of clause 15 (1) (e) and the day of deemed receipt for the purposes of clause 15 (2) (d).

**COMMENCEMENT AND SHORT TITLE**

**Commencement**

**20** The Act set out in this Schedule comes into force on the day the *Reducing Gridlock, Saving You Time Act, 2024* receives Royal Assent.

**Short title**

**21** The short title of the Act set out in this Schedule is the *Building Highways Faster Act, 2024*.

**SCHEDULE 3  
HIGHWAY 413 ACT, 2024**

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**Definitions**

**1** In this Act,

“change to the Highway 413 Project” means,

- (a) a change to the Highway 413 Project as the project is described in the final environmental impact assessment report published under subsection 8 (4), as amended by any final addendum published under subsection 9 (8),
- (b) a change to the manner in which the Highway 413 Project is carried out, including a change to how the Ministry will mitigate negative impacts on the environment and monitor and verify the effectiveness of its mitigation, as described in the final environmental impact assessment report published under subsection 8 (4), as amended by any final addendum published under subsection 9 (8), and
- (c) a prescribed type of change; (“modification du projet d’autoroute 413”, “modification du projet”)

“environment” has the same meaning as in the *Environmental Assessment Act*; (“environnement”)

“highway” has the same meaning as in the *Public Transportation and Highway Improvement Act*; (“voie publique”)

“Highway 413” means a highway that connects Highway 400 in the Regional Municipality of York to Highway 401 and Highway 407 in the Regional Municipality of Halton and the Regional Municipality of Peel and includes related facilities and structures such as parking facilities, stormwater management ponds, commercial vehicle inspection facilities and maintenance yards; (“autoroute 413”)

“Highway 413 early works projects” means the following activities carried out by or on behalf of the Minister,

- (a) constructing an embankment for a ramp near the existing ramp that starts at Exit 330 on westbound Highway 401 and connects westbound Highway 401 to westbound Highway 407 in the Regional Municipality of Halton,
- (b) constructing a bridge within the Highway 413 route that is within or near the right of way for Highway 10 within the Regional Municipality of Peel,
- (c) constructing a bridge within the Highway 413 route that is within or near the right of way for Bovaird Drive West within the Regional Municipality of Peel,
- (d) any activities for or related to the activities described in clauses (a) to (c),
- (e) constructing fencing for or related to any of the activities described in clauses (a) to (d) or clause (f), or otherwise constructing fencing for or related to Highway 413 or extensions of Highway 410 and Highway 427 to connect them to Highway 413, and any activities required for constructing such fencing, and
- (f) such other activities for or related to Highway 413 or extensions of Highway 410 and Highway 427 to connect them to Highway 413 as may be prescribed; (“projets de travaux préliminaires de l’autoroute 413”)

“Highway 413 Project” means the following activities carried out by or on behalf of the Minister, other than the Highway 413 early works projects,

- (a) constructing Highway 413,
- (b) constructing extensions of Highway 410 and Highway 427 to connect them to Highway 413,
- (c) changing any,
  - (i) existing sewage works, rail lines or highways for or related to the activities set out in clause (a) or (b), or
  - (ii) any prescribed thing related to the activities referred to in clause (a) or (b), and
- (d) such other activities related to an activity referred to in (a), (b) or (c) as may be prescribed; (“projet d’autoroute 413”)

“Highway 413 route” means the area identified as the Preliminary Route Planning Study Area in Exhibit 6-20 of the GTA West Corridor Environmental Assessment Study: Transportation Development Study Report, dated November 2012, a copy of which is available on the Project website, as may be altered by the regulations; (“tracé de l’autoroute 413”)

“Minister” means the Minister of Transportation or such other member of the Executive Council to whom responsibility for the administration of this Act is assigned or transferred under the *Executive Council Act*; (“ministre”)

“Ministry” means the ministry of the Minister; (“ministère”)

“person” includes a municipality, the Crown and a Crown agency within the meaning of the *Crown Agency Act*; (“personne”)

“prescribed” means prescribed by the regulations; (“prescrit”)

“Project website” means a website maintained by or on behalf of the Minister on which information on the Highway 413 Project is publicly shared; (“site Web du projet”)

“regulations” means the regulations made under this Act; (“règlements”)

“significant change” means a change to the Highway 413 Project that is,

- (a) a change to the alignment for Highway 413 and extensions of Highway 410 and Highway 427 to connect them to Highway 413, as shown on the maps and drawings of the Ministry’s preliminary design in the final environmental impact assessment report published under subsection 8 (4), as may be amended by any final addendum published under subsection 9 (8),
- (b) the addition of or a change to the location of a parking facility, stormwater management pond, commercial vehicle inspection facility or maintenance yard,
- (c) the addition of a bridge, interchange, intersection or roundabout,
- (d) the addition of one or more lanes,
- (e) a change to how or whether the Ministry will mitigate impacts on the environment, except,
  - (i) where the change is required to comply with a provincial or federal Act, a regulation made under such an Act or an order, permit, approval or other instrument issued under such an Act, or
  - (ii) as prescribed, or
- (f) a prescribed type of change. (“modification importante”)

#### **Exemptions from *Environmental Assessment Act***

2 (1) The following are exempt from the *Environmental Assessment Act*:

1. The Highway 413 Project, including any change to the Highway 413 Project.
2. The Highway 413 early works projects.
3. Any enterprise or activity other than an enterprise or activity referred to in paragraph 1 or 2 that,
  - i. is carried out by or on behalf of the Minister, and
  - ii. is for or related to Highway 413 or extensions of Highway 410 and 427 to connect them to Highway 413, including establishing Highway 413 and the extensions.
4. Any enterprise or activity to which the terms of reference for the GTA West Corridor, approved on March 4, 2008 under the *Environmental Assessment Act* with file number EA-02-07, apply.
5. Any proposal, plan or program in respect of an enterprise or activity referred to in paragraphs 1 to 4.
6. Any prescribed enterprise or activity or proposal, plan or program in respect of an enterprise or activity that is for or related to Highway 413 or extensions of Highway 410 and Highway 427 to connect them to Highway 413.

### **Exemptions cease to apply**

(2) The exemptions set out in subsection (1) cease to apply once the notice of completion is given under section 10.

### **Non-application**

(3) An exemption set out in subsection (1) does not apply to any enterprise or activity or proposal, plan or program in respect of any enterprise or activity that may be prescribed.

### **Prohibition re carrying out Highway 413 Project**

**3** (1) Subject to subsection (2), no person shall carry out the Highway 413 Project except in accordance with the final environmental impact assessment report published under subsection 8 (4) as amended by any final addendum published under subsection 9 (8).

### **Non-application — change**

(2) If the Minister makes a change to the Highway 413 Project that is not a significant change, subsection (1) does not apply to the extent that carrying out the change does not accord with the final environmental impact assessment report published under 8 (4), as amended by any final addendum published under subsection 9 (8).

### **Activities before process completed**

(3) For greater certainty, nothing in this Act prevents a person from carrying out the following activities before the requirements set out in sections 4 to 9 are fulfilled:

1. The Highway 413 early works projects.
2. Acquiring land or interests in land, including by expropriation, for the Highway 413 Project, including any change to the Highway 413 Project, and the Highway 413 early works projects.
3. Entering into contracts for the Highway 413 Project, including any change to the Highway 413 Project, and the Highway 413 early works projects.
4. Issuing an authorization required for the Highway 413 Project, including any change to the Highway 413 Project, and the Highway 413 early works projects.

### **Indigenous consultation plan**

**4** (1) The Minister shall prepare an Indigenous consultation plan that includes,

- (a) a list of Indigenous communities that have or may have existing Aboriginal or treaty rights, as recognized and affirmed in section 35 of the *Constitution Act, 1982*, that may be impacted by the Highway 413 Project;
- (b) a list of any Indigenous communities that may otherwise be interested in the Highway 413 Project; and
- (c) the plan for,
  - (i) consulting with Indigenous communities referred to in clause (a) in respect of the impacts of the Highway 413 Project, including any significant change, on existing Aboriginal or treaty rights, as recognized and affirmed in section 35 of the *Constitution Act, 1982*, and
  - (ii) consulting with Indigenous communities referred to in clauses (a) and (b) in respect of the assessment of the impacts of the Highway 413 Project and identification of mitigation required by section 5, the draft environmental impact assessment report prepared under section 6, any significant change and any draft addenda prepared under section 9.

### **Circulation of plan**

(2) The Minister shall circulate the Indigenous consultation plan to the communities referred to in subsection (1).

### **Circulation of changes**

(3) If the Minister makes any changes to the Indigenous consultation plan, the Minister shall circulate the changes to the communities referred to in subsection (1).

### **Implementation**

(4) The Minister shall implement the Indigenous consultation plan, including any changes to the plan.

### **Assessment of impacts on environment**

**5** (1) Before completing the draft environmental impact assessment report under section 6, the Minister shall,

- (a) assess the impacts of the Highway 413 Project on the environment; and
- (b) identify how the Ministry will mitigate negative impacts identified in the assessment under clause (a).

### **Assessment based on preliminary design**

(2) The assessment of impacts and identification of mitigation under subsection (1) shall be based on the Ministry's preliminary design for the Highway 413 Project.

### **Use of studies, etc.**

(3) For greater certainty, in fulfilling the requirements of subsection (1), the Minister may use studies, research, evaluations or other work carried out before or after this Act came into force in respect of the Highway 413 Project.

### **Draft environmental impact assessment report**

6 (1) The Minister shall prepare a draft environmental impact assessment report in accordance with subsection (2).

### **Contents**

(2) The draft environmental impact assessment report shall contain the following:

1. A statement of the purpose of the Highway 413 Project.
2. A description of the Highway 413 Project based on the Ministry's preliminary design for the Highway 413 Project.
3. A map showing the location of Highway 413 and extensions of Highway 410 and Highway 427 to connect them to Highway 413.
4. One or more maps and drawings showing the Ministry's preliminary design for the Highway 413 Project, including the alignment for Highway 413 and extensions of Highway 410 and Highway 427 to connect them to Highway 413.
5. A description of the other alignments for Highway 413 and extensions of Highway 410 and Highway 427 to connect them to Highway 413 that were considered by the Ministry since November 1, 2012.
6. The rationale for selecting the alignment for Highway 413 and extensions of Highway 410 and Highway 427 to connect them to Highway 413.
7. A summary of the local environmental conditions of the Highway 413 route identified by the Ministry.
8. A description of studies of the environment completed or updated by the Ministry after November 1, 2012 in respect of the Highway 413 Project.
9. The Minister's assessment under clause 5 (1) (a) of the impacts of the Highway 413 Project on the environment.
10. The Minister's criteria for the assessment of impacts referred to in paragraph 9.
11. A description of how the Ministry will mitigate negative impacts of the Highway 413 Project on the environment as identified under clause 5 (1) (b).
12. A description of how the Ministry will monitor and verify the effectiveness of its mitigation referred to in paragraph 11.
13. A list of any provincial, federal or other authorizations that may be required for the Highway 413 Project based on the Ministry's preliminary design for the Highway 413 Project.
14. A consultation record, including,
  - i. a summary of consultation carried out with Indigenous communities in respect of the Highway 413 Project after November 1, 2012, including a summary of,
    - A. comments submitted and concerns raised by Indigenous communities, and
    - B. discussions that the Ministry had with Indigenous communities,
  - ii. a summary of consultation carried out with the public in respect of the Highway 413 Project after November 1, 2012, including a summary of written comments and concerns submitted by members of the public, and
  - iii. a description of what the Ministry did to respond to concerns referred to in subparagraphs i and ii.

### **Studies, para. 8 of subs. (2)**

(3) The studies referred to in paragraph 8 of subsection (2) includes studies related to,

- (a) fish and fish habitat;
- (b) terrestrial ecosystems;
- (c) archaeological resources;
- (d) air quality;
- (e) agriculture;
- (f) noise;



- (g) socio-economic conditions; and
- (h) drainage and stormwater management.

#### **Publication of studies**

(4) The Minister shall publish the studies and updates of studies described in the draft environmental impact assessment report on the Project website, except where, in the opinion of the Minister, the studies or updates of studies contain information about sensitive natural or cultural heritage matters.

#### **Notice of draft environmental impact assessment report**

7 (1) The Minister shall prepare and distribute a notice of draft environmental impact assessment report.

#### **Contents**

(2) The notice shall include the following information:

1. The Project website's address.
2. A map showing the location of Highway 413 and extensions of Highway 410 and Highway 427 to connect them to Highway 413.
3. A statement that the draft environmental impact assessment report is available for comment.
4. Information on how to access a copy of the draft environmental impact assessment report.
5. The name, phone number and email address of a person who may be contacted on behalf of the Ministry.
6. Information about the opportunity to submit written comments on the draft environmental impact assessment report, including the date by which any comments must be submitted.

#### **Distribution**

(3) The Minister shall distribute the notice by,

- (a) giving a copy of the notice to,
  - (i) every Indigenous community that is listed in the Indigenous consultation plan prepared under section 4,
  - (ii) the clerk of every municipality that is within the alignment for Highway 413 and extensions of Highway 410 and Highway 427 to connect them to Highway 413, as shown on the maps and drawings of the Ministry's preliminary design in the draft environmental impact assessment report prepared under section 6,
  - (iii) every person on any list maintained by the Ministry of persons who have expressed interest in the Highway 413 Project, and
  - (iv) any federal department or agency who, in the opinion of the Minister, may be interested in the Highway 413 Project; and
- (b) publishing the notice,
  - (i) in one or more newspapers having general circulation in the municipalities that are within the alignment for Highway 413 and extensions of Highway 410 and Highway 427 to connect them to Highway 413, as shown on the maps and drawings of the Ministry's preliminary design in the draft environmental impact assessment report prepared under section 6, and
  - (ii) on the Project website.

#### **Final environmental impact assessment report**

8 (1) After publishing the notice of draft environmental impact assessment report under clause 7 (3) (b), the Minister shall do the following:

1. Provide the Indigenous communities and persons to whom a copy of the notice under clause 7 (3) (a) is required to be given and the public an opportunity to submit written comments on the draft environmental impact assessment report.
2. Provide access to a copy of the draft environmental impact assessment report to the Indigenous communities and persons to whom a copy of the notice under clause 7 (3) (a) is required to be given and to the public by publishing a copy on the Project website or by such other means as the Minister considers appropriate.
3. Prepare the final environmental impact assessment report in accordance with subsections (2) and (3).

#### **Preparation of final environmental impact assessment report**

(2) In preparing the final environmental impact assessment report, the Minister shall do the following:

1. Consider any concerns that were raised regarding the draft environmental impact assessment report in comments provided by the Indigenous communities referred to in paragraph 1 of subsection (1).

2. Consider any concerns that were raised regarding the draft environmental impact assessment report in written comments submitted by the following persons by the date set out in the notice of draft environmental impact assessment report distributed under section 7 by which written comments must be submitted:
  - i. Persons to whom a copy of the notice under subclauses 7 (3) (a) (ii) to (iv) is required to be given.
  - ii. Members of the public.

#### **Contents of final environmental impact assessment report**

(3) The final environmental impact assessment report shall include the following:

1. A description of the concerns regarding the draft environmental impact assessment report raised by the Indigenous communities referred to in paragraph 1 of subsection (1) and of what the Ministry did to respond to these concerns.
2. A description of the concerns regarding the draft environmental impact assessment report raised by the persons referred to paragraph 2 of subsection (1) in written comments submitted by the date set out in the notice of draft environmental impact assessment report distributed under section 7 by which written comments must be submitted, and of what the Ministry did to respond to these concerns.
3. A description of any changes to,
  - i. the Ministry's preliminary design for the Highway 413 Project that was identified in the draft environmental impact assessment report published under clause 7 (3) (b), and
  - ii. the manner in which the Highway 413 Project is to be carried out that was described in the draft environmental impact assessment report.
4. If a change described in subparagraph 3 i has been made and the Minister considers it appropriate, a map or drawings showing the change.

#### **Publication of final environmental impact assessment report**

(4) The Minister shall publish the final environmental impact assessment report on the Project website.

#### **Notice of publication**

(5) The Minister shall notify the Indigenous communities and the persons to whom a copy of the notice under clause 7 (3) (a) is required to be given of the publication of the final environmental impact assessment report and provide them with access to a copy of it.

#### **Significant change — process**

9 (1) The Minister shall carry out the following steps with respect to a significant change:

1. Undertake any studies of the environment in relation to the significant change that the Minister considers appropriate.
2. Assess any impacts of the significant change on the environment.
3. Identify how the Ministry will mitigate any negative impacts identified in the assessment under paragraph 2.
4. Prepare a draft addendum to the final environmental impact assessment report and a final addendum in accordance with this section.

#### **Draft addendum — contents**

(2) A draft addendum to the final environmental impact assessment report shall include the following information:

1. A description of the significant change.
2. The reasons for the significant change.
3. A description of any studies of the environment undertaken by the Minister in relation to the significant change and identification of the area studied.
4. The Minister's assessment and comparison of any alternative to the significant change considered by the Minister.
5. The Minister's assessment of any impacts of the significant change on the environment.
6. A description of how the Ministry will mitigate any negative impacts of the significant change on the environment.
7. A description of how the Ministry will monitor and verify the effectiveness of the mitigation measures proposed under paragraph 6.
8. A consultation record that includes,
  - i. a summary of consultation carried out with Indigenous communities in respect of the significant change, including a summary of,

- A. comments submitted and concerns raised by Indigenous communities, and
- B. discussions that the Ministry had with Indigenous communities,
- ii. a summary of consultation carried out with the public in respect of the significant change, including a summary of written comments and concerns submitted by members of the public, and
- iii. a description of what the Ministry did to respond to concerns referred to in subparagraphs i and ii.

**Notice of draft addendum — contents**

(3) If a draft addendum is required to be prepared under paragraph 4 of subsection (1), the Minister shall prepare a notice of draft addendum that contains the following:

1. The Project website's address.
2. A description of the significant change.
3. The reason for the significant change.
4. A map showing the location of the significant change.
5. A statement that the draft addendum is available for comment.
6. Information on how to access a copy of the draft addendum.
7. The name, phone number and email address of a person who may be contacted on behalf of the Ministry.
8. Information about the opportunity to provide written comments on the draft addendum, including the date by which written comments must be submitted.

**Notice of draft addendum — distribution**

(4) The Minister shall distribute the notice of draft addendum by,

- (a) giving a copy of the notice to,
  - (i) every Indigenous community that is listed in the Indigenous consultation plan prepared under section 4,
  - (ii) the clerk of every municipality within which the significant change is located, and
  - (iii) any federal department and agency or other person who, in the opinion of the Minister, may be interested in the significant change; and
- (b) publishing the notice,
  - (i) in one or more newspapers having general circulation in any municipality within which the significant change is located, and
  - (ii) on the Project website.

**After notice published**

(5) After publishing the notice of draft addendum under clause (4) (b), the Minister shall do the following:

1. Provide the Indigenous communities and persons to whom a copy of the notice under clause (4) (a) is required to be given and the public an opportunity to submit written comments on the draft addendum.
2. Provide access to a copy of the draft addendum to the Indigenous communities and persons to whom a copy of the notice under clause (4) (a) is required to be given and to the public by publishing a copy on the Project website or by such other means as the Minister considers appropriate.
3. Prepare the final addendum in accordance with subsections (6) and (7).

**Preparation of final addendum**

(6) In preparing the final addendum, the Minister shall do the following:

1. Consider any concerns that were raised regarding the draft addendum in comments provided by the Indigenous communities referred to in paragraph 1 of subsection (5).
2. Consider any concerns that were raised regarding the draft addendum in written comments submitted by the following persons by the date set out in the notice of draft addendum distributed under subsection (4) by which written comments must be submitted:
  - i. Persons to whom a copy of the notice under subclauses (4) (a) (ii) and (iii) is required to be given.
  - ii. Members of the public.

**Contents of final addendum**

(7) The final addendum shall include the following:

1. A description of the concerns regarding the draft addendum raised by the Indigenous communities referred to in paragraph 1 of subsection (6) and of what the Ministry did to respond to these concerns.
2. A description of the concerns regarding the draft addendum submitted by persons referred to in paragraph 2 of subsection (6) in written comments submitted by the date set out in the notice of draft addendum distributed under subsection (4) by which written comments must be submitted and of what the Ministry did to respond to these concerns.
3. A description of any revisions to the significant change described in the draft addendum.

**Publication of final addendum**

(8) The Minister shall publish the final addendum on the Project website.

**Notice of final addendum**

(9) The Minister shall notify the Indigenous communities and the persons to whom a copy of the notice is required to be given under clause (4) (a) of the final addendum published under subsection (8).

**Notice of completion**

**10** Once the Minister is satisfied the Highway 413 Project is complete, the Minister shall publish a notice that meets the prescribed requirements, if any, on the Project website indicating that the Highway 413 Project is complete.

**Deemed authorization**

**11** (1) For the purposes of any provincial plan, as these may be amended from time to time, the Highway 413 Project, including any change to the Highway 413 Project, and the Highway 413 early works projects are deemed to have been subject to, and approved or otherwise authorized under, the *Environmental Assessment Act* as of the Minister publishing the final environmental impact assessment report under subsection 8 (4).

**Definition**

(2) In subsection (1),

“provincial plan” has the same meaning as in the *Planning Act*.

**Non-application of *Planning Act* provisions**

**12** (1) Clause 3 (5) (a) of the *Planning Act* does not apply to a decision of a minister of the Crown or a ministry, board, commission or agency of the Government of Ontario in respect of the Highway 413 Project, including any change to the Highway 413 Project, or the Highway 413 early works projects.

**Same**

(2) Subsection 3 (6) of the *Planning Act* does not apply in respect of the Highway 413 Project, including any change to the Highway 413 Project, or the Highway 413 early works projects.

***Environmental Bill of Rights, 1993***

**13** Part II of the *Environmental Bill of Rights, 1993* does not apply to a proposal to issue, amend or revoke an instrument for or related to the Highway 413 Project, including any change to the Highway 413 Project, or the Highway 413 early works projects despite the proposal being a type of proposal for an instrument that is classified by a regulation made under that Act.

**Notice**

**14** (1) A notice that must be given to a person under this Act is sufficiently given,

- (a) by personal delivery to the person;
- (b) through regular mail delivery addressed to the person at the most recent address the Ministry has on record for the person;
- (c) using any method of mail delivery that permits the delivery to be verified; or
- (d) by electronic transmission.

**Deemed receipt — regular mail**

(2) A notice delivered in accordance with clause (1) (b) is deemed to be given to the person it is addressed to on the fifth day after it is mailed.

**Deemed receipt — electronic transmission**

(3) A notice delivered in accordance with clause (1) (d) is deemed to be given on the day after it is sent, unless that day is a holiday in which case the document is deemed to be received on the next day that is not a holiday.

## Regulations

**15** (1) The Lieutenant Governor in Council may make regulations,

- (a) respecting anything that is referred to in this Act as being prescribed;
- (b) defining any word or expression used in this Act that is not already defined and further defining any word or expression used in this Act that is already defined in this Act;
- (c) prescribing types of change for the purposes of the definition of “significant change” in section 1;
- (d) prescribing activities for the purposes of the definition of “Highway 413 Project” in section 1;
- (e) prescribing activities for the purposes of the definition of “Highway 413 early works projects” in section 1;
- (f) altering the area for the purpose of the definition of “Highway 413 route” in section 1;
- (g) governing assessment and mitigation of impacts of the Highway 413 Project on the environment;
- (h) governing notices required to be given under this Act;
- (i) varying requirements for preparing, distributing and publishing notices;
- (j) prescribing enterprises or activities for the purposes of paragraph 6 of subsection 2 (1);
- (k) varying requirements for preparing the draft environmental impact assessment report under section 6 and the final environmental impact assessment report under section 8;
- (l) varying requirements for the preparation of draft and final addenda to the final environmental impact assessment report under section 9;
- (m) requiring and governing a review of the Highway 413 Project or any part of the Highway 413 Project, the final environmental impact assessment report and any final addendum, to be conducted by the Minister, including specifying the timing and frequency of the review, requirements for the review and parts of the Highway 413 Project subject to the review;
- (n) governing changes to the Highway 413 Project;
- (o) providing for any other matters to carry out this Act.

## Same

(2) A regulation made under clause (1) (d) or (e) shall not be made after the Minister publishes the notice of draft environmental impact assessment report on the Project website under clause 7 (3) (b).

## Retroactivity

**16** If it so provides, a regulation is effective with respect to a period before it is filed.

## Adoption of documents in regulations

**17** (1) A regulation may adopt by reference, in whole or in part, with such changes as the Lieutenant Governor in Council considers necessary, any document, including a code, formula, standard, protocol or procedure, and may require compliance with any document so adopted.

## Rolling incorporation by reference

(2) The power to adopt by reference and require compliance with a document in subsection (1) includes the power to adopt a document as it may be amended from time to time.

## Same

(3) The adoption by reference of an amendment to a document comes into effect on publication of a notice of the amendment in *The Ontario Gazette* or in the registry under the *Environmental Bill of Rights, 1993*.

## Commencement

**18** The Act set out in this Schedule comes into force on the day the *Reducing Gridlock, Saving You Time Act, 2024* receives Royal Assent.

## Short title

**19** The short title of the Act set out in this Schedule is the *Highway 413 Act, 2024*.



**SCHEDULE 4  
HIGHWAY TRAFFIC ACT**

**1 Section 1.2 of the *Highway Traffic Act* is amended by adding the following clause:**

(b.1) providing for and governing a reduction, refund or exemption from any fee specified in this Act;

**2 The Act is amended by adding the following section:**

**Specific fees**

**5.0.1** The following fees are payable:

1. For each six-month period or part thereof during which a driver's licence is valid, the holder of the driver's licence shall pay a fee of \$7.50.
2. For an on-road examination for a Class A, B, C, D, E or F driver's licence, a fee of \$99.
3. For a level 1 on-road examination of the holder of a Class G1 or M1 driver's licence, a fee of \$53.75.
4. For a level 2 on-road examination of the holder of a Class G2 or M2 driver's licence, a fee of \$91.25.
5. For a Class A, B, C, D, E or F driver's knowledge test, a fee of \$23.75.
6. For a driver's knowledge test other than a test described in paragraph 5, a fee of \$16.

**3 The heading to Part XII of the Act is repealed and the following substituted:**

**PART XII  
MUNICIPAL BY-LAWS AND BICYCLE LANES**

~~4 Part XII of the Act is amended by adding the following section:~~

~~**Ministry approval for bicycle lanes required**~~

~~195.2 (1) In the circumstances described in subsection (2), a municipality shall not construct, install or mark a bicycle lane on a highway or part of a highway under its jurisdiction and control unless the design for the bicycle lane has been approved by the Ministry and, in considering whether to give such approval, the Ministry may require information from the municipality including traffic information relating to the design for the bicycle lane and the highway.~~

~~**Application**~~

~~(2) Subsection (1) applies where,~~

- ~~—(a) the design for the bicycle lane would reduce the number of marked lanes available for travel by motor vehicle traffic along any portion of or on either side of the highway where the bicycle lane is to be located; and~~
- ~~—(b) the municipality is prescribed by regulation for the purposes of subsection (1).~~

~~**Same, transition**~~

~~(3) Subsection (1) does not apply if, on the day section 4 of Schedule 4 to the *Reducing Gridlock, Saving You Time Act, 2024* comes into force, a contract has already been awarded or entered into for the procurement of construction, installation or marking services for the bicycle lane or, if the construction, installation or marking of the bicycle lane is to be done by the municipality and not by any party under contract, such work has already commenced.~~

~~**Consideration of traffic flow**~~

~~(4) When considering whether to approve the design for the construction of a bicycle lane, the Ministry may consider whether it would unduly diminish the orderly movement of motor vehicle traffic.~~

~~**Ministry may review existing bicycle lanes**~~

~~(5) In the circumstances described in subsection (6), the Ministry may require a municipality to provide traffic information relating to an existing bicycle lane on a highway under its jurisdiction and control, and the municipality shall comply with the request.~~

~~**Application**~~

~~(6) Subsection (5) applies where,~~

- ~~—(a) the addition of the bicycle lane reduced the number of marked lanes for travel by motor vehicle traffic along any portion of or on either side of the highway where the bicycle lane is located; and~~
- ~~—(b) the municipality is prescribed by regulation for the purpose of subsection (5).~~

~~**Regulations**~~

~~(7) The Minister may make regulations,~~

- (a) ~~prescribing municipalities for the purposes of subsections (1) and (5);~~
- (b) ~~governing the information that may be required by the Ministry under subsections (1) and (5);~~
- (c) ~~exempting any highway or class of highway from this section or any provision of it, or providing that this section or any provision of it does not apply to any highway or class of highway;~~
- (d) ~~providing for anything necessary or advisable for carrying out the intent and purposes of this section.~~

**Definition**

(8) ~~In this section,~~

~~“bicycle lane” includes any portion of a highway, the use of which is wholly or partially restricted or dedicated to bicycles.~~

**4 The Act is amended by adding the following Part:**

**PART XII.1**  
**BICYCLE LANES**

**Definitions**

**195.2** In this Part,

“adjacent infrastructure” includes sidewalks, planters, curbs and traffic calming features; (“infrastructure adjacente”)

“bicycle lane” includes any portion of a highway, the use of which is wholly or partially restricted or dedicated to bicycles; (“voie cyclable”)

“bicycle traffic control signal” has the same meaning as in section 133; (“signalisation de la circulation pour bicyclettes”)

“related features” includes bollards, bicycle traffic control signals and painted roadway markings. (“éléments connexes”)

**Minister approval for bicycle lanes required**

**195.3** (1) In the circumstances described in subsection (2), a prescribed municipality does not have the power to construct, install or mark a bicycle lane on a highway or part of a highway under its jurisdiction and control unless the design for the bicycle lane has been approved by the Minister and, in considering whether to give such approval, the Minister may require information from the municipality including traffic information relating to the design for the bicycle lane and the highway.

**Application**

(2) Subsection (1) applies if the design for the bicycle lane would reduce the number of marked lanes available for travel by motor vehicle traffic along any portion of or on either side of the highway where the bicycle lane is to be located.

**Same, transition**

(3) Subsection (1) does not apply to a municipality in respect of a bicycle lane if, on the day the municipality is prescribed for the purposes of subsection (1), a contract has already been awarded or entered into for the construction, installation or marking of the bicycle lane or, if the construction, installation or marking of the bicycle lane is to be done by the municipality and not by any party under contract, such work has already commenced.

**Consideration of bicycle lane**

(4) In considering whether to approve the design for a bicycle lane, the Minister may consider whether the lane would unduly diminish the orderly movement of motor vehicle traffic.

**Review of bicycle lanes**

**Municipality to provide information**

**195.4** (1) In the circumstances described in subsection (2), the Minister may require a prescribed municipality to provide traffic information relating to an existing bicycle lane on a highway under its jurisdiction and control, including a bicycle lane referred to in section 195.6, and the municipality shall comply with the request.

**Application**

(2) Subsection (1) applies if the addition of the bicycle lane reduced the number of marked lanes available for travel by motor vehicle traffic along any portion of or on either side of the highway where the bicycle lane is located.

**Review of bicycle lane**

(3) If any factors are prescribed for the purposes of this section, the Minister shall consider the factors in reviewing the traffic information relating to a bicycle lane that is provided under subsection (1).

**Direction to remove lane**

195.5 (1) After reviewing the information provided under subsection 195.4 (1), the Minister may inform the Lieutenant Governor in Council of the results of the review and the Lieutenant Governor in Council may issue an order directing the Minister to remove the bicycle lane or part of the lane and any related features or adjacent infrastructure and,

- (a) restore the lane or part of the lane for use by motor vehicle traffic; or
- (b) reconfigure the lane or part of the lane and any related features or adjacent infrastructure for use by motor vehicle traffic.

**Amendment or revocation of order**

(2) The Lieutenant Governor in Council may, by order, amend or revoke an order issued under subsection (1).

**Effect of any Act, regulation, etc.**

(3) The Lieutenant Governor in Council may issue an order under this section despite any Act, regulation, by-law, order, permit, approval or licence.

**Order not regulation**

(4) Part III (Regulations) of the *Legislation Act, 2006* does not apply to an order issued under this section.

**Existing lanes in the City of Toronto, direction to remove**

195.6 Subject to any prescribed exemptions or modifications, the Minister shall remove the bicycle lanes located on Bloor Street, University Avenue and Yonge Street, in the City of Toronto, and any related features, and restore the lanes for use by motor vehicle traffic.

**Removal of lanes****Minister authority**

195.7 (1) If the Minister is subject to an order issued under section 195.5, the Minister or a person acting on behalf of the Minister is authorized to do anything required to carry out the order.

**Same, City of Toronto**

(2) The Minister or a person acting on behalf of the Minister is authorized to do anything required to carry out the Minister's duties under section 195.6.

**Removing and restricting common law right of passage**

(3) For greater clarity, subsections (1) and (2) authorize the Minister or a person acting on behalf of the Minister to close that part of a highway affected by an order issued under section 195.5 or by section 195.6 and to remove or restrict the common law right of passage by the public over that part of the highway and the common law right of access to that part of the highway by an owner of land abutting a highway.

**Minister powers**

(4) No Act, regulation, by-law, order, permit, approval or licence bars the Minister or a person acting on behalf of the Minister from carrying out an order issued under section 195.5 or the Minister's duties under section 195.6.

**Powers re entry, etc.**

(5) For the purpose of carrying out an order issued under section 195.5 or the Minister's duties under section 195.6, the Minister or a person acting on behalf of the Minister may,

- (a) enter any place, other than a place being used as a dwelling; and
- (b) construct structures and use machinery, structures, materials and equipment therein or thereon.

**Municipality required to provide support or information**

195.8 (1) If, pursuant to an order issued under section 195.5 or to section 195.6, the Minister is required to do anything described in those sections, the affected municipality shall provide any support or information requested by the Minister to facilitate carrying out the order or the Minister's duties, including,

- (a) managing traffic, public transit or emergency services;
- (b) providing technical information, health and safety information, standards, public consultation information, planning and design documents, surveys or engineering and utility location drawings; and
- (c) providing information related to signs, markings, traffic control signal systems and lighting, including assistance with their removal or relocation.

**Time period**

(2) If the Minister requests support or information from a municipality under subsection (1), the municipality shall provide such support or information by the date and for the time period specified by the Minister.

### **Municipal by-laws**

(3) If a bicycle lane is removed or reconfigured pursuant to an order issued under section 195.5 or to section 195.6, any municipal by-law or part of a municipal by-law passed by the council of a municipality designating that part of the highway as a bicycle lane is inoperative.

### **Reimbursement**

195.9 (1) If the Minister requested support or information from a municipality under subsection 195.8 (1) and the municipality provided such support or information by the date and for the time period specified by the Minister, the Minister may reimburse the municipality for the reasonable costs it incurred in doing so in accordance with this section.

### **No reimbursement or compensation**

(2) For greater certainty, the Minister is not required to reimburse or compensate the municipality for any costs other than those described in subsection (1), including costs the municipality incurred to install the bicycle lanes.

### **Notice to municipality**

(3) If the Minister requested support or information from a municipality under subsection 195.8 (1), the Minister shall, within 60 days after the request has been satisfied, give notice to the municipality stating that it may file a claim for reimbursement with the Ministry within six months after the date of the notice.

### **Particulars**

(4) As part of claim described in subsection (3), the municipality shall provide the Minister with a true statement showing the particulars of the costs it reasonably incurred to carry out the request made under subsection 195.8 (1) by the date and for the time period specified by the Minister.

### **No reimbursement**

(5) There is no obligation to reimburse the municipality for any costs if notice has been given under subsection (3) and a claim for reimbursement is not made within six months after the date of the notice.

### **Determination**

(6) The Minister shall review a claim for reimbursement and if the Minister determines that the costs were reasonably incurred by the municipality to carry out the request by the date and for the time period specified by the Minister, the Minister shall reimburse the municipality for those costs.

### **No cause of action against Crown, etc.**

195.10 (1) No cause of action arises against the Crown, any current or former member of the Executive Council or any current or former employee, officer or agent of or advisor to the Crown as a direct or indirect result of,

- (a) the enactment, amendment or repeal of this Part;
- (b) the issuance, amendment or revocation of an approval under section 195.3 or the refusal to issue or amend such an approval;
- (c) the issuance of an order under section 195.5 or its amendment or revocation;
- (d) anything done under this Part including in relation to,
  - (i) the removal of a bicycle lane or part of a lane and any related features or adjacent infrastructure,
  - (ii) the restoration of a bicycle lane or part of a lane for use by motor vehicle traffic,
  - (iii) the reconfiguration of a bicycle lane or part of a lane and any related features or adjacent infrastructure for use by motor vehicle traffic; or
- (e) the making, amendment or revocation of a regulation under section 195.18.

### **Proceedings barred**

(2) No proceeding, including but not limited to any proceeding for a remedy in contract, restitution, unjust enrichment, tort, misfeasance, bad faith, trust or fiduciary obligation and any remedy under any statute, that is directly or indirectly based on or related to anything referred to in subsection (1), may be brought or maintained against the Crown or any person referred to in that subsection.

### **Application**

(3) Subsection (2) applies to any action or other proceeding claiming any remedy or relief, including specific performance, injunction, declaratory relief, any form of compensation or damages or any other remedy or relief, and includes any arbitral, administrative or court proceedings, but does not apply to an application for judicial review.

**Retrospective effect**

(4) Subsections (2) and (3) apply regardless of whether the claim on which the proceeding is purportedly based arose before, on or after the day the *Reducing Gridlock, Saving You Time Act, 2024* received Royal Assent.

**Proceedings set aside**

(5) No costs shall be awarded against any person in respect of a proceeding referred to in subsection (2) or (3) that was commenced before the day the *Reducing Gridlock, Saving You Time Act, 2024* received Royal Assent.

**Certain proceedings not prevented**

(6) This section does not apply with respect to proceedings brought by the Crown against any person.

**Proceedings barred, independent contractors**

195.11 (1) Subject to subsection (4), no cause of action arises and no proceeding may be brought or maintained that is directly or indirectly based on or related to anything referred to in subsection (2) against any person referred to in that subsection, including but not limited to any proceeding for a remedy in contract, restitution, unjust enrichment, tort, misfeasance, bad faith, trust or fiduciary obligation and any remedy under any statute.

**Same**

(2) Subsection (1) applies in respect of an independent contractor and any current or former employee, director or officer of an independent contractor providing services to the Crown to assist with work done under sections 195.5 to 195.7.

**Application**

(3) Subject to subsection (4), subsection (2) applies to any action or other proceeding claiming any remedy or relief, including specific performance, injunction, declaratory relief, any form of compensation or damages or any other remedy or relief, and includes any arbitral, administrative or court proceedings, but does not apply to an application for judicial review.

**Negligence**

(4) Subsection (1) does not apply to a claim of negligence in respect of an act or omission of an independent contractor in carrying out,

- (a) the removal of a bicycle lane or part of a lane and any related features or adjacent infrastructure;
- (b) the restoration of a bicycle lane or part of a lane for use by motor vehicle traffic; or
- (c) the reconfiguration of a bicycle lane or part of a lane and any related features or adjacent infrastructure for use by motor vehicle traffic.

**Same**

(5) For greater certainty, claims arising from collisions between motor vehicles, cyclists or pedestrians after the independent contractor carries out the things mentioned in subsection (4) are not claims of negligence described in that subsection.

**Certain proceedings not prevented**

(6) This section does not apply with respect to proceedings brought by the Crown against any person.

**Protection from personal liability, independent contractors**

195.12 (1) No cause of action arises and no proceeding may be brought or maintained against any current or former employee, director or officer of an independent contractor providing services to the Crown to assist with work done under sections 195.5 to 195.7 for any act done in good faith in the execution or intended execution of any duty or power under this Part or for any alleged neglect or default in the execution in good faith of such a duty or power.

**Same**

(2) Subsection (1) does not relieve an independent contractor providing services to the Crown to assist with work done under sections 195.5 to 195.7 of any liability to which it would otherwise be subject to in respect of an act or omission of a person mentioned in that subsection.

**Protection from liability, municipalities**

195.13 (1) No cause of action arises and no proceeding may be brought or maintained against a municipality, current or former employee of a municipality or member of council for any act done in good faith in the execution or intended execution of any duty under subsection 195.8 (1) or for any alleged neglect or default in the execution in good faith of such a duty.

**Certain proceedings not prevented**

(2) This section does not apply with respect to proceedings brought by the Crown against any person.



### No reimbursement, compensation or damages

195.14 Except as otherwise provided under section 195.9 or subsection 195.11 (4) or 195.12 (2), no person is entitled to any reimbursement, compensation or damages for any loss related to any actions taken under this Part.

### No expropriation or injurious affection

195.15 Nothing described in this Part or done pursuant to this Part constitutes an expropriation or injurious affection for the purposes of the *Expropriations Act* or otherwise at law.

### s. 214

195.16 Section 214 does not apply to a contravention of this Part or of a regulation made under this Part.

### Other Acts

#### *Municipal Act, 2001 and City of Toronto Act, 2006*

195.17 (1) The requirements of this Part apply despite sections 10 and 11 of the *Municipal Act, 2001* and section 8 of the *City of Toronto Act, 2006*.

#### *Environmental Assessment Act*

(2) Any enterprise or activity or proposal, plan or program in respect of an enterprise or activity that is required by, done under or authorized under this Part is exempt from the *Environmental Assessment Act*.

#### *Environmental Bill of Rights, 1993*

(3) The requirements of Part II of the *Environmental Bill of Rights Act, 1993* are deemed not to have applied with respect to the amendments made by Schedule 4 of the *Reducing Gridlock, Saving You Time Act, 2024* that added sections 195.4 to 195.18 of this Act.

### Regulations

#### Minister regulations

195.18 (1) The Minister may make regulations,

- (a) prescribing municipalities for the purposes of subsections 195.3 (1) and 195.4 (1);
- (b) governing the information that may be required by the Minister under subsections 195.3 (1) and 195.4 (1);
- (c) exempting any highway or class of highway from section 195.3 or any provision of section 195.3, or providing that section 195.3 or any provision of it does not apply to any highway or class of highway.

#### Lieutenant Governor in Council regulations

(2) The Lieutenant Governor in Council may make regulations,

- (a) governing the review of information respecting bicycle lanes under section 195.4 including prescribing factors applicable to the review;
- (b) exempting parts of bicycle lanes for the purposes of section 195.6;
- (c) modifying the requirement to remove bicycle lanes described in section 195.6, including requiring the Minister to reconfigure a bicycle lane or part of a lane and any related features or adjacent infrastructure for use by motor vehicle traffic;
- (d) providing for anything necessary or advisable for carrying out the intent and purposes of this Part.

### **Repeal**

**5 Section 3 of Schedule 2 to the *Get It Done Act, 2024* is repealed.**

### **Commencement**

~~6 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Reducing Gridlock, Saving You Time Act, 2024* receives Royal Assent.~~

~~(2) Sections 1 to 4 come into force on a day to be named by proclamation of the Lieutenant Governor.~~

### Commencement

6 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Reducing Gridlock, Saving You Time Act, 2024* receives Royal Assent.

(2) Sections 1 and 2 come into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 5  
TOWING AND STORAGE SAFETY AND ENFORCEMENT ACT, 2021**

**1 The *Towing and Storage Safety and Enforcement Act, 2021* is amended by adding the following section immediately after the heading “Restricted Towing Zones”:**

**Definitions**

**39.1** In sections 40 to 43.1,

“roadside assistance services” means services provided for the purpose of repairing or rendering operable a motor vehicle that is disabled or inoperable on a highway; (“services d’assistance routière”)

“roadside assistance vehicle” means a vehicle that is used by a person who offers or provides roadside assistance services; (“véhicule d’assistance routière”)

“towing services” includes roadside assistance services. (“services de remorquage”)

**2 (1) Subsection 41 (2) of the Act is repealed.**

**(2) Subsections 41 (3) and (4) of the Act are repealed and the following substituted:**

**Prohibition**

(3) If any tow certificate holders are authorized to provide towing services in a restricted towing zone, no unauthorized tow operators shall provide or offer to provide towing services in that zone.

**More than one certificate holder**

(3.1) If more than one tow certificate holder is authorized to provide towing services in a restricted towing zone, the tow certificate holders shall provide only such services as specified by the Ministry.

**Exception**

(4) Subsections (3) and (3.1) do not apply to a person acting under the direction of a police officer or the Ministry.

**3 Sections 42 and 43 of the Act, as re-enacted by section 23 of Schedule 36 to the *Less Red Tape, Stronger Economy Act, 2023*, are amended by adding “or roadside assistance vehicle” after “tow truck” wherever it appears.**

**4 The Act is amended by adding the following section:**

**Regulations**

**43.1** The Minister may make regulations for the purposes of sections 39.1 to 43,

- (a) designating restricted towing zones;
- (b) governing the erection of signs and the placing of markings to indicate a restricted towing zone and governing such signs and markings;
- (c) providing for exemptions from any provisions of sections 39.1 to 43, or that any such provisions do not apply, and prescribing circumstances and conditions for any such exemption or non-application.

**5 (1) Clause 64 (1) (n) of the Act is repealed.**

**(2) Clause 64 (1) (u) of the Act is amended by adding “subject to subsection (4.1)” at the beginning.**

**(3) Section 64 of the Act is amended by adding the following subsection:**

**Same, exception**

(4.1) The power to make regulations under clause (1) (u) does not include the power to make regulations described in clause 43.1 (c).

**Commencement**

**6 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.**