

February 7, 2025

TO THE MAYOR AND MEMBERS OF COUNCIL:

The **regular meeting** of Council will be held on **Monday, February 10, 2025 at 10:00 o'clock a.m., in the Council Chambers, 350 City Hall Square.**

A special meeting of the **Environment, Transportation and Public Safety Standing Committee – sitting as the Transit Windsor Board of Directors – In-camera** will be held in Room 139, 350 City Hall Square, immediately following the regular meeting of Council at 10:00 o'clock a.m.

A special meeting of Council will be held on **Monday, February 10, 2025, immediately following the regular meeting of Council, in Room 139, 350 City Hall Square.** Council will at the special meeting adopt a resolution to authorize Council to meet in closed session, and the resolution shall contain the general nature of the matters to be considered in the closed session. The resolution must be adopted by a majority of Council present during the open special meeting before the meeting may be closed. An agenda for this meeting is enclosed under separate cover.

A meeting of the **Striking Committee** will be held on **Monday, February 10, 2025, immediately following the in-camera meeting of Council,** in Room 139, 350 City Hall Square. A resolution to meet in closed session must be adopted and shall contain the general nature of the matters to be considered. The resolution must be adopted by a majority of Council present during the open special meeting of the Striking Committee before the meeting may be closed. An agenda for this meeting is enclosed under separate cover.

BY ORDER OF THE MAYOR.

Yours very truly,



Steve Vlachodimos

City Clerk

/bm

c.c. Chief Administrative Officer

Consolidated City Council Meeting Agenda

Date: Monday, February 10, 2025

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

Location: Council Chambers, 1st 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 January 27, 2025
(SCM 57/2025) (attached)

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 7.1.4. **(CMC 3/2025) (previously distributed)**
Clerk’s Note: Items 7.1.5 through 7.1.7 – Correspondence Items attached

No.	Sender	Subject
7.1.5	Court of Appeal for Ontario	<p>Decision Letter for Windsor Housing Providers Inc v. Windsor (City), 2025 ONCA 78, Docket: COA-24-CV-0419, C.</p> <p>Commissioner, Community & Corporate Services City Solicitor Chief Building Official Fire Chief Deputy Licence Commissioner SB/12952 Note & File</p>
7.1.6	Town of Tecumseh	<p>Notice of the Passing of a Zoning By-law Amendment by the Corporation of the Town of Tecumseh regarding property situated on the west side of Shawnee Road, to rezone this property from “Residential Zone 2 (R2)” to a site-specific “Residential Zone 2 (R2-27)” to permit a one-storey, semi-detached dwelling and establish site-specific lot provisions.</p> <p>City Solicitor City Planner Chief Building Official Commissioner, Community & Corporate Services Commissioner, Economic Development Z2025 Note & File</p>
7.1.7	Town of Tecumseh	<p>Notice of Council Adoption of Official Plan Amendment No. 5 to the Town of Tecumseh Official Plan (Tecumseh Hamlet Secondary Plan).</p> <p>City Solicitor City Planner Chief Building Official Commissioner, Community & Corporate Services Commissioner, Economic Development Z2025 Note & File</p>

- 7.3. One-Time Provincial Funding to Address Homelessness Encampments **(C 26/2025)**
(previously distributed)
- 7.4. Auditor General of Ontario's Annual Report regarding the Implementation and Oversight of Ontario's Opioid Strategy – City Wide **(C 27/2025)** **(previously distributed)**

8. CONSENT AGENDA (previously distributed)

- 8.1. A By-law to authorize the execution of the Transfer Payment Agreement for the Ministry of the Environment, Conservation and Parks (MECP) Great Lakes Program Grant - City Wide **(C 5/2025)**
- 8.2. Forest Glade North Servicing Municipal Class Environmental Assessment Study - Ward 8 **(C 13/2025)**
- 8.3. Provincial-Division Corridor Improvements Phase 3; Legal Agreement with 2757534 Ontario Inc. (1527 Provincial Road) - Ward 9 **(C 14/2025)**
- 8.4. Roseland Golf & Curling Club Limited – Name Change **(C 20/2025)**
- 8.5. Windsor Police Service Board Alarm By-law Approval – City wide **(C 21/2025)**

CONSENT COMMITTEE REPORTS

- 8.6. Rezoning – Rafco Property Trust Ltd – 0 Howard Ave - Z-032/24 ZNG/7237 - Ward 1 **(SCM 11/2025) (S 148/2024)**
- 8.7. Zoning By-Law Amendment – Z036-24 (ZNG/7248) - Andi Shallvari – 552 Florence Avenue, Ward 7 **(SCM 12/2025) (S 170/2024)**
- 8.8. Zoning By-law Amendment Application for 2275 Wellesley Avenue, Z-026/24 [ZNG-7229], Ward 4 **(SCM 13/2025) (S 171/2024)**
- 8.9. Zoning By-law Amendment Application for 0 Janette Avenue, Z-037/24 [ZNG-7249], Ward 3 **(SCM 14/2025) (S 172/2024)**
- 8.10. Provincial Planning Statement (2024) Update **(SCM 15/2025) (S 177/2024)**
- 8.12. Part Closure of north/south alley located between Seminole Street and Reginald Street, Ward 5, SAA-7231 **(SCM 17/2025) (S 173/2024)**
- 8.13. Amendment to CR399/2024 for Closure of west half of north/south alley located between Montrose Street and Tecumseh Boulevard West, Ward 3, SAA-4133 **(SCM 18/2025) (S 174/2024)**
- 8.14. Ford City/Building Facade Improvement CIP Application for 1024 to 1026 Drouillard Road. Owner: 1000568826 ONTARIO INC. (c/o: Brian McGinty and Trinamargos) - Ward 5 **(SCM 19/2025) (S 175/2024)**

- 8.15. Minutes of the Property Standards Committee of its meeting held October 24, 2024
(SCM 20/2025) (SCM 353/2024)
- 8.16. Minutes of the International Relations Committee of its meeting held November 7, 2024
(SCM 21/2025) (SCM 392/2024)
- 8.17. Report No. 54 of the International Relations Committee **(SCM 22/2025) (SCM 393/2024)**

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

10. PRESENTATIONS AND DELEGATIONS

- 11.5. RFP Update - Jackson Park Feasibility Study - Ward 3 **(C 22/2025) (previously distributed)**
Clerk's Note: Harold Golden, Area Resident is providing the **attached** letter dated February 6, 2025, as a written submission.

Delegations:

- a) Lana Talbot, Area Resident (via Zoom)
- b) Harold Goldin, Area Resident (in person) (PowerPoint)
- c) Leslie McCurdy, Area Resident (in person)

- 8.11. Amendment to Heritage Designation By-law No. 281-2003 – 455 Kennedy Drive West, Roseland Golf Course (Ward 1) **(SCM 16/2025) (S 161/2024) (previously distributed)**
Clerk's Note: Administration is providing the **previously distributed** additional information **(AI 5/2025)**
Clerk's Note: Administration is providing the **attached** Appendix B (Page 18) as a corrected map boundary.
Clerk's Note: Auditor General is providing the **attached** accompanying report as additional information **(SCM 49/2025)**
Clerk's Note: P&C Memo provided to Mayor and members of Council.

Delegations:

- a) Settimo Vilardi, Principal Architect, Prime Consultant, Archon Architects Incorporated, available for questions (in person)
- b) Alicia Lesniak, Architect, a+LINK Architecture Inc., available for questions (via Zoom)
- c) Christopher O'Connor, The Corporation of the City of Windsor's Auditor General, available for questions (via Zoom)
- d) Catherine Archer, Area Resident (in person) (PowerPoint)
- e) Silvio Barresi, Area Resident (in person)
- f) Albert Schepers, Area Resident (in person)
- g) Chris Kruba, Area Resident (in person)
- h) Peter Marra, Area Resident (in person)

Clerk's Note: List of written submissions **attached**:

- a) Alex & Mary Antic, Area Residents
- b) Olivia Curti Durocher & Stephen Durocher, Area Residents
- c) Donna Mayne, Area Resident
- d) Marla Sponarski & Mark Poisson, Area Residents
- e) Louis Durnbeck, Area Resident
- f) Paul Albanese, Principal, Albanese & Lutzke Golf Course Architecture & Construction Management
- g) Fulvio Valentinis, Area Resident
- h) Catherine Archer, Area Resident
- i) Peter & Sandy Marra, Area Residents
- j) Charlie Hotham, Area Resident
- k) Brandon Orlando, Area Resident
- l) Adriana Folcan, Area Resident
- m) Bill Marra, Area Resident
- n) James Demers, Area Resident
- o) Maria and Ian (John), Laura and Amanda MacNeil, Area Residents

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

- 11.1. Declaration of a Vacant Parcel of Land Municipally Known as 0 Francois Road Surplus and Authority to Offer for Sale – Ward 5 **(C 11/2025) (previously distributed)**
- 11.2. Declaration of a Vacant Parcel of Land Municipally Known as 0 Woodlawn Avenue Surplus and Authority to Offer Same for Sale – Ward 9 **(C 12/2025) (previously distributed)**
- 11.3. Forest Glade North Servicing - Rock Developments - Cost Sharing - Ward 8 **(C 18/2025) (previously distributed)**
Clerk's Note: P&C Memo provided to Mayor and members of Council.
- 11.4. Declaration of Improved Property Municipally Known as 3136-3146 Walker Road Surplus and Authority to Offer Same for Sale – Ward 9 **(C 23/2025) (previously distributed)**
- 7.2. Response to CQ 26-2024 and CQ 36-2024: Strategies for Addressing Transportation and Transit Challenges in Twin Oaks Industrial Park – Ward 9 **(C 24/2025) (previously distributed)**
- 11.6 Active Transportation Fund – Capital Project Stream – City Wide **(C 25/2025) (attached)**

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)

- 12.2. Minutes of the Development Charges Task Force of its meeting held July 29, 2024 **(SCM 7/2025) (previously distributed)**
- 12.3. Minutes of the Development Charges Task Force of its meeting held November 18, 2024 **(SCM 5/2025) (previously distributed)**
- 12.4. Report No. 4 of the Roseland Board of Directors of its meeting held January 10, 2025 **(SCM 27/2025) (previously distributed)**
Clerk's Note: Council direction requested, otherwise Note & File
- 12.5. Minutes of the Windsor Accessibility Advisory Committee of its meeting held October 17, 2024 **(SCM 354/2024) (previously distributed)**
- 12.6. Minutes of the Age Friendly Windsor Working Group of its meeting held October 10, 2024 **(SCM 375/2024) (previously distributed)**
- 12.7. Age Friendly Windsor Working Group - 2024 Annual Report **(SCM 3/2025) (previously distributed)**
- 12.8. Community Public Art Working Group - 2024 Annual Report **(SCM 4/2025) (previously distributed)**
- 12.9. Minutes of the Meetings of the Executive Committee and Board of Directors, Willistead Manor Inc., held November 13, 2024 **(SCM 8/2025) (previously distributed)**
- 12.10. Minutes of the Windsor Essex Regional Community Safety and Well-Being Plan's Regional Systems Leadership Table of its meeting held June 12, 2024. **(SCM 10/2025) (previously distributed)**
- 12.11. Minutes of the Windsor Accessibility Advisory Committee of its meeting held December 3, 2024 **(SCM 29/2025) (previously distributed)**
- 12.12. Report No. 55 of the International Relations Committee **(SCM 50/2025) (attached)**
- 12.13. Report of the special meeting of the Environment, Transportation & Public Safety Standing Committee Sitting as the Transit Windsor Board of Directors In-Camera of its meeting held January 29, 2025 **(SCM 55/2025) (attached)**

13. **BY-LAWS (First and Second Reading) (previously distributed)**
 - 13.1 **By-law 21-2025 - A BY-LAW TO AUTHORIZE THE EXECUTION OF THE TRANSFER PAYMENT AGREEMENT FOR THE GREAT LAKES PROGRAM GRANT BETWEEN THE CORPORATION OF THE CITY OF WINDSOR AND HIS MAJESTY THE KING IN RIGHT OF ONTARIO, REPRESENTED BY THE MINISTER OF THE ENVIRONMENT, CONSERVATION AND PARKS, see Item 8.1.**

- 13.2 **By-law 22-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR15/2025, dated January 13, 2025.
- 13.3 **By-law 23-2025** - A BY-LAW TO ADOPT AMENDMENT NO. 190 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR, authorized by CR17/2025, dated January 13, 2025.
- 13.4 **By-law 24-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR13/2025, dated January 13, 2025.
- 13.5 **By-law 25-2025** - A BY-LAW TO ADOPT AMENDMENT NO. 188 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR, authorized by CR14/2025, dated January 13, 2025.
- 13.6 **By-law 26-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR14/2025, dated January 13, 2025.
- 13.7 **By-law 27-2025** - A BY-LAW TO ASSUME KENT STREET FROM MALDEN ROAD TO A LINE DRAWN BETWEEN THE EASTERLY LIMITS OF LOTS 153 AND 230, REGISTERED PLAN 553, BEING SHOWN AS KENT STREET ON REGISTERED PLAN 553, IN THE CITY OF WINDSOR, authorized by M98/2012, dated February 21, 2012.
- 13.8 **By-law 28-2025** - A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 10TH DAY OF FEBRUARY, 2025.

14. **MOVE BACK INTO FORMAL SESSION**

15. **NOTICES OF MOTION**

The following will be considered at the February 10, 2025 Council meeting:

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.

[Encampments and Opioid Crisis | AMO](#)
[Homeless Encampments in Ontario: A Municipal Perspective](#)
[The Opioid Crisis: A Municipal Perspective](#)

Clerk's Notes:

1. The above-referenced notice of motion was moved and seconded and was considered by City Council at its meeting held December 9, 2024. At that meeting, Council ultimately adopted the following:

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.

Carried.

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

2. P&C Memo provided to Mayor and members of Council only.
3. The administrative report below is in response to Council's direction from December 9, 2024, as additional information:

- 7.5. AMO Reports on the Opioid Crisis & Homeless Encampments: A Municipal Perspective – City Wide **(C 28/2025)** *(previously distributed)*

Delegations:

- a) Marion Overholt, Area Resident (in person)
- b) Bilal Nasser, Area Resident (in person)
- c) Janeen Auld, Area Resident (in person)
- d) Emily Kydd, Area Resident (in person)
- e) Meg Gregoire, Area Resident (in person)
- f) George Bozanich, Area Resident (in person)

16. THIRD AND FINAL READING OF THE BY-LAWS

By-law 21-2025 through 28-2025 inclusive

17. PETITIONS

18. QUESTION PERIOD *(previously distributed)*

18.1. Summary of Outstanding Council Questions as of January 30, 2025 **(SCM 33/2025)**

18.2. Outstanding Council Directives as of January 13, 2025 **(SCM 32/2025)**

19. STATEMENTS BY MEMBERS

20. UPCOMING MEETINGS

City Council Meeting
Monday, February 24, 2025
10:00 a.m., Council Chambers

21. ADJOURNMENT



Committee Matters: SCM 57/2025

Subject: Adoption of the Windsor City Council minutes of its meeting held January 27, 2025

Special Meeting of Council –
2025 Operating & Capital Recommended Budgets

Date: Monday, January 27, 2025

Time: 12:00 o'clock p.m.

Members Present:

Mayor

Mayor 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

The Mayor calls the meeting to order at 12:05 o'clock p.m.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Councillor Fred Francis discloses an interest and abstains from voting on Item 11.4 being “ Asylum Claimants and Interim Housing Assistance Program (IHAP) Funding Update – City Wide,” as the matter relates to his employer.

4. ADOPTION OF THE MINUTES

4.1. Adoption of the Windsor City Council minutes of its meeting held January 13, 2025.

Moved by: Councillor Fabio Costante

Seconded by: Councillor Fred Francis

That the minutes of the Meeting of Council held January 13, 2025, **BE ADOPTED** as presented.
Carried.

Report Number: SCM 31/2025

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Jo-Anne Gignac

Seconded by: Councillor Gary Kaschak

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 15-2025 through 20-2025 (inclusive)

Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

7.1. Correspondence for Monday, January 27, 2025

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Kieran McKenzie

Decision Number: B2/2025

That the following Communication Items 7.1.1 through 7.1.7 as set forth in the Council Agenda **BE REFERRED** as noted:

No.	Sender	Subject
7.1.1	Dillon Consulting	Notice of Completion of the Environmental Project Report for the East End Transit Terminal. EI/14921 NOTE & FILE
7.1.2	City Planner / Executive Director	Application for Official Plan Amendment and Zoning Amendment, Rock Developments East Windsor, 0 Catherine Street, 6412 & 6560 Tecumseh Road East, to allow for the construction of a one-storey commercial building and gas bar. Z/14911 & Z/14912 NOTE & FILE
7.1.3	City Planner / Executive Director	Application for Official Plan Amendment and Zoning Amendment, Dardevco Inc., 0 North Service Road, to permit self-storage units on a parcel that has no available full municipal infrastructure. Z/14865 & Z/14913 NOTE & FILE
7.1.4	City Planner / Executive Director	Application for Zoning By-Law Amendment, 2652184 Ontario Ltd., (Imad Najjar), 1110 Tecumseh Road East, to permit a multiple dwelling as an additional permitted use. Z/14916 NOTE & FILE
7.1.5	City Planner / Executive Director	Application for Official Plan Amendment and Zoning Amendment, Lakefront Heights Inc., 0 Wyandotte Street East, to permit the construction of two multiple-dwelling residential towers and eighteen attached townhome-style units. Z/14914 & Z/14915 NOTE & FILE
7.1.6	City Planner / Executive Director	Application for Zoning By-Law Amendment, Home Discovery Group, 3161 Jefferson Boulevard, to

No.	Sender	Subject
		allow a three-storey residential dwelling. Z/14917 NOTE & FILE
7.1.7	Committee of Adjustment	Applications to be heard by the Committee of Adjustment/Consent Authority, Thursday, January 30, 2025. Z2025 NOTE & FILE

Carried.

Report Number: CMC 2/2025

8. CONSENT AGENDA

10.3. Essex-Windsor Solid Waste Authority (EWSWA) 2025 Budget

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

Decision Number: B5/2025

That City Council **APPROVE** the Essex-Windsor Solid Waste Authority 2025 budget, attached as Appendix A.

Carried.

Report Number: C 1/2025
Clerk's File: SW/14547

10.5. WPL 2025 Annual Reserve Fund Expenditure Plan & List of Donations and Bequests received in 2024 - WPL Board

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

Decision Number: B7/2025

That Council **RECEIVE FOR INFORMATION** this report entitled "2025 Annual Reserve Fund Expenditure Plan & List of Donations and Requests received in 2024 - Windsor Public Library Board".

Carried.

Report Number: CM 14/2024
Clerk's File: ML/10013 & AF/14854

10.7. Options for Dog Licencing and Registration - City Wide

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

Decision Number: B9/2025

That Council **RECEIVE** the report of the Manager of Licensing & Enforcement and Deputy Licence Commissioner dated January 7, 2025, entitled "Options for Dog Licensing & Registration"; and,

That Council **DIRECT** Administration **TO MAINTAIN** the status quo as it relates to the City's current dog licence and registration program for 2025; and further,

That Council **DIRECT** Administration **TO IMPLEMENT** a voluntary dog licensing program and education campaign, along with a mandatory registry for dogs that have bitten or attacked to commence the 2026 registration period; and further,

That Council **DIRECT** Administration **TO AMEND** Bylaw No. 245-2004, The City's dog control and registration by-law to reflect these changes.

Carried.

Report Number: C 3/2025
Clerk's File: ACLD/13154 and AF/14854

10.8. Results of the Minutes of Settlement for the Centralized Appeals for Banner Stores in Windsor - City Wide

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

Decision Number: B10/2025

That City Council **RECEIVE** for information, the results of the Minutes of Settlement for the Centralized Assessment Appeals for Banner Stores in Windsor as required per CR 334/2016 (Report S 76/2016); and further,

That City Council **RECEIVE** for information, the status of all Assessment Appeals filed with the Assessment Review Board (ARB).

Carried.

Report Number: C 152/2024
Clerk's File: AF/14854

10.10. Response to CQ 24-2023 Regarding Minimum Standards, Vendor Warranties, and Construction Policies for Road Repair, Sewer Infrastructure, and Road Rehab Projects - City Wide

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

Decision Number: B12/2025 CR235/2024 ETPS 995

That the report of the Commissioner of Infrastructure Services dated November 10, 2023, entitled "Response to CQ 24-2023 Regarding Minimum Standards, Vendor Warranties, and Construction Policies for Road Repair, Sewer Infrastructure, and Road Rehab Projects - City Wide" **BE RECEIVED** for information and discussion; and,

That administration **BE REQUESTED** to conduct a thorough review of the 2025/2026 projects to determine whether there may be an opportunity to adopt an expedited schedule, including working off hours and weekends, especially on the main thoroughfares.

Carried.

Report Number: S 44/2024 SCM 111/2024
Clerk's File: SW2024

10.11. Response to CQ 12-2023: Public conduct policy and security screening options for City Hall and other municipal facilities - City-wide

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

Decision Number: B13/2025 CR391/2024

That City Council **RECEIVE** Report S 86/2024, "Response to CQ 12-2023: Public conduct policy and security screening options for City Hall and other municipal facilities," for information.

Carried.

Report Number: S 86/2024
Clerk's File: ACO2024

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

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

Decision Number: B14/2025 CR472/2024 CR415/2024 CSSC 256

That the report of the Manager, Community Programming and Development dated August 16, 2024, entitled “Response to CQ 13-2024, CQ 16-2024 and CQ 30-2024- Pickleball & Squash Courts within the City - City Wide” **BE RECEIVED** for information.
Carried.

Report Number: SCM 267/2024 & S 108/2024
Clerk’s File: SR2024

9. REQUESTS FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

DELEGATIONS

10.9. Mayoral Direction MD 43-2024 – Hybrid Work Program & Procedure Research & Report

Patrick Murchison, President, CUPE 543

Patrick Murchison, President, CUPE 543 appears before City Council and expresses concern with the administrative recommendation in the report dated January 10, 2025, entitled “Mayoral Direction MD 43-2024 – Hybrid Work Program & Procedure Research & Report”; and highlights issues with employee retention, work-life balance, and mental health and concludes by requesting that Council consider maintaining the current hybrid model.

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Angelo Marignani

That the report of the Chief Administrative Officer dated, January 10, 2025, entitled, “Mayoral Direction MD 43-2024 – Hybrid Work Program & Procedure Research & Report” BE DENIED and further,

That the existing Hybrid Work Program REMAIN in effect without change.

The motion is **put** and is **lost**.

Aye votes: Councillor Kieran McKenzie

Nay votes: Councillors Angelo Marignani, Ed Sleiman, Fabio Costante, Fred Francis, Gary Kaschak, Jim Morrison, Jo-Anne Gignac, Mark Mckenzie , and Renaldo Agostino.

Moved by: Councillor Jo-Anne Gignac
Seconded by: Councillor Renaldo Agostino

Decision Number: B11/2025

That the report of the Chief Administrative Officer dated, January 10, 2025, entitled, “Mayoral Direction MD 43-2024 – Hybrid Work Program & Procedure Research & Report” amending the Corporation’s Hybrid Work Program & Procedure, pursuant to Mayoral Direction MD 43-2024 **BE RECEIVED**; and further,

That in accordance with Mayoral Direction MD 43-2024:

That Council **DIRECT** the Chief Administrative Officer to prescribe a minimum requirement of 4 anchor days in office, indicating that no employee can work from home more than 1 day per week, per the existing Hybrid Work Program & Procedure; and further,

That should Council direct a change in the Hybrid Work Program & Procedure and all related documentation, that Administration **BE DIRECTED** to make such changes within 8 weeks to allow for a transition period; and further,

That Administration **BE DIRECTED** to report back to Council annually on the impact of the change to the Hybrid Work Program & Procedure moving forward.

Carried.

Councillor Kieran Mckenzie voting nay.

Report Number: C 8/2025

Clerk’s File: AS2025

11.4. Asylum Claimants and Interim Housing Assistance Program (IHAP) Funding Update – City Wide

Mike Morency, Executive Director, Matthew House Refugee Welcome Centre

Mike Morency, Executive Director, Matthew House Refugee Welcome Centre appears before City Council regarding the administrative report dated January 10, 2025, entitled “Asylum Claimants and Interim Housing Assistance Program (IHAP) Funding Update – City Wide” and highlights Matthew House’s contribution to the community; proposes a partnership with the City of Windsor in applying to Immigration, Refugees, Citizenship Canada’s Interim Housing Assistance Program to facilitate expansion of its proven and cost-effective model of housing and empowering refugee claimants.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

That the report of the Manager, Social Policy and Planning dated January 10, 2025, entitled “Asylum Claimants and Interim Housing Assistance Program (IHAP) Funding Update-City wide” **BE RECEIVED** for information; and,

That Council **APPROVE** the recommendation that the City of Windsor does not apply for the Interim Housing Assistance Program (IHAP) funding for the period of 2025 to 2027 due to the requirements for municipal cost-sharing and the lack of ongoing federal funding after 2027; and,

That the Mayor and Council **WRITE** a letter to the federal Minister of Immigration, Refugee, Citizen Canada (IRCC) **TO ADVOCATE** for long-term federal funding to support asylum claimants' settlement into Canada, including assistance with their immediate housing needs, without the requirement for municipal cost-sharing; and,

That administration **BE DIRECTED** to engage with the Province to support Interim Housing Assistance Program (IHAP) applications moving forward.

The motion is **put** and is **lost**, due to an equality of votes.

At the request of Councillor Jo-Anne Gignac a recorded vote is taken on this matter.

Aye votes: Councillors Renaldo Agostino, Jim Morrison, Keiran McKenzie, Fabio Costante and Gary Kaschak.

Nay votes: Councillors Angelo Marignani, Jo-Anne Gignac, Mark McKenzie, Ed Sleiman and Mayor Drew Dilkens.

Abstain: Councillor Fred Francis discloses an interest and abstains from voting on this matter.

Absent: None.

Moved by: Councillor Jo-Anne Gignac

Seconded by: Councillor Angelo Marignani

Decision Number: B18/2025

That the report of the Manager, Social Policy and Planning dated January 10, 2025, entitled "Asylum Claimants and Interim Housing Assistance Program (IHAP) Funding Update-City wide" **BE RECEIVED** for information; and,

That Council **APPROVE** the recommendation that the City of Windsor does not apply for the Interim Housing Assistance Program (IHAP) funding for the period of 2025 to 2027 due to the requirements for municipal cost-sharing and the lack of ongoing federal funding after 2027; and,

That the Mayor and Council **WRITE** a letter to the federal Minister of Immigration, Refugee, Citizen Canada (IRCC) **TO ADVOCATE** for long-term federal funding to support asylum claimants' settlement into Canada, including assistance with their immediate housing needs, without the requirement for municipal cost-sharing.

Carried.

Report Number: C 9/2025

Clerk's File: GF/14750

11.3. Sandpoint Beach – Approval of the Master Plan – Ward 7

Rosanna DeMarco, area resident

Rosanna DeMarco, area resident appears before City Council regarding the administrative report dated December 16, 2024, entitled "Sandpoint Beach – Approval of the Masterplan – Ward 7," and

speaks in support of the administrative recommendation and concludes by suggesting opportunities for cost savings by amending the master plan, details the potential for community programming on site, sale of concessions, local water quality monitoring with the University of Windsor and improved maintenance of the site for greater usability.

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

Decision Number: B17/2025 CR32/2025

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; and further,

That administration **BE DIRECTED** to implement the Sandpoint Beach Master Plan in three major phases: relocation, trees, and amenities; and further,

That administration **BE DIRECTED** to investigate grant, sponsorship, and partnership opportunities with alternative funding sources.
Carried.

Report Number: C 166/2024
Clerk's File: SR/14130

REGULAR BUSINESS ITEMS

10.4. 2025 Stormwater and Wastewater Budget - City Wide

Moved by: Councillor Jo-Anne Gignac
Seconded by: Councillor Mark McKenzie

Decision Number: B6/2025

That City Council **ENDORSE** the 2025 recommended Stormwater and Wastewater budget which is reflective of the Stormwater and Wastewater rates previously approved by Council (C130/2024), subject to any further amendments that have been proposed by City Council and are considered approved; and further,

That administration **BE REQUESTED** to bring forward during the next round of discussions with the municipalities that share in these services, a goal of having equal contributions towards the required infrastructure.
Carried.

Report Number: C 2/2025
Clerk's File: AF/14854

10.6. Municipal Accommodation Tax Program Update (City Wide)

Moved by: Councillor Jo-Anne Gignac

Seconded by: Councillor Angelo Marignani

Decision Number: B8/2025

That City Council **APPROVE** an increase in the Municipal Accommodation Tax from four percent (4%) to six percent (6%), effective April 1, 2025, on the purchase of accommodation(s) for continuous stays of thirty (30) days or fewer; and,

That the corresponding increase in Municipal Accommodation Tax revenue **BE DISTRIBUTED** equally between the City of Windsor and Tourism Windsor Essex Pelee Island, with the City of Windsor portion being transferred to the Tourism Development Infrastructure and Program Reserve Fund; and,

That the agreement between the City of Windsor and the Tourism Windsor Essex Pelee Island **BE AMENDED**:

1. To remove the annual minimum core operating budget funding of \$923,300;
2. To require that Tourism Windsor Essex and Pelee Island establish an operating reserve to sustain future operations; and,

That agreements between the City of Windsor and short-term rental companies acting as agents to collect Municipal Accommodation tax from all registered operators associated with the company **BE AMENDED** for the change in rate from four percent (4%) to six percent (6%), effective April 1, 2025, satisfactory in form to the City Solicitor and technical and financial content to the City Treasurer; and,

That the remaining approved commitments for additional funding for City of Windsor focused initiatives of \$175,000 per year for 2025 and 2026 **BE FUNDED** from the Tourism Development Infrastructure and Program Reserve Fund; and,

That the CAO **BE AUTHORIZED** to approve requests for funding by Administration for projects or initiatives that primarily benefit tourism in the City of Windsor to be funded from the Tourism Development Infrastructure and Program Reserve Fund; and,

Where amounts approved by the CAO exceed \$150,000 **THAT** said approval **BE REPORTED** annually to City Council as part of the year-end operating report; and,

That the Chief Administrative Officer and the City Clerk be **AUTHORIZED** to sign an agreement with Tourism Windsor Essex and Pelee Island relating to Municipal Accommodation Tax, and with the short-term rental companies acting as agents to collect Municipal Accommodation Tax, satisfactory in form the City Solicitor and technical and financial content to the satisfaction of the City Treasurer; and,

That the City Solicitor **BE AUTHORIZED** to update the Municipal Accommodation Tax By-law.
Carried.

Councillor Fred Francis voting nay.

Report Number: C 138/2024
Clerk's File: AF/14854

Presentations

10.1. 2025 Operating Budget Report - City Wide

10.2. 2025 10-Year Recommended Capital Budget - City Wide

Janice Guthrie, Commissioner, Finance & City Treasurer

Janice Guthrie Commissioner, Finance & City Treasurer appears before City Council regarding the administrative report dated January 9, 2025, entitled "2025 Operating Budget Report - City Wide" and provides a brief overview of the 2025 City of Windsor Budget including the 2025 Operating & Capital Budget Process; City of Windsor Financial Snapshot; City of Windsor Bond Rating – 1988 – 2024; Prudent Debt Management; Projected Debt to Financial Assets Ratio for 2025 and 2029; Increasing Reserves, Opening values as at January 1st ; Reserves as a percentage of Taxation; 2017- 2025 municipal net growth analysis – combined effects and future growth projections; Inflationary Pressures including Cumulative Tax Levy Increase vs. Cumulative CPI Increase; Actual Municipal Inflationary Pressures, Blended Consumer Price Index & Building Construction Price; Index Rates; 2010 – 2024 Property Tax Collections; 2025 Preliminary Budget Pressures; Details regarding the 2025 Finance Committees including the Corporate & Community Services Committee; the Economic Development & Engineering Committee; and the Finance & Social Services Committee; 2025 Recommended Operating Budget Changes; Municipal Tax Levy Remains Below Consumer Price Index (CPI)' 2025 Municipal Levy Increases – Compared to Windsor; 2025 Recommended Municipal Gross Operating Expenditures by Function including Gross Budget: \$1.12 Billion; 2025 Budget Overview – City Departments, \$24.2 Million – Expenditure Increases / Revenue Decreases (in millions), \$27.7 Million – Expenditure Decreases / Revenue Increases (in millions); Budget Overview – ABC's; 2025 Operating Budget Staffing Impacts, Staffing Impact Highlights; 2025 User Fees including Noteworthy Changes; 2025 Budget Risks including Provincial Changes to Grants, Collective Bargaining, Fuel Related Costs, Pension Funding, Winter Control, Utility Costs, Insurance Costs, Inflationary Pressures, Provincial & Federal Programs, Provisional Items; 2025 Operating Budget Issues Requiring One-Time Funding, Budget Stabilization Reserve and Energy Reserve; 2025 Capital Budget including Investment, Growth and Sustainability; 2025 Capital Budget Recommended 10-Year Plan Approximately \$2.24 Billion; 2025 Capital Budget Spending for 2016 – 2025; 2025 Capital Budget – Major Investments details of a Project List; 2025 Capital Budget – Growth; Project List; The Capital Plan & Other Planning Documents Inform Development Charges; What are Development Charges; 2025 Development Charges Study; Completed to Date; In Process and Next Steps; Impact of Grant Funding – Since Asset Planning Began Pursuing Grants in 2017 including Pursued, Awarded and Pending; 2025 Capital Budget – Sustainability ; Corporate Asset Management, Asset Inventory,

Condition Assessment, Lifecycle Maintenance Strategies, Risk Management, Levels of Service/ KPIs, Asset Optimization; and concludes by providing details regarding the impact of the Asset Management Plan (AMP) for 2024, 2025 and Ongoing.

10.13. Additional Information Memo to Budget Issue # 2025-0121 - 2025 Transit Windsor Service Plan - City Wide

Jelena Payne, Commissioner, Economic Development & Stephan Habrun, Acting Executive Director, Transit Windsor

Jelena Payne Commissioner, Economic Development and Stephan Habrun, Acting Executive Director, Transit Windsor appear before City Council regarding the administrative report dated January 21, 2025, entitled “Additional Information Memo to Budget Issue # 2025-0121 -2025 Transit Windsor Service Plan - City Wide” and provide a brief overview of the 2025 Service Plan & School Extras including; Historical Context; Identified Issues; Indirect routing, infrequent service, disconnected terminals; Several areas without service; Transit Master Plan structure including Grid Route, Connect key destinations, Focus routes on community connections, Supplement grid routes; Research, Ontario Student Transportation Delivery Model – 2017; School Board Requirements, Current transit system; 2025 Transit Service Plan including the addition of 14,951 service hours, Fixed public transit routes for Southwood Lakes & Devonshire Heights, details regarding the Dougall 6 – Route 205, South Windsor 7 – Route 240, Walkerville 8 – Route 135, Parent 14 – Route 315, Dominion 5 – Route 115; Comprehensive Analysis, School Extra Sample Map; and concludes by providing some final thoughts related to creating a more efficient and accessible network for all residents; Shift focus to address needs of the wider community; System-wide improvements to benefit all transit users; Maximize taxpayer dollars to provide better transit service; and Administration is committed to working with school boards on a transition plan.

Report Number: C 19/2025

2025 Operating Budget Binder Items

Reference # F 173

Issue Reference # 2025-0121

2025 Transit Windsor Service Plan

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

That with regard to “Transit Windsor Service Plan, Changes to the transit network to streamline routes, reduce travel time and increase efficiency” that the elimination of School Bus Extras BE NOT APPROVED; and,

That administration BE DIRECTED to meet with the local school boards to determine other possible options for efficiencies for Council’s consideration; and,

That Administration BE DIRECTED to report back to the Environment, Transportation and Public Safety Standing Committee sitting as the Transit Windsor Board of Directors and then to Council, by the end of the current school year with their findings.

The motion is **put** and is **lost**.

At the request of Councillor Fred Francis a recorded vote is requested.

Aye votes: Councillors Fred Francis, Angelo Marignani, Kieran McKenzie, and Gary Kaschak.

Nay votes: Councillors Jo-Anne Gignac, Renaldo Agostino, Jim Morrison, Fabio Costante, Mark McKenzie, Ed Sleiman, and Mayor Drew Dilkens.

Abstain: None.

Absent: None.

Clerk's File: MT/13708

Reference # C 62

Issue Reference # 2025-0227

Public Works—Parking Fee Adjustments for Parking Lots, Meters, and Garages

Mayor Drew Dilkens leaves the meeting at 3:49 o'clock p.m. and Councillor Mark McKenzie assumes the chair.

Mayor Drew Dilkens returns to the meeting at 3:58 o'clock p.m. and Councillor Mark McKenzie returns to his seat at the Council Table.

Moved by: Councillor Gary Kaschak

Seconded by: Councillor Mark McKenzie

Decision Number: B20/2025

That with regard to the 'Parking Fee Adjustments for Parking Lots, Meters, and Garages,' the enforcement period for parking meters **BE APPROVED** to extend from 6:00 p.m. to 7:00 p.m., rather than 6:00 p.m. to 9:00 p.m., resulting in a projected savings of \$537,910 as opposed to \$807,910.

Carried.

Aye votes: Councillors Renaldo Agostino, Mark Mckenzie, Jo-Anne Gignac, Kieran Mckenzie and Mayor Drew Dilkens.

Nay votes: Councillors Fred Francis, Fabio Costante, Jim Morrison, Angelo Marignani, and Ed Sleiman.

Clerk's File: ST2025

Reference # D 140

Issue Reference # 2025-0369

Elimination of Tunnel Bus/Special Events Service

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

Decision Number: B21/2025

That with regard to the proposed “Elimination of Tunnel Bus/Special Events Service,” that the one-way fare for special events and regular tunnel bus service **BE INCREASED** to \$20.00 per person each way; and,

That funding in the amount of \$791,300 **BE APPROVED** and **BE FUNDED** through the 2025 tax levy.

Carried.

At the request of Councillor Jo-Anne Gignac a recorded vote is requested.

Aye votes: Councillors Angelo Marignani, Renaldo Agostino, Jim Morrison, Fabio Costante, Kieran McKenzie, Gary Kaschak, and Fred Francis.

Nay votes: Councillors Jo-Anne Gignac, Mark McKenzie, Ed Sleiman and Mayor Drew Dilkens.

Absent: none.

Abstain: none.

Clerk’s File: MT/13708

Reference # C 102

Issue Reference # 2025-0071

Public Works—Increase Parking Ticket Fines

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

Decision Number: B22/2025

That with regards to “Increase Parking Ticket Fines “ that all proposed increases range from 11% to 12% **BE APPROVED** as opposed to the proposed 10% to 11%, with an increased estimated savings to the tax levy of \$25,269.00.

Carried.

Clerk’s File: ST2025

10.1. 2025 Operating Budget Report - City Wide

Moved by: Councillor Jim Morrison
Seconded by: Councillor Jo-Anne Gignac

Decision Number: B3/2025

That City Council **ENDORSE** the 2025 recommended operating budget which is reflective of a proposed overall levy increase of 3.15%, subject to any further amendments that have been proposed by City Council and are considered approved; and,

That one-time funding estimated at \$6,349,013 **BE APPROVED** from the specific Reserve Funds as detailed in this report, subject to any further amendments that have been proposed by City Council are considered approved; and,

That Council **APPROVE** the required transfers to and from various funds which have been identified and included in the 2025 Recommended Budget; subject to any further amendments that have been proposed by City Council and are considered approved; and,

That the CFO & City Treasurer **BE AUTHORIZED** to process budget adjustments during the fiscal year, which do not change the overall approved property tax levy; and,

That the 2025 Schedule of Fees detailed in the budget report, Appendix D: 2025 User Fee Schedule, **BE APPROVED** as amended reflecting the corrected fees listed on page 124 – 125 and 129; and,

That the Fees & Charges Bylaw of record **BE AMENDED** to reflect the 2025 Schedule of Fees as amended; and,

That the additional information memo dated January 21, 2025, to Budget Issue # 2025-0121 - 2025 Transit Windsor Service Plan - City Wide **BE RECEIVED** for information.
Carried.

Report Number: AI 4/2025
Clerk's File: AF/14854

10.2. 2025 10-Year Recommended Capital Budget - City Wide

Moved by: Councillor Jim Morrison
Seconded by: Councillor Jo-Anne Gignac

Decision Number: B4/2025

That City Council **ENDORSE** the 2025 10-Year Capital Budget documents reflective of \$2,244,646,597 in total funding; subject to any further amendments that have been proposed by City Council and are considered approved; and,

That City Council **APPROVE** the recommended allocation of the 2025 available funding, inclusive of funding required for pre-commitments and placeholders for capital projects totalling \$312,748,483; subject to any further amendments that have been proposed by City Council and are considered approved; and,

That City Council **APPROVE IN PRINCIPLE** the recommended allocation of the 2026 through 2034 available funding for capital projects totalling \$1,931,898,114; subject to any further amendments that have been proposed by City Council and are considered approved; and,

That City Council **APPROVE** the reallocation of funding sources for previously approved pre-committed funding, as well as the pre-commitment of additional funding for the 2025 through 2029 funding years, as identified in the applicable individual project summaries provided as part of the 2025 10-Year Capital Budget documents, and that these funds be made available for immediate use; subject to any further amendments that have been proposed by City Council and are considered approved; and,

That with regards to Budget Issue #2025-0121 – 2025 Transit Windsor Service Plan, that That \$125,000 in capital funding for the installation of bus stop signs related to the 2025 Transit Windsor Service Plan **BE FUNDED** from Fund 1741 – Transit Windsor Growth Initiatives; and,

That Administration **BE DIRECTED** to report back to Council with a comprehensive financing strategy, inclusive of opportunities and risks, prior to award of tender for the following major growth and development works:

- Lauzon Parkway/Cabana Rd. East (formerly CR42)
- Lauzon Parkway Extension to 401
- Airport Employment Lands Servicing
- Banwell/EC Row Interchange and Banwell Corridor Improvements
- East Riverside Planning District Improvements
- Forest Glade North Secondary Plan Servicing Requirements; and

That the CFO & City Treasurer **BE AUTHORIZED** to process in-year adjustments to projects approved in the 2025 10-Year Recommended Capital Budget where those funding adjustments do not impact the overall individual project budgets or the total approved 2025 capital funding.

Carried.

Report Number: C 163/2024
Clerk's File: AF/14854

Moved by: Councillor Jim Morrison
Seconded by: Councillor Jo-Anne Gignac

Decision Number: B19/2025

That the 30-day budget amendment period prescribed in Ontario Regulation 530/22 Section 7 (3) for the 2025 Recommended Operating and Capital Budgets **BE SHORTENED** and the final day for amendments be January 27, 2025.

Carried.

Councillor Kieran Mckenzie voting nay

Clerk's File: AF/14854

REGULAR BUSINESS ITEMS

11.1. Proposed Expropriation of Various Lands for Forest Glade North Secondary Plan Area Road Network Improvements - Ward 8

Moved by: Councillor Jo-Anne Gignac

Seconded by: Councillor Angelo Marignani

Decision Number: B15/2025

- I. That City Council, as approving authority under the *Expropriations Act* (the "Act") **APPROVE** the expropriation of the fee simple interests of the properties described in Appendix "A" attached hereto, for the purposes of the Forest Glade North Secondary Plan Area Road Network Improvements;
- II. That City Council **PASS** By-law 18-2025 at this meeting of Council.

Carried.

Report Number: C 6/2025

Clerk's File: APM2025

11.2. Proposed Expropriation of Various Lands Required for the Banwell Road Infrastructure Improvement Project - Ward 9

Moved by: Councillor Jo-Anne Gignac

Seconded by: Councillor Ed Sleiman

Decision Number: B16/2025

- I. That City Council, as approving authority under the *Expropriations Act* (the "Act") **APPROVE** the expropriation of the fee simple interests of the properties described in Appendix "A" attached hereto, for the purposes of the Banwell Road Infrastructure Improvement Project / EC Row / Banwell Interchange;
- II. That City Council **PASS** By-Law 19-2025 at this meeting of Council.

Carried.

Report Number: C 7/2025

Clerk's File: SW/9581

12. CONSIDERATION OF COMMITTEE REPORTS

12.2. Report of the Special Meeting of Council - In-Camera of its Meeting Held January 13, 2025

Moved by: Councillor Fabio Costante
Seconded by: Councillor Fred Francis

Decision Number: CR38/2025

That the report of the Special In-Camera meeting held January 13, 2025, **BE ADOPTED** as presented.

Report Number: SCM 30/2025

Clerk's File: ACO2025

12.3. Report of the Special Meeting of Council - In-Camera of its Meeting Held January 27, 2025

Moved by: Councillor Fabio Costante
Seconded by: Councillor Fred Francis

Decision Number: B1/2025

That the report of the Special In-Camera meeting held January 27, 2025, **BE ADOPTED** as presented.

Clerk's File: ACO2025

13. BY-LAWS (First and Second Readings)

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

That the following By-laws No. 15-2025 through 20-2025 (inclusive) be introduced and read a first and second time:

- 13.1. **By-law 15-2025** - A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR 506/2024, dated November 25, 2024.
- 13.2. **By-law 16-2025** - A BY-LAW TO ASSUME ROXBOROUGH BOULEVARD FROM NORTHWOOD STREET TO E.C. ROW EXPRESSWAY, BEING STREETS SHOWN ON PLAN OF SUBDIVISION 1196 KNOWN AS ROXBOROUGH BOULEVARD, IN THE CITY OF WINDSOR, authorized by M98-2012, dated February 21, 2012.

- 13.3. **By-law 17-2025** - A BY-LAW TO ASSUME ST. JUDE COURT EAST OF LOCKE STREET, BEING A STREET SHOWN ON PLAN 12M675 KNOWN AS ST. JUDE COURT, IN THE CITY OF WINDSOR, authorized by M98-2012, dated February 21, 2012.
- 13.4. **By-law 18-2025** - A BY-LAW TO EXPROPRIATE CERTAIN LANDS IN CONNECTION WITH THE FOREST GLADE NORTH SECONDARY PLAN AREA ROAD NETWORK IMPROVEMENTS, see Item 11.1.
- 13.5. **By-law 19-2025** - A BY-LAW TO EXPROPRIATE CERTAIN LANDS IN CONNECTION WITH THE BANWELL ROAD INFRASTRUCTURE IMPROVEMENT PROJECT / EC ROW/BANWELL INTERCHANGE, see Item 11.2.
- 13.6. **By-law 20-2025** - A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS SPECIAL MEETING HELD ON THE 27TH DAY OF JANUARY, 2025.

Carried.

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Kieran McKenzie

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

- 1) Communication Items (as presented)
- 2) Consent Agenda (as amended)
- 3) Items Deferred Items Referred
- 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.

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Jim Morrison

That the By-laws No. 15-2025 through 20-2025 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.

21. ADJOURNMENT

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

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

Accordingly, the meeting is adjourned at 6:03 o'clock p.m.

Mayor

City Clerk

Adopted by Council at its meeting held January 13, 2025 (B1/2025)

SV/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA
January 13, 2025**

Meeting called to order at: 4:00 p.m.

Members in Attendance:

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

Also in attendance:

Joe Mancina, Chief Administrative Officer
Andrew Daher, Commissioner, Human and Health Services
David Simpson, Commissioner of Infrastructure Services/City Engineer
Janice Guthrie, Commissioner of Finance/City Treasurer
Ray Mensour, Commissioner Community and Corporate Services
Jelena Payne, Commissioner Economic Development
Steve Vlachodimos, City Clerk (leaves at 4:25 p.m.)
Anna Ciacelli, Deputy Clerk
Sandra Gebauer, Council Assistant
Wira Vendrasco, City Solicitor
Dana Paladino, Acting Senior Executive Director Corporate Services
Michael Chantler, Acting Senior Executive Director Community Services
Christopher Menard, Acting Mayor's Chief of Staff
James Chacko, Executive Director Parks, Recreation, Facilities (Item 2)
Tony Ardivini, Deputy Treasurer Financial Planning (Item 3)
Dave Soave, Manager Strategic Operating Budget (Item 3)
Natasha Gabbana, Senior Manager Asset Planning (Item 3)

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

Item No.	Subject & Section - Pursuant to <i>Municipal Act, 2001</i>, as amended
1	Property matter – lease amendment, Section 239(2)(c)
2	Plan/property matter – negotiations, Section 239(2)(k)
3	Personal/legal matters – in-camera discussion/questions re budget issues – VERBAL, Section 239(2)(b)(d)(e)(f)(k)

Motion Carried.

Declarations of Pecuniary Interest:

Councillor Fred Francis discloses an interest and abstains from voting on Item 3 (Line 60 of the budget) as a family member is an employee of the subject organization.

Discussion on the items of business.

**Verbal Motion is presented by Councillor Mark McKenzie, seconded by Councillor Ed Sleiman,
to move back into public session.
Motion Carried.**

Moved by Councillor Jim Morrison, seconded by Councillor

Gary Kaschak,

THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held January 13, 2025 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation from the Lease Administrator, Manager of Real Estate Services, City Solicitor, Acting Senior Executive Director Corporate Services, Executive Director of Parks Recreation and Facilities, Acting Senior Executive Director of Community Services, Commissioner of Community and Corporate Services, Executive Director of Engineering/Deputy City Engineer, Commissioner of Infrastructure Services/City Engineer, Manager Strategic Capital Budget Development and Control and Commission of Finance/City Treasurer respecting a property matter – lease amendment **BE APPROVED**.

2. That the recommendation from the Executive Initiatives Coordinator Community Services, Manager Development Revenue and Financial Administration, Purchasing Manager, Executive Director Parks Recreation and Facilities, Senior Executive Director Community Services, Commissioner Corporate and Community Services, City Solicitor and Commissioner of Finance/City Treasurer respecting a plan/property matter - negotiations **BE APPROVED**.

Councillors Fred Francis and Fabio Costante voting nay

3. That the in-camera verbal discussion regarding issues related to the 2025 budget **BE RECEIVED FOR INFORMATION**.

Councillor Fred Francis discloses an interest on Line 60 of the budget and abstains from discussion and voting on this item.

Motion Carried.

**Moved by Councillor Mark McKenzie, seconded by Councillor Renaldo Agostino,
That the special meeting of council held January 13, 2025 BE ADJOURNED.
(Time: 5:04 p.m.)**

Motion Carried.

Adopted by Council at its meeting held January 27, 2025 (B1/2025)

SV/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA
January 27, 2025**

Meeting called to order at: 9:00 a.m.

Members in Attendance:

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

Also in attendance:

Joe Mancina, Chief Administrative Officer
Andrew Daher, Commissioner, Human and Health Services (Items 2 to 4)
David Simpson, Commissioner of Infrastructure Services/City Engineer
(Items 2 to 4)
Janice Guthrie, Commissioner of Finance/City Treasurer (Items 2 to 4)
Ray Mensour, Commissioner Community and Corporate Services
Jelena Payne, Commissioner Economic Development (Items 2 to 4)
Steve Vlachodimos, City Clerk
Anna Ciacelli, Deputy Clerk (Items 2 to 4)
Wira Vendrasco, City Solicitor
Dana Paladino, Acting Senior Executive Director Corporate Services
Michael Chantler, Acting Senior Executive Director Community Services
(Items 2 to 4)
Christopher Menard, Acting Mayor's Chief of Staff (Items 2 to 4)
Tony Ardovini, Deputy Treasurer Financial Planning (Items 2 to 4)
Dave Soave, Manager Strategic Operating Budget (Items 2 to 4)
Natasha Gabbana, Senior Manager Asset Planning (Items 2 to 4)
Vincenza Mihalo, Executive Director of Human Resources (Item 1)

Tom Serafimovski and David Amyot, Legal Counsel (Item 1)
Stephan Habrun, Acting Executive Director Transit Windsor (Item 4)
Kong Hem, Coordinator Administration, Transit Windsor (Item 4)
James Chacko, Executive Director Parks, Recreation and Facilities
(Item 4)

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

Item No.	Subject & Section - Pursuant to <i>Municipal Act</i>, 2001, as amended
1	Personal/legal matter – update, Section 239(2)(b)(e)(f) – VERBAL
2	Plan/financial information – negotiations, Section 239(2)(i)
3	Legal matter – litigation update, Section 239(2)(e)(f) - VERBAL
4	Personal/legal matters – in-camera discussion/questions re budget issues – VERBAL, Section 239(2)(b)(d)(e)(f)

Motion Carried.

Declarations of Pecuniary Interest:

Councillor Fred Francis discloses an interest and abstains from voting and discussion on Item 4 (Item C60 of the 2025 Operating Budget, Appendix A – Executive Summary) as it relates to a family member’s employer.

Discussion on the items of business.

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

Moved by Councillor Mark McKenzie, seconded by Councillor Gary Kaschak,

THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held January 27, 2025 directly to Council for consideration at the next Regular Meeting.

1. That the confidential verbal report from Legal Counsel regarding a personal/legal matter – update **BE RECEIVED** and further that Legal Counsel **BE AUTHORIZED TO PROCEED** on the verbal direction of Council.

Councillors Jo-Anne Gignac and Fred Francis voting nay

2. That the recommendation contained in the in-camera report from the Acting Executive Director of Transit Windsor, Commissioner of Economic Development and Commissioner of Finance/City Treasurer respecting a plan/financial information - negotiations **BE APPROVED.**

3. That the confidential verbal update from the City Solicitor and Acting Senior Executive Director of Corporate Services respecting a legal matter – litigation update **BE RECEIVED.**

4(a). That the in-camera verbal discussion regarding a personal matter, about identifiable individuals/labour relations related to the 2025 budget, Section 239(2) (b)(d) of the *Municipal Act* **BE RECEIVED** and that Administration **BE DIRECTED** to proceed in accordance with the verbal directions of Council.

THE MOTION IS PUT AND IS LOST.

Aye votes: Councillor Fred Francis

Nay votes: Councillors Jo-Anne Gignac, Fabio Costante, Mark McKenzie, Angelo Marignani, Kieran McKenzie, Ed Sleiman, Gary Kaschak, Renaldo Agostino and Mayor Drew Dilkens

4(b). That the in-camera verbal discussion regarding a personal matter, about identifiable individuals/labour relations related to the 2025 budget, Section 239(2) (b)(d) of the *Municipal Act* **BE RECEIVED** and that Administration **BE DIRECTED** to proceed in accordance with the verbal directions of Council.

Councillor Fred Francis voting nay.

4(c). That the in-camera verbal discussion regarding personal/legal matters, about identifiable individuals/labour relations/litigation/solicitor-client privilege related to the 2025 budget, Section 239(2) (b)(d)(e)(f) of the *Municipal Act* **BE RECEIVED FOR INFORMATION.**

Councillor Fred Francis discloses an interest and abstains from voting and discussion on Item C60 of the 2025 Operating Budget, Appendix A – Executive Summary

Motion Carried.

**Moved by Councillor Renaldo Agostino, seconded by Councillor
Kieran McKenzie,
That the special meeting of council held January 27, 2025 BE ADJOURNED.
(Time: 11:36 a.m.)
Motion Carried.**

COURT OF APPEAL FOR ONTARIO

CITATION: Windsor Housing Providers Inc. v. Windsor (City), 2025 ONCA 78

DATE: 20250203

DOCKET: COA-24-CV-0419

Gillese, Roberts and Sossin JJ.A.

BETWEEN

Windsor Housing Providers Inc.

Applicant (Appellant)

and

Windsor (City)

Respondent (Respondent)

Steven Pickard and Aleksa Nikolic, for the appellant

Sharon Strosberg, for the respondent

Heard: January 21, 2025

On appeal from the judgment of Justice Kelly A. Gorman of the Superior Court of Justice, dated March 25, 2024.

REASONS FOR DECISION

[1] The appellant appeals from the dismissal of its application to quash By-Law 14-2023, which was enacted by the respondent.

[2] After several years of study, including receipt of reports and consultation with stakeholders, on February 13, 2023, the Council of the City of Windsor passed the Residential Licensing By-Law 14-2023 (the “By-Law”). As stated in Council’s

Resolution CR 171/2022 passed on April 25, 2022, approving the By-Law, the residential rental licensing framework would serve as a two-year pilot study to license residential rental housing in Wards 1 and 2 out of 10 wards, after which time Administration was instructed to report back to Council on the results of the two-year pilot study. Council would then decide whether to expand the By-Law to all wards or rescind it. On May 29, 2023, Council passed several housekeeping amendments to the By-Law.

[3] The stated purpose of the By-Law is “to regulate the renting of residential premises for the purpose of protecting the health and safety of the persons residing in residential rental premises”. The By-Law intends to carry out this purpose “by ensuring that certain regulations are met, that required essentials such as plumbing, heating and water are provided”, as well as “ensuring that the residential rental premises do not create a nuisance to the surrounding properties and neighbourhood”, with the view of protecting “the residential amenity, character and stability of residential areas”.

[4] The appellant is a coalition of landlords of properties in the City of Windsor that was incorporated in 2023 to represent housing providers and their interest in the rental housing market in the City of Windsor. The appellant brought an application to quash the By-Law and, in particular, the various conditions imposed by the By-Law on landlords in the operative wards. It argued that the By-Law was enacted in bad faith, is arbitrary, and is *ultra vires* because it violates ss. 2, 6, 8,

11 and 15 of the *Canadian Charter of Rights and Freedoms* and is inconsistent with various statutes. In detailed reasons, the application judge disposed of each of the appellant's arguments and dismissed the application.

[5] The appellant repeats the same arguments on appeal, adding that the application judge failed to address certain of the issues raised or give sufficient reasons in dismissing its application.

[6] We are not persuaded that the application judge made any error.

[7] First, the appellant argues that the By-Law was arbitrary and discriminatory in imposing conditions against some but not all landlords in the City of Windsor and was therefore enacted in bad faith because: 1) the By-Law itself was permanent as it did not expressly indicate that it was a two-year pilot project; and 2) the respondent provided no rationale for targeting just Wards 1 and 2 in the By-Law.

[8] We did not call upon the respondent to respond to this argument and can dispose of it summarily.

[9] As the application judge correctly noted, a generous, deferential standard of review is to be adopted toward the decisions of municipalities: *Shell Canada Products Ltd. v. Vancouver (City)*, [1994] 1 S.C.R. 231, at p. 247, per McLachlin J. (dissenting, but not on this point); *Nanaimo (City) v. Rascal Trucking Ltd.*, 2000 SCC 13, [2000] 1 S.C.R. 342, at paras. 35-37;

Equity Waste Management of Canada v. Panorama Investment Group Ltd. (1997), 35 O.R. (3d) 321 (C.A.), at pp. 339-340. A municipality has broad by-law-making authority to enable it “to govern its affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues”: *Municipal Act, 2001*, S.O. 2001, c. 25 s. 8(1). Therefore, a municipality may make by-laws respecting a wide variety of matters, including the health, safety and well-being of persons and the protection of persons and property: *Municipal Act, 2001*, S.O. 2001, c. 25, ss. 8(1), 10, 11; *2211266 Ontario Inc. (Gentlemen’s Club) v. Brantford (City)*, 2013 ONCA 300, 307 O.A.C. 34, at paras. 8-11.

[10] The application judge properly considered the question of whether the powers of Council were exercised in good faith in the interest of the public without arbitrary or unfair conduct and with the degree of fairness, openness and impartiality required of a municipal government: *Equity Waste Management of Canada*, at p. 340. She concluded, correctly in our view, that the By-Law was clearly passed in good faith for its stated purposes which were within the respondent’s jurisdiction to enact for the good of its residents, including how to roll out its pilot project. As the application judge found, there was no evidence to support the appellant’s suggestion that the pilot project improperly targeted student housing.

[11] Moreover, the appellant’s submission that the interpretation of the By-Law should be divorced from the respondent’s actions and specified intentions leading

up to its enactment, including its resolution that states this is a pilot project, runs counter to well-established principle that the interpretation of by-laws must be contextual. As the Supreme Court instructed in *United Taxi Drivers' Fellowship of Southern Alberta v. Calgary (City)*, 2004 SCC 19, [2004] 1 S.C.R., at para. 8:

A broad and purposive approach to the interpretation of municipal legislation is also consistent with this Court's approach to statutory interpretation generally. The contextual approach requires "the words of an Act...to be read in their entire context and in their grammatical and ordinary sense harmoniously with the scheme of the Act, the object of the Act, and the intention of Parliament". [Citations omitted.]

[12] Second, the appellant argues that the By-Law was *ultra vires* the respondent because it is constitutionally infirm and infringes a number of statutes. We disagree.

[13] As we explain, none of the impugned provisions breaches the *Charter* or is inconsistent with provincial legislation. We note further that by-laws should be read as consistent with federal and provincial legislation unless obeying one necessarily means disobeying the other: *Croplife Canada v. Toronto (City)* (2005), 75 O.R. (3d) 357 (C.A.), at para. 63, leave to appeal refused, [2005] S.C.C.A. No. 329; *R. v. Pahal*, 2023 ONCA 13, at para. 46.

[14] First, the marketing provisions under s. 4.3 of the By-Law do not violate the freedom of expression rights guaranteed under s. 2(b) of the *Charter*. We disagree that the application judge failed to address the argument as submitted before her.

The appellant argued that the By-Law restricted the location of marketing rental units and the application judge rightly observed that the May 2023 amendments to the By-Law removed any restriction with respect to where or how a property can be marketed. The appellant argues on appeal that the remaining provisions of ss. 4.2 and 4.3 of the By-Law unlawfully restrict marketing to licensees. The appellant's argument is not borne out by the plain wording of ss. 4.2 and 4.3 of the By-Law that permit the licensee to allow anyone to market the property.

[15] Second, the By-Law does not allow for unlawful entry that breaches s. 8 of the *Charter* or that exceeds a landlord's right of entry permitted by the *Residential Tenancies Act, 2006*, S.O. 2006, c. 17 ("RTA") or the *Building Code Act, 1992*, S.O. 1992, c. 23. Specifically, as the application judge correctly stated, ss. 9.8 and 9.9 of the By-Law only permit entry of officers onto the property, but not into any dwelling, for the purpose of inspection, and not search and seizure, except with the permission of the resident, upon notice having been given to the tenant pursuant to the RTA, or with a duly obtained warrant.

[16] Third, the By-Law does not interfere with a tenant's right to sublet premises in accordance with the RTA by requiring a tenant to obtain a licence before it can sublet. There is nothing in the By-Law that interferes with a tenant's right to sublet in accordance with the provisions of the RTA. The definitions of "Operate", "Operator" and "Tenant" do not refer to or interfere with a tenant's right to sublet under the RTA. The By-Law defines these terms as follows:

“Operate”, “Operated” or “Operating” means to rent out, provide, offer to rent out or provide, or cause to be Marketed, the offer or rental, whether directly or indirectly, including, without limitation, via the internet or other electronic platform, of a Rental Housing Unit and shall include a person collecting a fee or handling payments in respect of a Rental Housing Unit;

“Operator” means any person who operates, maintains, or is otherwise responsible for managing or addressing issues in relation to a Rental Housing Unit but is not an Owner;

“Tenant” includes a person who pays Rent or provides services in lieu of paying Rent in return for the right to occupy a Rental Housing Unit and includes the person’s heir, assigns (including subtenants) and personal representatives.

[17] We agree with the application judge’s interpretation that on a plain reading of these definitions, “[t]here can be no suggestion that a ‘Tenant’ is an ‘Operator’ as defined in the [By-Law]”.

[18] Fourth, the licensing requirement in s. 5.4 of the By-Law of a criminal record check of a landlord does not encroach upon federal criminal law powers. We agree with the application judge’s conclusion that this requirement does not create a punishment but serves as a proper limitation on the eligibility of certain applicants to ensure the safety of residential tenants, which, as already noted, is within the broad license-making authority of the respondent.

[19] Finally, the requirement that landlords provide certain information does not violate s. 7 of the *Charter* nor does it infringe the protections under the

Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56 (“MFIPPA”). The application judge correctly concluded that the information required to be disclosed is not personal information and therefore comes within the exclusion set out in s. 2(2.1) of MFIPPA, see: *London Property Management Association v. City of London*, 2011 ONSC 4710, at para. 92.

[20] The appeal is therefore dismissed. The respondent is entitled to its costs from the appellant in the agreed upon, all-inclusive amount of \$13,000.

J. A. Roberts

L. B. Roberts J.A.

L. SOSSIN J.A.

FORM 1
THE *PLANNING ACT*, R.S.O. 1990
NOTICE OF THE PASSING OF A ZONING BY-LAW AMENDMENT BY
THE CORPORATION OF THE TOWN OF TECUMSEH

TAKE NOTICE that the Council of the Town of Tecumseh has passed By-law 2025-008 on the 28th day of January, 2025 under Section 34 of the *Planning Act*, R.S.O. 1990;

AND TAKE NOTICE no person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

AND TAKE NOTICE that to file an appeal to the Ontario Land Tribunal, a notice of appeal setting out the objection to the by-law and the reasons in support of the objection must be filed with the Clerk of the Corporation of the Town of Tecumseh not later than the **20th day of February, 2025**.

Any appeal must be accompanied by a fee of \$1,100 made payable to the Minister of Finance. The Ontario Land Tribunal requires that the payment be in the form of a certified cheque or money order and be accompanied by a completed *Zoning By-law Amendment Appellant Form (A1)* found on-line at:

<https://olt.gov.on.ca/appeals-process/forms/#head2>

or available through the Planning and Building Services Department at Tecumseh Town Hall, 917 Lesperance Road. An Appellant may request a reduction of the filing fee to \$400 if the Appellant is a private citizen or eligible community group. The request for a reduction in the fee must be made at the time of filing the appeal. The Appeal Fee Reduction Request Form can be found on-line at:

[https://olt.gov.on.ca/wp-content/uploads/2023/02/OLT- -Request-for-Lower-Fee-Form.html](https://olt.gov.on.ca/wp-content/uploads/2023/02/OLT--Request-for-Lower-Fee-Form.html)

An explanation of the purpose and effect of the by-law, describing the lands to which the by-law applies, an explanation of the effect of any public input received, and a key map showing the location of the lands to which the by-law applies, are attached. The complete by-law and any associated information are available for inspection in my office during regular office hours.

CITY OF WINDSOR
COUNCIL SERVICES

FEB 05 2025

RECEIVED

DATED AT THE TOWN OF TECUMSEH THIS 31ST DAY OF JANUARY, 2025

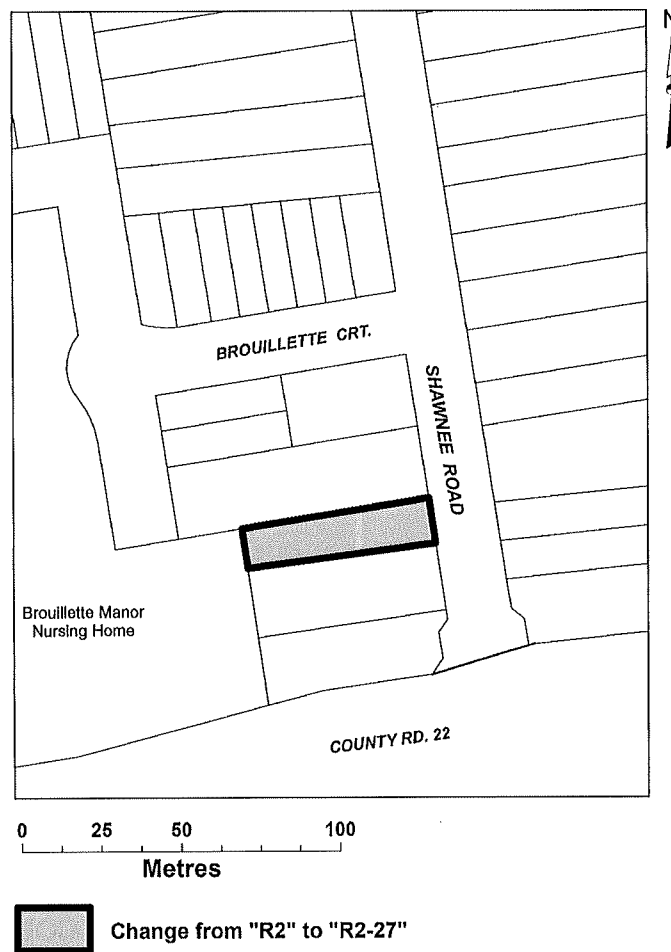
Robert Auger, Director Legislative Services & Clerk
Town of Tecumseh
917 Lesperance Road
Tecumseh, ON, N8N 1W9

EXPLANATORY NOTE

By-law No. 2025-008 is an amendment to Zoning By-law No. 1746 pertaining to an 802 square metre (8,637 square foot) property situated on the west side of Shawnee Road, approximately 64 metres (209 feet) south of its intersection with Brouillette Court (1539 Shawnee Road) (see Key Map below for location). The purpose of the proposed amendment is to rezone this property from "Residential Zone 2 (R2)" to a site-specific "Residential Zone 2 (R2-27)" to permit a one-storey, semi-detached dwelling and establish site-specific lot provisions.

Effect of Public Input on Council's Decision

No public comments/concerns were received by Council on this application at the Public Meeting held on December 10, 2024.



THE *PLANNING ACT*, R.S.O. 1990

NOTICE OF COUNCIL ADOPTION OF OFFICIAL PLAN AMENDMENT NO. 5
 TO THE TOWN OF TECUMSEH OFFICIAL PLAN
 BY THE CORPORATION OF THE TOWN OF TECUMSEH

CITY OF WINDSOR
COUNCIL SERVICES

FEB 06 2025

(TECUMSEH HAMLET SECONDARY PLAN)

RECEIVED

TAKE NOTICE that Council for the Town of Tecumseh adopted Official Plan Amendment No. 5 to the Town of Tecumseh Official Plan, by way of By-law 2025-009, on the 28th day of January 2025, in accordance with the provisions of the *Planning Act*.

Official Plan Amendment No. 5 amends the Town of Tecumseh Official Plan by incorporating the Tecumseh Hamlet Secondary Plan document and associated Schedules into the Official Plan, along with updating existing policies and mapping Schedules.

The purpose of the Tecumseh Hamlet Secondary Plan is to establish a detailed planning framework for the urban development of the lands that are currently designated Future Development in the Tecumseh North Settlement Area of the Official Plan (Study Area). The Study Area is generally delineated by County Road 22 to the north, County Road 19/Manning Road to the east, County Road 42 to the south and Banwell Road to the west and is situated between the City of Windsor to the west and the Municipality of Lakeshore to the east.

Additional information relating to this matter, including a copy of Official Plan Amendment No. 5 and any related background material, is available for review at the Town of Tecumseh Municipal Office located at 917 Lesperance Road, Tecumseh, Ontario during regular office hours.

The County of Essex is the Approval Authority to which Official Plan Amendment No. 5 is being submitted for review and approval. Any person or public body is entitled to receive notice of the decision of the Approval Authority if a written request to be notified of the decision is made to the Approval Authority.

The mailing address of the Approval Authority is:

Ms. Rebecca Belanger, Manager of Planning Services
 Corporation of the County of Essex
 360 Fairview Avenue West, Suite 302, Essex, ON, N8M 1Y6

Effect of Public Input on Council's Decision

In accordance with the *Planning Act*, please note that the effect of public input on Council's decision on Official Plan Amendment No. 5 is described in DS-2024-24, dated August 13, 2024 and DS-2025-03, dated January 28, 2025. Copies of these reports are available for review at Town Hall or can be obtained by contacting the Town of Tecumseh Development Services Department at (519) 735-2184 x 123.

DATED AT THE TOWN OF TECUMSEH THIS 3RD DAY OF FEBRUARY, 2025

Robert Auger, Director Legislative Services & Clerk
Town of Tecumseh
917 Lesperance Road
Tecumseh, ON, N8N 1W9

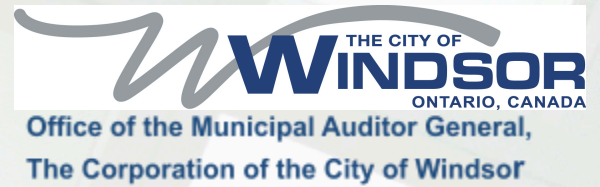


Committee Matters: SCM 49/2025

Subject: Auditor General Complaint Investigation Report

That the report from the Office of the Municipal Auditor General dated February 2, 2025 titled "Errors and misleading representation in an administrative report to a standing committee of Council and City Council - Auditor General Complaint Investigation Report" **BE RECEIVED** for information.

Clerk's File: AF/14508 & MB/6075



February 2, 2025

**ERRORS AND MISLEADING REPRESENTATION IN AN
ADMINISTRATION REPORT TO A STANDING COMMITTEE OF
COUNCIL AND CITY COUNCIL
AUDITOR GENERAL COMPLAINT INVESTIGATION**

REPORT

Executive Summary

Background

An allegation was received indicating that the Administration had provided a Standing Committee of Council and City Council with erroneous and misleading information in a report related to Roseland:

1. Report S161/2024 was presented as part of the report at the January 6, 2025, Heritage and Development Committee meeting. City Administration presented inaccurate information, and the report and attachments were riddled with errors.
2. There is information that the City has that they do not want the public to know.
3. The information the complainant requests is vital to the taxpayers and the Council to make a well-informed decision.

Investigation Approach

1. Read/review report S161/2024 and determine if it appears that there are any errors present or issues of misrepresentation.
2. Watch the meeting recording to understand if additional or contextual information was generated.
3. Review the allegations (three high-level and thirty-six specific areas) made by the complainant, consider the report and meeting discussion, and decide based on those findings.
4. Consider the outcomes of activities 1, 2 and 3 regarding the Administration not sharing information..
5. Review the email exchange provided by the complainant and assess if the allegation appears warranted in the context of City general practices.
6. Before drafting the report, communicate recommendations to Administration for their consideration.

Note: Items were communicated to Administration wherein Administration indicated that they were aware of some of the concerns and had already undertaken actions to address them before submission to Council.

Scope Limitation

This investigation was constrained to the public material (agenda, meeting recording and minutes) published on the City website and email documents provided by the complainant. Internet-based research regarding Heritage Impact Assessments and the Ontario Heritage Act was also leveraged.

Summary of Procedures and Findings

Support was found for partial elements of Allegation #1 but not for Allegation #2 nor Allegation #3.

Regarding Allegation #1, the findings were not as pervasive as the allegation outlines. One error was noted (already publicly identified during the January 6, 2025 standing committee meeting), and points of clarification to enhance clarity and transparency were noted.

Recommendations for Administration regarding:

1. Clarifying key elements of the report and correcting one error should be conducted before presenting the material to Council.
2. Clarity as to the elements and rationale for heritage and non-heritage valued items being included in the boundaries of the amendment should be clear, especially if a reason for the amendment is correction and not all items end up being corrected before presenting the material to Council.
3. An Administration investigation, analysis and corrective action related to past building/development activity on/adjacent to Roseland should be conducted by Administration and reported to the Auditor General and Council.

Management has provided responses to address the findings.

Summary of Investigation Approach Results

#	Approach	Summary of Findings
1	Read/review report S161/2024 and determine if it appears that there are any errors present or issues of misrepresentation.	In a straight read of report s 161/2024 no errors were noted. However, the reason/initiating circumstance for proposing the bylaw amendment was not apparent to the reader.
2	Watch the meeting to understand if additional or contextual information was generated.	<p>In observing the recorded video of the complaint, five items were noted:</p> <ol style="list-style-type: none"> 1) An error - A boundary line error in one of the maps, page 18 of the Heritage Impact Assessment - however, it was the hardest to read/see, and other correct maps were included in the package, which provided greater clarity. 2) Impetus for report/clarity - The discussions implied some reasons for the report's genesis but are still based on the interpretation of the attendee or observer. <p>There are items such as:</p> <ol style="list-style-type: none"> a) Demolishing the Roseland Clubhouse via this process might be more manageable. b) Building a new clubhouse with this might be more manageable. c) There might be some corrections to remove non-historical areas from the designation. d) In listening, the City Planner acknowledges that the bylaw amendment provides for a and b above and possible development considerations. <p>The reader also noted the discussion with the Administration where the possibilities of EOI on (1) clubhouse, (2) development, and (3) together would be possible then.</p> <ol style="list-style-type: none"> 3) Clarity - Confusion was introduced between the acreage mentioned in the report (approximately ten) and a discussion of four later in the meeting.

		<p>4) Clarity - Discussion as to why Par 3 was or was not included in the boundaries (either) or Heritage Impact Assessment was unclear.</p> <p>5) Compliance - The meeting noted that no HIA was done for the 2018 drainage/water work. Administration should consider:</p> <ul style="list-style-type: none"> a) Should an HIA have been completed for prior drainage/sewer/water work, and why was it not completed? b) How can/should this be corrected if one should have been prepared? c) What mechanisms will the City implement to ensure that future development on or near heritage-designated sites includes HIA/required heritage considerations?
<p>3</p>	<p>Review the allegations (three high-level and thirty-six specific areas) made by the complainant, consider the report and meeting discussion, and decide based on those findings.</p>	<p>Several items noted in this analysis correlate to the items mentioned in #2 above, and four of the specific thirty-six areas assessed relate directly to the results indicated in #2 above.</p>
<p>4</p>	<p>Consider the outcomes of activities 1, 2 and 3 regarding the Administration not sharing information.</p>	<p>While concerns about the clarity of information presented were noted, no evidence of hiding information was detected.</p>
<p>5</p>	<p>Review the email exchange provided by the complainant and assess if the allegation appears warranted in the context of City general practices.</p>	<p>Given the city's responses, ongoing interactions, council questions, and public forums, information has been made available, and the Administration has indicated that more is coming.</p>

Recommendations:

- Administration should ensure that the map boundary error on one page (page 18) of the Heritage Impact Assessment is corrected before the submission to Council.

Administration Response			
<p>The area boundary error on Page 18 of the Heritage Impact Assessment (HIA) that was identified and verbally corrected at the Development & Heritage Standing Committee has been corrected in the Heritage Impact Assessment (HIA). The revised boundary on Page 18, titled 2440_455 Kennedy Drive West - HIA Report_2025.01.07 – Page 18.pdf, is attached to this response (Appendix A)..</p> <p>This corrected version ensures that the area being removed from the designating bylaw (By-law 281-2003) is accurately represented and reflects the most up-to-date information. Administration is committed to maintaining accuracy in heritage documentation and will implement additional review measures to prevent similar mapping inconsistencies in future reports.</p>			
Responsible Party:	The HSMFW Project Lead (Economic Development) & Consultant Team (A+Link & Archon)	Due Date:	Tues, Feb 4

- Administration should provide a more concise explanation of the impetus for the bylaw amendment and its possible next steps/implications.

Administration Response
<p>As indicated in Administration’s report (S161/2024), the purpose of removing the designation by-law from this portion of lands is to facilitate the demolition of the existing clubhouse building, to permit the construction of a new clubhouse, and to provide lands for residential development potential (pg. 4 – Report S161/2024). Previous Council decisions (B 14/2023 and CR 337/2023) cited in the original report (S161/2024) directed Administration to explore redevelopment options, conduct public consultations, and create conceptual drawings for Council’s review.</p> <p>Clarification of the benefits of correcting the legal description to remove a portion of lands from the designated property instead of pursuing multiple heritage permit applications is provided in the supplemental Additional Information Memo to Report S 161/2024: Amendment to Heritage Designation By-law No. 281-2003 – 455 Kennedy Drive West, Roseland Golf Course that will accompany the original report (S161/2024) when it is presented to City Council. The Additional Information Memo states:</p> <p style="text-align: center;"><i>Removing lands that do not possess heritage value or interest from the designation streamlines the approval process by eliminating the need for multiple heritage permit applications for future changes such as alterations, new construction, or demolitions. This approach enhances efficiency by reducing the frequency of reporting to the DHSC and City Council on similar</i></p>

matters, ultimately optimizing staff resources, Council’s time, and public funds.

The amendment to the heritage designation by-law is proposed to streamline approvals by removing non-heritage lands from the designation, facilitating the clubhouse demolition, new clubhouse construction, and potential construction of a residential development. The amendment to Roseland designating bylaw (By-law 281-2003) requires a Heritage Impact Assessment (see Appendix D), an updated survey plan (see Appendix C), and an amendment to By-law 281-2003. The results of the Heritage Impact Assessment support the recommendations of the original report to amend the legal property description for By-law 281-2003 to remove the specified non-heritage features (i.e. Roseland parking lot and clubhouse – B 14/2023) from the legal description.

Responsible Party:	Economic Development Department & Planning Department	Due Date:	Tues, Feb 4
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- Administration should clarify how the ten acres in the Heritage Impact Assessment and the four acres mentioned in the meeting relate to one another and the proposed bylaw amendment.

Administration Response			
<p>Administration recognizes the inconsistency in Report S 161/2024 regarding the size of the area proposed for removal from the heritage designation. The correct removal area is 4.09 acres, encompassing the clubhouse building, adjacent practice putting green, and parking lot. This aligns with Council Decision B14/2023, which directed Administration to examine redevelopment opportunities for these elements only and did not include the Par-3 course.</p> <p>The 10-acre figure originally cited in the HIA referred to all non-contributing features, including the Par-3 course. However, only the 4.09-acre portion is recommended for removal per Council’s direction under B14/2023.</p> <p>To avoid further confusion, Administration will ensure that all future reports and Council materials consistently reference the correct 4.09-acre figure, with updated maps illustrating this area provided in Appendix ‘A’ of the Additional Information report (AI 5/2025).</p>			
Responsible Party:	Economic Development Department & Planning Department	Due Date:	Tues, Feb 4

- Administration should clarify why the Par 3 remains included in the Heritage Designated Area if it has not yet been shown to have historical/heritage value, and one of the reasons for the proposed amendment is a correction/clarification.

Administration Response			
<p>The Par 3 is a non-contributing feature of the Roseland Golf Course that was removed from the 10 acres based on Council Decision B14/2023 from April 3, 2023. The decision directed Administration to explore redevelopment options for the parking lot, clubhouse, and future of curling.</p>			

The impetus for the bylaw amendment is outlined above (see Q.2). The area identified for the redevelopment of the clubhouse and possible future development excludes the area of the Par 3 course.			
Responsible Party:	Economic Development Department & Planning Department	Due Date:	Tues, Feb 4

5. If the amendment is identified as a correction of past items that should not have been designated as heritage, then Administration should either ensure that all non-heritage items are included in the amendment or a clear basis as to how and why non-heritage items are being left in the designated area and how such a modification supports the correction.

Administration Response			
See “Which portion of the property is proposed for removal from the designation by-law?” section of the AI Report AI 5/2025 dated January 23, 2025. Specifically, the basis for leaving non-heritage items in the designated area is from Council Direction through Council Decision B14/2023 directing Administration to explore redevelopment options for the parking lot, clubhouse, and future of curling. The HIA assessed the whole golf course property for areas or features of no heritage contribution which identified the 10 acres, however, the designation by-law amendment is scoped to 4.09 acres per Council Direction. It is not uncommon for designated heritage properties across Ontario to undergo similar processes and procedures.			
Responsible Party:	Economic Development Department	Due Date:	Tues, Feb 4

6. The meeting discussions noted that no Heritage Impact Assessment was performed for the 2018 drainage/water work. Administration should assess and respond to the following questions:
 - a. Should an HIA have been completed for prior drainage/sewer/water work, and why was it not completed?
 - b. How can/should this be corrected if one should have been prepared?
 - c. What mechanisms will the City implement to ensure that future development on or near heritage-designated sites includes HIA/required heritage considerations?

This Administration investigation, analysis and the proposed corrective actions (or responses) should be provided to the Auditor General and City Council.

Administration Response			
<ol style="list-style-type: none"> a. See “When a HIA is Required” section of the AI Report AI 5/2025 dated January 23, 2025. A HIA would not have been required for drainage/ sewer/ water works. Most of the staff that worked on the Lennon Drain project (the reference to “past building/development activity”) have retired but Administration has since been able to review the project files, specifically getting access to the retired employee’s email records. This additional research found that the Heritage Planner of the day was consulted about the Lennon Drain project and a determination was made that the 			

proposed scope of work did not require a Heritage Alteration Permit. Per past practice certain classes of heritage applications have been addressed by Administration, specifically when the proposed work is 1) considered minor or non-substantive; 2) verified by City staff to be acceptable and appropriate to the Heritage context and according to Heritage Standards (including but not limited to Standards and Guidelines for the Conservation of Historic Places in Canada and other broadly accepted/recognized heritage conservation resources and practices); and, 3) determined by City staff to not result in negative disruption or displacement to the cultural heritage value or interest of the property, or adversely impact the heritage designation of the property. This approach has been codified in a more formal way through the City Planner Bylaw 139-2013 which delegates authority to the City Planner to process and consent to categories of alterations to designated heritage properties pursuant to s.33 of the Ontario Heritage Act subject to the criteria list above. Report C 158/2016 “Lennon Drain Repairs and Improvements” brought forward to City Council on October 3, 2016, indicated that Engineering had consulted with the Heritage Planner regarding the golf course construction and heritage matters. Further discussions between the General Manager of Roseland Golf & Curling Club, Essex Region Conservation Authority (ERCA), and the Heritage Planner yielded the determination that no heritage permit application was required because the work proposed avoids having a negative impact on the heritage features identified within the Designation By-law 281-2003.

- b. See “When a HIA is Required” section of the AI Report AI 5/2025 dated January 23, 2025. An HIA would not have been required for drainage/ sewer/ water works. A heritage permit application was not required for the project. See answer to 6(a.) above.
- c. All heritage properties are mapped on the corporate Enterprise Information System (EIS) to allow for easy identification of municipally-owned heritage properties. Ongoing communication between the Engineering Department and the Planning Department will continue to allow for city projects on heritage properties to be flagged and the appropriate heritage approvals secured.

By including the detailed management response in this report, Administration is providing the Auditor General and Council with its analysis and responses.

Responsible Party:	a. & b. Economic Development Department & Planning Department c. City-wide internal departments that conduct work on municipally-owned heritage properties & Planning Dept	Due Date:	Tues, Feb 4
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7. PROPOSED AMENDMENT

Item 8.11 - Appendix B

7.2 ADDRESSING THE CITY OF WINDSOR POLICIES: Heritage Conservation

The City of Windsor’s Official Plan addresses heritage conservation policies in Volume 1, Chapter 9 of the Primary Plan. The main goal is to recognize, conserve and enhance Windsor’s heritage resources. The subject property at 455 Kennedy Drive West has followed the policies with regards to the preservation of a designated heritage resource by maintaining the original layout of the historical Roseland Golf Course. The extent of the proposed designation by-law amendment is designed to respect the original layout of the golf course’s cultural heritage landscape. As per chapter 9.3.4 Protection of Heritage Resources, any proposed alteration to the heritage property would require Council approval.

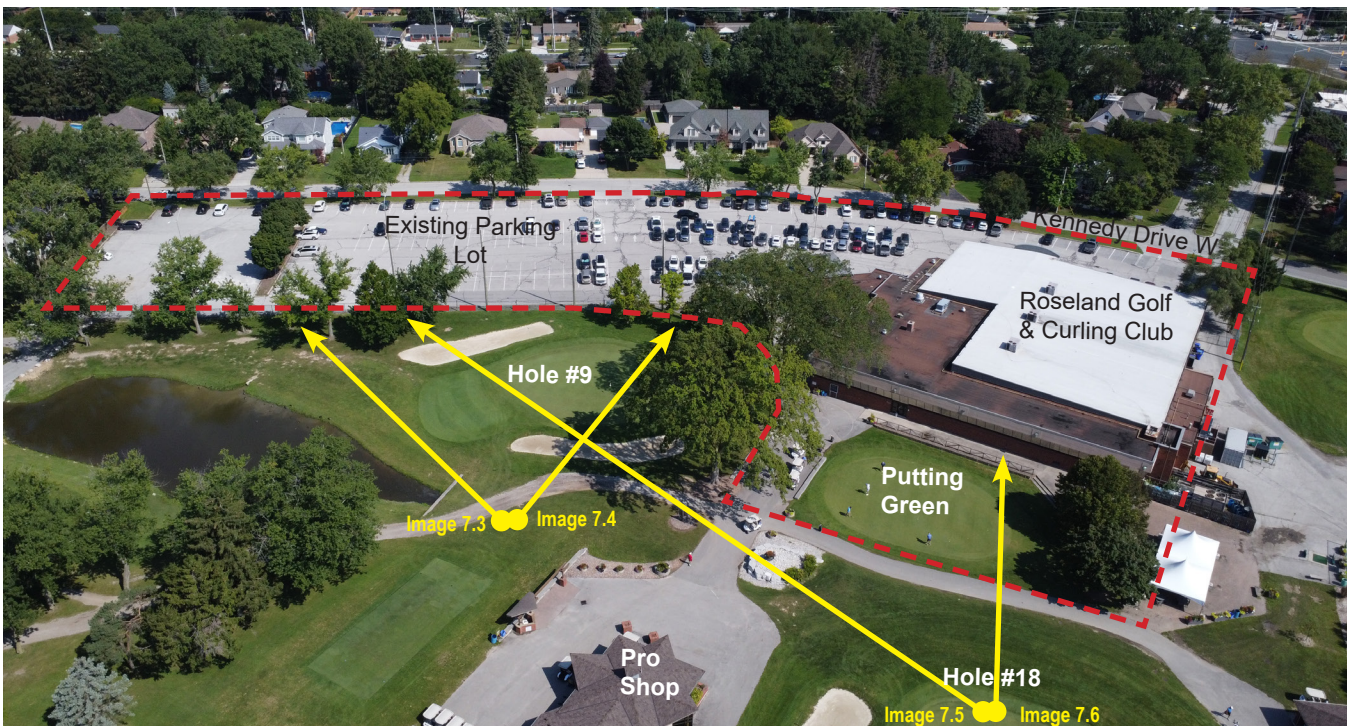


Image 7.2: Drone View of the north-western portion of the subject property with outlined area (approximate) of proposed amendment of the by-law designation. Photo taken by a+LiNK architecture inc., August 2024.

7.3 SITE ANALYSIS

As part of the review of potential impacts of the proposed amendment on the cultural heritage resource, the edges of northern boundary of the existing golf course along the portion of land that is to be removed from the designation was examined. The views from the golf course that would be most impacted by the amendment would be from the greens at holes #9 and holes number #18. Upon review, it was concluded that the existing clubhouse building did not provide any visual interest or value to the golf course and thus its demolition would not have any adverse impacts on the golf course. Refer to the the following photos of views from these holes (as indicated on Image 7.2 above).

Subject: Active Transportation Fund – Capital Project Stream – City Wide

Reference:

Date to Council: February 10, 2025

Author: John Aquino

Asset Coordinator

519-255-6100 ext.6667

jaquino@citywindsor.ca

Asset Planning

Report Date: January 24, 2025

Clerk's File #: GPG/14324

To: Mayor and Members of City Council

Recommendation:

- I. **THAT** City Council **SUPPORT** four (4) applications to the Active Transportation Fund for: (1) Construction of 18 Pedestrian Crossovers (PXOs) within the City of Windsor; (2) Pedestrian Safety Improvements Project; (3) Robert McDonald Park Multi Use Trail Project, and (4) South Cameron Park Trails Project, as identified in this report; and,
- II. **THAT** the Chief Administrative Officer **BE AUTHORIZED** to sign any documents required to submit application to the Active Transportation Fund, subject to all documentation being satisfactory in form to the City Solicitor, in technical content to the appropriate Executive Director and/or Commissioner for their respective projects, and in financial content to the City Treasurer, or designates; and,
- III. **THAT** City Council **APPROVE** the following recommendations upon the City receiving written confirmation from the funding provider that the City's applications have been awarded the requested funding:
 - a. **THAT** the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to take any such action and to sign and execute any agreements, declarations or approvals and any other such documents resulting from receiving funding from the Active Transportation Fund, subject to all documentation being satisfactory in form to the City Solicitor, in financial content to the City Treasurer, and in technical content to the appropriate Executive Director and/or Commissioner for their respective projects, or designates; and,

- b. **THAT** City Council **SUPPORT** the pre-commitments of funding for Project OPS-001-19 – Pedestrian Crossovers and ECP-008-07 – Pedestrian Safety Improvements as presented in the 2025 Recommended Capital Budget, as follows:
- 1) OPS-001-19 – Pedestrian Crossovers
 - i. \$100,000 of 2026 Pay-As-You-Go (Fund 169) funding
 - ii. \$100,000 of 2027 Pay-As-You-Go (Fund 169) funding
 - iii. \$200,000 of 2028 Pay-As-You-Go (Fund 169) funding
 - iv. \$100,000 of 2029 Pay-As-You-Go (Fund 169) funding
 - 2) ECP-008-07 – Pedestrian Safety Improvements
 - i. \$100,000 of 2026 Pay-As-You-Go (Fund 169) funding
 - ii. \$100,000 of 2028 Pay-As-You-Go (Fund 169) funding
- c. **THAT** the Chief Administrative Officer **BE AUTHORIZED** to delegate signing of all reports, claims and applicable schedules and other such documents required as part of receiving funding from the grant provider to the appropriate Executive Director for their respective projects, or designate, subject to financial content approval from the area’s Financial Planning Manager, or designates; and,
- d. **THAT** Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the project(s) awarded funding through the grant, provided that the procurement(s) are within approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in financial content to the City Treasurer; and in technical content to the appropriate Executive Director and/or Commissioner for their respective projects, or designates; and,
- e. **THAT** the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to effect the recommendation noted above, subject to all specifications being satisfactory in technical content to the appropriate Executive Director and/or Commissioner for their respective projects , and in financial content to the City Treasurer, or designates.

Executive Summary:

N/A

Background:

In Spring 2024, the Government of Canada announced funding in the amount of \$3 billion annually (on average) beginning in 2026-27 for permanent public transit programming under the Canada Public Transit Fund (CPTF). This funding is designated to support transit and active transportation in communities of all sizes across Canada. In December 2024, the Active Transportation Fund (ATF) was launched under the Targeted Funding Stream of the CPTF. The Targeted Funding stream of the CPTF

consists of a series of regular calls for applications for specific types of public transit and active transportation projects.

The ATF aims to advance the objectives of the CPTF, and those embedded within Canada's National Active Transportation Strategy, and Canada's Strengthened Climate Plan. As such, the ATF will aim to support projects that:

- Increase the use of active transportation relative to car travel and increase the use of public transit by supporting first and last kilometer connections to existing and planned infrastructure;
- Increase affordability by providing economic value to communities and providing cheaper travel options over vehicular travel;
- Support efforts to mitigate climate change and improve climate resilience by reducing road congestion and cutting air and noise pollution; and
- Improve active transportation options for all, especially Indigenous People and equity-deserving groups to ensure people of all ages and abilities can access jobs and services.

Through supporting projects that will increase the total amount, usage, and quality of active transportation infrastructure throughout Canada, the ATF will support projects that encourage a modal shift away from cars and towards active transportation.

On December 12, 2024, Administration received notification the ATF's first application intake period was open, and would close on February 26, 2025. Eligible recipients, including municipal or regional governments, public sector bodies, not-for-profit organizations, provincial or territorial governments and Indigenous recipients were able to apply directly to Housing, Infrastructure and Communities Canada (HICC) for funding for eligible projects. Up to \$500 million was made available for active transportation capital projects across Canada. This includes a minimum of 10% of total funds set aside for Indigenous recipients.

Capital projects are defined under this grant as new infrastructure construction, enhancement of existing infrastructure, and fixed design and safety features that encourage increased active transportation. For a capital infrastructure project to be eligible for funding, it must include the acquisition, enhancement, modernization, rehabilitation, construction, expansion, restoration, renovation, repair, refurbishment, or replacement of active transportation infrastructure or networks. Eligible capital projects may include:

- Building or enhancing infrastructure for active transportation, such as multi-use paths, sidewalks, footbridges, separated bicycle lanes, and connections to other roadways (this could include recreation trails provided they can also be used for transportation, i.e. connecting to destinations, services, or amenities);
- Enhancing active transportation infrastructure, including design considerations in which there may be no net gain in kilometers of infrastructure, but include quality improvements that support greater usage;

- Building or enhancing design features and facilities which promote active transportation, such as storage facilities, lighting, greenery, shade, and benches; and
- Building or enhancing safety features which promote active transportation, such as crosswalks, speed bumps, fences, and wayfinding signage.

Project selection is merit-based, and final project selection will be undertaken with a view to balancing funding support by taking into consideration such factors as regional distribution, the type of project, and equitable access. The final selection decision will remain at the sole discretion of the Minister of Housing, Infrastructure and Communities.

Eligible recipients may submit applications for multiple Capital projects and similar projects can be bundled in a single application. Unlike other funding opportunities, the ATF requires applicants to identify the source of all project funding in their application for both eligible and ineligible expenditures. Expenditures incurred prior to project approval or related to agreements and contracts signed prior to project approval are ineligible, with the exception being those expenditures related to environmental assessments and Indigenous consultation and engagement, which may be eligible subject to HICC approval. Projects already in progress are not eligible. Funding for the ATF will be issued beginning April 2026, and all projects must be completed by March 31, 2030.

Discussion:

Administration has reviewed the ATF guidelines and have determined the following four (4) projects are eligible:

1. Construction of 18 Pedestrian Crossovers (PXOs) within the City of Windsor

The Ontario Traffic Manual (OTM) Book 15 Pedestrian Crossing Treatments covers most aspects of PXO traffic control devices and their placement. PXO locations are assessed as per OTM Book 15 to determine if the site is recommended as a candidate for a PXO, and if so, the recommended PXO type. Locations recommended for a PXO are ranked in order of priority, based on the following criteria:

- i. Number of pedestrian crossing collisions in a five-year period (locations with more collisions are ranked higher)
- ii. Presence/absence of other controlled crossings within 200 meters (locations with no other controlled crossings within 200 meters are ranked higher)
- iii. Cross-product of peak hour pedestrian crossing volume and vehicle volume (locations with higher cross-products are ranked higher)

Upon review of the current PXO prioritization list, the following locations have been proposed for the scope of the grant, as these locations have been

determined to meet the requirements of the Active Transportation Grant and are not expected to be completed in 2025.

Location	PXO Type	Ward
Goyeau Street south of Elliot Street (Food Basics)	Level 2 Type B	3
Erie Street at Langlois Avenue	Level 2 Type D	4
Pillette Road at Ontario Street	Level 2 Type B	5&6
1576 Riverside Drive West (Between Campbell Avenue and Cameron Avenue)	Level 2 Type B	2
Jefferson Boulevard at Edgar Street	Level 2 Type B	6
Erie Street at Marentette Avenue	Level 2 Type D	4
Forest Glade Drive at Mulberry Drive	Level 2 Type B	7
Erie Street at Pierre Avenue	Level 2 Type D	4
Calderwood Avenue east of Caribou Crescent (Walkerville Homesite Trail)	Level 2 Type D	9
Ducharme Street at Cancun Street	Level 2 Type D	9
Pillette Road at Grand Marais Road East	Level 2 Type B	5&8
Little River Boulevard at Lublin Avenue	Level 2 Type B	7
Little River Boulevard at Peabody Avenue	Level 2 Type C	7
McHugh Street at Cypress Avenue	Level 2 Type B	7
Ottawa Street at Benjamin Avenue	Level 2 Type B	4
City Hall Square South at City Hall Square East	Level 2 Type C	3
Wyandotte Street East at Langlois Avenue	Level 2 Type B	4
Jefferson Boulevard at Ontario Street	Level 2 Type B	6

2. Pedestrian Safety Improvements Project

The Pedestrian Generator Sidewalk Policy (CR120/2024) is designed to construct sidewalks and related pedestrian facilities on local roads and school approach streets, prioritizing areas identified in the Official Plan, the Active Transportation Master Plan and recommendations from area residents, Councillors, School Boards or other pedestrian generating entities.

The introduction of the ATF presents a significant opportunity for the City to accelerate the implementation of critical infrastructure that improves pedestrian safety, promotes sustainable transportation, and enhances connectivity across the community.

The definition of a Pedestrian Generator Sidewalk is contained within the Pedestrian Generator Sidewalk Policy, and reads as follows:

A sidewalk to be located where any of the following exist:

1. It is located on a route leading to significant pedestrian destination(s).
2. It serves more than the abutting properties, including institutional and parkland access.
3. Where separation of pedestrians from vehicles is lacking in the road cross-section in the community.
4. It is requested or endorsed by the significant pedestrian operator.
5. It would be inequitable to charge the full cost of the sidewalk to the abutting property owners.

The following areas below have been reviewed based on the above definition confirming that these improvements are qualified under the Pedestrian Generator Sidewalk Policy.

Project Location	Proposed Improvements	Pedestrian Destinations	Ward
Woodland Avenue From: 3261 Woodland Avenue To: Richardie Boulevard	110.0 Metre Sidewalk	Central Public School Central Park	1
Pulford Street From: Capri Pizzeria Recreation Complex To: California Avenue	220.0 Metre Sidewalk Pedestrian Crossover	Elementary School Catholic Monseigneur-Jean-Noel Capri Pizzeria Recreation Complex Oakwood Park	1
California Avenue From: Labelle Street To: Eglinton Street	195.0 Metre Sidewalk	Bellewood Public School Bellewood Park	10

3. Robert McDonald Park Multi-Use Trail Project

The Robert McDonald Park Multi-Use Trail project will enhance active transportation opportunities by constructing a new, accessible, multi-use pathway within the park. This project supports a shift towards sustainable transportation by providing a safe and functional route for pedestrians, cyclists, and other active transportation users. The proposed trail will comply with AODA standards, ensuring accessibility for people of all ages and abilities.

The project will include the installation of park benches to provide rest areas along the route, as well as tree planting to increase shade coverage and mitigate the effects of climate change. Drainage improvements will be identified as required to ensure long-term durability, and archaeological assessments will be conducted as required to meet regulatory requirements.

By expanding active transportation infrastructure, this project aligns with the objectives of the ATF by reducing reliance on private vehicles, enhancing mobility options for equity-deserving groups, and supporting climate resilience through green infrastructure. The successful receipt of this grant would accelerate project implementation, strengthening the City's commitment to expanding safe and accessible park-based transportation networks.

Tendering for the project can start soon after a positive funding decision is received, and it is anticipated construction will be completed within a 12-month period.

4. South Cameron Woodlot Park Multi-Use Trail Project

The South Cameron Woodlot Park Multi-Use Trail project will improve active transportation options by expanding the existing trail network. Subject to 2025 Capital Budget approval, the City is proceeding with Phase 1A in 2025, which will construct a 3 m wide asphalt pathway along Ojibway Street from the existing multi-use trail to west of Mark Avenue. This funding also seeks to support Phase 1B, which extends the trail west of Mark Avenue to Kenora Street. If the City is awarded this grant, the existing funding will be sufficient to cover the City's 40% contribution of eligible expenses, along with ineligible costs, for both Phase 1A and 1B. If the grant is not awarded, the City will proceed with Phase 1A as planned and future phases will be subject to securing additional funding.

The project will incorporate AODA-compliant design elements, park benches for resting areas, tree planting to enhance shade and climate resilience, and drainage improvements as necessary to support long-term usability.

Tendering for the project can start soon after a positive funding decision is received, and it is anticipated construction will be completed within a 12-month period.

Risk Analysis:

There is the potential risk that the projects submitted may not be awarded funding through the grant, resulting in the projects requiring 100% City funding if they are to proceed. It is not easy to determine the level of risk associated with not being awarded funding as this is a competitive process, and we have no clarity on what types of projects and/or volume of projects and funding requests could be forthcoming from other eligible applicants.

There is the potential risk that the projects are not able to be completed by the March 31, 2030 deadline. This risk is being mitigated by identifying projects that can be completed prior to this date.

There is a risk that a project comes in over budget. This risk is being mitigated by including contingencies in the costing estimates, however if unforeseen events occur and estimates are too low, additional City funding will need to be identified. If necessary, a council report will be brought to City Council to request additional funding.

Climate Change Risks

Climate Change Mitigation:

The Active Transportation Fund is evaluated in part through identified environmental and climate benefits including greenhouse gas benefits. The Community Energy Plan estimated that a relatively modest elimination of 2 percent of average car/truck journeys will result in emissions reductions of about 8,000 tonnes CO_{2e} annually. Additionally, early GHG estimates identified approximately 60,000 tonnes reduction annually upon reaching a 25% non-auto mode share. Achieving the mode share targets is directly connected to build out and maintenance of walking and cycling infrastructure as outlined in the Active Transportation Master Plan.

Climate Change Adaptation:

The Active Transportation Fund is evaluated in part through identified environmental and climate benefits including the review of possible climate change impacts and measures proposed to address the risks. The proposed sidewalks, trails and bike lanes have been reviewed for climate risks including risk of surface flooding and extreme heat. Though no major climate risks have been identified, the funding application will draw attention to City programs already in place such as ongoing Sewer Master Plan initiatives and tree planting opportunities that may reduce the future impacts of climate change on these assets.

Financial Matters:

The ATF will fund up to 60% of eligible costs, up to a maximum of \$50 million per project. Municipalities are responsible for funding the remaining 40% of eligible costs and 100% of all ineligible costs. Funding details for each of the 4 proposed projects are as follows:

1. Construction of 18 Pedestrian Crossovers (PXOs) within the City of Windsor

Project 1: Construction of 18 Pedestrian Crossovers (PXOs) within the City of Windsor	
Total Eligible Project Costs	\$1,340,500
Total Ineligible Project Costs	\$63,800
Total Project Costs	\$1,404,300
Requested Contribution from ATF	\$804,300
City Funding Required (including ineligible project costs)	\$600,000

The following funds from years 2025 to 2029 will be required to apply for this grant, with the 2026 to 2029 funds being approved as pre-commitments:

OPS-001-19 – Pedestrian Crossovers

2025: \$100,000
 2026: \$100,000
 2027: \$100,000
 2028: \$200,000
 2029 \$100,000

Should the recommended 2025 Capital Budget be approved as presented, this request fully commits all available funding in the current 5-year funding window for this project.

Further, it should be noted that there are annual maintenance costs associated with PXO's. They include:

- battery checks
- cleaning of solar panels
- functionality checks of pushbuttons and flashing LED boards
- reviews of approach visibility in case of physical changes (i.e. tree growth)
- replacement of defective parts
- checking of marking visibility
- reflectivity testing of signage
- replacement of defective or damaged signage
- responding to 311 calls

Maintenance costs will be supported through the Operating Budget, with appropriate funding requirements addressed through the annual budget process.

2. Pedestrian Safety Improvements Project

The table below outlines the total estimated project costs for the 3 pedestrian safety improvements mentioned in the Discussion section above, and the recommended funding source to cover the City's portion of the project costs. All

costs include non-refundable (non-recoverable) HST costs. There are sufficient funds available in Capital Project #7045034 – Pedestrian Safety Improvements with the pre-commitment of 2026 and 2028 funds.

Project 2: Pedestrian Safety Improvements Project	
Total Eligible Project Costs	\$301,750
Total Ineligible Project Costs	\$53,250
Total Project Costs	\$355,000
Requested Contribution from ATF	\$181,050
City Funding Required (including ineligible project costs)	\$173,950

The following funds from years 2026 and 2028 will need to be pre-committed as follows to apply for this grant:

ECP-008-07 Pedestrian Safety Improvements

2026: \$100,000

2028: \$100,000

Should the recommended 2025 Capital Budget be approved as presented, this request fully commits all available funding in the current 5-year funding window for this project.

3. Robert McDonald Park Multi-Use Trail Project

The table below outlines the total estimated project costs for the proposed multi-use trail construction mentioned in the Discussion section above, and the recommended funding source to cover the City’s portion of the project costs. Funding of \$600,000 is proposed in the 2025 Recommended Capital Budget and subject to its’ approval, there will be sufficient funds available to carry out this work (New Multi-Use Trails PFO-005-22). Any annual increase in maintenance costs resulting from the proposed construction of new trails at Robert McDonald Park will be managed within the Parks Department existing operating budget.

Project 3: Robert McDonald Park Multi-Use Trail Project	
Total Eligible Project Costs	\$560,000
Total Ineligible Project Costs	\$40,000
Total Project Costs	\$600,000
Requested Contribution from ATF	\$336,000
City Funding Required (including ineligible project costs)	\$264,000

4. South Cameron Woodlot Park Multi-Use Trail Project

The table below outlines the total estimated project costs for the proposed multi-use trail construction mentioned in the Discussion section above, and the recommended funding source to cover the City's portion of the project costs. Funding is proposed in the 2025 Recommended Capital Budget and subject to its' approval, there will be sufficient funds available (South Cameron Conceptual Trail Plan PFO-001-25). Any annual increase in maintenance costs resulting from the proposed construction of new trails at South Cameron Woodlot Park will be managed within the Parks Department existing operating budget.

Project 4: South Cameron Woodlot Park Multi-Use Trail Project	
Total Eligible Project Costs	\$540,000
Total Ineligible Project Costs	\$40,000
Total Project Costs	\$580,000
Requested Contribution from ATF	\$324,000
City Funding Required (including ineligible project costs)	\$256,000

Consultations:

Chris Gerardi – Policy Analyst
Clare Amicarelli – Transportation Planning Coordinator
Cindy Becker – Financial Planning Administrator
Pierfrancesco Ruggeri – Technologist III
Kathy Buis – Financial Planning Administrator
Laura Ash – Project Lead, Parks Development
Wadah Al-Yassiri, Manager, Parks Development
Erika Benson – Financial Planning Administrator
Mike Dennis – Manager, Strategic Capital Budget Development & Control
Matthew Johnson – Executive Director, Economic Development
Marie Gil – Manager, Asset Planning
Joshua Meloche – Senior Legal Counsel

Conclusion:

Approval to submit the applications outlined in this report, to the Active Transportation Fund and approval of all recommendations is recommended.

Planning Act Matters:

N/A

Approvals:

Name	Title
Natasha Gabbana	Senior Manager, Asset Planning
Mark Spizzirri	Manager, Performance Measurement & Bus. Case Dev.
Emilie Dunnigan	Manager, Development Revenue & Financial Administration
Phong Nguy	Executive Director, Operations/Deputy City Engineer (Acting)
Stacey McGuire	Executive Director, Engineering/Deputy City Engineer
James Chacko	Executive Director, Parks, Facilities & Recreation
Michael Chantler	Senior Executive Director – Community Services (Acting)
Ray Mensour	Commissioner, Community & Corporate Services
David Simpson	Commissioner, Infrastructure Services and City Engineer
Wira Vendrasco	City Solicitor
Tony Ardovini	On behalf of Commissioner, Finance / City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:



Committee Matters: SCM 50/2025

Subject: Report No. 55 of the International Relations Committee

REPORT NO. 55
of the
INTERNATIONAL RELATIONS COMMITTEE (IRC)
Meeting held January 30, 2025

Present: Councillor Angelo Marignani, Chair
Councillor Renaldo Agostino
Councillor Fred Francis
Councillor Ed Sleiman
Lubna Barakat
Jerry Barycki
Ronnie Haidar
L.T. Zhao

Your Committee submits the following recommendation:

Moved by L.T. Zhao, seconded by Lubna Barakat,

That the Mayor **BE AUTHORIZED** to send a letter of invitation to the Mayor of Changchun; and,

That due to time restraints, that this request **CIRCUMVENT** the Development and Heritage Standing Committee and proceed directly to City Council for approval; and,

That an expenditure in the upset amount of \$10,000 **BE APPROVED** to host this delegation for three days in March 2025, and further,

That the visiting delegation from Changchun, China will include the following:

- Li Liquan, Deputy Director-general of Working Committee for Organizations Directly under the CPC Changchun Municipal Committee
- Li Jiwei, Level III Division Rank Official of the Foreign Affairs Office of Changchun Municipal People’s Government
- Wang Zhongxue, Vice Principal of Changchun No. 11 High School

NOTIFICATION:		
Name	Address	E-mail
IRC members		on-file



Committee Matters: SCM 55/2025

Subject: Report of the Environment, Transportation and Public Safety Standing Committee – sitting as Transit Windsor Board of Directors – In-camera of its meeting held January 29, 2025

**SPECIAL MEETING OF ENVIRONMENT, TRANSPORTATION
AND PUBLIC SAFETY STANDING COMMITTEE – SITTING AS
TRANSIT WINDSOR BOARD OF DIRECTORS – IN CAMERA
January 29, 2025**

Meeting called to order at: 5:20 p.m.

Members in Attendance:

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

Also in attendance:

Jelena Payne, Commissioner Economic Development
Stephan Habrun, Acting Executive Director Transit Windsor
Anna Ciacelli, Deputy Clerk
Sandra Gebauer, Council Assistant
Mark Spizzirri, Manager of Performance Measurement and
Business Case Development

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

Item No.	Subject & Section - Pursuant to <i>Municipal Act, 2001</i>, as amended
1	Plan/position – agreement, Section 239(2)(k)

Motion Carried.

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 Renaldo Agostino, seconded by Councillor Kieran McKenzie
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 January 29, 2025 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report from the Acting Executive Director of Transit Windsor, Commissioner of Economic Development, Manager Performance Measurement and Business Case Development, City Solicitor and Commissioner of Finance and City Treasurer respecting a plan/position – agreement **BE APPROVED.**

Motion Carried.

Moved by Councillor Mark McKenzie, seconded by Councillor Gary Kaschak,
That the special meeting of the Environment, Transportation and Public Safety Standing Committee – sitting as Transit Windsor Board of Directors – in camera held January 29, 2025 BE ADJOURNED.

(Time: 5:35 p.m.)

Motion Carried.

From: Mary Antic <>
Sent: February 5, 2025 10:43 AM
To: clerks <clerks@citywindsor.ca>
Subject: Amendment to Heritage Designation

To Whom It May Concern,

As residents of Roseland Drive South, we again DO NOT support the amendment and/or removal of the heritage naming of the Roseland Golf Course country club and parking lot. We are old enough to have seen how these things play out and would like this proposition to be denied. We know what a slippery slope something like this can lead to, meaning, that in time the golf course itself will be re-zoned or have its heritage namesake taken away, and we will lose the golf course as well. There are many beautiful homes located around the golf course that are only there because they were assured their backyard scenic golf course view would never change. We don't want to see our beautiful neighbourhood changed into yet another cramped housing project to relocate more and more people to the outskirts of this city.

We have moved here for the reason to be near the golf course and all it's beauty and heritage, and would like to see a remnant of something special to our city intact for many years to come. The Canada we know and love is already unrecognizable with the migrant crisis we face.

So please, do not take the heritage title away from the Roseland Golf and Country Club and adjacent parking lot. Leave what little is left of this city's culture and beauty for us and our neighbours to enjoy.

Sincerely,

Alex and Mary Antic

From: Olivia Curti < >
Sent: February 5, 2025 10:37 AM
To: clerks <clerks@citywindsor.ca>
Subject: Notice of Council Meeting - Item 8.11 – Amendment to Heritage Designation By-law No. 281-2003 – 455 Kennedy Drive West, Roseland Golf Course (Ward 1)

Good Morning,

I am writing to express my complete disagreement on behalf of myself and my husband, with the city's proposed removal of the heritage designation at Roseland Golf Course to sell off a parcel of land to a developer to build luxury condos.

The recommendation of a proposed heritage designation bylaw amendment as presented in Report S 161/2024, should be denied.

As an area property owner, myself and my neighbours have paid premium prices to live in this community, which hosts so much character and surrounding nature. This amendment directly undermines the existing heritage status of the golf course by allowing future redevelopment of the 10 acre being excluded.

The clubhouse should be renewed and replaced, to include things that will benefit the entirety of the community and surrounding areas; a new clubhouse that hosts a cafe / restaurant and place for the public to enjoy and gather.

That should not entail selling off public property which is designated with a Heritage designation (for great reasons) to sell to a developer for the benefit one only one party. This is public land and it should be utilized as such for the greater good for the community. Not to mention, these luxury condos do not fit in the neighbourhood, and do not benefit anyone other than the developer. This will also have a negligible impact on Windsor's 'affordable housing problem'. Luxury condos are not affordable, and there are not enough of them to even scratch the surface of what is deemed 'needed' for housing in our city. The city has listed many other areas of VACANT land, VACANT buildings for 'future exploration' for housing. Instead, this should be the focus and consideration, where there is no need for removal of HERITAGE designations of properties. These places in Windsor that have Heritage Designation, were given that title for good reasons and as such should remain in full as it was set out to be.

Furthermore, the city's proposal for removing a portion of the heritage designation from Roseland sets a precedent to ANY other heritage designation in the city that it can so 'easily removed' to sell off to build homes. This is a dangerous slope, and I am absolutely fully against the proposal of doing so.

The approach that the city has taken on this process has completely eroded the trust of the residents that it serves.

Roseland Residents,

Olivia Curti Durocher
Stephen Durocher

From: Donna Mayne < >
Sent: February 5, 2025 1:59 PM
To: clerks <clerks@citywindsor.ca>
Subject: Roseland Golf Course

Please include my letter below for public submission

Re: 8.11 Amendment to Heritage Designation By-law No. 251-2003-455 Kennedy Dr. W. Roseland Golf Course (SCM 16/2025) (S 161/2024)

Dear City Council members,

As a life-long South Windsor resident, I have watched the considerable expansion of our community. I have seen high density housing infiltrate our residential single-home properties. And I have seen how decades of neglect have eroded our once vital, **publicly** owned Roseland Golf Clubhouse. It sickens me that this cherished gem, with so much potential to support such a growing community, is at risk of shortsighted ambitions that would sell it for privately owned condominiums.

Shared space combats social isolation and plays a pivotal role in promoting mental and physical health. Redeveloping the clubhouse into a multi-use community centre would provide a safe, inclusive and supportive environment for our youth, provide programming for our seniors and low-income and marginalized groups.

Please retain this public asset and understand its potential to support and enhance the quality of life for our current and growing community.

Donna Mayne

To Whom It May Concern,

I am writing to oppose the removal of Heritage designation on Roseland Golf Course.

It has been stated that Mayor Dilkens wants to build 38 luxury condos on this property. This will be an abomination and misuse of this land that the city of Windsor's residents have entrusted to you. It was designated a heritage land in 2003 in order to protect this precious property. Bylaws are put in place for a reason and council put a lot of thought into establishing them and why. To have the present council simply erase previous council's bylaws, actually erases the fact that bylaws are put into place to protect us and the land we inhabit and use for our enjoyment. City council does not own this land. They have no right to decide to decimate it with the building of 38 luxury condos. This is a slap in the face to all previous city councils as well as the residents of Windsor. You are the stewards of this land – put in your hands for safekeeping. Removing the heritage designation and building residences on this land is not your right, especially as it is against the wishes of the residents of Windsor. Removing this designation opens the course, and other heritage Windsor properties, to be taken apart and sold off with little regard to our history.

Mayor Drew Dilkens has cancelled the tunnel bus under the thought process of not funding another country's economy while ours remains under threat of tariffs. If this is in fact true, Roseland's designation must remain as is. Having Roseland Golf course, in its entirety, fully lends to Mayor Dilkens "Canada strong" mantra. This historical course draws both locals and tourists from all around to play this course. After playing the course, tourists also explore what Windsor has to offer. This course, in its entirety along with having a heritage designation, keeps our dollars in Canada instead of visiting courses in the US. This fully supports Mayor Dilkens aim of "keep Canada strong". It would be hypercritical to cancel buses under the guise of keeping taxpayers' dollars in Windsor and then to open up a main draw to dismemberment. We should be enhancing this course by adding community amenities (restaurant, patio, community hub, etc.) and not removing parts of it for the housing of 38 very elite people who can afford a luxury condo. This land is for the people of Windsor, not for the very select 38 residents. As Councillor Francis has stated, "we do not have a luxury condo crisis". For that reason alone, this property needs to be left as is. Enhance the property and draw more people to spend their dollars within the city.

In closing, I ask that each of you truly search your conscience and heart over the proposed action of removing the heritage designation from this site and vote for the right thing.

Thank you,

Marla Sponarski and Mark Poisson

From: Louis Durnbeck <>
Sent: February 5, 2025 3:49 PM
To: clerks <clerks@citywindsor.ca>
Subject: Submission re Amendment to Roseland GC Heritage Designation

Please accept my written submission below. Inclusion in the public record is permitted. Thank you.

Re: Proposed Amendment to the Heritage Designation at Roseland GC
455 Kennedy Dr. W., Windsor ON
Report #S 161/2024
Item 8.11 on Council Agenda for Feb.10/25

I am one of many Citizens strongly opposed to amending the Heritage Designation at Roseland. This would set a dangerous precedent that could affect not only Roseland GC but every Heritage Designated site in our community.

The City Administration's suggestion that this is a "housekeeping" matter to correct an error made by the Heritage Committee at the time of designation is incorrect and misleading at best. We have heard from members of that Committee who were also members of City Council at that time that the entire property was designated purposely and deliberately.

As stated by Councilor Fulvio Valentinis:

"I was a member of Windsor City Council in 2003 when council deemed it desirable to designate Roseland Golf Course, 455 Kennedy Dr. West to be of architectural and /or historic value and interest. City Council in 2003 strongly believed that this parcel of land known as Roseland Golf Course "possesses unique character ". (Heritage Act) and it was important "to ensure that this character is preserved". The intent of council was to protect this property from any redevelopment other than a golf course. The proposed amendment is to remove the designation from an area (10 ACRES) equivalent in size to 7.5 football fields. This is SIGNIFICANT. Not only does this negatively impact the character of Roseland Golf course but also opens the door to further redevelopment on the Roseland property and potentially other Heritage designated sites. I urge you NOT to set this precedent. Please deny the recommendation of a proposed heritage designation by-law amendment as presented in Report s161/2024."

2.

As stated by Councilor Joyce Zuk in her recent message to me:

"I read Fulvio's email and I agree with his recollection of the designation of Roseland.

I too sat on the Heritage Committee and very much advocated for the designation of this City of Windsor jewel.

While the Donald Ross golf course was of particular note, I do recall being informed that the designation could not separate the club house and parking lot from the golf course.

It was an all or nothing decision. I was very happy that we were "all" in on this designation."

I understand it is Joyce Zuk's intention to provide a further written Submission as well.

In his letter of July 3, 1926 to his right-hand man located in Michigan, obtained from the Tufts Archives in Pinehurst, North Carolina, Donald Ross referred specifically to the Clubhouse and parking areas, very clearly indicating that his vision for the property included those amenities as crucial to the support of the Golf Course operations. He even laid out an attractive entrance with circular driveway leading up to the Clubhouse – which happens to be within the footprint of the existing Clubhouse today. By now we've all seen that drawing from 1926. A copy of the first page of Mr. Ross' letter referenced herein is attached.

I believe there are a number of concerns related to how this situation has evolved and also regulatory and technical issues that will be better addressed by others, but my opinion is that Roseland GC is a prized possession of the citizens of Windsor that should be, if anything, enhanced and preserved the way Donald Ross and previous Heritage Committee and City Council members intended.

Thank you for your thoughtful consideration on this important matter.

Sincerely,
Louis Durnbeck
Concerned Area Resident

DONALD J. ROSS
GOLF COURSE ARCHITECTURE AND CONSTRUCTION
LITTLE COMPTON, RHODE ISLAND

ASSOCIATES
WALTER B. HATCH
N. ARNHENST, MARR.
J. B. MCCOYVERN
WYNNWOOD, PA.

August 3, 1926.

Mr. W. I. Johnson, Jr.,
Pinehurst, N. C.

Dear Irving:-

RE-ROSELAND PARK COUNTRY CLUB

Send Mr. Percy R. Hoad, Michigan Investment Co.,
530 Shelby St., Detroit, Mich., six (6) blue prints of general
plan, one (1) black line print and also make one (1) crayon colored
plan. This will necessitate your getting two black line prints.
The crayon colored one can be simple and inexpensive. Send him
also three (3) sets of working plans and greens.

This is a rush job and I would like for you to lay
everything else aside and do the general plan first. They will want
it to start in clearing the fairway widths. It is very urgent, so
give it your best attention. Next in order comes the putting green
plans and then the hole plans.

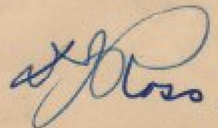
On the general plan show the first row of lots adjoining
the course and the road around it. Show the Club House, tennis courts,
etc., and I think it would be rather attractive to show the entrance,
including Dougall Square.

The main ditch which I have shown in front of the Club
House and across #8 and #9 holes, is at present located through the lot
lines back of the Club House but it is to be changed to suit the golf
course. The swails which I have shown in red are subject to slight
adjustments as the construction work progresses but as the land is dead
flat and badly drained those swails could be very useful both for
filling material and drainage purposes. I have also shown the clumps
of tree planting. You can put those in.

On a separate sheet I am sending you rough sketches of the
putting greens, large enough for you to follow my description. Those on
the general plan are so messed up with yellow that I do not believe you
could follow my figures. No attempt is made to have the greens made on
scale on these rough sketches.

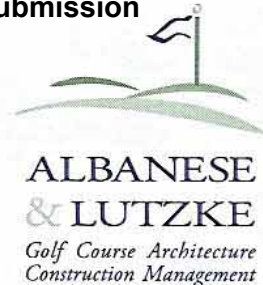
Show a cross section of each green from right to left and
from front to rear. This is very necessary as I do not believe we are
going to have the construction of the course. You understand the ground
is absolutely flat

Sincerely,



ROS 80-2

Address October to May—Pinehurst, North Carolina



Dear Members of the City Council,

I am expressing my deep concern regarding the potential removal of 4 acres of historical designation of the Roseland Golf and Curling Club golf course. This beautiful and untouched Donald Ross-designed course is undoubtedly worthy of this designation, with the hopes that this course will continue to be a valued, historical asset to the City of Windsor. With its unique layout and historical significance, this course is invaluable to the Windsor community's heritage. I implore the Council to protect it and the clubhouse area as a historical site.

Donald Ross, regarded as one of the greatest golf course architects of all time, designed courses that golf enthusiasts worldwide cherish. His design of Roseland Golf Club stands as a testament to his legacy and to the rich tradition of golf in our region. The preservation of this course is not just about maintaining a recreational space but also about honoring an important historical landmark that contributes to our community's cultural identity.

In its current state, the course remains one of the few untouched examples of Ross's work, offering a glimpse into a bygone era of golf course design. Its continued preservation is essential for future generations, who will undoubtedly appreciate its historic value and beauty. Removing its historical designation would diminish its significance and set a dangerous precedent for other historically valuable sites in the city.

I was fortunate to have worked on the Roseland Golf Course during the bunker renovation project over 10 years ago. During that time, we painstakingly researched the history of the golf course to ensure the needed renovations of the bunkers fit into the restoration of the original design concepts of Donald Ross. It was critical to our mission to ensure this cherished gem retains its original design integrity and philosophy.

I often use the analogy of paintings created by masters of the past. Every so often, we hear of someone who finds an old painting in their attic and does not recognize the artwork's provenance. Only to discover that it is an invaluable Van Gogh or Picasso painting. The City of Windsor has what would be analogous to one of these paintings. The

P.O Box 5572
Plymouth, MI 48170

tel: (734) 667-5150
www.golf-designs.com

Roseland Golf Club is not only an original Ross design, but a primarily unadulterated one. Many Ross designs around the country have been ruined due to the encroachment of other land uses. I don't want that to happen to the City of Windsor's treasure.

Another analogy would be baseball cards. Anyone familiar with baseball cards understands that mint condition cards are more valuable than those that have been damaged or even have bent edges. The Donald Ross course at Roseland is closer to a "mint" condition than not. It is incorrect to think that the clubhouse area would not affect the value of this prized asset. The more the golf course is infringed upon, even at the edges, the less value the golf course will retain.

I strongly urge the City Council to reconsider this decision and to work towards preserving this vital piece of history. Instead of removing its designation, I encourage the Council to explore alternative solutions to ensure this magnificent golf course's protection and continued enjoyment for years to come.

Thank you for your time and consideration. I hope the City Council will act in the best interests of our community and future generations by preserving the historical integrity of this remarkable Donald Ross-designed golf course.

Sincerely,

Paul Albanese, ASGCA

Golf Course Architect

From: Fulvio Valentinis < >

Sent: Thursday, February 6, 2025 12:39 PM

To: clerks <clerks@citywindsor.ca>

Subject: February 10, 2025 Council Meeting. Item 8.11 Roseland Heritage Bylaw Amendment

Please include as a written submission the following attachment for Monday's February 10, 2025 Council Meeting regarding Item 8.11 Amendment to Heritage Designation Bylaw No. 281-2003-455 Kennedy Drive West, Roseland Golf Course.

Councillors,

On Monday February 10, 2025 Windsor City Council will be dealing with a Heritage Designation Amendment Bylaw regarding Roseland Golf Course in the City of Windsor. Regretfully I am out of town and will not be able to attend.

The effect of the proposed amendment is to SEVER and REMOVE the Heritage Designation from a portion of the property known as Roseland Golf Course.

I was a member of Windsor City Council in 2003 when Council deemed it desirable to designate Roseland Golf Course, 455 Kennedy Dr. West to be of architectural and /or historic value and interest.

City Council in 2003 strongly believed that this parcel of land known as Roseland Golf Course "**possesses unique character**" (Heritage Act) and it was important "**to ensure that this character is preserved**". The intent of Council was to protect the entire property from any redevelopment other than a golf course.

The proposed amendment to remove the designation from several acres is the start of an erosion of the property's heritage status. Not only does this negatively impact the character of Roseland Golf Course but it also opens the door to further redevelopment on the Roseland property and potentially other Heritage designated sites.

I urge you to NOT set this precedent. Please deny the recommendation of a proposed heritage designation bylaw amendment.

Thank you for your consideration,
Fulvio Valentinis

February 6, 2025

To: Mayor and City Council
Attn: City Clerk
Reference: Report No.: MB/6075
File No.: SCM 16/2025, S 161/2024, AI 5/2025
Public Meeting City Council
Monday, February 10, 2025, at 10:00am

Dear Mayor Dilkens and City Council;

The Mayor and City Council will be assessing/debating if City Administration Report No.: MB/6075 supports a Heritage Designation Amendment Bylaw also known as removing Heritage Designation from approximately 4.09 acres of land from the property known as Roseland Golf Course, in the City of Windsor.

General Review Comments

Report Notice

Decision Number: DHCS 690

THAT the amendment to the Heritage Designation By-Law No. 281-2003 for 455 Kennedy Drive West, Roseland Golf Course (Ward) 1 BE **DENIED**

The recommendation of a proposed heritage designation by-law amendment as presented in Report MB/6075, should be denied.

Historical Background from Council Report: S 161/2024

In Appendix A of this Report: It states:

In the late 1920's Henry James "Harry" Neal embarked on the "biggest thing he had ever tackled," the development of the **Roseland Park Subdivision** on the City's South Side. The "**Subdivision**" was to be centered on an 18-hole Championship Golf Course that would eventually owned by the purchasers of Residential Lots from which Neal and his brothers expected to recoup their investment in the Golf Course.

Mr. Neal brought "**Donald Ross**" to Windsor in 1926 to Layout the Roseland Park Golf Course. Ross the most sought after Golf Architect in the World at the time, visited the site in late July – early August 1926. Shortly after the course was built, the "Great Depression" hit. The sale of the surrounding lots from which the brothers expected to recoup their investment in the Golf Course, was basically non-existent and Mr. Neal eventually lost the Course. None the less, the

Roseland Golf Course and the **Essex-Kent Boys Golf Tournament** which helped to establish, serve as lasting tributes to Harry. J. Neal, who died in 1961 at the age of 78. In 1973 the City of Windsor purchased the Roseland Golf Course from manager/owner and Golf Pro Robert Williamson who went on to develop Seven Lakes Golf Course.

The Original Frame Clubhouse (for what is a Golf Course without a Clubhouse) was replaced by the existing Club House/Curling Rink In 1978. (I imagine it made perfect sense to have a complimentary Scottish Origin Sport to utilize during the Winter months, when the Golf Course lay idle).

The proposed Heritage Designation was enthusiastically endorsed by personnel at the Ministry of Tourism, Culture and Recreation and the Golf Course. In an article on scorgolf.com entitled **“Ross’ Roseland Municipal Golf Course: An Unpolished Gem”** author Jeff Mingay called the course in its original concept “perhaps the very best Municipal Course in all of Canada”. The Roseland **BOARD** at the time unanimously to apply for Heritage Designation. Heritage Designation will give the course the recognition it deserves and draw the **Community’s attention** to what a valuable heritage resource Roseland is. Designation will ensure that the Original Design of the Course will be **PRESERVED** for the enjoyment of this and future generations.

The property is the **“Centerpiece”** of the Roseland Park Subdivision. The entire Property was designated under the Provisions of the Ontario Heritage Act (OHA) by Mayor Hurst and City of Windsor Council by By-Law No. 281-2003.

AND SO HERE WE ARE...

Cultural Heritage Landscape Discussion:

I would argue that Mr. Neal’s **“vision”** was as stated:

... the Golf Course was to be the “CENTERPIECE” of the Roseland Park Subdivision...

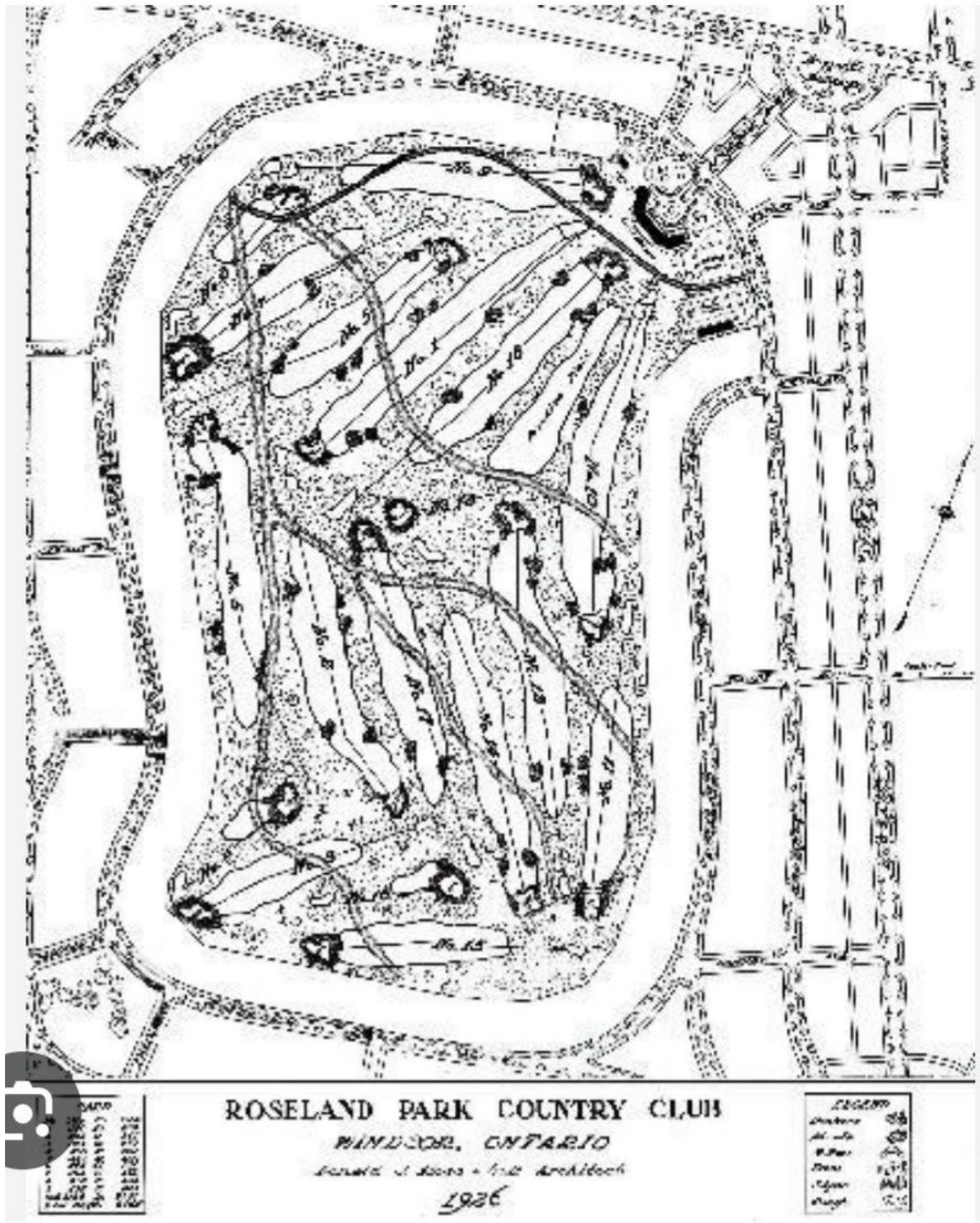


Diagram 1 – Appendix A S 161/2024

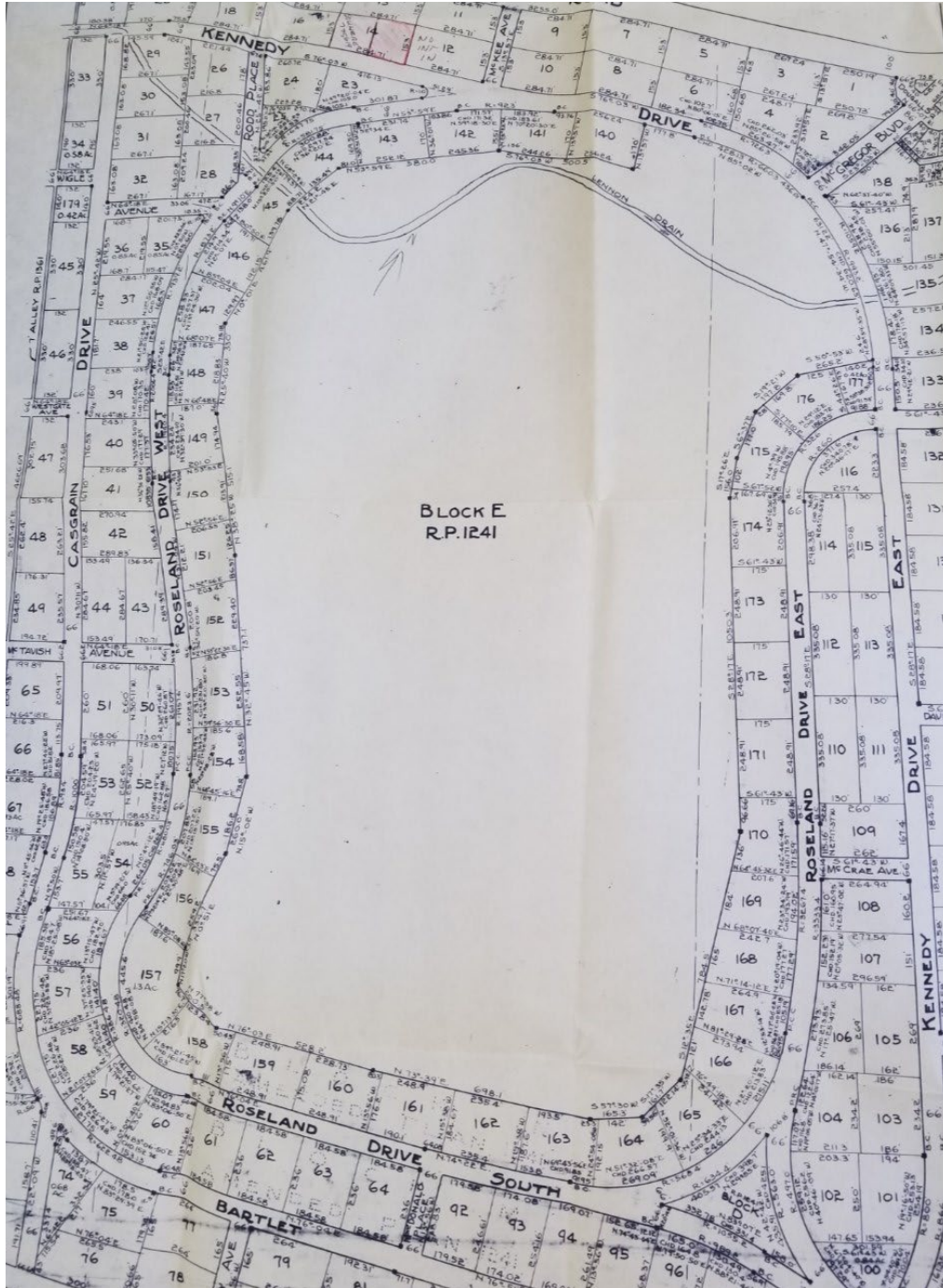


Diagram 2 - 1948 Veterans Land Act – provided by Penny Taylor



Diagram 3 2003 Map of Lot 01289 from By-Law 281- 2003

Discussion/Questions:

1. March 7th, 2024 – Open House – when you solicited Public Community feedback:

Why was the Public not informed of the Heritage Designation 281-2003 at that time?

2. March 21st – meeting attended by over 200 local residents in opposition to this Proposal and a Petition signed by 600+ residents.

Did that not warrant a reconsideration of this proposal, before all this time, energy and resources were directed toward this Proposal, especially given the Heritage Designation?

3. March 22nd and April 18th email was sent to Mayor Dilkens /City Council informing of the Heritage Designation obtained from the Ontario Heritage Foundation - only one Councillor responded Councillor Gary Kaschak (Ward 8) in that April 19th email he stated: “The Golf Course has been given Heritage Status& cannot be anything but a golf course moving forward but the building is not & never has been a heritage site.” I also heard our Mayor make that similar statement numerous times on Public Media Outlets in those early months.

Did our current Chair on Board of Directors of Roseland Golf Course not know this property was protected by By-Law 281-2003 or was he giving me misinformation?

4. August 24, 2024, architectural team ARCHON Architecture Inc along with heritage professional at a+LiNK Architecture Inc. firm based out of London, Ontario were retained to prepare HIA for the designated Roseland Golf Course property. October 31, 2024, HSMFW Project lead and Consultant Team formally submitted the HIA and associated survey plan to constitute a complete package of the designated by-law amendment.

If this package was complete in October, why did it not get “hand delivered” until December 24th, 2024? Why London firm instead of Windsor?

5. Nancy Morand the Heritage Planner who recommended the heritage designation of Roseland Golf Course, states within her November 2001 report to the Windsor Architectural Advisory Committee (now Windsor Heritage Committee) that these later additions to the property [i.e. the club house and curling rink building, par-three course, pro shop building, and storage shed] will not be listed in the reason for designation” Designation By-law 281-2003 applies to the entire Roseland Golf Course property, because the legal description is for the entire property.

So apparently the 2003 Mayor and City Council expected the property to be maintained and cared for, does this mean now the Par 3 will be next on the shopping block? Does this severing of approximately 10 acres set a precedence for it to happen again? What does it mean to have a Heritage Designation of a Historical Property if 21 years so Council can change it? At the time the Roseland Golf Course was designated the Clubhouse/Curling Rink was only 24 years old... why was it not maintained? Does this mean you may see Luxury Condominiums going up around Willistead – they won't miss 10 acres.

Closing

If you overlap these 3 maps you will see the Footprint of Property Identified as #01289 as in By-Law 281-2003 has not changed over the years. This is the Property that Mayor Hurst and 2003 City Council intended to have protected from sale or development for perpetuity. This is not privately owned, Zoned GD1.2 this property is **PUBLIC** Parkland that **IS** Heritage Designated, left in the stewardship of the City of Windsor. Roseland Golf Course neighborhood is unique. The Don Ross design Roseland Golf Course, the “**Centerpiece of the Roseland Subdivision**” is about to **Celebrate its 100th Anniversary**. Why is our Current Mayor and City Council moving in the opposite direction?

Like many of the **Absentee Land Owners** in our South Windsor neighbourhoods, the City of Windsor has **dis-invested** in this property, allowed it to **deteriorate**, because they are **speculating** on selling it in the future, for **denser Residential** use. This **Provincial Push** for housing should have nothing to do with **Roseland Golf Course**, the 38 Luxury Condominiums proposed on March 7th, 2024 by our Mayor would result in **.0029%** of their total quota of **13,000** new homes by 2031. Some developer will make mega profits from this land, but the taxpayer and residents that live in this area will lose. There are many abandoned buildings and lots downtown and around the City that would yield a much higher outcome of perhaps even “**affordable houses,**” while at the same time **revitalizing neighbourhoods**.

The focus seems to be on the **Clubhouse** and its demolition through neglect. Perhaps the existing building has no heritage value and neither does the parking lot, however, the land on which it sits does. It all contributes to the cultural heritage landscape to which the Roseland Heritage Designation applies. This is spelled out in the HIA in section 9, on page 24, first paragraph. The bigger concern in this report is the almost 4.09 acres the City of Windsor want to remove at the entrance to the Golf Course. If this is allowed, what is to stop THIS or future City Councils to see other opportunities to convert the **Golf Course** to **cash**, the biggest fear is that this will lead to housing on the Golf Course itself or any other Heritage Property as far as that goes. There is a provision for an (8.3) **Alternative Approach** – would be **not** to remove a portion of the property from the designation.

During the Heritage and Development Committee meeting on January 6th, 2025, we were able to win the decision. The Heritage & Development Committee to deny the Amendment to the Heritage Designation By-law 281-2003 (4-2). On more than one occasion I have heard Mayor Dilkens state that once a decision comes from the Heritage & Standing Committee there is little or nothing he can do to reverse it. Does this also apply to decisions that are not in line with his expressed wishes? During that meeting a great deal of information with regards to the Par 3 “Shorty” was discussed. Within a matter of minutes the amount of acreage to be removed from Roseland was dropped from the 10 to 4. Does the Par 3 “Shorty” have heritage aspects? There lies the issue, the Par 3 does **NOT** have a heritage aspect any more than the building or parking lot. This is spelled out within the HIA completed by your consultant, in section 7.1, on page 17, first paragraph, it clearly says that the parking lot, clubhouse and Par 3 have no heritage value. If you can make an argument for the "Shorty" than you can make an argument for the 4.09 acres you want to carve out. If we are making a decision on the heritage designation, based on heritage

aspects or heritage value, then what happens with the Par 3 lands, should be the same as what happens with the clubhouse and parking lot lands. If there was one thing that was painfully apparent in the a+LiNK Architectural Report, is that if you pay for a report, you get the results you want.

To add further to its History in 1948 lots were provided to Soldiers returning from War at a reduced cost in the Veterans Land Act. Both Mayor Dilkens and Councillor Morrison have stated in the Windsor Star and Local Media outlets that “We need to Preserve Our Heritage” Roseland is already Heritage Designated, it is an intricate part of the fiber of this Roseland neighborhood (Community), it should be protected.

Do not allow this travesty to occur on your watch, take care of what you have been given to protect. Over the years Roseland Golf Clubhouse in its glory was a community hub... create a place for all to enjoy, protect it, and preserve it, as your predecessors did. The Heritage Designation at Roseland includes the land itself as the entire site. That a building or asphalt happens to be situated on the land is of little or no consequence. Land and landscaping are legitimately recognized as having Heritage value as demonstrated in the Heritage designations of Assumption Park and Willistead Manor, where land without structures upon it are seen as integral to the historical importance of the site in whole.

You are the guardians of our remaining historically important Heritage sites. Much has already been lost in the name of progress, but that progress is often short lived when later change comes about and further buries what once was. We have lost enough. Please be reminded - the Roseland Park Golf Club is irreplaceable and you must protect the whole of it or risk placing it and other important Heritage sites in danger. This Golf Course, by its own namesake, is the very essence of the surrounding community in which it is situated and provides a sense of community and place-making. Removal of any lands from the current Heritage Designation should be denied. **Deny the proposed by-law amendment to By-law 281-2003 on the Roseland Golf Course in Report No.: MB/6075.**

“SHOW LEADERSHIP BY EXAMPLE”

*We had a saying in the Navy... Leadership is the **Backbone** of any successful organization; but in order to be a good Leader you have to have a **Backbone**.*

Sincerely,

Catherine Archer

Gary Archer

Letter to Mayor and Council #1

January 30, 2025

Deny proposed Amendment to Heritage Designation- By-Law 281-2003

From Wikipedia - In the years after its use as a residence, Willistead served as the Walkerville Town Hall, Art Gallery of Windsor and as a public library branch [2]. In the late 1970's early 1980's, the City of Windsor, afraid of the repairs and upkeep on the mansion, wanted to demolish the structure. Preservationist stepped in and the home was saved. In 1976, Windsor City Council designated Willistead Manor and Park as a heritage property. [2]

Look at Willistead now as our Mayor and Council celebrates its Heritage in front of the Cameras... basking in all its glory. This achievement unfortunately is not the City's to celebrate. Members of the Community, concerned citizens stepped in to try to save this historically valuable sight. In today's environment they would have been referred to as NYMBYs stopping the wheels of progress. In recent News articles as the Mayor and Councillors have celebrated the History of Willistead, let's hope they realize that it was through the actions of **concerned** Community Residents that they are able to enjoy these amazing photo opportunities.

Roseland Golf Course is also unique. In the late 1920's, locally significant entrepreneur Henry James "Harry" Neal had a vision. Mr. Neal brought "Donald Ross" to Windsor to design this incredible Golf Course to be the "**Centerpiece**" of the **Roseland Park Subdivision**. This is not privately owned land, this property is Parkland, zoned GD1.2 that has been **Heritage Designated since 2003**, left in the **Stewardship** of the **City of Windsor**. The Donald Ross designed Roseland Park Golf Club is recognized as one of Windsor's most prized Heritage possessions, paid for by **City taxpayers** and entrusted to the Corporation of the City of Windsor as its guardian on behalf of its residents. Donald Ross' many achievements and worldwide recognition as perhaps the best golf course architect of his time warrants the utmost respect. To suggest that a portion of the Property at **455 Kennedy Dr. W** is not of Heritage value is false. Mr. Ross clearly indicated the importance of the entire 125-acre site in his drawings from 1926 where he defines the space as a welcoming entrance, parking lot and Clubhouse needed to support The Golf Course. What now appears as deliberate mismanagement and neglect of the building situated on this site takes nothing away from the Heritage value of the land upon which it sits. Donald Ross reserved this land as the site for the free standing Clubhouse when he designed the routing for the course in 1926, fully aware of the importance of a facility providing service to golfers and community alike.

The Heritage designation at Roseland includes the land itself as the entire site. That a building or asphalt happens to be situated on the land is of no consequence. Land and landscaping are legitimately recognized as having Heritage value as demonstrated in the Heritage designations of Assumption Park and Willistead Manor where land without structures upon it are seen as integral to the historical importance of the site in whole. Any suggestion that the 2003 Heritage designation at Roseland contained errors in defining the site are false, we have documented proof

that Councillors of the Day intended that the entire parcel was meant to be protected from sale or development. The Heritage Committee and City Council at that time recognized the entire property as crucial in support of the actual sporting function of the Golf course. The proposed carving out of a portion of the property by any means puts at risk every Heritage Designated Site in our entire Windsor community, not just Roseland. Justification using the argument that it's just land upon which no significant structure sits could apply similarly to the entirety of Assumption Park as well as to the grounds of Willistead Manor.

In 2001/2003 when the City originally designated the Roseland Property, it was appealed and challenged. The City sought after and aggressively defended its action and process at the time for designating the entire property. As part of the response to the appellant, the City's own Heritage Planner provided the following response "The intent of the heritage designation for the course is to preserve the Donald Ross design of the course, which is largely intact - not just to preserve a golf course per se. **Once designated, the owner is not obligated to restore elements lost over time, but any future changes should bring the course closer to the original design, not further from it**". With this statement, the action of the current Council can in no way demonstrate how they are not further removing heritage value from its original design since we have a copy of the 1926 design and description of the course.

Over the years Roseland Golf Clubhouse in its glory days was a Community Hub and it could be again, by preserving it as a place for all to enjoy. This Heritage Designated Property is not yours to sell, it is yours to **protect** ... as your predecessors did. You can replace the Clubhouse without removing the Heritage Designation, as provision in report S 161-2024 (8.3) Alternative Approach, choose that option. Please deny the proposed By-law amendment for Roseland Golf Course in report S 161-2024 coming to Council on February 10th, 2025. I would appreciate that you respond to me on this important matter. Thank you in advance.

Catherine Archer

Letter to Mayor and Council # 2

January 31, 2025

First Map Don Ross Golf Course Design - 1926; Second map 1948 Veterans Land Act; Third map obtained from Ontario Heritage Foundation By-law 281-2003 depicting the property to be protected by that By-law 281-2003

We spend a lot of time referring to Don Ross when we speak of the Roseland Golf Course, but there is another historically significant person involved, Henry James "Harry" Neal - local entrepreneur and avid sportsman (1883-1961). It was Harry Neal who brought Donald Ross to Windsor to layout the Roseland Golf Course in 1926. I would argue Mr. Neal's "**VISION**" as stated in the Report...is that the "**Golf Course**" was to be the "**CENTERPIECE**" of the **Roseland Park Subdivision**. If you overlap these 3 maps (attached) you will see "**that Footprint of Property**" identified as lot #**01289** in By-Law **281-2003** has not changed in a **100 years**. This is the **Property** that then **Mayor Hurst and 2003 City Council** intended to have protected from sale or development for perpetuity. This is not privately owned land, this property is Parkland, **Zoned GD1.2** that has been **Heritage Designated** since 2003, in the stewardship of the **City of Windsor**. Why is our **Current Mayor and City Council** moving in the opposite direction?

Like many of the **Absentee Land Owners** in our South Windsor neighbourhoods, they have **disinvested** in this property, allowed it to **deteriorate**, because they are **speculating** on selling it in the future, for **denser Residential** use. This **Provincial Push** for housing should have nothing to do with **Roseland Golf Course**, the 38 Luxury Condominiums proposed on March 7th, 2024 by our Mayor would result in **.0029%** of their total quota of **13,000** new homes by 2031. Some developer will make mega profits from this land, but the taxpayer and residents that live in this area will lose. There are many abandoned buildings and lots downtown and around the City that would yield a much higher outcome of perhaps even "**affordable houses,**" while at the same time **revitalizing neighbourhoods**.

All the **focus** seems to be on the **Clubhouse** and its **demolition** through **neglect**. The bigger concern in **this report** is the almost **10 acres** (dropped to 4 acres at the January 6th Heritage & Development Committee Meeting) that the Mayor and City Council want to remove from the Heritage Designation at the entrance to the Golf Course. Not just the roughly 2.5 acres where the current Clubhouse & Parking lot sit, where there has always been a Clubhouse (for what is a Golf Course without a Clubhouse). The intent is to have much **more removed** in this "**Common Housekeeping Amendment**". If **this is allowed**, what is to stop **THIS** or future **City Councils** to see other opportunities to **convert** the Golf Course to **cash**, the biggest fear is that this will lead to housing on the Golf Course itself. If this can be done at Roseland that has be Heritage Designated since 2003 under the Ontario Heritage Foundation, what is to stop this action from occurring with any other Heritage Designated Property in the City of Windsor, if the right opportunities arise.

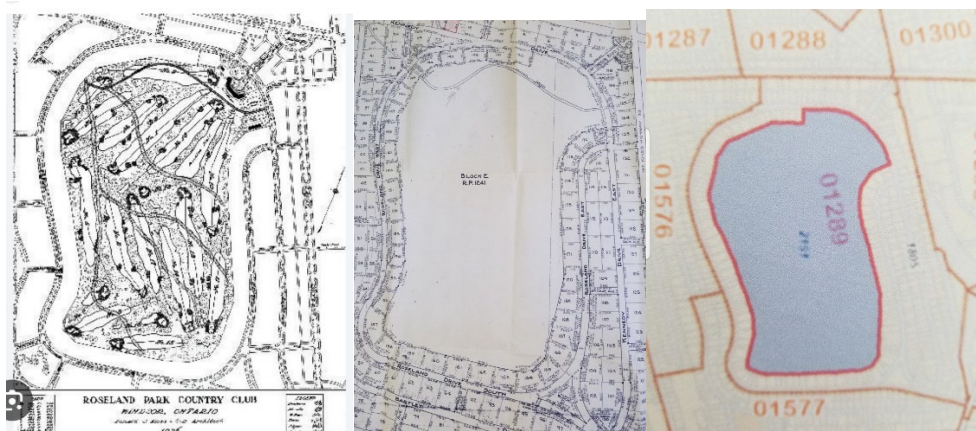
There is a provision in Report S161 - 2024 on page 22 - 8.3 MITIGATION APPROACHES: Alternative development approaches; " **An alternate approach would be NOT to remove a portion of the property from this designation.**" Choose that! Roseland Golf Course neighbourhood is unique. The **Don Ross** designed Golf Course, the "**Centerpiece of the Roseland Subdivision**" is about to Celebrate its 100th Anniversary in 2026. It would be nice if we could have a beautiful stand-alone Clubhouse and a welcoming entrance to this beautiful Historically significant Golf Course like Don Ross had envisioned as we celebrate this momentous occasion.

To add further to its **History**, is the **Veterans Land Act**, where ½ acre lots were sold to **Soldiers returning from War** at a reduced cost. I feel I must correct your **Description of Site – 4.1 “majority of these homes were built prior to the second World War”** - I believe the majority of them were built by **Veterans after the War**. As Ann Baltulis a self-described military brat, whose Dad served in the **Bomber Command...** told me “ So many veterans came home to **absolutely nothing** and to have the **opportunity to have a piece of land** was a God-send, our little **VLA** lot, growing veggies felt like **a piece of Heaven**”. Another VLA descendent Penny Taylor was kind enough to **share maps & blueprints** of this **History**. Many other descendants still occupy original **VLA** lots in this Roseland neighbourhood.

Mayor Dilkens and Councilor Morrison, you both have been quoted in the Windsor Star and other Local Media outlets that “**We need to Preserve Our Heritage.**” Roseland is an intricate part of the fiber of this neighborhood, it is **already Heritage Designated**. Do not allow this travesty, it is **NOT YOURS** to do with what you want, it belongs to all of **US**. Your job is to **protect it!!** Over the years **Roseland Golf Clubhouse** in its glory was a **community hub**, it could be again... create a place **for all to enjoy, restore it, and preserve it ...** as your **predecessors** tried to.

Please deny the proposed by-law amendment for Roseland Golf Course in report S 161-2024. Please find the time in your busy schedule to respond to me with regards to this important issue, before you vote on February 10th.

Catherine Archer



Letter to Mayor and Council # 3

February 3, 2025

On more than one occasion I have heard Mayor Dilkens state that once a decision comes from the Heritage and Standing Committee there is little or nothing he can do to reverse it. Does this also apply to decisions that are not in line with his expressed wishes?

From Taylor Campbell article published in the Windsor Star, January 8th, 2025 (January 6th Heritage&Standing Committee Meeting):

"Going against a recommendation from city staff, Windsor's development and heritage standing committee opted not to lift heritage designation from Roseland Golf and Curling Club's parking lot and clubhouse, where council previously voted to pursue a private residential build."

Should City Council decide to override the decision of its Development & Heritage Committee it sets a very dangerous precedent. You will be opening the door to the possibility of any future City Councils dishonouring Heritage designations at their own whim and/or personal interest. Any suggestion that a portion of the property at 455 Kennedy Dr. W is not of Heritage value is false. Mr. Ross clearly indicated the importance of the entire 125-acre site in his drawings from 1926 where he defined the space for a welcoming entrance, parking lot and clubhouse needed to support the golf course. The 2003 Heritage Committee and City Council at the time recognized the entire property as crucial in support of the actual sporting function of the Golf Course. You must respect that the 2003 City Council sought after and aggressively defended its actions and process at the time for designating the **entire** property. "The intent of the Heritage designation for the course is to preserve the Donald Ross design of the course, which is largely intact- not just the Course per se. **"Once designated, the owner (City of Windsor on our behalf) is not obligated to restore elements lost over time, but any future changes should bring the course closer to the original design, NOT further from it"**. - Nancy Morand, the Heritage Planner who recommended the heritage designation of Roseland Golf Course. Pretty sure Don Ross didn't envision 38 Luxury Condominiums.

People move into a neighbourhood because of the opportunities it provides, access to schools, parks, churches, and community centres that will offer opportunity and enhance their life. This is a public space enjoyed by generations of residents until the city allowed it to fall into disrepair by neglect.

With the loss of St. James Church and Oakwood Community Centre, Roseland/South Windsor seriously lacks anything in the way of supporting our growing community South of Cabana, especially considering plans to increase density. Keep Roseland Golf Course Clubhouse as a public community hub as it was intended to be, for all, not just an elite few that can afford it. We suggest not only a golf clubhouse but a multi-use community centre for elderly residents, young families and new Canadians in

mind. Hall rentals and classes for parents and tots, pickle-ball, fitness and many other great low cost ways to facilitate quality of life for our growing community. Support and help reduce the social gap between the affluent and those that are struggling economically. The last thing we need is excessively priced condominiums that will do nothing to benefit the community as a whole. This a public facility, currently zoned GD 1.2 Parkland and has been Heritage Designated since 2003, it should remain so. Removal of any lands for the current Heritage Designation should be denied. I look forward to further discussion before you make your final decision on this matter.



Letter to Mayor and Council # 4

February 4, 2025

The Heritage Designation at Roseland includes the land itself at the entire site. That a building or asphalt happens to be situated on the land is of little or no consequence. Land and landscaping are legitimately recognized as having Heritage value as demonstrated in the Heritage designations of Assumption Park and Willistead Manor where land without structures upon it are seen as integral to the historical importance of the site in whole. This hold true for Roseland as well.

You are the guardians of our remaining historically important Heritage sites. Much has already been lost in the name of progress, but that progress is often short lived when later change comes about and further buries what once was. We have lost enough. Please be reminded - the Roseland Park Golf Club is irreplaceable and you must protect the whole of it or risk placing it and other important Heritage sites in danger. This Golf Course, by its own namesake, is the very essence of the surrounding community in which it is situated and provides a sense of community and place-making. Removal of any lands from the current Heritage Designation should be denied. Please contact me so we can discuss this further.



From: Catherine Archer < >
Sent: February 5, 2025 4:15 PM
To: clerks <clerks@citywindsor.ca>
Subject: Amendment to Roseland Heritage Designation 281-2003
Attachments: Letterhead ELECTRONIC Roseland .pdf

Please include as a written submission the following attachment - Letter from the Honourable Brian Masse, Member of Parliament (Windsor West).

This letter was in response to a request regarding his involvement and understanding of the intention of the 2003 City of Windsor Council (of which he was a Ward 2 Councillor) when they deemed it desirable to create the Roseland Golf Course Heritage Designation. So he could provide some clarity to the potential amendment of By-Law 281-2003 as it pertains to the Heritage Designation at Roseland Golf Course.

I have his expressed permission to share his thoughts on this matter, the upcoming Council Meeting, February 10th for Item 8.11.

Thank you
Catherine Archer

Brian Masse

Member of Parliament
(Windsor West)



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

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brian.masse@parl.gc.ca

February 4, 2025

Catherine Archer
1080 Cabana Rd. W
Windsor, ON N9G 1B4

Dear Ms. Archer,

Thank you for your email regarding the potential amendment of By-Law 281-2003 as it pertains to Heritage Designation at Roseland Golf Course. I have received several emails and calls with regards to this issue so I thought I should respond to ensure clarity.

Although I am not fully privy to the current proposal, I can provide you with my record on this property subject to the time I was on City Council from 1997 to May of 2002, as I left Council for my current position as Member of Parliament.

First, as a south Windsor youth I grew up having a membership on the par three at Roseland Golf Course and appreciated the ability to ride my bike and partake in affordable recreational activity not ordinarily available in a city core. Years later this experience served me well when the property had several attempts to alter its configuration, or budgetary decisions related to maintenance of the entire property. My seat mate next to me was the late long time City Councillor Mr. Tom Wilson who was probably the strongest advocate for this asset.

I can unequivocally say there were often development proposals and political campaigns to either sell part or entirely all the golf facility and I never supported any of these initiatives. The Roseland facility connection to the heritage of our community being a recreational aspect is unique but was not alone in being a park or asset considered for alternative use. For example, I worked with a community group to prevent the sale of other community space especially ones with or connected to green or recreational activity as we never get those places back. Due to the recurring debate and attempts to alter Roseland is why I believe the By-Law 281-2003 was created. It has been sometime since I sat on City Council, but I can simply state at least every budget year we had a robust debate around the future and often during that time the heritage aspects always was part of the discussions.

Lastly, I do want to say thank you for reaching out and being part of this debate. I know some may call people NIMBY (not in my back yard), however I think it is crucial that people care about their neighbourhoods and are part of decision making as it relates to our past, present and future.

Sincerely,

A handwritten signature in blue ink that reads "Brian Masse". The signature is written in a cursive style with a blue background behind the text.

Brian Masse M.P.
Windsor West

February 4, 2025

To: City of Windsor – Clerk Office

**Attn: Clerk – City of Windsor Clerk
Mayor and Member of City Council**

**Reference: Item 8.11 – Roseland Heritage Designation Bylaw Amendment
City of Windsor Council Meeting
Monday, February 10, 2025, at 10:00 am**

Dear City Council;

Please accept this letter in reference to Item 8.11, to be heard by City Council at the February 10, 2025, Council meeting. ***City Council is implored to uphold the decision made by the Development & Heritage Standing Committee (DHSC) at their meeting on Jan 6, 2025, and continue to deny the proposed heritage designation bylaw amendment for the Roseland Golf Course.***

Item 8.11, has been placed on the Consent Agenda section of the Feb. 10, 2025, Council meeting. It is hoped that this matter will be removed from the consent agenda portion of the meeting so that a proper debate and discussion can be held regarding the issues.

As part of the January 6, 2025, DHSC meeting, several written comments have been provided. My written submissions outlined gaps in information before the DHSC to make a well-informed decision on removing heritage designation from a portion of the Roseland lands. Despite the fact that a separate report AI 5/2025 has been issued for Feb. 10, 2025, Council meeting, with additional information. Gaps in information still exist today for Council as a whole. Comments that I previously submitted still remain valid today.

I am providing additional comments relative to the removal of heritage designation on Roseland;

Why are we here

In 2001, the Windsor Architectural Conservation Advisory Committee (now called the Heritage Standing Committee) approved the heritage designation for Roseland Golf Course, based on the 1923 Donald J Ross design, based on the plan attached to the current bylaw, covering the entire golf courses 125 acres, which also included a written description of the course.

A resident in the area appealed this designation in 2001, and between 2001 and 2003, the City spent money and defended implementing the heritage designation. That appeal was subsequently withdrawn in 2003, and that is when the formal designation bylaw was finally passed (2003).

As noted, the city defended this designation against the appellant between 2001 and 2003. During that time, the City's Heritage Planner, issued a letter and stated the following.

*"The intent of heritage designation of the course is preserve the Donald Ross design of the course, which is still largely intact - not just to preserve a golf course per se. **Once Designated, the owner is not obligated to restore elements lost over time, but any further changes should bring the course closer to the original design, not further from it.**"*

How can anyone say that the proposed bylaw amendment to remove land from the 2003 bylaw is bringing the site closure to the original 1926 drawings depicted in 2003 bylaw reasons for designation?

Please see **Appendix A**.

Donald J Ross – course description

There exists an August 3, 1926, course description authored by Mr Donald J Ross. It is clear what the entirety of the land was to be part of the original golf course. Although not everything described therein was formally built upon from 1926, it does, however, remain a vital part of the golf course lands, the course description and the overall intention and vision. Mr Ross, speaks about the entrance, clubhouse, tennis courts, etc.

Please see **Appendix B**.

2001 – 2003 City of Windsor Council Term

Former councillors from the 2001/03 term have weighed in on what the intention of Council was when the original designation was put in place between 2001 to 2003. The entire parcel of land depicted in Ross' 1926 sketch was to be protected.

Results to Area Since 2003 Designation

The decision to make Roseland Heritage was initiated 24 years ago. Formally, since 2003, the area surrounding Roseland prospered and everyone around here has recognized the heritage designation and invested in the area significantly, for all of us to call home.

These private property investments, now framing the Roseland Golf Course have come at no cost to the tax levy and have contributed to the success of the Roseland Golf Course today. These private investments are contributing to the allure of playing this course. You can witness this firsthand if you were to compare Roseland Golf Course to the City's other owned golf course Little River. The differences are quite evident in landscape/setting and that is reflected in the financials/profitability between the two courses.

The 2003 heritage designation has contributed to the quality of life for the Roseland neighborhood and for the entire City of Windsor because it provided a recreation opportunity for those who enjoy golf. In fact, the Roseland golf course now prospers as well, as a result of that heritage designation decision. It is understood, that over the last 5 years, Roseland has brought in over \$300k profit to the city annually.

Now the current Council may not want to recognize, what Councillors of the past have done, or what your constituents have relied on for over two decades.

Setting a Future Precedence

Any decision of this current City Council to remove heritage designation from land at Roseland has long-lasting and far-reaching implications, City-wide, on private or public-owned lands.

As part of the Jan 6, 2025, DHSC meeting, a Councillor asked City administration, "*could something like what is occurring at Roseland, happen at Willistead*", and City administration said **YES** if Council decided to.

There are many privately owned heritage-designated properties in this City. How does the City stand strong against any of those properties when those private owners come forward and want to make changes. The private property owners will say, "*well the City made a change at Roseland, so why can't I do it*".

Previous Work at Roseland

In 2009 and then again in 2018, the city did extensive work on the Roseland Heritage golf course without getting a Heritage Impact Assessment or a Heritage Permit.

The 2009 work consisted of the demolition and rebuilding of some buildings and the 2018 consisted of drainage and earth grading works.

The purpose of bringing this concern forward is that the City carried out modifications to a current heritage-designated property without properly following the Heritage Act and heritage permit process. We don't know if any of those works has degraded the overall heritage value of the entire site and any of the lands that are meant to remain heritage as part of your decision tonight. What I want to ensure that does not happen, is that a future council will say "*the site has been altered so much so, that it has no more heritage value*".

Please see **Appendix C**

Proposed HSMFW Plan

The Roseland property has been identified as a proposed multi-story, high-density, 38-unit condo building. The site was identified in the Housing Solutions Made for Windsor (HSMFW) plan.

One of the objectives of the HSMFW plan was to identify municipally owned property available for the City to put forward to contribute to the current National housing crisis and to provide attainable housing units and/or housing units for the missing middle.

The HSMFW plan had identified Roseland for redevelopment. The city went so far as to prepare an architectural sketch to support this site for redevelopment.

City Council should be making decisions on this site with all the relative information in front of them and try not to deal with one aspect at a time on the Roseland property. After all, it was the city that made the HSMFW plan public before they even knew that a Heritage Designation bylaw amendment was required at Roseland.

Feasibility/Business – HSMFW Roseland Plan

There appears to be no feasibility or business plan that shows that the Roseland Site as part of the HSMFW plan is viable for the Windsor taxpayers or even for the development community. Most discussions on the HSMFW plan (Roseland property) have been in-camera, and only you as councillors would know this.

The taxpayers have no indication of what is expected to be the outcome or net gain for Windsor taxpayers once an Expression of Interest (EOI) for Roseland redevelopment is submitted to the city. How will Administration/Council weigh and evaluate the proposed Roseland EOI's responses from the development sector, to determine if they meet the expectations of Council and the Community? Simply based on meeting the intent of an architectural sketch.

The proposed sketch of the building at Roseland has identified a 110-parking stall underground parking. Just by adding 110 underground parking spots, that adds an estimated approx. \$7.5 million to the overall construction cost when you compare that to a standard ground surface parking lot.

Does anyone think a developer is going to say OK to that added cost along with added cost for a green roof, etc. The developers will still need to make a profit while keeping the cost of the future condo units within relative real estate market values. All of this will occur on taxpayer-owned land; therefore, the overall purchase price of the land/property may be underestimated by the developer to make up that difference or a request to expand the development footprint on additional lands or increase units to spread out the increased costs and differences. Where does the City Council stand on this?

City's Reasons for Heritage Designation Bylaw Amendment

Property Legal Description Change

The current proposed Heritage Designation bylaw amendment is being predicated based on the fact that the golf course property has a new legal description.

The city went in and created a registered plan for the 4.09-acre parcel. That is the reason why they are saying that the property has a new legal description. However, the city did not follow their own process for creating this 4.09-acre parcel.

City staff have confirmed that the Planning Act exempts municipalities from following any formal public process to create lots or to do a severance. This exemption is important to municipalities when they need to create parcels for important infrastructure projects, such as sewers, roads, treatment plants, etc.

But to not follow your own process, when thousands of times before the development/private sector has had to follow the same process to do lot creations for development purposes and for profit, is just not valid. Especially when there is an alternative public process available to you, that everyone else must follow.

Just because a piece of legislation allows you to bypass due process and public participation, it is not always the most prudent thing to do especially on something that involves existing heritage-designated property. Seems a bit like an end-around process.

The legal description of the current 2003 Heritage Designation bylaw is correct to include all of the land, the entire 125-acres, as approved by City Council in 2003, as depicted in the 1926 Ross design drawing and summarized in the course description.

Therefore, the assertion that a new legal description is a housekeeping process is not entirely true. It was the City that actively went in and changed the legal description, to meet the needs of the HSMFW plan.

Clubhouse Needs

There is no debate that the existing clubhouse has no heritage value, therefore go ahead and demolish it, however, leave the land on which it sits designated.

The city has completed a Heritage Impact Assessment (HIA) that formed part of the Jan 6, 2025, DHSC meeting. In that HIA, there is enough evidence and support to demolish the existing clubhouse, provided a heritage permit is issued.

The city can actually even build a new standalone clubhouse with an updated HIA and get a Heritage Permit again without removing the land from Heritage Designation.

Future of the Par 3 – that has no heritage value

Furthermore, in the HIA, that is before you tonight, it says that the parking lot, the existing clubhouse and the Par 3 course have no built heritage value to the current

Roseland heritage designation. However, because Roseland is considered a Cultural Heritage Landscape, that would be true, **BUT** the land on which these three functions sit, does have heritage value.

Despite the Par 3 course lands having no built heritage value, the city wants to keep those lands and that function as part of the current heritage designation.

The city is picking and choosing what they want to keep and/or remove for heritage land value at Roseland. **If the merits of this heritage designation bylaw amendment are solely based on heritage value, and not future redevelopment, what happens with the Par 3 lands, should be the same as what happens with the lands of the parking lot and existing clubhouse.**

NONETHELESS, if the current proposed bylaw amendment is approved for the 4.09 acres, this poses one dilemma. We now have a public record that says the Par 3 course lands has no heritage value, regardless that it is not being removed now. So, in the future, a subsequent Council can easily say *"let's get rid of it and sell the land for development, we already demonstrated that the Par 3 land has no heritage value in 2024/25"*.

Future Roseland Ties to Privately Owned Land

There are questions on how the future public-facing aspects of the Roseland site (parking lot/Clubhouse) will be integrated into the future private development and how will the city ensure those are available in perpetuity for use by the golf course. This would be something that would've been part of a business plan; however, none appear to be available.

If a new clubhouse and/or the golf course parking lot becomes part of the privately built condo complex, the city will be left with few options, and will need to negotiate how these will remain available to the city in perpetuity

Leasing or owning a future clubhouse as part of a privately owned building **has not been supported by any feasibility plan** completed to date. Leasing gives rise to uncertainty when lease term renewal comes around, and owning a clubhouse as part of the larger condo building gives rise to concerns with condo fees for maintenance and upkeep of the building envelope, underground parking, and common areas, as is standard in condo buildings.

The City should build a standalone clubhouse on their own, on their own property, this way **WE** are not betrothed to any private landowner, now or into the future.

Currently, the city has approx. \$5 million dollars available to build a new clubhouse. The city should expedite building a new clubhouse now, that does not require the removal of land from the heritage designation. If they followed this process, a new clubhouse may be operational by about the middle to end of the 2026 golf season, if they started soon.

However, hitch a new clubhouse to be part of a new condo building, it is far more likely that the new clubhouse will be available into the 2029 golf season, at best.

We are hearing City officials saying that \$5 million is not enough to build a new clubhouse. As noted earlier, Roseland is bringing in \$300k plus annually, therefore, even if the new clubhouse costs more, there appears to be a revenue source to pay for it over time that does not hit the tax rate. Or they can just scale down the new clubhouse to meet the \$5 million budget.

Council Decision vs DHSC Decision

It has been noted by Council members and our Mayor before, that when matters come to Council, that have been heard by the DHSC, it is sometimes a forgone conclusion that Council needs to approve City's Administration and DHSC recommendations, or else they will be challenged at the Ontario Land Tribunal.

However, that restraint is not present in the decision before you tonight on Roseland. Because Roseland is City-owned, the City is the applicant, and the City is the approval authority.

This decision tonight has no negative consequences on a private landowner's rights and does not impede the progress of a developer on developer-owned land.

Denying the proposed heritage designation bylaw amendment is a win-win-win situation that City Council does not see before them very often.

WIN for the city, and the Roseland Board because you can still go in and remove and rebuild a clubhouse quicker and more streamlined than doing this as part of a future redevelopment project. Getting a clubhouse quicker will contribute towards sports tourism because the golf course will be well-positioned to host major tournaments.

WIN for Council members because professionally you will demonstrate the skill of hearing and considering the information from your constituents.

WIN for the community because this Council will continue to provide for enhanced quality of life for your residents and visitors. It will continue to be a centrepiece of a neighbourhood that is named after the golf course and other nearby neighbourhoods with an iteration "Roseland" in their neighborhoods name.

Closure

I am providing this information to City Council respectfully, to consider and/or ask questions of City Administration about some of the particular aspects that are needed in order to make an informed decision tonight.

This City Council has put a lot of effort into enhancing the quality of life for Windsorites, you have invested in a beacon trolley, an outdoor ice rink and you are exploring future enhancements to the festival plaza, all at an approx. cost of \$50 million.

Now rebuilding a clubhouse at Roseland and leaving the land with a heritage designation, will cost the taxpayers nothing, but rather generate revenue, and it will continue to provide the same contribution to quality of life for your constituents as those other large costly projects. This will be for all of your City residents, and visitors alike to enjoy the golf course, while also continuing to identify a community, creating a sense of place, and neighbourhood character in the City of Windsor.

It is strongly urged that City Council at the Feb. 10, 2025, Council meeting, support the decision of the Jan 6, 2025, DHSC and continue to deny the proposed Heritage Designation Bylaw Amendment for Roseland Golf Course.

Respectfully submitted

Sandy Marra

Sandy Marra

Windsor, Ontario

Peter Marra

Peter Marra

Encls:

Appendix A – 2001/2003 City of Windsor Documents

Appendix B – Donald J Ross course description

Appendix C – Aerial photo comparison

Appendix A

2001/2003 City of Windsor Documents

(3 pages, including this cover sheet)

April 8, 2002

Mr. Barry Fowler
3385 Dolphin Ct.
Windsor, ON
N8R 2G7

Dear Mr. Fowler;

RE: Objection to the Proposed Heritage Designation of Roseland Golf Course

I have been asked by the Director of Planning to respond to your letter of March 28, 2002 in which you object to the proposed designation of the Roseland Golf Course under the *Ontario Heritage Act*. We have met before, when you were the Chair of the Windsor Public Library and were hearing submissions on the library's role in preserving the heritage of the community.

I would comment as follows on each of your objections:

- 1) You note that the course was built in "only 1927" – with the implication that this date would render the property ineligible for consideration as a heritage resource. Out of the 70 properties currently designated in Windsor, eight were constructed in 1927 or later. They include such landmarks as the John Richardson Library (1929), the Medical Arts Building (1930) and St. Peter's Church (1931).

I have attached for your information the section of the Windsor Official Plan that deals with "Heritage Conservation." I would draw your attention to section 9.3.3.2 on page 9-3 that sets out the criteria for the designation of individual properties under the Act. The following criteria are particularly relevant for the Roseland designation:

- ...be a notable example of the work of an early master builder, designer or significant architect
- be recognized as a long-standing Windsor or neighbourhood landmark or be considered to contribute positively to the cityscape because of its aesthetic value.

Of note, your statement that the course is "in an area of the city that does not contain any other heritage properties with the exception of Holy Redeemer College" [now Academie Ste. Cecile International School] merely reflects the manner in which the city developed i.e. urban development started on the river then grew south.

- 2) You note in your second point that "there are no other golf courses that have been so designated in the province." This is quite true. When the subject was first suggested by a

member of WACAC (the Windsor Architectural Conservation Advisory Committee) I telephoned the personnel at the Ministry of Citizenship, Culture and Recreation to get their opinion on the matter (April 2001). Fred Cane, the built heritage advisor with the Ministry, indicated that designating a Donald Ross golf course under the Act was entirely appropriate and was very excited about the idea. He noted that the staff at the Ministry had recently been considering how to promote the study and designation of the province's sports facilities. He felt such a designation in Windsor would be innovative and would serve to get other communities thinking of their sports heritage.

It should also be noted that Windsor's Official Plan calls for the designation of "sites and landscapes," not just buildings. (See Section 9.3.3.1)

- 3) I will leave the argument as to whether the city is missing out on an "opportunity" to increase its revenues by selling the property to the parties actively involved in the debate, mainly Windsor Star editor and members of the Roseland Board. It has no relevance to the issue at hand, namely whether the Roseland Golf Course is worthy of heritage designation. Designation under the *Ontario Heritage Act* does not preclude the sale of the property.
- 4) You note that the neighbours want the property to remain a golf course to enhance their property values. The intent of heritage designation for the course is preserve the Donald Ross design of the course, which is still largely intact - not just to preserve a golf course per se. Once designated, the owner is not obligated to restore elements lost over time, but any future changes should bring the course closer to the original design, not further from it. However, the owner may alter the property with Council's permission. The desires of the adjacent property owners were not an issue in Council's intent to designate.

I trust this information serves to inform you of the rationale behind the proposed designation. While it does not address the debate about future ownership of the course, that is not an issue here. In light of the above, I hope you will consider withdrawing your objection to the proposed heritage designation. In the event you still feel there are relevant issues directly related to the heritage value of the course, the matter will be referred to the provincial Conservation Review Board for a hearing. I have attached the relevant section of the Ontario Heritage Act, so that you can see what the procedure is.

Please call me at 255-6281 x 6336 to discuss this matter and to let me know how you would like to proceed. I can also be reached at nmorand@city.windsor.on.ca.

Sincerely,

Nancy Morand, Heritage Planner

cc. WACAC, Roseland Board, City Clerk, Director of Planning

Appendix B

Donald J Ross Golf Course Description (1926)

(2 pages, including this cover sheet)

DONALD J. ROSS
GOLF COURSE ARCHITECTURE AND CONSTRUCTION
LITTLE COMPTON, RHODE ISLAND

ASSOCIATES
WALTER B. HATCH
N. ARHERST, MASS.
J. B. MCCOY
WYNEWOOD, PA.

August 3, 1926.

Mr. W. I. Johnson, Jr.,
Pinehurst, N. C.

Dear Irving:-

RE-ROSELAND PARK COUNTRY CLUB

Send Mr. Percy R. Hoad, Michigan Investment Co., 530 Shelby St., Detroit, Mich., six (6) blue prints of general plan, one (1) black line print and also make one (1) crayon colored plan. This will necessitate your getting two black line prints. The crayon colored one can be simple and inexpensive. Send him also three (3) sets of working plans and greens.

This is a rush job and I would like for you to lay everything else aside and do the general plan first. They will want it to start in clearing the fairway widths. It is very urgent, so give it your best attention. Next in order comes the putting green plans and then the hole plans.

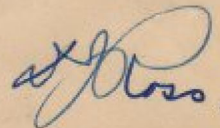
On the general plan show the first row of lots adjoining the course and the road around it. Show the Club House, tennis courts, etc., and I think it would be rather attractive to show the entrance, including Dougall Square.

The main ditch which I have shown in front of the Club House and across #8 and #9 holes, is at present located through the lot lines back of the Club House but it is to be changed to suit the golf course. The swails which I have shown in red are subject to slight adjustments as the construction work progresses but as the land is dead flat and badly drained these swails could be very useful both for filling material and drainage purposes. I have also shown the clumps of tree planting. You can put those in.

On a separate sheet I am sending you rough sketches of the putting greens, large enough for you to follow my description. Those on the general plan are so messed up with yellow that I do not believe you could follow my figures. No attempt is made to have the greens made on scale on these rough sketches.

Show a cross section of each green from right to left and from front to rear. This is very necessary as I do not believe we are going to have the construction of the course. You understand the ground is absolutely flat

Sincerely,



Address October to May—Pinehurst, North Carolina

ROS 80-2

Appendix C

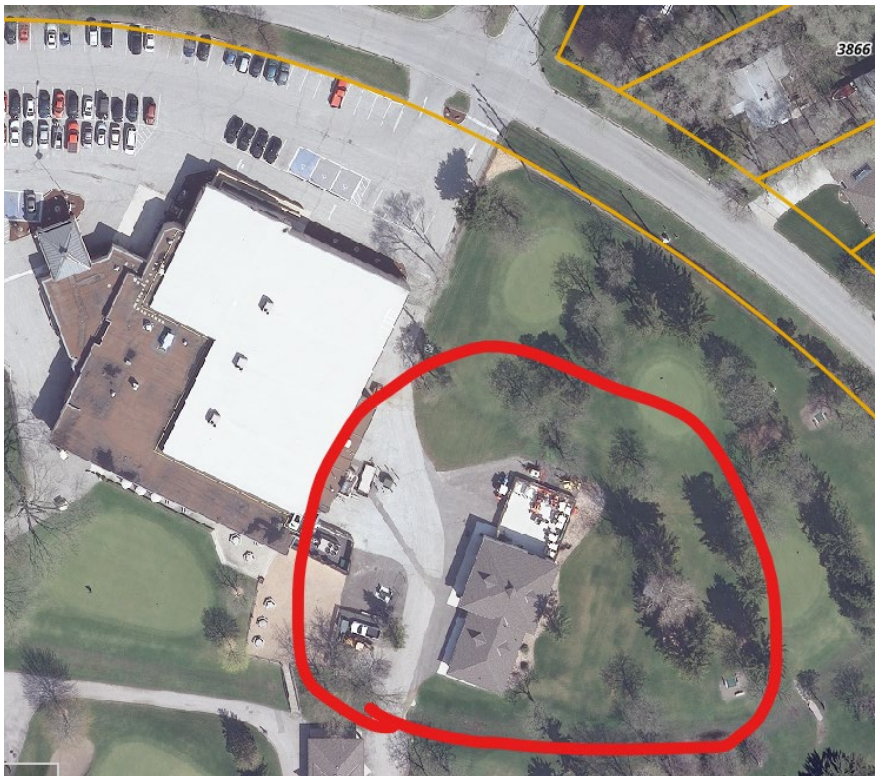
Roseland Aerial Photo Comparison

(3 pages, including this cover sheet)

2008 Aerial Image Roseland Golf Course



2010 Aerial Image Roseland Golf Course



2017 Aerial Image Roseland Golf Course



2019 Aerial Image Roseland Golf Course



From: Peter Marra <>
Sent: Thursday, February 6, 2025 3:58 PM
To: clerks <clerks@citywindsor.ca>
Subject: Item 8.11, Feb 10, 2025 Council meeting

Further to my previous submission, please accept this email as additional written comments relating to Item 8.11 on the Feb 10 council meeting.

I now wish to be placed on the agenda to be an in-person delegation at the Feb 10 meeting.

Cultural Heritage Resources Definitions

As part of the proposed Roseland heritage designation amendment bylaw, several terms are being used as they relate to what constitutes cultural heritage resources, heritage value, built heritage and cultural heritage landscape.

The following are definitions, directly from the City of Windsor Official Plan.

Cultural Heritage Resource – is heritage resources including built heritage resources and cultural heritage landscapes that Council has identified as being important.

Built Heritage Resource – includes buildings, structures, monuments, installations or remains associated with architectural, social, political economic or military history.

Cultural Heritage Landscape – are defined geographical areas of heritage significance, which have been modified by human activities such as archaeological sites, heritage conservation districts, parks/gardens, golf courses, neighbourhoods, cemeteries, trail ways, streets, street patterns, and industrial complexes of cultural heritage value.

As noted throughout the a+Link HIA, Roseland is considered for its cultural heritage resource meeting the definition of a **Cultural Heritage Landscape**. The 2003 designation, recognized the geographical area of the golf course as envisioned and depicted by Donald J Ross, through his design drawing and his course description. That is why the entire 125 acres have been designated heritage, for its Cultural Heritage Landscape value, regardless of what was built on the lands. It is the geographical boundary of the land and what Donald J Ross depicted as the golf course lands, 125-acre property, which has heritage value.

Here is an example using Willistead to contextualize this and compare.

Willistead, was designated heritage in 1976. The original heritage designation of Willistead was put in place for its 1906 built heritage features, such as the house, and coach house, etc. In 2013, an amendment of the heritage designation bylaw occurred on Willistead and the 6.2-hectare park was added to the reason for designation for its cultural heritage landscape value, for its landscape and setting around Willistead Manor.

In 2023, the city replaced the playground in Willistead Park, and for that work, the city received a Heritage Permit. It is clear that the Willistead playground is not original and does not date back to 1906 and it is certain that the playground, removed in 2023, at Willistead, had no built heritage value. Yet, the land area,

occupied by a non-heritage value playground prior to 2023, did not get removed from the Willistead Heritage Designation and the city got a heritage permit for the playground removal and replacement.

Conclusion

The city can do the exact same thing here on Roseland, and teardown and rebuild a standalone clubhouse without removing the land from the Heritage Designation. This will continue to support the true intention of the original 2003 cultural heritage landscape designation of Roseland. This will continue to keep the entire Donald J Ross concept alive for future generations. ***The City can demonstrate that they are not making changes that will bring this cultural heritage landscape further from the original design,*** as denoted by the City's Heritage Planner in an April 2002 letter.

Council should continue to support the Jan 6, 2025, DHSC decision and deny the proposed Roseland heritage designation bylaw amendment.

Regards,
Peter Marra

From: Charlie Hotham <>
Sent: February 6, 2025 7:12 PM
To: clerks <clerks@citywindsor.ca>
Subject: Roseland Heritage Designation

Re: Refence Submission to Item 8.11 For Presentation February, 10, 2025

Good Day City Clerk, Members of City Council and Development and Heritage Committee.

I would like to share my recollection of the discussion and ultimately the decision regarding the designation the Roseland Golf and Curling Club as a Heritage Property in 2003.

As a Member of City Council, and most importantly, as the representative as Councilor for Ward #1 in 2003 we distinctly had great debate on the designation of Roseland Golf and Curling Club and it was an overwhelming decision to support the designation of Roseland Golf and Curling Club as a Heritage Designation Property.

Let me share that there there was no waving in what we designating. It was clear that the designation was from boundary to boundary and boundary to boundary including existing Club house and parking lot. There was no discussion or desire that we should separate Club House and Parking lot in the designation. It was supported and agreed that it was all of the Don Ross designed Roseland Golf and Curling Club.

There was total conviction and commitment to have the entire development designated as a Heritage Development. Make no mistake about it there was no ambiguity about the decision, it was totally the desire and will of Council at the time to properly designate this special gem of property as a whole, as Heritage Development.

This approximately 10 acre piece of property has significant value to our quality of life in the neighborhood in South Windsor but more importantly to the total residents of the City of Windsor and that was certainly the overwhelming reasoning behind the decision of City Council of the day.

I strongly urge Members of today's City Council to recognize the decision and the reasoning behind it, to support what was an overwhelming motion supported by not only Ward Councilors but by the entire City Council of the day in 2003.

I appreciate the opportunity to share my thoughts and concerns with our City Leaders of today, as our decisions are always made with the best interest of our community.

Sincerely,
Charlie Hotham
Member of City Council 2000 to 2003.

From: Brandon Orlando < >
Sent: February 7, 2025 7:28 AM
To: clerks <clerks@citywindsor.ca>
Subject: Roseland golf coarse amendment to the heritage designation

Brandon Orlando
ward 1 resident

Hi I'm writing this email to oppose the amendment to the heritage designation of Roseland Golf Coarse item No.8.11 I will make this short we need a new club house , restaurant and some amenities for the city of Windsor residents, what we do not need is luxury condo development. The City already has the money set aside to build a new club house so let's get that built and stop wasting tax payers time and money trying to make amendments , get the shovel in the ground so we can start to enjoy what the golf coarse and Roseland Area has to offer. Thanks you for your time.

B.Orlando

From: Brandon Orlando < >
Sent: February 7, 2025 10:04 AM
To: clerks <clerks@citywindsor.ca>
Subject: Please deny the amendment to By-law 281-2003

This is just fallow up email to the one I sent earlier about Roseland Golf coarse amendment Please deny By law 281-2003. Please reference my earlier email from today I just wanted to make sure I have the by-law amendment number in my email to the city.

Brandon Orlando

Ward 1
B.Orlando

From: Adriana Folcan < >

Sent: February 7, 2025 9:46 AM

To: clerks <clerks@citywindsor.ca>

Subject: Re:Notice of Council Meeting - Item 8.11 – Amendment to Heritage Designation By-law No. 281-2003 – 455 Kennedy Drive West, Roseland Golf Course (Ward 1)

Adriana Folcan

Strongly Oppose the amendment to By-law 281-2003

My name is Adriana Folcan and I live at with my husband and two young children. We purchased my husband's childhood home from his parents. He has lived here his whole life. We are just a stones throw away from the clubhouse. We worked hard, saved our money and purchased this home because we absolutely love this area and want to raise our children up and grow old here. Our whole life's hopes and dreams and sacrifices for our children will be greatly impacted by these changes. I can't even begin to explain and do not wish to take up more of your time. I beg of you not to take this decision lightly and consider the implications for so very many people just like us, people who work hard, pay taxes, plan for the future and contribute immensely to our community.

Mayor Dilkens-I am speaking to your directly as it is obvious to all that this is your pet project. You will eventually move on to bigger career opportunities and aspirations-but we will have to live with this decision for the rest of our lives and so will our children. We were strong advocates for you when you ran for election and we voted for you. This amendment will destroy lives and futures. Please do not take this decision lightly and if you have decided already please reconsider. Do you want this to be your legacy?

PLEASE DENY THE AMENDMENT TO
BY-LAW 281-2003.

Thank you for your consideration and time.

Sincerely

Adriana Folcan (43)

Abigail Orlando (8)

Sammie Orlando (3)

From: Bill Marra <>
Sent: February 7, 2025 10:47 AM
To: clerks <clerks@citywindsor.ca>
Subject: Item 8.11

Attention: Mayor Drew Dilkens and Members of Windsor City Council
Subject: Amendment to Heritage Designation By-Law No. 281-2003 - 455 Kennedy Drive West - Roseland Golf Course

On Monday February 10, 2025 you will be dealing with a Heritage Designation Amendment Bylaw regarding Roseland Golf Course in the City of Windsor. As I understand it, the effect of the proposed amendment is to sever and remove the Heritage Designation from a portion of the property known as Roseland Golf Course.

I was a member of Windsor City Council in 2003 when Council deemed it appropriate to designate Roseland Golf Course, to be of architectural and /or historic value and interest. City Council in 2003 strongly believed that this parcel of land known as Roseland Golf Course "possesses unique character" (Heritage Act) and it was important "to ensure that this character is preserved". The intent of Council was to protect the entire property from any redevelopment other than a golf course.

The proposed amendment to remove the designation from 10 acres is the start of an erosion of the property's heritage status. Not only does this negatively impact the character of Roseland Golf Course but it also opens the door to further redevelopment on the Roseland property and potentially other Heritage designated sites. Having reviewed the Report, there was no evidence to support what justifies the severance of 10 acres and the amendment to the by-law. The question that must be asked and answered is this - what has changed in 22 years that no longer justifies the Heritage Designation? Nothing in my view.

I urge Windsor City Council to endorse the recommendation of the Standing Committee to deny the proposed amendment to By-law No. 281-2003.

I thank-you all in advance for considering my submission.

Bill Marra

From: James Demers < >
Sent: February 6, 2025 2:58 AM
To: clerks <clerks@citywindsor.ca>
Subject: Roseland!

Greetings from a Windsor citizen in NSW Australia at the moment. I would like to see a club house that would also serve the residents of Ward One and not just condos. It should have a physical activity designated to seniors in the area. I am...

Hello -- this email is to serve as an **Objection to the proposed Amendment to Heritage Designation By-law No. 281-2003 – 455 Kennedy Drive, West, Roseland Golf Course (Ward 1). This amendment has the potential to erode the current heritage designation of the current golf course with any proposed future redevelopment of the 10 acres parcel removed"**

I am resubmitting my letter of objection as I understand that there will be a Council meeting on February 10, 2025 to reopen discuss or possibly change the heritage designation bylaw of the Roseland Golf Course.

I am representing my household at My husband and I, including our adult children are concerned about entry and exit of traffic onto Roseland Dr. E and entry and exit of traffic onto Casgrain Drive.

The recommendation of a proposed heritage designation bylaw amendment as presented in Report S 161/2024, should be denied. "The report before the committee is solely geared to removing the heritage designation and any discussion on future rezoning/redevelopment will be subject to a future report/proposals. This bylaw amendment should be completed in connection/conjunction with a proposed rezoning report. The current amendment should be deemed premature". By approving this amendment, you change the entire definition of what the Land/Heritage Land/Veteran Land in this area.

Additionally, we wish to express concerns surrounding safety in the existing neighborhood. There are no sidewalks. There is minimal street lighting. Casgrain Drive itself has no street lights. It is very hard to see pedestrians on this road especially when dark as it offers no sidewalks.

Having lived on Casgrain Drive for over 25 years, we have seen Casgrain Drive and Roseland be used as a throughway to Howard Avenue. Speeding has always been an issue and as a result, the speed limit was eventually reduced to 40 km, however, to this day, many do not abide by the reduced speeding limit. Casgrain Drive is also on a school bus route and many children and students cross Kennedy and Casgrain Drive to reach their bus stops/school destination.

There are a large number of pedestrians who use the area for recreation to walk a variety of circuits around the golf course or loops of several blocks. Youth often crossing Dougall at Roseland to go to Starbucks or Tim Hortons, especially in the summer. There are children walking and riding bicycles in the area and there many school bus - especially at the intersection of Roseland E and Kennedy E, Kennedy and Casgrain Drive. The proposed amendment will increase traffic flow along Roseland, Kennedy and North Casgrain Drive adding to additional risk for pedestrians/bicyclers and children.

Additionally, the rezoning proposal at top of Casgrain and Cabana, would cause further congestion as there are proposed plans to rezone the corner of Casgrain and Cabana Rd W - **1141/1175: a four story Dwelling-consisting of 6 commercial spaces, 25 dwelling units, 61 parking space, access on Casgrain and Cabana.**

There are further development proposals in the area which includes:

1. Proposal 475/479 Cabana Rd W: 3 story, 18 dwelling units, 25 parking spaces in rear, access lane on Cabana
2. Proposal 619 Cabana Rd W: where developers want to sever this one lot into 3 – 45 ft x 150 ft lots- each severed lot will house a minimum of 6 dwelling units and 7 parking spaces in rear, 3 access lanes on Cabana (student dormitory style development up to 72 bedrooms on a 135 ft x 150 ft

A multi-use residential building on Heritage Land/Roseland Golf Course, in addition to the proposed developed plans outlined above will no doubt creates noise and light pollution issues, green space loss by converting grass and tree land to concrete and pavement, lack of infrastructure support-electrical/plumbing/sewage that would only cost the city more dollars.

In summary, the amendment has the potential to increase hazard associated with increased traffic through a well-used area that should be maintained as a safe, peaceful environment for multiple recreational uses by the public.

Most Importantly, The essence of Roseland Park Golf Club and its surrounding land should be protected as Heritage Designation. If such designation is removed, we set a precedent to manipulate and change other heritage communities/structures/settings for the purpose of progress. Windsor offers an abundance of land available for the pursuit of progress as deemed reasonable-keeping safety in mind.

Thank you for your attention. I can be reached at 519-890-2451 if further input required.

Thank you,

Maria and Ian (John) MacNeil; Laura and Amanda MacNeil
Residents of ... Casgrain Drive.

Keep South-Windsor/Roseland area the well-established low density Single Family Residential Dwelling as is.

Dated: February 7, 2024

To: clerks@citywindsor.ca
Subject: Written submission for City Council Agenda FEB 10, 2025
Agenda Item No. 11.5 - Jackson Park Bandshell RFP Update – CR 22/2025
Sent 06 FEB 2025

Esteemed Custodians of Windsor history and heritage:

As custodians you have the responsibility and duty to preserve the legacy and heritage of the Jackson Park Bandshell and with it the legacy and heritage of the Emancipation Celebration.

Here are some suggestions how to do that:

1. Approve a new RFP for a Jackson Park Bandshell Feasibility Study.
2. Assign the Jackson Park Bandshell **DESIGNATED** status on the Windsor Municipal Heritage Register.
3. Begin the process to develop a master plan to dedicate the parkland around the Jackson Park Bandshell to a theme that commemorates Emancipation and human rights.
4. Create on that land: **The Freedom Beacon**.

The Freedom Beacon would ensure that every visitor to Windsor will learn from the example of nearly three centuries of struggle, sacrifice and determination by a valiant people who fled from brutality and found freedom here, settled here and prospered here.

The Freedom Beacon will remind us, now and for generations to come, that since 1834, our city has been a safe haven for anyone fleeing oppression anywhere in the world.



Mention the Jackson Park Bandshell and you'll likely arouse a lot of nostalgia.

Perhaps you know an aging rock 'n' roller who fondly recalls the "Battle of the Bands" concerts held there decades ago.

Among Windsor's Black-Canadian community however, the feelings transcend mere fondness.

There you'll find a large cohort of families who can trace their lineage back centuries.

They view the Bandshell as a monument to ancestral legacy and community history. It is literally a concrete link to Windsor's once glorious

Emancipation Celebration.

That connection becomes clear if you reflect on our history beginning from colonial times when this land was New France.

The African ancestry of some of our citizens goes back to the 1700s, when Black people came as the "property" of French colonizers, as indentured servants, or as Freemen.

In 1763 the European domination of much of North America was resolved when France ceded its claims to a large part of its territory to Great Britain.

More than a decade later, with the end of the American Revolution, Black Loyalists moved north and added to the population of the colony. More Freemen followed over the years.

When the British Parliament's "... **Act for the Abolition of Slavery throughout the British Colonies...**" became effective on August 1, 1834, self-emancipated people, Freedom Seekers, began streaming out of the United States to escape the brutality and injustice of chattel slavery.

Those courageous people mostly fled on foot and travelled at night. They risked betrayal. They evaded capture at any moment from pursuing bounty hunters on horses, often tracking them with packs of hunting dogs.

Following the North Star, they traversed the “Underground Railroad,” a perilous network of secret routes and safe houses (“stations”), organized and supported by Black and White abolitionists (“station masters”) on both sides of the border.

By the time the United States enacted the three Reconstruction Amendments to the U.S. Constitution, starting in 1865 with the 13th Amendment abolishing slavery, tens of thousands of Freedom Seekers had already found safe haven under the Crown in British Canada.

So, it is pretty clear that **The Abolition Act and the date August 1st** have long been integral elements of Black Canada’s culture and reverence for Emancipation.

Year after year, from the mid 19th century to the early 20th, throughout the country, the growing Black population celebrated Emancipation Day at their churches with prayers of thanksgiving and community basket lunches.

It was in Windsor in the early 1930s that descendents of both Freedom Seekers and Freemen started a new tradition and began to celebrate Emancipation Day in a more secular way. Within a few years, they expanded and organized the celebration into a world famous extravaganza.

That change meant Emancipation Day would no longer be observed only by the Black Community. In Windsor it became a citywide festival, drawing immense crowds of visitors from near and far.

One man was mainly responsible for this, a titanic entrepreneur, Windsor-born impresario, Walter Perry. For nearly forty years, Mr. Perry produced “The Greatest Freedom Show on Earth.”

During the heyday of the festival, on the first weekend in August, tens of thousands of visitors poured into Windsor, spending hundreds of thousands of dollars.

The festivities began with a parade of marching bands and floats that lasted a couple of hours and stretched the length of Ouellette Ave. from the Detroit River to Jackson Park.

Visitors arriving at the Park found a thrilling midway with carnival attractions.

Teasing their appetites was the tantalizing aroma of succulent spareribs and chicken grilling over charcoal on giant open pits.

On Saturday night on those glorious weekends in August, thousands of celebrants filled the Great Grandstand in front of the Bandshell to watch a stunning display of Black pride, the Miss Sepia Beauty Pageant.

Later, those who stayed on would enjoy a star-studded variety show, featuring world famous performers and recording artists.

The celebration continued on Sunday morning when thousands returned for worship at the sunrise prayer services led by outstanding pastors from Christian congregations in Canada and the U.S.

Finishing off the day, celebrity guest speakers delivered inspiring messages calling for Black pride and racial harmony. Among them over the years were [Mrs. Eleanor Roosevelt](#), [Dr. Martin Luther King, Jr.](#), [Dr. Mary McLeod Bethune](#), and [Rev. Adam Clayton Powell, Jr.](#), to name a few.

And let us never forget where that thrilling demonstration of pride and harmony coalesced year after year; it was at Jackson Park’s central entertainment venue – the Bandshell and the Great Grandstand.

Tragically, both were destroyed in a devastating fire in 1957.

The Bandshell, rebuilt in 1959, continued to be peacefully used as the main venue for the Emancipation Celebration until 1967.

That year, despite the fact that Windsor had no history of racial violence, city councillors feared that our Black citizens might emulate the civil disorders that ravaged Detroit. In their panic they denied the Emancipation Celebration organizers the use of Jackson Park.

1967 was also the year Walter Perry passed. His successor, Ted Powell, tried to sustain the energy and the spirit of the Emancipation Celebration for a few more years. But Mr. Powell's efforts, and those of others, could never really restore the festival's grandeur.

So the bright light of the great Emancipation Celebration gradually started to dim.

But it **never** went out.

Dedicated Windsorites have to this day continued to fuel the flickering lamp of the Emancipation Celebration.

Thanks to their efforts we can still enjoy commemorative activities and events every August.

And that brings us back to that historic heritage structure, the Jackson Park Bandshell.

Today we find it neglected by our city and languishing on a rubble-strewn patch of scraggly parkland.

It is a sad and silent sentinel standing guard over a place where for decades jubilation prevailed.

Despite our city's neglect it still emits a spark of joy that ignites happy memories.

For generation after generation in the Black Community, the Jackson Park Bandshell has remained a symbol of the legacy and heritage that instills pride.

It is a beacon that stirs visions of those glorious August weekends when Walter Perry led our entire city to commemorate one of the greatest mass liberation events in history.

Respectfully yours,
Harold Goldin, Ward 5
2561 Allyson Ave
N8W 5N6

Attachment 1 – City Beacon links

Attachment 2 – Media links

A1 Beacons

Five pavilions called beacons are public destinations and landmarks that explore themes to provoke contemplation of time, history and heritage. They are:

- [Celestial Beacon](#)
- [City Beacon](#)
- [Dawn Beacon](#)
- [Legacy Beacon](#)
- [Peace Beacon](#)

A2 Media Links

- [The Greatest Freedom Show on Earth – Documentary Trailer](#) – Orphan Boy Films ©2015
- [The Greatest Freedom Show on Earth – Full Documentary](#) Orphan Boy Films ©2015
- [Savethebandshell.com](#)

